

Regulation for Enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees

(Order of the Ministry of Justice and the Ministry of Health, Labor and Welfare
No. 3 of November 28, 2016)

Chapter I General Provisions

(Definitions)

Article 1 The terms used in this Ministerial Order are to be in accordance with the terms used in the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as the "Act"), and also follow those as defined below:

- (i) the term "technical intern training (i)" means an individual-enterprise-type technical intern training (i) and supervising-organization-type technical intern training (i);
- (ii) the term "technical intern training (ii)" means individual-enterprise-type technical intern training (ii) and supervising-organization-type technical intern training (ii);
- (iii) the term "technical intern training (iii)" means individual-enterprise-type technical intern training (iii) and supervising-organization-type technical intern training (iii);
- (iv) the term "technical intern trainee (i)" means individual-enterprise-type technical intern trainee (i) and supervising-organization-type technical intern trainee (i);
- (v) the term "technical intern trainee (ii)" means individual-enterprise-type technical intern trainee (ii) and supervising-organization-type technical intern trainee (ii);
- (vi) the term "technical intern trainee (iii)" means individual-enterprise-type technical intern trainee (iii) and supervising-organization-type technical intern trainee (iii);
- (vii) the term "post-entry lectures" means the lectures prescribed in Article 2, paragraph (2), item (i) and Article 2, paragraph (4), item (i) of the Act;
- (viii) the term "sending organization acting as a broker" means a sending organization in a foreign country (meaning the sending organization in a foreign country prescribed in Article 23, paragraph (2), item (vi) of the Act; the same applies hereinafter) which acts as a broker for sending a job application for supervising-organization-type technical intern training from a person who wishes to become a supervising-organization-type technical

intern trainee (hereinafter referred to as "application for supervising-organization-type technical intern training") to the supervising organization in Japan;

- (ix) the term "preparatory organization in a foreign country" means an organization in a foreign country (excluding the sending organization acting as a broker) involved in preparations in the foreign country of the individual who wishes to become a technical intern trainee;
- (x) the term "external audit" means an audit of the officer's performance of duties pertaining to the supervising business as prescribed in Article 25, paragraph (1), item (v), sub-item (b) of the Act (including as applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act); and
- (xi) the term "technical intern training business year" means the business year in relation to technical intern training, which begins on April 1 every year and ends on March 31 of the following year.

(Foreign Public and Private Organizations with Close Relationships with Japanese Private or Public Organizations)

Article 2 The foreign public or private organization which has a close relationship provided for by order of the competent ministries with a Japanese private or public organization as provided for in Article 2, paragraph (2), item (i) of the Act is that which falls under any of the following items:

- (i) an organization which has a track record of having continuously conducted international transactions for one year or more or a track record of conducting international transactions of 1 billion yen or more in the past year with a Japanese public or private organization (meaning the Japanese public or private organization as prescribed in Article 2, paragraph (2), item (i) of the Act; the same applies in the following item); or
- (ii) beyond the organizations given in the preceding item, an organization which has an international business partnership with a Japanese public or private organization, or some other organization recognized by the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare as those which have a close relationship with a Japanese public or private organization.

Chapter II Technical Intern Training

Section 1 Technical Intern Training Plan

(Multiple Corporations with a Close Relationship with Each Other)

Article 3 The multiple corporations with a close relationship with each other as provided for by order of the competent ministries as prescribed in Article 8, paragraph (1) of the Act are those that fall under any of the following items:

- (i) multiple corporations with the same parent company (meaning the parent company as prescribed in Article 2, item (iv) of the Companies Act (Act No. 86 of 2005)); or
- (ii) beyond the multiple corporations given in the preceding item, multiple corporations recognized by the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare as those which have a close relationship with each other.

(Application for Accreditation of a Technical Intern Training Plan)

Article 4 (1) The application for the accreditation as provided for in Article 8, paragraph (1) of the Act must be made by submitting one original copy of the written application and one duplicate copy of the written application based on Appended Form 1.

- (2) In cases of an application for accreditation as provided for in Article 8, paragraph (1) of the Act for supervising-organization-type technical intern training, a person who intends to apply for the application must receive certification from a supervising organization which give supervision to that person, in the written application under the preceding paragraph, for having received the guidance under paragraph (4) of the same Article from that supervising organization.

(Notice of Accreditation of Technical Intern Training Plans)

Article 5 (1) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare (or the Organization for Technical Intern Training (hereinafter referred to as "the OTIT"), if the Commissioner and Minister have the OTIT conduct the administrative affairs for accreditation as prescribed in the provisions of Article 12, paragraph (1) of the Act pursuant to the provisions of the same paragraph; the same applies in Article 17, paragraph (1) and Article 18, paragraph (2)) has granted the accreditation as provided for in Article 8, paragraph (1) of the Act, they are to notify the person who wishes to be granted accreditation (hereinafter referred to in this Section as "applicant") to that effect.

- (2) The notice as provided for in the preceding paragraph is to be made with a duplicate copy of the written application as provided for in paragraph (1) of the preceding Article attached to the written notice of accreditation based on Appended Form 2.

(Technical Intern Training Evaluation Examination)

Article 6 The examination designated by order of the competent ministries as provided for in Article 8, paragraph (2), item (vi) of the Act is to be as specified in Appended Table 1.

(Required Information in the Technical Intern Training Plan)

Article 7 The matters as provided for by order of the competent ministries as prescribed in Article 8, paragraph (2), item (x) of the Act is to be as follows:

- (i) if the applicant has already made a notification under Article 17 of the Act, the notification acceptance number of the implementing organization for that notification;
- (ii) in cases of a corporation, the title of the officer and corporation number (meaning the corporation number as prescribed in Article 2, paragraph (15) of the Act on the Use of Numbers to Identify a Specific Individual in Administrative Procedures (Act No. 27 of 2013); the same applies hereinafter in Article 26, item (i));
- (iii) the business type of the applicant;
- (iv) the title of the technical intern training manager (meaning the person responsible for implementing the technical intern training as prescribed in Article 8, paragraph (2), item (vii) of the Act; the same applies hereinafter);
- (v) the name and title of the technical intern training instructor (meaning the technical intern training instructor appointed pursuant to the provisions of Article 12, paragraph (1), item (ii); the same applies hereinafter) and the life guidance counsellor (meaning the life guidance counsellors appointed pursuant to the provisions of paragraph (3) of the same paragraph; the same applies hereinafter);
- (vi) the date of birth, age and sex of the technical intern trainees.
- (vii) in cases related to technical intern training (iii), the information coming under either of the following items:
 - (a) if the relevant trainee has returned temporarily to the home country or is planning to return temporarily to the home country by the start of technical intern training (iii) after the trainee completed the technical intern training (ii), the period of return home or planned period of return home; or
 - (b) if the relevant trainee is planning to suspend their technical intern training and return to the home country temporarily within one year since the trainee completes the technical intern training (ii) and starts the technical intern training (iii) continuously, and to recommence the suspended training afterwards, the planned period of return home;
- (viii) in cases related to technical intern training (ii), the status of achievement of the goals specified in the technical intern training plan for the technical intern training (i); and in cases relating to technical intern training (iii), the status of achievement of the goals specified in the technical intern training plan for the technical intern training (ii);
- (ix) in cases related to supervising-organization-type technical intern training,

- the license number of the supervising organization, the type of license, the name of the supervision manager (meaning the supervision manager prescribed in Article 40, paragraph (1) of the Act; the same applies hereinafter), the name and location of the places of business of which that organization is in charge, and the name of the person in charge of instruction for preparation of the technical intern training plan; and
- (x) if the relevant case is related to supervising-organization-type technical intern training, and a sending organization acting as a broker is involved with the case, the name of that intermediating sending organization.

(Documents to Be Attached to Technical Intern Training Plans)

Article 8 The documents as provided for by order of the competent ministries as prescribed in Article 8, paragraph (3) of the Act are to be as follows:

- (i) if the applicant is a corporation, a certificate of registered information of the applicant, a balance sheet, a profit and loss statement or income and expenditure statement for the last two business years, and a copy of the residence certificate of its officer (or if an officer is a minor who does not possess the same capacity for carrying out business as an adult, a copy of the residence certificate of that officer and that of their legal representative (or if that legal representative is a corporation, its certificate of registered information, its articles of incorporation or certificate of acts of endowment, and a copy of the residence certificate of its officer)); or if the applicant is not a corporation, a copy of the residence certificate of the applicant and a copy of their tax return form;
- (ii) a summary report of the applicant;
- (iii) the applicant's written pledge to having the technical intern trainee engage in technical intern training;
- (iv) a copy of the passport of the technical intern trainee or any other document proving the identity of the technical intern trainee; and their curriculum vitae;
- (v) the curriculum vitae of the technical intern training manager, the paper document in which the person who has been appointed to that position agrees to assume office, and a copy of their written pledge for the technical intern training.
- (vi) the curriculum vitae of the technical intern training instructor, the paper document in which the person who has been appointed to that position agrees to assume office, and a copy of their written pledge for the technical intern training;
- (vii) the curriculum vitae of the life guidance counsellor, the paper document in which the person who has been appointed to that position agrees to assume office, and a copy of their written pledge for the technical intern training;

- (viii) in cases related to supervising-organization-type technical intern training, a written pledge by the sending organization acting as a broker for the supervising-organization-type technical intern training based on the technical intern training plan;
- (ix) in cases related to supervising-organization-type technical intern training, a copy of the written contract for the agreement entered into by the supervising organization and the applicant on its supervision, or a copy of an equivalent document;
- (x) in cases related to supervising-organization-type technical intern training, a copy of the written contract for the agreement entered into by the supervising-organization-type technical intern trainee and the sending organization acting as a broker on the supervising-organization-type technical intern training;
- (xi) in cases related to individual-enterprise-type technical intern training, documents that clearly show the relationship between the applicant and the organization to which the person wishing to become an individual-enterprise-type technical intern trainee belongs in their home country, and a certificate prepared by that organization for sending the individual-enterprise-type technical intern trainee;
- (xii) if a preparatory organization in a foreign country is involved in the relevant case, a summary report and written pledge of said preparatory organization in a foreign country;
- (xiii) a copy of the contract for the employment agreement entered into with the technical intern trainee, and a copy of the written conditions for employment;
- (xiv) a document explaining that the amount of remuneration paid to the technical intern trainee is to be no less than that which a Japanese national would receive for comparable work;
- (xv) in cases related to individual-enterprise-type technical intern training, a document clearly showing that the applicant has confirmed that the accommodation facilities are appropriate; or in cases related to supervising-organization-type technical intern training, a document clearly showing that the supervising organization has confirmed that the accommodation facilities are appropriate;
- (xvi) a breakdown of expenses regularly paid by the technical intern trainee for food costs, residential expenses and other expenses regardless of the reason therefor, and a document explaining that such expenses are appropriate.
- (xvii) in cases related to individual-enterprise-type technical intern training, a document clearly showing that the applicant or the foreign public or private organization as provided for in Article 2 has explained the content of the treatment during the period of the technical intern training, and the

- technical intern trainee has sufficiently understood the content of the treatment; or in cases related to supervising-organization-type technical intern training, a document clearly showing that the applicant, supervising organization, or sending organization acting as a broker has explained the content of that treatment, and the relevant trainee has sufficiently understood it;
- (xviii) a document prepared by the technical intern trainee clearly showing that the trainee understands the purpose of the technical intern training program (hereinafter referred to as "purpose of the program"), which is to promote international cooperation through the transfer of skills, technique or knowledge (hereinafter referred to as "skills, etc.") to developing regions or elsewhere, and that the trainee comes under Article 10, paragraph (2), item (iii), sub-item(c) and item (vi), sub-item (b);
 - (xix) in cases related to supervising-organization-type technical intern training, a document clearly showing the amount and breakdown of the expenses which the supervising-organization-type technical intern trainee has paid to the sending organization acting as a broker in sending the application for supervising-organization-type technical intern training, or to the preparatory organization in a foreign country for the preparations for the supervising-organization-type technical intern training in a foreign country; and also clearly showing that the supervising-organization-type technical intern trainee has sufficiently understood the relevant amount and breakdown;
 - (xx) a document describing the reason for having the technical intern trainees engage in the technical intern training;
 - (xxi) a recommendation letter for the recommendation as prescribed in Article 10, paragraph (2), item (iii), sub-item (f), in cases related to supervising-organization-type technical intern training;
 - (xxii) in cases related to technical intern training (ii), a copy of a document in which the test conductor of a trade skills test certifies that the technical intern trainee has passed the basic trade skills test (meaning the trade skills test as provided for in Article 44, paragraph (1) of the Human Resources Development Promotion Act (Act No. 64 of 1969); the same applies hereinafter), or the test conductor of a technical intern training evaluation examination certifies that the technical intern trainee has passed an equivalent technical intern training evaluation examination (meaning the technical intern training evaluation examination as provided for in Article 8, paragraph (2), item (vi) of the Act);
 - (xxiii) in cases related to technical intern training (iii), a copy of a document in which the test conductor of a trade skills test or a technical intern training evaluation examination certifies that the technical intern trainee has passed the practical section of the grade 3 trade skills test, or the test conductor of a

- technical intern training evaluation examination certifies that the technical intern trainee has passed the practical section of an equivalent technical intern training evaluation examination;
- (xxiv) in cases related to technical intern training (iii) or in cases in which it is necessary to apply the provisions of Article 16, paragraph (2), a document clearly showing that the standards as provided for in Article 15 have been met;
- (xxv) a list of technical intern trainees related to the technical intern training plan in which the applicant has received the accreditation as provided for in Article 8, paragraph (1) of the Act; and
- (xxvi) other necessary documents.

(Fees for Accreditation of the Technical Intern Training Plan)

Article 9 The amount specified by order of the competent ministries as provided for in Article 8, paragraph (5) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be 3,900 yen per technical intern training plan.

(Standards for the Goals and Content of the Technical Intern Training)

Article 10 (1) The standards specified by order of the competent ministries for the goals of the technical intern training as provided for in Article 9, item (ii) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be as provided for in each respective item corresponding to the category of the technical intern training given in the following items:

- (i) technical intern training (i): the standard is to have one of the following as a goal:
- (a) to pass the practical and paper section of the basic trade skills test for the skills, etc. to be acquired or of an equivalent technical intern training evaluation examination; or
 - (b) the content of the goal is to become able to perform specific work which requires the skills, etc. to be acquired and acquire knowledge relating to the relevant skills, etc. (limited to those found to be appropriate in light of the duration of the technical intern training);
- (ii) technical intern training (ii): the standard is that the goal is for the technical intern trainee to pass the practical section of the grade 3 trade skills test relevant to increasing proficiency in the skills, etc. or of an equivalent technical intern training evaluation examination; and
- (iii) technical intern training (iii): the standard is that the goal is for the technical intern trainee to pass the practical section of the grade 2 trade skills test relevant to attaining proficiency in the skills, etc. or of an

equivalent technical intern training evaluation examination.

(2) The standards specified by order of the competent ministries for the contents of the technical intern training as prescribed in Article 9, item (ii) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are to be as follows:

(i) the skills, etc. which are to be acquired, whose proficiency is to be increased, or whose proficiency is to be attained (hereinafter referred to as "acquired") are to come under all of the following items:

(a) they cannot be acquired mostly through repetition of the same work; or

(b) in cases of technical intern training (ii) and technical intern training (iii), those skills, etc. are related to the job categories and operations listed in Appended Table 2 (hereinafter referred to as "job categories and operations subject to transfer");

(ii) the work to be engaged in is to come under all of the following items:

(a) the work is not found inappropriate to have a foreign national engage in as their technical intern training in light of the nature of the work, the practical intern training environment in which the trainee is to engage in the work, and other environments;

(b) the work is normally performed at the place of business where the technical intern training is conducted, and the materials, substances, or other things necessary for acquiring the skills etc. are available at that place of business, and are used in that work;

(c) in cases of work relating to the job categories and operations subject to transfer, the following requirements are satisfied for the hours during which the trainee is to engage in that work, according to the relevant work category:

1. required work (meaning work in which the technical intern trainee must engage in order to be able to acquire the skills, etc., based on the test range of the trade skills test for the skills, etc. which the trainee seeks to acquire or the test range of the equivalent technical intern training evaluation examination; the same applies hereinafter in (c)): one-half or more of the total hours during which the trainee engages in work in the place of business in question;

2. related work (meaning work which the person engaging in the required work performs in connection with that required work, and which directly or indirectly contributes to improvement of the skills, etc. to be acquired): one-half or less of the total hours during which the trainee engages in work in the place of business in question; and

3. peripheral work (meaning work which the person performing the required work (excluding the work given in 2.) is normally engaged in in relation to that required work): one-third or less of the total hours

during which the trainee engages in work in the place of business in question;

- (d) in cases relating to job categories and operations subject to transfer, with regard to the work given in (c), 1. through 3., one-tenth or more of hours during which the trainee engages in each respective type of work is to be allocated to work pertaining to safety and sanitation for the work listed in (c), 1. through 3.;
 - (e) in cases not relating to job categories and operations subject to transfer, the trainee is to engage in work pertaining to safety and sanitation for the work to be performed; and
 - (f) in addition to those matters listed in (c) through (e), the composition of the work for the duration of the technical intern training is to be appropriate in light of the goals of the technical intern training;
- (iii) the technical intern trainee is to come under all of the following:
- (a) the technical intern trainee is 18 years of age or above;
 - (b) the technical intern trainee is to be a person who seeks to engage in the technical intern training and who understands the purpose of the program;
 - (c) the technical intern trainee plans to engage in work requiring the skills etc. acquired, etc. in Japan after returning to their home country;
 - (d) in cases relating to individual-enterprise-type technical intern training, the technical intern trainee is a full-time employee of a place of business in a foreign country of the applicant, or a place of business in a foreign country of the foreign public or private organization as provided for in Article 2, and is transferred or seconded from that place of business;
 - (e) in cases relating to supervising-organization-type technical intern training, the technical intern trainee has experience of engaging in the same kind of work in a foreign country as the work in which the trainee seeks to engage while in Japan, or there are special grounds on which the technical intern trainee needs to engage in the supervising-organization-type technical intern training;
 - (f) in cases relating to supervising-organization-type technical intern training, the relevant person seeks to engage in the technical intern training after receiving a recommendation from a public organization (meaning a national government agency, local government agency, or their equivalent organization; the same applies hereinafter) of a country or region where the person has a nationality or address (meaning the region as prescribed in Article 2, item (v), sub-item (b) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as "Immigration Control Act"));
 - (g) in cases relating to technical intern training (iii), coming under one of the following:

1. the technical intern trainee commences technical intern training (iii) after returning temporarily to their home country for one month or more following the completion of technical intern training (ii); or
 2. the technical intern trainee has started technical intern training (iii) continuing on from the completion of technical intern training (ii); has suspended that training and returned to their home country temporarily within one year of that start; has stayed there for one month or more but less than one year; and recommences it; and
- (h) the technical intern trainee has not engaged in technical intern training of the same stage in the past (meaning the stages of technical intern training (i), technical intern training (ii) or technical intern training (iii)) (except for cases in which there are unavoidable circumstances);
- (iv) the applicant is to come under all of the following items:
- (a) a person that seeks to have the technical intern trainees engage in the technical intern training and that understands the purpose of the program; or
 - (b) in cases relating to technical intern training (ii), a person that had the technical intern trainee relevant to the technical intern training plan engage in technical intern training (i) (excluding cases in which the person that had the technical intern trainee engage in technical intern training (i) is unable to have that trainee engage in technical intern training (ii), cases in which it is not appropriate for the person that had the technical intern trainee engage in technical intern training (i) to have that trainee engage in technical intern training (ii), and other cases in which there are unavoidable circumstances);
- (v) the preparatory organization in a foreign country or its officer has not committed an act of using or providing a forged, altered, or false document or drawing within the past five years, for the purpose of having the person whom it seeks to have engage in the technical intern training obtain the accreditation provided for in Article 8, paragraph (1) or Article 11, paragraph (1) of the Act illegally; for the purpose of having the person seeking to engage in the supervising business obtain the license provided for in Article 23, paragraph (1) or Article 32, paragraph (1) of the Act or the renewal provided for in Article 31, paragraph (2) of the Act illegally; for the purpose of concealing facts which violate the provisions of laws and regulations relating to immigration or labor; or for the purpose of having a foreign national, in relation to its business activities, illegally obtain the certificate, seal of verification (including the record provided for in the provisions of Article 9, paragraph (4) of the Immigration Control Act; the same applies hereinafter) or permission for landing provided for in the provisions of Chapter III, Section 1 or Section 2 of the Immigration Control Act, the permission for

- landing provided for in the provisions of Section 4 of the same Chapter, or the permission provided for in the provisions of Chapter IV, Section 1 or Section 2 or Chapter V, Section 3 of the Immigration Control Act;
- (vi) the standard is to be that all of the following are satisfied in relation to implementation of the technical intern training;
- (a) a technical intern trainee, etc. (meaning a technical intern trainee or a person who wishes to become a technical intern trainee; the same applies hereinafter), their spouse, their lineal relative, their relative cohabiting with the trainee, etc., or any other person who has a close relationship with the trainee, etc. as a part of their life is not subject to the management of their money or other property, for the technical intern training which the relevant trainee, etc. engages in while in Japan, regardless of whether that management is conducted as a collection of deposit or for any other reason; and does not enter into a contract that stipulates penalties for non-performance of a contract relating to the technical intern training, or enter into any other contract which expects unjust transfer of money or other property;
 - (b) the applicant or preparatory organization in a foreign country (or, in cases relating to supervising-organization-type technical intern training, the applicant, supervising organization, sending organization acting as a broker, or foreign preparatory organization) has not entered into a contract with any other equivalent person that stipulates penalties for non-performance of a contract relating to the technical intern training or otherwise expects the unjust transfer of money or other property, for the technical intern training which the technical intern trainee, etc. engages in while in Japan;
 - (c) the applicant in cases relating to individual-enterprise-type technical intern training, or the applicant or the supervising organization in cases relating to supervising-organization-type technical intern training confirms on a regular basis that the technical intern trainee is not being subjected to assault, intimidation, restriction of freedom or any other act of infringement of human rights in relation to the technical intern training; and
 - (d) in cases relating to supervising-organization-type technical intern training, the supervising-organization-type technical intern trainee, etc. (meaning the supervising-organization-type technical intern trainee or a person who wishes to become a supervising-organization-type technical intern trainee; the same applies hereinafter) has sufficiently understood the amount and breakdown of expenses to be paid to the intermediating sending organization for the mediation for the application for the supervising-organization-type technical intern training, or those to be paid

- to the preparatory organization in a foreign country for the preparations in a foreign country for the training; and has entered into an agreement on it with these organizations;
- (vii) in cases relating to technical intern training (i), the post-entry lectures are to fall under all of the following items:
- (a) the applicant in cases relating to individual-enterprise-type technical intern training (i) or the supervising organization in cases relating to supervising-organization-type technical intern training (i) personally implements the classroom lectures (including observation tours; the same applies in (c)) or entrusts them to an appropriate person;
 - (b) the subjects are as listed below:
 - 1. Japanese language;
 - 2. knowledge of general life in Japan;
 - 3. response methods and other necessary information to legally protect the technical intern trainee if the trainee becomes aware of a violation of the provisions of laws and regulations relating to immigration or labor (limited to cases in which a person with specialized knowledge (excluding the applicant or a person belonging to the supervising organization, in cases relating to supervising-organization-type technical intern training (i)) is to give the lectures); and
 - 4. in addition to those subjects listed in 1. through 3., knowledge that contributes to the smooth acquisition, etc. of skills etc. in Japan;
 - (c) the total number of hours (the hours for the lectures per day are calculated as eight hours for days when the implementation time exceeds eight hours) is one-sixth or more of the total number of scheduled hours of technical intern training (i) which the technical intern trainee engages in while in Japan (or one-twelfth or more of that total number, if, within six months before the technical intern trainee came to Japan, the trainee has taken any of the following lectures outside Japan in which at least 160 hours program for the subjects listed in (b), 1., 2. or 4. is implemented for a month or more through classroom lectures (those lectures are hereinafter referred to as "pre-entry lectures"));
 - 1. the lectures which the applicant implements personally or entrusts to an appropriate person, in cases pertaining to individual-enterprise-type technical intern training (i); or the supervising organization implements personally or entrusts to an appropriate person, in cases pertaining to supervising-organization-type technical intern training (i);
 - 2. the lectures which are implemented by a public organization or an educational organization in a foreign country (or by these organizations or the public or private organization in a foreign country

- as provided for in Article 2, in cases relating to individual-enterprise-type technical intern training (i)), and whose contents have been found to be equivalent to the post-entry lectures by the applicant in cases relating to individual-enterprise-type technical intern training (i), or by the supervising organization in cases relating to supervising-organization-type technical intern training (i); and
- (d) in cases relating to individual-enterprise-type technical intern training (i), the lectures for the subject given in (b), 3. are held before the period of having the trainee engage in the work relating to the skills, etc. which the trainee is to acquire, and the technical intern trainee is not made to engage in work during the period of the post-entry lectures for that subject; or in cases relating to supervising-organization-type technical intern training (i), the lectures for all of the subjects are held before that period of having the trainee engage in the work relating to those skills, etc., and the trainee is not made to engage in work during the period of the post-entry lectures for those subjects; and
- (viii) in addition to those matters listed in each of the preceding items, in cases relating to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the standards provided for in a public notice by the competent minister for the business relating to those specific job categories and operations (meaning the competent minister for the business pertaining to such job categories and operations provided for in Article 53 of the Act; the same applies hereinafter) in consideration of the circumstances specific to them after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare are to be met.
- (3) Notwithstanding the provisions of paragraph (1), in cases of a technical intern training plan for multiple job categories and operations, the standards specified by order of the competent ministries as prescribed in Article 9, item (ii) of the Act (including as applied mutatis mutandis pursuant to Article 11, paragraph (2) of the Act) for the goals of the technical intern training for job categories or operations other than the principal job categories and operations (meaning out of the multiple job categories and operations, the one where the most time is spent on technical intern training; the same applies hereinafter) are to have any of the following as its goal:
- (i) to pass the practical and paper section of the basic trade skills test relating to the skills, etc. to be acquired, etc. or of an equivalent technical intern training evaluation examination;
 - (ii) to pass the practical section of the grade 3 or grade 2 trade skills test relating to the skills, etc. to be acquired, etc. or of an equivalent technical intern training evaluation examination; or

- (iii) it is presented as its contents for the trainee to become able to perform specific work which requires the skills, etc. to be acquired, etc. and to acquire, etc. the knowledge relating to those skills, etc. (limited to those found to be appropriate in light of the length of the technical intern training).
- (4) In cases prescribed in the preceding paragraph, in addition to those standards listed in each of the items of paragraph (2), the standards specified by order of the competent ministries for the contents of technical intern training as provided for in Article 9, item (ii) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are to be as given in the following items. In such a case, with regard to application of the provisions of paragraph (2), item (iii), the term "skills, etc." in sub-item (c) of the same item is deemed to be replaced with "skills, etc. relating to the principal job categories and operations" and the term "work which the trainee seeks to engage in" in sub-item (e) of the same item is deemed to be replaced with "work relating to the principal job categories and operations which the trainee seeks to engage in".
- (i) All of the job categories and operations are those subject to transfer; and
- (ii) The skills, etc. relating to each job category and operation are related to each other, and there is a rational reason for conducting technical intern training for multiple job categories and operations.

(Evaluations Provided for by Order of the Competent Ministries)

- Article 11 (1) The evaluations provided for by Order of the competent ministries as prescribed in Article 9, item (v) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be made through the technical intern training instructor confirming whether all of the goals (limited to the goals relating to paragraph (1), item (i), sub-item (b) and paragraph (3), item (iii) of the preceding Article) of the technical intern training have been met.
- (2) When the technical intern training instructor conducts the evaluation as provided for in the preceding paragraph, the technical intern training instructor shall endeavor to ensure fair implementation of the evaluation by having the technical intern training manager present at the site where the confirmation is to be carried out or through other means.

(Structure for the Technical Intern Training and Equipment of the Place of Business)

- Article 12 (1) The standards provided for by order of the competent ministries for the structure for conducting the technical intern training as provided for in Article 9, item (vi) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are to be as follows:

- (i) the technical intern training manager is to supervise the technical intern training instructors, life guidance counsellors and other personnel involved in the technical intern training other than the relevant manager, manage the progress of the technical intern training, and in addition, generally supervise the following:
 - (a) matters relating to preparation of the technical intern training plan;
 - (b) matters relating to evaluation of the skills etc. acquired, etc. by the technical intern trainee as provided for in Article 9, item (v) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act);
 - (c) matters relating to the notifications, reports and notices to be submitted to the Minister of Justice and the Minister of Health, Labor and Welfare, to the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare, or to the OTIT (or to the Minister of Justice and the Minister of Health, Labor and Welfare, to the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare, to the OTIT, or to the supervising organization, in cases relating to supervising-organization-type technical intern training) pursuant to the provisions of the Act or orders based thereon, and other matters relating to procedures;
 - (d) matters relating to the preparation and storage of books and documents provided for in Article 20 of the Act and the preparation of the written report prescribed in Article 21 of the Act;
 - (e) matters relating to preparation for the acceptance of technical intern trainees;
 - (f) matters relating to contact and coordination with the supervising organization in cases relating to supervising-organization-type technical intern training;
 - (g) matters relating to protection of technical intern trainees;
 - (h) matters relating to labor conditions, industrial safety and occupational health of technical intern trainees; and
 - (i) matters relating to an organization of the national government or local government which has jurisdiction over affairs relating to technical intern training and matters relating to contact and coordination with the OTIT or other relevant organizations;
- (ii) at least one technical intern training instructor is to be appointed as a person responsible for instruction for the technical intern training, among the applicant, their full-time officers, or their employees that belong to the place of business where the technical intern training is conducted; have five years' experience or more with regard to the skills, etc. which the trainee is to acquire, etc.; and do not fall under any of the following sub-items:

- (a) a person who falls under any of Article 10, items (i) through (viii) and item (x) of the Act;
- (b) a person who has committed an illegal or some other significantly unjustifiable act in relation to the laws and regulations relating to immigration or labor within the past five years; or
- (c) a minor;
- (iii) at least one life guidance counsellor is to be appointed as a person responsible for instruction for living guidance, from among the applicant, their full-time officers, or their employees that belong to the place of business where the technical intern training is conducted; and do not fall under any of sub-items (a) through (c) of the preceding item;
- (iv) in cases relating to individual-enterprise-type technical intern training (i), the applicant has secured facilities for implementation of the post-entry lectures; or in cases relating to supervising-organization-type technical intern training (i), the supervising organization has secured facilities for implementation of the post-entry lectures;
- (v) in cases relating to individual-enterprise-type technical intern training, the applicant has given notification of the establishment of insurance relations for industrial accident compensation insurance pursuant to the Act on the Collection, etc. of Insurance Premiums of Labor Insurance (Act No. 50 of 1947) or has taken other similar measures in connection with the business of the applicant; or in cases relating to supervising-organization-type technical intern training, the applicant or supervising organization has given that notification or has taken other similar measures in connection with the business of the applicant;
- (vi) in cases relating to individual-enterprise-type technical intern training, the applicant is to pay for the travel expenses required for the temporary return to the home country provided for in Article 10, paragraph (2), item (iii), sub-item(g) (for the temporary return provided for in the same item, sub-item (g), 1., the relevant case is limited to those in which the application for accreditation set forth under Article 8, paragraph (1) of the Act is made while the technical intern trainee (ii) is engaging in technical intern training (ii); the same applies in Article 52, item (ix)) and the travel expenses required for return to the home country after completion of the technical intern training, and is to take necessary measures to ensure smooth return to the home country after the conclusion of the technical intern training; or in cases relating to supervising-organization-type technical intern training, the supervising organization is to pay for the relevant travel expenses required for the temporary return to the home country and for return to the home country after completion of the technical intern training, and is to take the aforementioned necessary measures;

- (vii) if the supervising organization is to receive an application for supervising-organization-type technical intern training through a broker, that broker is a sending organization in a foreign country;
- (viii) the applicant, their officer (meaning the personnel, director, or executive officer who conducts business, or a person equivalent to them; and including persons who are considered to have control power equivalent to or greater than the personnel, director, or executive officer who conducts business towards a corporation, or their equivalent person, regardless of whether they are a counselor, advisor or have any other title), or their employee has not committed an act of serious infringement of the human rights of a technical intern trainee within the past five years;
- (ix) the applicant, their officer, or their employee has not committed an act of using or providing a forged, altered, or false document or drawing within the past five years, for the purpose of obtaining the accreditation as provided for in Article 8, paragraph (1) or Article 11, paragraph (1) of the Act illegally; for the purpose of having a person seeking to engage in supervising business obtain the license as provided for in Article 23, paragraph (1) or Article 32, paragraph (1) of the Act or the renewal as provided for in Article 31, paragraph (2) of the Act illegally; for the purpose of concealing facts in violation of the provisions of laws and regulations relating to immigration or labor; or for the purpose of having a foreign national, in relation to their business activities, illegally obtain the certificate provided for in the provisions of Chapter III, Section 1 or Section 2 of the Immigration Control Act, a seal of verification or permission for landing, the permission for landing provided for in the provisions of Section 4 of the same Chapter, or the permission provided for in the provisions of Chapter IV, Section 1 or Section 2 or Chapter V, Section 3 of the Immigration Control Act;
- (x) in cases coming to fall under any of the items of Article 16, paragraph (1) of the Act, the relevant fact is to be reported immediately to the OTIT in cases of an organization implementing individual-enterprise-type technical intern training or to the supervising organization in cases of an organization implementing supervising-organization-type technical intern training;
- (xi) arrangements whose contents differ from the technical intern training plan have not been made by the applicant or supervising organization;
- (xii) the supervising organization has taken the necessary measures for improvement, if the relevant case is related to supervising-organization-type technical intern training, and the supervising organization has received an order for improvement under Article 36, paragraph (1) of the Act;
- (xiii) a structure for instruction for the technical intern trainees or some other framework to ensure continuous implementation of the technical intern training has been appropriately prepared; and

(xiv) in addition to those matters listed in each of the preceding items, in cases relating to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the standards provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare are to be met.

(2) The standards specified by order of the competent ministries for the equipment of the place of business where the technical intern training is conducted, as provided for in Article 9, item (vi) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are as given in the following items:

- (i) the machinery, apparatus and other equipment necessary for acquisition, etc. of the skills, etc. are available; and
- (ii) in addition to those matters listed in the preceding item, in cases related to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the standards provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare are to be met.

(Appointment of Technical Intern Training Managers)

Article 13 The appointment as a technical intern training manager as provided for in Article 9, item (vii) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) must be made from among the applicant, their full-time officer or their employee that is in a position of being able to supervise the technical intern training instructors, life guidance counsellors and other personnel involved in the technical intern training other than themselves; has completed the course for technical intern training managers provided for by the Minister of Justice and the Minister of Health, Labour and Welfare in a public notice within the past three years; and does not fall under any of paragraph (1), item (ii), sub-items (a) through (c) of the preceding Article.

(Standards for Treatment of Technical Intern Trainees)

Article 14 The standards as provided for by order of the competent ministries as prescribed in Article 9, item (ix) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are to be as follows:

- (i) in cases relating to individual-enterprise-type technical intern training, the

- applicant has secured appropriate accommodation for the technical intern trainees; or in cases relating to supervising-organization-type technical intern training, the applicant or the supervising organization has secured appropriate accommodation for the technical intern trainees;
- (ii) in cases relating to individual-enterprise-type technical intern training, the applicant has taken measures to enable technical intern trainees (i) to concentrate on their post-entry lectures through the payment of an allowance or some other method; or in cases pertaining to supervising-organization-type technical intern training, the applicant or the supervising organization has taken those measures;
 - (iii) in cases relating to supervising-organization-type technical intern training, the supervising-organization-type technical intern trainee are not to be made to directly or indirectly pay for the expenses collected as supervision fees pursuant to the provisions of Article 28, paragraph (2) of the Act;
 - (iv) the technical intern trainee has reached an agreement with the applicant on the expenses to be paid for regularly by the technical intern trainee regardless of whether they are food expenses, accommodation expenses or other expenses, after that trainee sufficiently understood the contents of the meals, accommodation facilities and other benefits to be provided in exchange for those expenses; and the amount of those expenses is equivalent to the actual expenses or is otherwise an appropriate amount; and
 - (v) in addition to those matters listed in each of the preceding items, in cases relating to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the standards provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them, after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare are to be met.

(Standards for Technical Intern Training (iii))

Article 15 The standards as provided for by order of the competent ministries as provided for in Article 9, item (x) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are that the applicant is considered to meet the high level of capabilities to ensure the acquisition of the skills, etc. after the applicant is evaluated comprehensively in the following matters:

- (i) achievements on acquisition, etc. of the skills, etc.;
- (ii) a structure for the technical intern training;
- (iii) treatment of the technical intern trainees;
- (iv) the status of violations of laws or regulations relating to immigration or

- labor, disappearance of technical intern trainees, or other problems;
- (v) the system for protection and support of the technical intern trainees such as responses to consultations from the technical intern trainees, and the status of its implementation; and
- (vi) the status of efforts towards harmonious coexistence between the technical intern trainees and the local community.

(Number of Technical Intern Trainees)

Article 16 (1) The number provided for by order of the competent ministries of Article 9, item (xi) (including cases where it is applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be as provided for in each following item corresponding to the category of technical intern trainees listed in the relevant item:

- (i) individual-enterprise-type technical intern training (excluding those provided for in the following item): the number obtained by multiplying the total number of full-time staff (excluding the full-time staff and technical intern trainees belonging to the place of business in a foreign country; the same applies hereinafter in this Article) of the applicant by one-twentieth for individual-enterprise-type technical intern trainees (i), and the number obtained by multiplying the total number of full-time staff of the applicant by one-tenth for technical intern trainees (ii); or
- (ii) individual-enterprise-type technical intern training (limited to that approved by the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare as having a structure enabling individual-enterprise-type technical intern training to be conducted on a continuous and stable basis even in cases of accepting as many individual-enterprise-type technical intern trainees as specified in this item) or supervising-organization-type technical intern training: the number specified in the right-hand column of the following table corresponding to the total number of full-time staff of the applicant given in the left-hand column of the same Table for technical intern trainee (i) (or, in cases in which the number specified in the right-hand column exceeds the total number of full-time employees of the applicant, that total number of full-time employees); and the number obtained by multiplying the number specified in the right-hand column of the same Table by two corresponding to the total number of full-time staff of the applicant given in the left-hand column of the same Table for technical intern trainees (ii) (or, in cases in which the number thus obtained exceeds the number obtained by multiplying the total number of full-time employees of the applicant by two, that number obtained by multiplying the total number of full-time employees of the applicant by two).

Total number of full-time staff of the applicant	Number of technical intern trainees
301 or more staff	One-twentieth of the total number of full-time staff of the applicant
Between 201 and 300 staff	15 trainees
Between 101 and 200 staff	10 trainees
Between 51 and 100 staff	6 trainees
Between 41 and 50 staff	5 trainees
Between 31 and 40 staff	4 trainees
30 staff or less	3 trainees

(2) Notwithstanding the provisions of the preceding paragraph, if, in cases of individual-enterprise-type technical intern training, the applicant meets the standards set forth in the preceding Article; or if, in cases of supervising-organization-type technical intern training, the applicant meets the standards of the same Article, and the supervising organization is a person which has received a license to supervise for the general supervising business (meaning the license to supervise as prescribed in Article 2, paragraph (10) of the Act; the same applies hereinafter), the number specified by order of the competent ministries as provided for in Article 9, item (xi) of the Act (including as applied mutatis mutandis pursuant to Article 11, paragraph (2) of the Act) is to be as provided for in each following item corresponding to the category of technical intern trainees listed in the relevant item:

- (i) individual-enterprise-type technical intern training as provided for in item (i) of the preceding paragraph: the number obtained by multiplying the total number of full-time employees of the applicant by one-tenth for technical intern trainees (i); the number obtained by multiplying the total number of full-time employees of the applicant by one-fifth for technical intern trainees (ii); and the number obtained by multiplying the total number of full-time employees of the applicant by three-tenths for technical intern trainees (iii); or
- (ii) technical intern training listed in item (ii) of the preceding paragraph: the number obtained by multiplying the number specified in the right-hand column of the same Table by two for technical intern trainees (i) corresponding to the category of the total number of full-time employees of the applicant given in the left-hand column of the table of the same item (or, in cases in which that number thus obtained exceeds the total number of full-time employees of the applicant, that total number of full-time employees); the number obtained by multiplying the number specified in the right-hand column of the same Table by four corresponding to the category of the total number of full-time employees of the applicant given in the left-hand column of the table of the same item for technical intern trainees (ii) (or, in cases in

which that number thus obtained exceeds the number obtained by multiplying the total number of full-time employees of the applicant by two, that number obtained by multiplying the total number of full-time employees by two); the number obtained by multiplying the number specified in the right-hand column of the same Table by six corresponding to the category of the total number of full-time employees of the applicant given in the left-hand column of the table of the same item for technical intern trainees (iii) (or, in cases in which that number thus obtained exceeds the number obtained by multiplying the total number of full-time employees of the applicant by three, that number obtained by multiplying the total number of full-time employees by three).

- (3) Notwithstanding the provisions of the preceding two paragraphs, in cases of technical intern training relating to the specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the number specified in order of the competent ministries as provided for in Article 9, item (xi) of the Act (including cases as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be the number specified in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them, after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare.
- (4) Notwithstanding the provisions of the preceding three paragraphs, if the applicant seeks to have or has the technical intern trainees listed in each following item engage in the technical intern training prescribed in the relevant item, and through accepting or having accepted these technical intern trainees, the number specified in the preceding three paragraphs will be or has been exceeded, the number specified by order of the competent ministries as provided for in Article 9, item (xi) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is to be the number calculated by adding the number of the relevant technical intern trainees to the number specified in the preceding three paragraphs (or, if the applicant accepts technical interns in excess of the number prescribed in paragraph (1) pursuant to the provisions of paragraph (2), whichever is the smaller, the number specified in paragraph (1) or the number of currently accepted technical interns):
 - (i) it has become difficult for another implementing organization to conduct technical intern training for technical intern trainees (i), and the applicant is to offer those trainees an opportunity to continue with the technical intern training: technical intern training (i) or technical intern training (ii);
 - (ii) it has become difficult for another implementing organization to conduct technical intern training for technical intern trainees (ii), and the applicant

- is to offer those trainees an opportunity to continue with the technical intern training: technical intern training (ii);
- (iii) it has become difficult for another implementing organization to conduct technical intern training for technical intern trainees (iii), and the applicant is to offer those trainees an opportunity to continue with the technical intern training: technical intern training (iii); or
- (iv) a technical intern trainee (i) whom the applicant has engaged in technical intern training wishes to continue with that training under the applicant despite the occurrence of exceptional circumstances after the commencement of technical intern training (i): technical intern training (ii).

(Persons Unable to Properly Perform the Work Related to the Technical Intern Training)

Article 16-2 The persons specified by order of the competent ministries as prescribed in Article 10, item (v) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) are those who are unable to adequately carry out the reasoning, decision-making and communication necessary for appropriately performing the work relating to the technical intern training due to a mental disability.

(Minor Changes)

- Article 17 (1) The minor changes provided for by order of the competent ministries as prescribed in Article 11, paragraph (1) of the Act are to be changes other than those listed below, and the applicant is to give notification to the effect that the relevant minor change has been made to the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare, based on Appended Form 3, together with a document proving that change:
- (i) changes in the goals of the technical intern training;
 - (ii) changes relating to the job categories and operations in the content of the technical intern training; and
 - (iii) in addition to those matters listed in the preceding two items, changes that have a substantial effect on implementation of the technical intern training which is subject to the accredited plan (meaning the accredited plan as provided for in Article 11, paragraph (1) of the Act; the same applies hereinafter).
- (2) A person who intends to make the notification as provided for in the preceding paragraph relating to supervising-organization-type technical intern training must make that notification based on the instructions of the supervising organization of which the person is under supervision.

(Application for Approval of a Change in Technical Intern Training Plans)

- Article 18 (1) The application for approval of a change in the technical intern training plan under Article 11, paragraph (1) of the Act is to be made by submitting one original copy of the written application based on Appended Form 4 and one duplicate copy.
- (2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare grant the approval as provided for in Article 11, paragraph (1) of the Act, they are to notify the applicant to that effect.
- (3) The notice as provided for in the preceding paragraph is to be made by attaching the duplicate copy of the written application as prescribed in paragraph (1) to a written notice of approval of the change based on Appended Form 5.
- (4) The documents provided for by order of the competent ministries as prescribed in Article 8, paragraph (3) of the Act as applied mutatis mutandis pursuant to Article 11, paragraph (2) of the Act are to be the documents related to the matters intended to be changed among those listed in any of the items of Article 8.

(Employee Identification Cards)

- Article 19 Except for cases provided for in Article 50, the identification card showing the official status as provided for in Article 13, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 35, paragraph (2) of the Act) is to be based on Appended Form 6.

(Notification of Implementation)

- Article 20 (1) The notification as provided for in Article 17 of the Act is to be based on Appended Form 7.
- (2) The matters provided for by order of the competent ministries as prescribed in Article 17 of the Act is to be as follows:
- (i) the name and address of the notifying party; and
 - (ii) the accreditation number and accreditation date of the technical intern training plan.
- (3) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare (or the OTIT, if the Commissioner and the Minister have entrusted the OTIT with the administrative affairs relating to acceptance of the notification under Article 17 of the Act, in accordance with Article 18, paragraph (1) of the Act) have received the notification as provided for in the Article 17 of the Act, they are to notify the notifying party based on Appended Form 8.

(Notification in Cases of Difficulty in Conducting the Technical Intern

Training)

Article 21 (1) The notification as provided for in Article 19, paragraph (1) of the Act is to be based on Appended Form 9.

(2) The matters provided for by order of the competent ministries as prescribed in Article 19, paragraph (1) and (2) of the Act are to be as follows:

- (i) the notifying party's notification acceptance number for the implementing organization, name and address;
- (ii) the accreditation number for the technical intern training plan, accreditation date and category of technical intern training;
- (iii) the name, nationality, date of birth, age and sex of the technical intern trainees;
- (iv) the cause which has made it difficult to conduct the technical intern training, the date when it arose, and the reason for it;
- (v) the current status of the technical intern trainees; and
- (vi) the measures to be taken to continue with the technical intern training.

(Books and Documents)

Article 22 (1) The books and documents provided for by order of the competent ministries as prescribed in Article 20 of the Act are to be as follows:

- (i) the management records of the technical intern trainees;
 - (ii) the management records relating to the status of implementation of the accredited plan;
 - (iii) a daily record of the work which the technical intern trainees are engaging in, and the contents of instruction for the technical intern trainees;
 - (iv) in cases of an organization implementing individual-enterprise-type technical intern training, documents that record the status of implementation of the pre-entry and post-entry lectures; and
 - (v) in addition to those matters listed in each of the preceding items, in cases related to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the documents provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them, after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare.
- (2) The period for which the books and documents provided for in the preceding paragraph are to be kept pursuant to the provisions of Article 20 of the Act at the place of business where the technical intern training is conducted, is to be one year from the day on which the technical intern trainee completed the technical intern training.

(Written Reports on the Status of Implementation)

- Article 23 (1) The written report on the status of implementation of the technical intern training as provided for in Article 21, paragraph (1) of the Act is to describe the status of implementation of the technical intern training for each technical intern training business year based on Appended Form 10, and it is to be submitted by May 31 of the following technical intern training business year.
- (2) The preparation of the written report as provided for in the preceding paragraph relating to the supervising-organization-type technical intern training is to be carried out based on the instructions of the supervising organization which is supervising the technical intern training.

Section 2 Supervising Organization

(Application for a License)

Article 24 The application as provided for in Article 23, paragraph (2) of the Act is to be made by submitting one original copy and two duplicate copies of the written application based on Appended Form 11.

(Sending organizations in a Foreign Country)

Article 25 The requirements provided for by order of the competent ministries as prescribed in Article 23, paragraph (2), item (vi) of the Act (including as applied *mutatis mutandis* pursuant to Article 31, paragraph (5) of the Act and Article 32, paragraph (2) of the Act) are to be as follows:

- (i) the relevant organization has received a recommendation as those able to act appropriately as a broker for sending job applications for supervising-organization-type technical intern training to the supervising organization, from a public organization of the country or region where their place of business for sending supervising-organization-type technical intern trainees to Japan is located;
- (ii) the relevant organization is to appropriately select and send to Japan only those persons who seek to engage in the technical intern training and who understand the purpose of the program;
- (iii) the relevant organization is to clearly stipulate and publish the criteria for calculation of the fees and other expenses collected from the supervising-organization-type technical intern trainees, etc., and is to clearly show and explain these expenses to the supervising-organization-type technical intern trainees, etc.;
- (iv) the relevant organization is to make arrangements for employment placement and offer other necessary support so that those who have completed the supervising-organization-type technical intern training and return to their home country are able to appropriately utilize the skills,

- which they have acquired, etc.;
- (v) the relevant organization is to cooperate with the surveys conducted by the Minister of Justice and the Ministry of Health, Labor and Welfare or by the OTIT on the status of the transfer of skills, etc. by persons who have completed the supervising-organization-type technical intern training, and with other requests from the Minister of Justice and the Ministry of Health, Labor and Welfare, or from the OTIT, regarding proper implementation of the technical intern training or protection of technical intern trainees;
 - (vi) the relevant organization or their officer is not a person who was sentenced to imprisonment without work or a severer punishment (or an equivalent sentence under foreign laws or regulations), and five years have not yet passed since the day on which they finished serving the sentence or ceased to be subject to its enforcement;
 - (vii) the relevant organization is to conduct their business in accordance with the laws and regulations of the country or region provided for in item (i);
 - (viii) the relevant organization or their officer has not committed any of the following acts within the past five years:
 - (a) managing the money or other property of a technical intern trainee, etc., their spouse, their lineal relative, their cohabiting relative, or any other person who has a close relationship with that trainee, etc. as a part of their life, regardless of whether that management is conducted as a collection of deposit or for any other reason;
 - (b) entering into a contract that stipulates penalties for non-performance of a contract relating to the technical intern training or entering into any other contract which expects the unjust transfer of money or other property;
 - (c) assault, intimidation, restriction of freedom or any other act of infringement of human rights against a supervising-organization-type technical intern trainee, etc.; and
 - (d) using or providing a forged, altered, or false document or drawing, for the purpose of having the person it seeks to have conduct the technical intern training obtain the accreditation provided for in Article 8, paragraph (1) or Article 11, paragraph (1) of the Act illegally; for the purpose of having the person seeking to engage in the supervising business obtain the license provided for in Article 23, paragraph (1) or Article 32, paragraph (1) of the Act or the renewal provided for in Article 31, paragraph (2) of the Act illegally; for the purpose of concealing facts which violate the provisions of laws or regulations relating to immigration or labor; or for the purpose of having a foreign national, in relation to its business activities, illegally obtain the certificate, seal of verification or permission for landing provided for in the provisions of Chapter III, Section 1 or Section 2 of the Immigration Control Act, the permission for landing provided for in the

provisions of Section 4 of the same Chapter, or the permission provided for in the provisions of Chapter IV, Section 1 or Section 2 or Chapter V, Section 3 of the Immigration Control Act;

- (ix) in sending the application for supervising-organization-type technical intern training as a broker, the relevant organization is to obtain a confirm from a person who wishes to become a supervising-organization-type technical intern trainee on the fact that the supervising-organization-type technical intern trainee, etc., their spouse, their lineal relative, their cohabiting relative, or any other person who has a close relationship with that trainee, etc. as a part of their life is not subject to the management of their money or other property, regardless of whether that management is conducted as a collection of deposit or for any other reason therefor; and has not entered into a contract that stipulates penalties for non-performance of a contract relating to the supervising-organization-type technical intern training, or entered into any other contract which expects the unjust transfer of money or other property; and
- (x) in addition to those matters listed in each of the preceding items, the relevant organization is to have the necessary capability to appropriately act as a broker for sending applications for supervising-organization-type technical intern training with the supervising organization in Japan.

(Required Information in the Written Application)

Article 26 The matters provided for by order of the competent ministries as prescribed in Article 23, paragraph (2), item (vii) of the Act are to be as follows:

- (i) the title of the officer and corporate number;
- (ii) the name of the managing officer (meaning the officer responsible for the supervising business; the same applies hereinafter below);
- (iii) in cases of taking the measures as provided for in Article 25, paragraph (1), item (v), sub-item (b) of the Act (hereinafter referred to as "measures for the external audit"), the name of the person conducting the external audit (hereinafter referred to as "external auditor"); or, in cases of not taking those measures, the name of the designated external officer (meaning the officer designated in accordance with the provisions of Article 30, paragraph (2); the same applies hereinafter);
- (iv) the type of corporation;
- (v) the scope, etc. of the applicable job categories of the supervising-organization-type technical intern training;
- (vi) in cases of intending to accept applications for supervising-organization-type technical intern training without using a broker, an outline of the method of accepting applications for supervising-organization-type technical intern training;

- (vii) the planned date of starting the supervising business; and
- (viii) an outline of the structure to respond to consultations from the supervising-organization-type technical intern trainees.

(Required Attached Documents of the Written Application)

Article 27 (1) The documents provided for by order of the competent ministries as prescribed in Article 23, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 31, paragraph (5) of the Act and Article 32, paragraph (2) are to be as follows:

- (i) the certificate of registered information of the person that seeks to obtain the license as prescribed in Article 23, paragraph (1) of the Act (hereinafter referred to as "applicant" in this Section); the articles of incorporation or certificate of act of endowment; a balance sheet; and a profit and loss statement or income and expenditure statement for the last two business years;
- (ii) the details of the assets relating to the supervising business, and documents certifying the relations of rights therein;
- (iii) a summary report of the applicant;
- (iv) a copy of the regulations relating to proper management of personal information and maintenance of confidentiality for each place of business where the supervising business is conducted;
- (v) a copy of the regulations relating to management of the business of the supervising organization (including collection of supervision fees) for each place of business where the supervising business is conducted;
- (vi) a written pledge relating to the supervising-organization-type technical intern training prepared by the applicant;
- (vii) a copy of the residence certificate of the officer of the applicant (or in cases in which the officer is a minor who does not possess the same capacity for carrying out business as an adult, a copy of the residence certificate of the officer and of their legal representative (or in cases in which that legal representative is a corporation, the certificate of registered information, its articles of incorporation or certificate of acts of endowment, and a copy of the residence certificate of its officer)), and the officer's curriculum vitae;
- (viii) a copy of the residence certificate of the supervision manager, a curriculum vitae, and a copy of their written acceptance of appointment and their written pledge relating to the supervising-organization-type technical intern training;
- (ix) in cases of taking measures for an external audit, the external auditor's summary report, and a copy of their written acceptance of the appointment and their written pledge relating to the supervising-organization-type technical intern training;

- (x) in cases in which the measures are not taken for an external audit, a copy of a written acceptance of appointment to a designated external officer and their written pledge relating to the supervising-organization-type technical intern training;
 - (xi) the following documents, in cases of seeking to receive an application for supervising-organization-type technical intern training through a sending organization in a foreign country which acts as a broker:
 - (a) a summary report of the sending organization in a foreign country;
 - (b) documents proving that the business of the sending organization in a foreign country will be conducted in the country or region where it is located;
 - (c) a copy of the contract for the agreement entered into by the applicant and the sending organization in a foreign country in which the applicant is to receive the an application for supervising-organization-type technical intern training through that sending organization in a foreign country which acts as a broker;
 - (d) documents that describe the criteria for calculation of the expenses to be collected from the supervising-organization-type technical intern trainees by the sending organization in a foreign country;
 - (e) a written pledge of the sending organization in a foreign country on supervising-organization-type technical intern training;
 - (f) a recommendation letter clearly showing that the recommendation provided for in Article 25, item (i) has been received, or other documents prepared by a public organization of a country or region that made the recommendation;
 - (xii) the curriculum vitae of the person engaged in guidance for preparation of the technical intern training plan;
 - (xiii) a document showing that the standards as provided for in Article 31 have been met in cases relating to an application for a license for general supervising business;
 - (xiv) in cases of conducting supervision relating to a supervising-organization-type technical intern trainee who is a mariner (meaning the mariner provided for in Article 6, paragraph (1) of the Mariners' Employment Security Act (Act No. 130 of 1948), a document showing that the license as provided for in Article 34, paragraph (1) of the same Act has been obtained; and
 - (xv) other necessary documents.
- (2) The business plan to be attached pursuant to the provisions of Article 23, paragraph (3) of the Act (including as applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph(2) of the Act) is to be based on Appended Form 12.

(License Fees for Supervising Organizations)

- Article 28 (1) The amount provided for by order of the competent ministries as prescribed in Article 23, paragraph (7) of the Act is to be 2,500 yen (or if there are two or more places of business where the supervising business is conducted, 2,500 yen plus the amount which is arrived at when 900 yen is multiplied by the number of places of business minus one).
- (2) The amount specified by order of the competent ministries as provided for in Article 24, paragraph (5) of the Act is to be 47,500 yen (or if there are two or more places of business where the supervising business is conducted, 47,500 yen plus the amount which is arrived at when 17,100 yen is multiplied by the number of places of business minus one).

(Japanese Nonprofit Organizations)

Article 29 (1) The corporation provided for by order of the competent ministries as prescribed in Article 25, paragraph (1), item (i) (including as applied *mutatis mutandis* pursuant to Article 32, paragraph (2) of the Act; the same applies in the following paragraph) is to be as follows:

- (i) a chamber of commerce and industry (limited to cases in which the organization implementing supervising-organization-type technical intern training supervised under supervision by that chamber is a member of that chamber);
- (ii) a chamber of commerce (limited to cases in which the organization implementing supervising-organization-type technical intern training under supervision by that chamber is a member of that chamber);
- (iii) a small and medium-sized enterprise association (meaning a small and medium-sized enterprise association prescribed in Article 3, paragraph (1) of the Act on the Organization of Small and Medium-sized Enterprise Association (Act No. 185 of 1957)) (limited to cases in which the organization implementing supervising-organization-type technical intern training under supervision by that association is a partner or member of that association);
- (iv) a vocational training corporation;
- (v) an agricultural cooperative (limited to cases in which the organization implementing supervising-organization-type technical intern training under supervision by that cooperative is a member of that cooperative, and is engaged in agriculture);
- (vi) a fisheries cooperative (limited to cases in which the organization implementing supervising-organization-type technical intern training under supervision by that cooperative is a member of that cooperative, and is engaged in fisheries);
- (vii) a public interest incorporated association;

- (viii) a public interest incorporated foundation; and
 - (ix) a corporation other than the corporation listed in each of the preceding items, which has a special reason for conducting supervising business, and has established an appropriate agency to make decisions on important matters and to perform an audit of business.
- (2) Notwithstanding the provisions of the preceding paragraph, the corporation provided for by order of the competent ministries as prescribed in Article 25, paragraph (1), item (i) of the Act in cases of supervision of supervising-organization-type technical intern training relating to the specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice is to be the corporation provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them, after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare.

(External Directors and External Auditors)

- Article 30 (1) A person that has the close relationship provided for by order of the competent ministries with the organization implementing supervising-organization-type technical intern training as prescribed in Article 25, paragraph (1), item (v), sub-item (a) of the Act (including as applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act) is to be a person that falls under any one of the following items:
- (i) the organization implementing supervising-organization-type technical intern training under supervision by the applicant, or its officer or employee; or a person who was one of those persons within the past five years;
 - (ii) an officer or employee of an organization implementing supervising-organization-type technical intern training under supervision by the applicant within the past five years, or a person who was one of those persons within the past five years;
 - (iii) the spouse or a blood relative within the second degree of kinship of the person provided for in the preceding two items; and
 - (iv) a person that has a close relationship with the organization implementing supervising-organization-type technical intern training, as a part of their life, if this could possibly cause the fairness of a designated external officer's check provided for in the following paragraph to be impaired.
- (2) If the applicant does not take measures for an external audit, an officer (excluding the managing officer) who is other than a person having the close relationship provided for in the preceding paragraph with the organization implementing supervising-organization-type technical intern training, and who comes under all of the following items is to be designated as the officer in

charge of auditing the organization implementing supervising-organization-type technical intern training and checking that the other work of the applicant is being properly implemented:

- (i) a person who has completed the course for external officers provided for by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, within the past three years; and
 - (ii) a person who does not come under any of the following:
 - (a) a person who is an officer of the applicant (excluding those who have specialized knowledge and experience in relation to guidance and supervision relating to appropriate performance of the supervising business, and those designated as designated external officers) or an employee of the applicant, or a person who was one of those persons within the past five years;
 - (b) a constituent member of the applicant (limited to those persons who are engaged in the business relating to the job categories of the supervising-organization-type technical intern under supervision by the applicant), or its officer or employee; or a person who was one of those persons within the past five years;
 - (c) an organization implementing technical intern training (excluding the organization implementing the supervising-organization-type technical intern training under supervision by the applicant) or its officer or employee;
 - (d) an officer (excluding those who have specialized knowledge and experience in relation to guidance and supervision relating to appropriate performance of the supervising business, and those designated as designated external officers) or an employee of the supervising organization (excluding the applicant);
 - (e) the sending organization in a foreign country that acts as a broker through which the applicant has received an application for supervising-organization-type technical intern training, or its officer or employee; or a person who was one of those persons within the past five years; or
 - (f) beyond the persons listed in (a) through (e) above, a person who has a close relationship with the applicant, its officer, its employee or its constituent member as a part of their life, who has committed an illegal or significantly unfair act in the past in relation to the technical intern training, or who has any other grounds, if this could cause the fairness of the check provided for in this paragraph to be impaired.
- (3) A designated external officer is to conduct the check provided for in the preceding paragraph at least once every three months through the following methods for each place of business where the supervising business is conducted, and is to prepare a document stating the results:

- (i) receiving reports from the managing officers and supervising managers; and
 - (ii) checking the equipment at the places of business of the applicant, and inspecting the books, documents, and other items.
- (4) Persons who do not have the close relationship provided for by order of the competent ministries as prescribed in Article 25, paragraph (1), item (v), sub-item (b) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act) with the organization implementing supervising-organization-type technical intern training are to be persons who do not fall under any of the following items:
- (i) the persons given in paragraph (1), items (i) through (iii); and
 - (ii) persons who have a close relationship with the organization implementing supervising-organization-type technical intern training as a part of their life, if this could possibly cause the fairness of the external audit to be impaired.
- (5) The requirements provided for by Order of the competent ministries as prescribed in Article 25, paragraph (1), item (v), sub-item (b) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act) are for the relevant persons to come under all of the following items, and to have the ability to properly conduct an external audit:
- (i) a person who has completed the course for external auditors provided for by the Minister of Justice and the Minister of Health, Labor and Welfare provided in a public notice, within the past three years; and
 - (ii) a person who does not come under any of the following items:
 - (a) an officer or employee of the applicant, or person who was one of those persons within the past five years;
 - (b) a constituent member of the applicant (limited to those that operate a business relating to the job categories of the supervising-organization-type technical intern training under supervision by the applicant), or its officer or employee, or person who was one of those persons within the past five years;
 - (c) an organization implementing technical intern training (excluding the organization implementing supervising-organization-type technical intern training under supervision by the applicant) or its officer or employee;
 - (d) a supervising organization (excluding the applicant), or its officer or employee;
 - (e) a sending organization in a foreign country that acts as a broker through which the applicant has received an application for supervising-organization-type technical intern training, or its official or employee; or a person who was one of those persons within the past five years;
 - (f) a person coming under any of item (v), sub-items (a) through (d) of Article 26 of the Act;
 - (g) a corporation which comes under any of the items of Article 26 of the Act,

- or its officer who comes under any of sub-items (a) through (e); and
 - (h) beyond the persons listed in sub-items (a) through (g) above, a person who has a close relationship with the applicant, its officer, its employee or its constituent member as a part of their life, who has committed an illegal or significantly unfair act in the past in relation to the technical intern training, or who has any other grounds, if this could possibly cause the fairness of the external audit provided for in this paragraph to be impaired.
- (6) An external audit is to be conducted in accordance with the following items:
- (i) the external auditor is to check whether an audit of the organization implementing supervising-organization-type technical intern training and other the applicant's business is being properly implemented, at least once every three months through the methods listed in the items of paragraph (3) for each place of business where the supervising business is conducted; and is to submit a document stating the results to the applicant; and
 - (ii) the external auditor is to accompany the applicant when the applicant conducts an audit provided for in the provisions of Article 52, item (i) for each place of business where the supervising business is conducted, at least once a year, in order to check whether the audit of the organization implementing supervising-organization-type technical intern training is being properly conducted; and is to submit a document stating the results to the applicant.

(Standards for Licenses for General Supervising Business)

Article 31 The standards provided for by order of the competent ministries as prescribed in Article 25, paragraph (1), item (vii) (including as applied *mutatis mutandis* pursuant to Article 32, paragraph (2) of the Act) are for the applicant to be considered to meet the high level of competence needed for an audit of the status of implementation of the supervising-organization-type technical intern training, or for other work, after the applicant is evaluated comprehensively in the following matters:

- (i) a system for conducting audits of the status of implementation of the supervising-organization-type technical intern training, or for conducting other work; and their implementation status;
- (ii) achievement relating to acquisition, etc. of the skills, etc. in the supervising-organization-type technical intern training under supervision by the applicant;
- (iii) the status of violations of laws or regulations relating to immigration or labor, disappearance of supervising-organization-type technical intern trainees, or other problems;
- (iv) the system for protection and support of supervising-organization-type technical intern trainees such as responses to consultations from

- supervising-organization-type technical intern trainees, and the status of its implementation; and
- (v) the status of efforts towards harmonious coexistence between the supervising-organization-type technical intern trainees and the local community.

(Clear Indication of Labor Conditions)

Article 32 (1) The cases provided for by order of the competent ministries as prescribed in Article 5-3, paragraph (3) of the Employment Security Act (Act No. 141 of 1947) as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms are to be as follows:

- (i) cases of specifying the contents of the work to be engaged in, wages, working hours and other labor conditions (hereinafter referred to below as "contents, etc. of the work to be engaged in") within the scope of the contents, etc. of the work to be engaged in as clearly indicated under Article 5-3, paragraph (1) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of terms for supervising-organization-type technical intern trainees, etc.;
 - (ii) cases of deleting the contents, etc. of the work to be engaged in, as clearly indicated under Article 5-3, paragraph (1) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms for supervising-organization-type technical intern trainees, etc.; and
 - (iii) cases of adding the contents, etc. of the work to be engaged in.
- (2) The matters provided for by order of the competent ministries as prescribed in Article 5-3, paragraph (3) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms are to be as follows:
- (i) contents, etc. of the work to be engaged in which are specified in cases of item (i) of the preceding paragraph;
 - (ii) contents, etc. of the work to be engaged in which are deleted in cases of item (ii) of the preceding paragraph; and
 - (iii) contents, etc. of the work to be engaged in which are added in cases of item (iii) of the preceding paragraph.
- (3) The matters provided for by order of the competent ministries as prescribed in Article 5-3, paragraph (4) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of terms are to be as follows:
- (i) matters relating to the content of the work which the supervising-organization-type technical intern trainee is to engage in;

- (ii) matters relating to the length of the labor contract;
 - (iii) matters relating to the workplace;
 - (iv) matters relating to work start times and end times, necessity of work for more than the prescribed working hours, break times, and holidays;
 - (v) matters relating to the amount of wages (excluding extraordinary wages, bonuses and payments listed in each item of Article 8 of the Regulation for Enforcement of the Labor Standards Act (Order of the Ministry of Health and Welfare No. 23 of 1947));
 - (vi) matters relating to the application of health insurance under the National Health Insurance Act (Act No. 70 of 1922), the employees pension insurance under the Employees' Welfare Pension Insurance Act (Act No. 115 of 1954), the industrial accident compensation insurance under the Industrial Accident Compensation Insurance Act, and the employment insurance under the Employment Insurance Act (Act No. 116 of 1974); and
 - (vii) matters relating to the name of the person seeking to employ supervising-organization-type technical intern trainees, etc.
- (4) The method provided for by order of the competent ministries as prescribed in Article 5-3, paragraph (4) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms is to be either of the following methods which the matters listed in each item of the preceding paragraph are indicated (those matters are referred to as "matters to be indicated" in this paragraph and the following paragraph); provided, however, that that this does not apply if those methods cannot be followed in advance due to the urgent necessity for offering the employment placement services for technical intern training (meaning making arrangements to establish an employment relationship for technical intern training between a job recruiter and a job seeker, upon application from that job recruiter or seeker, only if the job recruiter is an organization implementing supervising-organization-type technical intern training, etc. under supervision by a supervising organization, etc. (meaning an organization implementing supervising-organization-type technical intern training or a person who is to conduct the supervising-organization-type technical intern training; the same applies hereinafter), and the job seeker is a supervising-organization-type technical intern trainee in relation to supervision by the relevant supervising organization; the same applies hereinafter), and the matters to be indicated are clearly indicated in advance in a method other than the following methods:
- (i) delivery of a written document; or
 - (ii) the relevant of the following methods, if the document receiver (meaning the person who is to receive the delivery of a written document in cases in which the matters to be indicated are clearly indicated through the method

set forth in the preceding item; the same applies hereinafter in this Article and Article 35, paragraph (3)) has requested delivery through either of those methods:

- (a) method of transmission using a facsimile; or
 - (b) method of transmission by email or other telecommunications used to convey information to people who are specified as those who are to receive the relevant information (meaning the telecommunications as prescribed in Article 2, item (i) of the Telecommunications Business Act (Act No. 86 of 1984); hereinafter referred to as the "email, etc.") (that method is limited to those in which the document receiver is able to print out the record of the email, etc. in the form of written documents).
- (5) The indication of the matters to be indicated through the method under item (ii), (a) of the preceding paragraph is deemed to have reached the document receiver at the time that a facsimile machine used by the document receiver received that indication, and the indication of matters to be indicated through the method in (b) of the same item is deemed to have reached the document receiver at the time that that indication was recorded in a file in the communications terminal used by the document receiver.
- (6) The organization implementing the supervising-organization-type technical intern training, etc. must keep the records relating to the contents, etc. of the work to be engaged in which that organization has indicated to the supervising-organization-type technical intern trainees, etc. pursuant to the provisions of Article 5-3, paragraph (1) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms, up until the date on which that organization ceases to use the employment placement services for the technical intern training in relation to those indicated contents (or, until the date of entering into a labor contract in relation to those indicated contents, if seeking to enter into a labor contract in relation to those indicated contents on or after the date on which that organization ceases to use the employment placement services for the technical intern training relating to that indicated contents).

(Cases of Non-acceptance of Applications from Job Recruiters)

Article 33 If the supervising organization does not accept an application from a job recruiter relating to the employment placement services for technical intern training pursuant to the proviso of Article 5-5 of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms, the organization must explain the reason therefor to the organization implementing supervising-organization-type technical intern training, etc.

(Notification of the Scope, Etc. of Applicable Occupations)

- Article 34 (1) The notification provided for in Article 12-12, paragraph (1) (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act) of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms is to be made based on Appended Form 11 or Appended Form 17 together with the application provided for in Article 23, paragraph (2) of the Act or the notification provided for in Article 32, paragraph (3) of the Act.
- (2) If the Minister of Justice and the Minister of Health, Labor and Welfare order the supervising organization to make a change in the scope, etc. of the applicable job categories in accordance with the provisions of Article 32-12, paragraph (3) of the Employment Security Act (including as applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (4) of the same Act) as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms, they are to make the notification based on Appended Form 13.

(Clear Indication of the Scope, Etc. of Applicable Job Categories)

- Article 35 (1) The matters provided for by order of the competent ministries as prescribed in Article 32-13 of the Employment Security Act (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act) as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms are to be matters relating to the handling of information of the organization implementing supervising-organization-type technical intern training, etc. (limited to those relating to the employment placement services for technical intern training) and the personal information of supervising-organization-type technical intern trainees.
- (2) The indication provided for in Article 32-13 of the Employment Security Act (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act) as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms is to be made promptly through either of the methods as provided for in any of the items of Article 32, paragraph (4) after the application from a job recruiter or seeker has been received in relation to the employment placement services for technical intern training; provided, however, that that this does not apply if those methods cannot be followed in advance due to the urgent necessity for offering the employment placement services for the technical intern training, and the matters to be indicated (hereinafter referred to as "matters to be indicated" in the following paragraph) are clearly indicated in advance through a method other than these methods.

(3) The indication of the matters to be indicated through the method listed in Article 32, paragraph (4), item (ii), (a) is deemed to have reached the document receiver at the time that a facsimile machine used by the document receiver received that indication, and the indication of the matters to be indicated through the method in (b) of the same item is deemed to have reached the document receiver at the time that that indication was recorded in a file in the communications terminal used by the document receiver.

(Guidance from the Competent Minister)

Article 36 The necessary guidance, advice and recommendations to be made by the Minister of Justice and the Minister of Health, Labour and Welfare pursuant to the provisions of Article 33-6 of the Employment Security Act as applied pursuant to the provisions of Article 27, paragraph (2) of the Act following the deemed replacement of the terms are to be given in writing.

(Supervision Fees)

Article 37 The appropriate type and amount provided for by order of the competent ministries as prescribed in Article 28, paragraph (2) of the Act is to be as given respectively in the left-hand column and middle column of the following Table, and the method of collecting the supervision fees is to be as given in the right-hand column of the same Table corresponding to the type listed in the left-hand column of the same Table.

Type	Amount	Collection Method
Employment placement fee	An amount not exceeding the amount of the expenses (limited to staff expenses required for recruitment and selection, transportation expenses, expenses paid to the sending organization in a foreign country, and other actual expenses) required for practical affairs for making arrangements to establish an employment relationship between the organization implementing supervising-organization-type technical intern training, etc. and the supervising-organization-type technical intern trainee, etc.	To be collected from the organization implementing supervising-organization-type technical intern training, etc. after acceptance of the application for job recruitment from that organization implementing supervising-organization-type technical intern training, etc.

Lectures fee (limited to supervising-organization-type technical intern training (i))	An amount not exceeding the amount of the expenses required for the pre-entry lectures and post-entry lectures implemented by the supervising organization (limited to facility usage fees, the honorarium for instructors and interpreters, teaching material costs, and allowances to be paid to supervising-organization-type technical intern trainees (i), and other actual expenses paid by the supervising organization)	To be collected from the organization implementing supervising-organization-type technical intern training, etc. on or after the date of commencement of the pre-entry lectures for expenses required for the pre-entry lectures, and on or after the date of commencement of the post-entry lectures for expenses required for the post-entry lectures.
Audit guidance fee	An amount not exceeding the amount of expenses required for supervision relating to implementation of the supervising organization-type technical intern training (limited to the personnel expenses required for audits and guidance for the organization implementing supervising-organization-type technical intern training, transportation expenses, and other actual expenses)	To be collected from the organization implementing supervising-organization-type technical intern training, etc. at regular intervals from the time of the supervising-organization-type technical intern trainee starting to engage in work at the place of business of that organization.
Other overhead expenses.	Other amounts not exceeding the amount of expenses (limited to actual expenses) that will contribute to the proper protection and training of technical intern	To be collected from the organization implementing supervising-organization-type technical intern training, etc. from the time when those expenses are required.

(Certificates)

- Article 38 (1) The certificate as provided for in Article 29, paragraph (1) (including as applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2) of the Act) (hereinafter simply referred to as "certificate") is to be based on Appended Form 14.
- (2) A person that seeks to be reissued with a certificate pursuant to the provisions of Article 29, paragraph (3) of the Act (including as applied mutatis

mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2) of the Act) must submit one original copy and two duplicate copies of the written application based on Appended Form 15.

(3) If a person that has been granted a certificate comes to fall under any of the following items, that person must return the certificate relating to all of the places of business where the supervising business has been conducted, in cases of items (i) through (iii); the certificate relating to the place of business which has been abolished, in cases of item (iv); or the certificate which was found or recovered, in cases of item (v), within 10 days since the date on which the relevant case occurred:

(i) the license has been revoked;

(ii) the expiration date of the license has passed;

(iii) the supervising business has been abolished;

(iv) the place of business where the supervising business has been conducted has been abolished; or

(v) the lost certificate has been found or recovered in cases in which the certificate has been re-issued.

(4) If the person that received the certificate has been extinguished by a merger, the representative of the corporation surviving after the merger or established through the merger must return the certificate relating to all of the places of business where the supervising business has been conducted, within 10 days since the date on which the relevant case has occurred.

(Persons Permitted a Long-Term Period of Validity)

Article 39 The standards provided for by order of the competent ministries as prescribed in Article 2, item (iii) and item (v) of the Order for Enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (Cabinet Order No. 136 of 2017; hereinafter referred to as the "Cabinet Order") are for the relevant organization not to be subject to the order provided for in Article 36, paragraph (1) or Article 37, paragraph (3) of the Act during the valid period of the license relating to the previous supervising business.

(Fees for Renewal of the Period of Validity of the License)

Article 40 (1) The amount provided for by order of the competent ministries as prescribed in Article 31, paragraph (4) of the Act is to be the amount obtained by multiplying 900 yen by the number of places of business where the supervising business is conducted.

(2) The amount provided for by order of the competent ministries as prescribed in Article 24, paragraph (5) of the Act as applied mutatis mutandis pursuant to the provisions of Article 31, paragraph (5) of the Act is to be the amount

obtained by multiplying 17,100 by the number of places of business where the supervising business is conducted.

(Application for Renewal of the Period of Validity of Licenses)

Article 41 (1) The application provided for in Article 23, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 31, paragraph (5) of the Act must be made by submitting one original copy and two duplicate copies of the written application based on Appended Form 11 at least three months prior to the date of expiration of the valid period of the license.

(2) The certificate after the renewal is to be issued in exchange for the certificate prior to the renewal.

(Required Information for Written Applications for Renewal)

Article 42 The matters provided for by order of the competent ministries as prescribed in Article 23, paragraph (2), item (vii) of the Act as applied mutatis mutandis pursuant to the provisions of Article 31, paragraph (5) of the Act are to be as follows:

- (i) the matters listed in each item of Article 26 (excluding item (vii)); and
- (ii) the date of the license and accreditation number of the supervising organization.

(Application for Approval of Changes)

Article 43 (1) The application provided for in Article 23, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act is to be made by submitting one original copy and two duplicate copies of the written application based on Appended Form 16.

(2) The certificate after the change is to be issued in exchange for the certificate prior to the change.

(Required Information for the Application for Approval of a Change in Business Category)

Article 44 The matters provided for by order of the competent ministries as prescribed in Article 23, paragraph (2), item (vii) of the Act as applied mutatis mutandis pursuant to Article 32 paragraph (2) of the Act are to be as follows:

- (i) the matters listed in each item of Article 26 (excluding item (vii));
- (ii) the date of the license and accreditation number of the supervising organization;
- (iii) in cases of a change in the category of business from specified supervising business to general supervising business, the scheduled starting date of the general supervising business and reason for the change; and
- (iv) in cases of a change in the category of business from general supervising

business to specified supervising business, the scheduled termination date of the general supervising business and reason for the change.

(Fee for Approving Changes)

- Article 45 (1) The amount provided for by order of the competent ministries as prescribed in Article 23, paragraph (7) of the Act as applied *mutatis mutandis* pursuant to Article 32, paragraph (2) of the Act (limited to those in relation to a change in the category of business to general supervising business) is to be 2,500 yen (or, if there are two or more places of business where the supervising business is conducted, 2,500 yen plus the amount arrived at when 900 yen is multiplied by the number of places of business minus one).
- (2) The amount provided for by order of the competent ministries as prescribed in Article 24, paragraph (5) of the Act as applied *mutatis mutandis* pursuant to Article 32 paragraph (2) of the Act (limited to those relating to a change in the category of business to general supervising business) is to be 47,500 yen (or, if there are two or more places of business where the supervising business is conducted, 47,500 yen plus the amount arrived at when 17,100 yen is multiplied by the number of places of business minus one).

(Minor Changes)

- Article 46 The changes in the matters prescribed by order of the competent ministries as prescribed in Article 32, paragraph (3) of the Act are to be changes in the matters listed in any of the items of Article 23, paragraph (2) of the Act (excluding item (iv)) which do not have a substantial effect on the implementation of the supervising business.

(Notification of Changes)

- Article 47 (1) The notification provided for in Article 32, paragraph (3) of the Act is to be based on Appended Form 17.
- (2) Notwithstanding the provisions of the preceding paragraph, if the matters relating to the notification as provided for in the same paragraph fall under the required information of the certificate, one original copy and two duplicate copies of the written application based on Appended Form 17 must be submitted.
- (3) The documents provided for by order of the competent ministries as prescribed in Article 32, paragraph (3) of the Act are to be those related to the matters which need to be changed due to the establishment of a new place of business, among the documents proving the matters listed in each item of Article 25, paragraph (1) of the Act and the documents listed in each item of Article 27.
- (4) In cases other than the cases provided for in the second sentence of Article 32,

paragraph (3) of the Act, the written notification provided for in paragraph (1) or the written application provided for in paragraph (2) must be submitted with documents related to changed matters attached to it among the written business plan relating to the supervising business for each place of business where the supervising business is conducted, the documents certifying the matters listed in each item of Article 25, paragraph (1) of the Act, and the documents listed in each item of Article 27 of the Act.

(Notification in Cases of Difficulty in Continuing Implementation of the Technical Internship Training)

Article 48 (1) The notification provided for in Article 33, paragraph (1) of the Act is to be based on Appended Form 18.

- (2) The matters provided for by order of the competent ministries as prescribed in Article 33, paragraph (1) of the Act are to be as follows:
- (i) the license number, name and address of the notifying party;
 - (ii) the notification acceptance number, name and address of the organization implementing supervising-organization-type technical intern training that has the difficulty in implementing the training;
 - (iii) the matters provided for in Article 21, paragraph (2), items (ii) through (v);
 - (iv) the measures to be taken to continue with implementation of the supervising-organization-type technical intern training by the organization implementing supervising-organization-type technical intern training provided for in item (ii);
 - (v) the measures to be taken to continue with implementation of the supervising-organization-type technical intern training by the notifying party; and
 - (vi) in cases of receiving notification pursuant to the provisions of Article 19, paragraph (2) of the Act, in addition to the matters listed in each of the preceding items, the date of the notification and other matters pertaining to said notification.

(Notification of Suspension or Discontinuation)

Article 49 (1) The notification provided for in Article 34, paragraph (1) of the Act is to be based on Appended Form 19.

- (2) The matters provided for by order of the competent ministries as prescribed in Article 34, paragraph (1) of the Act are to be as follows:
- (i) the license number, license date, name and address of the notifying party;
 - (ii) the name and address of the place of business where the supervising business is conducted;
 - (iii) the scheduled date of discontinuation or suspension;
 - (iv) if the supervising business is to be suspended, the scope and period of the

suspension;

(v) the reason for the discontinuation or suspension;

(vi) the matters relating to the supervising-organization-type technical intern training to which the notifying party has given supervision within the valid period of the most recent license relating to the supervising business; and

(vii) the measures which the notifying party is to take to continue with implementation of the supervising-organization-type technical intern training under their supervision, if that training is being conducted.

(3) If a person that has made the notification provided for in paragraph (1) and has suspended all or a part of the supervising business seeks to resume the suspended supervising business, that person must notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare to that effect through the OTIT in advance.

(Employee Identification Cards)

Article 50 The identification card as provided for in Article 13, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 35, paragraph (2) of the Act (limited to cards showing the identification of the employees in charge of only the collection of reports etc. provided for in Article 104, paragraph (1) of the Act) is to be based on Appended Form 20.

(Ex Officio Changes in Category of Business)

Article 51 (1) If the Minister of Justice and the Minister of Health, Labor and Welfare change the license to supervise for the general supervising business to that of one for specified supervising business ex officio pursuant to the provisions of Article 37, paragraph (2) of the Act, they are to notify the supervising organization to that effect based on Appended Form 21.

(2) The supervising organization which received the notification as provided for in the preceding paragraph must promptly have their certificate rewritten.

(Standards for the Implementation of Duties by Supervising Organizations)

Article 52 The standards provided for by order of the competent ministries as prescribed in Article 39, paragraph (3) of the Act are to be as follows:

(i) an audit is to be properly conducted at least once every three months of the organization implementing supervising-organization-type technical intern training through the following methods (or in cases relating to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, through the methods provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them after consultation with

the Minister of Justice and the Minister of Health, Labor and Welfare; or in other cases in which it is extremely difficult to use any of the following methods owing to the nature of the work in which the supervising-organization-type technical intern trainee is engaged, through the following appropriate methods which have been substituted for each of the relevant methods which are difficult to use) under the direction of the supervision manager, on whether the relevant organization is conducting the supervising-organization-type technical intern training in accordance with the accredited plan, whether the relevant organization is in violation of any laws relating to immigration or labor, and other matters relating to proper implementation of supervising-organization-type technical intern training and protection of supervising-organization-type technical intern trainees;

- (a) through means of an on-site check on the status of implementation of the supervising-organization-type technical intern training;
- (b) through means of receiving reports from the technical intern training manager and technical intern training instructors;
- (c) through means of interviewing one-quarter of the supervising-organization-type technical intern trainees whom the organization implementing supervising-organization-type technical intern training has engage in that training (or two or more of those trainees, if there are more than two and less than four such trainees);
- (d) through means of checking the equipment and inspecting the books, documents, and other items at the place of business of the organization implementing supervising-organization-type technical intern training; and
- (e) through means of checking the accommodation facilities and other living environments of supervising-organization-type technical intern trainees whom the organization implementing supervising-organization-type technical intern training has engage in that training;

- (ii) if the organization implementing supervising-organization-type technical intern training is suspected of falling under any of the items of Article 16, paragraph (1) of the Act, the audit under the preceding item is to be conducted under the direction of the supervision manager immediately and properly;
- (iii) in cases of supervising-organization-type technical intern training (i), an on-site check (or if it is extremely difficult to use that method owing to the nature of the work in which the supervising-organization-type technical intern trainee is engaged, a check through some other appropriate method) is to be conducted at least once a month under the direction of the supervision manager, to confirm whether the organization implementing supervising-organization-type technical intern training is conducting that training in accordance with the accredited plan; and the necessary guidance is to be

- given to that organization;
- (iv) not to solicit organizations implementing supervising-organization-type technical intern training, etc. or introduce supervising business in a misleading way so as to suggest technical intern training as a means of adjusting the supply and demand of the labor force;
 - (v) if entering into a contract with the sending organization in a foreign country for acting as a broker in an application for supervising-organization-type technical intern training, a check is to be conducted to confirm that, in connection with sending a supervising-organization-type technical intern trainee, etc. to Japan, that organization does not manage the money or other property of the relevant trainee, etc., their spouse, their lineal relative, their cohabiting relative, or any other person who has a close relationship with that trainee, etc. as a part of their life, and does not enter into a contract that stipulates penalties for non-performance of a contract relating to the training in question or enter into any other contract which expects the unjust transfer of money or other property; and the statement to that effect is to be provided in the written contract;
 - (vi) in cases of receiving applications for supervising-organization-type technical intern training through a broker, that broker is to be a sending organization in a foreign country.
 - (vii) in cases of supervising-organization-type technical intern training (i), the post-entry lectures are to be implemented in accordance with the accredited plan, and the supervising-organization-type technical intern trainees are not to engage in work during the period of the post-entry lectures;
 - (viii) when the guidance provided for in Article 8, paragraph (4) of the Act (including as applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act) is provided, an on-site check is to be conducted on the places of business where the supervising-organization-type technical intern training is to be conducted, and on the accommodation facilities of the supervising-organization-type technical intern trainees (in cases where it is applied *mutatis mutandis* pursuant to Article 11, paragraph (2) of the Act, limited to those pertaining to matters which are intended for change), and the relevant guidance is to be given from the following perspectives. In such a case, with regard to guidance from the perspective listed in (b), officers or employees who have certain experience or knowledge about the skills, etc. that the trainees are to acquire, etc. is to be put in charge:
 - (a) the perspective of ensuring that the technical intern training plan complies with the standards listed in each item of Article 9 of the Act, and with the laws and regulations relating to immigration and labor;
 - (b) the perspective of having the technical intern trainees acquire, etc. the skills, etc. appropriately and effectively; and

- (c) the perspective of developing an appropriate environment for the conducting of the technical intern training;
- (ix) to pay travel expenses required for the supervising-organization-type technical intern trainees under supervision to return temporarily to the home country as provided for in Article 10, paragraph (2), item (iii), (g), and travel expenses required for those trainees to return to the home country after the end of the supervising-organization-type technical intern training; and to take the necessary measures required for smooth return to the home after completion of the supervising-organization-type technical intern training;
- (x) not to commit an act of significantly infringing upon the human rights of supervising-organization-type technical intern trainees pertaining to the technical intern training subject to supervision;
- (xi) not to commit an act of using or providing a forged, altered, or false document or drawing for the purpose of having a person whom the relevant organization seeks to have engage in the technical intern training obtain the accreditation provided for in Article 8, paragraph (1) or Article 11, paragraph (1) of the Act illegally; for the purpose of illegally obtaining the license provided for in Article 23, paragraph (1) or Article 32, paragraph (1) of the Act or the renewal provided for in Article 31, paragraph (2) of the Act; for the purpose of concealing facts in violation of the provisions of laws or regulations relating to immigration or labor; for the purpose of illegally obtaining a certificate or a seal of verification or permission for landing provided for in the provisions of Chapter III, Section 1 or Section 2 of the Immigration Control Act, the permission for landing provided for in the provisions of Section 4 of the same Chapter, or the permission provided for in the provisions of Chapter IV, Section 1 or Section 2 or Chapter V, Section 3 of the Immigration Control Act, for a foreign national in relation to its business activities;
- (xii) not to make arrangements that are contrary to the accredited plan with the supervising-organization-type technical intern trainee;
- (xiii) if it comes to fall under any of the items of Article 37, paragraph (1) of the Act, to immediately report to that effect to the OTIT;
- (xiv) to respond appropriately to consultations from supervising-organization-type technical intern trainees pertaining to the technical intern training subject to supervision, and to give advice and guidance and take other necessary measures towards the organization implementing supervising-organization-type technical intern training and the supervising-organization-type technical intern trainees;
- (xv) to post the regulations for the management of the business of the supervising organization (including the collection of supervision fees) in

places convenient for general viewing within the place of business; and
(xvi) beyond those matters listed in each of the preceding items, in cases relating to the supervision of supervising-organization-type technical intern training relevant to the specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the standards provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare are to be met.

(Supervision Managers)

- Article 53 (1) The supervision manager as provided for in Article 40, paragraph (1) of the Act must be appointed at each place of business where the supervising business is conducted, among the full-time officers or employees of the supervising organization; and must be a person who belongs to the relevant place and has the ability to properly carry out the supervision manager work.
- (2) The supervision manager must be a person who has completed the course for supervision managers provided for by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, within the past three years.
- (3) If one of the following persons listed below as those who have a close relationship with the organization implementing supervising-organization-type technical intern training subject to supervision at a place of business where the supervising business is conducted, is to become a supervision manager at that place of business, that supervision manager must not be involved in supervision of the relevant organization, and a person who is able to be involved in the supervision of the relevant organization must be assigned to another supervision manager at that place of business:
- (i) the organization implementing supervising-organization-type technical intern training subject to supervision at the relevant place of business, or their officer or employee; or a person who was formerly one of those persons within the past five years;
 - (ii) the spouse or a blood relative within the second degree of kinship of the person provided for in the preceding item; or
 - (iii) beyond those listed in the preceding two items, a person who has a close relationship with the organization implementing supervising-organization-type technical intern training subject to supervision at the relevant place of business as a part of their life, if this could possibly cause the fairness of the supervision to be impaired.

(Books and Documents)

Article 54 (1) The books and documents provided for by order of the competent ministries as prescribed in Article 41 of the Act are as follows:

- (i) the management records of organizations implementing supervising-organization-type technical intern training subject to supervision and the supervising-organization-type technical intern trainees relating to that supervision;
 - (ii) the management records relating to supervisions fees;
 - (iii) the management records relating to the arrangements for the establishment of an employment relationship for the supervising-organization-type technical intern training;
 - (iv) documents relating to an audit of the status of implementation of the supervising-organization-type technical intern training under Article 52, item (i) and item (ii);
 - (v) documents recording the status of implementation of the pre-entry lectures and post-entry lectures;
 - (vi) documents recording the contents of the guidance under Article 52, item (iii);
 - (vii) documents recording the contents of consultations which supervising-organization-type technical intern trainees have with the relevant organization, and responses to those trainees in that consultation;
 - (viii) in cases of supervising organizations that are taking the measure of an external audit, the documents provided for in each item of Article 30, paragraph (6); or in cases of supervising organizations that are not taking the measure of an external audit, the documents provided for in paragraph (3) of the same Article; and
 - (ix) in addition to those listed in each of the preceding items, in cases relating to specific job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice, the documents provided for in a public notice by the competent minister for the business relating to those specific job categories and operations in consideration of the circumstances specific to them, after consultation with the Minister of Justice and the Minister of Health, Labor and Welfare.
- (2) The period for which the books and records as provided for in the preceding paragraph pursuant to the provisions of Article 41 of the Act are to be kept at the place of business where the supervising business is conducted, is to be one year from the day on which the technical intern trainee completed the technical intern training.

(Audit Reports)

Article 55 (1) Audit reports as provided for in Article 42, paragraph (1) of the Act are to be based on Appended Form 22.

- (2) The business report as provided for in Article 42, paragraph (2) of the Act is to describe the status of implementation of the supervising business based on Appended Form 23, and is to be submitted by May 31 of the year following the technical intern training business year.
- (3) The following documents must be attached to the business report as provided for in Article 42, paragraph (2) of the Act:
- (i) the supervising organization's balance sheet for the most recent business year, and their profit and loss statement or income and expenditure statement for that year;
 - (ii) a copy of the documents listed in paragraph (1), item (vi) of the preceding Article; and
 - (iii) in cases of a supervising organization taking the measure of an external audit, a copy of the documents provided for in each item of Article 30, paragraph (6) for the report year.

Section 3 Supplementary Provisions

(Standards of Technical Intern Training Evaluation Examinations)

Article 56 The standards of the technical intern training evaluation examination provided for by order of the competent ministries as prescribed in Article 52, paragraph (2) of the Act are as follows:

- (i) to conduct a fair evaluation of the skills, etc. acquired by the technical intern trainee;
- (ii) to categorize the technical intern training evaluation examinations into grades depending on the category of the technical intern training;
- (iii) to conduct the technical intern training evaluation examination using practical tests and paper tests;
- (iv) to ensure that the employees, equipment, methods of implementing the work, and other parts of the structure of the technical intern training evaluation examination implementer are appropriate for proper and reliable implementation of the technical intern training evaluation examinations; and
- (v) in addition to those matters listed in each of the preceding items, to take the necessary measures for fair implementation of the technical intern training evaluation examinations.

Chapter III Organization for Technical Intern Training

Section 1 Officers

(Application for Approval of the Appointment and Dismissal of Directors)

Article 57 If the president of the OTIT seeks to obtain approval under Article 71,

paragraph (2) or Article 74, paragraph (2) of the Act on the Proper Protection and Training of Technical Intern Trainees (hereinafter referred to as the "Act"), the president must submit a written application with attached documents describing the following matters, to the Minister of Justice and the Ministry of Health, Labor and Welfare:

- (i) the name, address and curriculum vitae of directors whom the president seeks to appoint or dismiss;
- (ii) a written pledge that the director whom the president seeks to appoint does not fall under any of the following items:
 - (a) the relevant person falls under Article 73 or the main sentence of Article 75 of the Act;
 - (b) the relevant person does not come under those who have not received the restoration of rights upon becoming subject to an order to commence bankruptcy proceedings; or
 - (c) the relevant person does not come under those who have been sentenced to imprisonment without work or a severer punishment, and have not yet finished serving the sentence or have not yet ceased to be subject to its enforcement;
- (iii) the reason for the appointment or dismissal.

(Application for Approval of Officers Concurrently Holding Offices)

Article 58 If an officer seeks to obtain the approval as provided for in the proviso to Article 75 of the Act, that officer must submit an application describing the following matters to the Minister of Justice and the Minister of Health, Labor and Welfare:

- (i) the name and business content of the for-profit-organization in which the relevant person seeks to become an officer, or the name and content of the for-profit business in which the relevant person seeks to engage;
- (ii) the period during which the relevant person holds the offices concurrently, and the place and method of conducting the duties; and
- (iii) the reasons for which the relevant person needs to hold the offices concurrently.

Section 2 Board of Councilors

(Application for Approval of the Appointment and Dismissal of Councilors)

Article 59 If the OTIT president seeks to obtain approval under Article 84, paragraph (1) or Article 85 of the Act, the president must submit a written application with attached documents describing the following matters, to the Minister of Justice and the Ministry of Health, Labor and Welfare:

- (i) the name, address and curriculum vitae of councilors whom the president

- seeks to appoint or dismiss;
- (ii) a written pledge that the councilor whom the president seeks to appoint does not fall under any of the items of Article 57, item (ii), (b) or (c); and
- (iii) the reason for the appointment or dismissal.

Section 3 Operations

(Operations with Non-collection of Fees)

Article 60 The operations provided for by order of the competent ministries as prescribed in Article 87, item (vi) of the Act are to be the operations listed in item (i), (b) and (c) of the same Article, and the operations incidental thereto.

(Application for Approval for the Entrustment of Operations)

Article 61 If the OTIT seeks to obtain approval under Article 88, paragraph (1) of the Act, it must submit a written application describing the following matters to the Minister of Justice and the Minister of Health, Labor and Welfare:

- (i) the name and address of the other party to which it seeks to entrust the operations;
- (ii) the contents of the operations to be entrusted;
- (iii) the reasons necessitating the entrustment; and
- (iv) the conditions of entrustment.

(Application for Approval of a Change in the Statement of Operation Procedures)

Article 62 If the OTIT seeks to obtain approval under the second sentence of Article 89, paragraph (1), it must submit the written application with attached documents describing the following matters, to the Minister of Justice and the Minister of Health, Labor and Welfare:

- (i) the matters to be changed and contents of those changes;
- (ii) the reasons necessitating the change; and
- (iii) other reference matters.

(Required Information in the Statement of Operation Procedures)

Article 63 The matters specified by order of the competent ministries prescribed in Article 89, paragraph (2) of the Act are as follows:

- (i) matters relating to the operations to be conducted in relation to the technical intern training prescribed in Article 87, item (i) of the Act;
- (ii) matters relating to the operations of the providing the necessary information, advice and other assistance (excluding those falling under the operations listed in the following item) in response to consultations from the

- technical intern trainees as provided for in Article 87, item (ii);
- (iii) matters relating to the operations of the providing the necessary information, advice and other assistance in response to a consultation from a technical intern trainee, and providing necessary guidance and advice to the implementing organization, the supervising organization and other relevant parties, so that technical intern training may be conducted for technical intern trainees for whom it has become difficult to conduct the technical intern training under Article 87, item (iii) of the Act, and who wish to continue with the technical intern training;
- (iv) matters relating to the research and study provided for in Article 87, item (iv) of the Act;
- (v) other necessary matters relating to execution of the OTIT's operations.

Section 4 Auxiliary Provisions

(Inspection Officer Identification Cards)

Article 64 Identification cards as provided for in Article 13, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 100, paragraph (2) of the Act are to be based on Appended Form 24.

(Application for Approval of a Change in the Articles of Incorporation)

Article 65 If OTIT seeks to obtain approval under Article 101 of the Act, it must submit a written application with attached documents describing the following matters, to the Minister of Justice and the Minister of Health, Labor and Welfare:

- (i) the matters to be changed and contents of the change;
- (ii) the reasons necessitating the change;
- (iii) other reference matters.

Chapter IV Miscellaneous Provisions

(Methods of Payment of Fees)

- Article 66 (1) The fee provided for in Article 23, paragraph (7) of the Act (including as applied mutatis mutandis pursuant to Article 32, paragraph (2) of the Act) or Article 31, paragraph (4) of the Act must be paid by submitting the written application with a revenue stamp equivalent to the amount of the fee affixed thereto.
- (2) The fee provided for in Article 8, paragraph (5) of the Act (including as applied mutatis mutandis pursuant to Article 11, paragraph (2) of the Act) or Article 24, paragraph (5) of the Act (including as applied mutatis mutandis pursuant to Article 31, paragraph (5) of the Act and Article 32, paragraph (2) of the Act) must be paid into the OTIT's bank account set up at a financial

organization.

- (3) The fee paid pursuant to the provisions of the preceding two paragraphs is not refunded.

(Delegation of Authority)

Article 67 (1) In accordance with the provisions of Article 104, paragraph (6) of the Act, the authority delegated to the Commissioner of the Immigration Services Agency set forth in the items of Article 6 of the Cabinet Order is to be delegated to the director of the regional immigration services bureau which has jurisdiction over the location of the place of business relating to the implementing organization, etc. (meaning the implementing organization, etc. provided for in Article 13, paragraph (1) of the Act; the same applies hereinafter) or the supervising organization, etc. (meaning the supervising organization provided for in Article 13, paragraph (1) of the Act; the same applies hereinafter), or over any other place related to the technical intern training; provided, however, that this does not preclude the Commissioner of the Immigration Services Agency, who has been delegated with the authority of the Minister of Justice pursuant to the provisions of Article 104, paragraph (5) of the Act, from exercising the authority themselves.

- (2) In accordance with the provisions of Article 104, paragraph (6) of the Act, the authority of the Commissioner of the Immigration Services Agency as prescribed in Article 15, paragraph (1) of the Act is to be delegated to the director of the regional immigration services bureau which has jurisdiction over the location of the place of business relating to the implementing organization, etc. or the supervising organization, etc., or over any other place related to the technical intern training; provided, however, that this does not preclude the Commissioner of the Immigration Services Agency from exercising the authority themselves.

- (3) In accordance with the provisions of Article 104, paragraph (6) of the Act, the following authority of the Minister of Health, Labor and Welfare is to be delegated to the director of the prefectural labor bureau which has jurisdiction over the location of the place of business relating to the implementing organization, etc. or the supervising organization, etc., or over any other place related to the technical intern training; provided, however, that this does not preclude the Minister of Health, Labor and Welfare from exercising the authority themselves:

- (i) the collection of reports etc. under Article 13, paragraph (1) of the Act;
- (ii) the order under Article 15, paragraph (1) of the Act;
- (iii) the collection of reports etc. under Article 35, paragraph (1) of the Act;
- (iv) the order under Article 36, paragraph (1) of the Act; and
- (v) the order under Article 37, paragraph (3) of the Act.

(Language of Documents for Submission)

Article 68 (1) If materials to be submitted to the Minister of Justice and the Minister of Health, Labor and Welfare, to the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare, or to the OTIT pursuant to the provisions of the Act or orders based thereon have been prepared in a foreign language, Japanese translations must be attached to those materials.

(2) When a technical intern trainee is asked to sign a document written in Japanese which is to be submitted to the Minister of Justice and the Minister of Health, Labor and Welfare, to the Commissioner of the Immigration Services Agency and the Minister of Health, Labor and Welfare, or to the OTIT pursuant to the provisions of the Act or orders based thereon; or to sign a document written in Japanese which is to be kept at the place of business, their translation into a language that the technical intern trainee is able to understand must be given in the relevant document for that trainee's signature.

(Omission of Required Attached Documents)

Article 69 (1) If two or more written applications or other documents are to be submitted at the same time pursuant to the provisions of the Act or an order based thereon, and the contents of the documents to be attached to each of those written applications or documents are the same, those attached documents may be given only to one of the written applications or documents in question, and be omitted from the other applications or documents with a description to that effect given in them.

(2) In addition to the cases provided for in the preceding paragraph, the Minister of Justice, the Commissioner of the Immigration Services Agency, the Minister of Health, Labor and Welfare, or the OTIT may permit the omission of the documents to be attached to the written application or other documents pursuant to the provisions of this Ministerial Order, if those attached documents are found to be unnecessary.

Supplementary Provisions

Omitted

Appended Table I

(i) Agriculture-related (two job categories and six operations)

Job Categories	Operations	Test	Testing organization
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Crop Farming	Protected horticulture	Agricultural skills evaluation test	National Chamber of Agriculture
	Dryland farming/ Vegetable growing		
	Fruit growing		
Livestock agriculture	Pig farming	Agricultural skills evaluation test	National Chamber of Agriculture
	Poultry farming (collecting chicken eggs)		
	Dairy		

(ii) Fishery-related (two job categories and nine operations)

Job Categories	Operations	Test	Testing organization
Fishing boat fisheries	Skipjack pole and line fishery	Fishing boat fisheries skills evaluation test	Japan Fisheries Association
	Long-line fishery		
	Squid jigging		
	Purse seine fishery		
	Trawl and seine net fishery		
	Gill net fishery		
	Set net fishery		
	Crab and shrimp basket fishery		
Aquaculture	Scallop and oyster farming	Aquaculture skills evaluation test	Japan Fisheries Association

(iii) Construction-related (one job category and four operations)

Job Categories	Operations	Test	Testing organization
Construction machinery operations	Bulldozing work	Construction machine and construction skills evaluation test	Japan Construction Machinery and Construction Association
	Loading work		
	Excavating work		
	Road rolling work		

(iv) Food product manufacturing-related (eight job categories and 13 operations)

Job Categories	Operations	Test	Testing organization
Can seaming for canned foods	Can seaming for canned foods	Can seaming skills evaluation test	Japan Canners Association
Poultry processing	Poultry processing	Poultry processing skills evaluation test	Japan Chicken Association
Manufacturing work for heated fishery processed foodstuff	Dried fish production	Fishery processed food manufacturing skills evaluation test	Japan Fisheries Processing Cooperative Association
	Heated dried product manufacturing		
	Flavored product manufacturing		
	Smoked product manufacturing		
Manufacturing work for non-heated fishery processed foodstuff	Salted product manufacturing	Fishery processed foodstuff manufacturing skills evaluation test	Japan Fisheries Processing Cooperative Association
	Dried product manufacturing		
	Fermented foodstuff manufacturing		
Beef and pork processing	Primal cut of beef and pork processing	Beef and pork processing skills evaluation test	Federal Meat Academy
Ready-made meal manufacturing	Ready-made meal processing	Ready-made meal manufacturing skills evaluation	The Organization for Technical Skills Assessment of Foreign Workers in the Food Industry
Agricultural pickle processing	Agricultural pickle processing	Agricultural pickle processing technical intern training evaluation test	All Japan Tsukemono Federation of Cooperatives

Meal processing for medical and welfare facilities	Meal processing work for medical and welfare facilities	Medical and welfare facility meal processing technical intern training evaluation test	Japan Medical Meal Association
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(v) Textile and clothing-related (six job categories and 13 operations)

Job Categories	Operations	Test	Testing organization
Spinning operation	Pre-spinning work	Spinning operation skills evaluation test	Japan Institute of Cotton Textile Technology and Economy
	Spinning work		
	Winding work		
	Twisting and doubling work		
Weaving operation	Sizing and warping work	Weaving operation skills evaluation test	Japan Institute of Cotton Textile Technology and Economy
	Weaving work		
	Inspecting work		
Warp knitted fabrics manufacturing	Warp knitting producing work	Warp knitting producing skills evaluation test	Japan Warp Knitting Association
Underwear manufacturing	Underwear manufacturing operations	Underwear manufacturing skills evaluation test	Nihon Body Fashion Association
Carpet manufacturing	Work producing woven carpets	Carpet producing skills evaluation test	Japan Carpet Industry Association
	Work producing tufted carpets		
	Work producing needle-punched carpets		

Seat product sewing	Sewing work for producing car seats	Car seat product sewing technical intern training evaluation test	Japan Sewing Technical Research Association
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(vi) Others (six job categories and nine operations)

Job Categories	Operations	Test	Testing organization
Welding	Manual welding	Welding skills evaluation test	Japan Welding Engineering Society
	Semi-automatic welding		Nippon Kaiji Kyokai
Industrial manufacturing of pottery	Industrial manufacturing of pottery	Industrial manufacturing of pottery skills evaluation test	Japan Pottery Industry Federation
	Pressure casting work		
	Pad printing work		
Automobile repair and maintenance	Automobile repair and maintenance work	Foreign national automobile repair and maintenance technical intern training evaluation test	Japan Automobile Service Promotion Association
Care worker	Care worker	Care worker technical intern training evaluation test	Elderly Service Providers Association
Linen supply	Linen supply finishing work	Linen supply technical intern training evaluation test	Japan Linen Supply Association

Precast concrete manufacturing	Precast concrete manufacturing work	Precast concrete manufacturing technical intern training evaluation test	Japan Concrete Products Association
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(vii) Beyond what is set forth in the preceding items, the examinations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice

Appended Table II

(i) Agriculture-related (two job categories and six operations)

Job Categories	Operations
Crop farming	Protected horticulture
	Dryland farming/ Vegetable growing
	Fruit growing
Livestock agriculture	Pig farming
	Poultry farming (collecting chicken eggs)
	Dairy

(ii) Fishery-related (two job categories and nine operations)

Job Categories	Operations
Fishing boat fisheries	Skipjack pole and line fishery
	Long-line fishery
	Squid jigging
	Purse seine fishery
	Trawl and seine net fishery
	Gill net fishery
	Set net fishery
	Crab and shrimp basket fishery
Aquaculture	Scallop and oyster farming

(iii) Construction-related (22 job categories and 33 operations)

Job Categories	Operations
Well drilling	Percussion type well drilling operation
	Rotary type well drilling operation
Building sheet metal work	Duct sheet metal operation
	Interior and exterior sheet metal operation

Freezing and air conditioning equipment installation	Freezing and air conditioning harmonizing installation
Fixture making	Hand making of wooden fixture
Carpentry	Carpentry construction work
Frame working	Framing construction work
Reinforcing bar construction	Reinforced bar assembling
Scaffolding	Setting up scaffolding
Building stone construction	Stone processing work
	Laying out and instalation of stones
Tiling	Tiling work
Tile roofing	Tile-roofing work
Plastering	Plastering work
Plumbing	Plumbing
	Plant piping work
Heat insulation	Heat-retention and cool-retention related work
Interior finishing	Plastic-material floor finishing
	Carpeting floor finishing
	Metal-made foundation work
	Board finishing
	Curtain installation
Sash setting	Building sash installation
Waterproofing	Sealing waterproofing
Concrete pumping	Concrete pumping
Well point dewatering	Well-point dewatering
Paper and cloth related interior finishing	Wallpapering
Construction machinery operations	Bulldozing work
	Loading work
	Excavating work
	Road rolling work
Furnace installation	Furnace installation work

(iv) Food product manufacturing-related (11 job categories and 16 operations)

Job Categories	Operations
Can seaming for canned foods	Can seaming for canned foods
Poultry processing	Poultry processing
Manufacturing work for heated fishery processed foodstuff	Dried fish production
	Heated dried product manufacturing
	Flavored product manufacturing
	Smoked product manufacturing
Manufacturing work for non-heated fishery processed foodstuff	Salted product manufacturing
	Dried product manufacturing

	Fermented foodstuff manufacturing
Fish paste making	Boiled fish paste producing work
Beef and pork processing industry	Primal cut of beef and pork processing
Ham, sausage and bacon making	Production work of ham, sausage and bacon
Bread Baking	Bread baking work
Ready-made meal manufacturing	Ready-made meal processing
Agricultural pickles processing	Work producing agricultural pickle
Meal processing for medical and welfare facilities	Meal processing work for medical and welfare facilities

(v) Textile and clothing-related (13 job categories and 22 operations)

Job Categories	Operations
Spinning operation	Pre-spinning work
	Spinning work
	Winding work
	Twisting and doubling work
Weaving operation	Sizing and warping work
	Weaving work
	Inspecting work
Dyeing	Thread dyeing work
	Fabric and knit dyeing
Knit goods manufacturing	Socks producing work
	Round knitting producing work
Warp knitted fabrics manufacturing	Warp knitting producing work
Ladies' and children's dress making	Sewing work of ready-made clothes for ladies and children
Tailoring men's suit making	Sewing work of men's ready-made clothes
Underwear manufacturing	Underwear manufacturing operation
Bedclothes making	Bedding products work
Carpet manufacturing	Work producing woven carpets
	Work producing tufted carpets
	Work producing needle punched carpets
Canvas product making	Canvas product production
Cloth sewing	Dress-shirt producing work
Seat product sewing	Sewing work for producing car seats

(vi) Machinery and metal-related (15 job categories and 29 operations)

Job Categories	Operations
Casting	Casting iron operations
	Casting nonferrous metal operations

Forging	Hammer-type forging operations
	Press type forging operations
Die casting	Hot chamber die-cast work
	Cold chamber die-cast work
Machining	Engine lathe operations
	Numerical control lathe operations
	Milling machine operations
	Machining center operations
Metal press	Metal press operations
Iron work	Steel processing operations for structures
Factory sheet metal work	Factory sheet metal work
Plating	Electro plating
	Hot-dip galvanizing
Aluminum anodizing	Anodizing
Finishing	Finishing work for jigs and cutting tools
	Metal mold finishing work
	Machine assembling and finishing work
Machine inspection	Machine inspection work
Machine maintenance	Machine maintenance work
Electronic equipment assembling	Electronic devices assembling work
Electric equipment assembling	Generator and motor assembling work
	Transformer assembling work
	Control panel and distribution panel assembling work
	Switchgear assembling work
	Coil producing work
Printed wiring board manufacturing	Printed wiring board design
	Printed wiring board production

(vii) Others (15 job categories and 27 operations)

Job Categories	Operations
Furniture making	Hand processing on furniture making
Printing	Off-set printing work
Book binding	Binding work
Plastic molding	Compression molding work
	Injection molding work
	Inflation molding work
	Blow molding work
Fiber reinforced plastic molding	Hand lay-up molding work
Painting	Construction painting work
	Metal painting work
	Metal bridge painting work
	Spray painting work
Welding	Manual welding

	Semi-automatic welding
Industrial packaging	Industrial wrapping work
Carton box and corrugated cardboard box making	Printed box punching work
	Printed box producing work
	Paper-covered box producing work
	Cardboard box producing work
Crockery manufacturing	Manufacturing using a jigger
	Pressure casting work
	Pad printing work
Automobile repair and maintenance	Automobile repair and maintenance work
Building cleaning management	Building cleaning management work
Care worker	Care worker
Linen supply	Linen supply finishing work
Precast concrete manufacturing	Precast concrete manufacturing work

(viii) Beyond what is set forth in the preceding items, the job categories and operations specified by the Minister of Justice and the Minister of Health, Labor and Welfare in a public notice.