

法務省関係国家戦略特別区域法施行規則 Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice

(平成二十七年八月三十一日法務省令第四十号)
(Ministry of Justice Order No. 40 of August 31, 2015)

国家戦略特別区域法（平成二十五年法律第百七号）第四十条及び国家戦略特別区域法施行令（平成二十六年政令第九十九号）第十八条第一号並びに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）第二条の二第三項及び第七条の二の規定に基づき、法務省関係国家戦略特別区域法施行規則を次のように定める。

Pursuant to the provisions of Article 40 of the Act on National Strategic Special Zones (Act No. 107 of 2013), the provisions of Article 18, item (i) of the Order for the Enforcement of the Act on National Strategic Special Zones (Cabinet Order No. 99 of 2014), and the provisions of Article 2-2, paragraph (3) and Article 7-2 of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), Regulations for Enforcement of the Act on National Strategic Special Zones Related to Ministry of Justice are established as follows.

(用語)

(Terms)

第一条 この省令で使用する用語は、国家戦略特別区域法（平成二十五年法律第百七号）、国家戦略特別区域法施行令（平成二十六年政令第九十九号）、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。以下「入管法」という。）及び出入国管理及び難民認定法施行規則（昭和五十六年法務省令第五十四号。以下「入管法施行規則」という。）で使用する用語の例による。

Article 1 The terms used in this Ministerial Order have the same meanings of the terms used in the Act on National Strategic Special Zones (Act No. 107 of 2013), the Order for Enforcement of the Act on National Strategic Special Zones (Cabinet Order No. 99 of 2014), the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; referred to below as "Immigration Control Act"), and the Regulations for Enforcement of the Immigration Control and Refugee Recognition Act (Ministry of Justice Order No. 54 of 1981; referred to below as "Regulations for Enforcement of the Immigration Control Act").

(国家戦略特別区域法施行令第二十二條第一号の確認の申請)

(Application for Confirmation Under Article 22, Item (i) of Order for
Enforcement of Act on National Strategic Special Zones)

第二条 国家戦略特別区域法施行令第二十二條第一号の確認（以下「創業活動確認」という。）を受けようとする外国人は、次に掲げる事項を記載した創業活動計画を作成し、これを関係地方公共団体に提出して、創業活動確認の申請をしなければならない。

Article 2 (1) A foreign national who seeks confirmation under Article 22, item (i) of the Order for Enforcement of the Act on National Strategic Special Zones (referred to below as "confirmation of entrepreneurial activities") must create an entrepreneurial activity plan that states the following matters, submit the plan to the relevant local government, and apply for a confirmation of entrepreneurial activities:

一 事業の種類及び内容

(i) the type and details of their business;

二 事業を行う地域

(ii) the region where their business is to be operated;

三 事業所の開設時期及び開設場所

(iii) the date and place of establishment of their offices;

四 事業開始までの具体的な計画

(iv) a concrete plan until the business starts;

五 創業活動を行うために必要な資金の額及びその調達方法

(v) the amount of funds needed for conducting entrepreneurial activities and the method of their procurement;

六 法人を設立する場合にあっては、役員になろうとする者の氏名、住所及び国籍並びに勤務形態

(vi) if the applicant establishes a corporation, the name, address, nationality, and working arrangements of a person to assume the position of officer;

七 国家戦略特別区域法施行令第二十二條第一号ハに規定する事業の規模に関する事項

(vii) matters regarding the scale of business prescribed in Article 22, item (i), (c) of the Order for Enforcement of the Act on National Strategic Special Zones; and

八 その他事業の計画に関する事項

(viii) other matters regarding their business plan.

2 前項の創業活動計画には、次に掲げる書類を添付しなければならない。

(2) The applicant must attach the following documents to the entrepreneurial activity plan referred to in the preceding paragraph:

一 創業活動の工程表

(i) a process chart of the entrepreneurial activities;

二 申請をする者の履歴書

(ii) a resume of the applicant;

三 申請をする者の上陸後六月間の住居を明らかにする書類

(iii) a document proving the applicant's residence for six months after their landing in Japan; and

四 その他参考となるべき書類

(iv) other documents for reference.

(関係地方公共団体による確認)

(Confirmation by the Relevant Local Government)

第三条 前条の申請を受けた関係地方公共団体は、事業の経営に関し識見を有する者の意見を聴いた上、国家戦略特別区域法施行令第二十二條第一号イからニまでのいずれにも該当すると認めたときは、創業活動確認をするものとする。

Article 3 (1) The relevant local government that received an application referred to in the preceding Article is, after consulting persons well versed in business operations, to confirm the entrepreneurial activities, if it finds the plan falling under all of the matters of Article 22, item (i), (a) through (d) of the Order for Enforcement of the Act on National Strategic Special Zones.

2 関係地方公共団体は、創業活動確認をしたときは、申請をした外国人に対し、創業活動確認証明書を交付するものとする。

(2) When the relevant local government confirms the entrepreneurial activities, it is to issue a certificate of confirmation of the entrepreneurial activities to the foreign national who has submitted an application.

3 前項の創業活動確認証明書の有効期間は、交付の日から起算して三月とする。

(3) The validity of a certificate of confirmation of the entrepreneurial activities, referred to in the preceding paragraph, is three months from the date of issuance.

(関係地方公共団体の責務)

(Responsibility of the Relevant Local Government)

第四条 関係地方公共団体は、創業活動確認証明書を交付した外国人について、その上陸後六月間、次に掲げる措置を講ずるものとする。

Article 4 The relevant local government is to continue to take the measures stated in the following items for six months after the landing of the relevant foreign national for whom the government has issued a certificate of confirmation of the entrepreneurial activities:

一 創業活動に関する相談に応じるための体制を確保すること。

(i) secure a system to provide consultation relating to the entrepreneurial activities;

二 創業活動計画の進捗状況を定期的に確認し、当該外国人の創業活動が円滑かつ確実に実施されるよう、適切な措置を講ずること。

(ii) confirm the progress of the entrepreneurial activity plan on a regular basis and take appropriate measures in order to ensure that the entrepreneurial activities of the foreign national can be conducted smoothly and reliably; and

三 創業活動の継続が困難になった場合に帰国が確保されるよう、適切な措置を講ずること。

(iii) take appropriate measures to ensure that the foreign national can return to their home country if it is no longer viable to continue the entrepreneurial activities.

(在留期間)

(Period of Stay)

第五条 国家戦略特別区域法第十六条の六第一項の規定の適用を受ける入管法第七条の二第一項の申請により交付された在留資格認定証明書を提出して入管法第六条第二項の申請をした外国人に対して経営・管理の在留資格を決定する場合における在留期間は、入管法施行規則第三条の規定にかかわらず、六月とする。

Article 5 Notwithstanding the provisions of Article 3 of the Regulations for Enforcement of the Immigration Control Act, the period of stay is six months if the status of residence of "Business Manager" is granted for a foreign national who has submitted an application under Article 6, paragraph (2) of the Immigration Control Act upon submitting a certificate of eligibility issued based on an application under Article 7-2, paragraph (1) of the Immigration Control Act subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones.

(在留資格認定証明書交付申請に係る提出資料)

(Materials to Be Submitted with an Application for Issuance of a Certificate of Eligibility)

第六条 国家戦略特別区域法第十六条の六第一項の規定の適用を受ける入管法第七条の二第一項の申請に当たっては、入管法施行規則第六条の二第二項の規定にかかわらず、写真（申請の日前三月以内に撮影されたもので入管法施行規則別表第三の二に定める要件を満たしたものとし、かつ、裏面に氏名を記入したものとする。）一葉並びに第二条の規定により提出された創業活動計画の写し、有効な創業活動確認証明書の写し及びその他参考となるべき資料各一通を提出しなければならない。

Article 6 When submitting an application under Article 7-2, paragraph (1) of the Immigration Control Act subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones, notwithstanding the provisions of Article 6-2, paragraph (2) of the Regulations for Enforcement of the Immigration Control Act, an applicant must submit a photograph (taken within three months before the date of the application and which satisfies the requirements specified in Appended Table III (2) of the Regulations for Enforcement of the Immigration Control Act, and with the applicant's name written on its back side), and a copy of their entrepreneurial activity plan submitted pursuant to the provisions of Article 2, a copy of a valid certificate for confirmation of the entrepreneurial activities, and other materials for reference.

(在留資格認定証明書交付申請に係る代理人)

(Agent to Submit an Application for Issuance of a Certificate of Eligibility)

第七条 国家戦略特別区域法第十六条の六第一項の規定の適用を受ける入管法第七条の二第一項の申請をする場合における同条第二項の法務省令で定める者は、入管法施行規則第六条の二第三項の規定にかかわらず、次の各号に掲げる者とする。

Article 7 The person prescribed by Ministry of Justice Order under Article 7-2, paragraph (2) of the Immigration Control Act in case of an application under paragraph (1) of that Article subject to the provisions of Article 16-6, paragraph (1) of the Act on National Strategic Special Zones is to be a person stated in the following items, notwithstanding the provisions of Article 6-2, paragraph (3) of the Regulations for Enforcement of the Immigration Control Act;

一 当該申請をする外国人が経営を行うこととなる事業の本邦の事業所の職員又は当該事業所の設置について委託を受けている者（法人である場合にあっては、その職員）

(i) a staff member of an office in Japan for the business which is to be managed by the foreign national submitting the application or a person who has been entrusted with establishing that office (if it is a corporation, its staff member);

二 当該申請に係る創業活動について創業活動確認をした関係地方公共団体の職員

(ii) an official of the relevant local government which has confirmed the entrepreneurial activities included in the application.