

職業能力開発促進法

Vocational Abilities Development Promotion Act

(昭和四十四年七月十八日法律第六十四号)

(Act No. 64 of July 18, 1969)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律（昭和四十一年法律第百三十二号）と相まって、職業訓練及び職業能力検定の内容の充実強化及びその実施の円滑化のための施策並びに労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するための施策等を総合的かつ計画的に講ずることにより、職業に必要な労働者の能力を開発し、及び向上させることを促進し、もつて、職業の安定と労働者の地位の向上を図るとともに、経済及び社会の発展に寄与することを目的とする。

Article 1 The purpose of this Act, together with the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives (Act No. 132 of 1966), is to promote the development and improvement of the abilities that workers need for their jobs, by comprehensively and systematically taking measures to improve and enhance vocational training and vocational abilities tests, and to facilitate their implementation, as well as measures to provide workers with

opportunities to pursue education and take training courses related to their jobs or vocational abilities tests, thus ensuring employment security and improving the workers' status, while also contributing to economic and social development.

(定義)

(Definition)

第二条 この法律において「労働者」とは、事業主に雇用される者（船員職業安定法（昭和二十三年法律第百三十号）第六条第一項に規定する船員を除く。第九十五条第二項において「雇用労働者」という。）及び求職者（同法第六条第一項に規定する船員となろうとする者を除く。以下同じ。）をいう。

Article 2 (1) The term "worker" in this Act means a person employed by an employer (excluding mariners as prescribed in Article 6, paragraph (1) of the Mariners' Employment Security Act (Act No. 130 of 1948); referred to below as "employed worker" in Article 95, paragraph (2)) and a job applicant (excluding those who intends to become a mariner as prescribed in Article 6, paragraph (1) of that Act; the same applies below).

2 この法律において「職業能力」とは、職業に必要な労働者の能力をいう。

(2) The term "vocational abilities" in this Act means the abilities a worker needs for their job.

3 この法律において「職業能力検定」とは、職業に必要な労働者の技能及びこれに関する知識についての検定（厚生労働省の所掌に属しないものを除く。）をいう。

(3) The term "vocational abilities test" in this Act means a test of the trade skills a worker needs for their job and the knowledge related to their job (excluding tests that are not under the authority of the Ministry of Health, Labour and Welfare).

4 この法律において「職業生活設計」とは、労働者が、自らその長期にわたる職業生活における職業に関する目的を定めるとともに、その目的の実現を図るため、その適性、職業経験その他の実情に応じ、職業の選択、職業能力の開発及び向上のための取組その他の事項について自ら計画することをいう。

(4) The term "career path plan" in this Act means that in order to set their career goal for a long-term working life and realize that goal, a worker takes initiative to develop a plan for selecting a vocation, developing and improving their vocational abilities based on factors such as their aptitude and vocational experience, and other matters.

5 この法律において「キャリアコンサルティング」とは、労働者の職業の選択、職業生活設計又は職業能力の開発及び向上に関する相談に応じ、助言及び指導を行うことをいう。

(5) The term "career consulting" as used in this Act means providing advice and guidance in response to a request for consultation about a worker's job selection, their career path plans, or the development and improvement of

vocational abilities.

(職業能力開発促進の基本理念)

(Basic Principle for Promoting the Development of Vocational Abilities)

第三条 労働者がその職業生活の全期間を通じてその有する能力を有効に発揮できるようにすることが、職業の安定及び労働者の地位の向上のために不可欠であるとともに、経済及び社会の発展の基礎をなすものであることにかんがみ、この法律の規定による職業能力の開発及び向上の促進は、産業構造の変化、技術の進歩その他の経済的環境の変化による業務の内容の変化に対する労働者の適応性を増大させ、及び転職に当たつての円滑な再就職に資するよう、労働者の職業生活設計に配慮しつつ、その職業生活の全期間を通じて段階的かつ体系的に行われることを基本理念とする。

Article 3 In view of the fact that having workers exercise their abilities effectively throughout their entire career is indispensable for their job security and improvement of their status, and forms a basis for the economic and social development, developing and improving vocational abilities under the provisions of this Act are to be carried out gradually and systematically throughout the entire career of a worker while giving due consideration to their career path plans, so as to increase their flexibility to changes in their job duties that result from the changes in industrial structures, advancement of technology, and other changes in the economic environment, in order to make it easier for them to find a new job when they decide to change careers.

第三条の二 労働者の自発的な職業能力の開発及び向上の促進は、前条の基本理念に従い、職業生活設計に即して、必要な職業訓練及び職業に関する教育訓練を受ける機会が確保され、並びに必要な実務の経験がなされ、並びにこれらにより習得された職業に必要な技能及びこれに関する知識の適正な評価を行うことによつて図られなければならない。

Article 3-2 (1) According to the basic principle under the preceding Article, the self-motivated development and improvement of workers' vocational abilities must be encouraged by securing opportunities for workers to undergo necessary vocational training and receive education and take training courses relating to their job, having them acquire necessary practical work experience, and conducting proper assessment of the skills needed for their jobs that they have acquired through those training and work experiences and of their knowledge concerning the job.

2 職業訓練は、学校教育法（昭和二十二年法律第二十六号）による学校教育との重複を避け、かつ、これとの密接な関連の下に行われなければならない。

(2) Vocational training should not overlap with school education under the School Education Act (Act No. 26 of 1947) and must be provided in close coordination with education at school.

3 青少年に対する職業訓練は、特に、その個性に応じ、かつ、その適性を生かすよう

に配慮するとともに、有為な職業人として自立しようとする意欲を高めることができるように行われなければならない。

(3) Vocational training for youths must be provided, in particular, according to their individual characteristics and by giving due consideration so as to make the most of their aptitude, in order to increase their willingness to become independent as a competent professional.

4 身体又は精神に障害がある者等に対する職業訓練は、特にこれらの者の身体的又は精神的な事情等に配慮して行われなければならない。

(4) Vocational training for persons with physical disabilities or mental disorders must be provided by giving consideration, particularly to their physical or mental conditions.

5 技能検定その他の職業能力検定は、職業能力の評価に係る客観的かつ公正な基準の整備及び試験その他の評価方法の充実が図られ、並びに職業訓練、職業に関する教育訓練及び実務の経験を通じて習得された職業に必要な技能及びこれに関する知識についての評価が適正になされるように行われなければならない。

(5) Trade skills tests and other vocational abilities tests must be conducted in a manner that ensures the development of objective and fair standards for the evaluation of vocational abilities, the enhancement of testing and other evaluation methods, and the proper evaluation of the trade skills and knowledge necessary for a particular occupation acquired through vocational training, education and training related to a particular occupation, and practical work experience.

第三条の三 労働者は、職業生活設計を行い、その職業生活設計に即して自発的な職業能力の開発及び向上に努めるものとする。

Article 3-3 A Worker is to plan a career path and endeavor to proactively develop and improve its vocational abilities in line with that career path plan.

(関係者の責務)

(Responsibilities of Persons Concerned)

第四条 事業主は、その雇用する労働者に対し、必要な職業訓練を行うとともに、その労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するために必要な援助その他その労働者が職業生活設計に即して自発的な職業能力の開発及び向上を図ることを容易にするために必要な援助を行うこと等によりその労働者に係る職業能力の開発及び向上の促進に努めなければならない。

Article 4 (1) An employer must provide the vocational training necessary for its workers by offering the assistance necessary to give the workers opportunities to seek education and training or take vocational abilities tests relating to their occupation, by providing assistance necessary to make it easier for the workers to proactively develop and improve their vocational abilities according to their career path plans, and by taking other measures in its endeavors to

promote the development and improvement of workers' vocational abilities.

2 国及び都道府県は、事業主その他の関係者の自主的な努力を尊重しつつ、その実情に応じて必要な援助等を行うことにより事業主その他の関係者の行う職業訓練及び職業能力検定の振興並びにこれらの内容の充実並びに労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するために事業主の行う援助その他労働者が職業生活設計に即して自発的な職業能力の開発及び向上を図ることを容易にするために事業主の講ずる措置等の奨励に努めるとともに、職業を転換しようとする労働者その他職業能力の開発及び向上について特に援助を必要とする者に対する職業訓練の実施、事業主、事業主の団体等により行われる職業訓練の状況等にかんがみ必要とされる職業訓練の実施、労働者が職業生活設計に即して自発的な職業能力の開発及び向上を図ることを容易にするための援助、技能検定の円滑な実施等に努めなければならない。

(2) By extending adequate assistance and taking other measures under a given circumstance while giving due consideration to the proactive efforts of employers or other persons concerned, the national and prefectural governments must endeavor to encourage the promotion of vocational training and vocational abilities tests given by employers or other persons concerned while enhancing the contents of those training and tests, encourage assistance provided by employers to ensure the opportunities for the workers to voluntarily receive education and take training courses relating to their job or vocational abilities tests, and support other measures taken by employers to make it easier for the workers to proactively develop and improve their vocational abilities according to their career path plans, and the national and prefectural governments must also endeavor to provide vocational training for workers who intend to change their jobs and other persons who need special assistance for the development and improvement of their vocational abilities, to provide the vocational training that is required in view of the situation of the vocational training provided by employers or employers' organizations, to provide assistance to make it easier for the workers to proactively develop and improve their vocational abilities according to their career path plans, and to provide skill tests smoothly.

第二章 職業能力開発計画

Chapter II Plans for the Development of Vocational Abilities

(職業能力開発基本計画)

(Basic Plan for the Development of Vocational Abilities)

第五条 厚生労働大臣は、職業能力の開発（職業訓練、職業能力検定その他この法律の規定による職業能力の開発及び向上をいう。次項及び第七条第一項において同じ。）に関する基本となるべき計画（以下「職業能力開発基本計画」という。）を策定するものとする。

Article 5 (1) The Minister of Health, Labour and Welfare is to formulate a plan to be the basis of the development of vocational abilities (meaning vocational training, vocational abilities tests, and other forms of development and improvement of vocational abilities under the provisions of this Act; the same applies below in the following paragraph and Article 7, paragraph (1)) (referred to below as "basic plan for the development of vocational abilities").

2 職業能力開発基本計画に定める事項は、次のとおりとする。

(2) The basic plan for the development of vocational abilities is to specify the following matters:

一 技能労働力等の労働力の需給の動向に関する事項

(i) matters related to the trends in labor supply and demand, such as skilled labor;

二 職業能力の開発の実施目標に関する事項

(ii) matters related to the implementation goal for the development of vocational abilities; and

三 職業能力の開発について講じようとする施策の基本となるべき事項

(iii) matters to be the basis of measures taken for the development of vocational abilities.

3 職業能力開発基本計画は、経済の動向、労働市場の推移等についての長期見通しに基づき、かつ、技能労働力等の労働力の産業別、職種別、企業規模別、年齢別等の需給状況、労働者の労働条件及び労働能率の状態等を考慮して定められなければならない。

(3) The basic plan for the development of vocational abilities must be prepared based on factors such as the long-term perspective in economic or labor-market trends, while taking into account the supply and demand situation of labor such as skilled workers by industry, occupation, size of business and age, and workers' working conditions, labor efficiency, and other factors.

4 厚生労働大臣は、必要がある場合には、職業能力開発基本計画において、特定の職種等に係る職業訓練の振興を図るために必要な施策を定めることができる。

(4) The Minister of Health, Labour and Welfare may, if necessary, prescribe the measures necessary to promote vocational training for specific types of jobs in the basic plan for the development of vocational abilities.

5 厚生労働大臣は、職業能力開発基本計画を定めるに当たっては、あらかじめ、労働政策審議会の意見を聴くほか、関係行政機関の長及び都道府県知事の意見を聴くものとする。

(5) The Minister of Health, Labour and Welfare is to hear opinions from the Labor Policy Council as well as the heads of the relevant administrative organs and the prefectural governors before formulating the basic plan for the development of vocational abilities.

6 厚生労働大臣は、職業能力開発基本計画を定めたときは、遅滞なく、その概要を公表しなければならない。

(6) The Minister of Health, Labour and Welfare must make an outline of the basic plan for the development of vocational abilities available to the public without delay after preparing that plan.

7 前二項の規定は、職業能力開発基本計画の変更について準用する。

(7) The provisions of the preceding two paragraphs apply mutatis mutandis to any changes made to the basic plan for the development of vocational abilities.

(勧告)

(Recommendations)

第六条 厚生労働大臣は、職業能力開発基本計画を的確に実施するために必要があると認めるときは、労働政策審議会の意見を聴いて、関係事業主の団体に対し、職業訓練の実施その他関係労働者に係る職業能力の開発及び向上を促進するための措置の実施に関して必要な勧告をすることができる。

Article 6 The Minister of Health, Labour and Welfare may, when the minister finds it necessary for the proper implementation of the basic plan for the development of vocational abilities, make necessary recommendations to the relevant employers' organizations concerning the provision of vocational training and the implementation of measures to promote the development and improvement of vocational abilities of the relevant workers, after hearing opinions from the Labor Policy Council.

(都道府県職業能力開発計画等)

(Prefectural Plans for the Development of Vocational Abilities)

第七条 都道府県は、職業能力開発基本計画に基づき、当該都道府県の区域内において行われる職業能力の開発に関する基本となるべき計画（以下「都道府県職業能力開発計画」という。）を策定するよう努めるものとする。

Article 7 (1) Based on the basic plan for the development of vocational abilities, each prefectural government is to endeavor to formulate a basic plan for the development of vocational abilities to be implemented within the relevant prefecture (referred to below as "prefectural plan for the development of vocational abilities).

2 都道府県職業能力開発計画においては、おおむね第五条第二項各号に掲げる事項について定めるものとする。

(2) The prefectural plan for the development of vocational abilities is to generally prescribe the matters listed in each item of Article 5, paragraph (2).

3 都道府県知事は、都道府県職業能力開発計画の案を作成するに当たっては、あらかじめ、事業主、労働者その他の関係者の意見を反映させるために必要な措置を講ずるよう努めるものとする。

(3) The prefectural governor is to endeavor to take necessary measures in advance to reflect the opinions of employers, workers, and other persons concerned when preparing a draft of the prefectural plan for the development

of vocational abilities,.

4 都道府県知事は、都道府県職業能力開発計画を定めたときは、遅滞なく、その概要を公表するよう努めるものとする。

(4) The prefectural governor is to endeavor to make an outline of the prefectural plan for the development of vocational abilities available to the public without delay after preparing that plan,.

5 第五条第三項及び第四項の規定は都道府県職業能力開発計画の策定について、前二項の規定は都道府県職業能力開発計画の変更について、前条の規定は都道府県職業能力開発計画の実施について準用する。この場合において、第五条第四項中「厚生労働大臣」とあるのは「都道府県」と、前条中「厚生労働大臣」とあるのは「都道府県知事」と、「労働政策審議会の意見を聴いて」とあるのは「事業主、労働者その他の関係者の意見を反映させるために必要な措置を講じた上で」と読み替えるものとする。

(5) The provisions of Article 5, paragraphs (3) and (4) apply mutatis mutandis to the formulation of the prefectural plan for the development of vocational abilities, the provisions of the preceding two paragraphs apply mutatis mutandis to any changes made to the prefectural plan for the development of vocational abilities, and the provisions of the preceding Article apply mutatis mutandis to the implementation of the prefectural plan for the development of vocational abilities. In this case, the term "the Minister of Health, Labour and Welfare" in Article 5, paragraph (4) is deemed to be replaced with "the prefecture"; the terms "the Minister of Health, Labour and Welfare" and "after hearing opinions from the Labor Policy Council" in the preceding Article are deemed to be replaced with "the prefectural governor" and "after taking necessary measures to reflect the opinions of employers, workers, and other persons concerned," respectively.

第三章 職業能力開発の促進

Chapter III Promotion of the Development of Vocational Abilities

第一節 事業主等の行う職業能力開発促進の措置

Section 1 Measures Taken by Employers or Other Organizations to Promote the Development of Vocational Abilities

(多様な職業能力開発の機会の確保)

(Ensuring Various Opportunities to Develop Vocational Abilities)

第八条 事業主は、その雇用する労働者が多様な職業訓練を受けること等により職業能力の開発及び向上を図ることができるように、その機会の確保について、次条から第十条の四までに定める措置を通じて、配慮するものとする。

Article 8 An employer is to give due consideration to ensure that workers employed by the employer are provided with opportunities to develop and improve their vocational abilities by receiving various types of vocational training, through taking the measures prescribed in the provisions below from

the following Article through Article 10-4.

第九条 事業主は、その雇用する労働者に対して職業訓練を行う場合には、その労働者の業務の遂行の過程内において又は当該業務の遂行の過程外において、自ら又は共同して行うほか、第十五条の七第三項に規定する公共職業能力開発施設その他職業能力の開発及び向上について適切と認められる他の者の設置する施設により行われる職業訓練を受けさせることによつて行うことができる。

Article 9 When providing vocational training to its workers, an employer may provide the vocational training by having the workers take vocational training at a public institution for the development of vocational abilities prescribed in Article 15-7, paragraph (3) or other institutions established by other persons that are found to be suitable for the development and improvement of vocational abilities, in addition to providing vocational training on its own or in cooperation with another person to the workers while they are on or off duty.

第十条 事業主は、前条の措置によるほか、必要に応じ、次に掲げる措置を講ずること等により、その雇用する労働者に係る職業能力の開発及び向上を促進するものとする。

Article 10 Beyond the measures prescribed in the preceding Article, an employer is to promote the development and improvement of its workers' vocational abilities by taking the measures specified below and making other efforts as necessary.

一 他者の設置する施設により行われる職業に関する教育訓練を受けさせること。

(i) having workers receive education and training relating to their job at an institution established by persons other than the employer; and

二 自ら若しくは共同して行う職業能力検定又は職業能力の開発及び向上について適切と認められる他の者の行う職業能力検定を受けさせること。

(ii) having workers take vocational abilities tests carried out by the employer or in cooperation with other persons, or vocational abilities tests that are carried out by other persons and are found to be suitable for the development and improvement of their vocational abilities.

第十条の二 事業主は、必要に応じ、実習併用職業訓練を実施することにより、その雇用する労働者の実践的な職業能力の開発及び向上を促進するものとする。

Article 10-2 (1) An employer is to promote the development and improvement of the practical vocational abilities of its workers by providing vocational training combined with hands-on training, as necessary.

2 前項の実習併用職業訓練とは、事業主が、その雇用する労働者の業務の遂行の過程内において行う職業訓練と次のいずれかの職業訓練又は教育訓練とを効果的に組み合わせることにより実施するものであつて、これにより習得された技能及びこれに関する知識についての評価を行うものをいう。

(2) Vocational training combined with hands-on training referred to in the

preceding paragraph means vocational training provided by an employer to its workers while they are on duty, effectively combined with any of the following types of vocational training or education and training, and the trade skills that the workers acquire through that vocational training combined with hands-on training and their knowledge related to that training are assessed:

一 第十五条の七第三項に規定する公共職業能力開発施設により行われる職業訓練

(i) vocational training provided at a public institution for the development of vocational abilities under the provisions of Article 15-7, paragraph (3);

二 第二十四条第三項に規定する認定職業訓練

(ii) the accredited vocational training under the provisions of Article 24, paragraph (3); and

三 前二号に掲げるもののほか、当該事業主以外の者の設置する施設であつて職業能力の開発及び向上について適切と認められるものにより行われる教育訓練

(iii) beyond what is stated in the preceding two items, education and training provided at an institution established by persons other than the employer that are found to be suitable for the development and improvement of vocational abilities.

3 厚生労働大臣は、前項に規定する実習併用職業訓練の適切かつ有効な実施を図るため事業主が講ずべき措置に関する指針を公表するものとする。

(3) In order to ensure a proper and effective implementation of vocational training combined with hands-on training prescribed in the preceding paragraph, the Minister of Health, Labour and Welfare is to make public the guidelines for the measures to be taken by employers.

第十条の三 事業主は、前三条の措置によるほか、必要に応じ、次に掲げる措置を講ずることにより、その雇用する労働者の職業生活設計に即した自発的な職業能力の開発及び向上を促進するものとする。

Article 10-3 (1) Beyond the measures prescribed to in the preceding three Articles, an employer is to promote the self-motivated development and improvement of the vocational abilities of its workers according to their career path plans by taking the following measures, as necessary:

一 労働者が自ら職業能力の開発及び向上に関する目標を定めることを容易にするために、業務の遂行に必要な技能及びこれに関する知識の内容及び程度その他の事項に関し、情報を提供すること、職業能力の開発及び向上の促進に係る各段階において、並びに労働者の求めに応じてキャリアコンサルティングの機会を確保することその他の援助を行うこと。

(i) providing information including the details and level of the skills and knowledge necessary for performing their work and other matters, ensuring career consulting opportunities at each stage of the promotion of the development and improvement of vocational abilities and at the workers' request, and providing other assistance in order to make it easier for workers

to set their own goals for the development and improvement of their vocational abilities;

二 労働者が実務の経験を通じて自ら職業能力の開発及び向上を図ることができるようにするために、労働者の配置その他の雇用管理について配慮すること。

(ii) giving due consideration to allocation of workers and employment management, so that the workers may proactively develop and improve their vocational abilities through practical work experience.

2 事業主は、前項第一号の規定によりキャリアコンサルティングの機会を確保する場合には、キャリアコンサルタントを有効に活用するように配慮するものとする。

(2) When ensuring opportunities for career consulting pursuant to the provisions of item (i) of the preceding paragraph, an employer is to make sure that the expertise of career consultants is utilized effectively.

第十条の四 事業主は、第九条から前条までに定める措置によるほか、必要に応じ、その雇用する労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するために必要な次に掲げる援助を行うこと等によりその労働者の職業生活設計に即した自発的な職業能力の開発及び向上を促進するものとする。

Article 10-4 (1) Beyond the measures prescribed in Article 9 through the preceding Article, an employer is to promote self-motivated development and improvement of the vocational abilities of its workers according to their career path plans by taking measures such as providing the assistance prescribed in the following items, as necessary, so as to ensure opportunities for workers to proactively seek education and training relating to their job or take vocational abilities tests:

一 有給教育訓練休暇、長期教育訓練休暇、再就職準備休暇その他の休暇を付与すること。

(i) granting workers paid education and training leave, long-term education and training leave, re-employment preparation leave, and other leave; and

二 始業及び終業の時刻の変更、勤務時間の短縮その他職業に関する教育訓練又は職業能力検定を受ける時間を確保するために必要な措置を講ずること。

(ii) taking the necessary measures to change time to start or to finish working, reduce working hours or other measures to secure time for workers to receive education and training relating to their job or take vocational abilities tests.

2 前項第一号の有給教育訓練休暇とは、職業人としての資質の向上その他職業に関する教育訓練を受ける労働者に対して与えられる有給休暇（労働基準法（昭和二十二年法律第四十九号）第三十九条の規定による年次有給休暇として与えられるものを除く。）をいう。

(2) Paid education and training leave referred to in item (i) of the preceding paragraph means paid leave granted to workers who receive education and training related to the improvement of their qualities as professionals or related to their jobs (excluding leave granted as annual paid leave under the

provisions of Article 39 of the Labor Standards Act (Act No. 49 of 1947).

3 第一項第一号の長期教育訓練休暇とは、職業人としての資質の向上その他職業に関する教育訓練を受ける労働者に対して与えられる休暇であつて長期にわたるもの（労働基準法第三十九条の規定による年次有給休暇として与えられるもの及び前項に規定する有給教育訓練休暇として与えられるものを除く。）をいう。

(3) Long-term education and training leave referred to in paragraph (1), item (i) means long-term leave granted to workers who receive education and take training related to the improvement of their qualities as professionals or related to their jobs (excluding leave granted as annual paid leave under the provisions of Article 39 of the Labor Standards Act and leave granted as paid education and training leave prescribed in the preceding paragraph).

4 第一項第一号の再就職準備休暇とは、再就職のための準備として職業能力の開発及び向上を図る労働者に対して与えられる休暇（労働基準法第三十九条の規定による年次有給休暇として与えられるもの、第二項に規定する有給教育訓練休暇として与えられるもの及び前項に規定する長期教育訓練休暇として与えられるものを除く。）をいう。

(4) Re-employment preparation leave referred to in paragraph (1), item (i) means leave granted to workers who try to develop and improve their vocational abilities to prepare for re-employment (excluding leave granted as annual paid leave prescribed in Article 39 of the Labor Standards Act, leave granted as paid education and training leave prescribed in paragraph (2), and leave granted as long-term education and training leave prescribed in the preceding paragraph).

第十条の五 厚生労働大臣は、前二条の規定により労働者の職業生活設計に即した自発的な職業能力の開発及び向上を促進するために事業主が講ずる措置に関して、その適切かつ有効な実施を図るために必要な指針を公表するものとする。

Article 10-5 Concerning the measures taken by employers to promote the self-motivated development and improvement of workers' vocational abilities according to their career path plans pursuant to the provisions of the preceding two Articles, the Minister of Health, Labour and Welfare is to make public the guidelines necessary to ensure proper and effective implementation of the relevant measures.

(計画的な職業能力開発の促進)

(Systematic Promotion of the Development of Vocational Abilities)

第十一条 事業主は、その雇用する労働者に係る職業能力の開発及び向上が段階的かつ体系的に行われることを促進するため、第九条から第十条の四までに定める措置に関する計画を作成するように努めなければならない。

Article 11 (1) An employer must endeavor to formulate a plan for the measures prescribed in Article 9 through Article 10-4 so as to promote the development

and improvement of vocational abilities of its workers in a gradual and systematic manner.

2 事業主は、前項の計画を作成したときは、その計画の内容をその雇用する労働者に周知させるために必要な措置を講ずることによりその労働者の職業生活設計に即した自発的な職業能力の開発及び向上を促進するように努めるとともに、次条の規定により選任した職業能力開発推進者を有効に活用することによりその計画の円滑な実施に努めなければならない。

(2) After formulating a plan referred to in the preceding paragraph, an employer must endeavor to promote self-motivated development and improvement of its workers' vocational abilities according to their career path plans by taking the measures necessary to make the contents of the plan from the preceding paragraph known to its workers, and, at the same time, the employer must endeavor to implement the plan in a smooth manner by effectively utilizing the promoters of vocational abilities development appointed pursuant to the provisions of the following Article.

(職業能力開発推進者)

(Promoters of Vocational Abilities Development)

第十二条 事業主は、厚生労働省令で定めるところにより、次に掲げる業務を担当する者（以下「職業能力開発推進者」という。）を選任するように努めなければならない。

Article 12 An employer must endeavor to appoint a person who performs the following duties (referred to below as "promoter of vocational abilities development"), as specified by Order of the Ministry of Health, Labour and Welfare:

一 前条第一項の計画の作成及びその実施に関する業務

(i) duties related to the formulation and implementation of a plan referred to in paragraph (1) of the preceding Article;

二 第九条から第十条の四までに定める措置に関し、その雇用する労働者に対して行う相談、指導等の業務

(ii) duties to provide consultation and guidance to workers employed by an employer concerning the measures prescribed in Article 9 through Article 10-4; and

三 事業主に対して、国、都道府県又は中央職業能力開発協会若しくは都道府県職業能力開発協会（以下この号において「国等」という。）により前条第一項の計画の作成及び実施に関する助言及び指導その他の援助等が行われる場合にあつては、国等との連絡に関する業務

(iii) if the national or prefectural governments, or the Japan Vocational Ability Development Association or Prefectural Vocational Ability Development Associations (referred to below as "the national government and other institutions" in this item) provide advice and guidance or other assistance to an employer concerning the formulation and implementation of a plan

referred to in paragraph (1) of the preceding Article, duties related to communications with the national government and other institutions.

(熟練技能等の習得の促進)

(Promotion of Acquisition of Proficient Trade Skills)

第十二条の二 事業主は、必要に応じ、労働者がその習得に相当の期間を要する熟練した技能及びこれに関する知識（以下この条において「熟練技能等」という。）に関する情報を体系的に管理し、提供することその他の必要な措置を講ずることにより、その雇用する労働者の熟練技能等の効果的かつ効率的な習得による職業能力の開発及び向上の促進に努めなければならない。

Article 12-2 (1) An employer must endeavor to promote the development and improvement of vocational abilities of the workers through effective and efficient acquisition of proficient trade skills and related knowledge of its workers, by managing the information concerning proficient trade skills that take a considerable amount of time for workers to learn and knowledge concerning the proficient trade skills (referred to below as "proficient trade skills and related knowledge" in this Article) systematically, as necessary, and provide the relevant information to the workers or by taking other necessary measures.

2 厚生労働大臣は、前項の規定により労働者の熟練技能等の習得を促進するために事業主が講ずる措置に関して、その適切かつ有効な実施を図るために必要な指針を公表するものとする。

(2) Concerning measures taken by employers to promote acquisition of proficient trade skills and related knowledge by workers pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare is to make public the guidelines necessary for employers to take the measures in a proper and effective manner.

(認定職業訓練の実施)

(Provision of Accredited Vocational Training)

第十三条 事業主、事業主の団体若しくはその連合団体、職業訓練法人若しくは中央職業能力開発協会若しくは都道府県職業能力開発協会又は一般社団法人若しくは一般財団法人、法人である労働組合その他の営利を目的としない法人で、職業訓練を行い、若しくは行おうとするもの（以下「事業主等」と総称する。）は、第四節及び第七節に定めるところにより、当該事業主等の行う職業訓練が職業訓練の水準の維持向上のための基準に適合するものであることの認定を受けて、当該職業訓練を実施することができる。

Article 13 Employers, employers' organizations or their federations, vocational training corporations, the Japan Vocational Ability Development Association or Prefectural Vocational Ability Development Associations, general incorporated associations or incorporated foundations, incorporated labor unions, or other

nonprofit corporations that provide or intend to provide vocational training (collectively referred to below as "employers or other organizations") may, after obtaining accreditation of the standards to maintain and improve the levels of vocational training provided by employers or other organizations pursuant to the provisions of Sections 4 and 7, provide the relevant vocational training.

(認定実習併用職業訓練の実施)

(Provision of Vocational Training Combined with Accredited Hands-on Training)

第十四条 事業主は、第五節に定めるところにより、当該事業主の行う実習併用職業訓練（第十条の二第二項に規定する実習併用職業訓練をいう。以下同じ。）の実施計画が青少年（厚生労働省令で定める者に限る。以下同じ。）の実践的な職業能力の開発及び向上を図るために効果的であることの認定を受けて、当該実習併用職業訓練を実施することができる。

Article 14 An employer may, by obtaining accreditation to confirm that an implementation plan for vocational training combined with hands-on training (meaning vocational training combined with hands-on training prescribed in Article 10-2, paragraph (2); the same applies below) is effective for developing and improving practical vocational abilities of youths (limited to persons specified by Order of the Ministry of Health, Labour and Welfare; the same applies below), provide the relevant vocational training combined with hands-on training pursuant to the provisions of Section 5.

第二節 国及び都道府県による職業能力開発促進の措置

Section 2 Measures to Promote the Development of Vocational Abilities Taken by the National Government and Prefectural Governments

(多様な職業能力開発の機会の確保)

(Ensuring Various Opportunities to Develop Vocational Abilities)

第十四条の二 国及び都道府県は、労働者が多様な職業訓練を受けること等により職業能力の開発及び向上を図ることができるように、その機会の確保について、第十三条に定めるもののほか、この節及び次節に定める措置を通じて、配慮するものとする。

Article 14-2 By implementing the measures prescribed in this Section and the following Section beyond what is prescribed in Article 13, the national and prefectural governments are to make sure that workers are provided with opportunities to develop and improve their vocational abilities by receiving various types of vocational training.

(協議会)

(Council)

第十五条 都道府県の区域において職業訓練に関する事務及び事業を行う国及び都道府

県の機関（以下この項において「関係機関」という。）は、地域の実情に応じた職業能力の開発及び向上の促進のための取組が適切かつ効果的に実施されるようにするため、関係機関及び次に掲げる者により構成される協議会（以下この条において単に「協議会」という。）を組織することができる。

Article 15 (1) The national and prefectural organizations that conduct the affairs and services related to vocational training within a prefecture (referred to below as "relevant organizations" in this paragraph) may organize a council consisting of the relevant organizations and the following persons (referred to below simply as "council" in this Article) so that efforts to promote the development and improvement of vocational abilities based on the actual situation in the region can be implemented properly and effectively:

- 一 第十五条の七第三項に規定する公共職業能力開発施設を設置する市町村
(i) municipalities establishing public institutions for the development of vocational abilities prescribed in Article 15-7, paragraph (3);
- 二 職業訓練若しくは職業に関する教育訓練を実施する者又はその団体
(ii) persons or organizations that provide vocational training or education and training related to a particular occupation;
- 三 労働者団体
(iii) workers' organizations;
- 四 事業主団体
(iv) employers' organizations;
- 五 職業安定法（昭和二十二年法律第百四十一号）第四条第十項に規定する職業紹介事業者若しくは同条第十一项に規定する特定募集情報等提供事業者又はこれらの団体
(v) employment placement service providers as prescribed in Article 4, paragraph (10) of the Employment Security Act (Act No. 141 of 1947), providers of recruitment/candidate information in a specified manner as prescribed in paragraph (11) of that Article, or organizations of these persons;
- 六 学識経験者
(vi) persons with relevant expertise;
- 七 その他関係機関が必要と認める者
(vii) other persons found to be necessary by the relevant organizations.

2 協議会は、職業能力の開発及び向上の促進に有用な情報を共有し、その構成員の連携の緊密化を図りつつ、都道府県の区域における職業訓練及び職業に関する教育訓練の需要及び実施の状況その他の地域の実情に応じた適切かつ効果的な職業訓練及び職業に関する教育訓練の実施並びにキャリアコンサルティングの機会の確保その他の職業能力の開発及び向上の促進のための取組について協議を行うものとする。

(2) The council is to share useful information for the promotion of the development and improvement of vocational abilities, while seeking close cooperation among its members, and is to discuss initiatives for the promotion

of the development and improvement of vocational abilities, such as the implementation of suitable and effective vocational training and education and training related to a particular occupation based on the demand for and implementation status of vocational training and education and training related to a particular occupation in the prefectural area, and based on other circumstances in the region, as well as initiatives such as securing opportunities for career consulting.

3 協議会の事務に従事する者又は協議会の事務に従事していた者は、正当な理由なく、協議会の事務に関して知り得た秘密を漏らしてはならない。

(3) Persons who engage in or have engaged in the administrative affairs of the council must not divulge any confidential information learned in connection with the administrative affairs of the council without justifiable grounds.

4 前三項に定めるもののほか、協議会の組織及び運営に関し必要な事項は、協議会が定める。

(4) Beyond what is provided for in the preceding three paragraphs, any necessary matters concerning the organization and operation of the council are to be determined by the council.

(事業主その他の関係者に対する援助)

(Assistance to Employers and Other Persons Concerned)

第十五条の二 国及び都道府県は、事業主等の行う職業訓練及び職業能力検定並びに労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するために必要な援助その他労働者が職業生活設計に即して自発的な職業能力の開発及び向上を図ることを容易にする等のために事業主の講ずる措置に関し、次の援助を行うように努めなければならない。

Article 15-2 (1) The national and prefectural governments must endeavor to provide the following assistance for vocational training and vocational abilities tests carried out by employers or other organizations, provision of assistance necessary to ensure opportunities for workers to proactively seek education and training related to their jobs or take vocational abilities tests, and other measures taken by employers to make it easier for workers to proactively develop and improve their vocational abilities according to their career path plans:

一 第十条の三第一項第一号のキャリアコンサルティングに関する講習の実施

(i) providing training related to career consulting as referred to in Article 10-3, paragraph (1), item (i);

二 第十一条の計画の作成及び実施に関する助言及び指導を行うこと。

(ii) providing advice and guidance concerning the formulation and implementation of the plan referred to in Article 11;

三 職業能力の開発及び向上の促進に関する技術的事項について相談その他の援助を行うこと（キャリアコンサルティングの機会の確保に係るものを含む。）。

(iii) providing consultation and other assistance on technical matters concerning the promotion of the development and improvement of vocational abilities (including assistance related to securing opportunities for career consulting);

四 情報及び資料を提供すること。

(iv) providing information and materials;

五 職業能力開発推進者に対する講習の実施及び職業能力開発推進者相互の啓発の機会の提供を行うこと。

(v) providing training for promoters of vocational abilities development and providing opportunities to raise awareness among those promoters;

六 第二十七条第一項に規定する職業訓練指導員を派遣すること。

(vi) dispatching vocational training instructors prescribed in Article 27, paragraph (1);

七 委託を受けて職業訓練の一部を行うこと。

(vii) providing some of the vocational training entrusted by employers; and

八 前各号に掲げるもののほか、第十五条の七第三項に規定する公共職業能力開発施設を使用させる等の便益を提供すること。

(viii) beyond what is stated in the preceding items, providing benefits such as allowing people to use public institutions for the development of vocational abilities prescribed in Article 15-7, paragraph (3).

2 国及び都道府県は、職業能力の開発及び向上を促進するため、労働者に対し、前項第三号及び第四号に掲げる援助を行うように努めなければならない。

(2) In order to promote the development and improvement of vocational abilities, the national and prefectural governments must endeavor to provide workers with the assistance prescribed in item (iii) and item (iv) of the preceding paragraph.

3 国は、事業主等及び労働者に対する第一項第二号から第四号までに掲げる援助を適切かつ効果的に行うため必要な施設の設置等特別の措置を講ずることができる。

(3) The national government may take special measures such as establishing the institutions necessary to provide employers or other organizations and workers with the assistance prescribed in paragraph (1) item (ii) through (iv) in a proper and effective manner.

4 第一項及び第二項の規定により国及び都道府県が事業主等及び労働者に対して援助を行う場合には、中央職業能力開発協会又は都道府県職業能力開発協会と密接な連携の下に行うものとする。

(4) If the national and prefectural governments provide assistance to employers or other organizations and workers pursuant to the provisions of paragraphs (1) and (2), the national government and the relevant prefectural government are to work in close coordination with the Japan Vocational Ability Development Association or Prefectural Vocational Ability Development Associations.

(事業主等に対する助成等)

(Aid to Employers or Other Organizations)

第十五条の三 国は、事業主等の行う職業訓練及び職業能力検定の振興を図り、及び労働者に対する第十条の四第二項に規定する有給教育訓練休暇の付与その他の労働者が自ら職業に関する教育訓練又は職業能力検定を受ける機会を確保するための援助その他労働者が第十五条の七第三項に規定する公共職業能力開発施設等の行う職業訓練、職業能力検定等を受けることを容易にするための援助等の措置が事業主によつて講ぜられることを奨励するため、事業主等に対する助成その他必要な措置を講ずることができる。

Article 15-3 The national government may provide aid to employers or other organizations and take other necessary measures for the purpose of promoting vocational training and vocational abilities tests conducted by employers or other organizations, and encouraging employers to take measures such as granting paid education and training leave prescribed in Article 10-4, paragraph (2) to workers and offering other assistance for ensuring opportunities for workers to proactively seek education and training related to their jobs or take vocational abilities tests, as well as other assistance for making it easier for workers to undergo vocational training and take vocational abilities tests or pursue similar forms of education conducted by public institutions for the development of vocational abilities and other institutions prescribed in Article 15-7, paragraph (3).

(職務経歴等記録書の普及)

(Dissemination of Professional Resumes)

第十五条の四 国は、労働者の職業生活設計に即した自発的な職業能力の開発及び向上を促進するため、労働者の職務の経歴、職業能力その他の労働者の職業能力の開発及び向上に関する事項を明らかにする書面（次項において「職務経歴等記録書」という。）の様式を定め、その普及に努めなければならない。

Article 15-4 (1) In order to promote self-motivated development and improvement of workers' vocational abilities according to their career path plans, the national government must prescribe the forms of documents that state matters concerning the professional career, vocational abilities, and other matters concerning the development and improvement of vocational abilities of a worker (referred to as "professional resumes and related documents" in the following paragraph) and endeavor to disseminate them.

2 国は、職務経歴等記録書の様式を定めるに当たっては、青少年の職業生活設計に即した自発的な職業能力の開発及び向上が促進されるように、その特性にも配慮するものとする。

(2) When prescribing the forms of professional resumes and related documents, the national government is to make sure those documents are designed in a

way that promotes the self-motivated development and improvement of vocational abilities of youths according to their career path plans.

(職業能力の開発に関する調査研究等)

(Research Studies on Development of Vocational Abilities)

第十五条の五 国は、中央職業能力開発協会の協力を得て、職業訓練、職業能力検定その他職業能力の開発及び向上に関し、調査研究及び情報の収集整理を行い、事業主、労働者その他の関係者が当該調査研究の成果及びその情報を利用することができるように努めなければならない。

Article 15-5 With the cooperation of the Japan Vocational Ability Development Association, the national government must endeavor to conduct research studies on vocational training, vocational abilities tests, and other ways of developing and improving vocational abilities and collect and consolidate the relevant information, so that employers, workers, and other persons concerned may use the results of the relevant research studies and information related to those results.

(職業に必要な技能に関する広報啓発等)

(Publicizing and Raising Awareness about Trade Skills Required for Jobs)

第十五条の六 国は、職業能力の開発及び向上が円滑に促進されるような環境を整備するため、職業に必要な技能について事業主その他国民一般の理解を高めるために必要な広報その他の啓発活動等を行うものとする。

Article 15-6 In order to create an environment where the national government can smoothly promote the development and improvement of workers' vocational abilities, the national government is to publicize and raise awareness about the trade skills required for jobs so that employers and the public may gain a better understanding of those requirements.

第三節 国及び都道府県等による職業訓練の実施等

Section 3 Implementation of Vocational Training by the National Government and Prefectural Governments

(国及び都道府県の行う職業訓練等)

(Vocational Training Provided by the National and Prefectural Governments)

第十五条の七 国及び都道府県は、労働者が段階的かつ体系的に職業に必要な技能及びこれに関する知識を習得することができるように、次の各号に掲げる施設を第十六条に定めるところにより設置して、当該施設の区分に応じ当該各号に規定する職業訓練を行うものとする。ただし、当該職業訓練のうち主として知識を習得するために行われるもので厚生労働省令で定めるもの（都道府県にあつては、当該職業訓練のうち厚生労働省令で定める要件を参酌して条例で定めるもの）については、当該施設以外の施設においても適切と認められる方法により行うことができる。

Article 15-7 (1) In order to enable workers to acquire the trade skills necessary for their jobs and knowledge related to those skills in a gradual and systematic manner, the national and prefectural governments are to establish the institutions stated in the following items pursuant to the provisions of Article 16, and provide vocational training prescribed in those items based on the classification of those institutions; provided, however, that vocational training that is provided mainly for acquiring knowledge and is specified by Order of the Ministry of Health, Labour and Welfare (for prefectural governments, vocational training that is specified by prefectural ordinances in consideration of the requirements specified by Order of the Ministry of Health, Labour and Welfare) may be provided by institutions other than the institutions stated in the items below by using methods that are found to be suitable:

一 職業能力開発校（普通職業訓練（次号に規定する高度職業訓練以外の職業訓練をいう。以下同じ。）で長期間及び短期間の訓練課程のものを行うための施設をいう。以下同じ。）

(i) polytechnic schools (meaning institutions that are used to provide general vocational training (meaning vocational training other than the advanced vocational training specified in the following item; the same applies below), which includes long-term and short-term training courses; the same applies below);

二 職業能力開発短期大学校（高度職業訓練（労働者に対し、職業に必要な高度の技能及びこれに関する知識を習得させるための職業訓練をいう。以下同じ。）で長期間及び短期間の訓練課程（次号の厚生労働省令で定める長期間の訓練課程を除く。）のものを行うための施設をいう。以下同じ。）

(ii) polytechnic colleges (meaning institutions that are used to provide advanced vocational training (meaning vocational training to provide workers with advanced skills necessary for their jobs and knowledge concerning those advanced skills; the same applies below), which includes long-term and short-term training courses (excluding long-term training courses specified by Order of the Ministry of Health, Labor and Welfare referred to in the following item); the same applies below);

三 職業能力開発大学校（高度職業訓練で前号に規定する長期間及び短期間の訓練課程のもの並びに高度職業訓練で専門的かつ応用的な職業能力を開発し、及び向上させるためのものとして厚生労働省令で定める長期間の訓練課程のものを行うための施設をいう。以下同じ。）

(iii) polytechnic universities (meaning institutions that are used to provide advanced vocational training including long-term and short-term training courses specified in the preceding item, and advanced vocational training including long-term training courses specified by Order of the Ministry of Health, Labor and Welfare as advanced vocational training to develop and improve specialized and applied vocational abilities that are applicable to

practice; the same applies below);

四 職業能力開発促進センター（普通職業訓練又は高度職業訓練のうち短期間の訓練課程のものを行うための施設をいう。以下同じ。）

(iv) polytechnic centers (meaning institutions that are used to provide general or advanced vocational training, which includes short-term training courses; the same applies below); and

五 障害者職業能力開発校（前各号に掲げる施設において職業訓練を受けることが困難な身体又は精神に障害がある者等に対して行うその能力に適応した普通職業訓練又は高度職業訓練を行うための施設をいう。以下同じ。）

(v) polytechnic schools for persons with disabilities (meaning institutions that are used to provide general or advanced vocational training which is designed for persons with physical disabilities or mental disorders who have difficulty receiving vocational training at the institutions specified in the preceding items, and which is provided according to those persons' abilities; the same applies below).

2 国及び都道府県が設置する前項各号に掲げる施設は、当該各号に規定する職業訓練を行うほか、事業主、労働者その他の関係者に対し、第十五条の二第一項第三号、第四号及び第六号から第八号までに掲げる援助を行うように努めなければならない。

(2) Beyond providing the vocational training specified in the items of the preceding paragraph, the institutions specified in those items established by the national and prefectural governments must endeavor to provide employers, workers, and other persons concerned with assistance specified in Article 15-2, paragraph (1), item (iii), item (iv), and item (vi) through item (viii).

3 国及び都道府県（第十六条第二項の規定により地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市（以下「指定都市」という。）が職業能力開発短期大学校、職業能力開発大学校、職業能力開発促進センター又は障害者職業能力開発校（次項及び第十六条第二項において「職業能力開発短期大学校等」という。）を設置する場合には、当該指定都市を、市町村が職業能力開発校を設置する場合には、当該市町村を含む。以下この項において同じ。）が第一項各号に掲げる施設を設置して職業訓練を行う場合には、その設置する同項各号に掲げる施設（以下「公共職業能力開発施設」という。）内において行うほか、国にあつては職業を転換しようとする労働者等に対する迅速かつ効果的な職業訓練を、都道府県にあつては厚生労働省令で定める要件を参酌して条例で定める職業訓練を実施するため必要があるときは、職業能力の開発及び向上について適切と認められる他の施設により行われる教育訓練を当該公共職業能力開発施設の行う職業訓練とみなし、当該教育訓練を受けさせることによつて行うことができる。

(3) If the national or a prefectural government (if a designated city in Article 252-19, paragraph (1) under the Local Autonomy Act (Act No. 67 of 1947) (referred to below as "designated city") establishes a polytechnic college, polytechnic university, polytechnic center, or polytechnic school for persons with disabilities (referred to as "polytechnic college or another institution" in

the following paragraph and Article 16, paragraph (2)), including that designated city, and if a municipality establishes a polytechnic school, including that municipality; the same applies below in this paragraph) establishes an institution stated in any of the items of paragraph (1) and provides vocational training, the vocational training may be provided within an institution stated in any of the items of that paragraph (referred to below as "public institution for the development of vocational abilities"), and if it is necessary for the national government to provide prompt and effective vocational training to workers and other persons who intend to change their job, or if it is necessary for a prefectural government to provide vocational training specified by a prefectural ordinance based on the requirements specified by Order of the Ministry of Health, Labour and Welfare, educational training provided by another institution that is found to be suitable for the development and improvement of vocational abilities may be deemed as vocational training provided by a public institution for the development of vocational abilities, and workers may receive educational training at that other institution.

4 公共職業能力開発施設は、第一項各号に規定する職業訓練及び第二項に規定する援助（指定都市が設置する職業能力開発短期大学校等及び市町村が設置する職業能力開発校に係るものを除く。）を行うほか、次に掲げる業務を行うことができる。

(4) Beyond providing the vocational training prescribed in the items of paragraph (1) and the assistance prescribed in paragraph (2) (excluding training or assistance provided by a polytechnic college or another institution established by a designated city, or a polytechnic school established by a municipality), public institutions for the development of vocational abilities may carry out the following operations:

一 開発途上にある海外の地域において事業を行う者に当該地域において雇用されている者の訓練を担当する者になろうとする者又は現に当該訓練を担当している者に対して、必要な技能及びこれに関する知識を習得させるための訓練を行うこと。

(i) providing persons who intend to provide training for workers who are employed by persons operating their business in developing regions outside Japan, or persons who already provide the relevant training with training in order to ensure that they acquire necessary trade skills and knowledge related to those trade skills; and

二 前号に掲げるもののほか、職業訓練その他この法律の規定による職業能力の開発及び向上に関し必要な業務で厚生労働省令で定めるものを行うこと。

(ii) beyond what is stated in the preceding item, carrying out other operations which are necessary for vocational training and other forms of development and improvement of vocational abilities under this Act, and which are specified by Order of the Ministry of Health, Labour and Welfare.

(職業訓練の実施に関する計画)

(Plans for Providing Vocational Training)

第十五条の八 国が設置する公共職業能力開発施設の行う職業訓練及び国が行う前条第一項ただし書に規定する職業訓練は、厚生労働大臣が厚生労働省令で定めるところにより作成する当該職業訓練の実施に関する計画に基づいて実施するものとする。

Article 15-8 (1) Vocational training provided at public institutions for the development of vocational abilities established by the national government and vocational training provided by the national government prescribed in the proviso to paragraph (1) of the preceding Article are to be provided based on a plan for providing the relevant vocational training formulated by the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣は、前項の計画を定めるに当たっては、あらかじめ、関係行政機関の長その他の関係者の意見を聴くものとする。

(2) When formulating the plan stated in the preceding paragraph, the Minister of Health, Labour and Welfare is to hear the opinions of the head of the relevant administrative organ and other persons concerned in advance.

(公共職業能力開発施設)

(Public Institutions for the Development of Vocational Abilities)

第十六条 国は、職業能力開発短期大学校、職業能力開発大学校、職業能力開発促進センター及び障害者職業能力開発校を設置し、都道府県は、職業能力開発校を設置する。

Article 16 (1) The national government establishes polytechnic colleges, polytechnic universities, polytechnic centers and polytechnic schools for persons with disabilities, and prefectural governments establish polytechnic schools.

2 前項に定めるもののほか、都道府県及び指定都市は職業能力開発短期大学校等を、市町村は職業能力開発校を設置することができる。

(2) Beyond what is provided for in the preceding paragraph, prefectural governments and designated cities may establish polytechnic colleges and other institutions, and municipalities may establish polytechnic schools.

3 公共職業能力開発施設の位置、名称その他運営について必要な事項は、国が設置する公共職業能力開発施設については厚生労働省令で、都道府県又は市町村が設置する公共職業能力開発施設については条例で定める。

(3) The locations, names, and other necessary matters concerning the operation of public institutions for the development of vocational abilities established by the national government is specified by Order of the Ministry of Health, Labour and Welfare, and the information concerning the operation of public institutions for the development of vocational abilities established by prefectural or municipal governments is specified by prefectural or municipal ordinances.

4 国は、第一項の規定により設置した障害者職業能力開発校のうち、厚生労働省令で定めるものの運営を独立行政法人高齢・障害・求職者雇用支援機構に行わせるものとし、当該厚生労働省令で定めるもの以外の障害者職業能力開発校の運営を都道府県に委託することができる。

(4) The national government is to entrust the Japan Organization for Employment of the Elderly, Persons with Disabilities and Job Seekers with the operation of polytechnic schools for persons with disabilities that have been established pursuant to the provisions of paragraph (1) and that are specified by Order of the Ministry of Health, Labour and Welfare, and may entrust the operation of polytechnic schools for persons with disabilities other than those specified by Order of the Ministry of Health, Labour and Welfare to prefectural governments.

5 公共職業能力開発施設の長は、職業訓練に関し高い識見を有する者でなければならない。

(5) The head of a public institution for the development of vocational abilities must have a high level of knowledge and experience in vocational training.

(名称使用の制限)

(Restrictions on Use of Names)

第十七条 公共職業能力開発施設でないもの（第二十五条の規定により設置される施設を除く。）は、その名称中に職業能力開発校、職業能力開発短期大学校、職業能力開発大学校、職業能力開発促進センター又は障害者職業能力開発校という文字を用いてはならない。

Article 17 Article 17 No institution other than public institutions for the development of vocational abilities (excluding institutions established pursuant to the provisions of Article 25) may use the characters “職業能力開発校” (pronounced “shokugyo noryoku kaihatsuko”, meaning "polytechnic school"), “職業能力開発短期大学校” (pronounced “shokugyo noryoku kaihatsu tanki daigakko”, meaning "polytechnic college"), “職業能力開発大学校” (pronounced “shokugyo noryoku kaihatsu daigakko”, meaning "polytechnic university"), “職業能力開発促進センター” (pronounced “shokugyo noryoku kaihatsu senta”, meaning "polytechnic center"), or “障害者職業能力開発校” (pronounced “shogaisha shokugyo noryoku kaihatsuko”, meaning "polytechnic school for persons with disabilities") in its name.

(国、都道府県及び市町村による配慮)

(Matters That Require the Attention of the National, Prefectural, and Municipal Governments)

第十八条 国、都道府県及び市町村は、その設置及び運営について、公共職業能力開発施設が相互に競合することなくその機能を十分に発揮することができるように配慮するものとする。

Article 18 (1) The national, prefectural, and municipal governments are to give due attention to the establishment and operations of public institutions for the development of vocational abilities to make sure that those institutions do not compete against each other and may function well.

2 国、都道府県及び市町村は、職業訓練の実施に当たり、関係地域における労働者の職業の安定及び産業の振興に資するように、職業訓練の開始の時期、期間及び内容等について十分配慮するものとする。

(2) The national, prefectural and municipal governments, when providing vocational training, are to give due attention to the training start date, duration, contents of vocational training, and other matters so that the vocational training may help increase job security of workers and promote industrial development in the relevant areas.

3 国、都道府県及び市町村は、職業訓練の実施に当たり、労働者がその生活との調和を保ちつつ、職業能力の開発及び向上を図ることができるように、職業訓練の期間及び時間等について十分配慮するものとする。

(3) The national, prefectural, and municipal governments, when providing vocational training, are to give due attention to the duration, time, and other matters related to vocational training, so that workers can develop and improve their vocational abilities while also leading balanced lives.

(職業訓練の基準)

(Standards for Providing Vocational Training)

第十九条 公共職業能力開発施設は、職業訓練の水準の維持向上のための基準として当該職業訓練の訓練課程ごとに教科、訓練時間、設備その他の厚生労働省令で定める事項に関し厚生労働省令で定める基準（都道府県又は市町村が設置する公共職業能力開発施設にあつては、当該都道府県又は市町村の条例で定める基準）に従い、普通職業訓練又は高度職業訓練を行うものとする。

Article 19 (1) Public institutions for the development of vocational abilities are to provide general or advanced vocational training in accordance with the standards specified by Order of the Ministry of Health, Labour and Welfare regarding the subjects, training times, facilities, and other matters specified for each training course included in the vocational training as the standards for maintaining and improving the level of the vocational training (for public institutions for the development of vocational abilities established by prefectural or municipal governments, the standards specified by prefectural or municipal ordinances).

2 前項の訓練課程の区分は、厚生労働省令で定める。

(2) The categories of vocational training referred to in the preceding paragraph are specified by Order of the Ministry of Health, Labour and Welfare.

3 都道府県又は市町村が第一項の規定により条例を定めるに当たっては、公共職業能力開発施設における訓練生の数については同項に規定する厚生労働省令で定める基準

を標準として定めるものとし、その他の事項については同項に規定する厚生労働省令で定める基準を参酌するものとする。

- (3) When enacting prefectural ordinances pursuant to the provisions of paragraph (1), the prefectural or municipal governments are to prescribe the number of trainees at public institutions for the development of vocational abilities on the basis of the standards specified by Order of the Ministry of Health, Labour and Welfare as prescribed in that paragraph, and prefectural or municipal governments are to take into consideration the standards specified by Order of the Ministry of Health, Labour and Welfare as prescribed in that paragraph concerning other matters.

(教材)

(Teaching and Training Materials)

第二十条 公共職業能力開発施設が行う普通職業訓練又は高度職業訓練（以下「公共職業訓練」という。）においては、厚生労働大臣の認定を受けた教科書その他の教材を使用するように努めなければならない。

Article 20 When providing general or advanced vocational training (referred to below as "public vocational training"), a public institution for the development of vocational abilities must endeavor to use textbooks or other teaching and training materials approved by the Minister of Health, Labour and Welfare.

(技能照査)

(Trade Skills Assessment Tests)

第二十一条 公共職業能力開発施設の長は、公共職業訓練（長期間の訓練課程のものに限る。）を受ける者に対して、技能及びこれに関する知識の照査（以下この条において「技能照査」という。）を行わなければならない。

Article 21 (1) The head of a public institution for the development of vocational abilities must give trade skills and knowledge assessment tests (referred to below as "trade skills assessment tests" in this Article) to persons who take public vocational training (limited to long-term training courses).

2 技能照査に合格した者は、技能士補と称することができる。

(2) A person who passes a trade skills assessment test may refer to themselves as "junior skilled worker."

3 技能照査の基準その他技能照査の実施に関し必要な事項は、厚生労働省令で定める。

(3) The standards for trade skills assessment tests and other necessary matters concerning the implementation of trade skills assessment tests are specified by Order of the Ministry of Health, Labour and Welfare.

(修了証書)

(Certificate of Completion)

第二十二条 公共職業能力開発施設の長は、公共職業訓練を修了した者に対して、厚生

労働省令で定めるところにより、修了証書を交付しなければならない。

Article 22 The head of a public institution for the development of vocational abilities must grant a certificate of completion to a person who completes public vocational training, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(職業訓練を受ける求職者に対する措置)

(Measures for Job Seekers Receiving Vocational Training)

第二十三条 公共職業訓練のうち、次に掲げるものは、無料とする。

Article 23 (1) The following types of public vocational training are to be provided free of charge:

一 国が設置する職業能力開発促進センターにおいて職業の転換を必要とする求職者その他の厚生労働省令で定める求職者に対して行う普通職業訓練（短期間の訓練課程で厚生労働省令で定めるものに限る。）

(i) general vocational training (limited to short-term training courses specified by Order of the Ministry of Health, Labour and Welfare) that is provided by a polytechnic center established by the national government to job seekers who need a change of occupation and other job seekers specified by Order of the Ministry of Health, Labour and Welfare;

二 国が設置する障害者職業能力開発校において求職者に対して行う職業訓練
(ii) vocational training provided to job seekers at polytechnic schools for persons with disabilities established by the national government;

三 都道府県又は市町村が設置する公共職業能力開発施設の行う職業訓練（厚生労働省令で定める基準を参酌して当該都道府県又は市町村の条例で定めるものに限る。）

(iii) vocational training provided by public institutions for the development of vocational abilities established by prefectural or municipal governments (limited to those specified by prefectural or municipal ordinances in consideration of the standards specified by Order of the Ministry of Health, Labour and Welfare).

2 国及び都道府県は、公共職業訓練のうち、職業能力開発校及び職業能力開発促進センターにおいて職業の転換を必要とする求職者その他の厚生労働省令で定める求職者に対して行う普通職業訓練（短期間の訓練課程で厚生労働省令で定めるものに限る。）並びに障害者職業能力開発校において求職者に対して行う職業訓練を受ける求職者に対して、労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律の規定に基づき、手当を支給することができる。

(2) Based on the provisions of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives, the national and prefectural governments may pay allowances to job seekers who undergo public vocational training, such as general vocational training (limited to short-term training courses specified by

Order of the Ministry of Health, Labour and Welfare) provided at polytechnic schools and polytechnic center for job seekers who need a change of occupation or other job seekers specified by Order of the Ministry of Health, Labour and Welfare, and vocational training for job seekers provided at polytechnic schools for persons with disabilities.

3 公共職業能力開発施設の長は、公共職業安定所長との密接な連携の下に、公共職業訓練を受ける求職者の就職の援助に関し必要な措置を講ずるように努めなければならない。

(3) The head of a public institution for the development of vocational abilities must endeavor to work in close coordination with the chief of public employment security office and take necessary measures to provide support for the employment of job seekers who receive public vocational training.

4 公共職業能力開発施設の長は、公共職業訓練を受ける求職者が自ら職業能力の開発及び向上に関する目標を定めることを容易にするために、必要に応じ、キャリアコンサルタントによる相談の機会の確保その他の援助を行うように努めなければならない。

(4) The head of a public institution for the development of vocational abilities must endeavor to secure opportunities for consultation through career consultants and provide other assistance as necessary in order to make it easier for job seekers who receive public vocational training to set their own goals for the development and improvement of vocational abilities.

第四節 事業主等の行う職業訓練の認定等

Section 4 Accreditation of Vocational Training Provided by Employers or Other Organizations

(都道府県知事による職業訓練の認定)

(Vocational Training Accredited by Prefectural Governors)

第二十四条 都道府県知事は、事業主等の申請に基づき、当該事業主等の行う職業訓練について、第十九条第一項の厚生労働省令で定める基準に適合するものであることの認定をすることができる。ただし、当該事業主等が当該職業訓練を的確に実施することができる能力を有しないと認めるときは、この限りでない。

Article 24 (1) At the request of an employer or another organization, a prefectural governor may accredit the vocational training offered by the employer or that other organization., confirming that the vocational training meets the standards specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 19, paragraph (1); provided, however, that this does not apply if the prefectural governor finds that the relevant employer or that other organization is not capable of providing the relevant vocational training in a suitable manner.

2 都道府県知事は、前項の認定をしようとする場合において、当該職業訓練を受ける労働者が労働基準法第七十条の規定に基づく厚生労働省令又は労働安全衛生法（昭和

四十七年法律第五十七号) 第六十一条第四項の規定に基づく厚生労働省令の適用を受けなければならないときは、厚生労働省令で定める場合を除き、都道府県労働局長の意見を聴くものとする。

(2) If a prefectural governor intends to accredit the vocational training referred to in the preceding paragraph, and when a worker receiving the vocational training is subject to Order of the Ministry of Health, Labour and Welfare under the provisions of Article 70 of the Labor Standards Act or Order of the Ministry of Health, Labour and Welfare under the provisions of Article 61, paragraph (4) of the Industrial Safety and Health Act (Act No.57 of 1972), the prefectural governor is to hear the opinions of the Director General of the Prefectural Labor Bureau, unless otherwise specified by Order of the Ministry of Health, Labour and Welfare.

3 都道府県知事は、第一項の認定に係る職業訓練（以下「認定職業訓練」という。）が第十九条第一項の厚生労働省令で定める基準に適合しなくなつたと認めるとき、又は事業主等が当該認定職業訓練を行わなくなつたとき、若しくは当該認定職業訓練を的確に実施することができる能力を有しなくなつたと認めるときは、当該認定を取り消すことができる。

(3) A prefectural governor may revoke the accreditation of vocational training if the governor finds that the accredited vocational training under the provisions of paragraph (1) (referred to below as "accredited vocational training ") no longer meets the standards specified by Order of the Ministry of Health, Labour and Welfare under the provisions of Article 19, paragraph (1), or when the employer or another organization ceases to provide the relevant accredited vocational training, or when the governor finds that the employer or that other organization is no longer capable of providing the relevant accredited vocational training in a suitable manner.

(事業主等の設置する職業訓練施設)

(Vocational Training Institutions Established by Employers or Other Organizations)

第二十五条 認定職業訓練を行う事業主等は、厚生労働省令で定めるところにより、職業訓練施設として職業能力開発校、職業能力開発短期大学校、職業能力開発大学校又は職業能力開発促進センターを設置することができる。

Article 25 An employer or another organization who provides accredited vocational training may establish a polytechnic school, polytechnic college, polytechnic university, or polytechnic center as a vocational training institution, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(事業主等の協力)

(Cooperation of Employers or Other Organizations)

第二十六条 認定職業訓練を行う事業主等は、その事業に支障のない範囲内で、認定職業訓練のための施設を他の事業主等の行う職業訓練のために使用させ、又は委託を受けて他の事業主等に係る労働者に対して職業訓練を行うように努めるものとする。

Article 26 An employer or another organization who provides accredited vocational training must, to an extent that does not affect their business, endeavor to make their institutions used for accredited vocational training available to other employers or other organizations to provide vocational training, or endeavor to provide vocational training entrusted by another employer or another organization to workers employed by that other employer or that other organization.

(準用)

(Application Mutatis Mutandis)

第二十六条の二 第二十条から第二十二条までの規定は、認定職業訓練について準用する。この場合において、第二十一条第一項及び第二十二条中「公共職業能力開発施設の長」とあるのは、「認定職業訓練を行う事業主等」と読み替えるものとする。

Article 26-2 The provisions of Article 20 through Article 22 apply mutatis mutandis to accredited vocational training. In this case, the phrase "head of a public institution for the development of vocational abilities" in Article 21, paragraph (1) and Article 22 is deemed to be replaced with "employers or other organizations who provide accredited vocational training."

第五節 実習併用職業訓練実施計画の認定等

Section 5 Accreditation of Implementation Plans for Providing Vocational Training Combined with Hands-on Training

(実施計画の認定)

(Approval of Implementation Plans for Providing Vocational Training)

第二十六条の三 実習併用職業訓練を実施しようとする事業主は、厚生労働省令で定めるところにより、実習併用職業訓練の実施計画（以下この節において「実施計画」という。）を作成し、厚生労働大臣の認定を申請することができる。

Article 26-3 (1) An employer who intends to provide vocational training combined with hands-on training may prepare an implementation plan for providing vocational training combined with hands-on training (referred to below as "implementation plan" in this Section) and apply for accreditation from the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 実施計画には、実習併用職業訓練に関する次に掲げる事項を記載しなければならない。

(2) An implementation plan must contain the following matters concerning vocational training combined with hands-on training:

一 対象者

(i) persons to undergo training;

二 期間及び内容

(ii) training duration and courses;

三 職業能力の評価の方法

(iii) methods of assessment of vocational abilities;

四 訓練を担当する者

(iv) persons in charge of training; and

五 その他厚生労働省令で定める事項

(v) other matters specified by Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣は、第一項の認定の申請があつた場合において、その実施計画が青少年の実践的な職業能力の開発及び向上を図るために効果的な実習併用職業訓練に関する基準として厚生労働省令で定める基準に適合すると認めるときは、その認定をすることができる。

(3) When an application for accreditation referred to in paragraph (1) is filed with the Minister of Health, Labour and Welfare, and if the minister finds that the implementation plan meets the standards for providing vocational training combined with hands-on training which are specified by Order of the Ministry of Health, Labour and Welfare as standards for effective vocational training combined with hands-on training to develop and improve practical skills of youths, the Minister may accredit that implementation plan.

(実施計画の変更等)

(Changes in the Implementation Plan)

第二十六条の四 前条第三項の認定を受けた事業主（以下「認定事業主」という。）は、当該認定に係る実施計画を変更しようとするときは、厚生労働大臣の認定を受けなければならない。

Article 26-4 (1) If an employer who gained the accreditation referred to in paragraph (3) of the preceding Article (referred to below as "accredited employer") intends to make a change to the implementation plan related to the relevant accreditation, the employer must obtain accreditation from the Minister of Health, Labour and Welfare.

2 厚生労働大臣は、前条第三項の認定に係る実施計画（前項の規定による変更の認定があつたときは、その変更後のもの。以下この節において「認定実施計画」という。）が、同条第三項の厚生労働省令で定める基準に適合しなくなつたと認めるとき、又は認定事業主が認定実施計画に従つて実習併用職業訓練を実施していないと認めるときは、その認定を取り消すことができる。

(2) The Minister of Health, Labour and Welfare may revoke the accreditation if the minister finds that the implementation plan related to the accreditation referred to in paragraph (3) of the preceding Article (the revised

implementation plan, if the changes to the implementation plan under the preceding paragraph have been accredited; referred to below as the "accredited implementation plan" in this Section) no longer meets the standards specified by Order of the Ministry of Health, Labour and Welfare referred to in paragraph (3) of that Article, or if the minister finds that the accredited employer fails to provide vocational training combined with hands-on training according to the accredited implementation plan.

3 前条第三項の規定は、第一項の認定について準用する。

(3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the accreditation referred to in paragraph (1).

(表示等)

(Indications)

第二十六条の五 認定事業主は、認定実施計画に係る実習併用職業訓練（以下「認定実習併用職業訓練」という。）を実施するときは、労働者の募集の広告その他の厚生労働省令で定めるもの（次項において「広告等」という。）に、厚生労働省令で定めるところにより、当該認定実習併用職業訓練が実施計画の認定を受けている旨の表示を付することができる。

Article 26-5 (1) When an accredited employer provides vocational training combined with hands-on training included in the accredited implementation plan (referred to below as "accredited vocational training combined with hands-on training"), the accredited employer may use the phrase "the implementation plan for the relevant accredited vocational training combined with hands-on training has been accredited" in a job advertisement to hire workers and in other texts specified by Order of the Ministry of Health, Labour and Welfare (referred to as "advertisement and other texts" in the following paragraph), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 何人も、前項の規定による場合を除くほか、広告等に同項の表示又はこれと紛らわしい表示を付してはならない。

(2) Except in the cases under the preceding paragraph, no person is allowed to use the phrase referred to in that paragraph or any other phrase which is misleadingly similar to that phrase in an advertisement or other texts.

(委託募集の特例等)

(Special Provisions for Job Advertisements Entrusted to Others)

第二十六条の六 承認中小事業主団体の構成員である中小事業主（認定事業主に限る。以下同じ。）が、当該承認中小事業主団体をして認定実習併用職業訓練を担当する者（以下「訓練担当者」という。）の募集を行わせようとする場合において、当該承認中小事業主団体が当該募集に従事しようとするときは、職業安定法第三十六条第一項及び第三項の規定は、当該構成員である中小事業主については、適用しない。

Article 26-6 (1) If an owner of a small or medium-sized enterprise who is a member of an approved employers' organization of small and medium-sized enterprises (limited to accredited employers; the same applies below) intends to have the approved employers' organization of small and medium-sized enterprises recruit persons in charge of accredited vocational training combined with hands-on training (referred to below as "trainers"), and if the approved employers' organization of small and medium-sized enterprises intends to be engaged in the recruitment, the provisions of Article 36, paragraph (1) and paragraph (3) of the Employment Security Act do not apply to the employer of a small and medium-sized enterprise who is the relevant member.

2 この条及び次条において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

(2) In this Article and the following Article, the meanings of the terms referred to in the following items are prescribed in each of the following items:

一 中小事業主 中小企業における労働力の確保及び良好な雇用の機会の創出のための雇用管理の改善の促進に関する法律（平成三年法律第五十七号）第二条第一項第一号から第三号までに掲げる者をいう。

(i) an owner of small or medium-sized enterprise: a person specified in Article 2, paragraph (1), item (i) through item (iii) of the Act on the Promotion of Improvement of Employment Management in Small and Medium-sized Enterprises for Securing Manpower and Creating Quality Jobs (Act No. 57 of 1991); and

二 承認中小事業主団体 事業協同組合、協同組合連合会その他の特別の法律により設立された組合若しくはその連合会であつて厚生労働省令で定めるもの又は一般社団法人で中小事業主を直接又は間接の構成員とするもの（厚生労働省令で定める要件に該当するものに限る。以下この号において「事業協同組合等」という。）であつて、その構成員である中小事業主に対し、認定実習併用職業訓練の適切かつ有効な実施を図るための人材確保に関する相談及び援助を行うものとして、当該事業協同組合等の申請に基づき厚生労働大臣がその定める基準により適当であると承認したものをいう。

(ii) an approved employers' organization of small and medium-sized enterprises: a business cooperative, federation of cooperatives, a cooperative that has been established pursuant to the provisions of a special law or a federation of those cooperatives and is specified by Order of the Ministry of Health, Labour and Welfare, or a general incorporated association composed of owners of small and medium-sized enterprises who are direct or indirect members (limited to those meeting the requirements specified by Order of the Ministry of Health, Labour and Welfare; referred to below as "business cooperative or another organization" in this item), which are approved by the Minister of Health, Labour and Welfare, based on the request from the

business cooperative or another organization and according to the standards specified by the minister, as those that provide consultations or assistance to employers of small or medium-sized enterprises who are members of that employers' organization regarding recruitment to provide accredited vocational training combined with hands-on training in a suitable and effective manner.

3 厚生労働大臣は、承認中小事業主団体が前項第二号の相談及び援助を行うものとして適当でなくなつたと認めるときは、同号の承認を取り消すことができる。

(3) The Minister of Health, Labour and Welfare may revoke the approval referred to in item (ii) of the preceding paragraph, if the minister finds that the approved small and medium-sized employers' organization is no longer suitable as an organization to provide consultation and assistance referred to in that item.

4 第一項の承認中小事業主団体は、当該募集に従事しようとするときは、厚生労働省令で定めるところにより、募集時期、募集人員、募集地域その他の訓練担当者の募集に関する事項で厚生労働省令で定めるものを厚生労働大臣に届け出なければならない。

(4) If an approved small and medium-sized employers' organization referred to in paragraph (1) intends to be engaged in the recruitment process, the approved small and medium-sized employers' organization must notify the Minister of Health, Labour and Welfare about the recruiting period, number of recruits, recruiting areas, and other matters that are related to the recruitment of persons in charge of training and are specified by Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

5 職業安定法第三十七条第二項の規定は前項の規定による届出があつた場合について、同法第五条の三第一項及び第四項、第五条の四第一項及び第二項、第五条の五、第三十九条、第四十一条第二項、第四十二条、第四十八条の三第一項、第四十八条の四、第五十条第一項及び第二項並びに第五十一条の規定は前項の規定による届出をして訓練担当者の募集に従事する者について、同法第四十条の規定は同項の規定による届出をして訓練担当者の募集に従事する者に対する報酬の供与について、同法第五十条第三項及び第四項の規定はこの項において準用する同条第二項に規定する職権を行う場合について準用する。この場合において、同法第三十七条第二項中「労働者の募集を行おうとする者」とあるのは「職業能力開発促進法第二十六条の六第四項の規定による届出をして同条第一項に規定する訓練担当者の募集に従事しようとする者」と、同法第四十一条第二項中「当該労働者の募集の業務の廃止を命じ、又は期間」とあるのは「期間」と読み替えるものとする。

(5) The provisions of Article 37, paragraph (2) of the Employment Security Act apply mutatis mutandis to cases in which a notification under the provisions of the preceding paragraph has been filed; the provisions of Article 5-3, paragraphs (1) and (4), Article 5-4, paragraphs (1) and (2), Article 5-5, Article 39, Article 41, paragraph (2), Article 42, Article 48-3, paragraph (1), Article 48-

4, Article 50, paragraphs (1) and (2), and Article 51 of that Act apply mutatis mutandis to persons who engage in the recruitment of persons in charge of training after filing a notification under the provisions of the preceding paragraph; the provisions of Article 40 of that Act apply mutatis mutandis to the payment of remuneration to persons who engage in the recruitment of persons in charge of training after filing a notification under the provisions of that paragraph; and the provisions of Article 50, paragraphs (3) and (4) of that Act apply mutatis mutandis to cases in which the authority prescribed in Article 50, paragraph (2) of that Act, as applied mutatis mutandis pursuant to this paragraph, is exercised. In this case, the phrase "the person seeking to conduct worker recruitment " in Article 37, paragraph (2) of that Act is deemed to be replaced with "a person who intends to engage in the recruitment of persons in charge of training prescribed in Article 26-6, paragraph (1) of the Vocational Abilities Development Promotion Act after filing a notification under the provisions of paragraph (4) of that Article"; and the phrase "the discontinuance of the worker recruitment operations, or order the suspension thereof for a designated period" in Article 41, paragraph (2) of that Act is deemed to be replaced with "the suspension of the worker recruitment operations for a designated period".

- 6 職業安定法第三十六条第二項及び第四十二条の二の規定の適用については、同項中「前項の」とあるのは「被用者以外の者をして職業能力開発促進法第二十六条の六第一項に規定する訓練担当者の募集に従事させようとする者がその被用者以外の者に与えようとする」と、同条中「第三十九条に規定する募集受託者」とあるのは「職業能力開発促進法第二十六条の六第四項の規定による届出をして同条第一項に規定する訓練担当者の募集に従事する者」と、「同項に」とあるのは「次項に」とする。

(6) Concerning the application of the provisions of Article 36, paragraph (2) and Article 42-2 of the Employment Security Act, the phrase "referred to in the preceding paragraph" in that paragraph is deemed to be replaced with "if a person who intends to employ a worker by providing a reward, so as to have the worker other than the person's employee recruit a person in charge of training specified in Article 26-6, paragraph (1) of the Vocational Abilities Development Promotion Act;" and the phrase "commissioned recruiters provided in Article 39" in that Article is deemed to be replaced with "persons who file notifications under the provisions of Article 26-6, paragraph (4) of the Vocational Abilities Development Promotion Act to be engaged in the recruitment of trainers under the provisions of paragraph (1) of that Article;" and the phrase "in said paragraph" in that Article is deemed to be replaced with "in the following paragraph."

- 7 厚生労働大臣は、承認中小事業主団体に対し、第二項第二号の相談及び援助の実施状況について報告を求めることができる。

(7) The Minister of Health, Labour and Welfare may request an approved

employers' organization of small and medium-sized enterprises to submit a report on the implementation status of consultations and assistance referred to in paragraph (2), item (ii).

第二十六条の七 公共職業安定所は、前条第四項の規定による届出をして訓練担当者の募集に従事する承認中小事業主団体に対して、雇用情報及び職業に関する調査研究の成果を提供し、かつ、これらに基づき当該募集の内容又は方法について指導することにより、当該募集の効果的かつ適切な実施の促進に努めなければならない。

Article 26-7 Public employment security offices must provide employment information and the results of research studies on occupations to approved employers' organizations of small and medium-sized enterprises that file notifications under the provisions of paragraph (4) of the preceding Article to be engaged in the recruitment of persons in charge of training, and must endeavor to promote the recruitment in an effective and suitable manner by giving guidance to the organizations on the conditions and methods of the relevant recruitment processes based on the results of those research studies..

第六節 職業能力開発総合大学校 Section 6 Polytechnic Universities

第二十七条 職業能力開発総合大学校は、公共職業訓練その他の職業訓練の円滑な実施その他職業能力の開発及び向上の促進に資するため、公共職業訓練及び認定職業訓練（以下「準則訓練」という。）において訓練を担当する者（以下「職業訓練指導員」という。）になろうとする者又は職業訓練指導員に対し、必要な技能及びこれに関する知識を付与することによつて、職業訓練指導員を養成し、又はその能力の向上に資するための訓練（以下「指導員訓練」という。）、職業訓練のうち準則訓練の実施の円滑化に資するものとして厚生労働省令で定めるもの並びに職業能力の開発及び向上に関する調査及び研究を総合的に行うものとする。

Article 27 (1) In order to help promote the smooth implementation of public vocational training and other types of vocational training as well as the development and improvement of vocational abilities, polytechnic universities must train vocational training instructors by teaching the necessary skills and providing the knowledge to vocational training instructors and persons who intend to become persons in charge of public vocational training and accredited vocational training (referred to below as "statutory vocational training") (referred to below as "vocational training instructors"), or must provide training to improve their abilities (referred to below as "instructor training") and vocational training specified by Order of the Ministry of Health, Labor and Welfare that helps facilitate the implementation of statutory vocational training, as well as conduct research and studies on the development and improvement of vocational abilities in a comprehensive manner.

2 職業能力開発総合大学校は、前項に規定する業務を行うほか、この法律の規定による職業能力の開発及び向上に関し必要な業務で厚生労働省令で定めるものを行うことができる。

(2) Polytechnic universities may, beyond carrying out the operations prescribed in the preceding paragraph, carry out any operations necessary for the development and improvement of vocational abilities under the provisions of this Act, as specified by Order of the Ministry of Health, Labour and Welfare.

3 国は、職業能力開発総合大学校を設置する。

(3) The national government establishes polytechnic universities.

4 職業能力開発総合大学校でないものは、その名称中に職業能力開発総合大学校という文字を用いてはならない。

(4) No institutions other than a polytechnic university may use the characters "職業能力開発総合大学校" (pronounced "shokugyo noryoku kaihatsu sogo daigakko", meaning "polytechnic university") in their names.

5 第十五条の七第二項及び第四項（第二号を除く。）、第十六条第三項（国が設置する公共職業能力開発施設に係る部分に限る。）及び第五項並びに第二十三条第三項及び第四項の規定は職業能力開発総合大学校について、第十九条から第二十二條までの規定は職業能力開発総合大学校において行う職業訓練について準用する。この場合において、第十五条の七第二項中「当該各号に規定する職業訓練」とあり、及び同条第四項中「第一項各号に規定する職業訓練」とあるのは「第二十七条第一項に規定する業務」と、第二十一条第一項及び第二十二條中「公共職業能力開発施設」とあるのは「職業能力開発総合大学校」と、第二十三条第三項及び第四項中「公共職業訓練を受ける」とあるのは「指導員訓練（第二十七条第一項に規定する指導員訓練をいう。）又は職業訓練を受ける」と読み替えるものとする。

(5) The provisions of Article 15-7, paragraphs (2) and (4) (excluding item (ii)), Article 16, paragraph (3) (limited to the part related to public institutions for the development of vocational abilities established by the national government) and paragraph (5), and Article 23, paragraphs (3) and (4) apply mutatis mutandis to the polytechnic universities, and the provisions of Articles 19 through 22 apply mutatis mutandis to vocational training provided at polytechnic universities. In this case, the terms "vocational training specified in the items of the preceding paragraph" in Article 15-7, paragraph (2) and "vocational training prescribed in the items of paragraph (1)" in paragraph (4) of that Article are deemed to be replaced with "operations prescribed in Article 27, paragraph (1)"; the term "public institution for the development of vocational abilities" in Article 21, paragraph (1) and Article 22 is deemed to be replaced with "polytechnic university"; and the term "who receive public vocational training" in Article 23, paragraphs (3) and (4) is deemed to be replaced with "who receive instructor training (meaning instructor training prescribed in Article 27, paragraph (1)) or vocational training".

第七節 職業訓練指導員等

Section 7 Vocational Training Instructors

(指導員訓練の基準等)

(Standards for Instructor Training)

第二十七条の二 指導員訓練の訓練課程の区分及び訓練課程ごとの教科、訓練時間、設備その他の事項に関する基準については、厚生労働省令で定める。

Article 27-2 (1) The categories of training courses for instructor training and the standards for training curriculums, training hours, training equipment, and other matters related to each training course are specified by Order of the Ministry of Health, Labour and Welfare.

2 第二十二條及び第二十四條第一項から第三項までの規定は、指導員訓練について準用する。この場合において、第二十二條中「公共職業能力開発施設の長」とあるのは「職業能力開発総合大学の長及び第二十七條の二第二項において準用する第二十四條第一項の認定に係る第二十七條第一項に規定する指導員訓練を行う事業主等」と、第二十四條第一項及び第三項中「第十九條第一項」とあるのは「第二十七條の二第一項」と読み替えるものとする。

(2) The provision of Article 22 and Article 24, paragraph (1) through paragraph (3) apply mutatis mutandis to instructor training. In this case, the phrase "head of a public institution for the development of vocational abilities" in Article 22 is deemed to be replaced with the "head of a polytechnic university and an employer or another organization who provides instructor training prescribed in Article 27, paragraph (1) related to the accreditation referred to in Article 24, paragraph (1) as applied mutatis mutandis pursuant to Article 27-2, paragraph (2)" and the phrase "Article 19, paragraph (1)" in Article 24, paragraphs (1) and (3) is deemed to be replaced with "Article 27-2, paragraph (1)."

(職業訓練指導員免許)

(Vocational Training Instructor's License)

第二十八條 準則訓練のうち普通職業訓練（短期間の訓練課程で厚生労働省令で定めるものを除く。以下この項において同じ。）における職業訓練指導員は、都道府県知事の免許を受けた者（都道府県又は市町村が設置する公共職業能力開発施設の行う普通職業訓練における職業訓練指導員にあつては、厚生労働省令で定める基準に従い当該都道府県又は市町村の条例で定める者）でなければならない。

Article 28 (1) Vocational training instructors for general vocational training (excluding short-term training courses specified by Order of the Ministry of Health, Labour and Welfare; the same applies below in this paragraph), which is part of statutory vocational training, must be persons who have obtained a license from the prefectural governor (vocational training instructors for general vocational training provided by public institutions for the development

of vocational abilities established by prefectural or municipal governments must be persons specified by prefectural or municipal ordinances in accordance with the standards specified by Order of the Ministry of Health, Labour and Welfare).

2 前項の免許（以下「職業訓練指導員免許」という。）は、厚生労働省令で定める職種ごとに行なう。

(2) The license referred to in the preceding paragraph (referred to below as a "vocational training instructor's license") is issued for each occupation specified by Order of the Ministry of Health, Labour and Welfare.

3 職業訓練指導員免許は、申請に基づき、次の各号のいずれかに該当する者に対して、免許証を交付して行なう。

(3) A vocational training instructor's license is granted to a person falling under any of the following items at the request of that person:

一 指導員訓練のうち厚生労働省令で定める訓練課程を修了した者

(i) a person who has completed the training course which is specified by Order of the Ministry of Health, Labour and Welfare, and which is included in instructor training;

二 第三十条第一項の職業訓練指導員試験に合格した者

(ii) a person who has passed the examination for vocational training instructor certification referred to in Article 30, paragraph (1); or

三 職業訓練指導員の業務に関して前二号に掲げる者と同等以上の能力を有すると認められる者

(iii) a person found to have the ability as a vocational training instructor equivalent to or more advanced than that of the persons specified in the preceding two items.

4 前項第三号に掲げる者の範囲は、厚生労働省令で定める。

(4) The eligible persons referred to in item (iii) of the preceding paragraph are specified by Order of the Ministry of Health, Labour and Welfare.

5 次の各号のいずれかに該当する者は、第三項の規定にかかわらず、職業訓練指導員免許を受けることができない。

(5) Notwithstanding the provisions of paragraph (3), a person falling under any of the following items may not acquire a vocational training instructor's license:

一 心身の故障により職業訓練指導員の業務を適正に行うことができない者として厚生労働省令で定めるもの

(i) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who is unable to properly perform the duties of a vocational training instructor due to a mental or physical disorder;

二 禁錮以上の刑に処せられた者

(ii) a person who has been sentenced to imprisonment without work or heavier punishment; or

三 職業訓練指導員免許の取消しを受け、当該取消しの日から二年を経過しない者
(iii) a person whose vocational training instructor's license has been revoked
and two years have not elapsed from the date of the revocation.

(職業訓練指導員免許の取消し)

(Revocation of Vocational Training Instructor's License)

第二十九条 都道府県知事は、職業訓練指導員免許を受けた者が前条第五項第一号又は第二号に該当するに至ったときは、当該職業訓練指導員免許を取り消さなければならない。

Article 29 (1) If a person who has acquired a vocational training instructor's license falls under item (i) or item (ii) of paragraph (5) of the preceding Article, the prefectural governor must revoke the vocational training instructor's license.

2 都道府県知事は、職業訓練指導員免許を受けた者に職業訓練指導員としてふさわしくない非行があつたときは、当該職業訓練指導員免許を取り消すことができる。

(2) If a person who has acquired a vocational training instructor's license engages in conduct unbecoming a vocational training instructor, the prefectural governor may revoke the vocational training instructor's license.

(職業訓練指導員試験)

(Examinations for Vocational Training Instructor Certification)

第三十条 職業訓練指導員試験は、厚生労働大臣が毎年定める職業訓練指導員試験に関する計画に従い、都道府県知事が行う。

Article 30 (1) An examination for vocational training instructor certification is given by prefectural governors according to the plan concerning the examination for vocational training instructor certification established each year by the Minister of Health, Labour and Welfare.

2 前項の職業訓練指導員試験（以下「職業訓練指導員試験」という。）は、実技試験及び学科試験によつて行なう。

(2) An examination for vocational training instructor certification referred to in the preceding paragraph (referred to below as "examinations for vocational training instructor certification") consists of a skills assessment test and a written test.

3 職業訓練指導員試験を受けることができる者は、次の者とする。

(3) The following persons may take an examination for vocational training instructor certification:

一 第四十四条第一項の技能検定に合格した者

(i) a person who has passed a trade skills test referred to in Article 44, paragraph (1);

二 厚生労働省令で定める実務の経験を有する者

(ii) a person who has the practical work experience specified by Order of the

- Ministry of Health, Labour and Welfare; or
- 三 前二号に掲げる者と同等以上の能力を有すると認められる者
- (iii) a person found to have the ability equivalent to or more advanced than that of the persons specified in the preceding two items.
- 4 前項第三号に掲げる者の範囲は、厚生労働省令で定める。
- (4) The eligible persons referred to in item (iii) of the preceding paragraph are specified by Order of the Ministry of Health, Labour and Welfare.
- 5 都道府県知事は、厚生労働省令で定めるところにより、一定の資格を有する者に対して、第二項の実技試験又は学科試験の全部又は一部を免除することができる。
- (5) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, the prefectural governor may exempt a person with certain qualifications from taking the skills assessment test or the written test, in part or in whole, referred to in paragraph (2).
- 6 第二十八条第五項第二号又は第三号に該当する者は、職業訓練指導員試験を受けることができない。
- (6) A person who falls under Article 28, paragraph (5), item (ii) or (iii) may not take the examination for vocational training instructor certification.

(職業訓練指導員資格の特例)

(Special Provisions for Qualifications of Vocational Training Instructors)

第三十条の二 準則訓練のうち高度職業訓練（短期間の訓練課程で厚生労働省令で定めるものを除く。以下この項において同じ。）における職業訓練指導員は、当該訓練に係る教科につき、第二十八条第三項各号に掲げる者と同等以上の能力を有する者のうち、相当程度の知識又は技能を有する者として厚生労働省令で定める者（都道府県又は指定都市が設置する公共職業能力開発施設の行う高度職業訓練にあつては、厚生労働省令で定める基準を参酌して当該都道府県又は指定都市の条例で定める者）であつて、同条第五項各号のいずれかに該当する者以外の者でなければならない。

Article 30-2 (1) A vocational training instructor for advanced vocational training (excluding short-term training courses specified by Order of the Ministry of Health, Labour and Welfare; the same applies below in this paragraph) , which is included in statutory vocational training must be a person who has abilities equivalent to or more advanced than the person listed in the items of Article 28, paragraph (3) in the subjects related to the relevant training, who is specified by Order of the Ministry of Health, Labour and Welfare as a person who has a considerable level of knowledge or skills (for advanced vocational training conducted by a public institution for the development of vocational abilities established by a prefecture or designated city, a person specified by ordinances of the relevant prefecture or designated city by taking into consideration the standards specified by Order of the Ministry of Health, Labour and Welfare), and who does not fall under any of the items of paragraph (5) of the that Article.

2 第二十八条第一項に規定する職業訓練（都道府県又は市町村が設置する公共職業能力開発施設の行うものを除く。）における職業訓練指導員については、当該職業訓練指導員が当該職業訓練に係る教科につき同条第三項各号に掲げる者と同等以上の能力を有する者として厚生労働省令で定める者（同条第五項各号のいずれかに該当する者を除く。）に該当するときは、当該教科に関しては、同条第一項の規定にかかわらず、職業訓練指導員免許を受けた者であることを要しない。

(2) A vocational training instructor for vocational training prescribed in Article 28, paragraph (1) (excluding training provided by a public institution for the development of vocational abilities established by a prefectural or municipal government) is not required to hold a vocational training instructor's license to teach the subjects included in the vocational training, notwithstanding the provisions of paragraph (1) of that Article, if that vocational training instructor falls under the category of a person specified by Order of the Ministry of Health, Labour and Welfare as a persons who has abilities equivalent to or more advanced than the person listed in the items of paragraph (3) of that Article for those subjects included in that vocational training (excluding a person who falls under any of the items of paragraph (5) of that Article).

第八節 キャリアコンサルタント Section 8 Career Consultants

(業務)

(Operations)

第三十条の三 キャリアコンサルタントは、キャリアコンサルタントの名称を用いて、キャリアコンサルティングを行うことを業とする。

Article 30-3 A career consultant is in the business of providing career consulting services using the name "キャリアコンサルタント" (pronounced "kyaria konsarutanto", meaning "career consultant").

(キャリアコンサルタント試験)

(Examinations for Career Consultants)

第三十条の四 キャリアコンサルタント試験は、厚生労働大臣が行う。

Article 30-4 (1) An examination for a career consultant is conducted by the Minister of Health, Labour and Welfare.

2 前項のキャリアコンサルタント試験（以下この節において「キャリアコンサルタント試験」という。）は、学科試験及び実技試験によつて行う。

(2) An examination for a career consultant stated in the preceding paragraph (referred to below as "examination for a career consultant" in this Section) consists of a written test and a skills assessment test.

3 次の各号のいずれかに該当する者でなければ、キャリアコンサルタント試験を受けることができない。

- (3) No person other than one who falls under any of the following items may take the examination for a career consultant.
- 一 キャリアコンサルティングに必要な知識及び技能に関する講習で厚生労働省令で定めるものの課程を修了した者
 - (i) a person who has completed a training course on the knowledge and skills necessary for career consulting which is specified by Order of the Ministry of Health, Labour and Welfare;
 - 二 厚生労働省令で定める実務の経験を有する者
 - (ii) a person who has the practical work experience specified by Order of the Ministry of Health, Labour and Welfare;
 - 三 前二号に掲げる者と同等以上の能力を有すると認められる者として厚生労働省令で定めるもの
 - (iii) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who is found to have abilities equal to or more advanced than the persons listed in the preceding two items.
- 4 厚生労働大臣は、厚生労働省令で定める資格を有する者に対し、第二項の学科試験又は実技試験の全部又は一部を免除することができる。
- (4) The Minister of Health, Labour and Welfare may exempt a person with the qualifications specified by Order of the Ministry of Health, Labour and Welfare from taking the written test or the skills assessment test, in part or in whole, stated in paragraph (2).

(登録試験機関の登録)

(Registration of Registered Examining Agencies)

第三十条の五 厚生労働大臣は、厚生労働大臣の登録を受けた法人（以下「登録試験機関」という。）に、キャリアコンサルタント試験の実施に関する業務（以下「資格試験業務」という。）を行わせることができる。

- Article 30-5 (1) The Minister of Health, Labour and Welfare may have a corporation that has been registered by the Minister of Health, Labour and Welfare (referred to below as "registered examining agency") carry out operations related to implementing an examination for a career consultant (referred to below as "operations related to qualifying examinations").
- 2 前項の登録を受けようとする者は、厚生労働省令で定めるところにより、次に掲げる事項を記載した申請書を厚生労働大臣に提出しなければならない。
- (2) A person seeking to be registered as a corporation referred to in the preceding paragraph must submit a written application stating the following matters to the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:
- 一 名称及び住所並びに代表者の氏名
 - (i) its name and address, and the name of its representative;
 - 二 資格試験業務を行う事業所の所在地

(ii) the location of the place of business where the operations related to qualifying examinations are to be performed;

三 前二号に掲げるもののほか、厚生労働省令で定める事項

(iii) beyond what is stated in the preceding two items, the matters specified by Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣は、第一項の規定により登録試験機関に資格試験業務を行わせるときは、資格試験業務を行わないものとする。

(3) If the Minister of Health, Labour and Welfare has a registered examining agency perform the operations related to qualifying examinations pursuant to the provisions of paragraph (1), the Minister is not to perform those operations related to qualifying examinations.

(欠格条項)

(Disqualification Clauses)

第三十条の六 厚生労働大臣は、前条第二項の規定により登録の申請を行う者（以下この条及び次条において「申請者」という。）が、次の各号のいずれかに該当するときは、登録をしてはならない。

Article 30-6 The Minister of Health, Labour and Welfare must not register a person who applies for registration pursuant to the provisions of paragraph (2) of the preceding Article (referred to below as "applicant" in this Article and the following Article) if that person falls under any of the following items:

一 この法律又はこの法律に基づく命令に違反し、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない者

(i) a person that has been sentenced to a fine or heavier punishment for violating this Act or an order based on this Act, if two years have not elapsed from the day on which the person finished serving that sentence or ceased to be subject to its enforcement;

二 第三十条の十五の規定により登録を取り消され、その取消の日から二年を経過しない者

(ii) a person whose registration has been revoked pursuant to the provisions of Article 30-15, if two years have not elapsed from the date of the revocation;

三 申請者の役員のうち第一号に該当する者がある者

(iii) a person any of whose officers fall under item (i);

四 申請者の役員のうち第三十条の十二第一項の規定による命令により解任され、その解任の日から起算して二年を経過しない者がある者

(iv) a person, any of whose officers have been dismissed by an order under the provisions of Article 30-12, paragraph (1), if two years have not elapsed from the date of their dismissal.

(登録の要件等)

(Requirements for Registration)

第三十条の七 厚生労働大臣は、申請者が次の各号のいずれにも適合していると認めるときは、その登録をしなければならない。この場合において、登録に関して必要な手続は、厚生労働省令で定める。

Article 30-7 (1) If the Minister of Health, Labour and Welfare finds that an applicant conforms to all of the following items, the minister must register the applicant. In this case, necessary procedures for the registration are specified by Order of the Ministry of Health, Labour and Welfare:

一 次に掲げる科目について試験を行うこと。

(i) examinations on the following subjects are conducted:

イ この法律その他関係法令に関する科目

(a) subjects related to this Act and other relevant laws and regulations;

ロ キャリアコンサルティングの理論に関する科目

(b) subjects related to career consulting theory;

ハ キャリアコンサルティングの実務に関する科目

(c) subjects related to practical career consulting work;

ニ その他厚生労働省令で定める科目

(d) other subjects specified by Order of the Ministry of Health, Labour and Welfare;

二 次に掲げる条件のいずれかに適合する知識経験を有する試験委員が試験の問題の作成及び採点を行うこと。

(ii) an examiner who has the knowledge and experience conforming to any of the following conditions prepares the examination questions and marks the examinations:

イ 学校教育法による大学において心理学、社会学若しくは経営学に関する科目を担当する教授若しくは准教授の職にあり、又はこれらの職にあつた者

(a) a person who currently serves or has served in the past as a professor or associate professor in charge of subjects concerning psychology, sociology, or business administration at a university under the School Education Act;

ロ キャリアコンサルティングに五年以上従事した経験を有する者

(b) a person who has five or more years of experience in career consulting;

ハ イ又はロに掲げる者と同等以上の知識及び経験を有する者

(c) a person who has knowledge and experience equal to or more advanced than the persons stated in (a) or (b);

三 資格試験業務の信頼性の確保のための次に掲げる措置がとられていること。

(iii) the following measures are to be taken to ensure the reliability of the operations related to qualifying examinations:

イ 資格試験業務に関する規程（試験に関する秘密の保持に関することを含む。以下「試験業務規程」という。）に従い資格試験業務の管理を行う専任の部門を置くこと。

(a) a dedicated division is to be established for managing the operations related to qualifying examinations in accordance with the rules concerning

the operations related to qualifying examinations (including rules concerning the confidentiality of examinations; referred to below as the "rules for operations related to examinations");

ロ イに掲げるもののほか、資格試験業務の信頼性を確保するための措置として厚生労働省令で定めるもの

(b) beyond what is stated in sub-item (a), measures specified by Order of the Ministry of Health, Labour and Welfare to secure the reliability of the operations related to qualifying examinations;

四 債務超過の状態にないこと。

(iv) the applicant is not to be insolvent.

2 第三十条の五第一項の登録は、登録試験機関登録簿に次に掲げる事項を記載してするものとする。

(2) The registration stated in Article 30-5, paragraph (1) is to be made with the following matters stated in the registry of registered examining agency:

一 登録年月日及び登録番号

(i) the registration date and number;

二 第三十条の五第二項各号に掲げる事項

(ii) the matters stated in the items of Article 30-5, paragraph (2).

(登録事項等の変更の届出)

(Notification of Changes to Registered Matters)

第三十条の八 登録試験機関は、前条第二項第二号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を厚生労働大臣に届け出なければならない。

Article 30-8 (1) If a registered examining agency seeks to change any of the matters stated in paragraph (2), item (ii) of the preceding Article, it must file a notification of that change with the Minister of Health, Labour and Welfare no later than two weeks before the date on which it seeks to make the change.

2 登録試験機関は、役員又は試験委員を選任し、又は解任したときは、遅滞なく、その旨を厚生労働大臣に届け出なければならない。

(2) A registered examining agency must notify the Minister of Health, Labour and Welfare of the appointment or dismissal of any officers or examiners without delay.

(試験業務規程)

(Rules for Operations Related to Examinations)

第三十条の九 登録試験機関は、試験業務規程を定め、資格試験業務の開始前に、厚生労働大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 30-9 (1) A registered examining agency must establish the rules for operations related to examinations and obtain the approval of the Minister of

Health, Labour and Welfare before commencing the operations related to qualifying examinations. The same applies if a registered examining agency intends to change the rules for operations related to examinations.

2 試験業務規程には、資格試験業務の実施方法、試験に関する料金その他の厚生労働省令で定める事項を定めなければならない。

(2) The rules for operations related to examinations must provide for the method of performing the operations related to qualifying examinations, examination fees, and other matters as specified by Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣は、第一項の認可をした試験業務規程が試験の適正かつ確実な実施上不適当となつたと認めるときは、登録試験機関に対し、その試験業務規程を変更すべきことを命ずることができる。

(3) If the Minister of Health, Labour and Welfare finds that the rules for operations related to examinations approved under paragraph (1) have become unsuitable to ensure proper and reliable implementation of examinations, the Minister may order the registered examining agency to change the rules for operations related to examinations.

(資格試験業務の休廃止)

(Suspension or Discontinuation of Operations Related to Qualifying Examinations)

第三十条の十 登録試験機関は、厚生労働大臣の許可を受けなければ、資格試験業務の全部又は一部を休止し、又は廃止してはならない。

Article 30-10 A registered examining agency must not suspend or discontinue all or part of its operations related to qualifying examinations without the permission of the Minister of Health, Labour and Welfare.

(財務諸表等の備付け及び閲覧等)

(Preparation and Inspection of Financial Statements)

第三十条の十一 登録試験機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（これらの作成に代えて電磁的記録（電子的方式、磁気的方式その他の人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下この条において同じ。）の作成がされている場合における当該電磁的記録を含む。次項及び第百五条の二において「財務諸表等」という。）を作成し、五年間、その事務所に備えて置かなければならない。

Article 30-11 (1) Within three months after the end of each fiscal year, a registered examining agency must prepare an inventory of assets, balance sheets, a profit and loss statement or income and expenditure statements, and business reports for that fiscal year (including electronic or magnetic records (meaning records used in computer data processing which are created in

electronic form, magnetic form, or any other form that cannot be perceived by the human senses; the same applies below in this Article), if electronic or magnetic records are prepared in lieu of these documents; referred to as "financial statements and other records" in the following paragraph and in Article 105-2) and keep them at its own office for five years.

2 キャリアコンサルタント試験を受けようとする者その他の利害関係人は、登録試験機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録試験機関の定めた費用を支払わなければならない。

(2) A person who intends to take an examination for a career consultant and other interested persons may make the following requests at any time during the business hours of the registered examining agency; provided, however, that they must pay the fees determined by the registered examining agency when making a request stated in item (ii) or item (iv):

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) when financial statements and other records are prepared as written documents, a request for public inspection or copying of the written documents;

二 前号の書面の謄本又は抄本の請求

(ii) a request for a transcript or extract of the documents stated in the preceding item;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録された事項を厚生労働省令で定める方法により表示したものの閲覧又は謄写の請求

(iii) when financial statements and other records are prepared as electronic or magnetic records, a request for public inspection or copying of the matters in those electronic or magnetic records displayed by a means specified by Order of the Ministry of Health, Labour and Welfare;

四 前号の電磁的記録に記録された事項を電磁的方法（電子情報処理組織を使用する方法その他の情報通信の技術を利用する方法であつて厚生労働省令で定めるものをいう。）により提供することの請求又は当該事項を記載した書面の交付の請求

(iv) a request to be provided with the matters in the electronic or magnetic records referred to in the preceding item by electronic or magnetic means (meaning by using an electronic data processing system or by using other information and communications technology as specified of Order of the Ministry of Health, Labour and Welfare), or a request to be issued a document that states those matters.

(解任命令)

(Dismissal Order)

第三十条の十二 厚生労働大臣は、登録試験機関の役員又は試験委員が、この法律、こ

の法律に基づく命令若しくは処分若しくは試験業務規程に違反する行為をしたとき、又は資格試験業務の実施に関し著しく不適当な行為をしたときは、登録試験機関に対し、当該役員又は試験委員の解任を命ずることができる。

Article 30-12 (1) If an officer or examiner of a registered examining agency engages in conduct that violates this Act, an order or disposition based on this Act, or rules for operations related to examinations, or behaves extremely inappropriately when performing duties related to qualifying examinations, the Minister of Health, Labour and Welfare may order the registered examining agency to dismiss that officer or examiner.

2 前項の規定による命令により試験委員の職を解任され、解任の日から二年を経過しない者は、試験委員となることができない。

(2) A person who has been dismissed from the position of examiner by an order under the provisions of the preceding paragraph may not assume the position of examiner for a period of two years from the date of dismissal.

(秘密保持義務等)

(Duty of Confidentiality)

第三十条の十三 登録試験機関の役員若しくは職員（試験委員を含む。次項において同じ。）又はこれらの職にあつた者は、資格試験業務に関して知り得た秘密を漏らしてはならない。

Article 30-13 (1) A current or former officer or employee (including an examiner; the same applies in the following paragraph) of a registered examining agency must not divulge any confidential information learned in the course of their duties related to qualifying examinations.

2 資格試験業務に従事する登録試験機関の役員及び職員は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) Concerning the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, an officer and employee of a registered examining agency who are engaged in operations related to qualifying examinations are deemed to be officials engaged in public services pursuant to laws and regulations.

(適合命令等)

(Order for Conformity)

第三十条の十四 厚生労働大臣は、登録試験機関が第三十条の七第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録試験機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 30-14 (1) If the Minister of Health, Labour and Welfare finds that a registered examining agency no longer conforms to any of the items of Article 30-7, paragraph (1), the Minister may order the registered examining agency to take the necessary measures to conform to those provisions.

2 厚生労働大臣は、前項に定めるもののほか、資格試験業務の適正な実施を確保する

ため必要があると認めるときは、登録試験機関に対し、資格試験業務に関し監督上必要な命令をすることができる。

(2) Beyond what is provided for in the preceding paragraph, if the Minister of Health, Labour and Welfare finds it necessary for ensuring that operations related to qualifying examinations are performed properly, the Minister may issue to a registered examining agency an order necessary for the supervision of the operations related to qualifying examinations.

(登録の取消し等)

(Revocation of Registration)

第三十条の十五 厚生労働大臣は、登録試験機関が第三十条の六各号（第二号を除く。）のいずれかに該当するに至ったときは、その登録を取り消さなければならない。

Article 30-15 (1) If a registered examining agency comes to fall under any of the items of Article 30-6 (excluding item (ii)), the Minister of Health, Labour and Welfare must revoke its registration.

2 厚生労働大臣は、登録試験機関が次の各号のいずれかに該当するときは、当該登録試験機関に対し、その登録を取り消し、又は期間を定めて資格試験業務の全部若しくは一部の停止を命ずることができる。

(2) If a registered examining agency falls under any of the following items, the Minister of Health, Labour and Welfare may revoke its registration or order that registered examining agency to suspend all or part of its operations related to qualifying examinations for a fixed period of time:

一 不正の手段により第三十条の五第一項の登録を受けたとき。

(i) when the registered examining agency has been registered as referred to in Article 30-5, paragraph (1) by wrongful means;

二 第三十条の九第一項の認可を受けた試験業務規程によらないで資格試験業務を行ったとき。

(ii) when the registered examining agency has performed the operations related to qualifying examinations without complying with the rules for operations related to examinations approved under Article 30-9, paragraph (1);

三 第三十条の九第三項、第三十条の十二第一項又は前条の規定による命令に違反したとき。

(iii) when the registered examining agency violates an order under the provisions of Article 30-9, paragraph (3); Article 30-12, paragraph (1); or the preceding Article;

四 第三十条の十、第三十条の十一第一項又は次条の規定に違反したとき。

(iv) when the registered examining agency violates the provisions of Article 30-10, Article 30-11, paragraph (1), or the following Article;

五 正当な理由がないのに第三十条の十一第二項の規定による請求を拒んだとき。

(v) when the registered examining agency refuses a request under the

provisions of Article 30-11, paragraph (2) without justifiable grounds.

(帳簿の記載)

(Bookkeeping and Records)

第三十条の十六 登録試験機関は、帳簿を備え、資格試験業務に関し厚生労働省令で定める事項を記載し、これを保存しなければならない。

Article 30-16 A registered examining agency must keep books, enter in them the matters specified by Order of the Ministry of Health, Labour and Welfare concerning the operations related to qualifying examinations, and preserve the books.

(報告等)

(Reports)

第三十条の十七 厚生労働大臣は、資格試験業務の適正な実施を確保するため必要があると認めるときは、登録試験機関に対して資格試験業務に関し必要な報告を求め、又はその職員に、登録試験機関の事務所に立ち入り、資格試験業務の状況若しくは帳簿、書類その他の物件を検査させることができる。

Article 30-17 (1) If the Minister of Health, Labour and Welfare finds it necessary for ensuring that the operations related to qualifying examinations are performed properly, the Minister may request a registered examining agency to make any necessary reports on the operations related to qualifying examinations, or may have ministry officials enter the offices of a registered examining agency and inspect the status of the operations related to qualifying examinations or the examining body's books, documents, or other items.

2 前項の規定により立入検査をする職員は、その身分を示す証票を携帯し、関係者に提示しなければならない。

(2) A ministry official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry identification and present it to the persons concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection under the provisions of paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

(公示)

(Public Notice)

第三十条の十八 厚生労働大臣は、次に掲げる場合には、その旨を官報に公示しなければならない。

Article 30-18 In any of the following cases, the Minister of Health, Labour and Welfare must make a public notice of the relevant matters in the official

gazette:

一 第三十条の五第一項の登録をしたとき。

(i) when the Minister makes a registration under Article 30-5, paragraph (1);

二 第三十条の八第一項の規定による届出があつたとき。

(ii) when a notification under the provisions of Article 30-8, paragraph (1) is made;

三 第三十条の十の許可をしたとき。

(iii) when the Minister grants permission under Article 30-10;

四 第三十条の十五の規定により登録を取り消したとき。

(iv) when the Minister revokes a registration pursuant to the provisions of Article 30-15;

五 第三十条の十五第二項の規定により資格試験業務の全部又は一部の停止の命令をしたとき。

(v) when the Minister orders the suspension of all or part of the operations related to qualifying examinations pursuant to the provisions of Article 30-15, paragraph (2).

(キャリアコンサルタントの登録)

(Registration of Career Consultants)

第三十条の十九 キャリアコンサルタント試験に合格した者は、厚生労働省に備えるキャリアコンサルタント名簿に、氏名、事務所の所在地その他厚生労働省令で定める事項の登録を受けて、キャリアコンサルタントとなることができる。

Article 30-19 (1) A person who has passed the examination for a career consultant may become a career consultant by having their name, the location of their office, and other matters specified by Order of the Ministry of Health, Labour and Welfare registered in the career consultant registry kept by the Ministry of Health, Labour and Welfare.

2 次の各号のいずれかに該当する者は、前項の登録を受けることができない。

(2) A person who falls under any of the following items may not be registered under the preceding paragraph:

一 心身の故障によりキャリアコンサルタントの業務を適正に行うことができない者として厚生労働省令で定めるもの

(i) a person specified by Order of the Ministry of Health, Labour and Welfare as being unable to properly perform career consulting duties due to a mental or physical disorder;

二 この法律又はこの法律に基づく命令に違反し、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない者

(ii) a person that has been sentenced to a fine or heavier punishment for violating this Act or an order based on this Act, if two years have not elapsed from the day on which the person finished serving that sentence or ceased to be subject to its enforcement;

三 この法律及びこの法律に基づく命令以外の法令に違反し、禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から二年を経過しない者

(iii) a person that has been sentenced to imprisonment without work or a heavier punishment for violating a law or regulation other than this Act or an order based on this Act, if two years have not elapsed from the day on which the person finished serving that sentence or ceased to be subject to its enforcement;

四 第三十条の二十二第二項の規定により登録を取り消され、その取消の日から二年を経過しない者

(iv) a person whose registration has been revoked pursuant to the provisions of Article 30-22, paragraph (2), if two years have not elapsed from the date of the revocation.

3 第一項の登録は、五年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

(3) The registration stated in paragraph (1) ceases to be effective upon the expiration of the registration period unless it is renewed every five years.

4 前項の更新に関し必要な事項は、厚生労働省令で定める。

(4) Necessary matters concerning the renewal stated in the preceding paragraph are specified by Order of the Ministry of Health, Labour and Welfare.

(キャリアコンサルタント登録証)

(Registration Certificate for Career Consultants)

第三十条の二十 厚生労働大臣は、キャリアコンサルタントの登録をしたときは、申請者に前条第一項に規定する事項を記載したキャリアコンサルタント登録証（次条第二項において「登録証」という。）を交付する。

Article 30-20 When the Minister of Health, Labour and Welfare registers a career consultant, the Minister issues a registration certificate for career consultant stating the matters prescribed in paragraph (1) of the preceding Article (referred to as the "registration certificate" in paragraph (2) of the following Article) to the applicant.

(登録事項の変更の届出等)

(Notification of Changes to Registered Matters)

第三十条の二十一 キャリアコンサルタントは、第三十条の十九第一項に規定する事項に変更があつたときは、遅滞なく、その旨を厚生労働大臣に届け出なければならない。

Article 30-21 (1) If any of the matters prescribed in Article 30-19, paragraph (1) changes, the career consultant must notify the Minister of Health, Labour and Welfare of that change without delay.

2 キャリアコンサルタントは、前項の規定による届出をするときは、当該届出に登録証を添えて提出し、その訂正を受けなければならない。

(2) When a career consultant makes a notification under the provisions of the preceding paragraph, they must submit a registration certificate together with that notification and have the registration certificate corrected.

(登録の取消し等)

(Revocation of Registration)

第三十条の二十二 厚生労働大臣は、キャリアコンサルタントが第三十条の十九第二項第一号から第三号までのいずれかに該当するに至ったときは、その登録を取り消さなければならない。

Article 30-22 (1) If a career consultant has come to fall under Article 30-19, paragraph (2), item (i), (ii), or (iii), the Minister of Health, Labour and Welfare must revoke its registration.

2 厚生労働大臣は、キャリアコンサルタントが第三十条の二十七の規定に違反したときは、その登録を取り消し、又は期間を定めてキャリアコンサルタントの名称の使用の停止を命ずることができる。

(2) If a career consultant violates the provisions of Article 30-27, the Minister of Health, Labour and Welfare may revoke their registration or order the suspension of the use of the name of the career consultant for a fixed period of time.

(登録の消除)

(Deletion of Registration)

第三十条の二十三 厚生労働大臣は、キャリアコンサルタントの登録がその効力を失ったときは、その登録を消除しなければならない。

Article 30-23 When the registration of a career consultant has ceased to be effective, the Minister of Health, Labour and Welfare must delete that registration.

(指定登録機関の指定)

(Designation of Designated Registration Agency)

第三十条の二十四 厚生労働大臣は、厚生労働大臣の指定する者（以下「指定登録機関」という。）に、キャリアコンサルタントの登録の実施に関する事務（以下「登録事務」という。）を行わせることができる。

Article 30-24 (1) The Minister of Health, Labour and Welfare may have a person designated by the Minister of Health, Labour and Welfare (referred to below as a "designated registration agency") perform the work related to the registration of a career consultant (referred to below as "registration work").

2 前項の指定は、登録事務を行おうとする者の申請により行う。

(2) The designation stated in the preceding paragraph is made when a person who intends to perform registration work submits an application.

3 指定登録機関が登録事務を行う場合における第三十条の十九第一項、第三十条の二

十、第三十条の二十一第一項及び前条の規定の適用については、第三十条の十九第一項中「厚生労働省に」とあるのは「指定登録機関に」と、第三十条の二十、第三十条の二十一第一項及び前条中「厚生労働大臣」とあるのは「指定登録機関」とする。

(3) Concerning the application of the provisions of Article 30-19, paragraph (1), Article 30-20, Article 30-21, paragraph (1), and the preceding Article when a designated registration agency performs registration work, the term "by the Ministry of Health, Labour and Welfare" in Article 30-19, paragraph (1) is deemed to be replaced with "by the designated registration agency", and the term "the Minister of Health, Labour and Welfare" in Article 30-20, Article 30-21, paragraph (1), and the preceding Article is deemed to be replaced with "the designated registration agency".

(指定の基準)

(Standards for Designation)

第三十条の二十五 厚生労働大臣は、他に指定を受けた者がなく、かつ、前条第二項の申請が次の各号のいずれにも適合していると認めるときでなければ、指定をしてはならない。

Article 30-25 The Minister of Health, Labour and Welfare must not make a designation unless no other person has been designated and the Minister finds that the application referred to in paragraph (2) of the preceding Article conforms to all of the following items:

一 職員、設備、登録事務の実施の方法その他の事項についての登録事務の実施に関する計画が、登録事務の適正かつ確実な実施のために適切なものであること。

(i) the applicant's plan for registration work, which covers personnel, facilities, work methods, and other matters is suitable and will ensure that the registration work is performed properly and reliably;

二 前号の登録事務の実施に関する計画の適正かつ確実な実施に必要な経理的及び技術的な基礎を有するものであること。

(ii) the applicant has the financial and technical basis necessary for proper and reliable implementation of the plan for registration work referred to in the preceding item;

三 営利を目的としない法人であること。

(iii) the applicant is a not-for-profit corporation.

(指定登録機関の指定等についての準用)

(Application Mutatis Mutandis to the Designation of a Designated Registration Agency)

第三十条の二十六 第三十条の五第三項、第三十条の六、第三十条の八第二項、第三十条の九、第三十条の十、第三十条の十二第一項及び第三十条の十三から第三十条の十八まで（第三十条の十五第二項第五号及び第三十条の十八第二号を除く。）の規定は、第三十条の二十四第一項の指定、指定登録機関及び登録事務について準用する。この

場合において、第三十条の五第三項中「第一項」とあるのは「第三十条の二十四第一項」と、第三十条の六中「前条第二項」とあるのは「第三十条の二十四第二項」と、第三十条の八第二項中「役員又は試験委員」とあるのは「役員」と、第三十条の九第一項中「試験業務規程」とあるのは「登録事務に関する規程（以下「登録事務規程」という。）」と、同条第二項中「試験業務規程」とあるのは「登録事務規程」と、「実施方法、試験に関する料金」とあるのは「実施方法」と、同条第三項中「試験業務規程」とあるのは「登録事務規程」と、「試験の」とあるのは「登録事務の」と、第三十条の十二第一項中「役員又は試験委員」とあるのは「役員」と、「試験業務規程」とあるのは「登録事務規程」と、第三十条の十三第一項中「職員（試験委員を含む。次項において同じ。）」とあるのは「職員」と、第三十条の十四第一項中「第三十条の七第一項各号」とあるのは「第三十条の二十五各号」と、第三十条の十五第二項第一号中「第三十条の五第一項」とあるのは「第三十条の二十四第一項」と、同項第二号中「試験業務規程」とあるのは「登録事務規程」と、同項第四号中「第三十条の十、第三十条の十一第一項」とあるのは「第三十条の十」と、第三十条の十八第一号中「第三十条の五第一項」とあるのは「第三十条の二十四第一項」と読み替えるものとする。

Article 30-26 The provisions of Article 30-5, paragraph (3), Article 30-6, Article 30-8, paragraph (2), Article 30-9, Article 30-10, Article 30-12, paragraph (1), and Articles 30-13 through 30-18 (excluding Article 30-15, paragraph (2), item (v) and Article 30-18, item (ii)) apply mutatis mutandis to the designation, designated registration agency, and registration work under Article 30-24, paragraph (1). In this case, the term "paragraph (1)" in Article 30-5, paragraph (3) is deemed to be replaced with "Article 30-24, paragraph (1)," the term "paragraph (2) of the preceding Article" in Article 30-6 is deemed to be replaced with "Article 30-24, paragraph (2)," the term "officers or examiners" in Article 30-8, paragraph (2) is deemed to be replaced with "officers," the term "rules for operations related to examinations" in Article 30-9, paragraph (1) is deemed to be replaced with "rules for registration work (referred to below as "rules for registration work")," the term "rules for operations related to examinations" in paragraph (2) of that Article is deemed to be replaced with "rules for registration work," the term "method of performing the operations related to qualifying examinations, examination fees" in that paragraph is deemed to be replaced with "method of performing the operations," the term "rules for operations related to examinations" in paragraph (3) of that Article is deemed to be replaced with "rules for registration work," the term "of examinations" in that paragraph is deemed to be replaced with "of registration work," the term "officer or examiner" in Article 30-12, paragraph (1) is deemed to be replaced with "officer," the term "rules for operations related to examinations" in that paragraph is deemed to be replaced with "rules for registration work," the term "employee (including an examiner; the same applies in the following paragraph)" in Article 30-13, paragraph (1) is deemed to be replaced with

"employee," the term "any of the items of Article 30-7, paragraph (1)" in Article 30-14, paragraph (1) is deemed to be replaced with "any of the items of Article 30-25," the term "Article 30-5, paragraph (1)" in Article 30-15, paragraph (2), item (i) is deemed to be replaced with "Article 30-24, paragraph (1)," the term "rules for operations related to examinations" in item (ii) of that paragraph is deemed to be replaced with "rules for registration work," the term "Article 30-10, Article 30-11, paragraph (1)" in item (iv) of that paragraph is deemed to be replaced with "Article 30-10," and the term "Article 30-5, paragraph (1)" in Article 30-18, item (i) is deemed to be replaced with "Article 30-24, paragraph (1)".

(義務)

(Obligations)

第三十条の二十七 キャリアコンサルタントは、キャリアコンサルタントの信用を傷つけ、又はキャリアコンサルタント全体の不名誉となるような行為をしてはならない。

Article 30-27 (1) A career consultant must not engage in any act which may damage the reputation of that career consultant or which may discredit all career consultants.

2 キャリアコンサルタントは、その業務に関して知り得た秘密を漏らし、又は盗用してはならない。キャリアコンサルタントでなくなつた後においても、同様とする。

(2) A career consultant must not divulge or misappropriate any confidential information learned in connection with their duties. The same applies even after that person is no longer a career consultant.

(名称の使用制限)

(Restrictions on the Use of Names)

第三十条の二十八 キャリアコンサルタントでない者は、キャリアコンサルタント又はこれに紛らわしい名称を用いてはならない。

Article 30-28 A person that is not a career consultant must not use the words "キャリアコンサルタント" (pronounced "kyaria konsarutanto", meaning "career consultant") or any other name that is misleadingly similar.

(厚生労働省令への委任)

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

第三十条の二十九 この節に定めるもののほか、キャリアコンサルタント試験、キャリアコンサルタントの登録その他この節の規定の施行に関し必要な事項は、厚生労働省令で定める。

Article 30-29 Beyond what is provided for in this Section, an examination for a career consultant, registration of a career consultant, and other matters necessary for the enforcement of the provisions of this Section are specified by Order of Order of the Ministry of Health, Labour and Welfare.

第四章 職業訓練法人

Chapter IV Vocational Training Corporations

(職業訓練法人)

(Vocational Training Corporations)

第三十一条 認定職業訓練を行なう社団又は財団は、この法律の規定により職業訓練法人とすることができる。

Article 31 An incorporated association or a foundation which provides accredited vocational training may be incorporated as a vocational training corporation pursuant to the provisions of this Act.

(人格等)

(Juridical Personality)

第三十二条 職業訓練法人は、法人とする。

Article 32 (1) A vocational training corporation is a juridical person.

2 職業訓練法人でないものは、その名称中に職業訓練法人という文字を用いてはならない。

(2) No organization other than a vocational training corporation may use the words "職業訓練法人" (pronounced "shokugyo kunren hojin", meaning "vocational training corporation") in its name.

(業務)

(Operations)

第三十三条 職業訓練法人は、認定職業訓練を行うほか、次の業務の全部又は一部を行うことができる。

Article 33 A vocational training corporation may, beyond providing accredited vocational training, carry out all or part of the following operations:

一 職業訓練に関する情報及び資料の提供を行うこと。

(i) providing information and materials on vocational training;

二 職業訓練に関する調査及び研究を行うこと。

(ii) carrying out research studies on vocational training; and

三 前二号に掲げるもののほか、職業訓練その他この法律の規定による職業能力の開発及び向上に関し必要な業務を行うこと。

(iii) beyond what is stated in the preceding two items, carrying out operations necessary for the provision of vocational training or other types of training to develop and improve vocational abilities under the provisions of this Act.

(登記)

(Registration)

第三十四条 職業訓練法人は、政令で定めるところにより、登記しなければならない。

Article 34 (1) A vocational training corporation must be registered pursuant to the provision of Cabinet Order.

2 前項の規定により登記しなければならない事項は、登記の後でなければ、これをもって第三者に対抗することができない。

(2) The information that must be registered pursuant to the provision of the preceding paragraph may not be duly asserted against a third party until that information is registered.

(設立等)

(Incorporation)

第三十五条 職業訓練法人は、都道府県知事の認可を受けなければ、設立することができない。

Article 35 (1) A vocational training corporation may not be incorporated without the approval of the prefectural governor.

2 職業訓練法人は、社団であるものにあつては定款で、財団であるものにあつては寄附行為で、次の事項を定めなければならない。

(2) A vocational training corporation must specify the following matters in its articles of incorporation if it is an incorporated association, and in its articles of endowment if it is an incorporated foundation:

一 目的

(i) purpose;

二 名称

(ii) its name;

三 認定職業訓練のための施設を設置する場合には、その位置及び名称

(iii) if an institution for accredited vocational training is incorporated, the location and name;

四 主たる事務所の所在地

(iv) the location of the principal office;

五 社団である職業訓練法人にあつては、社員の資格に関する事項

(v) if a vocational training association is an incorporated association, matters on the qualifications of its members;

六 社団である職業訓練法人にあつては、会議に関する事項

(vi) if a vocational training association is an incorporated association, matters on its meetings;

七 役員に関する事項

(vii) matters on its officers;

八 会計に関する事項

(viii) matters on its accounting;

九 解散に関する事項

(ix) matters on its dissolution;

十 定款又は寄附行為の変更に関する事項

(x) matters on any changes to the articles of incorporation or articles of endowment; and

十一 公告の方法

(xi) method of issuing public notices.

3 職業訓練法人の設立当時の役員は、定款又は寄附行為で定めなければならない。

(3) Officers of a vocational training corporation at the time of incorporation must be specified in the articles of incorporation or articles of endowment.

4 財団である職業訓練法人を設立しようとする者が、その名称、事務所の所在地又は役員に関する事項を定めずに死亡したときは、都道府県知事は、利害関係人の請求により又は職権で、これを定めなければならない。

(4) When a person who intends to incorporate a vocational training foundation dies before specifying its name, the location of its office, or matters on its officers, the prefectural governor must specify the relevant matters at the request of any interested person or ex officio.

5 この章に定めるもののほか、職業訓練法人の設立の認可の申請に関し必要な事項は、厚生労働省令で定める。

(5) Beyond what is specified in this Chapter, matters necessary for filing a request of authorization for the incorporation of a vocational training corporation is specified by Order of the Ministry of Health, Labour and Welfare.

(設立の認可)

(Authorization for Incorporation)

第三十六条 都道府県知事は、前条第一項の認可の申請があつた場合には、次の各号のいずれかに該当する場合を除き、設立の認可をしなければならない。

Article 36 If a request for authorization under the provisions of paragraph (1) of the preceding Article is filed, a prefectural governor must authorize the incorporation of a vocational training corporation, except in cases falling under any of the following items:

一 当該申請に係る社団又は財団の定款又は寄附行為の内容が法令に違反するとき。

(i) when the contents of articles of incorporation or articles of endowment of the incorporated association or foundation related to the request violate laws and regulations; or

二 当該申請に係る社団又は財団がその業務を行なうために必要な経営的基盤を欠く等当該業務を的確に遂行することができる能力を有しないと認められるとき。

(ii) when it is found that the incorporated association or foundation related to the request does not have the ability to carry out its operations properly due to a lack of management base necessary to carry out those operations.

(成立の時期等)

(Time of Incorporation)

第三十七条 職業訓練法人は、主たる事務所の所在地において設立の登記をすることに

よって成立する。

Article 37 (1) A vocational training corporation is incorporated by filing an application for registration of incorporation in the area where the principal office of that vocational training corporation is located.

2 職業訓練法人は、成立の日から二週間以内に、その旨を都道府県知事に届け出なければならない。

(2) A vocational training corporation must, within two weeks from the date of incorporation, notify the prefectural governor of the incorporation.

(財産目録及び社員名簿)

(Inventory of Assets and Register of Members)

第三十七条の二 職業訓練法人は、成立の時及び毎年一月から三月までの間に財産目録を作成し、常にこれをその主たる事務所に備え置かなければならない。ただし、特に事業年度を設けるものは、成立の時及び毎事業年度の終了の時に財産目録を作成しなければならない。

Article 37-2 (1) A vocational training corporation must prepare the inventory of assets at the time of incorporation and during the period from January to March every year and keep it at its principal office at all times; provided, however, that a vocational training corporation which especially sets its own fiscal year must prepare the inventory of assets at the time of incorporation and at the end of each fiscal year.

2 社団である職業訓練法人は、社員名簿を備え置き、社員の変更があるごとに必要な変更を加えなければならない。

(2) A vocational training association must keep a register of members and make the necessary changes to the register each time any of its members change.

(理事)

(Directors)

第三十七条の三 職業訓練法人には、一人又は二人以上の理事を置かなければならない。

Article 37-3 (1) A vocational training corporation must have one or more directors.

2 理事が二人以上ある場合において、定款又は寄附行為に別段の定めがないときは、職業訓練法人の事務は、理事の過半数で決する。

(2) When a vocational training corporation has two or more directors, the affairs of the vocational training corporation are decided by the majority vote of the directors, unless otherwise specified in the articles of incorporation or articles of endowment.

(職業訓練法人の代表)

(Representatives of Vocational Training Corporations)

第三十七条の四 理事は、職業訓練法人のすべての事務について、職業訓練法人を代表

する。ただし、定款の規定又は寄附行為の趣旨に反することはできず、また、社団である職業訓練法人にあつては総会の決議に従わなければならない。

Article 37-4 Directors represent their vocational training corporation when handling all of its affairs; provided, however, that the directors may not act against the provisions of the articles of incorporation or purport of articles of endowment, and a vocational training association must comply with the resolutions of the general meeting.

(理事の代表権の制限)

(Restrictions on Directors' Representative Authority)

第三十七条の五 理事の代表権に加えた制限は、善意の第三者に対抗することができない。

Article 37-5 Restrictions on directors' representative authority may not be asserted against a third party in good faith.

(理事の代理行為の委任)

(Delegation of Directors' Authority)

第三十七条の六 理事は、定款、寄附行為又は総会の決議によつて禁止されていないときに限り、特定の行為の代理を他人に委任することができる。

Article 37-6 Directors may delegate their authority to other persons to perform a specific act as long as delegating that authority is not prohibited by the articles of incorporation, articles of endowment, or the resolution of the general meeting.

(仮理事)

(Provisional Directors)

第三十七条の七 理事が欠けた場合において、事務が遅滞することにより損害を生ずるおそれがあるときは、都道府県知事は、利害関係人の請求により又は職権で、仮理事を選任しなければならない。

Article 37-7 If a vocational training corporation loses a director and if any damage is likely to occur due to a delay in its affairs, the prefectural governor must appoint a provisional director at the request of any interested person or ex officio.

(利益相反行為)

(Conflicts of Interest)

第三十七条の八 職業訓練法人と理事との利益が相反する事項については、理事は、代表権を有しない。この場合においては、都道府県知事は、利害関係人の請求により又は職権で、特別代理人を選任しなければならない。

Article 37-8 Directors do not have representative authority regarding any matters where the interest of a vocational training corporation and that of its

directors conflict with each other. In this case, the prefectural governor must appoint a special representative at the request of any interested person or ex officio.

(監事)

(Auditors)

第三十七条の九 職業訓練法人には、定款、寄附行為又は総会の決議で、一人又は二人以上の監事を置くことができる。

Article 37-9 A vocational training corporation may have one or more auditors as specified by the articles of incorporation, articles of endowment, or according to a resolution of the general meeting.

(監事の職務)

(Auditors' Duties)

第三十七条の十 監事の職務は、次のとおりとする。

Article 37-10 An auditor's duties are as follows:

一 職業訓練法人の財産の状況を監査すること。

(i) auditing the assets of the vocational training corporation;

二 理事の業務の執行の状況を監査すること。

(ii) auditing the duties performed by the directors;

三 財産の状況又は業務の執行について、法令、定款若しくは寄附行為に違反し、又は著しく不当な事項があると認めるときは、総会又は都道府県知事に報告をすること。

(iii) if an auditor finds that the state of the assets or the way duties are performed violates laws and regulations, the articles of incorporation, or articles of endowment, or that there are significant improprieties concerning those matters, reporting those issues to the general meeting or to the prefectural governor; and

四 前号の報告をするため必要があるときは、総会を招集すること。

(iv) calling a general meeting, when it is necessary, to make a report referred to in the preceding item.

(監事の兼職の禁止)

(Prohibition Against Concurrent Holding of Positions by Auditors)

第三十八条 職業訓練法人に監事を置いた場合には、監事は、職業訓練法人の理事又は職員を兼ねてはならない。

Article 38 When an auditor is employed by a vocational training corporation, the auditor may not concurrently serve as the director or employee of the vocational training corporation.

(通常総会)

(Ordinary General Meeting)

第三十八条の二 社団である職業訓練法人の理事は、少なくとも毎年一回、社員の通常総会を開かなければならない。

Article 38-2 The directors of a vocational training association must hold an ordinary general meeting of members at least once a year.

(臨時総会)

(Extraordinary General Meeting)

第三十八条の三 社団である職業訓練法人の理事は、必要があると認めるときは、いつでも臨時総会を招集することができる。

Article 38-3 (1) The directors of a vocational training association may call an extraordinary general meeting any time they find it necessary.

2 総社員の五分の一以上から総会の目的である事項を示して請求があつたときは、理事は、臨時総会を招集しなければならない。ただし、総社員の五分の一の割合については、定款でこれと異なる割合を定めることができる。

(2) When more than one fifth of all members request to hold an extraordinary general meeting by presenting a subject to be discussed at a general meeting, the directors of the vocational training corporation must call an extraordinary general meeting; provided, however, that a ratio other than one fifth of all members may be specified in the articles of incorporation.

(総会の招集)

(Calling a General Meeting)

第三十八条の四 総会の招集の通知は、その総会の日より少なくとも五日前に、その総会の目的である事項を示し、定款で定めた方法に従つてしなければならない。

Article 38-4 A notice to call a general meeting must be issued, at least five days before the general meeting, indicating the subjects of the general meeting, by using the method specified in the articles of incorporation.

(社団である職業訓練法人の事務の執行)

(Handling of Affairs of Vocational Training Associations)

第三十八条の五 社団である職業訓練法人の事務は、定款で理事その他の役員に委任したものを除き、すべて総会の決議によつて行う。

Article 38-5 The affairs of a vocational training association are handled entirely based on the resolutions of the general meeting, except for any affairs delegated to the directors or other officers specified in the articles of incorporation.

(総会の決議事項)

(Resolutions at the General Meeting)

第三十八条の六 総会においては、第三十八条の四の規定によりあらかじめ通知をした

事項についてのみ、決議をすることができる。ただし、定款に別段の定めがあるときは、この限りでない。

Article 38-6 Only the matters on which a notice has been issued pursuant to the provisions of Article 38-4 may be resolved at the general meeting; provided, however, that this does not apply if it is specified otherwise in the articles of incorporation.

(社員の表決権)

(Voting Rights of Members)

第三十八条の七 各社員の表決権は、平等とする。

Article 38-7 (1) All members have equal voting rights.

2 総会に出席しない社員は、書面で、又は代理人によつて表決をすることができる。

(2) A member who does not participate in the general meeting may vote in writing or by proxy.

3 前二項の規定は、定款に別段の定めがある場合には、適用しない。

(3) The provisions of the preceding two paragraphs do not apply if it is specified otherwise in the articles of incorporation.

(表決権のない場合)

(Cases Where a Member Has No Voting Rights)

第三十八条の八 社団である職業訓練法人と特定の社員との関係について議決をする場合には、その社員は、表決権を有しない。

Article 38-8 If a vote on the relationship between a vocational training association and a particular member is taken, the member has no voting rights.

(定款又は寄附行為の変更)

(Changes to the Articles of Incorporation or Articles of Endowment)

第三十九条 定款又は寄附行為の変更（第三十五条第二項第四号に掲げる事項その他の厚生労働省令で定める事項に係るものを除く。）は、都道府県知事の認可を受けなければ、その効力を生じない。

Article 39 (1) No changes to the articles of incorporation or articles of endowment (excluding those related to the matters specified in Article 35, paragraph (2), item (iv) or other matters specified by Order of the Ministry of Health, Labour and Welfare) come into effect without authorization from the prefectural governor.

2 第三十六条の規定は、前項の認可について準用する。

(2) The provision of Article 36 apply mutatis mutandis to the authorization referred to in the preceding paragraph.

3 職業訓練法人は、第一項の厚生労働省令で定める事項に係る定款又は寄附行為の変更をしたときは、遅滞なくその旨を都道府県知事に届け出なければならない。

(3) After making changes to the articles of incorporation or articles of endowment

related to the matters specified by Order of the Ministry of Health, Labour and Welfare referred to in paragraph (1), a vocational training corporation must notify the prefectural governor of the changes without delay.

(職業訓練法人の業務の監督)

(Supervision of Operations Handled by Vocational Training Corporations)

第三十九条の二 職業訓練法人の業務は、都道府県知事の監督に属する。

Article 39-2 (1) The operations of a vocational training corporation are under the supervision of the prefectural governor.

2 都道府県知事は、職権で、いつでも職業訓練法人の業務及び財産の状況を検査することができる。

(2) A prefectural governor may inspect the operations and state of the assets of a vocational training corporation at any time ex officio.

(解散)

(Dissolution)

第四十条 職業訓練法人は、次の理由によつて解散する。

Article 40 (1) A vocational training corporation is dissolved for the following reasons:

一 定款又は寄附行為で定めた解散理由の発生

(i) dissolution due to the reasons specified in the articles of incorporation or articles of endowment;

二 目的とする事業の成功の不能

(ii) failure to achieve success in the field of business of that vocational training corporation;

三 社団である職業訓練法人にあつては、総会の決議

(iii) a resolution of the general meeting, if it is a vocational training association;

四 社団である職業訓練法人にあつては、社員の欠亡

(iv) unavailability of members, if it is a vocational training association;

五 破産手続開始の決定

(v) an order to commence bankruptcy proceedings; or

六 設立の認可の取消し

(vi) revocation of the authorization for incorporation.

2 前項第二号に掲げる理由による解散は、都道府県知事の認可を受けなければ、その効力を生じない。

(2) Dissolution due to the reason prescribed in item (ii) of the preceding paragraph does not come into effect without authorization from the prefectural governor.

3 社団である職業訓練法人は、総社員の四分の三以上の賛成がなければ、解散の決議をすることができない。ただし、定款に別段の定めがあるときは、この限りでない。

(3) A vocational training association may not adopt a resolution approving dissolution without the approval of more than three-fourths of all its members; provided, however, that this does not apply if it is specified otherwise in the articles of incorporation.

4 第一項第一号、第三号又は第四号に掲げる理由により職業訓練法人が解散したときは、清算人は、都道府県知事にその旨を届け出なければならない。

(4) If a vocational training corporation is dissolved for the reasons specified in items (i), (iii) or (iv) of paragraph (1), a liquidator must notify the prefectural governor of the dissolution.

(職業訓練法人についての破産手続の開始)

(Commencement of Bankruptcy Proceedings of Vocational Training Corporations)

第四十条の二 職業訓練法人がその債務につきその財産をもつて完済することができなくなつた場合には、裁判所は、理事若しくは債権者の申立てにより又は職権で、破産手続開始の決定をする。

Article 40-2 (1) If a vocational training corporation is unable to pay off its debts by selling its assets, the court issues an order to commence bankruptcy proceedings, at the request of the directors or creditors, or by its authority.

2 前項に規定する場合には、理事は、直ちに破産手続開始の申立てをしなければならない。

(2) In the case prescribed in the preceding paragraph, the directors must immediately file a petition for commencement of bankruptcy proceedings.

(設立の認可の取消し)

(Revocation of Authorization for Incorporation)

第四十一条 都道府県知事は、職業訓練法人が次の各号のいずれかに該当する場合には、その設立の認可を取り消すことができる。

Article 41 A prefectural governor may revoke the authorization for incorporation of a vocational training corporation if the vocational training corporation falls under any of the following items:

一 正当な理由がないのに一年以上認定職業訓練を行わないとき。

(i) when the vocational training corporation fails to provide accredited vocational training for one year or longer without justifiable grounds; or

二 その運営が法令若しくは定款若しくは寄附行為に違反し、又は著しく不当であると認められる場合においてその改善を期待することができないとき。

(ii) if it is found that the operation of the vocational training corporation violates laws and regulations, the articles of incorporation, or articles of endowment or that there are significant improprieties in its operation, and if any improvement is unlikely.

(清算中の職業訓練法人の能力)

(Capacity of Vocational Training Corporations under Liquidation)

第四十一条の二 解散した職業訓練法人は、清算の目的の範囲内において、その清算の結了に至るまではなお存続するものとみなす。

Article 41-2 A dissolved vocational training corporation is deemed to exist within the scope of the purpose of liquidation until the liquidation process is complete.

(清算人)

(Liquidators)

第四十一条の三 職業訓練法人が解散したときは、破産手続開始の決定による解散の場合を除き、理事がその清算人となる。ただし、定款若しくは寄附行為に別段の定めがあるとき、又は総会において理事以外の者を選任したときは、この限りでない。

Article 41-3 Once a vocational training corporation is dissolved, the directors become the liquidators, except if the corporation is dissolved based on an order to commence bankruptcy proceedings; provided, however, that this does not apply if it is specified otherwise in the articles of incorporation or articles of endowment or if a person other than the directors is appointed as a liquidator at the general meeting.

(裁判所による清算人の選任)

(Appointment of Liquidators by the Court)

第四十一条の四 前条の規定により清算人となる者がいないとき、又は清算人が欠けたため損害を生ずるおそれがあるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を選任することができる。

Article 41-4 If there is no person to become a liquidator pursuant to the provisions of the preceding Article, or if any damage is likely to occur due to the absence of a liquidator, the court may appoint a liquidator, at the request of any interested person or a public prosecutor, or by its authority.

(清算人の解任)

(Dismissal of Liquidators)

第四十一条の五 重要な事由があるときは、裁判所は、利害関係人若しくは検察官の請求により又は職権で、清算人を解任することができる。

Article 41-5 If there are material grounds, the court may dismiss the liquidator at the request of any interested person or a public prosecutor, or by its authority.

(清算人の届出)

(Notification of Liquidators)

第四十一条の六 清算中に就職した清算人は、その氏名及び住所を都道府県知事に届け出なければならない。

Article 41-6 A liquidator who has assumed the office during the course of liquidation must notify the prefectural governor of its own name and address.

(清算人の職務及び権限)

(Duties and Authority of Liquidators)

第四十一条の七 清算人の職務は、次のとおりとする。

Article 41-7 (1) The duties of a liquidator are as follows:

一 現務の結了

(i) completion of current business;

二 債権の取立て及び債務の弁済

(ii) collection of claims and performance of obligations; and

三 残余財産の引渡し

(iii) delivery of residual assets.

2 清算人は、前項各号に掲げる職務を行うために必要な一切の行為をすることができる。

(2) A liquidator may take any action required to perform their duties prescribed in the items of the preceding paragraph.

(債権の申出の催告等)

(Demands for Filing of Claims)

第四十一条の八 清算人は、その就職の日から二月以内に、少なくとも三回の公告をもつて、債権者に対し、一定の期間内にその債権の申出をすべき旨の催告をしなければならない。この場合において、その期間は、二月を下ることができない。

Article 41-8 (1) A liquidator must, within two months from the day on which they assume office, demand the relevant creditors to file their claims within a given period by issuing at least three public notices. In this case, that period may not be less than two months.

2 前項の公告には、債権者がその期間内に申出をしないときは清算から除斥されるべき旨を付記しなければならない。ただし、清算人は、知っている債権者を除斥することができない。

(2) The public notice referred to in the preceding paragraph must state that a creditor's claim will be excluded from the liquidation process unless they file a claim within that given period; provided, however, that a liquidator may not exclude any known creditors.

3 清算人は、知っている債権者には、各別にその申出の催告をしなければならない。

(3) A liquidator must send a demand for filing of claims to each known creditor.

4 第一項の公告は、官報に掲載してする。

(4) The public notice referred to in paragraph (1) is issued in the official gazette.

(期間経過後の債権の申出)

(Filing of Claims after the Expiration of a Given Period)

第四十一条の九 前条第一項の期間の経過後に申出をした債権者は、職業訓練法人の債務が完済された後まだ権利の帰属すべき者に引き渡されていない財産に対してのみ、請求をすることができる。

Article 41-9 Any creditor who has filed a claim after the expiration of the given period referred to in paragraph (1) of the preceding Article may file a claim only against the assets which have not yet been delivered to the persons with vested rights, after the debts of the vocational training corporation have been paid off.

(清算中の職業訓練法人についての破産手続の開始)

(Commencement of Bankruptcy Proceedings of Vocational Training Corporations under Liquidation)

第四十一条の十 清算中に職業訓練法人の財産がその債務を完済するのに足りないことが明らかになったときは、清算人は、直ちに破産手続開始の申立てをし、その旨を公告しなければならない。

Article 41-10 (1) If it is found that the vocational training corporation cannot pay off their debts by selling their assets during the liquidation process, the liquidator must immediately file a petition for commencement of bankruptcy proceedings and issue a public notice on the petition.

2 清算人は、清算中の職業訓練法人が破産手続開始の決定を受けた場合において、破産管財人にその事務を引き継いだときは、その任務を終了したものとする。

(2) If a vocational training corporation under liquidation has become subject to an order to commence bankruptcy proceedings, and if the liquidator hands over the relevant affairs to the bankruptcy trustee, the liquidator's duties are completed.

3 前項に規定する場合において、清算中の職業訓練法人が既に債権者に支払い、又は権利の帰属すべき者に引き渡したものがあるときは、破産管財人は、これを取り戻すことができる。

(3) In the case prescribed in the preceding paragraph, if the vocational training corporation under liquidation has already made payments to the creditors or has delivered their assets to the persons with vested rights, the bankruptcy trustee may retrieve that money or those assets.

4 第一項の規定による公告は、官報に掲載してする。

(4) The public notice referred to in paragraph (1) is issued in the official gazette.

(残余財産の帰属)

(Ownership of Residual Assets)

第四十二条 解散した職業訓練法人の残余財産は、定款又は寄附行為で定めるところにより、その帰属すべき者に帰属する。この場合において、社団である職業訓練法人に係る出資者に帰属すべき残余財産の額は、当該出資者の出資額を限度とする。

Article 42 (1) The residual assets of a dissolved vocational training corporation

belong to a person with vested rights to those assets as specified in the articles of incorporation or articles of endowment. In this case, the amount of the residual assets that belong to the capital investor of a dissolved vocational training association may not exceed the amount of the contribution of that capital investor.

- 2 社団である職業訓練法人の残余財産のうち、前項の規定により処分されないものは、清算人が総社員の同意を得、かつ、都道府県知事の認可を受けて定めた者に帰属させる。
- (2) Any residual assets of a dissolved vocational training association that cannot be disposed of pursuant to the provisions of the preceding paragraph are to be owned by the person designated by the liquidator with the consent of all of the members and with the authorization of the prefectural governor.
- 3 財団である職業訓練法人の残余財産のうち、第一項の規定により処分されないものは、清算人が都道府県知事の認可を受けて、他の職業訓練の事業を行う者に帰属させる。
- (3) Any residual assets of a dissolved vocational training foundation that cannot be disposed of pursuant to the provisions of paragraph (1) are to be owned by the person who runs another vocational training business after the liquidator obtains authorization from the prefectural governor.
- 4 前二項の規定により処分されない残余財産は、都道府県に帰属する。
- (4) Any residual assets that cannot be disposed of pursuant to the provisions of the preceding two paragraphs are to be owned by the prefectural government.

(裁判所による監督)

(Supervision of the Court)

第四十二条の二 職業訓練法人の清算は、裁判所の監督に属する。

Article 42-2 (1) The liquidation of a vocational training corporation is subject to the supervision of the court.

2 裁判所は、職権で、いつでも前項の監督に必要な検査をすることができる。

(2) The court may, at any time, conduct an inspection by its authority which is necessary for the supervision referred to in the preceding paragraph.

3 職業訓練法人の清算を監督する裁判所は、職業訓練法人の業務を監督する都道府県知事に対し、意見を求め、又は調査を囑託することができる。

(3) The court supervising the liquidation of a vocational training corporation may seek the opinion of the prefectural governor supervising the operations of the vocational training corporation or request the governor to investigate into its operations.

4 前項に規定する都道府県知事は、同項に規定する裁判所に対し、意見を述べることができる。

(4) The prefectural governor prescribed in the preceding paragraph may state an opinion for the court prescribed in that paragraph.

(清算終了の届出)

(Notification of Completion of Liquidation)

第四十二条の三 清算が終了したときは、清算人は、その旨を都道府県知事に届け出なければならない。

Article 42-3 When the liquidation process has been completed, the liquidator must notify the prefectural governor of its completion.

(清算の監督等に関する事件の管轄)

(Jurisdiction over Cases Concerning the Supervision of Liquidation)

第四十二条の四 職業訓練法人の清算の監督及び清算人に関する事件は、その主たる事務所の所在地を管轄する地方裁判所の管轄に属する。

Article 42-4 Cases concerning the supervision of the liquidation of a vocational training corporation and the liquidator fall under the jurisdiction of the district court that has jurisdiction over the location of the principal office of that vocational training corporation.

(不服申立ての制限)

(Restrictions on Appeals)

第四十二条の五 清算人の選任の裁判に対しては、不服を申し立てることができない。

Article 42-5 No appeal may be entered against a judicial decision on the appointment of the liquidator.

(裁判所の選任する清算人の報酬)

(Remuneration for Liquidators Appointed by the Court)

第四十二条の六 裁判所は、第四十一条の四の規定により清算人を選任した場合には、職業訓練法人が当該清算人に対して支払う報酬の額を定めることができる。この場合においては、裁判所は、当該清算人及び監事の陳述を聴かなければならない。

Article 42-6 When the court appoints a liquidator pursuant to the provisions of Article 41-4, it may determine the amount of the remuneration to be paid to the liquidator by the vocational training corporation. In this case, the court must hear a statement from the relevant liquidator and auditor.

第四十二条の七 削除

Article 42-7 Deleted

(検査役の選任)

(Appointment of Inspectors)

第四十二条の八 裁判所は、職業訓練法人の清算の監督に必要な調査をさせるため、検査役を選任することができる。

Article 42-8 (1) The court may appoint an inspector to have them carry out

investigations necessary for the supervision of the liquidation of a vocational training corporation.

2 第四十二条の五及び第四十二条の六の規定は、前項の規定により裁判所が検査役を選任した場合について準用する。この場合において、同条中「清算人及び監事」とあるのは、「職業訓練法人及び検査役」と読み替えるものとする。

(2) The provisions of Article 42-5 and Article 42-6 apply mutatis mutandis when the court appoints an inspector pursuant to the provisions of the preceding paragraph. In this case, the term "liquidator and auditor" in the latter Article is deemed to be replaced with "vocational training corporation and inspector".

(都道府県の執行機関による厚生労働大臣の事務の処理)

(Affairs of the Minister of Health, Labour and Welfare Handled by Prefectural Executive Agencies)

第四十二条の九 厚生労働大臣は、政令で定めるところにより、職業訓練法人に対する監督上の命令又は設立の認可の取消しについて、都道府県の執行機関に対し指示をすることができる。

Article 42-9 Pursuant to the provisions of Cabinet Order, the Minister of Health, Labour and Welfare may give directions to a prefectural executive agency regarding an order to supervise a vocational training corporation or regarding a revocation of the authorization for the incorporation of a vocational training corporation.

(準用)

(Application Mutatis Mutandis)

第四十三条 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第四条、第七十八条、第一百五十八条及び第一百六十四条の規定は、職業訓練法人について準用する。

Article 43 The provisions of Article 4, Article 78, Article 158, and Article 164 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to vocational training corporations.

第五章 職業能力検定

Chapter V Vocational Abilities Tests

第一節 技能検定

Section 1 Trade Skills Tests

(技能検定)

(Trade Skills Tests)

第四十四条 技能検定は、厚生労働大臣が、厚生労働省令で定める職種（以下この条において「検定職種」という。）ごとに、厚生労働省令で定める等級に区分して行う。

ただし、検定職種のうち、等級に区分することが適当でない職種として厚生労働省令で定めるものについては、等級に区分しないで行うことができる。

Article 44 (1) The Minister of Health, Labour and Welfare conducts trade skills tests for each job category specified by Order of the Ministry of Health, Labour and Welfare (referred to below as "job categories subject to testing" in this Article) by dividing them into grades specified by Order of the Ministry of Health, Labour and Welfare; provided, however, that trade skills tests for any job categories subject to testing that are specified by Order of the Ministry of Health, Labour and Welfare as not suitable for being divided into grades may be conducted without being divided into grades.

2 前項の技能検定（以下この章において「技能検定」という。）の合格に必要な技能及びこれに関する知識の程度は、検定職種ごとに、厚生労働省令で定める。

(2) The levels of trade skills and relevant knowledge required to pass the trade skills tests referred to in the preceding paragraph (referred to below as "trade skills tests" in this Chapter) are specified by Order of the Ministry of Health, Labour and Welfare for each of the job categories subject to testing.

3 技能検定は、実技試験及び学科試験によつて行う。

(3) Trade skills test consists of a skills assessment test and a written test.

4 実技試験の実施方法は、検定職種ごとに、厚生労働省令で定める。

(4) The method of administering the skills assessment test is specified by Order of the Ministry of Health, Labour and Welfare for each of the job categories subject to testing.

(受検資格)

(Eligibility for Trade Skills Tests)

第四十五条 技能検定を受けることができる者は、次の者とする。

Article 45 The following persons are eligible for a trade skills test:

一 厚生労働省令で定める準則訓練を修了した者

(i) a person who has completed the statutory vocational training specified by Order of the Ministry of Health, Labour and Welfare;

二 厚生労働省令で定める実務の経験を有する者

(ii) a person who has the practical work experience specified by Order of the Ministry of Health, Labour and Welfare; or

三 前二号に掲げる者に準ずる者で、厚生労働省令で定めるもの

(iii) a person who is equivalent to the persons specified in the preceding two items and is specified by Order of the Ministry of Health, Labour and Welfare.

(技能検定の実施)

(Administering Trade Skills Tests)

第四十六条 厚生労働大臣は、毎年、技能検定の実施計画を定め、これを関係者に周知

させなければならない。

Article 46 (1) The Minister of Health, Labour and Welfare must establish a plan for administering trade skills tests each year and make it known to the persons concerned.

2 都道府県知事は、前項に規定する計画に従い、第四十四条第三項の実技試験及び学科試験（以下「技能検定試験」という。）の実施その他技能検定に関する業務で、政令で定めるものを行うものとする。

(2) The prefectural governor is to administer the skills assessment tests and written tests referred to in Article 44, paragraph (3) (referred to below as "skills assessment and written tests") and carry out other operations that are related to trade skills tests and are specified by Cabinet Order, in accordance with the plan prescribed in the preceding paragraph.

3 厚生労働大臣は、技能検定試験に係る試験問題及び試験実施要領の作成並びに技能検定試験の実施に関する技術的指導その他技能検定試験に関する業務の一部を中央職業能力開発協会に行わせることができる。

(3) The Minister of Health, Labour and Welfare may have the Japan Vocational Ability Development Association prepare examination questions and guidelines for administering skills assessment and written tests, provide technical guidance for administering skills assessment and written tests, and carry out some of the other operations related to skills assessment and written tests.

4 都道府県知事は、技能検定試験の実施その他技能検定試験に関する業務の一部を都道府県職業能力開発協会に行わせることができる。

(4) A prefectural governor may have the Prefectural Vocational Ability Development Association administer skills assessment and written tests and carry out some of the other operations related to skills assessment and written tests.

第四十七条 厚生労働大臣は、厚生労働省令で定めるところにより、事業主の団体若しくはその連合団体又は一般社団法人若しくは一般財団法人、法人である労働組合その他の営利を目的としない法人であつて、次の各号のいずれにも適合していると認めるものとしてその指定する者（以下「指定試験機関」という。）に、技能検定試験に関する業務のうち、前条第二項の規定により都道府県知事が行うもの以外のもの（合格の決定に関するものを除く。以下この条及び第九十六条の二において「技能検定試験業務」という。）の全部又は一部を行わせることができる。

Article 47 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, the Minister of Health, Labour and Welfare may have employers' organizations or their federations, or general incorporated associations or general incorporated foundations, incorporated labor unions, or other nonprofit corporations designated by the Minister of Health, Labour and Welfare as organizations found to conform to all of the following items (referred below to as a "designated examining agency") carry out all or part of

the operations related to skills assessment and written tests other than the operations carried out by a prefectural governor pursuant to the provisions of paragraph (2) of the preceding Article (excluding operations related to determining the results of the tests; referred to below as "operations related to skills assessment and written tests" in this Article and Article 96-2):

一 職員、設備、技能検定試験業務の実施の方法その他の事項についての技能検定試験業務の実施に関する計画が、技能検定試験業務の適正かつ確実な実施のために適切なものであること。

(i) a designated examining agency's plan for carrying out operations related to skills assessment and written tests, which covers personnel, equipment, methods of carrying out operations related to skills assessment and written tests, and other matters, is suitable and will ensure that operations related to skills assessment and written tests can be carried out properly and reliably; and

二 前号の技能検定試験業務の実施に関する計画の適正かつ確実な実施に必要な経理的及び技術的な基礎を有するものであること。

(ii) a designated examining agency has the financial and technical base necessary for proper and reliable implementation of the plan for carrying out operations related to the skills assessment and written tests referred to in the preceding item.

2 指定試験機関の役員若しくは職員又はこれらの職にあつた者は、技能検定試験業務に関して知り得た秘密を漏らしてはならない。

(2) A current or former officer or employee of a designated examining agency must not divulge any confidential information learned in connection with operations related to skills assessment and written tests.

3 技能検定試験業務に従事する指定試験機関の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(3) Concerning the application of the Penal Code and other penal provisions, an officer and employee of a designated examining agency who are engaged in operations related to skills assessment and written tests are deemed to be officials engaged in public services pursuant to laws and regulations.

4 厚生労働大臣は、指定試験機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて技能検定試験業務の全部若しくは一部の停止を命ずることができる。

(4) If a designated examining agency falls under any of the following items, the Minister of Health, Labour and Welfare may revoke its designation or order it to suspend all or part of its operations related to skills assessment and written tests for a fixed period:

一 第一項各号の要件を満たさなくなつたと認められるとき。

(i) if it is found that the body no longer satisfies the requirements referred to in the items of paragraph (1); or

二 不正な手段により第一項の規定による指定を受けたとき。

(ii) if the body is designated through wrongful means.

(報告等)

(Reports)

第四十八条 厚生労働大臣は、必要があると認めるときは、指定試験機関に対してその業務に関し必要な報告を求め、又はその職員に、指定試験機関の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させることができる。

Article 48 (1) if the Minister of Health, Labour and Welfare finds it necessary, the Minister may request a designated examining agency to make any necessary reports on its operations or have their officials enter the office of the designated examining agency so that they may inspect the current status of its operations or books, documents, and other items.

2 前項の規定により立入検査をする職員は、その身分を示す証票を携帯し、関係者に提示しなければならない。

(2) A ministry official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry identification and present it to the persons concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection under the provisions of paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

(合格証書)

(Certificate of Passing a Trade Skills Test)

第四十九条 技能検定に合格した者には、厚生労働省令で定めるところにより、合格証書を交付する。

Article 49 A person who has passed a trade skills test is given a certificate of passing the trade skills test, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(合格者の名称)

(Title of a Person Who Passed a Trade Skills Test)

第五十条 技能検定に合格した者は、技能士と称することができる。

Article 50 (1) A person who passed a trade skills test may refer themselves as a certified skilled worker.

2 技能検定に合格した者は、前項の規定により技能士と称するときは、その合格した技能検定に係る職種及び等級（当該技能検定が等級に区分しないで行われたものである場合にあつては、職種）を表示してするものとし、合格していない技能検定に係る職種又は等級を表示してはならない。

- (2) When a person who has passed a trade skills test refers to themselves as a certified skilled worker pursuant to the provisions of the preceding paragraph, the person is to indicate the occupation and grade of the trade skills test they have passed (the occupation if the trade skills test was administered without a specific grade) and must not indicate the occupation or grade of a trade skills test that they have not passed.
- 3 厚生労働大臣は、技能士が前項の規定に違反して合格していない技能検定の職種又は等級を表示した場合には、二年以内の期間を定めて技能士の名称の使用の停止を命ずることができる。
- (3) If a certified skilled worker indicates the occupation or grade of a trade skills test that they have not passed in violation of the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare may order to stop the certified skilled worker using the title “技能士” (pronounced “ginoshi”, meaning “certified skilled worker”) for a period not exceeding two years.
- 4 技能士でない者は、技能士という名称を用いてはならない。
- (4) No person other than a certified skilled worker may use the title “技能士” (pronounced “ginoshi”, meaning “certified skilled worker”).

第二節 補則

Section 2 Auxiliary Provisions

(職業能力検定に関する基準の整備)

(Development of Standards for Vocational Abilities Tests)

第五十条の二 厚生労働大臣は、職業能力検定（技能検定を除く。以下この条において同じ。）の振興を図るため、事業主その他の関係者が職業能力検定を適正に実施するために必要な事項に関する基準を定めるものとする。

Article 50-2 For the purpose of promoting vocational abilities tests (excluding trade skills tests; the same applies below in this Article), the Minister of Health, Labour and Welfare is to establish standards concerning matters necessary for employers and other persons concerned to properly administer vocational abilities tests.

(厚生労働省令への委任)

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

第五十一条 この章に定めるもののほか、職業能力検定に関して必要な事項は、厚生労働省令で定める。

Article 51 Beyond what is provided for in this Chapter, necessary matters concerning vocational abilities tests are specified by Order of the Ministry of Health, Labour and Welfare.

第六章 職業能力開発協会

Chapter VI Vocational Ability Development Associations

第一節 中央職業能力開発協会

Section 1 Japan Vocational Ability Development Association

(中央協会の目的)

(Purpose of the Japan Vocational Ability Development Association)

第五十二条 中央職業能力開発協会（以下「中央協会」という。）は、職業能力の開発及び向上の促進の基本理念の具現に資するため、都道府県職業能力開発協会の健全な発展を図るとともに、国及び都道府県と密接な連携の下に第五条第一項に規定する職業能力の開発（第五十五条第一項において単に「職業能力の開発」という。）の促進を図ることを目的とする。

Article 52 The purpose of the Japan Vocational Ability Development Association (referred to below as the "Japan Association") is, in order to help put the basic principle of promoting the development and improvement of vocational abilities into practice, to ensure sound development of the Prefectural Vocational Ability Development Associations, and to promote the development of vocational abilities prescribed in Article 5, paragraph (1) (referred to below simply as "development of vocational abilities" in Article 55, paragraph (1)), working together in close coordination with the national and prefectural governments.

(人格等)

(Juridical Personality)

第五十三条 中央協会は、法人とする。

Article 53 (1) The Japan Association is a juridical person.

2 中央協会でないものは、その名称中に中央職業能力開発協会という文字を用いてはならない。

(2) No association other than the Japan Association may use the characters "中央職業能力開発協会" (pronounced "chuo shokugyo noryoku kaihatsu kyokai", meaning "Japan Vocational Ability Development Association") in its name.

(数)

(Number of Organizations)

第五十四条 中央協会は、全国を通じて一個とする。

Article 54 The Japan Association is the only one of its kind in Japan.

(業務)

(Operations)

第五十五条 中央協会は、第五十二条の目的を達成するため、次の業務を行うものとする。

Article 55 (1) The Japan Association is to carry out the following operations to

achieve the purpose referred to in Article 52:

- 一 会員の行う職業訓練、職業能力検定その他職業能力の開発に関する業務についての指導及び連絡を行うこと。
 - (i) providing guidance and liaison concerning vocational training, vocational abilities tests, and other operations related to the development of vocational abilities conducted by members;
 - 二 事業主等の行う職業訓練に従事する者及び都道府県技能検定委員の研修を行うこと。
 - (ii) providing training courses for personnel who participate in vocational training provided by employers or other organizations, and for prefectural trade skills test examiners;
 - 三 職業訓練、職業能力検定その他職業能力の開発に関する情報及び資料の提供並びに広報を行うこと。
 - (iii) providing information and materials on vocational training, vocational abilities tests, and other information related to the development of vocational abilities and conducting publicity work;
 - 四 職業訓練、職業能力検定その他職業能力の開発に関する調査及び研究を行うこと。
 - (iv) carrying out research and studies on vocational training, vocational abilities tests, and other development of vocational abilities;
 - 五 職業訓練、職業能力検定その他職業能力の開発に関する国際協力を行うこと。
 - (v) providing international cooperation in vocational training, vocational abilities tests, and other development of vocational abilities; and
 - 六 前各号に掲げるもののほか、職業能力の開発の促進に関し必要な業務を行うこと。
 - (vi) beyond what is stated in the preceding items, carrying out any operations necessary to promote the development of vocational abilities.
- 2 中央協会は、前項各号に掲げる業務のほか、第四十六条第三項の規定による技能検定試験に関する業務を行うものとする。
- (2) The Japan Association is to carry out operations concerning the skills assessment and written test under Article 46, paragraph (3) beyond the operations specified in the items of the preceding paragraph.

(会員の資格)

(Qualifications of Members)

第五十六条 中央協会の会員の資格を有するものは、次のものとする。

Article 56 The persons specified below are qualified to be members of the Japan Association:

一 都道府県職業能力開発協会

(i) Prefectural Vocational Ability Development Associations;

二 職業訓練及び職業能力検定の推進のための活動を行う全国的な団体

(ii) nationwide organizations that promote vocational training and vocational abilities tests; and

三 前二号に掲げるもののほか、定款で定めるもの

(iii) beyond the persons specified in the preceding two items, persons who are specified in the articles of incorporation.

(加入)

(Membership)

第五十七条 都道府県職業能力開発協会は、すべて中央協会の会員となる。

Article 57 (1) All Prefectural Vocational Ability Development Associations are members of the Japan Association.

2 中央協会は、前条第二号又は第三号に掲げるものが中央協会に加入しようとするときは、正当な理由がないのに、その加入を拒み、又はその加入について不当な条件をつけてはならない。

(2) If those specified in items (ii) or (iii) of the preceding Article intend to join the Japan Association, it must not refuse the membership application submitted by them, nor must it impose unreasonable membership conditions on them, without justifiable grounds.

(会費)

(Membership Fee)

第五十八条 中央協会は、定款で定めるところにより、会員から会費を徴収することができる。

Article 58 The Japan Association may collect membership fees from its members pursuant to the provisions of the articles of incorporation.

(発起人)

(Founders)

第五十九条 中央協会を設立するには、五以上の都道府県職業能力開発協会が発起人となることを要する。

Article 59 In order to incorporate the Japan Association, five or more Prefectural Vocational Ability Development Associations are required to become its founders.

(創立総会)

(Organizational Meetings)

第六十条 発起人は、定款を作成し、これを会議の日時及び場所とともに会議の開催日の少なくとも二週間前までに公告して、創立総会を開かなければならない。

Article 60 (1) The founders must prepare the articles of incorporation, and make them as well as the time and venue of the organizational meeting available to the public at least two weeks before the scheduled meeting date, and then hold the organizational meeting.

2 定款の承認その他設立に必要な事項の決定は、創立総会の議決によらなければならない

ない。

(2) The articles of incorporation must be approved and any other matters necessary for the incorporation of the Japan Association must be decided based on the resolutions reached at the organizational meeting.

3 創立総会の議事は、会員の資格を有するもので、その創立総会の開催日までに発起人に対して会員となる旨を申し出たものの二分の一以上が出席して、その出席者の議決権の三分の二以上の多数で決する。

(3) At the organizational meeting, decisions are made by at least a two-thirds majority of the votes of those present, with the participation of at least half of those who qualify as members and expressed their intention of becoming a member to the founders by the date of the organizational meeting.

(設立の認可)

(Authorization for the Incorporation)

第六十一条 発起人は、創立総会の終了後遅滞なく、定款及び厚生労働省令で定める事項を記載した書面を厚生労働大臣に提出して、設立の認可を受けなければならない。

Article 61 The founders must submit a written document providing the matters specified by the articles of incorporation and by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare without delay after the organizational meeting is finished and obtain approval for the incorporation of the Japan Association.

(定款)

(Articles of Incorporation)

第六十二条 中央協会の定款には、次の事項を記載しなければならない。

Article 62 (1) The following matters must be included in the articles of incorporation of the Japan Association:

一 目的

(i) purpose;

二 名称

(ii) its name;

三 主たる事務所の所在地

(iii) location of the principal office;

四 業務に関する事項

(iv) matters on the operations carried out by the Japan Association;

五 会員の資格に関する事項

(v) matters on the qualifications of its members;

六 会議に関する事項

(vi) matters on its meetings;

七 役員に関する事項

(vii) matters on its officers;

八 参与に関する事項

(viii) matters on its counselors;

九 中央技能検定委員に関する事項

(ix) matters on trade skills test examiners at the Japan Association;

十 会計に関する事項

(x) matters on its accounting;

十一 会費に関する事項

(xi) matters on its membership fees;

十二 事業年度

(xii) fiscal year;

十三 解散に関する事項

(xiii) matters on its dissolution;

十四 定款の変更に関する事項

(xiv) matters on any changes to the articles of incorporation; and

十五 公告の方法

(xv) method of issuing public notices.

2 定款の変更は、厚生労働大臣の認可を受けなければ、その効力を生じない。

(2) Changes to the articles of incorporation do not come into effect without authorization from the Minister of Health, Labour and Welfare.

(役員)

(Officers)

第六十三条 中央協会に、役員として、会長一人、理事長一人、理事五人以内及び監事二人以内を置く。

Article 63 (1) The Japan Association has one chairperson, one president, five or less directors, and two or less auditors as its officers.

2 中央協会に、役員として、前項の理事及び監事のほか、定款で定めるところにより、非常勤の理事及び監事を置くことができる。

(2) The Japan Association may, beyond the directors and auditors referred to in the preceding paragraph, have part-time directors and auditors as its officers, pursuant to the provisions of the articles of incorporation.

3 会長は、中央協会を代表し、その業務を総理する。

(3) The chairperson represents the Japan Association and oversees the operations carried out by the Association.

4 理事長は、中央協会を代表し、定款で定めるところにより、会長を補佐して中央協会の業務を掌理し、会長に事故があるときはその職務を代理し、会長が欠員のときはその職務を行う。

(4) The president represents the Japan Association, and, pursuant to the provisions of the articles of incorporation, assists the chairperson in supervising the operations carried out by the Japan Association, acts as a substitute for the chairperson if the chairperson is unable to attend to their

duties, and performs the duties of the chairperson if there is no chairperson appointed.

5 理事は、定款で定めるところにより、会長及び理事長を補佐して中央協会の業務を掌理し、会長及び理事長に事故があるときはその職務を代理し、会長及び理事長が欠員のときはその職務を行う。

(5) The directors, pursuant to the provisions of the articles of incorporation, assist the chairperson and president in supervising the operations carried out by the Japan Association, act as substitutes for the chairperson or president if the chairperson or president is unable to attend to their duties, and perform the duties of the chairperson or president if there is no chairperson or president appointed.

6 監事は、中央協会の業務及び経理の状況を監査する。

(6) The auditors audit the operations and accounting practices of the Japan Association.

7 監事は、監査の結果に基づき、必要があると認めるときは、会長又は厚生労働大臣に意見を提出することができる。

(7) The auditors may, if they find it necessary based on the audit results, submit their opinions to the chairperson or the Minister of Health, Labour and Welfare.

8 監事は、会長、理事長、理事又は中央協会の職員を兼ねてはならない。

(8) No auditor may concurrently hold the post of chairperson, president, director, or employee of the Japan Association.

(役員任免及び任期)

(Appointment and Dismissal of Office and Term of Office for Officers)

第六十四条 役員は、定款で定めるところにより、総会において選任し、又は解任する。ただし、設立当時の役員は、創立総会において選任する。

Article 64 (1) The officers are appointed or dismissed at the general meeting pursuant to the provisions of the articles of incorporation; provided, however, that the officers at the time of the incorporation of the Japan Association are appointed at the organizational meeting.

2 前項の規定による役員を選任は、厚生労働大臣の認可を受けなければ、その効力を生じない。

(2) The appointment of the officers under the provisions of the preceding paragraph does not come into effect without authorization from the Minister of Health, Labour and Welfare.

3 会長及び理事長の任期は、四年以内において定款で定める期間とし、理事及び監事の任期は、二年以内において定款で定める期間とする。ただし、設立当時の会長及び理事長の任期は、二年以内において創立総会で定める期間とし、設立当時の理事及び監事の任期は、一年以内において創立総会で定める期間とする。

(3) The term of office of the chairperson and president is a term not exceeding

four years as specified in the articles of incorporation, and the term of office of the directors and auditors is a term not exceeding two years as specified in the articles of incorporation; provided, however, that the term of office of the chairperson and president at the time of the incorporation of the Japan Association is a term not exceeding two years as determined at the organizational meeting, and the term of office of the directors and auditors at the time of the incorporation of the Japan Association is a term not exceeding one year as determined at the organizational meeting.

4 役員は、再任されることができる。

(4) Officers may be reelected.

(代表権の制限)

(Restrictions on Representative Authority)

第六十五条 中央協会と会長又は理事長との利益が相反する事項については、会長及び理事長は、代表権を有しない。この場合には、定款で定めるところにより、監事が中央協会を代表する。

Article 65 The chairperson and president of the Japan Association do not have right to represent the Japan Association regarding any matters where the interests of the Japan Association and that of the chairperson or president conflict with each other. In this case, the auditors represent the Japan Association pursuant to the provisions of the articles of incorporation.

(参与)

(Counselors)

第六十六条 中央協会に、参与を置く。

Article 66 (1) The Japan Association has counselors.

2 参与は、中央協会の業務の運営に関する重要な事項に参与する。

(2) Counselors participate in important matters concerning the operations of the Japan Association.

3 参与は、職業訓練又は職業能力検定に関し学識経験のある者のうちから、会長が委嘱する。

(3) Counselors are appointed by the chairperson from among persons with relevant expertise in vocational training or vocational abilities tests.

4 前三項に定めるもののほか、参与に関し必要な事項は、定款で定める。

(4) Beyond what is prescribed in the preceding three paragraphs, the necessary matters concerning counselors are specified in the articles of incorporation.

(中央技能検定委員)

(Skills Assessment and Written Test Examiners at the Japan Association)

第六十七条 中央協会は、第五十五条第二項の規定により技能検定試験に係る試験問題及び試験実施要領の作成に関する業務その他技能検定試験の実施に係る技術的な事項

に関する業務を行う場合には、中央技能検定委員に行わせなければならない。

Article 67 (1) When the Japan Association carries out operations that involve preparing examination questions and guidelines for administering skills assessment and written tests and operations involving other technical matters related to administering skills assessment and written tests pursuant to the provisions of Article 55, paragraph (2), it must have the skills assessment and written test examiner at the Japan Association carry out the relevant operations.

2 中央協会は、中央技能検定委員を選任しようとするときは、厚生労働省令で定めるところにより、厚生労働省令で定める要件を備える者のうちから選任しなければならない。

(2) When the Japan Association intends to appoint a skills assessment and written test examiner, it must, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, appoint a person from among those with requirements specified by Order of the Ministry of Health, Labour and Welfare.

(決算関係書類の提出及び備付け等)

(Submitting and Keeping Account Settlement Documents)

第六十八条 会長は、通常総会の開催日の一週間前までに、事業報告書、貸借対照表、収支決算書及び財産目録（以下「決算関係書類」という。）を監事に提出し、かつ、これらを主たる事務所に備えて置かなければならない。

Article 68 (1) The chairperson must submit a business report, a balance sheet, an income and expenditure statement, and an inventory of assets (referred to below as "account settlement documents") to the auditors at least one week before the date of the ordinary general meeting, and keep these documents at its principal office.

2 会長は、監事の意見書を添えて決算関係書類を通常総会に提出し、その承認を求めなければならない。

(2) The chairperson must submit the account settlement documents together with written opinions of the auditors, to the ordinary general meeting to seek its approval.

3 前項の監事の意見書については、これに記載すべき事項を記録した電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものとして厚生労働省令で定めるものをいう。）の添付をもつて、当該監事の意見書の添付に代えることができる。この場合において、会長は、当該監事の意見書を添付したものとみなす。

(3) The written opinion of the auditors referred to in the preceding paragraph may be substituted by an attached electronic or magnetic record where the matters that must be included in that written opinion is recorded (meaning records specified by Order of the Ministry of Health, Labour and Welfare, used

in computer data-processing as records which are created in electronic form, magnetic form, or any other form that cannot be perceived by the human senses). In this case, the chairperson is deemed to have attached the written opinions of the auditors.

(総会)

(General Meeting)

第六十九条 会長は、定款で定めるところにより、毎事業年度一回、通常総会を招集しなければならない。

Article 69 (1) The chairperson must call an ordinary general meeting once every fiscal year pursuant to the provisions of the articles of incorporation.

2 会長は、必要があると認めるときは、臨時総会を招集することができる。

(2) The chairperson may call an extraordinary general meeting when the chairperson finds it necessary.

3 次の事項は、総会の議決を経なければならない。

(3) The following matters are subject to the resolution of the general meeting;

一 定款の変更

(i) changes to the articles of incorporation;

二 事業計画及び収支予算の決定又は変更

(ii) decision or revision of business plans and income and revenue budgets;

三 解散

(iii) dissolution;

四 会員の除名

(iv) expulsion of a member; and

五 前各号に掲げるもののほか、定款で定める事項

(v) beyond what is stated in the preceding items, matters specified in the articles of incorporation.

4 総会の議事は、総会員の二分の一以上が出席して、その出席者の議決権の過半数で決する。ただし、前項第一号、第三号及び第四号に掲げる事項に係る議事は、総会員の二分の一以上が出席して、その出席者の議決権の三分の二以上の多数で決する。

(4) At the general meeting, decisions are made by a majority of the votes of those present, with the participation of at least half of all members; provided, however, that the decisions on the matters specified in items (i), (iii) and (iv) of the preceding paragraph are made by at least a two-thirds majority of the votes of those present, with the participation of at least half of all members.

(解散)

(Dissolution)

第七十条 中央協会は、次の理由によつて解散する。

Article 70 (1) The Japan Association is dissolved for the following reasons:

一 総会の議決

(i) a resolution at the general meeting;

二 破産手続開始の決定

(ii) an order to commence bankruptcy proceedings; or

三 設立の認可の取消し

(iii) revocation of the authorization for the incorporation.

2 前項第一号に掲げる理由による解散は、厚生労働大臣の認可を受けなければ、その効力を生じない。

(2) Dissolution due to the reason specified in item (i) of the preceding paragraph does not come into effect without authorization from the Minister of Health, Labour and Welfare.

(清算人)

(Liquidators)

第七十一条 清算人は、前条第一項第一号に掲げる理由による解散の場合には総会において選任し、同項第三号に掲げる理由による解散の場合には厚生労働大臣が選任する。

Article 71 A liquidator of the Japan Association is appointed at the general meeting in the case of dissolution due to the reason specified in item (i) of paragraph (1) of the preceding Article, or by the Minister of Health, Labour and Welfare in the case of dissolution due to the reason specified in item (iii) of that paragraph.

(財産の処分等)

(Disposition of Assets)

第七十二条 清算人は、財産処分の方法を定め、総会の議決を経て厚生労働大臣の認可を受けなければならない。ただし、総会が議決をしないとき、又はすることができないときは、総会の議決を経ることを要しない。

Article 72 (1) A liquidator must determine a method for disposing of the assets of the Japan Association and obtain approval from the Minister of Health, Labour and Welfare after passing a resolution at the general meeting; provided, however, that a resolution on the method from the general meeting is not required if a resolution is not or cannot be made at the general meeting.

2 前項の規定により清算人が財産処分の方法を定める場合には、残余財産は、職業訓練又は職業能力検定の推進について中央協会と類似の活動を行う団体に帰属させるものとしなければならない。

(2) If the liquidator determines a method for disposing of the assets of the Japan Association pursuant to the provisions of the preceding paragraph, the residual assets must be owned by an organization engaged in activities that promote vocational training or vocational abilities tests and that are similar to those carried out by the Japan Association.

3 前項に規定する団体がない場合には、当該残余財産は、国に帰属する。

(3) If there are no organizations as prescribed in the provisions of the preceding

paragraph, the residual assets are to be owned by the national government.

(決算関係書類の提出)

(Submitting Account Settlement Documents)

第七十三条 中央協会は、毎事業年度、通常総会の終了の日から一月以内に、決算関係書類を厚生労働大臣に提出しなければならない。

Article 73 (1) The Japan Association must submit the account settlement documents to the Minister of Health, Labour and Welfare in each fiscal year within one month from the date on which an ordinary general meeting is finished.

2 中央協会は、前項の規定により決算関係書類を厚生労働大臣に提出するときは、当該事業年度の決算関係書類に関する監事の意見書を添付しなければならない。

(2) When submitting the account settlement documents to the Minister of Health, Labour and Welfare pursuant to the provisions of the preceding paragraph, the Japan Association must attach the written opinions of the auditors to the account settlement documents for the relevant fiscal year.

(報告等)

(Reports)

第七十四条 厚生労働大臣は、必要があると認めるときは、中央協会に対してその業務に関し必要な報告をさせ、又はその職員に、中央協会の事務所に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させることができる。

Article 74 (1) If the Minister of Health, Labour and Welfare finds it necessary, the Minister may request the Japan Association to make any necessary reports on its operations or have their officials so that they may inspect the current status of its operations or books, documents, and other items.

2 前項の規定により立入検査をする職員は、その身分を示す証票を携帯し、関係者に提示しなければならない。

(2) A ministry official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry identification and present it to the persons concerned.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection under the provisions of paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

(勧告等)

(Recommendations)

第七十五条 厚生労働大臣は、中央協会の運営が法令若しくは定款に違反し、又は不当であると認めるときは、中央協会に対して、これを是正すべきことを勧告し、及びそ

の勧告によつてもなお改善されない場合には、次の各号のいずれかに掲げる処分をすることができる。

Article 75 If the Minister of Health, Labour and Welfare finds that the operation of the Japan Association violates laws and regulations or the articles of incorporation, or is inadequate, the Minister may recommend the Japan Association that they rectify these issues and, if the relevant issues are not rectified as recommended, the minister may impose any of the dispositions specified in the following items on the Japan Association:

一 業務の全部又は一部の停止を命ずること。

(i) issuing an order to suspend all or part of the operations carried out by the Japan Association; or

二 設立の認可を取り消すこと。

(ii) revoking the authorization for the incorporation.

(中央協会に対する助成)

(Aid to the Japan Association)

第七十六条 国は、中央協会に対して、その業務に関し必要な助成を行うことができる。

Article 76 The national government may provide the aid needed for the Japan Association to carry out its operations.

(中央協会の役員等の秘密保持義務等)

(Duty of Confidentiality of Officers at the Japan Association)

第七十七条 中央協会の役員若しくは職員（中央技能検定委員を含む。）又はこれらの職にあつた者は、第五十五条第二項の規定により中央協会が行う技能検定試験に関する業務に係る職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 77 (1) A current or former officer or employee of the Japan Association (including a skills assessment and written test examiner) must not divulge or misappropriate any confidential information learned in the course of their duties related to the skills assessment and written tests administered by the Japan Association pursuant to the provisions of Article 55, paragraph (2).

2 第五十五条第二項の規定により中央協会が行う技能検定試験に関する業務に従事する中央協会の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) Concerning the application of the Penal Code and other penal provisions, an officer and employee of the Japan Association who are engaged in operations related to the skills assessment and written tests administered by the Japan Association pursuant to the provisions of Article 55, paragraph (2) are deemed to be officials engaged in public services pursuant to laws and regulations.

(準用)

(Application Mutatis Mutandis)

第七十八条 第三十四条の規定は中央協会の登記について、第三十七条、第三十七条の七、第三十八条の三第二項、第三十八条の四及び第三十八条の六から第三十八条の八まで並びに一般社団法人及び一般財団法人に関する法律第四条及び第七十八条の規定は中央協会の設立、管理及び運営について、第四十条の二、第四十一条の二、第四十一条の四、第四十一条の五、第四十一条の七から第四十一条の十まで及び第四十二条の二から第四十二条の八までの規定は中央協会の解散及び清算について、それぞれ準用する。この場合において、第三十七条第二項、第三十七条の七及び第四十二条の三中「都道府県知事」とあるのは「厚生労働大臣」と、第四十一条の四中「前条」とあるのは「第七十一条」と、第四十二条の二第三項中「職業訓練法人の業務を監督する都道府県知事」とあるのは「厚生労働大臣」と、同条第四項中「前項に規定する都道府県知事は、同項」とあるのは「厚生労働大臣は、前項」と読み替えるものとする。

Article 78 The provisions of Article 34 apply mutatis mutandis to the registration of the Japan Association, the provisions of Article 37, article 37-7, Article 38-3, paragraph (2), Article 38-4, and Article 38-6 through Article 38-8 of this Act and the provisions of Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the incorporation, management, and operation of the Japan Association, and the provisions of Article 40-2, Article 41-2, Article 41-4, Article 41-5, Article 41-7 through Article 41-10, and Article 42-2 to Article 42-8 apply mutatis mutandis to the dissolution and liquidation of the Japan Association. In this case, the phrase the "prefectural governor" in Article 37, paragraph (2), Article 37-7, and Article 42-3 is deemed to be replaced with the "Minister of Health, Labour and Welfare;" the phrase "the preceding Article" in Article 41-4 is deemed to be replaced with "Article 71;" the phrase the "prefectural governor supervising the operations of the vocational training corporation" in Article 42-2, paragraph (3) is deemed to be replaced with "the Minister of Health, Labour and Welfare;" and the phrase "The prefectural governor prescribed in the preceding paragraph may state an opinion for the court prescribed in that paragraph" in paragraph (4) of that Article is deemed to be replaced with "The Minister of Health, Labour and Welfare may state an opinion for the court prescribed in the preceding paragraph."

第二節 都道府県職業能力開発協会

Section 2 Prefectural Vocational Ability Development Associations

(都道府県協会の目的)

(Purpose of Prefectural Vocational Ability Development Associations)

第七十九条 都道府県職業能力開発協会（以下「都道府県協会」という。）は、職業能力の開発及び向上の促進の基本理念の具現に資するため、都道府県の区域内において、当該都道府県と密接な連携の下に第五条第一項に規定する職業能力の開発（以下単に「職業能力の開発」という。）の促進を図ることを目的とする。

Article 79 The purpose of a Prefectural Vocational Ability Development Association (referred to below as a "Prefectural Association") is, in order to help put the basic principle of promoting the development and improvement of vocational abilities into practice, to ensure the development of vocational abilities prescribed in Article 5, paragraph (1) (referred to below simply as "development of vocational abilities") within the prefecture in close coordination with the prefectural government.

(人格等)

(Juridical Personality)

第八十条 都道府県協会は、法人とする。

Article 80 (1) A Prefectural Association is a juridical person.

2 都道府県協会でないものは、その名称中に都道府県名を冠した職業能力開発協会という文字を用いてはならない。

(2) No association other than a Prefectural Association may use the characters "職業能力開発協会" (pronounced "shokugyo noryoku kaihatsu kyokai", meaning "Vocational Ability Development Association"), bearing the name of a prefecture, in its name.

(数等)

(Number of Prefectural Associations)

第八十一条 都道府県協会は、都道府県ごとに一個とし、その地区は、都道府県の区域による。

Article 81 One Prefectural Association is incorporated in each prefecture, and its district is within the area of each prefecture.

(業務)

(Operations)

第八十二条 都道府県協会は、第七十九条の目的を達成するため、次の業務を行うものとする。

Article 82 (1) A Prefectural Association is to carry out the following operations to achieve the purpose referred to in Article 79:

一 会員の行う職業訓練、職業能力検定その他職業能力の開発に関する業務についての指導及び連絡を行うこと。

(i) providing guidance and liaison concerning vocational training, vocational abilities tests, and other operations related to the development of vocational abilities conducted by its members;

二 職業訓練及び職業能力検定に関する技術的事項について事業主、労働者等に対して、相談に応じ、並びに必要な指導及び援助を行うこと。

(ii) providing consultation to employers, workers, and other persons on technical matters related to vocational training and vocational abilities tests

- and providing any necessary guidance and assistance;
- 三 事業主、労働者等に対して、技能労働者に関する情報の提供等を行うこと。
- (iii) providing information on skilled workers to employers and workers, and other persons;
- 四 事業主等の行う職業訓練でその地区内において行われるものに従事する者の研修を行うこと。
- (iv) providing training courses for personnel engaged in vocational training provided by employers or other organizations within the relevant district;
- 五 その地区内における職業訓練、職業能力検定その他職業能力の開発に関する情報及び資料の提供並びに広報を行うこと。
- (v) providing information and materials on vocational training, vocational abilities tests, and other information related to the development of vocational abilities, and conducting publicity work within the relevant district;
- 六 その地区内における職業訓練、職業能力検定その他職業能力の開発に関する調査及び研究を行うこと。
- (vi) carrying out research studies on vocational training, vocational abilities tests, and the development of vocational abilities within the relevant district;
- 七 職業訓練、職業能力検定その他職業能力の開発に関する国際協力でその地区内において行われるものについての相談その他の援助を行うこと。
- (vii) providing consultation and other assistance regarding international cooperation within the relevant district concerning vocational training, vocational abilities tests, and other development of vocational abilities; and
- 八 前各号に掲げるもののほか、その地区内における職業能力の開発の促進に関し必要な業務を行うこと。
- (viii) beyond what is stated in the preceding items, carrying out any operations necessary to promote the development of vocational abilities within the relevant district.
- 2 都道府県協会は、前項各号に掲げる業務のほか、第四十六条第四項の規定による技能検定試験に関する業務を行うものとする。
- (2) A Prefectural Association is to carry out operations concerning the skills assessment and written test under the provisions of Article 46, paragraph (4), beyond the operations specified in the items of the preceding paragraph.

(会員の資格等)

(Qualifications of Members)

第八十三条 都道府県協会の会員の資格を有するものは、次のものとする。

Article 83 (1) The persons specified below are qualified to be members of a Prefectural Association:

一 都道府県協会の地区内に事務所を有する事業主等で、職業訓練又は職業能力検定を行うもの

(i) employers or other organizations with an office within the district of the

Prefectural Association are to provide vocational training or administer vocational abilities tests;

二 都道府県協会の地区内において職業訓練又は職業能力検定の推進のための活動を行うもので、定款で定めるもの

(ii) persons who are engaged in activities to promote vocational training or vocational abilities tests within the district of the Prefectural Association and are specified in the articles of incorporation; or

三 前二号に掲げるもののほか、定款で定めるもの

(iii) beyond the persons specified in the preceding two items, persons who are specified in the articles of incorporation.

2 都道府県協会は、前項各号に掲げるものが都道府県協会に加入しようとするときは、正当な理由がないのに、その加入を拒み、又はその加入について不当な条件を付けてはならない。

(2) If those specified in the items of the preceding paragraph intend to join the Prefectural Association, it must not refuse the membership application submitted by them, nor must it impose unreasonable membership conditions on them, without justifiable grounds.

(発起人)

(Founders)

第八十四条 都道府県協会を設立するには、その会員になろうとする五以上のものが発起人となることを要する。

Article 84 In order to incorporate a Prefectural Association, five or more persons who intend to become its members are required to become its founders.

(役員等)

(Officers)

第八十五条 都道府県協会に、役員として、会長一人、理事三人以内及び監事一人を置く。

Article 85 (1) A Prefectural Association has one chairperson, three or less directors, and one auditor as its officers.

2 都道府県協会に、役員として、前項の理事及び監事のほか、定款で定めるところにより、非常勤の理事及び監事を置くことができる。

(2) A Prefectural Association may, in addition to the directors and the auditor referred to in the preceding paragraph, have part-time directors and a part-time auditor as its officers, pursuant to the provisions of the articles of incorporation.

3 都道府県協会に、参与を置く。

(3) A Prefectural Association has counselors.

(都道府県技能検定委員)

(Prefectural Skills Assessment and Written Test Examiners)

第八十六条 都道府県協会は、第八十二条第二項の規定により技能検定試験の実施に関する業務を行う場合には、当該業務のうち技能の程度の評価に係る事項その他の技術的な事項については、都道府県技能検定委員に行わせなければならない。

Article 86 (1) When a Prefectural Association carries out operations for administering the skills assessment and written tests pursuant to the provisions of Article 82, paragraph (2), it must have a prefectural skills assessment and written test examiner carry out the operations related to the trade skills assessment and other technical matters.

2 都道府県協会は、都道府県技能検定委員を選任しようとするときは、厚生労働省令で定めるところにより、厚生労働省令で定める要件を備える者のうちから選任しなければならない。

(2) When a Prefectural Association intends to appoint a prefectural skills assessment and written test examiner, it must, pursuant to Order of the Ministry of Health, Labour and Welfare, appoint a person from among those with requirements specified by Order of the Ministry of Health, Labour and Welfare.

(都道府県協会に対する助成)

(Aid to Prefectural Associations)

第八十七条 都道府県は、都道府県協会に対して、その業務に関し必要な助成を行うことができる。

Article 87 (1) A prefectural government may provide the aid necessary for the Prefectural Association to carry out its operations.

2 国は、前項に規定する助成を行う都道府県に対して、これに要する経費について補助することができる。

(2) The national government may subsidize the expenses spent by prefectures on aid prescribed in the preceding paragraph.

(国等の援助)

(Assistance by the National Government)

第八十八条 国及び都道府県は、公共職業能力開発施設その他の適当な施設を都道府県協会に使用させる等の便益を提供するように努めなければならない。

Article 88 The national and prefectural governments must endeavor to provide benefits for Prefectural Associations, such as allowing them to use public institutions for the development of vocational abilities and other suitable institutions.

(都道府県協会の役員等の秘密保持義務等)

(Duty of Confidentiality of Officers of Prefectural Associations)

第八十九条 都道府県協会の役員若しくは職員（都道府県技能検定委員を含む。）又は

これらの職にあつた者は、第八十二条第二項の規定により都道府県協会が行う技能検定試験に関する業務に係る職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 89 (1) A current or former officer or employee of a Prefectural Association (including a prefectural skills assessment and written test examiner), must not divulge or misappropriate any confidential information learned in the course of their duties relating to the skills assessment and written tests administered by the Prefectural Association pursuant to the provisions of Article 82, paragraph (2).

2 第八十二条第二項の規定により都道府県協会が行う技能検定試験に関する業務に従事する都道府県協会の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) Concerning the application of the Penal Code and other penal provisions, an officer and employee of a Prefectural Association who are engaged in operations related to the skills assessment and written tests administered by the Prefectural Association pursuant to the provisions of Article 82, paragraph (2) are deemed to be officials engaged in public services pursuant to laws and regulations.

(準用等)

(Application, Mutatis Mutandis)

第九十条 第三十四条の規定は都道府県協会の登記について、第三十七条、第三十七条の七、第三十八条の三第二項、第三十八条の四、第三十八条の六から第三十八条の八まで、第五十八条、第六十条から第六十二条まで、第六十三条第三項、第五項（理事長に係る部分を除く。）、第六項及び第八項（理事長に係る部分を除く。）、第六十四条、第六十五条（理事長に係る部分を除く。）、第六十六条第二項から第四項まで、第六十八条、第六十九条並びに第七十三条から第七十五条まで並びに一般社団法人及び一般財団法人に関する法律第四条及び第七十八条の規定は都道府県協会の設立、管理及び運営について、第四十条の二、第四十一条の二、第四十一条の四、第四十一条の五、第四十一条の七から第四十一条の十まで、第四十二条の二から第四十二条の八まで、第七十条から第七十二条まで及び第七十五条の規定は都道府県協会の解散及び清算について、それぞれ準用する。この場合において、第四十一条の四中「前条」とあるのは「第九十条第一項において準用する第七十一条」と、第六十一条、第六十二条第二項、第六十四条第二項、第七十条第二項、第七十一条、第七十二条第一項、第七十三条、第七十四条第一項及び第七十五条中「厚生労働大臣」とあるのは「都道府県知事」と、第六十二条第一項第九号中「中央技能検定委員」とあるのは「都道府県技能検定委員」と、第七十二条第三項中「国」とあるのは「都道府県」と読み替えるものとする。

Article 90 (1) The provisions of Article 34 apply mutatis mutandis to the registration of a Prefectural Association, the provisions of Article 37, Article 37-7, Article 38-3, paragraph (2), Article 38-4, Article 38-6 through Article 38-8,

Article 58, Article 60 through Article 62, Article 63, paragraphs (3) and (5) (excluding the part related to the president), paragraphs (6) and (8) (excluding the part related to the president), Article 64, Article 65 (excluding the part related to the president), Article 66, paragraph (2) through paragraph (4), Article 68, Article 69, and Article 73 through Article 75 of this Act and Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the incorporation, management and operation of a Prefectural Association, and the provisions of Article 40-2, Article 41-2, Article 41-4, Article 41-5, Article 41-7 through Article 41-10, Article 42-2 through Article 42-8, Article 70 through Article 72, and Article 75 apply mutatis mutandis to the dissolution and liquidation of a Prefectural Association. In this case, the phrase the "preceding Article" in Article 41-4 is deemed to be replaced with "Article 71 as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1);" the phrase "Minister of Health, Labour and Welfare" in Article 61, Article 62, paragraph (2), Article 64, paragraph (2), Article 70, paragraph (2), Article 71, Article 72, paragraph (1), Article 73, Article 74, paragraph (1) and Article 75 is deemed to be replaced with the "prefectural governor;" the phrase a "skills assessment and written test examiner at the Japan Association" in Article 62, paragraph (1), item (ix) is deemed to be replaced with a "prefectural skills assessment and written test examiner;" and the phrase "the national government" in Article 72, paragraph (3) is deemed to be replaced with "prefectural governments."

2 厚生労働大臣は、都道府県協会の運営が法令若しくは定款に違反し、又は不当であると認めるときは、都道府県知事に対し、都道府県協会に対してこれを是正すべきことを勧告するよう指示することができる。

(2) If the Minister of Health, Labor and Welfare finds that the operation of a Prefectural Association violates laws and regulations or the articles of incorporation, or is inadequate, the Minister may instruct the relevant prefectural governor to recommend that the Prefectural Association rectify the issues.

3 厚生労働大臣は、第一項において準用する第七十五条に規定する場合において、都道府県知事に対し、同条各号のいずれかに掲げる処分をするよう指示することができる。

(3) In the case prescribed in Article 75 as applied mutatis mutandis pursuant to paragraph (1), the Minister of Health, Labor and Welfare may instruct the prefectural governor to impose the disposition specified in any of the items of that Article.

第七章 雑則

Chapter VII Miscellaneous Provisions

(都道府県に置く審議会等)

(Councils Established by Prefectural Governments)

第九十一条 都道府県は、都道府県職業能力開発計画その他職業能力の開発に関する重要事項を調査審議させるため、条例で、審議会その他の合議制の機関を置くことができる。

Article 91 (1) A prefectural government may establish councils and other panels by prefectural ordinance so as to have the councils or panels study and deliberate on the prefectural plans for the development of vocational abilities and other important matters concerning the development of vocational abilities.

2 前項に規定するもののほか、同項の審議会その他の合議制の機関に関し必要な事項は、条例で定める。

(2) Beyond what is stated in the preceding paragraph, any matters necessary for the councils and other panels referred to in that paragraph are specified by a prefectural ordinance.

(職業訓練等に準ずる訓練の実施)

(Provision of Training Equivalent to Vocational Training)

第九十二条 公共職業能力開発施設、職業能力開発総合大学校及び職業訓練法人は、その業務の遂行に支障のない範囲内で、その行う職業訓練又は指導員訓練に準ずる訓練を次に掲げる者に対し行うことができる。

Article 92 A public institution for the development of vocational abilities, a polytechnic university, and a vocational training corporation may, to an extent that does not affect their operations, provide training equivalent to vocational training or instructor training to the following persons:

一 労働者を雇用しないで事業を行うことを常態とする者

(i) a person who usually engages in business without employing any workers;

二 家内労働法（昭和四十五年法律第六十号）第二条第二項に規定する家内労働者

(ii) a domestic industrial worker prescribed in Article 2, paragraph (2) of the Home Work Act (Act No. 60 of 1970);

三 出入国管理及び難民認定法（昭和二十六年政令第三百十九号）別表第一の四の表の留学又は研修の在留資格をもつて在留する者

(iii) a person residing in Japan with a status of residence as a student or trainee listed in Attached Table 1-4 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951); or

四 前三号に掲げる者以外の者で厚生労働省令で定めるもの

(iv) any person specified by Order of the Minister of Health, Labour and Welfare other than the persons specified in the preceding three items.

(厚生労働大臣の助言及び勧告)

(Advice from and Recommendations by the Minister of Health, Labour and Welfare)

第九十三条 厚生労働大臣は、この法律の目的を達成するため必要があると認めるときは、都道府県に対して、公共職業能力開発施設の設置及び運営、第十五条の二第一項及び第二項の規定による援助その他職業能力の開発に関する事項について助言及び勧告をすることができる。

Article 93 If the Minister of Health, Labour and Welfare finds it necessary to achieve the purpose of this Act, the Minister may offer advice or recommendations to a prefectural government concerning the incorporation and operation of a public institution for the development of vocational abilities, assistance prescribed in Article 15-2, paragraphs (1) and (2), and other matters concerning the development of vocational abilities.

(職業訓練施設の経費の負担)

(Expenses of Vocational Training Institutions Borne by the National Government)

第九十四条 国は、政令で定めるところにより、都道府県が設置する職業能力開発校及び障害者職業能力開発校の施設及び設備に要する経費の一部を負担する。

Article 94 Pursuant to the provisions of Cabinet Order, the national government bears a part of the expenses required for the facilities and equipment of a polytechnic school and polytechnic school for persons with disabilities established by a prefectural government.

(交付金)

(Grants)

第九十五条 国は、前条に定めるもののほか、同条に規定する職業能力開発校及び障害者職業能力開発校の運営に要する経費の財源に充てるため、都道府県に対し、交付金を交付する。

Article 95 (1) Beyond what is stated in the preceding Article, the national government provides grants to a prefectural government in order to bear the expenses required for the operations of a polytechnic school and polytechnic school for persons with disabilities prescribed in that Article.

2 厚生労働大臣は、前項の規定による交付金の交付については、各都道府県の雇用労働者数及び求職者数（中学校、義務教育学校、高等学校又は中等教育学校を卒業して就職する者の数を含む。）を基礎とし、職業訓練を緊急に行うことの必要性その他各都道府県における前条に規定する職業能力開発校及び障害者職業能力開発校の運営に関する特別の事情を考慮して、政令で定める基準に従って決定しなければならない。

(2) The Minister of Health, Labour and Welfare must decide on how to provide grants under the provisions of the preceding paragraph in accordance with the standards specified by Cabinet Order, based on the number of employed workers and the number of job applicants in each prefecture (including the number of persons who gain employment after graduating from a junior high school, compulsory education school, high school, or secondary education

school), and by taking into consideration the level of urgency to provide vocational training, as well as other special circumstances in each prefecture concerning the operation of a polytechnic school and polytechnic school for persons with disabilities prescribed in the preceding Article.

(雇用保険法との関係)

(Relationship Between This Act and the Employment Insurance Act)

第九十六条 国による公共職業能力開発施設（障害者職業能力開発校を除く。）及び職業能力開発総合大学校の設置及び運営、第十五条の七第一項ただし書に規定する職業訓練の実施、技能検定の実施に要する経費の負担並びに第十五条の二第一項及び第二項（障害者職業能力開発校に係る部分を除く。）、第十五条の三、第七十六条及び第八十七条第二項の規定による助成等は、雇用保険法（昭和四十九年法律第百十六号）第六十三条に規定する能力開発事業として行う。

Article 96 The establishment and operation of a public institution for the development of vocational abilities (excluding a polytechnic school for persons with disabilities) and polytechnic university by the national government, the implementation of vocational training prescribed in the proviso of Article 15-7, paragraph (1), covering expenses required for the implementation of trade skills tests, and providing subsidies or other forms of assistance pursuant to the provisions of Article 15-2, paragraphs (1) and (2) (excluding the part related to a polytechnic school for persons with disabilities), Article 15-3, Article 76, and Article 87, paragraph (2) are conducted as the human resources development programs prescribed in Article 63 of the Employment Insurance Act (Act No. 116 of 1974).

(登録試験機関等がした処分等に係る審査請求)

(Requests for Investigations Related to Dispositions Made by Registered Examining Agencies)

第九十六条の二 登録試験機関が行う資格試験業務に係る処分若しくはその不作為、指定登録機関が行う登録事務に係る処分若しくはその不作為又は指定試験機関が行う技能検定試験業務に係る処分若しくはその不作為については、厚生労働大臣に対し、審査請求をすることができる。この場合において、厚生労働大臣は、行政不服審査法（平成二十六年法律第六十八号）第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、登録試験機関、指定登録機関又は指定試験機関の上級行政庁とみなす。

Article 96-2 A request for an investigation may be filed with the Minister of Health, Labour and Welfare in relation to a disposition made by a registered examining agency on its operations related to qualifying examinations or its inaction regarding the matter, a disposition made by a designated registration agency on its registration affairs or its inaction regarding the matter, or a disposition made by a designated examining agency on its operations related to

skills assessment and written tests or its inaction regarding the matter. In this case, concerning the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47, and Article 49, paragraph (3) of the Administrative Appeal Act (Act No. 68 of 2014), the Minister of Health, Labour and Welfare is deemed to be the higher administrative authority of the registered examining agency, designated registration agency, or designated examining agency.

(手数料)

(Fees)

第九十七条 第三十条の四第一項のキャリアコンサルタント試験を受けようとする者、第三十条の十九第一項の登録を受けようとする者、第三十条の二十の登録証の再交付若しくは訂正を受けようとする者、第四十四条第一項の技能検定を受けようとする者又は第四十九条の合格証書の再交付を受けようとする者は、政令で定めるところにより、手数料を納付しなければならない。

Article 97 (1) A person seeking to take an examination for a career consultant as referred to in Article 30-4, paragraph (1), a person seeking to be registered as referred to in Article 30-19, paragraph (1), a person seeking to have a registration certificate reissued or amended as referred to in Article 30-20, a person seeking to take a trade skills test as referred to in Article 44, paragraph (1), or a person seeking to have a certificate of passing the trade skills test reissued as referred to in Article 49 must pay a fee pursuant to Cabinet Order.

2 都道府県は、地方自治法第二百二十七条の規定に基づき技能検定試験に係る手数料を徴収する場合においては、第四十六条第四項の規定により都道府県協会が行う技能検定試験を受けようとする者に、条例で定めるところにより、当該手数料を当該都道府県協会へ納めさせ、その収入とすることができる。

(2) If a prefectural government collects fees for a skills assessment and written test pursuant to the provisions of Article 227 of the Local Autonomy Act, it may have a person who intends to take a skills assessment and written test administered by a Prefectural Association pursuant to the provisions of Article 46, paragraph (4) pay the fee to the Prefectural Association as a source of revenue of the Prefectural Association as specified by prefectural ordinance.

(報告)

(Reports)

第九十八条 厚生労働大臣又は都道府県知事は、この法律の目的を達成するために必要な限度において、認定職業訓練（第二十七条の二第二項において準用する第二十四条第一項の認定に係る指導員訓練を含む。以下同じ。）を実施する事業主等に対して、その行う認定職業訓練に関する事項について報告を求めることができる。

Article 98 The Minister of Health, Labour and Welfare or the prefectural governor may request employers or other organizations providing accredited

vocational training (including instructor training related to the accreditation referred to in Article 24, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 27-2, paragraph (2); the same applies below) to report on matters concerning the accredited vocational training to the extent necessary to achieve the purpose of this Act.

(権限の委任)

(Delegation of Authority)

第九十八条の二 この法律に定める厚生労働大臣の権限は、厚生労働省令で定めるところにより、その一部を都道府県労働局長に委任することができる。

Article 98-2 Part of the authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director General of the Prefectural Labor Bureau pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(厚生労働省令への委任)

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

第九十九条 この法律に定めるもののほか、この法律の実施のための手続その他この法律の施行に関し必要な事項は、厚生労働省令で定める。

Article 99 Beyond what is provided for in this Act, procedures and other matters required for the implementation of this Act are specified by Order of the Ministry of Health, Labour and Welfare.

第八章 罰則

Chapter VIII Penal Provisions

第九十九条の二 第二十六条の六第五項において準用する職業安定法第四十一条第二項の規定による業務の停止の命令に違反して、訓練担当者の募集に従事した者又は第三十条の二十七第二項の規定に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 99-2 A person who has engaged in the recruitment of persons in charge of training or has violated the provisions of Article 30-27, paragraph (2), in violation of an order of suspension of business under the provisions of Article 41, paragraph (2) of the Employment Security Act, as applied mutatis mutandis pursuant to Article 26-6, paragraph (5), is punished by imprisonment for not more than one year or a fine of not more than one million yen.

第九十九条の三 第十五条第三項の規定に違反して秘密を漏らした者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 99-3 A person who has divulged any confidential information in violation of the provisions of Article 15, paragraph (3) is punished by imprisonment for

not more than one year or a fine of not more than five hundred thousand yen.

第百条 次の各号のいずれかに該当する者は、六月以下の懲役又は三十万円以下の罰金に処する。

Article 100 A person who falls under any of the following items is punished by imprisonment with work for not more than six months or a fine of not more than three hundred thousand yen:

一 第二十六条の六第四項の規定による届出をしないで、訓練担当者の募集に従事した者

(i) a person who has been engaged in recruitment for persons in charge of training without filing a notification under the provisions of Article 26-6, paragraph (4);

二 第二十六条の六第五項において準用する職業安定法第三十七条第二項の規定による指示に従わなかつた者

(ii) a person who has failed to follow the instruction under the provisions of Article 37, paragraph (2) of the Employment Security Act as applied mutatis mutandis pursuant to the provisions of Article 26-6, paragraph (5);

三 第二十六条の六第五項において準用する職業安定法第三十九条又は第四十条の規定に違反した者

(iii) a person who has violated the provisions of Article 39 or Article 40 of the Employment Security Act as applied mutatis mutandis pursuant to the provisions of Article 26-6, paragraph (5);

四 第三十条の十三第一項（第三十条の二十六において準用する場合を含む。）又は第四十七条第二項の規定に違反して秘密を漏らした者

(iv) a person that has divulged any confidential information in violation of the provisions of Article 30-13, paragraph (1) (including as applied mutatis mutandis pursuant to Article 30-26) or Article 47, paragraph (2);

五 第七十七条第一項又は第八十九条第一項の規定に違反して秘密を漏らし、又は盗用した者

(v) a person who has divulged or misappropriated any confidential information in violation of the provisions of Article 77, paragraph (1) or Article 89, paragraph (1).

第百条の二 次の各号のいずれかに掲げる違反があつた場合には、その違反行為をした登録試験機関又は指定登録機関の役員又は職員は、三十万円以下の罰金に処する。

Article 100-2 If a violation stated in one of the following items has occurred, the officer or employee of the registered examining agency or designated registration agency that has committed the violation is subject to a fine of not more than three hundred thousand yen:

一 第三十条の十（第三十条の二十六において準用する場合を含む。）の許可を受けないで資格試験業務又は登録事務の全部を廃止したとき。

(i) the officer or employee has discontinued all of the operations related to qualifying examinations or registration work without obtaining the permission referred to in Article 30-10 (including as applied mutatis mutandis pursuant to Article 30-26);

二 第三十条の十六（第三十条の二十六において準用する場合を含む。）の規定に違反して資格試験業務又は登録事務に関する帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(ii) the officer or employee has failed to keep books concerning the operations related to qualifying examinations or registration work, has failed to make entries in the books, has made false entries in the books, or has failed to preserve the books in violation of the provisions of Article 30-16 (including as applied mutatis mutandis pursuant to Article 30-26);

三 第三十条の十七第一項（第三十条の二十六において準用する場合を含む。以下この号において同じ。）の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) the officer or employee has failed to make a report under the provisions of Article 30-17, paragraph (1) (including as applied mutatis mutandis pursuant to Article 30-26; the same applies below in this item), or has made a false report; or has refused, has obstructed, or has evaded an inspection under the provisions of that paragraph.

第百一条 第四十八条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした指定試験機関の役員又は職員は、三十万円以下の罰金に処する。

Article 101 If a designated examining agency has failed to make a report under the provisions of Article 48, paragraph (1) or has made a false report, or has refused, has obstructed, or has evaded an inspection under the provisions of that paragraph, the officer or employee of the designated examining agency that has committed the violation is punished by a fine not more than three hundred thousand yen.

第百二条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 102 A person who falls under any of the following items is punished by a fine not more than three hundred thousand yen:

一 第二十六条の五第二項の規定に違反した者

(i) a person who has violated the provisions of Article 26-5, paragraph (2);

二 第二十六条の六第五項において準用する職業安定法第五十条第一項の規定による報告をせず、又は虚偽の報告をした者

(ii) a person who has failed to make a report under the provisions of Article 50, paragraph (1) of the Employment Security Act as applied mutatis mutandis pursuant to the provisions of Article 26-6, paragraph (5) or has made a false

report;

三 第二十六条の六第五項において準用する職業安定法第五十条第二項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避し、又は質問に対して答弁をせず、若しくは虚偽の陳述をした者

(iii) a person who has refused, has obstructed, or has evaded the entry of the personnel of an administrative authority or inspection or has failed to answer questions under the provisions of Article 50, paragraph (2) of the Employment Security Act as applied mutatis mutandis pursuant to the provisions of Article 26-6, paragraph (5), or has made a false statement;

四 第二十六条の六第五項において準用する職業安定法第五十一条第一項の規定に違反して秘密を漏らした者

(iv) a person who has divulged any confidential information in violation of the provisions of Article 51, paragraph (1) of the Employment Security Act as applied mutatis mutandis pursuant to Article 26-6, paragraph (5);

五 第三十条の二十二第二項の規定によりキャリアコンサルタントの名称の使用の停止を命ぜられた者で、当該停止を命ぜられた期間中に、キャリアコンサルタントの名称を使用したもの

(v) a person who has been ordered to suspend the use of the title “キャリアコンサルタント” (pronounced “kyaria konsarutanto”, meaning career consultant) pursuant to the provisions of Article 30-22, paragraph (2) and has used that title during the period of the suspension;

六 第三十条の二十八の規定に違反した者

(vi) a person who has violated the provisions of Article 30-28;

七 第五十条第三項の規定により技能士の名称の使用の停止を命ぜられた者で、当該停止を命ぜられた期間中に、技能士の名称を使用したもの

(vii) a person who has been ordered to suspend the use of the title “技能士” (pronounced “ginoshi”, meaning “certified skilled worker”) pursuant to the provisions of Article 50, paragraph (3) and has used that title during the period of the suspension;

八 第五十条第四項の規定に違反した者

(viii) a person who has violated the provisions of Article 50, paragraph (4).

第百三条 第七十四条第一項（第九十条第一項において準用する場合を含む。以下この条において同じ。）の規定による報告をせず、若しくは虚偽の報告をし、又は第七十四条第一項の規定による検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした中央協会又は都道府県協会の役員又は職員は、三十万円以下の罰金に処する。

Article 103 If the Japan Association or Prefectural Association has failed to make a report under the provisions of Article 74, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1); the same applies below in this Article) or has made a false report, or has refused, has obstructed, or has evaded the inspection under the provisions of

Article 74, paragraph (1), the officer or employee of the Japan Association or Prefectural Association that has committed the violation is punished by a fine of not more than three hundred thousand yen.

第百四条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、第九十九条の二、第百条第一号から第三号まで、第百二条第一号から第四号まで又は前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 104 If a representative of a corporation or an agent, employee, or another worker of a corporation or an individual has committed a violation referred to in Article 99-2, Article 100, item (i) through item (iii), Article 102, item (i) through item (iv), and the preceding Article, in relation to the business of the corporation or individual, the offender as well as the corporation or individual are punished by the fine prescribed in the respective Articles.

第百五条 第三十条の十五第二項（第三十条の二十六において準用する場合を含む。）又は第四十七条第四項の規定による厚生労働大臣の命令に違反した場合には、その違反行為をした登録試験機関、指定登録機関又は指定試験機関の役員は、五十万円以下の過料に処する。

Article 105 If an order of the Minister of Health, Labour and Welfare under Article 30-15, paragraph (2) (including as applied mutatis mutandis pursuant to Article 30-26) or Article 47, paragraph (4) has been violated, the officer of the registered examining agency, designated registration agency, or designated examining agency that has committed the violation is subject to a civil fine of not more than five hundred yen.

第百五条の二 第三十条の十一第一項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに同条第二項各号の規定による請求を拒んだ場合には、その違反行為をした登録試験機関の役員又は職員は、二十万円以下の過料に処する。

Article 105-2 If a registered examining agency has failed to keep financial statements and other records in violation of the provisions of Article 30-11, paragraph (1), has failed to state the necessary matters in the financial statements and other records, or has made a false statement, or has refused a request under the provisions of the items of paragraph (2) of that Article without justifiable grounds, an officer or employee of the registered examining agency who has committed the violation is subject to a civil fine of not more than two hundred thousand yen.

第百六条 次の各号のいずれかに該当する場合には、その違反行為をした中央協会又は都道府県協会の発起人、役員又は清算人は、二十万円以下の過料に処する。

Article 106 If the Japan Association or Prefectural Association falls under any of the following items, the founder, officer, or liquidator of the Japan Association or Prefectural Association that has committed the violation is punished by a civil fine of not more than two hundred thousand yen:

一 第五十五条又は第八十二条に規定する業務以外の業務を行つたとき。

(i) if it has carried out any operations other than those prescribed in Article 55 or Article 82;

二 第五十七条第二項又は第八十三条第二項の規定に違反したとき。

(ii) if it has violated the provisions of Article 57, paragraph (2) or Article 83, paragraph (2);

三 第六十八条第一項（第九十条第一項において準用する場合を含む。以下この号において同じ。）の規定に違反して、第六十八条第一項に規定する書類を備えて置かないとき。

(iii) if it has failed to keep the documents under the provisions of Article 68, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1); the same applies below in this item) in violation of the provisions of Article 68, paragraph (1);

四 第七十二条第一項（第九十条第一項において準用する場合を含む。）の認可を受けないで財産を処分したとき。

(iv) if it has disposed of its assets without obtaining the authorization referred to in Article 72, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1));

五 第七十三条（第九十条第一項において準用する場合を含む。）の規定に違反したとき。

(v) if it has violated the provisions of Article 73 (including as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1));

六 第七十五条第一号（第九十条第一項において準用する場合を含む。）の規定による厚生労働大臣の命令に違反したとき。

(vi) if it has violated the order issued by the Minister of Health, Labour and Welfare under Article 75, item (i) (including as applied mutatis mutandis pursuant to the provisions of Article 90, paragraph (1));

七 第七十八条又は第九十条第一項において準用する第三十四条第一項の規定に違反したとき。

(vii) if it has violated the provisions of Article 34, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 78 or Article 90, paragraph (1);

八 第七十八条又は第九十条第一項において準用する第四十条の二第二項又は第四十一条の十第一項の規定に違反して、破産手続開始の申立てをしなかつたとき。

(viii) if it has failed to file a petition for commencement of bankruptcy proceedings in violation of the provisions of Article 40-2, paragraph (2) or Article 41-10, paragraph (1) as applied mutatis mutandis pursuant to the

- provisions of Article 78 or Article 90, paragraph (1);
- 九 第七十八条又は第九十条第一項において準用する第四十一条の八第一項又は第四十一条の十第一項の規定による公告をせず、又は不正の公告をしたとき。
- (ix) if it has failed to issue a public notice under the provisions of Article 41-8, paragraph (1) or Article 41-10, paragraph (1) as applied mutatis mutandis pursuant to the provisions of Article 78 or Article 90, paragraph (1) or has issued a false public notice;
- 十 第七十八条又は第九十条第一項において準用する第四十二条の二第二項の規定による裁判所の検査を妨げたとき。
- (x) if it has obstructed an inspection by the court under the provisions of Article 42-2, paragraph (2) as applied mutatis mutandis pursuant to the provisions of Article 78 or Article 90, paragraph (1); or
- 十一 事業報告書、貸借対照表、収支決算書又は財産目録に記載すべき事項を記載せず、又は不実の記載をしたとき。
- (xi) if it has failed to make the necessary entries in a business report, a balance sheet, an income and expenditure settlement, or an inventory of assets, or has made false entries in those documents.

第百七条 次の各号のいずれかに該当する場合には、その違反行為をした職業訓練法人の役員又は清算人は、二十万円以下の過料に処する。

Article 107 If a vocational training corporation falls under any of the following items, the officer or liquidator of the vocational training corporation that has committed the violation is punished by a civil fine of not more than two hundred thousand yen:

- 一 第三十三条又は第九十二条に規定する業務以外の業務を行つたとき。
- (i) if it has carried out any operations other than those prescribed in Article 33 or Article 92;
- 二 第三十四条第一項の規定に違反したとき。
- (ii) if it has violated the provisions of Article 34, paragraph (1);
- 三 第三十九条第三項の規定による届出をせず、又は虚偽の届出をしたとき。
- (iii) if it has failed to file a notification under the provisions of Article 39, paragraph (3) or has filed a false notification;
- 四 第三十七条の二第一項の規定に違反して、財産目録を備えて置かないとき。
- (iv) if it has failed to keep an inventory of assets in violation of the provisions of Article 37-2, paragraph (1);
- 五 第三十九条の二第二項又は第四十二条の二第二項の規定による都道府県知事又は裁判所の検査を妨げたとき。
- (v) if it has obstructed an inspection by the prefectural governor or the court under the provisions of Article 39-2, paragraph (2) or Article 42-2, paragraph (2);
- 六 第四十条の二第二項又は第四十一条の十第一項の規定に違反して、破産手続開始

の申立てをしなかつたとき。

(vi) if it has failed to file a petition for commencement of bankruptcy proceedings in violation of the provisions of Article 40-2, paragraph (2) or Article 41-10, paragraph (1);

七 第四十一条の八第一項又は第四十一条の十第一項の規定による公告をせず、又は不正の公告をしたとき。

(vii) if it has failed to issue a public notice under the provisions of Article 41-8, paragraph (1) or Article 41-10, paragraph (1) or has issued a false public notice;

八 第四十二条第二項又は第三項の認可を受けないで残余財産を処分したとき。

(viii) if it has disposed of its residual assets without obtaining the authorization referred to in Article 42, paragraph (2) or paragraph (3); or

九 財産目録に記載すべき事項を記載せず、又は不実の記載をしたとき。

(ix) if it has failed to make the necessary entries in an inventory of assets or has made false entries in the inventory of assets.

第百八条 第十七条、第二十七条第四項、第三十二条第二項、第五十三条第二項又は第八十条第二項の規定に違反したもの（法人その他の団体であるときは、その代表者）は、十万円以下の過料に処する。

Article 108 A person who has violated the provisions of Article 17, Article 27, paragraph (4), Article 32, paragraph (2), Article 53, paragraph (2), or Article 80, paragraph (2) (in the case of a corporation or another organization, its representative) is punished by a civil fine of not more than one hundred thousand yen.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第一条 この法律（以下「新法」という。）は、昭和四十四年十月一日から施行する。ただし、第六章の規定、第百三条から第百六条までの規定及び第百八条の規定（第六十七条第二項及び第八十七条第二項に係る部分に限る。）並びに附則第八条第一項の規定は、公布の日から施行する。

Article 1 This Act (referred to below as the "New Act") comes into effect on October 1, 1969; provided, however, that the provisions of Chapter 6, the provisions of Article 103 through Article 106 and Article 108 (limited to the part related to the provisions of Article 67, paragraph (2) and Article 87, paragraph (2)) and the provisions of Article 8, paragraph (1) of the Supplementary Provisions come into effect from the date of promulgation.

(法律の廃止)

(Repeal of the Act)

第二条 職業訓練法（昭和三十二年法律第百三十三号）は、廃止する。

Article 2 The Vocational Training Act (Act No. 133 of 1958) is repealed.

(技能照査に関する経過措置)

(Transitional Measures for Trade Skills Assessment Test)

第三条 新法第十二条第一項の規定は、昭和四十五年四月一日以後に高等訓練課程の養成訓練を修了する者について適用する。

Article 3 The provisions of Article 12, paragraph (1) of the New Act apply to a person who completes a training curriculum of an advanced training course on or after April 1, 1970.

(公共職業訓練施設に関する経過措置)

(Transitional Measures for Public Vocational Training Institutions)

第四条 附則第二条の規定による廃止前の職業訓練法（以下「旧法」という。）第五条から第八条までの規定による一般職業訓練所、総合職業訓練所、職業訓練大学校又は身体障害者職業訓練所は、それぞれ新法第十五条から第十八条までの規定による専修職業訓練校、高等職業訓練校、職業訓練大学校又は身体障害者職業訓練校となるものとする。

Article 4 (1) A general vocational school, comprehensive vocational school, vocational university, or vocational school for persons with disabilities under the provisions of Article 5 through Article 8 of the Vocational Training Act before the repeal under the provisions of Article 2 of the Supplementary Provisions (referred to below as the "Former Act") are to become a specialized vocational school, advanced vocational school, vocational university, and vocational school for persons with disabilities under the provisions of Article 15 through Article 18 of the New Act, respectively.

2 新法第十九条第一項の規定により都道府県又は市町村が設置した高等職業訓練校は、新法第十六条第一項各号に掲げる業務のほか、当分の間、新法第十五条第一項第一号に掲げる業務を行なうことができる。

(2) An advanced vocational school established by a prefectural or municipal government under the provisions of Article 19, paragraph (1) of the New Act may carry out the operations specified in Article 15, paragraph (1), item (i) of the New Act, beyond the operations referred to in the items of Article 16, paragraph (1) of the New Act, unless otherwise provided for by law.

3 新法の施行の際現になされている旧法第八条第二項の規定による委託は、新法第十八条第二項の規定による委託とみなす。

(3) Entrusted operations being provided under the provisions of Article 8, paragraph (2) of the Former Act at the time of the enforcement of the New Act are deemed as entrusted operations under the provisions of Article 18,

paragraph (2) of the New Act.

(認定職業訓練に関する経過措置)

(Transitional Measures for the Accredited Vocational Training)

第五条 新法の施行の際現になされている旧法第十二条第一項の認可（市町村に係る認可を除く。）又は旧法第十五条第一項若しくは第十六条第一項の認定は、高等訓練課程の養成訓練に係る新法第二十四条第一項の認定とみなす。

Article 5 The authorization referred to in Article 12, paragraph (1) of the Former Act (excluding authorization related to municipal governments) or the accreditation referred to in Article 15, paragraph (1) or Article 16, paragraph (1) of the Former Act which was granted at the time of the enforcement of the New Act is deemed as the accreditation referred to in Article 24, paragraph (1) of the New Act related to education and training in advanced training courses.

(職業訓練指導員免許に関する経過措置)

(Transitional Measures for Vocational Training Instructor's License)

第六条 旧法第二十二條第一項の免許を受けた者は、新法第二十八條第一項の免許を受けた者とみなす。

Article 6 (1) A person who has obtained a license referred to in Article 22, paragraph (1) of the Former Act is deemed as a person who has obtained a license referred to in Article 28, paragraph (1) of the New Act.

2 旧法第二十三條第一項又は第二項の規定による免許の取消しは、新法第二十九條第一項又は第二項の規定による免許の取消しとみなす。

(2) The revocation of a license under the provisions of Article 23, paragraphs (1) or (2) of the Former Act is deemed as the revocation of a license under the provisions of Article 29, paragraph (1) or paragraph (2) of the New Act.

(技能検定に関する経過措置)

(Transitional Measures for Trade Skills Tests)

第七条 新法の施行の際現に旧法第二十五条第一項の技能検定を受けている者に係る当該技能検定については、なお従前の例による。

Article 7 (1) Prior laws continue to govern trade skills tests for a person who has taken a trade skills test referred to in Article 25, paragraph (1) of the Former Act at the time of the enforcement of the New Act.

2 旧法第二十五条第一項の技能検定（前項の規定に基づく技能検定を含む。）に合格した者は、新法第六十二条第一項の技能検定に合格した者とみなす。

(2) A person who has passed a trade skills test referred to in Article 25, paragraph (1) of the Former Act (including trade skills tests under the provision of the preceding paragraph) is deemed as a person who has passed a trade skills test referred to in Article 62, paragraph (1) of the New Act.

(名称の使用制限に関する経過措置)

(Transitional Measures for Restrictions on Use of Titles)

第八条 新法の公布の際現にその名称中に中央技能検定協会又は都道府県名を冠した技能検定協会という文字を用いているものについては、新法第六十七条第二項又は第八十七条第二項の規定は、新法の公布後六月間は、適用しない。

Article 8 (1) The provisions of Article 67, paragraph (2) or Article 87, paragraph (2) of the New Act do not apply to a person that has been using the characters “中央技能検定協会” (pronounced “chuo gino kentei kyokai”, meaning “Japan Trade Skills Test Association”), or “技能検定協会” (pronounced “gino kentei kyokai”, meaning “Trade Skills Test Association”) bearing the name of a prefecture in its name, at the time of the promulgation of the New Act, for six months after the promulgation of the New Act.

2 新法の施行の際現にその名称中に専修職業訓練校、高等職業訓練校、職業訓練大学校、身体障害者職業訓練校、職業訓練法人、職業訓練法人連合会若しくは職業訓練法人中央会という文字を用いているもの又は技能士という名称を用いている者については、新法第二十二条、第三十二条第二項、第四十四条第二項又は第六十六条第二項の規定は、新法の施行後六月間は、適用しない。

(2) The provisions of Article 22, Article 32, paragraph (2), Article 44, paragraph (2), or Article 66, paragraph (2) of the New Act do not apply to persons that have been using the characters “専修職業訓練校” (pronounced “senshu shokugyo kunrenko”, meaning “specialized vocational school”), “高等職業訓練校” (pronounced “koto shokugyo kunrenko”, meaning “advanced vocational school”), “職業訓練大学校” (pronounced “shokugyo kunren daigakko”, meaning “vocational university”), “身体障害者職業訓練校” (pronounced “shintai shogaisha shokugyo kunrenko”, meaning “vocational school for persons with disabilities”), “職業訓練法人” (pronounced “shokugyo kunren hojin”, meaning “vocational training corporation”), “職業訓練法人連合会” (pronounced “shokugyo kunren hojin”, meaning “the Federation of Vocational Training Corporations”), or 職業訓練法人中央会 (pronounced “shokugyo kunren hojin chuokai”, meaning “the Japan Association of Vocational Training Corporations”) in their names or who have been using the title “技能士” (pronounced “ginoshi”, meaning “certified skilled worker”), at the time of the enforcement of the New Act, for six months after the enforcement of the New Act.

(職業訓練審議会に関する経過措置)

(Transitional Measures for Vocational Training Councils)

第九条 旧法第三十条又は第三十二条の規定による中央職業訓練審議会又は都道府県職業訓練審議会は、それぞれ新法第九十五条又は第九十七条の規定による中央職業訓練審議会又は都道府県職業訓練審議会となるものとする。

Article 9 The Japan Vocational Training Council or Prefectural Vocational Training Councils under the provisions of Article 30 or Article 32 of the Former

Act is to become the Japan Vocational Training Council or Prefectural Vocational Training Councils under the provisions of Article 95 or Article 97 of the New Act, respectively