

船員法

Mariners Act

(昭和二十二年法律第百号)
(Act No. 100 of 1947)

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第一章 総則

Chapter I General Provisions

（船員）

(Mariners)

第一条 この法律において「船員」とは、日本船舶又は日本船舶以外の国土交通省令で定める船舶に乗り組む船長及び海員並びに予備船員をいう。

Article 1 (1) The term "mariner" as used in this Act means a master and a seaman, and a reserved mariner who is on board a Japanese ship or a non-Japanese ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 前項に規定する船舶には、次の船舶を含まない。

(2) The ships prescribed in the preceding paragraph do not include the following ships:

一 総トン数五トン未満の船舶

(i) a ship with a gross tonnage of less than 5 tons;

二 湖、川又は港のみを航行する船舶

(ii) a ship that only navigates in a lake, river or port;

三 政令の定める総トン数三十トン未満の漁船

(iii) a fishing vessel with a gross tonnage of less than 30 tons as specified by

Cabinet Order; and

四 前三号に掲げるもののほか、船舶職員及び小型船舶操縦者法（昭和二十六年法律第四百九号）第二条第四項に規定する小型船舶であつて、スポーツ又はレクリエーションの用に供するヨット、モーターボートその他のその航海の目的、期間及び態様、運航体制等からみて船員労働の特殊性が認められない船舶として国土交通省令の定めるもの

(iv) in addition to what is stated in the preceding three items, a small ship prescribed in Article 2, paragraph (4) of the Act on Ships' Officers and Boats' Operators (Act No. 149 of 1951) and specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a yacht, a motor boat, or other ship used for sports or recreation and which is not found to have any of the characteristics of a ship used for a mariner's work based on the purpose, period, and mode of its voyage, its operational system, etc.

3 前項第二号の港の区域は、港則法（昭和二十三年法律第百七十四号）に基づく港の区域の定めのあるものについては、その区域によるものとする。ただし、国土交通大臣は、政令で定めるところにより、特に港を指定し、これと異なる区域を定めることができる。

(3) The area of a port referred to in item (ii) of the preceding paragraph is to be based on the area of a port if the area of the port has been specified pursuant to the Port Regulations Act (Act No. 174 of 1948); provided, however, that the Minister of Land, Infrastructure, Transport and Tourism may designate a port and specify a different area pursuant to the provisions of Cabinet Order.

第二条 この法律において「海員」とは、船内で使用される船長以外の乗組員で労働の対償として給料その他の報酬を支払われる者をいう。

Article 2 (1) The term "seaman" as used in this Act means a member of the crew, other than the master, employed on board a ship, who is paid a salary or other remuneration as compensation for labor.

2 この法律において「予備船員」とは、前条第一項に規定する船舶に乗り組むため雇用されている者で船内で使用されていないものをいう。

(2) The term "reserved mariner" as used in this Act means a person who is employed to board a ship prescribed in paragraph (1) of the preceding Article and is currently not working on board a ship.

第三条 この法律において「職員」とは、航海士、機関長、機関士、通信長、通信士及び国土交通省令で定めるその他の海員をいう。

Article 3 (1) The term the "officer" as used in this Act means a mate, a chief engineer, an engineer, a chief radio operator, a radio operator, and other seamen specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 この法律において「部員」とは、職員以外の海員をいう。

(2) The term "rating" as used in this Act means a seaman who is not an officer.

(給料及び労働時間)

(Salary and Working Hours)

第四条 この法律において「給料」とは、船舶所有者が船員に対し一定の金額により定期に支払う報酬のうち基本となるべき固定給をいう。

Article 4 (1) The term "salary" as used in this Act means a basic fixed salary out of the remuneration that a shipowner pays periodically to a mariner in a fixed amount.

2 この法律において「労働時間」とは、船員が職務上必要な作業に従事する時間（海員にあつては、上長の職務上の命令により作業に従事する時間に限る。）をいう。

(2) The term "working hours" as used in this Act means the time during which a mariner engages in work necessary in the course of its duties (for a seaman, limited to the time during which it engages in work as ordered by its superiors in the course of its duties).

(船舶所有者に関する規定の適用)

(Application of Provisions on Shipowners)

第五条 この法律の規定（第十一章の二、第百十三条第三項、第百三十条の二、第百三十条の三、第百三十一条（第七号に係る部分に限る。）及び第百三十五条第一項（第百三十条の二、第百三十条の三又は第百三十一条第七号の違反行為に係る部分に限る。）を除く。）及びこの法律に基づく命令の規定（第十一章の二の規定に基づく命令の規定を除く。）のうち、船舶所有者に関する規定は、船舶共有の場合には船舶管理人に、船舶貸借の場合には船舶借入人に、船舶所有者、船舶管理人及び船舶借入人以外の者が船員を使用する場合にはその者にこれを適用する。

Article 5 Among the provisions of this Act (excluding Chapter XI-2, Article 113, paragraph (3), Article 130-2, Article 130-3, Article 131 (limited to the part related to item (vii)) and Article 135, paragraph (1) (limited to the part related to violations of Article 130-2, Article 130-3, or Article 131, item (vii))) and the provisions of orders based on this Act (excluding the provisions of orders based on the provisions of Chapter XI-2), those concerning shipowners apply to the ship's husband if the ship is co-owned, to the ship's borrower if the ship is being leased, and to a person other than the shipowner, the ship's husband, or the ship's borrower if the person employs a mariner.

2 第十一章の二、第百十三条第三項、第百三十条の二、第百三十条の三、第百三十一条（第七号に係る部分に限る。）及び第百三十五条第一項（第百三十条の二、第百三十条の三又は第百三十一条第七号の違反行為に係る部分に限る。）の規定並びに第十一章の二の規定に基づく命令の規定のうち、船舶所有者に関する規定は、船舶共有の場合には船舶管理人に、船舶貸借の場合には船舶借入人にこれを適用する。

(2) Among the provisions of Chapter XI-2, Article 113, paragraph (3), Article 130-2, Article 130-3, Article 131 (limited to the part related to item (vii)), the provisions of Article 135, paragraph (1) (limited to the part related to violations of Article 130-2, Article 130-3, or Article 131, item (vii)), and the provisions of orders based on Chapter XI-2, those concerning shipowners apply to the ship's husband if the ship is co-owned and to the ship's borrower if the ship is being leased.

(労働基準法の適用)

(Application of the Labor Standards Act)

第六条 労働基準法（昭和二十二年法律第四十九号）第一条から第十一条まで、第百十六条第二項、第百十七条から第百十九条まで及び第百二十一条の規定は、船員の労働関係についても適用があるものとする。

Article 6 The provisions of Articles 1 through 11, Article 116, paragraph (2), Articles 117 through 119, and Article 121 of the Labor Standards Act (Act No. 49 of 1947) apply to the labor relations of a mariner.

第二章 船長の職務及び権限

Chapter II Duties and Authority of Masters

(指揮命令権)

(Authority to Give Commands and Orders)

第七条 船長は、海員を指揮監督し、且つ、船内にある者に対して自己の職務を行うのに必要な命令をすることができる。

Article 7 A master may command and supervise the seaman and give necessary orders to the person on board to perform the master's duties.

(発航前の検査)

(Pre-Departure Inspection)

第八条 船長は、国土交通省令の定めるところにより、発航前に船舶が航海に支障ないかどうかその他航海に必要な準備が整っているかいないかを検査しなければならない。

Article 8 Before the departure of a ship, the master must inspect if the condition of the ship will hinder the voyage and if other preparations necessary for the voyage have been completed, as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(航海の成就)

(Completion of a Voyage)

第九条 船長は、航海の準備が終ったときは、遅滞なく発航し、且つ、必要がある場合を除いて、予定の航路を変更しないで到達港まで航行しなければならない。

Article 9 When the preparations for a voyage have been completed, the master must ensure that the ship departs without delay and navigate to the port of arrival without changing the scheduled route, except when it is necessary to do so.

(甲板上の指揮)

(Command on the Deck)

第十条 船長は、船舶が港を出入するとき、船舶が狭い水路を通過するときその他船舶に危険の虞があるときは、甲板にあつて自ら船舶を指揮しなければならない。

Article 10 When a ship enters or leaves a port, when a ship passes through a narrow waterway, or when there are any other risks of endangering a ship, the master must stand on the deck and personally command the ship.

(在船義務)

(On-Board Obligations)

第十一条 船長は、やむを得ない場合を除いて、自己に代わつて船舶を指揮すべき者にその職務を委任した後でなければ、荷物の船積及び旅客の乗込の時から荷物の陸揚及び旅客の上陸の時まで、自己の指揮する船舶を去つてはならない。

Article 11 Except in unavoidable circumstances, a master must not leave a ship under their command from the time the cargo is loaded and passengers aboard the

ship until the time the cargo is unloaded and the passengers land, before the master has entrusted their duties to a person who is to command the ship on their behalf.

(船舶に危険がある場合における処置)

(Measures to Be Taken If Ships Are in Danger)

第十二条 船長は、自己の指揮する船舶に急迫した危険があるときは、人命の救助並びに船舶及び積荷の救助に必要な手段を尽くさなければならない。

Article 12 A master must use every means necessary to save human life, and to salvage the ship and its cargo when there is an imminent danger to the ship under the command of the master.

(船舶が衝突した場合における処置)

(Measures to Be Taken If Ships Collide)

第十三条 船長は、船舶が衝突したときは、互に人命及び船舶の救助に必要な手段を尽し、且つ船舶の名称、所有者、船籍港、発航港及び到達港を告げなければならない。但し、自己の指揮する船舶に急迫した危険があるときは、この限りでない。

Article 13 When ships collide with each other, the masters of the ships involved must take all necessary measures to save human life and the ships, and inform each other of the names of the ships, the shipowners, the port of registry, the port of departure, and the port of arrival; provided, however, that this does not apply when there is an imminent danger to the ships that the masters of the ships command.

(コンテナが海中に転落した場合における通報)

(Report to Be Made If Containers Fall into the Sea)

第十三条の二 国土交通省令で定める船舶の船長は、その輸送中のコンテナが海中に転落したときは、直ちに、当該コンテナが海中に転落したと見込まれる地点その他の国土交通省令で定める事項を、国土交通省令で定めるところにより、自己の指揮する船舶の付近にある船舶であつて国土交通省令で定める範囲内にあるもの、当該地点の最寄りの海上保安機関及び自己の指揮する船舶の旗国（海洋法に関する国際連合条約第九十一条に規定するその旗を掲げる権利を有する国をいう。）の権限のある機関に通報しなければならない。

Article 13-2 (1) When a container in transit has fallen into the sea, the master specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism must immediately notify the point where the container is expected to have fallen into the sea and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, to a ship in the vicinity of the ship they command and within the range specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, to the coast guard agency nearest to the point, and to the competent body of the flag state (meaning the states entitled to fly their flags as provided for in Article 91 of the United Nations Convention on the Law of the Sea Act) of the ship they command, in accordance with Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶所有者その他船舶の運航に関し権原を有する者として国土交通省令で定めるものは、異常気象その他の事由により前項に規定する船長が同項の規定による通報をすることが困難であると認めるときは、当該船長に代わつてこれをするよう努めなければならない。

(2) When a shipowner or any other person specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as having title to the operation of a ship finds that it is difficult for the master prescribed in the preceding paragraph to make a report under that paragraph due to abnormal weather or other reasons, the shipowner or the person must endeavor to make the report on behalf of the master.

(遭難船舶等の救助)

(Rescue of Ships in Distress)

第十四条 船長は、他の船舶又は航空機の遭難を知つたときは、人命の救助に必要な手段を尽さなければならない。但し、自己の指揮する船舶に急迫した危険がある場合及び国土交通省令の定める場合は、この限りでない。

Article 14 When a master becomes aware of another ship or aircraft in distress, the master must take all necessary measures to save human life; provided, however, that this does not apply if the ship under their command is in imminent danger or if otherwise provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(異常気象等)

(Abnormal Weather)

第十四条の二 国土交通省令の定める船舶の船長は、暴風雨、流氷その他の異常な気象、海象若しくは地象又は漂流物若しくは沈没物であつて、船舶の航行に危険を及ぼすおそれのあるものに遭遇したときは、国土交通省令の定めるところにより、その旨を附近にある船舶及び海上保安機関その他の関係機関に通報しなければならない。

Article 14-2 When the master of a ship designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism encounters a rainstorm, drift ice, or any other abnormal meteorological, hydrographic, or terrestrial phenomena, or floating or sunken objects, which are likely to endanger the navigation of the ship, the master, as provided for by the Order of the Ministry of Land, Infrastructure, Transport and Tourism, must report that to any ships in the vicinity, a coast guard agency, and other relevant bodies.

(非常配置表及び操練)

(Muster List and Drills)

第十四条の三 国土交通省令の定める船舶の船長は、第十二条乃至第十四条に規定する場合その他非常の場合における海員の作業に関し、国土交通省令の定めるところにより、非常配置表を定め、これを船員室その他適当な場所に掲示して置かなければならない。

Article 14-3 (1) With regard to the work of the seaman in the cases prescribed in Articles 12 through 14 and in other emergencies, the master of a ship designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism must specify

an muster list and post it in the mariners' rooms or any other suitable place, as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 国土交通省令の定める船舶の船長は、国土交通省令の定めるところにより、海員及び旅客について、防火操練、救命艇操練その他非常の場合のために必要な操練を実施しなければならない。

(2) The master of a ship designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism must conduct fire prevention drills, lifeboat drills, and other drills necessary for emergencies for a seaman and a passenger, as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism,

(航海の安全の確保)

(Ensuring a Safety Navigation)

第十四条の四 第八条から前条までに規定するもののほか、航海当直の実施、船舶の火災の予防、水密の保持その他航海の安全に関し船長の遵守すべき事項は、国土交通省令でこれを定める。

Article 14-4 In addition to what is provided for in Articles 8 through 14-3, the matters to be observed by a master with regard to the implementation of navigational watchkeeping, prevention of ship fires, maintaining water-tightness, and other matters concerning the safety of a voyage are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism Order.

(水葬)

(Water Burial)

第十五条 船長は、船舶の航行中船内にある者が死亡したときは、国土交通省令の定めるところにより、これを水葬に付することができる。

Article 15 When a person on board a ship dies while the ship is underway, the master may arrange water burial for that person, as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(遺留品の処置)

(Handling the Personal Effects Left Behind)

第十六条 船長は、船内にある者が死亡し、又は行方不明となつたときは、法令に特別の定がある場合を除いて、船内にある遺留品について、国土交通省令の定めるところにより、保管その他の必要な処置をしなければならない。

Article 16 Except as otherwise provided by laws and regulations, when a person aboard a ship dies or goes missing, the master must store the personal effects left behind on board by that person and take other necessary measures, as specified in the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism,

(在外国民の送還)

(Repatriation of Overseas Nationals)

第十七条 船長は、外国に駐在する日本の領事官が、法令の定めるところにより、日本国民の送還を命じたときは、正当の事由がなければ、これを拒むことができない。

Article 17 When a Japanese consular officer stationed in a foreign country orders the repatriation of a Japanese citizen pursuant to the provisions of laws and regulations, a master may not refuse to follow the order without legitimate grounds.

(書類の備置き)

(Keeping of Documents)

第十八条 船長は、国土交通省令で定める場合を除いて、次の書類を船内に備え置かなければならない。

Article 18 (1) A master must keep the following documents on board the ship, except in cases specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 船舶国籍証書又は国土交通省令で定める証書

(i) a certificate of the ship's nationality or a certificate specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism;

二 海員名簿

(ii) a ship's articles ;

三 航海日誌

(iii) logbook;

四 積荷に関する書類

(iv) documents related to the ship's cargo; and

五 海上運送法（昭和二十四年法律第百八十七号）第二十六条第三項に規定する証明書

(v) a certificate prescribed in Article 26, paragraph (3) of the Marine Transportation Act (Act No. 187 of 1949).

2 海員名簿及び航海日誌に関し必要な事項は、国土交通省令でこれを定める。

(2) Matters necessary for the ship's articles and logbook are prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(航行に関する報告)

(Reporting on Navigation)

第十九条 船長は、左の各号の一に該当する場合には、国土交通省令の定めるところにより、国土交通大臣にその旨を報告しなければならない。

Article 19 (1) In any of the cases in the following items, a master must report the fact to the Minister of Land, Infrastructure, Transport and Tourism as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 船舶の衝突、乗揚、沈没、滅失、火災、機関の損傷その他の海難が発生したとき。

(i) when a marine accident, such as collision, grounding, sinking, loss, fire, or damage to the engine of a ship, has occurred;

二 人命又は船舶の救助に従事したとき。

(ii) when the master has engaged in saving a person's life or the ship;

三 無線電信によつて知つたときを除いて、航行中他の船舶の遭難を知つたとき。
(iii) when, while the ship is underway, the master has become aware of another ship in distress, except if the master has become aware of the ship in distress by radiotelegraphy;

四 船内にある者が死亡し、又は行方不明となつたとき。

(iv) when a person on board the ship has died or gone missing;

五 予定の航路を変更したとき。

(v) when the scheduled route has been changed; or

六 船舶が抑留され、又は捕獲されたときその他船舶に関し著しい事故があつたとき。

(vi) when the ship has been detained or captured, or when there has been any other serious accident involving the ship.

(船長の職務の代行)

(Acting on Behalf of Masters)

第二十条 船長が死亡したとき、船舶を去つたとき、又はこれを指揮することができない場合において他人を選任しないときは、運航に従事する海員は、その職掌の順位に従つて船長の職務を行う。

Article 20 A seaman engaged in the operation of the ship performs the duties of the master in the order of the position, when the master dies, leaves the ship, or if no other person is appointed when the master is unable to command the ship.

第三章 紀律

Chapter III Discipline

(船内秩序)

(Order on Board)

第二十一条 海員は、次の事項を守らなければならない。

Article 21 (1) A seaman must observe the following rules:

一 上長の職務上の命令に従うこと。

(i) to obey the orders of their superiors in the course of their duties;

二 職務を怠り、又は他の乗組員の職務を妨げないこと。

(ii) not to neglect their duties or interfere with the duties of other members of the crew;

三 船長の指定する時までには船舶に乗り込むこと。

(iii) to board the ship by the time designated by the master;

四 船長の許可なく船舶を去らないこと。

(iv) not to leave the ship without the master's permission;

五 船長の許可なく救命艇その他の重要な属具を使用しないこと。

(v) not to use lifeboats or other important equipment without the master's permission;

六 船内の食料又は淡水を濫費しないこと。

(vi) not to waste food or fresh water on board;

七 船長の許可なく電気若しくは火気を使用し、又は禁止された場所で喫煙しないこと。

(vii) not to use electricity or fire without the master's permission, or smoke in prohibited areas;

八 船長の許可なく日用品以外の物品を船内に持ち込み、又は船内から持ち出さないこと。

(viii) not to bring items other than daily necessities on board or remove those items from the ship without the master's permission;

九 船内において争闘、乱酔その他粗暴の行為をしないこと。

(ix) not to engage in fights, drunken behavior, or other rude acts on board; and

十 その他船内の秩序を乱すようなことをしないこと。

(x) not to do anything that disturbs the order on the ship.

(懲戒)

(Disciplinary Action)

第二十二條 船長は、海員が前条の事項を守らないときは、これを懲戒することができる。

Article 22 A master may take disciplinary action against a seaman who does not observe the matters stated in the preceding Article.

第二十三條 懲戒は、上陸禁止及び戒告の二種とし、上陸禁止の期間は、初日を含めて十日以内とし、その期間には、停泊日数のみを算入する。

Article 23 Disciplinary action is to consist of two types, prohibition of landing or admonition, and the period of prohibition of landing is to be within 10 days including the first day, with only the number of days of anchoring included in that period.

第二十四條 船長は、海員を懲戒しようとするときは、三人以上の海員を立ち会わせて本人及び関係人を取り調べた上、立会人の意見を聴かなければならない。

Article 24 When a master intends to take disciplinary action against a seaman, the master must have at least three other seamen present, examine the seaman to be disciplined and any persons concerned, and hear the opinions of the persons present.

(危険に対する処置)

(Measures to Prevent Dangerous Actions)

第二十五條 船長は、海員が凶器、爆発又は発火しやすい物、劇薬その他の危険物を所持するときは、その物につき保管、放棄その他の処置をすることができる。

Article 25 When a seaman possesses any dangerous items such as weapons, explosive or combustible substances, deleterious drugs, or other dangerous items, the master may store, discard, or take other measures about those items.

第二十六條 船長は、船内にある者の生命若しくは身体又は船舶に危害を及ぼすような行為をしようとする海員に対し、その危害を避けるのに必要な処置をすることができる。

Article 26 A master may take necessary measures to prevent the harm against any seaman who attempts to commit any act that may harm the life of any person on board, or physical well-being or the ship.

第二十七条 船長は、必要があると認めるときは、旅客その他船内にある者に対しても、前二条に規定する処置をすることができる。

Article 27 When a master finds it necessary, they may also take the measures prescribed in the preceding two Articles for a passenger or any other person on board.

(強制下船)

(Forced Disembarkation)

第二十八条 船長は、雇入契約の終了の届出をした後当該届出に係る海員が船舶を去らないときは、その海員を強制して船舶から去らせることができる。

Article 28 When, after giving notification of termination of an employment agreement, the seaman to whom the notification is related does not leave the ship, the master may force the seaman to leave the ship.

(行政庁に対する援助の請求)

(Request for Assistance from an Administrative Authority)

第二十九条 船長は、海員その他船内にある者の行為が人命又は船舶に危害を及ぼしその他船内の秩序を著しくみだす場合において、必要があると認めるときは、行政庁に援助を請求することができる。

Article 29 If an act of a seaman or any other person on board the ship causes harm to human life or the ship, or otherwise significantly disrupts order on board the ship, and when the master finds it necessary to do so, the master may request an administrative authority for assistance.

(争議行為の制限)

(Restrictions on Acts of Dispute)

第三十条 労働関係に関する争議行為は、船舶が外国の港にあるとき、又はその争議行為に因り人命若しくは船舶に危険が及ぶようなときは、これをしてはならない。

Article 30 Acts of dispute concerning labor relations must not be conducted when a ship is in a port of a foreign country or when such acts of dispute are likely to endanger human life or the ship.

第四章 雇入契約等

Chapter IV Employment Agreements

(この法律に違反する契約)

(Agreements in Violation of This Act)

第三十一条 この法律で定める基準に達しない労働条件を定める雇入契約（予備船員については、雇用契約。以下この条、次条、第三十三条、第三十四条、第五十八条、第八十四条及び第百条において同じ。）は、その部分については、無効とする。この場合には、雇入契約は、その無効の部分については、この法律で定める基準に達する労働条件を定めたものとみなす。

Article 31 An employment agreement (for a reserved mariner, an employment contract that does not specify a ship for that mariner; the same applies below in this Article, the following Article, and Article 33, Article 34, Article 58, Articles 84 and 100) which specifies working conditions that do not meet the standards provided for in this Act is void with respect to the part of the agreement that specifies such conditions. In this case, the part of the agreement that is void is deemed to specify working conditions that meet the standards provided for in this Act.

(雇入契約の締結前の書面の交付等)

(Issuance of Documents Before the Conclusion of an Employment Agreement)

第三十二条 船舶所有者は、雇入契約を締結しようとするときは、あらかじめ、当該雇入契約の相手方となろうとする者（次項において「相手方」という。）に対し、次に掲げる事項について書面を交付して説明しなければならない。

Article 32 (1) Before entering into an employment agreement, a shipowner must first issue the following matters in a document and explain it to the person that will become the other party to the employment agreement (referred to as the "other party" in the following paragraph):

一 船舶所有者の名称又は氏名及び住所

(i) the name and address of the shipowner; and

二 給料、労働時間その他の労働条件に関する事項であつて、雇入契約の内容とすることが必要なものとして国土交通省令で定めるもの

(ii) details on the salary, working hours, and other working conditions specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as matters that need to be included in an employment agreement;

2 前項の場合において、当該雇入契約に係る航海が海上運送法第二十六条第一項の規定による命令によるものであるときは、船舶所有者は、あらかじめ、相手方に対し、その旨を書面を交付して説明しなければならない。

(2) In the case referred to in the preceding paragraph, when the voyage under the employment agreement is based on an order under the provisions of Article 26, paragraph (1) of the Marine Transportation Act, the shipowner must issue a document to the other party, explaining that fact.

3 船舶所有者は、雇入契約の内容（第一項第二号に掲げる事項に限る。）を変更しようとするときは、あらかじめ、船員に対し、当該変更の内容について書面を交付して説明しなければならない。

(3) When a shipowner seeks to change the contents of an employment agreement (limited to the matters stated in paragraph (1), item (ii)), the shipowner must issue a document to the mariner, explaining the details of the change, in advance.

4 第二項の規定は、前項の場合について準用する。

(4) The provisions of paragraph (2) apply mutatis mutandis to the case referred to in the preceding paragraph.

(募集受託者又は船員職業紹介事業者を利用した船員の雇入れの制限)

(Restrictions on Employing Mariners by Using Commissioned Recruiters or Providers of Employment Placement Services for Mariners)

第三十二条の二 船舶所有者は、次に掲げる者を船員として雇い入れてはならない。

Article 32-2 (1) A shipowner must not employ any of the following persons as a mariner:

一 当該船舶所有者が、船員職業安定法（昭和二十三年法律第百三十号）第四十四条第一項の許可を受けずに日本国内において募集受託者（同条第二項に規定する募集受託者をいう。第三号において同じ。）に行かせた船員の募集（同法第六条第八項に規定する船員の募集をいう。同号において同じ。）に応じた者

(i) a person who has responded to the recruitment of mariners (meaning recruitment of mariners as prescribed in Article 6, paragraph (8) of the Mariners' Employment Security Act (Act No. 130 of 1948); the same applies in item (iii)) that the shipowner has had a commissioned recruiter (meaning a commissioned recruiter prescribed in Article 44, paragraph (2) of that Act; the same applies in item (iii)) carry out in Japan without obtaining the permission referred to in Article 44, paragraph (1) of that Act;

二 船員職業安定法第三十四条第一項の許可を受けて、又は同法第四十条第一項の規定による届出をして船員職業紹介事業（同法第六条第三項に規定する船員職業紹介事業をいう。第四号において同じ。）を行う者以外の者（日本政府、同法第六条第四項に規定する特定地方公共団体及び船員の雇用の促進に関する特別措置法（昭和五十二年法律第九十六号）第七条第二項に規定する船員雇用促進センターを除く。）が日本国内において当該船舶所有者に紹介した求職者

(ii) a job seeker who was introduced to the shipowner in Japan by a person other than a provider of employment placement services for mariners (meaning the employment placement services for mariners provided for in Article 6, paragraph (3) of the Mariners' Employment Security Act; the same applies in item (iv)) that has obtained the license provided for in Article 34, paragraph (1) of that Act or by filing a notification under the provisions of Article 40, paragraph (1) of that Act (excluding the Japanese Government, a specified local government provided for in Article 6, paragraph (4) of that Act, and the center for promoting employment of mariners provided for in Article 7, paragraph (2) of the Act on Special Measures to Promote Employment of Mariners (Act No. 96 of 1977));

三 当該船舶所有者が、外国において、当該外国における船員の募集を適確に実施することができるものとして国土交通省令で定める基準に適合しない募集受託者に行かせた船員の募集に応じた者

(iii) a person who has responded to the recruitment of mariners that the shipowner had a commissioned recruiter conduct in a foreign country, and that recruiter does not conform to the standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a person capable of properly recruiting mariners in that foreign country; or

四 外国において、当該外国における船員職業紹介事業を適確に実施することができるものとして国土交通省令で定める基準に適合しない者が当該船舶所有者に紹介した求職者

(iv) a job seeker who was introduced to the shipowner in a foreign country by a person who does not conform to the standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a person capable of properly providing employment placement services for mariners in that foreign country.

(賠償予定の禁止)

(Prohibition on Establishing Compensation for Loss or Damages in Advance)

第三十三条 船舶所有者は、雇入契約の不履行について違約金を定め、又は損害賠償額を予定する契約をしてはならない。

Article 33 A shipowner must not enter into an agreement that prescribes a penalty for non-performance of an employment agreement or establishes the amount of compensation for a loss or damages in advance.

(貯蓄金の管理等)

(Management of Savings)

第三十四条 船舶所有者は、雇入契約に附随して、貯蓄の契約をさせ、又は貯蓄金を管理する契約をしてはならない。

Article 34 (1) A shipowner must not cause a mariner to enter into a savings contract and must not enter into a contract to manage a mariner's savings incidental to an employment agreement.

2 船舶所有者は、船員の委託を受けてその貯蓄金を管理しようとする場合においては、国土交通省令の定めるところにより、その使用する船員の過半数で組織する労働組合があるときはその労働組合、船員の過半数で組織する労働組合がないときは船員の過半数を代表する者との書面による協定をし、これを国土交通大臣に届け出なければならない。

(2) If a shipowner seeks to be entrusted by a mariner with managing their savings, the shipowner, pursuant to the provisions of the Order of the Ministry of Land, Infrastructure, Transport and Tourism, must conclude a written agreement with the labor union that has been organized by a majority of the mariners that the shipowner employs, when there is such a labor union, or with a person representing a majority of the mariners, when there is no such labor union, and must file an agreement of this with the Minister of Land, Infrastructure, Transport and Tourism.

3 船舶所有者は、船員の委託を受けてその貯蓄金の管理をする場合において、貯蓄金の管理が預金の受入れであるときは、利子をつけなければならない。この場合において、その利率が金融機関の受け入れる預金の利率を考慮して国土交通省令の定める利率を下るときは、その国土交通省令の定める利率による利子をつけることとしたものとみなす。

(3) If a shipowner is entrusted by a mariner with managing their savings, the shipowner must set an interest rate when the management of those savings

constitutes the acceptance of deposits. In this case, when the interest rate is below the rate of interest prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, by taking into consideration the rate of interest for deposits accepted by financial institutions, the shipowner is deemed to have set an interest rate that is based on the rate of interest prescribed by that Order of the Ministry of Land, Infrastructure, Transport and Tourism.

4 船員は、船舶所有者に管理を委託した貯蓄金については、いつでも、返還を請求することができる。

(4) At any time, a mariner may request to have any savings entrusted to the shipowner for management returned.

(相殺の制限)

(Restrictions on Offsetting Claims)

第三十五条 船舶所有者は、船員に対する債権と給料の支払の債務とを相殺してはならない。但し、相殺の額が給料の額の三分の一を超えないとき及び船員の犯罪行為に因る損害賠償の請求権を以てするとき、この限りでない。

Article 35 A shipowner must not offset a claim against a mariner against the liability to pay the mariner's salary; provided, however, that this does not apply when the amount to be offset does not exceed one third of the amount of the mariner's salary, or when the shipowner has the right to claim compensation for loss or damage arising from a criminal act committed by the mariner.

(雇入契約の成立時の書面の交付等)

(Issuance of Documents upon the Formation of an Employment Agreement)

第三十六条 船舶所有者は、雇入契約が成立したときは、遅滞なく、国土交通省令で定めるところにより、次に掲げる事項を記載した書面を船員に交付しなければならない。

Article 36 (1) When an employment agreement is formed, the shipowner must issue a document stating the following matters to the mariner without delay, as provided by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 第三十二条第一項各号に掲げる事項

(i) the matters stated in the items of Article 32, paragraph (1);

二 当該雇入契約を締結した船員の氏名、住所及び生年月日

(ii) the name, address, and date of birth of the mariner who entered into the employment agreement; and

三 当該雇入契約を締結した場所及び年月日

(iii) the place and date of conclusion of the employment agreement.

2 船舶所有者は、雇入契約の内容（第三十二条第一項第二号に掲げる事項に限る。）を変更したときは、遅滞なく、国土交通省令で定めるところにより、その変更の内容並びに当該変更について船員と合意した場所及び年月日を記載した書面を船員に交付しなければならない。

(2) When a shipowner changes the contents of an employment agreement (limited to the matters stated in Article 32, paragraph (1), item (ii)), the shipowner must

issue to the mariner a document stating the contents of the change and the place and date agreed upon with the mariners with regard to the change, without delay, as provided by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

3 船舶所有者は、前二項の書面の写しを船内に備え置かなければならない。

(3) A shipowner must keep a copy of the documents referred to in the preceding two paragraphs on board.

(雇入契約の成立等の届出)

(Notification of the Formation of an Employment Agreement)

第三十七条 船舶所有者は、雇入契約の成立、終了、更新又は変更（以下「雇入契約の成立等」という。）があつたときは、国土交通省令で定めるところにより、遅滞なく、国土交通大臣に届け出なければならない。

Article 37 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must notify the Minister of Land, Infrastructure, Transport and Tourism without delay, when an employment agreement has been formed, terminated, renewed, or changed (referred to below as the "formation, etc. of an employment agreement").

第三十八条 国土交通大臣は、雇入契約の成立等の届出があつたときは、その雇入契約が航海の安全又は船員の労働関係に関する法令の規定に違反するようなことがないかどうか及び当事者の合意が充分であつたかどうかを確認するものとする。この場合において、国土交通大臣は、必要があると認めるときは、第百一条第一項の規定による命令その他必要な措置を講ずるものとする。

Article 38 When a notification of the formation, etc. of an employment agreement has been submitted, the Minister of Land, Infrastructure, Transport and Tourism is to confirm whether the employment contract is in violation of the provisions of laws or regulations relating to the safety of navigation or the labor relations of a mariner, and whether the agreement between the parties was sufficient. In this case, when the Minister of Land, Infrastructure, Transport and Tourism finds it necessary, the Minister is to issue an order under the provisions of Article 101, paragraph (1) and take other necessary measures.

(沈没等に因る雇入契約の終了)

(Termination of Employment Agreement Due to Sinking)

第三十九条 船舶が左の各号の一に該当する場合には、雇入契約は、終了する。

Article 39 (1) An employment agreement is terminated if a ship falls under any of the following items:

一 沈没又は滅失したとき。

(i) when the ship is sunk or lost; or

二 全く運航に堪えなくなつたとき。

(ii) when the ship is no longer seaworthy.

2 船舶の存否が一箇月間分らないときは、船舶は、滅失したものと推定する。

(2) When the presence or non-presence of a ship is unknown for one month, the ship is presumed to have been lost.

3 第一項の規定により雇入契約が終了したときでも、船員は、人命、船舶又は積荷の応急救助のために必要な作業に従事しなければならない。

(3) Even when an employment agreement has been terminated pursuant to the provisions of paragraph (1), a mariner must engage in work necessary for the emergency rescue of human life, the ship, or its cargo.

4 前項の規定により応急救助の作業に従事する場合には、第一項の規定にかかわらず、その作業が終了するまでは、雇入契約は、なお存続する。船員がその作業の終了後引き続き遺留品の保全、船員の送還その他必要な残務の処理に従事する場合において、その処理が終了するまでの間についても、同様とする。

(4) If a mariner is engaged in work for emergency rescue pursuant to the provisions of the preceding paragraph, notwithstanding the provisions of paragraph (1), the term of their employment agreement continues until the work is completed. If, after the work is completed, the mariner continues to be engaged in preserving personal effects left behind, repatriating a mariner, or handling other necessary remaining affairs, the same applies until the handling of those affairs is completed.

5 前項後段の規定により雇入契約が存続する間においては、船舶所有者又は船員は、いつでも、当該雇入契約を解除することができる。

(5) At any time during the term of an employment agreement pursuant to the provisions of the second sentence of the preceding paragraph, the shipowner or the mariner may cancel the employment agreement.

(雇入契約の解除)

(Cancellation of Employment Agreement)

第四十条 船舶所有者は、左の各号の一に該当する場合には、雇入契約を解除することができる。

Article 40 (1) A shipowner may cancel an employment agreement in any of the following items:

一 船員が著しく職務に不適任であるとき。

(i) when a mariner is extremely unsuitable for the duties;

二 船員が著しく職務を怠ったとき、又は職務に関し船員に重大な過失のあつたとき。

(ii) when a mariner has seriously failed to perform their duties or has been grossly negligent in relation to their duties;

三 海員が船長の指定する時までに船舶に乗り込まないとき。

(iii) when a seaman does not board the ship by the time designated by the master;

四 海員が著しく船内の秩序をみだしたとき。

(iv) when a seaman has seriously disturbed the order on the ship;

五 船員が負傷又は疾病のため職務に堪えないとき。

(v) when a mariner is unable to perform their duties due to injury or illness; or

六 前各号の場合を除いて、やむを得ない事由のあるとき。

(vi) when there is a compelling reason excluding the cases referred to in the preceding items,.

第四十一条 船員は、左の各号の一に該当する場合には、雇入契約を解除することができる。

Article 41 (1) A mariner may cancel an employment agreement in any of the following items:

一 船舶が雇入契約の成立の時ににおける国籍を失つたとき。

(i) when the ship has lost its nationality at the time of the formation of the employment agreement;

二 雇入契約により定められた労働条件と事実とが著しく相違するとき。

(ii) when there is a significant discrepancy between the working conditions specified in the employment agreement and the facts;

三 船員が負傷又は疾病のため職務に堪えないとき。

(iii) when a mariner is unable to perform their duties due to injury or illness; or

四 船員が国土交通省令の定めるところにより教育を受けようとするとき。

(iv) when a mariner intends to receive education pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶が外国の港からの航海を終了した場合において、その船舶に乗り組む船員が、二十四時間以上の期間を定めて書面で雇入契約の解除の申入をしたときは、その期間が満了した時に、その者の雇入契約は、終了する。

(2) If a ship has completed its voyage from a port in a foreign country, and when a mariner on board the ship has notified in writing the cancellation of their employment agreement, specifying a period of not less than 24 hours, their agreement is terminated upon the expiration of that period.

3 海員は、船長の適当と認める自己の後任者を提供したときは、雇入契約を解除することができる。

(3) A seaman may cancel their employment agreement when the seaman introduces a successor whom the master considers appropriate.

第四十二条 期間の定めない雇入契約は、船舶所有者又は船員が二十四時間以上の期間を定めて書面で解除の申入をしたときは、その期間が満了した時に終了する。

Article 42 When a shipowner or a mariner specifies a period of not less than 24 hours and notifies in writing the cancellation of an employment agreement that does not specify a period, the agreement is terminated upon the expiration of that period.

(船舶所有者の変更による雇入契約の終了)

(Termination of an Employment Agreement Due to a Change of Shipowner)

第四十三条 相続その他の包括承継の場合を除いて、船舶所有者の変更があつたときは、雇入契約は、終了する。

Article 43 (1) When there is a change of shipowner, the employment agreement is terminated, except in the case of inheritance or any other universal succession.

2 前項の場合には、雇入契約の終了の時から、船員と新所有者との間に従前と同一条件の雇入契約が存するものとみなす。この場合には、船員は、前条の規定に準じて雇入契約を解除することができる。

(2) In the case referred to in the preceding paragraph, an employment agreement with the same conditions as before is deemed to exist between the mariner and the new owner from the time of the termination of the employment agreement. In this case, the mariner may cancel the agreement in accordance with the provisions of the preceding Article.

(雇入契約の延長)

(Extension of Employment Agreement)

第四十四条 雇入契約が終了した時に船舶が航行中の場合には、次の港に入港してその港における荷物の陸揚及び旅客の上陸が終る時まで、雇入契約が終了した時に船舶が停泊中の場合には、その港における荷物の陸揚及び旅客の上陸が終る時まで、その雇入契約は、存続するものとみなす。

Article 44 (1) If a ship is at sea at the time of termination of an employment agreement, the agreement is deemed to remain in force until the ship enters the next port, and the discharge of cargo and the landing of a passenger at that port are completed, and if the ship is at anchor at the time of termination of an employment agreement, the agreement is deemed to remain in force until the discharge of cargo and the landing of a passenger at that port are completed.

2 船舶所有者は、雇入契約が適当な船員を補充することのできない港において終了する場合には、適当な船員を補充することのできる港に到着して荷物の陸揚及び旅客の上陸が終る時まで、雇入契約を存続させることができる。但し、第四十一条第一項第一号乃至第三号の場合は、この限りでない。

(2) If an employment agreement is terminated at a port where an eligible additional mariner cannot be recruited, the shipowner may continue the employment agreement until the time when the ship arrives at a port where an eligible additional mariner can be recruited and when the discharge of cargo and the landing of a passenger are completed; provided, however, that this does not apply in the case referred to in Article 41, paragraph (1), items (i) through (iii).

(解雇制限)

(Restrictions on Dismissal of Mariners)

第四十四条の二 船舶所有者は、船員が職務上負傷し、又は疾病にかかり療養のため作業に従事しない期間及びその後三十日間並びに女子の船員が第八十七条第一項又は第二項の規定によつて作業に従事しない期間及びその後三十日間は、解雇してはならない。ただし、療養のため作業に従事しない期間が三年を超えた場合又は天災事変その他やむを得ない事由のために事業の継続が不可能となつた場合においては、この限りでない。

Article 44-2 A shipowner must not dismiss a mariner in a period during which the mariner does not engage in work for medical treatment due to an injury or illness suffered in the course of duties, and for 30 days after that period; and must not

dismiss a female mariner in a period during which the female mariner does not engage in work pursuant to the provisions of Article 87, paragraph (1) or (2), and for 30 days after that period; provided, however, that this does not apply if the period during which the mariner does not engage in work due to medical treatment has exceeded three years, or if continuation of business has become impossible due to a natural disaster or any other unavoidable reason.

2 前項但書の天災事変その他やむを得ない事由のために事業の継続が不可能となつた場合においては、その事由について国土交通大臣の認定を受けなければならない。

(2) If continuation of business has become impossible due to a natural disaster or any other unavoidable reason as referred to in the proviso to the preceding paragraph, the shipowner must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism regarding the relevant reason.

(解雇の予告)

(Advance Notice of Dismissal)

第四十四条の三 船舶所有者は、予備船員を解雇しようとする場合においては、少なくとも三十日前にその予告をしなければならない。三十日前に予告をしない船舶所有者は、一箇月分の給料の額と同額の予告手当を支払わなければならない。但し、天災事変その他やむを得ない事由のために事業の継続が不可能となつた場合又は予備船員の責に帰すべき事由に基づいて解雇する場合においては、この限りでない。

Article 44-3 (1) If a shipowner seeks to dismiss a reserved mariner, the shipowner must provide at least 30 days' advance notice. A shipowner not giving 30 days' advance notice must pay the reserved mariner an advance payment equal to the amount of the shipowner's salary for one month; provided, however, that this does not apply if continuation of business has become impossible due to a natural disaster or any other unavoidable reason, or if the reserved mariner is dismissed for reasons attributable to that reserved mariner.

2 前項の予告の日数は、一日について、国土交通省令の定めるところにより算定する給料の額と同額の予告手当を支払つた場合においては、その日数を短縮することができる。

(2) The number of days of advance notice referred to in the preceding paragraph may be shortened if the shipowner pays the reserved mariner advance notice allowance equivalent to the amount of salary calculated pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism for each day by which the allowance notice is shortened.

3 第一項但書の場合においては、その事由について国土交通大臣の認定を受けなければならない。

(3) In the case referred to in the proviso to paragraph (1), the shipowner must obtain the approval of the Minister of Land, Infrastructure, Transport and Tourism regarding the relevant reason.

(失業手当)

(Unemployment Benefits)

第四十五条 船舶所有者は、第三十九条の規定により雇入契約が終了したときは、その翌日（行方不明となつた船員については、その生存が知れた日）から二箇月（その行方不明について行方不明手当の支払を受くべき船員については、二箇月から行方不明中の期間を控除した期間）の範囲内において、船員の失業期間中毎月一回その失業日数に応じ給料の額と同額の失業手当を支払わなければならない。

Article 45 When an employment agreement is terminated pursuant to the provisions of Article 39, the shipowner must pay an unemployment allowance in the same amount as the amount of salary for the number of days of unemployment to a mariner once a month during the period of unemployment of the mariner, for a period of two months (for a mariner who is to receive missing person allowance for going missing, the unemployment allowance is to be paid for a period obtained by deducting the period during which the mariner was missing from those two months) from the day following the termination of the agreement (for a mariner that has gone missing, from the day on which it was confirmed that the mariner is alive).

(雇止手当)

(Discharge Allowance)

第四十六条 船舶所有者（第四号の場合には旧所有者）は、左の各号の一に該当する場合には、遅滞なく、船員に一箇月分の給料の額と同額の雇止手当を支払わなければならない。

Article 46 (1) A shipowner (or a former owner in the case of item (iv)) must pay a mariner a discharge allowance in the same amount as one month's salary, without delay, if any of the following items applies:

一 第四十条第六号の規定により船舶所有者が雇入契約を解除したとき。

(i) when the shipowner cancels the employment agreement pursuant to the provisions of Article 40, item (vi);

二 第四十一条第一項第一号又は第二号の規定により船員が雇入契約を解除したとき。

(ii) when the mariner has canceled the employment agreement pursuant to the provisions of Article 41, paragraph (1), item (i) or (ii);

三 第四十二条の規定により船舶所有者が雇入契約を解除したとき。

(iii) when the shipowner has canceled the employment agreement pursuant to the provisions of Article 42;

四 第四十三条第一項の規定により雇入契約が終了したとき。

(iv) when the employment agreement has been terminated pursuant to the provisions of Article 43, paragraph (1); or

五 船員が第八十三条の健康証明書を受けることができないため雇入契約が解除されたとき。

(v) when the employment agreement has been cancelled because the mariner is not able to obtain a medical certificate as referred to in Article 83.

(送還)

(Repatriation of Mariners)

第四十七条 船舶所有者は、次の各号のいずれかに該当する場合には、遅滞なくその費用で、船員の希望により、雇入港又は雇入港までの送還に要する費用の範囲内で送還することのできるその他の地（雇入れのため雇入港に招致した船員及び未成年者の船員にあつては、雇入港若しくは雇入契約の成立の時における船員の居住地又はこれらのいずれかまでの送還に要する費用の範囲内で送還することのできるその他の地。次項において「雇入港等」という。）まで船員を送還しなければならない。ただし、送還に代えてその費用を支払うことができる。

Article 47 (1) If a shipowner falls under any of the following items, the shipowner must repatriate the mariner to the port of employment or any other place to which they can be repatriated within the scope of the costs required to repatriate them to the port of employment, upon the request of the mariner, without delay and at the shipowner's own cost (for a mariner who was summoned to the port of employment for employment or a mariner who is a minor, to the port of employment, the place of residence of the mariner at the time of the formation of the employment agreement, or any other place to which they can be repatriated within the scope of the costs required to repatriate them to either of these places; referred to as the "port of employment, etc." in the following paragraph); provided, however, that the shipowner may pay the related costs in lieu of repatriating the mariner:

一 第三十九条の規定により雇入契約が終了したとき。

(i) when the employment agreement has been terminated pursuant to the provisions of Article 39;

二 第四十条第一号又は第六号の規定により船舶所有者が雇入契約を解除したとき。

(ii) when the shipowner has cancelled the employment agreement pursuant to the provisions of Article 40, item (i) or (vi);

三 第四十条第五号又は第四十一条第一項第三号の規定により船舶所有者又は船員が雇入契約を解除したとき。ただし、船員の職務外の負傷又は疾病につき船員に故意又は重大な過失のあつたときは、この限りでない。

(iii) when the shipowner or the mariner has cancelled the employment agreement pursuant to the provisions of Article 40, item (v) or Article 41, paragraph (1), item (iii); provided, however, that this does not apply when the mariner is intentionally or grossly negligent in connection with an injury or illness that occurred outside the scope of the duties of the mariner;

四 第四十一条第一項第一号又は第二号の規定により船員が雇入契約を解除したとき。

(iv) when the mariner has cancelled the employment agreement pursuant to the provisions of Article 41, paragraph (1), item (i) or (ii);

五 第四十二条の規定により船舶所有者が雇入契約を解除したとき。

(v) when the shipowner has cancelled the employment agreement pursuant to the provisions of Article 42;

六 第四十三条第二項の規定により船員が雇入契約を解除したとき。

(vi) when the mariner has cancelled the employment agreement pursuant to the provisions of Article 43, paragraph (2);

七 雇入契約が期間の満了により船員の本国以外の地で終了したとき。

(vii) when the employment agreement has been terminated in a place other than the mariner's home country due to the expiration of the agreement term; or

八 船員が第八十三条の健康証明書を受けることができないため雇入契約が解除されたとき。

(viii) when the employment agreement has been cancelled because the mariner is not able to obtain a medical certificate as referred to in Article 83.

2 船舶所有者は、第四十条第二号から第四号までの規定により雇入契約を解除した場合又は同条第五号の規定により雇入契約を解除した場合（船員の職務外の負傷又は疾病につき船員に故意又は重大な過失のある場合に限る。）において、船員が自己の負担においてその希望する雇入港等まで移動することができないときは、遅滞なくその費用で、船員の希望により、雇入港等まで船員を送還しなければならない。ただし、送還に代えてその費用を支払うことができる。

(2) If a shipowner cancels an employment agreement pursuant to the provisions of Article 40, items (ii) through (iv) or pursuant to the provisions of item (v) of that Article (limited to cases in which there was intentional or gross negligence on the part of the mariner in connection with an injury or illness that occurred outside the scope of the duties of the mariner), and when the mariner is unable to travel at their own cost to the desired port of employment, etc., the shipowner must repatriate the mariner to the port of employment, etc. without delay at the shipowner's own cost upon the mariner's request; provided, however, that the shipowner may pay the related expenses in lieu of repatriating the mariner.

3 前二項の規定により船員を送還する場合における輸送手段は、正当な理由がある場合を除き、船員の希望に応じたものでなければならない。

(3) If a mariner is repatriated pursuant to the provisions of the preceding two paragraphs, the means of transportation must meet the wishes of the mariner, unless there are legitimate grounds not to do so.

4 船舶所有者は、第二項の規定により、その費用で船員を送還したとき、又は送還に代えてその費用を支払ったときは、船員に対し、当該費用の償還を請求することができる。

(4) When, pursuant to the provisions of paragraph (2), a shipowner has repatriated a mariner at the shipowner's cost or has paid the related costs in lieu of repatriating the mariner, the shipowner may claim reimbursement of the costs from the mariner.

(送還の費用)

(Costs of Repatriation)

第四十八条 船舶所有者の負担すべき船員の送還の費用は、送還中の運送料、宿泊費及び食費並びに雇入契約の終了の時から遅滞なく出発する時までの宿泊費及び食費とする。

Article 48 The costs of repatriating a mariner to be borne by the shipowner are to consist of transportation expenses, lodging expenses, and meal expenses during the mariner's journey back, and lodging expenses and meal expenses from the time the employment agreement is terminated until the time the mariner departs without delay.

(送還手当)

(Repatriation Allowance)

第四十九条 船舶所有者は、第四十七条第一項の規定により船員を送還する場合には、船員の送還に要する日数に応じ給料の額と同額の送還手当を支払わなければならない。同項ただし書の規定により送還に代えてその費用を支払うときも同様とする。

Article 49 (1) If a shipowner repatriates a mariner pursuant to the provisions of Article 47, paragraph (1), the shipowner must pay a repatriation allowance in the same amount as the salary based on the number of days required for repatriating the mariner. The same applies when the shipowner pays the relevant costs in lieu of repatriating the mariner pursuant to the provisions of the proviso to that paragraph.

2 前項の送還手当は、船舶所有者が送還するときは、毎月一回、送還に代えてその費用を支払うときは、その際これを支払わなければならない。

(2) The repatriation allowance stated in the preceding paragraph must be paid once a month when the shipowner repatriates the mariner, and when the shipowner pays the relevant costs in lieu of repatriating the mariner, the allowance must be paid when the shipowner pays costs of repatriation.

(船員手帳)

(Mariner's Pocket Ledger)

第五十条 船員は、国土交通大臣が交付する船員手帳を受有しなければならない。

Article 50 (1) A mariner must hold a Mariner's Pocket Ledger issued by the Minister of Land, Infrastructure, Transport and Tourism.

2 船長は、海員の乗船中その船員手帳を保管しなければならない。

(2) A master must keep the Mariner's Pocket Ledger of a seaman while they are on board.

3 船員手帳には、国土交通大臣、船舶所有者その他の者が当該船員手帳を受有する船員の身分関係事項その他の事実を記載するものとする。

(3) In a Mariner's Pocket Ledger, the Minister of Land, Infrastructure, Transport and Tourism, a shipowner, or any other person is to enter matters related to the status of the mariner who holds the Mariner's Pocket Ledger and other facts.

4 前項に定めるもののほか、船長は、その指揮する船舶に乗り組もうとし、又は乗り組む船員について雇入契約の成立等があつたことを知つたときは、遅滞なく、当該船員の船内における職務、雇入期間その他の勤務に関する事項をその船員手帳に記載しなければならない。ただし、船舶所有者が国土交通省令で定めるところにより船員に対し当該勤務に関する事項を記載した書面を交付した場合は、この限りでない。

(4) In addition to what is specified in the preceding paragraph, when a master learns that an employment agreement has been concluded, etc. with regard to a mariner who seeks to board or is to board the ship under the master's command, the master must enter, without delay, the details of the mariner's duties on board, the period of employment, and other matters concerning their work in the Mariner's Pocket Ledger held by that mariner; provided, however, that this does not apply if the shipowner has issued a document stating the matters concerning the work to the mariner pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

5 前各項に定めるもののほか、船員手帳の二重受有の禁止及び記載事項の訂正に係る申請義務並びに船員手帳の返還の手續に関し船員及び船長その他他人の船員手帳を保管する者の遵守すべき事項は、政令で定める。

(5) In addition to what is specified in the preceding paragraphs, the prohibition of double ownership of a Mariner's Pocket Ledger, the duty to apply for the correction of an entry, and the rules to be observed by a mariner, a master, or any other person keeping another person's Mariner's Pocket Ledger, in connection with the procedures for returning a Mariner's Pocket Ledger, are provided for by Cabinet Order.

6 前各項に定めるもののほか、船員手帳の様式並びにその交付、再交付、訂正、書換え及び返還に関し必要な事項は、国土交通省令で定める。

(6) In addition to what is specified in the preceding paragraphs, the format of a Mariner's Pocket Ledger and necessary matters related to its issuance, reissuance, corrections, renewal, and return are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism

(勤務成績証明書)

(Certificate of Work Performance)

第五十一条 海員は、船舶所有者又は船長に対し勤務の成績に関する証明書の交付を請求することができる。

Article 51 A seaman may request the shipowner or the master to issue a certificate of the seaman's work performance.

第五章 給料その他の報酬

Chapter V Salaries and Other Remuneration

(給料その他の報酬の定め方)

(Method to Be Used for Determining Salaries and Other Remuneration)

第五十二条 船員の給料その他の報酬は、船員労働の特殊性に基き、且つ船員の経験、能力及び職務の内容に応じて、これを定めなければならない。

Article 52 The salary and other remuneration of a mariner must be determined based on the characteristics of the mariner's work and based on the mariner's experience, abilities, and the specifics of their duties.

(給料その他の報酬の支払方法)

(Method of Payment of Salaries and Other Remuneration)

第五十三条 給料その他の報酬は、その全額を通貨で、第五十六条の規定による場合を除き直接船員に支払わなければならない。ただし、法令又は労働協約に別段の定めがある場合においては給料その他の報酬の一部を控除して支払い、法令若しくは労働協約に別段の定めがある場合又は給料その他の報酬で国土交通省令で定めるものについて確実な支払の方法で国土交通省令で定めるものによる場合においては通貨以外のもので支払うことができる。

Article 53 (1) The full amount of a salary and other remuneration must be paid in currency directly to a mariner, except in cases provided for in Article 56; provided, however, that if otherwise provided for by laws or regulations or in a collective agreement, payment may be made after deducting a part of the salary and other remuneration, and if otherwise provided for by laws or regulations or in a collective agreement or if the salary and other remuneration specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism is paid by a reliable method specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, payment may be made by a means other than currency.

2 国土交通省令の定める報酬を除いて、給料その他の報酬は、これを毎月一回以上一定の期日に支払わなければならない。

(2) A salary and other remuneration must be paid at least once a month on a fixed date, except for remuneration specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

3 船舶所有者は、船員に給料その他の報酬を支払う場合においては、国土交通省令で定めるところにより、船員に対し、給料その他の報酬の支払に関する事項を記載した書面を交付しなければならない。

(3) If a shipowner pays a mariner a salary or other remuneration, the shipowner must issue a document to the mariner stating the details of the payment of the salary or other remuneration, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第五十四条 船舶所有者は、左の場合には、支払期日前でも遅滞なく、船員が職務に従事した日数に応じ、前条第二項に規定する給料その他の報酬を支払わなければならない。

Article 54 (1) A shipowner must pay a mariner the salary or other remuneration prescribed in paragraph (2) of the preceding Article without delay even before the payment date, based on the number of days on which the mariner has performed their duties in the following cases:

一 船員が解雇され、又は退職したとき。

(i) when the mariner has been dismissed or has resigned;

二 船員、その同居の親族又は船員の収入によつて生計を維持する者が結婚、葬祭、出産、療養又は不慮の災害の復旧に要する費用に充てようとする場合において、船員から請求のあつたとき。

(ii) if the money is to be allocated for marriage, funeral, childbirth, medical treatment, or expenses required for recovery from an unexpected disaster by the

mariner, a relative living together with the mariner, or a person who makes a living from the mariner's income, and when a request has been made by the mariner.

第五十五条 船長は、海員の給料その他の報酬が船内において支払われるときは、直接海員にこれを手渡さなければならない。但し、やむを得ない事由のあるときは、他の職員に手渡させることができる。

Article 55 when the salary or other remuneration of a seaman is paid on board, the master must hand it over directly to the seaman; provided, however, that the master may have another officer hand it over when there are unavoidable reasons.

第五十六条 船舶所有者は、船員から請求があつたときは、船員に支払われるべき給料その他の報酬をその同居の親族又は船員の収入によつて生計を維持する者に渡さなければならない。

Article 56 At the request of a mariner, a shipowner must hand over the salary or other remuneration to be paid to the mariner to a relative who lives with the mariner or to a person who makes a living from the mariner's income.

(傷病中の給料請求権)

(Right to Claim Salary During Illness or Injury)

第五十七条 船員は、負傷又は疾病のため職務に従事しない期間についても、雇入契約存続中給料及び国土交通省令の定める手当を請求することができる。但し、その負傷又は疾病につき船員に故意又は重大な過失のあつたときは、この限りでない。

Article 57 During the term of an employment agreement, a mariner may claim their salary or any allowances prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism for any period during which the mariner is not employed due to injury or illness; provided, however, that this does not apply when the mariner is intentionally or grossly negligent in connection with the injury or illness.

(歩合による報酬)

(Percentage Remuneration)

第五十八条 船員の報酬が歩合によつて支払われる場合においては、その歩合による毎月の額が雇入契約に定める一定額に達しないときでも、その報酬の額は、その一定額を下つてはならない。

Article 58 (1) If the remuneration of a mariner is paid on a percentage basis, the amount of that remuneration must not be less than the fixed amount specified in the employment agreement, even when the monthly amount of that percentage does not reach that fixed amount.

2 第三十五条及び前条の規定の適用については、前項に規定する一定額の報酬は、これを給料とみなす。

(2) With regard to the application of the provisions of Article 35 and the preceding Article, the fixed amount of remuneration prescribed in the preceding paragraph is deemed to be a salary.

3 船員の報酬が歩合によつて支払われるときは、第四十四条の三、第四十五条、第四十六条、第四十九条及び第七十八条の規定の適用については、雇入契約に定める額を以て一箇月分の給料の額とみなす。

(3) When the remuneration of a mariner is paid on a percentage basis, the amount specified in the employment agreement is deemed to be the amount of salary for one month, with regard to the application of the provisions of Article 44-3, Article 45, Article 46, Article 49, and Article 78.

4 前項の額は、第一項の一定額以下であつてはならない。

(4) The amount referred to in the preceding paragraph must not be less than the fixed amount referred to in paragraph (1).

(報酬支払簿)

(Remuneration Payment Ledger)

第五十八条の二 船舶所有者は、国土交通省令の定めるところにより、報酬支払簿を備え置いて、船員に対する給料その他の報酬の支払に関する事項を記載しなければならない。

Article 58-2 A shipowner must keep a remuneration payment ledger and enter in it the matters of the payment of salary and other remuneration to a mariner, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(最低報酬)

(Minimum Remuneration)

第五十九条 給料その他の報酬の最低基準に関しては、最低賃金法（昭和三十四年法律第百三十七号）の定めるところによる。

Article 59 The minimum standards for salary and other remuneration are prescribed by the Minimum Wage Act (Act No. 137 of 1959).

第六章 労働時間、休日及び定員

Chapter VI Working Hours, Holidays, and Manning

(労働時間)

(Working Hours)

第六十条 船員の一日常たりの労働時間は、八時間以内とする。

Article 60 (1) A mariner's daily working hours are not to exceed eight hours.

2 船員の一週間当たりの労働時間は、基準労働期間について平均四十時間以内とする。

(2) The weekly working hours of a mariner are to be within an average of 40 hours for the standard working period.

3 前項の基準労働期間とは、船舶の航行区域、航路その他の航海の期間及び態様に係る事項を勘案して国土交通省令で定める船舶の区分に応じて一年以下の範囲内において国土交通省令で定める期間（船舶所有者が就業規則その他これに準ずるものにより当該期間の範囲内においてこれと異なる期間を定めた場合又は労働協約により一年以下の範囲内においてこれらと異なる期間が定められた場合には、それぞれその定められた期間）をいう。

(3) The standard working period referred to in the preceding paragraph means the period specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism within a period not exceeding one year, in accordance with the classification of ships specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism in consideration of the details of the navigation area, route, and other periods and modes of navigation (if the shipowner specifies a period different from that period within the period by rules of employment or other equivalent rules, or if a period different from that period within a period not exceeding one year is specified by a collective agreement, the specified period).

4 国土交通大臣は、前項の国土交通省令の制定又は改正の立案をしようとするときは、あらかじめ、交通政策審議会の議を経なければならない。

(4) When the Minister of Land, Infrastructure, Transport and Tourism intends to plan the enactment or amendment of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in the preceding paragraph, the Minister's plan must undergo deliberations at the Transportation Policy Council in advance.

(休日)

(Holidays)

第六十一条 船舶所有者が船員に与えるべき休日は、前条第二項の基準労働期間について一週間当たり平均一日以上とする。

Article 61 The number of holidays to be granted to a mariner by a shipowner is not to be less than one day per week on average for the standard working period referred to in paragraph (2) of the preceding Article.

(補償休日)

(Compensatory Holidays)

第六十二条 船舶所有者は、船員の労働時間（第六十六条（第八十八条の二の二第四項及び第五項並びに第八十八条の三第四項において準用する場合を含む。）の規定の適用を受ける時間を除く。）が一週間において四十時間を超える場合又は船員に一週間において少なくとも一日の休日を与えることができない場合には、その超える時間（当該一週間において少なくとも一日の休日を与えられない場合にあつては、その超える時間が八時間を超える時間。次項において「超過時間」という。）において作業に従事すること又はその休日を与えられないことに対する補償としての休日（以下「補償休日」という。）を、当該一週間に係る第六十条第二項の基準労働期間以内にその者に与えなければならない。ただし、船舶が航海の途中にあるときその他の国土交通省令で定めるやむを得ない事由のあるときは、その事由の存する期間、補償休日を与えることを延期することができる。

Article 62 (1) If a mariner's working hours (excluding the hours subject to the provisions of Article 66 (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraphs (4) and (5) and Article 88-3, paragraph (4))) exceed 40 hours in a week, or if it is not possible to grant a mariner at least one holiday in a week, the shipowner must grant the mariner a holiday as compensation for engaging in work during the excess hours (if at least one holiday is not granted in that week, the time

when the excess hours exceed 8 hours; referred to as "overtime" in the following paragraph) or for not being able to grant the mariner a holiday (referred to below as a "compensatory holiday") within the standard working period referred to in Article 60, paragraph (2) for that week; provided, however, that when the ship is in the middle of a voyage or when there are any other unavoidable circumstances specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the granting of compensatory holidays may be postponed for the period during which the circumstances exist.

2 前項の規定により与えるべき補償休日の日数は、超過時間の合計八時間当たり又は少なくとも一日の休日を与えられない一週間当たり一日を基準として、第六十条第二項及び前条の規定を遵守するために必要な日数として国土交通省令で定めるところにより算定される日数とし、その付与の単位は、一日（国土交通省令で定める場合は、国土交通省令で定める一日未満の単位）とする。

(2) The number of compensatory holidays to be granted pursuant to the provisions of the preceding paragraph is to be the number of days calculated pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism as the number of days necessary to comply with the provisions of Article 60, paragraph (2) and the preceding Article, granting one day for every eight hours of total overtime or every week in which at least one holiday is not granted, and using one day as the unit for each time a compensatory holiday is granted (if specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, a unit of less than one day as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism).

3 第一項の規定により与えられた補償休日を含む一週間に係る同項の規定の適用については、当該補償休日はそれを与えられた船員が作業に従事した日であつて休日以外のものとみなし、その労働時間は八時間（当該補償休日が前項の国土交通省令の規定による一日未満の単位で与えられたものである場合には、国土交通省令で定める時間）とみなす。

(3) To apply the provisions of paragraph (1) to a week that includes a compensatory holiday granted pursuant to the provisions of that paragraph, the compensatory holiday is deemed to be a day on which the mariner who has been granted the compensatory holiday engaged in work and which is not a holiday, and the working hours for that compensatory holiday are deemed to be eight hours (or if the compensatory holiday was granted in a unit of less than one day pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in the preceding paragraph, the time specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism).

4 前三項に定めるもののほか、補償休日の付与に関し必要な事項は、国土交通省令でこれを定める。

(4) In addition to what is provided for in the preceding three paragraphs, necessary matters related to granting compensatory holidays are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第六十三条 船舶所有者は、前条第一項の規定により補償休日を与えるべき船員が当該補償休日を与えられる前に解雇され、又は退職したときは、その者に与えるべき補償休日の日数に応じ、国土交通省令で定める補償休日手当を支払わなければならない。

Article 63 When a mariner to whom compensatory holidays are to be granted pursuant to the provisions of paragraph (1) of the preceding Article is dismissed or resigns before the relevant compensatory holidays are granted, the shipowner must pay the compensatory holiday allowance specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism based on the number of days of the compensatory holidays to be granted to the mariner.

(時間外、補償休日及び休息時間の労働)

(Work During Off-Hours, Compensatory Holidays, and Rest Periods)

第六十四条 船長は、船舶の航海の安全を確保するため臨時の必要があるときは、第六十条第一項の規定若しくは第七十二条の国土交通省令の規定による労働時間の制限を超えて、自ら作業に従事し、若しくは海員を作業に従事させ、又は第六十二条第一項若しくは第六十五条の三の規定にかかわらず、補償休日若しくは休息時間において、自ら作業に従事し、若しくは海員を作業に従事させることができる。

Article 64 (1) When it is temporarily necessary for ensuring that a ship is navigated safely, the master may personally engage in work or have a seaman engage in work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, or, notwithstanding the provisions of Article 62, paragraph (1) or Article 65-3, may personally engage in work or have a seaman engage in work during compensatory holidays or rest periods.

2 船長は、前項に規定する場合のほか、船舶が狭い水路を通過するため航海当直の員数を増加する必要がある場合その他の国土交通省令で定める特別の必要がある場合においては、国土交通省令で定める時間を限度として、第六十条第一項の規定又は第七十二条の国土交通省令の規定による労働時間の制限を超えて、自ら作業に従事し、又は海員を作業に従事させることができる。

(2) In addition to what is provided for in the preceding paragraph, if it is necessary to increase the number of navigational watchkeeping personnel because the ship is to pass through a narrow waterway, or if there are other special requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the master may personally engage in work or have a seaman engage in work, within the time limit specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism and beyond the working hour restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72.

3 船長は、第一項の規定により、補償休日又は休息时间において、自ら作業に従事し、又は海員を作業に従事させたときは、船舶の運航の安全の確保に支障を及ぼさない限りにおいて、当該作業の終了後できる限り速やかに休息をし、又は休息をさせるよう努めなければならない。

(3) When a master personally engages in work or has a seaman engage in work during a compensatory holiday or a rest period pursuant to the provisions of paragraph (1), the master must endeavor to take a rest or have the seaman take a rest as soon as possible after the work is completed, to the extent that this does not interfere with ensuring the safety of the navigation of the ship.

第六十四条の二 船舶所有者は、国土交通省令で定めるところにより、その使用する船員の過半数で組織する労働組合があるときはその労働組合、船員の過半数で組織する労働組合がないときは船員の過半数を代表する者との書面による協定をし、これを国土交通大臣に届け出た場合においては、その協定で定めるところにより、第六十条第一項の規定又は第七十二条の国土交通省令の規定による労働時間の制限を超えて船員を作業に従事させることができる。

Article 64-2 (1) If a shipowner, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, has entered into a written agreement with a labor union organized by a majority of the mariners employed by the shipowner, when there is such a labor union, or with a person representing a majority of the mariners, when there is no such labor union, and has notified the Minister of Land, Infrastructure, Transport and Tourism of that agreement, the shipowner, pursuant to the provisions of that agreement, may have a mariner engage in work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72.

2 国土交通大臣は、労働時間の延長を適正なものとするため、前項の協定で定める労働時間の延長の限度その他の必要な事項について、船員の福祉、時間外労働の動向その他の事情を考慮して基準を定めることができる。

(2) In order to ensure that the extension of working hours is appropriate, the Minister of Land, Infrastructure, Transport and Tourism may establish standards for the limits on the extension of working hours and other necessary matters provided for in the agreement referred to in the preceding paragraph, in consideration of a mariner's welfare, trends in off-hours work, and other circumstances.

3 第一項の協定をする船舶所有者及び労働組合又は船員の過半数を代表する者は、当該協定で労働時間の延長を定めるに当たり、当該協定の内容が前項の基準に適合したものとなるようにしなければならない。

(3) When establishing an extension of the working hours in the agreement referred to in paragraph (1), the shipowner and the labor union or the person representing a majority of the mariners entering into that agreement must ensure

that the content of the agreement conforms to the standards referred to in the preceding paragraph.

4 国土交通大臣は、第二項の基準に関し、第一項の協定をする船舶所有者及び労働組合又は船員の過半数を代表する者に対し、必要な助言及び指導を行うことができる。

(4) The Minister of Land, Infrastructure, Transport and Tourism may give the necessary advice and guidance concerning the standards referred to in paragraph (2) to the shipowner and the labor union or the person representing a majority of the mariners that entered into the agreement referred to in paragraph (1).

第六十五条 船舶所有者は、国土交通省令で定めるところにより、その使用する船員の過半数で組織する労働組合があるときはその労働組合、船員の過半数で組織する労働組合がないときは船員の過半数を代表する者との書面による協定をし、これを国土交通大臣に届け出た場合においては、第六十二条第一項の規定にかかわらず、その協定で定めるところにより、かつ、国土交通省令で定める補償休日の日数を限度として、補償休日において船員を作業に従事させることができる。

Article 65 Notwithstanding the provisions of Article 62, paragraph (1), if, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner has entered into a written agreement with a labor union organized by a majority of the mariners employed by the shipowner, when there is such a labor union, or with a person representing a majority of the mariners, when there is no such labor union, and has notified the Minister of Land, Infrastructure, Transport and Tourism of that agreement, the shipowner may have a mariner engage in work on compensatory holidays pursuant to the provisions of the agreement, up to the number of compensatory holidays specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(労働時間の限度)

(Working Hour Limit)

第六十五条の二 第六十四条第二項の規定により第六十条第一項の規定又は第七十二条の国土交通省令の規定による労働時間の制限を超えて船員を作業に従事させる場合であつても、船員の一日当たりの労働時間及び一週間当たりの労働時間は、第六十条第一項の規定及び第七十二条の国土交通省令の規定による労働時間並びに海員にあつては次項の規定による作業に従事する労働時間を含め、それぞれ十四時間及び七十二時間を限度とする。

Article 65-2 (1) Even if a shipowner, pursuant to the provisions of Article 64, paragraph (2), has a mariner engage in work beyond the working time restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, the daily working hours and weekly working hours of a mariner are limited to 14 hours and 72 hours respectively, including the working hours under the provisions of Article 60, paragraph (1) and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, and the working hours of a seaman under the provisions of the following paragraph.

2 第六十四条の二第一項の規定により第六十条第一項の規定又は第七十二条の国土交通省令の規定による労働時間の制限を超えて海員を作業に従事させる場合であつても、海員の一日当たりの労働時間及び一週間当たりの労働時間は、第六十条第一項の規定及び第七十二条の国土交通省令の規定による労働時間並びに前項の規定による作業に従事する労働時間を含め、それぞれ十四時間及び七十二時間を限度とする。

(2) Even if a shipowner, pursuant to the provisions of Article 64-2, paragraph (1), has a seaman engage in work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, the daily working hours and weekly working hours of a seaman, including the working hours under the provisions of Article 60, paragraph (1) and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, and the working hours engaged in work under the provisions of the preceding paragraph are limited to 14 hours and 72 hours respectively.

3 船舶所有者は、船員を前二項に規定する労働時間の限度を超えて作業に従事させてはならない。

(3) A shipowner must not have a mariner engage in work beyond the working hour restrictions provided for in the preceding two paragraphs.

4 第六十四条第一項の規定により船員が作業に従事した労働時間は、第一項及び第二項に規定する労働時間には算入しないものとする。

(4) Working hours during which a mariner has engaged in work pursuant to the provisions of Article 64, paragraph (1) are not to be included in the working hours prescribed in paragraphs (1) and (2).

5 第一項から第三項までの規定は、海底の掘削に従事する船舶その他のその航海の様態が特殊であるため船員がこれらの規定によることが著しく不適當な職務に従事することとなると認められる船舶として国土交通省令で定めるものについては、適用しない。

(5) The provisions of paragraphs (1) through (3) do not apply to a ship utilized in seabed drilling or any other ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a ship for which it is found that its mariner will be engaged in duties during which it would be extremely inappropriate to comply with those provisions due to the ship's special mode of navigation.

(休息时间)

(Rest Periods)

第六十五条の三 船舶所有者は、休息時間を一日について三回以上に分割して船員に与えてはならない。

Article 65-3 (1) A shipowner must not give a mariner rest periods that are divided into three or more periods per day.

2 船舶所有者は、前項に規定する休息時間を一日について二回に分割して船員に与える場合において、休息時間のうち、いずれか長い方の休息時間を六時間以上としなければならない。

(2) If the rest period for a mariner prescribed in the preceding paragraph is divided into two periods per day, the shipowner must make the longer of the rest periods six hours or more.

3 前二項の規定にかかわらず、船舶所有者は、国土交通省令で定めるところにより、その使用する船員の過半数で組織する労働組合があるときはその労働組合、船員の過半数で組織する労働組合がないときは船員の過半数を代表する者との書面による協定をし、これを国土交通大臣に届け出た場合においては、その協定で定めるところにより、休息時間を、一日について三回以上に分割して、又は前項に規定する場合において休息時間のうちいずれか長い方の休息時間を六時間未満として、船員（海員にあつては、次に掲げる者に限る。）に与えることができる。

(3) Notwithstanding the provisions of the preceding two paragraphs, if a shipowner, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, has entered into a written agreement with a labor union organized by a majority of the mariners employed by the shipowner, when there is such a labor union, or with a person representing a majority of the mariners, when there is no such labor union, and has notified the Minister of Land, Infrastructure, Transport and Tourism of that agreement, the shipowner, pursuant to the provisions of the agreement, may give a mariner (if the person is a seaman, limited to the seamen listed in the following items) a rest period divided into three or more periods per day, or in the case prescribed in the preceding paragraph, make the longer of the rest periods for a mariner shorter than six hours:

一 船舶が狭い水路を通過するため航海当直の員数を増加する必要がある場合その他の国土交通省令で定める特別の安全上の必要がある場合において作業に従事する海員

(i) a seaman who is engaged in work if it is necessary to increase the number of navigational watchkeeping because the ship is to pass through a narrow waterway, or if there are other special safety requirements specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; and

二 定期的に短距離の航路に就航するため入出港が頻繁である船舶その他のその航海の様態が特殊であるため船員が前二項の規定によることが著しく不適当な職務に従事することとなると認められる船舶で国土交通大臣の指定するものに乗組む海員

(ii) a seaman who boards a ship that enters and leaves ports frequently to regularly operate on short-distance waterways, or any other ship designated by the Minister of Land, Infrastructure, Transport and Tourism for which it is found that its mariner will be engaged in duties during which it would be extremely inappropriate to comply with the provisions of the preceding two paragraphs due to the ship's special mode of navigation.

(割増手当)

(Premium Allowance)

第六十六条 船舶所有者は、第六十四条から第六十五条までの規定により、船員が、第六十条第一項の規定若しくは第七十二条の国土交通省令の規定による労働時間の制限

を超えて又は補償休日において作業に従事したときは、国土交通省令で定める割増手当を支払わなければならない。

Article 66 A shipowner, pursuant to the provisions of Articles 64 through 65, must pay a premium allowance specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism when a mariner is engaged in work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, or if a mariner is engaged in work on a compensatory holiday.

(通常配置表)

(table with shipboard working arrangement)

第六十六条の二 船長は、第十二条から第十四条までに規定する場合その他非常の場合以外の通常の場合における船員の船内作業の時間帯及び作業内容に関し、国土交通省令で定めるところにより、通常配置表を定め、これを船員室その他適当な場所に掲示しておかなければならない。

Article 66-2 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a master must provide a table with shipboard working arrangement for a mariner and display it in the mariners' rooms or in any other suitable place, specifying the time and details of work on board for the cases prescribed in Articles 12 through 14 and for other regular cases that are not emergencies.

(記録簿の備置き等)

(Keeping Record Books)

第六十七条 船舶所有者は、国土交通省令で定めるところにより、船員の労務管理を行う主たる事務所に記録簿を備え置いて、船員の労働時間及び休息时间並びに船員に対する休日及び有給休暇の付与に関する事項を記載しなければならない。

Article 67 (1) Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must keep a record book at the main office where labor management for the mariner is performed, and enter the matters concerning the mariner's working hours and rest periods, and matters concerning granting holidays and paid leave to the mariner.

2 船舶所有者は、国土交通省令で定めるところにより、船員に対し、前項の記録簿の写しを交付しなければならない。

(2) Pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must issue a copy of the record book referred to in the preceding paragraph to the mariner.

3 船舶所有者は、第一項の記録簿の作成に当たり、国土交通省令で定める方法により、船員の労働時間の状況を把握しなければならない。

(3) When preparing the record book referred to in paragraph (1), a shipowner must ascertain the status of the mariner's working hours by using the methods specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(労務管理責任者)

(Labor Management Officers)

第六十七条の二 船舶所有者は、前条第一項の記録簿の作成及び備置きその他の船員の労務管理に関する事項であつて国土交通省令で定めるものを管理させるため、労務管理責任者を選任しなければならない。

Article 67-2 (1) A shipowner must appoint a labor management officer to have that person manage the preparation and keeping of the record book referred to in paragraph (1) of the preceding Article and other matters concerning the labor management for a mariner which are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 労務管理責任者は、船員の労働時間、作業による心身への負荷その他の船員の状況に鑑み、労働時間の短縮、休日又は有給休暇の付与、乗り組む船舶の変更その他国土交通省令で定める措置を講ずる必要があるときは、船舶所有者に対しその旨の意見を述べるものとする。

(2) When it is necessary to shorten the working hours, grant holidays or paid leave, change the ship which a mariner is to board, or take any other measures specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, in consideration of the mariner's working hours, the mental and physical load of their work, and other matters related to the mariner, the labor management officer is to state that opinion to the shipowner.

3 船舶所有者は、前項の規定による労務管理責任者の意見を勘案し、その必要があると認めるときは、国土交通省令で定めるところにより、船員の健康状態その他の実情を考慮して、同項の措置のうち適切なものを講じなければならない。

(3) When a shipowner finds it to be necessary to do so in consideration of the opinion of the labor management officer under the provisions of the preceding paragraph, the shipowner must take the appropriate measures referred to in that paragraph in consideration of the mariner's health and other circumstances, as provided by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

4 船舶所有者は、前項の措置を講ずるため運航計画（内航海運業法（昭和二十七年法律第百五十一号）第十二条第一項に規定する運航計画をいう。）の作成及び実施に関する事項について変更の必要があると認めるときは、当該船員が乗り組む船舶の運航の管理を行う同法第八条第一項に規定する内航運送をする内航海運業者に対し意見を述べなければならない。

(4) When a shipowner finds it necessary to make any changes with regard to the preparation and implementation of a navigation plan (meaning a navigation plan provided for in Article 12, paragraph (1) of the Coastal Shipping Business Act (Act No. 151 of 1952)) in order to take the measures stated in the preceding paragraph, the shipowner must state their opinion to the coastal shipping business operator that engages in coastal transportation as prescribed in Article 8, paragraph (1) of that Act, and that manages the navigation of the ship boarded by the mariner.

5 船舶所有者は、労務管理責任者について、必要な研修を受けさせることその他の第一項に規定する事項を管理するための知識の習得及び向上を図るための措置を講ずるよう努めなければならない。

(5) A shipowner must endeavor to have the labor management officer undergo the necessary training, and take other measures to help the labor management officer acquire and improve the knowledge required for managing the matters prescribed in paragraph (1).

(例外規定)

(Exceptional Provisions)

第六十八条 第六十条から前条までの規定及び第七十二条の国土交通省令の規定は、船員が人命、船舶若しくは積荷の安全を図るため又は人命若しくは他の船舶を救助するため緊急を要する作業に従事する場合（海員にあつては、船長の命令により当該作業に従事する場合に限る。）には、これを適用しない。

Article 68 (1) The provisions of Articles 60 through 67-2 and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72 do not apply if a mariner is engaged in work that requires urgency in order to ensure the safety of human life, a ship, or cargo, or to save human life or another ship (for a seaman, limited to cases where they are engaged in that work based on an order from the master).

2 船長は、補償休日又は休息时间において、前項の作業に自ら従事し、又は海員を従事させたときは、船舶の運航の安全の確保に支障を及ぼさない限りにおいて、当該作業の終了後できる限り速やかに休息をし、又は休息をさせるよう努めなければならない。

(2) When a master personally engages in work or has a seaman engage in work stated in the preceding paragraph during a compensatory holiday or a rest period, the master must endeavor to take a rest or have the seaman take a rest as soon as possible after the work is completed, to the extent that this does not interfere with ensuring the safety of the navigation of the ship.

(定員)

(Manning)

第六十九条 船舶所有者は、国土交通省令で定める場合を除いて、第六十条第一項の規定又は第七十二条の国土交通省令の規定を遵守するために必要な海員の定員を定め、その員数の海員を乗り組ませなければならない。

Article 69 (1) A shipowner must set a fixed number of seamen necessary for complying with the provisions of Article 60, paragraph (1) or the provisions of the Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 72, and have the seamen board the ship in that fixed number, except in cases provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶所有者は、航海中海員に欠員を生じたときは、遅滞なくその欠員を補充しなければならない。

(2) When a position among the seamen at sea becomes vacant, the shipowner must fill that vacancy without delay.

第七十条 船舶所有者は、前条の規定によるほか、航海当直その他の船舶の航海の安全を確保するための作業を適切に実施するために必要な員数の海員を乗り組ませなければならない。

Article 70 In addition to the provisions of the preceding Article, a shipowner must have the necessary number of seamen on board to properly conduct navigational watchkeeping and other work for ensuring that the ship is navigated safely.

(適用範囲等)

(Scope of Application)

第七十一条 第六十条から第六十九条までの規定は、次に掲げる船舶については、これを適用しない。

Article 71 (1) The provisions of Articles 60 through 69 do not apply to the following ships:

一 漁船

(i) a fishing vessel; and

二 船員が断続的作業に従事する船舶で船舶所有者が国土交通大臣の許可を受けたもの

(ii) a ship for which a mariner is engaged in intermittent work and for which the shipowner has been licensed by the Minister of Land, Infrastructure, Transport and Tourism.

2 前項各号の船舶に係る前条の規定の適用については、同条中「前条の規定によるほか、航海当直」とあるのは、「航海当直」とする。

(2) With regard to the application of the provisions of the preceding Article related to the ships stated in the items of the preceding paragraph, the phrase "In addition to the provisions of the preceding Article, a navigational watchkeeping" in that Article is deemed to be replaced with "A navigational watchkeeping".

(特例)

(Special Provisions)

第七十二条 定期的に短距離の航路に就航するため入出港が頻繁である船舶その他のその航海の態様が特殊であるため船員が第六十条第一項の規定によることが著しく不適當な職務に従事することとなると認められる船舶で国土交通大臣の指定するものに関しては、当該船舶の航海の態様及び当該船員の職務に応じ、国土交通省令で定める一定の期間を平均した一日当たりの労働時間が八時間を超えず、かつ、一日当たりの労働時間が十四時間を超えない範囲内において、船員の一日当たりの労働時間について国土交通省令で別段の定めをすることができる。

Article 72 With regard to a ship that enters and leaves ports frequently to regularly operate on short-distance waterways or any other ship designated by the Minister of Land, Infrastructure, Transport and Tourism for which it is found that its mariner will be engaged in duties during which it would be extremely inappropriate to comply with the provisions of Article 16, paragraph (1), the daily

working hours of a mariner may be separately prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism, based on the mode of navigation of the ship and the duties of the mariner, within a range where the daily average working hours for a certain period specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism do not exceed eight hours and where the daily working hours of the mariner do not exceed 14 hours.

第七十三条 第六十条から第六十九条までの規定の適用を受けない船員の労働時間、休日及び定員に関し船舶所有者の遵守すべき事項は、政令で定める。

Article 73 (1) Matters with which a shipowner must comply in connection with the working hours, holidays, and fixed number of mariners to whom the provisions of Articles 60 through 69 do not apply are provided for by Cabinet Order.

2 国土交通大臣は、前項の政令の制定又は改廃の立案をしようとするときは、交通政策審議会の議を経なければならない。

(2) When the Minister of Land, Infrastructure, Transport and Tourism intends to plan the enactment, amendment or repeal of Cabinet Order stated in the preceding paragraph, the Minister's plan must undergo deliberations at the Transportation Policy Council.

第七章 有給休暇

Chapter VII Paid Leave

(有給休暇の付与)

(Granting Paid Leave)

第七十四条 船舶所有者は、船員が同一の事業に属する船舶において初めて六箇月間連続して勤務（船舶のぎ装又は修繕中の勤務を含む。以下同じ。）に従事したときは、その六箇月の経過後一年以内にその船員に次条第一項又は第二項の規定による日数の有給休暇を与えなければならない。ただし、船舶が航海の途中にあるとき、又は船舶の工事のため特に必要がある場合において国土交通大臣の許可を受けたときは、当該航海又は工事に必要な期間（工事の場合にあつては、三箇月以内に限る。）、有給休暇を与えることを延期することができる。

Article 74 (1) A shipowner must grant a mariner paid leave for the number of days under the provisions of paragraph (1) or (2) of the following Article within one year after the end of the first six-month period of continuous service (including service while the ship is being fitted or repaired; the same applies below) on a ship used for the same business; provided, however, that granting paid leave may be postponed for the period necessary for the ship's voyage or construction work (limited to within three months for construction work), when the ship is in the middle of a voyage or if it is particularly necessary for the construction work on the ship, and when the Minister of Land, Infrastructure, Transport and Tourism permits the postponement.

2 船舶所有者は、船員が前項の規定により与えられた有給休暇に係る連続した勤務の後に当該同一の事業に属する船舶において一年間連続して勤務に従事したときは、そ

の一年の経過後一年以内にその船員に次条第三項又は第四項の規定による日数の有給休暇を与えなければならない。

(2) A shipowner must grant a mariner paid leave for the number of days under paragraph (3) or (4) of the following Article within one year after the end of a one-year period in which the mariner was employed on a ship used for the same business for a continuous period of one year after a period of continuous service for which paid leave was granted pursuant to the provisions of the preceding paragraph.

3 第一項ただし書の規定は、前項の場合について準用する。

(3) The provisions of the proviso to paragraph (1) apply mutatis mutandis to the case referred to in the preceding paragraph.

4 船員が同一の事業に属する船舶における勤務に準ずる勤務として国土交通省令で定めるものに従事した期間並びに船員が職務上負傷し、又は疾病にかかり療養のため勤務に従事しない期間、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）第二条第一号に規定する育児休業又は同条第二号に規定する介護休業（同法第六十一条第三項に規定する行政執行法人介護休業及び同法第六十一条の二第三項に規定する介護をするための休業を含む。）をした期間及び女子の船員が第八十七条第一項又は第二項の規定によつて勤務に従事しない期間は、連続して勤務に従事した期間の計算については、同一の事業に属する船舶において勤務に従事した期間とみなす。

(4) A period in which a mariner has engaged in work specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as equivalent to work on a ship used for the same business; a period in which a mariner has not engaged in work due to medical treatment for an injury or illness suffered in the course of duties; a period in which a mariner has taken childcare leave as 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) or caregiver leave as prescribed in item (ii) of that Article (including caregiver leave taken by an agency engaged in administrative enforcement as prescribed in Article 61, paragraph (3) of that Act and leave taken to provide nursing care as prescribed in Article 61-2, paragraph (3) of that Act); or a period in which a female mariner has not engaged in work pursuant to the provisions of Article 87, paragraph (1) or (2) is deemed to be a period in which the mariner has engaged in work on a ship used for the same business, for the purpose of calculating the period of the mariner's continuous service.

5 船舶における勤務が中断した場合において、その中断の事由が船員の故意又は過失によるものでなく、かつ、その中断の期間の合計が一年当たり六週間を超えないときは、その中断の期間は、船員が当該期間の前後の勤務と連続して勤務に従事した期間とみなす。

(5) If there is an interruption in service aboard a ship, and when the cause of the interruption is neither intentional nor negligent on the part of the mariner, and the

total duration of the interruption does not exceed six weeks per year, the period of the interruption is deemed to be included in the period of the mariner's continuous service that the mariner was engaged in before and after that period.

(有給休暇の日数)

(Number of Days of Paid Leave)

第七十五条 前条第一項の規定により与えなければならない有給休暇の日数は、連続した勤務六箇月について十五日とし、連続した勤務三箇月を増すごとに五日を加える。ただし、同項ただし書の規定により有給休暇の付与を延期したときは、その延期した期間一箇月を増すごとに二日を加える。

Article 75 (1) The number of days of paid leave that must be granted pursuant to the provisions of paragraph (1) of the preceding Article is fifteen days for every six months of continuous service, with five days added for every additional three months of continuous service; provided, however, that when granting paid leave is postponed pursuant to the provisions of the proviso to that paragraph, two days are added for every additional month of the period of postponement.

2 沿海区域又は平水区域を航行区域とする船舶で国内各港間のみを航海するものに乗組む船員に前条第一項の規定により与えなければならない有給休暇の日数は、前項の規定にかかわらず、連続した勤務六箇月について十日とし、連続した勤務三箇月を増すごとに三日（同項ただし書に規定する期間については、一箇月を増すごとに一日）を加える。

(2) Notwithstanding the provisions of the preceding paragraph, the number of days of paid leave that must be granted pursuant to the provisions of paragraph (1) of the preceding Article to a mariner who is on board a ship that has a coastal area or a smooth water area as its navigation area and that makes a voyage only between domestic ports is ten days for every six months of continuous service, with three days added for every additional three months of continuous service (for the period prescribed in the proviso to the preceding paragraph, one day is added for every additional month).

3 前条第二項の規定により与えなければならない有給休暇の日数は、連続した勤務一年について二十五日とし、連続した勤務三箇月を増すごとに五日を加える。ただし、同条第三項において準用する同条第一項ただし書の規定により有給休暇の付与を延期したときは、その延期した期間一箇月を増すごとに二日を加える。

(3) The number of days of paid leave that must be granted pursuant to the provisions of paragraph (2) of the preceding Article is 25 days for each year of continuous service, with five days added for every additional three months of continuous service; provided, however, that when granting paid leave is postponed pursuant to the provisions of the proviso to paragraph (1) of that Article as applied mutatis mutandis pursuant to paragraph (3) of that Article, two days are added for every additional month of the period of postponement.

4 第二項に規定する船員に前条第二項の規定により与えなければならない有給休暇の日数は、前項の規定にかかわらず、連続した勤務一年について十五日とし、連続した

勤務三箇月を増すごとに三日（同項ただし書に規定する期間については、一箇月を増すごとに一日）を加える。

(4) Notwithstanding the provisions of the preceding paragraph, the number of days of paid leave that must be granted to a mariner under paragraph (2) pursuant to the provisions of paragraph (2) of the preceding Article is 15 days for each year of continuous service, with three days added for every additional three months of continuous service (for the period prescribed in the proviso to the preceding paragraph, one day is added for every additional month).

第七十六条 船舶所有者が船員に週休日、祝祭日の休日、慣習による休日又はこれらに代わるべき休日を与えているときは、その休日の日数は、これを前条の有給休暇の日数に算入しないものとする。負傷又は疾病に因り勤務に従事しない日数も同様とする。

Article 76 When a shipowner gives a mariner a weekly holiday, a holiday on a public holiday, a customary holiday, or a holiday in lieu of any of these holidays, the number of days of that holiday is not to be included in the number of days of paid leave referred to in the preceding Article. The same applies to the number of days during which a mariner is not employed due to an injury or illness.

(有給休暇の与え方)

(Granting Paid Leave)

第七十七条 有給休暇を与うべき時期及び場所については、船舶所有者と船員との協議による。

Article 77 (1) The time and place at which paid leave is to be granted is determined by agreement between the shipowner and the mariner.

2 有給休暇は、労働協約の定めるところにより、期間を分けて、これを与えることができる。

(2) Paid leave may be granted by dividing the period of paid leave pursuant to the provisions of a collective agreement.

(有給休暇中の報酬)

(Remuneration During Paid Leave)

第七十八条 船舶所有者は、有給休暇中船員に給料並びに国土交通省令の定める手当及び食費を支払わなければならない。

Article 78 (1) A shipowner must pay a mariner on paid leave a salary and allowances and meal expenses specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶所有者は、有給休暇を請求することができる船員が有給休暇を与えられる前に解雇され、又は退職したときは、その者に与うべき有給休暇の日数に応じ前項の給料、手当及び食費を支払わなければならない。

(2) When a mariner entitled to request paid leave is dismissed or resigns before they are granted that paid leave, the shipowner must pay the salary, allowance, and meal expenses referred to in the preceding paragraph based on the number of days of paid leave to be granted to the mariner.

(適用範囲等)

(Scope of Application)

第七十九条 この章の規定は、左の船舶については、これを適用しない。

Article 79 The provisions of this Chapter do not apply to the following ships.

一 漁船

(i) a fishing vessel; and

二 船舶所有者と同一の家庭に属する者のみを使用する船舶

(ii) a ship that only employs persons who belong to the same household as the shipowner.

第七十九条の二 国土交通大臣は、必要があると認めるときは、交通政策審議会の決議により、漁船に乗り組む船員の有給休暇に関し必要な国土交通省令を発することができる。

Article 79-2 When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary, the Minister may issue an Order of the Ministry of Land, Infrastructure, Transport and Tourism necessary in relation to paid leave for a mariner on board a fishing vessel, by a resolution of the Transportation Policy Council.

第八章 食料並びに安全及び衛生

Chapter VIII Food, and Safety and Health

(食料の支給)

(Provision of Food)

第八十条 船舶所有者は、船員の乗船中、これに食料を支給しなければならない。

Article 80 (1) A shipowner must provide food to a mariner while they are on board.

2 前項の規定による食料の支給は、船員が職務に従事する期間又は船員が負傷若しくは疾病のため職務に従事しない期間においては、船舶所有者の費用で行わなければならない。

(2) The provision of food under the provisions of the preceding paragraph must be made at the expense of the shipowner during the period in which the mariner is engaged in their duties or during the period in which the mariner is not engaged in their duties due to injury or illness.

3 第一項の規定による食料の支給は、遠洋区域若しくは近海区域を航行区域とする船舶で総トン数七百トン以上のもの又は国土交通省令で定める漁船に乗り組む船員に支給する場合にあつては、国土交通大臣の定める食料表に基づいて行わなければならない。

(3) The provision of food under the provisions of paragraph (1) must be carried out based on the food list specified by the Minister of Land, Infrastructure, Transport and Tourism if it is provided to a mariner who is on board a ship operating in Ocean going area or an Greater coastal area with a gross tonnage of 700 tons or more, or a fishing vessel specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

4 船舶所有者は、その大きさ、航行区域及び航海の態様を勘案して国土交通省令で定める船舶には、第一項の規定による船内における食料の支給を適切に行う能力を有するものとして国土交通省令で定める基準に該当する者を乗り組ませなければならない。

(4) A shipowner must have a person who meets the standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a person who is capable of appropriately providing food on board pursuant to the provisions of paragraph (1) board a ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism in consideration of its size, navigation area, and mode of navigation.

(安全及び衛生)

(Safety and Health)

第八十一条 船舶所有者は、作業用具の整備、船内衛生の保持に必要な設備の設置及び物品の備付け、船内作業による危害の防止及び船内衛生の保持に関する措置の船内における実施及びその管理の体制の整備その他の船内作業による危害の防止及び船内衛生の保持に関し国土交通省令で定める事項を遵守しなければならない。

Article 81 (1) A shipowner must comply with the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism with regard to adjusting work tools, installing equipment and providing items necessary for maintaining health on board, implementing measures on board to prevent any harm resulting from work on board and maintain health on board, and developing a system for managing those measures and other matters related to preventing any harm resulting from work on board and maintaining health on board.

2 船舶所有者は、国土交通省令で定める危険な船内作業については、国土交通省令で定める経験又は技能を有しない船員を従事させてはならない。

(2) For dangerous work on board specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must not employ a mariner who does not have the career or skills specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

3 船舶所有者は、次に掲げる船員を作業に従事させてはならない。

(3) A shipowner must not have the following mariners engage in work:

一 伝染病にかかった船員

(i) a mariner who has contracted an infectious disease;

二 心身の障害により作業を適正に行うことができない船員として国土交通省令で定めるもの

(ii) a person specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a mariner who is unable to properly engage in work due to a mental or physical disability; or

三 前二号に掲げるもののほか、労働に従事することによつて病勢の増悪するおそれのある疾病として国土交通省令で定めるものにかかった船員

(iii) in addition to what is stated in the preceding two items, a mariner who has contracted a disease specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a disease that is likely to worsen as a result of work.

4 船員は、船内作業による危害の防止及び船内衛生の保持に関し国土交通省令の定める事項を遵守しなければならない。

(4) A mariner must observe the matters provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism with regard to preventing harm resulting from work on board and maintaining health on board.

(特定雇入契約以外の雇入契約を締結した際の基本訓練)

(Basic Training to Be Provided When an Employment Agreement Other Than a Specified Employment Agreement Is Concluded)

第八十一条の二 船舶所有者は、船員と雇入契約（次条第一項に規定する特定雇入契約を除く。第八十一条の四において同じ。）を締結したときは、遅滞なく、当該船員について、国土交通省令で定めるところにより、基本訓練（船舶に急迫した危険がある場合その他非常の場合における海上労働の安全及び衛生を確保するための次に掲げる事項に関する教育訓練をいう。以下この条及び次条第一項において同じ。）を実施しなければならない。ただし、当該船員が次項に規定する証明書であつて当該船舶所有者が交付したものを受有している場合にあつては基本訓練を実施することを要せず、当該船員が次条第二項に規定する証明書であつて当該船舶所有者が交付したものを受有している場合にあつては第三号及び第四号に掲げる事項に係る基本訓練を実施することを要しない。

Article 81-2 (1) When a shipowner concludes an employment agreement with a mariner (excluding a specified employment agreement prescribed in paragraph (1) of the following Article; the same applies in Article 81-4), the shipowner must provide the mariner with basic training (meaning educational training covering the matters stated in the following items to ensure safety and health of maritime labor if a ship is in imminent danger or in other emergencies; the same applies below in this Article and in paragraph (1) of the following Article) without delay pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that it is not necessary for the shipowner to provide basic training if the mariner has been issued a certificate prescribed in the following paragraph by the shipowner, and it is not necessary for the shipowner to provide basic training covering the matters stated in items (iii) and (iv) if the mariner has been issued a certificate prescribed in paragraph (2) of the following Article by the shipowner:

一 船舷から水面への安全な飛び降り方、救命設備の使用法その他の海上での救命に関する事項（次条第三項第一号において「生存技術」という。）

(i) matters related to rescue efforts at sea including the method of safely jumping into the water from a side of the ship and method of using life-saving equipment (referred to as "survival techniques" in paragraph (3), item (i) of the following Article);

二 火災の化学的性質、消火設備の使用法その他の船上での消火に関する事項（次条第三項第二号において「消火技術」という。）

(ii) matters related to firefighting on board a ship including chemical properties of fires and the method of using firefighting equipment (referred to as "firefighting techniques" in paragraph (3), item (ii) of the following Article);

三 負傷者に対する船内での応急の手当に関する事項

(iii) matters related to providing first aid to an injured person on board a ship;

四 前三号に掲げるもののほか、船舶に急迫した危険がある場合その他非常の場合における海上労働の安全及び衛生を確保するための国土交通省令で定める事項

(iv) in addition to the matters stated in the preceding three items, other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism in relation to ensuring safety and health of maritime labor if a ship is in imminent danger or in other emergencies.

2 船舶所有者は、国土交通省令で定めるところにより、基本訓練を修了した者に対し、基本訓練を修了した旨の証明書を交付しなければならない。

(2) When a mariner completes their basic training, the shipowner must issue the mariner a certificate of completion pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(特定雇入契約を締結した際の基本訓練及び実技講習)

(Basic Training and Practical Courses to Be Provided When a Specified Employment Agreement Is Concluded)

第八十一条の三 船舶所有者は、船員と特定雇入契約（遠洋区域、近海区域又は沿海区域を航行区域とする船舶その他の国土交通省令で定める船舶において船長その他の国土交通省令で定める職務を行う旨を定めた雇入契約をいう。以下この条から第八十一条の五までにおいて同じ。）を締結したときは、遅滞なく、当該船員について、国土交通省令で定めるところにより、基本訓練（前条第一項第三号及び第四号に掲げる事項に係るものに限る。）を実施しなければならない。ただし、当該船員が同条第二項又は次項に規定する証明書であつて当該船舶所有者が交付したものを受有している場合は、この限りでない。

Article 81-3 (1) When a shipowner concludes a specified employment agreement with a mariner (meaning an employment agreement establishing the duties of a master or any other duties specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism on board a ship navigating in an Ocean going area, Greater coastal area, or coastal area, and any other ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism; the same applies below in this Article through Article 81-5), the shipowner must provide the mariner with basic training (limited to training covering the matters stated in items (iii) and (iv) of paragraph (1) of the preceding Article) without delay pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism; provided, however, that this does not apply if the mariner has been issued a certificate

prescribed in paragraph (2) of the preceding Article or in the following items by the shipowner:

2 船舶所有者は、国土交通省令で定めるところにより、前項に規定する基本訓練を修了した者に対し、当該基本訓練を修了した旨の証明書を交付しなければならない。

(2) When a mariner completes their basic training prescribed in the preceding paragraph, the shipowner must issue the mariner a certificate of completion pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

3 船舶所有者は、船員と特定雇入契約を締結したときは、遅滞なく、当該船員に、国土交通省令で定めるところにより、次の各号に掲げる教育訓練の区分に応じ、当該各号に定める実技講習を受けさせなければならない。

(3) When a shipowner concludes a specified employment agreement with a mariner, the shipowner must, without delay, provide the mariner with a practical course prescribed in the following items pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism, based on the categories of educational training as stated in the following items.

一 生存技術に関する教育訓練 生存技術に関する知識及び能力を習得させるための実技講習（以下「生存講習」という。）であつて、第八十三条の二の規定により国土交通大臣の登録を受けた者（以下「登録生存講習機関」という。）（第八十三条の十四第一項の規定により国土交通大臣が生存講習を自ら行う場合にあつては、国土交通大臣）が行うもの

(i) educational training in survival techniques: a practical course to provide a mariner with knowledge and skills related to survival techniques (referred to below as a "survival course"), conducted by a person registered by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 83-2 (referred to below as a "registered survival training institution") (if the survival course is provided by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 83-14, paragraph (1), the course is to be conducted by the Minister);

二 消火技術に関する教育訓練 消火技術に関する知識及び能力を習得させるための実技講習（第五項第二号を除き、以下「消火講習」という。）であつて、第八十三条の十七の規定により国土交通大臣の登録を受けた者（第八十三条の十九及び第百三十一条の三において「登録消火講習機関」という。）（第八十三条の十九において準用する第八十三条の十四第一項の規定により国土交通大臣が消火講習を自ら行う場合にあつては、国土交通大臣）が行うもの

(ii) educational training in firefighting techniques: a practical course to provide a mariner with knowledge and skills related to firefighting techniques (referred to as a "firefighting course", except in paragraph (5), item (ii)), conducted by a person registered by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 83-17 (referred to below as an "registered firefighting training institution") (if the firefighting course is provided by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Article 83-14,

paragraph (1) as applied mutatis mutandis pursuant to Article 83-19, the course is to be conducted by the Minister);

4 前項（第一号に係る部分に限る。）の規定は、特定雇入契約を締結した船員が次の各号に掲げる要件のいずれかに該当する場合には、適用しない。

(4) The provisions of the preceding paragraph (limited to the part related to item (i)) do not apply if a mariner who has concluded a specified employment agreement meets any of the conditions stated in the following items:

一 特定雇入契約の締結の日前五年以内に前項第一号に定める実技講習の課程を修了したこと。

(i) the mariner completed a practical course prescribed in item (i) of the preceding paragraph within five years before the day on which the specified employment agreement was concluded;

二 特定雇入契約の締結の日前五年以内に船舶職員及び小型船舶操縦者法第四条第二項に規定する登録海技免許講習（次項第二号において「登録海技免許講習」という。）のうち同法別表第一の備考第三号又は第四号に規定する救命講習又は機関救命講習の課程を修了したこと。

(ii) the mariner, within five years before the day on which the specified employment contract was concluded, completed a rescue course or an organizational rescue course prescribed in Notes (iii) and (iv) in Appended Table 1 in the Act on Ships' Officers and Boats' Operators as a registered maritime license course prescribed in Article 4, paragraph (2) of that Act (referred to as a "registered maritime license course" in item (ii) of the following paragraph); or

三 千九百七十八年の船員の訓練及び資格証明並びに当直の基準に関する国際条約（以下「船員条約」という。）又は千九百九十五年の漁船員の訓練及び資格証明並びに当直の基準に関する国際条約（以下「漁船員条約」という。）の締約国が発給した書面によつて特定雇入契約の締結の日前五年以内に前項第一号に定める実技講習に相当する講習の課程を修了したことを確認することができること。

(iii) based on a document issued by a contracting state of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (referred to below as the "Convention on Seafarers") or International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (referred to below as the "Convention on Fishing Vessel Personnel"), it is possible to confirm that the mariner completed a course equivalent to a practical course prescribed in item (i) of the preceding paragraph within five years before the day on which the specified employment agreement was concluded.

5 第三項（第二号に係る部分に限る。）の規定は、特定雇入契約を締結した船員が次の各号に掲げる要件のいずれかに該当する場合には、適用しない。

(5) The provisions of the preceding paragraph (limited to the part related to item (ii)) do not apply if a mariner who has concluded a specified employment agreement meets any of the conditions stated in the following items:

一 特定雇入契約の締結の日前五年以内に第三項第二号に定める実技講習の課程を修了したこと。

(i) the mariner completed a practical course prescribed in paragraph (3), item (ii) within five years before the day on which the specified employment agreement was concluded;

二 特定雇入契約の締結の日前五年以内に登録海技免許講習のうち船舶職員及び小型船舶操縦者法別表第一の備考第五号に規定する消火講習の課程を修了したこと。

(ii) the mariner, within five years before the day on which the specified employment agreement was concluded, completed a firefighting course prescribed in Note (v) in Appended Table 1 in the Act on Ships' Officers and Boats' Operators as a registered maritime license course; or

三 船員条約又は漁船員条約の締約国が発給した書面によつて特定雇入契約の締結の日前五年以内に第三項第二号に定める実技講習に相当する講習の課程を修了したことを確認することができること。

(iii) based on a document issued by a contracting state of the Convention on Seafarers or Convention on Fishing Vessel Personnel, it is possible to confirm that the mariner completed a course equivalent to a practical course prescribed in paragraph (3), item (ii) within five years before the day on which the specified employment agreement was concluded

(特定雇入契約以外の雇入契約を特定雇入契約に変更した際の実技講習)

(Practical Courses for Mariners Whose Employment Agreements Other Than Specified Employment Agreements Have Been Changed to Specified Employment Agreements)

第八十一条の四 前条第三項から第五項までの規定は、船舶所有者が船員と締結した雇入契約を特定雇入契約に変更した場合について準用する。

Article 81-4 The provisions of paragraphs (3) through (5) of the preceding Article apply mutatis mutandis if an employment agreement concluded between a shipowner and a mariner has been changed to a specified employment agreement.

(特定雇入契約が存する船員に対する再講習)

(Retraining for Mariners with Specified Employment Agreements)

第八十一条の五 船舶所有者は、当該船舶所有者との間に特定雇入契約が存する船員について第八十一条の三第三項第一号又は第四項第二号若しくは第三号に定める講習の課程の修了の日（これらの日が複数ある場合にあつては、直近の日）後五年を経過したときは、遅滞なく、当該船員に、国土交通省令で定めるところにより、同条第三項第一号に定める実技講習又はこれに相当する講習であつて船員条約若しくは漁船員条約の締約国が認めたものを受けさせなければならない。

Article 81-5 (1) When five years have passed since the day on which a mariner with a specified employment agreement concluded with a shipowner completed a course prescribed in Article 81-3, paragraph (3), item (i) or paragraph (4), item (ii) or (iii) (if there are multiple such dates, since the most recent date), the shipowner, without delay, must have the mariner take a practical course prescribed in

paragraph (3), item (i) of that Article or a course that is equivalent to that practical course and is recognized by a contracting state of the Convention on Seafarers or Convention on Fishing Vessel Personnel, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶所有者は、当該船舶所有者との間に特定雇入契約が存する船員について第八十一条の三第三項第二号又は第五項第二号若しくは第三号に定める講習の課程の修了の日（これらの日が複数ある場合にあつては、直近の日）後五年を経過したときは、遅滞なく、当該船員に、国土交通省令で定めるところにより、同条第三項第二号に定める実技講習又はこれに相当する講習であつて船員条約若しくは漁船員条約の締約国が認めたものを受けさせなければならない。

(2) When five years have passed since the day on which a mariner with a specified employment agreement concluded with a shipowner completed a course prescribed in Article 81-3, paragraph (3), item (ii) or paragraph (5), item (ii) or (iii) (if there are multiple such dates, since the most recent date), the shipowner, without delay, must have the mariner take a practical course prescribed in paragraph (3), item (ii) of that Article or a course that is equivalent to that practical course and is recognized by a contracting state of the Convention on Seafarers or Convention on Fishing Vessel Personnel, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(医師)

(Physicians)

第八十二条 船舶所有者は、左の船舶には、医師を乗り組ませなければならない。但し、国内各港間を航海するとき、国土交通省令の定める区域のみを航海するとき、又は国土交通省令の定める短期間の航海を行なう場合若しくはやむを得ない事由がある場合において国土交通大臣の許可を受けたときは、この限りでない。

Article 82 (1) A shipowner must have a physician on board the following ships; provided, however, that this does not apply when a ship makes a voyage between ports in Japan, when a ship makes a voyage only in an area specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, or if a ship makes a voyage for a short period as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, or if the permission of the Minister of Land, Infrastructure, Transport and Tourism is obtained due to unavoidable circumstances:

一 遠洋区域又は近海区域を航行区域とする総トン数三千トン以上の船舶で最大とう載人員百人以上のもの

(i) a ship with a gross tonnage of 3000 tons or more operating in a Ocean going area or an Greater coastal area, and with a maximum capacity of 100 persons or more;

二 前号に掲げる船舶以外の遠洋区域を航行区域とする国土交通省令の定める船舶で国土交通大臣の指定する航路に就航するもの

(ii) a ship, other than a ship stated in the preceding item, that is designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism to operate in an Ocean going area and that is put into service on a route designated by the Minister of Land, Infrastructure, Transport and Tourism; and

三 国土交通省令の定める母船式漁業に従事する漁船

(iii) a fishing vessel engaged in mothership fishery specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(衛生管理者)

(Health Supervisor)

第八十二条の二 船舶所有者は、左の船舶（前条各号に掲げるものを除く。）については、乗組員の中から衛生管理者を選任しなければならない。但し、国内各港間を航海する場合又は国土交通省令の定める区域のみを航海する場合は、この限りでない。

Article 82-2 (1) A shipowner must appoint a health supervisor from among the members of the crew for the following ships (excluding those stated in the items of the preceding Article); provided, however, that this does not apply if a ship makes a voyage between domestic ports or if a ship makes a voyage only in an area specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 遠洋区域又は近海区域を航行区域とする総トン数三千トン以上の船舶

(i) a ship with a gross tonnage of 3000 tons or more operating in an Ocean going area or a Greater coastal area; and

二 国土交通省令の定める漁船

(ii) a fishing vessel designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 衛生管理者は、衛生管理者適任証書を受有する者でなければならない。但し、やむを得ない事由がある場合において、国土交通大臣の許可を受けたときは、この限りでない。

(2) A health supervisor must be a person who holds a Certificate of Proficiency for Health Supervisor ; provided, however, that this does not apply if there are unavoidable circumstances and the permission of the Minister of Land, Infrastructure, Transport and Tourism has been obtained.

3 国土交通大臣は、左に掲げる者に衛生管理者適任証書を交付する。

(3) The Minister of Land, Infrastructure, Transport and Tourism issues Certificate of Proficiency for Health Supervisor to the following persons:

一 国土交通省令の定めるところにより国土交通大臣の行なう試験に合格した者

(i) a person who has passed an examination conducted by the Minister of Land, Infrastructure, Transport and Tourism as specified in the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism; and

二 国土交通省令の定めるところにより国土交通大臣が前号に掲げる者と同等以上の能力を有すると認定した者

(ii) a person who has been certified by the Minister of Land, Infrastructure, Transport and Tourism, as specified in the provisions of Order of the Ministry of

Land, Infrastructure, Transport and Tourism, as having abilities equivalent to or greater than the persons stated in the preceding item.

3 衛生管理者は、国土交通省令の定めるところにより、船内の衛生管理に必要な業務に従事しなければならない。その業務については、衛生管理者は、必要に応じ、医師の指導を受けるように努めなければならない。

(3) A health supervisor must engage in work necessary for health management on board, as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism. A health supervisor must endeavor to receive guidance from a physician as needed with regard to that work.

4 前各項に定めるものの外、衛生管理者及び衛生管理者適任証書に関し必要な事項は、国土交通省令でこれを定める。

(4) In addition to what is specified in the preceding paragraphs, necessary matters concerning a health supervisor and the certificate of proficiency for a health supervisor are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(健康証明書)

(Medical Certificate)

第八十三条 船舶所有者は、国土交通大臣の指定する医師が船内労働に適することを証明した健康証明書を持たない者を船舶に乗り組ませてはならない。

Article 83 (1) A shipowner must not allow a person to board a ship if that person does not have a medical certificate from a physician designated by the Minister of Land, Infrastructure, Transport and Tourism certifying that the person is fit for work on board.

2 健康証明書に関し必要な事項は、国土交通省令でこれを定める。

(2) Necessary matters concerning a medical certificate are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第八章の二 登録生存講習機関等

Chapter VIII-2 Registered Survival Training Institutions

第一節 登録生存講習機関

Section 1 Registered Survival Training Institutions

第八十三条の二から第八十三条の十六まで

Articles 83-2 Through 83-16.

第二節 登録消火講習機関

Section 2 Registered Firefighting Training Institutions

第八十三条の十七から第八十三条の十九まで

Article 83-17 Through Article 83-19.

第八章の三 快適な海上労働環境の形成のための措置

Chapter VIII-3 Measures for Establishing Comfortable Maritime Working Environments

(船舶所有者の講ずる措置)

(Measures Taken by Shipowners)

第八十三条の二十 船舶所有者は、船内における安全及び衛生の水準並びに休息の質の向上を図るため、次に掲げる措置を継続的かつ計画的に講ずることにより、快適な海上労働環境（船内における職場環境並びに船員室の居住環境及びインターネットの利用環境をいう。以下この条において同じ。）を形成するように努めなければならない。この場合において、第二号から第四号までに掲げる措置については、当該船舶の航行区域、航路その他の航海の期間及び態様を勘案するものとする。

Article 83-20 (1) A shipowner must endeavor to create a comfortable maritime working environment (meaning the working environment on board, the living environment in the mariners' rooms, and the internet usage environment; the same applies below in this Article) by continuously and systematically taking the following measures in order to improve the level of safety and health and the quality of rest on board. In this case, the navigation area, route, and other periods and modes of navigation of the ship are to be taken into consideration for the measures stated in items (ii) through (iv):

一 係船の自動化その他の船内作業の方法を改善するための措置

(i) taking measures to improve the methods of on-board work, such as the automation of mooring;

二 船員室の新設、増設又は拡大

(ii) building, enhancing, or expanding mariners' rooms;

三 船員室におけるインターネットの利用を確保するための措置

(iii) taking measures to ensure access to the Internet in the mariners' rooms;

四 浴槽その他の船内作業に従事することによる船員の疲労を回復するための施設又は設備の設置又は整備

(iv) installing or maintaining bathtubs or other facilities or equipment to help a mariner recover from fatigue due to work on board;

五 空気調和設備の作動状態の確認その他の海上労働環境を快適な状態に維持管理するための措置

(v) checking the operating condition of the air conditioning equipment and taking other measures to maintain and manage a comfortable maritime working environment; and

六 前各号に掲げるもののほか、快適な海上労働環境を形成するため必要な措置

(vi) in addition to what is stated in the preceding items, taking necessary measures to create a comfortable maritime working environment.

(快適な海上労働環境の形成のための指針の公表等)

(Publication of Guidelines for Creating a Comfortable Maritime Working Environment)

第八十三条の二十一 国土交通大臣は、前条に規定する措置に関し、その適切かつ有効な実施を図るため必要な指針を公表するものとする。

Article 83-21 (1) The Minister of Land, Infrastructure, Transport and Tourism is to make public the necessary guidelines for an appropriate and effective implementation of the measures prescribed in the preceding Article.

2 国土交通大臣は、前項の指針に従い、船舶所有者又はその団体に対し、必要な指導及び助言を行うことができる。

(2) The Minister of Land, Infrastructure, Transport and Tourism may provide the necessary guidance and advice to a shipowner and an association of shipowners in accordance with the guidelines referred to in the preceding paragraph.

第九章 年少船員

Chapter IX Young Mariners

(未成年者の行為能力)

(Capacity of Minors to Act)

第八十四条 未成年者が船員となるには、法定代理人の許可を受けなければならない。

Article 84 (1) A minor must obtain the permission of their legal representative to become a mariner.

2 前項の許可を受けた者は、雇入契約に関しては、成年者と同一の行為能力を有する。

(2) A person who has been granted the permission referred to in the preceding paragraph has the same capacity to act as an adult with regard to an employment agreement.

(年少船員の就業制限)

(Restrictions on Employment of Young Mariners)

第八十五条 船舶所有者は、年齢十六年未満の者（漁船にあつては、年齢十五年に達した日以後の最初の三月三十一日が終了した者を除く。）を船員として使用してはならない。ただし、同一の家庭に属する者のみを使用する船舶については、この限りでない。

Article 85 (1) A shipowner must not employ a person under 16 years of age as a mariner (for a fishing vessel, excluding a person for whom the first March 31 passed after the day on which the person reached 15 years of age); provided, however, that this does not apply to a ship that only employs persons who belong to the same household as the shipowner.

2 船舶所有者は、年齢十八年未満の船員を第八十一条第二項の国土交通省令で定める危険な船内作業又は国土交通省令で定める当該船員の安全及び衛生上有害な作業に従事させてはならない。

(2) A shipowner must not allow a mariner who is under 18 years of age to engage in any dangerous work on board as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 81, paragraph (2) or any work specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as harmful to the safety and health conditions for the relevant mariner.

3 船舶所有者は、年齢十八年未満の者を船員として使用しようとするときは、国土交通大臣の認証を受けなければならない。

(3) A shipowner must be certified by the Minister of Land, Infrastructure, Transport and Tourism when the shipowner intends to employ a person under 18 years of age as a mariner.

4 前項の認証に関し必要な事項は、国土交通省令でこれを定める。

(4) The necessary matters concerning the certification stated in the preceding paragraph are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(年少船員の夜間労働の禁止)

(Prohibition of Night Work by Young Mariners)

第八十六条 船舶所有者は、年齢十八年未満の船員を午後八時から翌日の午前五時までの間において作業に従事させてはならない。ただし、国土交通省令の定める場合において午前零時から午前五時までの間を含む連続した九時間の休息をさせるときは、この限りでない。

Article 86 (1) A shipowner must not have a mariner who is under 18 years of age engage in work between 8 p.m. and 5 a.m. of the following day; provided, however, that this does not apply when the mariner is given a continuous nine-hour rest period that includes the period between 0 a.m. and 5 a.m. in a case specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 前項の規定は、第六十八条第一項の作業に従事させる場合には、これを適用しない。

(2) The provisions of the preceding paragraph do not apply if the shipowner has mariner engage in work stated in Article 68, paragraph (1).

3 第一項の規定は、漁船及び船舶所有者と同一の家庭に属する者のみを使用する船舶については、これを適用しない。

(3) The provisions of paragraph (1) do not apply to a fishing vessel or a ship that only employs persons who belong to the same household as the shipowner.

第九章の二 女子船員

Chapter IX-2 Female Mariners

(妊産婦の就業制限)

(Restrictions on Expectant and Postnatal Mothers)

第八十七条 船舶所有者は、妊娠中の女子を船内で使用してはならない。ただし、次の各号の一に掲げる場合は、この限りでない。

Article 87 (1) A shipowner must not employ a pregnant woman on board; provided, however, that this does not apply in a case stated in any of the following items:

一 国土交通省令で定める範囲の航海に関し、妊娠中の女子が船内で作業に従事することを申し出た場合において、その者の母性保護上支障がないと医師が認めたとき。

(i) if a pregnant woman requests to engage in work on board a ship for a voyage within the scope specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, and when a physician finds that engaging in that work

would not be detrimental from the viewpoint of ensuring maternal protection for the woman or;

二 女子の船員が妊娠中であることが航海中に判明した場合において、その者が当該船舶の航海の安全を図るために必要な作業に従事するとき。

(ii) if it is discovered during a voyage that a female mariner is pregnant, and when the female mariner is engaged in work necessary for ensuring that the ship is navigated safely.

2 船舶所有者は、出産後八週間を経過しない女子を船内で使用してはならない。ただし、出産後六週間を経過した女子が船内で作業に従事することを申し出た場合において、その者の母性保護上支障がないと医師が認めたときは、この限りでない。

(2) A shipowner must not employ a woman on board who has not yet gone eight weeks after giving birth; provided, however, that this does not apply if a woman who has gone six weeks after giving birth requests to engage in work on board, and when a physician finds that engaging in that work would not be detrimental from the viewpoint of ensuring maternal protection for the woman.

3 船舶所有者は、第一項ただし書の規定に基づき、妊娠中の女子を船内で作業に従事させる場合において、その女子の申出があつたときは、その者を軽易な作業に従事させなければならない。

(3) If a shipowner has a pregnant woman engage in work on board a ship under the provisions of the proviso to paragraph (1), the shipowner must have the woman engage in light work when the woman requests to do so.

第八十八条 船舶所有者は、国土交通省令で定めるところにより、妊娠中又は出産後一年以内の女子（以下「妊産婦」という。）の船員を国土交通省令で定める母性保護上有害な作業に従事させてはならない。

Article 88 A shipowner, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, must not have a female mariner who is pregnant or within one year after childbirth (referred to below as an "expectant or postnatal mother") engage in work that would be hazardous from the viewpoint of ensuring maternal protection as specified by the Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(妊産婦の労働時間及び休日の特例)

(Special Provisions Regarding Working Hours and Holidays for Expectant or Postnatal Mothers)

第八十八条の二 第六十一条、第六十四条から第六十五条の二まで、第六十五条の三第三項、第六十六条、第六十八条第一項及び第七十一条から第七十三条までの規定は、妊産婦の船員については、これを適用しない。

Article 88-2 The provisions of Article 61, Articles 64 through 65-2, Article 65-3, paragraph (3), Article 66, Article 68, paragraph (1), and Articles 71 through 73 do not apply to a mariner who is an expectant or postnatal mother.

第八十八条の二の二 船舶所有者は、妊産婦の船員を第六十条第一項の規定による労働時間の制限を超えて作業に従事させてはならない。

Article 88-2-2 (1) A shipowner must not have a mariner who is an expectant or postnatal mother engage in work beyond the restrictions on the working hours under the provisions of Article 60, paragraph (1).

2 船舶所有者は、出産後八週間を経過した妊産婦の船員が、第六十四条第一項に規定する場合において、第六十条第一項の規定による労働時間の制限を超えて作業に従事することを申し出たとき（その者の母性保護上支障がないと医師が認めた場合に限る。）は、前項の規定にかかわらず、同条第一項の規定による労働時間の制限を超えて当該妊産婦の船員を作業に従事させることができる。

(2) Notwithstanding the provisions of the preceding paragraph, when a mariner who is an expectant or a postnatal mother eight weeks after giving birth makes a request to work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) in the case prescribed in Article 64, paragraph (1) (limited to cases where a physician finds that engaging in that work would not be detrimental from the viewpoint of ensuring maternal protection of the mariner), the shipowner may have the relevant expectant or postnatal mariner work beyond the working hour restrictions under the provisions of Article 60, paragraph (1).

3 船舶所有者は、出産後八週間を経過した妊産婦の船員が、第六十四条第二項に規定する場合において、第六十条第一項の規定による労働時間の制限を超えて作業に従事することを申し出たとき（その者の母性保護上支障がないと医師が認めた場合に限る。）は、第一項の規定にかかわらず、第六十四条第二項の国土交通省令で定める時間を限度として、第六十条第一項の規定による労働時間の制限を超えて当該妊産婦の船員を作業に従事させることができる。

(3) Notwithstanding the provisions of paragraph (1), when a mariner who is an expectant or a postnatal mother eight weeks after giving birth makes a request to work beyond the working hour restrictions under the provisions of Article 60, paragraph (1) in the case provided for in Article 64, paragraph (2) (limited to cases where a physician finds that engaging in that work would not be detrimental from the viewpoint of ensuring maternal protection of the mariner), the shipowner may have the relevant expectant or postnatal mariner work beyond the working hour restrictions under the provisions of Article 60, paragraph (1), within the working hour restrictions specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 64, paragraph (2).

4 第六十四条第三項及び第六十六条の規定は、第二項の規定により妊産婦の船員が労働時間の制限を超えて作業に従事した場合について準用する。この場合において、第六十六条中「第六十条第一項の規定若しくは第七十二条の国土交通省令の規定」とあるのは、「第六十条第一項の規定」と読み替えるものとする。

(4) The provisions of Article 64, paragraph (3) and Article 66 apply mutatis mutandis to cases where a mariner who is an expectant or postnatal mother is engaged in work beyond the working hour restrictions pursuant to the provisions of paragraph (2). In this case, the term "the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and

Tourism referred to in Article 72" in Article 66 is deemed to be replaced with "the provisions of Article 60, paragraph (1)".

5 第六十五条の二第一項、第三項及び第四項並びに第六十六条の規定は、第三項の規定により妊産婦の船員が労働時間の制限を超えて作業に従事した場合について準用する。この場合において、第六十五条の二第一項中「第六十条第一項の規定又は第七十二条の国土交通省令の規定」とあるのは「第六十条第一項の規定」と、「第六十条第一項の規定及び第七十二条の国土交通省令の規定による労働時間並びに海員にあつては次項の規定による作業に従事する」とあるのは「同項の規定による」と、同条第三項中「前二項」とあるのは「第八十八条の二の二第五項において準用する第一項」と、同条第四項中「第六十四条第一項」とあるのは「第八十八条の二の二第二項」と、「第一項及び第二項」とあるのは「同条第五項において準用する第一項」と、第六十六条中「第六十条第一項の規定若しくは第七十二条の国土交通省令の規定」とあるのは「第六十条第一項の規定」と読み替えるものとする。

(5) The provisions of Article 65-2, paragraphs (1), (3), and (4) and Article 66 apply mutatis mutandis to the case where a mariner who is an expectant or nursing mother is engaged in the work exceeding the restrictions of the working hour pursuant to the provisions of paragraph (3). In this case, the term "the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 72" in Article 65-2, paragraph (1) is deemed to be replaced with "the provisions of Article 60, paragraph (1)", the term "working hours under the provisions of Article 60, paragraph (1) and the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 72, and the working hours of a seaman under the provisions of the following paragraph" in that paragraph is deemed to be replaced with "working hours under the provisions of that paragraph", the term "the preceding two paragraphs" in paragraph (3) of that Article is deemed to be replaced with "paragraph (1) as applied mutatis mutandis pursuant to Article 88-2-2, paragraph (5)", the term "Article 64, paragraph (1)" in paragraph (4) of that Article is deemed to be replaced with "Article 88-2-2, paragraph (2)", the term "paragraphs (1) and (2)" is deemed to be replaced with "paragraph (1) as applied mutatis mutandis pursuant to paragraph (5) of that Article", and the term "the provisions of Article 60, paragraph (1) or the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism stated in Article 72" in Article 66 is deemed to be replaced with "the provisions of Article 61, paragraph (1)".

6 第六十五条の三第三項の規定は、出産後八週間を経過した妊産婦の船員（海員にあつては、同項各号に掲げる者に限る。）がその休息時間を同項の協定で定めるところによることを船舶所有者に申し出て、その者の母性保護上支障がないと医師が認めた場合について準用する。

(6) The provisions of Article 65-3, paragraph (3) apply mutatis mutandis to cases where a mariner who is an expectant or postnatal mother (for a seaman, limited to a person stated in the items of that paragraph) eight weeks after giving birth has

proposed to the shipowner that their rest period is to be based on the provisions of the agreement referred to in that paragraph, and a physician has found that it would not be detrimental from the viewpoint of ensuring maternal protection of the mariner.

第八十八条の三 船舶所有者は、妊産婦の船員に一週間について少なくとも一日の休日（第六十二条第一項の規定により与えられる補償休日を除く。）を与えなければならない。

Article 88-3 (1) A shipowner must provide a mariner who is an expectant or postnatal mother with at least one holiday per week (excluding compensatory holidays provided pursuant to the provisions of Article 62, paragraph (1)).

2 妊産婦の船員に係る第六十二条の規定の適用については、同条第一項中「一週間において四十時間を超える場合又は船員に一週間において少なくとも一日の休日を与えることができない場合」とあるのは「一週間において四十時間を超える場合」と、「当該一週間において少なくとも一日の休日が与えられない場合にあつては、その超える時間が八時間を超える時間。次項において」とあるのは「次項において」と、「作業に従事すること又はその休日を与えられないこと」とあるのは「作業に従事すること」と、同条第二項中「超過時間の合計八時間当たり又は少なくとも一日の休日が与えられない一週間当たり一日を基準として、第六十条第二項及び前条」とあるのは「超過時間の合計八時間当たり一日を基準として、第六十条第二項」とする。

(2) With regard to the application of the provisions of Article 62 in relation to a mariner who is an expectant or postnatal mother, the phrase "exceed 40 hours in a week, or if it is not possible to grant a mariner at least one holiday in a week" in paragraph (1) of that Article is deemed to be replaced with "exceed 40 hours in a week", the phrase "if at least one holiday is not granted in that week, the time when the excess hours exceed 8 hours; referred to as "overtime" in the following paragraph" in that paragraph is deemed to be replaced with "referred to as "overtime" in the following paragraph", the phrase "for engaging in work during the excess hours (if at least one holiday in the following paragraph) or for not being able to grant the mariner a holiday" in that paragraph is deemed to be replaced with "for engaging in work during the excess hours (if at least one holiday in the following paragraph)", and the phrase "provisions of Article 60, paragraph (2) and the preceding Article, granting one day for every eight hours of total overtime or every week in which at least one day off is not granted" in paragraph (2) of that Article is deemed to be replaced with "provisions of Article 60, paragraph (2), granting one day for every eight hours of total overtime".

3 船舶所有者は、出産後八週間を経過した妊産婦の船員が次に掲げる申出をした場合において、その者の母性保護上支障がないと医師が認めたときは、第一項及び前項の規定により読み替えて適用する第六十二条第一項の規定にかかわらず、当該妊産婦の船員を休日において作業に従事させることができる。

(3) Notwithstanding the provisions of Article 62, paragraph (1) as applied pursuant to the provisions of paragraph (1) and the preceding paragraph following

the deemed replacement of terms, if a mariner who is an expectant or postnatal mother eight weeks after giving birth makes any of the following requests, and when a physician has found that it would not be detrimental from the viewpoint of ensuring maternal protection of the mariner, the shipowner may have the expectant or postnatal mariner work on a holiday:

一 第六十四条第一項に規定する場合において、休日において作業に従事することの申出

(i) in the case prescribed in Article 64, paragraph (1), a request to engage in work on a holiday; and

二 第六十五条に規定する場合において、同条の協定で定めるところにより、かつ、国土交通省令で定める日数を超えない範囲内で、休日において作業に従事することの申出

(ii) in the case prescribed in Article 65, a request to engage in work on a holiday pursuant to the provisions of the agreement referred to in that Article and within a period not exceeding the number of days specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

4 第六十六条の規定は、前項の規定により妊産婦の船員が休日において作業に従事した場合について準用する。

(4) The provisions of Article 66 apply mutatis mutandis to cases where a mariner who is an expectant or postnatal mother is engaged in work on a holiday pursuant to the provisions of the preceding paragraph.

(妊産婦の夜間労働の制限)

(Restrictions on Night Work by Expectant or Postnatal Mothers)

第八十八条の四 船舶所有者は、妊産婦の船員を午後八時から翌日の午前五時までの間において作業に従事させてはならない。ただし、国土交通省令で定める場合において、これと異なる時刻の間において午前零時前後にわたり連続して九時間休息させるときは、この限りでない。

Article 88-4 (1) A shipowner must not have a mariner who is an expectant or postnatal mother engage in work between 8 p.m. and 5 a.m. of the following day; provided, however, that this does not apply when the mariner who is the expectant or postnatal mother is given a continuous nine-hour rest period around 0 a.m. at a different time, in a case that is specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 前項の規定は、出産後八週間を経過した妊産婦の船員が同項本文の時刻の間において作業に従事すること又は同項ただし書の規定による休息時間を短縮することを申し出た場合において、その者の母性保護上支障がないと医師が認めたときは、これを適用しない。

(2) The provisions of the preceding paragraph do not apply if a mariner who is an expectant or postnatal mother eight weeks after giving birth makes a request to engage in work during the time stated in the main clause of that paragraph or to shorten the rest period under the proviso to that paragraph, and when a physician

has found that it would not be detrimental from the viewpoint of ensuring maternal protection of the mariner.

(例外規定)

(Exceptional Provisions)

第八十八条の五 第六十条、第六十二条、第六十三条、第六十五条の三第一項及び第二項、第六十六条の二、第六十七条並びに前三条の規定は、船舶所有者が妊産婦の船員を第六十八条第一項の作業に従事させる場合には、これを適用しない。

Article 88-5 The provisions of Article 60, Article 62, Article 63, Article 65-3, paragraphs (1) and (2), Article 66-2, Article 67, and the preceding three Articles do not apply if a shipowner has a mariner who is an expectant or postnatal mother engage in work referred to in Article 68, paragraph (1).

(妊産婦以外の女子船員の就業制限)

(Restrictions on Employment of Female Mariners Other Than Expectant or Postnatal Mothers)

第八十八条の六 船舶所有者は、妊産婦以外の女子の船員を第八十八条に規定する作業のうち国土交通省令で定める女子の妊娠又は出産に係る機能に有害なものに従事させてはならない。

Article 88-6 A shipowner must not have a female mariner other than an expectant or postnatal mother engage in any of the work prescribed in Article 88 that is hazardous to the female functions related to pregnancy or childbirth as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(生理日における就業制限)

(Restrictions on Work on Menstrual Days)

第八十八条の七 船舶所有者は、生理日における就業が著しく困難な女子の船員の請求があつたときは、その者を生理日において作業に従事させてはならない。

Article 88-7 When a request is filed by a female mariner who has extreme difficulty working on day of their menstrual period, the shipowner must not have the female mariner engage in work on that day of their menstrual period.

(適用範囲)

(Scope of Application)

第八十八条の八 この章の規定は、船舶所有者と同一の家庭に属する者のみを使用する船舶については、これを適用しない。

Article 88-8 The provisions of this Chapter do not apply to a ship that only employs persons who belong to the same household as the shipowner.

第十章 災害補償

Chapter X Accident Compensation

(療養補償)

(Medical Compensation)

第八十九条 船員が職務上負傷し、又は疾病にかかつたときは、船舶所有者は、その負傷又は疾病がなおるまで、その費用で療養を施し、又は療養に必要な費用を負担しなければならない。

Article 89 (1) When a mariner is injured or falls ill in the course of duties, the shipowner must provide medical treatment at the shipowner's own expense or must cover the expenses necessary for medical treatment until the mariner recovers from the injury or illness.

2 船員が雇入契約存続中職務外で負傷し、又は疾病にかかったときは、船舶所有者は、三箇月の範囲内において、その費用で療養を施し、又は療養に必要な費用を負担しなければならない。但し、その負傷又は疾病につき船員に故意又は重大な過失のあつたときは、この限りでない。

(2) When a mariner is injured or falls ill outside the scope of the duties of the mariner during the term of the employment agreement, the shipowner must provide medical treatment at the shipowner's own expense or must cover the expenses necessary for medical treatment, for a period not exceeding three months; provided, however, that this does not apply when the mariner is intentionally or grossly negligent in connection with the injury or illness.

第九十条 前条の療養は、次の各号のものとする。

Article 90 (1) The medical treatment stated in the preceding Article is to be as specified in the following items:

一 診察

(i) medical examination;

二 薬剤又は治療材料の支給

(ii) provision of medicines or medical materials;

三 処置、手術その他の治療

(iii) treatment, surgery, or other medical treatment;

四 居宅における療養上の管理及びその療養に伴う世話その他の看護

(iv) management of medical treatment at home and help or other nursing care involved in that treatment;

五 病院又は診療所への入院及びその療養に伴う世話その他の看護

(v) admission to a hospital or clinic, and help or other nursing care involved in the medical treatment there;

六 治療に必要な自宅以外の場所への収容（食料の支給を含む。）

(vi) accommodation in a place other than home necessary for medical treatment (including the provision of food); and

七 移送

(vii) transportation.

（傷病手当及び予後手当）

(Injury and Illness Allowance and Prognosis Allowance)

第九十一条 船員が職務上負傷し、又は疾病にかかったときは、船舶所有者は、四箇月の範囲内においてその負傷又は疾病がなおるまで毎月一回、国土交通省令の定める報酬（以下「標準報酬」という。）の月額に相当する額の傷病手当を支払い、その四箇月が経過してもその負傷又は疾病がなおらないときは、そのなおるまで毎月一回、標準報酬の月額の百分の六十に相当する額の傷病手当を支払わなければならない。

Article 91 (1) When a mariner is injured or falls ill in the course of duties, the shipowner must pay an injury and illness allowance in an amount equivalent to the monthly amount of the compensation specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism (referred to below as the "standard compensation") once a month for a period not exceeding four months until the mariner recovers from the injury or illness, and when the mariner does not recover from the injury or illness after four months have elapsed, the shipowner must pay an injury and illness allowance in an amount equivalent to 60 percent of the monthly amount of the standard compensation once a month until the mariner recovers from the injury or illness.

2 船舶所有者は、前項の負傷又は疾病がなおつた後遅滞なく、標準報酬の月額百分の六十に相当する額の予後手当を支払わなければならない。

(2) A shipowner must pay a prognosis allowance in an amount equivalent to 60 percent of the monthly amount of standard compensation without delay after recovery from the injury or illness referred to in the preceding paragraph.

3 前二項の規定は、負傷又は疾病につき船員に故意又は重大な過失のあつたときは、これを適用しない。

(3) The provisions of the preceding two paragraphs do not apply when the mariner is intentionally or grossly negligent in connection with the injury or illness.

(障害手当)

(Disability Allowance)

第九十二条 船員の職務上の負傷又は疾病がなおつた場合において、なおその船員の身体に障害が存するときは、船舶所有者は、なおつた後遅滞なく、標準報酬の月額に障害の程度に応じ別表に定める月数を乗じて得た額の障害手当を支払わなければならない。但し、その負傷又は疾病につき船員に故意又は重大な過失のあつたときは、この限りでない。

Article 92 If a mariner has recovered from an injury or illness suffered in the course of duties and remains physically disabled, the shipowner, without delay after the mariner's recovery, must pay a disability allowance in the amount obtained by multiplying the monthly amount of the standard compensation by the number of months specified in the Appended Table according to the degree of the disability; provided, however, that this does not apply when the mariner is intentionally or grossly negligent in connection with the injury or illness.

(行方不明手当)

(Missing Person Allowance)

第九十二条の二 船舶所有者は、船員が職務上行方不明となつたときは、三箇月の範囲内において、行方不明期間中毎月一回、国土交通省令の定める被扶養者に標準報酬の月額に相当する額の行方不明手当を支払わなければならない。但し、行方不明の期間が一箇月に満たない場合は、この限りでない。

Article 92-2 When a mariner goes missing in the course of duties, the shipowner must pay a missing person allowance in an amount equivalent to the monthly

amount of the standard compensation to a dependent specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism once a month for the duration of the mariner's disappearance, within a period not exceeding three months; provided, however, that this does not apply if the period of disappearance is less than one month.

(遺族手当)

(Allowance for Bereaved Family)

第九十三条 船員が職務上死亡したときは、船舶所有者は、遅滞なく、国土交通省令の定める遺族に標準報酬の月額三十六箇月分に相当する額の遺族手当を支払わなければならない。船員が職務上の負傷又は疾病に因り死亡したときも同様とする。

Article 93 When a mariner dies in the course of duties, the shipowner must pay an allowance for bereaved family to the bereaved family specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism without delay in an amount equivalent to 36 months' worth of the monthly amount of standard compensation. The same applies when a mariner dies as a result of an injury or illness suffered in the course of duties.

(葬祭料)

(Funeral Service Fee)

第九十四条 船員が職務上死亡したときは、船舶所有者は、遅滞なく、国土交通省令の定める遺族で葬祭を行う者に標準報酬の月額の二箇月分に相当する額の葬祭料を支払わなければならない。船員が職務上の負傷又は疾病に因り死亡したときも同様とする。

Article 94 When a mariner dies in the course of duties, the shipowner must pay a funeral service fee in an amount equivalent to two months' worth of the monthly amount of standard compensation without delay to the bereaved family that is specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism and that holds the funeral. The same applies when a mariner dies as a result of an injury or illness suffered in the course of duties.

(他の給付との関係)

(Relationship with Other Benefits)

第九十五条 第八十九条から前条までの規定により療養又は費用、手当若しくは葬祭料の支払（以下「災害補償」と総称する。）を受くべき者が、その災害補償を受くべき事由と同一の事由により労働者災害補償保険法（昭和二十二年法律第五十号）若しくは船員保険法による保険給付又は国土交通省令で指定する法令に基づいて災害補償に相当する給付を受くべきときは、船舶所有者は、災害補償の責を免れる。

Article 95 When a person who is to receive medical treatment, or payment of expenses, an allowance or a funeral service fee pursuant to the provisions of Article 89 through 94 (collectively referred to below as "accident compensation") is to receive insurance benefits based on Industrial Accident Compensation Insurance Act (Act No. 50 of 1947) or the Mariners Insurance Act, or benefits equivalent to accident compensation based on a law or regulation designated by Order of the Ministry of Land, Infrastructure, Transport and Tourism, due to the same grounds

as those for which the person is to receive accident compensation, the shipowner is exempt from the liability for accident compensation.

(審査及び仲裁)

(Administrative Review and Arbitration)

第九十六条 職務上の負傷、疾病、行方不明又は死亡の認定、療養の方法、災害補償の金額の決定その他災害補償の実施に関して異議のある者は、国土交通大臣に対して審査又は事件の仲裁を申し立てることができる。

Article 96 (1) A person who objects to an acknowledgement regarding an injury, illness, disappearance, or death occurring in the course of duties, to the means of medical treatment, to the determination of the amount of accident compensation, or to other matters concerning the implementation of that accident compensation may file a petition with the Minister of Land, Infrastructure, Transport and Tourism for an administrative review or for case arbitration.

2 国土交通大臣は、必要があると認めるときは、職権で審査又は事件の仲裁をすることができる。

(2) When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary, the Minister may undertake an administrative review or arbitrate a case on its own authority.

3 国土交通大臣は、審査又は事件の仲裁に際し船長その他の関係人の意見を聴かなければならない。

(3) If the Minister of Land, Infrastructure, Transport and Tourism undertakes an administrative review or arbitrating a case, the Minister must hear the opinions of the master and other persons concerned.

4 国土交通大臣は、審査又は事件の仲裁のため必要があると認めるときは、医師に診断又は検案をさせることができる。

(4) When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary for an administrative review or arbitration of a case, the Minister may have a physician make a diagnosis or perform an examination.

5 第一項の規定による審査又は事件の仲裁の申立て及び第二項の規定による審査又は事件の仲裁の開始は、時効の完成猶予及び更新に関しては、これを裁判上の請求とみなす。

(5) A petition for an administrative review or arbitration of a case under the provisions of paragraph (1) and the commencement of an administrative review or arbitration of a case under the provisions of paragraph (2) are deemed to be demands for a juridical determination with regard to postponement of expiration of the prescription period and renewal of the prescription period.

第十一章 就業規則

Chapter XI Rules of Employment

(就業規則の作成及び届出)

(Preparation and Notification of Rules of Employment)

第九十七条 常時十人以上の船員を使用する船舶所有者は、国土交通省令の定めるところにより、次の事項について就業規則を作成し、これを国土交通大臣に届け出なければならない。これを変更したときも同様とする。

Article 97 (1) A shipowner who regularly employs 10 or more mariners must prepare rules of employment covering the following matters and must file those rules with the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism. The same applies when the shipowner has changed the rules of employment:

一 給料その他の報酬

(i) salary and other remuneration;

二 労働時間

(ii) working hours;

三 休日及び休暇

(iii) holidays and leave;

四 定員

(iv) Manning.

2 前項の船舶所有者は、次の事項について就業規則を作成したときは、これを国土交通大臣に届け出なければならない。これを変更したときも同様とする。

(2) When the shipowner referred to in the preceding paragraph has prepared rules of employment covering the following matters, the shipowner must file those rules with the Minister of Land, Infrastructure, Transport and Tourism. The same applies when the shipowner has changed the rules of employment:

一 食料並びに安全及び衛生

(i) food, and safety and health;

二 被服及び日用品

(ii) clothing and daily necessities;

三 陸上における宿泊、休養、医療及び慰安の施設

(iii) onshore lodging, rest, medical care, and recreational facilities;

四 災害補償

(iv) accident compensation;

五 失業手当、雇止手当及び退職手当

(v) unemployment allowance, discharge allowance, and retirement allowance;

六 送還

(vi) repatriation;

七 教育

(vii) education;

八 賞罰

(viii) rewards and punishments;

九 その他の労働条件

(ix) other working conditions.

3 船舶所有者を構成員とする団体で法人たるものは、その構成員たる第一項の船舶所有者について適用される就業規則を作成して、これを届け出ることができる。その変更についても同様とする。

(3) A corporation as an association consisting of shipowners may prepare rules of employment that apply to the shipowner referred to in paragraph (1) who is a member of the association, and file a notification of those rules. The same applies to any changes to rules of employment.

4 前項の規定による届出があつたときは、同項に規定する船舶所有者は、当該就業規則の作成及びその作成又は変更の届出をしなくてもよい。

(4) When a notification under the provisions of the preceding paragraph has been filed, the shipowner under that paragraph is not required to prepare the rules of employment or file a notification of those rules or of any changes made to those rules.

5 第一項乃至第三項の規定による届出には、第九十八条の規定により聴いた意見を記載した書面を添附しなければならない。

(5) The notifications under paragraphs (1) through (3) must be accompanied by a document stating the opinions heard pursuant to the provisions of Article 98.

(就業規則の作成の手續)

(Procedures for Preparing Rules of Employment)

第九十八条 船舶所有者又は前条第三項に規定する団体は、就業規則を作成し、又は変更するには、その就業規則の適用される船舶所有者の使用する船員の過半数で組織する労働組合があるときは、その労働組合、船員の過半数で組織する労働組合がないときは、船員の過半数を代表する者の意見を聴かなければならない。

Article 98 In order to prepare or change rules of employment, a shipowner or an association under paragraph (3) of the preceding Article must hear the opinions of a labor union organized by a majority of the mariners employed by the shipowner to whom the rules of employment apply, when there is such a labor union, or must hear the opinions of a person representing a majority of the mariners when there is no labor union organized by a majority of the mariners.

(就業規則の監督)

(Overseeing the Rules of Employment)

第九十九条 国土交通大臣は、法令又は労働協約に違反する就業規則の変更を命ずることができる。

Article 99 (1) The Minister of Land, Infrastructure, Transport and Tourism may order a change of rules of employment that are in violation of a law or regulation or a collective agreement.

2 国土交通大臣は、就業規則が不当であると認めるときは、交通政策審議会又は地方運輸局に置かれる政令で定める審議会（以下「交通政策審議会等」という。）の議を経て、その変更を命ずることができる。

(2) When the Minister of Land, Infrastructure, Transport and Tourism finds the rules of employment to be unjust, the Minister may order a change of those rules

through deliberations at the Transportation Policy Council or a council established in a district transport bureau as specified by Cabinet Order (referred to below as the "Transportation Policy Council, etc.).

(就業規則の効力)

(Validity of Rules of Employment)

第百条 就業規則で定める基準に達しない労働条件を定める雇入契約は、その部分については、無効とする。この場合には、雇入契約は、その無効の部分については、就業規則で定める基準に達する労働条件を定めたものとみなす。

Article 100 An employment agreement which provides for working conditions that do not meet the standards established by rules of employment is void with regard to the portion of the agreement that does not meet those standards. In this case, the portion of the agreement that is void is deemed to provide for working conditions that meet the standards established by rules of employment.

第十一章の二 船員の労働条件等の検査等

Chapter XI-2 Inspections of Working Conditions for Mariners

(定期検査)

(Periodic Inspections)

第百条の二 総トン数五百トン以上の日本船舶（漁船その他国土交通省令で定める特別の用途に供される船舶を除く。以下「特定船舶」という。）の船舶所有者は、当該特定船舶を初めて本邦の港と本邦以外の地域の港との間又は本邦以外の地域の各港間の航海（以下「国際航海」という。）に従事させようとするときは、当該特定船舶に係る船員の労働条件、安全衛生その他の労働環境及び療養補償（以下「労働条件等」という。）について、国土交通大臣又は第百条の十二の規定により国土交通大臣の登録を受けた者（以下「登録検査機関」という。）の行う定期検査を受けなければならない。次条第一項の海上労働証書又は第百条の六第三項の臨時海上労働証書の交付を受けた特定船舶をその有効期間満了後も国際航海に従事させようとするときも、同様とする。

Article 100-2 (1) When the owner of a Japanese ship with a gross tonnage of 500 tons or more (excluding a fishing vessel or any other ship used for a special purpose as provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism; referred to below as a "specified ship") seeks to have the specified ship engage in a voyage between a port in Japan and a port in an area outside Japan or between ports in an area outside Japan (referred to below as an "international voyage") for the first time, the shipowner must undergo a periodic inspection by the Minister of Land, Infrastructure, Transport and Tourism or a person registered by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of the Article 100-12 (referred to below as a "registered inspection agency") regarding the working conditions, safety and health, and other aspects of the working environment, as well as medical compensation (referred to below as "working conditions, etc.") for the mariner of the specified ship. The same applies when a specified ship to which a maritime labor certificate stated in paragraph (1) of the following Article or an interim maritime labor certificate specified in Article

100-6, paragraph (3) has been issued seeks to be engaged in international voyages even after the validity period of those certificates expire.

2 前項の検査は、特定船舶以外の日本船舶（漁船その他同項の国土交通省令で定める特別の用途に供される船舶を除く。）であつて、国際航海に従事させようとするものについても、船舶所有者の申請により実施することができる。

(2) Upon application by the shipowner, the inspection referred to in the preceding paragraph may also be conducted for a Japanese ship other than a specified ship (excluding a fishing vessel, or any other ship used for a special purpose specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in that paragraph) that is to be engaged in international voyages.

(海上労働証書)

(Maritime Labor Certificate)

第百条の三 国土交通大臣は、国土交通大臣又は登録検査機関が前条第一項の検査の結果当該船舶が次に掲げる要件の全てに適合すると認めたときは、当該船舶の船舶所有者に対し、海上労働証書を交付しなければならない。国土交通大臣又は登録検査機関が同項の検査の結果当該船舶が次に掲げる要件のいずれかに適合していないと認めた場合において、国土交通大臣が当該要件に適合するために必要な措置が講じられたものと認めたときも、同様とする。

Article 100-3 (1) When, as a result of the inspection referred to in paragraph (1) of the preceding Article, the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency finds that the ship conforms to all of the following requirements, the Minister of Land, Infrastructure, Transport and Tourism must issue a maritime labor certificate to the owner of the ship. The same applies if, as a result of the inspection referred to in that paragraph, the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency finds that the ship does not conform to any of the following requirements, and when the Minister of Land, Infrastructure, Transport and Tourism finds that the necessary measures to conform to the requirements have been taken:

一 第三十二条第一項及び第三項の規定により、船員にこれらの規定に規定する書面が交付されていること。

(i) the documents provided for in Article 32, paragraphs (1) and (3) have been issued to the mariner pursuant to the provisions of those paragraphs;

二 第三十二条の二各号に掲げる者が船員として雇い入れられていないこと。

(ii) a person stated in the items of Article 32-2 is not employed as a mariner;

三 第三十六条第一項及び第二項の規定により、船員にこれらの規定に規定する書面が交付されていること。

(iii) the documents provided for in Article 36, paragraphs (1) and (2) have been issued to the mariner pursuant to the provisions of those paragraphs;

四 第三十六条第三項の規定により、同項に規定する書面の写しが船内に備え置かれていること。

(iv) a copy of the documents provided for in Article 36, paragraph (3) is kept on board the ship pursuant to the provisions of that paragraph;

五 第四十七条第一項又は第二項の規定による送還（当該送還に代えてするその費用の支払を含む。）を確実に実施するために必要な金額を担保するための保険契約の締結その他の措置が講じられていること。

(v) concluding an insurance contract and other measures have been taken to secure the necessary amount of money to ensure repatriation of a mariner (including payment of expenses in lieu of the repatriation) pursuant to the provisions of Article 47, paragraph (1) or (2);

六 第五十条第四項本文の規定により船員の勤務に関する事項が船員手帳に記載され、又は同項ただし書の規定により船員に同項ただし書に規定する書面が交付されていること。

(vi) matters concerning a mariner's work are stated in the Mariner's Pocket Ledger pursuant to the provisions of the main clause of Article 50, paragraph (4), or the document prescribed in the proviso to that paragraph is issued to the mariner pursuant to the provisions of the proviso to that paragraph;

七 第五十三条第一項及び第二項並びに第五十六条の規定により、船員に給料その他の報酬が支払われていること。

(vii) salary and other remuneration have been paid to the mariner pursuant to the provisions of Article 53, paragraphs (1) and (2) and Article 56;

八 第五十三条第三項の規定により、船員に同項に規定する書面が交付されていること。

(viii) the document provided for in Article 53, paragraph (3) has been issued to the mariner pursuant to the provisions of that paragraph;

九 船員の労働時間及び休日、第六十条第一項及び第二項、第六十一条、第六十二条、第六十四条第一項及び第二項、第六十四条の二第一項、第六十五条、第六十五条の二第一項（第八十八条の二の二第五項において準用する場合を含む。）及び第二項、第六十五条の二第三項及び第四項（これらの規定を第八十八条の二の二第五項において準用する場合を含む。）並びに第五項、第六十五条の三第一項及び第二項、同条第三項（第八十八条の二の二第六項において準用する場合を含む。）、第六十八条第一項、第七十一条、第七十二条、第八十八条の二、第八十八条の二の二第一項から第三項まで、第八十八条の三第一項から第三項まで並びに第八十八条の五の規定による基準に適合しているものであること。

(ix) the mariner's working hours and holidays conform to the standards under the provisions of Article 60, paragraphs (1) and (2), Article 61, Article 62, Article 64, paragraphs (1) and (2), Article 64-2, paragraph (1), Article 65, Article 65-2, paragraph (1) (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraph (5)) and paragraph (2), Article 65-2, paragraphs (3) and (4) (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraph (5)), and paragraph (5), Article 65-3, paragraphs (1) and (2), Article 65-3, paragraph (3) (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraph (6)), Article 68,

paragraph (1), Article 71, Article 72, Article 88-2, Article 88-2-2, paragraphs (1) through (3), Article 88-3, paragraphs (1) through (3), and Article 88-5;

十 第六十六条の二の規定により、通常配置表が定められ、及びこれが掲示されていること。

(x) a table with shipboard working arrangement is provided and posted pursuant to the provisions of Article 66-2;

十一 第六十七条第一項の規定により同項に規定する事項が記録簿に記載されており、かつ、同条第二項の規定によりその写しが船員に交付されていること。

(xi) the matters prescribed in Article 67, paragraph (1) are entered in the record book pursuant to the provisions of that paragraph, and a copy of the record book is issued to the mariner pursuant to the provisions of paragraph (2) of that Article;

十二 第七十条の規定により、必要な員数の海員が乗り組んでいること。

(xii) the necessary number of seamen are on board pursuant to the provisions of Article 70;

十三 第八十条第一項から第三項までの規定により、船員に食料が支給されていること。

(xiii) food is provided to the mariner pursuant to the provisions of Article 80, paragraphs (1) through (3);

十四 第八十条第四項の国土交通省令で定める船舶にあつては、同項の国土交通省令で定める基準に該当する者が乗り組んでいること。

(xiv) for a ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 80, paragraph (4), a person meeting the standards specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in that paragraph is on board;

十五 船内作業による危害の防止及び船内衛生の保持に関し第八十一条第一項の国土交通省令で定める事項が遵守されていること。

(xv) the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 81, paragraph (1) with regard to preventing any harm resulting from work on board the ship and maintaining health on board the ship are being complied with;

十六 第八十一条第二項の国土交通省令で定める危険な船内作業に、同項の国土交通省令で定める経験又は技能を有しない船員が従事していないこと。

(xvi) a mariner who does not have the career or skills specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 81, paragraph (2) is not engaged in any dangerous work on board specified by the Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in that paragraph;

十七 第八十一条第三項各号に掲げる船員が作業に従事していないこと。

(xvii) the mariner stated in the items of Article 81, paragraph (3) is not engaged in any work;

十八 第八十二条第一号及び第二号に掲げる船舶にあつては、同条の規定により、医師が乗り組んでいること。

(xviii) for a ship stated in Article 82, items (i) and (ii), a physician is on board pursuant to the provisions of that Article;

十九 第八十二条の二第一項第一号に掲げる船舶にあつては、同項及び同条第二項の規定により、衛生管理者が選任されていること。

(xix) for a ship stated in Article 82-2, paragraph (1), item (i), a health supervisor is appointed pursuant to the provisions of that paragraph and paragraph (2) of that Article;

二十 第八十三条第一項の健康証明書を持たない者が船舶に乗り組んでいないこと。

(xx) a person is not on board the ship without a medical certificate as referred to in Article 83, paragraph (1);

二十一 年齢十六年未満の者が船員として使用されていないこと。

(xxi) a person under 16 years of age is not employed as a mariner;

二十二 年齢十八年未満の船員が第八十一条第二項の国土交通省令で定める危険な船内作業又は第八十五条第二項の国土交通省令で定める当該船員の安全及び衛生上有害な作業に従事していないこと。

(xxii) a mariner under 18 years of age is not engaged in any dangerous work on board as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 81, paragraph (2) or work harmful to their safety and health as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 85, paragraph (2);

二十三 年齢十八年未満の船員が第八十六条の規定により作業に従事させてはならない時刻の間において作業に従事していないこと。

(xxiii) a mariner under 18 years of age is not engaged in work during the hours during which, pursuant to the provisions of Article 86, it is prohibited to have the mariner engage in work;

二十四 第八十九条の規定により、船員が負傷し、又は疾病にかかつたとき（第九十五条に規定する場合を除く。）において、船舶所有者がその費用で療養を施し、又は療養に必要な費用を負担していること。

(xxiv) when a mariner is injured or falls ill (excluding the case prescribed in Article 95), the shipowner provides medical treatment at the shipowner's own expense or covers the necessary expenses for medical treatment pursuant to the provisions of Article 89;

二十五 第九十二条の障害手当及び第九十三条の遺族手当を確実に支払うために必要な金額を担保するための保険契約の締結その他の措置が講じられていること。

(xxv) concluding an insurance contract and other measures have been taken to secure the necessary amount of money to ensure that the disability allowance as referred to in Article 92 and the allowance for bereaved family as referred to in Article 93 are paid;

二十六 第百十三条第一項の規定により、同項に規定する書類が船内の見やすい場所に掲示され、又は備え置かれていること。

(xxvi) pursuant to the provisions of Article 113, paragraph (1), the document prescribed in that paragraph is displayed or kept in a clearly visible location on board the ship;

二十七 第百十七条の二第一項の国土交通省令で定める船舶にあつては、同項の規定により、同項に規定する航海当直部員が乗り組んでいること。

(xxvii) for a ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 117-2, paragraph (1), a navigational watchkeeping rating prescribed in that paragraph is on board pursuant to the provisions of that paragraph;

二十八 第百十八条の六第一項の規定により、同項に規定する船内苦情処理手続が定められていること。

(xxviii) the procedures for processing on-board complaints provided for in Article 118-6, paragraph (1) have been established pursuant to the provisions of that paragraph;

二十九 第百十八条の六第二項の規定により、船員に同項に規定する書面が交付されていること。

(xxix) the document provided for in Article 118-6, paragraph (2) has been issued to the mariner pursuant to the provisions of that paragraph;

三十 第百十八条の六第三項の規定により、同条第一項の苦情が処理されていること。

(xxx) the complaints referred to in Article 118-6, paragraph (1) are processed pursuant to the provisions of paragraph (3) of that Article;

三十一 第百十八条の六第一項の苦情の申出をしたことを理由として、船員に対して不利益な取扱いがされていないこと。

(xxxii) the mariner is not treated disadvantageously on the grounds of having filed a complaint under Article 118-6, paragraph (1);

三十二 有効な船舶安全法（昭和八年法律第十一号）第九条第一項の船舶検査証書又は同条第二項の臨時航行許可証の交付を受けていること。

(xxxiii) a valid ship inspection certificate under Article 9, paragraph (1) of the Ship Safety Act (Act No. 11 of 1933) or a valid temporary navigation permit under paragraph (2) of that Article has been issued;

三十三 船舶職員及び小型船舶操縦者法第二条第一項に規定する船舶（同条第四項に規定する小型船舶を除く。）にあつては、同法第十八条、第十九条第一項及び第二十三条第五項の規定により、同法第二条第二項に規定する船舶職員が乗り組んでいること。

(xxxiiii) for a ship provided for in Article 2, paragraph (1) of the Act on Ships' Officers and Boats' Operators (excluding a boat provided for in paragraph (4) of that Article), the ship is boarded by a ship's officer provided for in Article 2, paragraph (2) of that Act pursuant to the provisions of Article 18, Article 19, paragraph (1), and Article 23, paragraph (5) of that Act;

三十四 国土交通省令で定めるところにより、当該船舶が前各号に掲げる要件に適合するために船舶所有者が実施すべき事項並びにその管理の体制及び方法が定められており、かつ、これらが適確に実施されていること。

(xxxiv) pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the measures to be implemented by the shipowner in order for the ship to conform to the requirements stated in the preceding items, as well as a management system and management methods for those measures have been established and properly implemented.

2 前項の海上労働証書（以下「海上労働証書」という。）の有効期間は、五年とする。

(2) The period of validity of the maritime labor certificate stated in the preceding paragraph (referred to below as "maritime labor certificate") is five years.

3 前条第一項後段の検査の結果第一項の規定による海上労働証書の交付を受けることができる特定船舶であつて、国土交通省令で定める事由により従前の海上労働証書の有効期間が満了するまでの間において当該検査に係る海上労働証書の交付を受けることができなかつたものについては、従前の海上労働証書の有効期間は、前項の規定にかかわらず、当該検査に係る海上労働証書が交付される日又は従前の海上労働証書の有効期間が満了する日の翌日から起算して五月を経過する日のいずれか早い日までの期間とする。

(3) Notwithstanding the provisions of the preceding paragraph, for a specified ship for which a maritime labor certificate may be issued pursuant to the provisions of paragraph (1) based on the results of the inspection referred to in the second sentence of paragraph (1) of the preceding Article and for which a maritime labor certificate related to that inspection could not be issued before the validity period of the previous maritime labor certificate expires due to the reasons specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the validity period of the previous maritime labor certificate is to be the period until the day on which the maritime labor certificate related to that inspection is issued or the day on which five months have elapsed from the day following the expiry date of the previous maritime labor certificate, whichever comes earlier.

4 前二項の規定にかかわらず、海上労働証書の交付を受けた船舶の船舶所有者の変更があつたときは、当該船舶に交付された海上労働証書の有効期間は、その変更があつた日に満了したものとみなす。

(4) Notwithstanding the provisions of the preceding two paragraphs, when there has been a change in the owner of a ship for which a maritime labor certificate has been issued, the validity period of the maritime labor certificate issued for the ship is deemed to have expired on the day of the change.

5 次に掲げる場合における海上労働証書の有効期間は、第二項の規定にかかわらず、従前の海上労働証書の有効期間（第二号に掲げる場合にあつては、第三項の規定の適用がないものとした場合の有効期間）が満了する日の翌日から起算して五年を経過する日までの期間とする。

(5) Notwithstanding the provisions of paragraph (2), the validity period of a maritime labor certificate in the following cases is to be the period until the day on which five years have elapsed from the day following the expiry date of the validity period for the previous maritime labor certificate (in the case stated in item (ii), the validity period based on the assumption that the provisions of paragraph (3) do not apply):

一 従前の海上労働証書の有効期間が満了する日前三月以内に受けた前条第一項後段の検査に係る海上労働証書の交付を受けたとき。

(i) when a maritime labor certificate is issued based on the inspection under the second sentence of paragraph (1) of the preceding Article which was carried out within three months before the expiry date of the validity period of the previous maritime labor certificate; and

二 従前の海上労働証書の有効期間について第三項の規定の適用があつたとき。

(ii) when the provisions of paragraph (3) have been applied to the validity period of the previous maritime labor certificate.

(中間検査)

(Intermediate inspection)

第百条の四 海上労働証書の交付を受けた船舶の船舶所有者は、当該海上労働証書の有効期間中において国土交通省令で定める時期に、当該船舶に係る船員の労働条件等について国土交通大臣又は登録検査機関の行う中間検査を受けなければならない。

Article 100-4 The owner of a ship for which a maritime labor certificate has been issued must undergo an intermediate inspection by the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency regarding the working conditions, etc. of the mariner on that ship at a time specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism during the validity period of the maritime labor certificate.

(海上労働証書の効力の停止)

(Suspension of the Validity of a Maritime Labor Certificate)

第百条の五 国土交通大臣は、国土交通大臣又は登録検査機関が前条の検査の結果当該船舶が第百条の三第一項各号に掲げる要件のいずれかに適合していないと認めるときは、当該要件に適合するために必要な措置が講じられたものと認めるまでの間、当該船舶に交付された海上労働証書の効力を停止するものとする。

Article 100-5 When, as a result of the inspection referred to in the preceding Article, the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency finds that the ship does not conform to any of the requirements stated in the items of Article 100-3, paragraph (1), the Minister of Land, Infrastructure, Transport and Tourism is to suspend the validity of the maritime labor certificate issued for the ship until the Minister finds that necessary measures have been taken for the ship to conform to the requirements.

(臨時海上労働証書)

(Interim Maritime Labor Certificate)

第百条の六 特定船舶の船舶所有者は、当該特定船舶について船舶所有者の変更があつたことその他の国土交通省令で定める事由により有効な海上労働証書の交付を受けていない当該特定船舶を臨時に国際航海に従事させようとするときは、当該特定船舶に係る船員の労働条件等について、国土交通大臣又は登録検査機関（当該特定船舶が海上運送法第三十八条第四項の規定による検査を受けた船舶であるときは、正当な理由がある場合を除き、国土交通大臣又は登録検査機関のうち当該検査を行つたもの）の行う検査を受けなければならない。

Article 100-6 (1) When the owner of a specified ship seeks to temporarily use the specified ship for international voyages for which a valid maritime labor certificate has not been issued due to a change in the shipowner or on any other grounds specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, the shipowner must undergo an inspection by the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency (when the specified ship has undergone an inspection under the provisions of Article 38, paragraph (4) of the Marine Transportation Act, the Minister of Land, Infrastructure, Transport and Tourism or the registered inspection agency that conducted the inspection, unless there are legitimate grounds for not doing so) regarding the working conditions, etc. of the mariner on the specified ship.

2 前項の検査は、特定船舶以外の日本船舶（漁船その他第百条の二第一項の国土交通省令で定める特別の用途に供される船舶を除く。）であつて、前項の国土交通省令で定める事由により有効な海上労働証書の交付を受けていないものを臨時に国際航海に従事させようとするものについても、船舶所有者の申請により実施することができる。

(2) The inspection stated in the preceding paragraph may also be implemented, upon application by the shipowner, for a Japanese ship other than a specified ship (excluding a fishing vessel or any other ship used for a special purpose specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 100-2, paragraph (1)), for which a valid maritime labor certificate has not been issued due to the grounds specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in the preceding paragraph, and which is to be temporarily used for international voyages.

3 国土交通大臣は、国土交通大臣又は登録検査機関が第一項の検査の結果当該船舶が次に掲げる要件の全てに適合すると認めたときは、当該船舶の船舶所有者に対し、臨時海上労働証書を交付しなければならない。

(3) The Minister of Land, Infrastructure, Transport and Tourism must issue an interim maritime labor certificate to a shipowner when the Minister of Land, Infrastructure, Transport and Tourism or a registered inspection agency finds that the ship conforms to all of the following requirements as a result of the inspection as referred to in paragraph (1):

一 第百条の三第一項第一号から第五号まで、第十号、第十二号、第十四号、第十八号から第二十一号まで、第二十五号から第二十九号まで、第三十二号及び第三十三号の要件に適合していること。

(i) the ship conforms to the requirements of Article 100-3, paragraph (1), items (i) through (v), item (x), item (xii), item (xiv), items (xviii) through (xxi), items (xxv) through (xxix), items (xxxii), and (xxxiii);

二 船内作業による危害の防止及び船内衛生の保持に関し第八十一条第一項の国土交通省令で定める事項のうち、作業用具の整備、船内衛生の保持に必要な設備の設置及び物品の備付け並びに船内作業による危害の防止及び船内衛生の保持に関する措置の船内における実施及びその管理の体制の整備に関するものとして国土交通省令で定める事項が遵守されていること。

(ii) among the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 81, paragraph (1) with regard to preventing any harm resulting from work on board the ship and maintaining health on board the ship, the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism with regard to adjusting work tools, installing equipment and providing items necessary for maintaining sanitation on board the ship, and implementing measures on board to prevent any harm resulting from work on board and maintain health on board, and developing a system for managing those measures are complied with; and

三 国土交通省令で定めるところにより、当該船舶が第百条の三第一項第一号から第三十三号までに掲げる要件に適合するために船舶所有者が実施すべき事項並びにその管理の体制及び方法が定められていること。

(iii) pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the measures to be implemented by the shipowner in order for the ship to conform to the requirements stated in Article 100-3, paragraph (1), items (i) through (xxxiii), as well as a management system and management methods for those measures have been established.

4 前項の臨時海上労働証書（以下「臨時海上労働証書」という。）の有効期間は、六月とする。ただし、その有効期間は、当該船舶の船舶所有者が当該船舶について海上労働証書の交付を受けたときは、満了したものとみなす。

(4) The validity period of the interim maritime labor certificate referred to in the preceding paragraph (referred to below as the "interim maritime labor certificate") is to be six months; provided, however, that the validity period is deemed to have expired when the shipowner is issued a maritime labor certificate for the ship.

5 第百条の三第四項の規定は、臨時海上労働証書について準用する。

(5) The provisions of Article 100-3, paragraph (4) apply mutatis mutandis to an interim maritime labor certificate.

(特定船舶の航行)

(Navigation of Specified Ships)

第百条の七 特定船舶は、有効な海上労働証書又は臨時海上労働証書の交付を受けているものでなければ、国際航海に従事させてはならない。

Article 100-7 A specified ship must not be used for international voyages unless a valid maritime labor certificate or an interim maritime labor certificate has been issued for that ship.

(海上労働証書等の備置き)

(Keeping the Maritime Labor Certificate on Board)

第百条の八 海上労働証書又は臨時海上労働証書の交付を受けた特定船舶の船舶所有者は、当該特定船舶内に、国土交通省令で定めるところにより、これらの証書を備え置かなければならない。

Article 100-8 The owner of a specified ship for which a maritime labor certificate or an interim maritime labor certificate has been issued must keep that certificate on board the specified ship pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(再検査)

(Reinspection)

第百条の九 第百条の二第一項、第百条の四又は第百条の六第一項の検査（以下「法定検査」という。）の結果に不服がある者は、その結果に関する通知を受けた日の翌日から起算して三十日以内に、その理由を記載した文書を添えて国土交通大臣に再検査を申請することができる。

Article 100-9 (1) A person who is dissatisfied with the result of an inspection under Article 100-2, paragraph (1), Article 100-4, or Article 100-6, paragraph (1) (referred to below as the "statutory inspection") may submit an application for reinspection with the Minister of Land, Infrastructure, Transport and Tourism within 30 days from the day following the day on which that person is notified of the result, with a document stating the reasons attached.

2 法定検査又は前項の再検査の結果に不服がある者は、その取消しの訴えを提起することができる。

(2) A person who is dissatisfied with the results of a statutory inspection or a reinspection under the preceding paragraph may file an action for the cancellation of the inspection.

3 再検査を申請した者は、国土交通大臣の許可を受けた後でなければ関係する帳簿書類その他の物件の現状を変更してはならない。

(3) A person who has applied for a reinspection must not change the current state of any related books and documents, or any other related items until after obtaining the permission of the Minister of Land, Infrastructure, Transport and Tourism.

4 法定検査の結果に不服がある者は、第一項及び第二項の規定によることによつてのみこれを争うことができる。

(4) A person who is dissatisfied with the results of a statutory inspection may only dispute this based on the provisions of paragraphs (1) and (2).

(証書の返納命令)

(Order to Return Certificates)

第百条の十 国土交通大臣は、海上労働証書の交付を受けた船舶が、第百条の三第一項各号に掲げる要件のいずれかに適合しなくなつたと認めるときは、当該船舶の船舶所有者に対し、海上労働証書の返納を命ずることができる。

Article 100-10 (1) When the Minister of Land, Infrastructure, Transport and Tourism finds that a ship to which a maritime labor certificate has been issued no longer conforms to any of the requirements stated in the items of Article 100-3, paragraph (1), the Minister may order the owner of the ship to return the maritime labor certificate.

2 国土交通大臣は、臨時海上労働証書の交付を受けた船舶が、第百条の六第三項各号に掲げる要件のいずれかに適合しなくなつたと認めるときは、当該船舶の船舶所有者に対し、臨時海上労働証書の返納を命ずることができる。

(2) When the Minister of Land, Infrastructure, Transport and Tourism finds that a ship to which an interim maritime labor certificate has been issued no longer conforms to any of the requirements stated in the items of Article 100-6, paragraph (3), the Minister may order the owner of the ship to return the interim maritime labor certificate.

(国土交通省令への委任)

(Matters to Be Determined by Order of the Ministry of Land, Infrastructure, Transport and Tourism)

第百条の十一 法定検査の申請書の様式、法定検査の実施方法その他法定検査に関し必要な事項並びに海上労働証書及び臨時海上労働証書の様式、これらの証書の交付、再交付及び書換えその他これらの証書に関し必要な事項は、国土交通省令で定める。

Article 100-11 The application form for a statutory inspection, the implementation method for a statutory inspection, and other necessary matters concerning a statutory inspection, as well as the form of the maritime labor certificate and the interim maritime labor certificate, issuance, re-issuance, and renewal of these certificates, and other necessary matters concerning these certificates are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第十一章の三 登録検査機関

Chapter XI-3 Registered Inspection Agencies

(登録)

(Registration)

第百条の十二 第百条の二第一項の規定による登録（以下単に「登録」という。）は、法定検査を行おうとする者の申請により行ふ。

Article 100-12 (1) The registration under the provisions of Article 100-2, paragraph (1) (referred to below simply as "registration") is made upon application by a person who intends to conduct a statutory inspection.

2 国土交通大臣は、前項の規定により登録の申請をした者（以下この項及び次項において「登録申請者」という。）が次に掲げる要件の全てに適合しているときは、その

登録をしなければならない。この場合において、登録に関して必要な手続は、国土交通省令で定める。

(2) The Minister of Land, Infrastructure, Transport and Tourism must register a person who has applied for registration pursuant to the provisions of the preceding paragraph (referred to below as a "registration applicant" in this paragraph and the following paragraph) when that person conforms to all of the following requirements. In this case, the necessary registration procedures are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 次に掲げる条件のいずれかに適合する知識経験を有する者（第百条の十七において「検査員」という。）が検査を実施すること。

(i) an inspection is conducted by a person who has knowledge and career conforming to any of the following conditions (referred to as an "inspector" in Article 100-17): and

イ 船員の労働条件等の検査について三年以上の実務の経験を有すること。

(a) the person has at least three years of practical career in inspecting the working conditions, etc. of a mariner;

ロ 船舶職員及び小型船舶操縦者法第二条第二項に規定する船舶職員として五年以上の乗船経験を有すること。

(b) the person has at least five years of career on board as a ship's officer prescribed in Article 2, paragraph (2) of the Act on Ships' Officers and Boats' Operators; or

ハ イ又はロに掲げる者と同等以上の知識経験を有すること。

(c) the person has a level of knowledge and career equal to or greater than the persons stated in (a) or (b);

二 登録申請者が、船舶所有者に支配されているものとして次のいずれかに該当するものでないこと。

(ii) the registration applicant does not fall under any of the following sub-items as a person under a shipowner's control:

イ 登録申請者が株式会社である場合にあつては、船舶所有者がその親法人（会社法（平成十七年法律第八十六号）第八百七十九条第一項に規定する親法人をいい、当該登録申請者が外国にある事務所において検査に係る業務（以下「検査業務」という。）を行おうとする者である場合にあつては、外国における同法の親法人に相当するものを含む。）であること。

(a) if the registration applicant is a stock company, the shipowner is its parent corporation (meaning a parent corporation as prescribed in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005), and if the registration applicant is a person that seeks to perform services related to inspections at offices located in a foreign country (referred to below as "inspection services"), including a person that corresponds to a parent corporation in a foreign country as prescribed in that Act);

ロ 登録申請者の役員（持分会社（会社法第五百七十五条第一項に規定する持分会社をいう。）にあつては、業務を執行する社員）に占める船舶所有者の役員又は職員（過

去二年間に当該船舶所有者の役員又は職員であつた者を含む。)の割合が二分の一を超えていること。

(b) an executive officer or employee of a shipowner (including a person who has been an executive officer or employee of the shipowner in the past two years) account for more than half of the executive officers of the registration applicant (for a membership company (meaning a membership company prescribed in Article 575, paragraph (1) of the Companies Act), a partner who performs the services); or

ハ 登録申請者（法人にあつては、その代表権を有する役員）が、船舶所有者の役員又は職員（過去二年間に当該船舶所有者の役員又は職員であつた者を含む。）であること。

(c) the registration applicant (if the applicant is a corporation, its representative officer) is an executive officer or employee of a shipowner (including a person who has been an executive officer or employee of the shipowner in the past two years).

3 国土交通大臣は、登録申請者が、次の各号のいずれかに該当するときは、登録をしてはならない。

(3) When a registration applicant falls under any of the following items, the Minister of Land, Infrastructure, Transport and Tourism must not grant the registration:

一 この法律、船舶安全法、船員職業安定法若しくは船舶職員及び小型船舶操縦者法又はこれらの法律に基づく命令に違反し、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない者

(i) a person that has been sentenced to a fine or heavier punishment for violating this Act, the Ship Safety Act, the Mariners' Employment Security Act or the Act on Ships' Officers and Boats' Operators, or an order based on one of these Acts, if two years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

二 第百条の二十六第一項又は第二項の規定により登録を取り消され、その取消の日から二年を経過しない者

(ii) a person whose registration has been revoked pursuant to the provisions of Article 100-26, paragraph (1) or paragraph (2), if two years have not yet passed since the date of that revocation; or

三 法人であつて、その業務を行う役員のうち前二号のいずれかに該当する者があるもの

(iii) a corporation, any of whose officers in charge of its services fall under either of the preceding two items.

4 登録は、登録検査機関登録簿に次に掲げる事項を記載してするものとする。

(4) The registration is to be made by entering the following matters in the registry of registered inspection agency:

一 登録年月日及び登録番号

(i) date of registration and registration number;

二 登録を受けた者の氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(ii) the name and address of the person registered, as well as the name of the representative if the person is a corporation;

三 登録を受けた者が検査を行う事業所の所在地

(iii) the location of the place of business where the registered person conducts inspections; and

四 前三号に掲げるもののほか、国土交通省令で定める事項

(iv) in addition to what is stated in the preceding three items, matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(登録の更新)

(Renewal of Registration)

第百条の十三 登録は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 100-13 (1) Unless the registration is renewed at an interval of not less than three years as specified by Cabinet Order, the registration ceases to be effective upon the expiration of the relevant period.

2 前条の規定は、前項の登録の更新について準用する。

(2) The provisions of the preceding Article apply mutatis mutandis to the renewal of the registration referred to in the preceding paragraph.

(検査の義務)

(Obligation to Inspect)

第百条の十四 登録検査機関は、検査を行うことを求められたときは、正当な理由がある場合を除き、遅滞なく、検査を行わなければならない。

Article 100-14 (1) When requested to conduct an inspection, a registered inspection agency must conduct the inspection without delay except when there are justifiable grounds not to do so.

2 登録検査機関は、公正に、かつ、第百条の十二第二項第一号に掲げる要件に適合する方法により検査を行わなければならない。

(2) A registered inspection agency must conduct an inspection fairly and in a manner that conforms to the requirements stated in Article 100-12, paragraph (2), item (i).

(登録事項の変更の届出)

(Notification of Changes to Registered Information)

第百条の十五 登録検査機関は、第百条の十二第四項第二号から第四号までに掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、国土交通大臣に届け出なければならない。

Article 100-15 A registered inspection agency that intends to change any of the matters stated in Article 100-12, paragraph (4), items (ii) through (iv) must notify the Minister of Land, Infrastructure, Transport and Tourism no later than two weeks before the date on which the change is to be made.

(検査業務規程)

(Operational Rules for Inspections)

第百条の十六 登録検査機関は、検査業務の開始前に、検査業務の実施に関する規程（以下この章において「検査業務規程」という。）を定め、国土交通大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 100-16 (1) A registered inspection agency must establish rules for performing inspection services (referred to below as "operational rules for inspections" in this Chapter) and have those rules authorized by the Minister of Land, Infrastructure, Transport and Tourism before the commencement of inspection services. The same applies when a registered inspection agency intends to change the rules.

2 国土交通大臣は、前項の認可をした検査業務規程が検査業務の適正かつ確実な実施上不適当となつたと認めるときは、登録検査機関（外国にある事務所において検査業務を行う登録検査機関（以下「外国登録検査機関」という。）を除く。）に対し、その検査業務規程を変更すべきことを命ずることができる。

(2) When the Minister of Land, Infrastructure, Transport and Tourism finds that the operational rules for inspections authorized by the Minister as specified in the preceding paragraph have become inappropriate for a proper and reliable performance of the inspection services, the Minister may order the registered inspection agency (excluding a registered inspection agency that performs inspection services in an office located in a foreign country (referred to below as the "foreign registered inspection agency")) to change the operational rules for inspections.

3 検査業務規程には、検査業務の実施方法、専任の管理責任者の選任その他の検査業務の信頼性を確保するための措置、検査に関する料金その他の国土交通省令で定める事項を定めておかなければならない。

(3) Operational rules for inspections must specify the method for performing inspection services, the appointment of a full-time management supervisor, and other measures for ensuring the reliability of inspection services, as well as inspection fees and other matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(検査員)

(Inspectors)

第百条の十七 登録検査機関は、検査員を選任したときは、その日から十五日以内に、国土交通大臣にその旨を届け出なければならない。これを変更したときも、同様とする。

Article 100-17 (1) After appointing an inspector, a registered inspection agency must notify the Minister of Land, Infrastructure, Transport and Tourism of that fact within 15 days from the date of appointment. The same applies when the registered inspection agency changes the appointed inspector.

2 国土交通大臣は、検査員が、この法律、この法律に基づく命令若しくは処分若しくは前条第一項の規定により認可を受けた検査業務規程に違反する行為をしたとき、又は検査業務に関し著しく不適当な行為をしたときは、登録検査機関（外国登録検査機関を除く。）に対し、検査員の解任を命ずることができる。

(2) The Minister of Land, Infrastructure, Transport and Tourism may order a registered inspection agency (excluding a foreign registered inspection agency) to dismiss an inspector when the inspector has committed an act in violation of this Act, an order or disposition based on this Act, or an operational rule for inspections authorized pursuant to the provisions of paragraph (1) of the preceding Article, or when the inspector has committed an extremely inappropriate act in relation to inspection services.

3 前項の規定による命令により検査員の職を解任され、解任の日から二年を経過しない者は、検査員となることができない。

(3) A person who has been dismissed from the position of an inspector by an order under the provisions of the preceding paragraph and for whom two years have not elapsed from the day of the dismissal may not become an inspector.

(役員及び職員の公務員たる性質)

(Status of Executive Officers and Employees as Public Employees)

第百条の十八 登録検査機関の役員及び職員で検査業務に従事するものは、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

Article 100-18 With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, an executive officer and employee of a registered inspection agency who are engaged in inspection services are deemed to be personnel members engaged in public service pursuant to laws and regulations.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspecting Financial Statements)

第百条の十九 登録検査機関は、毎事業年度経過後三月以内に、当該事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（その作成に代えて電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下この条において同じ。）の作成がされている場合における当該電磁的記録を含む。次項、第百条の二十六第二項第四号及び第三百三十六条において「財務諸表等」という。）を作成し、国土交通大臣に提出するとともに、五年間事務所に備えて置かなければならない。

Article 100-19 (1) Within three months after the end of each business year, a registered inspection agency must prepare an inventory of assets, a balance sheet and a profit and loss statement or an income and expenditure statement, and a business report, for the relevant business year (if electronic or magnetic records are prepared instead of paper documents (meaning records that are used in computer data processing and are created in electronic form, magnetic form, or any other

form that cannot be perceived by the human senses; the same applies below in this Article), including those electronic or magnetic records; referred to as "financial statement, etc." in the following paragraph, Article 100-26, paragraph (2), item (iv), and Article 136), submit those documents to the Minister of Land, Infrastructure, Transport and Tourism, and keep them at the agency's office for five years.

2 船舶所有者その他の利害関係人は、登録検査機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録検査機関の定めた費用を支払わなければならない。

(2) A shipowner or any other interested person may make the following requests at any time during the business hours of a registered inspection agency; provided, however, that the shipowner or interested person must pay a fee specified by the registered inspection agency when making a request stated in item (ii) or item (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) when financial statements, etc. are prepared as written documents, a request for inspection or copy of the written documents;

二 前号の書面の謄本又は抄本の請求

(ii) a request for a transcript or extract of the documents stated in the preceding item;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を国土交通省令で定める方法により表示したものの閲覧又は謄写の請求

(iii) when financial statements, etc. have been prepared as electronic or magnetic records, a request to inspect or copy anything that shows the matters recorded in those electronic or magnetic records in a manner prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism; and

四 前号の電磁的記録に記録された事項を電磁的方法であつて国土交通省令で定めるものにより提供することの請求又は当該事項を記載した書面の交付の請求

(iv) a request to be provided with the matters in an electronic or magnetic record as referred to in the preceding item by an electronic or magnetic means that is specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, or a request to be issued a document that states those matters.

(業務の休廃止)

(Suspending or Discontinuing Services)

第百条の二十 登録検査機関は、国土交通大臣の許可を受けなければ、検査業務の全部又は一部を休止し、又は廃止してはならない。

Article 100-20 A registered inspection agency must not suspend or discontinue all or part of its inspection services without the permission of the Minister of Land, Infrastructure, Transport and Tourism.

(適合命令)

(Compliance Order)

第百条の二十一 国土交通大臣は、登録検査機関（外国登録検査機関を除く。）が第百条の十二第二項各号のいずれかに適合しなくなつたと認めるときは、その登録検査機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 100-21 When the Minister of Land, Infrastructure, Transport and Tourism finds that a registered inspection agency (excluding a foreign registered inspection agency) no longer conforms to any of the items of Article 100-12, paragraph (2), the Minister may order the registered inspection agency to take necessary measures to conform to those provisions.

(改善命令)

(Improvement Order)

第百条の二十二 国土交通大臣は、登録検査機関（外国登録検査機関を除く。）が第百条の十四の規定に違反していると認めるときは、その登録検査機関に対し、同条の規定による検査業務を行うべきこと又は検査の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

Article 100-22 When the Minister of Land, Infrastructure, Transport and Tourism finds that a registered inspection agency (excluding a foreign registered inspection agency) is in violation of the provisions of Article 100-14, the Minister may order the registered inspection agency to perform inspection services pursuant to the provisions of that Article or to take necessary measures to improve inspection methods and other service methods.

(準用)

(Application Mutatis Mutandis)

第百条の二十三 第百条の十六第二項、第百条の十七第二項及び前二条の規定は、外国登録検査機関について準用する。この場合において、これらの規定中「命ずる」とあるのは、「請求する」と読み替えるものとする。

Article 100-23 The provisions of Article 100-16, paragraph (2), Article 100-17, paragraph (2), and the preceding two Articles apply mutatis mutandis to a foreign registered inspection agency. In this case, the term "order" in these provisions is deemed to be replaced with "request".

(報告の徴収)

(Collection of Reports)

第百条の二十四 国土交通大臣は、この法律を施行するため必要があると認めるときは、登録検査機関（外国登録検査機関を除く。）に対し、その業務又は経理の状況に関し報告をさせることができる。

Article 100-24 When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary for the enforcement of this Act, the Minister may have a registered inspection agency (excluding a foreign registered inspection agency) report on the status of its services or accounting.

(立入検査)

(On-Site Inspections)

第百条の二十五 国土交通大臣は、この法律を施行するため必要があると認めるときは、その職員に、登録検査機関（外国登録検査機関を除く。）の事務所又は事業所に立ち入り、業務の状況又は帳簿書類その他の物件を検査させることができる。

Article 100-25 (1) When the Minister of Land, Infrastructure, Transport and Tourism finds it necessary for the enforcement of this Act, the Minister may have an official of the Ministry enter the offices or places of business of a registered inspection agency (excluding a foreign registered inspection agency) and inspect the status of the services or books and documents, or any other items.

2 前項の規定により立入検査をする場合においては、当該職員は、その身分を示す証明書を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) If conducting an on-site inspection pursuant to the provisions of the preceding paragraph, the relevant official must carry an identification document and present it when requested by any person concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection under the provisions of paragraph (1) must not be construed as being granted for criminal investigation purposes.

(登録の取消し等)

(Revocation of Registration)

第百条の二十六 国土交通大臣は、登録検査機関（外国登録検査機関を除く。）が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて検査業務の全部若しくは一部の停止を命ずることができる。

Article 100-26 (1) When a registered inspection agency (excluding a foreign registered inspection agency) falls under any of the following items, the Minister of Land, Infrastructure, Transport and Tourism may revoke its registration or order a full or partial suspension of its inspection services for a specified period:

一 第百条の十二第三項第一号又は第三号に該当するに至ったとき。

(i) when the agency has come to fall under Article 100-12, paragraph (3), item (i) or item (iii);

二 第百条の十五、第百条の十七第一項、第百条の十九第一項、第百条の二十又は次条の規定に違反したとき。

(ii) when the agency has violated the provisions of Article 100-15, Article 100-17, paragraph (1), Article 100-19, paragraph (1), Article 100-20, or the following Article;

三 第百条の十六第一項の規定による認可を受けず、又は同項の規定による認可を受けた検査業務規程によらないで検査を行つたとき。

(iii) when the agency has conducted an inspection without obtaining authorization under the provisions of Article 100-16, paragraph (1) or without following operational rules for inspections for which authorization under the provisions of that paragraph has been obtained;

四 第百条の十六第二項、第百条の十七第二項、第百条の二十一又は第百条の二十二の規定による命令に違反したとき。

(iv) when the agency has violated an order issued under the provisions of Article 100-16, paragraph (2), Article 100-17, paragraph (2), Article 100-21, or Article 100-22;

五 正当な理由がないのに第百条の十九第二項各号の規定による請求を拒んだとき。

(v) when the agency has refused a request made under the items of Article 100-19, paragraph (2) without justifiable grounds; or

六 不正の手段により登録を受けたとき。

(vi) when the agency has been registered by wrongful means.

2 国土交通大臣は、外国登録検査機関が次の各号のいずれかに該当するときは、その登録を取り消すことができる。

(2) The Minister of Land, Infrastructure, Transport and Tourism may revoke the registration of a foreign registered inspection agency when it falls under any of the following items:

一 前項第一号、第二号（第百条の十九第一項に係る部分を除く。）、第三号又は第六号のいずれかに該当するとき。

(i) when the foreign registered inspection agency falls under item (i), item (ii) (excluding the part related to Article 100-19, paragraph (1)), item (iii), or item (vi) of the preceding paragraph;

二 第百条の二十三の規定により読み替えて準用する第百条の十六第二項、第百条の十七第二項、第百条の二十一又は第百条の二十二の規定による請求に応じなかつたとき。

(ii) when the foreign registered inspection agency has failed to respond to a request made under the provisions of Article 100-16, paragraph (2), Article 100-17, paragraph (2), Article 100-21, or Article 100-22, as applied mutatis mutandis pursuant to the provisions of Article 100-23 following the deemed replacement of terms;

三 国土交通大臣が、外国登録検査機関が前二号のいずれかに該当すると認めて、期間を定めて検査業務の全部又は一部の停止を請求した場合において、その請求に応じなかつたとき。

(iii) when the foreign registered inspection agency has refused a request made by the Minister of Land, Infrastructure, Transport and Tourism for a full or partial suspension of the inspection services for a specified period on the grounds that the agency falls under any of the preceding two items;

四 第百条の十九第一項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに同条第二項各号の規定による請求を拒んだとき。

(iv) when the foreign registered inspection agency, in violation of the provisions of Article 100-19, paragraph (1), has failed to keep the financial statements, etc., failed to state the necessary matters in the financial statements, etc., or made false

statements, or refused a request made under the items of paragraph (2) of that Article without justifiable grounds;

五 国土交通大臣が、この法律を施行するため必要があると認めて、外国登録検査機関に対しその業務又は経理の状況に関し報告を求めた場合において、その報告がされず、又は虚偽の報告がされたとき。

(v) if the Minister of Land, Infrastructure, Transport and Tourism has requested the foreign registered inspection agency to make a report on the status of its services or accounting as the Minister finds it necessary for the enforcement of this Act, but when the agency has failed to make a report or makes a false report;

六 国土交通大臣が、この法律を施行するため必要があると認めて、その職員に外国登録検査機関の事務所又は事業所に立ち入らせ、業務の状況又は帳簿書類その他の物件を検査させようとした場合において、その検査が拒まれ、妨げられ、又は忌避されたとき。

(vi) if the Minister of Land, Infrastructure, Transport and Tourism has sought to have an official of the Ministry enter the office or place of business of a foreign registered inspection agency to inspect the status of its services or books and documents, and any other items as the Minister finds it necessary for the enforcement of this Act, but when the agency has refused, obstructed, or evaded the inspection; or

七 次項の規定による費用の負担をしないとき。

(vii) when the foreign registered inspection agency does not cover the expenses under the following paragraph.

3 前項第六号の検査に要する費用（政令で定めるものに限る。）は、当該検査を受ける外国登録検査機関の負担とする。

(3) The expenses of the inspection stated in item (vi) of the preceding paragraph (limited to those specified by Cabinet Order) are to be covered by the foreign registered inspection agency subject to the inspection.

(帳簿の記載)

(Bookkeeping)

第百条の二十七 登録検査機関は、国土交通省令で定めるところにより、帳簿を備え、検査業務に関し国土交通省令で定める事項を記載し、これを保存しなければならない。

Article 100-27 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a registered inspection agency must prepare books, enter in the books the matters concerning inspection services as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism, and keep those books.

(公示)

(Public Notice)

第百条の二十八 国土交通大臣は、次に掲げる場合には、その旨を官報に公示しなければならない。

Article 100-28 (1) The Minister of Land, Infrastructure, Transport and Tourism must issue a public notice in the Official Gazette in any of the following cases:

一 登録をしたとき。

(i) when the Minister has made a registration;

二 第百条の十五の規定による届出があつたとき。

(ii) when a notification under the provisions of Article 100-15 has been made;

三 第百条の二十の規定による許可をしたとき。

(iii) when the Minister has granted permission under the provisions of Article 100-20;

四 第百条の二十六第一項の規定により登録を取り消し、又は検査業務の停止を命じたとき。

(iv) when the Minister has revoked a registration or ordered a suspension of the inspection services pursuant to the provisions of Article 100-26, paragraph (1); or

五 第百条の二十六第二項の規定により登録を取り消したとき。

(v) when the Minister has revoked the registration pursuant to the provisions of Article 100-26, paragraph (2).

第十二章 監督

Chapter XII Supervision

(監督命令等)

(Supervision Orders)

第百一条 国土交通大臣は、この法律、労働基準法（船員の労働関係について適用される部分に限る。以下同じ。）又はこの法律に基づいて発する命令に違反する事実があると認めるときは、船舶所有者又は船員に対し、その違反を是正するため必要な措置をとるべきことを命ずることができる。

Article 101 (1) When the Minister of Land, Infrastructure, Transport and Tourism finds that there has been a violation of this Act, the Labor Standards Act (limited to the part that applies to a mariner's labor relations; the same applies below), or an order based on this Act, the Minister may order a shipowner or a mariner to take the necessary measures to rectify the violation.

2 国土交通大臣は、前項の規定に基づく命令を発したにもかかわらず、船舶所有者又は船員がその命令に従わない場合において、船舶の航海の安全を確保するため特に必要があると認めるときは、その船舶の航行の停止を命じ、又はその航行を差し止めることができる。この場合において、その船舶が航行中であるときは、国土交通大臣は、その船舶の入港すべき港を指定することができる。

(2) If the Minister of Land, Infrastructure, Transport and Tourism issues an order under the provisions of the preceding paragraph, and a shipowner or a mariner does not comply with the order, and when the Minister finds it particularly necessary for ensuring that a ship is navigated safely, the Minister may order the navigation of the ship to be suspended or prohibit its navigation. In this case, when the ship is navigating, the Minister of Land, Infrastructure, Transport and Tourism may designate the port into which the ship is to enter.

3 国土交通大臣は、前項の規定による処分に係る船舶について、第一項に規定する事実がなくなつたと認めるときは、直ちにその処分を取り消さなければならない。

(3) When the Minister of Land, Infrastructure, Transport and Tourism finds that the fact provided for in paragraph (1) no longer exists with regard to a ship subject to a disposition under the provisions of the preceding paragraph, the Minister must immediately void the disposition.

第百二条 国土交通大臣は、船舶所有者及び船員の間が生じた労働関係に関する紛争（労働関係調整法第六条の労働争議及び個別労働関係紛争の解決の促進に関する法律（平成十三年法律第百十二号）第四条第一項の個別労働関係紛争であつて同法第二十一条第一項の規定により読み替えられた同法第五条第一項の規定により地方運輸局長（運輸監理部長を含む。以下同じ。）が指名するあつせん員があつせんを委任されたものを除く。）の解決について、あつせんすることができる。

Article 102 The Minister of Land, Infrastructure, Transport and Tourism may mediate in the resolution of a labor-related dispute that arises between a shipowner and a mariner (excluding a labor dispute referred to in Article 6 of the Labor Relations Adjustment Act and an individual labor-related dispute referred to in Article 4, paragraph (1) of the Act on Promoting the Resolution of Individual Labor-Related Disputes (Act No. 112 of 2001), for which a mediator designated by the director of the district transport bureau (including the director of the transport supervision department; the same applies below) has been entrusted to mediate pursuant to the provisions of Article 5, paragraph (1) of the Act on Promoting the Resolution of Individual Labor-Related Disputes following the deemed replacement of terms pursuant to the provisions of Article 21, paragraph (1) of that Act).

（外国における国土交通大臣の事務）

(Functions of the Minister of Land, Infrastructure, Transport and Tourism in a Foreign State)

第百三条 この法律によつて国土交通大臣の行うべき事務は、外国にあつては、国土交通省令の定めるところにより、日本の領事官がこれを行う。

Article 103 (1) In a foreign country, the functions that the Minister of Land, Infrastructure, Transport and Tourism is to perform pursuant to this Act are carried out by a Japanese consular officer pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 行政不服審査法（平成二十六年法律第六十八号）に定めるもののほか、領事官の行う前項の事務に係る処分又はその不作為についての審査請求に関して必要な事項は、政令で定める。

(2) In addition to what is specified in the Administrative Complaint Review Act (Act No. 68 of 2014), the necessary matters in connection with a request for an administrative review of a disposition or inaction by a consular officer in connection with the functions referred to in the preceding paragraph are provided for by Cabinet Order.

（市町村が処理する事務）

(Functions to Be Handled by Municipalities)

第百四条 この法律に規定する国土交通大臣の権限に属する事務の一部は、政令で定めるところにより、政令の定める基準により国土交通大臣の指定する市町村長が行うこととすることができる。

Article 104 (1) Pursuant to the provisions of Cabinet Order, part of the functions under the authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in this Act may be performed by the mayor of a municipality designated by the Minister of Land, Infrastructure, Transport and Tourism based on the standards specified by Cabinet Order.

2 市町村長のした前項の事務（地方自治法（昭和二十二年法律第六十七号）第二条第九項第一号に規定する第一号法定受託事務であるものに限る。）に係る処分についての審査請求は、国土交通大臣に対してするものとする。

(2) A request for an administrative review of a disposition related to the functions stated in the preceding paragraph performed by the mayor of a municipality (limited to the duties that fall under category 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947)) is to be made to the Minister of Land, Infrastructure, Transport and Tourism.

3 市町村長の行う第一項の事務（地方自治法第二条第九項第一号に規定する第一号法定受託事務であるものに限る。）に係る処分の不作為についての審査請求は、市町村長、都道府県知事又は国土交通大臣のいずれかに対してするものとする。

(3) A request for an administrative review of inaction of a disposition related to the functions stated in paragraph (1) performed by a mayor of a municipality (limited to the functions that fall under category 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act) is to be made to the mayor of the municipality, the prefectural governor, or the Minister of Land, Infrastructure, Transport and Tourism.

（船員労務官）

(Mariners' Labor Inspector)

第百五条 国土交通大臣は、所部の職員の中から船員労務官を命じ、この法律及び労働基準法の施行に関する事項を掌らせる。

Article 105 The Minister of Land, Infrastructure, Transport and Tourism appoints mariners' labor inspector from among the officials under the Minister's jurisdiction, and has them handle the matters concerning the enforcement of this Act and the Labor Standards Act.

第百六条 船員労務官は、必要があると認めるときは、船舶所有者又は船員に対し、この法律、労働基準法及びこの法律に基いて発する命令の遵守に関し注意を喚起し、又は勧告をすることができる。

Article 106 When a mariners' labor inspector finds it necessary, the officer may call the attention of or issue recommendations to a shipowner or mariner regarding compliance with this Act, the Labor Standards Act, or an order based on this Act.

第一百七条 船員労務官は、必要があると認めるときは、船舶所有者、船員その他の関係者に出頭を命じ、帳簿書類を提出させ、若しくは報告をさせ、又は船舶その他の事業場に立ち入り、帳簿書類その他の物件を検査し、若しくは船舶所有者、船員その他の関係者に質問をすることができる。

Article 107 (1) When a mariners' labor inspector finds it necessary, the officer may order a shipowner, a mariner, or any other person concerned to appear, have that person submit books and documents, or have that person make a report; or may enter a ship or any other place of business, inspect books and documents, and any other items, or ask a question to a shipowner, a mariner, or any other person concerned.

2 船員労務官は、必要があると認めるときは、旅客その他船内にある者に質問をすることができる。

(2) When a mariners' labor inspector finds it necessary, the officer may ask a question to the passenger and other persons on board.

3 前二項の場合には、船員労務官は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(3) In the case referred to in the preceding two paragraphs, a mariners' labor inspector must carry an identification document and present it to any person concerned.

4 第一項又は第二項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority to conduct an on-site inspection under the provisions of paragraph (1) or paragraph (2) must not be construed as being granted for criminal investigation purposes.

5 船員労務官の服制は、国土交通省令でこれを定める。

(5) Uniform regulations for a mariners' labor inspector are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第一百八条 船員労務官は、この法律、労働基準法及びこの法律に基づいて発する命令の違反の罪について、刑事訴訟法に規定する司法警察員の職務を行う。

Article 108 A mariners' labor inspector performs the duties of a judicial police officer prescribed in the Code of Criminal Procedure with regard to the crime of violating this Act, the Labor Standards Act, or an order based on this Act.

第一百八条の二 船員労務官は、第一百一条第二項又は第一百八条の五第三項に規定する場合において、船舶の航海の安全を確保するため緊急の必要があると認めるときは、第一百一条第二項又は第一百八条の五第三項に規定する国土交通大臣の権限を即時に行うことができる。

Article 108-2 In the cases provided for in the Article 101, paragraph (2) or Article 118-5, paragraph (3), when a mariners' labor inspector finds it urgently necessary to do so in order to ensure that a ship is navigated safely, the officer may immediately exercise the authority of the Minister of Land, Infrastructure, Transport and

Tourism provided for in the Article 101, paragraph (2) or Article 118-5, paragraph (3).

第百九条 船員労務官は、職務上知り得た秘密を漏してはならない。船員労務官を退職した後においても同様とする。

Article 109 A mariners' labor inspector must not divulge any secret which may have come to their knowledge in the course of their duties. The same applies even after they have retired from the position of a mariners' labor inspector.

(交通政策審議会等の権限)

(Authority of the Transportation Policy Council)

第百十条 交通政策審議会等は、国土交通大臣の諮問に応じ、この法律及び労働基準法の施行又は改正に関する事項を調査審議する。

Article 110 (1) In response to a consultation by the Minister of Land, Infrastructure, Transport and Tourism, the Transportation Policy Council, etc. studies and deliberates matters concerning the enforcement or amendment of this Act and the Labor Standards Act.

2 交通政策審議会等は、船員の労働条件に関して、関係行政官庁に建議することができる。

(2) The Transportation Policy Council, etc. may make a proposal concerning the working conditions for a mariner to the relevant administrative agency.

(報告事項)

(Matters to Be Reported)

第百十一条 船舶所有者は、国土交通省令の定めるところにより、左の事項について、国土交通大臣に報告をしなければならない。

Article 111 (1) A shipowner must report to the Minister of Land, Infrastructure, Transport and Tourism on the following matters, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism:

一 使用船員の数

(i) the number of mariners employed;

二 給料その他の報酬の支払状況

(ii) the status of payment of salary and other remuneration;

三 災害補償の実施状況

(iii) the status of implementation of accident compensation; and

四 その他国土交通省令の定める事項

(iv) other matters specified by Order of the Ministry of Land, Infrastructure,

Transport and Tourism.

(船員等の申告)

(Declarations by Mariners)

第百十二条 船員は、この法律、労働基準法又はこの法律に基づいて発する命令に違反する事実について、第百十八条の五第一項に規定する特定小型船舶（次項において「特定小型船舶」という。）の乗組員は、この法律又はこの法律に基づいて発する命令に違反する事実について、それぞれ、国土交通省令で定めるところにより、国土交通大

臣、地方運輸局長、運輸支局長、地方運輸局、運輸監理部若しくは運輸支局の事務所の長又は船員労務官にその事実を申告することができる。

Article 112 (1) A mariner may report a violation of this Act, the Labor Standards Act, or an order based on this Act, and a member of the crew of a specified small ship provided for in Article 118-5, paragraph (1) (referred to as a "specified small ship" in the following paragraph) may report a violation of this Act or an order based on this Act, to the Minister of Land, Infrastructure, Transport and Tourism, the director of a district transport bureau, the director of a transport bureau branch, the head of the office of a district transport bureau, transport supervision department, or transport bureau branch, or mariners' labor inspector, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 船舶所有者又は第百十八条の五第一項に規定する特定小型船舶所有者は、前項の申告をしたことを理由として、船員又は特定小型船舶の乗組員を解雇しその他船員又は特定小型船舶の乗組員に対して不利益な取扱いをしてはならない。

(2) A shipowner or an owner of a specified small ship provided for in the Article 118-5, paragraph (1) must not dismiss a mariner, or a member of the crew of a specified small ship or otherwise treat a mariner or a member of the crew of a specified small ship disadvantageously on the grounds of having made a declaration referred to in the preceding paragraph.

第十三章 雑則

Chapter XIII Miscellaneous Provisions

(就業規則等の掲示等)

(Displaying Rules of Employment)

第百十三条 船舶所有者は、この法律、労働基準法、この法律に基づく命令、労働協約、就業規則並びに第三十四条第二項、第六十四条の二第一項、第六十五条及び第六十五条の三第三項の協定を記載した書類を船内及びその他の事業場内の見やすい場所に掲示し、又は備え置かなければならない。

Article 113 (1) A shipowner must display or keep in a clearly visible location on board a ship and in any other place at the place of business, a document stating this Act, the Labor Standards Act, an order based on this Act, a collective agreement, rules of employment, and agreements as referred to in Article 34, paragraph (2), Article 64-2, paragraph (1), Article 65, and Article 65-3, paragraph (3).

2 船舶所有者（漁船その他第百条の二第一項の国土交通省令で定める特別の用途に供される船舶の船舶所有者を除く。）は、二千六年の海上の労働に関する条約を記載した書類を船内及びその他の事業場内の見やすい場所に掲示し、又は備え置かなければならない。

(2) A shipowner (excluding an owner of a fishing vessel or any other ship used for any other special purpose prescribed by Order of the Ministry of Land, Infrastructure, Transport and Tourism referred to in Article 100-2, paragraph (1)) must display or keep in a clearly visible location on board a ship and in any other

place at the place of business a document stating the Maritime Labour Convention, 2006.

3 海上労働証書又は臨時海上労働証書の交付を受けた特定船舶の船舶所有者は、これらの証書の写しを船内及びその他の事業場内の見やすい場所に掲示しなければならない。

(3) The owner of a specified ship for which a maritime labor certificate or an interim maritime labor certificate has been issued must display a copy of the certificate in a clearly visible location on board the ship and any other place of business.

(報酬、補償及び手当の調整)

(Adjustment of Remuneration, Compensation, and Allowances)

第百十四条 船舶所有者は、給料その他の報酬、失業手当、送還手当、傷病手当又は行方不明手当のうち、その二以上をともに支払うべき期間については、いずれか一の多額のものを支払うを以て足りる。

Article 114 (1) For any period in which two or more of the following are payable together, it is sufficient for a shipowner to pay only the largest of the following amounts: a salary or any other remuneration, an unemployment allowance, a repatriation allowance, an injury and illness allowance, or a missing person allowance.

2 船舶所有者は、給料その他の報酬を支払うべき場合において雇止手当又は予後手当を支払うべきときは、給料その他の報酬を支払うべき限度において、雇止手当又は予後手当の支払の義務を免れる。

(2) If the shipowner is required to pay a salary or other remuneration and when the shipowner is required to pay a discharge allowance or prognosis allowance, the shipowner is exempt from the obligation to pay discharge allowance or a prognosis allowance up to the amount that the shipowner is required to pay as a salary or other remuneration.

(譲渡又は差押の禁止)

(Prohibition of Transfer or Garnishment)

第百十五条 失業手当、雇止手当、送還の費用、送還手当又は災害補償を受ける権利は、これを譲り渡し、又は差し押えることができない。給料その他の報酬及び前条に規定する手当をともに支払うべき期間についての給料その他の報酬を受ける権利（これらの手当の額に相当する部分に関するものに限る。）についても同様とする。

Article 115 The right to receive unemployment allowance, discharge allowance, repatriation expenses, a repatriation allowance, or accident compensation may not be transferred or garnished. The same applies to the right to receive a salary or other remuneration for a period during which both the salary or other remuneration and the allowances prescribed in the preceding Article are to be paid (limited to the part of the right to receive remuneration that is equivalent to the amount of those allowances).

(付加金の支払)

(Payment of Additional Monies)

第百十六条 船舶所有者は、第四十四条の三から第四十六条まで、第四十七条第一項、第四十九条、第六十三条、第六十六条（第八十八条の二の二第四項及び第五項並びに第八十八条の三第四項において準用する場合を含む。）又は第七十八条の規定に違反したときは、これらの規定により船舶所有者が支払うべき金額（第四十七条第一項の規定に違反したときは、送還の費用）についての次項の規定による請求の時における未払金額に相当する額の付加金を船員に支払わなければならない。

Article 116 (1) When a shipowner violates the provisions of Articles 44-3 through 46, Article 47, paragraph (1), Article 49, Article 63, Article 66 (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraphs (4) and (5), and Article 88-3, paragraph (4)), or Article 78, the shipowner must pay the mariner an additional monies equivalent to the unpaid amount at the time of the claim under the following paragraph for the amount payable by the shipowner pursuant to those provisions (or for the repatriation expenses, when the shipowner violates the provisions of Article 47, paragraph (1)).

2 船員は、裁判所に対する訴えによつてのみ前項の付加金の支払を請求することができる。ただし、その訴えは、同項に規定する違反のあつた時から五年以内にこれをしてしなければならない。

(2) A mariner may claim the payment of the additional monies stated in the preceding paragraph only by filing an action with the court; provided, however, that the action must be filed within five years from the time of the violation prescribed in that paragraph.

(時効の特則)

(Special Provisions on Prescription)

第百十七条 船員の船舶所有者に対する債権は、これを行使することができる時から二年間（給料その他の報酬の債権にあつては、五年間）行使しないときは、時効によつて消滅する。船舶所有者に対する行方不明手当、遺族手当及び葬祭料の債権も同様とする。

Article 117 A claim held by a mariner against a shipowner is extinguished by prescription when not exercised within two years (or within five years, in the case of a claim for salary or other remuneration) from the time at which it becomes exercisable. The same applies to a claim held against a shipowner for a missing person allowance, allowance for bereaved family, and funeral service fee.

(航海当直部員)

(Navigational Watchkeeping Ratings)

第百十七条の二 船舶所有者は、国土交通省令で定める船舶に航海当直をすべき職務を有する部員（第五項において「航海当直部員」という。）として部員を乗り組ませようとする場合には、次項の規定により証印を受けている者又は航海当直部員適任証書を受有する者を、国土交通省令で定めるところにより乗り組ませなければならない。

Article 117-2 If a shipowner intends to have a rating board a ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a rating

who has the duty of watchkeeping at sea (referred to as a "navigational watchkeeping rating" in paragraph (5)), the shipowner must have a person who has received a seal of verification pursuant to the provisions of the following paragraph or a person who holds a certificate of proficiency for a navigational watchkeeping rating board the ship as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 国土交通大臣は、国土交通省令の定めるところにより航海当直をするために必要な知識及び能力を有すると認定した者に対し、その者の船員手帳に当該認定をした旨の証印をし、又は航海当直部員適任証書を交付する。

(2) Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Land, Infrastructure, Transport and Tourism affixes a seal of verification indicating that the certification has been granted on the Mariner's Pocket Ledger of a person who has been certified as having the necessary knowledge and skills required for navigational watchkeeping, or issues a certificate of proficiency for a navigational watchkeeping rating to that person.

3 国土交通大臣は、次項の規定により証印を抹消され、又は航海当直部員適任証書の返納を命ぜられ、その日から一年を経過しない者に対しては、前項の証印又は同項の規定による航海当直部員適任証書の交付をしないことができる。

(3) The Minister of Land, Infrastructure, Transport and Tourism may choose not to issue a seal of verification referred to in the preceding paragraph or a certificate of proficiency for a navigational watchkeeping rating under the provisions of that paragraph to a person whose seal of verification has been deleted or who has been ordered to return the certificate of proficiency for a navigational watchkeeping rating, pursuant to the provisions of the following paragraph, if one year has not passed from the date of the deletion or order.

4 国土交通大臣は、第二項の規定により証印を受けている者又は航海当直部員適任証書を受有する者が、その職務に関してこの法律又はこの法律に基づく命令に違反したときは、その者に対し船員手帳の提出を命じ、その証印を抹消し、又は航海当直部員適任証書の返納を命ずることができる。

(4) When a person who has received a seal of verification pursuant to the provisions of paragraph (2) or a person who holds a certificate of proficiency for a navigational watchkeeping rating has violated this Act or an order under this Act in connection with their duties, the Minister of Land, Infrastructure, Transport and Tourism may order the person to submit their Mariner's Pocket Ledger, delete the seal of verification, or return the certificate of proficiency for a navigational watchkeeping rating.

5 前各項に定めるもののほか、航海当直部員並びに第二項の証印及び航海当直部員適任証書に関し必要な事項は、国土交通省令でこれを定める。

(5) In addition to what is specified in the preceding paragraphs, necessary matters concerning a navigational watchkeeping rating, and the seal of verification

and certificate of proficiency for a navigational watchkeeping rating referred to in paragraph (2) are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(危険物等取扱責任者)

(Person assigned with responsibilities for handling dangerous and other substances)

第百十七条の三 船舶所有者は、国土交通省令で定めるタンカー（国土交通大臣が定める危険物又は有害物であるばら積みの液体貨物を輸送するために使用される船舶をいう。）又は国土交通省令で定める液化天然ガス等燃料船（液化天然ガスその他の国土交通大臣が定める危険物又は有害物である液体物質を燃料とする船舶をいう。）には、危険物又は有害物の取扱いに関する業務を管理すべき職務を有する者（第三項において「危険物等取扱責任者」という。）として、次項の規定により証印を受けている者又は危険物等取扱責任者適任証書を受有する者を、国土交通省令で定めるところにより乗り組ませなければならない。

Article 117-3 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must have a person who has received a seal of verification pursuant to the provisions of the following paragraph or a person who holds a certificate of proficiency for a person assigned with responsibilities for handling dangerous and other substances. board a tanker specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism (meaning a ship used to transport bulk liquid cargo that contains hazardous materials or hazardous substances specified by the Minister of Land, Infrastructure, Transport and Tourism) or a liquefied natural gas-fueled ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism (meaning a ship fueled by liquefied natural gas or other liquid substances which are hazardous materials or hazardous substances specified by the Minister of Land, Infrastructure, Transport and Tourism) as a person who has the duty of managing the work related to handling hazardous materials or hazardous substances (referred to as a "person assigned with responsibilities for handling dangerous and other substances." in paragraph (3)).

2 国土交通大臣は、国土交通省令で定めるところにより危険物又は有害物の取扱いに関する業務を管理するために必要な知識及び能力を有すると認定した者に対し、その者の船員手帳に当該認定をした旨の証印をし、又は危険物等取扱責任者適任証書を交付する。

(2) Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Land, Infrastructure, Transport and Tourism affixes a seal of verification indicating that certification has been granted on the Mariner's Pocket Ledger of a person who has been certified as having the necessary knowledge and skills to manage the work handling hazardous materials or hazardous substances, or issues a certificate of proficiency for a person assigned with responsibilities for handling dangerous and other substances. to that person.

3 前条第三項から第五項までの規定は、危険物等取扱責任者並びに前項の証印及び危険物等取扱責任者適任証書について準用する。

(3) The provisions of paragraphs (3) through (5) of the preceding Article apply mutatis mutandis to a person assigned with responsibilities for handling dangerous and other substances, and to the seal of verification stated in the preceding paragraph and the certificate of proficiency for a person assigned with responsibilities for handling dangerous and other substances.

(特定海域運航責任者)

(Person Responsible for Operation in a Specified Sea Area)

第百十七条の四 船舶所有者は、特定海域（海氷の状況その他の自然的条件により船舶の航行の安全の確保に支障を生じ、又は生じるおそれがあるため、その運航につき特別の知識及び技能が必要であると認められる海域として国土交通省令で定めるものをいう。）を航行する船舶には、海域の特性に応じた運航に関する業務を管理すべき職務を有する者（第三項において「特定海域運航責任者」という。）として、次項の規定により証印を受けている者又は特定海域運航責任者適任証書を受有する者を、国土交通省令で定めるところにより乗り組ませなければならない。

Article 117-4 Pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must have a person who has received a seal of verification pursuant to the provisions of the following paragraph or a person who holds a certificate of proficiency for a person responsible for navigation in a specified sea area board a ship navigating in a specified sea area (meaning a sea area specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a sea area for which navigation is considered to require special knowledge and skills because the conditions of sea ice and other natural conditions hinder or are likely to hinder ensuring that the ship is navigated safely) as a person who has the duty of managing the work related to navigation of the ship according to the characteristics of the sea area (referred to as a "person responsible for navigation in a specified sea area" in paragraph (3)).

2 国土交通大臣は、国土交通省令で定めるところにより海域の特性に応じた運航に関する業務を管理するために必要な知識及び能力を有すると認定した者に対し、その者の船員手帳に当該認定をした旨の証印をし、又は特定海域運航責任者適任証書を交付する。

(2) Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, the Minister of Land, Infrastructure, Transport and Tourism affixes a seal of verification indicating that certification has been granted on the Mariner's Pocket Ledger of a person who is certified as having the necessary knowledge and skills to manage the work related to navigation according to the characteristics of the sea area, or issues a certificate of proficiency for a person responsible for navigation in a specified sea area to that person.

3 第百十七条の二第三項から第五項までの規定は、特定海域運航責任者並びに前項の証印及び特定海域運航責任者適任証書について準用する。

(3) The provisions of Article 117-2, paragraphs (3) through (5) apply mutatis mutandis to the person responsible for navigation in a specified sea area, and the seal of verification and the certificate of proficiency for a person responsible for navigation in a specified sea area, as referred to in the preceding paragraph.

(救命艇手)

(Lifeboatmen)

第百十八条 船舶所有者は、国土交通省令の定める船舶については、乗組員の中から国土交通省令の定める員数の救命艇手を選任しなければならない。

Article 118 (1) For a ship specified by the Order of the Ministry of Land, Infrastructure, Transport and Tourism, the shipowner must appoint a lifeboatmen from among the members of the crew in the number specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 救命艇手は、救命艇手適任証書を受有する者でなければならない。

(2) A lifeboat operator must be a person who holds a certificate of proficiency for a lifeboatmen.

3 国土交通大臣は、左に掲げる者に救命艇手適任証書を交付する。

(3) The Minister of Land, Infrastructure, Transport and Tourism issues a certificate of proficiency for a lifeboatmen to the following persons:

一 国土交通省令の定めるところにより国土交通大臣の行なう試験に合格した者

(i) a person who has passed an examination conducted by the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism; and

二 国土交通省令の定めるところにより国土交通大臣が前号に掲げる者と同等以上の能力を有すると認定した者

(ii) a person who has been certified by the Minister of Land, Infrastructure, Transport and Tourism, pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, as having abilities equivalent to or greater than the person stated in the preceding item.

4 国土交通大臣は、次項の規定により救命艇手適任証書の返納を命ぜられ、その日から一年を経過しない者に対しては、救命艇手適任証書の交付を行わないことができる。

(4) The Minister of Land, Infrastructure, Transport and Tourism may choose not to issue the certificate of proficiency for a lifeboatmen to a person who has been ordered to return the certificate of proficiency for a lifeboatmen pursuant to the provisions of the following paragraph, if one year has not elapsed from the date of the order.

5 国土交通大臣は、救命艇手が、その職務に関してこの法律又はこの法律に基づく命令に違反したときは、その救命艇手適任証書の返納を命ずることができる。

(5) When a lifeboat operator has violated this Act or an order under this Act in connection with their duties, the Minister of Land, Infrastructure, Transport and

Tourism may order the lifeboat operator to return the certificate of proficiency for a lifeboatmen.

6 前各項に定めるもののほか、救命艇手及び救命艇手適任証書に関し必要な事項は、国土交通省令でこれを定める。

(6) In addition to what is specified in the preceding paragraphs, necessary matters concerning a lifeboatmen and the certificate of proficiency for a lifeboatmen are specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism.

(旅客船の乗組員)

(Members of the Crew of Passenger Ships)

第百十八条の二 船舶所有者は、国土交通省令の定める旅客船には、国土交通省令の定めるところにより旅客の避難に関する教育訓練その他の航海の安全に関する教育訓練を修了した者以外の者を乗組員として乗り組ませるはならない。

Article 118-2 A shipowner must not allow a person who has not completed educational training on evacuation of passengers and other educational training on safe navigation pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism to board a passenger ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as a member of the crew.

(高速船の乗組員)

(Members of the Crew on High-Speed Crafts)

第百十八条の三 船舶所有者は、国土交通省令の定める高速船（最大速力が国土交通大臣の定める速力以上の船舶をいう。）には、国土交通省令の定めるところにより船舶の特性に応じた操船に関する教育訓練その他の航海の安全に関する教育訓練を修了した者以外の者を乗組員として乗り組ませるはならない。

Article 118-3 A shipowner must not allow a person who has not completed educational training on ship handling according to the characteristics of the ship and other educational training on safe navigation as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism to board a high-speed craft (meaning a ship whose maximum speed is greater than or equal to the speed specified by the Minister of Land, Infrastructure, Transport and Tourism) specified by the Order of the Ministry of Land, Infrastructure, Transport and Tourism as a member of the crew.

(船舶所有者による小型船舶の乗組員に対する教育訓練)

(Educational Training for Members of the Crew of Small Ships to Be Provided by Shipowners)

第百十八条の四 船舶所有者は、国土交通省令で定める旅客の輸送の用に供する総トン数二十トン未満の船舶の乗組員（当該船舶に乗り組ませようとする者を含む。）について、国土交通省令で定めるところにより、船舶が航行する海域の特性に応じた操船に関する教育訓練その他の航海の安全に関する教育訓練（次条第一項において「特定教育訓練」という。）を実施しなければならない。

Article 118-4 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must provide a member of the crew of a ship with a gross tonnage of less than 20 tons that is used for passenger transportation as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism (including a person that the shipowner intends to have board the ship) with educational training on ship handling and other educational training on safe navigation according to the characteristics of the sea area in which the ship is navigating (referred to as "specified educational training" in paragraph (1) of the following Article).

(特定小型船舶所有者による特定小型船舶の乗組員に対する教育訓練等)

(Educational Training for Members of the Crew of Specified Small-Sized Ships to Be Provided by Owners of Specified Small-Sized Ships)

第百十八条の五 前条に規定する船舶であつて、第一条第二項第一号又は第二号に掲げる船舶に該当するもの（以下この条において「特定小型船舶」という。）の所有者（船舶共有の場合は船舶管理人、船舶貸借の場合は船舶借入人。以下この条、第百三十一条の二及び第百三十五条第二項において「特定小型船舶所有者」という。）は、特定小型船舶の乗組員（当該特定小型船舶に乗り組ませようとする者を含む。）について、国土交通省令で定めるところにより、特定教育訓練を実施しなければならない。

Article 118-5 An owner of a ship provided for in the preceding Article that falls under the ships stated in Article 1, paragraph (2), item (i) or (ii) (referred to below as "specified small ship" in this Article) (if the ship is co-owned, the ship's husband, or if the ship is being leased, the lessee of the ship; referred to below as "owner of a specified small ship" in this Article and in Articles 131-2 and 135, paragraph (2)) must conduct specified educational training for a member of the crew of a specified small ship (including for a person who the shipowner intends to have board the specified small ship), pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 国土交通大臣は、前項の規定に違反する事実があると認めるときは、特定小型船舶所有者に対し、その違反を是正するため必要な措置をとるべきことを命ずることができる。

(2) When the Minister of Land, Infrastructure, Transport and Tourism finds that there has been a violation of the provisions of the preceding paragraph, the Minister may order the owner of a specified small ship to take necessary measures to rectify the violation.

3 国土交通大臣は、前項の規定に基づく命令を發したにもかかわらず、特定小型船舶所有者がその命令に従わない場合において、特定小型船舶の航海の安全を確保するため特に必要があると認めるときは、その特定小型船舶の航行の停止を命じ、又はその航行を差し止めることができる。この場合において、その特定小型船舶が航行中であるときは、国土交通大臣は、その特定小型船舶の入港すべき港を指定することができる。

(3) If an owner of a specified small ship does not comply with an order issued pursuant to the provisions of the preceding paragraph and when the Minister of

Land, Infrastructure, Transport and Tourism finds it particularly necessary for ensuring that the specified small ship is navigated safely, the Minister may order the navigation of the specified small ship to be suspended or prohibit its navigation. In this case, when the specified small ship is in navigation, the Minister of Land, Infrastructure, Transport and Tourism may designate the port to which the specified small ship is to enter.

4 国土交通大臣は、前項の規定による処分に係る特定小型船舶について、第二項に規定する事実がなくなつたと認めるときは、直ちにその処分を取り消さなければならない。

(4) When the Minister of Land, Infrastructure, Transport and Tourism finds that the fact prescribed in paragraph (2) no longer exists with regard to the specified small ship related to the disposition pursuant to the provisions of the preceding paragraph, the Minister must immediately void the disposition.

5 船員労務官は、必要があると認めるときは、特定小型船舶所有者に対し、第一項の規定の遵守に関し注意を喚起し、又は勧告をすることができる。

(5) When a mariners' labor inspector finds it necessary, the officer may call the attention of or give a recommendation to an owner of a specified small ship with regard to compliance with the provisions of paragraph (1).

(船内苦情処理手続)

(Procedures for Processing On-Board Complaints)

第百十八条の六 船舶所有者は、国土交通省令で定めるところにより、船内苦情処理手続（船員が航海中に船舶所有者に申出をしたこの法律、労働基準法及びこの法律に基づく命令に規定する事項並びに船員の労働条件等に関し国土交通省令で定める事項に関する苦情を処理する手続をいう。以下この条において同じ。）を定めなければならない。

Article 118-6 Pursuant to the provisions of Order of the Ministry of Land, Infrastructure, Transport and Tourism, a shipowner must establish procedures for processing on-board complaints (meaning procedures for processing a complaint that a mariner has filed with the shipowner during a voyage with regard to the matters provided for in this Act, the Labor Standards Act, and orders based on this Act, or the matters provided for by Order of the Ministry of Land, Infrastructure, Transport and Tourism concerning the working conditions, etc. of a mariner; the same applies below in this Article).

2 船舶所有者は、雇入契約が成立したときは、遅滞なく、船内苦情処理手続を記載した書面を船員に交付しなければならない。

(2) When an employment agreement has been concluded, the shipowner must issue to the mariner a document stating the procedures for processing on-board complaints without delay.

3 船舶所有者は、船員から航海中に第一項の苦情の申出を受けた場合にあつては、船内苦情処理手続に定めるところにより、苦情を処理しなければならない。

(3) If a shipowner receives a complaint referred to in paragraph (1) from a mariner during a voyage, the shipowner must process the complaint in accordance with the procedures for processing on-board complaints.

4 船舶所有者は、第一項の苦情の申出をしたことを理由として、船員に対して解雇その他の不利益な取扱いをしてはならない。

(4) A shipowner must not dismiss or otherwise treat a mariner disadvantageously on the grounds of having filed a complaint referred to in paragraph (1).

(戸籍証明)

(Family Register Certificate)

第百十九条 船員、船員になろうとする者、船舶所有者又は船長は、船員又は船員になろうとする者の戸籍について、戸籍事務を管掌する者又はその代理者に対し無償で証明を請求することができる。

Article 119 A mariner, a person seeking to become a mariner, a shipowner, or a master may request, free of charge, a certificate of the family register of a mariner or a person seeking to become a mariner from the person who administers family register affairs or a deputy of that person.

(経過措置)

(Transitional Measures)

第百十九条の二 この法律の規定に基づき、命令を制定し、又は改廃する場合には、命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（年金制度、健康保険制度、雇用保険制度その他の社会保障制度及びこれらに関する政府の特別会計、労働関係調整制度その他の労働関係制度並びに罰則に関する経過措置を含む。）を定めることができる。

Article 119-2 If an order is enacted, amended, or repealed pursuant to the provisions of this Act, the necessary transitional measures (including transitional measures concerning the pension system, the health insurance system, the employment insurance system, other social security systems, special accounts of the government relating to these systems, the system for adjustment of labor relations, other labor-related systems, and penal provisions) may be specified by the order to the extent considered reasonably necessary for the enactment, amendment, or repeal.

(国及び公共団体に対する適用)

(Application to the National Government and Local Governments)

第百二十条 この法律、労働基準法及びこの法律に基づいて発する命令は、国、都道府県、市町村その他これに準ずるものについても適用があるものとする。

Article 120 This Act, the Labor Standards Act, and an order issued based on this Act also apply to the national government, prefectures, municipalities, or other equivalent bodies.

(船舶職員及び小型船舶操縦者法の一部の適用除外)

(Partial Exemption from Application of the Act on Ships' Officers and Boats' Operators)

第二百十条の二 船舶職員及び小型船舶操縦者法第三章第五節の規定は、船長については、適用しない。

Article 120-2 The provisions of Chapter III, Section 5 of the Act on Ships' Officers and Boats' Operators do not apply to a master.

(外国船舶の監督等)

(Supervision of Foreign Ships)

第二百十条の三 国土交通大臣は、その職員に、日本船舶以外の船舶（第一条第一項の国土交通省令で定める船舶及び同条第二項各号に定める船舶を除く。以下この条において「外国船舶」という。）で国土交通省令で定めるものが国内の港にある間、当該外国船舶に立ち入り、当該外国船舶の乗組員の労働条件等が二千六年の海上の労働に関する条約に定める要件に適合しているかどうか及び当該外国船舶の乗組員が次に掲げる要件の全てに適合しているかどうかについて検査を行わせることができる。

Article 120-3 While a non-Japanese ship (excluding a ship specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism as referred to in Article 1, paragraph (1) and a ship specified in the items of paragraph (2) of that Article; referred to below as a "foreign ship" in this Article) as specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism is in a port in Japan, the Minister of Land, Infrastructure, Transport and Tourism may have its official enter that foreign ship and inspect whether or not the working conditions, etc. of the member of the crew of the foreign ship conform to the requirements provided for in the Convention on Maritime Labor of 2006 and whether or not the member of the crew of the foreign ship conform to all of the following requirements:

一 千九百七十八年の船員の訓練及び資格証明並びに当直の基準に関する国際条約に定める航海当直の基準に従った航海当直を実施していること。

(i) Navigational watchkeeping is conducted in accordance with the navigational watchkeeping standards specified in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978; and

二 操舵（だ）設備又は消防設備の操作その他の航海の安全の確保に関し国土交通省令で定める事項を適切に実施するために必要な知識及び能力を有していること。

(ii) the person has the necessary knowledge and skills to operate the steering equipment or fire defense equipment and properly conduct the matters specified by Order of the Ministry of Land, Infrastructure, Transport and Tourism for ensuring navigation safety.

2 国土交通大臣は、前項の検査を行う場合において必要があると認めるときは、その必要と認める限度において、当該外国船舶の帳簿書類その他の物件を検査し、当該外国船舶の乗組員に質問し、又は当該外国船舶の乗組員が同項第二号に定める知識及び能力を有するかどうかについて審査を行うことができる。

(2) When and to the extent to which the Minister of Land, Infrastructure, Transport and Tourism finds it necessary for conducting the inspection referred to in the preceding paragraph, the Minister may inspect the books and documents, and any other item of the foreign ship, ask questions to the member of the crew of

the foreign ship, or examine whether the member of the crew of the foreign ship has the knowledge and skills prescribed in item (ii) of that paragraph.

3 国土交通大臣は、第一項の規定による検査の結果、当該外国船舶の乗組員の労働条件等が二千六年の海上の労働に関する条約に定める要件に適合していないと認めるとき、又は当該外国船舶の乗組員が同項各号に掲げる要件のいずれかに適合していないと認めるときは、当該外国船舶の船長に対し、これらの要件に適合するために必要な措置をとるべきことを文書により通告するものとする。

(3) When the Minister of Land, Infrastructure, Transport and Tourism, as a result of the inspection under the provisions of paragraph (1), finds that the working conditions, etc. of the member of the crew of the foreign ship do not conform to the requirements specified in the Convention on Maritime Labor of 2006, or that the member of the crew of the foreign ship does not conform to any of the requirements stated in the items of that paragraph, the Minister is to notify the master of the foreign ship in writing that the necessary measures are to be taken to ensure conformity to those requirements.

4 国土交通大臣は、前項の規定に基づく通告をしたにもかかわらず、なお当該通告に係る措置がとられていない場合において、当該外国船舶の大きさ及び種類並びに航海の期間及び態様を考慮して、航海を継続することが人の生命、身体若しくは財産に危険を生ぜしめ、又は海洋環境の保全に障害を及ぼすおそれがあると認めるときは、当該外国船舶の航行の停止を命じ、又はその航行を差し止めることができる。

(4) If the notification pursuant to the provisions of the preceding paragraph has been made but the measures related to the notification have not been taken and when the Minister finds that continuing to navigate the ship is likely to endanger the life, physical well-being, or property of a person or to hamper the conservation of the marine environment, taking into consideration the size and type of the foreign ship as well as the period and conditions of the voyage, the Minister may order the navigation of the foreign ship to be suspended or prohibit its navigation.

5 国土交通大臣があらかじめ指定するその職員は、前項に規定する場合において、人の生命、身体若しくは財産に対する危険を防止し、又は海洋環境の保全を図るため緊急の必要があると認めるときは、同項に規定する国土交通大臣の権限を即時に行うことができる。

(5) In the case prescribed in the preceding paragraph, an official designated in advance by the Minister of Land, Infrastructure, Transport and Tourism may immediately exercise the authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in that paragraph when the official finds it urgently necessary to do so in order to prevent danger to the life, physical well-being, or property of a person or to conserve the marine environment.

6 第百一条第三項の規定は第四項の場合について、第百七条第三項及び第四項の規定は第一項の場合について、それぞれ準用する。この場合において、第百一条第三項中「前項」とあるのは「第百二十条の三第四項」と、「第一項に規定する事実がなくなつた」とあるのは「二千六年の海上の労働に関する条約に定める要件及び同条第一項各号

に定める要件に適合するために必要な措置がとられた」と、第百七条第三項中「前二項」とあるのは「第百二十条の三第一項」と、「船員労務官」とあるのは「同条第一項の規定により立入検査をする職員」と、同条第四項中「第一項又は第二項」とあるのは「第百二十条の三第一項」と読み替えるものとする。

(6) The provisions of Article 101, paragraph (3) apply mutatis mutandis to the case referred to in paragraph (4), and the provisions of Article 107, paragraphs (3) and (4) apply mutatis mutandis to the case referred to in paragraph (1). In this case, the term "the preceding paragraph" in Article 101, paragraph (3) is deemed to be replaced with "Article 120-3, paragraph (4)", the phrase "the fact provided for in paragraph (1) no longer exists" in that paragraph is deemed to be replaced with "necessary measures have been taken to conform to the requirements specified in the Convention on Maritime Labor of 2006 and to the requirements specified in the items of paragraph (1) of that Article", the term "the preceding two paragraphs" in Article 107, paragraph (3) is deemed to be replaced with "Article 120-3, paragraph (1)", the term " mariners' labor inspector" in that paragraph is deemed to be replaced with "an official who conducts an on-site inspection pursuant to the provisions of paragraph (1) of that Article", and the term "paragraph (1) or (2)" in paragraph (4) of that Article is deemed to be replaced with "Article 120-3, paragraph (1)".

7 第百十二条の規定（船員及び船舶所有者に係る部分に限る。）は、外国船舶の乗組員について準用する。この場合において、同条第一項中「この法律、労働基準法又はこの法律に基づいて発する命令」とあるのは「二千六年の海上の労働に関する条約」と、「船員労務官」とあるのは「国土交通大臣があらかじめ指定するその職員」と読み替えるものとする。

(7) The provisions of Article 112 (limited to the part related to a mariner and a shipowner) apply mutatis mutandis to the member of the crew of a foreign ship. In this case, the term "this Act, the Labour Standards Act, or an order based on this Act" in paragraph (1) of that Article is deemed to be replaced with "the Maritime Labour Convention, 2006", and the term " mariners' labor inspectors" in that paragraph is deemed to be replaced with "an official designated in advance by the Minister of Land, Infrastructure, Transport and Tourism".

(命令の制定)

(Establishment of Orders)

第百二十一条 この法律に基いて発する命令は、その草案について公聴会を開いて、船員及び船舶所有者のそれぞれを代表する者並びに公益を代表する者の意見を聴いて、これを制定するものとする。

Article 121 An order issued based on this Act is to be established after a public hearing is held on a draft of the order to hear the opinions of the persons representing mariners and shipowners, and persons representing the public interest.

(手数料の納付)

(Payment of Fees)

第二百十一条の二 次に掲げる者（第百四条第一項の規定により市町村長が行う事務に係る申請をする者を除く。）は、実費を勘案して政令で定める額の手数料を国に納めなければならない。

Article 121-2 (1) The following persons (excluding a person who files an application related to the functions to be performed by the mayor of a municipality pursuant to the provisions of Article 104, paragraph (1)) must pay a fee to the national government in the amount specified by Cabinet Order in consideration of the actual costs:

一 船員手帳の交付、再交付、訂正又は書換えを受けようとする者

(i) a person who seeks to have their Mariner's Pocket Ledger issued, reissued, amended, or renewed;

二 第八十二条の二第二項の衛生管理者適任証書又は第百十八条第二項の救命艇手適任証書の再交付を受けようとする者

(ii) a person who seeks to have the certificate of proficiency for a health supervisor stated in Article 82-2, paragraph (2) or the certificate of proficiency for a lifeboatmen stated in Article 118, paragraph (2) reissued;

三 第八十二条の二第三項第一号又は第百十八条第三項第一号の試験を受けようとする者

(iii) a person who seeks to take the examination stated in Article 82-2, paragraph (3), item (i) or Article 118, paragraph (3), item (i);

四 第八十二条の二第三項第二号又は第百十八条第三項第二号の規定による認定を受けようとする者

(iv) a person who seeks to obtain certification under the provisions of Article 82-2, paragraph (3), item (ii) or Article 118, paragraph (3), item (ii);

五 法定検査（国土交通大臣が行うものに限る。）を受けようとする者

(v) a person who seeks to undergo a statutory inspection (limited to an inspection conducted by the Minister of Land, Infrastructure, Transport and Tourism);

六 海上労働証書又は臨時海上労働証書の交付を受けようとする者（登録検査機関が検査を行つた船舶に係るこれらの証書の交付を受けようとする者に限る。）

(vi) a person who seeks to have a maritime labor certificate or an interim maritime labor certificate issued (limited to a person who seeks to have these certificates issued for a ship inspected by a registered inspection agency); and

七 海上労働証書又は臨時海上労働証書の再交付又は書換えを受けようとする者

(vii) a person who seeks to have a maritime labor certificate or an interim maritime labor certificate reissued or renewed.

（事務の区分）

(Classification of Functions)

第二百十一条の三 第百四条第三項の規定により都道府県が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

Article 121-3 The functions to be handled by the prefecture pursuant to the provisions of Article 104, paragraph (3) are the category 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(権限の委任)

(Delegation of Authority)

第二百一十一条の四 この法律に規定する国土交通大臣の権限は、国土交通省令の定めるところにより、その一部を地方運輸局長に委任することができる。

Article 121-4 (1) Part of the authority of the Minister of Land, Infrastructure, Transport and Tourism prescribed in this Act may be delegated to the director of a district transport bureau, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

2 前項の規定により地方運輸局長に委任された権限は、国土交通省令の定めるところにより、運輸支局長又は地方運輸局、運輸監理部若しくは運輸支局の事務所の長に委任することができる。

(2) The authority delegated to the director of a district transport bureau pursuant to the provisions of the preceding paragraph may be delegated to the director of a transport bureau branch or the head of the office of a district transport bureau, transport supervision department, or transport bureau branch, pursuant to Order of the Ministry of Land, Infrastructure, Transport and Tourism.

第十四章 罰則

Chapter XIV Penal Provisions

第二百二十二条 船長がその職権を濫用して、船内にある者に対し義務のない事を行わせ、又は行うべき権利を妨害したときは、二年以下の拘禁刑に処する。

Article 122 When a master abuses their authority by forcing a person aboard a ship to do something that the person is not obliged to do, or by obstructing the person from exercising that person's rights, the master is subject to imprisonment for not more than two years.

第二百二十三条 船長が第十二条の規定に違反したときは、五年以下の拘禁刑に処する。

Article 123 When a master violates the provisions of Article 12, the master is subject to imprisonment for not more than five years.

第二百二十四条 船長が第十三条の規定に違反して人命及び船舶の救助に必要な手段を尽くさなかつたときは、三年以下の拘禁刑又は百万円以下の罰金に処する。

Article 124 When a master, in violation of the provisions of Article 13, fails to use all means necessary to save human life and the ship, the master is subject to imprisonment for not more than three years or a fine of not more than one million yen.

第二百五条 船長が次の各号のいずれかに該当する場合には、二年以下の拘禁刑又は五十万円以下の罰金に処する。

Article 125 (1) If a master falls under any of the following items, the master is subject to imprisonment for not more than two years or a fine of not more than five hundred thousand yen:

一 第十四条の規定に違反したとき。

(i) when the master violates the provisions of Article 14;

二 船舶を遺棄したとき。

(ii) when the master abandons the ship;

三 外国において海員を遺棄したとき。

(iii) when the master abandons a seaman in a foreign country.

第百二十六条 船長が次の各号のいずれかに該当する場合には、三十万円以下の罰金に処する。

Article 126 (1) If a master falls under any of the following items, the master is subject to a fine of not more than three hundred thousand yen:

一 第八条、第十条、第十一条、第十四条の三第一項、第十六条、第十七条、第五十条第二項、第五十五条又は第六十六条の二の規定に違反したとき。

(i) when the master violates the provisions of Article 8, Article 10, Article 11, Article 14-3, paragraph (1), Article 16, Article 17, Article 50, paragraph (2), Article 55, or Article 66-2;

二 第九条の規定に違反して予定の航路を変更したとき。

(ii) when the master changes the scheduled route in violation of the provisions of Article 9;

三 第十三条の規定に違反して告げなかつたとき。

(iii) when the master fails to provide matters in violation of the provisions of Article 13;

四 第十三条の二第一項の規定による通報をせず、又は虚偽の通報をしたとき。

(iv) when the master fails to make a report pursuant to the provisions of Article 13-2, paragraph (1), or makes a false report;

五 第十五条の規定に基づく国土交通省令に違反して水葬に付したとき。

(v) when the master arranges water burial for a person in violation of the Order of the Ministry of Land, Infrastructure, Transport and Tourism based on the provisions of Article 15;

六 第十八条の規定による書類を備え置かず、又は同条第一項第二号若しくは第三号の書類に記載すべき事項を記載せず、若しくは虚偽の記載をしたとき。

(vi) when the master fails to keep the documents under the provisions of Article 18, or fails to state the matters required in the documents referred to in paragraph (1), item (ii) or item (iii) of that Article, or makes a false statement;

七 第十九条の規定による報告をせず、又は虚偽の報告をしたとき。

(vii) if the master fails to make a report under the provisions of Article 19 or makes a false report; or

八 第五十条第四項本文の規定に違反して、船員手帳に記載すべき事項を記載せず、又は虚偽の記載をしたとき。

(viii) when the master fails to state the matters required in the Mariner's Pocket Ledger, or has made false statements, in violation of the provisions of the main clause of Article 50, paragraph (4).

第二百二十七条 海員が上長に対し暴行又は脅迫をしたときは、三年以下の拘禁刑又は百万円以下の罰金に処する。

Article 127 When a seaman assaults or uses intimidation against their superior, the seaman is subject to imprisonment for not more than three years or a fine of not more than a million yen.

第二百二十八条 海員が次の各号のいずれかに該当する場合には、一年以下の拘禁刑に処する。

Article 128 (1) If a seaman falls under any of the following items, the seaman is subject to imprisonment for not more than one year:

一 削除

(i) deleted;

二 第十二条、第十三条又は第十四条に規定する場合において、船長が人命、船舶、航空機又は積荷の救助に必要な手段をとるのに当たり、上長の命令に服従しなかつたとき。

(ii) when the seaman fails to comply with an order of a superior while the master takes necessary measures to save human life, the ship, aircraft, or cargo in the cases prescribed in Article 12, Article 13, or Article 14;

三 第三十九条第三項に規定する場合において、人命、船舶又は積荷の応急救助のために必要な作業に従事しなかつたとき。

(iii) when the seaman fails to engage in work necessary to save human life, the ship, or its cargo in an emergency in the case prescribed in Article 39, paragraph (3); or

四 外国において脱船したとき。

(iv) when the seaman leaves the ship in a foreign country.

第二百二十八条の二 船員が第八十一条第四項の規定に違反したときは、三十万円以下の罰金に処する。

Article 128-2 When a mariner violates the provisions of Article 81, paragraph (4), the mariner is subject to a fine of not more than three hundred thousand yen.

第二百二十九条 船舶所有者が第八十五条第一項若しくは第二項、第八十八条又は第八十八条の六の規定に違反したときは、当該違反行為をした者は、一年以下の拘禁刑又は三十万円以下の罰金に処する。

Article 129 When a shipowner violates the provisions of Article 85, paragraph (1) or (2), Article 88, or Article 88-6, the person who commits the violation is subject to imprisonment for not more than one year or a fine of not more than three hundred thousand yen.

第三十条 船舶所有者が第三十三条、第三十四条第一項、第三十五条、第四十四条の二第一項若しくは第二項、第四十四条の三第一項若しくは第三項、第四十五条、第四十六条、第四十七条第一項若しくは第二項、第四十九条、第六十二条、第六十三条、第

六十五条の二第三項（第八十八条の二の二第五項において準用する場合を含む。）、第六十六条（第八十八条の二の二第四項及び第五項並びに第八十八条の三第四項において準用する場合を含む。）、第六十九条、第七十四条、第七十八条、第八十条、第八十一条第一項から第三項まで、第八十二条、第八十六条第一項、第八十七条第一項若しくは第二項、第八十八条の二の二第一項、第八十八条の三第一項、第八十八条の四第一項、第八十九条、第九十一条から第九十四条まで、第一百十二条第二項、第一百十七条の二第一項、第一百十七条の三第一項、第一百十七条の四第一項、第一百十八条第一項、第一百十八条の二から第一百十八条の四まで又は第一百十八条の六第四項の規定に違反したときは、当該違反行為をした者は、六月以下の拘禁刑又は三十万円以下の罰金に処する。

Article 130 When a shipowner violates the provisions of Article 33, Article 34, paragraph (1), Article 35, Article 44-2, paragraph (1) or (2), Article 44-3, paragraph (1) or (3), Article 45, Article 46, Article 47, paragraph (1) or (2), Article 49, Article 62, Article 63, Article 65-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraph (5)), Article 66 (including as applied mutatis mutandis pursuant to Article 88-2-2, paragraphs (4) and (5), and Article 88-3, paragraph (4)), Article 69, Article 74, Article 78, Article 80, Article 81, paragraphs (1) through (3), Article 82, Article 86, paragraph (1), Article 87, paragraph (1) or paragraph (2), Article 88-2-2, paragraph (1), Article 88-3, paragraph (1), Article 88-4, paragraph (1), Article 89, Articles 91 through 94, Article 112, paragraph (2), Article 117-2, paragraph (1), Article 117-3, paragraph (1), Article 117-4, paragraph (1), Article 118, paragraph (1), Articles 118-2 through 118-4, or Article 118-6, paragraph (4), the person who commits the violation is subject to imprisonment for not more than six months or a fine of not more than three hundred thousand yen.

第三百十条の二 船舶所有者が次の各号のいずれかに該当する場合には、当該違反行為をした者は、二百万円以下の罰金に処する。

Article 130-2 (1) If a shipowner falls under any of the following items, the person who commits the violation is subject to a fine of not more than two million yen:

一 偽りその他不正の行為により海上労働証書又は臨時海上労働証書の交付、再交付又は書換えを受けたとき。

(i) when the person has a maritime labor certificate or an interim maritime labor certificate issued, reissued, or renewed by deception or other wrongful acts;

二 第百条の四の規定による検査を受けずに、海上労働証書の交付を受けた船舶を国際航海に従事させたとき。

(ii) when the person uses a ship for which a maritime labor certificate has been issued on an international voyage without undergoing an inspection under the provisions of Article 100-4; or

三 第百条の七の規定に違反して、特定船舶を国際航海に従事させたとき。

(iii) when the person uses a specified ship on an international voyage in violation of the provisions of Article 100-7.

第三百十条の三 船舶所有者が第百条の十第一項又は第二項の規定による命令に違反したときは、当該違反行為をした者は、五十万円以下の罰金に処する。

Article 130-3 When a shipowner violates an order under the provisions of Article 100-10, paragraph (1) or paragraph (2), the person who commits the violation is subject to a fine of not more than five hundred thousand yen.

第三百三十一条 船舶所有者が次の各号のいずれかに該当する場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

Article 131 (1) If a shipowner falls under any of the following items, the person who commits the violation is subject to a fine of not more than three hundred thousand yen:

一 第三十四条第二項、第三十六条第三項、第五十三条第一項若しくは第二項、第五十四条、第五十六条、第五十八条第一項、第六十七条第二項、第八十二条の二第一項、第八十三条第一項、第八十五条第三項、第八十八条の七又は第百十三条の規定に違反したとき。

(i) when the person violates the provisions of Article 34, paragraph (2), Article 36, paragraph (3), Article 53, paragraph (1) or paragraph (2), Article 54, Article 56, Article 58, paragraph (1), Article 67, paragraph (2), Article 82-2, paragraph (1), Article 83, paragraph (1), Article 85, paragraph (3), Article 88-7, or Article 113;

二 第三十二条第一項、第二項（同条第四項において準用する場合を含む。）若しくは第三項、第三十六条第一項若しくは第二項、第五十三条第三項又は第百十八条の六第二項の規定に違反して、書面を交付せず、又はこれらの規定に規定する事項を記載しない書面若しくは虚偽の記載のある書面を交付したとき。

(ii) when, in violation of the provisions of Article 32, paragraph (1), (2) (including as applied mutatis mutandis pursuant to paragraph (4) of that Article) or the provisions of paragraph (3), Article 36, paragraph (1) or paragraph (2), Article 53, paragraph (3), or Article 118-6, paragraph (2), the person fails to issue a document or issues a document that does not state the matters prescribed in those provisions or that contains a false statement;

三 第三十四条第四項の規定による船員の請求にかかわらず、貯蓄金を返還しなかつたとき。

(iii) when the person fails to return savings, notwithstanding the request of a mariner under the provisions of Article 34, paragraph (4);

四 第三十七条の規定による届出をせず、又は虚偽の届出をしたとき。

(iv) when the person fails to make a notification under the provisions of Article 37 or makes a false notification;

五 第五十条第四項ただし書の規定による書面の交付に際して虚偽の記載をした書面を交付したとき。

(v) when the person issues a document containing a false statement at the time of issuance of the document under the proviso to Article 50, paragraph (4);

六 第五十八条の二又は第六十七条第一項の規定による報酬支払簿若しくは記録簿を備え置かず、又は報酬支払簿若しくは記録簿に記載すべき事項を記載せず、若しくは虚偽の記載をしたとき。

(vi) when the person fails to keep a remuneration payment book or a record book under the provisions of Article 58-2 or Article 67, paragraph (1), or fails to state the matters necessary in the remuneration payment book or the record book, or has made a false statement;

七 第百条の八の規定に違反して、特定船舶を国際航海に従事させたとき。

(vii) when the person uses a specified ship on an international voyage in violation of the provisions of Article 100-8; or

八 第百十一条の規定による報告をせず、又は虚偽の報告をしたとき。

(viii) when the person fails to make a report under the provisions of Article 111 or makes a false report.

第百三十一条の二 特定小型船舶所有者が第百十二条第二項又は第百十八条の五第一項の規定に違反したときは、当該違反行為をした者は、六月以下の拘禁刑又は三十万円以下の罰金に処する。

Article 131-2 When an owner of a specified small ship violates the provisions of Article 112, paragraph (2) or Article 118-5, paragraph (1), the person who commits the violation is subject to imprisonment for not more than six months or a fine of not more than three hundred thousand yen.

第百三十一条の三 第百条の二十六第一項の規定による検査業務の停止の命令に違反したときは、その違反行為をした登録検査機関の役員又は職員は、一年以下の拘禁刑又は五十万円以下の罰金に処する。

Article 131-3 An executive officer or employee of a registered inspection agency who has violated an order of suspension of inspection services issued under the provisions of Article 100-26, paragraph (1) is punished by imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

第百三十一条の四 次の各号のいずれかに該当する場合には、その違反行為をした登録検査機関（外国登録検査機関を除く。）の役員又は職員は、三十万円以下の罰金に処する。

Article 131-4 (1) An executive officer or employee of a registered inspection agency (excluding a foreign registered inspection agency) who falls under any of the following items is subject to a fine of not more than three hundred thousand yen:

一 第百条の二十の規定による許可を受けないで検査業務の全部を廃止したとき。

(i) when the officer or employee discontinues all of the inspection services without obtaining permission under the provisions of Article 100-20; or

二 第百条の二十四の規定による報告をせず、又は虚偽の報告をしたとき。

(ii) when the officer or employee fails to make a report under the provisions of Article 100-24 or makes a false report.

第百三十二条 第百一条第二項又は第百十八条の五第三項の規定による処分に違反したときは、当該違反行為をした者は、六月以下の拘禁刑又は三十万円以下の罰金に処する。

Article 132 (1) When a person violates a disposition under the provisions of Article 101, paragraph (2) or Article 118-5, paragraph (3), the person who commits

the violation is subject to imprisonment for not more than six months or a fine of not more than three hundred thousand yen.

2 第二百十条の三第四項の規定による処分に違反した者は、六月以下の拘禁刑又は三十万円以下の罰金に処する。

(2) A person who violates a disposition under the provisions of Article 120-3, paragraph (4) is punished by imprisonment for not more than six months or a fine of not more than three hundred thousand yen.

第三百三十三条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 133 (1) A person who falls under any of the following items is subject to a fine of not more than three hundred thousand yen:

一 自己の船員手帳を棄損した者

(i) a person who damages their Mariner's Pocket Ledger;

二 削除

(ii) deleted;

三 偽りその他不正の行為により船員手帳の交付、再交付、訂正又は書換えを受けた者

(iii) a person who has their Mariner's Pocket Ledger issued, reissued, amended, or renewed by deception or other wrongful acts;

四 他人の船員手帳を行使した者

(iv) a person who uses another person's Mariner's Pocket Ledger;

五 第百条の二十五の規定による検査を拒み、妨げ、又は忌避した者

(v) a person who refuses, obstructs, or evades an inspection under the provisions of Article 100-25;

六 第百九条の規定に違反した者

(vi) a person who violates the provisions of Article 109;

七 第百十二条第一項に定める場合において、虚偽の申告をした者

(vii) a person who makes a false declaration in the case specified by Article 112, paragraph (1);

八 第二百十条の三第一項の規定による立入りを拒み、妨げ、又は忌避した者

(viii) a person who refuses, obstructs, or evades entry under the provisions of Article 120-3, paragraph (1); or

九 第二百十条の三第二項の規定による検査若しくは審査を拒み、妨げ、若しくは忌避し、又は質問に対し陳述をせず、若しくは虚偽の陳述をした者

(ix) a person who refuses, obstructs, or evades an inspection or examination under the provisions of Article 120-3, paragraph (2), or who fails to make a statement or makes a false statement in response to a question.

2 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

(2) If a person falls under any of the following items, the person who commits the violation is subject to a fine of not more than three hundred thousand yen:

一 第九十七条の規定による就業規則の作成若しくは届出をせず、又は虚偽の届出をしたとき。

(i) when the person fails to prepare rules of employment or make a notification under the provisions of Article 97, or makes a false notification;

二 第九十八条の規定に違反したとき。

(ii) when the person violates the provisions of Article 98;

三 第九十九条の規定による命令に違反したとき。

(iii) when the person violates an order issued under the provisions of Article 99;

四 第一百一条第一項の規定による命令に違反したとき。

(iv) when the person violates an order issued under the provisions of Article 101, paragraph (1);

五 第七十条第一項の規定による出頭の命令に应ぜず、同項の規定による帳簿書類の提出をせず、若しくは虚偽の記載をした帳簿書類を提出し、若しくは同項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対し陳述をせず、若しくは虚偽の陳述をしたとき。

(v) when the person fails to comply with an order to appear under the provisions of Article 107, paragraph (1), fails to submit books and documents under the provisions of that paragraph, submits books and documents containing false matters, fails to make a report under the provisions of that paragraph or makes a false report, or refuses, obstructs, or evades entry or inspection under the provisions of that paragraph, or fails to make a statement or makes a false statement in response to a question under the provisions of that paragraph; or

六 第一百八条の五第二項の規定による命令に違反したとき。

(vi) when the person violates an order under the provisions of Article 118-5, paragraph (2).

第一百三十四条 この章のうち船長に適用すべき規定は、船長に代わつてその職務を行う者にこれを適用する。

Article 134 The provisions of this Chapter which apply to a master apply to a person who performs the master's duties on behalf of the master.

第一百三十五条 船舶所有者の代表者、代理人、使用人その他の従業者が船舶所有者の業務に関し第二百九条から第三十一条まで、第三十二条第一項又は第三十三条第二項の違反行為をしたときは、その行為者を罰するほか、その船舶所有者に対して、各本条の罰金刑を科する。

Article 135 (1) When a representative, agent, employee, or any other worker of a shipowner commits a violation of Articles 129 through 131, Article 132, paragraph (1), or Article 133, paragraph (2) in connection with the shipowner's business, in addition to the offender being subject to punishment, the shipowner is subject to the fine prescribed in the relevant Article.

2 特定小型船舶所有者の代表者、代理人、使用人その他の従業者が特定小型船舶所有者の業務に関し第三十一条の二、第三十二条第一項（第一百八条の五第三項に係

る部分に限る。)及び第百三十三条第二項(第六号に係る部分に限る。)の違反行為をしたときは、その行為者を罰するほか、その特定小型船舶所有者に対して、各本条の罰金刑を科する。

(2) When a representative, agent, employee, or any other worker of an owner of a specified small-sized ship commits a violation of Article 131-2, Article 132, paragraph (1) (limited to the part related to Article 118-5, paragraph (3)), and Article 133, paragraph (2) (limited to the part related to item (vi)) in connection with the business of the owner of a specified small-sized ship, in addition to the offender being subject to punishment, the owner of a specified small-sized ship is subject to the fine prescribed in the relevant Article.

3 第九十七条第三項に規定する団体の代表者、代理人、使用人その他の従業者がその団体の業務に関し第百三十三条第二項(第四号を除く。)の違反行為をしたときは、その行為者を罰するほか、その団体に対して、同条の刑を科する。

(3) If a representative, agent, employee, or any other worker of an organization provided for in Article 97, paragraph (3) commits a violation of Article 133, paragraph (2) (excluding item (iv)) in connection with the business of the organization, in addition to the offender being subject to punishment, the organization is subject to the fine referred to in the relevant Article.

第百三十六条 第百条の十九第一項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに同条第二項各号の規定による請求を拒んだ者(外国登録検査機関を除く。)は、二十万円以下の過料に処する。

Article 136 A person (excluding a foreign registered inspection agency) who fails to keep financial statements, etc., fails to state the necessary matters in the financial statements, etc. or makes a false statement, or refuses a request made under the items of paragraph (2) of Article 100-19 without justifiable grounds, in violation of the provisions of paragraph (1) of that Article, is subject to a civil fine of not more than two hundred thousand yen.

第百三十七条 第五十条第五項及び第七十三条第一項の規定に基づく政令には、必要な罰則を設けることができる。

Article 137 (1) Necessary penal provisions may be established in a Cabinet Order based on the provisions of Article 50, paragraph (5) and Article 73, paragraph (1).

2 前項の罰則に規定することができる罰は、第五十条第五項の規定に基づく政令にあつては三十万円以下の罰金、第七十三条第一項の規定に基づく政令にあつては六月以下の拘禁刑又は三十万円以下の罰金とする。

(2) The punishment that may be provided for in the penal provisions referred to in the preceding paragraph is to be a fine of not more than three hundred thousand yen in a Cabinet Order based on the provisions of Article 50, paragraph (5), or imprisonment for not more than six months or a fine of not more than three hundred thousand yen in a Cabinet Order based on the provisions of Article 73, paragraph (1).

附 則

Supplementary Provisions

第一条 この法律は、第十章の規定を除いて、公布の日からこれを施行する。

Article 1 (1) This Act comes into effect on the date of promulgation, except for the provisions of Chapter X.

2 第十章の規定施行の期日は、命令でこれを定める。

(2) The effective date of the provisions of Chapter X is specified by an order.

第二条 この法律施行前に生じた事項については、なお従前の例による。

Article 2 Prior laws and regulations continue to govern matters that have arisen before the enforcement of this Act.

第三条 第百十六条第二項の規定の適用については、当分の間、同項ただし書中「五年」とあるのは、「三年」とする。

Article 3 (1) With regard to the application of the provisions of Article 116, paragraph (2), the term "five years" in the proviso to that paragraph is deemed to be replaced with "three years" until otherwise provided for by law.

2 第百十七条の規定の適用については、当分の間、同条中「の債権にあつては、」とあるのは、「(退職手当を除く。)の債権にあつては三年間、退職手当の債権にあつては」とする。

(2) With regard to the application of the provisions of Article 117, the term "within five years, in the case of a claim for salary or other remuneration" in that Article is deemed to be replaced with "within three years in the case of a claim for salary or other remuneration (excluding retirement allowance), or within five years in the case of a claim for retirement allowance" until otherwise provided for by law.

附 則 (令和七年五月一四日法律第三二号) 抄

Supplementary Provisions (Act No.32 of May 14, 2025) (Extract)

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 (1) This Act comes into effect on the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions stated in the following items come into effect on the dates specified respectively in those items:

一 附則第二十八条の規定 公布の日

(i) the provisions of Article 28 of the Supplementary Provisions: the date of promulgation;

二 第一条中船員法第十三条の次に一条を加える改正規定、同法第二百六条の改正規定(同条第七号の改正規定を除く。)及び同法第二百二十八条第二号の改正規定並びに附則第五条及び第十八条の規定 令和六年五月二十三日採択された千九百七十四年の

海上における人命の安全のための国際条約附属書の改正が日本国について効力を生ずる日

(ii) the amended provisions of Article 1 that add an Article after Article 13 of the Mariners Act, the provisions amending Article 126 of that Act (excluding the provisions amending item (vii) of that Article), the provisions amending Article 128, item (ii) of that Act, and the provisions of Article 5 and Article 18 of the Supplementary Provisions: the date on which the amendment to the Annex to the International Convention for the Safety of Life at Sea of 1974, adopted on May 23, 2024, becomes effective for Japan.

三 第一条中船員法目次の改正規定（「第百三十六条」を「第百三十七条」に改める部分を除く。）、同法第八十一条の次に四条を加える改正規定、同法第八章の次に二章を加える改正規定（第八章の二に係る部分に限る。）、同法第百条の三第一項の改正規定（同項第六号の改正規定を除く。）、同法第百条の六第三項第一号及び第三号、第百条の十九第一項、第百二十条の三第一項から第三項まで及び第六項並びに第百二十一条の二の改正規定、同法第百三十条の改正規定（「まで若しくは」を「まで又は」に改め、「違反し、又は第七十三条の規定に基づく国土交通省令に」を削る部分を除く。）、同法中第百三十一条の四を第百三十一条の六とし、第百三十一条の三を第百三十一条の五とし、第百三十一条の二の次に二条を加える改正規定、同法第百三十三条第一項の改正規定（同項第二号の改正規定を除く。）並びに同法第百三十六条の改正規定並びに第三条の規定並びに附則第六条、第七条、第九条、第十二条第二項及び第三項、第十三条、第十六条、第二十一条並びに第二十六条の規定 千九百九十五年の漁船員の訓練及び資格証明並びに当直の基準に関する国際条約が日本国について効力を生ずる日

(iii) the provisions of Article 1 amending the Table of Contents of the Mariners Act (excluding the part amending "Article 136" to "Article 137"), the provisions amending to add four Articles after Article 81 of that Act, the provisions amending to add two Chapters after Chapter VIII of that Act (limited to the part related to Chapter VIII-2), the provisions amending Article 100-3, paragraph (1) of that Act (excluding the provisions amending item (vi) of that paragraph), the provisions amending Article 100-6, paragraph (3), items (i) and (iii), Article 100-19, paragraph (1), Article 120-3, paragraphs (1) through (3) and paragraph (6), and Article 121-2 of that Act, the provisions amending Article 130 of that Act (excluding the part amending "up to or" to "up to or" and deleting "in violation of those provisions or in violation of Order of the Ministry of Land, Infrastructure, Transport and Tourism based on the provisions of Article 73"), the provisions amending Article 131-4 to Article 131-6, Article 131-3 to Article 131-5, and adding two Articles after Article 131-2 in that Act, the provisions amending Article 133, paragraph (1) of that Act (excluding the provisions amending item (ii) of that paragraph), and the provisions amending Article 136 of that Act; and the provisions of Article 3, and the provisions of Article 6, Article 7, Article 9, Article 12, paragraphs (2) and (3), Article 13, Article 16, Article 21, and Article 26 of the Supplementary Provisions: the date on which

the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 becomes effective for Japan; and

四 次条から附則第四条まで並びに附則第十条、第十一条、第十二条第一項、第十九条及び第二十条の規定 前号に定める日前の政令で定める日

(iv) the provisions of Article 2 through Article 4 of the Supplementary Provisions, and Article 10, Article 11, Article 12, paragraph (1), Article 19, and Article 20 of the Supplementary Provisions: the date specified by Cabinet Order before the date specified in the preceding item.

(船員手帳及び勤務成績証明書に関する経過措置)

(Transitional Measures for the Mariner's Pocket Ledger and Certificate of Work Performance)

第八条 この法律の施行の日（以下「施行日」という。）前に船員法第三十七条に規定する雇入契約の成立等があった場合における当該雇入契約に係る船員の勤務に関する事項の船員手帳への記載については、なお従前の例による。

Article 8 (1) Prior laws and regulations continue to govern the entries in the Mariner's Pocket Ledger related to the details of a mariner's work under an employment agreement provided for in Article 37 of the Mariners Act, if that employment agreement was formed, etc. before the date on which this Act comes into effect (referred to below as the "effective date").

2 施行日前の船員法第二条第一項に規定する海員の勤務の成績に関する証明書の交付の請求については、なお従前の例による。

(2) Prior laws and regulations continue to govern the request for issuance of a certificate concerning the work performance of a seaman as prescribed in Article 2, paragraph (1) of the Mariners Act before the effective date.

(検討)

(Review)

第十四条 政府は、この法律の施行後五年を経過した場合において、第一条の規定（附則第一条第二号及び第三号に掲げる改正規定を除く。）による改正後の船員法及び第二条の規定による改正後の船員職業安定法の規定について、その施行の状況等を勘案しつつ検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 14 If five years have elapsed since the enforcement of this Act, the government is to review the provisions of the Mariners Act amended by the provisions of Article 1 (excluding the amended provisions stated in Article 1, items (ii) and (iii) of the Supplementary Provisions) and the provisions of the Mariners' Employment Security Act amended by the provisions of Article 2, while taking into account the status of enforcement, etc. of these Acts, and take measures as required based on the results of the review when the government finds it necessary.

(政令への委任)

(Delegation to Cabinet Order)

第二十八条 この附則に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 28 In addition to what is specified in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures concerning penal provisions) are specified by Cabinet Order.

■表■ 別表