

外国人の育成就労の適正な実施及び育成就労外国人の保護に関する法律（平成二十八年十一月二十八日法律第八十九号）

Act on Proper Implementation of Employment for Skill  
Development and Protection of Skill Development  
Employees (Act No. 89 of November 28, 2016)

(平成二十八年法律第八十九号)  
(Act No. 89 of 2016)

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第一章 総則

Chapter I General Provisions

（目的）

(Purpose)

第一条 この法律は、育成就労に関し、基本理念を定め、国等の責務を明らかにするとともに、育成就労計画の認定及び監理支援機関の許可の制度を設けること等により、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。）その他の出入国に関する法令及び労働基準法（昭和二十二年法律第四十九号）、労働安全衛生法（昭和四十七年法律第五十七号）その他の労働に関する法令と相まって、育成就労の適正な実施及び育成就労外国人の保護を図り、もって育成就労産業分野に属する相当程度の知識又は経験を必要とする技能を有する人材を育成するとともに、育成就労産業分野における人材を確保することを目的とする。

Article 1 The purpose of this Act, in conjunction with the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as the "Immigration Control Act") and other laws and regulations on immigration, as well as the Labor Standards Act (Act No. 49 of 1947), the Industrial Safety and Health Act (Act No. 57 of 1972), and other laws and regulations on labor, is to establish basic principles and clarify responsibilities of the national government and other relevant parties with respect to employment for skill development, and to ensure the proper implementation of employment for skill development and the protection of skill development employees by establishing systems for the accreditation of employment-for-skill-development plans and the licensing of supervising and support organizations, and taking other measures, thereby fostering human resources with skills requiring considerable degree of knowledge or experience in the employment-for-skill-development industrial fields and securing human resources in the employment-for-skill-development industrial fields.

（定義）

(Definitions)

第二条 この法律において、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。

Article 2 The terms in the following items as used in this Act are to have the

meanings as are defined in each item.

一 育成就労 単独型育成就労及び監理型育成就労をいう。

(i) The term "employment for skill development" means individual-enterprise-type employment for skill development and supervising-organization-type employment for skill development.

二 単独型育成就労 本邦の公私の機関の外国にある事業所の職員である外国人（入管法第二条第一号に規定する外国人をいう。以下同じ。）が、特定産業分野（入管法別表第一の二の表の特定技能の項の下欄第一号に規定する特定産業分野をいう。）のうち、外国人にその分野に属する技能を本邦において就労を通じて修得させることが相当であるものとして主務省令で定める分野（以下「育成就労産業分野」という。）に属する相当程度の知識又は経験を必要とする技能を修得するため、同表の育成就労の在留資格をもって、当該機関により受け入れられて必要な講習を受けること及び当該機関との雇用契約に基づいて当該機関の本邦にある事業所において当該育成就労産業分野に属する技能を要する業務に従事することをいう。

(ii) The term "individual-enterprise-type employment for skill development" means that a foreign national (meaning a foreign national provided for in Article 2, item (i) of the Immigration Control Act; the same applies hereinafter) who is an employee at a place of business located outside of Japan which belongs to a public or private organization in Japan, with the aim of acquiring skills requiring considerable degree of knowledge or experience in the specified industrial fields (meaning the specified industrial fields provided for in item (i) under the right-hand column of the Specified Skilled Worker section of the table of the Appended Table I (2) of the Immigration Control Act) that are as provided for in order of the competent ministries as those reasonable to have them acquire skills in those fields through employment in Japan (hereinafter referred to as "employment-for-skill-development industrial fields"), is accepted by that organization and attends the necessary course of lectures under the status of residence for "Employment for Skill Development" in that table, and engages in duties requiring skills in the employment-for-skill-development industrial fields at that organization's place of business located in Japan, under an employment contract signed with that organization.

三 監理型育成就労 次に掲げるものをいう。

(iii) The term "supervising-organization-type employment for skill development" means the following:

イ 外国人が、育成就労産業分野に属する相当程度の知識又は経験を必要とする技能を修得するため、入管法別表第一の二の表の育成就労の在留資格をもって、本邦の営利を目的としない法人により受け入れられて必要な講習を受けること（本邦の公私の機関が当該機関と主務省令で定める取引上密接な関係を有する外国の公私の機関の外国にある事業所の職員である外国人を雇用する場合にあっては、当該本邦の公私の機関により受け入れられて必要な講習を受けること）及び当該法人による監理支援を受ける本邦の公私の機関との雇用契約に基づいて当該機関の本邦にある事業所において当該育成就労産

業分野に属する技能を要する業務に従事すること。

(a) a foreign national is accepted by a not-for-profit corporation in Japan and attends the necessary course of lectures under the status of residence for "Employment for Skill Development" in the table of Appended Table I(2) of the Immigration Control Act (or, if a public or private organization in Japan employs a foreign national who is an employee of a place of business located outside of Japan which belongs to a public or private organization in a foreign country that has a close trade relationship provided for in order of the competent ministries with that organization in Japan, a foreign national is accepted by that public or private organization in Japan and attends the necessary course of lectures), and engages in duties requiring skills in the employment-for-skill-development industrial fields at that organization's place of business located in Japan, under an employment contract signed with that public or private organization in Japan that receives supervision and support from that Japanese corporation, with the aim of acquiring skills requiring considerable degree of knowledge or experience in the employment-for skill-development industrial fields.

ロ 外国人が、労働者派遣等育成就労産業分野（育成就労産業分野のうち、外国人にその分野に属する技能を本邦において就労を通じて修得させるに当たり季節的業務に従事させることを要する分野であって、当該技能を労働者派遣等（労働者派遣事業の適正な運営の確保及び派遣労働者の保護等に関する法律（昭和六十年法律第八十八号。以下このロにおいて「労働者派遣法」という。）第二条第一号に規定する労働者派遣又は船員職業安定法（昭和二十三年法律第百三十号）第六条第十一項に規定する船員派遣をいう。（１）及び（２）並びに第二十条第二項において同じ。）による就労を通じて修得させることができると認められるものとして主務省令で定める分野をいう。以下同じ。）に属する相当程度の知識又は経験を必要とする技能を修得するため、入管法別表第一の二の表の育成就労の在留資格をもって、本邦の営利を目的としない法人により受け入れられて必要な講習を受けること及び当該法人による監理支援を受ける本邦の派遣元事業主等（労働者派遣法第二条第四号に規定する派遣元事業主又は船員職業安定法第六条第十四項に規定する船員派遣元事業主をいう。以下同じ。）との雇用契約に基づいて次の（１）又は（２）に掲げる業務のいずれかに従事すること。

(b) in order to acquire skills requiring considerable degree of knowledge or experience in the employment-for-skill-development industrial fields through worker dispatch, etc. (meaning the employment-for-skill-development industrial fields that require having foreign nationals engage in seasonal work to acquire skills in those fields through employment in Japan and are as prescribed by order of the competent ministries as being regarded as possible to have them acquire through employment through worker dispatch, etc. (meaning the worker dispatch referred to in Article 2, item (i) of the Act on Ensuring the Proper Operation of Worker Dispatching Services and Protecting Dispatched Workers (Act No. 88 of 1985; hereinafter referred to as the "Worker Dispatching Act" in this subitem) or the mariner dispatching referred to in Article 6, paragraph (11)

of the Mariners' Employment Security Act (Act No. 130 of 1948); the same applies in sub-subitems 1. and 2., and Article 20, paragraph (2); the same applies hereinafter), a foreign national is accepted by a not-for-profit corporation in Japan and attends the necessary course of lectures under the status of residence for Employment for Skill Development in the table of the Appended Table I (2) of the Immigration Control Act, and engages in any of the duties stated in sub-subitem 1. or 2. below under an employment contract with a staffing provider in Japan, etc. (meaning the staffing provider provided for in Article 2, item (iv) of the Worker Dispatching Act or the mariner staffing provider under Article 6, paragraph (14) of the Mariners' Employment Security Act; the same applies hereinafter) that receive supervision and support from that corporation.

(1) 当該派遣元事業主等の本邦にある事業所において行う当該労働者派遣等育成就労産業分野に属する技能を要する業務及び労働者派遣等により当該法人による監理支援を受け一又は複数の本邦の派遣先（労働者派遣法第二条第四号に規定する派遣先又は船員職業安定法第六条第十七項に規定する派遣先をいう。以下同じ。）の本邦にある事業所において行う当該労働者派遣等育成就労産業分野に属する技能を要する業務

1. duties requiring the skills in the employment-for-skill-development industrial fields through worker dispatch, etc., to be conducted at a place of business located in Japan of the staffing provider, etc., and duties requiring the skills in the employment-for-skill-development industrial fields through worker dispatch, etc., to be conducted at a place of business located in Japan of one or more clients in Japan (meaning the client provided for in Article 2, item (iv) of the Worker Dispatching Act or the client under Article 6, paragraph (15) of the Mariners' Employment Security Act; the same applies hereinafter) that receive supervision and support from that corporation through worker dispatch, etc.

(2) 労働者派遣等により当該法人による監理支援を受ける複数の本邦の派遣先の本邦にある事業所において行う当該労働者派遣等育成就労産業分野に属する技能を要する業務（(1)に掲げる業務を除く。）

2. duties requiring the skills in the employment-for-skill-development industrial fields through worker dispatch, etc., to be performed at a place of business located in Japan of more than one client in Japan that receives supervision and support from that corporation through worker dispatch, etc. (excluding the duties stated in sub-subitem 1.).

四 育成就労外国人 単独型育成就労外国人及び監理型育成就労外国人をいう。

(iv) The term "skill development employee" means individual-enterprise-type skill development employees and supervising-organization-type skill development employees.

五 単独型育成就労外国人 単独型育成就労の対象となっている外国人をいう。

(v) The term "individual-enterprise-type skill development employee" means the foreign national who is the subject of the individual-enterprise-type employment for skill development.

六 監理型育成就労外国人 監理型育成就労の対象となっている外国人をいう。

(vi) The term "supervising-organization-type skill development employee" means the foreign national who is the subject of the supervising-organization-type employment for skill development.

七 育成就労実施者 単独型育成就労実施者及び監理型育成就労実施者をいう。

(vii) The term "implementing organization for employment for skill development" means organizations implementing individual-enterprise-type employment for skill development and organizations implementing supervising-organization-type employment for skill development.

八 単独型育成就労実施者 第十一条第一項に規定する認定育成就労計画に基づき、単独型育成就労を行わせる者をいう。

(viii) The term "organization implementing individual-enterprise-type employment for skill development" means an organization which provides individual-enterprise-type employment for skill development based on the accredited employment-for-skill-development plan provided for in Article 11, paragraph (1).

九 監理型育成就労実施者 第十一条第一項に規定する認定育成就労計画に基づき、監理型育成就労を行わせる者をいう。

(ix) The term "organization implementing supervising-organization-type employment for skill development" means an organization which provides supervising-organization-type employment for skill development based on the accredited employment-for-skill-development plan provided for in Article 11, paragraph (1).

十 監理支援 次のイ及びロに掲げる行為（本邦の公私の機関が当該機関と第三号イの主務省令で定める取引上密接な関係を有する外国の公私の機関の外国にある事業所の職員である外国人を雇用する場合にあっては、ロに掲げる行為）を行うことをいう。

(x) The term "supervision and support" means conducting the acts stated in subitems (a) and (b) below (or, if a public or private organization in Japan employs a foreign national who is an employee of a place of business located outside of Japan which belongs to a public or private organization in a foreign country that has a close trade relationship (provided for in order of the competent ministries referred to in item (iii), subitem (a)) with that organization in Japan, the act stated in subitem (b)).

イ 監理型育成就労実施者等（監理型育成就労実施者又は監理型育成就労を行わせようとする者をいう。以下同じ。）（本邦の派遣先として第三号ロの監理型育成就労を行わせ、又は行わせようとする者を除く。）と監理型育成就労外国人等（監理型育成就労外国人又は監理型育成就労の対象となろうとする外国人をいう。以下同じ。）との間における雇用関係の成立のあつせん

(a) make arrangements to establish an employment relationship between an organization implementing supervising-organization-type employment for skill development, etc. (meaning organizations providing supervising-organization-

type employment for skill development or persons seeking to provide supervising-organization-type employment for skill development; the same applies hereinafter) (excluding those, as a client in Japan, providing or seeking to provide the supervising-organization-type employment for skill development referred to in item (iii), subitem (b)) and a supervising-organization-type skill development employees, etc. (meaning supervising-organization-type skill development employees or foreign nationals seeking to become the subject of supervising-organization-type employment for skill development; hereinafter the same); and

ロ 監理型育成就労実施者に対する監理型育成就労の実施に関する監理

(b) conduct supervision of organizations implementing supervising-organization-type employment for skill development over the implementation of supervising-organization-type employment for skill development.

十一 監理支援機関 第二十三条第一項の許可を受けて監理支援を行う事業を行う本邦の営利を目的としない法人をいう。

(xi) The term "supervising and support organization" means not-for-profit corporations in Japan that engage in the business to conduct supervision and support with the license under Article 23, paragraph (1).

(基本理念)

(Basic Principles)

第三条 育成就労は、育成就労産業分野に属する相当程度の知識又は経験を必要とする技能の適正な修得を図り、かつ、育成就労外国人が育成就労に専念できるようにその保護を図る体制が確立された環境で行われなければならない。

Article 3 Employment for skill development must be conducted in an environment with a well-established system to protect skill development employees to ensure that they can properly acquire skills requiring considerable degree of knowledge or experience in the employment-for-skill-development industrial fields and devote themselves to conducting employment for skill development.

(国及び地方公共団体の責務)

(Responsibilities of the National and Local Governments)

第四条 国は、この法律の目的を達成するため、前条の基本理念に従って、育成就労の適正な実施及び育成就労外国人の保護を図るために必要な施策を総合的かつ効果的に推進しなければならない。

Article 4 (1) In order to achieve the purpose of this Act, the national government must comprehensively and effectively promote measures necessary for ensuring the proper implementation of employment for skill development and the protection of skill development employees, in accordance with the basic principles set forth in the preceding Article.

2 地方公共団体は、前項の国の施策と相まって、地域の実情に応じ、育成就労の適正な実施及び育成就労外国人の保護を図るために必要な施策を推進するように努めなけれ

ばならない。

(2) In conjunction with the national government's measures set forth in the preceding paragraph, local governments must endeavor to promote measures necessary for ensuring the proper implementation of employment for skill development and the protection of skill development employees in accordance with the actual circumstances of the relevant region.

(育成就労実施者、監理支援機関等の責務)

(Responsibilities of Implementing Organizations for Employment for Development, Supervising and Support Organizations, and Other Organizations)

第五条 育成就労実施者は、育成就労の適正な実施及び育成就労外国人の保護について育成就労を行わせる者としての責任を自覚し、第三条の基本理念にのっとり、育成就労を行わせる環境の整備に努めるとともに、国及び地方公共団体が講ずる施策に協力しなければならない。

Article 5 (1) Implementing organizations for employment for development must be conscious of their responsibilities as the organizations providing employment for skill development with regard to the proper implementation of employment for skill development and the protection of skill development employees, and must endeavor to develop a suitable environment for providing employment for skill development and cooperate with the measures being implemented by the national government and local governments in accordance with the basic principles set forth in Article 3.

2 監理支援機関は、育成就労の適正な実施及び育成就労外国人の保護について重要な役割を果たすものであることを自覚し、監理支援の責任を適切に果たすとともに、国及び地方公共団体が講ずる施策に協力しなければならない。

(2) Supervising and support organizations must be conscious of the fact that they should play important roles in the proper implementation of employment for skill development and the protection of skill development employees, and must fulfill their responsibilities for supervision and support in an appropriate manner and cooperate with the measures being implemented by the national government and local governments.

3 育成就労実施者又は監理支援機関を構成員とする団体は、その構成員である育成就労実施者又は監理支援機関に対し、育成就労の適正な実施及び育成就労外国人の保護を図るために必要な指導及び助言をするように努めなければならない。

(3) Associations consisting of implementing organizations for employment for development or supervising and support organizations must endeavor to provide the necessary guidance and advice to the implementing organizations or supervising and support organizations as their members in order to ensure the proper implementation of employment for skill development and the protection of skill development employees.

(育成就労外国人の責務)

(Responsibilities of Skill Development Employees)

第六条 育成就労外国人は、育成就労に専念することにより、育成就労産業分野に属する相当程度の知識又は経験を必要とする技能の修得に努めなければならない。

Article 6 Skill development employees must endeavor to acquire skills requiring considerable degree of knowledge or experience in the employment-for-skill-development industrial fields by devoting themselves to conducting employment for skill development.

(基本方針)

(Basic Policy)

第七条 政府は、育成就労の適正な実施及び育成就労外国人の保護に関する基本方針（以下この条及び次条において「基本方針」という。）を定めなければならない。

Article 7 (1) The government must establish a basic policy for the proper implementation of employment for skill development and the protection of skill development employees (hereinafter referred to as the "basic policy" in this Article and the following Article).

2 基本方針は、次に掲げる事項について定めるものとする。

(2) The basic policy is to specify the following:

一 育成就労に係る制度の意義に関する事項

(i) the particulars on the significance of the system pertaining to the employment-for-skill-development;

二 育成就労産業分野及び労働者派遣等育成就労産業分野の選定に関する基本的な事項  
(ii) the basic particulars on the selection of the employment-for-skill-development industrial fields and the employment-for-skill-development industrial fields through worker dispatch, etc.;

三 育成就労産業分野において求められる人材に関する基本的な事項

(iii) the basic particulars on human resources required in the employment-for-skill-development industrial fields;

四 育成就労外国人の保護を図るための施策に関する基本的な事項

(iv) the basic particulars on measures for the protection of skill development employees;

五 育成就労に係る制度の運用に関する関係行政機関の事務の調整に関する基本的な事項

(v) the basic particulars on adjustments to the administrative affairs of the relevant administrative organs relating to operation of the employment-for-skill-development system; and

六 前各号に掲げるもののほか、育成就労に係る制度の運用に関する重要事項

(vi) beyond what is stated in the preceding items, important particulars on operation of the system pertaining to the employment-for-skill-development.

3 主務大臣は、基本方針の案を作成し、閣議の決定を求めなければならない。

(3) The competent ministers must prepare a draft basic policy and seek a cabinet decision.

4 主務大臣は、基本方針の案を作成するときは、あらかじめ、育成就労に関し知見を

有する者の意見を聴かなければならない。

(4) When preparing a draft basic policy, the competent ministers must seek the opinions of persons with knowledge of employment for skill development in advance.

5 主務大臣は、第三項の規定による閣議の決定があったときは、遅滞なく、基本方針を公表しなければならない。

(5) If the cabinet decision set forth in paragraph (3) has been made, the competent ministers must publish the basic policy without delay.

6 前三項の規定は、基本方針の変更について準用する。

(6) The provisions of the preceding three paragraphs apply mutatis mutandis to revisions to the basic policy.

(分野別運用方針)

(Field-specific Operation Policies)

第七条の二 主務大臣は、基本方針にのっとり、育成就労産業分野のうち特定の分野（以下「個別育成就労産業分野」という。）を所管する関係行政機関の長並びに国家公安委員会及び外務大臣（以下この条において「分野所管行政機関の長等」という。）と共同して、当該個別育成就労産業分野における育成就労の適正な実施及び育成就労外国人の保護を図るため、当該個別育成就労産業分野における育成就労に係る制度の運用に関する方針（以下「分野別運用方針」という。）を定めなければならない。

Article 7-2 (1) The competent ministers must, pursuant to the basic policy, in cooperation with the heads of relevant administrative organs with jurisdiction over specified fields of the employment-for-skill-development industrial fields (hereinafter referred to as "individual employment-for-skill-development industrial fields"), and the National Public Safety Commission and the Minister for Foreign Affairs (hereinafter referred to as "heads of the administrative organs in charge and other ministers" in this Article), establish policies for the operation of an employment-for-skill-development system in the individual employment-for-skill-development industrial fields (hereinafter referred to as "field-specific operation policies") to ensure the proper implementation of employment for skill development and the protection of skill development employees in the individual employment-for-skill-development industrial fields.

2 分野別運用方針は、次に掲げる事項について定めるものとする。

(2) The field-specific operation policies are to specify the particulars stated below:

一 当該分野別運用方針において定める個別育成就労産業分野及び当該個別育成就労産業分野が労働者派遣等育成就労産業分野である場合にはその旨

(i) If the individual employment-for-skill-development industrial fields specified in the relevant field-specific operation policies and the individual employment-for-skill-development industrial fields are the employment-for-skill-development industrial fields through worker dispatch, etc., to that effect;

二 前号の個別育成就労産業分野において求められる人材の基準に関する事項

(ii) particulars on the criteria for human resources required in the individual employment-for-skill-development industrial fields referred to in the preceding item;

三 第一号の個別育成就労産業分野における育成就労外国人の育成に関する事項

(iii) particulars on the development of skill development employees in the individual employment-for-skill-development industrial fields referred to in item (i);

四 第一号の個別育成就労産業分野における人材の受入れ見込数その他の人材の確保に関する事項（当該個別育成就労産業分野において人材が不足している地域の状況を含む。）

(iv) particulars on the expected number of accepted human resources in the individual employment-for-skill-development industrial fields referred to in item (i) and securing other human resources (including the situation of regions facing the human resource shortage in the individual employment-for-skill-development industrial fields);

五 第一号の個別育成就労産業分野における第十二条の二の規定による育成就労認定の停止の措置及びその再開の措置に関する事項

(v) particulars on the measures to suspend the accreditation of employment for skill development set forth under Article 12-2 in the individual employment-for-skill-development industrial fields referred to in item (i) and the measures to resume the accreditation;

六 第一号の個別育成就労産業分野における育成就労実施者の変更に関する事項

(vi) particulars on change of implementing organizations in the individual employment-for-skill-development industrial fields referred to in item (i); and

七 前各号に掲げるもののほか、第一号の個別育成就労産業分野における育成就労に係る制度の運用に関する重要事項

(vii) beyond what is stated in the preceding items, important particulars on operation of the system pertaining to employment-for-skill-development in the individual employment-for-skill-development industrial fields referred to in item (i).

3 主務大臣及び分野所管行政機関の長等は、分野別運用方針を定めるときは、あらかじめ、育成就労に関し知見を有する者の意見を聴かなければならない。

(3) In seeking to establish the field-specific operation policies, the competent ministers, and the heads of the administrative organs in charge and other ministers must seek the opinions of persons with knowledge of employment for skill development in advance.

4 主務大臣及び分野所管行政機関の長等は、分野別運用方針を定めるときは、あらかじめ、分野所管行政機関の長等以外の関係行政機関の長に協議しなければならない。

(4) In seeking to establish the field-specific operation policies, the competent ministers, and the heads of the administrative organs in charge and other ministers must consult with the heads of relevant administrative organs other

than the heads of the administrative organs in charge and other ministers in advance.

5 主務大臣及び分野所管行政機関の長等は、分野別運用方針を定めたときは、遅滞なく、これを公表しなければならない。

(5) When the field-specific operation policies have been established, the competent ministers, and the heads of the administrative organs in charge and other ministers must publicly announce those policies without delay.

6 前三項の規定は、分野別運用方針の変更について準用する。

(6) The provisions of the preceding three paragraphs apply mutatis mutandis to revisions to field-specific operation policies.

## 第二章 育成就労

### Chapter II Employment-for-Skill-Development

#### 第一節 育成就労計画

##### Section 1 Employment-for-Skill-Development Plans

(育成就労計画の認定)

(Accreditation of Employment-for-Skill-Development Plans)

第八条 育成就労を行わせようとする本邦の個人又は法人（親会社（会社法（平成十七年法律第八十六号）第二条第四号に規定する親会社をいう。次条第四項において同じ。）とその子会社（同法第二条第三号に規定する子会社をいう。同項において同じ。）の関係その他主務省令で定める密接な関係を有する本邦の複数の法人が育成就労を共同して行わせようとする場合は、これら複数の法人。第八条の五第一項及び第八条の六第一項において同じ。）は、主務省令で定めるところにより、育成就労の対象となろうとする外国人（育成就労外国人及び同項に規定する育成就労の対象でなくなった外国人を除く。次項において同じ。）ごとに、育成就労の実施に関する計画（以下「育成就労計画」という。）を作成し、これを出入国在留管理庁長官及び厚生労働大臣に提出して、その育成就労計画が適当である旨の認定を受けることができる。

Article 8 (1) A individual or corporation in Japan (or, if multiple corporations in Japan having a relationship of a parent company (meaning the parent company defined in Article 2, item (iv) of the Companies Act (Act No. 86 of 2005); the same applies in paragraph (4) of the following Article) and its subsidiary (meaning the subsidiary defined in Article 2, item (iii) of the same Act; the same applies in the same paragraph) or any other close relationship provided for in order of the competent ministries seek to jointly provide employment for skill development, these multiple corporations; the same applies in Article 8-5, paragraph (1) and Article 8-6, paragraph (1)) seeking to provide employment for skill development may, as provided for in order of the competent ministries, prepare a plan relating to the implementation of employment for skill development (hereinafter referred to as an "employment-for-skill-development plan") for each foreign national seeking to become the subject of employment for skill development (excluding the skill development employees and the foreign nationals who are no longer the subject of employment for skill development as provided for in the same

paragraph; the same applies in the following paragraph), submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, and receive accreditation to the effect that the plan is appropriate.

2 前項の場合において、同項の認定を受けようとする育成就労計画が第二条第三号ロの監理型育成就労（以下「労働者派遣等監理型育成就労」という。）を行わせるものであるときは、本邦の派遣元事業主等及び本邦の一又は複数の派遣先は、共同して、育成就労の対象となろうとする外国人ごとに、育成就労計画を作成し、これを出入国在留管理庁長官及び厚生労働大臣に提出して、同項の認定を受けなければならない。

(2) In the case of the preceding paragraph, if the employment-for-skill-development plan that the individual or corporation seeks to receive accreditation under the same paragraph is intended to provide the supervising-organization-type employment for skill development referred to in Article 2, item (iii), subitem (b) (hereinafter referred to as "supervising-organization-type employment for skill development through worker dispatch, etc."), a staffing provider in Japan, etc., and one or more clients in Japan must jointly prepare an employment-for-skill-development plan for each foreign national who seeks to become the subject of employment for skill development, submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, and receive accreditation under the preceding paragraph.

3 育成就労計画には、次に掲げる事項を記載しなければならない。

(3) The employment-for-skill-development plans must include the particulars stated below:

一 第一項の認定の申請をする者（以下この条及び第九条において「申請者」という。）の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(i) the name and address of a person who submits an application for accreditation referred to in paragraph (1) (hereinafter referred to as "applicant" in this Article and Article 9), and in the case of a corporation, the name of its representative;

二 法人にあっては、その役員の名及び住所

(ii) in the case of a corporation, the names and addresses of its officers;

三 育成就労を行わせる事業所の名称及び所在地

(iii) the name and address of the place of business where the employment for skill development is to be provided;

四 育成就労の対象となろうとする外国人の氏名及び国籍

(iv) the name and nationality of a foreign national who seeks to become the subject of employment for skill development;

五 育成就労の区分（単独型育成就労又は監理型育成就労の区分をいう。第九条第一項第二号において同じ。）

(v) the category of employment for skill development (meaning the category of individual-enterprise-type employment for skill development or supervising-organization-type employment for skill development; the same applies in Article

9, paragraph (1), item (ii));

六 従事させる業務、当該業務において要する技能、日本語の能力その他の育成就労の目標（育成就労を終了するまでに職業能力開発促進法（昭和四十四年法律第六十四号）第四十四条第一項の技能検定又は主務省令で指定する試験（第五十二条において「育成就労評価試験」という。）に合格することその他の目標をいう。第九条第一項第二号において同じ。）及び内容並びに育成就労の開始日及び終了日

(vi) the duties conducted by the foreign national, and skills required for those operations, Japanese language proficiency and other goals of employment for skill development (meaning passing the trade skills tests referred to in Article 44, paragraph (1) of the Vocational Abilities Development Promotion Act (Act No. 64 of 1969) or the tests designated by order of the competent ministries (referred to as "employment-for-skill-development evaluation tests" in Article 52) and other goals; the same applies in Article 9, paragraph (1), item (ii)) and their detailed content, as well as the commencement and termination dates of employment for skill development;

七 育成就労を行わせる事業所（前項の場合にあつては、本邦の派遣元事業主等が育成就労に関する業務を行う事業所を含む。）ごとの育成就労の実施に関する責任者の氏名

(vii) the name of a person responsible for the implementation of employment for skill development at each place of business where it provides the employment for skill development (including, in the case of the preceding paragraph, the place of business where staffing providers in Japan, etc., conduct the operations relating to employment for skill development);

八 単独型育成就労に係るものである場合は、単独型育成就労実施者に対する単独型育成就労の実施に関する監査を行う者の氏名

(viii) in the case of individual-enterprise-type employment for skill development, the name of persons who conduct audit into the organization implementing individual-enterprise-type employment for skill development with regard to implementation of individual-enterprise-type employment for skill development;

九 監理型育成就労に係るものである場合は、監理支援を受ける監理支援機関の名称及び住所並びに代表者の氏名

(ix) in the case of supervising-organization-type employment for skill development, the name and address of the supervising and support organization which provides supervision and support, and the name of its representative;

十 報酬、労働時間、休日、休暇、宿泊施設、育成就労外国人が負担する食費及び居住費その他の育成就労外国人の待遇

(x) the remuneration, working hours, days off, leave, accommodation facilities, and meal expenses and living expenses to be paid by skill development employees, as well as other terms of treatment of skill development employees; and

十一 その他主務省令で定める事項

(xi) other particulars as provided for in order of the competent ministries.

4 育成就労計画には、第九条第一項各号（この条第二項の場合にあつては、第九条第二項各号）に掲げる事項を証する書面その他主務省令で定める書類を添付しなければならない。

(4) Documents certifying the particulars stated in the items of Article 9, paragraph (1) (or, in the case of paragraph (2) of this Article, the items of Article 9, paragraph (2)) and other documents provided for in order of the competent ministries must be attached to the employment-for-skill-development plan.

5 次の各号に掲げる者は、育成就労計画の内容の適正化を図るために、当該各号に定める措置をとらなければならない。

(5) The persons stated in each of the following items must take the measures set forth in each item in order to make the content of the employment-for-skill-development plan more appropriate.

一 監理型育成就労を行わせようとする申請者 監理支援を受ける監理支援機関の指導に基づき、育成就労計画を作成すること。

(i) An applicant seeking to provide supervising-organization-type employment for skill development is to prepare an employment-for-skill-development plan based on the guidance of the supervising and support organization from which it receives supervision and support.

二 監理支援機関 育成就労計画の作成に関する情報の提供、助言、指示その他の必要な指導を行うこと。

(ii) A supervising and support organization is to provide information, advice, instructions, and other necessary guidance relating to the preparation of the employment-for-skill-development plan.

6 申請者は、主務省令で定めるところにより、実費を勘案して主務省令で定める額の手数料を納付しなければならない。

(6) The applicant must, as provided for in order of the competent ministries, pay the fee in the amount provided for in order of the competent ministries in consideration of actual costs.

（育成就労外国人による育成就労実施者の変更の希望の申出等）

(Request of Skill Development Employee for Change of Implementing Organization for Employment for Skill Development)

第八条の二 育成就労外国人は、育成就労実施者の変更を希望するときは、主務省令で定めるところにより、書面をもって、育成就労実施者の変更を希望する旨を、次の各号に掲げる育成就労外国人の区分に応じて当該各号に定める者のいずれかに申し出ることができる。

Article 8-2 (1) When a skill development employee requests a change of the implementing organization for employment for skill development, the employee may make a written request for change of the implementing organization for employment for skill development to either of the persons set forth opposite to the category of the skill development employees stated in the following items, as provided for in order of the competent ministries.

一 単独型育成就労外国人 当該単独型育成就労外国人を対象として単独型育成就労を行わせている単独型育成就労実施者又は出入国在留管理庁長官及び厚生労働大臣

(i) individual-enterprise-type skill development employee: organization implementing individual-enterprise-type employment for skill development that provides individual-enterprise-type employment for skill development for the individual-enterprise-type skill development employee, or the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare.

二 監理型育成就労外国人 当該監理型育成就労外国人を対象として監理型育成就労を行わせている監理型育成就労実施者若しくは当該監理型育成就労実施者が監理支援を受けている監理支援機関又は出入国在留管理庁長官及び厚生労働大臣

(ii) supervising-organization-type skill development employee: organization implementing supervising-organization-type employment for skill development that provides supervising-organization-type employment for skill development for the supervising-organization-type skill development employee, or the supervising and support organization from which the organization implementing supervising-organization-type employment for skill development receives supervision and support, or the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare.

2 単独型育成就労実施者は、前項の規定による申出を受けたときは、遅滞なく、主務省令で定めるところにより、当該申出をした単独型育成就労外国人の氏名その他の主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

(2) When the organization implementing individual-enterprise-type employment for skill development receives a request under the preceding paragraph, it must, as provided for in order of the competent ministries, notify the name of the individual-enterprise-type skill development employee who has made the request, and other particulars provided for in order of the competent ministries to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, without delay.

3 監理型育成就労実施者は、第一項の規定による申出を受けたときは、遅滞なく、主務省令で定めるところにより、当該申出をした監理型育成就労外国人の氏名その他の主務省令で定める事項を監理支援を受けている監理支援機関に通知しなければならない。

(3) When the organization implementing supervising-organization-type employment for skill development receives a request under paragraph (1), it must, as provided for in order of the competent ministries, give notice of the name of the supervising-organization-type skill development employee who has made the request, and other particulars provided for in order of the competent ministries to the supervising and support organization from which it receives supervision and support, without delay.

4 第一項の規定による申出を受けた育成就労実施者の行わせている育成就労が親会社とその子会社の関係その他前条第一項の主務省令で定める密接な関係を有する本邦の複数の法人が共同して行わせる育成就労（以下「密接関係法人育成就労」という。）である場合においては、当該育成就労実施者は、主務省令で定めるところにより、当該申出をした育成就労外国人の氏名その他の主務省令で定める事項を当該育成就労を共同して行わせている他の育成就労実施者に通知しなければならない。

(4) If the employment for skill development provided by the implementing organization for employment for skill development that has received a request under the provision of paragraph (1) is the employment for skill development jointly provided by multiple corporations in Japan having a relationship of a parent company and its subsidiary or other close relationship as provided for in order of the competent ministries in paragraph (1) of the preceding Article (hereinafter referred to as "employment for skill development at a corporation with a close relationship"), the implementing organization for employment for skill development must, as provided for in order of the competent ministries, give notice of the name of the skill development employee who has made the request, and other particulars provided for in order of the competent ministries to other implementing organizations for employment for skill development that jointly provide the employment for skill development.

5 第一項の規定による申出を受けた監理型育成就労実施者の行わせている監理型育成就労が労働者派遣等監理型育成就労である場合においては、当該監理型育成就労実施者は、主務省令で定めるところにより、当該申出をした監理型育成就労外国人の氏名その他の主務省令で定める事項を当該監理型育成就労を共同して行わせている他の監理型育成就労実施者に通知しなければならない。この場合において、当該申出を受けた監理型育成就労実施者が本邦の派遣先であるときは、第三項の規定による通知は、この項前段の規定による通知を受けた本邦の派遣元事業主等がしなければならない。

(5) If the supervising-organization-type employment for skill development provided by the organization implementing supervising-organization-type employment for skill development that has received a request under paragraph (1) is the supervising-organization-type employment for skill development through worker dispatch, etc., the organization implementing supervising-organization-type employment for skill development must, as provided for in order of the competent ministries, give notice of the name of the supervising-organization-type skill development employee who has made the request, and other particulars provided for in order of the competent ministries to other organizations implementing supervising-organization-type employment for skill developments that jointly provide the supervising-organization-type employment for skill development. In this case, if the organization implementing supervising-organization-type employment for skill development that has received the request is a client in Japan, the notice under paragraph (3) must be given by the

staffing provider in Japan, etc., that has received the notice under the first sentence of this paragraph.

6 監理支援機関は、第一項の規定による申出を受けたときは、主務省令で定めるところにより、当該申出をした監理型育成就労外国人の氏名その他の主務省令で定める事項を、遅滞なく出入国在留管理庁長官及び厚生労働大臣に届け出るとともに、当該監理型育成就労外国人を対象として育成就労を行わせている監理型育成就労実施者に通知しなければならない。

(6) When the supervising and support organization receives a request under paragraph (1), it must, as provided for in order of the competent ministries, give notice of the name of the supervising-organization-type skill development employee who has made the request and other particulars provided for in order of the competent ministries to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare without delay, as well as to the organization implementing supervising-organization-type employment for skill development that provides employment for skill development for the supervising-organization-type skill development employee.

7 監理支援機関は、第三項の規定による通知を受けたときは、遅滞なく、主務省令で定めるところにより、第一項の規定による申出をした監理型育成就労外国人の氏名その他の主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

(7) When the supervising and support organization receives a notice under paragraph (3), it must, as provided for in order of the competent ministries, notify the name of the supervising-organization-type skill development employee who has made the request under paragraph (1) and other particulars provided for in order of the competent ministries to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare without delay.

(外国人育成就労機構による申出等の受理)

(Acceptance of Request, etc., by the Employment-for-Skill-Development Organization)

第八条の三 出入国在留管理庁長官及び厚生労働大臣は、外国人育成就労機構（以下この章において「機構」という。）に、前条第一項の規定による申出並びに同条第二項、第六項及び第七項の規定による届出の受理に係る事務を行わせることができる。

Article 8-3 (1) The Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare may entrust the administrative affairs relating to acceptance of the request under paragraph (1) of the preceding Article and acceptance of the notification under paragraphs (2), (6) and (7) of the preceding Article to the Employment-for-Skill-Development Organization (hereinafter referred to as the "ESDO" in this Chapter).

2 出入国在留管理庁長官及び厚生労働大臣が前項の規定により機構に申出又は届出の受理に係る事務を行わせるときは、前条第一項の規定による申出又は同条第二項、第

六項若しくは第七項の規定による届出をしようとする者は、これらの規定にかかわらず、機構に対し、これらの規定による申出又は届出をしなければならない。

(2) When the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare entrust the administrative affairs relating to acceptance of the request or notification to the ESDO, a person who seeks to make a request under paragraph (1) of the preceding Article or submit a notification under either of paragraphs (2), (6) and (7) of the same Article must, notwithstanding these provisions, make the request or submit the notification under these provisions to the ESDO.

3 機構は、前項の規定による申出又は届出を受理したときは、出入国在留管理庁長官及び厚生労働大臣にその旨を報告しなければならない。

(3) If the ESDO has accepted the request or notification under the preceding paragraph, it must report to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare to that effect.

4 出入国在留管理庁長官及び厚生労働大臣は、第一項の規定により機構に申出若しくは届出の受理に係る事務を行わせようとするとき、又は機構に行かせていた申出若しくは届出の受理に係る事務を行わせないこととするときは、その旨を公示しなければならない。

(4) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare seek to entrust the administrative affairs relating to acceptance of the request or notification under paragraph (1) to the ESDO, or are to cease entrusting the administrative affairs relating to the acceptance of request or notification to the ESDO, they must issue public notice to that effect.

(育成就労外国人による育成就労実施者の変更の希望の申出があった場合の連絡調整等)

(Communication and Coordination When a Skill Development Employee Requests a Change of Implementing Organization for Employment for Skill Development)

第八条の四 出入国在留管理庁長官及び厚生労働大臣は、第八条の二第一項の規定による申出を受理したときは、主務省令で定めるところにより、その旨を次の各号に掲げる場合の区分に応じ、当該各号に定める者に通知するものとする。

Article 8-4 (1) When the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have accepted the request under Article 8-2, paragraph (1), they are to give notice to that effect to the persons specified in the following items opposite to the category stated in each of these items, as provided for in order of the competent ministries.

一 単独型育成就労外国人からの申出を受理したとき 当該単独型育成就労外国人を対象として単独型育成就労を行わせている単独型育成就労実施者

(i) When they have accepted the request from an individual-enterprise-type skill development employee: the organization implementing individual-enterprise-type employment for skill development that provides individual-

enterprise-type employment for skill development for the individual-enterprise-type skill development employee.

二 監理型育成就労外国人からの申出を受理したとき 当該監理型育成就労外国人を対象として監理型育成就労を行わせている監理型育成就労実施者及び当該監理型育成就労実施者が監理支援を受けている監理支援機関

(ii) When they have accepted the request from a supervising-organization-type skill development employee: the organization implementing supervising-organization-type employment for skill development that provides supervising-organization-type employment for skill development for the supervising-organization-type skill development employee and the supervising and support organization from which the organization implementing supervising-organization-type employment for skill development receives supervision and support.

2 出入国在留管理庁長官及び厚生労働大臣は、第八条の二第一項の規定による申出又は同条第二項、第六項若しくは第七項の規定による届出を受理したときは、主務省令で定めるところにより、その旨を機構に通知するものとする。ただし、前条第一項の規定により機構に当該申出及び当該届出の受理に係る事務を行わせているときは、この限りでない。

(2) When the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have accepted the request under Article 8-2, paragraph (1) or the notification under either of paragraphs (2), (6) and (7) of the same Article, they are to give the ESDO notice to that effect, as provided for in order of the competent ministries; provided, however, that this does not apply when they have entrusted the administrative affairs relating to acceptance of the request and notification to the ESDO pursuant to the provision of paragraph (1) of the preceding Article.

3 機構は、前項の規定による通知を受けたときは、当該申出又は当該届出に係る育成就労外国人が他の育成就労実施者の育成就労の対象となること等により当該育成就労外国人の育成就労の継続が可能となるよう、当該育成就労外国人からの相談に応じ、必要な情報の提供、助言、職業紹介その他の援助を行わなければならない。

(3) When the ESDO receives the notice under the preceding paragraph, it must respond to a request for consultation from the skill development employee and provide the employee with necessary information, advice, employment placement, or other assistance to enable the employee who has made the request or submitted the notification to continue the employment for skill development by becoming the subject of employment for skill development with another implementing organization for employment for skill development or otherwise.

4 機構が第八条の二第一項の規定による申出並びに同条第二項、第六項及び第七項の規定による届出の受理に係る事務を行う場合における第一項及び前項の規定の適用については、第一項中「出入国在留管理庁長官及び厚生労働大臣」とあるのは「機構」と、前項中「前項の規定による通知を受けたとき」とあるのは「第八条の二第一項の規

定による申出又は同条第二項、第六項若しくは第七項の規定による届出を受理したとき」とする。

(4) When the ESDO handles the administrative affairs relating to acceptance of the request under Article 8-2, paragraph (1) and the notification under paragraphs (2), (6) and (7) of the same Article, for the purpose of application of the provisions of paragraph (1) and the preceding paragraph, the phrase "the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare" in paragraph (1) is to be replaced with "the ESDO," and "When the ESDO receives the notice under the preceding paragraph" is to be replaced with "When the ESDO accepts/receives the request under Article 8-2, paragraph (1) or the notification under either of paragraphs (2), (6) or (7) of the same Article."

5 監理支援機関は、第八条の二第一項の規定による申出又は同条第三項若しくはこの条第一項（前項の規定により読み替えて適用する場合を含む。）の規定による通知を受けたときは、当該申出又は当該通知に係る監理型育成就労外国人が他の育成就労実施者の育成就労の対象となること等により当該監理型育成就労外国人の育成就労の継続が可能となるよう、他の育成就労実施者又は監理支援機関その他関係者との連絡調整、職業紹介その他の必要な措置を講じなければならない。

(5) When the supervising and support organization receives the request under Article 8-2, paragraph (1) or the notice under paragraph (3) of the same Article or paragraph (1) of this Article (including as applied mutatis mutandis pursuant to the provision of the preceding paragraph following the deemed replacement of terms), it must make communication and coordination with another implementing organization, supervising and support organization, or other relevant persons, provide employment placement, or take other necessary measures to enable the supervising-organization-type skill development employee who has made the request or submitted the notice to continue the employment for skill development by becoming the subject of employment for skill development with another implementing organization for employment for skill development or otherwise.

（新たな育成就労計画の認定）

(Accreditation of a New Employment-for-Skill-Development Plan)

第八条の五 第八条の二第一項の規定による申出をした育成就労外国人を対象として新たに育成就労を行わせようとする本邦の個人又は法人は、主務省令で定めるところにより、新たに当該育成就労外国人を育成就労の対象とする育成就労計画を作成し、これを出入国在留管理庁長官及び厚生労働大臣に提出して、その育成就労計画が適当である旨の認定を受けることができる。この場合においては、第八条第二項の規定を準用する。

Article 8-5 (1) A individual or corporation in Japan that seeks to newly provide employment for skill development for the skill development employee who has made the request under Article 8-2, paragraph (1) may, as provided for in order of

the competent ministries, prepare a new employment-for-skill-development plan for that skill development employee, submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, and receive accreditation to the effect that the plan is appropriate. In this case, the provision of Article 8, paragraph (2) applies mutatis mutandis.

2 前項の場合において、育成就労計画には、次に掲げる事項を記載しなければならない。

(2) In the preceding paragraph, the employment-for-skill-development plan must include the particulars stated below:

一 前項の認定の申請をする者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(i) the name and address of a person who submits an application for accreditation under the preceding paragraph, and in the case of a corporation, the name of its representative;

二 第八条第三項各号（第一号を除く。）に掲げる事項

(ii) the particulars stated in the items (excluding item (i)) of Article 8, paragraph (3);

三 当該育成就労外国人を対象として育成就労を行わせていた育成就労実施者（当該育成就労外国人が過去に前項又は次条第一項の認定を受けた育成就労計画に基づく育成就労の対象となっていたことにより育成就労実施者が複数あるときは、その直近の育成就労実施者）の氏名又は名称

(iii) the name of the implementing organization for employment for skill development that has provided employment for skill development for that skill development employee (or, if that skill development employees has multiple implementing organizations for employment for skill development because the employee was previously the subject of the employment for skill development under the employment-for-skill-development plans accredited under the preceding paragraph or paragraph (1) of the following Article, the employee's latest implementing organization for employment for skill development);

四 前号の育成就労実施者が当該育成就労外国人を対象として育成就労を行かせた期間

(iv) the period during which the implementing organization for employment for skill development set forth in the preceding item has provided employment for skill development for that skill development employee;

五 当該育成就労外国人が育成就労（従事させる業務において要する技能及び当該技能の属する育成就労産業分野が従前の認定育成就労計画（第十一条第一項に規定する認定育成就労計画をいう。次条第二項第四号、第九条の二第三号及び第九条の三において同じ。）に定められていたものとそれぞれ同一であるものに限る。）の対象となっていた期間の合計

(v) A total of the periods during which that skill development employee has been the subject of employment for skill development (limited to the one in which

the skills required for the duties to engage the employee and the employment-for-skill-development industrial fields related to those skills are the same as those specified in the previous accredited employment-for-skill-development plan (meaning the accredited employment-for-skill-development plan provided for in Article 11, paragraph (1); the same applies in paragraph (2), item (iv) of the following Article, Article 9-2, item (iii), and Article 9-3)).

3 第八条第四項から第六項までの規定は、第一項の認定の申請について準用する。この場合において、同条第四項中「第九条第一項各号（この条第二項の場合にあっては、第九条第二項各号）」とあるのは、「第九条の二各号」と読み替えるものとする。

(3) The provisions of Article 8, paragraphs (4) through (6) apply mutatis mutandis to the application for accreditation under paragraph (1). In this case, the phrase "the items of Article 9, paragraph (1) (or, in the case of paragraph (2) of this Article, the items of Article 9, paragraph (2))" in paragraph (4) of the same Article is deemed to be replaced with "the items of Article 9-2."

(育成就労認定を取り消された外国人等の新たな育成就労計画の認定)

(Accreditation of a New Employment-for-Skill-Development Plan for Foreign National, etc., Whose Accreditation of Employment for Skill Development Was Revoked)

第八条の六 第十一条第一項に規定する育成就労認定が第十六条第一項の規定により取り消されたこと又は入管法別表第一の二の表の育成就労の在留資格を有する者でなくなったことにより育成就労の対象でなくなった外国人を対象として新たに育成就労を行わせようとする本邦の個人又は法人は、主務省令で定めるところにより、新たに当該外国人を育成就労の対象とする育成就労計画を作成し、これを出入国在留管理庁長官及び厚生労働大臣に提出して、その育成就労計画が適当である旨の認定を受けることができる。この場合においては、第八条第二項の規定を準用する。

Article 8-6 (1) A individual or corporation in Japan that seeks to newly provide employment for skill development for the skill development employee who is no longer the subject of employment for skill development because the accreditation of employment for skill development referred to in Article 11, paragraph (1) was revoked pursuant to the provision of Article 16, paragraph (1) or the employee no longer has the employment-for-skill-development status of residence in the table of the Appended Table I (2) of the Immigration Control Act may prepare a new employment-for-skill-development plan for that foreign national, submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, and receive accreditation to the effect that the plan is appropriate, as provided for in order of the competent ministries. In this case, the provision of Article 8, paragraph (2) applies mutatis mutandis.

2 前項の場合において、育成就労計画には、次に掲げる事項を記載しなければならない。

(2) In the preceding paragraph, the employment-for-skill-development plan must include the particulars stated below:

一 前項の認定の申請をする者の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(i) the name and address of a person who submits an application for accreditation under the preceding paragraph, and in the case of a corporation, the name of its representative;

二 第八条第三項各号（第一号を除く。）に掲げる事項

(ii) the particulars stated in the items (excluding item (i)) of Article 8, paragraph (3);

三 当該外国人を対象として育成就労を行わせていた育成就労実施者（当該外国人が過去に前条第一項又は前項の認定を受けた育成就労計画に基づく育成就労の対象となっていたことにより育成就労実施者が複数あるときは、その直近の育成就労実施者）の氏名又は名称

(iii) the name of the implementing organization for employment for skill development that has provided employment for skill development for that foreign national (or, if that foreign national has multiple implementing organizations because that foreign national was previously the subject of the employment for skill development under the employment-for-skill-development plans accredited under paragraph (1) of the preceding Article or the preceding paragraph, that foreign national's latest implementing organization for employment for skill development);

四 当該外国人が育成就労（従事させる業務において要する技能及び当該技能の属する育成就労産業分野が従前の認定育成就労計画に定められていたものとそれぞれ同一であるものに限る。）の対象となっていた期間の合計

(iv) a total of the periods during which that foreign national has been the subject of employment for skill development (limited to the one in which the skills required for the duties to engage that foreign national and the employment-for-skill-development industrial fields related to those skills are the same as those specified in the previous accredited employment-for-skill-development plan); and

五 次に掲げる事項

(v) the particulars stated below:

イ 当該外国人が本邦から出国した事実（当該外国人が入管法第二十六条第一項の規定による再入国の許可を受けていた場合（入管法第二十六条の二第一項又は第二十六条の三第一項の規定により当該許可を受けたものとみなされる場合を含む。）にあっては、当該出国により本邦外にある間に当該許可の効力が失われた場合における出国の事実に限る。）の有無

(a) whether that foreign national has actually departed from Japan (or, if the foreign national was permitted to reenter Japan pursuant to the provisions of Article 26, paragraph (1) of the Immigration Control Act (including the case where the foreign national is deemed to have been granted the permission under Article 26-2, paragraph (1) or Article 26-3, paragraph (1), limited to the actual

departure in the case where the permission ceased to be effective while the foreign national was outside of Japan as a result of the departure);

ロ 当該外国人が当該出国の前に育成就労の対象となっていた期間の合計

(b) a total of the periods during which that foreign national was the subject of employment for skill development before the departure; and

ハ 当該外国人が当該出国の後に育成就労の対象となった事実の有無

(c) whether that foreign national has actually become the subject of employment for skill development after the departure.

3 第八条第四項から第六項までの規定は、第一項の認定の申請について準用する。この場合において、同条第四項中「第九条第一項各号（この条第二項の場合にあっては、第九条第二項各号）に掲げる事項」とあるのは、「第九条の三各号に掲げる事項（同条ただし書に該当する場合にあっては、同条第一号及び第二号に掲げる事項並びに同条ただし書に規定する事情）」と読み替えるものとする。

(3) The provisions of Article 8, paragraphs (4) through (6) apply mutatis mutandis to the application for accreditation under paragraph (1). In this case, the phrase "the particulars stated in the items of Article 9, paragraph (1) (or, in the case of paragraph (2) of this Article, the items of Article 9, paragraph (2))" in paragraph (4) of the same Article is deemed to be replaced with "the particulars stated in the items of Article 9-3 (or, in the case of the proviso of the same Article, the particulars stated in the items (i) and (ii) of the same Article and the circumstances provided for in the proviso of the same Article)."

(認定の基準)

(Criteria for Accreditation)

第九条 出入国在留管理庁長官及び厚生労働大臣は、第八条第一項の認定の申請があった場合（同項の認定を受けようとする育成就労計画が労働者派遣等監理型育成就労を行わせるものである場合を除く。）において、その育成就労計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

Article 9 (1) When an application for accreditation as provided for in Article 8, paragraph (1) has been made (excluding the case in which the employment-for-skill-development plan to be accredited under the same paragraph is intended for supervising-organization-type employment for skill development through worker dispatch, etc.), and the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that it conforms to all of the following items, they are to accredit the employment-for-skill-development plan:

一 従事させる業務において要する技能の属する分野が育成就労産業分野であること。

(i) the fields of skills required for the duties to be conducted are the employment-for-skill-development industrial fields;

二 従事させる業務、当該業務において要する技能、日本語の能力その他の育成就労の目標及び内容として定める事項が、育成就労の区分に応じて主務省令で定める基準に適合していること。

(ii) the duties to be conducted, skills required for those duties, Japanese

language proficiency, or other particulars specified as employment-for-skill-development goals and contents conform to the criteria provided for in order of the competent ministries opposite to the category of employment for skill development;

三 育成就労の期間が三年以内であること。

(iii) the period of employment for skill development is a maximum of three years;

四 育成就労を終了するまでに、育成就労外国人が修得した技能及び育成就労外国人の日本語の能力の評価を主務省令で定める時期に主務省令で定める方法により行うこと。

(iv) the evaluation of the skills acquired by the skill development employee and the Japanese language proficiency of the skill development employee are to be conducted at the time and in the manner provided for in order of the competent ministries before the completion of the employment for skill development;

五 育成就労を行わせる体制及び事業所の設備が主務省令で定める基準に適合していること。

(v) the system for providing employment for skill development and the equipment of the places of business where it is to be provided conform to the criteria provided for in order of the competent ministries;

六 育成就労を行わせる事業所ごとに、主務省令で定めるところにより育成就労の実施に関する責任者が選任されていること。

(vi) a person responsible for implementation of the employment for skill development has been appointed at each place of business where the employment for skill development is to be provided, as provided for in order of the competent ministries;

七 単独型育成就労に係るものである場合は、単独型育成就労実施者に対する単独型育成就労の実施に関する監査の体制が主務省令で定める基準に適合していること。

(vii) in the case of individual-enterprise-type employment for skill development, the system for conducting audit into the organization implementing individual-enterprise-type employment for skill development with regard to implementation of individual-enterprise-type employment for skill development conforms to the criteria provided for in order of the competent ministries;

八 監理型育成就労に係るものである場合は、申請者が、育成就労計画の作成について指導を受けた監理支援機関による監理支援を受けること。

(viii) in the case of supervising-organization-type employment for skill development, the applicant receives supervision and support from the supervising and support organization from which the applicant received guidance on preparation of the employment-for-skill-development plan;

九 育成就労外国人に対する報酬の額が日本人が当該業務に従事する場合の報酬の額と同等以上であることその他育成就労外国人の待遇が主務省令で定める基準に適合していること。

(ix) the amount of remuneration paid to a skill development employee is equivalent to or greater than the amount of remuneration paid to a Japanese

national for the duties, and other terms of treatment of the skill development employees conform to the criteria provided for in order of the competent ministries;

十 申請者が育成就労の期間において同時に複数の育成就労外国人に育成就労を行わせる場合は、その数が主務省令で定める数を超えないこと。

(x) if the applicant provides employment for skill development to multiple skill development employees at a time during the employment-for-skill-development period, the number of those employees does not exceed that provided for in order of the competent ministries; and

十一 外国の送出国（監理型育成就労の対象となろうとする外国人からの監理型育成就労に係る求職の申込みを適切に本邦の監理支援機関に取り次ぐことができる者として主務省令で定める要件に適合するものをいう。以下この号、第二十三条第二項第五号及び第二十五条第一項第六号において同じ。）からの取次ぎを受けた外国人に係るものである場合は、当該外国人が送出国に支払った費用の額が、育成就労外国人の保護の観点から適正なものとして主務省令で定める基準に適合していること。

(xi) if the plan relates to a foreign national intermediated by a foreign sending organization (meaning a person that satisfies the requirements as provided for in order of the competent ministries as a person who is allowed to appropriately intermediate job applications for supervising-organization-type employment for skill development from foreign nationals who seek to become the subject of supervising-organization-type employment for skill development to a supervising and support organization; hereinafter the same applies in this item, Article 23, paragraph (2), item (v), and Article 25, paragraph (1), item (vi)), the amount paid to the sending organization by that foreign national conforms to the criteria provided for in order of the competent ministries as appropriate from the viewpoint of protecting skill development employees.

2 出入国在留管理庁長官及び厚生労働大臣は、第八条第一項の認定の申請があった場合（同項の認定を受けようとする育成就労計画が労働者派遣等監理型育成就労を行わせるものである場合に限る。）において、その育成就労計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

(2) When an application for accreditation as provided for in Article 8, paragraph (1) has been made (limited to the case in which the employment-for-skill-development plan to be accredited under the same paragraph is intended for supervising-organization-type employment for skill development through worker dispatch, etc.), and the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that it conforms to all of the following items, they are to accredit the employment-for-skill-development plan:

一 前項第二号から第四号まで、第六号、第八号、第九号及び第十一号のいずれにも該当すること。

(i) the plan falls under all of items (ii) through (iv), item (vi), item (viii), item (ix) and item (xi) of the preceding paragraph;

二 従事させる業務において要する技能の属する分野が労働者派遣等育成就労産業分野であること。

(ii) the fields of skills required for the duties to be conducted are the employment-for-skill-development industrial fields through worker dispatch, etc.;

三 業務に従事させるいずれの事業所においても同一の労働者派遣等育成就労産業分野に属する技能を要する業務に従事させることとしていることその他育成就労の内容が本邦の派遣元事業主等及び本邦の派遣先が共同して育成就労を行わせることについて育成就労の適正な実施及び育成就労外国人の保護の観点から支障がないものとして主務省令で定める基準に適合していること。

(iii) any places of business which employ the foreign national undertake to engage the foreign national in the duties requiring the skills in the same employment-for-skill-development industrial fields through worker dispatch, etc., and other details of employment for skill development conform to the criteria provided for in order of the competent ministries as those that will not hinder the employment for skill development jointly provided by a staffing provider in Japan, etc., and a client in Japan from the viewpoint of the proper implementation of employment for skill development and the protection of skill development employees;

四 育成就労を行わせる体制及び事業所の設備が本邦の派遣元事業主等及び本邦の派遣先ごとにそれぞれ主務省令で定める基準に適合していること。

(iv) the system for providing employment for skill development and the equipment of the places of business where it will be provided conform to the criteria provided for in order of the competent ministries at each of a staffing provider in Japan, etc., and a client in Japan;

五 本邦の派遣元事業主等の育成就労に関する業務を行う事業所（育成就労を行わせる事業所を除く。）ごとに、主務省令で定めるところにより育成就労の実施に関する責任者が選任されていること。

(v) a person responsible for implementation of the employment for skill development has been appointed at each place of business that conducts the duties relating to employment for skill development of a staffing provider in Japan, etc. (excluding the place of business providing employment for skill development), as provided for in order of the competent ministries; and

六 申請者が育成就労の期間において同時に複数の育成就労外国人に育成就労を行わせる場合は、その数が育成就労を行わせる本邦の派遣元事業主等の職員の総数及び本邦の派遣先の職員の総数を勘案して主務省令で定める数を超えないこと。

(vi) if the applicant provides employment for skill development to multiple skill development employees at a time during the employment-for-skill development period, the number of those employees does not exceed the number provided for in order of the competent ministries in light of the total number of employees of a staffing provider in Japan, etc., providing employment for skill development and the total number of employees of a client in Japan.

(第八条の五第一項の認定の基準)

**(Accreditation Criteria under Article 8-5, paragraph (1))**

第九条の二 出入国在留管理庁長官及び厚生労働大臣は、第八条の五第一項の認定の申請があった場合において、その育成就労計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。

Article 9-2 When an application for accreditation as provided for in in Article 8-5, paragraph (1) has been made, and the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that the applied employment-for-skill-development plan conforms to all of the following items, they are to accredit that plan:

一 前条第一項各号（第三号及び第十一号を除く。）（第八条の五第一項において準用する第八条第二項の場合にあっては、前条第二項各号（第一号にあっては、同条第一項第三号及び第十一号に係る部分を除く。））のいずれにも該当すること。

(i) the plan conforms to all of the items (excluding items (iii) and (xi)) of paragraph (1) of the preceding Article (or, in the case of Article 8, paragraph (2) as applied mutatis mutandis pursuant to Article 8-5, paragraph (1), the items (or, in the case of item (i), excluding the parts relating to paragraph (1), items (iii) and (xi) of the same Article) of paragraph (2) of the preceding Article);

二 育成就労の期間が、第八条の五第二項第五号の期間と通算して三年以内（第十一条第一項の規定により育成就労の期間が延長されている場合にあっては、四年以内）であること。

(ii) the aggregate employment-for-skill-development period is a maximum of three years (or, when the employment-for-skill-development period is extended pursuant to the provision of Article 11, paragraph (1), a maximum of four years), including the period set forth in Article 8-5, paragraph (2), item (v);

三 従事させる業務において要する技能及び当該技能の属する育成就労産業分野が従前の認定育成就労計画に定められていたものとそれぞれ同一であること。

(iii) the skills required for the duties to be conducted and the employment-for-skill-development industrial fields related to those skills are the same as those specified in the previous accredited employment-for-skill-development plan.

四 次のイからハまでのいずれにも適合すること。ただし、当該申請に係る育成就労外国人を対象として新たに育成就労を行わせることについて主務省令で定めるやむを得ない事情があると認められるときは、この限りでない。

(iv) the plan conforms to all of the following (a) to (c); provided, however, that this does not apply when it is found that there is an unavoidable circumstance as provided for in order of the competent ministries for newly providing employment for skill development for the skill development employees relevant to the application.

イ 第八条の五第二項第四号の期間が、一年以上二年以下の範囲内で育成就労外国人に従事させる業務の内容等を勘案して主務省令で定める期間を超えていること。

(a) the period set forth in Article 8-5, paragraph (2), item (iv) exceeds the period

provided for in order of the competent ministries by one year or more but two years or less, in consideration of the nature of duties conducted by the skill development employee;

ロ 育成就労外国人が修得した技能、育成就労外国人の日本語の能力その他育成就労外国人の育成の程度に関し主務省令で定める基準に適合していること。

(b) the skills acquired by the skill development employee, and the Japanese language proficiency and other development levels of the skill development employee conform to the criteria provided for in order of the competent ministries; and

ハ 育成就労を行わせようとする者が育成就労の実施に関する実績、育成就労外国人の育成に係る費用の負担能力その他の育成就労を適正に実施するために必要な事項に関して主務省令で定める基準に適合していること。

(c) a person who seeks to provide employment for skill development conforms to the criteria provided for in order of the competent ministries in connection with results of implementation of employment for skill development, financial capacity of employment-for-skill-development costs and expenses, and other particulars necessary for the proper implementation of employment for skill development.

(第八条の六第一項の認定の基準)

(Accreditation Criteria under Article 8-6, paragraph (1))

第九条の三 出入国在留管理庁長官及び厚生労働大臣は、第八条の六第一項の認定の申請があつた場合において、その育成就労計画が次の各号のいずれにも適合するものであると認めるときは、その認定をするものとする。ただし、同条第二項第五号イの事実があり、同号ロの期間が二年を超えず、同号ハの事実がない場合において、従前の認定育成就労計画に定められていた技能と同一でない技能を要する業務又は従前の認定育成就労計画に定められていた育成就労産業分野と同一でない育成就労産業分野に属する技能を要する業務に従事させることについて主務省令で定めるやむを得ない事情があると認められるときは、第三号に適合することを要しない。

Article 9-3 When an application for accreditation as provided for in Article 8-6, paragraph (1) has been made, and the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that the applied employment-for-skill-development plan conforms to all of the following items, they are to accredit that plan; provided, however, that when an unavoidable circumstance provided for in order of the competent ministries is found for engaging the skill development employee in the duties requiring skills that are not the same as those specified in the previous accredited employment-for-skill-development plan or the operations requiring skills in the employment-for-skill-development industrial fields that are not the same as the employment-for-skill-development industrial fields specified in the previous accredited employment-for-skill-development plan when the fact referred to in paragraph (2), item (v), subitem (a) of the same Article is found, the period referred to in subitem (b) of

the same item does not exceed two years, and the fact referred to in subitem (c) of the same item is not found, the plan is not required to conform to item (iii).

一 第九条第一項各号（第三号を除く。）（第八条の六第一項において準用する第八条第二項の場合にあっては、第九条第二項各号（第一号にあっては、同条第一項第三号に係る部分を除く。））のいずれにも該当すること。

(i) the plan conforms to all of the items (excluding item (iii)) of Article 9, paragraph (1) (or, in the case of Article 8, paragraph (2) as applied mutatis mutandis pursuant to Article 8-6, paragraph (1), the items of Article 9, paragraph (2) (or, in the case of item (i), excluding the parts relating to paragraph (1), item (iii) of the same Article);

二 育成就労の期間が、第八条の六第二項第四号の期間と通算して三年以内（第十一条第一項の規定により育成就労の期間が延長されている場合にあっては、四年以内）であること。

(ii) the aggregate employment-for-skill-development period is a maximum of three years (or, when the employment-for-skill-development period is extended pursuant to the provision of Article 11, paragraph (1), a maximum of four years), including the period set forth in Article 8-6, paragraph (2), item (iv);

三 次のイ及びロのいずれにも適合すること。

(iii) the plan conforms to both of the following (a) and (b);

イ 従事させる業務において要する技能及び当該技能の属する育成就労産業分野が従前の認定育成就労計画に定められていたものとそれぞれ同一であること。

(a) the skills required for the duties to be conducted and the employment-for-skill-development industrial fields related to those skills are the same as those specified in the previous accredited employment-for-skill-development plan; and

ロ 当該申請に係る育成就労の対象でなくなった外国人を対象として新たに育成就労を行わせることについて主務省令で定めるやむを得ない事情があると認められること。

(b) it is found that there is an unavoidable circumstance as provided for in order of the competent ministries for newly providing employment for skill development for foreign national relevant to the applicant who is no longer the subject of employment for skill development.

（認定の欠格事由）

**(Reasons for Not Qualifying for Accreditation)**

第十条 次の各号のいずれかに該当する者は、第八条第一項、第八条の五第一項及び第八条の六第一項の認定を受けることができない。

Article 10 (1) If a person falls under any of the following items, that person is not able to obtain the accreditation set forth under Article 8, paragraph (1); Article 8-5, paragraph (1), and Article 8-6, paragraph (1):

一 拘禁刑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った日から起算して五年を経過しない者

(i) a person who has been sentenced to imprisonment or a heavier punishment, and for whom five years have not yet passed since the completion of the sentence

or since the day on which the person ceased to be subject to the execution of the sentence;

二 この法律の規定その他出入国若しくは労働に関する法律の規定（第四号に規定する規定を除く。）であって政令で定めるもの又はこれらの規定に基づく命令の規定により、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して五年を経過しない者

(ii) a person subject to a fine under the provisions of this Act, the provisions of other laws specified by Cabinet Order relating to immigration or labor (excluding the provisions prescribed in item (iv)), or any order under these provisions, if five years have not yet passed since the completion of the sentence or since the date on which the person ceased to be subject to the sentence;

三 暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）の規定（同法第五十条（第二号に係る部分に限る。）及び第五十二条の規定を除く。）により、又は刑法（明治四十年法律第四十五号）第二百四条、第二百六条、第二百八条、第二百八条の二、第二百二十二条若しくは第二百四十七条の罪若しくは暴力行為等処罰に関する法律（大正十五年法律第六十号）の罪を犯したことにより、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して五年を経過しない者

(iii) a person subject to a fine under the provisions of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991)(excluding the provisions of Article 50 (limited to the part related item (ii)) and Article 52 of the same Act), or subject to a fine for having committed an offence under Article 204, Article 206, Article 208, Article 208-2, Article 222, or Article 247 of the Penal Code(Act No. 45 of 1907) or the Act on Punishment of Physical Violence and Other Related Matters (Act No. 60 of 1926), if five years have not yet passed since the completion of the sentence or since the date on which the person ceased to be subject to the sentence;

四 健康保険法（大正十一年法律第七十号）第二百八条、第二百十三条の二若しくは第二百十四条第一項、船員保険法（昭和十四年法律第七十三号）第五十六条、第五十九条若しくは第六十条第一項、労働者災害補償保険法（昭和二十二年法律第五十号）第五十一条前段若しくは第五十四条第一項（同法第五十一条前段の規定に係る部分に限る。）、厚生年金保険法（昭和二十九年法律第百十五号）第二条、第三条の二若しくは第四条第一項（同法第二条又は第三条の二の規定に係る部分に限る。）、労働保険の保険料の徴収等に関する法律（昭和四十四年法律第八十四号）第四十六条前段若しくは第四十八条第一項（同法第四十六条前段の規定に係る部分に限る。）又は雇用保険法（昭和四十九年法律第百十六号）第八十三条若しくは第八十六条（同法第八十三条の規定に係る部分に限る。）の規定により、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して五年を経過しない者

(iv) a person subject to a fine under the provisions of Article 208, Article 213-2, or Article 214, paragraph (1) of the Health Insurance Act (Act No. 70 of 1922), Article 156, Article 159, or Article 160, paragraph (1) of the Mariners Insurance

Act (Act No. 73 of 1939), the first sentence of Article 51 or Article 54, paragraph (1) (limited to the part related to the first sentence of Article 51) of the Workers Accident Compensation Insurance Act (Act No. 50 of 1947), Article 102, Article 103-2, or Article 104, paragraph (1) (limited to the part related to the first sentence of Article 102 or Article 103-2) of the Welfare Pension Insurance Act (Act No. 115 of 1954), the first sentence of Article 46 or Article 48, paragraph (1) (limited to the part related to the first sentence of Article 46) of the Act Concerning the Collection of Premiums on Labor Insurance (Act No. 84 of 1969), or Article 83 or Article 86 (limited to the part related to the first sentence of Article 83) of the Employment Insurance Act (Act No. 116 of 1974), if five years have not yet passed since the completion of the sentence or since the date on which the person ceased to be subject to the sentence;

五 心身の故障により育成就労実施者としての責務を果たすことができない者として主務省令で定めるもの

(v) a person provided for in order of a competent ministry as a person who is unable to properly perform the responsibilities as an organization implementing employment for skill development due to a physical or mental disorder;

六 破産手続開始の決定を受けて復権を得ない者

(vi) a person that has received an order to commence bankruptcy proceedings and has yet to have their rights restored;

七 第十六条第一項の規定により次条第一項に規定する育成就労認定を取り消され、当該取消の日から起算して五年を経過しない者（密接関係法人育成就労又は労働者派遣等監理型育成就労を行わせていた者であって、当該取消の処分の理由となった事実に関して当該者が有していた責任の有無及び程度を考慮してこの号に該当しないこととすることが相当であると認められるものとして主務省令で定めるものを除く。）

(vii) a person whose accreditation of employment for skill development under paragraph (1) of the following Article was revoked under the provisions of Article 16, paragraph (1) and for whom five years have not yet passed since the date of revocation (excluding a person who has provided the employment for skill development at a corporation with a close relationship or the supervising-organization-type employment for skill development through worker dispatch, etc., and is provided for in order of the competent ministries as reasonable to hold that the person does not fall under this item in consideration of whether and how much the person is responsible for the fact constituting the reason for the revocation);

八 第十六条第一項の規定により次条第一項に規定する育成就労認定を取り消された者が法人である場合（第十六条第一項第三号の規定により当該育成就労認定を取り消された場合については、当該法人が第二号又は第四号に規定する者に該当することとなったことによる場合に限る。）において、当該取消の処分を受ける原因となった事項が発生した当時現に当該法人の役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に

対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。第十二号、第二十五条第一項第五号、第二十六条第五号及び第三十九条第五項において同じ。)であった者で、当該取消しの日から起算して五年を経過しないもの(密接関係法人育成就労又は労働者派遣等監理型育成就労を行っていた者であって、当該取消しの処分理由となった事実に関して当該者が有していた責任の有無及び程度を考慮してこの号に該当しないこととすることが相当であると認められるものとして主務省令で定めるものを除く。)

(viii) if an organization whose accreditation of employment for skill development referred to in paragraph (1) of the following Article was revoked pursuant to the provisions of Article 16, paragraph (1) is a corporation (if the accreditation of employment for skill development was revoked under the provisions of Article 16, paragraph (1), item (iii), this is limited to when the corporation falls under a person prescribed in item (ii) or (iv)), a person who was actually the officer (meaning members, directors, executive officers or any other equivalent persons executing business, including consultants, advisers, or any other persons who, irrespective of their title, are found to have the power of control that is equivalent to or greater than members, directors, executive officers or other equivalent persons executing business over the corporation; the same applies in item (xii); Article 25, paragraph (1), item (v); Article 26, item (v); and Article 39, paragraph (5)) of the corporation at the time of the occurrence of the event that caused the corporation to be subject to the revocation, and for whom five years have not yet passed since the date of the revocation (excluding a person who has provided the employment for skill development at a corporation with a close relationship or the supervising-organization-type employment for skill development through worker dispatch, etc., and is provided for in order of the competent ministries as reasonable to hold that the person does not fall under this item in consideration of whether and how much the person is responsible for the fact constituting the reason for the revocation);

九 出入国又は労働に関する法令に関し不正又は著しく不当な行為をした日から起算して五年を経過しない者

(ix) a person for whom five years have not yet passed since the day on which the person has committed a wrongful or significantly unjust act with regard to the laws or regulations related to immigration or labor;

十 暴力団員による不当な行為の防止等に関する法律第二条第六号に規定する暴力団員(以下この号において「暴力団員」という。)又は暴力団員でなくなった日から五年を経過しない者(第十三号及び第二十六条第六号において「暴力団員等」という。)

(x) a person that is a member of an organized crime group as prescribed in Article 2, item (vi) of the Act on Prevention of Unjust Acts by Organized Crime Group Members(hereinafter referred to as "organized crime group member" in this item); or who was a member of the organized crime group if five years have not yet passed since that person ceased to be that member (those persons are

referred to as "organized crime group member, etc." in item (xiii) of this Article and Article 26, item (vi));

十一 営業に関し成年者と同一の行為能力を有しない未成年者であつて、その法定代理人が前各号又は次号のいずれかに該当するもの

(xi) a minor who does not possess the same capacity to act as an adult with regard to business, and whose legislative representative falls under any of the preceding items or the following item;

十二 法人であつて、その役員のうちの前各号のいずれかに該当する者があるもの  
(xii) a corporation in which one of its officers falls under any of the preceding items; or

十三 暴力団員等がその事業活動を支配する者

(xiii) a person whose business activities are controlled by a member of an organized crime group, etc.

(育成就労計画の変更)

#### (Changes to Employment-for-Skill-Development Plans)

第十一条 育成就労実施者は、第八条第一項、第八条の五第一項又は第八条の六第一項の認定（この項の規定による変更の認定を含む。以下「育成就労認定」という。）を受けた育成就労計画（以下「認定育成就労計画」という。）について第八条第三項各号（第五号を除く。）、第八条の五第二項第一号及び第二号（第八条第三項第五号に係る部分を除く。）又は第八条の六第二項第一号及び第二号（第八条第三項第五号に係る部分を除く。）に掲げる事項の変更（主務省令で定める軽微な変更を除く。）をしようとするときは、出入国在留管理庁長官及び厚生労働大臣の認定を受けなければならない。この場合において、当該育成就労実施者の行わせている育成就労が密接関係法人育成就労又は労働者派遣等監理型育成就労であるときは、当該育成就労実施者の全員が共同して当該認定の申請をしなければならない。

Article 11 (1) When an implementing organization for employment for skill development seeks to make changes (excluding minor changes provided for in order of the competent ministries) to any particulars stated in the employment-for-skill-development plan accredited under Article 8, paragraph (1); Article 8-5, paragraph (1); or Article 8-6, paragraph (1) (including an accreditation of the change under the provision of this paragraph; hereinafter referred to as "accreditation of employment for skill development") (hereinafter referred to as "accredited employment-for-skill-development plan") under the items (excluding item (v)) of Article 8, paragraph (3); Article 8-5, paragraph (2), items (i) and (ii) (excluding the parts related to Article 8, paragraph (3), item (v)); or Article 8-6, paragraph (2), items (i) and (ii) (excluding the parts related to Article 8, paragraph (3), item (v)), it must receive accreditation from the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare. In this case, when the employment for skill development provided by the implementing organization for employment for skill development is the employment for skill development at a corporation with a close relationship or

the supervising-organization-type employment for skill development through worker dispatch, etc., all of the relevant implementing organizations must jointly apply for the accreditation.

2 第八条第四項から第六項まで（これらの規定を第八条の五第三項及び第八条の六第三項において準用する場合を含む。）の規定は前項の認定の申請について、第九条から前条までの規定は同項の認定について、それぞれ準用する。この場合において、第九条第一項第三号中「三年以内」とあるのは「三年以内（育成就労の期間を延長することについて相当の理由があるものとして主務省令で定める場合にあっては、四年以内）」と、同項第八号及び第十号並びに同条第二項第六号中「申請者」とあるのは「第十一条第一項の認定の申請をする者」と、第九条の二第二号及び第九条の三第二号中「第十一条第一項の規定により育成就労の期間が延長されている場合」とあるのは「育成就労の期間を延長することについて相当の理由があるものとして主務省令で定める場合」と読み替えるものとする。

(2) The provisions of Article 8, paragraphs (4) through (6) (including as applied mutatis mutandis pursuant to Article 8-5, paragraph (3) and Article 8-6, paragraph (3)) apply mutatis mutandis to the application for accreditation under the preceding paragraph, and the provisions of Article 9 through the preceding Article apply mutatis mutandis to the accreditation under the same paragraph, respectively. In this case, the phrase "a maximum of three years" set forth in Article 9, paragraph (1), item (iii) is deemed to be replaced with "a maximum of three years (or, when it is provided for in order of the competent ministries as there being reasonable grounds for extension of the employment-for-skill-development period, a maximum of four years"; the term "an applicant" set forth in items (viii) and (x) of the same paragraph, and paragraph (2), item (vi) of the same Article is deemed to be replaced with "a person who applies for accreditation under Article 11, paragraph (1)"; and the phrase "when the employment-for-skill-development period is extended pursuant to the provision of Article 11, paragraph 1" in Article 9-2, item (ii) and Article 9-3, item (ii) is deemed to be replaced with "when it is provided for in order of the competent ministries as there being reasonable grounds for extension of the employment-for-skill-development period."

（機構による認定の実施）

(Accreditation by the ESDO)

第十二条 出入国在留管理庁長官及び厚生労働大臣は、機構に、育成就労認定に関する事務（以下この条、第十四条第一項及び第八十七条第一項第一号ハにおいて「認定事務」という。）の全部又は一部を行わせることができる。

Article 12 (1) The Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare may entrust all or a part of the administrative affairs relating to the accreditation of employment for skill development (hereinafter referred to as "administrative affairs for accreditation" in this Article, Article 14, paragraph (1), and Article 87, paragraph (1), item (i),

sub-item (c) to the ESDO.

2 出入国在留管理庁長官及び厚生労働大臣は、前項の規定により機構に認定事務の全部又は一部を行わせるときは、当該認定事務の全部又は一部を行わないものとする。

(2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare entrust all or a part of the administrative affairs for accreditation to the ESDO pursuant to the provisions of the preceding paragraph, that Commissioner or Minister is not to perform the relevant administrative affairs for accreditation that they entrusted in whole or in a part.

3 機構が認定事務の全部又は一部を行う場合における第八条第一項及び第二項、第八条の五第一項、第八条の六第一項、第九条から第九条の三まで並びに前条第一項の規定の適用については、第八条第一項中「出入国在留管理庁長官及び厚生労働大臣」とあるのは「機構（第八条の三第一項に規定する機構をいう。次項において同じ。）」と、同条第二項、第八条の五第一項、第八条の六第一項、第九条から第九条の三まで及び前条第一項中「出入国在留管理庁長官及び厚生労働大臣」とあるのは「機構」とする。

(3) For the purpose of application of the provisions of Article 8, paragraphs (1) and (2); Article 8-5, paragraph (1); Article 8-6, paragraph (1); Articles 9 through 9-3; and paragraph (1) of the preceding Article when the ESDO handles all or a part of the administrative affairs for accreditation, the phrase "the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare" in Article 8, paragraph (1) is to be replaced with "the ESDO (meaning the organization provided for in Article 8-3, paragraph (1); the same applies in the following paragraph)," and the phrase "the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare" in paragraph (2) of the same Article; Article 8-5, paragraph (1); Article 8-6, paragraph (1); Articles 9 through 9-3; and paragraph (1) of the preceding Article is to be replaced with the "ESDO."

4 機構は、育成就労認定を行ったときは、遅滞なく、その旨を出入国在留管理庁長官及び厚生労働大臣に報告しなければならない。

(4) If the ESDO has issued the accreditation of employment for skill development, it must inform the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare to that effect without delay.

5 出入国在留管理庁長官及び厚生労働大臣が第一項の規定により機構に認定事務の全部又は一部を行わせるときは、育成就労認定の申請をする者は、主務省令で定めるところにより、第八条第六項（第八条の五第三項、第八条の六第三項及び前条第二項において準用する場合を含む。）に規定する手数料を機構に納付しなければならない。

(5) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare entrust all or a part of the administrative affairs for accreditation to the ESDO pursuant to the provisions of paragraph (1), a person who applies for accreditation of employment for skill development must pay the fee prescribed in Article 8, paragraph (6) (including as applied mutatis mutandis

pursuant to Article 8-5, paragraph (3); Article 8-6, paragraph (3); and paragraph (2) of the preceding Article) to the ESDO, as provided for in order of the competent ministries.

6 前項の規定により機構に納付された手数料は、機構の収入とする。

(6) Any fees paid to the ESDO pursuant to the provisions of the preceding paragraph are considered as revenue of the ESDO.

7 出入国在留管理庁長官及び厚生労働大臣は、第一項の規定により機構に認定事務の全部若しくは一部を行わせることとするとき、又は機構に行わせていた認定事務の全部若しくは一部を行わせないこととするときは、その旨を公示しなければならない。

(7) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have entrusted all or a part of the administrative affairs of accreditation to the ESDO pursuant to the provisions of paragraph (1), or if they are to cease entrusting all or a part of the administrative affairs of accreditation that had been entrusted to the ESDO, they must give public notice to that effect.

(認定の停止及び再開)

(Suspension and Resumption of Accreditation)

第十二条の二 個別育成就労産業分野を所管する関係行政機関の長は、分野別運用方針に基づき、当該個別育成就労産業分野において必要とされる人材が確保されたと認めるときは、主務大臣に対し、一時的に育成就労認定（育成就労外国人及び育成就労認定が第十六条第一項の規定により取り消されたことにより育成就労の対象でなくなった外国人に係るものを除く。）の停止の措置をとることを求めるものとする。

Article 12-2 (1) When finding under the field-specific operation policies that human resources required in the individual employment-for-skill-development industrial fields have been secured, the head of the relevant administrative organ with jurisdiction over the individual employment-for-skill-development industrial fields is to request the competent ministers to take measures to temporarily suspend the accreditation of employment for skill development (excluding that related to the skill development employee and the foreign national who is no longer the subject of employment for skill development because the accreditation of employment for skill development has been revoked pursuant to the provision of Article 16, paragraph (1)).

2 主務大臣は、前項の規定による求めがあったときは、分野別運用方針に基づき、一時的に同項の停止の措置をとるものとする。

(2) If a request pursuant to the provisions of the preceding paragraph has been made, the competent ministers are to take measures to temporarily suspend the accreditation under the same paragraph in accordance with the field-specific operation policies.

3 前項の規定により停止の措置がとられた場合において、当該個別育成就労産業分野を所管する関係行政機関の長は、分野別運用方針に基づき、当該個別育成就労産業分

野において人材が不足すると認めるときは、主務大臣に対し、育成就労認定の再開の措置をとることを求めることができる。

(3) When the measures to suspend have been taken pursuant to the provisions of the preceding paragraph, and the head of the relevant administrative organ with jurisdiction over the individual employment-for-skill-development industrial fields finds a human resource shortage in the individual employment-for-skill-development industrial fields under the field-specific operation policies, the head may request the competent ministers to take measures to resume the accreditation of employment for skill development.

4 主務大臣は、前項の規定による求めがあったときは、分野別運用方針に基づき、同項の再開の措置をとることができる。

(4) If a request pursuant to the provisions of the preceding paragraph has been made, the competent ministers may take measures to resume the accreditation under the same paragraph in accordance with the field-specific operation policies.

(報告徴収等)

#### (Collection of Reports)

第十三条 主務大臣は、この章（次節を除く。）の規定を施行するために必要な限度において、育成就労実施者若しくは育成就労実施者であった者（以下この項及び次条第一項において「育成就労実施者等」という。）、監理支援機関若しくは監理支援機関であった者（以下この項、次条第一項及び第三十五条第一項において「監理支援機関等」という。）若しくは育成就労実施者等若しくは監理支援機関等の役員若しくは職員（以下この項において「役職員」という。）若しくは役職員であった者（以下この項及び次条第一項において「役職員等」という。）に対し、報告若しくは帳簿書類の提出若しくは提示を命じ、若しくは育成就労実施者等若しくは役職員等に対し出頭を求め、又は当該主務大臣の職員に、関係者に対して質問させ、若しくは育成就労実施者等若しくは監理支援機関等に係る事業所その他育成就労に関係のある場所に立ち入り、その設備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 13 (1) Within the extent necessary for enforcing the provisions of this Chapter (excluding the following Section), the competent ministers may order a current or former implementing organization for employment for skill development (hereinafter referred to as "implementing organization for employment for skill development, etc." in this paragraph and in paragraph (1) of the following Article), a current or former supervising and support organization (hereinafter referred to as "supervising and support organization, etc." in this paragraph, paragraph (1) of the following Article, and Article 35, paragraph (1)), or a current officer or employee of an implementing organization for employment for skill development, etc., or supervising and support organization, etc. (hereinafter referred to as "employee or officer" in this paragraph), or a former employee or officer (hereinafter referred to as "employee or officer, etc." in this paragraph and in paragraph (1) of the following Article) to make a report or

submit or present books and documents, or request the appearance of the implementing organization for employment for skill development, etc., or employee or officer, etc., or have officials of the competent ministries ask questions to relevant persons or enter the premises of the places of business of the implementing organization for employment for skill development, etc., or the supervising and support organization, etc., or other sites related to the employment for skill development to inspect their facilities, books, documents, or other items.

2 前項の規定による質問又は立入検査を行う場合においては、当該主務大臣の職員は、その身分を示す証明書を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) In cases of questioning or on-site inspection under the provisions of the preceding paragraph, the official of the competent ministry must carry an identification card showing their official status and present it to the relevant person upon request.

3 第一項の規定による権限は、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 under the provisions of paragraph (1) must not be construed as authorization for the purpose of a criminal investigation.

(機構による事務の実施)

(Implementation of Administration Affairs by the ESDO)

第十四条 出入国在留管理庁長官及び厚生労働大臣は、第十二条第一項の規定により機構に認定事務の全部又は一部を行わせるときは、この節の規定を施行するために必要な限度において、次に掲げる事務を機構に行わせることができる。

Article 14 (1) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have entrusted all or part of the administrative affairs of accreditation to the ESDO pursuant to the provisions of Article 12, paragraph (1), they may have the ESDO perform the following administrative affairs to the extent necessary to enforce the provisions of this Section:

一 育成就労実施者等若しくは監理支援機関等又は役職員等に対して必要な報告又は帳簿書類の提出若しくは提示を求める事務

(i) administrative affairs requesting the implementing organization for employment for skill development, etc., or the supervising and support organization, etc., or employee or officer, etc., to make the necessary reports or submit or present the necessary books and documents; and

二 その職員をして、関係者に対して質問させ、又は実地に育成就労実施者等若しくは監理支援機関等の設備若しくは帳簿書類その他の物件を検査させる事務

(ii) administrative affairs to have their officials ask questions to relevant persons or conduct on-site inspections of the facilities, books, documents, or other items of the implementing organization for employment for skill development, etc., or

the supervising and support organization, etc.

2 出入国在留管理庁長官及び厚生労働大臣は、前項の規定により機構に報告若しくは帳簿書類の提出若しくは提示を求めさせ、又は質問若しくは検査を行わせる場合には、機構に対し、必要な事項を示してこれを実施すべきことを指示するものとする。

(2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have the ESDO request the relevant person to make a report or submit or to present books and documents, or have it conduct the questioning or on-site inspection pursuant to the provisions of the preceding paragraph, they are to indicate the necessary particulars to the ESDO and instruct it to carry them out.

3 機構は、前項の指示に従って第一項に規定する報告若しくは帳簿書類の提出若しくは提示を求め、又は質問若しくは検査を行ったときは、その結果を出入国在留管理庁長官及び厚生労働大臣に報告しなければならない。

(3) If the ESDO requests the relevant person to make a report or submit or present books and documents or conducts the questioning or inspection as prescribed in the provisions of paragraph (1) in accordance with the instructions set forth under the preceding paragraph, it must report the results thereof to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare.

(改善命令等)

(Orders for Improvement)

第十五条 出入国在留管理庁長官及び厚生労働大臣は、育成就労実施者が認定育成就労計画に従って育成就労を行わせていないと認めるとき、又はこの法律その他出入国若しくは労働に関する法律若しくはこれらに基づく命令の規定に違反した場合において、育成就労の適正な実施を確保するために必要があると認めるときは、当該育成就労実施者に対し、期限を定めて、その改善に必要な措置をとるべきことを命ずることができる。

Article 15 (1) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that an implementing organization for employment for skill development has not provided employment for skill development in accordance with the accredited employment-for-skill-development plan, or an implementing organization for employment for skill development is in violation of the provisions of this Act or other laws related to immigration or labor, or any order based on these provisions, and it is necessary to ensure the proper implementation of employment for skill development, they may order the implementing organization for employment for skill development to take necessary measures to improve the situation by a set deadline.

2 出入国在留管理庁長官及び厚生労働大臣は、前項の規定による命令をした場合には、その旨を公示しなければならない。

(2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have issued an order pursuant to the provisions of the preceding paragraph, they must give public notice to that effect.

(認定の取消し等)

**(Revocation of Accreditation)**

第十六条 出入国在留管理庁長官及び厚生労働大臣は、次の各号のいずれかに該当するときは、育成就労認定を取り消すことができる。

Article 16 (1) The Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare may revoke the accreditation of employment for skill development, when any of the following items applies:

一 育成就労実施者が認定育成就労計画に従って育成就労を行わせていないと認めるとき。

(i) the Commissioner and the Minister find that the implementing organization for employment for skill development has not provided employment for skill development in accordance with the accredited employment-for-skill-development plan;

二 認定育成就労計画が第九条第一項各号若しくは第二項各号、第九条の二各号又は第九条の三各号のいずれかに適合しなくなつたと認めるとき。

(ii) the Commissioner and the Minister find that the accredited employment-for-skill-development plan no longer conforms to any of the items of Article 9, paragraph (1) or (2), the items of Article 9-2 or the items of Article 9-3;

三 育成就労実施者が第十条各号のいずれかに該当することとなつたとき。

(iii) the implementing organization for employment for skill development has come to fall under one of the items of Article 10;

四 第十三条第一項の規定による報告若しくは帳簿書類の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の帳簿書類の提出若しくは提示をし、又は同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、若しく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。

(iv) the implementing organization for employment for skill development has omitted giving a report or submitting or presenting books and documents under Article 13, paragraph (1), has given a false report or submitted or presented false books and documents, or has not given an answer or has given a false answer to questions under the same paragraph, or refused, interfered with or evaded an inspection under the same paragraph;

五 第十四条第一項の規定により機構が行う報告若しくは帳簿書類の提出若しくは提示の求めに虚偽の報告若しくは虚偽の帳簿書類の提出若しくは提示をし、又は同項の規定により機構の職員が行う質問に対して虚偽の答弁をしたとき。

(v) the implementing organization for employment for skill development has made a false report or submitted or presented false books and documents in response to a request from the ESDO to make the report or submit or present books and documents pursuant to the provisions of Article 14, paragraph (1), or has given a false answer to questions asked by the ESDO's staff pursuant to the provisions of the same paragraph;

六 前条第一項の規定による命令に違反したとき。

(vi) the implementing organization for employment for skill development has violated the order prescribed under the provisions of paragraph (1) of the preceding Article; or

2 出入国在留管理庁長官及び厚生労働大臣は、前項の規定による育成就労認定の取消しをした場合には、その旨を公示しなければならない。

(2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have revoked the accreditation of employment for skill development pursuant to the provisions of the preceding paragraph, they must issue public notice to that effect.

(実施の届出)

(Notification of Implementation)

第十七条 育成就労実施者は、育成就労実施者となって初めて育成就労を行わせたときは、その開始後遅滞なく、開始した日その他主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

Article 17 (1) If an implementing organization for employment for skill development has provided employment for skill development for the first time after it comes to serve as the implementing organization for employment for skill development, it must notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare of the date of the commencement of employment for skill development and other particulars as provided for in order of the competent ministries without delay after the commencement.

2 前項の規定による届出の受理に係る事務については、第八条の三の規定を準用する。

(2) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to acceptance of the notification under the preceding paragraph.

(認定の効力)

(Effect of Accreditation)

第十八条 育成就労外国人が新たに第八条の五第一項の認定を受けた育成就労計画（以下この条において「新育成就労計画」という。）に基づく育成就労の対象となった場合における従前の認定育成就労計画に係る育成就労認定は、当該新育成就労計画に定められた育成就労の開始日に、その効力を失う。ただし、当該日までに当該新育成就労計画の認定を受けた育成就労実施者から次条第一項若しくは第二項の規定による届出若しくは通知があった場合又は当該育成就労実施者が監理支援を受ける監理支援機関から第三十三条第一項の規定による届出があった場合は、この限りでない。

Article 18 The accreditation of employment for skill development related to the previous accredited employment-for-skill-development plan when a skill development employee becomes the subject of employment for skill development under the employment-for-skill-development plan newly accredited under Article 8-5, paragraph (1) (hereinafter referred to as "new employment-for-skill development plan" in this Article) is to cease to be effective on the date of the

commencement of employment for skill development specified in the new employment-for-skill-development plan; provided, however, that this does not apply when the notification or notice under paragraph (1) or (2) of the following Article has been submitted by the implementing organization for employment for skill development whose new employment-for-skill-development plan has been accredited by that date, or if the notification under Article 33, paragraph (1) has been submitted by the supervising and support organization from which the implementing organization for employment for skill development receives supervision and support.

(育成就労を行わせることが困難となった場合の届出等)

(Notification of Difficulty in Providing Employment for Skill Development)

第十九条 単独型育成就労実施者は、単独型育成就労を行わせることが困難となったときは、遅滞なく、単独型育成就労を行わせることが困難となった単独型育成就労外国人の氏名、当該単独型育成就労外国人の育成就労の継続のための措置その他の主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

Article 19 (1) If an organization implementing individual-enterprise-type employment for skill development faces difficulty in providing individual-enterprise-type employment for skill development, it must, without delay, notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare of the names of its individual-enterprise-type skill development employees for whom it has become difficult to provide individual-enterprise-type employment for skill development, the measures to be taken to ensure the continuation of employment for skill development for those individual-enterprise-type skill development employees, and other particulars as provided for in order of the competent ministries.

2 監理型育成就労実施者は、監理型育成就労を行わせることが困難となったときは、遅滞なく、監理型育成就労を行わせることが困難となった監理型育成就労外国人の氏名、当該監理型育成就労外国人の育成就労の継続のための措置その他の主務省令で定める事項を監理支援を受けている監理支援機関に通知しなければならない。

(2) If an organization implementing supervising-organization-type employment for skill development faces difficulty in providing supervising-organization-type employment for skill development, it must, without delay, give the supervising and support organization from which it receives supervision and support notice of the names of its supervising-organization-type skill development employees for whom it has become difficult to provide supervising-organization-type employment for skill development, the measures to be taken to ensure the continuation of employment for skill development for those supervising-organization-type skill development employees, and other particulars as provided for in order of the competent ministries.

3 育成就労を行わせることが困難となった育成就労実施者の行わせている育成就労が密接関係法人育成就労である場合においては、第一項の規定による届出又は前項の規定

による通知は、当該育成就労を共同して行わせている育成就労実施者の全員が共同して行わなければならない。

(3) If the employment for skill development provided by the implementing organization for employment for skill development facing difficulty in providing the employment for skill development is the employment for skill development at a corporation with a close relationship, the notification under paragraph (1) or the notice under the preceding paragraph must be submitted or given jointly by all of the relevant implementing organizations for employment for skill development that jointly provide the employment for skill development.

4 監理型育成就労を行わせることが困難となった監理型育成就労実施者の行わせている監理型育成就労が労働者派遣等監理型育成就労である場合においては、当該監理型育成就労実施者は、直ちにその旨を当該監理型育成就労を共同して行わせている他の監理型育成就労実施者に通知しなければならない。この場合において、監理型育成就労を行わせることが困難となった監理型育成就労実施者が本邦の派遣先であるときは、第二項の規定による通知は、この項前段の規定による通知を受けた本邦の派遣元事業主等がしなければならない。

(4) If the employment for skill development provided by the organization implementing supervising-organization-type employment for skill development facing difficulty in providing the supervising-organization-type employment for skill development is the supervising-organization-type employment for skill development through worker dispatch, etc., the organization implementing supervising-organization-type employment for skill development must immediately give notice to that effect to other organizations implementing supervising-organization-type employment for skill development that jointly provide the supervising-organization-type employment for skill development. In this case, if the organization implementing supervising-organization-type employment for skill development facing difficulty in providing the supervising-organization-type employment for skill development is a client in Japan, the notice under paragraph (2) must be given by the staffing provider in Japan, etc., that has received the notice under the first sentence of this paragraph.

5 第一項の規定による届出の受理に係る事務については、第八条の三の規定を準用する。

(5) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to acceptance of the notification under paragraph (1).

(帳簿の備付け)

(Keeping of Books)

第二十条 育成就労実施者（その事業所において育成就労を行わせる者に限る。）は、育成就労に関して、主務省令で定める帳簿書類を作成し、当該事業所に備えて置かなければならない。

Article 20 (1) Implementing organizations for employment for skill development (limited to those providing employment for skill development at those places of

business) must prepare books and documents provided for in order of the competent ministries in connection with employment for skill development and keep them at those places of business.

2 育成就労実施者の行わせている育成就労が労働者派遣等監理型育成就労である場合においては、当該育成就労実施者のうち本邦の派遣元事業主等は、労働者派遣等の対象となる育成就労外国人の育成就労に関して、主務省令で定める帳簿書類を作成し、育成就労に関する業務を行う事業所（育成就労を行わせる事業所であって、労働者派遣等に関する業務を行っていないものを除く。）に備えて置かなければならない。

(2) If the employment for skill development provided by implementing organizations for employment for skill development is the supervising-organization-type employment for skill development through worker dispatch, etc., staffing providers in Japan, etc. out of those implementing organizations for employment for skill development must prepare books and documents provided for in order of the competent ministries in connection with the employment for skill development of skill development employees as the subject of worker dispatch, etc., and keep them at the places of business where the duties related to the employment for skill development are conducted (excluding the places of business providing employment for skill development that do not carry out operations related to the worker dispatch, etc.).

(実施状況報告)

#### (Reporting on the Status of Implementation)

第二十一条 育成就労実施者は、育成就労を行わせたときは、主務省令で定めるところにより、育成就労の実施の状況に関する報告書を作成し、出入国在留管理庁長官及び厚生労働大臣に提出しなければならない。この場合において、当該育成就労実施者の行わせた育成就労が密接関係法人育成就労又は労働者派遣等監理型育成就労であるときは、当該育成就労実施者の全員が共同して当該報告書を作成し、その提出をしなければならない。

Article 21 (1) If an implementing organization for employment for skill development has provided employment for skill development, it must prepare a report on the status of implementation of employment for skill development and submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, as provided for in order of the competent ministries. In this case, when the employment for skill development provided by the implementing organization for employment for skill development is the employment for skill development at a corporation with a close relationship or the supervising-organization-type employment for skill development through worker dispatch, etc., all of the relevant implementing organizations for employment for skill development must jointly prepare and submit the report.

2 前項の規定による報告書の受理及び当該報告書の保管に係る事務については、第八条の三の規定を準用する。この場合において、同条第二項中「前条第一項の規定による

申出又は同条第二項、第六項若しくは第七項の規定による届出」とあるのは「第二十一条第一項の規定による報告書の提出」と、「これら」とあるのは「同項」と、「申出又は届出を」とあるのは「報告書の提出を」と、同条第三項中「申出又は届出」とあるのは「報告書」と、「その旨」とあるのは「その旨及び当該報告書の内容」と読み替えるものとする。

(2) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to acceptance of the report and its retention under the preceding paragraph. In this case, the phrase "request under paragraph (1) of the preceding Article or notification under either of paragraphs (2), (6) or (7) of the same Article," the term "these," and the phrase "the request or the notification" in paragraph (2) of the same Article are deemed to be replaced with "the submission of the report under the provision of Article 21, paragraph (1)", "the same paragraph", and "the submission of the report," respectively. The phrase "request or notification" and "to that effect" in paragraph (3) of the same Article are deemed to be replaced with "the report" and "to that effect and the content of the report," respectively.

(主務省令への委任)

(Delegation to Orders of Competent Ministries)

第二十二條 この節に定めるもののほか、育成就労計画の認定の手續その他この節の規定の実施に関し必要な事項は、主務省令で定める。

Article 22 Beyond what is stated in this Section, the necessary particulars relating to the implementation of procedures for accreditation of employment-for-skill-development plans and other provisions of this Section are provided for in order of the competent ministries.

## 第二節 監理支援機関

### Section 2 Supervising and Support Organizations

(監理支援機関の許可)

(License of Supervising and Support Organization)

第二十三條 監理支援を行う事業（以下この節、第百九条第一号及び第百十二条第一項第十一号において「監理支援事業」という。）を行おうとする者は、主務大臣の許可を受けなければならない。

Article 23 (1) A person seeking to conduct the business of providing supervision and support (hereinafter referred to as "supervision and support business" in this Section, Article 109, item (i), and Article 112, paragraph (1), item (xi)) must obtain a license from the competent ministers.

2 前項の許可（以下この節（第二十七条第二項を除く。）において「許可」という。）を受けようとする者（第七項、次条及び第二十五条において「申請者」という。）は、主務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主務大臣に提出しなければならない。

(2) A person seeking to obtain the license under the preceding paragraph (hereinafter referred to as the "license" in this Section (excluding Article 27,

paragraph (2)) (referred to as the "applicant" in paragraph (7), the following Article, and Article 25) must submit a written application describing the particulars stated below to the competent ministers, as provided for in order of the competent ministries:

一 名称及び住所並びに代表者の氏名

(i) its name and address, and name of its representative;

二 役員の名及び住所

(ii) names and addresses of its officers;

三 監理支援事業を行う事業所の名称及び所在地

(iii) name and address of the place of business where the supervision and support business is conducted;

四 第四十条第一項の規定により選任する監理支援責任者の氏名及び住所

(iv) name and address of the supervision and support manager appointed pursuant to the provisions of Article 40, paragraph (1);

五 外国の送出国から監理型育成就労の対象となろうとする外国人からの監理型育成就労に係る求職の申込みの取次ぎを受けようとする場合にあっては、当該外国の送出国の氏名又は名称及び住所並びに法人にあっては、その代表者の氏名

(v) If the person seeks to ask a foreign sending organization to intermediate job applications for supervising-organization-type employment for skill development from foreign nationals who seek to become the subject of supervising-organization-type employment for skill development, the name and address of that foreign sending organization and, in the case of a corporation, the name of its representative; and

六 その他主務省令で定める事項

(vi) other particulars provided for in order of the competent ministry;

3 前項の申請書には、監理支援事業を行う事業所ごとの監理支援事業に係る事業計画書、第二十五条第一項各号に掲げる事項を証する書面その他主務省令で定める書類を添付しなければならない。

(3) The written application set forth under the preceding paragraph must have a business plan on supervision and support business for each place of business where the supervision and support business is conducted, documents certifying the particulars listed in the items of Article 25, paragraph (1), and other documents as provided for in order of the competent ministries attached to it.

4 前項の事業計画書には、主務省令で定めるところにより、監理支援事業を行う事業所ごとの監理支援を行う監理型育成就労実施者の見込数、当該監理型育成就労実施者における監理型育成就労外国人の見込数その他監理支援事業に関する事項を記載しなければならない。

(4) In the business plan set forth under the preceding paragraph, the expected number of organizations implementing supervising-organization-type employment for skill development which are to be subject to supervision and support for each place of business where the supervision and support business is

to be conducted, the expected number of supervising-organization-type skill development employees at the organizations implementing supervising-organization-type employment for skill development, and other particulars related to the supervision and support business must be described, as provided for in order of the competent ministries.

5 主務大臣は、許可の申請を受けたときは、第二項の申請書及び第三項の書類に係る事実関係につき調査を行うものとする。

(5) If the competent ministers have accepted an application for a license, the ministers are to investigate the facts with regard to the written application as provided for in paragraph (2) and the documents as provided for in paragraph (3).

6 厚生労働大臣は、許可をするときは、あらかじめ、労働政策審議会の意見を聴かなければならない。

(6) If the Minister of Health, Labour and Welfare grants the license, the Minister must hear the opinion of the Labour Policy Council in advance.

7 申請者は、実費を勘案して主務省令で定める額の手数料を納付しなければならない。

(7) The applicant must pay the fee in the amount provided for in order of the competent ministry based on consideration of the actual costs.

(機構による事実関係の調査の実施)

(Implementation of Investigations into Facts by the ESDO)

第二十四条 主務大臣は、機構に、前条第五項の事実関係の調査の全部又は一部を行わせることができる。

Article 24 (1) Competent ministers may entrust their investigation into the facts provided for in paragraph (5) of the preceding Article to the ESDO in whole or in part.

2 主務大臣は、前項の規定により機構に調査の全部又は一部を行わせるときは、当該調査の全部又は一部を行わないものとする。この場合において、主務大臣は、許可をするときは、機構が第四項の規定により報告する調査の結果を考慮しなければならない。

(2) If the competent ministers entrust all or a part of investigations to the ESDO pursuant to the provisions of the preceding paragraph, the ministers are not to perform the relevant investigations in whole or in part by themselves. In this case, when the competent ministers grant the license, they must consider results of the investigations reported by the ESDO pursuant to the provisions of paragraph (4).

3 主務大臣が第一項の規定により機構に調査の全部又は一部を行わせるときは、申請者は、前条第二項の規定にかかわらず、同項の申請書を機構に提出するとともに、機構が行う当該調査を受けなければならない。

(3) If the competent ministers have entrusted the investigation to the ESDO pursuant to the provisions of paragraph (1) in whole or in part, the applicant must submit the written application as provided for in paragraph (2) of the

preceding Article to the ESDO and undergo the ESDO investigation, notwithstanding the provisions of the same paragraph.

4 機構は、前項の申請書を受理したときは、主務大臣にその旨を報告するとともに、同項の調査を行ったときは、遅滞なく、当該調査の結果を主務大臣に報告しなければならない。

(4) If the ESDO has accepted the written application as provided for in the preceding paragraph, it must report to that effect to the competent ministers; and if it has conducted the investigation set forth under the same paragraph, it must report the results to the competent ministers without delay.

5 主務大臣が第一項の規定により機構に調査の全部又は一部を行わせるときは、申請者は、実費を勘案して主務省令で定める額の手数料を機構に納付しなければならない。

(5) If the competent ministers have entrusted the investigation to the ESDO pursuant to the provisions of paragraph (1) in whole or in part, the applicant must pay the fee in the amount provided for in order of the competent ministry based on consideration of the actual costs.

6 前項の規定により機構に納付された手数料は、機構の収入とする。

(6) Any fees paid to the ESDO under the provisions of the preceding paragraph are considered as revenue of the ESDO.

7 主務大臣は、第一項の規定により機構に調査の全部若しくは一部を行わせることとするとき、又は機構に行わせていた調査の全部若しくは一部を行わせないこととするときは、その旨を公示しなければならない。

(7) If the competent ministers have entrusted the investigation to the ESDO pursuant to the provisions of paragraph (1) in whole or in part, or are to cease entrusting all or a part of an investigation that had been entrusted to the ESDO, they must give public notice to that effect.

(許可の基準等)

(Criteria for Licenses)

第二十五条 主務大臣は、許可の申請があった場合において、その申請者が次の各号のいずれにも適合するものであると認めるときでなければ、その許可をしてはならない。

Article 25 (1) If an application for the license has been filed, the competent ministers must not grant the license unless they find that the applicant conforms to all of the following items:

一 本邦の営利を目的としない法人であつて主務省令で定めるものであること。

(i) it is a Japanese nonprofit corporation as provided for in order of the competent ministry;

二 監理支援事業を適正に遂行するに足りる能力を有するものとして主務省令で定める基準に適合しているものであること。

(ii) it conforms to the criteria provided for in order of the competent ministries as a person who has sufficient capability to conduct the supervision and support business appropriately.

三 監理支援事業を健全に遂行するに足りる財産的基礎を有するものとして主務省令で

定める基準に適合しているものであること。

(iii) it conforms to the criteria provided for in order of the competent ministries as a person who has a sufficient financial base to conduct the supervision and support business in a sound manner.

四 個人情報（個人に関する情報であつて、特定の個人を識別することができるもの（他の情報と照合することにより特定の個人を識別することができることとなるものを含む。）をいう。第四十条第一項第四号及び第四十三条において同じ。）を適正に管理し、並びに監理型育成就労実施者等及び監理型育成就労外国人等の秘密を守るために必要な措置を講じていること。

(iv) it has taken the necessary measures to properly manage personal information (meaning information relating to individuals which may be used to identify a specific individual (including information that can be used to identify a specific individual through a cross check against other information); the same applies in Article 40, paragraph (1), item (iv) and Article 43), and to protect the confidentiality of the organization implementing the supervising-organization-type employment for skill development, etc., and the supervising-organization-type skill development employees, etc.;

五 監事その他法人の業務を監査する者による監査のほか、監理型育成就労実施者と主務省令で定める密接な関係を有しない者であつて、職務の執行の監査を公正かつ適正に遂行することができる知識又は経験等を有することその他主務省令で定める要件に適合するものに、主務省令で定めるところにより、役員の監理支援事業に係る職務の執行の監査を行わせるための措置を講じていること。

(v) In addition to auditing by inspectors and persons responsible for auditing the business of the corporation, it has taken measures to have a person who has no close relationship as provided for in order of the competent ministries with the organization implementing supervising-organization-type employment for skill development, possess knowledge or experiences, etc., to fairly and properly audit the execution of duties, and satisfies other requirements provided for in order of the competent ministries audit officers' execution of duties related to the supervision and support business, as provided for in order of the competent ministries;

六 外国の送出機関から監理型育成就労の対象となろうとする外国人からの監理型育成就労に係る求職の申込みの取次ぎを受けようとする場合にあつては、外国の送出機関との間で当該取次ぎに係る契約を締結していること。

(vi) if it seeks to ask a foreign sending organization to intermediate job applications for supervising-organization-type employment for skill development from foreign nationals who seek to become the subject of supervising-organization-type employment for skill development, it has entered into a contract with the foreign sending organization for such intermediation;

七 前各号に定めるもののほか、申請者が、監理支援事業を適正に遂行することができる能力を有するものであること。

(vii) beyond what is stated in the preceding items, it possesses the capability to perform the supervision and support business appropriately.

2 主務大臣は、許可をしないときは、遅滞なく、理由を示してその旨を申請者に通知しなければならない。

(2) If the competent ministers do not grant the license, they must give notice to that effect to the applicant, stating the reasons therefor, without delay.

3 主務大臣は、前条第一項の規定により機構に調査の全部又は一部を行わせるときは、前項の通知を機構を経由して行わなければならない。

(3) If the competent ministers have entrusted the investigation pursuant to the provisions of paragraph (1) of the preceding Article to the ESDO in whole or in part, they must give the notice set forth under the preceding paragraph via the ESDO.

(許可の欠格事由)

(Grounds for Non-Approval of Licenses)

第二十六条 次の各号のいずれかに該当する者は、許可を受けることができない。

Article 26 (1) If a person falls under any of the following items, the person may not receive the license:

一 第十条第二号、第四号又は第十三号に該当する者

(i) a person that comes under Article 10, item (ii), item (iv) or item (xiii);

二 第三十七条第一項の規定により許可を取り消され、当該取消の日から起算して五年を経過しない者

(ii) a person whose license has been revoked pursuant to the provisions of Article 37, paragraph (1), and for whom five years have not yet passed since the date of that revocation;

三 第三十七条第一項の規定による許可の取消しの処分に係る行政手続法（平成五年法律第八十八号）第十五条の規定による通知があった日から当該処分をする日又は処分をしないことを決定する日までの間に、第三十四条第一項の規定による監理支援事業の廃止の届出をした者（当該事業の廃止について相当の理由がある者を除く。）で、当該届出の日から起算して五年を経過しないもの

(iii) a person who submitted a notification of discontinuation of the supervision and support business pursuant to the provisions of Article 34, paragraph (1) during the period from the date of receiving a notice under Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) of the determination to revoke the license pursuant to Article 37, paragraph (1) of this Act until the date of implementation of that determination or the date of the decision not to implement that determination (excluding the person for whom there were reasonable grounds for discontinuation of that business), and for whom five years have not yet passed since the date of that notification;

四 出入国又は労働に関する法令に関し不正又は著しく不当な行為をした日から起算して五年を経過しない者

(iv) a person for whom five years have not yet passed since the day on which the

person has committed a wrongful or significantly unjust act with regard to the laws or regulations related to immigration or labor;

五 役員のうちに次のいずれかに該当する者があるもの

(v) a person in which its officer comes to fall under any of the following:

イ 第十条第一号、第三号、第五号、第六号、第十号又は第十一号に該当する者

(a) the officer in question comes to fall under Article 10, item (i), item (iii), item (v), item (vi), item (x) or item (xi);

ロ 第一号（第十条第十三号に係る部分を除く。）又は前号に該当する者

(b) the officer in question comes to fall under item (i) (excluding the part relating to Article 10, item (xiii)) or the preceding item;

ハ 第三十七条第一項の規定により許可を取り消された場合（同項第二号の規定により許可を取り消された場合については、第一号（第十条第十三号に係る部分を除く。）に該当する者となったことによる場合に限る。）において、当該取消しの処分を受ける原因となった事項が発生した当時現に当該処分を受けた者の役員であった者で、当該取消しの日から起算して五年を経過しないもの

(c) if another person's license was revoked pursuant to the provisions of Article 37, paragraph (1) (or if another person's license was revoked pursuant to the provisions of item (ii) of the same paragraph, the relevant case is limited to cases in which the other person came to fall under item (i) (excluding the part relating to Article 10, item (xiii)), the officer who held the same position in that other person at the time of the occurrence of the event that led to the revocation, and for whom five years have not yet passed since the date of the revocation; or

ニ 第三号に規定する期間内に第三十四条第一項の規定による監理支援事業の廃止の届出をした場合において、同号の通知の日前六十日以内に当該届出をした者（当該監理支援事業の廃止について相当の理由がある者を除く。）の役員であった者で、当該届出の日から起算して五年を経過しないもの

(d) if another person made a notification of discontinuation of the supervision and support business pursuant to the provisions of Article 34, paragraph (1) within the period provided for in item (iii), the officer who held the same position in the other person within 60 days prior to the date of the notice set forth under the same item (excluding persons for whom there were reasonable grounds for discontinuation of the supervision and support business), and for whom five years have not yet passed since the date of that notification; or

六 暴力団員等とその業務に従事させ、又はその業務の補助者として使用するおそれのある者

(vi) the person that is likely to employ a member of an organized crime group, etc., in the business or use a member of an organized crime group, etc., as an assistant in that business.

（職業安定法の特例等）

(Special Provisions for the Employment Security Act)

第二十七条 監理支援機関は、職業安定法（昭和二十二年法律第百四十一号）第三十条

第一項及び第三十三条第一項の規定にかかわらず、育成就労職業紹介事業（監理支援機関の監理支援を受ける監理型育成就労実施者等（本邦の派遣先として労働者派遣等監理型育成就労を行わせ、又は行わせようとする者を除く。）のみを求人者とし、当該監理支援機関の監理支援に係る監理型育成就労外国人等のみを求職者とし、求人及び求職の申込みを受け、求人者と求職者との間における育成就労に係る雇用関係の成立をあっせんすることを業として行うものをいう。以下この条において同じ。）を行うことができる。

Article 27 (1) Notwithstanding the provisions of Article 30, paragraph (1) and Article 33, paragraph (1) of the Employment Security Act (Act No. 141 of 1947), the supervising and support organization may engage in the business of conducting the employment placement services for employment for skill development (meaning engaging in the business of accepting applications for recruitment and job seeking by exclusively designating organizations implementing supervising-organization-type employment for skill development, etc. for which it conducts supervision and support (excluding those who provide or seek to provide supervising-organization-type employment for skill development through worker dispatch, etc., as clients in Japan) as recruiters, and exclusively designating supervising-organization-type skill development employees, etc., for whom it conducts supervision and support as job seekers, and arrange the establishment of an employment relationship related to employment for skill development between recruiters and job seekers; hereinafter the same applies in this Article).

2 監理支援機関が行う育成就労職業紹介事業に関しては、監理支援機関を職業安定法第四条第十項に規定する職業紹介事業者、同法第三十二条の三第一項に規定する有料職業紹介事業者若しくは同法第三十三条第一項の許可を受けた者又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）第二条に規定する職業紹介機関とみなして、職業安定法第五条の二、第五条の三、第五条の四第一項及び第三項、第五条の五から第五条の八まで、第三十二条の十二及び第三十二条の十三（これらの規定を同法第三十三条第四項において準用する場合を含む。以下この項において同じ。）、第三十三条の五並びに第三十三条の六、同法第三十四条において準用する同法第二十条、同法第四十八条、第四十八条の三第二項及び第三項並びに第五十一条第二項並びに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第三章の規定を適用する。この場合において、職業安定法第五条の三第三項及び第四項、第五条の四第一項及び第三項、第五条の五第一項、第五条の六第一項第三号、第三十二条の十三、第三十三条の六並びに第五十一条第二項中「厚生労働省令」とあるのは「主務省令」と、同法第三十二条の十二第一項中「有料の職業紹介事業」とあるのは「育成就労職業紹介事業（外国人の育成就労の適正な実施及び育成就労外国人の保護に関する法律（平成二十八年法律第八十九号）第二十七条第一項に規定する育成就労職業紹介事業をいう。以下同じ。）」と、同項、同条第三項、同法第三十三条の六、第四十八条並びに第四十八条の三第二項及び第三項並びに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

法律第十一条及び第十二条第一項中「厚生労働大臣」とあるのは「主務大臣」と、職業安定法第三十二条の十二第二項及び第三項中「有料の職業紹介事業」とあるのは「育成就労職業紹介事業」と、同法第四十八条中「第三条、第五条の三から第五条の五まで、第三十三条の五、第四十二条、第四十三条の八及び第四十五条の二」とあるのは「第五条の三から第五条の五まで及び第三十三条の五」と、「、求人者、労働者の募集を行う者、募集受託者、募集情報等提供事業を行う者、労働者供給事業者及び労働者供給を受けようとする者」とあるのは「及び求人者」と、同法第四十八条の三第二項中「求人者又は労働者供給を受けようとする者」とあるのは「求人者」と、同条第三項中「労働者の募集を行う者に対し第一項の規定による命令をした場合又は前項」とあるのは「前項」と、「命令又は勧告」とあるのは「勧告」とする。

(2) With regard to the employment-for-skill-development placement services conducted by a supervising and support organization, the supervising and support organization is deemed to be the employment placement service provider provided for in Article 4, paragraph (10) of the Employment Security Act, the provider of paid employment placement services provided for in Article 32-3, paragraph (1) of the same Act or the person who obtained the license under Article 33, paragraph (1) of the same Act, or the employment placement agency provided for in Article 2 of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives (Act No. 132 of 1966), and the following provisions apply: Article 5-2; Article 5-3; Article 5-4, paragraphs (1) and (3); Articles 5-5 through 5-8; Articles 32-12 and Article 32-13 (including as applied mutatis mutandis pursuant to Article 33, paragraph (4); hereinafter the same applies in this paragraph); Article 33-5, and Article 33-6; Article 20 as applied mutatis mutandis pursuant to Article 34; Article 48; Article 48-3, paragraphs (2) and (3); and Article 51, paragraph (2) of the Employment Security Act; and Chapter III of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives. In this case, the term "order of the Ministry of Health, Labour and Welfare" in Article 5-3, paragraphs (3) and (4); Article 5-4, paragraphs (1) and (3); Article 5-5, paragraph (1); Article 5-6, paragraph (1), item (iii); Article 32-13; Article 33-6, and Article 51, paragraph (2) of the Employment Security Act is to be replaced with "order of the competent ministries"; the term "paid employment placement services" in Article 32-12, paragraph (1) of the same Act is to be replaced with the "employment-for-skill-development placement services (provided for in Article 27, paragraph (1) of the Act on Proper Implementation of Employment for Skill Development and Protection of Skill Development Employees (Act No. 89 of 2016); hereinafter the same applies)"; the term "the Minister of Health, Labour and Welfare" in the same paragraph, paragraph (3) of the same Article; Articles 33-6 and 48, and Article 48-3, paragraphs (2) and (3) of the same Act, and Article 11 and Article 12, paragraph (1) of the Act on Comprehensively Advancing Labor

Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives is to be replaced with "the competent ministers"; the term "paid employment placement services" in Article 32-12, paragraphs (2) and (3) is to be replaced with "employment-for-skill-development placement services"; the phrase "Articles 3, 5-3 through 5-5, 33-5, 42, 43-8, and 45-2" in Article 48 of the same Act is to be replaced with "Articles 5-3 through 5-5, and 33-5"; the phrase "..., job posters, persons recruiting workers, commissioned recruiters, persons offering the service of providing recruitment/candidate information, providers of worker supply services, and persons intending to receive worker supply" in the same Article of the same Act is to be replaced with "and job posters"; the phrase "a job poster or person intending to receive worker supply" in Article 48-3, paragraph (2) of the same Act is to be replaced with "a job poster"; "... has issued an order under the provisions of paragraph (1) or a recommendation under the provisions of the preceding paragraph to a person recruiting workers" in paragraph (3) of the same Article of the same Act is replaced with "a recommendation under the provisions of the preceding paragraph"; and "the order or recommendation" in paragraph (3) of the same Article of the same Act is replaced with "the recommendation."

3 前項において読み替えて適用する職業安定法第三十二条の十二第一項（同法第三十三条第四項において準用する場合を含む。）の規定による届出の受理に係る事務については、第八条の三の規定を準用する。

(3) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to acceptance of the notification under Article 32-12, paragraph (1) of the Employment Security Act (including as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act) as applied pursuant to the preceding paragraph following the deemed replacement of terms.

4 前三項に定めるもののほか、育成就労職業紹介事業に関し必要な事項は、主務省令で定める。

(4) Beyond what is stated in the preceding three paragraphs, any other necessary particulars relating to the employment-for-skill-development placement services are provided for in order of the competent ministries.

(監理支援費)

(Fees for Supervision and Support)

第二十八条 監理支援機関は、監理支援事業に関し、監理型育成就労実施者等、監理型育成就労外国人等その他の関係者から、いかなる名義でも、手数料又は報酬を受けてはならない。

Article 28 (1) Supervising and support organizations must not receive any fees or remuneration for their supervision and support business, under any name, from organizations implementing supervising-organization-type employment for skill development, etc., supervising-organization-type skill development employees, etc., or any other relevant persons.

2 前項の規定にかかわらず、監理支援機関は、監理支援事業に通常必要となる経費等を勘案して主務省令で定める適正な種類及び額の監理支援費をその用途及び金額を明示した上で監理型育成就労実施者等から徴収することができる。

(2) Notwithstanding the provisions of the preceding paragraph, supervising and support organizations may collect fees for supervision and support of an appropriate type and amount as provided for in order of the competent ministries based on the general expenses and other costs ordinarily considered necessary for the supervision and support business from organizations implementing supervising-organization-type employment for skill development, etc., after clearly indicating the uses and amounts of those fees.

(許可証)

(Licenses)

第二十九条 主務大臣は、許可をしたときは、監理支援事業を行う事業所の数に応じ、許可証を交付しなければならない。

Article 29 (1) If the competent ministers have granted a license, they must issue the license certificates corresponding to the number of places of business where the supervision and support business is to be conducted.

2 許可証の交付を受けた者は、当該許可証を、監理支援事業を行う事業所ごとに備え付けるとともに、関係者から請求があったときは提示しなければならない。

(2) A person that has been granted the license must keep the license certificate at each place of business where the supervision and support business is conducted, and must present it upon the request of a relevant person.

3 許可証の交付を受けた者は、当該許可証を亡失し、又は当該許可証が滅失したときは、速やかにその旨を主務大臣に届け出て、許可証の再交付を受けなければならない。

(3) If a certificate has been lost or destroyed, the person that was issued the certificate must promptly notify the competent ministers to that effect and must have the certificate reissued.

4 主務大臣は、機構に、第一項の規定による交付又は前項の規定による再交付に係る事務を行わせることができる。

(4) The competent ministers may entrust the administrative affairs relating to issuing certificates pursuant to the provisions of paragraph (1) or reissuance of the certificate pursuant to the provisions of the preceding paragraph to the ESDO.

5 主務大臣は、前項の規定により機構に第一項の規定による交付若しくは第三項の規定による再交付に係る事務を行わせることとするとき、又は機構に行わせていた第一項の規定による交付若しくは第三項の規定による再交付に係る事務を行わせないこととするときは、その旨を公示しなければならない。

(5) If the competent ministers have entrusted the administrative affairs relating to issuance or reissuance of the license certificate pursuant to the provisions of paragraph (1) and paragraph (3) to the ESDO, or if they are to cease entrusting the administrative affairs relating to issuance or reissuance of the license

certificate pursuant to the provisions of paragraph (1) and paragraph (3) to the ESDO, they must give public notice to that effect.

(許可の条件)

(License Conditions)

第三十条 許可には、条件を付し、及びこれを変更することができる。

Article 30 (1) The license may be subject to conditions, and those conditions may be subject to change.

2 前項の条件は、許可の趣旨に照らして、又は当該許可に係る事項の確実な実施を図るために必要な最小限度のものに限り、かつ、当該許可を受ける者に不当な義務を課することとなるものであってはならない。

(2) The conditions as provided for in the preceding paragraph are to be limited to the minimum degree necessary in light of the purpose of the license or necessary to ensure the reliable implementation of particulars relating to the license, and must not impose undue obligations on the person that is to receive the license.

(許可の有効期間等)

(Period of Validity of Licenses)

第三十一条 許可の有効期間（次項の規定により許可の有効期間の更新を受けた場合にあっては、当該更新された有効期間。以下この条において同じ。）は、当該許可の日

（次項の規定により許可の有効期間の更新を受けた場合にあっては、当該更新前の許可の有効期間が満了する日の翌日。以下この項において同じ。）から起算して三年を下らない政令で定める期間とする。ただし、許可の申請（次項の規定による許可の有効期間の更新の申請を含む。）があつた場合において、当該申請を行った者が監理型育成就労の実施状況の監査その他の業務の遂行に関して主務省令で定める基準に適合している者であると主務大臣が認めるときは、当該許可の日から起算して五年を下らない政令で定める期間とする。

Article 31 (1) The validity period of the license (or a renewed validity period, if the validity period of the license has been renewed pursuant to the provisions of the following paragraph; hereinafter the same applies in this Article) must be a period of not less than three years from the date of the granting of that license (or from the day after the date of the expiration of the period prior to renewal, if the validity period of the license has been renewed pursuant to the provisions of the following paragraph; hereinafter the same applies in this paragraph) as specified by Cabinet Order; provided, however, that if an application for license (including an application for renewal of the validity period of the license under the provision of the following paragraph) is made, and the competent ministers find that the person who has made the application conforms to the criteria provided for in order of the competent ministries in connection with the audit of the status of implementation of the supervising-organization-type employment for skill development and other duties, the validity period of the license is to be a period of not less than five years from the date of the granting of that license as specified by Cabinet Order.

2 許可の有効期間の満了後引き続き当該許可に係る監理支援事業を行おうとする者は、許可の有効期間の更新を受けなければならない。

(2) A person that seeks to continue conducting the supervision and support business under the license after the expiration of the validity period of the license must obtain a renewal of the validity period of that license.

3 主務大臣は、許可の有効期間の更新の申請があった場合において、当該申請を行った者が第二十五条第一項各号のいずれかに適合していないと認めるときは、当該許可の有効期間の更新をしてはならない。

(3) If an application for renewal of the validity period of the license has been made and the competent ministers find that the person who has made the application does not conform to one of the items of paragraph (1) of Article 25, the competent ministers must not renew the validity period of the license.

4 許可の有効期間の更新を受けようとする者は、実費を勘案して主務省令で定める額の手料を納付しなければならない。

(4) A person that wishes to renew the period of validity of the license must pay the fee provided for in order of the competent ministry based on consideration of the actual costs.

5 第二十三条第二項から第五項まで、第二十四条、第二十五条第二項及び第三項、第二十六条（第二号、第三号並びに第五号ハ及びニを除く。）並びに第二十九条の規定は、許可の有効期間の更新について準用する。

(5) The provisions of Article 23, paragraphs (2) through (5), Article 24, Article 25, paragraph (2) and paragraph (3), Article 26 (excluding item (ii), item (iii) and item (v), (d) and (e)) and Article 29 apply mutatis mutandis to the renewal of the period of validity of the license.

(変更の届出)

(Notification of Change)

第三十二条 監理支援機関は、第二十三条第二項各号に掲げる事項（主務省令で定めるものを除く。）に変更があったときは、変更の日から一月以内に、その旨を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。この場合において、当該変更に係る事項が監理支援事業を行う事業所の新設に係るものであるときは、当該事業所に係る事業計画書その他主務省令で定める書類を添付しなければならない。

Article 32 (1) If a change has been made in the particulars (excluding those provided for in order of the competent ministries) stated in the items of Article 23, paragraph (2), the supervising and support organization must notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare to that effect within one month of the date of the change. In this case, if the particulars subject to the relevant change relate to the establishment of a new place of business where the supervision and support business is to be conducted, the business plan and other documents provided for in order of the competent ministries for the new place of business must be attached to that notification.

2 第二十三条第四項の規定は、前項の事業計画書について準用する。

(2) The provisions of Article 23, paragraph (4) apply mutatis mutandis to the business plan provided for in the preceding paragraph.

3 主務大臣は、第一項の規定による監理支援事業を行う事業所の新設に係る変更の届出があったときは、当該新設に係る事業所の数に応じ、許可証を交付しなければならない。

(3) If the competent ministers have accepted a notification under paragraph (1) of the change related to the establishment of a new place of business where the supervision and support business is to be conducted, they must issue the license certificates corresponding to the number of newly established places of business.

4 監理支援機関は、第一項の規定による届出をする場合において、当該届出に係る事項が許可証の記載事項に該当するときは、その書換えを受けなければならない。

(4) If a supervising and support organization makes the notification under paragraph (1) and the particulars related to the notification are described on the license certificate, it must have its license certificate updated.

5 第一項の規定による届出の受理に係る事務については第八条の三の規定を、第三項の規定による許可証の交付に係る事務については第二十九条第四項及び第五項の規定を、それぞれ準用する。

(5) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to acceptance of the notification under paragraph (1), and the provisions of Article 29, paragraphs (4) and (5) apply mutatis mutandis to the administrative affairs relating to issuance of the license certificate under paragraph (3).

(育成就業の実施が困難となった場合の届出)

(Notification of Difficulty in Implementing Employment for Skill Development)

第三十三条 監理支援機関は、第十九条第二項の規定による通知を受けた場合その他監理支援を行う監理型育成就業実施者が監理型育成就業を行わせることが困難となったと認めるときは、遅滞なく、当該通知に係る事項その他の主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

Article 33 (1) If the supervising and support organization receives a notice under Article 19, paragraph (2) or otherwise finds that it is difficult for an organization implementing supervising-organization-type employment for skill development for which it conducts supervision and support to provide the supervising-organization-type employment for skill development, the supervising and support organization must, without delay, notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare of the particulars relating to that notice and other particulars as provided for in order of the competent ministries.

2 前項の規定による届出の受理に係る事務については、第八条の三の規定を準用する。

(2) The provisions of Article 8-3 apply mutatis mutandis to the administrative

affairs relating to the acceptance of the notification under the preceding paragraph.

(事業の休廃止)

**(Suspension and Discontinuation of Business)**

第三十四条 監理支援機関は、監理支援事業を廃止し、又はその全部若しくは一部を休止しようとするときは、その廃止又は休止の日の一月前までに、その旨及び当該監理支援機関が監理支援を行う監理型育成就労実施者に係る監理型育成就労の継続のための措置その他の主務省令で定める事項を出入国在留管理庁長官及び厚生労働大臣に届け出なければならない。

Article 34 (1) If a supervising and support organization seeks to discontinue its supervision and support business or to suspend it in whole or in part, the supervising and support organization must notify the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare to that effect at least one month prior to the date of that discontinuation or suspension, and must notify them of the measures to be taken to ensure the continuation of the supervising-organization-type employment for skill development related to an organization implementing the supervising-organization-type employment for skill development for which it conducts supervision and support, and other particulars as provided for in order of the competent ministries.

2 前項の規定による届出の受理に係る事務については、第八条の三の規定を準用する。

(2) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs of acceptance of the notification under the preceding paragraph.

(報告徴収等)

**(Collection of Reports)**

第三十五条 主務大臣は、この節の規定を施行するために必要な限度において、監理型育成就労関係者（監理支援機関等又は監理型育成就労実施者若しくは監理型育成就労実施者であった者をいう。以下この項において同じ。）若しくは監理型育成就労関係者の役員若しくは職員（以下この項において「役職員」という。）若しくは役職員であった者（以下この項において「役職員等」という。）に対し、報告若しくは帳簿書類の提出若しくは提示を命じ、若しくは監理型育成就労関係者若しくは役職員等に対し出頭を求め、又は当該主務大臣の職員に、関係者に対して質問させ、若しくは監理型育成就労関係者に係る事業所その他監理型育成就労に関係のある場所に立ち入り、その設備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 35 (1) Within the extent necessary for enforcing the provisions of this Section, the competent ministers may order a person related to the supervising-organization-type employment for skill development (meaning a supervising and support organization, etc., or a current or former organization implementing supervising-organization-type employment for skill development; hereinafter the same applies in this paragraph), a current officer or employee of a person related

to supervising-organization-type employment for skill development (hereinafter referred to as "employee or officer" in this paragraph) or a former officer or employee (that current officer or employee, and that former officer or employee are hereinafter collectively referred to as "employee or officer, etc." in this paragraph) to make a report, submit or present books and documents; may request the appearance of the person related to the supervising-organization-type employment for skill development or the employee or officer, etc.; may have an official of the competent ministry question relevant persons; or may have them enter the premises of the places of business of the organization implementing supervising-organization-type employment for skill development or other sites related to the supervising-organization-type employment for skill development, to inspect their facilities, books, documents, or other items.

2 第十三条第二項の規定は前項の規定による質問又は立入検査について、同条第三項の規定は前項の規定による権限について、それぞれ準用する。

(2) The provisions of Article 13, paragraph (2) apply mutatis mutandis to the questioning or on-site inspection under the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the preceding paragraph.

(改善命令等)

(Orders for Improvement)

第三十六条 主務大臣は、監理支援機関が、この法律その他出入国若しくは労働に関する法律又はこれらに基づく命令の規定に違反した場合において、監理支援事業の適正な運営を確保するために必要があると認めるときは、当該監理支援機関に対し、期限を定めて、その監理支援事業の運営を改善するために必要な措置をとるべきことを命ずることができる。

Article 36 (1) If a supervising and support organization has violated the provisions of this Act, the provisions of other laws related to immigration or labor, or any order based on these provisions, and the competent ministers find it necessary in order to secure the proper operation of the supervision and support business, they may order the supervising and support organization to take the necessary measures to improve the management of the supervision and support business by a set deadline.

2 主務大臣は、前項の規定による命令をした場合には、その旨を公示しなければならない。

(2) If the competent ministers have issued an order under the preceding paragraph, they must give public notice to that effect.

(許可の取消し等)

(Revocation of Licenses)

第三十七条 主務大臣は、監理支援機関が次の各号のいずれかに該当するときは、許可を取り消すことができる。

Article 37 (1) The competent ministers may revoke the license if the supervising

and support organization falls under any of the following items:

一 第二十五条第一項各号のいずれかに適合しなくなったと認めるとき。

(i) it is found that the supervising organization no longer conforms to any of the items of paragraph (1) of Article 25;

二 第二十六条各号（第二号、第三号並びに第五号ハ及びニを除く。）のいずれかに該当することとなったとき。

(ii) the supervising organization falls under one of the items of Article 26 (excluding item (ii), item (iii), and item (v), (c) and (d));

三 第三十条第一項の規定により付された許可の条件に違反したとき。

(iii) the supervising and support organization has violated the conditions attached pursuant to the provisions of Article 30, paragraph (1) to the license;

四 この法律の規定若しくは出入国若しくは労働に関する法律の規定であつて政令で定めるもの又はこれらの規定に基づく命令若しくは処分に違反したとき。

(iv) the supervising organization has violated the provisions of this Act, the provisions of laws specified by Cabinet Order relating to immigration or labor, or any order or administrative actions based on these provisions; or

2 主務大臣は、監理支援機関が前項第一号、第三号又は第四号のいずれかに該当するときは、期間を定めて当該監理支援事業の全部又は一部の停止を命ずることができる。

(2) If the competent ministers find that a supervising and support organization falls under any of the provisions of item (i), item (iii), or item (iv) of the preceding paragraph, they may order the suspension of all or a part of the supervision and support business for a set period of time.

3 主務大臣は、第一項の規定による許可の取消し又は前項の規定による命令をした場合には、その旨を公示しなければならない。

(3) If the competent ministers have revoked a license pursuant to the provisions of paragraph (1), or issued an order pursuant to the provisions of the preceding paragraph, they must give public notice to that effect.

(名義貸しの禁止)

(Prohibition of Name Lending)

第三十八条 監理支援機関は、自己の名義をもって、他人に監理支援事業を行わせてはならない。

Article 38 A supervising and support organization must not have any other person conduct the supervision and support business using that organization's name.

(認定育成就労計画に従った監理支援等)

(Supervision and Support in Accordance with the Accredited Employment-for-Skill-Development Plan)

第三十九条 監理支援機関は、認定育成就労計画に従い、当該監理型育成就労外国人に係る監理型育成就労の監理支援を行わなければならない。

Article 39 (1) The supervising and support organization must, in accordance with the accredited employment-for-skill-development plan, conduct supervision and

support of supervising-organization-type employment for skill development related to the supervising-organization-type skill development employees.

2 監理支援機関は、その監理支援を行う監理型育成就労実施者が監理型育成就労外国人が修得した技能の評価を行うに当たっては、当該監理型育成就労実施者に対し、必要な指導及び助言を行わなければならない。

(2) The supervising and support organization must provide the necessary guidance and advice to the organization implementing supervising-organization-type employment for skill development under its supervision and support when that organization conducts an evaluation of the skills acquired by the supervising-organization-type skill development employees.

3 監理支援機関は、主務省令で定める基準に従い、第八条の四第五項並びに第五十一条第一項及び第二項に規定する措置その他の必要な措置を適切に行わなければならない。

(3) The supervising and support organization must properly take the measures provided for in Article 8-4, paragraph (5) and Article 51, paragraphs (1) and (2) and other necessary measures in accordance with the criteria provided for in order of the competent ministries.

4 前三項に規定するもののほか、監理支援機関は、監理型育成就労の実施状況の監査その他の業務の実施に関し主務省令で定める基準に従い、その業務を実施しなければならない。

(4) Beyond what is stated in the preceding three paragraphs, the supervising and support organization must conduct its operations in accordance with the criteria as provided for in order of the competent ministries with regard to the audit of the status of implementation of the supervising-organization-type employment for skill development and other operations.

5 監理支援機関は、監理型育成就労実施者と主務省令で定める密接な関係を有する役員又は職員を、前各項に規定する業務のうち主務省令で定めるものの実施に関わらせてはならない。

(5) The supervising and support organization must not engage officers or employees who have a close relationship, as provided for in order of the competent ministries, with an organization implementing supervising-organization-type employment for skill development in the implementation of the operations provided for in the preceding paragraphs that are provided for in order of the competent ministries.

(監理支援責任者の設置等)

(Appointment of a Supervision and Support Manager)

第四十条 監理支援機関は、監理支援事業に関し次に掲げる事項を統括管理させるため、主務省令で定めるところにより、監理支援事業を行う事業所ごとに監理支援責任者を選任しなければならない。

Article 40 (1) The supervising and support organization, as provided for in order of the competent ministries, must appoint a supervision and support manager at

each place of business where the supervision and support business is conducted to have that manager generally supervise the particulars stated below:

一 監理型育成就労外国人の受入れの準備に関すること。

(i) preparations for acceptance of supervising-organization-type skill development employees;

二 監理型育成就労外国人の技能の修得に関する監理型育成就労実施者への指導及び助言並びに監理型育成就労実施者との連絡調整に関すること。

(ii) particulars related to guidance and advice provided to organizations implementing supervising-organization-type employment for skill development with regard to the acquisition of skills by the supervising-organization-type skill development employees, and communication and coordination with the organizations implementing supervising-organization-type employment for skill development;

三 次節に規定する育成就労外国人の保護その他監理型育成就労外国人の保護に関すること。

(iii) particulars related to the protection of skill development employees provided for in the following Section, and the protection of other supervising-organization-type skill development employees;

四 監理型育成就労実施者等及び監理型育成就労外国人等の個人情報に関すること。

(iv) particulars related to the management of personal information relating to the organization implementing supervising-organization-type employment for skill development, etc. and supervising-organization-type skill development employees, etc.;

五 監理型育成就労外国人の労働条件、産業安全及び労働衛生に関し、第九条第一項第六号及び同条第二項第五号に規定する責任者との連絡調整に関すること。

(v) particulars related to communication and coordination with the manager provided for in Article 9, paragraph (1), item (iv) and paragraph (2), item (v) of the same Article in relation to labor conditions for, industrial safety for, and occupational health of the supervising-organization-type skill development employees; and

六 国及び地方公共団体の機関であって育成就労に関する事務を所掌するもの、機構その他関係機関との連絡調整に関すること。

(vi) particulars related to communication and coordination with the national and local government agencies which have jurisdiction over the administrative affairs relating to employment for skill development, the ESDO, and other relevant organizations.

2 監理支援責任者は、次に掲げる者以外の者でなければならない。

(2) The supervision and support manager must be a person other than those stated below:

一 第二十六条第五号イ（第十条第十一号に係る部分を除く。）又はロからニまでに該

当する者

(i) a person who falls under any of the provisions of Article 26, item (v), (a) (excluding the parts related to Article 10, item (xi)) or (b) through (d);

二 前項の規定による選任の日前五年以内又はその選任の日以後に出入国又は労働に関する法令に関し不正又は著しく不当な行為をした者

(ii) a person who has committed a wrongful or significantly unjust act with regard to laws or regulations related to immigration or labor within five years prior to the date of appointment under the preceding paragraph, or on or after the date of appointment; or

三 未成年者

(iii) a minor.

3 監理支援機関は、監理型育成就労実施者が、監理型育成就労に関し労働基準法、労働安全衛生法その他の労働に関する法令に違反しないよう、監理支援責任者をして、必要な指導を行わせなければならない。

(3) The supervising and support organization must have the supervision and support manager provide the necessary guidance to ensure that an organization implementing supervising-organization-type employment for skill development does not violate the Labor Standards Act, the Industrial Safety and Health Act, or other laws and regulations relating to labor.

4 監理支援機関は、監理型育成就労実施者が、監理型育成就労に関し労働基準法、労働安全衛生法その他の労働に関する法令に違反していると認めるときは、監理支援責任者をして、是正のため必要な指示を行わせなければならない。

(4) If the supervising and support organization finds that an organization implementing supervising-organization-type employment for skill development has violated the Labor Standards Act, the Industrial Safety and Health Act, or other laws and regulations related to labor in connection with the supervising-organization-type employment for skill development, it must have the supervision and support manager issue the necessary instructions for corrective purposes.

5 監理支援機関は、前項に規定する指示を行ったときは、速やかに、その旨を関係行政機関に通報しなければならない。

(5) If the supervising and support organization has issued the instructions provided for in the preceding paragraph, it must promptly inform the relevant administrative organs to that effect.

(帳簿の備付け)

(Keeping of Books and Documents)

第四十一条 監理支援機関は、監理支援事業に関して、主務省令で定める帳簿書類を作成し、監理支援事業を行う事業所に備えて置かなければならない。

Article 41 The supervising and support organization must prepare books and documents relating to the supervision and support business provided for in order

of the competent ministries, and must keep them at the place of business where the supervision and support business is conducted.

(監査報告等)

(Audit Reports)

第四十二条 監理支援機関は、その監理支援を行う監理型育成就労実施者について、第三十九条第四項の主務省令で定める基準に従い監査を行ったときは、当該監査の終了後遅滞なく、監査報告書を作成し、出入国在留管理庁長官及び厚生労働大臣に提出しなければならない。

Article 42 (1) If the supervising and support organization has conducted an audit of an organization implementing supervising-organization-type employment for skill development for which it conducts supervision and support in accordance with the criteria provided for in order of the competent ministries set forth in Article 39, paragraph (4), it must prepare an audit report without delay after it has completed the audit and must submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare.

2 監理支援機関は、主務省令で定めるところにより、監理支援事業を行う事業所ごとに監理支援事業に関する事業報告書を作成し、出入国在留管理庁長官及び厚生労働大臣に提出しなければならない。

(2) The supervising and support organization must prepare a business report on the supervision and support business for each place of business where the supervision and support business is conducted, and must submit it to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare, as provided for in order of the competent ministries.

3 第一項の規定による監査報告書の受理及び当該監査報告書の保管並びに前項の規定による事業報告書の受理及び当該事業報告書の保管に係る事務については、第八条の三の規定を準用する。この場合において、同条第二項中「前条第一項の規定による申出又は同条第二項、第六項若しくは第七項の規定による届出」とあるのは「第四十二条第一項の規定による監査報告書の提出又は同条第二項の規定による事業報告書の提出」と、「申出又は届出を」とあるのは「監査報告書又は事業報告書の提出を」と、同条第三項中「申出又は届出」とあるのは「監査報告書又は事業報告書」と、「その旨」とあるのは「その旨及び当該監査報告書又は当該事業報告書の内容」と読み替えるものとする。

(3) The provisions of Article 8-3 apply mutatis mutandis to the administrative affairs relating to the acceptance and retention of the audit report under paragraph (1) and the acceptance and retention of the business report under the preceding paragraph. In this case, the phrases "request under paragraph (1) of the preceding Article or notification under either of paragraphs (2), (6) and (7) of the same Article" and "the request or the notification" in paragraph (2) of the same Article are deemed to be replaced with "the submission of the audit report under the provision of Article 42, paragraph (1) or the submission of the business report under paragraph (2) of the same Article," respectively. The phrases "the request or notification" and "to that effect" in paragraph (3) of the same Article

are deemed to be replaced with "the audit report or the business report" and "to that effect and the content of the audit report or the business report," respectively.

(個人情報取扱い)

#### (Handling of Personal Information)

第四十三条 監理支援機関は、監理支援事業に関し、監理型育成就労実施者等及び監理型育成就労外国人等の個人情報を収集し、保管し、又は使用するに当たっては、監理支援事業の目的の達成に必要な範囲内で監理型育成就労実施者等及び監理型育成就労外国人等の個人情報を収集し、並びにその収集の目的の範囲内でこれを保管し、及び使用しなければならない。ただし、本人の同意がある場合その他正当な事由がある場合は、この限りでない。

Article 43 (1) When a supervising and support organization collects, retains, or uses the personal information of an organization implementing supervising-organization-type employment for skill development, etc., and a supervising-organization-type skill development employee, etc. in connection with the supervision and support business, it must collect that information only within the scope necessary to achieve the objectives of the supervision and support business, and must retain and use it only within the scope of the purposes for which it was collected; provided, however, that this does not apply when the relevant person gave consent or there are otherwise reasonable grounds.

2 監理支援機関は、監理型育成就労実施者等及び監理型育成就労外国人等の個人情報を適正に管理するために必要な措置を講じなければならない。

(2) The supervising and support organization must take the necessary measures to properly manage personal information related to the organizations implementing supervising-organization-type employment for skill development, etc., and supervising-organization-type skill development employees, etc.

(秘密保持義務)

#### (Obligation of Confidentiality)

第四十四条 監理支援機関の役員若しくは職員又はこれらの者であった者は、正当な理由なく、その業務に関して知ることができた秘密を漏らし、又は盗用してはならない。

Article 44 The officers and employees or former officers and employees of the supervising and support organization must not divulge or misappropriate any confidential information which they come to know in connection with their operations, without reasonable grounds.

(主務省令への委任)

#### (Delegation to Orders of the Competent Ministry)

第四十五条 この節に定めるもののほか、許可の手續その他この節の規定の実施に関し必要な事項は、主務省令で定める。

Article 45 Beyond what is stated in this Section, the licensing procedures and other necessary particulars relating to implementation of this Section are provided for in order of the competent ministries.

### 第三節 育成就労外国人の保護

#### Section 3 Protection of Skill Development Employees

(禁止行為)

(Prohibited Acts)

第四十六条 監理支援機関その他の監理支援を行う者（第四十八条第一項において「監理支援者」という。）又はその役員若しくは職員（次条において「監理支援者等」という。）は、暴行、脅迫、監禁その他精神又は身体の自由を不当に拘束する手段によって、育成就労外国人の意思に反して育成就労を強制してはならない。

Article 46 A supervising and support organization or other person conducting supervision and support (referred to as "supervisor and supporter" in Article 48, paragraph (1)) or its officer or employee (referred to as "supervisor and supporter, etc." in the following Article) must not force the skill development employees to engage in employment for skill development against their will through the use of assault, intimidation, confinement, or any other means which unfairly restrict the mental or physical freedom of the skill development employee.

第四十七条 監理支援者等は、育成就労外国人等（育成就労外国人又は育成就労の対象となろうとする外国人をいう。以下同じ。）又はその配偶者、直系若しくは同居の親族その他育成就労外国人等と社会生活において密接な関係を有する者との間で、育成就労に係る契約の不履行について違約金を定め、又は損害賠償額を予定する契約をしてはならない。

Article 47 (1) The supervisor and supporter, etc., must not enter into an employment-for-skill-development contract that stipulates penalties or liquidated damages in the event of non-performance with skill development employees, etc. (meaning skill development employees or foreign nationals who seek to become the subject of employment for skill development; hereinafter the same applies), their spouses, their lineal relatives, their relatives cohabiting with the skill development employees, etc., or any other person who has a close personal relationship with the skill development employees, etc. in their social lives.

2 監理支援者等は、育成就労外国人等に育成就労に係る契約に付随して貯蓄の契約をさせ、又は育成就労外国人等との間で貯蓄金を管理する契約をしてはならない。

(2) The supervisor and supporter, etc., must not have a skill development employee, etc., enter into a savings contract incidental to the contract for employment for skill development nor enter into a contract assuming control of the savings with the skill development employee, etc.

第四十八条 育成就労実施者その他育成就労を行わせようとする者若しくは監理支援者又はこれらの役員若しくは職員（次項において「育成就労関係者」という。）は、育成就労外国人等の旅券（入管法第二条第五号に規定する旅券をいう。第百十一条第五号において同じ。）又は在留カード（入管法第十九条の三に規定する在留カードをいう。同号において同じ。）を保管してはならない。

Article 48 (1) An implementing organization for employment for skill development, or other person seeking to provide employment for skill development, or supervisor and supporter, or their officer or employee (referred to as "persons associated with employment for skill development" in the following paragraph) must not retain passports (meaning the passports provided for in the provisions of Article 2, item (v) of the Immigration Control Act; the same applies in Article 111, item (v)) or residence cards (meaning the residence cards provided for in the provisions of Article 19-3 of the Immigration Control Act; the same applies in the same item) of skill development employees, etc.

2 育成就労関係者は、育成就労外国人等の外出その他の私生活の自由を不当に制限してはならない。

(2) Persons associated with employment for skill development must not unreasonably restrict the freedom of skill development employees, etc., to go out, or otherwise impose unfair restrictions on their freedom in their personal lives.

(出入国在留管理庁長官及び厚生労働大臣に対する申告)

(Reporting to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare)

第四十九条 育成就労実施者若しくは監理支援機関又はこれらの役員若しくは職員（次項において「育成就労実施者等」という。）がこの法律又はこれに基づく命令の規定に違反する事実がある場合においては、育成就労外国人は、その事実を出入国在留管理庁長官及び厚生労働大臣に申告することができる。

Article 49 (1) If an implementing organization for employment for skill development, supervising and support organization, or officers or employees thereof (referred to as "implementing organization, etc." in the following paragraph) is in violation of the provisions of this Act or any order based thereon, the skill development employee may report that fact to the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare.

2 育成就労実施者等は、前項の申告をしたことを理由として、育成就労外国人に対して育成就労の中止その他不利益な取扱いをしてはならない。

(2) The implementing organization for employment for skill development, etc., must not suspend the employment for skill development for the skill development employee or subject that employee to other disadvantageous treatment, due to the skill development employee having given the report provided for in the preceding paragraph.

#### 第四節 補則

#### Section 4 Auxiliary Provisions

(指導及び助言等)

(Guidance and Advice)

第五十条 出入国在留管理庁長官及び厚生労働大臣は育成就労実施者に対し、主務大臣は監理支援機関に対し、この章の規定の施行に関し必要があると認めるときは、育成就

労の適正な実施及び育成就労外国人の保護のために必要な指導及び助言をすることができる。

Article 50 (1) If it is found necessary for the enforcement of the provisions of this Chapter, the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare may provide the implementing organizations for employment for skill development with the necessary guidance or advice to secure the proper implementation of employment for skill development and the protection of the skill development employees, and the competent ministers may provide the supervising and support organizations with the same.

2 出入国在留管理庁長官及び厚生労働大臣は、育成就労の適正な実施及び育成就労外国人の保護のため、育成就労外国人からの相談に応じ、必要な情報の提供、助言その他の援助を行うものとする。

(2) The Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare must provide necessary information, advice, or other assistance in response to consultations from skill development employees for the purpose of the proper implementation of employment for skill development and the protection of the skill development employees.

(連絡調整等)

(Communication and Coordination)

第五十一条 育成就労実施者又は監理支援機関は、第十九条第一項から第四項までの規定による届出若しくは通知又は第三十三条第一項若しくは第三十四条第一項の規定による届出をしようとするときは、当該育成就労実施者又は当該監理支援機関に係る育成就労外国人であって引き続き育成就労を継続することを希望するものが育成就労を継続することができるよう、他の育成就労実施者又は監理支援機関その他関係者との連絡調整その他の必要な措置を講じなければならない。

Article 51 (1) If an implementing organization for employment for skill development or supervising and support organization seeks to submit a notification or notice under Article 19, paragraphs (1) through (4) or a notification under Article 33, paragraph (1) or Article 34, paragraph (1), it must communicate and coordinate with other implementing organizations for employment for skill development, supervising and support organizations, or other relevant persons and must take other necessary measures to ensure that the skill development employees relevant to the implementing organizations for employment for skill development or the supervising and support organizations who wish to continue with the employment for skill development are able to do so.

2 監理支援機関は、その監理支援を受ける監理型育成就労の対象となっている外国人に係る育成就労認定が第十六条第一項の規定により取り消された場合において、当該外国人が新たに育成就労の対象となることを希望するときは、当該外国人が新たに育成就労の対象となることができるよう、他の育成就労実施者又は監理支援機関その他関係者との連絡調整その他の必要な措置を講じなければならない。

(2) A supervising and support organization must, when the accreditation of employment for skill development for a foreign national who is the subject of supervising-organization-type employment for skill development and for whom it conducts supervision and support is revoked pursuant to the provision of Article 16, paragraph (1), communicate and coordinate with other implementing organizations for employment for skill development or supervising and support organizations or other relevant persons and take other necessary measures to ensure that the foreign national may newly become the subject of employment for skill development when the foreign national wishes to do so.

3 出入国在留管理庁長官及び厚生労働大臣は第一号に掲げる者に対し、主務大臣は第二号に掲げる者に対し、第八条の四第五項又は前二項に規定する措置の円滑な実施のためその他必要があると認めるときは、必要な指導及び助言を行うことができる。

(3) If it is found necessary for smooth implementation of the measures provided for in Article 8-4, paragraph (v) or the preceding two paragraphs, or for any other purpose, the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare may give the necessary guidance and advice to the persons stated in (i), and the competent ministers may give the necessary guidance and advice to the persons stated in item (ii):

一 育成就労実施者及びその関係者（監理支援機関の関係者を除く。）

(i) implementing organizations for employment for skill development and other relevant persons (except for relevant persons of supervising and support organizations); or

二 監理支援機関及びその関係者その他関係者（前号に掲げる者を除く。）

(ii) supervising and support organizations, persons relevant to those organizations, and other relevant persons (except for the persons stated in the preceding item).

（育成就労評価試験）

(Employment-for-Skill-Development Evaluation Examinations)

第五十二条 主務大臣は、育成就労実施者が円滑に技能の評価を行うことができるよう、育成就労評価試験の振興に努めなければならない。

Article 52 (1) The competent ministers must endeavor to promote employment-for-skill-development evaluation examinations, in order to ensure the smooth evaluation of skills by implementing organizations for employment for skill development.

2 主務大臣は、公正な育成就労評価試験が実施されるよう、育成就労評価試験の基準を主務省令で定めるものとする。

(2) The competent ministers must establish the standards for employment-for-skill-development evaluation examinations provided for in the competent ministries, in order to ensure that fair employment for-skill-development evaluation examinations are conducted.

（分野所管行政機関の長への要請）

**(Requests to Heads of Field-Specific Administrative Organs)**

第五十三条 出入国在留管理庁長官及び厚生労働大臣は、育成就労の適正な実施及び育成就労外国人の保護のために必要があると認めるときは、個別育成就労産業分野を所管する関係行政機関の長（次条第一項において「分野所管行政機関の長」という。）に対して、当該個別育成就労産業分野に係る育成就労に関し必要な協力を要請することができる。

Article 53 If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find it to be necessary for the proper implementation of employment for skill development and the protection of skill development employees, they may request necessary cooperation in relation to the employment for skill development regarding the individual employment-for-skill-development industrial fields from the head of a relevant administrative organ with jurisdiction over individual employment-for-skill-development industrial fields (referred to as the "head of a field-specific administrative organ" in paragraph (1) of the following Article).

（分野別協議会）

**(Field-Specific Council)**

第五十四条 分野所管行政機関の長は、当該分野所管行政機関の長及びその所管する個別育成就労産業分野に係る育成就労実施者又は監理支援機関を構成員とする団体その他の関係者により構成される協議会（以下この条において「分野別協議会」という。）を組織することができる。

Article 54 (1) The head of a field-specific administrative organ may organize a council composed of that head and implementing organizations for employment for skill development or supervising and support organizations related to the individual employment-for-skill-development industrial fields under the jurisdiction of the head (hereinafter referred to as "field-specific council" in this Article).

2 分野別協議会は、必要があると認めるときは、機構その他の分野別協議会が必要と認める者をその構成員として加えることができる。

(2) The field-specific council may, when it deems necessary, appoint the ESDO or other persons it considers necessary as its members.

3 分野別協議会は、その構成員が相互の連絡を図ることにより、育成就労の適正な実施及び育成就労外国人の保護に有用な情報を共有し、その構成員の連携の緊密化を図るとともに、個別育成就労産業分野の実情を踏まえた育成就労の適正な実施及び育成就労外国人の保護に資する取組について協議を行うものとする。

(3) A field-specific council is to share useful information for the proper implementation of employment for skill development and the protection of the skill development employees, through mutual communication among its members, work toward close cooperation among its members, and discuss initiatives to contribute to the proper implementation of employment for skill development and the protection of the skill development employees in light of the

actual conditions of the individual employment-for-skill-development industrial fields.

4 分野別協議会の事務に従事する者又は従事していた者は、正当な理由なく、当該事務に関して知ることができた秘密を漏らし、又は盗用してはならない。

(4) Any persons who perform or previously performed administrative affairs of the field-specific council must not divulge or misappropriate any confidential information which they came to know of in connection with the administrative affairs, without reasonable grounds.

5 前各項に定めるもののほか、分野別協議会の組織及び運営に関し必要な事項は、分野別協議会が定める。

(5) Beyond what is stated in the preceding paragraphs, any other necessary particulars relating to the organization and management of the field-specific council are established by the field-specific council.

(他の法律の規定に基づく措置の実施に関する要求等)

(Requests Related to Implementation of Measures Based on the Provisions of Other Laws)

第五十五条 出入国在留管理庁長官及び厚生労働大臣は、育成就労の適正な実施及び育成就労外国人の保護のため必要があると認めるときは、関係行政機関の長に対し、育成就労の適正な実施及び育成就労外国人の保護に資する情報の提供をすることができる。

Article 55 (1) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find it necessary for the proper implementation of employment for skill development and the protection of the skill development employees, they may provide the heads of the relevant administrative organs with information that contributes to the proper implementation of employment for skill development and the protection of the skill development employees.

2 出入国在留管理庁長官及び厚生労働大臣は、育成就労の適正な実施及び育成就労外国人の保護を図るために実施し得る他の法律の規定に基づく措置があり、育成就労の適正な実施及び育成就労外国人の保護を図るため、当該措置が速やかに実施されることが必要であると認めるときは、当該措置の実施に関する事務を所掌する大臣に対し、当該措置の速やかな実施を求めることができる。

(2) If the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare find that there are measures based on the provisions of other laws that may be implemented for the proper implementation of employment for skill development and the protection of the skill development employees, and that those measures need to be implemented promptly for the proper implementation of employment for skill development and the protection of the skill development employees, they may demand that the ministers with jurisdiction over the administrative affairs relating to the implementation of those measures promptly implement those measures.

3 出入国在留管理庁長官及び厚生労働大臣は、前項の規定により同項の措置の速やか

な実施を求めたときは、同項の大臣に対し、当該措置の実施状況について報告を求めることができる。

(3) If, as provided for in the preceding paragraph, the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare have made a request for the prompt implementation of measures set forth under the same paragraph, they may make a request to the relevant minister set forth in the same paragraph for a report on the status of implementation of those measures.

(地域協議会)

(Regional Council)

第五十六条 地域において育成就労に関する事務を所掌する国の機関は、当該機関及び地方公共団体の機関その他の関係機関により構成される協議会（以下この条において「地域協議会」という。）を組織することができる。

Article 56 (1) National government agencies with jurisdiction over the administrative affairs relating to employment for skill development within a region may organize a council made up of those agencies, local government agencies, and other relevant agencies (hereinafter referred to as a "regional council" in this Article).

2 地域協議会は、必要があると認めるときは、機構その他の地域協議会が必要と認める者をその構成員として加えることができる。

(2) A regional council may add the ESDO or other persons as members if the regional council finds this necessary.

3 地域協議会は、その構成員が相互の連絡を図ることにより、育成就労の適正な実施及び育成就労外国人の保護に有用な情報を共有し、その構成員の連携の緊密化を図るとともに、その地域の実情を踏まえた育成就労の適正な実施及び育成就労外国人の保護に資する取組について協議を行うものとする。

(3) A regional council is to share useful information for the proper implementation of employment for skill development and the protection of the skill development employees, through mutual communication among its members, work toward close cooperation among its members, and discuss initiatives to contribute to the proper implementation of employment for skill development and the protection of the skill development employees in light of the actual conditions of the region.

4 地域協議会の事務に従事する者又は従事していた者は、正当な理由なく、当該事務に関して知ることができた秘密を漏らし、又は盗用してはならない。

(4) Any person who performs or previously performed administrative affairs of a regional council must not divulge or misappropriate any confidential information which they came to know of in connection with the administrative affairs, without reasonable grounds.

5 前各項に定めるもののほか、地域協議会の組織及び運営に関し必要な事項は、地域協議会が定める。

(5) Beyond what is provided for in the preceding items, any other necessary particulars for organization and management of the regional council are established by the regional council.

### 第三章 外国人育成就労機構

## Chapter III Employment-for-Skill-Development Organization

### 第一節 総則

#### Section 1 General Provisions

(機構の目的)

(Purpose of the ESDO)

第五十七条 外国人育成就労機構（以下「機構」という。）は、育成就労の適正な実施及び育成就労外国人の保護を図り、もって育成就労産業分野に属する相当程度の知識又は経験を必要とする技能を有する人材の育成及び育成就労産業分野における人材の確保に寄与することを目的とする。

Article 57 The purpose of the Employment-for-Skill-Development Organization (hereinafter referred to as the "ESDO") is to ensure the proper implementation of employment for skill development and the protection of skill development employees, thereby contributing to the development of human resources with skills requiring considerable knowledge or experience in the employment-for-skill-development industrial fields, and to securing human resources in the employment-for-skill-development industrial fields.

(法人格)

(Legal Personality)

第五十八条 機構は、法人とする。

Article 58 The ESDO is a corporation.

(数)

(Number)

第五十九条 機構は、一を限り、設立されるものとする。

Article 59 Only one ESDO is to be established.

(資本金)

(Capital)

第六十条 機構の資本金は、その設立に際し、政府及び政府以外の者が出資する額の合計額とする。

Article 60 (1) The stated capital of the ESDO is to be the total amount contributed by the government and non-governmental persons for its incorporation.

2 機構は、必要があるときは、主務大臣の認可を受けて、その資本金を増加することができる。

(2) The ESDO may increase its stated capital, if necessary, with the authorization of the competent ministers.

(名称)

(Name)

第六十一条 機構は、その名称中に外国人育成就労機構という文字を用いなければならない。

Article 61 (1) The ESDO must use the words "外国人育成就労機構" (pronounced "Gaikokujin Ikusei Shuro Kiko", meaning "Employment-for-Skill-Development Organization") in its name.

2 機構でない者は、その名称中に外国人育成就労機構という文字を用いてはならない。

(2) No person other than the ESDO must not use the words "外国人育成就労機構" (pronounced "Gaikokujin Ikusei Shuro Kiko", meaning "Employment-for-Skill-Development Organization") in its name.

(登記)

(Registration)

第六十二条 機構は、政令で定めるところにより、登記しなければならない。

Article 62 (1) The ESDO must be registered pursuant to 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 particulars required to be registered pursuant to the provisions of the preceding paragraph may not be duly asserted against a third party before they have been registered.

(一般社団法人及び一般財団法人に関する法律の準用)

(The Act on General Incorporated Associations and General Incorporated Foundations as Applied Mutatis Mutandis)

第六十三条 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）第四条及び第七十八条の規定は、機構について準用する。

Article 63 The provisions of Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to the ESDO.

## 第二節 設立

### Section 2 Incorporation

(発起人)

(Incorporators)

第六十四条 機構を設立するには、育成就労に関して専門的な知識と経験を有する者三人以上が発起人になることを必要とする。

Article 64 Three or more incorporators with specialized knowledge and experience on employment for skill development are required in order to incorporate the ESDO.

(定款の作成等)

(Preparation of Articles of Incorporation)

第六十五条 発起人は、速やかに、機構の定款を作成し、政府以外の者に対し機構に対する出資を募集しなければならない。

Article 65 (1) Incorporators must promptly prepare articles of incorporation for the ESDO, and must solicit capital contributions for the ESDO from non-governmental persons.

2 前項の定款には、次の事項を記載しなければならない。

(2) The articles of incorporation referred to in the preceding paragraph must include the following:

一 目的

(i) purpose;

二 名称

(ii) name;

三 事務所の所在地

(iii) location of offices;

四 資本金及び出資に関する事項

(iv) particulars relating to stated capital and capital contribution;

五 役員に関する事項

(v) particulars relating to officers;

六 評議員会に関する事項

(vi) particulars relating to the board of councilors;

七 業務及びその執行に関する事項

(vii) particulars relating to operations and their execution;

八 財務及び会計に関する事項

(viii) particulars related to finance and accounting;

九 定款の変更に関する事項

(ix) particulars relating to amendment of the articles of incorporation; and

十 公告の方法

(x) method of giving public notices.

(設立の認可等)

(Authorization for Incorporation)

第六十六条 発起人は、前条第一項の募集が終わったときは、速やかに、定款を主務大臣に提出して、設立の認可を申請しなければならない。

Article 66 (1) Upon the completion of the solicitation under paragraph (1) of the preceding Article, incorporators must promptly submit the articles of incorporation to the competent ministers and apply for authorization for incorporation.

2 主務大臣は、機構の理事長となるべき者及び監事となるべき者を指名する。

(2) The competent ministers nominate a person to be the president and persons to be inspectors of the ESDO.

3 前項の規定により指名された機構の理事長となるべき者及び監事となるべき者は、機構の成立の時において、第七十一条第一項の規定により、それぞれ理事長及び監事に任命されたものとする。

(3) The person nominated to be the president and the inspectors of the ESDO

pursuant to the provisions of the preceding paragraph are considered to have been respectively appointed as president and inspectors at the time of the establishment of the ESDO pursuant to the provisions of Article 71, paragraph (1).

(事務の引継ぎ)

(Transfer of Administrative Affairs)

第六十七条 発起人は、前条第一項の認可を受けたときは、遅滞なく、その事務を同条第二項の規定により指名された機構の理事長となるべき者に引き継がなければならない。

Article 67 (1) Upon obtaining the authorization set forth under paragraph (1) of the preceding Article, the incorporators must, without delay, transfer their administrative affairs to the person nominated to be the president of the ESDO pursuant to paragraph (2) of the same Article.

2 前条第二項の規定により指名された機構の理事長となるべき者は、前項の規定による事務の引継ぎを受けたときは、遅滞なく、政府及び出資の募集に応じた政府以外の者に対し、出資金の払込みを求めなければならない。

(2) When the person nominated pursuant to paragraph (2) of the preceding Article to be the president of the ESDO has taken over the administrative affairs pursuant to the preceding paragraph, that person must request the payment of capital contributions, without delay, from the National Government and from persons other than the National Government that have responded to the solicitation of capital contributions.

(設立の登記)

(Registration of Incorporation)

第六十八条 第六十六条第二項の規定により指名された機構の理事長となるべき者は、前条第二項の規定による出資金の払込みがあったときは、遅滞なく、政令で定めるところにより、設立の登記をしなければならない。

Article 68 (1) If capital contributions have been paid pursuant to the provisions of paragraph (2) of the preceding Article, the person nominated pursuant to the provisions of Article 66, paragraph (2) to be the president of the ESDO must, without delay, register the incorporation of the ESDO pursuant to Cabinet Order.

2 機構は、設立の登記をすることにより成立する。

(2) The ESDO is to be established upon the registration of its incorporation.

### 第三節 役員等

#### Section 3 Officers

(役員)

(Officers)

第六十九条 機構に、役員として理事長一人、理事三人以内及び監事二人以内を置く。

Article 69 The ESDO is to have one president, no more than three directors, and no more than two inspectors as its officers.

(役員の仕事及び権限)

**(Duties and Authority of the Officers)**

第七十条 理事長は、機構を代表し、その業務を総理する。

Article 70 (1) The president represents the ESDO and presides over its operations.

2 理事は、理事長の定めるところにより、機構を代表し、理事長を補佐して機構の業務を掌理し、理事長に事故があるときはその職務を代理し、理事長が欠員のときはその職務を行う。

(2) The directors, as determined by the president, represent the ESDO, assist the president in administering the operations of the ESDO, act on behalf of the president if the president is unavailable, and perform the duties of the president if the post is vacant.

3 監事は、機構の業務を監査する。

(3) The inspectors inspect the ESDO's operations.

4 監事は、監査の結果に基づき、必要があると認めるときは、理事長又は主務大臣に意見を提出することができる。

(4) The inspectors may submit their opinions to the president or the competent minister if they find it necessary based on the results of an inspection.

(役員の仕事)

**(Appointment of Officers)**

第七十一条 理事長及び監事は、主務大臣が任命する。

Article 71 (1) The president and the inspectors are to be appointed by the competent ministers.

2 理事は、理事長が主務大臣の認可を受けて任命する。

(2) The directors are to be appointed by the president with the authorization of the competent ministers.

(役員の仕事)

**(Term of Office of Officers)**

第七十二条 役員の仕事は、二年とする。ただし、補欠の役員の仕事は、前任者の残任期間とする。

Article 72 (1) The term of office of officers is to be two years; provided, however, that the term of office of an officer who is appointed to fill a vacancy is to be the remaining term of office of that officer's predecessor.

2 役員は、再任されることができる。

(2) An officer may be reappointed.

(役員の仕事)

**(Officer Disqualification Clause)**

第七十三条 政府又は地方公共団体の職員（非常勤の者を除く。）は、役員となることができない。

Article 73 An employee of the government or local government (except a part-time employee) is ineligible for the position of an officer.

(役員解任)

**(Dismissal of Officers)**

第七十四条 主務大臣又は理事長は、それぞれその任命に係る役員が前条の規定に該当するに至ったときは、その役員を解任しなければならない。

Article 74 (1) The competent minister or the president must dismiss an officer whom they have appointed, if that officer comes to fall under the preceding Article.

2 主務大臣又は理事長は、それぞれその任命に係る役員が次の各号のいずれかに該当するに至ったときその他役員たるに適しないと認めるときは、第七十一条の規定の例により、その役員を解任することができる。

(2) In accordance with the rules under the provisions of Article 71, the competent ministers or the president may dismiss an officer whom they have appointed, if that officer comes to fall under any of the following items, or if the competent ministers or the president finds that it is inappropriate for that officer to remain an officer:

一 破産手続開始の決定を受けたとき。

(i) the officer has been issued an order to commence bankruptcy proceedings;

二 拘禁刑以上の刑に処せられたとき。

(ii) the officer has been sentenced to imprisonment or a heavier punishment;

三 心身の故障のため職務を執行することができないと認められるとき。

(iii) the officer has been found incapable of performing their duties due to a mental or physical disorder; or

四 職務上の義務違反があるとき。

(iv) the officer has breached an obligation in the course of their duties.

(役員兼職禁止)

**(Prohibition of Officers Concurrently Holding Offices)**

第七十五条 役員（非常勤の者を除く。）は、営利を目的とする団体の役員となり、又は自ら営利事業に従事してはならない。ただし、主務大臣の承認を受けたときは、この限りでない。

Article 75 Officers of the ESDO (not including officers in part-time positions) must not become an officer of a for-profit organization, and must not themselves engage in a profit-making business; provided, however, that this does not apply if the officer obtains the approval of the competent ministers.

(監事兼職禁止)

**(Prohibition of Inspectors Concurrently Holding Offices)**

第七十六条 監事は、理事長、理事、評議員又は機構の職員を兼ねてはならない。

Article 76 An inspector must not concurrently hold the position of the president, director, councilor, or employee of the ESDO.

(代表権の制限)

**(Restrictions on the Right to Representation)**

第七十七条 機構と理事長又は理事との利益が相反する事項については、これらの者

は、代表権を有しない。この場合においては、監事が機構を代表する。

Article 77 The president and directors do not have the right to representation with respect to a matter involving a conflict of interest between the president or any director and the ESDO. In such a case, the inspectors represent the ESDO.

(代理人の選任)

(Appointment of Agents)

第七十八条 理事長は、機構の職員のうちから、機構の業務の一部に関する一切の裁判上又は裁判外の行為を行う権限を有する代理人を選任することができる。

Article 78 The president may appoint, from among the employees of the ESDO, an agent with the authority to undertake all acts in or out of court involving part of the ESDO's business.

(職員の任命)

(Appointment of Employees)

第七十九条 機構の職員は、理事長が任命する。

Article 79 The ESDO's employees are appointed by the president.

(役員及び職員の秘密保持義務)

(Duty of Confidentiality of Officers and Employees)

第八十条 機構の役員若しくは職員又はこれらの職にあった者は、正当な理由なく、その職務上知ることができた秘密を漏らし、又は盗用してはならない。

Article 80 No officer or employee of the ESDO, or person who has held any of those positions may divulge or misappropriate any confidential information that they came to know of in the course of their duties, without justifiable reason.

(役員及び職員の地位)

(Status of Officers and Employees)

第八十一条 機構の役員及び職員は、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。

Article 81 With respect to the application of the Penal Code and any other penal provisions, the ESDO's officers and employees are deemed to be employees engaged in public service under the laws and regulations.

#### 第四節 評議員会

#### Section 4 Board of Councilors

(設置)

(Establishment)

第八十二条 機構に、第八十七条の業務（同条第一項第一号に掲げる業務及びこれに附帯する業務を除く。以下この条において同じ。）の円滑な運営を図るため、評議員会を置く。

Article 82 (1) The ESDO has a board of councilors in order to ensure smooth management of the operations specified in Article 87 (excluding the operations stated in paragraph (1), item (i) of the same Article and their ancillary operations; hereinafter the same applies in this Article).

2 評議員会は、第八十七条の業務の運営に関する重要事項を審議する。

(2) The board of councilors deliberates on important particulars relating to the management of the operations specified in Article 87.

3 評議員会は、前項に規定するもののほか、第八十七条の業務の運営に関し、理事長の諮問に応じて重要事項について意見を述べ、又は必要と認める事項について理事長に建議することができる。

(3) In addition to those particulars provided for in the preceding paragraph, the board of councilors may submit its opinion on important particulars related to the management of the operations specified in Article 87, in response to a consultation by the president, and may make a proposal on particulars considered necessary to the president.

(組織)

(Organization)

第八十三条 評議員会は、評議員十五人以内をもって組織する。

Article 83 The board of councilors consists of up to 15 councilors.

(評議員)

(Councilors)

第八十四条 評議員は、労働者を代表する者、事業主を代表する者及び育成就労に関して専門的な知識と経験を有する者のうちから、理事長が主務大臣の認可を受けて任命する。

Article 84 (1) The councilors are appointed by the president, with the authorization of the competent ministers, from among persons representing workers, persons representing employers, and persons with specialized knowledge and experience relating to employment for skill development.

2 評議員のうち、労働者を代表する者及び事業主を代表する者は、各同数とする。

(2) The numbers of the councilors representing workers and employers are to be the same.

3 評議員の任期は、四年とする。ただし、補欠の評議員の任期は、前任者の残任期間とする。

(3) The term of office of councilors is four years; provided, however, that the term of office of a councilor who is appointed to fill a vacancy is the remaining term of office of their predecessor.

4 評議員は、再任されることができる。

(4) A councilor may be reappointed.

(評議員の解任)

(Dismissal of Councilors)

第八十五条 理事長は、評議員が第七十四条第二項各号のいずれかに該当するに至ったときは、前条第一項の規定の例により、その評議員を解任することができる。

Article 85 The president may dismiss a councilor in accordance with the rules under the provisions of paragraph (1) of the preceding Article, if the councilor comes to fall under any item of paragraph (2) of Article 74.

(評議員の秘密保持義務等)

(Duty of Confidentiality of Councilors)

第八十六条 第八十条及び第八十一条の規定は、評議員について準用する。

Article 86 The provisions of Article 80 and Article 81 apply mutatis mutandis to the councilors.

## 第五節 業務

### Section 5 Operations

(業務の範囲)

(Scope of Operations)

第八十七条 機構は、第五十七条の目的を達成するため、次に掲げる業務を行う。

Article 87 The ESDO conducts the following operations in order to achieve the purposes specified in Article 57:

一 育成就労に関し行う次に掲げる業務

(i) the operations stated below to be conducted in relation to the employment for skill development:

イ 第八条の三第一項（第十七条第二項、第十九条第五項、第二十一条第二項、第二十七条第三項、第三十二条第五項、第三十三条第二項、第三十四条第二項及び第四十二条第三項において準用する場合を含む。）の規定により申出、届出、報告書、監査報告書又は事業報告書を受理すること及び当該報告書、監査報告書又は事業報告書を保管すること。

(a) accept requests, notifications, reports, audit reports or business reports and retain those reports, audit reports or business reports pursuant to the provisions of Article 8-3, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 17, paragraph (2); Article 19, paragraph (5); Article 21, paragraph (2); Article 27, paragraph (3); Article 32, paragraph (5); Article 33, paragraph (2); Article 34, paragraph (2); and Article 42, paragraph (3));

ロ 第八条の四第四項の規定により読み替えて適用する同条第一項の規定により通知を行うこと及び同条第三項（同条第四項において読み替えて適用する場合を含む。）の規定により育成就労外国人からの相談に応じ、必要な情報の提供、助言、職業紹介その他の援助を行うこと。

(b) give notice pursuant to the provision of paragraph (1) of Article 8-4 as applied pursuant to the provision of paragraph (4) of the same Article following the deemed replacement of terms, and provide necessary information, advice, employment placement, and other assistance in response to consultations from skill development employees pursuant to the provision of paragraph (3) of the same Article (including as applied pursuant to the provision of paragraph (4) of the same Article following the deemed replacement of terms);

ハ 第十二条第一項の規定により認定事務を行うこと。

(c) perform the administrative affairs for accreditation pursuant to the provisions of Article 12, paragraph (1);

ニ 第十四条第一項の規定により報告若しくは帳簿書類の提出若しくは提示を求め、又はその職員をして、質問させ、若しくは検査させること。

(d) request reports or submission or presentation of books and documents pursuant to the provisions of Article 14, paragraph (1), or have its employee ask a question or conduct an inspection;

ホ 第二十四条第一項（第三十一条第五項において準用する場合を含む。）の規定により事実関係の調査を行うこと。

(e) conduct investigations into the facts pursuant to the provisions of Article 24, paragraph (1) (including as applied mutatis mutandis pursuant to Article 31, paragraph (5));

ヘ 第二十四条第三項（第三十一条第五項において準用する場合を含む。）の規定により申請書を受理すること。

(f) accept written applications pursuant to the provisions of Article 24, paragraph (3) (including as applied mutatis mutandis pursuant to Article 31, paragraph (5)); and

ト 第二十九条第四項（第三十一条第五項及び第三十二条第五項において準用する場合を含む。）の規定により許可証の交付又は再交付に係る事務を行うこと。

(g) perform the administrative affairs for issuing or reissuing the certificates pursuant to the provisions of Article 29, paragraph (4) (including as applied mutatis mutandis pursuant to Article 31 and Article 32, paragraph (5));

二 育成就労の適正な実施及び育成就労外国人の保護を図るために育成就労外国人からの相談に応じ、必要な情報の提供、助言その他の援助を行う業務（次号に掲げる業務に該当するものを除く。）

(ii) the operations of providing necessary information, advice and other assistance in response to consultations from skill development employees for the proper implementation of employment for skill development and the protection of skill development employees (excluding those falling under the operations stated in the following item);

三 育成就労外国人等が育成就労の対象となること又は育成就労を継続することに資する業務で次に掲げるもの

(iii) the following operations contributing to skill development employees, etc., becoming the subject of employment for skill development or continuing employment for skill development:

イ 育成就労外国人等からの相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(a) provide necessary information, advice and other assistance in response to consultations from skill development employees, etc.;

ロ 育成就労実施者、監理支援機関その他関係者に対する必要な指導及び助言を行うこと。

(b) provide implementing organizations for employment for skill development, supervising and support organizations, or other relevant persons with necessary guidance and advice;

ハ 育成就労外国人等が育成就労の対象となるために職業紹介をすることが必要な場合

において、育成就労実施者又は育成就労を行わせようとする者（本邦の派遣先として労働者派遣等監理型育成就労を行わせ、又は行わせようとする者を除く。次条第一項において同じ。）のみを求人者とし、育成就労外国人等のみを求職者とし、求人及び求職の申込みを受け、求人者と求職者との間における育成就労に係る雇用関係の成立をあっせんすること。

(c) accept applications for recruitment and job seeking by exclusively designating implementing organizations for employment for skill development or persons seeking to provide employment for skill development (excluding those who provide or seek to provide supervising-organization-type employment for skill development through worker dispatch, etc., as clients in Japan; hereinafter the same applies in paragraph (1) of the following Article) as recruiters, and exclusively designating skill development employees, etc., as job seekers, and arrange the establishment of an employment relationship related to employment for skill development between recruiters and job seekers, when it is necessary to provide employment placement to ensure that skill development employees, etc., become the subject of employment for skill development; and

ニ 第百六条第四項の規定により必要な情報を提供すること。

(d) provide necessary information pursuant to the provision of Article 106, paragraph (4).

四 育成就労に関し、調査及び研究を行う業務

(iv) the operations to conduct studies and research relating to employment for skill development;

五 その他育成就労の適正な実施及び育成就労外国人の保護に関する業務

(v) other operations relating to the proper implementation of employment for skill development and the protection of the skill development employees;

六 前各号に掲げる業務（これらに附帯する業務を含み、主務省令で定める業務を除く。）に係る手数料を徴収する業務

(vi) the operations to collect fees for the operations provided for in each of the preceding items (including operations incidental thereto, but excluding the operations provided for in order of the competent ministry); and

七 前各号に掲げる業務に附帯する業務

(vii) the operations incidental to each of the preceding items.

2 機構は、前項の業務のほか、入管法第六十九条の二の二に規定する業務を行う。

(2) The ESDO is to conduct the operations provided for in Article 69-2-2 of the Immigration Control Act, in addition to the operations listed in the preceding paragraph.

(職業安定法及び船員職業安定法の特例)

(Special Provisions of the Employment Security Act and the Mariners' Employment Security Act)

第八十七条の二 機構は、職業安定法第三十三条第一項及び船員職業安定法第三十四条第一項の規定にかかわらず、前条第一項第三号ハの業務として、機構実施職業紹介事

業（機構が、育成就労実施者又は育成就労を行わせようとする者のみを求人者とし、育成就労外国人等のみを求職者とし、求人及び求職の申込みを受け、求人者と求職者との間における育成就労に係る雇用関係の成立をあっせんすることを業として行うものをいう。次項において同じ。）を行うことができる。

Article 87-2 (1) Notwithstanding the provisions of Article 33, paragraph (1) of the Employment Security Act and Article 34, paragraph (1) of the Mariners' Employment Security Act, the ESDO may conduct the ESDO-led employment placement services (meaning that the ESDO engages in the businesses of accepting applications for recruitment and job seeking by exclusively designating implementing organizations for employment for skill development or persons seeking to provide employment for skill development as recruiters, and exclusively designating skill development employees, etc., as job seekers, and of arranging the establishment of an employment relationship related to employment for skill development between recruiters and job seekers; hereinafter the same applies in the following paragraph).

2 機構実施職業紹介事業に関しては、機構を職業安定法第四条第十項に規定する職業紹介事業者若しくは同法第三十三条第一項の許可を受けた者、船員職業安定法第六条第四項に規定する無料船員職業紹介事業者又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第二条に規定する職業紹介機関とみなして、職業安定法第五条の二、第五条の三、第五条の四第一項及び第三項並びに第五条の五から第五条の八まで、同法第三十三条第四項において準用する同法第三十二条の十三、同法第三十三条の五、同法第三十四条において準用する同法第二十条、同法第四十八条、第四十八条の三第二項及び第三項並びに第五十一条第二項、船員職業安定法第七条、同法第四十二条第一項において準用する同法第十五条から第二十条まで及び第二十二条、同法第九十六条第一項、第九十八条第二項及び第三項並びに第百四条並びに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第三章の規定を適用する。この場合において、職業安定法第五条の三第三項及び第四項、第五条の四第一項及び第三項、第五条の五第一項並びに第五条の六第一項第三号、同法第三十三条第四項において準用する同法第三十二条の十三並びに同法第五十一条第二項中「厚生労働省令」とあるのは「主務省令」と、同法第四十八条並びに第四十八条の三第二項及び第三項並びに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第十一条及び第十二条第一項中「厚生労働大臣」とあるのは「主務大臣」と、職業安定法第四十八条中「第三条、第五条の三から第五条の五まで、第三十三条の五、第四十二条、第四十三条の八及び第四十五条の二」とあるのは「第五条の三から第五条の五まで及び第三十三条の五」と、「求人者、労働者の募集を行う者、募集受託者、募集情報等提供事業を行う者、労働者供給事業者及び労働者供給を受けようとする者」とあるのは「及び求人者」と、同法第四十八条の三第二項中「求人者又は労働者供給を受けようとする者」とあるのは「求人者」と、同条第三項中「労働者の募集を行う者に対し第一項の規定による命令をした場合又は前項」とあるのは「前項」と、「命令又は勧告」とあるのは「勧告」と、船員職業安定法第四十二条第一項において準用する同法第十五条第一項第三号、第十六条第二項及び第三項、第十八条、第十九

条第一項並びに第二十条並びに同法第百四条中「国土交通省令」とあるのは「主務省令」と、同法第九十六条第一項並びに第九十八条第二項及び第三項中「国土交通大臣」とあるのは「主務大臣」と、同法第九十六条第一項第一号中「第四条の規定並びに第十六条及び第十九条の規定（これらの規定を第四十二条第一項、第四十八条及び第五十二条において準用する場合を含む。）」とあるのは「第四十二条第一項において準用する第十六条及び第十九条の規定」と、「、求人者、船員の募集を行う者、無料船員労務供給事業者及び船員労務供給を受けようとする者」とあるのは「及び求人者」と、同項第二号中「、第四十八条、第四十九条及び第五十二条において」とあるのは「において」と、「無料船員職業紹介事業者、船員の募集を行う者、船員募集情報提供事業を行う者（地方公共団体を除く。次条、第九十八条第一項並びに第百二条第一項及び第二項において同じ。）及び無料船員労務供給事業者」とあるのは「無料船員職業紹介事業者」と、同法第九十八条第二項中「求人者又は船員労務供給を受けようとする者」とあるのは「求人者」と、同条第三項中「船員の募集を行う者（募集受託者を除く。）」に対し第一項の規定による命令をした場合又は前項」とあるのは「前項」と、「命令又は勧告」とあるのは「勧告」とする。

(2) With regard to the ESDO-led employment placement services, the ESDO is deemed to be the employment placement service provider provided for in Article 4, paragraph (10) of the Employment Security Act or the person who obtained the license under Article 33, paragraph (1) of the same Act, the free mariners employment placement service provider provided for in Article 6, paragraph (4) of the Mariners' Employment Security Act, or the employment placement agency provided for in Article 2 of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives, and the following provisions apply: Article 5-2; Article 5-3; Article 5-4, paragraphs (1) and (3); and Articles 5-5 through 5-8 of the Employment Security Act; Article 32-13 of the same Act as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act; Article 33-5 of the same Act; Article 20 of the same Act as applied mutatis mutandis pursuant to Article 34 of the same Act; Article 48 of the same Act; Article 48-3, paragraphs (2) and (3); and Article 51, paragraph (2) of the same Act; Article 7 of the Mariners' Employment Security Act; Articles 15 through 20 and Article 22 as applied mutatis mutandis pursuant to Article 42, paragraph (1) of the same Act; Article 96, paragraph (1), Article 98, paragraphs (2) and (3), and Article 104 of the same Act; and Chapter III of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives. In this case, the term "order of the Ministry of Health, Labour and Welfare" in Article 5-3, paragraphs (3) and (4); Article 5-4, paragraphs (1) and (3); Article 5-5, paragraph (1); and Article 5-6, paragraph (1), item (iii) of the Employment Security Act; Article 32-13 of the same Act as applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act; and Article 51, paragraph (2) of the same Act is to be replaced with "order of the competent

ministries"; the term "the Minister of Health, Labour and Welfare" in Article 48 and Article 48-3, paragraphs (2) and (3) of the same Act and Article 11 and Article 12, paragraph (1) of the Act on Comprehensively Advancing Labor Measures, and Stabilizing the Employment of Workers, and Enriching Workers' Vocational Lives is to be replaced with "the competent ministers." The phrases "Articles 3, 5-3 through 5-5, 33-5, 42, 43-8, and 45-2" and ", job posters, persons recruiting workers, commissioned recruiters, persons offering the service of providing recruitment/candidate information, providers of worker supply services, and persons seeking to receive worker supply" in Article 48 of the Employment Security Act is to be replaced with "Articles 5-3 through 5-5, and 33-5" and "and job posters," respectively. The phrase "a job poster or person seeking to receive worker supply" in Article 48-3, paragraph (2) of the same Act is to be replaced with "a job poster." The phrases "... has issued an order under the provisions of paragraph (1) or ... under the provisions of the preceding paragraph to a person recruiting workers" and "the order or recommendation" in paragraph (3) of the same Article is to be replaced with "... under the provisions of the preceding paragraph" and "the recommendation," respectively. The term "Order of the Ministry of Land, Infrastructure, Transport and Tourism" in Article 15, paragraph (1), item (iii); Article 16, paragraphs (2) and (3); Article 18; Article 19, paragraph (1); and Article 20 of the Mariners' Employment Security Act, as applied mutatis mutandis pursuant to Article 42, paragraph (1) of the same Act and Article 104 of the same Act is to be replaced with "order of the competent ministries." The term "Minister of Land, Infrastructure, Transport and Tourism" in Article 96, paragraph (1) and Article 98, paragraphs (2) and (3) of the same Act is to be replaced with "the competent ministers." The phrases "the provision of Article 4, and the provisions of Articles 16 and 19 (including as applied mutatis mutandis pursuant to Article 42, paragraph (1), Article 48, and Article 52)," and ", job posters, persons recruiting mariners, providers of free mariner supply services, and persons seeking to receive mariner supply" in Article 96, paragraph (1), item (i) of the same Act is to be replaced with "the provisions of Articles 16 and 19 as applied mutatis mutandis pursuant to Article 42, paragraph (1)" and "and job posters," respectively. The phrases "in ...48, 49 and 52" and "free mariners' employment placement service providers, persons recruiting mariners, persons offering the service of providing mariners' recruitment/candidate information (excluding local governments; hereinafter the same applies in the following Article, Article 98, paragraph (1), and Article 102, paragraphs (1) and (2)), and providers of free mariner supply services" in item (ii) of the same paragraph of the same Act are to be replaced with "in ..." and "free mariners' employment placement service providers," respectively. The phrases "job posters or persons seeking to receive mariner supply" in Article 98, paragraph (2) of the same Act, "... has issued an order under the provisions of

paragraph (1) or a recommendation under the provisions of the preceding paragraph to a person recruiting mariners (excluding commissioned recruiters)" in paragraph (3) of the same Article, and "the order or recommendation" in paragraph (3) of the same Article are to be replaced with "job posters," "a recommendation under the provisions of the preceding paragraph to a person recruiting mariners (excluding commissioned recruiters)," and "the recommendation," respectively.

(業務の委託)

(Entrustment of Operations)

第八十八条 機構は、主務大臣の認可を受けて、第八十七条の業務（同条第一項第一号に掲げる業務及びこれに附帯する業務を除く。）の一部を委託することができる。

Article 88 (1) The ESDO may entrust part of the operations set forth in Article 87 (excluding the operations stated in paragraph (1), item (i) of the same Article, and their ancillary operations) with the authorization of the competent ministers.

2 第八十条及び第八十一条の規定は、前項の規定による委託を受けた者（その者が法人である場合にあっては、その役員）又はその職員その他の当該委託を受けた業務に従事する者について準用する。

(2) The provisions of Article 80 and Article 81 apply *mutatis mutandis* to a person entrusted with the operations under the preceding paragraph (or their officers, if that person is a corporation), the relevant person's employees, and other persons engaging in the entrusted operations.

(業務方法書)

(Statement of Operation Procedures)

第八十九条 機構は、業務開始の際、業務方法書を作成し、主務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 89 (1) When the ESDO commences its operations, it must prepare a statement of operation procedures and obtain the authorization of the competent minister. The same applies if the ESDO intends to modify that statement of operation procedures.

2 前項の業務方法書には、主務省令で定める事項を記載しなければならない。

(2) The statement of operation procedures set forth under the preceding paragraph must include the particulars provided for in order of the competent ministry.

(資料の交付の要請等)

(Request for Delivery of Materials)

第九十条 国又は地方公共団体は、機構がその業務を行うため特に必要があると認めて要請をしたときは、機構に対し、必要な資料を交付し、又はこれを閲覧させることができる。

Article 90 (1) If the ESDO finds it to be particularly necessary in conducting its operations and makes a request, the National Government or a local government

may deliver the necessary materials to the ESDO or make them available for viewing by the ESDO.

2 機構は、その業務を行うため必要があると認めるときは、国の行政機関の長及び地方公共団体の長その他の執行機関に対して、資料の提供、意見の表明、説明その他必要な協力を求めることができる。

(2) If the ESDO finds it necessary in conducting its operations, it may request the head of a national administrative organ, the head of a local government, or other executive agencies to provide materials, present opinions, give explanations or otherwise cooperate as necessary.

## 第六節 財務及び会計

### Section 6 Finance and Accounting

(事業年度)

(Fiscal Year)

第九十一条 機構の事業年度は、毎年四月一日に始まり、翌年三月三十一日に終わる。

Article 91 The fiscal year of the ESDO commences on April 1 of each year and ends on March 31 of the following year.

(予算等の認可)

(Authorization of Budgets)

第九十二条 機構は、毎事業年度、予算及び事業計画を作成し、当該事業年度の開始前に、主務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 92 (1) The ESDO must prepare a budget and business plan for each fiscal year, and obtain the authorization of the competent ministers prior to the commencement of that fiscal year. The same applies if the ESDO intends to modify that budget and business plan.

2 主務大臣は、前項の認可をしようとするときは、あらかじめ、財務大臣に協議しなければならない。

(2) If the competent ministers intend to give the authorization set forth under the preceding paragraph, the competent ministers must consult the Minister of Finance in advance.

(財務諸表等)

(Financial Statements, Etc.)

第九十三条 機構は、毎事業年度、貸借対照表、損益計算書その他主務省令で定める書類及びこれらの附属明細書（以下この条において「財務諸表」という。）を作成し、当該事業年度の終了後三月以内に主務大臣に提出し、その承認を受けなければならない。

Article 93 (1) The ESDO must prepare a balance sheet, profit and loss statement, other documents specified by order of the competent ministry, and the annexed detailed statements thereof (hereinafter referred to in this Article as "financial statements") for each business year, and must submit them to the competent ministers within three months of the end of that fiscal year and receive their approval.

2 機構は、前項の規定により財務諸表を主務大臣に提出するときは、これに当該事業年度の事業報告書及び予算の区分に従い作成した決算報告書並びに財務諸表及び決算報告書に関する監事の意見書を添付しなければならない。

(2) If the ESDO submits the financial statements to the competent ministers pursuant to the provisions of the preceding paragraph, it must attach thereto a business report for that fiscal year, a report of its accounts based on its budget classification, and the inspectors' written opinion on the financial statements and statement of its accounts.

3 機構は、第一項の規定による主務大臣の承認を受けたときは、遅滞なく、財務諸表を官報に公告し、かつ、財務諸表並びに前項の事業報告書、決算報告書及び監事の意見書（以下この条において「財務諸表等」という。）を、各事務所に備え置き、主務省令で定める期間、公衆の縦覧に供しなければならない。

(3) If the ESDO receives the approval of the competent ministers pursuant to the provisions of paragraph (1), it must give public notice of the financial statements in the Official Gazette without delay, and must keep the financial statements, business report, statement of its accounts, and the inspectors' written opinion set forth under the preceding paragraph (hereinafter referred to in this Article as "financial statements, etc.") at each office, and must make them available for public inspection for a period of time provided for in order of the competent ministry.

4 財務諸表等は、電磁的記録（電子的方式、磁気的方式その他人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものとして主務省令で定めるものをいう。次項において同じ。）をもって作成することができる。

(4) Financial statements, etc., may be prepared in the form of an electronic or magnetic record (meaning a record in the electronic form, magnetic form or any other form not recognizable to human perception to be used in information processing by computers, as provided for in order of the competent ministry; the same applies hereinafter).

5 財務諸表等が電磁的記録をもって作成されているときは、機構の事務所において、当該電磁的記録に記録された情報を電磁的方法（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って主務省令で定めるものをいう。）により不特定多数の者が提供を受けることができる状態に置く措置として主務省令で定めるものをとることができる。この場合においては、財務諸表等を、第三項の規定により備え置き、公衆の縦覧に供したものとみなす。

(5) If the financial statements, etc., are prepared in the form of an electronic or magnetic record, the ESDO may take the measures specified by order of the competent ministry as measures enabling information recorded in that electronic or magnetic record available to the general public by electronic or magnetic means (meaning means provided for in order of the competent ministry using an electronic data processing system or other information and communication

technology), at its office. In that case, the financial statements, etc., are deemed to have been kept and made available for public inspection pursuant to the provisions of paragraph (3).

(利益及び損失の処理)

(Handling of Profits and Losses)

第九十四条 機構は、毎事業年度、損益計算において利益を生じたときは、前事業年度から繰り越した損失を埋め、なお残余があるときは、その残余の額は、積立金として整理しなければならない。

Article 94 (1) If a profit arises in the calculation of profits and losses for a fiscal year, the ESDO must thereby offset any loss carried over from the previous fiscal year, and any surplus that may remain even after offsetting the loss must be kept as reserve funds.

2 機構は、毎事業年度、損益計算において損失を生じたときは、前項の規定による積立金を減額して整理し、なお不足があるときは、その不足額は、繰越欠損金として整理しなければならない。

(2) If a loss is incurred based on the calculation of profits and losses for a fiscal year, the ESDO must account for the loss by reducing the amount of the reserve funds prescribed under the preceding paragraph, and if there is any deficit remaining thereafter, the ESDO must account for the amount of deficit as a loss carried forward.

3 機構は、予算をもって定める額に限り、第一項の規定による積立金を第八十七条の業務に要する費用に充てることができる。

(3) The ESDO may allocate the reserve funds specified in the provisions of paragraph (1) to expenses required for the operations set forth in Article 87, within the limits of the amount specified in the budget.

(借入金)

(Borrowing of Funds)

第九十五条 機構は、その業務に要する費用に充てるため必要な場合において、主務大臣の認可を受けて、短期借入金をすることができる。

Article 95 (1) The ESDO may make short-term borrowings with the authorization of the competent ministers if it is necessary to allocate funds to expenses required for its operations.

2 前項の規定による短期借入金は、当該事業年度内に償還しなければならない。ただし、資金の不足のため償還することができないときは、その償還することができない金額に限り、主務大臣の認可を受けて、これを借り換えることができる。

(2) The short-term borrowings under the preceding paragraph must be reimbursed within the fiscal year concerned; provided, however, that if the short-term borrowings cannot be reimbursed due to a lack of funds, only the amount that cannot be reimbursed may be refinanced with the authorization of the competent ministers.

3 前項ただし書の規定により借り換えた短期借入金は、一年以内に償還しなければな

らない。

(3) The short-term borrowings that have been refinanced pursuant to the provisions of the proviso to the preceding paragraph must be reimbursed within one year.

4 主務大臣は、第一項及び第二項の認可をしようとするときは、あらかじめ、財務大臣に協議しなければならない。

(4) If the competent ministers intend to give the authorization set forth under the provisions of paragraph (1) and paragraph (2), the competent ministers must consult with the Minister of Finance in advance.

5 機構は、長期借入金及び債券発行をすることができない。

(5) The ESDO may neither make long-term borrowings nor issue bonds.

(交付金)

(Grants)

第九十六条 政府は、予算の範囲内において、機構に対し、その業務に要する費用に相当する金額を交付するものとする。

Article 96 The government is to grant the ESDO the amount of money equivalent to the expenses required for its business, within the limits of the budget.

(余裕金の運用)

(Investment of Surplus Funds)

第九十七条 機構は、次の方法によるほか、業務上の余裕金を運用してはならない。

Article 97 The ESDO must not invest any surplus funds arising in the course of its operations other than through the following means:

一 国債その他主務大臣の指定する有価証券の保有

(i) holding of government bonds and other securities designated by the competent ministers;

二 主務大臣の指定する金融機関への預金

(ii) depositing of surplus funds in a financial institution designated by the competent ministers; and

三 その他主務省令で定める方法

(iii) other means provided for in order of the competent ministry.

(主務省令への委任)

(Delegation to Order of the Competent Ministry)

第九十八条 この法律に定めるもののほか、この節の規定の実施に関し必要な事項は、主務省令で定める。

Article 98 Beyond what is provided for in this Act, the necessary particulars for the enforcement of the provisions of this Section are provided for in order of the competent ministry.

**第七節 監督**

**Section 7 Supervision**

(監督)

(Supervision)

第九十九条 機構は、主務大臣が監督する。

Article 99 (1) The ESDO is supervised by the competent minister.

2 主務大臣は、この法律を施行するため必要があると認めるときは、機構に対し、その業務に関して監督上必要な命令をすることができる。

(2) If the competent minister finds it necessary for the enforcement of this Act, they may issue an order as necessary for the supervision of the ESDO's operations.

(報告徴収及び立入検査)

(Collection of Reports and On-site Inspections)

第百条 主務大臣は、この法律を施行するため必要があると認めるときは、機構に対しその業務に関し報告をさせ、又は当該職員に機構の事務所に立ち入り、帳簿、書類その他の物件を検査させることができる。

Article 100 (1) If the competent minister finds it necessary for the enforcement of this Act, they may order the ESDO to submit a report on its operations, or may have officials enter the ESDO's offices to inspect the ESDO's books, documents and other items.

2 第十三条第二項の規定は前項の規定による立入検査について、同条第三項の規定は前項の規定による権限について、それぞれ準用する。

(2) The provisions of Article 13, paragraph (2) apply mutatis mutandis to the on-site inspection under the preceding paragraph, and the provisions of Article 13, paragraph (3) apply mutatis mutandis to the authority under the preceding paragraph.

## 第八節 補則

### Section 8 Auxiliary Provisions

(定款の変更)

(Changes to the Articles of Incorporation)

第百一条 機構の定款の変更は、主務大臣の認可を受けなければ、その効力を生じない。

Article 101 Changes to the ESDO's articles of incorporation do not come into effect without the authorization of the competent ministers.

(解散)

(Dissolution)

第百二条 機構は、解散した場合において、その債務を弁済してなお残余財産があるときは、これを各出資者に対し、その出資額を限度として分配するものとする。

Article 102 (1) If the ESDO is dissolved and there are residual assets even after it has paid its debts, the ESDO must distribute them to each contributor in amounts proportionate to the amount of each capital contribution.

2 前項に規定するもののほか、機構の解散については、別に法律で定める。

(2) Beyond what is provided for in the preceding paragraph, particulars concerning the dissolution of the ESDO are provided for separately by law.

## 第四章 雑則

## **Chapter IV Miscellaneous Provisions**

(主務大臣等)

### **(Competent Minister)**

第百三条 この法律における主務大臣は、法務大臣及び厚生労働大臣とする。

Article 103 (1) The competent ministers referred to in this Act are the Minister of Justice and the Minister of Health, Labour and Welfare.

2 この法律における主務省令は、主務大臣の発する命令とする。

(2) The order of the competent ministry referred to in this Act is an order issued by the competent ministers.

(権限の委任等)

### **(Delegation of Authority)**

第百四条 主務大臣は、政令で定めるところにより、第三十五条第一項の規定による報告の徴収、帳簿書類の提出若しくは提示の命令、出頭の求め、質問又は立入検査（第四十条第三項から第五項までの規定を施行するために行うものに限る。）、第九十九条第一項の規定による監督（出頭の求めに限る。）、同条第二項の規定による命令（帳簿書類の提出又は提示の命令に限る。）及び第百条第一項の規定による報告の徴収又は立入検査（次項及び次条において「報告徴収等」という。）の権限の一部を国土交通大臣に委任することができる。

Article 104 (1) Pursuant to the provisions of Cabinet Order, the competent ministers may delegate, to the Minister of Land, Infrastructure, Transport and Tourism, part of their authorities over the collection of reports, the order to submit or present books and records, the request for appearance, the questioning, or the on-site inspection under Article 35, paragraph (1) (limited to those conducted for the enforcement of the provisions of Article 40, paragraphs (3) through (5)), supervision under Article 99, paragraph (1) (limited to a request for appearance), order under paragraph (2) of the same Article (limited to an order for submission or presentation of books and documents), and collection of reports or on-site inspection under Article 100, paragraph (1) (hereinafter referred to as the "collection of reports, etc." in the following paragraph and in the following Article).

2 国土交通大臣は、前項の規定による委任に基づき、報告徴収等を行ったときは、速やかに、その結果について主務大臣に報告するものとする。

(2) If the Minister of Land, Infrastructure, Transport and Tourism performs the collection of reports, etc. under the authority delegated to the Minister pursuant to the provisions of the preceding paragraph, the Minister is to report the results to the competent ministers promptly.

3 国土交通大臣は、政令で定めるところにより、第一項の規定により委任された権限を地方運輸局長（運輸監理部長を含む。次項において同じ。）に委任することができる。

(3) The Minister of Land, Infrastructure, Transport and Tourism may delegate the authority which has been delegated to the Minister pursuant to the

provisions of paragraph (1), to the Director of the District Transport Bureau (including the Chief of the Maritime Traffic Control Division; the same applies in the following paragraph) pursuant to Cabinet Order.

4 前項の規定により地方運輸局長に委任された権限は、政令で定めるところにより、運輸支局長又は地方運輸局、運輸監理部若しくは運輸支局の事務所の長に委任することができる。

(4) The authority delegated to the Director of the District Transport Bureau pursuant to the provisions of the preceding paragraph may be delegated to the Chief of the Transport Bureau Branch, or the head of the office of the District Transport Bureau, Maritime Traffic Control Division or Transport Bureau Branch, pursuant to Cabinet Order.

5 この法律に規定する法務大臣の権限（第七条第三項から第五項まで（これらの規定を同条第六項において準用する場合を含む。））、第七条の二第一項、同条第三項から第五項まで（これらの規定を同条第六項において準用する場合を含む。）並びに第十二条の二第二項及び第四項に規定するもの並びに第一項の規定により国土交通大臣に委任されたものを除く。）は、政令で定めるところにより、出入国在留管理庁長官に委任することができる。

(5) The authorities of the Minister of Justice provided for in this Act (excluding those under Article 7, paragraphs (3) through (5) (including as applied mutatis mutandis pursuant to paragraph (6) of the same Article), Article 7-2, paragraphs (1), and (3) through (5) (including as applied mutatis mutandis pursuant to paragraph (6) of the same Article), and Article 12-2, paragraphs (2) and (4), and those delegated to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provision of paragraph (1)) may be delegated to the Commissioner of the Immigration Services Agency as provided for in Cabinet Order.

6 この法律に規定する出入国在留管理庁長官の権限（前項の規定により出入国在留管理庁長官に委任されたものを含む。）及び厚生労働大臣の権限（第七条第三項から第五項まで（これらの規定を同条第六項において準用する場合を含む。））、第七条の二第一項、同条第三項から第五項まで（これらの規定を同条第六項において準用する場合を含む。）並びに第十二条の二第二項及び第四項に規定するもの並びに第一項の規定により国土交通大臣に委任されたものを除く。）は、主務省令で定めるところにより、地方支分部局の長に委任することができる。

(6) The authorities of the Commissioner of the Immigration Services Agency provided for in this Act (including that delegated to the Commissioner of the Immigration Services Agency pursuant to the provisions of the preceding paragraph) and the authorities of the Minister of Health, Labour and Welfare (excluding those under Article 7, paragraphs (3) through (5) (including as applied mutatis mutandis pursuant to paragraph (6) of the same Article), Article 7-2, paragraphs (1), and (3) through (5) (including as applied mutatis mutandis pursuant to paragraph (6) of the same Article), and Article 12-2, paragraphs (2)

and (4), and those delegated to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provision of paragraph (1)) may be delegated to the head of a local branch office as provided for in order of the competent ministries.

(職権の行使)

(Exercising Authority)

第百五条 主務大臣は、報告徴収等に関する事務について、第三十五条第一項に規定する当該主務大臣の職員の職権を労働基準監督官に行わせることができる。

Article 105 (1) The competent ministers may have a labor standard inspector perform what is under the authority of the officials of the competent ministers provided for in Article 35, paragraph (1), for the administrative affairs relating to the collection of reports, etc.

2 国土交通大臣は、主務大臣の権限が前条第一項の規定により国土交通大臣に委任された場合には、報告徴収等に関する事務について、第三十五条第一項に規定する当該主務大臣の職員の職権を船員労務官に行わせることができる。

(2) If the authority of the competent minister is delegated to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of paragraph (1) of the preceding Article, the Minister of Land, Infrastructure, Transport and Tourism may have an officer in charge of the labor affairs of mariners perform what is under the authority of the officials of the competent ministers provided for in Article 35, paragraph (1), for the administrative affairs relating to the collection of reports, etc.

(国等の連携)

(Coordination between the National Government and Others)

第百六条 国、地方公共団体及び機構は、育成就労が円滑に行われるよう、必要な情報交換を行うことその他相互の密接な連携の確保に努めるものとする。

Article 106 (1) The national government, local governments and the ESDO are to endeavor to exchange the necessary information and to otherwise ensure close mutual coordination in order to ensure that the employment for skill development is conducted smoothly.

2 機構は、前項に規定する連携のため、主務大臣及び出入国在留管理庁長官に対し、主務大臣及び出入国在留管理庁長官の権限の行使に関して必要な情報の提供を行わなければならない。

(2) The ESDO must provide the competent ministers and the Commissioner of the Immigration Services Agency with necessary information relating to the exercise of authority by the competent ministers and the Commissioner of the Immigration Services Agency for the coordination provided for in the preceding paragraph.

3 機構及び公共職業安定所又は地方運輸局（運輸監理部を含む。次項において同じ。）は、第八条の四第三項（同条第四項の規定により読み替えて適用する場合を含む。）並びに第五十一条第一項及び第二項に規定する措置並びに第八十七条第一項第三号の業務が円滑に行われるよう、相互に連携を図りながら協力しなければならない。

(3) The ESDO and public employment security offices or District Transport Bureaus (including the Maritime Traffic Control Division; the same applies in the following paragraph) must cooperate and coordinate with one another so that the measures provided for in Article 8-4, paragraph (3) (including as applied pursuant to the provision of paragraph (4) of the same Article following the deemed replacement of terms) and Article 51, paragraphs (1) and (2), and the operations under Article 87, paragraph (1), item (iii) are conducted smoothly.

4 機構は、前項の規定による連携を図るため、公共職業安定所又は地方運輸局に対し、主務省令で定めるところにより必要な情報の提供を行わなければならない。

(4) The ESDO must provide public employment security offices or district transport bureaus with the necessary information, as provided for in order of the competent ministries, to facilitate cooperation under the preceding paragraph.

(主務省令への委任)

(Delegation to Order of the Competent Ministry)

第百七条 この法律に定めるもののほか、この法律の規定の実施に関し必要な事項は、主務省令で定める。

Article 107 Beyond what is provided for in this Act, the necessary particulars for the enforcement of the provisions of this Act are specified by order of the competent ministry.

## 第五章 罰則

### Chapter V Penal Provisions

第百八条 第四十六条の規定に違反したときは、当該違反行為をした者は、一年以上十年以下の拘禁刑又は二十万円以上三百万円以下の罰金に処する。

Article 108 Any person who has violated the provisions of Article 46 is subject to imprisonment for not less than one year but not more than 10 years, or a fine of not less than 200,000 yen but not more than 3,000,000 yen.

第百九条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、一年以下の拘禁刑又は百万円以下の罰金に処する。

Article 109 Any person falling under any of the following items is subject to imprisonment for not more than one year or a fine of not more than 1,000,000 yen:

一 第二十三条第一項の許可を受けないで、監理支援事業を行ったとき。

(i) a person who has conducted the supervision and support business without the license under Article 23, paragraph (1);

二 偽りその他不正の行為により、第二十三条第一項の許可又は第三十一条第二項の規定による許可の有効期間の更新を受けたとき。

(ii) a person who has, by deception or some other wrongful act, obtained the license under Article 23, paragraph (1) or a renewal of the validity period of the license under in Article 31, paragraph (2);

三 第三十七条第二項の規定による命令に違反したとき。

(iii) a person who has violated the order prescribed under the provisions of

Article 37, paragraph (2); or

四 第三十八条の規定に違反したとき。

(iv) a person who has violated the provisions of Article 38;

第百十条 第四十四条の規定に違反したときは、当該違反行為をした者は、一年以下の拘禁刑又は五十万円以下の罰金に処する。

Article 110 Any person who has violated the provisions of Article 44 is subject to imprisonment for not more than one year or a fine of not more than 500,000 yen.

2 第五十四条第四項、第五十六条第四項又は第八十条（第八十六条及び第八十八条第二項において準用する場合を含む。）の規定に違反した者は、一年以下の拘禁刑又は五十万円以下の罰金に処する。

(2) Any person who has violated the provisions of Article 54, paragraph (4);

Article 56, paragraph (4); or Article 80 (including as applied mutatis mutandis pursuant to Article 86 and Article 88, paragraph (2)) is subject to imprisonment for not more than one year or a fine of not more than 500,000 yen.

第百十一条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、六月以下の拘禁刑又は三十万円以下の罰金に処する。

Article 111 Any person falling under any of the following items is subject to imprisonment for not more than six months or a fine of not more than 300,000 yen:

一 第十五条第一項の規定による命令に違反したとき。

(i) a person who has violated the order under Article 15, paragraph (1);

二 第二十八条第一項の規定に違反したとき。

(ii) a person who has violated the provisions of Article 28, paragraph (1);

三 第三十六条第一項の規定による命令に違反したとき。

(iii) a person who has violated the order prescribed under the provisions of Article 36, paragraph (1);

四 第四十七条の規定に違反したとき。

(iv) a person who has violated the provisions of Article 47;

五 第四十八条第一項の規定に違反して、育成就労外国人等の意思に反して育成就労外国人等の旅券又は在留カードを保管したとき。

(v) a person who has kept the passport or residence card of a skill development employee, etc. against the intention of that skill development employee, etc., in violation of Article 48, paragraph (1);

六 第四十八条第二項の規定に違反して、育成就労外国人等に対し、解雇その他の労働関係上の不利益又は制裁金の徴収その他の財産上の不利益を示して、育成就労が行われる時間以外における他の者との通信若しくは面談又は外出の全部又は一部を禁止する旨を告知したとき。

(vi) a person who has, in violation of Article 48, paragraph (2), notified a skill development employee, etc., to the effect that the employee is prohibited from communicating with or meeting others or going outside during any hours other than their employment for skill development hours, in whole or in part, through

threatening them with dismissal or other disadvantages in the labor relationship, collection of a penalty, or other financial disadvantages; or

七 第四十九条第二項の規定に違反したとき。

(vii) a person who has violated the provisions of Article 49, paragraph (2).

第百十二条 次の各号のいずれかに該当する場合には、当該違反行為をした者は、三十万円以下の罰金に処する。

Article 112 Any person falling under any of the following items is subject to a fine of not more than 300,000 yen:

一 第八条の二第二項、第六項又は第七項の規定による届出をせず、又は虚偽の届出をしたとき。

(i) a person who has not made the notification provided for in Article 8-2, paragraph (2), (6) or (7), or has made a false notification;

二 第八条の二第三項から第五項までの規定による通知をせず、又は虚偽の通知をしたとき。

(ii) a person who has not given the notice provided for in Article 8-2, paragraphs (3) through (5), or has given a false notice;

三 第十三条第一項又は第三十五条第一項の規定による報告若しくは帳簿書類の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の帳簿書類の提出若しくは提示をし、又はこれらの規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくはこれらの規定による検査を拒み、妨げ、若しくは忌避したとき。

(iii) a person who has failed to make a report or to submit or present books and documents as provided for in Article 13, paragraph (1) or Article 35, paragraph (1); has made a false report, or submitted or presented false books and documents; has refused to answer to questions under these provisions or given a false answer to them; or has refused, interfered with, or evaded an inspection under these provisions;

四 第十七条第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(iv) a person who has not made the notification provided for in Article 17, paragraph (1), or has made a false notification;

五 第十九条第一項又は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。

(v) a person who has not made the notification provided for in Article 19, paragraph (1) or (3), or has made a false notification;

六 第十九条第二項から第四項までの規定による通知をせず、又は虚偽の通知をしたとき。

(vi) a person who has not given the notice provided for in Article 19, paragraphs (2) through (4), or has given a false notice;

七 第二十条第一項又は第二項の規定に違反して帳簿書類を作成せず、若しくは事業所に備えて置かず、又は虚偽の帳簿書類を作成したとき。

(vii) a person who, in violation of Article 20, paragraph (1) or (2), has failed to prepare books and documents, has failed to keep them at its place of business, or has prepared false books and documents;

八 第二十三条第二項（第三十一条第五項において準用する場合を含む。）に規定する申請書又は第二十三条第三項（第三十一条第五項において準用する場合を含む。）に規定する書類であって虚偽の記載のあるものを提出したとき。

(viii) a person who has submitted the written application provided for in Article 23, paragraph (2) (including as applied mutatis mutandis pursuant to Article 31, paragraph (5)) or the document provided for in Article 23, paragraph (3) (including as applied mutatis mutandis pursuant to Article 31, paragraph (5)) which contains a false statement;

九 第三十二条第一項の規定による届出をせず、若しくは虚偽の届出をし、又は同項に規定する書類であって虚偽の記載のあるものを提出したとき。

(ix) a person who has not made the notification provided for in Article 32, paragraph (1), or has made a false notification, or has submitted the document provided for in the same paragraph which contains a false statement;

十 第三十三条第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(x) a person who has not made the notification provided for in Article 33, paragraph (1), or has made a false notification;

十一 第三十四条第一項の規定による届出をしないで、又は虚偽の届出をして、監理支援事業を廃止し、又はその全部若しくは一部を休止したとき。

(xi) a person who has discontinued the supervision and support business or has suspended that business in whole or in part without the notification provided for in Article 34, paragraph (1) or with a false notification;

十二 第四十条第一項の規定に違反したとき。

(xii) a person who has violated the provisions of Article 40, paragraph (1); or

十三 第四十一条の規定に違反して帳簿書類を作成せず、若しくは事業所に備えて置かず、又は虚偽の帳簿書類を作成したとき。

(xiii) a person who, in violation of Article 41, has failed to prepare books and documents, has failed to keep them at its place of business, or has prepared false books and documents.

2 第百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、若しくは忌避したときは、その違反行為をした機構の役員又は職員は、三十万円以下の罰金に処する。

(2) When an officer or employee of the ESDO has failed to make a report under Article 100, paragraph (1), or has made a false report, or has refused, interfered with, or evaded an inspection under the same paragraph, the officer or employee who has committed the violation is to be subject to a fine of not more than 300,000 yen.

第百十三条 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て、第百八条、第百九条、第百十条第一項、第百十一条又は前条第一項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 113 If the representative of a corporation, the agent or employee of a

juridical or natural person, or any other person working for a juridical or natural person has committed a violation set forth under Article 108, Article 109, paragraph (1) of Article 110, Article 111, or paragraph (1) of the preceding Article in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is also subject to the fine set forth under the relevant Article.

第百十四条 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機構の役員は、二十万円以下の過料に処する。

Article 114 If coming under any of the following items, the officer of the ESDO who has committed the relevant violation is subject to a civil fine of not more than 200,000yen:

一 第三章の規定により主務大臣の認可又は承認を受けなければならない場合において、その認可又は承認を受けなかったとき。

(i) failure to receive authorization from or approval of the competent ministers if the authorization or approval is required pursuant to the provisions of Chapter III;

二 第六十二条第一項の規定による政令に違反して登記することを怠ったとき。

(ii) failure to be registered in violation of Cabinet Order under Article 62, paragraph (1);

三 第八十七条に規定する業務以外の業務を行ったとき。

(iii) engaging in business other than that provided for in Article 87;

四 第九十三条第三項の規定に違反して、書類を備え置かず、又は縦覧に供しなかったとき。

(iv) failure to keep documents or to make them available for public inspection in violation of Article 93, paragraph (3);

五 第九十七条の規定に違反して業務上の余裕金を運用したとき。

(v) investing surplus funds from the business in violation of Article 97; or

六 第九十九条第二項の規定による主務大臣の命令に違反したとき。

(vi) violation of the order of the competent ministers provided for in Article 99, paragraph (2).

第百十五条 第六十一条第二項の規定に違反した者は、二十万円以下の過料に処する。

Article 115 Any person who has violated the provisions of Article 61, paragraph (2) is subject to a civil fine of not more than 200,000 yen.