

高年齢者等の雇用の安定等に関する法律

Act on Stabilization of Employment of Elderly Persons

(昭和四十六年五月二十五日法律第六十八号)

((Act No. 68 of May 25, 1971))

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、定年の引上げ、継続雇用制度の導入等による高年齢者の安定した雇用の確保の促進、高年齢者等の再就職の促進、定年退職者その他の高年齢退職者に対する就業の機会の確保等の措置を総合的に講じ、もつて高年齢者等の職業の安定その他福祉の増進を図るとともに、経済及び社会の発展に寄与することを目的とする。

Article 1 The purpose of this Act is to promote the welfare including stabilization of employment of Elderly Persons, etc. while contributing to the development of the economy and society, by taking comprehensive measures that are designed to facilitate the secure employment of Elderly Persons, such as raising the mandatory retirement age and introducing a system of continuous employment, to facilitate the re-employment of Elderly Persons, etc. and to secure employment opportunities for persons who have mandatorily retired and other elderly retirees.

(定義)

(Definition)

第二条 この法律において「高年齢者」とは、厚生労働省令で定める年齢以上の者をいう。

Article 2 (1) The term "Elderly Persons" as used in this Act means those whose ages are at or above the age specified by Ordinance of the Ministry of Health, Labour and Welfare.

2 この法律において「高年齢者等」とは、高年齢者及び次に掲げる者で高年齢者に該当しないものをいう。

(2) The term "Elderly Persons, etc." as used in this Act means Elderly Persons and the following persons who do not fall into the category of Elderly Persons:

一 中高年齢者（厚生労働省令で定める年齢以上の者をいう。次項において同じ。）である求職者（次号に掲げる者を除く。）

(i) middle-aged and elderly persons (referring to those whose ages are at or above the age specified by Ordinance of the Ministry of Health, Labour and

Welfare; the same applies in the following paragraph) who are looking for employment (excluding those listed in the following item);

二 中高年齢失業者等（厚生労働省令で定める範囲の年齢の失業者その他就職が特に困難な厚生労働省令で定める失業者をいう。第三章第三節において同じ。）

(ii) middle-aged and elderly unemployed persons, etc. (unemployed persons whose ages are within the age range specified by Ordinance of the Ministry of Health, Labour and Welfare, and other unemployed persons specified by Ordinance of the Ministry of Health, Labour and Welfare as those who have particular difficulty in finding employment; the same applies in Chapter III, Section 3).

3 この法律において「特定地域」とは、中高年齢者である失業者が就職することが著しく困難である地域として厚生労働大臣が指定する地域をいう。

(3) The term "Specified Area" as used in this Act means an area designated by the Minister of Health, Labour and Welfare as an area where it is extremely difficult for unemployed persons who are middle-aged and elderly to find employment.

(基本的理念)

(Basic Principles)

第三条 高年齢者等は、その職業生活の全期間を通じて、その意欲及び能力に応じ、雇用の機会その他の多様な就業の機会が確保され、職業生活の充実が図られるように配慮されるものとする。

Article 3 (1) Consideration must be given to ensure that Elderly Persons, etc. have opportunities for employment and other various work opportunities in accordance with their wishes and abilities throughout their entire working lives while enriching said working lives.

2 労働者は、高齢期における職業生活の充実のため、自ら進んで、高齢期における職業生活の設計を行い、その設計に基づき、その能力の開発及び向上並びにその健康の保持及び増進に努めるものとする。

(2) Workers are to, on their own initiative, prepare a plan for their period of older age in order to enrich their working lives in this period, develop and improve their abilities, while maintaining and promoting their health based on said plan.

(事業主の責務)

(Employer's Responsibilities)

第四条 事業主は、その雇用する高年齢者について職業能力の開発及び向上並びに作業施設の改善その他の諸条件の整備を行い、並びにその雇用する高年齢者等について再就職の援助等を行うことにより、その意欲及び能力に応じてその者のための雇用の機会の確保等が図られるよう努めるものとする。

Article 4 (1) The employer is to strive to secure employment opportunities, etc.

for Elderly Persons that were employed by said employer in accordance with their wishes and abilities by developing and improving their work abilities, improving working facilities, and putting in place various other conditions, as well as supporting Elderly Persons, etc. that were employed by said employer for their re-employment and the like.

2 事業主は、その雇用する労働者が高齢期においてその意欲及び能力に応じて就業することにより職業生活の充実を図ることができるようにするため、その高齢期における職業生活の設計について必要な援助を行うよう努めるものとする。

(2) The employer is to strive to provide the necessary support for workers employed by said employer to prepare work plans into their old age in order to enable said workers to enrich their working lives by assisting them in accordance with their wishes and abilities in their old age.

(国及び地方公共団体の責務)

(Responsibility of the National Government and Local Governments)

第五条 国及び地方公共団体は、事業主、労働者その他の関係者の自主的な努力を尊重しつつその実情に応じてこれらの者に対し必要な援助等を行うとともに、高年齢者等の再就職の促進のために必要な職業紹介、職業訓練等の体制の整備を行う等、高年齢者等の意欲及び能力に応じた雇用の機会その他の多様な就業の機会の確保等を行うために必要な施策を総合的かつ効果的に推進するように努めるものとする。

Article 5 While giving due consideration to the voluntary efforts of employers, workers, and other related persons, the national government and local governments are to provide said employers, workers, and other related persons with the necessary support, etc. in accordance with their circumstances, and are to strive to comprehensively and effectively promote measures necessary to secure work opportunities and other various employment opportunities, etc. for Elderly Persons, etc. in accordance with said Elderly Persons wishes and abilities, by implementing measures such as improving systems for employment placements and vocational training that are necessary to facilitate the re-employment of Elderly Persons, etc.

(高年齢者等職業安定対策基本方針)

(Basic Policy for Measures for the Stabilization of Employment for Elderly Persons)

第六条 厚生労働大臣は、高年齢者等の職業の安定に関する施策の基本となるべき方針（以下「高年齢者等職業安定対策基本方針」という。）を策定するものとする。

Article 6 (1) The Minister of Health, Labour and Welfare is to formulate a policy that forms the basis for the measures for the stabilization of employment of Elderly Persons, etc. (hereinafter referred to as the "Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc.").

2 高年齢者等職業安定対策基本方針に定める事項は、次のとおりとする。

- (2) The particulars to be specified in the Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc. are as follows:
- 一 高年齢者等の就業の動向に関する事項
 - (i) particulars concerning the trends in the employment of Elderly Persons, etc.;
 - 二 高年齢者の雇用の機会の増大の目標に関する事項
 - (ii) particulars concerning the goals for increasing employment opportunities for Elderly Persons;
 - 三 第四条第一項の事業主が行うべき職業能力の開発及び向上、作業施設の改善その他の諸条件の整備、再就職の援助等並びに同条第二項の事業主が行うべき高齢期における職業生活の設計の援助に関して、その適切かつ有効な実施を図るため必要な指針となるべき事項
 - (iii) particulars that should be regarded as the necessary guidelines for the appropriate and effective implementation of the measures that the employer in Article 4, paragraph (1) should take, are to develop and enhance the capabilities of workers, to improve work facilities, improve other various conditions, and to support re-employment, as well as those measures that the employer in paragraph (2) of the same Article should take to support the preparation of work plans for old age;
 - 四 第九条に規定する高年齢者雇用確保措置の円滑な実施を図るため講じようとする施策の基本となるべき事項
 - (iv) particulars that should serve as the basic policy underlying the measures to be taken to facilitate the smooth implementation of the measures for securing employment for elderly persons provided for in Article 9;
 - 五 高年齢者等の再就職の促進のため講じようとする施策の基本となるべき事項
 - (v) particulars that should serve as the basic policy underlying the measures to facilitate the re-employment of Elderly Persons, etc.;
 - 六 前各号に掲げるもののほか、高年齢者等の職業の安定を図るため講じようとする施策の基本となるべき事項
 - (vi) in addition to the particulars listed in the preceding items, any other particulars that should serve as the basic policy underlying the measures to be taken to stabilize the employment of Elderly Persons, etc.
- 3 厚生労働大臣は、高年齢者等職業安定対策基本方針を定めるに当たっては、あらかじめ、関係行政機関の長と協議するとともに、労働政策審議会の意見を聴かなければならない。
- (3) Prior to the formulation, the Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc., the Minister of Health, Labour and Welfare must consult with the heads of the relevant administrative organs and listen to the opinions of the Labour Policy Council.
- 4 厚生労働大臣は、高年齢者等職業安定対策基本方針を定めたときは、遅滞なく、その概要を公表しなければならない。

(4) After having formulated the Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc., the Minister of Health, Labour and Welfare must immediately, and publically announce the outline thereof.

5 前二項の規定は、高年齢者等職業安定対策基本方針の変更について準用する。

(5) The provisions of the two preceding paragraphs apply mutatis mutandis to amendments of the Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc.

(適用除外)

(Exclusion from Application)

第七条 この法律は、船員職業安定法（昭和二十三年法律第百三十号）第六条第一項に規定する船員については、適用しない。

Article 7 (1) This Act does not apply to mariners provided for in Article 6, paragraph (1) of the Mariners' Employment Security Act (Act No. 130 of 1948).

2 前条、次章、第三章第二節、第四十九条及び第五十二条の規定は、国家公務員及び地方公務員については、適用しない。

(2) The provisions of the preceding Article, the following Chapter, Chapter III, Section 2, and Articles 49 and 52 do not apply to national government employees and local government employees.

第二章 定年の引上げ、継続雇用制度の導入等による高年齢者の安定した雇用の確保の促進

Chapter II Promotion of Securing Stable Employment for Elderly Persons by Raising the Mandatory Retirement Age and Introducing a Continuous Employment System

(定年を定める場合の年齢)

(Cases in Where the Age of the Mandatory Retirement Age Is Fixed)

第八条 事業主がその雇用する労働者の定年（以下単に「定年」という。）の定めをする場合には、当該定年は、六十歳を下回ることができない。ただし、当該事業主が雇用する労働者のうち、高年齢者が従事することが困難であると認められる業務として厚生労働省令で定める業務に従事している労働者については、この限りでない。

Article 8 If an employer fixes the mandatory retirement age of workers employed by said employer (hereinafter referred to as the "Mandatory Retirement Age"), the Mandatory Retirement Age must not be below 60 years of age; provided, however, that this does not apply to workers employed by said employer that engage in work deemed by Ordinance of the Ministry of Health, Labour and Welfare as work that is difficult for Elderly Persons to engage in.

(高年齢者雇用確保措置)

(Measures for Securing Employment for Elderly Persons)

第九条 定年（六十五歳未満のものに限る。以下この条において同じ。）の定めをしている事業主は、その雇用する高年齢者の六十五歳までの安定した雇用を確保するため、次の各号に掲げる措置（以下「高年齢者雇用確保措置」という。）のいずれかを講じなければならない。

Article 9 (1) If an employer fixes the Mandatory Retirement Age (limited to under 65 years of age; hereinafter, the same applies in this Article), the employer must take any one of the measures listed in the following items in order to secure stable employment for Elderly Persons employed by said employer until 65 years of age (hereinafter referred to as the "Measures for Securing Employment for Elderly Persons"):

一 当該定年の引上げ

(i) raising said Mandatory Retirement Age;

二 継続雇用制度（現に雇用している高年齢者が希望するときは、当該高年齢者をその定年後も引き続いて雇用する制度をいう。以下同じ。）の導入

(ii) introduction of a continuous employment system (referring to a system of continuing to employ an elderly person currently employed after the Mandatory Retirement Age, if said elderly person wishes to be employed; the same applies hereinafter);

三 当該定年の定め廃止

(iii) abolition of the Mandatory Retirement Age.

2 継続雇用制度には、事業主が、特殊関係事業主（当該事業主の経営を実質的に支配することが可能となる関係にある事業主その他の当該事業主と特殊の関係のある事業主として厚生労働省令で定める事業主をいう。以下この項において同じ。）との間で、当該事業主の雇用する高年齢者であつてその定年後に雇用されることを希望するものをその定年後に当該特殊関係事業主が引き続いて雇用することを約する契約を締結し、当該契約に基づき当該高年齢者の雇用を確保する制度が含まれるものとする。

(2) A continuous employment system is to include a system in which an employer concludes an agreement with a specially related employer (referring to an employer in a relationship that may allow such an employer to have substantial control of the business of said employer and any other employer specified by Ordinance of the Ministry of Health, Labour and Welfare as being in a special relationship with said employer; hereinafter, the same applies in this paragraph) in which said specially related employer continues to employ an elderly person currently employed by said employer after the Mandatory Retirement Age if said elderly person wishes to be employed, and said employer secures the employment of said elderly person under said agreement.

3 厚生労働大臣は、第一項の事業主が講ずべき高年齢者雇用確保措置の実施及び運用（心身の故障のため業務の遂行に堪えない者等の継続雇用制度における取扱いを含む。）に関する指針（次項において「指針」という。）を定めるものとする。

(3) The Minister of Health, Labour and Welfare is to specify the guidelines concerning the implementation and operation of the Measures for Securing

Employment for Elderly Persons (referred to as the "Guidelines" in the following paragraph) that the employer in paragraph (1) should take (including treatment of persons that have difficulty fulfilling their duties in the continuous employment system due to a mental or physical disorders).

4 第六条第三項及び第四項の規定は、指針の策定及び変更について準用する。

(4) The provisions of Article 6, paragraphs (3) and (4) apply mutatis mutandis to formulations of and amendments to the Guidelines.

(公表等)

(Publication)

第十条 厚生労働大臣は、前条第一項の規定に違反している事業主に対し、必要な指導及び助言をすることができる。

Article 10 (1) The Minister of Health, Labour and Welfare may give necessary guidance and advice to an employer who violates the provisions of paragraph (1) of the preceding Article.

2 厚生労働大臣は、前項の規定による指導又は助言をした場合において、その事業主がなお前条第一項の規定に違反していると認めるときは、当該事業主に対し、高年齢者雇用確保措置を講ずべきことを勧告することができる。

(2) When the Minister of Health, Labour and Welfare finds that an employer still violates the provisions of paragraph (1) of the preceding Article, even after having received guidance and advice as provided for in the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare may recommend said employer implement the Measures for Securing Employment for Elderly Persons.

3 厚生労働大臣は、前項の規定による勧告をした場合において、その勧告を受けた者がこれに従わなかつたときは、その旨を公表することができる。

(3) When an employer has received recommendations provided for in the provisions of the preceding paragraph but fails to follow said recommendations, the Minister of Health, Labour and Welfare may make it public.

(高年齢者雇用推進者)

(Promoter of Employment of Elderly Persons)

第十一条 事業主は、厚生労働省令で定めるところにより、高年齢者雇用確保措置を推進するため、作業施設の改善その他の諸条件の整備を図るための業務を担当する者を選任するように努めなければならない。

Article 11 Pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, an employer must strive to appoint a person that is to be responsible for improving working facilities and improve various other conditions in order to promote the Measures for Securing Employment for Elderly Persons.

第三章 高年齢者等の再就職の促進等

Chapter III Facilitating the Re-Employment of Elderly Persons

第一節 国による高年齢者等の再就職の促進等

Section 1 Facilitating the Re-Employment of Elderly Persons by the National Government

(再就職の促進等の措置の効果的な推進)

(Effective Promotion of Measures That Facilitates Re-Employment)

第十二条 国は、高年齢者等の再就職の促進等を図るため、高年齢者等に係る職業指導、職業紹介、職業訓練その他の措置が効果的に関連して実施されるように配慮するものとする。

Article 12 For the purpose of facilitating, etc. the re-employment of Elderly Persons, etc., the national government is to give consideration so that vocational guidance, employment placements, vocational training, and other measures concerning Elderly Persons, etc. can be implemented in an effective and coordinated way.

(求人の開拓等)

(Searching for Job Openings)

第十三条 公共職業安定所は、高年齢者等の再就職の促進等を図るため、高年齢者等の雇用の機会が確保されるように求人の開拓等を行うとともに、高年齢者等に係る求人及び求職に関する情報を収集し、並びに高年齢者等である求職者及び事業主に対して提供するように努めるものとする。

Article 13 For the purpose of facilitating, etc. the re-employment of Elderly Persons, the Public Employment Security Offices are to search for job openings in order to secure employment opportunities for Elderly Persons, etc. and are to also strive to collect information concerning job openings and job applications related to Elderly Persons, etc. and to provide such information to job seeking Elderly Persons, etc. and to employers.

(求人者等に対する指導及び援助)

(Guidance and Support for Recruiting Employers)

第十四条 公共職業安定所は、高年齢者等にその能力に適合する職業を紹介するため必要があるときは、求人者に対して、年齢その他の求人の条件について指導するものとする。

Article 14 (1) When deemed necessary in order to introduce Elderly Persons, etc. to employment that is compatible with their abilities, the Public Employment Security Offices are to give guidance to recruiting employers on age and other conditions..

2 公共職業安定所は、高年齢者等を雇用し、又は雇用しようとする者に対して、雇入れ、配置、作業の設備又は環境等高年齢者等の雇用に関する技術的事項について、必

要な助言その他の援助を行うことができる。

- (2) The Public Employment Security Offices may give those that employ or seek to employ Elderly Persons, etc. the necessary advice and other support on technical particulars concerning the employment of Elderly Persons, etc. such as on hiring, assignments, working equipment and the working environment.

第二節 事業主による高年齢者等の再就職の援助等

Section 2 Support for the Re-Employment of Elderly Persons by Employers

(再就職援助措置)

(Measures to Support Re-Employment)

第十五条 事業主は、その雇用する高年齢者等（厚生労働省令で定める者に限る。以下この節において同じ。）が解雇（自己の責めに帰すべき理由によるものを除く。）その他これに類するものとして厚生労働省令で定める理由（以下「解雇等」という。）により離職する場合において、当該高年齢者等が再就職を希望するときは、求人の開拓その他当該高年齢者等の再就職の援助に関し必要な措置（以下「再就職援助措置」という。）を講ずるように努めなければならない。

Article 15 (1) If Elderly Persons, etc. are separated from employment (limited to those specified by Ordinance of the Ministry of Health, Labour and Welfare; hereinafter, the same applies in this Section) due to being dismissed by their employer (excluding dismissal based on grounds attributable to those persons themselves) or due to any other reason specified by Ordinance of the Ministry of Health, Labour and Welfare as being similar to a dismissal (hereinafter referred to as the "Dismissal, etc."), and if said Elderly Persons wishes to be re-employed, the employer must strive to search for job openings and take other necessary measures to support said Elderly Persons, etc. in their re-employment (hereinafter referred to as the "Measures to Support Re-Employment").

2 公共職業安定所は、前項の規定により事業主が講ずべき再就職援助措置について、当該事業主の求めに応じて、必要な助言その他の援助を行うものとする。

- (2) The Public Employment Security Offices are to provide an employer with the necessary advice and other support for the Measures to Support Re-Employment that should be taken by said employer pursuant to the provisions of the preceding paragraph, at the request of said employer.

(多数離職の届出)

(Notification of Multiple Separations from Employment)

第十六条 事業主は、その雇用する高年齢者等のうち厚生労働省令で定める数以上の者が解雇等により離職する場合には、あらかじめ、厚生労働省令で定めるところにより、その旨を公共職業安定所長に届け出なければならない。

Article 16 (1) In the event that Elderly Persons, etc. employed by an employer in a number equal to or greater than the number specified by Ordinance of the Ministry of Health, Labour and Welfare are separated from employment due to Dismissal, etc., the employer must notify the Chief of the Public Employment Security Office thereof in advance, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

2 前項の場合における離職者の数の算定は、厚生労働省令で定める算定方法により行うものとする。

(2) The calculation of the number of workers separated from employment in the case referred to in the preceding paragraph is to be made by the calculation method specified by Ordinance of the Ministry of Health, Labour and Welfare.

(求職活動支援書の作成等)

(Drafting a Job-Seeking Support Plan)

第十七条 事業主は、厚生労働省令で定めるところにより、解雇等により離職することとなつてゐる高年齢者等が希望するときは、その円滑な再就職を促進するため、当該高年齢者等の職務の経歴、職業能力その他の当該高年齢者等の再就職に資する事項（解雇等の理由を除く。）として厚生労働省令で定める事項及び事業主が講ずる再就職援助措置を明らかにする書面（以下「求職活動支援書」という。）を作成し、当該高年齢者等に交付しなければならない。

Article 17 (1) When Elderly Persons, etc. who have been separated from their employment due to Dismissal, etc. wish to be re-employed, an employer must, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, draft a plan on particulars specified by Ordinance of the Ministry of Health, Labour and Welfare on particulars concerning the work experience of said Elderly Persons, etc., their work abilities, and other particulars that will help said Elderly Persons, etc. become re-employed (excluding reasons for Dismissal, etc.), as well as a document clarifying the Measures to Support Re-Employment to be taken by the employer (hereinafter referred to as the "Job-Seeking Support Plan") and issue it to said Elderly Persons, etc., in order to facilitate their re-employment.

2 前項の規定により求職活動支援書を作成した事業主は、その雇用する者のうちから再就職援助担当者を選任し、その者に、当該求職活動支援書に基づいて、厚生労働省令で定めるところにより、公共職業安定所と協力して、当該求職活動支援書に係る高年齢者等の再就職の援助に関する業務を行わせるものとする。

(2) An employer who has drafted a Job-Seeking Support Plan pursuant to the provisions of the preceding paragraph is to appoint a person to be in charge of re-employment support from among the persons employed by said employer and have that person provide, in accordance with the Job-Seeking Support Plan, support for the re-employment of Elderly Persons, etc. connected with said Job-Seeking Support Plan in cooperation with the Public Employment

Security Offices and pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(指導、助言及び勧告)

(Guidance, Advice, and Recommendations)

第十七条の二 厚生労働大臣は、前条第一項の規定に違反している事業主に対し、必要な指導及び助言をすることができる。

Article 17-2 (1) The Minister of Health, Labour and Welfare may give necessary guidance and advice to an employer who violates the provisions of paragraph (1) of the preceding Article.

2 厚生労働大臣は、前項の規定による指導又は助言をした場合において、その事業主がなお前条第一項の規定に違反していると認めるときは、当該事業主に対し、求職活動支援書を作成し、当該求職活動支援書に係る高年齢者等に交付すべきことを勧告することができる。

(2) If the Minister of Health, Labour and Welfare finds that an employer still violates the provisions of paragraph (1) of the preceding Article, even after having received the guidance and advice as provided for in the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare may recommend said employer prepare a Job-Seeking Support Plan and issue it to Elderly Persons, etc. connected with said Job-Seeking Support Plan.

(求職活動支援書に係る労働者に対する助言その他の援助)

(Advice and Other Support for Workers Concerned with the Job-Seeking Support Plan)

第十八条 求職活動支援書の交付を受けた労働者は、公共職業安定所に求職の申込みを行うときは、公共職業安定所に、当該求職活動支援書を提示することができる。

Article 18 (1) Workers who have received a Job-Seeking Support Plan may present said Job-Seeking Support Plan to the Public Employment Security Offices when applying for employment at the Public Employment Security Offices.

2 公共職業安定所は、前項の規定により求職活動支援書の提示を受けたときは、当該求職活動支援書の記載内容を参酌し、当該求職者に対し、その職務の経歴等を明らかにする書面の作成に関する助言その他の援助を行うものとする。

(2) When presented with a Job-Seeking Support Plan pursuant to the provisions of the preceding paragraph, the Public Employment Security Offices are to consider the content of said Job-Seeking Support Plan and offer advice on how to prepare a document that clarifies the work experiences, etc. of said job seeker and provide other support to said job seeker.

3 公共職業安定所長は、前項の助言その他の援助を行うに当たり、必要と認めるときは、当該求職活動支援書を作成した事業主に対し、情報の提供その他必要な協力を求めることができる。

(3) If deemed necessary when offering the advice and other support provided for in the preceding paragraph, the Chief of the Public Employment Security Office may request that the employer that prepared said Job-Seeking Support Plan provide information and any other necessary cooperation.

(募集及び採用についての理由の提示等)

(Providing Reasons for Recruitment and Employment)

第十八条の二 事業主は、労働者の募集及び採用をする場合において、やむを得ない理由により一定の年齢（六十五歳以下のものに限る。）を下回ることを条件とするときは、求職者に対し、厚生労働省令で定める方法により、当該理由を示さなければならない。

Article 18-2 (1) When an employer recruits or employs workers and sets an upper age limit for applicants (limited to not more than 65 years of age) for unavoidable reasons, the employer must explain the reasons for said limitation to the job seekers, pursuant to a method specified by Ordinance of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣は、前項に規定する理由の提示の有無又は当該理由の内容に関して必要があると認めるときは、事業主に対して、報告を求め、又は助言、指導若しくは勧告をすることができる。

(2) If the Minister of Health, Labour and Welfare deems it necessary, said minister may request reports from an employer or give advice, guidance, or recommendations, with regard to providing grounds specified in the preceding paragraph or the content of said grounds,

(定年退職等の場合の退職準備援助の措置)

(Measures to Support Preparations for Retirement in the Case of Retirement upon Mandatory Retirement Age)

第十九条 事業主は、その雇用する高年齢者が定年その他これに準ずる理由により退職した後においてその希望に応じ職業生活から円滑に引退することができるようにするために必要な備えをすることを援助するため、当該高年齢者に対し、引退後の生活に関する必要な知識の取得の援助その他の措置を講ずるように努めなければならない。

Article 19 An employer must strive to take measures to provide support to Elderly Persons employed by said employer for said Elderly Persons to acquire the necessary knowledge concerning life after retirement and other measures in order to support themselves in making the necessary preparations to facilitate their retirement from work life according to their wishes when they reach the Mandatory Retirement Age or for other similar reasons.

第三節 中高年齢失業者等に対する特別措置

Section 3 Special Measures for Middle-Aged and Elderly Unemployed Persons

(中高年齢失業者等求職手帳の発給)

(Issuance of Job Application Pocketbooks for Middle-Aged and Elderly Unemployed Persons)

第二十条 公共職業安定所長は、中高年齢失業者等であつて、次の各号に該当するものに対して、その者の申請に基づき、中高年齢失業者等求職手帳（以下「手帳」という。）を発給する。

Article 20 The Chief of the Public Employment Security Office issues job application pocketbooks for middle-aged and elderly unemployed persons, etc. (hereinafter referred to as a "Pocketbook") to middle-aged and elderly unemployed persons, etc. who fall under each of the following items, based on an application from said persons:

一 公共職業安定所に求職の申込みをしていること。

(i) that said persons have applied to the Public Employment Security Offices for employment;

二 誠実かつ熱心に就職活動を行う意欲を有すると認められること。

(ii) that said persons are recognized as willing to earnestly engage in job-seeking activities in good faith;

三 第二十三条第一項各号に掲げる措置を受ける必要があると認められること。

(iii) that said persons have been deemed to be in need of receiving the measures listed in each item of Article 23, paragraph (1);

四 前三号に掲げるもののほか、生活の状況その他の事項について厚生労働大臣が労働政策審議会の意見を聴いて定める要件に該当すること。

(iv) that, in addition to the requirements listed in the preceding three items, said persons meet the requirements concerning their living conditions and other particulars specified by the Minister of Health, Labour and Welfare after listening to the opinion of the Labour Policy Council.

(手帳の有効期間)

(Validity Period of a Pocketbook)

第二十一条 手帳は、厚生労働省令で定める期間、その効力を有する。

Article 21 (1) The Pocketbook remains valid for the period specified by Ordinance of the Ministry of Health, Labour and Welfare.

2 公共職業安定所長は、手帳の発給を受けた者であつて、前項の手帳の有効期間を経過してもなお就職が困難であり、引き続き第二十三条第一項各号に掲げる措置を実施する必要があると認められるものについて、その手帳の有効期間を厚生労働省令で定める期間延長することができる。

(2) The Chief of the Public Employment Security Office may extend the validity period of the Pocketbook of a person who has received it for the period specified by Ordinance of the Ministry of Health, Labour and Welfare, when the Chief recognizes that said person continues to have difficulty in finding employment

after the lapse of the validity period of the Pocketbook referred to in the preceding paragraph and therefore remains in need of the measures listed in each item of Article 23, paragraph (1).

3 前二項の厚生労働省令で定める期間を定めるに当たっては、特定地域に居住する者について特別の配慮をすることができる。

(3) In specifying the period to be set by Ordinance of the Ministry of Health, Labour and Welfare under the preceding two paragraphs, special consideration may be given to persons residing in Specified Areas.

(手帳の失効)

(Invalidation of a Pocketbook)

第二十二條 手帳は、公共職業安定所長が当該手帳の発給を受けた者が次の各号のいずれかに該当すると認めるときは、その効力を失う。

Article 22 (1) When the Chief of the Public Employment Security Office recognizes that a person who has received a Pocketbook falls under any of the following items, the Pocketbook becomes invalidated:

一 新たに安定した職業に就いたとき。

(i) when said person has newly obtained stable employment;

二 第二十条各号に掲げる要件のいずれかを欠くに至ったとき。

(ii) when said person no longer fulfills any of the qualification requirements listed in each item of Article 20;

三 前二号に掲げるもののほか、厚生労働大臣が労働政策審議会の意見を聴いて定める要件に該当するとき。

(iii) in addition to the provisions of the preceding two items, when said person meets any other requirements specified by the Minister of Health, Labour and Welfare after listening to the opinions of the Labour Policy Council.

2 前項の場合においては、公共職業安定所長は、その旨を当該手帳の発給を受けた者に通知するものとする。

(2) In the case referred to in the preceding paragraph, the Chief of the Public Employment Security Office is to notify the person who has received the Pocketbook thereof.

(計画の作成)

(Formulation of a Plan)

第二十三條 厚生労働大臣は、手帳の発給を受けた者の就職を容易にするため、次の各号に掲げる措置が効果的に関連して実施されるための計画を作成するものとする。

Article 23 (1) The Minister of Health, Labour and Welfare is to formulate a plan to ensure that the measures listed in each of the following items are implemented in an effective and coordinated way in order to facilitate the employment of persons who have received Pocketbooks:

一 職業指導及び職業紹介

(i) vocational guidance and employment placements;

二 公共職業能力開発施設の行う職業訓練（職業能力開発総合大学校の行うものを含む。）

(ii) vocational training conducted by public human resources development facilities (including vocational training conducted by a Polytechnic University);

三 国又は地方公共団体が実施する訓練（前号に掲げるものを除く。）であつて、失業者に作業環境に適応することを容易にさせ、又は就職に必要な知識及び技能を習得させるために行われるもの（国又は地方公共団体の委託を受けたものを行うものを含む。）

(iii) training conducted by the national government or local governments (excluding the training listed in the preceding item) that is designed to help unemployed persons adapt to the working environment or to enable them to acquire the knowledge and skills necessary to gain employment (including training conducted by a person that has been entrusted with said training by the national government or local governments);

四 前三号に掲げるもののほか、厚生労働省令で定めるもの

(iv) beyond the measures listed in the preceding three items, those measures specified by Ordinance of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣は、前項の計画を作成しようとする場合には、労働政策審議会の意見を聴かなければならない。

(2) Prior to the formulation the plan referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must listen to the opinions of the Labour Policy Council.

（公共職業安定所長の指示）

(Instructions by the Chief of the Public Employment Security Offices)

第二十四条 公共職業安定所長は、手帳を発給するときは、手帳の発給を受ける者に対して、その者の知識、技能、職業経験その他の事情に応じ、当該手帳の有効期間中前条第一項の計画に準拠した同項各号に掲げる措置（以下「就職促進の措置」という。）の全部又は一部を受けることを指示するものとする。

Article 24 (1) When the Chief of the Public Employment Security Office issues a Pocketbook, the Chief is to instruct the person receiving a Pocketbook to receive all or part of the measures listed in each item of paragraph (1) of the preceding Article based on the plan referred to in the same paragraph (hereinafter referred to as the "Measures to Promote Employment") during the validity period of such Pocketbook, according to said person's knowledge, skills, work experience, and other circumstances.

2 公共職業安定所長は、手帳の発給を受けた者について当該手帳の有効期間を延長するときは、改めて、その延長された有効期間中就職促進の措置の全部又は一部を受けることを指示するものとする。

- (2) Upon extending the validity period of a Pocketbook for a person who has received it, the Chief of the Public Employment Security Office is to again, instruct said person to receive all or part of the Measures to Promote Employment during the extended validity period of a Pocketbook.
- 3 公共職業安定所長は、前二項の指示を受けた者の就職促進の措置の効果を高めるために必要があると認めたときは、その者に対する指示を変更することができる。
- (3) When the Chief of the Public Employment Security Office finds it necessary to increase the effectiveness of Measures to Promote Employment for a person who has received instructions referred to in the preceding two paragraphs, the Chief may modify the instructions issued to said person.

(関係機関等の責務)

(Responsibilities of the Relevant Organizations)

第二十五条 職業安定機関、地方公共団体及び独立行政法人高齢・障害・求職者雇用支援機構（第四十九条第二項及び第三項において「機構」という。）は、前条第一項又は第二項の指示を受けた者の就職促進の措置の円滑な実施を図るため、相互に密接に連絡し、及び協力するように努めなければならない。

Article 25 (1) The employment security agencies, local governments, and the Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers (referred to as the "Organization" in Article 49, paragraphs (2) and (3)) must strive to liaise closely and cooperate to ensure the smooth implementation of Measures to Promote Employment for persons receiving the instructions referred to in paragraphs (1) or (2) of the preceding Article.

2 前条第一項又は第二項の指示を受けた者は、その就職促進の措置の実施に当たる職員の指導又は指示に従うとともに、自ら進んで、速やかに職業に就くように努めなければならない。

(2) A person who has received the instructions referred to in paragraph (1) or (2) of the preceding Article must follow the guidance or instructions of the official who is implementing the Measures to Promote Employment and also must strive to promptly find employment on their own initiative.

(手当の支給)

(Payment of Allowance)

第二十六条 国及び都道府県は、第二十四条第一項又は第二項の指示を受けて就職促進の措置を受ける者に対して、その就職活動を容易にし、かつ、生活の安定を図るため、手帳の有効期間中、雇用対策法（昭和四十一年法律第百三十二号）の規定に基づき、手当を支給することができる。

Article 26 The national government and the prefectures may pay an allowance to a person who receives the Measures to Promote Employment under the instructions referred to in Article 24, paragraph (1) or (2) during the validity period of a Pocketbook, pursuant to the provisions of the Employment

Measures Act (Act No. 132 of 1966), with the effort of facilitating said person's job-seeking activities and to stabilizing the life of said person.

(就職促進指導官)

(Employment Promotion Officer)

第二十七条 就職促進の措置としての職業指導は、職業安定法（昭和二十二年法律第四百一十一号）第九条の二第一項の就職促進指導官に行わせるものとする。

Article 27 Vocational guidance as part of Measures to Promote Employment is to be provided by employment promotion officers under Article 9-2, paragraph (1) of the Employment Security Act (Act No. 141 of 1947).

(報告の請求)

(Request for Reports)

第二十八条 公共職業安定所長は、第二十四条第一項又は第二項の指示を受けて就職促進の措置を受ける者に対し、その就職活動の状況について報告を求めることができる。

Article 28 The Chief of the Public Employment Security Office may request a person receiving Measures to Promote Employment in accordance with the instructions referred to in Article 24, paragraph (1) or (2) to submit reports on the status of the job-seeking activities of said person.

(特定地域における措置)

(Measures in Specified Areas)

第二十九条 厚生労働大臣は、特定地域に居住する中高年齢失業者等について、職業紹介、職業訓練等の実施、就業の機会の増大を図るための事業の実施その他これらの者の雇用を促進するため必要な事項に関する計画を作成し、その計画に基づき必要な措置を講ずるものとする。

Article 29 With regard to middle-aged and elderly unemployed persons, etc. residing in Specified Areas, the Minister of Health, Labour and Welfare is to formulate a plan for the implementation of employment placements and vocational training, etc.; the implementation of projects designed to increase employment opportunities; and other particulars necessary to promote the employment of said persons, and is to take the necessary measures based on this plan.

第三十条 厚生労働大臣は、特定地域における中高年齢失業者等の就職の状況等からみて必要があると認めるときは、当該特定地域において計画実施される公共事業（国及び特別の法律により特別の設立行為をもつて設立された法人（その資本金の全部若しくは大部分が国からの出資による法人又はその事業の運営のために必要な経費の主たる財源を国からの交付金若しくは補助金によつて得ている法人であつて、政令で定めるものに限る。）（次項において「国等」という。）自ら又は国の負担金の交付を受け、若しくは国庫の補助により地方公共団体等が計画実施する公共的な建設又は復旧

の事業をいう。以下同じ。) について、その事業種別に従い、職種別又は地域別に、当該事業に使用される労働者の数とそのうちの中高齢失業者等の数との比率（以下「失業者吸収率」という。）を定めることができる。

Article 30 (1) When the Minister of Health, Labour and Welfare deems it to be necessary based on the employment conditions of middle-aged and elderly unemployed persons, etc. in Specified Areas, the Minister of Health, Labour and Welfare may, with respect to public works projects planned and executed in said Specified Areas (referring to public-oriented construction and restoration projects planned and executed directly by the national government or by corporations established by a special act of incorporation pursuant to a special act (limited to corporations specified by Cabinet Order for which all or most of the stated capital comes from investment by the national government, or for which the primary source of funds for expenses necessary to carry out the projects comes from grants or subsidies from the national government) (referred to as the "National Government, etc." in the following paragraph), or by local governments, etc. to which a contribution or subsidy from the national treasury has been provided; the same applies hereinafter), fix a percentage of the number of middle-aged and elderly unemployed persons, etc. among the total number of workers employed in these projects (hereinafter referred to as the "Absorption Ratio of Unemployed Persons") by occupation or area, according to the type of project.

2 失業者吸収率の定められている公共事業を計画実施する国等又は地方公共団体等（これらのものとの請負契約その他の契約に基づいて、その事業を施行する者を含む。以下「公共事業の事業主体等」という。）は、公共職業安定所の紹介により、常に失業者吸収率に該当する数の中高齢失業者等を雇い入れていなければならない。

(2) The National Government, etc. or local governments, etc. which plan and execute a public works project for which the Absorption Ratio of Unemployed Persons has been fixed (including persons that execute these projects based on a subcontract or other contract with the National Government, etc. or local governments, etc.; hereinafter referred to as the "Corporation, etc. for a Public Works Project") must employ middle-aged and elderly unemployed persons, etc. in the number corresponding to the Absorption Ratio of Unemployed Persons at all times, through referrals of said unemployed persons by the Public Employment Security Offices.

3 公共事業の事業主体等は、前項の規定により雇入れを必要とする数の中高齢失業者等を公共職業安定所の紹介により雇い入れることが困難な場合には、その困難な数の労働者を、公共職業安定所の書面による承諾を得て、直接雇い入れることができる。

(3) If it is difficult for the Corporation, etc. for a Public Works Project to employ middle-aged and elderly unemployed persons, etc. in the number required by the provisions of the preceding paragraph through referrals of unemployed persons by the Public Employment Security Offices, said Corporation, etc. for a

Public Works Project may directly employ said number of difficult-to-hire workers upon receiving written consent from the Public Employment Security Offices.

(厚生労働省令への委任)

(Delegation to Ordinance of the Ministry of Health, Labour and Welfare)

第三十一条 この節に定めるもののほか、手帳の発給、手帳の返納その他手帳に関し必要な事項、第二十四条第一項又は第二項の指示の手續に関し必要な事項及び公共事業への中高年齢失業者等の吸収に関し必要な事項は、厚生労働省令で定める。

Article 31 Beyond the provisions described in this Section, the issuing of Pocketbooks, the returning of Pocketbooks, other necessary particulars pertaining to Pocketbooks, necessary particulars pertaining to procedures for the instructions referred to in Article 24, paragraph (1) or (2), and necessary particulars pertaining to the absorption of middle-aged and elderly unemployed persons, etc. into public works projects, are specified by Ordinance of the Ministry of Health, Labour and Welfare.

第四章 削除

Chapter IV Deleted

第三十二条 削除

Article 32 Deleted

第三十三条 削除

Article 33 Deleted

第三十四条 削除

Article 34 Deleted

第三十五条 削除

Article 35 Deleted

第三十六条 削除

Article 36 Deleted

第三十七条 削除

Article 37 Deleted

第三十八条 削除

Article 38 Deleted

第三十九条 削除
Article 39 Deleted

第五章 定年退職者等に対する就業の機会の確保
Chapter V Securing Employment Opportunities for Persons Who Have
Mandatorily Retired

(国及び地方公共団体の講ずる措置)

(Measures Taken by the National Government and Local Governments)

第四十条 国及び地方公共団体は、定年退職者その他の高年齢退職者の職業生活の充実その他福祉の増進に資するため、臨時的かつ短期的な就業又は次条第一項の軽易な業務に係る就業を希望するこれらの者について、就業に関する相談を実施し、その希望に応じた就業の機会を提供する団体を育成し、その他その就業の機会の確保のために必要な措置を講ずるように努めるものとする。

Article 40 In order to help enrich the working lives while enhancing the welfare of persons who have mandatorily retired and other elderly retirees, the national government and local governments are to strive to provide consultations to persons wishing to be employed in temporary short-term work or light activities as provided for in paragraph (1) of the following Article; to foster organizations providing employment opportunities to meet such wishes; and to take other necessary measures in order to secure employment opportunities for them.

第六章 シルバー人材センター等
Chapter VI Silver Human Resources Centers
第一節 シルバー人材センター
Section 1 Silver Human Resources Centers

(指定等)

(Designation)

第四十一条 都道府県知事は、定年退職者その他の高年齢退職者の希望に応じた就業で、臨時的かつ短期的なもの又はその他の軽易な業務（当該業務に係る労働力の需給の状況、当該業務の処理の実情等を考慮して厚生労働大臣が定めるものに限る。次条において同じ。）に係るものの機会を確保し、及びこれらの者に対して組織的に提供することにより、その就業を援助して、これらの者の能力の積極的な活用を図ることができるようにし、もつて高年齢者の福祉の増進に資することを目的とする一般社団法人又は一般財団法人（次項及び第四十四条第一項において「高年齢者就業援助法人」という。）であつて、次条に規定する業務に関し次に掲げる基準に適合すると認められるものを、その申請により、市町村（特別区を含む。第四十四条において同じ。）の区域（当該地域における臨時的かつ短期的な就業の機会の状況その他の事情を考慮して厚生労働省令で定める基準に従い、次条第一号及び第二号に掲げる業務の円滑な運

営を確保するために必要と認められる場合には、都道府県知事が指定する二以上の市町村の区域) ごとに一個に限り、同条に規定する業務を行う者として指定することができる。ただし、第四十四条第一項の指定を受けた者(以下「シルバー人材センター連合」という。)に係る同項の指定に係る区域(同条第二項又は第四項の変更があつたときは、その変更後の区域。以下「連合の指定区域」という。)については、この項の指定に係る区域とすることはできない。

Article 41 (1) The prefectural governor may designate general incorporated associations or general incorporated foundations (referred to as "Elderly Persons Employment Support Corporations" in the following paragraph and Article 44, paragraph (1)) that were established for the purpose of assisting in the employment and enabling the positive utilization of the abilities of persons who have mandatorily retired and other elderly retirees by securing opportunities for temporary short-term work or other light activities (limited to those specified by the Minister of Health, Labour and Welfare upon taking into consideration the relevant labor demand-and-supply situation and the state of progress of the work concerned, etc.; the same applies in the following Article) and by meeting their wishes and providing said opportunities to them systematically and thereby contributing to the enhancement of their welfare, and that they are deemed to comply with the criteria listed below concerning the operations provided for in the following Article, and based on applications thereby, as the parities that are to carry out the businesses provided for in this Article, with only a single such corporation to be designated for each area (or, when deemed necessary to ensure the smooth operations of the activities listed in items (i) and (ii) of the following Article, in accordance with the criteria specified by Ordinance of the Ministry of Health, Labour and Welfare, taking into consideration the circumstances of employment opportunities for temporary short-term work in the areas and other relevant circumstances, for two or more areas of municipalities as designated by the prefectural governor) of municipalities (including special wards; the same applies in Article 44); provided, however, that areas (if changes have been made to paragraphs (2) or (4) of the same Article, then areas after changes have been made; hereinafter referred to as the "Designated Areas of the Association") concerned with the designation in Article 44, paragraph (1) related to persons who have received designation under said paragraph (hereinafter referred to as the "Silver Human Resources Center Association") are not deemed as an area that is concerned with the designation in this paragraph:

一 職員、業務の方法その他の事項についての業務の実施に関する計画が適正なものであり、かつ、その計画を確実に遂行するに足る経理的及び技術的な基礎を有すると認められること。

(i) that the plan for the implementation of the operations, which covers personnel, operational procedures, and other particulars, is appropriate, and

the party is found to have sufficient financial and technical basis in order to carry out the plan effectively;

二 前号に定めるもののほか、業務の運営が適正かつ確実に行われ、高年齢者の福祉の増進に資すると認められること。

(ii) that, in addition to the provisions of the preceding item, the party is found to be capable of carrying out the operations in a proper and assured manner while contributing to the enhanced welfare of Elderly Persons.

2 前項の指定は、その会員に同項の指定を受けた者（以下「シルバー人材センター」という。）を二以上有する高年齢者就業援助法人に対してはすることができない。

(2) The designation in the preceding paragraph may not apply to Elderly Persons Employment Support Corporations that possess as its members, two or more persons (hereinafter referred to as the "Silver Human Resources Center") that have received a designation under the same paragraph.

3 都道府県知事は、第一項の指定をしたときは、シルバー人材センターの名称及び住所、事務所の所在地並びに当該指定に係る地域を公示しなければならない。

(3) When making the designation under paragraph (1), the prefectural governor must make public the name, address, and location of the office of the Silver Human Resources Center, as well as the area concerned with the designation.

4 シルバー人材センターは、その名称及び住所並びに事務所の所在地を変更しようとするときは、あらかじめ、その旨を都道府県知事に届け出なければならない。

(4) When a Silver Human Resources Center seeks to change its name, address, or the location of its office, it must notify the prefectural governor thereof in advance.

5 都道府県知事は、前項の届出があつたときは、当該届出に係る事項を公示しなければならない。

(5) When a notification provided for in the preceding paragraph has been submitted, the prefectural governor must make public the particulars concerning said notice.

(業務等)

(Operations)

第四十二条 シルバー人材センターは、前条第一項の指定に係る区域（以下「センターの指定区域」という。）において、次に掲げる業務を行うものとする。

Article 42 (1) A Silver Human Resources Center is to carry out the following operations in the areas (hereinafter referred to as the "Designated Areas of the Centers") relating to the designation under paragraph (1) of the preceding Article:

一 臨時的かつ短期的な就業（雇用によるものを除く。）又はその他の軽易な業務に係る就業（雇用によるものを除く。）を希望する高年齢退職者のために、これらの就業の機会を確保し、及び組織的に提供すること。

(i) to secure employment opportunities for temporary short-term work (except

work pursuant to employment) or other light activities (except work pursuant to employment) and provide said employment opportunities systematically to elderly retirees wishing to be employed in said work or activities;

二 臨時かつ短期的な雇用による就業又はその他の軽易な業務に係る就業（雇用によるものに限る。）を希望する高年齢退職者のために、職業紹介事業を行うこと。

(ii) to provide a free employment placement service for elderly retirees wishing to be employed in temporary short-term work or other light activities (limited to work pursuant to employment);

三 高年齢退職者に対し、臨時かつ短期的な就業及びその他の軽易な業務に係る就業に必要な知識及び技能の付与を目的とした講習を行うこと。

(iii) to conduct training courses for elderly retirees aimed at providing them with the knowledge and skills necessary to engage in temporary short-term work or other light activities;

四 前三号に掲げるもののほか、高年齢退職者のための臨時かつ短期的な就業及びその他の軽易な業務に係る就業に関し必要な業務を行うこと。

(iv) in addition to the operations described in the preceding three items, to carry out any other operations necessary for temporary short-term work or other light activities for elderly retirees.

2 シルバー人材センターは、職業安定法第三十条第一項の規定にかかわらず、厚生労働省令で定めるところにより、厚生労働大臣に届け出て、前項第二号の業務として、有料の職業紹介事業を行うことができる。

(2) Notwithstanding the provisions of Article 30, paragraph (1) of the Employment Security Act, Silver Human Resources Centers may provide a fee-based employment placement service in their operations, as provided for in item (ii) of the preceding paragraph, by notifying the Minister of Health, Labour and Welfare of said service, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

3 前項の規定による有料の職業紹介事業に関しては、シルバー人材センターを職業安定法第四条第七項に規定する職業紹介事業者若しくは同法第三十二条の三第一項に規定する有料職業紹介事業者又は雇用対策法第二条に規定する職業紹介機関と、前項の規定による届出を職業安定法第三十条第一項の規定による許可とみなして、同法第五条の二から第五条の七まで、第三十二条の三、第三十二条の四第二項、第三十二条の八第一項、第三十二条の九第二項、第三十二条の十から第三十二条の十三まで、第三十二条の十五、第三十二条の十六、第三十三条の六から第三十四条まで、第四十八条から第四十八条の四まで、第五十一条及び第六十四条から第六十七条までの規定並びに雇用対策法第二章の規定を適用する。この場合において、職業安定法第三十二条の三第一項中「第三十条第一項の許可を受けた者」とあるのは「高年齢者等の雇用の安定等に関する法律第四十二条第二項の規定により届け出て、有料の職業紹介事業を行う者」と、同法第三十二条の四第二項中「許可証の交付を受けた者は、当該許可証」とあるのは「高年齢者等の雇用の安定等に関する法律第四十二条第二項の規定により

届出書を提出した者は、当該届出書を提出した旨その他厚生労働省令で定める事項を記載した書類」と、同法第三十二条の九第二項中「前項第二号又は第三号」とあるのは「前項第二号」とする。

- (3) The provisions of Articles 5-2 to 5-7; Article 32-3; Article 32-4, paragraph (2); Article 32-8, paragraph (1); Article 32-9, paragraph (2); Articles 32-10 to 32-13; Article 32-15; Article 32-16; Articles 33-6 to 34; Articles 48 to 48-4; Article 51; and Articles 64 to 67 of the Employment Security Act, as well as the provisions of Chapter II of the Employment Measures Act, apply to the fee-based employment placement service as provided for in the preceding paragraph, by regarding a Silver Human Resources Center as an employment placement service provider, as provided for in Article 4, paragraph (7) of the Employment Security Act, or as a fee-based employment placement service provider, as provided for in Article 32-3, paragraph (1) of the same Act, or as an employment placement agency, as provided for in Article 2 of the Employment Measures Act, and by regarding the notification made under the provisions of the preceding paragraph to constitute the necessary license under the provisions of Article 30, paragraph (1) of the Employment Security Act. In this case, the phrase "a person who has obtained the license provided for in Article 30, paragraph (1)" in Article 32-3, paragraph (1) of the Employment Security Act is deemed to be replaced with the phrase "a person who carries out the fee-based employment placement service after making a written notice pursuant to the provisions of Article 42, paragraph (2) of the Act on Stabilization of Employment of Elderly Persons"; the phrase "a person who has received issuance of a license certificate, said license certificate" in Article 32-4, paragraph (2) of the same Act is deemed to be replaced with the phrase "a person who has submitted a written notice pursuant to the provisions of Article 42, paragraph (2) of the Act on Stabilization of Employment of Elderly Persons, and documents stating that said person has submitted the written notice and other particulars specified by Ordinance of the Ministry of Health, Labour and Welfare"; and the phrase "item (ii) or (iii) of the preceding paragraph" in Article 32-9, paragraph (2) of the same Act is deemed to be replaced with the phrase "item (ii) of the preceding paragraph."

4 前二項に定めるもののほか、第二項の規定による有料の職業紹介事業に関し必要な事項は、厚生労働省令で定める。

- (4) Beyond the provisions of the preceding two paragraphs, any other necessary particulars concerning the fee-based employment placement service under the provisions of paragraph (2) are specified by Ordinance of the Ministry of Health, Labour and Welfare.

5 シルバー人材センターは、労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律（昭和六十年法律第八十八号。以下「労働者派遣法」という。）第五条第一項の規定にかかわらず、厚生労働省令で定めるところにより、厚生労働大臣

に届け出て、第一項第四号の業務として、その構成員である高年齢退職者のみを対象として労働者派遣法第二条第四号に規定する一般労働者派遣事業（以下「一般労働者派遣事業」という。）を行うことができる。

(5) Notwithstanding the provisions of Article 5, paragraph (1) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985, hereinafter referred to as the "Worker Dispatching Act"), Silver Human Resources Centers may conduct and undertake general worker dispatching provided for in Article 2, item (iv) of the Worker Dispatching Act (hereinafter referred to as "General Worker Dispatching Undertakings") only for elderly retirees, who are its members, by submitting a notice to the Minister of Health, Labour and Welfare, as an undertaking provided for in paragraph (1), item (iv) pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

6 前項の規定による一般労働者派遣事業に関しては、労働者派遣法第五条第五項、第七条、第八条第一項及び第三項、第九条、第十条、第十一条第三項及び第四項、第十三条第二項、第十四条第一項第三号、第二章第二節第二款、第三十条並びに第五十四条の規定は適用しないものとし、労働者派遣法の他の規定の適用については、シルバー人材センターを労働者派遣法第二条第六号に規定する一般派遣元事業主と、前項の規定による届出を労働者派遣法第五条第一項の規定による許可とみなす。この場合において、次の表の上欄に掲げる労働者派遣法の規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とする。

(6) The General Worker Dispatching Undertakings under the provisions of the preceding paragraph do not apply to the provisions of Article 5, paragraph (5); Article 7; Article 8, paragraphs (1) and (3); Article 9; Article 10; Article 11, paragraphs (3) and (4); Article 13, paragraph (2); Article 14, paragraph (1), item (iii); Chapter II, Section 2, Subsection 2; Article 30; and Article 54 of the Worker Dispatching Act. With regard to the application of other provisions of the Worker Dispatching Act, Silver Human Resources Centers are deemed to be a General Dispatching Undertaker provided for in Article 2, item (vi) of the Worker Dispatching Act and the notification provided under the provisions of the preceding paragraph is deemed to be the license under the provisions of Article 5, paragraph (1) of the Worker Dispatching Act. In this case, the terms or phrases listed in the middle column of the table below that appear in the provisions of the Worker Dispatching Act, as listed in the left-hand column of said table, are deemed to be replaced with the corresponding terms or phrases listed in the right-hand column of said table.

<p>第五条第二項 Article 5, paragraph (2)</p>	<p>前項の許可を受けようとする者 Any person who wishes to be granted the license set forth in the preceding paragraph</p>	<p>高年齢者等の雇用の安定等に関する法律（昭和四十六年法律第六十八号）第四十二条第五項の規定により届け出て一般労働者派遣事業を行おうとする者 Any person who seeks to engage in General Worker Dispatching Undertakings by making a notice pursuant to the provisions of Article 42, paragraph (5) of the Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971)</p>
	<p>申請書 written application form</p>	<p>届出書 written notice</p>
<p>第五条第三項 Article 5, paragraph (3)</p>	<p>申請書 written application form</p>	<p>届出書 written notice</p>
<p>第六条 Article 6</p>	<p>前条第一項の許可を受けることができない may not be granted the license referred to in paragraph (1) of the preceding Article</p>	<p>新たに一般労働者派遣事業の事業所を設けて当該一般労働者派遣事業を行ってはならない must not carry out General Worker Dispatching Undertakings by establishing a new office for the General Worker Dispatching Undertakings</p>
<p>第六条第四号 Article 6, item (iv)</p>	<p>一般労働者派遣事業の許可を取り消され、又は第二十一条第一項の規定により特定労働者派遣事業の廃止を命じられ、当該取消し又は命令の日 license for a General Worker Dispatching Undertaking is revoked or is ordered to discontinue the Specified Worker Dispatching Undertaking pursuant to the provisions of Article 21, paragraph (1), and said date of revocation or order</p>	<p>一般労働者派遣事業の廃止を命じられ、当該命令の日 is ordered to discontinue the General Worker Dispatching Undertaking, and said date of order</p>

<p>第六条第五号 Article 6, item (v)</p>	<p>第十四条第一項の規定により一般労働者派遣事業の許可を取り消された者が法人である場合（同項第一号の規定により許可を取り消された場合 if the person whose license for a General Worker Dispatching Undertaking is revoked pursuant to the provisions of Article 14, paragraph (1) is a corporation if license is revoked pursuant to the provisions of item (i) of the same paragraph</p>	<p>シルバー人材センターが第十四条第一項の規定により一般労働者派遣事業の廃止を命じられた場合（同項第一号の規定により廃止を命じられた場合 if a Silver Human Resources Center is ordered to discontinue the General Worker Dispatching Undertaking pursuant to the provisions of Article 14, paragraph (1) (if the Center is ordered to discontinue it pursuant to the provisions of item (i) of the same paragraph</p>
	<p>、当該法人 , said corporation</p>	<p>、当該シルバー人材センター , said Silver Human Resources Center</p>
	<p>又は第二十一条第一項の規定により特定労働者派遣事業の廃止を命じられた者が法人である場合（当該法人が第一号又は第二号に規定する者に該当することとなつたことによる場合に限る。）において or if the person that is ordered to discontinue the Specified Worker Dispatching Undertaking pursuant to the provisions of Article 21, paragraph (1) is a corporation (limited to cases where said corporation falls under the person specified in item (i) or (ii))</p>	<p>において in</p>
	<p>取消し又は命令 revocation or order</p>	<p>命令 order</p>
	<p>当該法人の said corporation</p>	<p>当該シルバー人材センターの said Silver Human Resources Center</p>

<p>第六条第六号 Article 6, item (vi)</p>	<p>一般労働者派遣事業の許可の取消し又は第二十一条第一項の規定による特定労働者派遣事業の廃止の命令 revocation of license for General Worker Dispatching Undertakings or order to discontinue the Specified Worker Dispatching Undertaking under the provisions of Article 21, paragraph (1)</p>	<p>一般労働者派遣事業の廃止の命令 order to discontinue the General Worker Dispatching Undertaking</p>
	<p>届出又は第二十条の規定による特定労働者派遣事業の廃止の届出 notification or notifications of the discontinuance of the Specified Worker Dispatching Undertaking under the provisions of Article 20</p>	<p>届出 notification</p>
<p>第六条第七号 Article 6, item (vii)</p>	<p>前号 the preceding item</p>	<p>シルバー人材センターが、前号 Silver Human Resources Centers, the preceding item</p>
	<p>届出又は第二十条の規定による特定労働者派遣事業の廃止の届出をした者が法人である a person who has submitted a notification or a notification of the discontinuance of the Specified Worker Dispatching Undertaking under the provisions of Article 20 is a corporation</p>	<p>届出をした has submitted a notification</p>
	<p>当該法人（当該事業の廃止について相当の理由がある法人を除く。） said corporation (excluding corporation that has reasonable grounds for discontinuance of said undertaking)</p>	<p>当該シルバー人材センター（当該事業の廃止について相当の理由があるものを除く。） said Silver Human Resources Center (excluding those that have reasonable grounds for discontinuance of said undertaking)</p>

<p>第八条第二項 Article 8, paragraph (2)</p>	<p>許可証の交付を受けた者は、当該許可証 any person who has been issued license certificates, said license certificates</p>	<p>第五条第二項の規定による届出書を提出した者は、当該届出書を提出した旨その他厚生労働省令で定める事項を記載した書類 any person who has submitted a written notice pursuant to the provisions of Article 5, paragraph (2), documents stating the fact that said person has submitted the written notice and other matters specified by Ordinance of the Ministry of Health, Labour and Welfare</p>
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<p>第十四条第一項 Article 14, paragraph (1)</p>	<p>、第五条第一項の許可を取り消すことができる may revoke the license under the provisions of Article 5, paragraph (1)</p>	<p>一般労働者派遣事業の廃止を、当該一般労働者派遣事業（二以上の事業所を設けて一般労働者派遣事業を行う場合にあつては、各事業所ごとの一般労働者派遣事業。以下この項において同じ。）の開始の当時第六条第四号から第七号までのいずれかに該当するときは当該一般労働者派遣事業の廃止を、命ずることができる may order the discontinuation of the General Worker Dispatching Undertaking, and may order the discontinuation of said General Worker Dispatching Undertaking in the event it falls under any of Article 6, items (iv) to (vii) at the time of commencing said General Worker Dispatching Undertaking (when two or more places of business are established and each carries out the General Worker Dispatching Undertakings, it pertains to the General Worker Dispatching Undertaking at each place of business; hereinafter, the same applies in this paragraph)</p>
<p>第二十六条第四項 Article 26, paragraph (4)</p>	<p>第五条第一項の許可を受け、 has obtained the license referred to in Article 5, paragraph (1)</p>	<p>第五条第二項 Article 5, paragraph (2)</p>
<p>第五十九条第四号 Article 59, item (iv)</p>	<p>第十四条第二項 Article 14, paragraph (2)</p>	<p>第十四条 Article 14</p>

<p>第六十一条第一号 Article 61, item (i)</p>	<p>第五条第二項（第十条第五項において準用する場合を含む。）に規定する申請書、第五条第三項（第十条第五項において準用する場合を含む。）に規定する書類 a written application provided in Article 5, paragraph (2) (including cases where these provisions are applied mutatis mutandis pursuant to Article 10, paragraph (5)), documents provided in Article 5, paragraph (3) (including cases where these provisions are applied mutatis mutandis pursuant to Article 10, paragraph (5))</p>	<p>第五条第二項に規定する届出書、同条第三項に規定する書類 a written notice provided for in Article 5, paragraph (2), documents provided for in paragraph (3) of the same Article</p>
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7 前二項に定めるもののほか、第五項の規定による一般労働者派遣事業に関し必要な事項は、厚生労働省令で定める。

(7) Beyond the provisions of the preceding two paragraphs, any other necessary particulars concerning General Worker Dispatching Undertakings under the provisions of paragraph (5) are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(事業計画等)

(Operation Plans)

第四十三条 シルバー人材センターは、毎事業年度、厚生労働省令で定めるところにより、事業計画書及び収支予算書を作成し、都道府県知事に提出しなければならない。これを変更しようとするときも、同様とする。

Article 43 (1) Every fiscal year, the Silver Human Resources Center must prepare an operations plan and a budget for income and expenditure pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, and submit them to the prefectural governor. The same applies when a Silver Human Resources Center intends to make changes to said plan and/or budget.

2 シルバー人材センターは、厚生労働省令で定めるところにより、毎事業年度終了後、事業報告書及び収支決算書を作成し、都道府県知事に提出しなければならない。

(2) A Silver Human Resources Center must prepare and submit an operations report and settlement of accounts to the prefectural governor after the end of each fiscal year of operations, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(監督命令)

(Supervision Order)

第四十三条の二 都道府県知事は、この節の規定を施行するために必要な限度において、シルバー人材センターに対し、第四十二条第一項に規定する業務に関し監督上必要な命令をすることができる。

Article 43-2 The prefectural governor may, to the extent necessary for enforcing the provisions of this Section, give the Silver Human Resources Centers orders necessary for supervision of the operations stipulated in Article 42, paragraph (1).

(指定の取消し等)

(Revocation of a Designation)

第四十三条の三 都道府県知事は、シルバー人材センターが次の各号のいずれかに該当するときは、第四十一条第一項の指定（以下この条において「指定」という。）を取り消すことができる。

Article 43-3 (1) When a Silver Human Resources Center falls under any of the following items, the prefectural governor may revoke the designation under Article 41, paragraph (1) (hereinafter referred to as the "Designation" in this Article):

一 第四十二条第一項に規定する業務を適正かつ確実に実施することができないと認められるとき。

(i) when the Center is found to be unable to perform the operations provided for in Article 42, paragraph (1) properly and with certainty;

二 指定に関し不正の行為があつたとき。

(ii) when the Center has committed a wrongful act with regard to the Designation;

三 この節の規定又は当該規定に基づく命令に違反したとき。

(iii) when the Center violates the provisions of this Section or orders pursuant to said provisions;

四 前条の規定に基づく処分に違反したとき。

(iv) when the Center violates the dispositions provided for in the provisions of the preceding Article;

五 第五十三条第一項の条件に違反したとき。

(v) when the Center violates the conditions referred to in Article 53, paragraph (1).

2 都道府県知事は、前項の規定により指定を取り消したときは、その旨を公示しなければならない。

(2) In the case of revoking the Designation pursuant to the provisions of the preceding paragraph, the prefectural governor must publicize it.

第二節 シルバー人材センター連合

Section 2 Silver Human Resources Center Association

(指定等)

(Designation)

第四十四条 都道府県知事は、その会員に二以上のシルバー人材センターを有する高年齢者就業援助法人であつて、次条において準用する第四十二条第一項に規定する業務に関し第四十一条第一項各号に掲げる基準に適合すると認められるものを、その申請により、当該高年齢者就業援助法人の会員であるシルバー人材センターに係るセンターの指定区域と当該地域における臨時的かつ短期的な就業の機会の状況その他の事情を考慮して厚生労働省令で定める基準に従つて必要と認められる市町村の区域を併せた区域ごとに一個に限り、次条において準用する第四十二条第一項に規定する業務を行う者として指定することができる。ただし、当該指定をするに当たつては、当該市町村の区域から、当該指定に係る申請をした高年齢者就業援助法人の会員でないシルバー人材センターに係るセンターの指定区域及び連合の指定区域を除外するものとする。

Article 44 (1) The prefectural governor may designate an Elderly Persons Employment Support Corporation that possess as its members two or more Silver Human Resources Centers and that is deemed to comply with the criteria listed in each item of Article 41, paragraph (1) concerning the operations provided for in Article 42, paragraph (1) applied mutatis mutandis pursuant to the following Article, as the persons, based on applications thereby, that are to carry out the operations stipulated in Article 42, paragraph (1) applied mutatis mutandis pursuant to the following Article, with only a single such corporation designated for each area, including areas of municipalities for which a designation is deemed necessary in accordance with the criteria specified by Ordinance of the Ministry of Health, Labour and Welfare, taking into consideration the Designated Areas of the Centers concerning Silver Human Resources Centers that are members of said Elderly Persons Employment Support Corporations and the circumstances of employment opportunities for temporary short-term work in the areas and other circumstances; provided, however, that this designation excludes Designated Areas of the Centers and Designated Areas of the Association related to Silver Human Resources Centers that are not members of Elderly Persons Employment Support Corporations that have applied for such designation from said areas of municipalities.

2 シルバー人材センターがシルバー人材センター連合の会員となつたときは、当該シルバー人材センター連合は、その旨を都道府県知事に届け出なければならない。当該届出があつたときは、当該シルバー人材センター連合に係る連合の指定区域と当該シルバー人材センターに係るセンターの指定区域を併せた区域を当該シルバー人材センター連合に係る連合の指定区域とするものとする。

(2) If a Silver Human Resources Center becomes a member of the Silver Human Resources Center Association, the Silver Human Resources Center Association must notify the prefectural governor thereof. When said notification has been

made, the Designated Areas of the Association related to said Silver Human Resources Center Association and the Designated Areas of the Centers related to said Silver Human Resources Center is deemed to be the Designated Areas of the Association related to said Silver Human Resources Center Association.

3 第一項の指定又は前項の届出があつたときは、当該指定又は届出に係るシルバー人材センター連合の会員であるシルバー人材センターに係る第四十一条第一項の指定は、その効力を失うものとする。

(3) When a designation provided for in paragraph (1) or a notification provided for in the preceding paragraph has been made, the designation provided for in Article 41, paragraph (1) that relates to Silver Human Resources Centers that are members of the Silver Human Resources Center Association concerning said designation or notification is to be invalidated.

4 都道府県知事は、第二項の届出があつた場合において、シルバー人材センター連合からその連合の指定区域の変更に関する申出があつたときは、当該連合の指定区域を変更し、当該連合の指定区域と第一項の厚生労働省令で定める基準に従つて必要と認められる市町村の区域を併せた区域を当該シルバー人材センター連合に係る連合の指定区域とすることができる。ただし、当該変更をするに当たっては、当該市町村の区域から、センターの指定区域及び連合の指定区域を除外するものとする。

(4) If a notification provided for in paragraph (2) has been made and the Silver Human Resources Center Association has requested a change of the Designated Areas of the Association, the prefectural governor may change said Designated Areas of the Association and newly establish said Designated Areas of the Association, and also areas including areas of municipalities where a designation is deemed necessary in accordance with the criteria specified by Ordinance of the Ministry of Health, Labour and Welfare provided for in paragraph (1), as Designated Areas of the Association related to the Silver Human Resources Center Association; provided, however, that said changes exclude Designated Areas of the Centers and Designated Areas of the Association from said areas of municipalities.

(準用)

(Application Mutatis Mutandis)

第四十五条 第四十一条第三項から第五項まで及び第四十二条から第四十三条の三までの規定は、シルバー人材センター連合について準用する。この場合において、第四十一条第三項中「第一項の指定をしたとき」とあるのは「第四十四条第一項の指定をしたとき並びに同条第二項の連合の指定区域の変更があつたとき及び同条第四項の連合の指定区域の変更をしたとき」と、「所在地並びに当該指定に係る地域」とあるのは「所在地並びに当該指定に係る地域（当該変更があつたときは、当該変更後の地域）」と、第四十二条第一項中「前条第一項の指定に係る区域（以下「センターの指定区域」という。）」とあるのは「第四十四条第一項の指定に係る区域（同条第二項又は第四項の変更があつたときは、その変更後の区域）」と、同条第三項中「第四十

二条第二項」とあるのは「第四十五条において準用する同法第四十二条第二項」と、同条第五項中「その構成員である高年齢退職者のみ」とあるのは「その直接又は間接の構成員である高年齢退職者のみ」と、同条第六項の表第五条第二項の項中「第四十二条第五項」とあるのは「第四十五条において準用する同法第四十二条第五項」と、同表第六条第五号の項及び第六条第七号の項中「シルバー人材センター」とあるのは「シルバー人材センター連合」と、第四十三条の二中「この節」とあるのは「第六章第二節」と、「第四十二条第一項」とあるのは「第四十五条において準用する第四十二条第一項」と、第四十三条の三第一項中「第四十一条第一項」とあるのは「第四十四条第一項」と、同項第一号中「第四十二条第一項」とあるのは「第四十五条において準用する第四十二条第一項」と、同項第三号中「この節」とあるのは「第六章第二節」と、同項第四号中「前条」とあるのは「第四十五条において準用する前条」と読み替えるものとする。

Article 45 The provisions of Article 41, paragraphs (3) to (5) and Articles 42 to 43-3 apply mutatis mutandis to the Silver Human Resources Center Association. In this case, the phrase "when making the designation under paragraph (1)" in Article 41, paragraph (3) is deemed to be replaced with the phrase "when a designation has been made as provided for in Article 44, paragraph (1), and a change has been made in the Designated Areas of the Association as provided for in paragraph (2) of the same Article and a change has been made in the Designated Areas of the Association as provided for in paragraph (4) of the same Article"; the phrase "location and the area concerned with the designation" is deemed to be replaced with the phrase "location and the area concerned with the designation (if changes are made to said designation, then areas after changes have been made)"; the phrase "the areas (hereinafter referred to as the "Designated Areas of the Centers") relating to the designation under paragraph (1) of the preceding Article" in Article 42, paragraph (1) is deemed to be replaced with the phrase "the areas relating to the designation under in Article 44, paragraph (1) (if changes are made to paragraph (2) or (4) of the same Article, then areas after changes have been made)"; the phrase "Article 42, paragraph (2)" in paragraph (3) of the same Article is deemed to be replaced with the phrase "Article 42, paragraph (2) as applied mutatis mutandis pursuant to Article 45"; the phrase "only for elderly retirees, who are its members" in paragraph (5) of the same Article is deemed to be replaced with the phrase "only for elderly retirees, who are its members directly or indirectly"; the phrase "Article 42, paragraph (5)" in Article 5, paragraph (2) under the table of paragraph (6) of the same Article, is deemed to be replaced with "Article 42, paragraph (5) of the same Act as applied mutatis mutandis pursuant to Article 45"; the phrase "Silver Human Resources Center" in Article 6, item (v) and Article 6, item (vii) under the same table is deemed to be replaced with the phrase "Silver Human Resources Center Association"; the phrase "this Section" in Article 43-2 is deemed to be replaced

with "Chapter VI, Section 2"; the phrase "Article 42, paragraph (1)" is deemed to be replaced with the phrase "Article 42, paragraph (1) as applied mutatis mutandis pursuant to Article 45"; the phrase "Article 41, paragraph (1)" in Article 43-3, paragraph (1) is deemed to be replaced with the phrase "Article 44, paragraph (1)"; the phrase "Article 42, paragraph (1)" of item (i) of the same paragraph is deemed to be replaced with the phrase "Article 42, paragraph (1) as applied mutatis mutandis pursuant to Article 45"; the phrase "this Section" in item (iii) of the same paragraph is deemed to be replaced with the phrase "Chapter VI, Section 2"; and the phrase "the preceding Article" in item (iv) of the same paragraph is deemed to be replaced with the phrase "the preceding Article as applied mutatis mutandis pursuant to Article 45."

第三節 全国シルバー人材センター事業協会

Section 3 National Silver Human Resources Center Association

(指定)

(Designation)

第四十六条 厚生労働大臣は、シルバー人材センター及びシルバー人材センター連合の健全な発展を図るとともに、定年退職者その他の高齢退職者の能力の積極的な活用を促進することにより、高齢者の福祉の増進に資することを目的とする一般社団法人又は一般財団法人であつて、次条に規定する業務を適正かつ確実に行うことができると認められるものを、その申請により、全国を通じて一個に限り、同条に規定する業務を行う者として指定することができる。

Article 46 The Minister of Health, Labour and Welfare may designate a general incorporated association or general incorporated foundation established for the purpose of contributing to the enhancement of the welfare of Elderly Persons by actively promoting the practical use of the skills of persons who have mandatorily retired or other elderly retirees, while making efforts for the sound development of the Silver Human Resources Centers and the Silver Human Resources Center Association, which are recognized to be capable of properly and effectively carrying out the operations provided for in the following Article, as the person, based on applications, are to carry out the operations provided for in said Article, as the single said person designated nationwide.

(業務)

(Operations)

第四十七条 前条の指定を受けた者（以下「全国シルバー人材センター事業協会」という。）は、次に掲げる業務を行うものとする。

Article 47 The designated association as provided for in the preceding Article (hereinafter referred to as the "National Silver Human Resources Center

Association") is to carry out the following operations:

一 シルバー人材センター及びシルバー人材センター連合の業務に関し啓発活動を行うこと。

(i) to implement activities to educate the public about the operations of Silver Human Resources Centers and the Silver Human Resources Center Association;

二 シルバー人材センター又はシルバー人材センター連合の業務に従事する者に対する研修を行うこと。

(ii) to conduct training for persons engaged in the operations of Silver Human Resources Centers and the Silver Human Resources Center Association;

三 シルバー人材センター及びシルバー人材センター連合の業務について、連絡調整を図り、及び指導その他の援助を行うこと。

(iii) to provide liaison coordination, guidance, and other assistance for the operations of Silver Human Resources Centers and the Silver Human Resources Center Association;

四 シルバー人材センター及びシルバー人材センター連合の業務に関する情報及び資料を収集し、並びにシルバー人材センター、シルバー人材センター連合その他の関係者に対し提供すること。

(iv) to collect information and materials about the operations of Silver Human Resources Centers and the Silver Human Resources Center Association and provide them to Silver Human Resources Centers, the Silver Human Resources Center Association, and other related parties;

五 前各号に掲げるもののほか、シルバー人材センター及びシルバー人材センター連合の健全な発展並びに定年退職者その他の高年齢退職者の能力の積極的な活用を促進するために必要な業務を行うこと。

(v) in addition to the operations listed in the preceding items, to carry out any other operations necessary for furthering the sound development of Silver Human Resources Centers and the Silver Human Resources Center Association and for promoting the active practical use of the abilities of persons who have mandatorily retired and other elderly retirees.

(準用)

(Application Mutatis Mutandis)

第四十八条 第四十一条第三項から第五項まで及び第四十三条から第四十三条の三までの規定は、全国シルバー人材センター事業協会について準用する。この場合において、第四十一条第三項から第五項まで及び第四十三条から第四十三条の三までの規定中「都道府県知事」とあるのは「厚生労働大臣」と、第四十一条第三項中「第一項」とあるのは「第四十六条」と、「、事務所の所在地並びに当該指定に係る地域」とあるのは「並びに事務所の所在地」と、第四十三条の二中「この節」とあるのは「第六章第三節」と、「第四十二条第一項」とあるのは「第四十七条」と、第四十三条の三第一項中「第四十一条第一項」とあるのは「第四十六条」と、同項第一号中「第四十二

条第一項」とあるのは「第四十七条」と、同項第三号中「この節」とあるのは「第六章第三節」と、同項第四号中「前条」とあるのは「第四十八条において準用する前条」と読み替えるものとする。

Article 48 The provisions of Article 41, paragraphs (3) to (5) and Articles 43 to 43-3 apply mutatis mutandis to the National Silver Human Resources Center Association. In this case, the phrase "the prefectural governor" in Article 41, paragraphs (3) to (5) and Articles 43 to 43-3 is deemed to be replaced with the phrase "the Minister of Health, Labour and Welfare"; the phrase "paragraph (1)" in Article 41, paragraph (3) is deemed to be replaced with the phrase "Article 46"; the phrase "location of the office and the area concerned with the designation" is deemed to be replaced with the phrase "and location of the office"; the phrase "this Section" in Article 43-2 is deemed to be replaced with the phrase "Chapter VI, Section 3"; the phrase "Article 42, paragraph (1)" is deemed to be replaced with the phrase "Article 47"; the phrase "Article 41, paragraph (1)" in Article 43-3, paragraph (1) is deemed to be replaced with the phrase "Article 46"; the phrase "Article 42, paragraph (1)" in item (i) of the same paragraph is deemed to be replaced with the phrase "Article 47"; the phrase "this Section" in item (iii) of the same paragraph is deemed to be replaced with the phrase "Chapter VI, Section 3"; and the phrase "the preceding Article" in item (iv) of the same paragraph is deemed to be replaced with the phrase "the preceding Article as applied mutatis mutandis pursuant to Article 48."

第七章 国による援助等

Chapter VII Support by the National Government

(事業主等に対する援助等)

(Support for Employers)

第四十九条 国は、高年齢者等（厚生労働省令で定める者を除く。以下この項において同じ。）の職業の安定その他福祉の増進を図るため、高年齢者等職業安定対策基本方針に従い、事業主、労働者その他の関係者に対し、次に掲げる措置その他の援助等の措置を講ずることができる。

Article 49 (1) In order to promote the stabilization of employment and to further improve the welfare of Elderly Persons, etc. (excluding those specified by Ordinance of the Ministry of Health, Labour and Welfare; hereinafter, the same applies in this paragraph), the national government may take the following measures and other measures to assist employers, workers, and other related parties, etc. in accordance with the Basic Policy for Measures for the Stabilization of Employment for Elderly Persons, etc.:

一 定年の引上げ、継続雇用制度の導入、再就職の援助等高年齢者等の雇用の機会の増大に資する措置を講ずる事業主又はその事業主の団体に対して給付金を支給する

こと。

(i) to provide benefits to employers or employers' organizations that carry out measures that aim to contribute to expanding employment opportunities for Elderly Persons, etc. such as raising the Mandatory Retirement Age, introducing a continuous employment system, and supporting their re-employment;

二 高年齢者等の雇用に関する技術的事項について、事業主その他の関係者に対して相談その他の援助を行うこと。

(ii) to provide consultation and other support to employers and other related parties on technical particulars concerning the employment of Elderly Persons, etc.;

三 労働者がその高齢期における職業生活の設計を行うことを容易にするため、労働者に対して、必要な助言又は指導を行うこと。

(iii) to give the necessary advice and instruction to workers to facilitate their planning of their work life in the period of older age.

2 厚生労働大臣は、前項各号に掲げる措置の実施に関する事務の全部又は一部を機構に行わせるものとする。

(2) The Minister of Health, Labour and Welfare is to delegate all or part of the processes related to the implementation of the measures provided for in each item of the preceding paragraph to the Organization.

3 機構は、第一項第一号に掲げる措置の実施に関する事務を行う場合において当該事務に関し必要があると認めるときは、事業主に対し、必要な事項についての報告を求めることができる。

(3) In the case of conducting the processes related to the implementation of the measures provided for in paragraph (1), item (i) and when it is deemed necessary with regard to said processes, the Organization may request an employer to submit reports on necessary particulars.

(雇用管理の改善の研究等)

(Research on Improving Employment Management)

第五十条 国は、高年齢者の雇用の安定その他福祉の増進に資するため、高年齢者の職域の拡大その他の雇用管理の改善、職業能力の開発及び向上等の事項に関し必要な調査、研究及び資料の整備に努めるものとする。

Article 50 The national government is to strive to conduct the necessary investigation to research and develop materials concerning particulars, such as the expansion of the range of occupations for Elderly Persons and other improvements in employment management and the development and improvement of their work abilities with a view to contribute to the stabilization of employment of Elderly Persons and the promotion of their welfare.

(職業紹介等を行う施設の整備等)

(Improvement of Facilities Providing Employment Placements)

第五十一条 国は、高年齢者に対する職業紹介等を効果的に行うために必要な施設の整備に努めるものとする。

Article 51 (1) The national government is to strive to improve facilities necessary to effectively provide employment placements, etc. for Elderly Persons.

2 国は、地方公共団体等が、高年齢者に対し職業に関する相談に応ずる業務を行う施設を設置する等高年齢者の雇用を促進するための措置を講ずる場合には、必要な援助を行うことができる。

(2) If local governments, etc. take measures to promote the employment of Elderly Persons, such as the establishment of facilities for providing occupational counseling services for Elderly Persons, the national government may give the necessary support to them.

第八章 雑則

Chapter VIII Miscellaneous Provisions

(雇用状況の報告)

(Reporting of Employment Conditions)

第五十二条 事業主は、毎年一回、厚生労働省令で定めるところにより、定年及び継続雇用制度の状況その他高年齢者の雇用に関する状況を厚生労働大臣に報告しなければならない。

Article 52 (1) An employer must prepare and submit a report once a year to the Minister of Health, Labour and Welfare on the circumstances regarding the Mandatory Retirement Age, continuous employment system and other particulars concerning the employment of Elderly Persons pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣は、前項の毎年一回の報告のほか、この法律を施行するために必要があると認めるときは、厚生労働省令で定めるところにより、事業主に対し、同項に規定する状況について必要な事項の報告を求めることができる。

(2) In addition to the annual report referred to in the preceding paragraph, when the Minister of Health, Labour and Welfare deems it necessary for the enforcement of this Act, the Minister of Health, Labour and Welfare may request an employer submit reports on necessary particulars concerning the circumstances provided for in the same paragraph, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

(指定の条件)

(Designation Conditions)

第五十三条 この法律の規定による指定には、条件を付け、及びこれを変更することが

できる。

Article 53 (1) Conditions may be attached to the designation under the provisions of this Act, and such conditions may be changed.

2 前項の条件は、当該指定に係る事項の確実な実施を図るために必要な最小限度のものに限り、かつ、当該指定を受ける者に不当な義務を課することとなるものであつてはならない。

(2) The conditions under the preceding paragraph must be limited to the minimum necessary changes to ensure the steady implementation of the particulars pertaining to said designation, and must not impose unreasonable duties on the person subject to said designation.

(経過措置)

(Transitional Measures)

第五十三条の二 この法律の規定に基づき政令又は厚生労働省令を制定し、又は改廃する場合においては、それぞれ政令又は厚生労働省令で、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（罰則に関する経過措置を含む。）を定めることができる。

Article 53-2 Where a Cabinet Order or Ordinance of the Ministry of Health, Labour and Welfare is established, amended, or repealed under the provisions of this Act, necessary transitional measures (including transitional measures on penal provisions) may be specified by a Cabinet Order or Ordinance of the Ministry of Health, Labour and Welfare respectively, within limits that can be reasonably considered to be necessary in connection with the establishment, amendment, or repeal concerned.

(権限の委任)

(Delegation of Authority)

第五十四条 この法律に定める厚生労働大臣の権限は、厚生労働省令で定めるところにより、その一部を都道府県労働局長に委任することができる。

Article 54 (1) Part of the authority of the Minister of Health, Labour and Welfare specified in this Act may be delegated to the directors of the Prefectural Labor Bureaus, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

2 前項の規定により都道府県労働局長に委任された権限は、厚生労働省令で定めるところにより、公共職業安定所長に委任することができる。

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

第九章 罰則

Chapter IX Penal Provisions

第五十五条 第四十九条第三項の規定による報告をせず、又は虚偽の報告をした者は、五十万円以下の罰金に処する。

Article 55 A person who fails to submit a report or submits a false report under the provisions of Article 49, paragraph (3) is punished by a fine of not more than 500,000 yen.

第五十六条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、同条の刑を科する。

Article 56 If a representative of a corporation, or an agent, employee or other worker of a corporation or a natural person has committed a violation under the preceding Article, with regard to the operations of said corporation or said natural person, not only the offender is punished, but said corporation or said natural person is also punished by the fine provided for in the same Article.

第五十七条 第十六条第一項の規定による届出をせず、又は虚偽の届出をした者（法人であるときは、その代表者）は、十万円以下の過料に処する。

Article 57 A person (in the case of a corporation, then its representative) who fails to submit a notification or submits a false notification under the provisions of Article 16, paragraph (1), is punished by a non-penal fine of not more than 100,000 yen.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、昭和四十六年十月一日から施行する。

Article 1 This Act comes into effect as of October 1, 1971.

(削除)

(Deletion)

第二条 削除

Article 2 Deleted

(国、地方公共団体等における中高年齢者の雇用に関する暫定措置)

(Temporary Measures Concerning Employment of Middle-Aged and Elderly Persons in the National Government and Local Governments)

第三条 国及び地方公共団体並びに法律により直接に設立された法人、特別の法律によ

り特別の設立行為をもつて設立された法人又は特別の法律により地方公共団体が設立者となつて設立された法人（これらの法人のうち、その資本金の全部若しくは大部分が国若しくは地方公共団体からの出資による法人又はその事業の運営のために必要な経費の主たる財源を国若しくは地方公共団体からの交付金若しくは補助金によつて得ている法人であつて、政令で定めるものに限る。）が行う第二条第二項第一号に規定する中高年齢者の雇用については、当分の間、なお身体障害者雇用促進法及び中高年齢者等の雇用の促進に関する特別措置法の一部を改正する法律（昭和五十一年法律第三十六号）第二条の規定による改正前の第七条から第九条までの規定の例による。この場合において、同法第二条の規定による改正前の第七条第一項及び第九条中「労働大臣」とあるのは、「厚生労働大臣」とする。

Article 3 The employment of middle-aged and elderly persons under the provisions of Article 2, paragraph (2), item (i) by corporations directly established by the national government and local governments and pursuant to an Act, by corporations established by a special act of incorporation pursuant to a special act, or by corporations established by a local government pursuant to a special act (limited to corporations specified by Cabinet Order for which all or most of the stated capital comes from investment by the national government or local governments, or for which the primary source of funds for expenses necessary for the projects to be carried out comes from grants or subsidies from the national government or local governments) are, until otherwise provided for by law, as provided for in the provisions of Articles 7 to 9 prior to the revision under Article 2 of the Act to Partially Revise the Act on the Promotion of the Employment of Disabled Persons and the Act on Special Measures Concerning the Promotion of the Employment of Middle-Aged and Elderly Persons (Act No. 36 of 1976). In this case, the phrase "the Minister of Labour" in Article 7, paragraph (1) and Article 9 prior to the revision under Article 2 of the same Act is deemed to be replaced with the phrase "Minister of Health, Labour and Welfare."

附 則 〔平成二十四年九月五日法律第七十八号〕

Supplementary Provisions [Act No. 78 of September 5, 2012]

（施行期日）

（Effective Date）

- 1 この法律は、平成二十五年四月一日から施行する。ただし、次項の規定は、公布の日から施行する。

(1) This Act comes into effect as of April 1, 2013; provided, however, that the provisions in the following paragraph come into effect from the date of promulgation.

（準備行為）

(Preparatory Actions)

2 この法律による改正後の第九条第三項に規定する指針の策定及びこれに関し必要な手続その他の行為は、この法律の施行前においても、同項及び同条第四項の規定の例により行うことができる。

(2) The formulation of guidelines referred to in the provisions of Article 9, paragraph (3) revised by this Act, related procedures, and other necessary actions may be conducted according to the provisions of the same paragraph and paragraph (4) of the same Article even if prior to the enforcement of this Act.

(経過措置)

(Transitional Measures)

3 この法律の施行の際現にこの法律による改正前の第九条第二項の規定により同条第一項第二号に掲げる措置を講じたものとみなされている事業主については、同条第二項の規定は、平成三十七年三月三十一日までの間は、なおその効力を有する。この場合において、同項中「係る基準」とあるのは、この法律の施行の日から平成二十八年三月三十一日までの間については「係る基準（六十一歳以上の者を対象とするものに限る。）」と、同年四月一日から平成三十一年三月三十一日までの間については「係る基準（六十二歳以上の者を対象とするものに限る。）」と、同年四月一日から平成三十四年三月三十一日までの間については「係る基準（六十三歳以上の者を対象とするものに限る。）」と、同年四月一日から平成三十七年三月三十一日までの間については「係る基準（六十四歳以上の者を対象とするものに限る。）」とする。

(3) With regard to an employer who is deemed to have taken the measures listed in Article 9, paragraph (1), item (ii) pursuant to the provisions of Article 9, paragraph (2) prior to revision by this Act at the time of the enforcement of this Act, the provisions of paragraph (2) of the same Article remain in effect until March 31, 2025. In this case, the phrase "the criteria" in the same paragraph is deemed to be replaced with the phrase "the criteria (limited only to those to whom persons who are 61 years of age or more are subjected)" from the date of enforcement of this Act to March 31, 2016; with the phrase "the criteria (limited only to those to whom persons who are 62 years of age or more are subjected)" from April 1 of the same year to March 31, 2019; with the phrase "the criteria (limited only to those to whom persons who are 63 years of age or more are subjected)" from April 1 of the same year to March 31, 2022; and with the phrase "the criteria (limited only to those to whom persons who are 64 years of age or more are subjected)" from April 1 of the same year to March 31, 2025.