

高年齢者等の雇用の安定等に関する法律施行規則 Ordinance for Enforcement of the Act on Stabilization of Employment of Elderly Persons

(昭和四十六年九月八日労働省令第二十四号)

(Ordinance of the Ministry of Labour No. 24 of September 8, 1971)

中高年齢者等の雇用の促進に関する特別措置法（昭和四十六年法律第六十八号）第二条第一項及び第二項、第七条第一項、第十条、第十二条第四号、第十三条第一項及び第二項、第十四条第一項第三号、第十五条第一項第四号並びに第二十三条の規定に基づき、並びに同法を実施するため、中高年齢者等の雇用の促進に関する特別措置法施行規則を次のように定める。

Pursuant to provisions of Article 2, paragraphs (1) and (2); Article 7, paragraph (1); Article 10; Article 12, item (iv); Article 13, paragraphs (1) and (2); Article 14, paragraph (1), item (iii); Article 15, paragraph (1), item (iv); and Article 23 of the Act on Special Measures Concerning the Promotion of the Employment of Middle-Aged and Elderly Workers (Act No. 68 of 1971) and for the purpose of enforcement of said Act, the Ordinance for Enforcement of the Act on Special Measures Concerning the Promotion of the Employment of Middle-Aged and Elderly Workers are established as follows:

第一章 総則

Chapter I General Provisions

(高年齢者の年齢)

(Age of Elderly Persons)

第一条 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。以下「法」という。）第二条第一項の厚生労働省令で定める年齢は、五十五歳とする。

Article 1 The age to be specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 2, paragraph (1) of the Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971; hereinafter referred to as the "Act"), is 55 years of age.

(中高年齢者の年齢)

(Age of Middle-Aged and Elderly Persons)

第二条 法第二条第二項第一号の厚生労働省令で定める年齢は、四十五歳とする。

Article 2 The age to be specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 2, paragraph (2), item (i) of the Act, is 45 years of age.

(中高年齢失業者等の範囲)

(The Age Range of Middle-Aged and Elderly Unemployed Persons, etc.)

第三条 法第二条第二項第二号の厚生労働省令で定める範囲の年齢は、四十五歳以上六十五歳未満とする。

Article 3 (1) The age range to be specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 2, paragraph (2), item (i) of the Act is 45 or over and under 65 years of age.

2 法第二条第二項第二号の就職が特に困難な厚生労働省令で定める失業者は、六十五歳未満の失業者であつて、次の各号のいずれかに該当するものとする。

(2) Unemployed persons specified by Ordinance of the Ministry of Health, Labour and Welfare as those who have particular difficulty in finding employment, as provided for in Article 2, paragraph (2), item (i) of the Act, are to be unemployed persons under 65 years of age who fall under the following items:

一 障害者の雇用の促進等に関する法律（昭和三十五年法律第百二十三号）第二条第二号の身体障害者

(i) persons with physical disabilities as provided for in Article 2, item (i) of the Act on the Promotion of the Employment of Disabled Persons (Act No. 123 of 1960);

二 売春防止法（昭和三十一年法律第百十八号）第二十六条第一項の規定により保護観察に付された者及び更生保護法（平成十九年法律第八十八号）第四十八条各号又は第八十五条第一項各号に掲げる者であつて、その者の職業のあつせんに関し保護観察所長から公共職業安定所長に連絡があつたもの

(ii) persons who are under probationary supervision pursuant to the provisions of Article 26, paragraph (1) of the Anti-Prostitution Act (Act No. 118 of 1956) and persons who are listed in each item of Article 48 or each item of Article 85, paragraph (1) of the Offenders Rehabilitation Act (Act No. 88 of 2007) and for whom the director of a probation office has contacted the Chief of the Public Employment Security Office regarding mediation for their employment;

三 その他社会的事情により就職が著しく阻害されている者

(iii) persons whose employment is being considerably hampered due to other social circumstances.

(特定地域の指定)

(Designation of a Specified Area)

第四条 法第二条第三項の特定地域（以下「特定地域」という。）の指定は、雇用保険法（昭和四十九年法律第百十六号）第二十五条第一項に規定する広域職業紹介活動に係る地域であつて、次の各号に該当するものについて行うものとする。

Article 4 (1) The designation of specified areas as provided for in Article 2, paragraph (3) of the Act (hereinafter referred to as a "Specified Area") is to be given to areas subject to wide scale employment placement activities as

provided for in Article 25, paragraph (1) of the Employment Insurance Act (Act No. 116 of 1974) and that fall under each of the following items:

一 法第二条第二項第一号の中高齢者（以下「中高齢者」という。）である求職者の数が著しく多いこと。

(i) there are a significant number of job seekers who are middle-aged and elderly, as provided for in Article 2, paragraph (2), item (i) of the Act (hereinafter referred to as "Middle-Aged and Elderly Persons");

二 中高齢者に係る求人の数に対する中高齢者である求職者の数の比率が著しく高いこと。

(ii) the ratio of job seekers who are classified as Middle-Aged and Elderly Persons to the number of job openings available to Middle-Aged and Elderly Persons are significantly high;

三 中高齢者である求職者のうち就職した者の割合が著しく小さいこと。

(iii) the ratio of job seekers who are Middle-Aged and Elderly Persons who find employment is significantly small.

2 厚生労働大臣は、中高齢者である失業者が多数発生することが見込まれ、前項各号に該当することとなると認められる地域その他前項の地域に準ずる地域であつて必要があると認めるものについても、特定地域の指定を行なうことができる。

(2) The Minister of Health, Labour and Welfare may designate an area as a Specified Area, if the area is expected to have many unemployed Middle-Aged and Elderly Persons, and thereby is considered to fall under each item of the preceding paragraph or equivalent to the area provided for in the preceding paragraph, which is considered necessary to be deemed as a Specified Area.

3 特定地域の単位は、公共職業安定所の管轄区域とする。ただし、特別の事情がある場合には、別に厚生労働大臣が定める地域とする。

(3) The unit of a Specified Area is based on the jurisdictional district of the Public Employment Security Offices; provided, however, that if there are special circumstances, said unit is an area separately specified by the Minister of Health, Labour and Welfare.

第二章 定年の引上げ、継続雇用制度の導入等による高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

(法第八条の業務)

(Work under Article 8 of the Act)

第四条の二 法第八条の厚生労働省令で定める業務は、鉱業法（昭和二十五年法律第二百八十九号）第四条に規定する事業における坑内作業の業務とする。

Article 4-2 The work to be specified by Ordinance of the Ministry of Health,

Labour and Welfare, as provided for in Article 8 of the Act, is work done below ground for a business provided for in Article 4 of the Mining Act (Act No. 289 of 1950).

(特殊関係事業主)

(An Employer Who Has Special Relations)

第四条の三 法第九条第二項に規定する厚生労働省令で定める事業主は、次の各号に掲げる者とする。

Article 4-3 (1) The employer to be specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 9, paragraph (2) of the Act are persons that are listed in the following items:

一 当該事業主の子法人等

(i) any subsidiary corporation, etc. of said employer;

二 当該事業主を子法人等とする親法人等

(ii) the parent corporation, etc. that has said employer as its subsidiary corporation, etc.;

三 当該事業主を子法人等とする親法人等の子法人等（当該事業主及び前二号に掲げる者を除く。）

(iii) any subsidiary corporation, etc. of the parent corporation, etc. that has said employer as its subsidiary corporation, etc. (excluding said employer itself and the persons listed in the preceding two items);

四 当該事業主の関連法人等

(iv) any affiliated corporation, etc., of said employer;

五 当該事業主を子法人等とする親法人等の関連法人等（前号に掲げる者を除く。）

(v) any affiliated corporation, etc. of the parent corporation, etc. that has said employer as its subsidiary corporation, etc. (excluding the persons listed in the preceding item).

2 前項に規定する「親法人等」とは、次の各号に掲げる法人等（会社、組合その他これらに準ずる事業体（外国におけるこれらに相当するものを含む。）をいう。以下同じ。）とする。ただし、財務上又は営業上若しくは事業上の関係からみて他の法人等の財務及び営業又は事業の方針を決定する機関（株主総会その他これに準ずる機関をいう。以下「意思決定機関」という。）を支配していないことが明らかであると認められるときは、この限りでない。

(2) The term "parent corporation, etc." as provided for in the preceding paragraph means the corporations, etc. (referring to a company, partnership, or any other type of entity similar thereto (including an equivalent entity in a foreign state); hereinafter, the same applies) listed in the following items; provided, however, that this does not apply to cases where it is found to be obvious that said corporation, etc. has no control over the body that decides financial and operational, or business policies (referring to a shareholders meeting or other equivalent body; hereinafter referred to as the "Decision-Making Body") of any

other corporation, etc. in view of their financial, operational or business relationship:

一 他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた他の法人等その他これらに準ずる他の法人等であつて、有効な支配従属関係が存在しないと認められるものを除く。以下この項において同じ。）の議決権の過半数を自己の計算において所有している法人等

(i) a corporation, etc. who holds, on its own account, a majority of the voting rights of another corporation, etc. (excluding a corporation, etc. who has received a ruling for commencement of bankruptcy proceedings, commencement of rehabilitation proceedings, commencement of reorganization proceedings, or a corporation, etc. equivalent thereto, where no effective dominant-subordinate relationship is found to exist; hereinafter, the same applies in this paragraph);

二 他の法人等の議決権の百分の四十以上、百分の五十以下を自己の計算において所有している法人等であつて、次に掲げるいずれかの要件に該当するもの

(ii) a corporation, etc. who holds, on its own account, 40 percent or more and 50 percent or less of the voting rights of another corporation, etc. and satisfies any of the following requirements:

イ 当該法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、当該他の法人等の議決権の過半数を占めていること。

(a) the total number of voting rights held by said corporation, etc. on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of said corporation, etc. due to a close relationship therewith in terms of financing, personnel affairs, funds, technology, transactions, or other matters, or by persons who agree to exercise their voting rights in the same manner as the intent of said corporation, etc. constitutes a majority of the voting rights of said other corporation, etc.;

ロ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等が当該他の法人等の財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、当該他の法人等の取締役会その他これに準ずる機関の構成員の過半数を占めていること。

(b) persons who are or have been officers, members executing the business, or employees of said corporation, etc. and are capable of influencing decisions on the financial and operational or business policies of said other corporation, etc. constitute a majority of the members of the board of directors or other equivalent body of said other corporation, etc.;

ハ 当該法人等と当該他の法人等との間に当該他の法人等の重要な財務及び営業又

は事業の方針の決定を支配する契約等が存在すること。

(c) there exists between said corporation, etc. and said other corporation, etc. a contract, etc. that controls important decisions on the financial and operational, or business policies of said other corporation, etc.;

ニ 当該他の法人等の資金調達額（貸借対照表の負債の部に計上されているものに限る。）の総額の過半について当該法人等が融資（債務の保証及び担保の提供を含む。以下同じ。）を行つていること（当該法人等と出資、人事、資金、技術、取引等において緊密な関係のある者が行う融資の額を合わせて資金調達額の総額の過半となる場合を含む。）。

(d) said corporation, etc. provides a loan (including guarantee of obligations and provision of collateral; hereinafter, the same applies) that constitutes more than half of the total amount of the procured funds of said other corporation, etc. (limited to those included in the liability section of the balance sheet) (including cases where the amount of said loan constitutes more than half of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with said corporation, etc. in terms of financing, personnel affairs, funds, technology, transactions, or other matters);

ホ その他当該法人等が当該他の法人等の意思決定機関を支配していることが推測される事実が存在すること。

(e) there is any other fact that suggests that said corporation, etc. has control over the Decision-Making Body of said other corporation, etc.

三 法人等が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、他の法人等の議決権の過半数を占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該法人等であつて、前号ロからホまでに掲げるいずれかの要件に該当するもの

(iii) a corporation, etc. if the total number of voting rights held by said corporation, etc. on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of said corporation, etc. due to a close relationship therewith in terms of financing, personnel affairs, funds, technology, transactions, other matters, or by persons who agree to exercise their voting rights in the same manner as the intent of said corporation, etc. (including cases where said corporation, etc. does not hold any voting rights on its own account) constitutes a majority of the voting rights of another corporation, etc. and said corporation satisfies any of the requirements listed in (b) to (e) of the preceding items.

3 第一項に規定する「子法人等」とは、親法人等によりその意思決定機関を支配されている他の法人等をいう。この場合において、親法人等及び子法人等又は子法人等が

他の法人等の意思決定機関を支配している場合における当該他の法人等は、その親法人等の子法人等とみなす。

(3) The term "subsidiary corporation, etc." provided for in paragraph (1) means said other corporation, etc. whose Decision-Making Body is controlled by the parent corporation, etc. In this case, if a parent corporation, etc. and its subsidiary corporation, etc. or a subsidiary corporation, etc. alone controls the Decision-Making Body of another corporation, etc., such other corporation, etc. is deemed to be a subsidiary corporation, etc. of the parent corporation, etc.

4 第一項に規定する「関連法人等」とは、次の各号に掲げるものとする。ただし、財務上又は営業上若しくは事業上の関係からみて法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等の財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないことが明らかであると認められるときは、この限りでない。

(4) The term "affiliated corporation, etc." provided for in paragraph (1) means the persons listed in the following items; provided, however, this does not apply to cases where it is found to be obvious that a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) is not capable of significantly influencing decisions on the financial and operational, or business policies of another corporation, etc. other than its subsidiary corporation, etc. in view of their financial, operational, or business relationship:

一 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等（破産手続開始の決定、再生手続開始の決定又は更生手続開始の決定を受けた子法人等以外の他の法人等その他これらに準ずる子法人等以外の他の法人等であつて、当該法人等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができないと認められるものを除く。以下同じ。）の議決権の百分の二十以上を自己の計算において所有している場合における当該子法人等以外の他の法人等

(i) if a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) holds on its own account not less than 20 percent of the voting rights of another corporation, etc. other than its subsidiary corporation, etc. (excluding another corporation, etc. other than its subsidiary corporation, etc. who has received a ruling for commencement of bankruptcy proceedings, commencement of rehabilitation proceedings, or commencement of reorganization proceedings, or another corporation, etc. other than its subsidiary corporation, etc. equivalent thereto, where it is found that said corporation, etc. is not capable of significantly influencing the decisions on the financial and operational, or business policies of said other corporation, etc. other than its subsidiary corporation, etc.; hereinafter, the same applies), said other corporation, etc. other than its subsidiary corporation, etc.;

二 法人等（当該法人等の子法人等を含む。）が子法人等以外の他の法人等の議決権の百分の十五以上、百分の二十未満を自己の計算において所有している場合におけ

る当該子法人等以外の他の法人等であつて、次に掲げるいずれかの要件に該当するもの

- (ii) if a corporation, etc. (including a subsidiary corporation, etc. of said corporation, etc.) holds, on its own account, 15 percent or more and less than 20 percent of the voting rights of another corporation, etc. other than its subsidiary corporation, etc., said other corporation, etc. other than its subsidiary corporation, etc., provided that it satisfies any of the following requirements:
- イ 当該法人等の役員、業務を執行する社員若しくは使用人である者、又はこれらであつた者であつて当該法人等がその財務及び営業又は事業の方針の決定に関して影響を与えることができるものが、その代表取締役、取締役又はこれらに準ずる役職に就任していること。
 - (a) persons who are or have been officers, members who execute the business, or employees of said corporation, etc. and who are personally capable of influencing decisions on the financial and operational, or business policies of said other corporation, etc. other than its subsidiary corporation, etc. who hold the office of a representative director, a director, or a position equivalent thereto of said other corporation, etc. other than its subsidiary corporation, etc.;
 - ロ 当該法人等から重要な融資を受けていること。
 - (b) said other corporation, etc. other than its subsidiary corporation, etc. has received an important loan from said corporation, etc.;
 - ハ 当該法人等から重要な技術の提供を受けていること。
 - (c) said other corporation, etc. other than its subsidiary corporation, etc. has received important technology from said corporation, etc.;
 - ニ 当該法人等との間に重要な販売、仕入れその他の営業上又は事業上の取引があること。
 - (d) said other corporation, etc. other than its subsidiary corporation, etc. carries out important sales, purchases, or any other operational or business transaction with said corporation, etc.;
 - ホ その他当該法人等がその財務及び営業又は事業の方針の決定に対して重要な影響を与えることができることが推測される事実が存在すること。
 - (e) there is any other fact that suggests that said corporation, etc. significantly influences decisions on the financial, operational, or business policies of said other corporation, etc. other than its subsidiary corporation, etc.
- 三 法人等（当該法人等の子法人等を含む。）が自己の計算において所有している議決権と当該法人等と出資、人事、資金、技術、取引等において緊密な関係があることにより当該法人等の意思と同一の内容の議決権を行使すると認められる者及び当該法人等の意思と同一の内容の議決権を行使することに同意している者が所有している議決権とを合わせて、子法人等以外の他の法人等の議決権の百分の二十以上を

占めている場合（当該法人等が自己の計算において議決権を所有していない場合を含む。）における当該子法人等以外の他の法人等であつて、前号イからホまでに掲げるいずれかの要件に該当するもの

(iii) if the total number of voting rights held by a corporation, etc. (including subsidiary corporation, etc. of said corporation, etc.) on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of said corporation, etc. due to a close relationship therewith in terms of financing, personnel affairs, funds, technology, transactions, or other matters, or by persons who agree to exercise their voting rights in the same manner as the intent of said corporation, etc. (including a case where said corporation, etc. does not hold any voting rights on its own account) constitutes not less than 20 percent of the voting rights of another corporation, etc. other than its subsidiary corporation, etc., said other corporation, etc. other than its subsidiary corporation, etc., provided that it satisfies any of the requirements listed in (a) to (e) in the preceding items.

（高年齢者雇用推進者の選任）

(Appointed Promoter of Employment for Elderly Persons)

第五条 事業主は、法第十一条の業務を遂行するために必要な知識及び経験を有していると認められる者のうちから当該業務を担当する者を高年齢者雇用推進者として選任するものとする。

Article 5 An employer is to appoint a promoter for the employment of elderly persons to be responsible for the operations provided for in Article 11 of the Act from among candidates who are considered to have the knowledge and experience required to perform said operations.

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 事業主による高年齢者等の再就職の援助等

Section 1 Facilitating the Re-Employment of Elderly Persons by Employers

（再就職援助措置の対象となる高年齢者等の範囲等）

(The Age Range of Elderly Persons who are Eligible for Measures to Support Re-Employment)

第六条 法第十五条第一項の厚生労働省令で定める者は、四十五歳以上六十五歳未満の者であつて次の各号のいずれにも該当しないもの（以下「対象高年齢者等」という。）とする。

Article 6 (1) The persons specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 15, paragraph (1) of the Act are

those (hereinafter referred to as the "Eligible Elderly Persons, etc.") who are 45 or over and under 65 years of age, who do not fall under any of the following items:

一 日々又は期間を定めて雇用されている者（同一の事業主に六月を超えて引き続き雇用されるに至っている者を除く。）

(i) persons who are employed by the day or for a fixed period of employment (excluding those who have been employed consecutively for a period of more than six months by the same employer);

二 試みの使用期間中の者（同一の事業主に十四日を超えて引き続き雇用されるに至っている者を除く。）

(ii) persons who are in a probationary period (excluding those who has been employed consecutively for a period of more than 14 days by the same employer);

三 常時勤務に服することを要しない者として雇用されている者

(iii) persons who are employed as persons who are not required to work full time.

2 法第十五条第一項の厚生労働省令で定める理由は、高年齢者等の雇用の安定等に関する法律の一部を改正する法律（平成二十四年法律第七十八号）附則第三項の規定によりなおその効力を有することとされる同法による改正前の法第九条第二項の継続雇用制度の対象となる高年齢者に係る基準を定めた場合における当該基準に該当しなかつたことその他事業主の都合とする。

(2) The reason specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 15, paragraph (1) of the Act, is a failure to meet the criteria relating to Elderly Persons who become eligible for the continuous employment system provided for in Article 9, paragraph (2) of the Act prior to the partial revision of the same Act that remains in force pursuant to the provisions of paragraph (3) of the Supplementary Provisions of the Act to Partially Revise the Act on Stabilization of Employment of Elderly Persons (Act No. 78 of 2012) if said criteria are fixed, and also at the convenience of employers.

(多数離職の届出の対象となる高年齢者等の数等)

(Number of Elderly Persons Subject to Notification of Multiple Separations from Employment)

第六条の二 法第十六条第一項の厚生労働省令で定める数は、五人とする。

Article 6-2 (1) The number of persons specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 16, paragraph (1) of the Act, is five.

2 法第十六条第一項の規定による届出は、多数離職届（様式第一号）を当該届出に係る離職が生ずる日（当該届出に係る離職の全部が同一の日に生じない場合にあっては、当該届出に係る最後の離職が生ずる日）の一月前までに当該事業所の所在地を管轄す

る公共職業安定所（その公共職業安定所が二以上ある場合には、厚生労働省組織規則（平成十三年厚生労働省令第一号）第七百九十二条の規定により当該事務を取り扱う公共職業安定所とする。）の長に提出することによつて行わなければならない。

(2) The notification under the provisions of Article 16, paragraph (1) of the Act must be accomplished by submitting a form for multiple separations from employment (Form No. 1) to the Chief of the Public Employment Security Office governing the location of the place of business (or, if there are two or more such Public Employment Security Offices, the Public Employment Security Office handling the processes pursuant to the provisions of Article 792 of the Rules on Organization of the Ministry of Health, Labour and Welfare (Ordinance of the Ministry of Health, Labour and Welfare No. 1 of 2001)), no later than one month prior to the day on which the separations from employment related to said notification occur (or, if all separations from employment related to said notification do not occur on the same day, the day on which the last separation from employment related to said notification occurs).

3 法第十六条第二項の規定による離職者の数の算定は、同一の事業所において、一月以内の期間に、法第十五条第一項に規定する解雇等により離職する対象高年齢者等の数を合計することにより行うものとする。ただし、当該離職に係る対象高年齢者等のうちに既に雇用対策法（昭和四十一年法律第百三十二号）第二十七条第一項の規定に基づいて行われた届出（同法第二十四条第五項の規定により同法第二十七条第一項の大量雇用変動の届出をしたものとされる同法第二十四条第三項の認定の申請を含む。）に係る者（当該多数離職の届出に係る期間において法第十五条第一項に規定する解雇等により離職する者に限る。）がある場合には、その者の数を当該合計数から控除するものとする。

(3) The number of persons who are separated from employment under the provisions of Article 16, paragraph (2) of the Act is to be calculated as the total number of the Eligible Elderly Persons, etc. who are separated from employment due to dismissal, etc. provided for in Article 15, paragraph (1) of the Act during a period not exceeding one month at the same place of business; provided, however, if the Eligible Elderly Persons, etc. relating to said separation from employment include persons (limited to those who are separated from employment due to dismissal, etc. under the provisions of Article 15, paragraph (1) of the Act during a period relating to said notification for multiple separations from employment) who relate to the notification already submitted based on the provisions of Article 27, paragraph (1) of the Employment Measures Act (Act No. 132 of 1966) (including application for approval provided for in Article 24, paragraph (3) of the same Act, in which the notification for large fluctuation in employment provided for in Article 27, paragraph (1) of the same Act, is deemed to have been submitted pursuant to the provisions of Article 24, paragraph (5) of the same Act), the number of said

persons is to be deducted from said total number.

(求職活動支援書の作成等)

(Drafting a Job-Seeking Support Plan)

第六条の三 事業主は、法第十七条第一項の求職活動支援書（以下「求職活動支援書」という。）を作成する前に、離職することとなっている対象高年齢者等（以下「高年齢離職予定者」という。）に共通して講じようとする再就職援助措置の内容について、当該求職活動支援書に係る事業所に、労働者の過半数で組織する労働組合がある場合においてはその労働組合の、労働者の過半数で組織する労働組合がない場合においては労働者の過半数を代表する者の意見を聴くものとする。

Article 6-3 (1) Before drafting a job-seeking support plan (hereinafter referred to as the "Job-Seeking Support Plan") provided for in Article 17, paragraph (1) of the Act, an employer is to listen to the opinions of a labor union organized by a majority of the workers at the place of business related to said Job-Seeking Support Plan (if said labor union exists) or of a person representing a majority of the workers (if said labor union does not exist) with regard to the content of the measures to support re-employment to be commonly taken for the Eligible Elderly Persons, etc. who are to be separated from employment (hereinafter referred to as a "Scheduled Elderly Retiree").

2 事業主は、高年齢離職予定者の決定後速やかに、求職活動支援書の交付についての本人の希望を聴いて、これを作成し、交付するものとする。

(2) After a Scheduled Elderly Retiree has been decided, the employer is to immediately listen to the wishes of said Scheduled Elderly Retiree on the creation of the Job-Seeking Support Plan, prepare and deliver it.

3 事業主は、求職活動支援書の作成に当たっては、あらかじめ、当該求職活動支援書に係る高年齢離職予定者の再就職及び在職中の求職活動に関する希望の内容を聴くものとする。

(3) In drafting a Job-Seeking Support Plan, an employer is to listen to the wishes of the Scheduled Elderly Retiree concerning re-employment and job-seeking activities while said Scheduled Elderly Retiree is still employed related to said Job-Seeking Support Plan in advance of its preparation.

4 事業主は、第二項の規定による求職活動支援書の交付に代えて、第六項で定めるところにより高年齢離職予定者の承諾を得て、第八項各号に掲げる事項（以下この条において「支援書情報」という。）を電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて次に掲げるもの（以下この条において「電磁的方法」という。）により提供することができる。この場合において、事業主は、求職活動支援書を交付したものとみなす。

(4) In lieu of issuing the Job-Seeking Support Plan under the provisions of paragraph (2), an employer may, with the agreement of a Scheduled Elderly Retiree and as provided for in paragraph (6), provide matters to be listed in each item of paragraph (8) (hereinafter referred to as the "Information on

Support Plan" in this Article) using an electronic data processing system or using other methods of information communications technology, which is listed in the items below (hereinafter referred to as the "Electronic or Magnetic Means" in this Article). In this case, the employer is deemed to have issued a Job-Seeking Support Plan:

一 電子情報処理組織（事業主の使用に係る電子計算機と、高年齢離職予定者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。）を使用する方法のうち、事業主の使用に係る電子計算機と高年齢離職予定者の使用に係る電子計算機とを接続する電気通信回線を通じて支援書情報を送信し、高年齢離職予定者の使用に係る電子計算機に備えられたファイルに記録する方法

(i) a method using an electronic data processing system (referring to the electronic data processing system connecting the computer used by an employer and the computer used by an Scheduled Elderly Retiree through an electric telecommunication line), under which the Information on Support Plan is transmitted through the electric telecommunication line connecting the computer used by the employer and the computer used by the Scheduled Elderly Retiree, and the Information on Support Plan is recorded as a file in the computer used by the Scheduled Elderly Retiree;

二 磁気ディスク、シー・ディー・ロムその他これらに準ずる方法により一定の事項を確実に記録しておくことができる物をもって調製するファイルに支援書情報を記録したものを交付する方法

(ii) a method whereby the Information on Support Plan is recorded as a file on a magnetic disk, a CD-ROM, or any other equivalent medium that is able to accurately record specific information, and is delivered.

5 前項各号に掲げる方法は、高年齢離職予定者がファイルへの記録を出力することにより書面を作成することができるものでなければならない。

(5) The methods listed in the items in the preceding paragraph must be those that enable a Scheduled Elderly Retiree to create a document by outputting the information recorded in a file.

6 事業主は、第四項の規定により支援書情報を提供しようとするときは、あらかじめ、当該高年齢離職予定者に対し、その用いる次に掲げる電磁的方法の種類及び内容を示し、書面又は電磁的方法による承諾を得なければならない。

(6) When an employer seeks to provide the Information on Support Plan pursuant to the provisions of paragraph (4), the employer must inform said Scheduled Elderly Retiree of the type and contents of the following Electronic or Magnetic Means that the employer intends to use, and obtain consent to do so in writing or by an Electronic or Magnetic Means, in advance:

一 第四項各号に規定する方法のうち事業主が使用するもの

(i) the stipulated methods used by the employer listed in items of paragraph (4);

二 ファイルへの記録の方式

(ii) a method to record the information onto a file.

7 前項の規定による承諾を得た事業主は、当該高年齢離職予定者から書面又は電磁的方法により電磁的方法による提供を受けない旨の申出があつたときは、当該高年齢離職予定者に対し、支援書情報の提供を電磁的方法によつてしてはならない。ただし、当該高年齢離職予定者が再び前項の規定による承諾をした場合は、この限りでない。

(7) An employer that has obtained consent under the provisions of the preceding paragraph must not provide the Information on Support Plan by Electronic or Magnetic Means if said Scheduled Elderly Retiree has stated in writing or by an Electronic or Magnetic Means that said Scheduled Elderly Retiree cannot accept provisions by an Electronic or Magnetic Means; provided, however, that this does not apply if said Scheduled Elderly Retiree has consented to it under the provisions of the preceding paragraph at another time.

8 法第十七条第一項の厚生労働省令で定める事項は、次のとおりとする。

(8) The matters specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 17, paragraph (1) of the Act are as follows:

一 高年齢離職予定者の氏名、年齢及び性別

(i) the name, age, and sex of a Scheduled Elderly Retiree;

二 高年齢離職予定者が離職することとなる日（離職することとなる日が決定していない場合には離職することとなる時期）

(ii) the day on which a Scheduled Elderly Retiree is separated from employment (if the day on which the Scheduled Elderly Retiree is to be separated from employment is not fixed, the period in which the Scheduled Elderly Retiree is to be separated from employment);

三 高年齢離職予定者の職務の経歴（従事した主な業務の内容、実務経験、業績及び達成事項を含む。）

(iii) vocational career of a Scheduled Elderly Retiree (including the contents of main business that said Scheduled Elderly Retiree has engaged in, work experience, performance, and achievement);

四 高年齢離職予定者が有する資格、免許及び受講した講習

(iv) qualification or license held by, or training courses taken by, a Scheduled Elderly Retiree;

五 高年齢離職予定者が有する技能、知識その他の職業能力に関する事項

(v) matters relating to the skills, knowledge, and other vocational abilities of a Scheduled Elderly Retiree;

六 前三号に掲げる事項のほか、高年齢離職予定者が職務の経歴等を明らかにする書面を作成するに当たつて参考となる事項その他の再就職に資する事項

(vi) in addition to the descriptions in the preceding three items, matters that will serve as reference when a Scheduled Elderly Retiree drafts a document that clarifies their vocational career, etc. and other matters that may be helpful in their re-employment.

第六条の四 法第十七条第二項の規定による再就職援助担当者の業務は、次のとおりとする。

Article 6-4 (1) The operations of a person in charge of re-employment support under the provisions of Article 17, paragraph (2) of the Act are as follows:

一 高年齢離職予定者に係る求人の開拓及び求人に関する情報の収集並びにこれらによつて得た求人に関する情報の高年齢離職予定者に対する提供

(i) to search for job openings relating to Scheduled Elderly Retirees, collect information concerning job openings, and provide information on job openings obtained thereby to Scheduled Elderly Retirees;

二 高年齢離職予定者に対する再就職を容易にするために必要な相談の実施

(ii) to provide necessary consultation for facilitating the re-employment of Scheduled Elderly Retirees;

三 高年齢離職予定者の再就職の援助に関する公共職業安定所、公共職業能力開発施設等との連絡

(iii) to communicate with Public Employment Security Offices and public human resources development facilities, etc. with regard to support for the re-employment of Scheduled Elderly Retirees;

四 前三号に掲げるもののほか、高年齢離職予定者の再就職の援助のために必要な業務

(iv) in addition to the operations listed in the preceding three items, necessary operations in support for the re-employment of Scheduled Elderly Retirees.

2 事業主は、再就職援助担当者に、その業務の遂行に係る基本的な事項について、求職活動支援書に係る事業所に、労働者の過半数で組織する労働組合がある場合にはその労働組合の、労働者の過半数で組織する労働組合がない場合には労働者の過半数を代表する者の意見を聴いてその業務を行うようにさせるものとする。

(2) The employer is to ensure the person responsible for re-employment support, listens to the opinions of the labor union organized by the majority of workers at the place of business related to the Job-Seeking Support Plan (if said labor union exists) or of a person representing a majority of the workers (if said labor union does not exist) with regard to basic matters concerning the performance of the support operations before conducting said operations.

(法第十八条の二第一項の厚生労働省令で定める方法)

(Method Specified by Ordinance of the Ministry of Health, Labour and Welfare Provided for in Article 18-2, Paragraph (1) of the Act)

第六条の五 法第十八条の二第一項の厚生労働省令で定める方法は、同項に規定する理由（第三項において「理由」という。）を労働者の募集及び採用の用に供する書面又は電磁的記録（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。）に併せて記載又は記録する方法とする。

Article 6-5 (1) The method specified by Ordinance of the Ministry of Health,

Labour and Welfare, as provided for in Article 18-2, paragraph (1) of the Act, is a method of describing or recording the reason (hereinafter referred to as the "Reason" in paragraph (3)), as provided for in the same paragraph, in conjunction with a document or an electronic or magnetic record (referring to a record that is made in an electronic form, a magnetic form, or any other method not recognizable by human perception and that it is used in information processing by computers; hereinafter, the same applies in this Article) to be used for the recruitment and employment of workers.

2 前項の書面又は電磁的記録には、次の各号に掲げるものを含むものとする。

(2) A document or an electronic or magnetic record provided for in the preceding paragraph is to include those listed in the following items:

一 公共職業安定所又は職業安定法（昭和二十二年法律第百四十一号）その他の法律の規定による許可を受けて、若しくは届出をして、職業紹介を行う者に事業主が求人申し込む場合における当該求人の申込みの内容を記載し、又は記録したもの

(i) if an employer posts job offering to the Public Employment Security Offices or persons who conduct employment placements after having obtained a license or filed a notification under the provisions of the Employment Security Act (Act No. 141 of 1947) or other Acts, the description or record of the content of said job offering;

二 職業安定法その他の法律の規定による許可を受けて、又は届出をして、事業主がその被用者以外のものに委託して労働者の募集を行う場合における当該委託に係る募集の内容を記載し、又は記録したもの

(ii) if an employer entrusts the recruitment of workers to a person other than employees of said employer after having obtained a license or filed a notification under the provisions of the Employment Security Act or other Acts, the description or record of the content of recruitment relating to said entrustment;

三 職業安定法第四十五条の規定により労働者供給事業を行うものから事業主が労働者供給を受けようとする場合における供給される労働者が従事すべき業務の内容等を当該労働者供給事業者に対して明らかにしたもの

(iii) if an employer intends to receive a supply of workers from a person that carries out the business of supplying workers pursuant to the provisions of Article 45 of the Employment Security Act, a clear indication of the contents of the work that the supplied workers are to engage in, addressed to said business of supplying workers.

3 第一項の規定にかかわらず、新聞、雑誌その他の刊行物に掲載する広告その他これに類する方法により労働者の募集及び採用を行う場合又は第一項の書面若しくは電磁的記録がない場合において、あらかじめ同項の方法により理由を提示することが困難なときは、求職者の求めに応じて、遅滞なく、次のいずれかの方法により理由を示すことができる。

(3) Notwithstanding the provisions of paragraph (1), when conducting

recruitment or employment of workers by placing advertisements in newspapers, magazines, other publications, or by any other method similar thereto, or when there is no document or electronic or magnetic record provided for in paragraph (1) and thereby it is difficult to show the Reason using the method provided for in the same paragraph in advance, the Reason may be pointed out using either of the following methods without delay at the request of a job seeker:

一 書面の交付の方法

(i) the method of delivering a written document;

二 電子情報処理組織（事業主の使用に係る電子計算機と、求職者の使用に係る電子計算機とを電気通信回線で接続した電子情報処理組織をいう。）を使用する方法その他の情報通信の技術を利用する方法であつて、求職者が当該方法により記録された電磁的記録を出力することによる書面を作成することができるもの

(ii) a method using an electronic data processing system (referring to the electronic data processing system connecting the computer used by an employer and the computer used by a job seeker through an electric telecommunication line) or a method using other information communications technology that enables a job seeker to create a document by outputting the electronic or magnetic record recorded using said method.

第二節 中高年齢失業者等に対する特別措置

Section 2 Special Measures for Middle-Aged and Elderly Unemployed Persons

（手帳の発給）

(Issuance of Passbooks)

第七条 法第二十条の申請は、厚生労働省職業安定局長（以下「職業安定局長」という。）が定める手続及び様式に従い、当該申請者の住所（住所により難いときは、居所とする。）を管轄する公共職業安定所（その公共職業安定所が二以上ある場合には、厚生労働省組織規則第七百九十二条の規定により当該事務を取り扱う公共職業安定所とする。以下この節において「管轄公共職業安定所」という。）の長に対して、行うものとする。

Article 7 (1) The application provided for in Article 20 of the Act is to be filed with the Chief of the Public Employment Security Office governing the location of the domicile (or if the domicile is difficult, the residence) of said applicant (or, if there are two or more such Public Employment Security Offices, the Public Employment Security Office handling the processes pursuant to the provisions of Article 792 of the Rules on Organization of the Ministry of Health, Labour and Welfare; hereinafter referred to as the "Governing Public Employment Security Office" in this Section), pursuant to the procedures and forms determined by the Director-General of the Employment Security Bureau

of the Ministry of Health, Labour and Welfare (hereinafter referred to as the "Director-General of the Employment Security Bureau").

2 法第二十条第四号の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は、次のとおりとする。

(2) The requirements specified by the Minister of Health, Labour and Welfare after listening to the opinions of the Labour Policy Council, as provided for in Article 20, item (iv) of the Act, are as follows:

一 常用労働者（同一事業主に継続して雇用される労働者をいう。）として雇用されることを希望していること。

(i) a person who wishes to be employed as a full-time worker (referring to a worker who has been employed consecutively by the same employer);

二 職業安定局長が定めるところにより算定したその者の所得の金額（配偶者（届出はしていないが事実上婚姻関係と同様の事情にある者を含む。）に所得があるときは、職業安定局長が定めるところにより算定したその者の所得の金額を合算した額とする。）が、所得税法（昭和四十年法律第三十三号）に規定する控除対象配偶者及び扶養親族の有無及び数に応じて、同法第八十三条、第八十四条及び第八十六条の規定を適用した場合に所得税が課せられないこととなる所得の最高額を基準として職業安定局長が定める額を超えていないこと。

(ii) the amount of income of a person, calculated by a method specified by the Director-General of the Employment Security Bureau (if a spouse (including a person in a relationship with said person where marital relationship is de facto, though a marriage has not been registered) has income, said amount is the total amount of income of both persons calculated by a method specified by the Director-General of the Employment Security Bureau) does not exceed the amount specified by the Director-General of the Employment Security Bureau based on the maximum amount of income on which income tax is not to be imposed, according to the existence and number of qualifying spouse and dependents for deduction, provided for in the Income Tax Act (Act No. 33 of 1965), where the provisions of Article 83, Article 84, and Article 86 of the same Act are applied;

三 法第二十条の中高年齢失業者等求職手帳（以下「手帳」という。）の発給を受けたことがある者については、次のいずれかに該当する場合を除き、手帳（二回以上手帳の発給を受けたことがある者については、最後に発給を受けた手帳）がその効力を失った日から一年を経過していること。

(iii) with regard to a person who has received a job application passbook for middle-aged and elderly unemployed persons, etc. (hereinafter referred to as the "Passbook") provided for in Article 20 of the Act, one year has elapsed since the day on which the Passbook (in the event that a person has received a Passbook at least two times, the last Passbook that said person has received) becomes invalid, except in cases when it falls under any of the following:

イ 手帳の発給を受けた後就職した者（法第二十条第一号若しくは第二号若しくは前二号の要件のいずれかを欠くに至つたため、又は第九条第一項第一号若しくは第三号に該当したため手帳がその効力を失つた者を除く。）については、その者の責めに帰すべき理由又はその者の都合によらないで離職したとき。

(a) for those who have obtained a job after receiving a Passbook (excluding those whose Passbook has become invalid since said person no longer fulfills any of the requirements provided for in Article 20, items (i) or (ii) of the Act, or the preceding two items, or said person falls under Article 9, paragraph (1), items (i) or (iii)), when said person separates from employment for reasons which cannot be attributed to said person or due to other circumstances which cannot be attributed to said person;

ロ 第九条第一項第二号に該当したため手帳がその効力を失つた者については、同号の理由が消滅したとき。

(b) for a person whose Passbook becomes invalid as said person falls under Article 9, paragraph (1), item (ii), when the reason provided for in the same item has ceased to exist.

四 駐留軍関係離職者等臨時措置法（昭和三十三年法律第百五十八号）第十条の二第一項又は第二項の規定により同条第一項又は第二項の認定を受けた者（当該認定が同条第四項又は第五項の規定によりその効力を失つた日から一年を経過している者を除く。）又は受けることができる者でないこと。

(iv) a person has not received or is not entitled to receive, pursuant to the provisions of Article 10-2, paragraphs (1) or (2) of the Act on Temporary Measures concerning Ex-Workers of Armed Forces Stationed in Japan (Act No. 158 of 1958), the authorization provided for in paragraphs (1) or (2) of the same Article (excluding cases in which one year has elapsed since the day on which the authorization ceases to be effective, pursuant to the provisions of paragraphs (4) or (5) of the same Article);

五 沖縄振興特別措置法（平成十四年法律第十四号）第七十八条第一項の規定により沖縄失業者求職手帳の発給を受けた者（当該沖縄失業者求職手帳が同条第二項の規定によりその効力を失つた日から一年を経過している者を除く。）又は受けることができる者でないこと。

(v) a person has not received or is not entitled to receive a job application Passbook for unemployed persons in Okinawa pursuant to the provisions of Article 78, paragraph (1) of the Act on Special Measures for the Promotion and Development of Okinawa (Act No. 14 of 2002) (excluding cases in which one year has elapsed since the day on which said person's job application Passbook for unemployed persons in Okinawa became invalid, pursuant to the provisions of paragraph (2) of the same Article);

六 国際協定の締結等に伴う漁業離職者に関する臨時措置法（昭和五十二年法律第九十四号）第四条第一項又は国際協定の締結等に伴う漁業離職者に関する臨時措置法施行規則（昭和五十二年労働省令第三十号）第三条の二の規定により漁業離職者求

職手帳の発給を受けた者（当該漁業離職者求職手帳が同法第四条第三項の厚生労働省令で定める期間を経過したことにより、又は同条第四項の規定によりその効力を失った日から一年を経過している者を除く。）又は受けることができる者でないこと。

- (vi) a person has not received or is not entitled to receive a job application Passbook for retired fishers pursuant to the provisions of Article 4, paragraph (1) of the Act on Temporary Measures concerning Retired Fishers Incidental to Conclusion of International Agreement (Act No. 94 of 1977) or Article 3-2 of the Ordinance for Enforcement of the Act on Temporary Measures concerning Retired Fishers Incidental to Conclusion of International Agreement (Ordinance of the Ministry of Labour No. 30 of 1977) (excluding cases in which one year has elapsed since the day on which said person's job application Passbook for retired fishers became invalid due to expiration specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 4, paragraph (3) of the same Act or pursuant to the provisions of paragraph (4) of the same Article);

七 本州四国連絡橋の建設に伴う一般旅客定期航路事業等に関する特別措置法（昭和五十六年法律第七十二号）第十六条第一項若しくは第二項又は本州四国連絡橋の建設に伴う一般旅客定期航路事業等に関する特別措置法に基づく就職指導等に関する省令（昭和五十六年労働省令第三十八号）第一条の規定により一般旅客定期航路事業等離職者求職手帳の発給を受けた者（当該一般旅客定期航路事業等離職者求職手帳が同法第十六条第三項の規定によりその効力を失った日から一年を経過している者を除く。）又は受けることができる者でないこと。

- (vii) a person has not received or is not entitled to receive a job application Passbook for retirees of regular ferry line service for general passengers pursuant to the provisions of Article 16, paragraphs (1) or (2) of the Act on Special Measures concerning Regular Ferry Line Service for General Passengers Incidental to Construction of Connection Bridge Between Honshu and Shikoku (Act No. 72 of 1981), or Article 1 of the Ministerial Ordinance on Vocational Guidance Based on the Act on Special Measures concerning Regular Ferry Line Service for General Passengers Incidental to Construction of Connection Bridge Between Honshu and Shikoku (Ordinance of the Ministry of Labour No. 38 of 1981) (excluding cases in which one year has elapsed since the day on which said person's job application Passbook for retirees of regular ferry line service for general passengers became invalid pursuant to the provisions of Article 16, paragraph (3) of the same Act);

八 雇用保険法施行規則等の一部を改正する省令（平成十七年厚生労働省令第八十二号）による改正前の雇用対策法施行規則（昭和四十一年労働省令第二十三号）附則第八条又は第九条の規定により石炭鉱業離職者求職手帳の発給を受けた者（当該石炭鉱業離職者求職手帳が同令附則第十二条第一項に規定する期間を経過したことにより、又は同条第二項の規定によりその効力を失った日から一年を経過している者

を除く。)でないこと。

- (viii) a person who has not received a job application Passbook for coal mining retirees pursuant to the provisions of Article 8 or Article 9 of the Supplementary Provisions of the Ordinance for Enforcement of the Employment Measures Act (Ordinance of the Ministry of Labour No. 23 of 1966) prior to the revision by the Ministerial Ordinance on Partial Revision of the Ordinance for Enforcement of the Employment Insurance Act (Ordinance of the Ministry of Health, Labour and Welfare No. 82 of 2005) (excluding cases in which one year has elapsed since the day on which said person's job application Passbook for coal mining retirees became invalid due to the expiration provided for in Article 12, paragraph (1) of the Supplementary Provisions of the same Ordinance or pursuant to the provisions of paragraph (2) of the same Article).
- 3 手帳の発給の申請があつたときは、管轄公共職業安定所の長は、申請を受理した日から原則として三十日以内に、申請者が法第二十条の規定に該当する者であるかどうかを審査し、該当する者であると認めるときは申請者に手帳を発給し、該当しない者であると認めるときはその旨を、申請者に対して、文書により通知するものとする。
- (3) When an application for a Passbook is filed, in principle, the Chief of the Governing Public Employment Security Office is to examine whether said applicant falls under the provisions of Article 20 of the Act within 30 days from the date of receipt of said application, and if the Chief finds that the applicant falls under said provisions, the Chief is to issue a Passbook to the applicant, and if the Chief finds that the applicant does not fall under said provisions, the Chief is to notify the applicant in writing thereof.
- 4 管轄公共職業安定所の長は、前項の審査をする場合において必要があると認めるときは、申請者に対して、健康診断の結果に関する医師の証明書の提出を求め、又は技能、体力、適性等に関する検査を実施するものとする。
- (4) When the Chief of the Governing Public Employment Security Office deems it necessary in order to carry out the examination described in the preceding paragraph, the Chief is to request that the applicant submit a medical certificate of the results of the medical examination, or inspect the skills, physical strength, aptitude, etc. of said applicant.
- 5 手帳の様式は、職業安定局長が定めるところによる。
- (5) The form of the Passbook is specified by the Director-General of the Employment Security Bureau.

(手帳の有効期間)

(Validity Period of a Passbook)

第八条 法第二十一条第一項の厚生労働省令で定める期間は、手帳の発給の日から起算して、六月とする。ただし、法第二十四条第一項の規定により管轄公共職業安定所の長が法第二十三条第一項の計画に準拠した同項第二号に掲げる措置又は同項第三号に

掲げる措置（失業者に作業環境に適応することを容易にさせるために行なわれる訓練に限る。）を受けることを指示した場合において、当該措置が当該六月の期間内に終了しないものであるときは、当該措置が終了するまでの間とする。

Article 8 (1) The period specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 21, paragraph (1) of the Act, is six months from the date of issuance of the Passbook; provided, however, that if the Chief of the Governing Public Employment Security Office instructs the unemployed person to undertake the measures listed in Article 23, paragraph (1), item (ii) of the Act or the measures (limited to training that is designed to assist said unemployed person in adapting to the working environment) listed in item (iii) of the same paragraph, based on the plan provided for in the same paragraph, pursuant to the provisions of Article 24, paragraph (1) of the Act, and when said measures are not completed within a period of six months, the period is until the end of said measures.

2 法第二十一条第二項の規定による手帳の有効期間の延長は、手帳の発給を受けた者のうち次の各号のいずれかに該当する者であつて、引き続き法第二十三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。）を実施する必要があると認められるものについて行なうものとする。

(2) The extension of the validity period of a Passbook under the provisions of Article 21, paragraph (2) of the Act is to be made for a person who has received a Passbook, who falls under any of the following items, and who is found to still be in need of the measures (hereinafter referred to as the "Employment Promotion Measures") listed in the items of Article 23, paragraph (1) of the Act, based on the plan provided for in the same paragraph:

一 五十五歳以上六十五歳未満の者（第三号に掲げる者を除く。）

(i) persons who are 55 or over and under 65 years of age (excluding those listed in item (iii));

二 特定地域に居住する者にあつては、前号に掲げる者のほか、四十五歳以上五十五歳未満の者（次号に掲げる者を除く。）

(ii) for persons who reside in a Specified Area, in addition to those listed in the preceding item, persons who are 45 or over and under 55 years of age (excluding those listed in the following item);

三 職業安定局長が定めた基準により管轄公共職業安定所の長が就職が特に困難であると認める者

(iii) a person for whom the Chief of the Governing Public Employment Security Office deems to be having particular difficulty in finding employment, based on the criteria specified by the Director-General of the Employment Security Bureau.

3 法第二十一条第二項の厚生労働省令で定める期間は、第一項の期間の末日の翌日から起算して、前項第一号及び第三号に掲げる者であつて特定地域以外の地域に居住するもの及び同項第二号に掲げる者にあつては六月、同項第一号及び第三号に掲げる者

であつて特定地域に居住するものにあつては一年とする。

- (3) The period specified by Ordinance of the Ministry of Health, Labour and Welfare, as referred to in Article 21, paragraph (2) of the Act, is six months for those listed in items (i) and (iii) of the preceding paragraph and who reside in an area other than a Specified Area and those listed in item (ii) of the same paragraph, and one year for those listed in items (i) and (iii) of the preceding paragraph who reside in a Specified Area, counting from the following day of the end of the period provided for in paragraph (1).

(手帳の失効)

(Invalidation of a Passbook)

第九条 法第二十二條第一項第三号の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は、次のとおりとする。

Article 9 (1) The requirements specified by the Minister of Health, Labour and Welfare, after listening to the opinions of the Labour Policy Council as provided for in Article 22, paragraph (1), item (iii) of the Act, are as follows:

一 法第二十四條第一項若しくは第二項又は法第二十五條第二項の指示に従わない場合であつて、次のいずれにも該当しないとき。次のいずれかに該当するかどうかを判断する場合は、雇用保険法第三十二條第三項の基準に準じて職業安定局長が作成した基準によつて行う。

- (i) when a person fails to follow the instructions provided for in Article 24, paragraphs (1) or (2) of the Act or Article 25, paragraph (2) of the Act and said person does not fall under any of the following items. The decision on whether a person falls under any of the following items is made based on the criteria formulated by the Director-General of the Employment Security Bureau, in accordance with the criteria provided for in Article 32, paragraph (3) of the Employment Insurance Act:

イ 指示された就職促進の措置又は紹介された職業がその者の能力からみて不適當であるとき。

- (a) when the instructed Employment Promotion Measures, or the employment that a person has been referred to, are not appropriate in light of the abilities of said person;

ロ 指示された就職促進の措置を受けるため、又は紹介された職業に就くために、現在の住所又は居所を変更することを要する場合において、その変更が困難であるとき。

- (b) when a change to the current domicile or address would be required in order to undertake the instructed Employment Promotion Measures or to engage in the employment that said person has been referred to, and said change would be difficult;

ハ 就職先の賃金が同一地域における同種の業務及び技能に係る一般の賃金水準に比べて不当に低いとき。

(c) when the wage offered by the employer is unjustifiably low in comparison to the wage level deemed usual for work of the same degree of skill, in the same kind of business, and in the same locality;

ニ 職業安定法第二十条の規定に違反して、労働争議の発生している事業所に紹介されたとき。

(d) when a person is referred to a place of business where a labor dispute has arisen, in violation of the provisions of Article 20 of the Employment Security Act;

ホ その他正当な理由があるとき。

(e) when there is any other justifiable reason.

二 疾病、負傷その他の理由により、就職促進の措置を受けることができず当該措置の効果を期待することが困難なとき。

(ii) when a person is unable to undertake the Employment Promotion Measures due to sickness or injury or for any other reason, and it is difficult to expect said measures to have an effect;

三 偽りその他不正の行為により、雇用対策法第十八条の職業転換給付金、雇用保険法の規定による失業等給付その他法令又は条例の規定によるこれらに相当する給付の支給を受け、又は受けようとしたとき。ただし、やむを得ない理由があると認められるときを除く。

(iii) when a person, by means of deception or other wrongful conduct received or attempted to receive job-change payment benefits provided for in Article 18 of the Employment Measures Act, benefits for unemployment, etc. under the provisions of the Employment Insurance Act, or other benefits equivalent thereto under the provisions of laws and regulations or ordinances; provided, however, that this excludes cases where it is found that there is a compelling reason thereof.

2 法第二十二條第二項の通知は、同條第一項の規定により失効した手帳を返納すべき期限を付して、文書により行なうものとする。

(2) The notice provided for in Article 22, paragraph (2) of the Act is to be given in writing, specifying a deadline of the Passbook that has become invalid pursuant to the provisions of paragraph (1) of the same Article should be returned.

(手帳の返納)

(Return of Passbook)

第十条 手帳の発給を受けた者は、第八条第一項又は第三項に規定する期間が経過することにより手帳がその効力を失った場合は当該期間の経過後すみやかに、法第二十二條第一項の規定により手帳がその効力を失った場合は前条第二項の期限までに、当該手帳を管轄公共職業安定所の長に返納しなければならない。

Article 10 A person who has received a Passbook must return the Passbook to the Chief of the Governing Public Employment Security Office immediately on

the lapse of the period provided for in Article 8, paragraphs (1) or (3), when a Passbook becomes invalid due to expiration of said period, or by the deadline provided for in paragraph (2) of the preceding Article when the Passbook becomes invalid pursuant to the provisions of Article 22, paragraph (1) of the Act.

(手帳の再交付)

(Reissuance of Passbook)

第十一条 手帳を滅失し、又はき損した者は、職業安定局長が定める手続及び様式に従い、管轄公共職業安定所の長に手帳の再交付を申請することができる。

Article 11 (1) A person who has lost or damaged a Passbook may apply to the Chief of the Governing Public Employment Security Office for the reissuance of a Passbook pursuant to the procedures and forms determined by the Director-General of the Employment Security Bureau.

2 手帳を滅失したことにより手帳の再交付を受けた者は、滅失した手帳を発見したときは、これをすみやかに管轄公共職業安定所の長に返納しなければならない。

(2) When a person to whom a Passbook has been reissued due to loss of a Passbook finds said Passbook, said person must immediately return said Passbook to the Chief of the Governing Public Employment Security Office.

(中高年齢失業者等求職手帳受給者台帳)

(Ledger of Recipients of Job-Application Passbooks for Middle-Aged and Elderly Unemployed Persons)

第十二条 管轄公共職業安定所の長は、手帳の発給を受けた者ごとに中高年齢失業者等求職手帳受給者台帳を備え、これに手帳の発給及び失効その他手帳の発給を受けた者に関して必要な事項を記載するものとする。

Article 12 The Chief of the Governing Public Employment Security Office is to keep a register of each person who has received a job-application passbook for middle-aged and elderly unemployed persons, etc. and describe the issuance and invalidation of the Passbook and any other necessary particulars concerning the person who has received the Passbook in said ledger.

第十三条 削除

Article 13 Deleted

(公共職業安定所長の指示)

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

第十四条 法第二十四条第一項の指示は手帳の発給と同時に、同条第二項の指示は手帳の有効期間の延長と同時に行なうものとする。

Article 14 (1) The instructions provided for in Article 24, paragraph (1) of the Act are to be made at the same time as the issuance of a Passbook, and the

instructions provided for in paragraph (2) of the same Article are to be made at the same time as the extension of the validity period of the Passbook.

2 法第二十四条第一項及び第二項の指示は、次の各号に掲げる事項を手帳に記入することにより行なうものとする。

(2) The instructions provided for in Article 24, paragraphs (1) and (2) of the Act are to be made by describing the particulars listed in the following items in a Passbook:

一 受けるべき就職促進の措置の種類及びその順序

(i) the types of Employment Promotion Measures to be undertaken and their order;

二 就職促進の措置を受ける期間並びにその開始及び終了の時期

(ii) the period that a person undertakes the Employment Promotion Measures and the start and end of said period;

三 法第二十三条第一項第一号に掲げる措置を受けることを指示する場合は、管轄公共職業安定所に定期的に出頭すべき日

(iii) if a person is instructed to undertake the measures listed in Article 23, paragraph (1), item (i) of the Act, the days that said person should regularly appear at the Governing Public Employment Security Office;

四 法第二十三条第一項第二号又は第三号に掲げる措置（以下この号において「訓練」という。）を受けることを指示する場合は、訓練の職種及び施設

(iv) if a person is instructed to undertake the measures (hereinafter referred to as the "Training" in this item) listed in Article 23, paragraph (1), items (ii) or (iii) of the Act, the type of Training and facilities;

五 その他就職促進の措置を受けることに関し必要な事項で職業安定局長が定めるもの

(v) any other matters deemed necessary to undertake the Employment Promotion Measures as specified by the Director-General of the Employment Security Bureau.

3 管轄公共職業安定所の長は、法第二十四条第一項又は第二項の指示をする場合は、当該指示に関し、あらかじめ、公共職業訓練施設の長その他就職促進の措置を実施する関係機関と協議しなければならない。

(3) When the Chief of the Governing Public Employment Security Office gives instructions, as provided for in Article 24, paragraphs (1) or (2) of the Act, the Chief must consult in advance with the chief of a public vocational training facility and any other relevant organizations that are conducting the Employment Promotion Measures about said instructions.

4 管轄公共職業安定所の長は、法第二十四条第一項又は第二項の指示をした場合は、当該指示に係る就職促進の措置を実施する機関に対し、すみやかにその旨を通知しなければならない。

(4) When the Chief of the Governing Public Employment Security Office gives instructions provided for in Article 24, paragraphs (1) or (2) of the Act, the

Chief must immediately notify the organizations that are conducting the Employment Promotion Measures related to said instructions thereof.

(法第二十九条の計画)

(Plan Provided for in Article 29 of the Act)

第十五条 法第二十九条の計画に定める事項は、次のとおりとする。

Article 15 The matters to be specified in the plan provided for in Article 29 of the Act are as follows:

一 法第二条第二項の中高齢失業者等の雇用の促進に関する基本方針

(i) a basic policy for the promotion of the employment of middle-aged and elderly unemployed persons, etc. as provided for in Article 2, paragraph (2) of the Act;

二 職業指導及び職業紹介並びに職業訓練に関する事項

(ii) matters relating to the vocational guidance and employment placements, as well as vocational training;

三 法第三十条第一項の公共事業（以下「公共事業」という。）に係る同項の失業者吸収率の設定に関する事項

(iii) matters relating to setting the absorption ratio of unemployed persons provided for in Article 30, paragraph (1) of the Act concerning a public works project (hereinafter referred to as the "Public Works Project") provided for in the same paragraph;

四 特定地域開発就労事業の実施に関する事項

(iv) matters relating to the implementation of a project for the development of and employment in a Specified Area;

五 公共事業の実施と特定地域開発就労事業の実施との調整に関する事項

(v) matters relating to the coordination on the implementation of the Public Works Project and the implementation of the project for the development of and employment in a Specified Area;

六 地方公共団体等関係機関との連携及び協力に関する事項

(vi) matters relating to the coordination and cooperation with relevant organizations, such as local governments.

(公共事業における労働者の直接雇入れの承諾)

(Approval of Direct Employment of Workers in Public Works Projects)

第十六条 法第三十条第三項の規定による公共職業安定所の承諾を得るには、同条第二項の公共事業の事業主体等（以下「公共事業の事業主体等」という。）は、職業安定局長の定める様式による申請書を、主たる事業実施の地域を管轄する公共職業安定所（その公共職業安定所が二以上ある場合には、厚生労働省組織規則第七百九十二条の規定により当該事務を取り扱う公共職業安定所とする。次条において同じ。）に提出するものとする。

Article 16 For the purpose of obtaining approval of the Public Employment

Security Office under the provisions of Article 30, paragraph (3) of the Act, a business, etc. for a public works project (hereinafter referred to as the "Business etc. for a Public Works Project") provided for in paragraph (2) of the same Article is to submit a written application to the Public Employment Security Office governing the area where the main work is to be implemented (or, if there are two or more such Public Employment Security Offices, the Public Employment Security Office handling the processes pursuant to the provisions of Article 792 of the Rules on Organization of the Ministry of Health, Labour and Welfare; the same applies in the following Article), using the form specified by the Director-General of the Employment Security Bureau.

(公共事業における使用労働者数の通知)

(Notice of Number of Workers Employed in Public Works Project)

第十七条 公共事業の事業主体等は、事業開始前に（緊急に工事に着手する必要がある場合その他やむを得ない理由がある場合には、事業開始後すみやかに）、当該事業に使用すべき労働者の数を、職種別に、主たる事業実施の地域を管轄する公共職業安定所に通知するものとする。この場合において、当該公共職業安定所の長は、必要があると認めるときは、当該公共事業の事業主体等に対し、その雇用する労働者の氏名、住所及び生年月日を証明することができる書類その他当該労働者が雇用されていることを証する書類の提出を求めることができる。

Article 17 A Corporation etc. for a Public Works Project is to notify the Public Employment Security Office governing the area where the main work is to be implemented about the number of workers to be employed in the work before the start of said work (when it is necessary to urgently start the work or there is any other compelling reason, immediately after the start of the work) according to the job type. In such cases, when deemed necessary by the Chief of said Public Employment Security Office, the Chief may request said Corporation, etc. for a Public Works Project to submit a document that proves the name, address, and date of birth of workers employed by said Public Works Project, and other documents certifying the employment of said workers.

第四章 削除

Chapter IV Deleted

第十八条 削除

Article 18 Deleted

第十九条 削除

Article 19 Deleted

第二十条 削除

Article 20 Deleted

第二十一条 削除

Article 21 Deleted

第二十二条 削除

Article 22 Deleted

第二十三条 削除

Article 23 Deleted

第五章 シルバー人材センター等

Chapter V Silver Human Resources Centers

第一節 シルバー人材センター

Section 1 Silver Human Resources Centers

(法第四十一条第一項の厚生労働省令で定める基準)

(Criteria Specified by Ordinance of the Ministry of Health, Labour and Welfare Provided for in Article 41, Paragraph (1) of the Act)

第二十四条 法第四十一条第一項の厚生労働省令で定める基準は、都道府県知事が指定しようとする二以上の市町村の区域が次に掲げる要件に該当することとする。

Article 24 The criteria specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 41, paragraph (1) of the Act, are that two or more areas of municipalities to be designated by the prefectural governor satisfy the following requirements:

一 当該二以上の市町村の区域が近接し、かつ、当該区域に定年退職者その他の高齢退職者が相当数存在すること。

(i) that said two or more municipal areas are close to each other, and that there are a considerable number of mandatorily retired persons and other elderly retirees in said areas;

二 当該二以上の市町村の区域において法第四十二条第一項に規定する業務が行われる場合には、単一の市町村の区域において当該業務が行われる場合に比し、臨時的かつ短期的な就業及びその他の軽易な業務に係る就業の機会の状況等にかんがみ、当該業務がより効率的に行われる見込みがあること。

(ii) when the operations provided for in Article 42, paragraph (1) of the Act is carried out in two or more said areas of municipalities, said operations are expected to be carried out more efficiently compared to cases where the operations are carried out in a single area of a municipality, in light of the situation, etc. for employment opportunities for temporary short-term work and other light activities.

(指定の申請)

(Application for Designation)

第二十四条の二 法第四十一条第一項の規定による指定を受けようとする者は、次の事項を記載した申請書を都道府県知事に提出しなければならない。

Article 24-2 (1) A person that seeks to receive a designation under the provisions of Article 41, paragraph (1) of the Act must submit to the prefectural governor a written application that contains the following particulars:

一 名称及び住所

(i) name and address;

二 代表者の氏名

(ii) name of the representative;

三 事務所の所在地

(iii) location of the place of business.

2 前項の申請書には、次に掲げる書面を添付しなければならない。

(2) The following documents must be attached to the written application provided for in the preceding paragraph:

一 定款及び登記事項証明書

(i) articles of incorporation and certificate of registered particulars;

二 資産の総額並びにその種類及びこれを証する書類

(ii) the total amount of assets, their type, and a document certifying these items;

三 法第四十二条第一項に規定する業務に関する基本的な計画

(iii) a basic plan for the operations, provided for in Article 42, paragraph (1) of the Act;

四 役員の氏名及び略歴を記載した書面

(iv) a document that contains the names and brief biographical outlines of officers.

(名称等の変更の届出)

(Notification for Change of Name)

第二十四条の三 法第四十一条第四項の規定による届出をしようとする同条第二項に規定するシルバー人材センター（以下「シルバー人材センター」という。）は、次の事項を記載した書面を都道府県知事に提出しなければならない。

Article 24-3 A Silver Human Resources Center (hereinafter referred to as the "Silver Human Resources Center") provided for in Article 41, paragraph (2) of the Act that intends to submit a notification under the provisions of paragraph (4) of the same Article, must submit to the prefectural governor a document that contains the following particulars:

一 変更後の名称若しくは住所又は事務所の所在地

(i) name, address or location of the place of business after a change;

二 変更しようとする日

(6) The provisions applied to Public Employment Security Offices in the Ordinance for Enforcement of the Employment Security Act (Ordinance of the Ministry of Labour No. 12 of 1947) apply mutatis mutandis to the fee-based employment placement service carried out by Silver Human Resources Centers, as specified by the Director-General of the Employment Security Bureau.

(報告書の提出等)

(Submission of Reports)

第二十四条の五 法第四十二条第二項の規定により届出をして有料の職業紹介事業を行うシルバー人材センターは、職業安定局長の定める手続及び様式に従い、帳簿書類を備え付けるとともに、報告書を作成し、これを管轄都道府県労働局長を経て、職業安定局長に提出しなければならない。

Article 24-5 (1) After submitting a notification pursuant to the provisions of Article 42, paragraph (2) of the Act, a Silver Human Resources Center that provides a fee-based employment placement service must keep the books and records pursuant to the procedures and forms determined by the Director-General of the Employment Security Bureau, prepare reports, and submit them to the Director-General of the Employment Security Bureau via the Director of the Governing Prefectural Labor Bureau.

2 管轄都道府県労働局長は、前項の報告書を受理したときは、速やかにこれを職業安定局長に送付しなければならない。

(2) When the Director of the Governing Prefectural Labor Bureau receives the reports provided for in the preceding paragraph, the Director of the Governing Prefectural Labor Bureau must immediately forward them to the Director-General of the Employment Security Bureau.

(法第四十二条第三項の規定により読み替えて適用される職業安定法第三十二条の四第二項の厚生労働省令で定める事項)

(Particulars Specified by Ordinance of the Ministry of Health, Labour and Welfare Provided for in Article 32-4, Paragraph (2) of the Employment Security Act as Applied by Replacing Certain Terms Pursuant to Article 42, Paragraph (3) of the Act)

第二十四条の六 法第四十二条第三項の規定により読み替えて適用される職業安定法第三十二条の四第二項の厚生労働省令で定める事項は、次のとおりとする。

Article 24-6 The particulars specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 32-4, paragraph (2) of the Employment Security Act, as applied by replacing certain terms pursuant to Article 42, paragraph (3) of the Act are as follows:

一 名称及び代表者の氏名

(i) name, and name of the representative;

二 事業所の名称及び所在地

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

(一般労働者派遣事業の届出)

(Report on the Task of Dispatching General Workers)

第二十四条の七 法第四十二条第五項の規定により一般労働者派遣事業を行おうとするシルバー人材センターは、管轄都道府県労働局長に届け出なければならない。

Article 24-7 A Silver Human Resources Center that intends to carry out a general worker dispatching undertaking pursuant to the provisions of Article 42, paragraph (5) of the Act must notify the Director of the Governing Prefectural Labor Bureau thereof.

(法第四十二条第六項の規定により読み替えて適用される労働者派遣法第八条第二項の厚生労働省令で定める事項)

(Matters Specified by Ordinance of the Ministry of Health, Labour and Welfare Provided for in Article 8, Paragraph (2) of the Worker Dispatching Act as Applied by Replacing Certain Terms Pursuant to Article 42, Paragraph (6) of the Act)

第二十四条の八 法第四十二条第六項の規定により読み替えて適用される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。）第八条第二項の厚生労働省令で定める事項は、次のとおりとする。

Article 24-8 The matters to be specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 8, paragraph (2) of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985; hereinafter referred to as the "Worker Dispatching Act") as applied by replacing certain terms pursuant to Article 42, paragraph (6) of the Act are as follows:

一 名称及び代表者の氏名

(i) name, and name of the representative;

二 事業所の名称及び所在地

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

(労働者派遣法施行規則の特例)

(Special Application of the Ordinance for Enforcement of the Worker Dispatching Act)

第二十四条の九 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施行規則（昭和六十一年労働省令第二十号。以下「労働者派遣法施行規則」という。）第一条の二第一項の規定にかかわらず、法第四十二条第六項において読み替えて適用する労働者派遣法第五条第二項の届出書は、職業安定局長の定める様式によるものとする。

Article 24-9 (1) Notwithstanding the provisions of Article 1-2, paragraph (1) of the Ordinance for Enforcement of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Ordinance of the Ministry of Labour No. 20 of 1986; hereinafter referred to as the "Ordinance for Enforcement of the Worker Dispatching Act"), the written notice provided for in Article 5, paragraph (2) of the Worker Dispatching Act as applied by replacing certain terms pursuant to Article 42, paragraph (6) of the Act is to be made using the form specified by the Director-General of the Employment Security Bureau.

2 労働者派遣法施行規則第一条の二第三項の規定にかかわらず、シルバー人材センターが労働者派遣法第五条第三項の規定により添付すべき事業計画書は、職業安定局長の定める様式によるものとする。

(2) Notwithstanding the provisions of Article 1-2, paragraph (3) of the Ordinance for Enforcement of the Worker Dispatching Act, the operation plans to be attached by a Silver Human Resources Center pursuant to the provisions of Article 5, paragraph (3) of the Worker Dispatching Act are to be made using the form specified by the Director-General of the Employment Security Bureau.

3 労働者派遣法施行規則第八条第一項の規定にかかわらず、労働者派遣法第十一条第一項の規定による届出をしようとするシルバー人材センターは、労働者派遣法第五条第二項第四号に掲げる事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して三十日以内に、同号に掲げる事項以外の事項の変更の届出にあつては当該変更に係る事実のあつた日の翌日から起算して十日以内に、職業安定局長の定める様式による届出書を管轄都道府県労働局長に提出しなければならない。

(3) Notwithstanding the provisions of Article 8, paragraph (1) of the Ordinance for Enforcement of the Worker Dispatching Act, a Silver Human Resources Center that intends to submit a notification under the provisions of Article 11, paragraph (1) of the Worker Dispatching Act must submit a written notice to the Director of the Governing Prefectural Labor Bureau, using the form specified by the Director-General of the Employment Security Bureau and within 30 days from the day following the day on which the fact pertaining to said changes occurred, in the case of submitting a notification of changes listed in Article 5, paragraph (2), item (iv) of the Worker Dispatching Act; and within 10 days from the day following the day on which the fact pertaining to said changes occurred, in the case of submitting a notification of changes other than those listed in the same item.

4 労働者派遣法施行規則第十条の規定にかかわらず、労働者派遣法第十三条第一項の規定による届出をしようとするシルバー人材センターは、当該一般労働者派遣事業を廃止した日の翌日から起算して十日以内に、職業安定局長の定める様式による届出書を管轄都道府県労働局長に提出しなければならない。

(4) Notwithstanding the provisions of Article 10 of the Ordinance for Enforcement of the Worker Dispatching Act, a Silver Human Resources Center

that intends to submit a notification under the provisions of Article 13, paragraph (1) of the Worker Dispatching Act must submit a written notice to the Director of the Governing Prefectural Labor Bureau, using the form specified by the Director-General of the Employment Security Bureau, within 10 days from the day following the day of the discontinuance of said general worker dispatching undertaking.

5 労働者派遣法施行規則第十七条第二項の規定にかかわらず、シルバー人材センターが労働者派遣法第二十三条第一項の規定により提出すべき事業報告書及び収支決算書は、それぞれ職業安定局長の定める様式によるものとする。

(5) Notwithstanding the provisions of Article 17, paragraph (2) of the Ordinance for Enforcement of the Worker Dispatching Act, an operating report and settlements of accounts to be submitted by a Silver Human Resources Center pursuant to the provisions of Article 23, paragraph (1) of the Worker Dispatching Act are to be submitted using the respective forms specified by the Director-General of the Employment Security Bureau.

6 法第四十二条第五項の規定による一般労働者派遣事業に関する次の表の上欄に掲げる労働者派遣法施行規則の規定の適用については、これら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し、労働者派遣法施行規則第一条の二第二項第一号へ及び第四条の規定は適用しない。

(6) With regard to the application of the provisions of the Ordinance for Enforcement of the Worker Dispatching Act that are listed in the left-hand column of the table below and that pertaining to the general worker dispatching undertaking under the provisions of Article 42, paragraph (5) of the Act, the terms or phrases listed in the middle column of the table below that appear in these provisions are deemed to be replaced with the corresponding terms or phrases listed in the right-hand column of the table, and the provisions of Article 1-2, paragraph (2), item (i), (f) and Article 4 of the Ordinance for Enforcement of the Worker Dispatching Act do not apply.

<p>第一条の二第二項第一号ト Article 1-2, paragraph (2), item (i), (g)</p>	<p>に関する資産の内容及びその the details of assets concerning the general worker dispatching undertaking and the</p>	<p>を行う事業所に係る concerning the office that carries out</p>
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<p>第一条の二第 四項 Article 1-2, paragraph (4)</p>	<p>法第五条第一項の規定による 一般労働者派遣事業の許可を 申請するときは When (omission) applies for a license for a general worker dispatching undertaking under the provisions of Article 5, paragraph (1) of the Act,</p>	<p>高年齢者等の雇用の安定等に関 する法律第四十二条第六項にお いて読み替えて適用する法第五 条第二項の届出書を提出すると きは when submitting a written notice provided for in Article 5, paragraph (2) of the Act as applied by replacing certain terms pursuant to Article 42, paragraph (6) of the Act on Stabilization of Employment of Elderly Persons</p>
<p>第八条第二項 Article 8, paragraph (2)</p>	<p>前項の一般労働者派遣事業変 更届出書 the written notice of changes to a general worker dispatching undertaking referred to in the preceding paragraph</p>	<p>高年齢者等の雇用の安定等に関 する法律施行規則第二十四条の 九第三項の職業安定局長の定め る様式による届出書 the written notice using the form specified by the Director- General of the Employment Security Bureau as provided for in Article 24-9, paragraph (3) of the Ordinance for Enforcement of the Act on Stabilization of Employment of Elderly Persons</p>
<p>第八条第三項 Article 8, paragraph (3)</p>	<p>第一項の一般労働者派遣事業 変更届出書又は一般労働者派 遣事業変更届出書及び許可証 書換申請書 the written notice of changes to a general worker dispatching undertaking or the written notice of changes to a general worker dispatching undertaking and the written application for the rewriting of a License Certificate referred to in paragraph (1)</p>	<p>高年齢者等の雇用の安定等に関 する法律施行規則第二十四条の 九第三項の職業安定局長の定め る様式による届出書 the written notice using the form specified by the Director- General of the Employment Security Bureau as provided for in Article 24-9, paragraph (3) of the Ordinance for Enforcement of the Act on Stabilization of Employment of Elderly Persons</p>

	<p>(事業所の廃止に係る変更の届出にあつては、当該廃止した事業所に係る許可証)を添付しなければならない must be accompanied by (omission) (in the case of making a notification of changes related to the abolition of a place(s) of business, the License Certificate(s) for said abolished place(s) of business)</p>	<p>を添付しなければならない must be accompanied by</p>
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(事業計画書等の提出)

(Submission of the Operation Plan)

第二十五条 法第四十三条第一項前段の事業計画書及び収支予算書の提出は、毎事業年度開始前に（指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）行わなければならない。

Article 25 (1) An operation plan and a budget for income and expenditure provided for in the first sentence of Article 43, paragraph (1) of the Act must be submitted before the start of every fiscal year (in the fiscal year of the day on which the person has been designated, after the designation and without delay).

2 シルバー人材センターは、法第四十三条第一項後段の規定により事業計画書又は収支予算書を変更したときは、遅滞なく、変更した事項及びその理由を記載した書面を都道府県知事に提出しなければならない。

(2) When a Silver Human Resources Center changes an operational plan or a budget for income and expenditure pursuant to the provisions of the second sentence of Article 43, paragraph (1) of the Act, the Silver Human Resources Center must submit a document that contains the matters that have been changed and the reasons for said change(s) to the prefectural governor without delay.

3 法第四十三条第二項の事業報告書及び収支決算書の提出は、毎事業年度終了後三月以内に行わなければならない。

(3) An operating report and settlements of accounts provided for in Article 43, paragraph (2) of the Act must be submitted within three months after the end of each fiscal year.

第二節 シルバー人材センター連合

Section 2 Silver Human Resources Center Association

(法第四十四条第一項の厚生労働省令で定める基準)

(Criteria Specified by Ordinance of the Ministry of Health, Labour and Welfare)

Provided for in Article 44, Paragraph (1) of the Act)

第二十六条 法第四十四条第一項の厚生労働省令で定める基準は、都道府県知事が法第四十一条第一項に規定するシルバー人材センター連合（以下「シルバー人材センター連合」という。）に係る法第四十四条第一項の指定に係る区域（次条第一項第四号において「連合の指定に係る区域」という。）としようとする市町村の区域が次に掲げる要件に該当することとする。

Article 26 The criteria specified by Ordinance of the Ministry of Health, Labour and Welfare, as provided for in Article 44, paragraph (1) of the Act, are that an area of a municipality to be designated by the prefectural governor as the area concerned with the designation provided for in Article 44, paragraph (1) of the Act related to the Silver Human Resources Center Association (hereinafter referred to as the "Silver Human Resources Center Association") provided for in Article 41, paragraph (1) of the Act (referred to as the "Area Concerned with the Designation of the Association" in paragraph (1), item (iv) of the following Article) satisfies the following requirements:

一 当該市町村の区域と法第四十四条第一項の規定による指定を受けようとする者の会員であるシルバー人材センターに係る法第四十一条第一項の指定に係る区域が近接し、又は当該市町村の区域若しくは近接する二以上の当該市町村の区域に定年退職者その他の高年齢退職者が相当数存在すること。

(i) said area of a municipality is close to the area concerned with the designation provided for in Article 41, paragraph (1) of the Act related to the Silver Human Resources Centers that is a member of the person that seeks to receive designation under the provisions of Article 44, paragraph (1) of the Act, or there is a considerable number of mandatory retirees and other elderly retirees in said area of a municipality or two or more neighboring areas of municipalities;

二 当該市町村の区域においてシルバー人材センター連合により法第四十五条において準用する法第四十二条第一項に規定する業務が行われる場合には、当該市町村の区域においてシルバー人材センターにより法第四十二条第一項に規定する業務が行われる場合に比し、臨時的かつ短期的な就業及びその他の軽易な業務に係る就業の機会の状況等にかんがみ、当該業務がより効率的に行われる見込みがあること。

(ii) when the operations provided for in Article 42, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act is carried out by the Silver Human Resources Center Association in said area of a municipality, said operations are expected to be carried out in a more efficient manner compared to the cases where the operations provided for in Article 42, paragraph (1) of the Act are carried out by the Silver Human Resources Center in said area of a municipality, in light of the situation, etc. of employment opportunities for temporary short-term work and other light activities.

(指定の申請)

(Application for Designation)

第二十七条 法第四十四条第一項の規定による指定を受けようとする者は、次の事項を記載した申請書を都道府県知事に提出しなければならない。

Article 27 (1) A person that seeks to receive designation under the provisions of Article 44, paragraph (1) of the Act must submit a written application that contains the following matters to the prefectural governor:

一 名称及び住所

(i) name and address;

二 代表者の氏名

(ii) name of the representative;

三 事務所の所在地

(iii) location of the place of business;

四 連合の指定に係る区域とされることを求める区域

(iv) areas that are requested to be included in the Area Concerned with the Designation of the Association.

2 前項の申請書には、次に掲げる書面を添付しなければならない。

(2) The following documents must be attached to the written application provided for in the preceding paragraph:

一 定款及び登記事項証明書

(i) articles of incorporation and certificate of registered matters;

二 資産の総額並びにその種類及びこれを証する書類

(ii) the total amount of assets, their type, and a document certifying these items;

三 法第四十五条において準用する法第四十二条第一項に規定する業務に関する基本的な計画

(iii) a basic plan for the operations provided for in Article 42, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act;

四 役員の名簿及び略歴を記載した書面

(iv) a document that contains the names and brief biographical outlines of officers;

五 会員であるシルバー人材センターの名称及び住所を記載した書面

(v) a document that contains the name and address of the Silver Human Resources Centers containing its members.

(シルバー人材センター連合の会員の追加の届出)

(Notification of Addition of Members of Silver Human Resources Center Association)

第二十八条 シルバー人材センター連合は、法第四十四条第二項の規定による届出をしようとするときは、会員となつたシルバー人材センターの名称及び住所を記載した書面を都道府県知事に提出しなければならない。

Article 28 When the Silver Human Resources Center Association intends to submit a notification under the provisions of Article 44, paragraph (2) of the Act, the Silver Human Resources Center Association must submit a document that contains the name and address of the Silver Human Resources Center that has become its member to the prefectural governor.

(シルバー人材センター連合の指定区域の変更に関する申出)

(Request on Change of Designated Areas of Silver Human Resources Center Association)

第二十九条 シルバー人材センター連合は、法第四十四条第四項の規定による申出をしようとするときは、変更により法第四十一条第一項ただし書に規定する連合の指定区域とされることを求める区域を記載した申出書に当該変更後の連合の指定区域における第二十七条第二項第三号に規定する書面を添付して都道府県知事に提出しなければならない。

Article 29 When the Silver Human Resources Center Association intends to make a request under the provisions of Article 44, paragraph (4) of the Act, the Silver Human Resources Center Association must submit to the prefectural governor a written request that identifies the areas that are being requested to be included in the designated areas of the association, as provided for in the proviso to Article 41, paragraph (1) of the Act, upon a change, by attaching therewith the documents provided for in Article 27, paragraph (2), item (iii) concerning the designated areas of the association after said change.

(労働者派遣法施行規則の特例)

(Special Application of the Ordinance for Enforcement of the Worker Dispatching Act)

第二十九条の二 法第四十五条において準用する法第四十二条第五項の規定による一般労働者派遣事業に関する労働者派遣法施行規則第二十九条第一号の規定の適用については、同号中「自己の雇用する労働者の中から選任すること」とあるのは、「選任すること」とする。

Article 29-2 With regard to the application of the provisions of Article 29, item (i) of the Ordinance for Enforcement of the Worker Dispatching Act that pertains to a general worker dispatching undertaking under the provisions of Article 42, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act, the phrase "appoint from among the workers employed by it" in the same item is deemed to be replaced with "appoint."

(準用)

(Application Mutatis Mutandis)

第三十条 第二十四条の三から第二十五条までの規定は、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、第二十四条の三中「法第四十一条第四項」とあ

るのは「法第四十五条において準用する法第四十一条第四項」と、第二十四条の四第一項及び第五項並びに第二十四条の五第一項中「法第四十二条第二項」とあるのは「法第四十五条において準用する法第四十二条第二項」と、第二十四条の七及び第二十四条の九第六項中「法第四十二条第五項」とあるのは「法第四十五条において準用する法第四十二条第五項」と、第二十四条の八及び第二十四条の九第一項中「法第四十二条第六項」とあるのは「法第四十五条において準用する法第四十二条第六項」と、第二十四の九第六項の表第一条の二第四項の項中「第四十二条第六項」とあるのは「第四十五条において準用する第四十二条第六項」と、同表第八条第二項の項及び第八条第三項の項中「第二十四条の九第三項」とあるのは「第三十条において準用する同令第二十四条の九第三項」と、第二十五条第一項中「法第四十三条第一項前段」とあるのは「法第四十五条において準用する法第四十三条第一項前段」と、同条第二項中「法第四十三条第一項後段」とあるのは「法第四十五条において準用する法第四十三条第一項後段」と、同条第三項中「法第四十三条第二項」とあるのは「法第四十五条において準用する法第四十三条第二項」と読み替えるものとする。

Article 30 The provisions of Articles 24-3 to 25 apply mutatis mutandis to the Silver Human Resources Center Association. In this case, the term "Article 41, paragraph (4) of the Act" in Article 24-3 is deemed to be replaced with "Article 41, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; the term "Article 42, paragraph (2) of the Act" in Article 24-4, paragraphs (1) and (5) and Article 24-5, paragraph (1) is deemed to be replaced with "Article 42, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; the term "Article 42, paragraph (5) of the Act" in Article 24-7 and Article 24-9, paragraph (6) is deemed to be replaced with "Article 42, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; the term "Article 42, paragraph (6) of the Act" in Article 24-8 and Article 24-9, paragraph (1) is deemed to be replaced with "Article 42, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; the term "Article 42, paragraph (6) in Article 1-2, paragraph (4) under the table of Article 24-9, paragraph (6) is deemed to be replaced with "Article 42, paragraph (6) as applied mutatis mutandis pursuant to Article 45"; the term "Article 24-9, paragraph (3)" in Article 8, paragraph (2) and Article 8, paragraph (3) under the same table is deemed to be replaced with "Article 24-9, paragraph (3) of the same Ordinance as applied mutatis mutandis pursuant to Article 30"; the term "the first sentence of Article 43, paragraph (1) of the Act" in Article 25, paragraph (1) is deemed to be replaced with "the first sentence of Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; the term "the second sentence of Article 43, paragraph (1) of the Act" in paragraph (2) of the same Article is deemed to be replaced with "the second sentence of Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; and the term "Article 43, paragraph (2) of the Act" in

paragraph (3) of the same Article is deemed to be replaced with "Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act."

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

(指定の基準等)

(Criteria for Designation)

第三十一条 法第四十六条の規定による指定の基準は、次のとおりとする。

Article 31 The criteria for designation under the provisions of Article 46 of the Act are as follows:

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り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) the plan for the implementation of operations that covers personnel, operational procedures, and other matters are appropriate, and that the person is found to have sufficient financial and technical basis in order to carry out the plan in a reliable manner;

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 person is found to be capable of carrying out the operations in a proper and reliable manner and is contributing to the enhanced welfare of Elderly Persons.

第三十一条の二 第二十四条の二の規定は法第四十六条の規定による指定を受けようとする者について、第二十四条の三及び第二十五条の規定は法第四十七条に規定する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、第二十四条の二第一項中「法第四十一条第一項」とあるのは「法第四十六条」と、「都道府県知事」とあるのは「厚生労働大臣」と、同条第二項第三号中「法第四十二条第一項」とあるのは「法第四十七条」と、第二十四条の三中「法第四十一条第四項」とあるのは「法第四十八条において準用する法第四十一条第四項」と、「都道府県知事」とあるのは「厚生労働大臣」と、第二十五条第一項中「法第四十三条第一項前段」とあるのは「法第四十八条において準用する法第四十三条第一項前段」と、同条第二項中「法第四十三条第一項後段」とあるのは「法第四十八条において準用する法第四十三条第一項後段」と、「都道府県知事」とあるのは「厚生労働大臣」と、同条第三項中「法第四十三条第二項」とあるのは「法第四十八条において準用する法第四十三条第二項」と読み替えるものとする。

Article 31-2 The provisions of Article 24-2 apply mutatis mutandis to those who seek to receive designation under the provisions of Article 46 of the Act, and the provisions of Article 24-3 and Article 25 apply mutatis mutandis to the

National Silver Human Resources Center Association provided for in Article 47 of the Act. In this case, the phrase "Article 41, paragraph (1) of the Act" in Article 24-2, paragraph (1) is deemed to be replaced with the phrase "Article 46 of the Act"; the phrase "the prefectural governor" is deemed to be replaced with the phrase "the Minister of Health, Labour and Welfare"; the phrase "Article 42, paragraph (1) of the Act" in paragraphs (2), item (iii) of the same Article is deemed to be replaced with the phrase "Article 47 of the Act"; the phrase "Article 41, paragraph (4) of the Act" in Article 24-3 is deemed to be replaced with the phrase "Article 41, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; the phrase "the prefectural governor" is deemed to be replaced with the phrase "the Minister of Health, Labour and Welfare"; the phrase "the first sentence of Article 43, paragraph (1) of the Act" in Article 25, paragraph (1) is deemed to be replaced with the phrase "the first sentence of Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; the phrase "the second sentence of Article 43, paragraph (1) of the Act" in paragraph (2) of the same Article is deemed to be replaced with the phrase "the second sentence of Article 43, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; the phrase "the prefectural governor" is deemed to be replaced with the phrase "the Minister of Health, Labour and Welfare"; and the phrase "Article 43, paragraph (2) of the Act" in paragraph (3) of the same Article is deemed to be replaced with the phrase "Article 43, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act."

第六章 国による援助等

Chapter VI Support by the National Government

(法第四十九条第一項の厚生労働省令で定める者)

(Persons Specified by Ordinance of the Ministry of Health, Labour and Welfare Provided for in Article 49, Paragraph (1) of the Act)

第三十二条 法第四十九条第二項に規定する独立行政法人高齢・障害・求職者雇用支援機構が同条第一項各号の業務を行う場合における同条第一項の厚生労働省令で定める者は、法第二条第二項第二号に規定する中高年齢失業者等であつて、五十五歳未満のものとする。

Article 32 The persons specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 49, paragraph (1) of the Act if the Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers provided for in paragraph (2) of the same Article carries out the operations provided for in each item of paragraph (1) in the same Article are to be of middle-aged and elderly unemployed persons, etc. provided for in Article 2, paragraph (2), item (ii) of the Act who are under 55 years of age.

第七章 雑則

Chapter VII Miscellaneous Provisions

(高年齢者の雇用状況の報告)

(Reporting the Employment Conditions of Elderly Persons)

第三十三条 事業主は、毎年、六月一日現在における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翌月十五日までに、高年齢者雇用状況報告書（様式第二号）により、その主たる事務所の所在地を管轄する公共職業安定所（その公共職業安定所が二以上ある場合には、厚生労働省組織規則第七百九十二条の規定により当該事務を取り扱う公共職業安定所とする。以下「管轄公共職業安定所」という。）の長を経由して厚生労働大臣に報告しなければならない。

Article 33 (1) An employer must report the mandatory retirement age, the status of the continuous employment system, and other employment conditions of Elderly Persons by June 1 of each year to the Minister of Health, Labour and Welfare via the Chief of the Public Employment Security Office governing the location of the principal place of business (or, if there are two or more such Public Employment Security Offices, the Public Employment Security Office handling the processes pursuant to the provisions of Article 792 of the Rules on Organization of the Ministry of Health, Labour and Welfare; hereinafter, referred to as the "Governing Public Employment Security Office") by submitting a report on the employment conditions of Elderly Persons (Form No. 2) by the 15th day of the following month.

2 厚生労働大臣は、法第五十二条第二項の規定により、事業主から同条第一項に規定する状況について必要な事項の報告を求めるときは、当該報告すべき事項を書面により通知するものとする。

(2) When the Minister of Health, Labour and Welfare requests that an employer submits a report on necessary matters concerning the conditions provided for in Article 52, paragraph (1) of the Act, pursuant to the provisions of paragraph (2) of the same Article, the Minister of Health, Labour and Welfare is to notify the employer in writing of the matters on which it is to report.

(権限の委任)

(Delegation of Authority)

第三十四条 法第五十四条第一項の規定により、次に掲げる厚生労働大臣の権限は、都道府県労働局長に委任する。ただし、厚生労働大臣が第一号から第三号まで及び第七号に掲げる権限を自ら行うことを妨げない。

Article 34 (1) The following authorities of the Minister of Health, Labour and Welfare are delegated to the directors of the Prefectural Labor Bureau, pursuant to the provisions of Article 54, paragraph (1) of the Act; provided, however, that it does not prevent the Minister of Health, Labour and Welfare

from personally exercising the authorities listed in items (i) to (iii) and item (vii):

一 法第十条に規定する厚生労働大臣の権限

(i) the authority of the Minister of Health, Labour and Welfare provided for in Article 10 of the Act;

二 法第十七条の二に規定する厚生労働大臣の権限

(ii) the authority of the Minister of Health, Labour and Welfare provided for in Article 17-2 of the Act;

三 法第十八条の二第二項に規定する厚生労働大臣の権限

(iii) the authority of the Minister of Health, Labour and Welfare provided for in Article 18-2, paragraph (2) of the Act;

四 法第四十二条第二項（法第四十五条において準用する場合を含む。）に規定する厚生労働大臣の権限

(iv) the authority of the Minister of Health, Labour and Welfare provided for in Article 42, paragraph (2) of the Act (including cases where it is applied *mutatis mutandis* pursuant to Article 45 of the Act);

五 法第四十二条第五項（法第四十五条において準用する場合を含む。）に規定する厚生労働大臣の権限

(v) the authority of the Minister of Health, Labour and Welfare provided for in Article 42, paragraph (5) of the Act (including cases where it is applied *mutatis mutandis* pursuant to Article 45 of the Act);

六 法第四十二条第六項において読み替えて適用する労働者派遣法第五条第二項並びに法第四十二条第六項において適用する労働者派遣法第十一条第一項、第十三条第一項及び第二十三条第一項に規定する厚生労働大臣の権限

(vi) the authority of the Minister of Health, Labour and Welfare provided for in Article 5, paragraph (2) of the Worker Dispatching Act, as applied by replacing certain terms pursuant to Article 42, paragraph (6) of the Act, as well as Article 11, paragraph (1); Article 13, paragraph (1); and Article 23, paragraph (1) of the Worker Dispatching Act, as applied pursuant to Article 42, paragraph (6) of the Act;

七 法第五十二条第二項に規定する厚生労働大臣の権限

(vii) the authority of the Minister of Health, Labour and Welfare provided for in Article 52, paragraph (2) of the Act.

2 法第五十四条第二項の規定により、前項第一号から第三号まで及び第七号に掲げる権限は、管轄公共職業安定所の長に委任する。ただし、都道府県労働局長が前項第一号から第三号までに掲げる権限を自ら行うことを妨げない。

(2) The authorities listed in items (i) to (iii) and item (vii) of the preceding paragraph are delegated to the Chief of the Governing Public Employment Security Office, pursuant to the provisions of Article 54, paragraph (2) of the Act; provided, however, that it does not prevent the directors of the Prefectural Labor Bureau from personally exercising the authorities listed in items (i) to

(iii) of the preceding paragraph.

附 則 [平成二十四年八月十日厚生労働省令第百十四号]

Supplementary Provisions [Ordinance of the Ministry of Health, Labour and Welfare No. 114 of August 10, 2012]

(施行期日)

(Effective Date)

第一条 この省令は、労働者派遣事業の適正な運営の確保及び派遣労働者の就業条件の整備等に関する法律等の一部を改正する法律の施行の日（平成二十四年十月一日）から施行する。

Article 1 This Ordinance of the Ministry comes into effect from the day that the Act to Partially Revise the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers comes into effect (October 1, 2012).

(様式に関する経過措置)

(Transitional Measures Concerning Forms)

第二条 この省令の施行の際現に提出され又は交付されているこの省令による改正前のそれぞれの省令に定める様式による申請書等は、この省令による改正後のそれぞれの省令に定める相当様式による申請書等とみなす。

Article 2 (1) An application form, etc. submitted or delivered before this Ordinance of the Ministry comes into effect in a format provided for in the provisions of the respective Ordinances of the Ministry before the revision is deemed to be an application form, etc. in a corresponding format provided for in the corresponding provisions of the respective Ordinances of the Ministry after said revision.
2 この省令の施行の際現に存するこの省令による改正前のそれぞれの省令に定める様式による申請書等の用紙は、当分の間、必要な改定をした上、使用することができる。
(2) An existing application form, etc. before this Ordinance of the Ministry comes into effect in a format provided for in the provisions of the respective Ordinances of the Ministry before the revision may be used with the necessary revisions until otherwise provided for by law.

附 則 [平成二十四年十一月九日厚生労働省令第百五十四号]

Supplementary Provisions [Ordinance of the Ministry of Health, Labour and Welfare No. 154 of November 9, 2012]

この省令は、平成二十五年四月一日から施行する。

This Ordinance of the Ministry comes into effect as of April 1, 2013.