

# **Enforcement Regulations of the Act on Employment Security of Elderly Persons**

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

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

## **Chapter I General Provisions**

(Age of Elderly Persons)

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

(Age of Middle-Aged and Elderly Persons)

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

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

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

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

(i) persons with physical disabilities as provided for in Article 2, item (ii) of the Act to Facilitate the Employment of Persons with Disabilities (Act No. 123 of 1960);

(ii) persons who are listed in the items of Article 48 or the items of Article 85,

paragraph (1) of the Offender Rehabilitation Act (Act No. 88 of 2007) and for whom the director of a probation office has contacted the Chief of the Public Employment Security Office regarding mediation for their employment;

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

(Designation of a Specified Area)

Article 4 (1) The designation of Specified Areas as provided for in Article 2, paragraph (3) of the Act (hereinafter referred to as a "Specified Area") is to be given to areas that are subject to wide-scale employment placement activities as provided for in Article 25, paragraph (1) of the Employment Insurance Act (Act No. 116 of 1974) and that fall under each of the following items:

- (i) there are a significant number of job seekers who are middle-aged and elderly, as provided for in Article 2, paragraph (2), item (i) of the Act (hereinafter referred to as "middle-aged and elderly persons");
  - (ii) the ratio of job seekers who are classified as middle-aged and elderly persons to the number of job openings available to middle-aged and elderly persons is remarkably high;
  - (iii) the ratio of job seekers who are middle-aged and elderly persons who find employment is remarkably small.
- (2) When the Minister of Health, Labour and Welfare finds it to be necessary, the Minister may designate as a specified area one that is expected to have many unemployed middle-aged and elderly persons and is considered to be area that falls under each item of the preceding paragraph or be an area equivalent to the area referred to in the preceding paragraph.
- (3) The unit of a specified area is based on the jurisdictional district of the Public Employment Security Office; provided, however, that if there are special circumstances, the unit is an area separately specified by the Minister of Health, Labour and Welfare.

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

(Work Under Article 8 of the Act)

Article 4-2 The work to be specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 8 of the Act, is work done below ground for a business provided for in Article 4 of the Mining Act (Act No. 289 of 1950).

(A Specially Related Employer )

Article 4-3 (1) The employer to be specified by Order of the Ministry of Health,

Labour and Welfare as provided for in Article 9, paragraph (2) of the Act is a person that is listed in the following items:

- (i) any subsidiary corporation or other entity of the employer;
  - (ii) the parent corporation or other entity that has the employer as its subsidiary corporation or other entity;
  - (iii) any subsidiary corporation or other entity of the parent corporation or other entity that has the employer as its subsidiary corporation or other entity. (excluding the employer itself and the persons listed in the preceding two items);
  - (iv) any affiliated corporation or other entity of the employer;
  - (v) any affiliated corporation or other entity of the parent corporation or other entity that has the employer as its subsidiary corporation or other entity. (excluding the persons listed in the preceding item).
- (2) The term "parent corporation or other entity." as provided for in the preceding paragraph means the corporations or other entities. (referring to a company, partnership, or any other type of entity similar thereto (including an equivalent entity in a foreign state); hereinafter, the same applies) listed in the following items; provided, however, that this does not apply to cases where it is found to be obvious that the corporation or other entity has no control over the body that decides financial and operational, or business policies (referring to a shareholders meeting or other equivalent body; hereinafter referred to as the "decision-making body") of any other corporation or other entity in view of their financial, operational or business relationship:
- (i) a corporation or other entity that holds on its own account a majority of the voting rights of another corporation or other entity (excluding a corporation or other entity that has received an order for commencement of bankruptcy proceedings, commencement of rehabilitation proceedings, commencement of reorganization proceedings, or a corporation or other entity equivalent to it, for which no effective parent-subsidary relationship is found to exist; hereinafter, the same applies in this paragraph);
  - (ii) a corporation or other entity that holds on its own account 40 percent or more and 50 percent or less of the voting rights of another corporation or other entity and satisfies any of the following requirements:
    - (a) the total number of voting rights held by the corporation or other entity on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of the corporation or other entity. due to a close relationship with it in terms of financing, personnel affairs, funds, technology, transactions, or other matters, and by persons who agree to exercise their voting rights in the same manner as the intent of the corporation or other entity constitutes a majority of the voting rights of the other corporation or other entity.;

- (b) persons who are or have been officers, members executing the business, or employees of the corporation or other entity and are capable of influencing decisions on the financial and operational policies or business policies of the other corporation or other entity constitute a majority of the members of the board of directors or other equivalent body of the other corporation or other entity;
  - (c) there exists between the corporation or other entity and the other corporation or other entity a contract or other agreement that controls important decisions on the financial and operational policies or business policies of the other corporation or other entity;
  - (d) the corporation or other entity provides a loan (including guarantee of obligations and provision of collateral; hereinafter, the same applies) that constitutes more than half of the total amount of the procured funds of the other corporation or other entity (limited to those liabilities included in the liability section of the balance sheet) (including cases where the amount of the loan constitutes more than half of the total amount of the procured funds when combined with the amount of a loan provided by a person with a close relationship with the corporation or other entity in terms of financing, personnel affairs, funds, technology, transactions, or other matters);
  - (e) there is any other fact that suggests that the corporation or other entity has control over the decision-making body of the other corporation or other entity.
- (iii) a corporation or other entity if the total number of voting rights held by the corporation or other entity on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of the corporation or other entity due to a close relationship with it in terms of financing, personnel affairs, funds, technology, transactions, other matters, and by persons who agree to exercise their voting rights in the same manner as the intent of the corporation or other entity (including cases where the corporation or other entity does not hold any voting rights on its own account) constitutes a majority of the voting rights of another corporation or other entity, and the corporation satisfies any of the requirements listed in (b) to (e) of the preceding items.
- (3) The term "subsidiary corporation or other entity" provided for in paragraph (1) means another corporation or other entity whose decision-making body is controlled by the parent corporation or other entity. In this case, if a parent corporation or other entity and its subsidiary corporation or other entity or a subsidiary corporation or other entity alone controls the decision-making body of another corporation or other entity, the other corporation or other entity is deemed to be a subsidiary corporation or other entity of the parent corporation

or other entity.

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

- (i) if a corporation or other entity (including a subsidiary corporation or other entity of the corporation or other entity) holds on its own account not less than 20 percent of the voting rights of another corporation or other entity that is not a subsidiary corporation or other entity (excluding another corporation or other entity that is not a subsidiary corporation or other entity, or another corporation or other entity that is equivalent to the other corporation or other entity that is not a subsidiary corporation or other entity, which has received an order for commencement of bankruptcy proceedings, commencement of rehabilitation proceedings, or commencement of reorganization proceedings, if it is found that the corporation or other entity is not capable of significantly influencing decisions on the financial and operational policies, or business policies of the other corporation or other entity that is not a subsidiary corporation or other entity; hereinafter, the same applies), the other corporation or other entity that is not a subsidiary corporation or other entity;
- (ii) if a corporation or other entity (including a subsidiary corporation or other entity of the corporation or other entity) holds on its own account 15 percent or more and less than 20 percent of the voting rights of another corporation or other entity other than its subsidiary corporation or other entity, the other corporation or other entity other than its subsidiary corporation or other entity, provided that it satisfies any of the following requirements:
  - (a) persons who are or have been officers, members who execute the business, or employees of the corporation or other entity and who are personally capable of influencing decisions on the financial and operational policies, or business policies of the other corporation or other entity other than its subsidiary corporation or other entity who hold the office of a representative director, a director, or a position equivalent thereto of the other corporation or other entity other than its subsidiary corporation or other entity.;
  - (b) the other corporation or other entity other than its subsidiary corporation or other entity has received an important loan from the corporation or other entity;

- (c) the other corporation or other entity other than its subsidiary corporation or other entity has received important technology from the corporation or other entity.
  - (d) the other corporation or other entity other than its subsidiary corporation or other entity carries out important sales, purchases, or any other operational or business transaction with the corporation or other entity;
  - (e) there is any fact that suggests that the corporation or other entity significantly influences decisions on the financial, operational, or business policies of the other corporation or other entity other than its subsidiary corporation or other entity.
- (iii) if the total number of voting rights held by a corporation or other entity. (including a subsidiary corporation or other entity of the corporation or other entity) on its own account and the voting rights held by persons who are found to exercise their voting rights in the same manner as the intent of the corporation or other entity due to a close relationship with it in terms of financing, personnel affairs, funds, technology, transactions, or other matters, or by persons who agree to exercise their voting rights in the same manner as the intent of the corporation or other entity (including a case where the corporation or other entity does not hold any voting rights on its own account) constitutes not less than 20 percent of the voting rights of another corporation or other entity other than its subsidiary corporation or other entity, the other corporation or other entity other than its subsidiary corporation or other entity, provided that it satisfies any of the requirements listed in (a) to (e) in the preceding items.

(Persons Specified by Order of the Ministry of Health, Labour and Welfare Provided for in Article 10-2, Paragraph (1) of the Act)

Article 4-4 The persons specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 10-2, paragraph (1) of the Act are elderly persons who are employed by an employer based on a contract concluded under Article 9, paragraph (2) of the Act with another employer.

(Plans for Implementation of Measures for Start-up Support and Other Assistance)

Article 4-5 (1) An employer is to prepare a plan concerning the measures for start-up support and other assistance set forth in Article 10-2, paragraph (2) of the Act (hereinafter referred to as "measures for start-up support and other assistance"), and obtain consent for the plan from the labor union organized by a majority of the workers (in cases where there is such a labor union), or from a person representing a majority of the workers (in cases where there is no labor union organized by a majority of the workers).

- (2) The plan set forth in the preceding paragraph is to include the following matters:
- (i) reasons for taking the measures for start-up support and other assistance among the measures for securing job opportunities for elderly persons set forth in Article 10-2, paragraph (4) of the Act (hereinafter referred to as "measures for securing job opportunities for elderly persons");
  - (ii) particulars concerning the contents of the work in which an elderly person is to be engaged based on an entrustment contract or other contract provided for in Article 10-2, paragraph (2), item (i) of the Act or an entrustment contract or other contract prescribed in item (ii) of the paragraph (hereinafter referred to as the "contract" in this paragraph);
  - (iii) particulars concerning the money to be paid to an elderly person based on a contract;
  - (iv) particulars concerning the frequency with which a contract is entered into;
  - (v) particulars concerning deliveries related to a contract;
  - (vi) particulars concerning changes to a contract;
  - (vii) particulars concerning termination of a contract (including the grounds for canceling a contract);
  - (viii) particulars concerning the handling of miscellaneous expenses;
  - (ix) particulars concerning safety and health;
  - (x) particulars concerning accident compensation and support for non-work related injury or illness;
  - (xi) in the case of concluding an entrustment contract or other contract related to a social contribution business provided for in Article 10-2, paragraph (2), item (ii), (b) or (c) of the Act and taking measures to secure the employment of elderly persons based on the contract, particulars concerning the corporation or other organization implementing the social contribution business;
  - (xii) in addition to what is listed in the preceding items, if there are provisions applicable to all workers who are subject to the measures for start-up support and other assistance, particulars concerning such provisions.
- (3) An employer is to make the plan set forth in paragraph (1), for which the employer has obtained the consent set forth in the proviso to Article 10-2, paragraph (1) of the Act, and make it known to workers at each place of business by any of the following methods:
- (i) post or maintain a copy of the plan in an easily viewable location at each place of business at all times;
  - (ii) deliver written copies to the workers;
  - (iii) record the plan on magnetic tapes, magnetic disks or other equivalent, and provide devices at each place of business so that the workers may check the content of the records at any time;

(Representative of a Majority Under Article 10-2, Paragraph (1) of the Act)  
Article 4-6 (1) The person representing a majority of the workers provided for in Article 10-2, paragraph (1) of the Act (hereinafter referred to as "representative of a majority" in this Article) is to be a person who falls under all of the following:

- (i) a person who is not in a supervisory or management position provided for in item (ii) of Article 41 of the Labor Standards Act (Act No. 49 of 1947);
  - (ii) a person who has been elected through procedures such as voting or a show of hands aimed at electing a representative of a majority to provide the consent set forth in the proviso to Article 10-2, paragraph (1) of the Act, and not elected based on the intention of the employer.
- (2) If there is no person who falls under item (i) of the preceding paragraph, the representative of a majority is to be a person who falls under item (ii) of the same paragraph.
- (3) An employer must refrain from treating a worker unfavorably on the grounds that the worker is the representative of a majority, has attempted to become the representative of a majority, or has performed a legitimate act as the representative of a majority.
- (4) An employer must give necessary consideration to ensure that the representative of a majority may smoothly carry out the affairs relating to the consent set forth in the proviso of Article 10-2, paragraph (1) of the Act.

(Cases Specified by Order of the Ministry of Health, Labour and Welfare Provided for in Article 10-2, Paragraph (2), Item (i) of the Act)  
Article 4-7 (1) The cases specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 10-2, paragraph (2), item (i) of the Act are to be cases where an elderly person establishes a new corporation after mandatory retirement or after reaching the upper limit of the age specified by the continuous employment system referred to in Article 9, paragraph (1), item (ii) of the Act and the corporation commences a new business.

(2) The person specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 10-2, paragraph (2), item (i) of the Act is to be considered the corporation in the case referred to in the preceding paragraph.

(Plans Concerning the Implementation of Measures for Securing Job Opportunities for Elderly Persons)  
Article 4-8 (1) The plan for the implementation of the measures for securing job opportunities for elderly persons set forth in Article 10-3, paragraph (2) of the Act (hereinafter referred to as "plan" in this Article) is to include the following matters:



- (i) the commencement and termination of the plan;
  - (ii) the measures to be implemented during the plan period and the implementation period thereof;
  - (iii) the upper limit of the mandatory retirement age or the age subject to the measures for securing job opportunities for elderly persons during the plan period and at the termination thereof.
- (2) Recommendations on the formulation of the plan are to be made in writing.
- (3) When an employer has prepared a plan, the employer is to submit it without delay to the Chief of the Public Employment Security Office which has jurisdiction over the location of the principal place of business (or, if there are two or more such Public Employment Security Offices, the Public Employment Security Office handling the processes pursuant to the provisions of Article 792 of the Rules on Organization of the Ministry of Health, Labour and Welfare (Order of the Ministry of Health, Labour and Welfare No. 1 of 2001); hereinafter, the same applies).

(Appointment of Promoter of Employment for Elderly Persons)

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

### **Chapter III Facilitating the Re-Employment of Elderly Persons**

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

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

Article 6 (1) Persons specified by Order of the Ministry of Health, Labour and Welfare as provided for in the first sentence of Article 15, paragraph (1) of the Act are those who are 45 or over and under 70 years of age, and who do not fall under any of the following items:

- (i) persons who are employed by the day or for a fixed period of employment (excluding those who have been employed consecutively for a period of more than six months by the same employer);
- (ii) persons who are in a probationary period (excluding those who have been employed consecutively for a period of more than 14 days by the same employer);
- (iii) persons who are employed as persons who are not required to work full time;

- (iv) elderly persons (excluding those who are separated from employment due to reasons set forth in paragraph (3), item (iv), item (v), or item (vii)) who are employed by an employer based on a contract provided for in Article 9, paragraph (2) of the Act that is concluded with another employer;
  - (v) elderly persons (excluding those who are separated from employment due to a reason set forth in paragraph (3), item (vi), or item (vii)) who are employed by an employer based on a contract provided for in Article 10-2, paragraph (3) of the Act that is concluded with another employer.
- (2) The persons specified by Order of the Ministry of Health, Labour and Welfare as provided for in the second sentence of Article 15, paragraph (1) of the Act are to be as follows:
- (i) a person whose employer concludes a contract provided for in Article 9, paragraph (2) of the Act with a specially related employer set forth in the same paragraph and who is employed by the specially related employer based on the contract (limited to a person who is separated from employment due to the reason set forth in item (ii) of the following paragraph);
  - (ii) a person whose employer concludes a contract provided for in Article 10-2, paragraph (3) of the Act with another employer and who is employed by the other employer based on the contract (limited to a person who is separated from employment due to the reason set forth in item (iii) of the following paragraph);
  - (iii) a person who concludes an entrustment contract or other contract provided for in Article 10-2, paragraph (2), item (i) of the Act or an entrustment contract or other contract prescribed in item (ii) of the paragraph with an employer based on the measures for start-up support and other assistance;
  - (iv) a person who concludes an entrustment contract or other contract provided for in Article 10-2, paragraph (2), item (ii), (b) or (c) of the Act with a person who conducts the business set forth in the same item based on the measures for start-up support and other assistance.
- (3) The reasons specified by Order of the Ministry of Health, Labour and Welfare as provided for in Article 15, paragraph (1) of the Act are to be as follows:
- (i) mandatory retirement age (limited to those who are 65 years of age or older);
  - (ii) separation from employment due to having reached the upper limit of the age established by the continuous employment system set forth in Article 9, paragraph (2) of the Act (limited to those who are 65 years of age or older);
  - (iii) separation from employment due to having reached the upper limit of the age established by the measures for securing job opportunities for elderly persons (excluding the raising of the mandatory retirement age and the abolition of the fixed mandatory retirement age; the same applies in item (vi));

- (iv) separation from employment due to failure to meet the criteria relating to elderly persons who become eligible for the continuous employment system set forth in Article 9, paragraph (2) of the Act prior to the Partial Amendment of the Act on Employment Security of Elderly Persons (Act No. 78 of 2012; referred to as the "2012 Amendment Act" in Article 6-3, paragraph (8)), which is to remain in force pursuant to the provisions of paragraph (3) of the Supplementary Provisions of the same Act;
- (v) separation from employment (limited to those who are 65 years of age or older) due to failure to meet the criteria in cases where criteria related to elderly persons eligible for the continuous employment system set forth in Article 9, paragraph (2) of the Act have been established;
- (vi) separation from employment due to failure to meet the criteria in cases where criteria related to measures for securing job opportunities for elderly persons have been established;
- (vii) dismissal (excluding dismissal based on grounds attributable to those persons themselves) or separation from employment at the convenience of the employer.

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

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

- (2) Notification pursuant to the provisions of Article 16, paragraph (1) of the Act must be accomplished by submitting a form for multiple separations from employment (Form No. 1) to the Chief of the Public Employment Security Office which has jurisdiction over the location of the place of business no later than one month prior to the day on which the separations from employment relating to the notification occur (or, if all separations from employment relating to the notification do not occur on the same day, the day on which the final separation from employment relating to the notification occurs).
- (3) The number of persons who are separated from employment under the provisions of Article 16, paragraph (2) of the Act is to be calculated as the total number of elderly persons eligible for re-employment assistance, etc. (hereinafter referred to as "elderly persons eligible for re-employment assistance, etc." in this paragraph), as set forth in Article 15, paragraph (1) of the Act, who are separated from employment for the reasons set forth in the items of paragraph (3) of the preceding Article during a period of not more than one month at the same place of business; provided, however, that among the elderly persons eligible for re-employment assistance, etc. who have been separated from employment, if there are persons (limited to those who are

separated from employment due to any of the reasons listed in the items of paragraph (3) of the preceding Article during the period related to the notification of multiple separations from employment) covered by a notification that has already been made based on the provisions of Article 27, paragraph (1) of the Act on Comprehensively Advancing Labor Measures, Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives (Act No. 132 of 1966) (including an application submitted pursuant to the provisions of Article 24, paragraph (5) of the same Act for the certification set forth in Article 24, paragraph (3) of the same Act that is deemed to serve as a notification of significant fluctuation in employment set forth in Article 27, paragraph (1) of the same Act), the number of those persons is to be deducted from the total number.

(Drafting a Job-Seeking Support Plan)

- Article 6-3 (1) Before drafting a job-seeking support plan (hereinafter referred to as "job-seeking support plan") provided for in Article 17, paragraph (1) of the Act, an employer is to hear the opinions of a labor union organized by a majority of the workers at the place of business associated with the job-seeking support plan (if a labor union exists) or a person representing a majority of the workers (if a labor union does not exist) with regard to the content of the measures to support re-employment universally provided to the eligible elderly persons and others provided for in paragraph (9) (hereinafter referred to as "scheduled elderly retirees"), who are to be separated from employment.
- (2) After a scheduled elderly retiree has been decided, the employer is to immediately hear the wishes of the scheduled elderly retiree concerning the creation of the job-seeking support plan, prepare and deliver it.
- (3) In drafting a job-seeking support plan, in advance of its preparation, an employer is to hear the wishes of the scheduled elderly retiree related to the job-seeking support plan concerning re-employment and job-seeking activities while the scheduled elderly retiree is still employed.
- (4) In lieu of delivering the job-seeking support plan under the provisions of paragraph (2), with the consent of a scheduled elderly retiree and as provided for in paragraph (6), an employer may provide the information to be listed in each item of paragraph (10) (hereinafter referred to as "information on the support plan" in this Article) using an electronic data processing system or other methods of information communication technology, which are listed in the items below (hereinafter referred to as "electronic or magnetic means" in this Article). In this case, the employer is deemed to have issued a job-seeking support plan:
- (i) a method using an electronic data processing system (referring to the electronic data processing system connecting the computer used by an

- employer and the computer used by a scheduled elderly retiree through an electric telecommunication line), by which the information on the support plan is transmitted through the electric telecommunication line connecting the computer used by the employer and the computer used by the scheduled elderly retiree, and the information on the support plan is recorded as a file in the computer used by the scheduled elderly retiree;
- (ii) a method whereby the information on the support plan is recorded as a file on a magnetic disk, a CD-ROM, or any other equivalent medium that is able to accurately record specific information, and is delivered.
- (5) The methods listed in the items in the preceding paragraph must be methods that enable a scheduled elderly retiree to create a document by outputting the information recorded in a file.
- (6) When an employer seeks to provide the information on the support plan pursuant to the provisions of paragraph (4), the employer must inform the scheduled elderly retiree of the type and contents of the following electronic or magnetic means that the employer intends to use, and obtain consent to do so in writing or by an electronic or magnetic means, in advance:
- (i) the prescribed methods used by the employer listed in items of paragraph (4);
  - (ii) a method to record the information onto a file.
- (7) An employer that has obtained consent under the provisions of the preceding paragraph must not provide information on the support plan by electronic or magnetic means if the scheduled elderly retiree has stated in writing or by electronic or magnetic means that the scheduled elderly retiree cannot accept provisions by electronic or magnetic means; provided, however, that this does not apply if the scheduled elderly retiree has consented to it under the provisions of the preceding paragraph at another time.
- (8) The reasons specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 17, paragraph (1) of the Act are a failure to meet the criteria relating to elderly persons who become eligible for the continuous employment system provided for in Article 9, paragraph (2) of the Act prior to the partial revision of the Act, which remains in force pursuant to the provisions of paragraph (3) of the Supplementary Provisions of the 2012 Amendment Act if such criteria has been established, and cases related to the situation of the employer.
- (9) The persons specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 17, paragraph (1) of the Act are those who are 45 or over and under 70 years of age and who do not fall under any of the following:
- (i) persons who are employed by the day or for a fixed period of employment (excluding those who have been employed consecutively for a period of more than six months by the same employer);

- (ii) persons who are in a probationary period (excluding those who have been employed consecutively for a period of more than 14 days by the same employer);
  - (iii) persons who are employed as persons who are not required to work full time;
- (10) The matters specified by Order of the Ministry of Health, Labour and Welfare as provided for in Article 17, paragraph (1) of the Act are as follows:
- (i) the name, age, and sex of a scheduled elderly retiree;
  - (ii) the day on which a scheduled elderly retiree is separated from employment (if the day on which the scheduled elderly retiree is to be separated from employment is not fixed, the period in which the scheduled elderly retiree is to be separated from employment);
  - (iii) vocational career of a scheduled elderly retiree (including the contents of the main business that the scheduled elderly retiree has engaged in, work experience, performance, and achievement);
  - (iv) qualification or license held by or training courses taken by a scheduled elderly retiree;
  - (v) matters relating to the skills, knowledge, and other vocational abilities of a scheduled elderly retiree;
  - (vi) in addition to the descriptions in the preceding three items, matters that will serve as reference when a scheduled elderly retiree drafts a document that clarifies their vocational career and other matters that may be helpful in their re-employment.

- Article 6-4 (1) The operations of a person in charge of re-employment support under the provisions of Article 17, paragraph (2) of the Act are as follows:
- (i) searching for job openings relating to scheduled elderly retirees, collect information concerning job openings, and provide information on job openings obtained thereby to scheduled elderly retirees;
  - (ii) providing necessary consultation for facilitating the re-employment of scheduled elderly retirees;
  - (iii) communicating with Public Employment Security Offices and Public Vocational Abilities Development Institutions and other facilities with regard to support for the re-employment of scheduled elderly retirees;
  - (iv) in addition to the operations listed in the preceding three items, necessary operations in support for the re-employment of scheduled elderly retirees.
- (2) The employer is to ensure the person responsible for re-employment support listens to the opinions of the labor union organized by the majority of workers at the place of business related to the job-seeking support plan (if the labor union exists) or of a person representing a majority of the workers (if the labor union does not exist) with regard to basic matters concerning the performance

of the support operations, before conducting the operations.

Article 6-5 The provisions of Article 4-6, paragraphs (1) and (2) apply mutatis mutandis to a person representing a majority of the workers prescribed in Article 6-3, paragraph (1) and paragraph (2) of the preceding Article. The provisions of Article 4-6, paragraphs (3) and (4) apply mutatis mutandis to an employer set forth in Article 6-3, paragraph (1) and paragraph (2) of the preceding Article.

(Methods Specified by Order of the Ministry of Health, Labour and Welfare  
Provided for in Article 20, Paragraph (1) of the Act)

Article 6-6 (1) The method specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 20, paragraph (1) of the Act, is a method of describing or recording the reason (hereinafter referred to as the "reason" in paragraph (3)), as provided for in the paragraph, in conjunction with a document or an electronic or magnetic record (referring to a record that is made in an electronic form, magnetic form, or any other method not recognizable by human perception and that it is used in information processing by computers; hereinafter, the same applies in this Article) to be used for the recruitment and employment of workers.

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

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

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

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

(3) Notwithstanding the provisions of paragraph (1), when conducting recruitment or employment of workers by placing advertisements in newspapers, magazines, other publications, or by any other method similar to

the abovementioned methods, or when there is no document or electronic or magnetic record provided for in paragraph (1) and thereby it is difficult to show the reason using the method provided for in the paragraph in advance, the reason may be pointed out using either of the following methods without delay at the request of a job seeker:

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

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

(Issuance of Pocketbooks)

Article 7 (1) The application provided for in Article 22 of the Act is to be filed with the Chief of the Public Employment Security Office (hereinafter referred to as "Governing Public Employment Security Office" in this Section) which has jurisdiction over the domicile (or if the domicile is difficult to establish, the residence) of the applicant, in accordance with the procedures and forms specified by the Director-General of the Employment Security Bureau of the Ministry of Health, Labour and Welfare (hereinafter referred to as "Director-General of the Employment Security Bureau").

(2) The requirements specified by the Minister of Health, Labour and Welfare after hearing the opinions of the Labour Policy Council, as provided for in Article 22, item (iv) of the Act, are as follows:

- (i) a person who wishes to be employed as a full-time worker (referring to a worker who has been employed consecutively by the same employer);
- (ii) the amount of income of a person, calculated by a method specified by the Director-General of the Employment Security Bureau (if a spouse (including a person in a de facto marital relationship with the person, though a marriage has not been registered) has income, the amount is to be the total amount of income of both persons calculated by a method specified by the Director-General of the Employment Security Bureau) does not exceed the amount specified by the Director-General of the Employment Security Bureau based on the maximum amount of income on which income tax is not to be imposed, according to the existence of a spouse or dependent relatives and the number of dependent relatives qualified for deduction if they exist, provided for in the Income Tax Act (Act No. 33 of 1965), where the provisions



- of Article 83, Article 84, and Article 86 of the same Act are applied;
- (iii) with regard to a person who has received a job application pocketbook for middle-aged and elderly unemployed persons and other persons (hereinafter referred to as "Pocketbook") provided for in Article 22 of the Act, one year has elapsed since the day on which the Pocketbook (in the event that a person has received a Pocketbook at least two times, the last Pocketbook that the person has received) became invalid, except in cases when it falls under any of the following:
- (a) for those who have obtained a job after receiving a Pocketbook (excluding those whose Pocketbook has become invalid because the person no longer fulfills any of the requirements provided for in Article 22, items (i) or (ii) of the Act, or the preceding two items, or the person falls under Article 9, paragraph (1), items (i) or (iii)), when the person separates from employment for reasons which cannot be attributed to the person or due to other circumstances which cannot be attributed to the person;
  - (b) for a person whose Pocketbook becomes invalid as the person falls under Article 9, paragraph (1), item (ii), when the reason provided for in the same item has ceased to exist.
- (iv) a person has not received or is not entitled to receive the authorization of Article 10-2, paragraphs (1) or (2) of the Act on Temporary Measures concerning Ex-Workers of Armed Forces Stationed in Japan (Act No. 158 of 1958), pursuant to the provisions of paragraphs (1) or (2) of that Article (excluding cases in which one year has elapsed since the day on which the authorization ceases to be effective, pursuant to the provisions of paragraphs (4) or (5) of the same Article);
- (v) a person has not received or is not entitled to receive a job application pocketbook for unemployed persons in Okinawa pursuant to the provisions of Article 70, paragraph (1) of the Act on Special Measures for the Promotion and Development of Okinawa (Act No. 14 of 2002) (excluding cases in which one year has elapsed since the day on which the person's job application pocketbook for unemployed persons in Okinawa became invalid, pursuant to the provisions of paragraph (2) of the same Article);
- (vi) a person has not received or is not entitled to receive a job application pocketbook for retired fishers pursuant to the provisions of Article 4, paragraph (1) of the Act on Temporary Measures concerning Retired Fishers Incidental to Conclusion of International Agreement (Act No. 94 of 1977) or Article 3-2 of the Order for Enforcement of the Act on Temporary Measures concerning Retired Fishers Incidental to Conclusion of International Agreement (Order of the Ministry of Labour No. 30 of 1977) (excluding cases in which one year has elapsed since the day on which the person's job application pocketbook for retired fishers became invalid due to expiration

- specified by Order of the Ministry of Health, Labour and Welfare as provided for in Article 4, paragraph (3) of the same Act or pursuant to the provisions of paragraph (4) of the same Article);
- (vii) a person has not received or is not entitled to receive a job application pocketbook for retirees of regular ferry line service for general passengers pursuant to the provisions of Article 16, paragraphs (1) or (2) of the Act on Special Measures concerning Regular Ferry Line Service for General Passengers Incidental to Construction of Connection Bridge Between Honshu and Shikoku (Act No. 72 of 1981), or Article 1 of the Ministerial Order on Vocational Guidance Based on the Act on Special Measures concerning Regular Ferry Line Service for General Passengers Incidental to Construction of Connection Bridge Between Honshu and Shikoku (Order of the Ministry of Labour No. 38 of 1981) (excluding cases in which one year has elapsed since the day on which the person's job application pocketbook for retirees of regular ferry line service for general passengers became invalid pursuant to the provisions of Article 16, paragraph (3) of the same Act);
- (viii) a person who has not received a job application pocketbook for coal mining retirees pursuant to the provisions of Article 8 or Article 9 of the Supplementary Provisions of the Order for Enforcement of the Employment Measures Act (Order of the Ministry of Labour No. 23 of 1966) prior to the revision by the Ministerial Order on Partial Revision of the Order for Enforcement of the Employment Insurance Act (Order of the Ministry of Health, Labour and Welfare No. 82 of 2005) (excluding cases in which one year has elapsed since the day on which the person's job application pocketbook for coal mining retirees became invalid due to the expiration provided for in Article 12, paragraph (1) of the Supplementary Provisions of the same Order or pursuant to the provisions of paragraph (2) of the same Article).
- (3) In principle, when an application for a Pocketbook is filed, the chief of the governing Public Employment Security Office is to examine whether the applicant falls under the provisions of Article 22 of the Act within 30 days from the date of receipt of the application, and if the chief finds that the applicant falls under the provisions, the chief is to issue a Pocketbook to the applicant, and if the chief finds that the applicant does not fall under the provisions, the chief is to notify the applicant in writing to that effect.
- (4) When the chief of the governing Public Employment Security Office deems it necessary in order to carry out the examination described in the preceding paragraph, the chief is to request that the applicant submit a medical certificate of the results of the medical examination, or inspect the skills, physical strength, aptitude and other characteristics of the applicant.

- (5) The form of the Pocketbook is specified by the Director-General of the Employment Security Bureau.

(Validity Period of a pocketbook)

Article 8 (1) As provided for in Article 23, paragraph (1) of the Act, the period specified by Order of the Ministry of Health, Labour and Welfare is six months from the date of issuance of the Pocketbook; provided, however, that if the chief of the governing Public Employment Security Office instructs the unemployed person to undertake the measures listed in Article 25, paragraph (1), item (ii) of the Act or the measures (limited to training that is designed to assist the unemployed person in adapting to the working environment) listed in item (iii) of the same paragraph, based on the plan provided for in the paragraph, pursuant to the provisions of Article 26, paragraph (1) of the Act, and when the measures are not completed within a period of six months, the period is until the end of the measures.

(2) The extension of the validity period of a Pocketbook under the provisions of Article 23, paragraph (2) of the Act is to be made for a person who has received a Pocketbook and falls under any of the following items and is found to still be in need of the measures (hereinafter referred to as "employment promotion measures") listed in the items of Article 25, paragraph (1) of the Act, based on the plan provided for in the paragraph:

- (i) persons who are 55 or over and under 65 years of age (excluding those listed in item (iii));
- (ii) for persons who reside in a specified area, in addition to those listed in the preceding item, persons who are 45 or over and under 55 years of age (excluding those persons listed in the following item);
- (iii) a person whom the chief of the governing Public Employment Security Office deems to be having particular difficulty in finding employment, based on the criteria specified by the Director-General of the Employment Security Bureau.

(3) As referred to in Article 23, paragraph (2) of the Act, the period specified by Order of the Ministry of Health, Labour and Welfare is six months for those who are listed in items (i) and (iii) of the preceding paragraph and reside in an area other than the specified area and those listed in item (ii) of the same paragraph, and one year for those listed in items (i) and (iii) of the preceding paragraph who reside in the specified area, calculated from the day following the final day of the period provided for in paragraph (1).

(Invalidation of a Pocketbook)

Article 9 (1) The requirements specified by the Minister of Health, Labour and Welfare, after hearing the opinions of the Labour Policy Council as provided for

in Article 24, paragraph (1), item (iii) of the Act, are as follows:

- (i) when a person fails to follow the instructions provided for in Article 26, paragraphs (1) or (2) of the Act or Article 27, paragraph (2) of the Act and the person does not fall under any of the following items. The decision on whether a person falls under any of the following items is made based on the standards formulated by the Director-General of the Employment Security Bureau, in accordance with the criteria provided for in Article 32, paragraph (3) of the Employment Insurance Act:
    - (a) when the instructed employment promotion measures or the employment that a person has been referred to are not appropriate in light of the abilities of the person;
    - (b) when a change to the current domicile or residence would be required in order to undertake the instructed employment promotion measures or to engage in the employment that the person has been referred to, and the change would be difficult;
    - (c) when the wage offered by the employer is unjustifiably low in comparison to the wage level deemed usual for work of the same degree of skill, in the same kind of business, and in the same locality;
    - (d) when a person is referred to a place of business where a labor dispute has arisen, in violation of the provisions of Article 20 of the Employment Security Act;
    - (e) when there is any other justifiable reason.
  - (ii) when a person is unable to undertake the employment promotion measures due to sickness or injury or for any other reason, and it is difficult to expect the measures to have an effect;
  - (iii) when a person, by means of deception or other wrongful act, has received or has attempted to receive the job-change benefits provided for in Article 18 of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives, benefits for unemployment, etc., or the childcare leave benefits under the provisions of the Employment Insurance Act, or other benefits equivalent thereto under the provisions of laws and regulations or Orders; provided, however, that this excludes cases where it is found that there is a compelling reason for the actions.
- (2) The notice provided for in Article 24, paragraph (2) of the Act is to be given in writing, specifying a deadline by which a Pocketbook that has become invalid pursuant to the provisions of paragraph (1) of the same Article is to be returned.

(Return of Pocketbook)

Article 10 A person who has received a Pocketbook must return the Pocketbook

to the chief of the governing Public Employment Security Office immediately upon the lapse of the period provided for in Article 8, paragraphs (1) or (3), when a Pocketbook becomes invalid due to expiration of the period, or by the deadline provided for in paragraph (2) of the preceding Article when the Pocketbook becomes invalid pursuant to the provisions of Article 24, paragraph (1) of the Act.

(Reissuance of Pocketbook)

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

(2) When a person to whom a Pocketbook has been reissued due to loss of a Pocketbook finds the lost Pocketbook, the person must immediately return the Pocketbook to the chief of the governing Public Employment Security Office.

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

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

Article 13 Deleted

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

Article 14 (1) The instructions provided for in Article 26, paragraph (1) of the Act are to be carried out at the same time as the issuance of a Pocketbook, and the instructions provided for in paragraph (2) of the same Article are to be carried out at the same time as the extension of the validity period of the Pocketbook.

(2) The instructions set forth in Article 26, paragraphs (1) and (2) of the Act are to be carried out by describing the particulars listed in the following items in a Pocketbook:

- (i) the types of employment promotion measures to be undertaken and their order;
- (ii) the period that a person is to undertake the employment promotion measures and the start and end of the period;
- (iii) if a person is instructed to undertake the measures listed in Article 25,

- paragraph (1), item (i) of the Act, the days that the person should regularly appear at the governing Public Employment Security Office;
- (iv) if a person is instructed to undertake the measures (hereinafter referred to as "training" in this item) listed in Article 25, paragraph (1), items (ii) or (iii) of the Act, the type of training and facilities;
  - (v) any other matters deemed necessary to undertake the employment promotion measures as specified by the Director-General of the Employment Security Bureau.
- (3) When the Chief of the Governing Public Employment Security Office gives instructions, as provided for in Article 26, paragraphs (1) or (2) of the Act, concerning the instructions, the Chief must consult in advance with the chief of a public vocational training facility and any other relevant organizations that are implementing the employment promotion measures.
- (4) When the Chief of the Governing Public Employment Security Office gives instructions provided for in Article 26, paragraphs (1) or (2) of the Act, the Chief must immediately notify to that effect the organizations that are implementing the employment promotion measures that are related to the instructions.

(Plan Provided for in Article 31 of the Act)

Article 15 The matters to be specified in the plan provided for in Article 31 of the Act are as follows:

- (i) a basic policy for the promotion of the employment of middle-aged and elderly unemployed persons and other persons as provided for in Article 2, paragraph (2) of the Act;
- (ii) matters relating to the vocational guidance and employment placements, as well as vocational training;
- (iii) matters relating to setting the absorption ratio of unemployed persons provided for in Article 32, paragraph (1) of the Act concerning public works projects (hereinafter referred to as "public works projects") provided for in the same paragraph;
- (iv) matters relating to the implementation of a project for the development of and employment in a specified area;
- (v) matters relating to the coordination on the implementation of a public works project and the implementation of a project for the development of and employment in a specified area;
- (vi) matters relating to the coordination and cooperation with relevant organizations, such as local governments.

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

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

Security Office under the provisions of Article 32, paragraph (3) of the Act, a project operator for a public works project (hereinafter referred to as "project operator for a public works project") provided for in paragraph (2) of the same Article is to submit a written application to the Public Employment Security Office governing the area where the main work is to be carried out using the form specified by the Director-General of the Employment Security Bureau.

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

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

#### **Chapter IV Deleted**

Articles 18 through 23 Deleted

#### **Chapter V Silver Human Resources Centers**

##### **Section 1 Silver Human Resources Centers**

(Criteria Specified by Order of the Ministry of Health, Labour and Welfare  
Provided for in Article 37, Paragraph (1) of the Act)

Article 24 The criteria specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 37, paragraph (1) of the Act, will apply when a prefectural governor intends to designate two or more municipal areas, provided the municipal areas satisfy the following requirements:

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

(ii) when the operations provided for in Article 38, paragraph (1) of the Act are carried out in the two or more municipal areas, in light of the situation and environment for employment opportunities for temporary short-term work and other light activities, they are expected to be carried out more efficiently compared to cases in which the operations are carried out in a single municipal area.

(Application for Designation)

Article 24-2 (1) A person that seeks to receive a designation under the provisions of Article 37, paragraph (1) of the Act must submit to the prefectural governor a written application that contains the following particulars:

- (i) name and address;
- (ii) name of the representative;
- (iii) location of the place of business;

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

- (i) articles of incorporation and certificate of registered matters;
- (ii) the total amount of assets, their type, and a document certifying these items;
- (iii) a basic plan for the operations provided for in Article 38, paragraph (1) of the Act;
- (iv) a document that contains the names and brief biographical outlines of officers;

(Notification for Change of Name)

Article 24-3 A silver human resources center (hereinafter referred to as "silver human resources center") provided for in Article 37, paragraph (2) of the Act that intends to submit a notification under the provisions of paragraph (4) of the same Article must submit to the prefectural governor a document that contains the following particulars:

- (i) name, address or location of the place of business after a change;
- (ii) expected day of change;
- (iii) reason for change.

(Notification of Fee-based Employment Placement Service)

Article 24-4 (1) A silver human resources center that intends to provide a fee-based employment placement service pursuant to the provisions of Article 38, paragraph (2) of the Act must notify the director of the prefectural labor bureau governing the location of the principal place of business (hereinafter referred to as "director of the governing prefectural labor bureau").

- (2) Upon submission of the notification provided for in the preceding paragraph, the provisions concerning the operation of the fee-based employment placement service must be attached.
- (3) When the director of the governing prefectural labor bureau receives a notification provided for in paragraph (1), the director of the governing prefectural labor bureau must notify the received date to the person who submitted the notification.



- (4) The procedures and forms for the notification provided for in paragraph (1) are determined by the Director-General of the Employment Security Bureau.
- (5) If a silver human resources center providing a fee-based employment placement service after submitting a notification pursuant to the provisions of Article 38, paragraph (2) of the Act discontinues its service, either in whole or in part, it must notify the director of the governing prefectural labor bureau in writing thereof, within 10 days from the date of the discontinuation.
- (6) The provisions applied to Public Employment Security Offices in the Order for Enforcement of the Employment Security Act (Order of the Ministry of Labour No. 12 of 1947) apply mutatis mutandis to the fee-based employment placement service carried out by silver human resources centers, as specified by the Director-General of the Employment Security Bureau.

(Submission of Reports)

- Article 24-5 (1) After submitting a notification pursuant to the provisions of Article 38, paragraph (2) of the Act, a silver human resources center that provides a fee-based employment placement service must keep books and records pursuant to the procedures and forms specified by the Director-General of the Employment Security Bureau, prepare reports, and submit them to the Director-General of the Employment Security Bureau via the director of the governing prefectural labor bureau.
- (2) When the director of the governing prefectural labor bureau receives the reports provided for in the preceding paragraph, the director of the governing prefectural labor bureau must immediately forward them to the Director-General of the Employment Security Bureau.

(Particulars Specified by Order of the Ministry of Health, Labour and Welfare Provided for in Article 32-4, Paragraph (2) of the Employment Security Act as Applied by Replacing Certain Terms Pursuant to Article 38, Paragraph (3) of the Act)

Article 24-6 The particulars specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 32-4, paragraph (2) of the Employment Security Act, as applied by replacing terms pursuant to Article 38, paragraph (3) of the Act are as follows:

- (i) name, and name of the representative;
- (ii) name and address of the place of business.

(Notification of Temporary Labor Services)

Article 24-7 A silver human resources center that intends to carry out temporary labor services pursuant to the provisions of Article 38, paragraph (5) of the Act must notify this to the director of the governing prefectural labor bureau.

(Matters Specified by Order of the Ministry of Health, Labour and Welfare  
Provided for in Article 8, Paragraph (2) of the Temporary Staffing Act as  
Applied by Replacing Terms Pursuant to Article 38, Paragraph (6) of the Act)

Article 24-8 The matters to be specified by Order of the Ministry of Health,  
Labour and Welfare, as provided for in Article 8, paragraph (2) of the Act on  
Securing the Proper Operation of Temporary Labor Services and Protecting  
Temporary Workers (Act No. 88 of 1985; hereinafter referred to as the  
"Temporary Staffing Act"), as applied by replacing terms pursuant to Article 38,  
paragraph (6) of the Act, are as follows:

- (i) name, and name of the representative;
- (ii) name and address of the place of business.

(Special Application of the Enforcement Regulations of the Temporary Staffing  
Act)

Article 24-9 (1) Notwithstanding the provisions of Article 1-2, paragraph (1) of  
the Enforcement Regulations of the Act on Securing the Proper Operation of  
Temporary Labor Services and Protecting Temporary Workers (Order of the  
Ministry of Labour No. 20 of 1986; hereinafter referred to as the "Enforcement  
Regulations of the Temporary Staffing Act"), the written notice provided for in  
Article 5, paragraph (2) of the Temporary Staffing Act, as applied by replacing  
terms pursuant to Article 38, paragraph (6) of the Act, is to be made using the  
format specified by the Director-General of the Employment Security Bureau.

(2) Notwithstanding the provisions of Article 1-2, paragraph (3) of the  
Enforcement Regulations of the Temporary Staffing Act, the operation plans to  
be attached by a silver human resources center pursuant to the provisions of  
Article 5, paragraph (3) of the Temporary Staffing Act are to be made using the  
form specified by the Director-General of the Employment Security Bureau.

(3) Notwithstanding the provisions of Article 8, paragraph (1) of the Enforcement  
Regulations of the Temporary Staffing Act, a silver human resources center  
that intends to submit a notification under the provisions of Article 11,  
paragraph (1) of the Temporary Staffing Act must submit a written notice to  
the director of the governing prefectural labor bureau, using the form specified  
by the Director-General of the Employment Security Bureau, within 30 days  
from the day following the day on which the matters related to the changes  
occurred, in the case of submitting a notification of changes listed in Article 5,  
paragraph (2), item (iv) of the Temporary Staffing Act; and within 10 days from  
the day following the day on which the matters related to the changes occurred  
(30 days where a certificate of registered matters is to be attached pursuant to  
the provisions of Article 8, paragraph (3) of the Enforcement Regulations of the  
Temporary Staffing Act), in the case of submitting a notification of changes

other than those listed in the same item.

- (4) Notwithstanding the provisions of Article 10 of the Enforcement Regulations of the Temporary Staffing Act, a silver human resources center that intends to submit a notification under the provisions of Article 13, paragraph (1) of the Temporary Staffing Act must submit a written notice to the director of the governing prefectural labor bureau, using the form specified by the Director-General of the Employment Security Bureau, within 10 days from the day following the day of the discontinuation of the temporary labor services.
- (5) Notwithstanding the provisions of Article 17, paragraph (2) and Article 17-2 of the Enforcement Regulations of the Temporary Staffing Act, the submission of an operating report and statement of accounts by a silver human resources center under the provisions of Article 23, paragraph (1) of the Temporary Staffing Act as applied by deeming them pursuant to the provisions of Article 38, paragraph (6) of the Act, and the report of the ratio of temporary staffing provided to the operator's associated clients under the provisions of Article 23, paragraph (3) of the Temporary Staffing Act as applied by deeming them pursuant to the provisions of Article 38, paragraph (6) of the Act, are to be in the formats specified by the Director-General of the Employment Security Bureau, respectively.
- (6) With regard to the application of the provisions of the Enforcement Regulations of the Temporary Staffing Act that are listed in the left-hand column of the table below and that relate to the temporary labor services under the provisions of Article 38, paragraph (5) of the Act, the terms or phrases listed in the middle column of the table below that appear in these provisions are deemed to be replaced with the corresponding terms or phrases listed in the right-hand column of the table, and the provisions of Article 1-2, paragraph (2), item (i), (g) and (j) through (l) and Article 4 of the Enforcement Regulations of the Temporary Staffing Act do not apply.

Article 1-2, paragraph (2), item (i), (h)	documents certifying the contents of assets relating to the general worker dispatching undertaking and the certificate of registered matters for the building and other documents certifying the contents of the assets	concerning the office that carries out
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Article 8, paragraph (2)	the written notice of changes to temporary labor services referred to in the preceding paragraph	the written notice using the form specified by the Director-General of the Employment Security Bureau as provided for in Article 24-9, paragraph (3) of the Ordinance for Enforcement of the Act on Stabilization of Employment of Elderly Persons
	and (h) through (l)	, (h) and (i)
Article 8, paragraph (3)	the written notice of changes to temporary labor services or the written notice of changes to temporary labor services and the written application for the rewriting of the License Certificate referred to in paragraph (1)	the written notice using the form specified by the Director-General of the Employment Security Bureau as provided for in Article 24-9, paragraph (3) of the Ordinance for Enforcement of the Act on Stabilization of Employment of Elderly Persons
	must be accompanied by (omission) (in the case of making a notification of changes related to the abolition of a place(s) of business, the License Certificate(s) for the abolished place(s) of business)	must be accompanied by

(Criteria Specified by Order of the Ministry of Health, Labour and Welfare Specified in Article 39, Paragraph (1) of the Act)

Article 24-10 The criteria specified by Order of the Ministry of Health, Labour and Welfare as prescribed in Article 39, paragraph (1) of the Act are as follows:

- (i) it is recognized that there will be no undue harm to the interests of business operators who operate a fee-based employment placement service or temporary labor services related to the business type and job type to be designated or businesses of the same type as those in the municipal area related to the designation;
- (ii) it is recognized that the designation will not have a significant effect on employment opportunities or working conditions of workers in the municipal area related to the designation.

(Submission of the Operation Plan)

Article 25 (1) An operational plan and a budget for income and expenditure provided for in the first sentence of Article 41, paragraph (1) of the Act must be submitted before the start of every fiscal year (in the fiscal year of the day on which the person has been designated, after the designation and without delay).

- (2) When a silver human resources center changes an operation plan or a budget for income and expenditure pursuant to the provisions of the second sentence of Article 41, paragraph (1) of the Act, the silver human resources center must submit to the prefectural governor without delay a document that contains the matters that have been changed and the reasons for the changes.
- (3) An operating report and a statement of accounts as provided for in Article 41, paragraph (2) of the Act must be submitted within three months after the end of each fiscal year.

## **Section 2 Silver Human Resources Center Association**

(Criteria Specified by Order of the Ministry of Health, Labour and Welfare  
Provided for in Article 44, Paragraph (1) of the Act)

Article 26 The criteria specified by Order of the Ministry of Health, Labour and Welfare, as provided for in Article 44, paragraph (1) of the Act, are that a municipal area to be designated by the prefectural governor as the area subject to the designation provided for in Article 44, paragraph (1) of the Act relating to the silver human resources center association (hereinafter referred to as the "silver human resources center association") provided for in Article 37, paragraph (1) of the Act (referred to as the "area related to the designation of the association" in paragraph (1), item (iv) of the following Article) satisfies the following requirements:

- (i) the municipal area is close to the area related to the designation provided for in Article 37, paragraph (1) of the Act relating to the silver human resources center that is a member of the person that seeks to receive designation under the provisions of Article 44, paragraph (1) of the Act, or there is a considerable number of mandatory retired persons and other elderly retirees in the municipal area or two or more neighboring municipal areas;
- (ii) when the operations provided for in Article 38, paragraph (1) of the Act as applied *mutatis mutandis* pursuant to Article 45 of the Act are carried out by a silver human resources center association in a municipal area, in light of the situation, etc. regarding employment opportunities for temporary short-term work and other light activities, the operations are expected to be carried out in a more efficient manner compared to cases in which the operations provided for in Article 38, paragraph (1) of the Act are carried out by a silver human resources center in the municipal area.

(Application for Designation)

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

contains the following matters to the prefectural governor:

- (i) name and address;
- (ii) name of the representative;
- (iii) location of the place of business;
- (iv) areas that are requested to be included in the area related to the designation of the association.

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

- (i) articles of incorporation and certificate of registered matters;
- (ii) the total amount of assets, their type, and a document certifying these items;
- (iii) a basic plan for operations provided for in Article 38, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act;
- (iv) a document that contains the names and brief biographical outlines of officers;
- (v) a document that contains the name and address of the member silver human resources centers.

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

Article 28 When the silver human resources center association intends to submit a notification under the provisions of Article 44, paragraph (2) of the Act, the silver human resources center association must submit a document that contains the name and address of a silver human resources center that has become its member to the prefectural governor.

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

Article 29 When the silver human resources center association intends to make a request under the provisions of Article 44, paragraph (4) of the Act, the silver human resources center association must submit to the prefectural governor a written request that identifies the areas that are to be included in the designated areas of the association due to a change, as provided for in the proviso to Article 37, paragraph (1) of the Act, by attaching to the request the documents provided for in Article 27, paragraph (2), item (iii) concerning the designated areas of the association after the change.

(Special Application of the Enforcement Regulation of the Temporary Staffing Act)

Article 29-2 With regard to the application of the provisions of Article 29, item (i) of the Enforcement Regulation of the Temporary Staffing Act that relate to

temporary labor services under the provisions of Article 38, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act, the phrase "appoint from among the workers employed by it" in the same item is deemed to be replaced with "appoint."

(Application Mutatis Mutandis)

Article 30 The provisions of Articles 24-3 through 25 apply mutatis mutandis to the silver human resources center association. In this case, "Article 37, paragraph (4) of the Act" in Article 24-3 is deemed to be replaced with "Article 37, paragraph (4) of the act as applied mutatis mutandis pursuant to Article 45 of the Act"; "Article 38, paragraph (2) of the Act" in Article 24-4, paragraphs (1) and (5) and Article 24-5, paragraph (1) is deemed to be replaced with "Article 38, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; "Article 38, paragraph (5) of the Act" in Article 24-7 and Article 24-9, paragraph (6) is deemed to be replaced with "Article 38, paragraph (5) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; "Article 38, paragraph (6) of the Act" in Article 24-8 and Article 24-9, paragraph (1) is deemed to be replaced with "Article 38, paragraph (6) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; "Article 24-9, paragraph (3)" in the row of Article 8, paragraph (2) and the row of Article 8, paragraph (3) in the table of Article 24-9, paragraph (6) is deemed to be replaced with "Article 24-9, paragraph (3) of the same Order as applied mutatis mutandis pursuant to Article 30"; "Article 39, paragraph (1) of the Act" in Article 24-10 is deemed to be replaced with "Article 39, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; "the first sentence of Article 41, paragraph (1) of the Act" in Article 25, paragraph (1) is deemed to be replaced with "the first sentence of Article 41, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act"; "the second sentence of Article 41, paragraph (1) of the Act" in paragraph (2) of the same Article is deemed to be replaced with "the second sentence of Article 41, paragraph (1) of the act as applied mutatis mutandis pursuant to Article 45 of the Act"; and "Article 41, paragraph (2) of the Act" in paragraph (3) of the same Article is deemed to be replaced with "Article 41, paragraph (2) of the Act as applied mutatis mutandis pursuant to Article 45 of the Act."

### **Section 3 National Silver Human Resources Center Association**

(Criteria for Designation)

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

(i) the plan for the implementation of operations that covers personnel,

- operational procedures, and other matters is appropriate, and the person is found to have a sufficient financial and technical foundation to carry out the plan in a reliable manner;
- (ii) that, in addition to the provisions of the preceding item, the person is found to be capable of carrying out the operations in a proper and reliable manner and is contributing to the enhanced welfare of elderly persons.

Article 31-2 The provisions of Article 24-2 apply mutatis mutandis to those who seek to receive designation under the provisions of Article 46 of the Act, and the provisions of Article 24-3 and Article 25 apply mutatis mutandis to a national silver human resources center association provided for in Article 47 of the Act. In this case, "Article 37, paragraph (1) of the Act" in Article 24-2, paragraph (1) is deemed be replaced with "Article 46 of the Act"; "the prefectural governor" is deemed to be replaced with "the Minister of Health, Labour and Welfare"; "Article 38, paragraph (1) of the Act" in paragraph (2), item (iii) of the same Article is deemed to be replaced with "Article 47 of the Act"; "Article 37, paragraph (4) of the Act" in Article 24-3 is deemed to be replaced with "Article 37, paragraph (4) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; "the prefectural governor" is deemed to be replaced with "the Minister of Health, Labour and Welfare"; "the first sentence of Article 41, paragraph (1) of the Act" in Article 25, paragraph (1) is deemed to be replaced with "the first sentence of Article 41, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; "the second sentence of Article 41, paragraph (1) of the Act" in paragraph (2) of the same Article is deemed to be replaced with "the second sentence of Article 41, paragraph (1) of the Act as applied mutatis mutandis pursuant to Article 48 of the Act"; "the prefectural governor" is deemed to be replaced with "the Minister of Health, Labour and Welfare"; and "Article 41, paragraph (2) of the Act" in paragraph (3) of the same Article is deemed to be replaced with "Article 41, paragraph (2) of the act as applied mutatis mutandis pursuant to Article 48 of the Act."

## **Chapter VI Support by the National Government**

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

Article 32 The persons specified by Order of the Ministry of Health, Labour and Welfare as provided for in Article 49, paragraph (1) of the Act if the Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers provided for in paragraph (2) of the same Article carries out the operations provided for in each item of paragraph (1) in the same Article are to



be middle-aged and elderly unemployed persons, etc. provided for in Article 2, paragraph (2), item (ii) of the Act who are under 55 years of age.

## **Chapter VII Miscellaneous Provisions**

(Reporting on the Employment Conditions of Elderly Persons)

Article 33 (1) Every year, an employer must report to the Minister of Health, Labour and Welfare, via the Chief of the Public Employment Security Office governing the location of its principal place of business (hereinafter, referred to as the "governing Public Employment Security Office" in paragraph (2) of the following Article), the circumstances surrounding mandatory retirement age, the continuous employment system, the continuous employment system for persons 65 years of age or older, the measures for start-up support and other assistance, and other circumstances relating to securing employment opportunities for elderly persons by submitting a report on the employment conditions of elderly persons (Form No. 2) as of June 1, by the 15th day of the following month.

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

(Delegation of Authority)

Article 34 (1) The following authorities of the Minister of Health, Labour and Welfare are delegated to the Director of the Prefectural Labor Bureau, pursuant to the provisions of Article 54, paragraph (1) of the Act; provided, however, that this does not prevent the Minister of Health, Labour and Welfare from personally exercising the authorities listed in items (i) through (iv) and item (viii):

- (i) the authority of the Minister of Health, Labour and Welfare provided for in Article 10 of the Act;
- (ii) the authority of the Minister of Health, Labour and Welfare provided for in Article 10-3, paragraphs (1), (2) and (4) of the Act;
- (iii) the authority of the Minister of Health, Labour and Welfare provided for in Article 18 of the Act;
- (iv) the authority of the Minister of Health, Labour and Welfare provided for in Article 20, paragraph (2) of the Act.
- (v) the authority of the Minister of Health, Labour and Welfare provided for in Article 38, paragraph (2) of the Act (including cases where it is applied *mutatis mutandis* pursuant to Article 45 of the Act);

- (vi) the authority of the Minister of Health, Labour and Welfare provided for in Article 38, paragraph (5) of the Act (including cases where it is applied mutatis mutandis pursuant to Article 45 of the Act);
  - (vii) the authority of the Minister of Health, Labour and Welfare provided for in Article 5, paragraph (2) of the Temporary Staffing Act, as applied by replacing certain terms pursuant to Article 38, paragraph (6) of the Act, as well as Article 11, paragraph (1), Article 13, paragraph (1), and Article 23, paragraph (1) of the Temporary Staffing Act, as applied pursuant to Article 38, paragraph (6) of the Act;
  - (viii) the authority of the Minister of Health, Labour and Welfare provided for in Article 52, paragraph (2) of the Act.
- (2) The authorities listed in items (i) through (iv) and item (viii) of the preceding paragraph are delegated to the Chief of the governing Public Employment Security Office, pursuant to the provisions of Article 54, paragraph (2) of the Act; provided, however, that this does not prevent the Director of the Prefectural Labor Bureau from personally exercising the authorities listed in items (i) through (iv) of the preceding paragraph.

### **Supplementary Provisions**

(Effective Date)

- (1) This Ministerial Order comes into effect as of the date of enforcement of the Act (October 1, 1971).

(Transitional Measures for the Application of the Provisions of Article 7)

- (2) Persons who have received the certification set forth in Article 27, paragraph (1) of the Employment Security Act prior to revision by the Act (hereinafter referred to as the "Former Employment Security Act") at the time of the enforcement of this Ministerial Order (limited to those who have received instructions set forth in the same paragraph, and excluding those who have received a Pocketbook pursuant to the provisions of Article 22 of the Act) and persons who have received the certification set forth in the same paragraph prior to the date of the enforcement of this Ministerial Order are deemed to have received the Pocketbook with regard to the application of the provisions of Article 7, paragraph (2), item (iii). In these cases, the day on which the certification regarding these persons ceased to be effective is deemed to be the day on which the Pocketbook ceased to be effective.

(Transitional Measures for the Application of the Provisions of Article 8)

- (3) Notwithstanding the provisions of Article 8, paragraph (1), the validity period of a Pocketbook issued to a person who has received instructions as set forth in

Article 27, paragraph (1) of the Former Employment Security Act as of the time of the enforcement of this Ministerial Order and who falls under the provisions of Article 22 of the Act is to be the period from the date of issuance of the Pocketbook until the completion of the employment promotion measures set forth in Article 26, paragraph (1) of the Former Employment Security Act pertaining to the instructions; provided, however, that if the period of the employment promotion measures set forth in the same paragraph related to the instructions is less than six months, the validity period of the Pocketbook is to be the period from the date of issuance of the Pocketbook until the day on which the six-month period starting on the day on which the employment promotion measures were commenced has elapsed.

(Extension of Validity Periods for Pocketbooks Issued to Persons Separated from Employment at Approved Small and Medium-Sized Enterprises)

- (4) Notwithstanding the provisions of Article 8, paragraphs (2) and (3), the extension of the validity period for a Pocketbook under the provisions of Article 23, paragraph (2) of the Act for a person who is separated from employment at an approved small or medium-sized enterprise (meaning a person who was engaged in a business operated by a small or medium-sized enterprise prescribed in Article 4 of the Act on Temporary Measures for Small and Medium-Sized Enterprises in Line with the Implementation of International Economic Adjustment Measures (Act No. 124 of 1971) and was separated from the business on or after February 14, 1973; or a person who was engaged in a business operated by a small or medium-sized enterprise that received the approval set forth in Article 3, paragraph (1) of the Act on Temporary Measures for Small and Medium-sized Enterprises in Line with the Implementation of International Economic Adjustment Measures prior to the revision by the Act Partially Amending the Act on Temporary Measures for Small and Medium-sized Enterprises in Line with the Implementation of International Economic Adjustment Measures (Act No. 47 of 1973), who was separated from the business on or after the date of enforcement of the Act), and filed an application for issuance of a Pocketbook as set forth in Article 22 of the Act no later than the day on which a five-year period starting from the date of enforcement of the same Act had elapsed, is to be six months in the case of a person who resides in an area other than the specified area and one year in the case of a person who resides in the specified area, counting from the day following the last day of the period set forth in paragraph (1) of the same Article.

(Employment of Middle-Aged and Elderly Persons Associated with Business Offices of the National Government, etc.)

- (5) The employment of middle-aged and elderly persons carried out by the national government, local government, and corporations listed in the items of paragraph (2) of the Supplementary Provisions of the Enforcement Order of the Act on Stabilization of Employment of Elderly Workers (Cabinet Order No. 252 of 1976) is governed by the provisions of Article 4, Article 5, and Appended Table 1 of the Order for Enforcement of the Act on Special Measures Concerning the Promotion of the Employment of Middle-Aged and Elderly Workers prior to the revision by the Ministerial Order for Partial Revision of the Order for Enforcement of the Act on Special Measures Concerning the Promotion of the Employment of Middle-Aged and Elderly Workers (Order of the Ministry of Labour No. 37 of 1976).
- (6) With regard to the application of the provisions of Article 25, paragraph (3) to the submission of an operating report and a statement of accounts under Article 41, paragraph (2) of the Act related to the business for fiscal year 2019, the phrase "within three months after the end of each fiscal year" in Article 25, paragraph (3) is deemed to be replaced with "by the last day of August, 2020."
- (7) In fiscal year 2020, with regard to the application of the provisions of Article 33, paragraph (1) to the reporting circumstances concerning the mandatory retirement age, the status of the continuous employment system, and other circumstances relating to the employment of elderly persons under the provisions of Article 52, paragraph (1) of the Act, the phrase "by the 15th day of the following month" in the same paragraph is deemed to be replaced with "by the last day of August, 2020."

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 60 of April 10, 2018]**

This Ministerial Order comes into effect as from the date of promulgation.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 83 of July 6, 2018 Extract] [Extract]**

(Effective Date)

- (1) This Ministerial Order comes into effect as of the date of enforcement of the provisions listed in Article 1, item (i) of the Supplementary Provisions of the Act on the Arrangement of Related Acts to Promote Work Style Reform (Act No. 71 of 2018).

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 1 of May 7, 2019 Extract] [Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as from the date of promulgation.

(Transitional Measures)

Article 2 (1) Documents that have been used in accordance with the format specified by the respective Ministerial Order prior to the revision by this Ministerial Order (referred to as the "old format" in the following paragraph) are deemed to be in accordance with the format specified by the respective Ministerial Orders revised by this Ministerial Order.  
(2) Forms implementing the old format may be used by rearranging them to the extent considered reasonably necessary for the time being.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 78 of March 31, 2020 Extract] [Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as of April 1, 2020.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 106 of May 29, 2020 Extract]**

This Ministerial Order comes into effect as from the date of promulgation.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 180 of October 30, 2020 Extract]**

This Ministerial Order comes into effect as of the date of enforcement of the provisions listed in Article 1, item (iv) of the Supplementary Provisions of the Act Partially Amending the Employment Insurance Act (Act No. 14 of 2020) (April 1, 2021).

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 208 of December 25, 2020 Extract] [Extract]**

(Effective Date)

Article 1 This Ministerial Order comes into effect as from the date of promulgation.

(Transitional Measures)

Article 2 (1) Documents that implement the format used prior to the revision by

this Ministerial Order (referred to as the "old format" in the following paragraph) at the time of the enforcement of this Ministerial Order are deemed to be in the format implemented after the revision by this Ministerial Order.

- (2) Forms in the old format existing at the time of the enforcement of this Ministerial Order may be used by rearranging them to the extent considered reasonably necessary for the time being.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 57 of March 23, 2021]**

This Ministerial Order comes into effect as from the date of promulgation.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 28 of March 1, 2022]**

This Ministerial Order comes into effect as of April 1, 2023.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 74 of April 1, 2022]**

This Ministerial Order comes into effect as of April 1, 2022.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 1 of January 5, 2023]**

This Ministerial Order comes into effect as from the date of promulgation.

**Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 68 of April 7, 2023 Extract] [Extract]**

- (1) This Ministerial Order comes into effect as of the date of enforcement (April 1, 2024) of the Act on Support for Women Facing Difficult Problems (hereinafter referred to as the "Act").
- (2) An unemployed individual under the age of sixty-five, who was placed under probationary supervision pursuant to the provisions of Article 26, paragraph (1) of the Anti-Prostitution Act (Act No. 118 of 1956) prior to its revision by the Act, and for whom the director of a probation office has contacted the Chief of the Public Employment Security Office regarding arrangement for employment prior to the date of enforcement of this Ministerial Order (referred to as the "date of enforcement" in the following paragraph), is deemed to be an unemployed person who has particular difficulty in finding employment as

prescribed in Article 3, paragraph (2) of the Order for Enforcement of the Act on Stabilization of Employment of Elderly Persons after the revision pursuant to the provisions of Article 9.