

労働者派遣事業の適正な運営の確保及び派遣労働者の
就業条件の整備等に関する法律施行規則
**Enforcement Regulation of the Act for Securing the
Proper Operation of Worker Dispatching
Undertakings and Improved Working Conditions for
Dispatched Workers**

(昭和六十一年四月十七日労働省令第二十号)
(Order of the Ministry of Labour No. 20 of April 17, 1986)

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Chapter I Measures for Securing the Proper Operation of Worker
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第一節 業務の範囲

Section 1 Scope of the Designated Work

（令第二条第一項の厚生労働省令で定める場所等）

(Places Specified by Order of the Ministry of Health, Labour and Welfare
Referred to in Article 2, Paragraph (1) of the Order)

第一条 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行令（昭和六十一年政令第九十五号。以下「令」という。）第二条第一項の厚生労働省令で定めるものは、次に掲げる場所とする。

Article 1 (1) The places specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 2, paragraph (1) of the Order for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Cabinet Order No. 95 of 1986; hereinafter referred to as the "Order") are the places listed as follows:

一 都道府県が医療法（昭和二十三年法律第二百五号）第三十条の十二第一項の協議を経て同項の必要な施策として地域における医療の確保のためには令第二条第一項第一号に掲げる業務に業として行う労働者派遣により派遣労働者を従事させる必要があると認めた病院等（同号に規定する病院等をいう。次号において同じ。）であつて厚生労働大臣が定めるもの

(i) hospitals, etc., at which prefectures have found that it is necessary, after going through the consultation process referred to in Article 30-12, paragraph (1) of the Medical Care Act (Act No. 205 of 1948), as one of the necessary measures referred to in the same paragraph, to have a dispatched worker engage in work listed in Article 2, paragraph (1), item (i) of the Order, under arrangements for worker dispatching services carried out in the course of trade, for the purpose of securing medical care in the region (meaning hospitals, etc. prescribed in the same item; the same applies in the following item) and which are specified by the Minister of Health, Labour and Welfare; and

二 前号に掲げる病院等に係わる患者の居宅

(ii) homes of patients related to the hospitals, etc. listed in the preceding item.

- 2 令第二条第一項第一号の厚生労働省令で定めるものは、次のとおりとする。
- (2) The places specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 2, paragraph (1), item (i) of the Order are as follows:
- 一 障害者自立支援法（平成十七年法律第百二十三号）第五条第十二項に規定する障害者支援施設の中に設けられた診療所
- (i) clinics established in support facilities for persons with disabilities prescribed in Article 5, paragraph (12) of the Services and Supports for Persons with Disabilities Act (Act No. 123 of 2005);
- 二 生活保護法（昭和二十五年法律第百四十四号）第三十八条第一項第一号に規定する救護施設の中に設けられた診療所
- (ii) clinics established in relief facilities prescribed in Article 38, paragraph (1), item (i) of the Public Assistance Act (Act No. 144 of 1950);
- 三 生活保護法第三十八条第一項第二号に規定する更生施設の中に設けられた診療所
- (iii) clinics established in rehabilitation facilities prescribed in Article 38, paragraph (1), item (ii) of the Public Assistance Act;
- 四 独立行政法人労働者健康福祉機構法（平成十四年法律第百七十一号）第十二条第一項第七号に規定するリハビリテーション施設の中に設けられた診療所
- (iv) clinics established in rehabilitation centers prescribed in Article 12, paragraph (1), item (vii) of the Act on the Japan Labour Health and Welfare Organization, Independent Administrative Agency (Act No. 171 of 2002);
- 五 老人福祉法（昭和三十一年法律第百三十三号）第二十条の四に規定する養護老人ホームの中に設けられた診療所
- (v) clinics established in nursing homes for the elderly prescribed in Article 20-4 of the Act on Social Welfare for the Elderly (Act No. 133 of 1963);
- 六 老人福祉法第二十条の五に規定する特別養護老人ホームの中に設けられた診療所
- (vi) clinics established in special nursing homes for the elderly prescribed in Article 20-5 of the Act on Social Welfare for the Elderly;
- 七 原子爆弾被爆者に対する援護に関する法律（平成六年法律第百十七号）第三十九条に規定する養護事業を行う施設の中に設けられた診療所
- (vii) clinics established in facilities for nursing services prescribed in Article 39 of the Atomic Bomb Survivors' Assistance Act (Act No. 117 of 1994).

第二節 事業の許可等

Section 2 License for Worker Dispatching Undertakings

第一款 一般労働者派遣事業

Subsection 1 General Worker Dispatching Undertakings

（許可の申請手続）

（Procedures for Applying for a License）

第一条の二 労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（以下「法」という。）第五条第二項の申請書は、一般労働者派遣事業許

可申請書（様式第一号）のとおりとする。

Article 1-2 (1) The written application under Article 5, paragraph (2) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Act") is to be in the form of a written application for a license for general worker dispatching undertakings (Form No. 1).

2 法第五条第三項の厚生労働省令で定める書類は、次のとおりとする。

(2) The documents specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 5, paragraph (3) of the Act are as follows:

一 申請者が法人である場合にあっては、次に掲げる書類

(i) when the applicant is a corporation, the following documents:

イ 定款又は寄附行為

(a) articles of incorporation or articles of endowment;

ロ 登記事項証明書

(b) certificate of registered information;

ハ 役員の住民票（外国人にあっては、外国人登録証明書。以下同じ。）の写し及び履歴書

(c) a copy of the resident record of the officers (in the case of a foreign national, the foreign registration certificate; the same applies hereinafter) and their resumes;

ニ 役員が未成年者で一般労働者派遣事業に関し営業の許可を受けていない場合にあっては、その法定代理人の住民票の写し及び履歴書

(d) when an officer is a minor and has not obtained a license for the operation of general worker dispatching undertakings, a copy of the resident record and a resume of the officer's statutory agent;

ホ 一般労働者派遣事業を行う事業所ごとの個人情報の適正管理及び秘密の保持に関する規程（以下「個人情報適正管理規程」という。）

(e) rules concerning the proper management of personal information and preservation of confidentiality (hereinafter referred to as "rules for the proper management of personal information") for each place of business where the general worker dispatching undertakings are carried out;

ヘ 最近の事業年度における貸借対照表及び損益計算書

(f) a balance sheet and profit and loss statement for a recent business year;

ト 一般労働者派遣事業に関する資産の内容及びその権利関係を証する書類

(g) documents certifying the details of the assets concerning the general worker dispatching undertakings and matters related to their rights;

チ 一般労働者派遣事業を行う事業所ごとに選任する派遣元責任者の住民票の写し及び履歴書

(h) a copy of the resident record and resume of the responsible person for the worker dispatching undertakings appointed for each place of business where the general worker dispatching undertakings are carried out;

二 申請者が個人である場合にあっては、次に掲げる書類

(ii) if the applicant is an individual, the following documents:

イ 住民票の写し及び履歴書

(a) a copy of the resident record and resume;

ロ 申請者が未成年者で一般労働者派遣事業に関し営業の許可を受けていない場合にあっては、その法定代理人の住民票の写し及び履歴書

(b) if the applicant is a minor and has not obtained a license for the operation of general worker dispatching undertakings, a copy of the resident record and resume of the applicant's statutory agent;

ハ 前号ホ、ト及びチに掲げる書類

(c) documents listed in sub-items (e), (g) and (h) of the preceding item.

3 法第五条第三項の規定により添付すべき事業計画書は、一般労働者派遣事業計画書（様式第三号）のとおりとする。

(3) The business plan to be attached pursuant to the provisions of Article 5, paragraph (3) of the Act is to be in the form of a business plan of general worker dispatching undertakings (Form No. 3).

4 法第二条第六号に規定する特定派遣元事業主（以下「特定派遣元事業主」という。）が法第五条第一項の規定による一般労働者派遣事業の許可を申請するときは、法人にあっては第二項第一号イからハまでに掲げる書類を、個人にあっては同項第二号イに掲げる書類を添付することを要しない。

(4) When a business operator of specified dispatching undertakings prescribed in Article 2, item (vi) of the Act (hereinafter referred to as "business operator of specified dispatching undertakings") applies for a license for general worker dispatching undertakings pursuant to the provisions of Article 5, paragraph (1) of the Act, documents listed in paragraph (2), item (i), sub-items (a) through (c) are not required in the case of a corporation, and documents listed in paragraph (2), item (ii), sub-item (a) are not required in the case of an individual.

（法第七条第一項第一号の厚生労働省令で定める場合）

(The Case Specified by Order of the Ministry of Health, Labour and Welfare under Article 7, Paragraph (1), Item (i) of the Act)

第一条の三 法第七条第一項第一号の厚生労働省令で定める場合は、当該事業を行う派遣元事業主が雇用する派遣労働者のうち、十分の三以上の者が六十歳以上の者（他の事業主の事業所を六十歳以上の定年により退職した後雇い入れた者に限る。）である場合とする。

Article 1-3 The case specified by Order of the Ministry of Health, Labour and Welfare under Article 7, paragraph (1), item (i) of the Act is to be the case where 30 percent or more of all dispatched workers employed by a dispatching business operator who conducts the services are 60 years of age or over (limited to those who were employed after retiring from a place of business of another

business operator due to the mandatory retirement age of over 60).

(許可証)

(Permit)

第二条 法第八条第一項の許可証は、一般労働者派遣事業許可証（様式第四号。以下単に「許可証」という。）のとおりとする。

Article 2 The permit under Article 8, paragraph (1) of the Act is to be in the form of a permit for general worker dispatching undertakings (Form No. 4; hereinafter simply referred to as "permit").

(許可証の再交付)

(Reissuance of Permit)

第三条 法第八条第三項の規定により許可証の再交付を受けようとする者は、許可証再交付申請書（様式第五号）を、厚生労働大臣に提出しなければならない。

Article 3 A person who seeks to have their permit reissued pursuant to the provisions of Article 8, paragraph (3) of the Act must submit a written application for the reissuance of a permit (Form No. 5) to the Minister of Health, Labour and Welfare.

(許可証の返納等)

(Return of Permit)

第四条 許可証の交付を受けた者は、次の各号のいずれかに該当することとなつたときは、当該事実のあつた日の翌日から起算して十日以内に、第一号又は第二号の場合にあつては一般労働者派遣事業を行うすべての事業所に係る許可証、第三号の場合にあつては発見し又は回復した許可証を厚生労働大臣に返納しなければならない。

Article 4 (1) A person who has been issued permits, when they come to fall under any of the following items, must return the permits pertaining to all places of business for carrying out the general worker dispatching undertakings in the case of falling under item (i) or item (ii), and the permit discovered or restored in the case of falling under item (iii) to the Minister of Health, Labour and Welfare, within ten days from the day following the day on which the fact occurred:

一 許可が取り消されたとき。

(i) when the license was revoked;

二 許可の有効期間が満了したとき。

(ii) when the validity period of the license expired;

三 許可証の再交付を受けた場合において、亡失した許可証を発見し、又は回復したとき。

(iii) in the case of having received the reissuance of the permit, when the lost permit was discovered or restored.

2 許可証の交付を受けた者が次の各号に掲げる場合のいずれかに該当することとなつ

たときは、当該各号に掲げる者は、当該事実のあつた日の翌日から起算して十日以内に、一般労働者派遣事業を行うすべての事業所に係る許可証を厚生労働大臣に返納しなければならない。

(2) When a person who has been issued permits has come to fall under any of the cases listed in the following items, the person listed in each of those items must return the permits pertaining to all places of business for carrying out the general worker dispatching undertakings to the Minister of Health, Labour and Welfare, within ten days from the day following the day on which the fact occurred:

一 死亡した場合 同居の親族又は法定代理人

(i) when the person has died: a cohabiting relative or a statutory agent;

二 法人が合併により消滅した場合 合併後存続し、又は合併により設立された法人の代表者

(ii) when the corporation has disappeared through a merger: a representative person of the corporation surviving the merger or established through the merger.

(許可の有効期間の更新の申請手続)

(Application Procedures for Renewal of the Validity Period of the License)

第五条 法第十条第二項の規定による許可の有効期間の更新を受けようとする者は、当該許可の有効期間が満了する日の三十日前までに、一般労働者派遣事業許可有効期間更新申請書（様式第一号）を、厚生労働大臣に提出しなければならない。

Article 5 (1) A person who seeks to obtain the renewal of the validity period of the license pursuant to the provisions of Article 10, paragraph (2) of the Act must submit a written application for the renewal of the validity period of the license for general worker dispatching undertakings (Form No. 1) to the Minister of Health, Labour and Welfare, 30 days prior to the expiration date of the validity period of the license.

2 法第十条第五項において準用する法第五条第三項の厚生労働省令で定める書類は、次のとおりとする。

(2) The documents specified by Order of the Ministry of Health, Labour and Welfare under Article 5, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 10, paragraph (5) of the Act are as follows:

一 申請者が法人である場合にあっては、第一条の二第二項第一号イ、ロ、ニ、ホ、へ及びトに掲げる書類

(i) where an applicant is a corporation, the documents listed in Article 1-2, paragraph (2), item (i), sub-items (a), (b), (d), (e), (f) and (g); or

二 申請者が個人である場合にあっては、第一条の二第二項第一号ホ及びトに掲げる書類

(ii) where an applicant is an individual, the documents listed in Article 1-2, paragraph (2), item (i), sub-items (e) and (g).

3 法第十条第五項において準用する法第五条第三項の規定により添付すべき事業計画書は、一般労働者派遣事業計画書（様式第三号）のとおりとする。

(3) The business plan to be attached pursuant to the provisions of Article 5, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 10, paragraph (5) of the Act is to be in the form of the written business plan for general worker dispatching undertakings (Form No. 3).

4 法第十条第二項の規定による許可の有効期間の更新は、当該更新を受けようとする者が現に有する許可証と引換えに新たな許可証を交付することにより行うものとする。

(4) The renewal of the validity period of the license pursuant to the provisions of Article 10, paragraph (2) of the Act is to be made by issuing a new permit in exchange for the permit currently held by the person seeking the renewal.

第六条及び第七条 削除

Articles 6 and 7 Deleted

（変更の届出等）

(Notification of Changes)

第八条 法第十一条の規定による届出をしようとする者は、法第五条第二項第四号に掲げる事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して三十日以内に、同号に掲げる事項以外の事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して十日以内に、当該届出に係る事項が許可証の記載事項に該当しない場合にあつては一般労働者派遣事業変更届出書（様式第五号）を、当該届出に係る事項が許可証の記載事項に該当する場合にあつては一般労働者派遣事業変更届出書及び許可証書換申請書（様式第五号）を厚生労働大臣に提出しなければならない。

Article 8 (1) A person who seeks to make a notification pursuant to the provisions of Article 11 of the Act must submit a written notification of changes to general worker dispatching undertakings (Form No. 5) to the Minister of Health, Labour and Welfare in the case of making a notification of changes to the matters listed in Article 5, paragraph (2), item (iv), of the Act, within 30 days from the day following the day on which the fact pertaining to the changes occurred and in the case of making a notification of changes other than those listed in the same item, within ten days from the day following the day on which the fact pertaining to the changes occurred. The person must submit a notification of changes to general worker dispatching undertakings and written application for renewal of the permit (Form No. 5) to the Minister of Health, Labour and Welfare, in the case the matters on the notification of changes fall under those stated on the permit.

2 法第十一条第一項の規定による届出のうち、事業所の新設に係る変更の届出を行う場合には、前項の一般労働者派遣事業変更届出書には、法人にあつては当該新設する事業所に係る第一条の二第二項第一号ホ、ト及びチに、個人にあつては当該新設する

事業所に係る同項第二号ハに掲げる書類（一般労働者派遣事業に関する資産の内容を証する書類を除く。）を添付しなければならない。ただし、法第二条第六号に規定する一般派遣元事業主（以下「一般派遣元事業主」という。）が一般労働者派遣事業を行っている他の事業所の派遣元責任者を当該新設する事業所の派遣元責任者として引き続き選任したときは、法人にあつては第一条の二第二項第一号チに掲げる書類のうち履歴書（選任した派遣元責任者の住所に変更がないときは、住民票の写し及び履歴書。以下この条において同じ。）を、個人にあつては同項第二号ハに掲げる書類のうち履歴書を添付することを要しない。

(2) In the case of making a notification of changes related to the establishment of new places of business among notifications under the provisions of Article 11, paragraph (1) of the Act, the written notification of changes to general worker dispatching undertakings referred to in the preceding paragraph must be accompanied by documents related to the new places of business listed in Article 1-2, paragraph (2), item (i), sub-items (e), (g) and (h) in the case of a corporation, and documents related to the new places of business listed in item (ii), sub-item (c) of the same paragraph in the case of an individual (excluding documents certifying the details of assets concerning the general worker dispatching undertakings); provided, however, that when a business operator of general dispatching undertakings prescribed in Article 2, item (vi) of the Act (hereinafter referred to as a "business operator of general dispatching undertakings") has continued to appoint a responsible person for the dispatching undertakings for another place of business where general worker dispatching undertakings have been conducted as the responsible person for the dispatching undertakings of the new place of business, the person's resume is not required out of the documents listed in Article 1-2, paragraph (2), item (i), sub-item (h) in the case of a corporation, and the person's resume is not required out of the documents listed in item (ii), sub-item (c) of the same paragraph in the case of an individual (when there are no changes to the address of the responsible person appointed, a copy of the person's resident record and resume are not required; hereinafter the same applies in this Article).

3 法第十一条第一項の規定による届出のうち、事業所の新設に係る変更の届出以外の届出を行う場合には、第一項の一般労働者派遣事業変更届出書又は一般労働者派遣事業変更届出書及び許可証書換申請書には、第一条の二第二項に規定する書類のうち当該変更事項に係る書類（事業所の廃止に係る変更の届出にあつては、当該廃止した事業所に係る許可証）を添付しなければならない。

(3) In the case of making a notification of changes other than those related to the establishment of new places of business among notifications under the provisions of Article 11, paragraph (1) of the Act, the written notification of changes to general worker dispatching undertakings or the written notification of changes to general worker dispatching undertakings and the written

application for renewal of the permit referred to in paragraph (1) are to be accompanied by documents related to the changed matters out of the documents prescribed in Article 1-2, paragraph (2) (in the case of making a notification of changes related to the abolition of places of business, the permit for the abolished places of business).

- 4 法第五条第二項第四号に掲げる事項のうち派遣元責任者の氏名に変更があつた場合において、当該一般派遣元事業主が一般労働者派遣事業を行つている他の事業所の派遣元責任者を当該変更に係る事業所の変更後の派遣元責任者として引き続き選任したときは、法人にあつては第一条の二第二項第一号チに掲げる書類のうち履歴書を、個人にあつては同項第二号ハの書類のうち履歴書を添付することを要しない。

- (4) In the case where there are changes to the name of the responsible person for the dispatching undertakings among the matters listed in Article 5, paragraph (2), item (iv) of the Act, when the business operator of general dispatching undertakings has continued to appoint a responsible person for the dispatching undertakings of another place of business where general worker dispatching undertakings have been conducted as the responsible person for the dispatching undertakings of the place of business related to the changes, the person's resume is not required out of the documents listed in Article 1-2, paragraph (2), item (i), sub-item (h) in the case of a corporation, and the person's resume is not required out of the documents listed in item (ii), sub-item (c) of the same paragraph in the case of an individual.

(事業所の新設に係る変更の届出があつた場合の許可証の交付)

(Issuance of Permit in the Cases When Notification of Changes Related to Establishment of New Places of Business Has Been Made)

第九条 法第十一条第三項の規定による許可証の交付は、当該新設に係る事業所ごとに交付するものとする。

Article 9 The permit under the provisions of Article 11, paragraph (3) of the Act is to be issued for each newly established place of business.

(廃止の届出)

(Notification of Discontinuance of Business)

第十条 法第十三条第一項の規定による届出をしようとする者は、当該一般労働者派遣事業を廃止した日の翌日から起算して十日以内に、一般労働者派遣事業を行うすべての事業所に係る許可証を添えて、一般労働者派遣事業廃止届出書（様式第八号）を厚生労働大臣に提出しなければならない。

Article 10 A person who seeks to make the notification pursuant to the provisions of Article 13, paragraph (1) of the Act must submit a written notification of discontinuance of the general worker dispatching undertakings (Form No. 8) to the Minister of Health, Labour and Welfare, along with the permit related to all of the places of business carrying out general worker

dispatching undertakings, within ten days from the day following the day of the discontinuance of the general worker dispatching undertakings.

第二款 特定労働者派遣事業

Subsection 2 Specified Worker Dispatching Undertakings

(届出書の提出手続)

(Procedures for Submitting a Written Notification)

第十一条 法第十六条第一項の届出書は、特定労働者派遣事業届出書（様式第九号）のとおりとする。

Article 11 (1) The written notification under Article 16, paragraph (1) of the Act is to be in the form of a written notification of specified worker dispatching undertakings (Form No. 9).

2 法第十六条第二項の厚生労働省令で定める書類は、次のとおりとする。

(2) The documents specified by Order of the Ministry of Health, Labour and Welfare under Article 16, paragraph (2) of the Act are as follows:

一 届出者が法人である場合にあっては、次に掲げる書類

(i) when the notifier is a corporation, the following documents:

イ 第一条の二第二項第一号イからハまでに掲げる書類

(a) documents listed in Article 1-2, paragraph (2), item (i), sub-items (a) through (c);

ロ 役員が未成年者で特定労働者派遣事業に関し営業の許可を受けていない場合にあっては、その法定代理人の住民票の写し及び履歴書

(b) when an officer is a minor and has not obtained a license for the operation of specified worker dispatching undertakings, a copy of the resident record and resume of the statutory agent;

ハ 特定労働者派遣事業を行う事業所ごとの個人情報適正管理規程

(c) rules for the proper management of personal information for each place of business carrying out specified worker dispatching undertakings;

ニ 特定労働者派遣事業を行う事業所に係る権利関係を証する書類

(d) documents certifying the matters related to the rights of the place of business carrying out specified worker dispatching undertakings;

ホ 特定労働者派遣事業を行う事業所ごとに選任する派遣元責任者の住民票の写し及び履歴書

(e) a copy of the resident record and resume of a responsible person for the dispatching undertakings appointed for each place of business carrying out specified worker dispatching undertakings;

二 届出者が個人である場合にあっては、次に掲げる書類

(ii) when a notifier is an individual, the following documents:

イ 第一条の二第二項第二号イに掲げる書類

(a) documents listed in Article 1-2, paragraph (2), item (ii), sub-item (a);

- ロ 届出者が未成年者で特定労働者派遣事業に関し営業の許可を受けていない場合に
あつては、その法定代理人の住民票の写し及び履歴書
- (b) when the notifier is a minor and has not obtained a license for the
operation of specified worker dispatching undertakings, a copy of the
resident record and resume of the statutory agent;
- ハ 前号ハ、ニ及びホに掲げる書類
- (c) documents listed in sub-items (c), (d) and (e) of the preceding item.
- 3 法第十六条第二項の規定により添付すべき事業計画書は、特定労働者派遣事業計画
書（様式第三号）のとおりとする。
- (3) The business plan to be attached pursuant to the provisions of Article 16,
paragraph (2) of the Act is to be in the form of a business plan of a specified
worker dispatching undertakings (Form No. 3).
- 4 一般派遣元事業主又は法第五条第一項の規定による一般労働者派遣事業の許可の申
請をしている者が法第十六条第一項の規定による特定労働者派遣事業の届出をする
ときは、法人にあつては第二項第一号イに掲げる書類を、個人にあつては同項第二号イ
に掲げる書類を添付することを要しない。
- (4) When a business operator of general dispatching undertakings or a person
who has filed an application for a license of general worker dispatching
undertakings under Article 5, paragraph (1) of the Act seeks to make a
notification of specified worker dispatching undertakings pursuant to Article
16, paragraph (1) of the Act, documents listed in paragraph (2), item (i), sub-
item (a) are not required in the case of a corporation and documents listed in
item (ii), sub-item (a) of the same paragraph are not required in the case of an
individual.
- 5 届出者が一般労働者派遣事業を行つている場合において、当該届出者が一般労働者
派遣事業を行つている他の事業所の派遣元責任者を当該届出に係る事業所の派遣元責
任者として引き続き選任するときは、法人にあつては第二項第一号ホに掲げる書類の
うち履歴書（選任する派遣元責任者の住所に変更がないときは、住民票の写し及び履
歴書。以下この項において同じ。）を、個人にあつては同項第二号ハの書類のうち履
歴書を添付することを要しない。
- (5) In the case where the notifier has been conducting general worker
dispatching undertakings, when the notifier seeks to continue to appoint a
responsible person for the dispatching undertakings of another place of
business where general worker dispatching undertakings have been conducted
as the responsible person for the dispatching undertakings of the place of
business related to the notification, the resume is not required out of the
documents listed in paragraph (2), item (i), sub-item (e) in the case of a
corporation, and the resume is not required out of the documents listed in item
(ii), sub-item (e) of the same paragraph in the case of an individual (when there
are no changes to the address of the responsible person for the dispatching
undertakings to be appointed, a copy of their resident record and resume are

not required; hereinafter the same applies in this paragraph).

(法第十八条の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 18 of the Act)

第十二条 法第十八条の厚生労働省令で定める事項は、次のとおりとする。

Article 12 The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 18 of the Act are as follows:

一 氏名又は名称及び法人にあつては、その代表者の氏名

(i) the name, and in the case of a corporation, the name of the representative;

二 事業所の名称及び所在地

(ii) the name and location of the place of business.

第十三条 削除

Article 13 Deleted

(変更の届出)

(Notification of Changes)

第十四条 法第十九条の規定による届出をしようとする者は、法第五条第二項第四号に掲げる事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して三十日以内に、同号に掲げる事項以外の事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して十日以内に、第十一条第二項に規定する書類のうち当該変更事項に係る書類を添えて、特定労働者派遣事業変更届出書（様式第十号）を厚生労働大臣に提出しなければならない。ただし、届出者が当該変更に係る法第十一条第一項の規定による届出をした際に、法人にあつては第一条の二第二項第一号イからハまでに掲げる書類のうち当該変更事項に係る書類、個人にあつては同項第二号イに掲げる書類のうち当該変更事項に係る書類を添付したときは、当該書類を添付することを要しない。

Article 14 (1) A person who seeks to make a notification pursuant to the provisions of Article 19 of the Act must submit a written notification of changes to specified worker dispatching undertakings (Form No. 10) to the Minister of Health, Labour and Welfare, along with documents related to the changed matters out of the documents prescribed in Article 11, paragraph (2) within 30 days from the day following the day on which the fact pertaining to the changes occurred in the case of making a notification of changes listed in Article 5, paragraph (2), item (iv) of the Act, and within ten days from the day following the day on which the fact pertaining to the changes occurred in the case of making a notification of changes other than those listed in the same item; provided, however, that in making the notification under Article 11, paragraph (1) of the Act with regard to the changes, if documents related to the changed matters out of the documents listed in Article 1-2, paragraph (2), item

(i), sub-items (a) through (c) are attached in the case of a corporation, or documents related to the changed matters out of the documents listed in item (ii), sub-item (a) of the same paragraph are attached in the case of an individual, the notification of changes is not required.

- 2 法第十九条第一項の厚生労働省令で定める書類は、法人にあつては当該新設する事業所に係る第十一条第二項第一号ハ、ニ及びホに、個人にあつては当該新設する事業所に係る同項第二号ハに掲げる書類とする。ただし、当該特定派遣元事業主が一般労働者派遣事業又は特定労働者派遣事業を行つている他の事業所の派遣元責任者を当該新設する事業所の派遣元責任者として引き続き選任したときは、法人にあつては同項第一号ホに掲げる書類のうち履歴書（選任した派遣元責任者の住所に変更がないときは、住民票の写し及び履歴書。以下この条において同じ。）を、個人にあつては同項第二号ハに掲げる書類のうち履歴書を添付することを要しない。

- (2) The documents specified by Order of the Ministry of Health, Labour and Welfare under Article 19, paragraph (1) of the Act are the documents related to the new places of business listed in Article 11, paragraph (2), item (i), sub-items (c), (d) and (e) in the case of a corporation, and the documents related to the places of business listed in item (ii), sub-item (c) of the same paragraph in the case of an individual; provided, however, that when the business operator of specified dispatching undertaking has continued to appoint a responsible person for the dispatching undertakings of another place of business where general worker dispatching undertakings or specified worker dispatching undertakings have been conducted as the responsible person for the dispatching undertakings of the new places of business, the resume is not required out of the documents listed in item (i), sub-item (e) of the same paragraph in the case of a corporation, and the resume is not required out of the documents listed in item (ii), sub-item (c) of the same paragraph in the case of an individual (when there are no changes to the address of the appointed responsible person for the dispatching undertakings, a copy of the person's resident record and resume are not required; hereinafter the same applies in this Article).

- 3 法第五条第二項第四号に掲げる事項のうち派遣元責任者の氏名に変更があつた場合において、当該特定派遣元事業主が一般労働者派遣事業又は特定労働者派遣事業を行つている他の事業所の派遣元責任者を当該変更に係る事業所の変更後の派遣元責任者として引き続き選任したときは、法人にあつては第十一条第二項第一号ホに掲げる書類のうち履歴書を、個人にあつては同項第二号ハの書類のうち履歴書を添付することを要しない。

- (3) In the case where there are changes to the name of the responsible person for the dispatching undertakings among the matters listed in Article 5, paragraph (2), item (iv) of the Act, when the business operator of specified dispatching undertakings has continued to appoint a responsible person for the dispatching undertakings of another place of business where general worker dispatching

undertakings or specified worker dispatching undertakings have been conducted as the responsible person for the dispatching undertakings of the place of business related to the changes, the resume is not required out of the documents listed in Article 11, paragraph (2), item (i), sub-item (e) in the case of a corporation, and the resume is not required out of the documents listed in item (ii), sub-item (c) of the same paragraph in the case of an individual.

(廃止の届出)

(Notification of Discontinuance of Business)

第十五条 法第二十条の規定による届出をしようとする者は、当該廃止の日の翌日から起算して十日以内に、特定労働者派遣事業廃止届出書（様式第八号）を厚生労働大臣に提出しなければならない。

Article 15 A person who seeks to make a notification pursuant to the provisions of Article 20 of the Act must submit a written notification of discontinuance of the specified worker dispatching undertakings (Form No. 8) to the Minister of Health, Labour and Welfare, within ten days from the day following the date of the discontinuance of the specified worker dispatching undertakings.

第十六条 削除

Article 16 Deleted

第三節 補則

Section 3 Auxiliary Provisions

(事業報告書及び収支決算書)

(Business Reports and Settlements of Accounts)

第十七条 法第二十三条第一項に規定する派遣元事業主（以下単に「派遣元事業主」という。）は、毎事業年度経過後三月以内に、当該事業年度に係る労働者派遣事業を行う事業所ごとの当該事業に係る事業報告書及び収支決算書を作成し、厚生労働大臣に提出しなければならない。ただし、派遣元事業主が当該事業年度に係る貸借対照表及び損益計算書を提出したときは、収支決算書を提出することを要しない。

Article 17 (1) A business operator of dispatching undertakings prescribed in Article 23, paragraph (1) of the Act (hereinafter simply referred to as "dispatching business operator"), within three months after the end of each business year, must prepare a business report for the undertakings and statement of accounts for each place of business carrying out the worker dispatching undertakings and submit them to the Minister of Health, Labour and Welfare; provided, however, that when the dispatching business operator has submitted a balance sheet and profit and loss statement for the business year, the statement of accounts is not required.

2 法第二十三条第一項の規定により提出すべき事業報告書及び収支決算書は、それぞれ

れ労働者派遣事業報告書（様式第十一号）及び労働者派遣事業収支決算書（様式第十二号）のとおりとする。

- (2) The business reports and statements of accounts to be submitted pursuant to the provisions of Article 23, paragraph (1) of the Act are to be in the form of a business report for worker dispatching undertakings (Form No. 11) and the form of statement of accounts for worker dispatching undertakings (Form No. 12), respectively.

（海外派遣の届出）

(Notification of Overseas Worker Dispatching Undertakings)

第十八条 派遣元事業主は、法第二十三条第三項の規定による海外派遣（以下単に「海外派遣」という。）をしようとするときは、海外派遣届出書（様式第十三号）に第二十三条の規定による書面の写しを添えて厚生労働大臣に提出しなければならない。

Article 18 When a dispatching business operator seeks to carry out overseas worker dispatching undertakings pursuant to the provisions of Article 23, paragraph (3) of the Act (hereinafter simply referred to as an "overseas dispatching"), the business operator must submit a written notification of overseas dispatching (Form No. 13) along with a copy of documents under the provisions of Article 23 to the Minister of Health, Labour and Welfare.

（書類の提出の経由）

(Route for Submitting Documents)

第十九条 法第二章又はこの章の規定により厚生労働大臣に提出する書類は、派遣元事業主の主たる事務所の所在地を管轄する都道府県労働局長を経由して提出するものとする。ただし、法第八条第三項、法第十一条第一項若しくは第四項、法第十九条第一項又は第四条第一項の規定により厚生労働大臣に提出する書類（許可証を含む。）のうち、法第五条第二項第一号及び第二号に規定する事項以外の事項に係るものについては、当該事業所の所在地を管轄する都道府県労働局長を経由して提出することができる。

Article 19 The documents to be submitted to the Minister of Health, Labour and Welfare under the provisions of Chapter II or this Chapter of the Act are to be submitted through the Prefectural Labour Director who has jurisdiction over the location of the main office of a dispatching business operator; provided, however, that the documents related to matters other than those prescribed in Article 5, paragraph (2), items (i) and (ii) of the Act, out of the documents (including permits) to be submitted to the Minister of Health, Labour and Welfare pursuant to the provisions of Article 8, paragraph (3), Article 11, paragraph (1) or paragraph (4), Article 19, paragraph (1), or Article 4, paragraph (1), of the Act, may be submitted through the Prefectural Labour Director who has jurisdiction over the location of the place of business.

(提出すべき書類の部数)

(The Number of Copies of Documents to be Submitted)

第二十条 法第二章又はこの章の規定により厚生労働大臣に提出する書類（許可証を除く。）は、正本にその写し二通（第一条の二第二項、第五条第二項、第八条第二項若しくは第三項、第十一条第二項又は第十四条に規定する書類にあつては、一通）を添えて提出しなければならない。

Article 20 In submitting documents (excluding permits) to the Minister of Health, Labour and Welfare under the provisions of Chapter II or this Chapter of the Act, the original copy together with two copies thereof (one copy, in the case of documents prescribed in Article 1-2, paragraph (2), Article 5, paragraph (2), Article 8, paragraph (2) or paragraph (3), Article 11, paragraph (2) or Article 14) must be submitted.

第二章 派遣労働者の就業条件の整備等に関する措置

Chapter II Measures for Securing Improved Working Conditions for Dispatched Workers

第一節 労働者派遣契約

Section 1 Worker Dispatch Contract

(労働者派遣契約における定めの方法等)

(Methods to Stipulate Matters under a Worker Dispatch Contract)

第二十一条 法第二十六条第一項の規定による定めは、同項各号に掲げる事項の内容の組合せが一であるときは当該組合せに係る派遣労働者の数を、当該組合せが二以上であるときは当該それぞれの組合せの内容及び当該組合せごとの派遣労働者の数を定めることにより行わなければならない。

Article 21 (1) When there is only one combination of the content of the matters listed in the items of Article 26, paragraph (1) of the Act, the matters must be stipulated by specifying the number of dispatched workers for the combination, and when there are two or more combinations, the matters must be stipulated by specifying the details of each of the combinations and the number of dispatched workers for each combination, pursuant to the provisions of the same paragraph.

2 法第二十六条第一項第一号の業務の内容に令第四条各号に掲げる業務が含まれるときは、当該号番号を付するものとする。

(2) When the content of the work under Article 26, paragraph (1), item (i) of the Act contains the work listed in the items of Article 4 of the Order, the relevant item numbers are to be attached.

3 労働者派遣契約の当事者は、当該労働者派遣契約の締結に際し法第二十六条第一項の規定により定めた事項を、書面に記載しておかなければならない。

(3) When concluding a worker dispatch contract, the parties to the worker dispatch contract must state on a document the matters prescribed in the

provisions of Article 26, paragraph (1) of the Act.

- 4 派遣元事業主から労働者派遣の役務の提供を受ける者は、当該労働者派遣契約の締結に当たり法第二十六条第四項の規定により明示された内容を、前項の書面に併せて記載しておかなければならない。

(4) When concluding a worker dispatch contract, a person who receives provision of worker dispatching services from a dispatching business operator must state the content clarified under the provisions of Article 26, paragraph (4) of the Act, along with the matters on the document referred to in the preceding paragraph.

(法第二十六条第一項第十号の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare Referred to in Article 26, Paragraph (1), Item (x) of the Act)

第二十二条 法第二十六条第一項第十号の厚生労働省令で定める事項は、次のとおりとする。

Article 22 The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 26, paragraph (1), item (x) of the Act are as follows:

一 派遣元責任者及び派遣先責任者に関する事項

(i) the matters concerning the responsible person for the dispatching undertakings and the responsible person for the client;

二 労働者派遣の役務の提供を受ける者が法第二十六条第一項第四号に掲げる派遣就業をする日以外の日に同項第二号に規定する派遣就業（以下単に「派遣就業」という。）をさせることができ、又は同項第五号に掲げる派遣就業の開始の時刻から終了の時刻までの時間を延長することができる旨の定めをした場合における当該派遣就業をさせることができる日又は延長することができる時間数

(ii) in the case where a person receiving provision of worker dispatching services has specified that the person may have workers perform the dispatch work prescribed in Article 26, paragraph (1), item (ii) of the Act (hereinafter simply referred to as "dispatch work") on days other than the days on which the dispatch work is to be performed under item (iv) of the same paragraph or that the person may extend the hours from the start time to the end time of the dispatch work prescribed in item (v) of the same paragraph, the extra days on which the person may have workers perform the dispatch work or the number of hours by which the person may extend the dispatch work;

三 派遣元事業主が、法第三十一条に規定する派遣先（以下単に「派遣先」という。）である者又は派遣先となろうとする者との間で、これらの者が当該派遣労働者に対し、診療所、給食施設等の施設であつて現に当該派遣先である者又は派遣先になろうとする者に雇用される労働者が通常利用しているものの利用、レクリエーション等に関する施設又は設備の利用、制服の貸与その他の派遣労働者の福祉の増進のための便宜を供与する旨の定めをした場合における当該便宜供与の内容及び方法

(iii) in the case where a dispatching business operator has specified that a person who is or will be a client prescribed in Article 31 of the Act (hereinafter simply referred to as "client") that the person will provide dispatched workers with the right to use facilities such as clinics and food service facilities which workers employed by the person who is or will be a client are currently using on a regular basis, the right to use facilities or equipment for recreational purposes, the lending of uniforms and other advantages for promoting dispatched workers' welfare, the details of the advantages and the means of providing them.

(契約に係る書面の記載事項)

(Matters to be Stated in Writing Pertaining to the Contract)

第二十二條の二 第二十一條第三項に規定する書面には、同項及び同條第四項に規定する事項のほか、次の各号に掲げる場合の区分に応じ、それぞれ当該各号に定める事項を記載しなければならない。

Article 22-2 The document prescribed in Article 21, paragraph (3) must state the matters prescribed in the same paragraph and paragraph (4) of the same Article and the matters prescribed in the following items, in accordance with the category listed in each item:

一 紹介予定派遣の場合 当該派遣先が職業紹介を受けることを希望しない場合又は職業紹介を受けた者を雇用しない場合には、派遣元事業主の求めに応じ、その理由を、書面の交付若しくはファクシミリを利用してする送信又は電子メールの送信（以下「書面の交付等」という。）により、派遣元事業主に対して明示する旨

(i) in the case of employment placement dispatching: the fact that if the client does not wish to accept an employment placement or does not employ a person who has been introduced, the reason thereof is to be clearly indicated to the dispatching business operator, at their request, by way of delivery of document, transmission by facsimile or transmission by e-mail (hereinafter referred to as "delivery of document, etc.");

二 法第四十條の二第一項第二号イの業務について行われる労働者派遣の場合 同号イに該当する旨

(ii) in the case of worker dispatching carried out for the work referred to in Article 40-2, paragraph (1), item (ii), sub-item (a) of the Act: the fact that the work falls under sub-item (a) of the same item;

三 法第四十條の二第一項第二号ロの業務について行われる労働者派遣の場合 次のイからハまでに掲げる事項

(iii) in the case of worker dispatching undertakings carried out for the work referred to in Article 40-2, paragraph (1), item (ii), sub-item (b) of the Act: matters listed in the following sub-items (a) through (c);

イ 法第四十條の二第一項第二号ロに該当する旨

(a) the fact that the work falls under Article 40-2, paragraph (1), item (ii),

sub-item (b) of the Act;

ロ 当該派遣先において当該業務が一箇月間に行われる日数

(b) the number of working days per month on which the work is performed at the client's place of business;

ハ 当該派遣先に雇用される通常の労働者の一箇月間の所定労働日数

(c) the number of working days per month prescribed for ordinary workers employed by the client;

四 法第四十条の二第一項第三号の業務について行われる労働者派遣の場合 次のイ及びロに掲げる事項

(iv) in the case of worker dispatching carried out for the work referred to in Article 40-2, paragraph (1), item (iii) of the Act: matters listed in the following sub-items (a) and (b):

イ 労働基準法（昭和二十二年法律第四十九号）第六十五条第一項若しくは第二項の規定による休業（以下「産前産後休業」という。）、育児休業、介護休業等育児又は家族介護を行う労働者の福祉に関する法律（平成三年法律第七十六号。以下「育児・介護休業法」という。）第二条第一号に規定する育児休業（以下「育児休業」という。）又は第三十三条に規定する場合における休業をする労働者の氏名及び業務

(a) the name and work of a worker who takes absence from work under the provisions of Article 65, paragraph (1) or (2) of the Labor Standards Act (Act No. 49 of 1947) (hereinafter referred to as "maternity leave before and after childbirth"), childcare leave prescribed in Article 2, item (i) of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991; hereinafter referred to as the "Child Care and Caregiver Leave Act") (hereinafter such leave is referred to as "childcare leave"), or absence from work in the case prescribed in Article 33;

ロ イの労働者がする産前産後休業、育児休業又は第三十三条に規定する場合における休業の開始及び終了予定の日

(b) the date of the start and the scheduled end of maternity leave before and after childbirth, childcare leave or absence from work in the case prescribed in Article 33 taken by the worker referred to in sub-item (a);

五 法第四十条の二第一項第四号の業務について行われる労働者派遣の場合 次のイ及びロに掲げる事項

(v) in the case of worker dispatching undertakings carried out for the work referred to in Article 40-2, paragraph (1), item (iv) of the Act: matters listed in the following sub-items (a) and (b):

イ 育児・介護休業法第二条第二号に規定する介護休業（以下「介護休業」という。）又は第三十三条の二に規定する休業をする労働者の氏名及び業務

(a) the name and work of a worker who takes caregiver leave prescribed in Article 2, item (ii) of the Childcare and Caregiver Leave Act (hereinafter

referred to as "caregiver leave") or absence from work prescribed in Article 33-2;

ロ イの労働者がする介護休業又は第三十三条の二に規定する休業の開始及び終了予定の日

(b) the date of the start and the scheduled end of caregiver leave or absence from work prescribed in Article 33-2 taken by the worker referred to in sub-item (a);

(海外派遣に係る労働者派遣契約における定めの方法)

(Methods to Stipulate Matters under Worker Dispatch Contract for Overseas Worker Dispatching)

第二十三条 派遣元事業主は、海外派遣に係る労働者派遣契約の締結に際し、法第二十六条第三項の規定により定めた事項を書面に記載して、当該海外派遣に係る役務の提供を受ける者に当該書面の交付等をしなければならない。

Article 23 When concluding a worker dispatch contract for overseas dispatching, a dispatching business operator must state in writing the matters prescribed under the provisions of Article 26, paragraph (3) of the Act and provide delivery of document, etc. to the person who receives provision of services pertaining to the overseas dispatching.

(法第二十六条第三項第三号の厚生労働省令で定める措置)

(Measures Specified by Order of the Ministry of Health, Labour and Welfare under Article 26, Paragraph (3), Item (iii) of the Act)

第二十四条 法第二十六条第三項第三号の厚生労働省令で定める措置は、次のとおりとする。

Article 24 The measures specified by Order of the Ministry of Health, Labour and Welfare under Article 26, paragraph (3), item (iii) of the Act are as follows:
一 法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知

(i) notice of the first day on which receiving provision of worker dispatching services will be in conflict with the provisions of Article 40-2, paragraph (1) of the Act as prescribed under Article 26, paragraph (5) of the Act;

二 法第三十九条の労働者派遣契約に関する措置

(ii) measures concerning worker dispatch contract under Article 39 of the Act;

三 法第四十条第一項の苦情の内容の通知及び当該苦情の処理

(iii) notice of the content of the complaint and handling of the complaint under Article 40, paragraph (1) of the Act;

四 法第四十条の三から第四十条の五までに規定する派遣労働者の雇用に関する事項に関する措置

(iv) measures concerning matters related to the employment of dispatched workers prescribed in Articles 40-3 through 40-5 of the Act;

五 疾病、負傷等の場合における療養の実施その他派遣労働者の福祉の増進に係る必要な援助

(v) provision of medical treatment in the case of illness or injury and other assistance necessary for promoting the welfare of dispatched workers;

六 前各号に掲げるもののほか、派遣就業が適正かつ円滑に行われるようにするため必要な措置

(vi) beyond what is set forth in the preceding items, necessary measures for the appropriate and smooth performance of dispatch work.

(法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知の方法)

(Methods of Making a Notice of the First Day on which Receiving Worker Dispatching Services will be in Conflict with the Provisions of Article 40-2, Paragraph (1) as Prescribed in Article 26, Paragraph (5) of the Act)

第二十四条の二 法第二十六条第五項に規定する法第四十条の二第一項の規定に抵触することとなる最初の日の通知は、労働者派遣契約を締結するに当たり、あらかじめ、法第二十六条第五項の規定により通知すべき事項に係る書面の交付等により行わなければならない。

Article 24-2 When concluding a worker dispatch contract, a notice is to be made in advance with regard to the first day on which receiving provision of worker dispatching services will be in conflict with the provisions of Article 40-2, paragraph (1) as prescribed in Article 26, paragraph (5) of the Act, by way of delivery of document, etc. concerning matters to be notified under the provisions of Article 26, paragraph (5) of the Act.

第二節 派遣元事業主の講ずべき措置等

Section 2 Measures to Be Taken by Dispatching Business Operators

(就業条件の明示の方法等)

(Methods for Clarifying Working Conditions)

第二十五条 法第三十四条第一項及び第二項の規定による明示は、当該規定により明示すべき事項を次のいずれかの方法により明示することにより行わなければならない。ただし、同条第一項の規定による明示にあつては、労働者派遣の実施について緊急の必要があるためあらかじめこれらの方法によることができない場合において、当該明示すべき事項をあらかじめこれらの方法以外の方法により明示したときは、この限りでない。

Article 25 (1) The matters to be clarified under the provisions of Article 34, paragraphs (1) and (2) of the Act must be clarified by any of the following means; provided, however, that this does not apply to the case of clarifying working conditions under the provisions of paragraph (1) of the same Article, where the matters cannot be clarified in advance by any of the following means

because the worker dispatching is urgently needed and the matters have been clarified in advance by means other than the following means:

一 書面の交付の方法

(i) by delivery of document;

二 次のいずれかの方法によることを当該派遣労働者が希望した場合における当該方法

(ii) either of the following means by which the dispatched worker wishes to have the matters indicated:

イ ファクシミリを利用してする送信の方法

(a) transmission by facsimile; or

ロ 電子メールの送信の方法

(b) transmission by e-mail.

2 前項ただし書の場合であつて、次の各号のいずれかに該当するときは、当該労働者派遣の開始の後遅滞なく、当該事項を前項各号に掲げるいずれかの方法により当該派遣労働者に明示しなければならない。

(2) In the case referred to in the proviso of the preceding paragraph which falls under any of the following items, the relevant matters must be clearly indicated to the dispatched worker by any of the means listed in the items of the preceding paragraph, without delay after the commencement of the worker dispatching undertakings:

一 当該派遣労働者から請求があつたとき

(i) when a request has been made by the dispatched worker; or

二 前号以外の場合であつて、当該労働者派遣の期間が一週間を超えるとき

(ii) when the period of the worker dispatching exceeds one week in the case other than that referred to in the preceding item.

第二十六条 削除

Article 26 Deleted

(派遣先への通知の方法等)

(Means of Making a Notice to the Client)

第二十七条 法第三十五条の規定による通知は、法第二十六条第一項各号に掲げる事項の内容の組合せが一であるときは当該組合せに係る派遣労働者の氏名及び次条各号に掲げる事項を、当該組合せが二以上であるときは当該組合せごとに派遣労働者の氏名及び次条各号に掲げる事項を通知することにより行わなければならない。

Article 27 (1) When there is only one combination of the content of matters listed in the items of Article 26, paragraph (1) of the Act, the names of the dispatched workers pertaining to the combination and the matters listed in the items of the following Article are to be notified, and when there are two or more combinations, the names of the dispatched workers for each of the combinations and the matters listed in the items of the following Article are to

be notified, pursuant to the provisions of Article 35 of the Act.

- 2 法第三十五条の規定による通知は、労働者派遣に際し、あらかじめ、同条により通知すべき事項に係る書面の交付等により行わなければならない。ただし、労働者派遣の実施について緊急の必要があるためあらかじめ書面の交付等ができない場合において、当該通知すべき事項をあらかじめ書面の交付等以外の方法により通知したときは、この限りでない。

(2) The notice under the provisions of Article 35 of the Act must be made in advance, when carrying out worker dispatching undertakings, by means of delivery of document, etc. concerning the matters to be notified under the same Article; provided, however, that this does not apply to the case where delivery of document, etc. cannot be provided in advance because the worker dispatching is urgently needed and the matters to be notified have been made in advance by means other than delivery of document, etc.:

- 3 前項ただし書の場合であつて、当該労働者派遣の期間が二週間を超えるととき（法第二十六条第一項各号に掲げる事項の内容の組合せが二以上である場合に限る。）は、当該労働者派遣の開始の後遅滞なく、当該事項に係る書面の交付等を行わなければならない。

(3) In the case referred to in the proviso of the preceding paragraph and where the term of the worker dispatching exceeds two weeks (limited to the case where there are two or more combinations of the content of matters listed in the items of Article 26, paragraph (1) of the Act), delivery of document, etc. concerning the matters must be provided, without delay after the commencement of the worker dispatching undertakings.

- 4 法第三十五条の二第二項の規定による通知は、派遣先への通知にあつては同項により通知すべき事項に係る書面の交付等により、派遣労働者への通知にあつては同項により通知すべき事項を次のいずれかの方法により通知することにより行わなければならない。

(4) The notice under the provisions of Article 35-2, paragraph (2) of the Act for the notice to a client must be made by means of delivery of document, etc. concerning the matters to be notified under the same paragraph and for the notice to a dispatched worker must be made by notifying the matters to be notified under the same paragraph by any of the following means:

一 書面の交付の方法

(i) by delivery of document;

二 次のいずれかの方法によることを当該派遣労働者が希望した場合における当該方法

(ii) either of the following means by which the dispatched worker wishes to have the matters notified:

イ ファクシミリを利用してする送信の方法

(a) transmission by facsimile; or

ロ 電子メールの送信の方法

(b) transmission by e-mail.

(法第三十五条第二号の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 35, Item (ii) of the Act)

第二十七条の二 法第三十五条第二号の厚生労働省令で定める事項は、当該労働者派遣に係る派遣労働者に関して、次の各号に掲げる書類がそれぞれ当該各号に掲げる省令により当該書類を届け出るべきこととされている行政機関に提出されていることの有無とする。

Article 27-2 (1) The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 35, item (ii) of the Act are to be whether the document listed in the following items has been submitted to the relevant administrative organ under the Ministerial Order listed in those respective items regarding dispatched workers under worker dispatching undertakings:

一 健康保険法施行規則（大正十五年内務省令第三十六号）第二十四条第一項に規定する健康保険被保険者資格取得届

(i) written notification of acquisition of the health insurance qualification prescribed in Article 24, paragraph (1) of the Enforcement Regulation of the Health Insurance Act (Order of the Ministry of Home Affairs No. 36 of 1926);

二 厚生年金保険法施行規則（昭和二十九年厚生省令第三十七号）第十五条に規定する厚生年金保険被保険者資格取得届

(ii) written notification of acquisition of the welfare pension insurance qualification prescribed in Article 15 of the Enforcement Regulation of the Employees' Welfare Pension Insurance Act (Order of the Ministry of Health and Welfare No. 37 of 1954);

三 雇用保険法施行規則（昭和五十年労働省令第三号）第六条に規定する雇用保険被保険者資格取得届

(iii) written notification of acquisition of the employment insurance qualification prescribed in Article 6 of the Enforcement Regulation of the Employment Insurance Act (Order of the Ministry of Labour No. 3 of 1975).

2 派遣元事業主は、前項の規定により前項各号に掲げる書類が提出されていないことを派遣先に通知するときは、当該書類が提出されていない具体的な理由を付さなければならない。

(2) When a dispatching business operator notifies a client that the document listed in the items of the preceding paragraph pursuant to the provisions of the preceding paragraph has not been submitted, the business operator must state concrete reasons for not submitting the document.

(法第三十五条第三号の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 35, Item (iii) of the Act)

第二十八条 法第三十五条第三号の厚生労働省令で定める事項は、次のとおりとする。

Article 28 The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 35, item (iii) of the Act are as follows:

一 派遣労働者の性別（派遣労働者が四十五歳以上である場合にあってはその旨及び当該派遣労働者の性別、派遣労働者が十八歳未満である場合にあっては当該派遣労働者の年齢及び性別）

(i) the sex of a dispatched worker (when a dispatched worker is 45 years of age or over, that fact and the sex of the worker; and when a dispatched worker is under 18 years of age, the age and the sex of the worker);

二 派遣労働者に係る法第二十六条第一項第四号、第五号又は第十号に掲げる事項の内容が、同項の規定により労働者派遣契約に定めた当該派遣労働者に係る組合せにおけるそれぞれの事項の内容と異なる場合における当該内容

(ii) when the content of the matters related to dispatched workers listed in Article 26, paragraph (1), item (iv), (v) or (x) of the Act are different from the content of the respective matters for combinations related to the dispatched workers specified under the worker dispatch contract pursuant to the provisions of the same paragraph, the different contents.

（派遣元責任者の選任）

(Appointment of a Responsible Person for the Dispatching Undertakings)

第二十九条 法第三十六条の規定による派遣元責任者の選任は、次に定めるところにより行わなければならない。

Article 29 The appointment of a responsible person for the dispatching undertakings under the provisions of Article 36 of the Act must be made as follows:

一 派遣元事業主の事業所（以下この条において単に「事業所」という。）ごとに当該事業所に専属の派遣元責任者として自己の雇用する労働者の中から選任すること。ただし、派遣元事業主（法人である場合は、その役員）を派遣元責任者とすることを妨げない。

(i) to appoint a dedicated responsible person for the dispatching undertakings for each place of business of a dispatching business operator (hereinafter simply referred to as "place of business" in this Article) from among workers the dispatching business operator employs; provided, however, that this does not preclude the dispatching business operator (in the case of a corporation, its officer) from becoming a responsible person for the dispatching undertakings;

二 当該事業所の派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を選任すること。

(ii) when the number of dispatched workers working for the place of business is 100 or less, one or more responsible persons are to be appointed; when the

number is over 100 but under 200, two or more responsible persons are to be appointed; and when the number exceeds 200, the number of responsible persons to be appointed is to be more than one added to two for each 100 dispatched workers exceeding 100;

三 法附則第四項に規定する物の製造の業務（以下「製造業務」という。）に労働者派遣をする事業所にあつては、当該事業所の派遣元責任者のうち、製造業務に従事する派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を当該派遣労働者を専門に担当する者（以下「製造業務専門派遣元責任者」という。）とすること。ただし、製造業務専門派遣元責任者のうち一人は、製造業務に従事しない派遣労働者を併せて担当することができる。

(iii) with regard to a place of business which carries out worker dispatching undertakings for the business of manufacturing products prescribed in paragraph (4) of the Supplementary Provisions of the Act (hereinafter referred to as "manufacturing business"); when the number of dispatched workers engaged in manufacturing business is 100 or less, one or more out of the responsible persons for the dispatching undertakings are to be exclusively in charge of the dispatched workers; when the number is over 100 but under 200, two or more responsible persons are to be exclusively in charge of the dispatched workers; and when the number exceeds 200, the number of responsible persons to be exclusively in charge of the dispatched workers is to be more than one added to two for each 100 dispatched workers exceeding 100 (hereinafter the responsible person is referred to as "responsible person for the dispatching undertakings exclusively in charge of manufacturing business"); provided, however, that one of the responsible persons for the dispatching undertakings exclusively in charge of manufacturing business may also be in charge of dispatched workers who are not engaged in manufacturing business.

（派遣元管理台帳の作成及び記載）

(Preparation of and Entry into Management Ledger of Dispatching Undertakings)

第三十条 法第三十七条第一項の規定による派遣元管理台帳の作成は、派遣元事業主の事業所ごとに、行わなければならない。

Article 30 (1) A management ledger of dispatching undertakings under the provisions of Article 37, paragraph (1) of the Act must be prepared for each place of business of a dispatching business operator.

2 法第三十七条第一項の規定による派遣元管理台帳の記載は、労働者派遣をするに際し、行わなければならない。

(2) The entry into a management ledger of dispatching undertakings under the

provisions of Article 37, paragraph (1) of the Act must be made in carrying out worker dispatching undertakings.

- 3 前項に定めるもののほか、法第四十二条第三項の規定による通知が行われる場合において、当該通知に係る事項が法第三十七条第一項各号に掲げる事項に該当する場合であつて当該通知に係る事項の内容が前項の記載と異なるときは、当該通知が行われた都度、当該通知に係る事項の内容を記載しなければならない。

- (3) Beyond what is set forth in the preceding paragraph, in the case where a notice under the provisions of Article 42, paragraph (3) of the Act is made and the matters related to the notice fall under the matters listed in the items of Article 37, paragraph (1) of the Act, if the content of the matters related to the notice differ from the entry referred to in the preceding paragraph, the content of the matters related to the notice must be entered each time the notice is made.

(法第三十七条第一項第八号の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 37, Paragraph (1), Item (viii) of the Act)

第三十一条 法第三十七条第一項第八号の厚生労働省令で定める事項は、次のとおりとする。

Article 31 The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 37, paragraph (1), item (viii) of the Act are as follows:

一 派遣労働者の氏名

(i) the name of the dispatched worker;

二 事業所の名称

(ii) the name of the place of business;

三 派遣元責任者及び派遣先責任者に関する事項

(iii) the matters concerning the responsible person for the dispatching undertakings and the responsible person for the client;

四 法第四十条の二第一項第一号の業務について労働者派遣をするときは、第二十一条第二項の規定により付することとされる号番号

(iv) when dispatching workers for the work under Article 40-2, paragraph (1), item (i) of the Act, the item number to be attached pursuant to the provisions of Article 21, paragraph (2);

五 法第四十条の二第一項第二号イの業務について労働者派遣をするときは、第二十一条第二号の二第二号の事項

(v) when dispatching workers for the work under Article 40-2, paragraph (1), item (ii), sub-item (a) of the Act, the matters prescribed in Article 22-2, item (ii);

六 法第四十条の二第一項第二号ロの業務について労働者派遣をするときは、第二十一条第二号の二第三号の事項

(vi) when dispatching workers for the work under Article 40-2, paragraph (1),

item (ii), sub-item (b) of the Act, the matters prescribed in Article 22-2, item (iii);

七 法第四十条の二第一項第三号の業務について労働者派遣をするときは、第二十二
条の二第四号の事項

(vii) when dispatching workers for the work under Article 40-2, paragraph (1),
item (iii) of the Act, the matters prescribed in Article 22-2, item (iv);

八 法第四十条の二第一項第四号の業務について労働者派遣をするときは、第二十二
条の二第五号の事項

(viii) when dispatching workers for the work under Article 40-2, paragraph (1),
item (iv) of the Act, the matters referred to in item (v) of Article 22-2; and

九 第二十七条の二の規定による通知の内容

(ix) the content of notice prescribed under the provisions of Article 27-2.

(保存期間の起算日)

(Initial Date for Calculating the Retention Period)

第三十二条 法第三十七条第二項の規定による派遣元管理台帳を保存すべき期間の計算
についての起算日は、労働者派遣の終了の日とする。

Article 32 The initial date for the computation of the period for retaining a
management ledger of dispatching undertakings under the provisions of Article
37, paragraph (2) of the Act is to be the termination date of the worker
dispatching undertakings.

第三節 派遣先の講ずべき措置等

Section 3 Measures to Be Taken by Clients

(法第四十条の二第一項第三号の厚生労働省令で定める場合)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare
under Article 40-2, Paragraph (1), Item (iii) of the Act)

第三十三条 法第四十条の二第一項第三号の厚生労働省令で定める場合は、労働基準法
第六十五条第一項の規定による休業に先行し、又は同条第二項の規定による休業若し
くは育児休業に後続する休業であつて、母性保護又は子の養育をするためのものをす
る場合とする。

Article 33 The case specified by Order of the Ministry of Health, Labour and
Welfare under Article 40-2, paragraph (1), item (iii) of the Act are to be the
absence from work for maternal protection or care of children that precedes
that under Article 65, paragraph (1) of the Labor Standards Act or that follows
the absence from work under paragraph (2) of the same Article or childcare
leave.

(法第四十条の二第一項第四号の厚生労働省令で定める休業)

(Absence from Work Specified by Order of the Ministry of Health, Labour and

Welfare under Article 40-2, Paragraph (1), Item (iv) of the Act)

第三十三条の二 法第四十条の二第一項第四号の厚生労働省令で定める休業は、介護休業に後続する休業であつて育児・介護休業法第二条第四号に規定する対象家族を介護するためにする休業とする。

Article 33-2 The absence from work specified by Order of the Ministry of Health, Labour and Welfare under Article 40-2, paragraph (1), item (iv) of the Act is to be the absence from work following nursing care leave which is taken for nursing care of family members prescribed in Article 2, item (iv) of the Childcare and Caregiver Leave Act.

(労働者派遣の役務の提供を受けようとする期間に関する事項)

(Matters Concerning the Period for Receiving the Provision of Worker Dispatching Services)

第三十三条の三 法第四十条の二第三項の規定により労働者派遣の役務の提供を受けようとする期間を定めるに当たっては、次に掲げる事項を書面に記載し、当該労働者派遣の終了の日から三年間保存しなければならない。

Article 33-3 In prescribing the period for receiving provision of worker dispatching services under the provisions of Article 40-2, paragraph (3) of the Act, the following matters must be stated in a document which is to be retained for three years from the termination date of the worker dispatching undertakings:

一 意見を聴いた法第四十条の二第四項に規定する労働者の過半数で組織する労働組合（以下この条及び次条において「過半数組合」という。）の名称又は労働者の過半数を代表する者（以下この条及び次条において「過半数代表者」という。）の氏名

(i) the name of the labor union comprised of a majority of the workers prescribed in Article 40-2, paragraph (4) of the Act (hereinafter referred to as "majority union" in this Article and the following Article) or the person who represents the majority of the workers (hereinafter referred to as the "representative of the majority" in this Article and the following Article) whose opinions have been heard;

二 次条第四項の規定により過半数組合又は過半数代表者に通知した事項及び通知した日

(ii) the matters that have been notified to the majority union or the representative of the majority and the date the notice pursuant to the provisions of paragraph (4) of the following Article was made;

三 過半数組合又は過半数代表者から意見を聴いた日及び当該意見の内容

(iii) the date on which opinions were heard from the majority union or the representative of the majority and the content of the opinions;

四 意見を聴いて、次条第四項第二号の労働者派遣の役務の提供を受けようとする期間又は変更しようとする期間を変更したときは、その変更した期間

- (iv) if a client has heard the opinions and changed the period for receiving the provision of worker dispatching services or changed the period to be changed under paragraph (4), item (ii) of the following Article, the changed period.

第三十三条の四 過半数代表者は、次の各号のいずれにも該当する者とする。

Article 33-4 (1) The representative of the majority is to be a person who falls under all of the following items:

一 労働基準法第四十一条第二号に規定する監督又は管理の地位にある者でないこと。

(i) the person is not in a supervisory or management position prescribed in Article 41, item (ii) of the Labor Standards Act; and

二 法第四十条の二第四項の規定により意見を聴取される者を選出することを明らかにして実施される投票、挙手等の方法による手続により選出された者であること。

(ii) the person has been selected through procedures by means such as voting or a show of hands after clarifying the intention to select a person whose opinions are to be heard pursuant to the provisions of Article 40-2, paragraph (4) of the Act.

2 前項第一号に該当する者がいない事業所にあつては、過半数代表者は前項第二号に該当する者とする。

(2) At a place of business where there are no persons falling under item (i) of the preceding paragraph, the representative of the majority is to be a person falling under item (ii) of the preceding paragraph.

3 派遣先は、労働者が過半数代表者であること若しくは過半数代表者になろうとしたこと又は過半数代表者として正当な行為をしたことを理由として不利益な取扱いをしないようにしなければならない。

(3) A client must not treat a worker in any disadvantageous manner on the grounds that the worker is the representative of the majority, has attempted to become a representative of the majority, or has performed a justifiable act as the representative of the majority.

4 法第四十条の二第四項の規定により過半数組合又は過半数代表者に対し意見を聴く場合は、当該過半数組合又は過半数代表者に、次に掲げる事項を書面により通知しなければならない。

(4) When opinions of the majority union or the representative of the majority are to be heard pursuant to the provisions of Article 40-2, paragraph (4) of the Act, the following matters must be notified in writing to the majority union or the representative of the majority:

一 労働者派遣の役務の提供を受けようとする業務

(i) work for which the provision of worker dispatching services is to be received;

二 労働者派遣の役務の提供を受けようとする期間を新たに定める場合にあっては当該労働者派遣の役務の提供を受けようとする期間及び開始予定時期、労働者派遣の役務の提供を受けようとする期間を変更しようとする場合にあっては当該変更しようとする期間

(ii) when newly prescribing the period for receiving provision of worker dispatching services, the period and the scheduled time to start receiving the provision of worker dispatching services, and when changing the period for receiving provision of worker dispatching services, the period to be changed.

5 法第四十条の二第五項の規定による通知は、同項の規定により通知すべき事項に係る書面の交付等により行わなければならない。

(5) A notice pursuant to the provisions of Article 40-2, paragraph (5) of the Act is to be made by means of delivery of document, etc. concerning matters to be notified under the provisions of the same paragraph.

(派遣先責任者の選任)

(Appointment of a Responsible Person for the Client)

第三十四条 法第四十一条の規定による派遣先責任者の選任は、次に定めるところにより行わなければならない。

Article 34 The appointment of a responsible person for the client under the provisions of Article 41 of the Act must be made as follows:

一 事業所その他の派遣就業の場所（以下この条及び次条において「事業所等」という。）ごとに当該事業所等に専属の派遣先責任者として自己の雇用する労働者の中から選任すること。ただし、派遣先（法人である場合は、その役員）を派遣先責任者とする 것을妨げない

(i) to appoint a dedicated responsible person for the client for each place of business or any other place for dispatch work (hereinafter referred to as "place of business, etc." in this Article and the following Article) from among workers the client employs; provided, however, that this does not preclude the client (in the case of a corporation, its officer) from becoming a responsible person for the client;

二 事業所等において派遣先がその指揮命令の下に労働させる派遣労働者の数が百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を選任すること。ただし、当該派遣労働者の数に当該派遣先が当該事業所等において雇用する労働者の数を加えた数が五人を超えないとき、又は当該労働者派遣の期間が一日を超えないときは、派遣先責任者を選任することを要しない。

(ii) when the number of dispatched workers whom the client causes to work under its directions and orders at a place of business, etc. is 100 or less, one or more responsible persons are to be appointed; when the number is more than 100 but less than 200, two or more responsible persons are to be appointed; and when the number exceeds 200, the number of responsible persons to be appointed is to be more than one added for each 100 dispatched workers exceeding 100 to two; provided, however, that when the total number of the dispatched workers and the workers employed by the client at

the place of business, etc. is less than five, or when the period of the worker dispatching undertakings does not exceed one day, it is not necessary to appoint a responsible person for the client;

- 三 製造業務に五十人を超える派遣労働者を従事させる事業所等にあつては、当該事業所等の派遣先責任者のうち、製造業務に従事させる派遣労働者の数が五十人を超え百人以下のときは一人以上の者を、百人を超え二百人以下のときは二人以上の者を、二百人を超えるときは、当該派遣労働者の数が百人を超える百人ごとに一人を二人に加えた数以上の者を、当該派遣労働者を専門に担当する者（以下「製造業務専門派遣先責任者」という。）とすること。ただし、製造業務専門派遣先責任者のうち一人は、製造業務に従事させない派遣労働者を併せて担当することができ、また、製造業務に従事させる派遣労働者と製造業務に付随する製造業務以外の業務（以下「製造付随業務」という。）に従事させる派遣労働者を、同一の派遣先責任者が担当することが、当該製造付随業務に従事させる派遣労働者の安全衛生の確保のために必要な場合においては、一人の製造業務専門派遣先責任者が担当する製造業務に従事させる派遣労働者と製造付随業務に従事させる派遣労働者の合計数が百人を超えない範囲内で、製造業務専門派遣先責任者に製造付随業務に従事させる派遣労働者を併せて担当させることができる。

- (iii) with regard to a place of business, etc. where more than 50 dispatched workers are engaged in manufacturing business, when the number of dispatched workers engaged in manufacturing business is more than 50 but less than 100, one or more out of the responsible persons for the client at the place of business, etc., when the number is more than 100 but less than 200, two or more responsible persons, and when the number exceeds 200, the number of responsible persons is to be more than one added for each 100 dispatched workers exceeding 100 to two, for persons to be exclusively in charge of the dispatched workers (hereinafter referred to as "responsible person for the client exclusively in charge of manufacturing business"); provided, however, that one of the responsible persons for the client exclusively in charge of manufacturing business may also be in charge of dispatched workers who are not engaged in manufacturing business, and when it is required that the same responsible person for the client to be in charge of both dispatched workers caused to be engaged in manufacturing business and those caused to be engaged in other work incidental to manufacturing business (hereinafter referred to as "work incidental to manufacturing business") in order to ensure the safety and sanitation of the dispatched workers caused to be engaged in work incidental to manufacturing business, one responsible person for the client may also be in charge of dispatched workers caused to be engaged in work incidental to manufacturing business, limited to the scope of the total number of both types of dispatched workers that the person is to be in charge of does not exceed 100.

(派遣先管理台帳の作成及び記載)

(Preparation of and Entry into Client's Management Ledger)

第三十五条 法第四十二条第一項の規定による派遣先管理台帳の作成は、事業所等ごとに行わなければならない。

Article 35 (1) A client's management ledger under the provisions of Article 42, paragraph (1) of the Act is to be prepared for each place of business, etc.

2 法第四十二条第一項の規定による派遣先管理台帳の記載は、労働者派遣の役務の提供を受けるに際し、行わなければならない。

(2) The entry into the client's management ledger under the provisions of Article 42, paragraph (1) of the Act must be made in receiving provision of worker dispatching services.

3 前二項の規定にかかわらず、当該派遣先が当該事業所等においてその指揮命令の下に労働させる派遣労働者の数に当該事業所等において雇用する労働者の数を加えた数が五人を超えないとき、又は当該労働者派遣の期間が一日を超えないときは、派遣先管理台帳の作成及び記載を行うことを要しない。

(3) Notwithstanding the provisions of the preceding two paragraphs, in the case where the total number of dispatched workers whom the client causes to work under its directions and orders at the place of business, etc. and the workers employed by the client at the place of business, etc. is less than five, or when the period of the worker dispatching does not exceed one day, the preparation of and entry into the client's management ledger is not required.

(法第四十二条第一項第七号の厚生労働省令で定める事項)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 42, Paragraph (1), Item (vii) of the Act)

第三十六条 法第四十二条第一項第七号の厚生労働省令で定める事項は、次のとおりとする。

Article 36 The matters specified by Order of the Ministry of Health, Labour and Welfare under Article 42, paragraph (1), item (vii) of the Act are as follows:

一 派遣労働者の氏名

(i) the name of the dispatched worker;

二 派遣元事業主の事業所の名称

(ii) the name of the place of business of the dispatching business operator;

三 派遣元事業主の事業所の所在地

(iii) the location of the place of business of the dispatching business operator;

四 派遣先責任者及び派遣元責任者に関する事項

(iv) the matters concerning the responsible person for the dispatching undertakings and the responsible person for the client;

五 法第四十条の二第一項第一号の業務について労働者派遣をするときは、第二十一条第二項の規定により付することとされている号番号

(v) when dispatching workers for the work under Article 40-2, paragraph (1), item (i) of the Act, the item number to be attached pursuant to the provisions of Article 21, paragraph (2);

六 法第四十条の二第一項第二号イの業務について労働者派遣をするときは、第二十二条の二第二号の事項

(vi) when dispatching workers for the work under Article 40-2, paragraph (1), item (ii), sub-item (a) of the Act, the matters prescribed in Article 22-2, item (ii);

七 法第四十条の二第一項第二号ロの業務について労働者派遣をするときは、第二十二条の二第三号の事項

(vii) when dispatching workers for the work under Article 40-2, paragraph (1), item (ii), sub-item (b) of the Act, the matters prescribed in Article 22-2, item (iii);

八 法第四十条の二第一項第三号の業務について労働者派遣をするときは、第二十二条の二第四号の事項

(viii) when dispatching workers for the work under Article 40-2, paragraph (1), item (iii) of the Act, the matters prescribed in Article 22-2, item (iv);

九 法第四十条の二第一項第四号の業務について労働者派遣をするときは、第二十二条の二第五号の事項

(ix) when dispatching workers for the work under Article 40-2, paragraph (1), item (iv) of the Act, the matters prescribed in Article 22-2, item (v); and

十 第二十七条の二の規定による通知の内容

(x) the content of the notice under the provisions of Article 27-2.

(保存期間の起算日)

(Initial Date for Calculating the Retention Period)

第三十七条 法第四十二条第二項の規定による派遣先管理台帳を保存すべき期間の計算についての起算日は、労働者派遣の終了の日とする。

Article 37 The initial date for the computation of the period for retaining a client's management ledger under the provisions of Article 42, paragraph (2) of the Act is to be the termination date of the worker dispatching undertakings.

(派遣元事業主に対する通知)

(Notice to Dispatching Business Operators)

第三十八条 法第四十二条第三項の規定による派遣元事業主に対する通知は、派遣労働者ごとの同条第一項第二号及び第三号並びに第三十六条第一号に掲げる事項を、一箇月ごとに一回以上、一定の期日を定めて、書面の交付等により通知することにより行わなければならない。

Article 38 (1) The notice to a dispatching business operator under the provisions of Article 42, paragraph (3) of the Act must be made by means of delivery of document, etc., with regard to the matters for each dispatched worker listed in

paragraph (1), items (ii) and (iii) of the same Article and Article 36, item (i), once or more times each month by specifying a certain date.

2 前項の規定にかかわらず、派遣元事業主から請求があつたときは、前項に定める事項を、遅滞なく、書面の交付等により通知しなければならない。

(2) Notwithstanding the provisions of the preceding paragraph, when there is a request from a dispatching business operator, the matters prescribed in the preceding paragraph must be notified, without delay, by means of delivery of document, etc.

第四節 労働基準法等の適用に関する特例等

Section 4 Special Provisions for Application of the Labor Standards Act and Related Acts

(労働基準法施行規則を適用する場合の読替え)

(Replacement of Terms when Applying the Enforcement Regulation of the Labor Standards Act)

第三十九条 法第四十四条の規定により同条第一項に規定する派遣中の労働者（以下単に「派遣中の労働者」という。）の派遣就業に関する労働基準法施行規則（昭和二十二年厚生省令第二十三号）の規定の適用については、同令第十九条中「法第三十三条若しくは法第三十六条第一項の規定」とあるのは「労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（以下「労働者派遣法」という。）第四十四条第二項の規定により適用される法第三十三条若しくは法第三十六条第一項の規定」と、同令第二十条中「法第三十三条又は法第三十六条第一項の規定」とあるのは「労働者派遣法第四十四条第二項の規定により適用される法第三十三条又は法第三十六条第一項の規定」と、同令第二十四条中「使用者」とあるのは「労働者派遣法第四十四条第二項の規定により同条第一項に規定する派遣先の事業の法第十条に規定する使用者とみなされる者」とする。

Article 39 With regard to the application of the provisions of the Enforcement Regulation of the Labor Standards Act (Order of the Ministry of Health and Welfare No. 23 of 1947), under the provisions of Article 44 of the Act to dispatch work of a worker under dispatching as prescribed pursuant to paragraph (1) of the same Article (hereinafter simply referred to as "worker under dispatching"), the phrase "the provisions of Article 33 of the Act or Article 36, paragraph (1) of the Act" in Article 19 of the same Order is deemed to be replaced with "the provisions of Article 33 of the Act or Article 36, paragraph (1) of the Act as applied pursuant to the provisions of Article 44, paragraph (2) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act")"; the phrase "the provisions of Article 33 of the Act or Article 36, paragraph (1) of the Act" in Article 20 of the same Order is deemed to be replaced with "the provisions of

Article 33 of the Act or Article 36, paragraph (1) of the Act as applied pursuant to the provisions of Article 44, paragraph (2) of the Worker Dispatching Act"; and the term "an employer" in Article 24 of the same Order is deemed to be replaced with "a person who is, pursuant to the provisions of Article 44, paragraph (2) of the Worker Dispatching Act, deemed to be an employer prescribed in Article 10 of the Act for the business of the client prescribed in Article 44, paragraph (1) of the Worker Dispatching Act."

(法第四十五条の厚生労働省令で定める事項等)

(Matters Specified by Order of the Ministry of Health, Labour and Welfare under Article 45 of the Act)

第四十条 法第四十五条第一項の厚生労働省令で定める労働安全衛生法（昭和四十七年法律第五十七号）第六十六条第二項後段の規定による健康診断は、法第四十四条第三項に規定する派遣元の事業（以下単に「派遣元の事業」という。）の事業者が労働安全衛生法第六十六条第二項後段の規定により派遣中の労働者に対して行う健康診断とする。

Article 40 (1) The medical examinations under the provisions of the second sentence of Article 66, paragraph (2) of the Industrial Safety and Health Act (Act No. 57 of 1972) which are specified by Order of the Ministry of Health, Labour and Welfare under Article 45, paragraph (1) of the Act are medical examinations conducted by a business operator of the dispatching undertakings prescribed in Article 44, paragraph (3) of the Act (hereinafter simply referred to as the "dispatching undertakings") for workers under dispatching pursuant to the provisions of the second sentence of Article 66, paragraph (2) of the Industrial Safety and Health Act.

2 労働安全衛生法第十三条第一項の健康管理その他の厚生労働省令で定める事項のうち派遣中の労働者に関して法第四十五条第一項の厚生労働省令で定めるものは、次の事項で医学に関する専門的知識を必要とするものとする。

(2) The health care under Article 13, paragraph (1) of the Industrial Safety and Health Act and other matters specified by Order of the Ministry of Health, Labour and Welfare prescribed in Article 45, paragraph (1) of the Act specified by Order of the Ministry of Health, Labour and Welfare concerning workers under dispatching are to be the following matters which require expert knowledge on medical science:

一 労働安全衛生規則（昭和四十七年労働省令第三十二号）第十四条第一項第一号に掲げる事項のうち労働安全衛生法第六十六条第一項の規定による健康診断（前項の健康診断を含む。）の実施及びその結果に基づく労働者の健康を保持するための措置に関すること。

(i) the matters concerning the implementation of medical examinations under the provisions of Article 66, paragraph (1) of the Industrial Safety and Health Act (including medical examinations under the preceding paragraph)

- and measures for maintaining the health of workers based on the examination results, among the matters listed in Article 14, paragraph (1), item (i) of the Regulation on Industrial Safety and Health (Order of the Ministry of Labour No. 32 of 1972);
- 二 労働安全衛生規則第十四条第一項第五号に掲げる事項
- (ii) the matters listed in Article 14, paragraph (1), item (v) of the Regulation on Industrial Safety and Health;
- 三 労働安全衛生規則第十四条第一項第六号に掲げる事項のうち労働安全衛生法第五十九条第一項及び第二項の規定による衛生のための教育に関すること。
- (iii) the matters concerning education on health under the provisions of Article 59, paragraphs (1) and (2) of the Industrial Safety and Health Act, among the matters listed in Article 14, paragraph (1), item (vi) of the Regulation on Industrial Safety and Health.
- 3 労働安全衛生法第十八条第一項各号の事項のうち派遣中の労働者に関して法第四十五条第一項の厚生労働省令で定めるものは、次のとおりとする。
- (3) The matters concerning workers under dispatching specified by Order of the Ministry of Health, Labour and Welfare prescribed in Article 45, paragraph (1) of the Act among the matters under the items of Article 18, paragraph (1) of the Industrial Safety and Health Act are as follows:
- 一 労働安全衛生法第十八条第一項第一号に掲げる事項のうち前項第一号に掲げるものに係るものに関すること。
- (i) the matters concerning those that pertain to those listed in item (i) of the preceding paragraph, among the matters listed in Article 18, paragraph (1), item (i) of the Industrial Safety and Health Act;
- 二 労働安全衛生法第十八条第一項第二号に掲げる事項
- (ii) the matters listed in Article 18, paragraph (1), item (ii) of the Industrial Safety and Health Act;
- 三 労働安全衛生法第十八条第一項第四号に掲げる事項のうち次に掲げるもの
- (iii) the following matters among the matters listed in Article 18, paragraph (1), item (iv) of the Industrial Safety and Health Act:
- イ 労働安全衛生規則第二十二条第一号に掲げる事項のうち前項第一号に規定する健康診断に係るものに関すること。
- (a) the matters concerning those that pertain to medical examinations prescribed in item (i) of the preceding paragraph, among the matters listed in Article 22, item (i) of the Regulation on Industrial Safety and Health;
- ロ 労働安全衛生規則第二十二条第四号に掲げる事項のうち前項第三号に規定する衛生のための教育に係るものに関すること。
- (b) the matters concerning those that pertain to education on health prescribed in item (iii) of the preceding paragraph, among the matters listed in Article 22, item (iv) of the Regulation on Industrial Safety and Health;

- ハ 労働安全衛生規則第二十二條第七号に掲げる事項のうち前項第一号に規定する健康診断の結果に係るものに関する事。
- (c) the matters concerning those that pertain to the results of medical examinations prescribed in item (i) of the preceding paragraph, among the matters listed in Article 22, item (vii) of the Regulation on Industrial Safety and Health;
- ニ 労働安全衛生規則第二十二條第八号に掲げる事項
- (d) the matters listed in Article 22, item (viii) of the Regulation on Industrial Safety and Health.
- 4 労働安全衛生法第十三條第一項の健康管理その他の厚生労働省令で定める事項のうち派遣中の労働者に関して法第四十五條第二項の厚生労働省令で定めるものは、第二項各号に掲げる事項で医学に関する専門的知識を必要とするものとする。
- (4) The matters under Article 45, paragraph (2) of the Act specified by Order of the Ministry of Health, Labour and Welfare concerning workers under dispatching, among the matters on the health care and other matters specified by Order of the Ministry of Health, Labour and Welfare under Article 13, paragraph (1) of the Industrial Safety and Health Act are to be the matters listed in the items of paragraph (2) which require expert knowledge on medical science.
- 5 労働安全衛生法第十八條第一項各号の事項のうち派遣中の労働者に関して法第四十五條第二項の厚生労働省令で定めるものは、第三項各号に掲げるものとする。
- (5) The matters concerning workers under dispatching specified by Order of the Ministry of Health, Labour and Welfare under Article 45, paragraph (2) of the Act among the matters prescribed in the items of Article 18, paragraph (1) of the Industrial Safety and Health Act are to be those listed in the items of paragraph (3).
- 6 法第四十五條第十項に規定する派遣中の労働者を使用する事業者とみなされた者は、同項の健康診断の結果を記載した書面の作成を、当該派遣中の労働者が受けた健康診断の種類に応じ、労働安全衛生規則様式第五号、有機溶剤中毒予防規則（昭和四十七年労働省令第三十六号）様式第三号、鉛中毒予防規則（昭和四十七年労働省令第三十七号）様式第二号、四アルキル鉛中毒予防規則（昭和四十七年労働省令第三十八号）様式第二号、特定化学物質障害予防規則（昭和四十七年労働省令第三十九号）様式第二号、高気圧作業安全衛生規則（昭和四十七年労働省令第四十号）様式第一号、電離放射線障害防止規則（昭和四十七年労働省令第四十一号）様式第一号又は石綿障害予防規則（平成十七年厚生労働省令第二十一号）様式第二号によるそれぞれの書面の写しを作成することにより行わなければならない。
- (6) A person deemed to be a business operator employing workers under dispatching prescribed in Article 45, paragraph (10) of the Act must prepare a copy of the document stating the results of medical examinations referred to in the same paragraph, by using Form No. 5 of the Regulation on Industrial Safety and Health, Form No. 3 of the Regulation on Prevention of Organic

Solvent Poisoning (Order of the Ministry of Labour No. 36 of 1972), Form No. 2 of the Regulation on Prevention of Lead Poisoning (Order of the Ministry of Labour No. 37 of 1972), Form No. 2 of the Regulation on Prevention of Tetraalkyl Lead Poisoning (Order of the Ministry of Labour No. 38 of 1972), Form No. 2 of the Regulation on Prevention of Hazards due to Specified Chemical Substances (Order of the Ministry of Labour No. 39 of 1972), Form No. 1 of the Regulation on Safety and Health of Work under High Pressure (Order of the Ministry of Labour No. 40 of 1972), Form No. 1 of the Regulation on Prevention of Ionizing Radiation Hazards (Order of the Ministry of Labour No. 41 of 1972) or Form No. 2 of the Regulation on Prevention of Asbestos Hazards (Order of the Ministry of Health, Labour and Welfare No. 21 of 2005), respectively, in accordance with the types of medical examinations that the worker under dispatching received.

- 7 派遣元の事業の事業者は、法第四十五条第十項の規定により送付を受けた同項の書面を五年間（当該書面が特定化学物質障害予防規則様式第二号によるもの（同令第四十条第二項に規定する業務に係るものに限る。）又は電離放射線障害防止規則様式第一号によるものである場合（同令第五十七条ただし書の規定の例により同条の機関に引き渡す場合を除く。）にあつては三十年間、石綿障害予防規則様式第二号によるものである場合にあつては当該労働者が常時当該業務に従事しないこととなつた日から四十年間）保存しなければならない。

- (7) A business operator of dispatching undertakings must retain the document under Article 45, paragraph (10) of the Act which they have received pursuant to the provisions of the same paragraph for five years (in the case of the document prepared using Form No. 2 of the Regulation on Prevention of Hazards due to Specified Chemical Substances (limited to those that pertain to the work prescribed in Article 40, paragraph (2) of the same Order) or Form No. 1 of the Regulation on Prevention of Ionizing Radiation Hazards (excluding the case where the document is delivered to the organization under Article 57 of the same Order under the provisions of the proviso of the same Article), for 30 years; and in the case of the written matters prepared using Form No. 2 of the Regulation on Prevention of Asbestos Hazards, for 40 years from the day on which said worker ceased to be engaged regularly in the work).

- 8 法第四十五条第十項に規定する派遣中の労働者を使用する事業者とみなされた者は、同条第十四項の通知を、当該派遣中の労働者が受けた健康診断の種類に応じ、同項の医師又は歯科医師の意見が記載された労働安全衛生規則様式第五号、有機溶剤中毒予防規則様式第三号、鉛中毒予防規則様式第二号、四アルキル鉛中毒予防規則様式第二号、特定化学物質障害予防規則様式第二号、高気圧作業安全衛生規則様式第一号、電離放射線障害防止規則様式第一号又は石綿障害予防規則様式第二号によるそれぞれの書面の写しを作成し、同項の派遣元の事業の事業者に送付することにより行わなければならない。

- (8) A person deemed to be a business operator employing workers under

dispatching prescribed in Article 45, paragraph (10) of the Act must prepare a copy of the written notice under paragraph (14) of the same Article stating the opinion of a physician or dentist under the same paragraph, by using Form No. 5 of the Regulation on Industrial Safety and Health, Form No. 3 of the Regulation on Prevention of Organic Solvent Poisoning, Form No. 2 of the Regulation on Prevention of Lead Poisoning, Form No. 2 of the Regulation on Prevention of Tetraalkyl Lead Poisoning, Form No. 2 of the Regulation on Prevention of Hazards due to Specified Chemical Substances, Form No. 1 of the Regulation on Safety and Health of Work under High Pressure, Form No. 1 of the Regulation on Prevention of Ionizing Radiation Hazards or Form No. 2 of the Regulation on Prevention of Asbestos Hazards, respectively, in accordance with the types of medical examinations that the worker under dispatching received and send the copy to the business operator of the dispatching undertakings referred to in the same paragraph.

(労働安全衛生規則を適用する場合の読替え等)

(Replacement of Terms when Applying the Regulation on Industrial Safety and Health)

第四十一条 法第四十五条の規定により法第四十四条第一項に規定する派遣先の事業（以下単に「派遣先の事業」という。）に関し労働安全衛生規則の規定を適用する場合における法第四十五条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

Article 41 (1) When applying the provisions of the Regulation on Industrial Safety and Health, pursuant to the provisions of Article 45 of the Act, to a business of the client prescribed in Article 44, paragraph (1) of the Act (hereinafter simply referred to as "business of the client"), the technical replacement of terms of the same Order pursuant to the provisions of Article 45, paragraph (17) of the Act is as follows:

読替えに係る労働安全衛生規則の規定 Provisions of the Regulation on Industrial Safety and Health related to Replacement of Terms	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Terms to be Used as Replacement
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第十二条 Article 12	事業者 A business operator	労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（以下「労働者派遣法」という。）第四十五条第一項の規定により衛生管理者を選任すべき事業者とみなされる者 A person deemed to be a business operator who is to appoint a health manager pursuant to the provisions of Article 45, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act")
	第七条第一項第六号 Article 7, paragraph (1), item (vi)	労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則（以下「労働者派遣法施行規則」という。）第四十一条第四項の規定により適用される第七条第一項第六号 Article 7, paragraph (1), item (vi) as applied pursuant to the provisions of paragraph 4 of Article 41 of the Enforcement Regulation of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Enforcement Regulation of the Worker Dispatching Act")
	法第十条第一項各号の業務 the work under the items of Article 10, paragraph (1) of the Act	労働者派遣法第四十五条第一項に規定する派遣先安全衛生管理業務 safety and health management at the client's place of business prescribed in Article 45, paragraph (1) of the Worker Dispatching Act
第十四条第三項 Article 14, paragraph (3)	第一項各号に掲げる事項 the matters listed in the items of paragraph (1)	第一項各号に掲げる事項（労働者派遣法第四十四条第一項に規定する派遣中の労働者（以下単に「派遣中の労働者」という。）に関しては、第一項各号に掲げる事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項） the matters listed in the items of paragraph (1) (with regard to a worker under dispatching prescribed in Article 44, paragraph (1) of the Worker Dispatching Act (hereinafter simply referred to as "worker under dispatching"), the matters other than those listed in the items of Article 40, paragraph (2) of the Enforcement Regulation of the Worker Dispatching Act among the matters listed in the items of paragraph (1))

第十四条第五項 Article 14, paragraph (5)	事業者 A business operator	労働者派遣法第四十五条第三項の規定により歯科医師による健康診断を行うべき事業者とみなされる者 A person deemed to be a business operator who is to conduct medical examinations by dentists pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act
	労働者 workers	労働者（派遣中の労働者を含む。） workers (including workers under dispatching)
	第一項各号に掲げる事項 the matters listed in the items of paragraph (1)	第一項各号に掲げる事項（派遣中の労働者に関しては、同項各号に掲げる事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項） the matters listed in the items of paragraph (1) (with regard to a worker under dispatching, the matters other than those listed in the items of Article 40, paragraph (2) of the Enforcement Regulation of the Worker Dispatching Act among the matters listed in the items of paragraph (1))
第十四条第六項 Article 14, paragraph (6)	労働者 workers	労働者（派遣中の労働者を含む。） workers (including workers under dispatching)
	事業者 a business operator	労働者派遣法第四十五条第三項の規定により歯科医師による健康診断を行うべき事業者とみなされる者 a person deemed to be a business operator who is to conduct medical examinations by dentists pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act
第十五条第二項 Article 15, paragraph (2)	事業者 A business operator	労働者派遣法第四十五条第三項の規定により産業医を選任すべき事業者とみなされる者 A person deemed to be a business operator who is to appoint an industrial physician pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act
	前条第一項に規定する事項 the matters prescribed in paragraph (1) of the preceding Article	前条第一項に規定する事項（派遣中の労働者に関しては、同項に規定する事項のうち労働者派遣法施行規則第四十条第二項各号に掲げる事項以外の事項） the matters prescribed in paragraph (1) of the preceding Article (with regard to a worker under dispatching, the matters other than those listed in the items of Article 40, paragraph (2) of the Enforcement Regulation of the Worker Dispatching Act among the matters listed in the items of paragraph (1))

第十五条の二第二項 Article 15-2, paragraph (2)	事業者 A business operator	労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act
	労働者の健康管理等 health care, etc. for workers	労働者の健康管理等（派遣中の労働者に関しては、労働者派遣法第四十五条第一項の規定により産業医に行わせなければならないものとされる労働者の健康管理等） health care, etc. for workers (with regard to a worker under dispatching, health care, etc. for workers which must be conducted by an industrial physician pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act)
第三十五条第一項 Article 35, paragraph (1)	事業者 A business operator	労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act
	又は労働者 or the worker	又は労働者（派遣中の労働者を含む。） or the worker (including the worker under dispatching)
	事業場の労働者 workers for the place of business	事業場の労働者（派遣中の労働者を含む。） workers for the place of business (including workers under dispatching)
第三十五条第二項 Article 35, paragraph (2)	事業者 A business operator	労働者派遣法第四十五条第一項の規定により事業者とみなされる者 A person deemed to be a business operator pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act
	労働者 workers	労働者（派遣中の労働者を含む。） workers (including workers under dispatching)

2 その事業場に使用する労働者が派遣先の事業における派遣就業のために派遣されている派遣元の事業に関し労働安全衛生規則の規定を適用する場合における法第四十五条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(2) When applying the provisions of the Regulation on Industrial Safety and Health to dispatching undertakings in which workers employed at the place of business are dispatched for dispatch work in the business of the client, the technical replacement of terms for the provisions of the same Order pursuant

to the provisions of Article 45, paragraph (17) of the Act is as follows:

読替えに係る労働安全衛生規則の規定 Provisions of the Regulation on Industrial Safety and Health related to Replacement of Terms	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Terms to be Used as Replacement
第十二条 Article 12	事業者 A business operator	労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（以下「労働者派遣法」という。）第四十四条第三項に規定する派遣元の事業（以下単に「派遣元の事業」という。）を行う者 A person who carries out dispatching undertakings prescribed in Article 44, paragraph (3) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act") (hereinafter the undertakings are simply referred to as "dispatching undertakings")
	法第十条第一項各号の業務 the work under the items of Article 10, paragraph (1) of the Act	労働者派遣法第四十五条第二項に規定する派遣元安全衛生管理業務 safety and health management in worker dispatching undertakings prescribed in Article 45, paragraph (2) of the Worker Dispatching Act

第十四条第三項 Article 14, paragraph (3)	第一項各号に掲げる事項 the matters listed in the items of paragraph (1)	第一項各号に掲げる事項（労働者派遣法第四十四条第一項に規定する派遣中の労働者（以下単に「派遣中の労働者」という。）に関しては、労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則（以下「労働者派遣法施行規則」という。）第四十条第二項各号に掲げる事項） the matters listed in the items of paragraph (1) (with regard to a worker under dispatching prescribed in Article 44, paragraph (1) of the Worker Dispatching Act (hereinafter simply referred to as "worker under dispatching"), the matters listed in the items of Article 40, paragraph (2) of the Enforcement Regulation of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Enforcement Regulation of the Worker Dispatching Act"))
第十五条第二項 Article 15, paragraph (2)	前条第一項に規定する事項 the matters prescribed in paragraph (1) of the preceding Article	前条第一項に規定する事項（派遣中の労働者に関しては、労働者派遣法施行規則第四十条第二項各号に掲げる事項） the matters prescribed in paragraph (1) of the preceding Article (with regard to a worker under dispatching, the matters listed in the items of Article 40, paragraph (2) of the Enforcement Regulation of the Worker Dispatching Act)
第十五条の二第二項 Article 15-2, paragraph (2)	労働者の健康管理等 health care, etc. for workers	労働者の健康管理等（派遣中の労働者に関しては、労働者派遣法第四十五条第二項の規定により産業医に行わせなければならないものとされる労働者の健康管理等） health care, etc. for workers (with regard to a worker under dispatching, health care, etc. for workers which must be conducted by an industrial physician pursuant to the provisions of Article 45, paragraph (2) of the Worker Dispatching Act)

3 前二項に定めるもののほか、法第四十五条の規定により労働安全衛生規則の規定を適用する場合における同条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

(3) Beyond what is set forth in the preceding two paragraphs, when applying the provisions of the Regulation on Industrial Safety and Health pursuant to the provisions of Article 45 of the Act, the technical replacement of terms for the

provisions of the same Order pursuant to the provisions of Article 45, paragraph (17) of the Act is as follows:

読替えに係る労働安全衛生規則の規定 Provisions of the Regulation on Industrial Safety and Health for related to Replacement of Terms	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Terms to be Used as Replacement
第六条第二項 Article 6, paragraph (2)	事業者 A business operator	事業者（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（以下「労働者派遣法」という。）第四十五条第三項の規定により安全管理者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint a safety manager pursuant to the provisions of Article 45, paragraph (3) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Worker Dispatching Act"))
第十一条第二項 Article 11, paragraph (2)	事業者 A business operator	事業者（労働者派遣法第四十五条第一項の規定により衛生管理者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint a health manager pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act)
第十二条の四 Article 12-4	事業者 A business operator	事業者（労働者派遣法第四十五条第一項の規定により安全衛生推進者又は衛生推進者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint a safety and health promoter or a health promoter pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act)

第十四条第四項 Article 14, paragraph (4)	事業者 A business operator	事業者（労働者派遣法第四十五条第一項の規定により産業医を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint an industrial physician pursuant to the provisions of Article 45, paragraph (1) of the Worker Dispatching Act)
第十七条、第十八条 Article 17 and Article 18	事業者 A business operator	事業者（労働者派遣法第四十五条第三項の規定により作業主任者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint an operation chief pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act)
第十八条の五 Article 18-5	事業者 A business operator	事業者（労働者派遣法第四十五条第三項の規定により元方安全衛生管理者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint a principal safety and health supervisor pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act)
	労働者 workers	労働者（労働者派遣法第四十四条第一項に規定する派遣中の労働者（以下単に「派遣中の労働者」という。）を含む。） workers (including workers under dispatching prescribed in Article 44, paragraph (1) of the Worker Dispatching Act (hereinafter simply referred to as "worker under dispatching"))
第二十三条第一項 Article 23, paragraph (1)	事業者 A business operator	事業者（労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who employs a worker under dispatching pursuant to the provisions of Article 45, paragraph (1) or (3) of the Worker Dispatching Act)
第二十三条第三項 Article 23, paragraph (3)	事業者 A business operator	事業者（労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who employs a worker under dispatching pursuant to the provisions of Article 45, paragraph (1) or (3) of the Worker Dispatching Act)
	労働者 workers	労働者（派遣中の労働者を含む。） workers (including workers under dispatching)

第二十三条の二 Article 23-2	事業者 A business operator	事業者（労働者派遣法第四十五条第一項又は第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who employs a worker under dispatching pursuant to the provisions of Article 45, paragraph (1) or (3) of the Worker Dispatching Act)
第二十四条の八 Article 24-8	事業者 A business operator	事業者（労働者派遣法第四十五条第三項の規定により救護に関する技術的事項を管理する者を選任すべき事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who is to appoint a person in charge of the technical matters on relief work pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act)
第四十条の三第一項 Article 40-3, paragraph (1)	事業者 A business operator	事業者（労働者派遣法第四十五条第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。） A business operator (including a person deemed to be a business operator who employs a worker under dispatching pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act)
第四十二条第一項 Article 42, paragraph (1)	事業者 A business operator	事業者（労働者派遣法第四十四条第一項に規定する派遣先の事業を行う者を含む。次項において同じ。） A business operator (including a person who carries out the business of the client prescribed in Article 44, paragraph (1) of the Worker Dispatching Act; the same applies in the following paragraph)
	労働者（workers（	労働者（派遣中の労働者を含み、 workers (including workers under dispatching;
第四十八条 Article 48	雇入れの際 when employing the worker	雇入れの際（派遣中の労働者については、当該派遣中の労働者に係る労働者派遣法第二条第一号に規定する労働者派遣の役務の提供の開始の際） when employing the worker (with regard to a worker under dispatching, when the provision of worker dispatching services prescribed in Article 2, item (i) of the Worker Dispatching Act commenced for the worker under dispatching)
第九十九条 Article 99	法及びこれに基づく命令 The Act and orders issued thereunder	法及びこれに基づく命令（労働者派遣法第四十五条の規定により適用される場合を含む。） The Act and orders issued thereunder (including the case as applied pursuant to the provisions of Article 45 of the Worker Dispatching Act)

第百条 Article 100	法 the Act	法（労働者派遣法第四十五条の規定により適用される場合を含む。） the Act (including the case as applied pursuant to the provisions of Article 45 of the Worker Dispatching Act)
第六百六十七 Article 667	その使用する労働者 a worker whom they employ	その使用する労働者（労働者派遣法第四十五条第三項の規定によりその使用する労働者とみなされる者を含む。） a worker whom they employ (including a person deemed to be a worker whom they employ pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act)
第六百七十一 Article 671 and Article 677	労働者 workers	労働者（派遣中の労働者を含む。） workers (including workers under dispatching)

- 4 労働者がその事業場における派遣就業のために派遣されている派遣先の事業の事業場に関する労働安全衛生規則第七条第一項第四号から第六号まで、第十二条の二並びに第十三条第一項第二号及び第三号の規定の適用については、当該派遣先の事業の事業場もまた当該派遣中の労働者を使用する事業場とみなす。
- (4) With regard to the application of the provisions of Article 7, paragraph (1), items (iv) through (vi), Article 12-2, and Article 13, paragraph (1), items (ii) and (iii) of the Regulation on Industrial Safety and Health to a workplace of the business of a client where a worker is dispatched for the dispatch work performed at the workplace, the workplace of the business of the client is also be deemed to be the workplace where the worker under dispatching is employed.
- 5 労働者がその事業場における派遣就業のために派遣されている派遣先の事業の事業場に関する労働安全衛生規則第四条第一項第四号の規定の適用については、当該派遣先の事業の事業場を当該派遣中の労働者を使用する事業場とみなす。
- (5) With regard to the application of the provisions of Article 4, paragraph (1), item (iv) of the Regulation on Industrial Safety and Health to a workplace of the business of a client where a worker is dispatched for the dispatch work performed at the workplace, the workplace of the business of the client is deemed to be the workplace where the worker under dispatching is employed.
- 6 その事業場に使用する労働者が派遣先の事業における派遣就業のために派遣されている派遣元の事業場に関する労働安全衛生規則第四条第一項第四号の規定の適用については、当該派遣元の事業の事業場は当該派遣中の労働者を使用しないものとみなす。
- (6) With regard to the application of the provisions of Article 4, paragraph (1), item (iv) of the Regulation on Industrial Safety and Health to a workplace of

dispatching undertakings where a worker employed for the workplace is dispatched for dispatch work for the business of the client, the workplace of the dispatching undertakings is deemed to be a workplace where the worker under dispatching is not employed.

(派遣中の労働者に係る労働者死傷病報告の送付)

(Sending of Reports on Worker's Death, Illness or Injuries of Workers under Dispatching)

第四十二条 派遣先の事業を行う者は、労働安全衛生規則第九十七条第一項の規定により派遣中の労働者に係る同項の報告書を所轄労働基準監督署長に提出したときは、遅滞なく、その写しを当該派遣中の労働者を雇用する派遣元の事業の事業者に送付しなければならない。

Article 42 A person carrying out the business of a client, when the person has submitted a report under Article 97, paragraph (1) of the Regulation on Industrial Safety and Health concerning a worker under dispatching to the head of the relevant Labor Standards Supervision Office pursuant to the provisions of the same paragraph, must send a copy of the report, without delay, to the business operator of the dispatching undertakings who is employing the worker under dispatching.

(ボイラー及び圧力容器安全規則等を適用する場合の読替え)

(Replacement of Terms when Applying the Regulation on Safety of Boilers and Pressure Vessels)

第四十三条 法第四十五条の規定によりボイラー及び圧力容器安全規則（昭和四十七年労働省令第三十三号）の規定を適用する場合における同条第十七項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

Article 43 (1) When applying the provisions of the Regulation on Safety of Boilers and Pressure Vessels (Order of the Ministry of Labour No. 33 of 1972) pursuant to the provisions of Article 45 of the Act, the technical replacement of terms of the same Order pursuant to the provisions of Article 45, paragraph (17) of the Act is as follows:

読替えに係る ボイラー及び 圧力容器安全 規則の規定 Provisions of the Regulation on Safety of Boilers and Pressure Vessels related to Replacemen t of Terms	読み替え られる字 句 Terms Deemed to be Replaced	読み替える字句 Terms to be Used as Replacement
第二十三条第 一項 Article 23, paragraph (1)	安衛則第 四十二条 Article 42 of the Regulatio n on Industrial Safety and Health	安衛則第四十二条（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律施行規則（以下「労働者派遣法施行規則」という。）第四十一条第三項の規定により適用される場合を含む。） Article 42 of the Regulation on Industrial Safety and Health (including the case as applied pursuant to the provisions of Article 41, paragraph (3) of the Enforcement Regulation of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter referred to as the "Enforcement Regulation of the Worker Dispatching Act"))
第四十四条第 一項、第四十 八条、第七十 九条、第八十 三条 Article 44, paragraph (1), Article 48, Article 79, and Article 83	事業者 a business operator	事業者（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣先の事業を行う者を含む。） a business operator (including a person who carries out a business of the client prescribed in Article 44, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers)
第二百二十五条 第一号 Article 125, item (i)	第三十六 条から第 五十四条 まで Articles 36 through 54	第三十六条から第五十四条まで（第四十四条第一項及び第四十八条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。） Articles 36 through 54 (for the provisions of Article 44, paragraph (1) and Article 48, including the case as applied pursuant to the provisions of Article 43, paragraph (1) of the Enforcement Regulation of the Worker Dispatching Act)

第百二十五条 第一号から第 三号まで Article 125, items (i) through (iii)	第七十一 条から第 八十五条 まで Articles 71 through 85	第七十一条から第八十五条まで（第七十九条及び第八十三条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。） Articles 71 through 85 (for the provisions of Article 79 and Article 83, including the case as applied pursuant to the provisions of Article 43, paragraph (1) of the Enforcement Regulation of the Worker Dispatching Act)
第百二十五条 第四号 Article 125, item (iv)	第七十一 条から第 八十三条 まで Articles 71 through 83	第七十一条から第八十三条まで（第七十九条及び第八十三条の規定にあつては、労働者派遣法施行規則第四十三条第一項の規定により適用される場合を含む。） Articles 71 to 83 (for the provisions of Article 79 and Article 83, including the case as applied pursuant to the provisions of Article 43, paragraph (1) of the Enforcement Regulation of the Worker Dispatching Act)

- 2 法第四十五条の規定により有機溶剤中毒予防規則、鉛中毒予防規則、四アルキル鉛中毒予防規則及び高気圧作業安全衛生規則の規定を適用する場合における同条第十七項の規定によるこれらの命令の規定の技術的読替えは、有機溶剤中毒予防規則第二十九条第二項、鉛中毒予防規則第五十三条第一項、四アルキル鉛中毒予防規則第二十二條及び高気圧作業安全衛生規則第三十八条第一項の規定中「雇入れの際」とあるのは「雇入れの際（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣中の労働者については、当該派遣中の労働者に係る同法第二条第一号に規定する労働者派遣の役務の提供の開始の際）」と読み替えるものとする。

(2) When applying the provisions of the Regulation on Prevention of Organic Solvent Poisoning, the Regulation on Prevention of Lead Poisoning, the Regulation on Prevention of Tetraalkyl Lead Poisoning and the Regulation on Safety and Health of Work under High Pressure pursuant to the provisions of Article 45 of the Act, with regard to the technical replacement of terms of these Orders under the provisions of paragraph (17) of the same Article, the term "when employing them" in Article 29, paragraph (2) of the Regulation on Prevention of Organic Solvent Poisoning, Article 53, paragraph (1) of the Regulation on Prevention of Lead Poisoning, Article 22 of the Regulation on Prevention of Tetraalkyl Lead Poisoning, and Article 38, paragraph (1) of the Regulation on Safety and Health of Work under High Pressure is be deemed to be replaced with "when employing them (with regard to a worker under dispatching prescribed in Article 44, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, when the provision of worker dispatching

services prescribed in Article 2, item (i) of the same Act commenced for the worker under dispatching)."

- 3 法第四十五条の規定により特定化学物質障害予防規則、電離放射線障害防止規則及び石綿障害予防規則の規定を適用する場合における同条第十六項の規定によるこれらの命令の規定の技術的読替えは、特定化学物質障害予防規則第三十九条第一項、電離放射線障害防止規則第五十六条第一項及び石綿障害予防規則第四十条第一項中「雇入れ」とあるのは「雇入れ（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十四条第一項に規定する派遣中の労働者については、当該派遣中の労働者に係る同法第二条第一号に規定する労働者派遣の役務の提供の開始）」と、電離放射線障害防止規則第六十二条中「事業者及びその使用する労働者」とあるのは「事業者（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十五条第三項の規定により派遣中の労働者を使用する事業者とみなされる者を含む。）及びその使用する労働者（同法第四十五条第三項の規定によりその使用する労働者とみなされる者を含む。）」と読み替えるものとする。

- (3) When applying the provisions of the Regulation on Prevention of Hazards due to Specified Chemical Substances, the Regulation on Prevention of Ionizing Radiation Hazards, and the Regulation on Prevention of Asbestos Hazards pursuant to the provisions of Article 45 of the Act, with regard to the technical replacement of terms of these Orders under the provisions of paragraph (16) of the same Article, the term "when employing them" in Article 39, paragraph (1) of the Regulation on Prevention of Hazards due to Specified Chemical Substances, Article 56, paragraph (1) of the Regulation on Prevention of Ionizing Radiation Hazards, Article 40, paragraph (1) of the Regulation on Prevention of Asbestos Hazards is deemed to be replaced with "when employing them (with regard to a worker under dispatching prescribed in Article 44, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers, when the provision of worker dispatching services prescribed in Article 2, item (i) of the same Act commenced for the worker under dispatching)"; and the phrase "a business operator and workers whom they employ" in Article 62 of the Regulation on Prevention of Ionizing Radiation Hazards is deemed to be replaced with "a business operator (including a person deemed to be a business operator who employs a worker under dispatching pursuant to the provisions of Article 45, paragraph (3) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers) and workers whom they employ (including persons deemed to be workers whom they employ pursuant to the provisions of Article 45, paragraph (3) of the same Act)."

（法第四十六条の厚生労働省令で定める事項）

(Matters Specified by Order of the Ministry of Health, Labour and Welfare)

under Article 46 of the Act)

第四十四条 法第四十六条第一項の規定により同項に規定する派遣中の労働者（次条第三項において単に「派遣中の労働者」という。）を使用する事業者とみなされた者は、同条第七項のじん肺健康診断の結果を記載した書面の作成を、じん肺法施行規則（昭和三十五年労働省令第六号）様式第三号による書面の写しを作成することにより行わなければならない。

Article 44 (1) A person deemed to be a business operator employing a worker under dispatching prescribed in Article 46, paragraph (1) of the Act (simply referred to as "worker under dispatching" in paragraph (3) of the following Article) must prepare a copy of the document stating the results of pneumoconiosis examinations under Article 46, paragraph (7) of the Act, pursuant to the provisions of paragraph (1) of the same Article, by using Form No. 3 of the Enforcement Regulation of the Pneumoconiosis Act (Order of the Ministry of Labour No. 6 of 1960).

2 前項の者は、法第四十六条第七項の通知の内容を記載した書面の作成を、じん肺法施行規則第十六条のじん肺管理区分決定通知書の写しを作成することにより行わなければならない。

(2) The person referred to in the preceding paragraph must prepare a document stating the content of the notice under Article 46, paragraph (7) of the Act by preparing a copy of the written notice of decision of the classification for supervision of pneumoconiosis under Article 16 of the Enforcement Regulation of the Pneumoconiosis Act.

3 派遣元の事業を行う者は、法第四十六条第七項の規定により送付を受けた同項の書面を、じん肺健康診断の結果を記載した書面にあつては七年間、通知の内容を記載した書面にあつては三年間保存しなければならない。

(3) A person carrying out worker dispatching undertakings must retain the document under Article 46, paragraph (7) of the Act which the person has received under the provisions of the same paragraph for seven years in the case of document stating the results of pneumoconiosis examinations and for three years in the case of document stating the content of the notice.

（じん肺法施行規則を適用する場合の読替え）

(Replacement of Terms in Applying the Enforcement Regulation of the Pneumoconiosis Act)

第四十五条 法第四十六条（第六項を除く。）の規定によりじん肺法施行規則の規定を適用する場合における同条第十四項の規定による同令の規定の技術的読替えは、次の表のとおりとする。

Article 45 (1) When applying the provisions of the Enforcement Regulation of the Pneumoconiosis Act pursuant to the provisions of Article 46 (excluding paragraph (6)) of the Act, the technical replacement of terms for the provisions of the same Order pursuant to the provisions of Article 46, paragraph (14) of

the Act is as follows:

読替えに係るじん肺法施行規則の規定 Provisions of the Enforcement Regulation of the Pneumoconiosis Act related to Replacement of Terms	読み替えられる字句 Terms Deemed to be Replaced	読み替える字句 Terms to be Used as Replacement
第十八条 Article 18	使用されている間 while they are being employed	使用されている間（労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律第四十六条第一項に規定する派遣中の労働者（以下単に「派遣中の労働者」という。）については、同法第四十四条第一項に規定する派遣先の事業（以下「派遣先の事業」という。）における同法第二十六条第一項第二号に規定する派遣就業のために派遣されている間） while they are being employed (with regard to workers under dispatching prescribed in Article 46, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (hereinafter simply referred to as "workers under dispatching"), while they are being dispatched for dispatch work prescribed in Article 26, paragraph (1), item (ii) of the same Act for a business of the client prescribed in Article 44, paragraph (1) of the same Act (hereinafter referred to as "business of the client"))
	離職した者 those who separated from employment	離職した者（派遣中の労働者については、当該派遣中の労働者に係る労働者派遣法第二条第一号に規定する労働者派遣の役務の提供を終了した者を含む。） those who separated from employment (with regard to workers under dispatching, including those for whom the provision of worker dispatching services prescribed in Article 2, item (i) of the Worker Dispatching Act has terminated)

- 2 法第四十六条第六項の規定によりじん肺法第二条第一項第五号の事業者とみなされる者に関して同項の規定によりじん肺法施行規則の規定を適用する場合における同条

第十四項の規定による同令の規定の技術的読替は、同令第十条、第十四条及び第二十二条中「法第七条から第九条の二」とあるのは「法第八条から第九条の二」と読み替えるものとする。

(2) When applying the provisions of the Enforcement Regulation of the Pneumoconiosis Act to a person deemed to be a business operator under Article 2, paragraph (1), item (v) of the Pneumoconiosis Act pursuant to the provisions of Article 46, paragraph (6) of the Act, with regard to the technical replacement of terms of the same Order pursuant to the provisions of paragraph (14) of the same Article, the term "Articles 7 through 9-2 of the Act" in Article 10, Article 14, and Article 22 of the same Order is deemed to be replaced with "Articles 8 through 9-2 of the Act."

3 令第六条第二項の規定によりじん肺法第十八条第一項の規定が適用される場合における派遣中の労働者又は派遣中の労働者であつた者に係る同項の審査請求に係る同法第十九条第五項の利害関係者は、じん肺法施行規則第二十五条の規定にかかわらず、次の各号に掲げる審査請求人ごとに、それぞれ各号に掲げる者とする。

(3) In the case where the provisions of Article 18, paragraph (1) of the Pneumoconiosis Act are applied pursuant to the provisions of Article 6, paragraph (2) of the Order, the interested party under Article 19, paragraph (5) of the Pneumoconiosis Act concerning request for examination under Article 18, paragraph (1) of the same Act is to be a person listed in the following items for each person requesting examination listed in the respective items, notwithstanding the provisions of Article 25 of the Pneumoconiosis Act:

一 派遣中の労働者 法第四十六条第一項の規定により当該派遣中の労働者を使用するじん肺法第二条第一項第五号に規定する事業者（以下この項において「事業者」という。）とみなされる派遣先の事業を行う者及び当該派遣中の労働者を雇用する派遣元の事業を行う者

(i) a worker under dispatching: a person carrying out business of the client who is deemed to be a business operator prescribed in Article 2, paragraph (1), item (v) of the Pneumoconiosis Act who employs the worker under dispatching pursuant to the provisions of Article 46, paragraph (1) of the Act (hereinafter referred to as "business operator" in this paragraph) and a person carrying out worker dispatching undertakings who employs the worker under dispatching;

二 法第四十六条第六項の規定によりその者について派遣元の事業を行う者が事業者とみなされる労働者 当該派遣元の事業を行う者

(ii) a worker for whom a person carrying out dispatching undertaking is deemed to be a business operator pursuant to the provisions of Article 46, paragraph (6) of the Act: the person carrying out the worker dispatching undertakings;

三 派遣先の事業において常時粉じん作業（じん肺法第二条第一項第三号に規定する粉じん作業をいう。以下同じ。）に従事したことがある労働者であつて現に派遣元

- の事業を行う者に雇用されていないもの 当該派遣元の事業を行う者であつた者
- (iii) a worker who has once been engaged regularly in powdery dust work (meaning powdery dust work prescribed in Article 2, paragraph (1), item (iii) of the Pneumoconiosis Act; the same applies hereinafter) for business of the client and is not currently employed by a person carrying out dispatching undertakings: the person who used to carry out the worker dispatching undertakings;
- 四 法第四十六条第一項の規定により派遣中の労働者を使用する事業者とみなされる派遣先の事業を行う者 当該派遣中の労働者及び当該派遣中の労働者を雇用する派遣元の事業を行う者
- (iv) a person carrying out business of a client who is deemed to be a business operator employing a worker under dispatching pursuant to the provisions of Article 46, paragraph (1) of the Act: the worker under dispatching and the person carrying out dispatching undertakings that employs the worker under dispatching;
- 五 派遣中の労働者を雇用する派遣元の事業を行う者 当該派遣中の労働者及び当該派遣中の労働者に係る派遣先の事業を行う者
- (v) a person carrying out worker dispatching undertakings that employs a worker under dispatching: the worker under dispatching and the person carrying out the business of the client related to the worker under dispatching;
- 六 法第四十六条第六項の規定によりその雇用する労働者について事業者とみなされる派遣元の事業を行う者 当該労働者
- (vi) a person carrying out worker dispatching undertakings who is deemed to be a business operator with regard to a worker whom the person employs pursuant to the provisions of Article 46, paragraph (6) of the Act: the worker;
- 七 その事業に使用する労働者を派遣先の事業における派遣就業のために派遣し、常時粉じん作業に従事させた派遣元の事業を行う者であつて現に当該労働者を雇用していないもの 当該労働者であつた者
- (vii) a person carrying out dispatching undertakings who dispatched a worker employed for the person's undertakings for dispatch work of the business of the client and caused the worker to engage regularly in powdery dust work and does not currently employ the worker: the person who used to be the worker;
- 八 前各号に掲げる者以外の者 派遣中の労働者又は派遣中の労働者であつた者及び当該派遣中の労働者を雇用する派遣元の事業を行う者又は派遣元の事業を行う者であつた者（派遣中の労働者にあつては、法第四十六条第一項の規定により当該派遣中の労働者を使用する事業者とみなされる派遣先の事業を行う者を含む。）
- (viii) a person other than those listed in the preceding items: a worker under dispatching or a person who used to be a worker under dispatching and a person carrying out dispatching undertakings who employs the worker under

dispatching or a person who used to be a person carrying out dispatching undertakings (with regard to a worker under dispatching, including a person carrying out business of the client who is deemed to be a business operator employing the worker under dispatching pursuant to the provisions of Article 46, paragraph (1) of the Act).

(雇用の分野における男女の均等な機会及び待遇の確保等に関する法律施行規則を適用する場合の読替え)

(Replacement of Terms in Applying the Enforcement Regulation of the Act on Securing, of Equal Opportunity and Treatment between Men and Women in Employment)

第四十六条 法第四十七条の二の規定により同条に規定する労働者派遣の役務の提供を受ける者に関し雇用の分野における男女の均等な機会及び待遇の確保等に関する法律施行規則（昭和六十一年労働省令第二号）を適用する場合における同令の規定の技術的読替えは、同令第二条の三中「事業主」とあるのは「労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律（昭和六十年法律第八十八号）第四十七条の二の規定により派遣労働者を雇用する事業主とみなされる者」と、「女性労働者」とあるのは「女性労働者（労働者派遣の役務の提供を受ける者がその指揮命令の下に労働させる女性の派遣労働者を含む。）」と読み替えるものとする。

Article 46 In applying the provisions of the Enforcement Regulation of the Act on Securing of Equal Opportunity and Treatment between Men and Women in Employment (Order of the Ministry of Labour No. 2 of 1986), pursuant to the provisions of Article 47-2 of the Act to a person who receives provision of worker dispatching services prescribed in the same Article, with regard to the technical replacement of terms for the provisions of the same Order, the term "a business operator" in Article 2-3 of the same Order is deemed to be replaced with "a person deemed to be a business operator who employs dispatched workers pursuant to the provisions of Article 47-2 of the Act for Securing Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985)" and the term "women workers" in the same Article is deemed to be replaced with "women workers (including female dispatched workers whom a person receiving the provision of worker dispatching services causes to work under their directions and orders)."

第三章 雑則

Chapter III Miscellaneous Provisions

(報告等)

(Reporting)

第四十七条 厚生労働大臣は、法第五十条の規定により、労働者派遣事業を行う事業主及び当該事業主から労働者派遣の役務の提供を受ける者に対し必要な事項を報告させ

るときは、当該報告すべき事項及び当該報告をさせる理由を書面により通知するものとする。

Article 47 When the Minister of Health, Labour and Welfare requests a business operator carrying out worker dispatching undertakings and a person receiving provision of worker dispatching services from the business operator to report necessary matters pursuant to the provisions of Article 50 of the Act, the Minister is to notify the matters to be reported and the reason for the report in writing.

(立入検査のための証明書)

(Certificate for On-Site Inspections)

第四十八条 法第五十一条第二項の証明書は、様式第十四号による。

Article 48 The certificate referred to in Article 51, paragraph (2) of the Act is to be in Form No. 14.

第四十九条から第五十三条まで 削除

Articles 49 through 53 Deleted

(手数料の納付方法等)

(Method of Payment of Fees)

第五十四条 法第五十四条の規定による手数料は、申請書に当該手数料の額に相当する額の収入印紙をはつて、納付しなければならない。

Article 54 (1) The fees under the provisions of Article 54 of the Act must be paid by attaching revenue stamps for the amount corresponding to the amount of the relevant fees to the written application.

2 前項の手数料は、これを納付した後においては、返還しない。

(2) The fees referred to in the preceding paragraph once paid will not be refunded.

(権限の委任)

(Delegation of Authority)

第五十五条 次に掲げる厚生労働大臣の権限は、労働者派遣事業を行う者の主たる事務所及び当該事業を行う事業所の所在地を管轄する都道府県労働局長に委任する。ただし、厚生労働大臣が自らその権限を行うことを妨げない。

Article 55 The following authorities of the Minister of Health, Labour and Welfare are delegated to the Prefectural Labour Director who has jurisdiction over the location of the main office of a person carrying out worker dispatching undertakings and the place of business where the undertakings are carried out; provided, however, that this does not prevent the Minister of Health, Labour and Welfare from exercising the authority:

一 法第十四条第二項の規定による命令

(i) order under the provisions of Article 14, paragraph (2) of the Act;

二 法第二十一条第二項の規定による命令

(ii) order under the provisions of Article 21, paragraph (2) of the Act;

三 法第四十八条第一項の規定による指導及び助言並びに同条第二項の規定による勧告

(iii) guidance and advice under the provisions of Article 48, paragraph (1) of the Act and recommendation under the provisions of paragraph (2) of the same Article;

四 法第四十九条第一項及び第二項の規定による命令

(iv) order under the provisions of Article 49, paragraphs (1) and (2) of the Act;

五 法第四十九条の二第一項及び第二項の規定による勧告

(v) recommendation under the provisions of Article 49-2, paragraphs (1) and (2) of the Act;

六 法第五十条の規定による報告徴収

(vi) collection of reports under the provisions of Article 50 of the Act;

七 法第五十一条の規定による立入検査

(vii) on-site inspection under the provisions of Article 51 of the Act.

附 則

Supplementary Provisions

1 この省令は、法の施行の日（昭和六十一年七月一日）から施行する。

(1) This Ministerial Order comes into effect as of the date on which the Act comes into effect (July 1, 1986).

2 法附則第四項の規定により読み替えて適用される法第五条第二項第三号の厚生労働省令で定めるものは、製造業務のうち、労働者が産前産後休業、育児休業若しくは第三十三条に規定する場合における休業又は介護休業若しくは第三十三条の二に規定する休業をする場合において当該労働者の業務について労働者派遣事業が行われるときの当該業務以外の業務とする。

(2) What is specified by Order of the Ministry of Health, Labour and Welfare under Article 5, paragraph (2), item (iii) of the Act which is applied by the deemed replacement of terms pursuant to the provisions of paragraph (4) of the Supplementary Provisions of the Act is to be work other than the manufacturing business of a worker who takes maternity leave before and after childbirth, childcare leave or absence from work in the case prescribed in Article 33, or nursing care leave or absence from work prescribed in Article 33-2 for which worker dispatching undertakings are carried out.

附 則 〔平成十八年八月二日厚生労働省令第百四十七号〕

Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 147 of August 2, 2006]

(施行期日)

(Effective Date)

第一条 この省令は、労働安全衛生法施行令の一部を改正する政令の施行の日（平成十八年九月一日）から施行する。

Article 1 This Ministerial Order comes into effect as of the date on which the Cabinet Order on the Partial Revision of the Order for Enforcement of Industrial Safety and Health Act (September 1, 2006) comes into effect.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning the Application of Penal Provisions)

第八条 この省令の施行の日前にした行為及び附則第四条の規定によりなおその効力を有することとされる場合におけるこの省令の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 With regard to the application of penal provisions to acts committed prior to the date on which this Ministerial Order comes into effect and acts committed after the enforcement of this Ministerial Order in the case where the provisions then in force remain in force pursuant to the provisions of Article 4 of the Supplementary Provisions, prior laws continue to govern.

附 則 〔平成十八年十月十一日厚生労働省令第百八十三号〕

Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 183 of October 11, 2006]

この省令は、平成十九年四月一日から施行する。

This Ministerial Order comes into effect as of April 1, 2007.

様式第1号～第14号 略

Forms No. 1 through 14 Omitted