

Regulations for Enforcement of the Act on the Use of Information and Communication Technology in the Preservation of Documents by Private Business Operators, Etc. Applied to the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees

((Order of the Ministry of Justice and Ministry of Health, Labor and Welfare No. 2 of April 7, 2017))

The Regulations for Enforcement of the Act on the Use of Information and Communication Technology in the Preservation of Documents by Private Business Operators, Etc. Applied to the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees is enacted as follows, based on the provisions of Article 3, paragraph (1) and Article 4, paragraph (1) of the Act on the Use of Information and Communication Technology in the Preservation of Documents by Private Business Operators, Etc. (Act No. 149 of 2004).

(Purpose)

Article 1 Cases in which private business operators, etc. use electronic or magnetic records for the preservation, etc. of information in respect to the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (Act No. 89 of 2016) are subject to the provisions of this Ministerial Order, unless otherwise specified by other laws, or orders based on other laws (including public notices).

(Definitions)

Article 2 The terms used in this Ministerial Order are as used in the Act on the Use of Information and Communications Technology in the Preservation of Documents by Private Business Operators, Etc. (hereinafter referred to as "Act"), unless otherwise specified.

(Preservation Specified by the Ministerial Order of the Competent Ministries in Article 3, Paragraph (1) of the Act)

Article 3 The preservation specified by order of the competent ministries set forth under Article 3, paragraph (1) of the Act is the preservation of documents based on the provisions of Article 20 and Article 41 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees.

(Storage through Electronic or Magnetic Records)

Article 4 (1) If a private business operator, etc., in accordance with the provisions of Article 3, paragraph (1) of the Act, saves electronic or magnetic records for documents prescribed in the preceding Article instead of preserving them in the method as provided for in the same Article, one of the following methods must be used:

- (i) saving the prepared electronic or magnetic record onto a file on a computer used by the private business operator, etc., or on an optical disk, magnetic disk, or an object onto which a fixed set of information can be securely recorded by any equivalent means (hereinafter referred to as an "optical disk, etc."); or
 - (ii) saving the electronic or magnetic records obtained by scanning relevant documents (including using an image reading device equivalent to a scanner), and preserving those records on a file on a computer used by a private business operator, etc. or an optical disk, etc.
- (2) If a private business operator, etc. saves electronic or magnetic records based on the provisions of the preceding paragraph, that private business operator, etc. must allow those records to be displayed and prepared on a computer or other such device, as required, immediately, and in a clear and orderly fashion.

(Preparation of Documents as Specified by Order of the Competent Ministries in Article 4, Paragraph (1) of the Act)

Article 5 The preparation specified by order of the competent ministries set forth under Article 4, paragraph (1) of the Act refers to the preparation of documents in accordance with the provisions of Article 20 and Article 41 of the Applied to the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees.

(Preparation of Documents as Electronic or Magnetic Records)

Article 6 If a private business operator, etc., in accordance with the provisions of Article 4, paragraph (1) of the Act, saves electronic or magnetic records for the documents prescribed in the preceding Article, instead of preparing them in the method as provided for in the same Article, that private business operator, etc. must prepare that record by means of recording the content into a file in a computer used by the private business operator, etc. or by using an optical disk, etc.