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 Enforcement Order of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers

> (昭和六十一年四月三日政令第九十五号) (Cabinet Order No. 95 of April 3, 1986)

(法第四条第一項第一号の政令で定める業務)

(Work Specified by Cabinet Order under Article 4, Paragraph (1), Item (i) of the Act)

- 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(以下「法」という。)第四条第一項第一号の政令で定める業務は、港湾労働法(昭和六十三年法律第四十号)第二条第一号に規定する港湾以外の港湾で港湾運送事業法(昭和二十六年法律第百六十一号)第二条第四項に規定するもの(第三号において「特定港湾」という。)において、他人の需要に応じて行う次に掲げる行為に係る業務とする。
- Article 1 Work specified by Cabinet Order under Article 4, paragraph (1), item (i) 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 work pertaining to the following acts performed, in response to another person's demand, at ports other than those prescribed in Article 2, item (i) of the Port Labor Act (Act No. 40 of 1988) which are prescribed in Article 2, paragraph (4) of the Port Transportation Business Act (Act No. 161 of 1951) (the ports are referred to as "specified ports" in item (iii)):
 - 一 港湾運送事業法第二条第一項に規定する港湾運送のうち、同項第二号から第五号 までのいずれかに該当する行為
 - (i) among port transport work prescribed in Article 2, paragraph (1) of the Port Transportation Business Act, acts falling under any of items (ii) through (v) of the same paragraph;
 - 二 港湾労働法施行令(昭和六十三年政令第三百三十五号)第二条第一号及び第二号 に掲げる行為
 - (ii) acts listed in Article 2, items (i) and (ii) of the Enforcement Order of the Port Labor Act (Cabinet Order No. 335 of 1988);
 - 三 船舶若しくははしけにより若しくはいかだに組んで運送された貨物の特定港湾の 水域の沿岸からおおむね五百メートル(水島港にあつては千メートル、鹿児島港に

あつては千五百メートル)の範囲内において厚生労働大臣が指定した区域内にある 倉庫(船舶若しくははしけにより又はいかだに組んでする運送に係る貨物以外の貨物のみを通常取り扱うものを除く。以下この条において「特定港湾倉庫」という。)への搬入(上屋その他の荷さばき場から搬出された貨物の搬入であつて、港湾運送事業法第二条第三項に規定する港湾運送関連事業のうち同項第一号に掲げる行為に係るもの若しくは同法第三条第一号から第四号までに掲げる事業又は倉庫業法(昭和三十一年法律第百二十一号)第二条第二項に規定する倉庫業のうち特定港湾倉庫に係るものを営む者(以下この条において「特定港湾運送関係事業者」という。)以外の者が行うものを除く。)、船舶若しくははしけにより若しくはいかだに組んで運送されるべき貨物の特定港湾倉庫からの搬出(上屋その他の荷さばき場に搬入すべき貨物の搬出であつて、特定港湾運送関係事業者以外の者が行うものを除く。)又は貨物の特定港湾倉庫における荷さばき。ただし、冷蔵倉庫の場合にあつては、貨物の当該倉庫に附属する荷さばき場から冷蔵室への搬入、冷蔵室から当該倉庫に附属する荷さばき場への搬出及び冷蔵室における荷さばきを除く。

(iii) the carrying-in of cargoes transported by ship or lighter or by making a raft into warehouses located in the areas specified by the Minister of Health, Labour and Welfare within around 500 meters from the shore of specified ports (within around 1,000 meters at Mizushima Port and around 1,500 meters at Kagoshima Port) (such warehouses exclude those which handle only cargoes other than those pertaining to transport by ship or lighter or by making a raft; hereinafter referred to as "warehouses located in specified ports" in this Article) (the carrying-in excludes the carrying-in of cargoes from sheds or other cargo handling facilities performed by a person other than those engaged in a port transport related business prescribed in Article 2, paragraph (3) of the Port Transportation Business Act that pertains to acts listed in item (i) of the same paragraph or businesses listed in Article 3, items (i) through (iv) of the same Act or a warehouse business prescribed in Article 2, paragraph (2) of the Warehousing Business Act (Act No. 121 of 1956) that pertains to warehouses located in specified ports (hereinafter such person is referred to as "specified port transport related business operator" in this Article); the carrying-out of cargoes to be transported by ship or lighter or by making a raft from warehouses located in specified ports (excluding the carrying-out of cargoes to be carried into sheds or other cargo handling facilities which is performed by a person other than specified port transport related business operators); or cargo handling at warehouses located in specified ports; provided, however, in the case of refrigerated warehouses, that the carrying-in of cargoes from cargo handling facilities attached to the warehouses into refrigerating rooms, the carrying out of cargoes from refrigerating rooms into cargo handling facilities attached to the warehouses and cargo handling at refrigerating rooms are excluded;

四 道路運送車両法(昭和二十六年法律第百八十五号)第二条第一項に規定する道路

運送車両若しくは鉄道(軌道を含む。)(以下この号において「車両等」という。)により運送された貨物の特定港湾倉庫若しくは上屋その他の荷さばき場への搬入(特定港湾運送関係事業者以外の者が行う当該貨物の搬入を除く。)又は車両等により運送されるべき貨物の特定港湾倉庫若しくは上屋その他の荷さばき場からの搬出(特定港湾運送関係事業者以外の者が行う当該貨物の搬出を除く。)。ただし、冷蔵倉庫の場合にあつては、貨物の当該倉庫に附属する荷さばき場から冷蔵室への搬入及び冷蔵室から当該倉庫に附属する荷さばき場への搬出を除く。

(iv) the carrying-in of cargoes transported by road vehicles prescribed in Article 2, paragraph (1) of the Road Transport Vehicle Act (Act No. 185 of 1951) or train (including railcars) (hereinafter referred to as "vehicles, etc." in this item) into warehouses located in specified ports or sheds or other cargo handling facilities (excluding the carrying-in of the cargoes performed by a person other than specified port transport related business operators) and the carrying-out of cargoes to be transported by vehicles, etc. from warehouses located in specified ports or sheds or other cargo handling facilities (excluding the carrying-out of the cargoes performed by a person other than specified port transport related business operators); provided, however, in the case of refrigerated warehouses, that the carrying-in of cargoes from cargo handling facilities attached to the warehouses into refrigerating rooms and the carrying-out of cargoes from refrigerating rooms into cargo handling facilities attached to the warehouses are excluded.

(法第四条第一項第三号の政令で定める業務)

(Work Specified by Cabinet Order under Article 4, Paragraph (1), Item (iii) of the Act)

- 第二条 法第四条第一項第三号の政令で定める業務は、次に掲げる業務(当該業務について紹介予定派遣をする場合、当該業務が法第四十条の二第一項第三号又は第四号に該当する場合及び第一号に掲げる業務に係る派遣労働者の就業の場所がへき地にあり、又は地域における医療の確保のためには同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られるものとして厚生労働省令で定める場所(へき地にあるものを除く。)である場合を除く。)とする。
- Article 2 (1) Work specified by Cabinet Order under Article 4, paragraph (1), item (iii) of the Act is to be as follows (excluding cases where employment placement dispatching is carried out for the work, where the work falls under Article 40-2, paragraph (1), item (iii) or (iv) of the Act, and where the place at which a dispatched worker for work listed in item (i) engages in work is in a remote rural area, or in a place specified by Order of the Ministry of Health, Labour and Welfare as a place where it is necessary to have dispatched workers engage in work listed in the same item for worker dispatching services carried out on a regular basis for the purpose of securing medical care in the region (excluding a place in remote rural areas)):

- 一 医師法(昭和二十三年法律第二百一号)第十七条に規定する医業(医療法(昭和二十三年法律第二百五号)第一条の五第一項に規定する病院若しくは同条第二項に規定する診療所(厚生労働省令で定めるものを除く。以下この条において「病院等」という。)、同法第二条第一項に規定する助産所(以下この条において「助産所」という。)、介護保険法(平成九年法律第百二十三号)第八条第二十五項に規定する介護老人保健施設(以下この条において「介護老人保健施設」という。)又は医療を受ける者の居宅(以下この条において「居宅」という。)において行われるものに限る。)
- (i) medical practice prescribed in Article 17 of the Medical Practitioners' Act (Act No. 201 of 1948) (limited to medical practice conducted at hospitals prescribed in Article 1-5, paragraph (1) of the Medical Care Act (Act No. 205 of 1948) or clinics prescribed in paragraph (2) of the same Article (excluding those specified by Order of the Ministry of Health, Labour and Welfare; hereinafter referred to as "hospitals, etc." in this Article), birth centers prescribed in Article 2, paragraph (1) of the same Act (hereinafter referred to as "birth centers" in this Article), geriatric health care institutions prescribed in Article 8, paragraph (25) of the Long-Term Care Insurance Act (Act No. 123 of 1997) (hereinafter referred to as "geriatric health care facilities" in this Article), or homes of persons who receive medical care (hereinafter referred to as "homes" in this Article));
- 二 歯科医師法(昭和二十三年法律第二百二号)第十七条に規定する歯科医業(病院等、介護老人保健施設又は居宅において行われるものに限る。)
- (ii) dental practice prescribed in Article 17 of the Dentists Act (Act No. 202 of 1948) (limited to dental practice conducted at hospitals, etc., geriatric health care facilities or homes);
- 三 薬剤師法(昭和三十五年法律第百四十六号)第十九条に規定する調剤の業務(病院等において行われるものに限る。)
- (iii) preparation of drugs prescribed in Article 19 of the Pharmacists Act (Act No. 146 of 1960) (limited to the preparation of drugs conducted at hospitals, etc.);
- 四 保健師助産師看護師法(昭和二十三年法律第二百三号)第二条、第三条、第五条、第六条及び第三十一条第二項に規定する業務(他の法令の規定により、同条第一項及び第三十二条の規定にかかわらず、診療の補助として行うことができることとされている業務を含み、病院等、助産所、介護老人保健施設又は居宅において行われるもの(介護保険法第八条第三項に規定する訪問入浴介護及び同法第八条の二第三項に規定する介護予防訪問入浴介護に係るものを除く。)に限る。)
- (iv) work prescribed in Articles 2, Article 3, Article 5, Article 6, and Article 31, paragraph (2) of the Act on Public Health Nurses, Midwives and Nurses (Act No. 203 of 1948) (including work that is allowed to be performed to assist in medical care pursuant to the provisions of other laws and regulations, notwithstanding the provisions of Article 31, paragraph (1) and Article 32,

- and limited to work performed at hospitals, etc., birth centers, geriatric health care facilities or homes (excluding home visit bathing services prescribed in Article 8, paragraph (3) of the Long-Term Care Insurance Act and home visit bathing services for preventive care prescribed in Article 8-2, paragraph (3) of the same Act));
- 五 栄養士法(昭和二十二年法律第二百四十五号)第一条第二項に規定する業務(傷病者に対する療養のため必要な栄養の指導に係るものであつて、病院等、介護老人保健施設又は居宅において行われるものに限る。)
- (v) work prescribed in Article 1, paragraph (2) of the Dietitians Act (Act No. 245 of 1947) (limited to work pertaining to nutritional guidance necessary for the medical treatment of injured and sick persons which is performed at hospitals, etc., geriatric health care facilities or houses);
- 六 歯科衛生士法(昭和二十三年法律第二百四号)第二条第一項に規定する業務(病院等、介護老人保健施設又は居宅において行われるものに限る。)
- (vi) work prescribed in Article 2, paragraph (1) of the Dental Hygienists Act (Act No. 204 of 1948) (limited to work performed at hospitals, etc., geriatric health care facilities or homes);
- 七 診療放射線技師法(昭和二十六年法律第二百二十六号)第二条第二項に規定する 業務(病院等、介護老人保健施設又は居宅において行われるものに限る。)
- (vii) work prescribed in Article 2, paragraph (2) of the Radiology Technicians Act (Act No. 226 of 1951) (limited to work performed at hospitals, etc., geriatric health care facilities or homes);
- 八 歯科技工士法(昭和三十年法律第百六十八号)第二条第一項に規定する業務(病 院等において行われるものに限る。)
- (viii) work prescribed in Article 2, paragraph (1) of the Dental Technicians Act (Act No. 168 of 1955) (limited to work performed at hospitals, etc.).
- 2 前項のへき地とは、次の各号のいずれかに該当する地域をその区域に含む厚生労働 省令で定める市町村とする。
- (2) The remote rural areas under the preceding paragraph are to be municipalities specified by Order of the Ministry of Health, Labour and Welfare which include areas falling under any of the following items:
 - 一 離島振興法(昭和二十八年法律第七十二号)第二条第一項の規定により離島振興 対策実施地域として指定された離島の区域
 - (i) remote island regions designated as regions at which remote islands development measures are to be implemented pursuant to the provisions of Article 2, paragraph (1) of the Remote Islands Development Act (Act No. 72 of 1953);
 - 二 奄美群島振興開発特別措置法(昭和二十九年法律第百八十九号)第一条に規定す る奄美群島の区域
 - (ii) areas of the Amami Islands prescribed in Article 1 of the Act on Special Measures for the Amami Islands Promotion and Development (Act No. 189 of

1954);

- 三 辺地に係る公共的施設の総合整備のための財政上の特別措置等に関する法律(昭和三十七年法律第八十八号)第二条第一項に規定する辺地
- (iii) remote areas prescribed in Article 2, paragraph (1) of the Act on Special Financial Measures for Comprehensive Development of Public Facilities for Distant Areas (Act No. 88 of 1962);
- 四 山村振興法 (昭和四十年法律第六十四号) 第七条第一項の規定により指定された 振興山村の地域
- (iv) mountain village areas for development designated pursuant to Article 7, paragraph (1) of the Mountain Villages Development Act (Act No. 64 of 1965);
- 五 小笠原諸島振興開発特別措置法(昭和四十四年法律第七十九号)第二条第一項に 規定する小笠原諸島の地域
- (v) the Ogasawara Islands region prescribed in Article 2, paragraph (1) of the Act on Special Measures for the Ogasawara Islands Development (Act No. 79 of 1969);
- 六 過疎地域自立促進特別措置法(平成十二年法律第十五号)第二条第一項に規定する過疎地域
- (vi) the underpopulated area prescribed in Article 2, paragraph (1) of the Act on Special Measures for Promotion for Independence for Underpopulated Areas (Act No. 15 of 2000);
- 七 沖縄振興特別措置法(平成十四年法律第十四号)第三条第三号に規定する離島の 地域
- (vii) remote island regions prescribed in Article 3, item (iii) of the Act on Special Measures for the Promotion and Development of Okinawa (Act No. 14 of 2002).
 - (法第六条第一号の労働に関する法律の規定であつて政令で定めるもの)
- (Provisions of Laws Relating to Labor under Article 6, Item (i) of the Act Specified by Cabinet Order)
- 第三条 法第六条第一号の労働に関する法律の規定であつて政令で定めるものは、次の とおりとする。
- Article 3 The provisions of laws relating to labor under Article 6, item (i) of the Act which are specified by Cabinet Order are as follows:
 - 一 労働基準法(昭和二十二年法律第四十九号)第百十七条、第百十八条第一項(同法第六条及び第五十六条の規定に係る部分に限る。)、第百十九条(同法第十六条、第十七条、第十八条第一項及び第三十七条の規定に係る部分に限る。)及び第百二十条(同法第十八条第七項及び第二十三条から第二十七条までの規定に係る部分に限る。)の規定並びに当該規定に係る同法第百二十一条の規定(これらの規定が法第四十四条(第四項を除く。)の規定により適用される場合を含む。)
 - (i) the provisions of Article 117, Article 118, paragraph (1) (limited to the parts

pertaining to the provisions of Article 6 and Article 56), Article 119 (limited to the parts pertaining to the provisions of Article 16, Article 17, Article 18, paragraph (1), and Article 37), and Article 120 (limited to the parts pertaining to the provisions of Article 18, paragraph (7) and Articles 23 through 27) of the Labor Standards Act (Act No. 49 of 1947) and the provisions of Article 121 of the same Act pertaining to the relevant provisions (including as applied pursuant to the provisions of Article 44 (excluding paragraph (4)) of the Act);

- 二 職業安定法(昭和二十二年法律第百四十一号)第六十三条、第六十四条、第六十 五条(第一号を除く。)及び第六十六条の規定並びにこれらの規定に係る同法第六 十七条の規定
- (ii) the provisions of Article 63, Article 64, Article 65 (excluding item (i)), and Article 66 of the Employment Security Act (Act No. 141 of 1947) and the provisions of Article 67 of the same Act pertaining to those provisions;
- 三 最低賃金法(昭和三十四年法律第百三十七号)第四十四条の規定及び同条の規定 に係る同法第四十六条の規定
- (iii) the provisions of Article 44 of the Minimum Wage Act (Act No. 137 of 1959) and the provisions of Article 46 of the same Act pertaining to the provisions of Article 44 of the same Act;
- 四 建設労働者の雇用の改善等に関する法律(昭和五十一年法律第三十三号)第四十 九条、第五十条及び第五十一条(第二号及び第三号を除く。)の規定並びにこれら の規定に係る同法第五十二条の規定
- (iv) the provisions of Article 49, Article 50, and Article 51 (excluding items (ii) and (iii)) of the Act on the Improvement of Employment of Construction Workers (Act No. 33 of 1976) and the provisions of Article 52 of the same Act pertaining to those provisions;
- 五 賃金の支払の確保等に関する法律(昭和五十一年法律第三十四号)第十八条の規 定及び同条の規定に係る同法第二十条の規定
- (v) the provisions of Article 18 of the Act on Ensuring Wage Payment (Act No. 34 of 1976) and the provisions of Article 20 of the same Act pertaining to the provisions of Article 18 of the same Act;
- 六 港湾労働法第四十八条、第四十九条(第一号を除く。)及び第五十一条(第二号 及び第三号に係る部分に限る。)の規定並びにこれらの規定に係る同法第五十二条 の規定
- (vi) the provisions of Article 48, Article 49 (excluding item (i)), and Article 51 (limited to the parts pertaining to items (ii) and (iii)) of the Port Labor Act and the provisions of Article 52 of the same Act pertaining to those provisions;
- 七 中小企業における労働力の確保及び良好な雇用の機会の創出のための雇用管理の 改善の促進に関する法律(平成三年法律第五十七号)第十九条、第二十条及び第二 十一条(第一号に係る部分に限る。)の規定並びにこれらの規定に係る同法第二十

二条の規定

- (vii) the provisions of Article 19, Article 20, and Article 21 (limited to the parts pertaining to item (i)) of the Act on the Promotion of Improvement of Employment Management in Small and Medium-Sized Enterprises for Securing Manpower and Creating Quality Jobs (Act No. 57 of 1991) and the provisions of Article 22 of the same Act pertaining to those provisions;
- 八 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)第六十二条、第六十三条及び第六十五条の規定並びにこれら の規定に係る同法第六十六条の規定
- (viii) the provisions of Article 62, Article 63, and Article 65 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) and the provisions of Article 66 of the same Act pertaining to those provisions;
- 九 林業労働力の確保の促進に関する法律(平成八年法律第四十五号)第三十二条、 第三十三条及び第三十四条(第一号に係る部分に限る。)の規定並びにこれらの規 定に係る同法第三十五条の規定
- (ix) the provisions of Article 32, Article 33, and Article 34 (limited to the parts pertaining to item (i)) of the Act concerning the Security of Forestry Work Force (Act No. 45 of 1996) and the provisions of Article 35 of the same Act pertaining to those provisions;
- 十 法第四十四条第四項の規定により適用される労働基準法第百十八条、第百十九条 及び第百二十一条の規定並びに法第四十五条第七項の規定により適用される労働安 全衛生法(昭和四十七年法律第五十七号)第百十九条及び第百二十二条の規定
- (x) the provisions of Article 118, Article 119, and Article 121 of the Labor Standards Act as applied pursuant to the provisions of Article 44, paragraph (4) of the Act and the provisions of Article 119 and Article 122 of the Industrial Safety and Health Act (Act No. 57 of 1972) as applied pursuant to the provisions of Article 45, paragraph (7) of the Act.

(法第四十条の二第一項第一号の政令で定める業務)

(Work Specified by Cabinet Order under Article 40-2, Paragraph (1), Item (i) of the Act)

第四条 法第四十条の二第一項第一号の政令で定める業務は、次のとおりとする。 Article 4 Work specified by Cabinet Order under Article 40-2, paragraph (1), item (i) of the Act are as follows:

一電子計算機を使用することにより機能するシステムの設計若しくは保守(これらに先行し、後続し、その他これらに関連して行う分析を含む。)又はプログラム(電子計算機に対する指令であつて、一の結果を得ることができるように組み合わされたものをいう。第二十三号及び第二十五号において同じ。)の設計、作成若しくは保守の業務

- (i) work to design or maintain a system that functions by using computers (including analysis conducted prior to, following, or related to designing or maintenance) or work to design, create or maintain a program (meaning commands to computers which are combined to obtain a single result; the same applies in items (xxiii) and (xxv));
- 二 機械、装置若しくは器具(これらの部品を含む。以下この号及び第二十五号において「機械等」という。)又は機械等により構成される設備の設計又は製図(現図製作を含む。)の業務
- (ii) work to design or draft (including molding) machinery, equipment, or apparatus (including parts thereof; hereinafter referred to as "machinery, etc." in this item and item (xxv)) or facilities consisting of machinery, etc.
- 三 映像機器、音声機器等の機器であつて、放送番組等(放送法(昭和二十五年法律 第百三十二号)第二条第一号に規定する放送、有線ラジオ放送業務の運用の規正に 関する法律(昭和二十六年法律第百三十五号)第二条に規定する有線ラジオ放送及 び有線テレビジョン放送法(昭和四十七年法律第百十四号)第二条第一項に規定す る有線テレビジョン放送の放送番組その他影像又は音声その他の音響により構成さ れる作品であつて録画され、又は録音されているものをいう。以下同じ。)の制作 のために使用されるものの操作の業務
- (iii) work to operate filming equipment, audio equipment, etc. that are used for the production of broadcast programs (meaning broadcast programs prescribed in Article 2, item (i) of the Broadcasting Act (Act No. 132 of 1950), wired radio broadcasting prescribed in Article 2 of the Act on Regulation on Cable Radio Broadcasting Services (Act No. 135 of 1951) and cable television broadcasting prescribed in of Article 2, paragraph (1) of the Cable Television Broadcast Act (Act No. 114 of 1972) or other pieces of work consisting of images, voices or other sounds that are recorded on video tapes or tapes; the same applies hereinafter);
- 四 放送番組等の制作における演出の業務 (一の放送番組等の全体的形成に係るもの を除く。)
- (iv) work to direct the production of broadcast programs (excluding work related to the overall production of a single broadcast program, etc.);
- 五 電子計算機、タイプライター、テレックス又はこれらに準ずる事務用機器(第二十三号において「事務用機器」という。)の操作の業務
- (v) work to operate computers, typewriters, telexes, or other business equipment equivalent thereto (referred to as "business equipment" in item (xxiii));
- 六 通訳、翻訳又は速記の業務
- (vi) interpretation, translation, or shorthand writing work;
- 七 法人の代表者その他の事業運営上の重要な決定を行い、又はその決定に参画する 管理的地位にある者の秘書の業務
- (vii) secretarial work for a corporation's representative or a person in an

- administrative position who makes important decisions for the business operation or takes part in the decisions;
- 八 文書、磁気テープ等のファイリング(能率的な事務処理を図るために総合的かつ 系統的な分類に従つてする文書、磁気テープ等の整理(保管を含む。)をいう。以 下この号において同じ。)に係る分類の作成又はファイリング(高度の専門的な知 識、技術又は経験を必要とするものに限る。)の業務
- (viii) work for creating classification related to filing of documents, magnetic tapes, etc. (meaning organizing (including retention) of documents, magnetic tapes, etc. according to comprehensive and systematic classification, aimed at improving the efficiency of paperwork; hereinafter the same applies in this item) or filing work (limited to work that requires a high level of expertise, technique, or experience);
- 九 新商品の開発、販売計画の作成等に必要な基礎資料を得るためにする市場等に関する調査又は当該調査の結果の整理若しくは分析の業務
- (ix) work on research of markets, etc., aiming to obtain the basic data necessary for developing new products or preparing sales plans, or work to compile or analyze the research results;
- 十 貸借対照表、損益計算書等の財務に関する書類の作成その他財務の処理の業務
- (x) work to prepare financial documents such as a balance sheet and profit and loss statement and other financial processing work;
- 十一 外国貿易その他の対外取引に関する文書又は商品の売買その他の国内取引に係る契約書、貨物引換証、船荷証券若しくはこれらに準ずる国内取引に関する文書の作成(港湾運送事業法第二条第一項第一号に掲げる行為に附帯して行うもの及び通関業法(昭和四十二年法律第百二十二号)第二条第一号に規定する通関業務として行われる同号ロに規定する通関書類の作成を除く。)の業務
- (xi) work to prepare documents concerning foreign trade and other external transactions or documents concerning domestic transactions, such as contracts for the buying and selling of products, inland bills of landing, bills of landing or other documents equivalent thereto (excluding incidental work performed with the acts listed in Article 2, paragraph (1), item (i) of the Port and Harbor Transportation Business Act and work to prepare customs documents prescribed in Article 2, item (i), sub-item (b) of the Customs Business Act (Act No. 122 of 1967) performed as customs work prescribed in the same item);
- 十二 電子計算機、自動車その他その用途に応じて的確な操作をするためには高度の 専門的な知識、技術又は経験を必要とする機械の性能、操作方法等に関する紹介及 び説明の業務
- (xii) work to introduce and explain the performance and operating methods, etc. of computers, automobiles and other machinery that require a high level of expertise, technique or knowledge for appropriate operation in accordance with the usage thereof;

- 十三 旅行業法(昭和二十七年法律第二百三十九号)第十二条の十一第一項に規定する旅程管理業務(旅行者に同行して行うものに限る。)若しくは同法第四条第一項第四号に規定する企画旅行以外の旅行の旅行者に同行して行う旅程管理業務に相当する業務(以下この号において「旅程管理業務等」という。)、旅程管理業務等に付随して行う旅行者の便宜となるサービスの提供の業務(車両、船舶又は航空機内において行う案内の業務を除く。)又は車両の停車場若しくは船舶若しくは航空機の発着場に設けられた旅客の乗降若しくは待合いの用に供する建築物内において行う旅行者に対する送迎サービスの提供の業務
- (xiii) work on itinerary management (limited to work performed by accompanying tourists) prescribed in Article 12-11, paragraph (1) of the Travel Agency Act (Act No. 239 of 1952) or work equivalent to work on itinerary management performed by accompanying tourists other than those of package tours prescribed in Article 4, paragraph (1), item (iv) of the same Act (hereinafter referred to as "work on itinerary management, etc." in this item), or work to provide services for the convenience of tourists performed incidentally with work on itinerary management, etc. (excluding guide services provided in vehicles, vessels, or aircrafts) or work to provide transportation services for tourists performed in buildings which are established at vehicle terminals or ports for vessels or aircrafts and are used for passengers' boarding or waiting;
- 十四 建築物における清掃の業務

(xiv) cleaning work in buildings;

- 十五 建築設備(建築基準法(昭和二十五年法律第二百一号)第二条第三号に規定する建築設備をいう。次号において同じ。)の運転、点検又は整備の業務(法令に基づき行う点検及び整備の業務を除く。)
- (xv) work for the operation, checking or maintenance (excluding checking and maintenance work performed based on laws and regulations) of building equipment (meaning building equipment prescribed in Article 2, item (iii) of the Building Standards Act (Act No. 201 of 1950; the same applies in the following item));
- 十六 建築物又は博覧会場における来訪者の受付又は案内の業務、建築物に設けられ、 又はこれに附属する駐車場の管理の業務その他建築物に出入りし、勤務し、又は居 住する者の便宜を図るために当該建築物に設けられた設備(建築設備を除く。)で あつて当該建築物の使用が効率的に行われることを目的とするものの維持管理の業 務(第十四号に掲げる業務を除く。)
- (xvi) reception or guide services provided for visitors in buildings or at exhibition sites, work to manage parking lots established in or attached to buildings, and other maintenance work of facilities (excluding building equipment) established for buildings for the convenience of persons who come in and out of, work at, or reside in the buildings for the purpose of making the use of the buildings more efficient (excluding work listed in item (xiv));

- 十七 科学に関する研究又は科学に関する知識若しくは科学を応用した技術を用いて 製造する新製品若しくは科学に関する知識若しくは科学を応用した技術を用いて製 造する製品の新たな製造方法の開発の業務(第一号及び第二号に掲げる業務を除 く。)
- (xvii) work to manufacture new products by using scientific research, knowledge on science or technology that apply science, or new manufacturing methods for products developed by using knowledge on science or technology that apply science (excluding work listed in items (i) and (ii));
- 十八 企業等がその事業を実施するために必要な体制又はその運営方法の整備に関す る調査、企画又は立案の業務(労働条件その他の労働に関する事項の設定又は変更 を目的として行う業務を除く。)
- (xviii) work to examine and plan the development of a system necessary for companies, etc. to conduct businesses or the operational methods thereof (excluding work performed for the purpose of establishing or changing working conditions or other labor-related matters);
- 十九 書籍、雑誌その他の文章、写真、図表等により構成される作品の制作における 編集の業務
- (xix) editing work in producing books, magazines, or other work consisting of writing, photography, charts, etc.;
- 二十 商品若しくはその包装のデザイン、商品の陳列又は商品若しくは企業等の広告 のために使用することを目的として作成するデザインの考案、設計又は表現の業務 (次号に掲げる業務を除く。)
- (xx) work to devise, plan or express designs created for the purpose of being used as designs for products or their packages, displays of products, or advertisements for products or companies, etc. (excluding work listed in the following item);
- 二十一 建築物内における照明器具、家具等のデザイン又は配置に関する相談又は考案若しくは表現の業務(法第四条第一項第二号に規定する建設業務を除く。)
- (xxi) work to provide consultation on or devise or express designs or layouts of lighting fixtures or furniture, etc. in buildings (excluding construction work prescribed in Article 4, paragraph (1), item (ii) of the Act);
- 二十二 放送番組等における高度の専門的な知識、技術又は経験を必要とする原稿の 朗読、取材と併せて行う音声による表現又は司会の業務(これらの業務に付随して 行う業務であつて、放送番組等の制作における編集への参画又は資料の収集、整理 若しくは分析の業務を含む。)
- (xxii) work on reading aloud manuscripts, orally expressing news materials collected, or acting as an MC which requires a high level of expertise, technique or experience in broadcast programs, etc. (including incidental work performed in relation to those types of work, such as participating in editing work or collecting, sorting or analyzing materials in producing broadcast programs, etc.);

- 二十三 事務用機器の操作方法、電子計算機を使用することにより機能するシステム の使用方法又はプログラムの使用方法を習得させるための教授又は指導の業務
- (xxiii) instruction or guidance work for teaching methods to operate business equipment, methods to use a system that functions by using computers, or methods to use programs;
- 二十四 電話その他の電気通信を利用して行う商品、権利若しくは役務に関する説明 若しくは相談又は商品若しくは権利の売買契約若しくは役務を有償で提供する契約 についての申込み、申込みの受付若しくは締結若しくはこれらの契約の申込み若しくは締結の勧誘の業務
- (xxiv) work to provide explanations or consultations concerning products, rights or services by means of using telephones or other telecommunications, offer sales contracts on products or rights, or for contracts to provide services for a fee, receive applications or conclude such contracts, or solicit applications or conclusion of those contracts;
- 二十五 顧客の要求に応じて設計(構造を変更する設計を含む。)を行う機械等若しくは機械等により構成される設備若しくはプログラム又は顧客に対して専門的知識に基づく助言を行うことが必要である金融商品(金融商品の販売等に関する法律(平成十二年法律第百一号)第二条第一項に規定する金融商品の販売の対象となるものをいう。)に係る当該顧客に対して行う説明若しくは相談又は売買契約(これに類する契約で同項に規定する金融商品の販売に係るものを含む。以下この号において同じ。)についての申込み、申込みの受付若しくは締結若しくは売買契約の申込み若しくは締結の勧誘の業務
- (xxv) work to provide customers with explanations or consultation concerning machinery, etc. designed (including the modification of its structures) in response to customers' requests, facilities or programs consisting of machinery, etc., or financial instruments (meaning those subject to the sales of financial instruments prescribed in Article 2, paragraph (1) of the Act on Sales, etc. of Financial Instruments (Act No. 101 of 2000) which require advice based on expert knowledge to be given to customers, offer sales contracts (including contracts similar thereto which pertain to the sales of financial instruments prescribed in the same paragraph; hereinafter the same applies in this item), receive applications or conclude such contracts, or solicit applications or conclusion of those contracts;
- 二十六 放送番組等の制作のために使用される舞台背景、建具等の大道具又は調度品、 身辺装飾用品等の小道具の調達、製作、設置、配置、操作、搬入又は搬出の業務 (法第四条第一項第二号に規定する建設業務を除く。)
- (xxvi) work to procure, manufacture, set up, place, operate, carry in or carry out stage sets, such as scenery and fittings, props, or accessories used for producing broadcast programs (excluding construction work prescribed in Article 4, paragraph (1), item (ii) of the Act).

(労働基準法を適用する場合の読替え)

(Replacement of Terms in Applying the Labor Standards Act)

第五条 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(次条において「派遣中の労働者」という。)の法第二十六条第一項第二号に規定する派遣就業(次条において「派遣就業」という。)に関し労働基準法の規定を適用する場合における法第四十四条第六項の規定による労働基準法の規定の技術的読替えば、次の表のとおりとする。

Article 5 When the provisions of the Labor Standards Act are applied, pursuant to the provisions of Article 44 of the Act, to dispatch work prescribed in Article 26, paragraph (1), item (ii) of the Act (referred to as "Dispatch Work" in the following Article) of a worker under dispatching prescribed in Article 44, paragraph (1) of the Act (referred to as a "Worker Under Dispatching" in the following Article), the technical replacement of terms of the provisions of the Labor Standards Act pursuant to the provisions of Article 44, paragraph (6) of the Act is as follows:

読替えに係る労働基準法の	読み替えられる字句	読み替える字句
規定	Terms Deemed to	Terms to be Used as
Provisions of the Labor	be Replaced	Replacement
Standards Act related to		
the Replacement of Terms		

第三十二条の四の二	使用者	使用者は、労働者派遣事業の
Article 32-4-2	an employer has a	適正な運営の確保及び派遣労
	worker work	働者の就業条件の整備等に関
	during the	する法律(昭和六十年法律第
	applicable period	八十八号。以下「労働者派遣
	for a period	法」という。)第四十四条第
	shorter than the	二項の規定により同条第一項
	applicable period,	に規定する派遣先の事業(以
	and the average	下単に「派遣先の事業」とい
	weekly hours the	_ · · · _ · · _ · · · - ·
	employer has the	う。)の第十条に規定する使
	worker work	用者とみなされる者
	exceeds 40 hours,	a person, pursuant to the
	the employer	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 (Act No. 88 of
		1985; hereinafter referred to
		as the "Worker Dispatching
		Act"), that is deemed to be
		the employer prescribed in Article 10 for the business
		of the client prescribed in
		Article 44, paragraph (1) of
		the Worker Dispatching Act
		(hereinafter simply referred
		to as "business of the
		client"), has a worker work
		during the applicable period
		for a period shorter than the
		applicable period, and the
		average weekly hours such
		person has the worker work
		exceeds 40 hours, the
		employer
	前条の規定	労働者派遣法第四十四条第二
	the provisions of	項の規定により適用される前
	the preceding	条の規定
	Article	the provisions of the
		preceding Article which are
		applied pursuant to the
		provisions of paragraph 2 of
		Article 44 of the Worker
		Dispatching Act
		Dispatching Act

	第三十三条又は第三 十六条第一項の規定 working hours that have been extended or working hours on days off pursuant to the provisions of Article 33 or paragraph (1) of Article 36	当該使用者とみなされる者が 同項の規定により適用される 第三十三条又は第三十六条第 一項の規定 working hours that the person deemed to be the employer has extended or working hours on days off when the person has the worker work pursuant to the provisions of Article 33 or Article 36, paragraph (1) which are applied pursuant to the provisions of the same paragraph
第三十七条第一項 Article 37, paragraph (1)	使用者が、第三十三 条又は前条第一項の 規定 an employer extends the working hours or has a worker work on a day off pursuant to the provisions of Article 33 or paragraph (1) of the preceding Article, the employer	使用者は、労働者派遣法第四十四条第二項の規定により派遣先の事業の第十条に規定する使用者とみなされる者が、同項の規定により適用される第三十三条又は前条第一項の規定 a person deemed to be the employer prescribed in Article 10 for the business of the client pursuant to the provisions of Article 44, paragraph (2) of the Worker Dispatching Act extends the working hours or has a worker work on a day off pursuant to the provisions of Article 33 or paragraph 1 of the preceding Article which are applied pursuant to the provisions of the same paragraph, the employer

第三十七条第三項	使用者	使用者は、労働者派遣法第四
Article 37, paragraph (3)	an employer has a	十四条第二項の規定により派
in tions ov, paragraph (e)	worker work	遣先の事業の第十条に規定す
	during the period	る使用者とみなされる者
	between 10 p.m.	
	and 5 a.m. (the	a person deemed to be the
	period between 11	employer prescribed in Article 10 for the business
	p.m. and 6 a.m., in	of the client pursuant to the
	the case that the	-
	Minister of	provisions of Article 44, paragraph (2) of the Worker
	Health, Labour	Dispatching Act has a
	and Welfare	worker work during the
	admits the	period between 10 p.m. and
	necessity of the	5 a.m. (the period between
	application of	11 p.m. and 6 a.m., in the
	those hours for a	case that the Minister of
	certain area or	Health, Labour and Welfare
	time of the year),	finds the necessity of the
	the employer	application of those hours
		for a certain area or time of
		the year), the employer
第三十八条第二項	第三十四条第二項及	労働者派遣法第四十四条第二
Article 38, paragraph (2)	び第三項	項の規定により適用される第
in there so, paragraph (2)	Article 34,	三十四条第二項及び第三項
	paragraphs (2)	Article 34, paragraphs (2)
	and (3)	and (3) as applied pursuant
	aria (o)	to the provisions of Article
		44, paragraph (2) of the
		Worker Dispatching Act
第六十条第二項、第六十一	第五十六条第二項の	労働者派遣法第四十四条第三
条第五項	規定によって	項に規定する派遣元の使用者
Article 60, paragraph (2)	pursuant to	が第五十六条第二項の規定に
and Article 61, paragraph	Article 56,	よって
(5)	paragraph (2)	
	Paragraph (2)	pursuant to Article 56, paragraph (2) by an
		employer dispatching
		workers prescribed in
		Article 44, paragraph (3) of
		the Worker Dispatching Act
第百一条第二項	前項	前項(労働者派遣法第四十四
Article 101, paragraph (2)	the preceding	条第五項の規定により適用さ
paragraph (2)	paragraph	れる場合を含む。)
	Larastati.	the preceding paragraph
		(including the case as
		applied pursuant to the
		provisions of Article 44,
		paragraph 5 of the Worker
		Dispatching Act)
		Dispatching Acti

(労働安全衛生法等を適用する場合の読替え等)

(Replacement of Terms in Applying the Industrial Safety and Health Act)

第六条 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 この条において「派遣先の事業」という。)に関し労働安全衛生法の規定を適用する 場合における法第四十五条第十七項の規定による労働安全衛生法の規定の技術的読替 えは、次の表のとおりとする。

Article 6 (1) In applying the provisions of the Industrial Safety and Health Act, to business of the client prescribed in Article 44, paragraph (1) of the Act (hereinafter referred to as "business of the client" in the this Article) pursuant to the provisions of Article 45 of the Act,, the technical replacement of terms of the provisions of the Industrial Safety and Health Act 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	読み替えられる字句	読み替える字句
衛生法の規定	Terms Deemed to be	Term to be Used as
Provisions of the	Replaced	Replacement
Industrial Safety		
and Health Act		
related to the		
Replacement of		
Terms		
第五条第二項	前項	労働者派遣事業の適正な運営
Article 5, paragraph	the preceding	の確保及び派遣労働者の就業
(2)	paragraph	条件の整備等に関する法律
		(以下「労働者派遣法」とい
		う。)第四十五条第八項の規
		定により適用される前項
		the preceding paragraph as
		applied pursuant to the
		provisions of Article 45,
		paragraph (8) 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")

第五条第三項	前二項	労働者派遣法第四十五条第八
Article 5, paragraph	the preceding two	項の規定により適用される第
(3)	paragraphs	一項及び前項
		paragraph (1) and the
		preceding paragraph as
		applied pursuant to the
		provisions of Article 45,
		paragraph (8) of the Worker
		Dispatching Act
第十六条第一項	事業者	事業者(労働者派遣法第四十
Article 16,	the employer	五条第三項の規定により事業
paragraph (1)		者とみなされる者を含む。次
		項において同じ。)
		the employer (including
		those deemed to be the
		business operator pursuant
		to the provisions of Article
		45, paragraph (3) of the
		Worker Dispatching Act; the
		same applies in the
		following paragraph)
第十六条第二項	前項	労働者派遣法第四十五条第八
Article 16,	the preceding	項の規定により適用される前
paragraph (2)	paragraph	項
		the preceding paragraph as
		applied pursuant to the
		provisions of Article 45,
		paragraph (8) of the Worker
tota - I - to tota	habe and I by habe and an a habe tree	Dispatching Act
第三十二条第一項	第三十条第一項又は第四	第三十条第一項又は第四項
Article 32,	項	(労働者派遣法第四十五条第
paragraph (1)	Article 30, paragraph	三項の規定により適用される
	(1) or (4)	場合を含む。)
		Article 30, paragraph (1) or
		(4) (including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
	 同条第一項	Dispatching Act) 第三十条第一項
		第三十条第一項 Article 30, paragraph (1)
	paragraph (1) of the	Article 50, paragraph (1)
	same Article	

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第三十二条第二項	第三十条の二第一項又は	第三十条の二第一項又は第四
Article 32,	第四項	項(労働者派遣法第四十五条
paragraph (2)	Article 30-2, paragraph	第三項の規定により適用され
	(1) or (4)	る場合を含む。)
		Article 30-2, paragraph (1)
		or (4) (including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act)
	同条第一項	第三十条の二第一項
	paragraph (1) of the	Article 30-2, paragraph (1)
	same Article	
第三十二条第三項	第三十条の三第一項又は	第三十条の三第一項又は第四
Article 32,	第四項	項(労働者派遣法第四十五条
paragraph (3)	Article 30-3, paragraph	第三項の規定により適用され
	(1) or (4)	る場合を含む。)
		Article 30-3, paragraph (1)
		or (4) (including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act)

第七項 Article 32, paragraphs (6) and (7)	第三十二条第六項及び	若しくは第四項、第三十	若しくは第四項(労働者派遣
Article 32, paragraphs (6) and (7)			· ·
原本語のではいいでは、		1	
でArticle 30, paragraph (4), Article 30-2, paragraph (1) or (4), Article 30-3, paragraph (1) or (4) Article 30-3, paragraph (1) or (4) (1) or (4) 「中華 (2) 第四項(労働者派遣法第四十五条第三項の規定により適用される場合を含む。) 「Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the	1		
(4)、Article 30-2、paragraph (1) or (4)、Article 30-3、paragraph (1) or (4) にには第四項(労働者派遣法第四十五条第三項の規定により適用される場合を含む。)、第三十条の三第一項若しくは第四項(労働者派遣法第四十五条第三項の規定により適用される場合を含む。) or Article 30、paragraph (4)(including the case as applied pursuant to the provisions of Article 45、paragraph (3) of the Worker Dispatching Act)、Article 30-2、paragraph (3) of the Worker Dispatching Act)、Article 45、paragraph (3) of the Worker Dispatching Act)、Article 45、paragraph (3) of the Worker Dispatching Act)、Article 30-3、paragraph (1) or (4)(including the case as applied pursuant to the		i ·	
paragraph (1) or (4), Article 30-3, paragraph (1) or (4) より適用される場合を含む。)、第三十条の三第一項 若しくは第四項(労働者派遣 法第四十五条第三項の規定に より適用される場合を含む。) or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (1) or (4) (including the case as applied pursuant to the		, 1	
Article 30-3, paragraph (1) or (4) む。)、第三十条の三第一項 若しくは第四項(労働者派遣 法第四十五条第三項の規定により適用される場合を含む。) or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
指しくは第四項(労働者派遣法第四十五条第三項の規定により適用される場合を含む。) or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
法第四十五条第三項の規定により適用される場合を含む。) or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
より適用される場合を含む。) or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' ' '
or Article 30, paragraph (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			
(including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			- C
paragraph (3) of the Worker Dispatching Act), Article 30- 2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			= = =
Dispatching Act), Article 30- 2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			
2, paragraph (1) or (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
(including the case as applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			
applied pursuant to the provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30-3, paragraph (1) or (4) (including the case as applied pursuant to the			, 1
provisions of Article 45, paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			_
paragraph (3) of the Worker Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			1 1
Dispatching Act), Article 30- 3, paragraph (1) or (4) (including the case as applied pursuant to the			
3, paragraph (1) or (4) (including the case as applied pursuant to the			
(including the case as applied pursuant to the			=
applied pursuant to the			
			_
paragraph (3) of the Worker			
Dispatching Act)			
第三十三条第二項 その使用する労働者 その使用する労働者 (労働者	第三十三条第二項	その使用する労働者	
Article 33, a worker employed by 派遣法第四十五条第三項の規			
paragraph (2) the individual 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 employed by the			1
individual (including one			. = -
who is deemed to be a			© .
worker employed by the			
person pursuant to the			
provisions of Article 45,			
paragraph (3) of the Worker			-
Dispatching Act)			Dispatching Act)

第四十五条第二項	同項	労働者派遣法第四十五条第三
Article 45,	the same paragraph	項の規定により適用される前
paragraph (2)	the same paragraph	項
paragraph (2)		the preceding paragraph as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act
第六十六条の五第一項	前条	労働者派遣法第四十五条第三
Article 66-5,	the preceding Article	項の規定により適用される前
paragraph (1)	the preceding in their	条
paragraph (1)		the preceding Article as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act
第百四条	第六十五条の二第一項及	第六十五条の二第一項(労働
Article 104	び第六十六条第一項から	者派遣法第四十五条第三項の
	第四項まで	規定により適用される場合を
	Article 65-2, paragraph	含む。)、第六十六条第一項
	(1) and Article 66,	及び同条第二項から第四項ま
	paragraphs (1) through	で(労働者派遣法第四十五条
	(4)	第三項の規定により適用され
		る場合を含む。)
		Article 65-2, paragraph (1)
		(including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act), Article 66,
		paragraph (1), and
		paragraphs (2) through (4)
		of the same Article
		(including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (3) of the Worker
		Dispatching Act)
第百二十条第一号	第十六条第一項	第十六条第一項(労働者派遣
Article 120, item (i)	Article 16, paragraph	法第四十五条第八項の規定に
	(1)	より適用される場合を含
		む。)
		Article 16, paragraph (1)
		(including the case as
		applied pursuant to the
		provisions of Article 45,
		paragraph (8) of the Worker
		Dispatching Act)

第四十五条第一項若しく	第四十五条第一項、同条第二
は第二項	項(労働者派遣法第四十五条
Article 45, paragraph	第四項の規定により適用され
(1) or (2)	る場合を含む。)
	Article 45, paragraph (1),
	paragraph (2) of the same
	Article (including the case
	as applied pursuant to the
	provisions of Article 45,
	paragraph (4) of the Worker
	Dispatching Act)

- 2 前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法の規定を適用 する場合における同条第十七項の規定による同法の規定の技術的読替えは、次の表の とおりとする。
- (2) Beyond what is set forth in the preceding paragraph, when applying the provisions of the Industrial Safety and Health Act pursuant to the provisions of Article 45 of the Act, the technical replacement of terms of the provisions of the Industrial Safety and Health Act pursuant to the provisions of Article 45, paragraph (17) of the Act is as follows:

読替えに係る労	読み替えられる字	読み替える字句
働安全衛生法の	句	Terms to be Used as Replacement
規定	Terms Deemed to	
Provisions of the	be Replaced	
Industrial		
Safety and		
Health Act		
related to the		
Repalcement of		
Terms		
第三十一条第二	前項	前項(労働者派遣事業の適正な運営の確保
項	the preceding	及び派遣労働者の就業条件の整備等に関す
Article 31,	paragraph	る法律(以下「労働者派遣法」という。)
paragraph (2)		第四十五条第十五項の規定により適用され
		る場合を含む。)
		the preceding paragraph (including the
		case as applied pursuant to the
		provisions of Article 45, paragraph (15)
		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")

	同項	前項
	the same	the preceding paragraph
	paragraph	the fraction of the state of th
第三十六条 Article 36	第三十一条第一 項、第三十一条第 一項、第三十二条第 一項おり第三十三条第 一項若しくは第三十四条 Article 31, paragraph (1), Article 32, paragraphs (1) through (5), Article 33, paragraph (1) or (2), or Article 34	第三十一条第一項(労働者派遣法第四十五条第十五項の規定により適用される場合を含む。)、第三十一条の二(労働者派遣法第四十五条第十五項の規定により適用される場合を含む。)、第三十二条第一項から第四項まで(労働者派遣法第四十五条第十五項の規定により適用される場合を含む。)、第三十二条第五項、第三十三条第一項(労働者派遣法第四十五条第十五項の規定により適用される場合を含む。)、第三十三条第二項又は第三十四条(労働者派遣法第四十五条第十五項の規定により適用される場合を含む。)、不ticle 31, paragraph (1) (including the case as applied pursuant to the provisions of Article 45, paragraph (15) of the Worker Dispatching Act), Article 31-2 (including the case as applied pursuant to the provisions of Article 45, paragraph (15) of the Worker Dispatching Act), Article 31-2 (including the case as applied pursuant to the provisions of Article 45, paragraph (1) through (4) (including the case as applied pursuant to the provisions of Article 45, paragraph (5), Article 33, paragraph (1) (including the case as applied pursuant to the provisions of Article 45, paragraph (15) of the Worker Dispatching Act), Article 33, paragraph (2) or Article 34 (including the case as applied pursuant to the provisions of Article 45, paragraph (15) of the Worker Dispatching Act), Article 33, paragraph (2) or Article 34 (including the case as applied pursuant to the provisions of Article 45, paragraph (15) of the Worker Dispatching Act) 第三十二条第六項(労働者派遣法第四十五条第十五項の規定により適用される場合を
	paragraph (6)	含む。)
		Article 32, paragraph (6) (including the case as applied pursuant to the
		provisions of Article 45, paragraph (15)
		of the Worker Dispatching Act)

第五1.29		第一百(光風 孝派惠江第四1.工久第1.工百
第九十一条第三	前二項	第一項(労働者派遣法第四十五条第十五項
項	the preceding	の規定により適用される場合を含む。)及
Article 91,	two paragraphs	び前項
paragraph (3)		paragraph (1) (including the case as
		applied pursuant to the provisions of
		Article 45, paragraph (15) of the
		Worker Dispatching Act) and the
		preceding paragraph
第九十一条第四	第一項	第一項(労働者派遣法第四十五条第十五項
項	paragraph (1)	の規定により適用される場合を含む。)
Article 91,	paragrapii (1)	paragraph (1) (including the case as
paragraph (4)		applied pursuant to the provisions of
paragraph (4)		Article 45, paragraph (15) of the
		Worker Dispatching Act)
公	※タダー百つはダ	
第九十四条第一	前条第二項又は第	前条第二項又は第三項(労働者派遣法第四
項	三項	十五条第十五項の規定により適用される場
Article 94,	paragraph (2) or	合を含む。)
paragraph (1)	(3) of the	paragraph (2) or (3) of the preceding
	preceding article	Article (including the case as applied
		pursuant to the provisions of Article 45,
		paragraph (15) of the Worker
		Dispatching Act)
第九十八条第二	前項	前項(労働者派遣法第四十五条第十五項の
項	the preceding	規定により適用される場合を含む。)
Article 98,	paragraph	the preceding paragraph (including the
paragraph (2)	paragrapii	case as applied pursuant to the
paragraph (2)		provisions of Article 45, paragraph (15)
		of the Worker Dispatching Act)
第九十八条第三	前二項	第一項(労働者派遣法第四十五条第十五項
項	the preceding	の規定により適用される場合を含む。)及
Article 98,	two paragraphs	び前項
paragraph (3)		paragraph (1) (including the case as
		applied pursuant to the provisions of
		Article 45, paragraph (15) of the
		Worker Dispatching Act) and the
		preceding paragraph
第九十八条第四	第一項	第一項(労働者派遣法第四十五条第十五項
項	paragraph (1)	の規定により適用される場合を含む。)
Article 98,		paragraph (1) (including the case as
paragraph (4)		applied pursuant to the provisions of
1 3		Article 45, paragraph (15) of the
		Worker Dispatching Act)
第九十九条第二	前項	前項(労働者派遣法第四十五条第十五項の
現 九米第二 項	*** * *	
	the preceding	規定により適用される場合を含む。)
Article 99,	paragraph	the preceding paragraph (including the
paragraph (2)		case as applied pursuant to the
		provisions of Article 45, paragraph (15)
		of the Worker Dispatching Act)

第百十四条第一	第二章	第二章(労働者派遣法第四十五条第十五項
項	Chapter II	の規定により適用される場合を含む。)
Article 114,		Chapter II (including the case as
paragraph (1)		applied pursuant to the provisions of
		Article 45, paragraph (15) of the
		Worker Dispatching Act)
第百十四条第二	第三章	第三章(労働者派遣法第四十五条の規定に
項	Chapter III	より適用される場合を含む。)
Article 114,		Chapter III (including the case as
paragraph (2)		applied pursuant to the provisions of
		Article 45 of the Worker Dispatching
		Act)

- 3 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法施行令(昭和四十七年政令第三百十八号)第二条、第四条、第五条及び第九条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。
- (3) With regard to the application of the provisions of Article 2, Article 4, Article 5 and Article 9 of the Enforcement Order of the Industrial Safety and Health Act (Cabinet Order No. 318 of 1972) to a workplace of the business of the 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 that employs the worker 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法施行令第三条及び第八条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。
- (4) With regard to the application of the provisions of Articles 3 and Article 8 of the Enforcement Order of the Industrial Safety and Health Act to a workplace of the business of the 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 that employs the worker under dispatching.
- 5 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法第四十四条第三項に規定する派遣元の事業の事業場に関する労働安全衛生法施行令第三条及び第八条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。
- (5) With regard to the application of the provisions of Articles 3 and Article 8 of the Enforcement Order of the Industrial Safety and Health Act to a workplace of dispatching undertakings prescribed in Article 44, paragraph (3) of the Act 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 that does not employ the worker under dispatching.

(じん肺法を適用する場合の読替え)

(Replacement of Terms in Applying the Pneumoconiosis Act)

第七条 法第四十六条第六項の規定によりじん肺法(昭和三十五年法律第三十号)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法の規定の技術的読替えは、 次の表のとおりとする。

Article 7 (1) When applying the provisions of the Pneumoconiosis Act (Act No. 30 of 1960) pursuant to the provisions of Article 46, paragraph (6) of the Act, the technical replacement of terms of provisions of the Pneumoconiosis Act 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の	読み替えられる字句	読み替える字句
規定	Terms Deemed to be	Terms to be Used as
Provisions of the	Replaced	Replacement
Pneumoconiosis Act		
related to the		
Replacement of Terms		
第八条第一項	次の各号	第三号及び第四号
Article 8, paragraph (1)	the following items	items (iii) and (iv)
第九条第一項	次の各号	第二号及び第三号
Article 9, paragraph (1)	the following items	items (ii) and (iii)
第九条の二第一項	次の各号に掲げる労働者	第三号に掲げる労働者で
Article 9-2, paragraph	で	workers listed in item
(1)	workers listed in the	(iii)
	following items	
	次の各号に掲げる労働者	同号
	ごとに、それぞれ当該各	the same items
	号	
	the respective items for	
	each worker listed in	
	the following items	
第十一条	第七条から第九条まで	第八条及び第九条
Article 11	Articles 7 through 9	Articles 8 and 9
第十二条、第十三条第一	第七条から第九条の二ま	第八条から第九条の二ま
項	で	で
Article 12 and Article	Articles 7 through 9-2	Articles 8 through 9-2
13, paragraph (1)		_
第十六条第一項、第十六	常時粉じん作業に従事す	常時
条の二第一項	る労働者又は常時	workers have been
Article 16, paragraph	workers regularly	regularly
(1), and Article 16-2,	engaged in powdery	
paragraph (1)	dust work or have been	
	regularly	
第三十五条の二	粉じん作業を行う作業場	作業場
Article 35-2	a workplace for powdery	a workplace
	dust work	

2 前項に定めるもののほか、法第四十六条の規定によりじん肺法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法の規定の技術的読替えは、次の表のとおりとする。

(2) Beyond what is set forth in the preceding paragraph, when applying the provisions of the Pneumoconiosis Act pursuant to the provisions of Article 46 of the Act, the technical replacement of terms of provisions of the Pneumoconiosis Act pursuant to the provisions of Article 46, paragraph (14) of the Act are as follows:

読替えに係るじん肺法	読み替えられる字句	読み替える字句
の規定	Term Deemed to be	Term to be Used as Replacement
Provisions of the	Replaced	
Pneumoconiosis Act		
related to		
Replacement of		
Terms		
第十八条第一項	及び第十六条の二第	及び第十六条の二第二項(労働者
Article 18,	二項において準用す	派遣事業の適正な運営の確保及び
paragraph (1)	る場合	派遣労働者の就業条件の整備等に
	as applied mutatis	関する法律(以下「労働者派遣
	mutandis pursuant	法」という。)第四十六条第一項
	to Article 15,	及び第六項の規定により適用され
	paragraph (3),	る場合を含む。)において準用す
	Article 16,	る場合並びに労働者派遣法第四十
	paragraph (2) and	六条第一項及び第六項の規定によ
	Article 16-2,	り適用される場合
	paragraph (2)	the case as applied mutatis
		mutandis under Article 15,
		paragraph (3), Article 16,
		paragraph (2) and Article 16-2,
		paragraph (2) (including the case
		as applied mutatis mutandis
		pursuant to the provisions of
		Article 46, paragraphs (1) and
		(6) 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")) and
		the case where it is applied
		pursuant to the provisions of Article 46, paragraphs (1) and
		(6) of the Worker Dispatching
		Act
		ACU

//	<u> </u>	子 夕 / 大
第二十二条第一号	前条第一項	前条第一項(労働者派遣法第四十
Article 22, item (i)	paragraph (1) of the	六条第四項の規定により適用され
	preceding Article	る場合を含む。)
		paragraph (1) of the preceding
		Article (including the case as
		applied pursuant to the
		provisions of Article 46,
		paragraph (4) of the Worker
		Dispatching Act)
第二十二条第二号	前条第四項	前条第四項(労働者派遣法第四十
Article 22, item (ii)	paragraph (4) of the	六条第四項の規定により適用され
	preceding Article	る場合を含む。)
		paragraph (4) of the preceding
		Article (including the case as
		applied pursuant to the
		provisions of Article 46,
		paragraph (4) of the Worker
		Dispatching Act)
第三十五条の三	及び第十六条第一項	及び第十六条第一項(労働者派遣
Article 35-3	and Article 16,	法第四十六条第一項及び第六項の
	paragraph (1)	規定により適用される場合を含
		tp。)
		and Article 16, paragraph (1)
		(including the case as applied
		pursuant to the provisions of
		Article 46, paragraphs (1) and
		(6) of the Worker Dispatching
		Act)
第四十条第二項、第四	前項	前項(労働者派遣法第四十六条第
十二条第二項	the preceding	十二項の規定により適用される場
Article 40,	paragraph	合を含む。)
paragraph (2) and		the preceding paragraph
Article 42,		(including the case as applied
paragraph (2)		pursuant to the provisions of
		Article 46, paragraph (12) of the
		Worker Dispatching Act)
第四十条第三項、第四	第一項	第一項(労働者派遣法第四十六条
十二条第三項	paragraph (1)	第十二項の規定により適用される
Article 40,	Laragrahm (1)	場合を含む。)
paragraph (3) and		paragraph (1) (including the case
Article 42,		as applied pursuant to the
paragraph (3)		provisions of Article 46,
Paragraph (0)		paragraph (12) of the Worker
		Dispatching Act)
		Dispatching Acti

(作業環境測定法を適用する場合の読替え)

(Replacement of Terms in Applying the Working Environment Measurement Act)

第八条 法第四十七条の規定により作業環境測定法(昭和五十年法律第二十八号)の規定を適用する場合における同条第三項の規定による同法の規定の技術的読替えは、次の表のとおりとする。

Article 8 When applying the provisions of the Working Environment Measurement Act (Act No. 28 of 1975) pursuant to the provisions of Article 47 of the Act, the technical replacement of terms of provisions of the Working Environment Measurement Act pursuant to the provisions of Article 47, paragraph (3) of the Act is as follows:

読替えに係る作業環境	読み替えられる字句	読み替える字句
測定法の規定	Terms Deemed to be	Term to be Used as
Provisions of the	Replaced	Replacement
Working Environment		
Measurement Act		
related to the		
Replacement of Terms		
第十二条第二項第二号	第四条第一項	第四条第一項(労働者派遣事
Article 12, paragraph	Article 4, paragraph	業の適正な運営の確保及び派
(2), item (ii)	(1)	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。)第四十七
		条第一項の規定により適用さ
		れる場合を含む。)
		Article 4, paragraph (1)
		(including the case as
		applied pursuant to the
		provisions of Article 47,
		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"))
第三十四条第一項	第三条第二項	第三条第二項(労働者派遣法
Article 34, paragraph	Article 3, paragraph	第四十七条第一項の規定によ
(1)	(2)	り適用される場合を含む。)
		Article 3, paragraph (2)
		(including the case as
		applied pursuant to the
		provisions of Article 47,
		paragraph (1) of the Worker
		Dispatching Act)

第三十四条第二項	「第四条第二項」	「第四条第二項(労働者派遣
Article 34, paragraph	"Article 4, paragraph	法第四十七条第一項の規定に
(2)	(2)"	より適用される場合を含
		t.)]
		"Article 4, paragraph (2)
		(including the case as
		applied pursuant to the
		provisions of Article 47,
		paragraph (1) of the Worker
		Dispatching Act)"

(手数料の額)

(Amount of Fees)

- 第九条 法第五十四条の政令で定める額は、次の各号に掲げる者の区分に応じ、当該各 号に定める額とする。
- Article 9 The amount specified by Cabinet Order under Article 54 of the Act is to be the amount prescribed in the following items in accordance with the classification of the persons listed in the respective items:
 - 一 法第五十四条第一号に掲げる者 十二万円(一般労働者派遣事業を行う事業所の 数が二以上の場合にあつては、五万五千円に当該事業所数から一を減じた数を乗じ て得た額に十二万円を加えた額)
 - (i) a person listed in Article 54, item (i) of the Act: 120,000 yen (in the case where there are two or more places of business where the general worker dispatching undertakings are carried out, the amount adding 120,000 yen to the amount obtained by multiplying the number obtained by subtracting one from the number of places of business by 55,000 yen);
 - 二 法第五十四条第二号に掲げる者 再交付を受けようとする許可証一枚につき千五 百円
 - (ii) a person listed in Article 54, item (ii) of the Act: 1,500 yen for each permit the person wishes to obtain reissuance;
 - 三 法第五十四条第三号に掲げる者 五万五千円に一般労働者派遣事業を行う事業所 の数を乗じて得た額
 - (iii) a person listed in Article 54, item (iii) of the Act: the amount obtained by multiplying the number of places of business where the general worker dispatching undertakings are carried out by 55,000 yen;
 - 四 法第五十四条第四号に掲げる者 書換えを受けようとする許可証一枚につき三千 円
 - (iv) a person listed in Article 54, item (iv) of the Act: 3,000 yen for each permit the person wishes to obtain rewriting.

附則

Supplementary Provisions

この政令は、法の施行の日(昭和六十一年七月一日)から施行する。

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

附 則 〔平成十八年三月三十一日政令第百五十四号〕〔抄〕 Supplementary Provisions [Cabinet Order No. 154 of March 31, 2006 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この政令は、平成十八年四月一日から施行する。

Article 1 This Cabinet Order comes into effect on April 1, 2006.