

Act on Proper Technical Intern Training and Protection of Technical Intern Trainees

(Abbr: Technical Intern Training Act)

Chapter I General Provisions

(Purpose)

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 "Immigration Control Act" in the following Article and Article 48, paragraph (1)), and other laws and regulations relating to immigration, and 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 relating to labor, is to ensure the proper implementation of technical intern training and to protect the technical intern trainees, thereby promoting international cooperation by transferring skills, technologies, or knowledge (hereinafter referred to as "skills, etc.") to developing regions and elsewhere through human resources development, by way of establishing the basic principles and clarifying the related responsibilities of the national government and other parties concerning technical intern training as well as establishing systems for accreditation of the technical intern training plans and licensing of the supervising organizations.

(Definitions)

Article 2 (1) The term "technical intern training" as used in this Act refers to individual-enterprise-type technical intern training and supervising-organization-type technical intern training, and "technical intern trainees" refers to individual-enterprise-type technical intern trainees and supervising-organization-type technical intern trainees.

(2) The term "individual-enterprise-type technical intern training" as used in this Act refers to the following:

- (i) Individual-enterprise-type technical intern training (i) refers to training where a foreign national (meaning a foreign national as prescribed in Article 2, paragraph (2) of the Immigration Control Act; the same shall apply hereinafter) who is an employee of a Japanese public or private organization whose place of business is located overseas or a foreign national who is an employee of a foreign public or private organization that has a close relationship with a Japanese public or private organization as provided for by an ordinance of the competent ministries whose place of business is located overseas, with a status of residence (limited to that pertaining to item (i), sub-item (a) listed in the right-

hand column under "Technical Intern Training" of Appended Table I (2) of the Immigration Control Act) and who has been accepted by such Japanese public or private organization, for the purpose of acquiring skills, etc., attends the necessary lectures and engages in work relating to such skills, etc. at a place of business of the organization in Japan based on an employment contract with such organization; the same shall apply hereinafter.

(ii) Individual-enterprise-type technical intern training (ii) refers to training where a person who has completed individual-enterprise-type technical intern training (i) with a status of residence (limited to that related to item (ii), sub-item (a) listed in the right-hand column under "Technical Intern Training" of Appended Table I (2) of the Immigration Control Act), for the purpose of increasing proficiency in the skills, etc., engages in work which requires the skills, etc. at a place of business in Japan of a Japanese public or private organization based on an employment contract with such organization; the same shall apply hereinafter.

(iii) Individual-enterprise-type technical intern training (iii) refers to training where a person who has completed individual-enterprise-type technical intern training (ii) with a status of residence (limited to that related to item (iii), sub-item (a) listed in the right-hand column under "Technical Intern Training" of Appended Table I (2) of the Immigration Control Act), for the purpose of attaining proficiency in the skills, etc., engages in work which requires the skills, etc. at a place of business in Japan of a Japanese public or private organization based on an employment contract with such organization; the same shall apply hereinafter.

(3) The term "individual-enterprise-type technical intern trainee" as used in this Act refers to the following:

(i) Individual-enterprise-type technical intern trainee (i) refers to a foreign national who engages in individual-enterprise-type technical intern training (i); the same shall apply hereinafter.

(ii) Individual-enterprise-type technical intern trainee (ii) refers to a foreign national who engages in individual-enterprise-type technical intern training (ii); the same shall apply hereinafter.

(iii) Individual-enterprise-type technical intern trainee (iii) refers to a foreign national who engages in individual-enterprise-type technical intern training (iii); the same shall apply hereinafter.

(4) The term "supervising-organization-type technical intern training" as used in this Act refers to the following:

(i) Supervising-organization-type technical intern training (i) refers to training where a foreign national with a status of residence (limited to that related to item (i), sub-item (b) listed in the right-hand column under "Technical Intern Training" of Appended Table I

(2) of the Immigration Control Act) who, having been accepted by a Japanese nonprofit juridical person, for the purpose of acquiring skills, etc. attends necessary lectures and engages in work which requires the skills, etc. at a place of business in Japan of Japanese public or private organization whose training is being supervised by such juridical person based on an employment contract with such organization; the same shall apply hereinafter.

(ii) Supervising-organization-type technical intern training (ii) refers to training where a person who has completed supervising-organization-type technical intern training (i) with a status of residence (limited to that related to item (ii), sub-item (b) listed in the right-hand column under "Technical Intern Training" of Appended Table I (2) of the Immigration Control Act), for the purpose of increasing proficiency in the skills, etc., engages in work which requires the skills, etc. at a place of business in Japan of a Japanese public or private organization whose training is being supervised by a Japanese nonprofit juridical person based on an employment contract with such organization; the same shall apply hereinafter.

(iii) Supervising-organization-type technical intern training (iii) refers to training where a person who has completed supervising-organization-type technical intern training (ii) with a status of residence (limited to that related to item (iii), sub-item (b) listed in the right-hand column under "Technical Intern Training" of Appended Table I (2) of the Immigration Control Act), for the purpose of attaining proficiency in the skills, etc., engages in work which requires the skills, etc. at a place of business in Japan of a Japanese public or private organization whose training is being supervised by a Japanese nonprofit juridical person based on an employment contract with such organization; the same shall apply hereinafter.

(5) The term "supervising-organization-type technical intern trainee" as used in this Act refers to the following:

(i) Supervising-organization-type technical intern trainee (i) refers to a foreign national who engages in supervising-organization-type technical intern training (i); the same shall apply hereinafter.

(ii) Supervising-organization-type technical intern trainee (ii) refers to a foreign national who engages in supervising-organization-type technical intern training (ii); the same shall apply hereinafter.

(iii) Supervising-organization-type technical intern trainee (iii) refers to a foreign national who engages in supervising-organization-type technical intern training (iii); the same shall apply hereinafter.

(6) The term "implementing organization" as used in this Act refers to an implementing organization of individual-enterprise-type training and an implementing organization of supervising-organization-type training. .

- (7) The term "implementing organization of individual-enterprise-type training" as used in this Act refers to an organization which conducts individual-enterprise-type technical intern training based on a technical intern training plan as prescribed in Article 8, paragraph (1) whose training has received accreditation (referring to accreditation as provided for in Article 8, paragraph (1) (where a change has been approved in accordance with the provisions of Article 11, paragraph (1), the plan after the change), the same shall apply hereinafter).
- (8) The term "implementing organization of supervising-organization-type training" as used in this Act refers to an organization which conducts supervising-organization-type technical intern training based on a technical intern training plan as prescribed in Article 8, paragraph (1) whose training has received accreditation.
- (9) The term "supervision of training" as used in this Act refers to the extension of services to establish a relationship of employment between the implementing organization of supervising-organization-type training, etc. (meaning an implementing organization of supervising-organization-type implementing organization or an organization which intends to conduct supervising-organization-type technical intern training; the same shall apply hereinafter) and the supervising-organization-type technical intern trainee, etc. (referring to a supervising-organization-type technical intern trainee or a person who wishes to become a supervising-organization-type technical intern trainee; the same shall apply hereinafter) and to supervise the implementing organization of supervising-organization-type training for implementation of the supervising-organization-type technical intern training.
- (10) The term "supervising organization" as used in this Act refers to a Japanese nonprofit juridical person that engages in the business of supervision of training (hereinafter referred to as "supervision business") by obtaining a license to supervise (referring to the license as provided for in Article 23, paragraph (1) (where a change has been approved in accordance with the provisions of Article 32, paragraph (1) or there has been a change to the license pertaining to specified supervision business in accordance with the provisions of Article 23, paragraph (1), item (ii) pursuant to the provisions of Article 37, paragraph (2), the license after the change; the same shall apply hereinafter).

(Basic Principles)

Article 3 (1) Technical intern training shall be developed for the purpose of the proper acquisition, mastery or increased proficiency (hereinafter referred to as "acquisition, etc.") of the skills, etc., and shall be conducted in an environment where a structure has been established to protect the technical intern trainees enabling them to concentrate on the technical intern training.

- (2) Technical intern training shall not be conducted as a means of adjusting labor demand and supply.

(Responsibilities of the National and Local Governments)

Article 4 (1) In order to achieve the purpose of this Act, the national government shall comprehensively and effectively promote the necessary measures so as to ensure the proper implementation of technical intern training and protection of the technical intern trainees in accordance with the Basic Principles set forth in the preceding Article.

(2) In conjunction with the measures of the national government set forth in the preceding paragraph, the local governments shall endeavor to promote the necessary measures so as to ensure the proper implementation of technical intern training and protection of the technical intern trainees depending on the actual situation of the region.

(Responsibilities of the Implementing Organizations, Supervising Organizations, etc.)

Article 5(1) The implementing organizations shall be conscious of their responsibilities as entities conducting technical intern training with regard to proper implementation of technical intern training and protection of the technical intern trainees, and shall endeavor to develop an environment for the conducting of the technical intern training and shall cooperate with the measures being implemented by the national and local governments in accordance with the Basic Principles set forth in Article 3.

(2) The supervising organizations shall be conscious of the fact that they perform an important role in the proper implementation of technical intern training and protection of the technical intern trainees, shall appropriately fulfill their responsibilities in supervision of the training, and shall cooperate with the measures being implemented by the national and local governments.

(3) Associations of which an implementing organization or supervising organization is a member shall endeavor to provide the necessary guidance and advice to the implementing organization or supervising organization in order to ensure the proper implementation of technical intern training and protection of the technical intern trainees.

(Responsibilities of the Technical Intern Trainees)

Article 6 The technical intern trainees shall endeavor to acquire, etc. the skills, etc., and transfer the skills, etc. to their home country by concentrating on the technical intern training.

(Basic Policy)

Article 7 (1) The competent ministers shall establish a basic policy for the proper implementation of technical intern training and protection of the technical intern trainees (hereinafter referred to as "Basic Policy" in this Article).

(2) The Basic Policy shall specify the following matters:

(i) The basic matters related to the proper implementation of technical intern training and protection of the technical intern trainees

(ii) Matters related to measures intended to ensure the proper implementation of technical intern training and protection of the technical intern trainees

(iii) Matters that should be taken into consideration for proper implementation of technical intern training and protection of the technical intern trainees

(iv) The fields for which skills, etc., should be transferred and matters relating to promotion of the transfer of skills, etc.

(3) The competent ministers shall, where necessary, establish measures in the Basic Policy in order to ensure the proper implementation of technical intern training and protection of the technical intern trainees for specific occupations.

(4) The competent ministers shall consult the heads of the relevant administrative organs in advance when planning to establish or amend the Basic Policy.

(5) The competent ministers shall publish any Basic Policy that has been established or amended without delay.

Chapter II Technical Intern Training

Section 1 Technical Intern Training Plan

(Accreditation of the Technical Intern Training Plan)

Article 8 (1) A Japanese individual or juridical person (the parent company (referring to the parent company as prescribed in Article 2, item (iv) of the Companies Act (Act No. 86 of 2005)) and its subsidiary (referring to the subsidiary as prescribed in item (iii) of the same Article) or where multiple juridical persons with a close relationship as provided for by an ordinance of the competent ministries jointly conduct the technical intern training, these multiple juridical persons), which intends to conduct technical intern training shall, as provided for by an ordinance of the competent ministries, prepare a plan relating to

implementation of the technical intern training (hereinafter referred to as "technical intern training plan") for each technical intern trainee and may have it accredited as an appropriate technical intern training plan by submitting it to the competent ministers.

(2) The technical intern training plan shall describe the following matters:

- (i) The name and address of the Japanese individual or juridical person as prescribed in the preceding paragraph (hereinafter referred to as "applicant" in this Article, the following Article and paragraph (5) of Article 12), and in the case of a juridical person, the name of its representative;
- (ii) In the case of a juridical person, the names and addresses of its officers;
- (iii) The name and address of the place of business where the technical intern training is to be conducted;
- (iv) The names and nationalities of the technical intern trainees;
- (v) The category of technical intern training (referring to the category of individual-enterprise-type technical intern training (i), individual-enterprise-type technical intern training (ii) or individual-enterprise-type technical intern training (iii), or supervising-organization-type technical intern training (i), supervising-organization-type technical intern training (ii) or supervising-organization-type technical intern training (iii); the same shall apply in item (ii) of the following Article);
- (vi) The goals of the technical intern training (referring to passing the trade skills test as provided for in paragraph (1) of Article 44 of the Human Resources Development Promotion Act (Act No. 64 of 1969) (hereinafter referred to as "trade skills test" in the following Article) or an examination designated by an ordinance of the competent ministries (hereinafter referred to as "technical intern training evaluation examination" in the following Article and Article 52) by the time of completion of the technical intern training and other goals; the same shall apply in the following Article), its content, and the period of the training;
- (vii) The name of the person responsible for implementing the technical intern training at each place of business where the technical intern training is to be conducted;
- (viii) In cases of supervising-organization-type technical intern training, the name and address of the supervising organization which is to conduct the supervision of training, and the name of its representative;
- (ix) The remuneration, work hours, leave, accommodation facilities, food expenses and living expenses to be paid for by the technical intern trainees, and other treatment of the technical intern trainees;
- (x) Other matters as provided for by an ordinance of the competent ministries.

- (3) Documents certifying each of the matters listed in the items of the following Article and other documents as provided for by an ordinance of the competent ministries shall be attached to the technical intern training plan.
- (4) An applicant who intends to conduct supervising-organization-type technical intern training shall develop a technical intern training plan based on guidance from the supervising organization (limited to supervising organizations with a license to supervise (limited to the license pertaining to general supervision business as prescribed in item (i) of paragraph (1) of Article 23) in cases where the technical intern training plan is for supervising-organization-type technical intern training (iii)) from which it is to receive supervision of training.
- (5) The applicant shall pay a fee in the amount provided for by an ordinance of the competent ministries based on consideration of the actual costs.

(Criteria for Accreditation)

Article 9 In cases where an application for accreditation as provided for in paragraph (1) of the preceding Article has been made, the competent ministers shall accredit the technical intern training plan if they deem that it conforms to all of the following items:

- (i) The skills, etc. to be acquired, etc. shall be ones that would be difficult to acquire in the technical intern trainee's home country.
- (ii) The goals and content of the technical intern training shall conform to the criteria provided for by an ordinance of the competent ministries in accordance with the category of technical intern training.
- (iii) The period of the technical intern training shall be a maximum of one year in cases of individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (i), or a maximum of two years in cases of individual-enterprise-type technical intern training (ii), individual-enterprise-type technical intern training (iii), supervising organization-type technical intern training (ii) or supervising-organization-type technical intern training (iii).
- (iv) The goals relating to the passing of the trade skills test or technical intern training evaluation examination as prescribed in the technical intern training plan for individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (i) pertaining to the skills, etc. in each respective technical intern training plan in cases of individual-enterprise-type technical intern training (ii) or supervising-organization-type technical intern training (ii) or the technical intern training plan for individual-enterprise-type technical intern training (ii) or supervising-organization-type technical intern training (ii) pertaining to the skills, etc. in each respective technical intern training plan in cases of individual-enterprise-type technical intern training (iii) or supervising-organization-type technical intern training (iii) have been achieved.

- (v) The evaluation of the skills, etc. which the technical intern trainee has acquired, etc. is evaluated through a trade skills test or technical intern training evaluation examination as provided for by an ordinance of the competent ministries before the completion of the technical intern training.
- (vi) The structure based on which the technical intern training is to be conducted and the equipment of the place of business where it will be conducted shall conform to the criteria provided for by an ordinance of the competent ministries.
- (vii) A person responsible for implementation of the technical intern training has been appointed to each place of business that will conduct the technical intern training as provided for by an ordinance of the competent ministries.
- (viii) In cases of supervising-organization-type technical intern training, the applicant shall be subject to supervision of training by a supervising organization (limited to those which have obtained a license to supervise (limited to that pertaining to general supervising business as prescribed in item (i) of paragraph (1) of Article 23) in cases where the technical intern training plan is for supervising-organization-type technical intern training (iii)), from which it received guidance on preparation of the technical intern training plan.
- (ix) The amount of remuneration paid to a technical intern trainee shall be equivalent to or greater than the amount of remuneration paid to a Japanese national for similar work, and other treatment of the technical intern trainees shall conform to the criteria provided for by an ordinance of the competent ministries.
- (x) In cases of individual-enterprise-type technical intern training (iii) or supervising-organization-type technical intern training (iii), the applicant shall conform to the criteria provided for by an ordinance of the competent ministries as an entity with a high standard of capabilities to ensure the acquisition, etc., of the skills, etc.
- (xi) In cases where the applicant is to conduct technical intern training for multiple technical intern trainees at the same time during the technical intern training period, such number of trainees shall not exceed the number provided for by an ordinance of the competent ministries.

(Reasons for Disqualification of Accreditation)

Article 10 (1) If a person falls under any of the following items, he or she shall not be able to obtain the accreditation set forth under Article 8, paragraph (1).

- (i) A person who has been sentenced to imprisonment or a greater punishment, and for whom 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 execution of the sentence.

- (ii) A person who has been sentenced to a fine specified in a Cabinet Order under the provisions of this Act or the provisions of other laws relating to immigration or labor (excluding the provisions prescribed in item (iv)) or based on an order pursuant to these provisions, and for whom 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 execution of the sentence.
- (iii) A person who has been sentenced 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 pertaining to item (ii)) and Article 52 of the same Act), or for having committed an offence prescribed 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), and for whom 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 execution of the sentence.
- (iv) A person who has been sentenced 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 pertaining 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 pertaining 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 pertaining 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 pertaining to the first sentence of Article 83) of the Employment Insurance Act (Act No. 116 of 1974), and for whom 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 execution of the sentence.
- (v) A person who is an adult ward or person under curatorship, or a person who has received a decision on the commencement of bankruptcy proceedings and has yet to have his or her rights restored.
- (vi) A person whose accreditation of the technical intern training was revoked under the provisions of Article 16, paragraph (1,) and for whom five years have not yet passed since the date of the revocation.
- (vii) In cases where a person whose accreditation of technical intern training was revoked pursuant to the provisions of Article 16, paragraph (1) is a juridical person (in cases where the accreditation of intern training was revoked under the provisions of item (iii) of the same paragraph, limited to cases where the juridical person falls under a person prescribed in item (ii) or (iv)), a person who was an officer (referring to members, directors, executive officers or any other equivalent person executing business, including

consultants, advisers, or any other persons who, irrespective of their title, are deemed to have power that is equivalent to or greater than members, directors, executive officers or other equivalent persons executing business over the juridical person; the same shall apply in item (xi), Article 25, paragraph (1), item (v) and Article 26, item (v)) of the juridical person at the time of the occurrence of the event that caused the juridical person to be subject to the revocation, and five years have not yet passed since the date of the revocation.

- (viii) A person who committed a wrongful or extremely unjust act with regard to laws relating to immigration or labor within five years prior to the date of the application of accreditation set forth under Article 8, paragraph (1)
- (ix) A person who 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 for whom five years have not yet passed since such person ceased to be an organized crime group member (referred to as "organized crime group member, etc." in item (xii) and Article 26, item (vi)).
- (x) A minor who does not possess the same capacity to act as an adult with regard to business, and whose statutory representative falls under any of the preceding items or the following item:
- (xi) A juridical person where one of its officers falls under any of the preceding items.
- (xii) A person whose business activities are controlled by an organized crime group member, etc.

(Changes to the Technical Intern Training Plan)

Article 11 (1) If an implementing organization intends to make a change (excluding minor changes provided for by an ordinance of the competent ministries) to any of the matters given in any of the items of Article 8, paragraph (2) (excluding item (v)) of the technical intern training plan for training that was accredited (hereinafter referred to as "accredited plan"), it shall obtain approval from the competent ministers.

- (2) The provisions of Article 8, paragraphs (3) to (5) and the two preceding Articles shall apply mutatis mutandis to the approval set forth under the preceding paragraph.

(Accreditation by OTIT)

Article 12 (1) The competent ministers may entrust all or part of the administrative affairs relating to the accreditation set forth under Article 8, paragraph (1) (including approval of

the changes set forth under paragraph (1) of the preceding Article; the same shall apply in paragraph (4)) (hereinafter referred to as "administrative affairs for accreditation") to the Organization for Technical Intern Training (hereinafter referred to as "OTIT" in this Chapter).

- (2) If the competent ministers entrust all or part of the administrative affairs for accreditation to OTIT pursuant to the provisions of the preceding paragraph, they shall not perform the relevant administrative affairs for accreditation entrusted in whole or in part by them.
- (3) In cases where OTIT performs all or part of the administrative affairs for accreditation, the term "competent ministers" in Article 8, paragraph (1) and Article 9, and paragraph (1) of the preceding Article shall be deemed to be replaced with "OTIT".
- (4) If OTIT has issued accreditation as provided for in Article 8, paragraph (1), it shall report to such effect to the competent ministers without delay.
- (5) If the competent ministers have entrusted all or part of the administrative affairs of accreditation to OTIT pursuant to the provisions of paragraph (1), the applicant shall pay the fee prescribed in Article 8, paragraph (5) (including cases where it is applied mutatis mutandis pursuant to paragraph (2) of the preceding Article) to OTIT.
- (6) Any fees paid to OTIT pursuant to the provisions of the preceding paragraph shall be deemed the revenue of OTIT.
- (7) If the competent ministers have entrusted all or part of the administrative affairs of accreditation to OTIT pursuant to the provisions of paragraph (1), or if they are to cease entrusting all or part of the administrative affairs of accreditation that had been entrusted to OTIT, they shall give public notice to such effect.

(Collection of Reports, etc.)

Article 13 (1) The competent ministers may order a current or former implementing organization (hereinafter referred to as "implementing organization, etc." in this paragraph and in paragraph (1) of the following Article), a current or former supervising organization (hereinafter referred to as "supervising 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, etc., or supervising 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 submit or present books and records, request the appearance of the implementing organization, 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, etc., or the supervising organization, etc., or other sites related to the technical intern training to inspect their facilities, books, records, or

other articles within the extent necessary to enforce the provisions of this Chapter (not including the following section).

- (2) In cases of the questioning or on-site inspection pursuant to the provisions of the preceding paragraph, the official of the competent ministries shall carry an identification card showing his or her official status and present it to the relevant person upon request.
- (3) The authority pursuant to the provisions of paragraph (1) shall not be construed as authorization for the purpose of a criminal investigation.

(Implementation of Administration Affairs by OTIT)

Article 14 (1) If the competent ministers have entrusted all or part of the administrative affairs of accreditation to OTIT pursuant to the provisions of Article 12, paragraph (1), they may have OTIT perform the following administrative affairs to the extent necessary for enforcement of the provisions of this Section:

- (i) Administrative affairs seeking the implementing organization, etc., supervising organization, etc., or employee or officer, etc., submit or present the necessary reports or books and records
 - (ii) Administrative affairs relating to the questioning of relevant persons or on-site inspections of the facilities of an implementing organization, etc., or supervising organization, etc., or of its books, records and other articles by OTIT's staff.
- (2) In cases where the competent ministers have OTIT seek the submission or presentation of reports, or books and records, or conduct questioning or an on-site inspection pursuant to the provisions of the preceding paragraph, they shall give instructions to OTIT indicating the necessary matters and have it carry them out.
 - (3) If OTIT seeks the submission or presentation of reports or books and records, 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 shall report the results thereof to the competent ministers.

(Orders for Improvement, etc.)

Article 15 (1) In cases where the competent ministers deem that an implementing organization has not conducted the technical intern training in accordance with the accredited plan or in cases of violation of the provisions of this Act or other laws and regulations related to immigration or labor, or an order based thereon, if they deem that it is necessary in order to ensure the proper implementation of the technical intern training, they may order the

implementing organization of the training to take necessary measures to improve the situation by a set deadline.

- (2) In cases where the competent ministers have issued an order pursuant to the provisions of the preceding paragraph, they shall give public notice to such effect.

(Revocation of Accreditation, etc.)

Article 16 (1) The competent ministers may revoke the accreditation of training in cases coming under any of the following items:

- (i) The competent ministers deem that the implementing organization has not conducted the technical intern training in accordance with the accredited plan;
 - (ii) The competent ministers deem that the accredited plan does not conform to all of the items of Article 9;
 - (iii) The implementing organization has come to fall under one of the items of Article 10;
 - (iv) The implementing organization has omitted to give a report or to submit or present books or records pursuant to the provisions of Article 13, paragraph (1), has given a false report or submitted or presented false books or records, or has not given an answer or has given a false answer to questions pursuant to the provisions of the same paragraph, or refused, interfered with or evaded an inspection pursuant to the provisions of the same paragraph;
 - (v) The implementing organization has made a false report or submitted or presented false books or records in response to a request from OTIT to make the report or submit or present books or records pursuant to the provisions of Article 14, paragraph (1), or has given a false answer to questions asked by OTIT's staff pursuant to the provisions of the same paragraph
 - (vi) The implementing organization has violated the order prescribed under the provisions of paragraph (1) of the preceding Article
 - (vii) The implementing organization has committed a wrongful or significantly unjust act with regard to laws or regulations related to immigration or labor
- (2) In cases where the competent ministers have revoked the accreditation of training pursuant to the provisions of the preceding paragraph, they shall give public notice to such effect.

(Notification of Implementation)

Article 17 (1) If an implementing organization has commenced technical intern training, it shall notify the competent ministers of the date of the commencement of training and other matters as provided for by an ordinance of the competent ministries without delay.

(Acceptance of Notification by OTIT)

Article 18 (1) The competent ministers may entrust OTIT with the administrative affairs relating to the acceptance of the notification pursuant to the provisions of the preceding Article.

- (2) If the competent ministers are to entrust OTIT with the administrative affairs relating to acceptance of the notification pursuant to the provisions of the preceding Article, the person who intends to make the notification pursuant to the provisions of the preceding Article shall notify OTIT notwithstanding the provisions of the same Article.
- (3) If OTIT has accepted a notification pursuant to the provisions of the preceding paragraph, it shall report to such effect to the competent ministers.
- (4) If the competent ministers are to entrust OTIT with administrative affairs relating to the acceptance of notification pursuant to the provisions of paragraph (1), or are to cease entrusting OTIT with the administrative affairs relating to the acceptance of notification, the competent ministers shall give public notice to such effect.

(Notification of Difficulty in Conducting the Technical Intern Training)

Article 19 (1) If it has become difficult for an implementing organization of individual-enterprise-type training to conduct individual-enterprise-type technical intern training, it shall notify the competent ministers without delay of the names of the individual-enterprise-type technical intern trainees for whom it has become difficult to conduct the individual-enterprise-type technical intern training, the measures to be taken to ensure the continuation of the individual-enterprise-type technical intern training for such technical intern trainees, and other matters as provided for by an ordinance of the competent ministries.

- (2) If it has become difficult for an implementing organization of supervising-organization-type training to conduct supervising-organization-type technical intern training, it shall notify the supervising organization which is supervising the training without delay of the names of the supervising-organization-type technical intern trainees for whom it has become difficult to conduct the supervising-organization-type technical intern training, the measures being taken to ensure the continuation of the supervising-organization-type technical intern training for such technical intern trainees, and other matters as provided for by an ordinance of the competent ministries.
- (3) The provisions of the preceding Article shall apply mutatis mutandis to the administrative affairs relating to acceptance of notifications pursuant to the provisions of paragraph (1).

(Keeping of Books)

Article 20 (1) The implementing organizations shall prepare books and records as provided for by an ordinance of the competent ministries in connection with the technical intern training, and keep them at the place of business where the technical intern training is being conducted.

(Report on the Status of Implementation)

Article 21 (1) If an implementing organization has conducted technical intern training, it shall prepare and submit a report to the competent ministers on the status of implementation of the technical intern training pursuant to the provisions of an ordinance of the competent ministries.

(2) The provisions of Article 18 shall apply mutatis mutandis to the administrative affairs relating to acceptance of the report pursuant to the provisions of the preceding paragraph.

(Delegation to an Ordinance of the Competent Ministries)

Article 22 (1) In addition to the provisions of this Section, the necessary matters relating to the implementation of procedures for accreditation of the technical intern training plan and other provisions of this Section shall be provided for by an ordinance of the competent ministries.

Section 2 Supervising Organizations

(License of Supervising Organizations)

Article 23 (1) A person intending to conduct supervision business shall obtain a license from the competent ministers in accordance with the business categories given below:

- (i) General supervision business: referring to supervision business other than that listed in the following item; the same shall apply hereinafter;
- (ii) Specified supervision business: referring to the business of supervision of training conducted by an implementing organization of supervising-organization-type training that conducts only supervising-organization-type technical intern training (i) or supervising-organization-type technical intern training (ii); the same shall apply hereinafter.

- (2) A person intending to obtain the license set forth under the preceding paragraph (hereinafter referred to as "applicant" in paragraph 7, the following Article, and Article 25) shall submit a written application to the competent ministers describing the following matters pursuant to the provisions of an ordinance of the competent ministries:
- (i) Name and address, and name of its representative;
 - (ii) Names and addresses of its officers;
 - (iii) Name and address of the place of business conducting the supervision business;
 - (iv) Distinction between general supervision business and specified supervision business;
 - (v) Name and address of the person responsible for supervision appointed pursuant to the provisions of Article 40, paragraph (1);
 - (vi) In cases of intending to receive mediation of a job application for supervising-organization-type technical intern training from a person who wishes to become a supervising-organization-type technical intern trainee through the mediation of a sending organization in a foreign country (referring to a person that satisfies the requirements as provided for by an ordinance of the competent ministries to properly mediate job applications for supervising-organization-type technical intern training from persons applying to become a supervising-organization-type technical intern trainee; the same shall apply in Article 25, paragraph (1), item (vi)), the person's name and address and, in cases of a juridical person, the name of its representative;
 - (vii) Other matters provided for by an ordinance of the competent ministries;
- (3) The written application set forth under the preceding paragraph shall have a business plan for the supervision business at each place of business conducting the supervision business, documents certifying the matters listed in the items of Article 25, paragraph (1), and other documents as provided for by an ordinance of the competent ministries attached to it.
- (4) The business plan set forth under the preceding paragraph shall, as provided for by an ordinance of the competent ministries, give the expected number of implementing organizations of supervising-organization-type training to be supervised for each place of business conducting the supervision business, the expected number of supervision-organization-type technical intern trainees for such implementing organizations of supervising-organization-type training, and other matters related to the supervision business described in it.
- (5) If the competent ministers have received an application for a license as provided for in paragraph (1), they shall 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) If the Minister of Health, Labour and Welfare intends to grant the license as provided for in paragraph (1), he or she shall consult the Labour Policy Council in advance.

- (7) The applicant shall pay the fee in the amount provided for by an ordinance of the competent ministries based on consideration of the actual costs.

(Implementation of Investigations into the Facts by OTIT)

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

- (2) If the competent ministers have entrusted the investigation to OTIT pursuant to the provisions of the preceding paragraph in whole or in part, they shall not themselves conduct the relevant investigation in whole or in part. In such case, if the competent ministers are to issue the license as provided for in paragraph (1) of the preceding Article, they shall consider the results of the investigation reported by OTIT pursuant to the provisions of paragraph (4).
- (3) If the competent ministers have entrusted the investigation to OTIT pursuant to the provisions of paragraph (1) in whole or in part, the applicant shall submit the written application as provided for in the same paragraph to OTIT and undergo the investigation by OTIT notwithstanding the provisions of paragraph (2) of the preceding Article.
- (4) If OTIT has received the written application as provided for in the preceding paragraph, it shall report to such effect to the competent ministers and if it has conducted the investigation set forth under the same paragraph, it shall report the results thereof to the competent ministers without delay.
- (5) If the competent ministers have entrusted the investigation to OTIT pursuant to the provisions of paragraph (1) in whole or in part, the applicant shall pay the fee in the amount provided for by an ordinance of the competent ministries based on consideration of the actual costs.
- (6) Any fees paid to OTIT under the provisions of the preceding paragraph shall be deemed the revenue of OTIT.
- (7) If the competent ministers have entrusted the investigation to OTIT pursuant to the provisions of paragraph (1) in whole or in part, or are to cease entrusting all or part of an investigation that had been entrusted to OTIT, they shall give public notice to such effect.

(Criteria for the License, etc.)

Article 25 (1) In cases where an application for the license as provided for in Article 23, paragraph (1) has been filed, the competent ministers shall not grant the license unless they find that the applicant conforms to all of the following items:

- (i) It is a Japanese nonprofit juridical person as provided for by an ordinance of the competent ministries;
- (ii) It has sufficient capability to conduct the supervision business appropriately in accordance with the criteria as provided for by an ordinance of the competent ministries set forth under Article 39, paragraph (3);
- (iii) It possesses a sufficient financial basis to soundly conduct the supervision business;
- (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 crosscheck against other information); hereinafter the same shall apply in Article 40, paragraph (1), item (iv) and Article 43), and to protect the confidentiality of the implementing organization of the supervising-organization-type technical intern training, etc. and the supervising-organization-type technical intern trainees, etc..
- (v) It has taken any of the following measures for the purpose of appropriate management of the supervision business:
 - (a) Its officers are not composed entirely of persons with a close relationship with the implementing organization of supervising-organization-type technical intern training as provided for by an ordinance of the competent ministries, and the composition of the other officers is not likely to impede the securing of appropriate operation of the supervision business.
 - (b) In addition to auditing by inspectors and persons responsible for auditing the business of the juridical person, it has a person, who satisfies the requirements as provided for in an ordinance of the competent ministries and does not have a close relationship with the implementing organization of supervising-organization-type technical intern training as provided for by an ordinance of the competent ministries, audit the performance of duties pertaining to the supervision business by the officers, pursuant to an ordinance of the competent ministries.
- (vi) In cases where it intends to receive job applications for supervising-organization-type technical intern training from persons applying to become a supervising-organization-type technical intern trainee through the mediation of a sending organization in a foreign country, it has entered into a contract with the sending organization in a foreign country pertaining to such mediation;
- (vii) In cases where the application for the license set forth under Article 23, paragraph (1) concerns general supervision business, the applicant shall conform to the criteria provided for by an ordinance of the competent ministries as meeting the high standard of capability to conduct an audit of the status of implementation of supervising-organization-type technical intern training and to perform other work.

- (viii) In addition to the matters provided for in the preceding items, the applicant possesses the capability to enable it to perform the supervision business appropriately.
- (2) If the competent ministers are not to grant the license as provided for in Article 23, paragraph (1), they shall give notice to such effect to the applicant, stating the reasons therefor, without delay.
- (3) If the competent ministers have entrusted the investigation pursuant to the provisions of paragraph (1) of the preceding Article to OTIT in whole or in part, they shall give the notice set forth under the preceding paragraph via OTIT.

(Causes for Disqualification of the License)

Article 26 (1) If a person comes under any of the items listed below, he or she shall not receive the license as provided for in Article 23, paragraph (1).

- (i) A person who comes under Article 10, item (ii), item (iv) or item (xii);
- (ii) A person whose license to supervise has been revoked pursuant to the provisions of Article 37, paragraph (1), and a period of five years has not yet passed since the date of the revocation;
- (iii) A person who submitted notification of discontinuation of the supervision business pursuant to the provisions of Article 34, paragraph (1) during the period from the time of receiving a notice pursuant to the provisions of Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) until the date of implementation of the disposition or the date of the decision not to implement the disposition pursuant to the provisions of Article 37, paragraph (1) (excluding cases in which there were reasonable grounds for discontinuation of such business), and five years have not yet passed since the date of such notice
- (iv) A person who committed a wrongful or significantly unjust act with regard to the laws or regulations related to immigration or labor within the past five years prior to the date of the application for the license set forth under Article 23, paragraph (1);
- (v) A person any of whose officer comes to fall under any of the following persons:
 - (a) Any person coming to fall under Article 10, item (i), item (iii), item (v), item (ix) or item (x);
 - (b) Any person coming to fall under item (i) (excluding the part relating to Article 10, item (xii)) or the preceding item;
 - (c) In cases where the license for supervision was revoked pursuant to the provisions of Article 37, paragraph (1) (in cases where the license for supervision was revoked

pursuant to the provisions of item (i) of the same paragraph, limited to cases where the person came to fall under item (i) (excluding the part relating to Article 10, item (xii)), a person who was an officer of the person subject to such disposition at the time of the occurrence of the event that caused the disposition of revocation, and five years have not yet passed since the date of said revocation;

(d) In cases where a notification of discontinuation of supervision business was made pursuant to the provisions of Article 34, paragraph (1) within the period prescribed in item (iii), a person who was an officer of the person which submitted a notification 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 business), and five years have not yet passed since the date of such notice;

(vi) A person who 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 such business.

(Special Provisions of the Employment Security Act)

Article 27 (1) The supervising organization may perform the services of technical intern training employment placement (meaning the extension of services to establish employment relations pertaining to the technical intern training between the job recruiter and the job seeker on receiving an application from the job recruiter and the job seeker where only the implementing organization of supervising-organization-type technical intern training, etc. whose training is to be supervised by a supervising organization may be a job recruiter, and only a supervising-organization-type technical intern trainee pertaining to supervision of the technical intern training by such supervising organization may be a job seeker; the same shall apply hereinafter) notwithstanding the provisions of Article 30, paragraph (1) and Article 33, paragraph (1) of the Employment Security Act (Act No. 141 of 1947).

(2) With regard to the services for technical intern training employment placement performed by a supervising organization, the supervising organization is deemed to be the employment placement service provider provided for in Article 4, paragraph (8) of the Employment Security Act, the person set forth under the provisions of Article 32-3, paragraph (1) of the same Act or the person who obtained the license set forth under Article 33, paragraph (1) of the same Act, or the fee-charging employment placement service provider provided for in Article 2 of the Employment Measures Act (Act No. 132 of 1966), subject to application of the provisions of Article 5-2, Article 5-3, Article 5-5 through to 5-7, Article 32-12 and Article 32-13 (including cases where it is applied mutatis mutandis pursuant to Article 33, paragraph (4) of the same Act), Article 33-5 through to Article 34, and Article 48 of the Employment Security Act and Chapter 2 of the Employment Measures Act. In such case, the term "an ordinance of the Ministry of Health, Labour and Welfare" in the provisions of Article 5-3, paragraph (3), Article 32-13 (including cases where it is applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (4) of the same Act), and

Article 33-6 of the Employment Security Act shall be deemed to be replaced with "ordinance of the competent ministries," and the term "Minister of Health, Labour and Welfare" in the provisions of Article 32-12, paragraph (1) and paragraph (3) (including cases where these provisions are applied mutatis mutandis pursuant to the provisions of Article 33, paragraph (4) of the same Act), Article 33-6, and Article 48 of the Employment Security Act, and Article 11 and Article 12, paragraph (1) of the Employment Measures Act shall be deemed to be replaced with "competent ministers."

- (3) With regard to the administrative affairs relating to acceptance of the notification pursuant to the provisions of Article 32-12, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to Article 33, paragraph (4) of the Employment Security Act) of the same Act applied by replacing the terms under the preceding paragraph, the provisions of Article 18 shall apply mutatis mutandis.
- (4) In addition to the provisions of the preceding three paragraphs, other necessary matters relating to the services of technical intern training employment placement shall be provided for by an ordinance of the competent ministries.

(Fees for Supervision)

Article 28 (1) Supervising organizations may not receive any fees or remuneration, under any name, from an implementing organization of supervising-organization-type technical intern training, etc., a supervising-organization-type technical intern trainee, etc., or any other relevant person in relation to the supervision business.

- (2) Notwithstanding the provisions of the preceding paragraph, supervising organizations may collect supervision costs of an appropriate type and amount as provided for by an ordinance of the competent ministries based on the general expenses and other costs ordinarily considered necessary for the supervision business after first indicating clearly to the implementing organization of supervising-organization-type technical intern training, etc., the uses and amounts of such costs.

(License Certificate)

Article 29 (1) If the competent ministers have granted the license as provided for in Article 23, paragraph (1), they shall issue license certificates corresponding to the number of places of business that will conduct the supervision business.

- (2) A person who has been granted the license certificates shall keep a license certificate at each place of business that will conduct the supervision business, and shall present it upon a request from a relevant person.

- (3) If a license certificate has been lost or destroyed, the person which was issued with the license certificate shall promptly notify the competent ministers to such effect and shall have the license certificate reissued.
- (4) The competent ministers may entrust the administrative affairs relating to issuance of the license certificate pursuant to the provisions of paragraph (1) or reissuance of the license certificate pursuant to the provisions of the preceding paragraph to OTIT.
- (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 OTIT, or if they 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 OTIT, they shall give public notice to such effect.

(Conditions of the License)

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

- (2) The conditions as provided for in the preceding paragraph shall be limited to the minimum degree necessary in light of the purpose of licensing of the supervision or to ensure the reliable implementation of matters relating to such licensing of supervision, and shall not impose undue obligations on the person who is to receive the license to supervise.

(Valid Period of the License)

Article 31 (1) The valid period of the license as provided for in Article 23, paragraph (1) (the renewed valid period in cases where the valid period of the license has been renewed pursuant to the provisions of the following paragraph) shall be a period of not less than three years from the date of the granting of such license (the day after the date of the expiration of the period prior to renewal in cases where the valid period of the license has been renewed pursuant to the provisions of the following paragraph) as specified in a Cabinet order based on consideration of the capabilities and track record relating to implementation of the supervision business.

- (2) A person who intends to continue conducting supervision business pertaining to the license (amended license in cases where permission has been granted for a change pursuant to the provisions of paragraph (1) of the following Article or a change has been made to the license of specified supervision business pursuant to the provisions of Article 37, paragraph (2)) after the expiration of the valid period of the license as prescribed in the preceding paragraph (hereinafter referred to as "valid period of the license" in this Article) shall obtain a renewal of the valid period of the license.

- (3) In cases where an application for renewal of the valid period of the license has been made, the competent ministers may not renew the valid period of the license if the application does not conform to all of the items of Article 25, paragraph (1).
- (4) A person who wishes to renew the valid period of the license shall pay the fee provided for in an ordinance of the competent ministries taking into consideration the actual costs.
- (5) The provisions of Article 23, paragraph (2) to paragraph (5) inclusive, 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 shall apply mutatis mutandis to the renewal of the valid period of the license.

(Amended License)

- Article 32 (1) If a supervising organization intends to change the category of business pertaining to its license to supervise, it shall obtain a license from the competent ministers. In such case, the supervising organization shall have its license certificate amended.
- (2) The provisions of Article 23, paragraph (2) to paragraph (5) inclusive and paragraph 7, Article 24, Article 25, Article 26 (excluding item (ii), item (iii), and item (v) (c) and (d)), and Article 29 shall apply mutatis mutandis to the license provided for in the preceding paragraph.
 - (3) In cases where a change has been made in the matters (excluding those specified in an ordinance of the competent ministries) listed in the items of Article 23, paragraph (2) (excluding item (iv)), the supervising organization shall notify the competent ministers to such effect within one month of the date of the change. In such case, if the matters pertaining to the relevant change relate to the establishment of a new place of business to conduct the supervising business, the business plan of the place of business and other documents provided for in an ordinance of the competent ministries shall be attached.
 - (4) The provisions of Article 23, paragraph (4) shall apply mutatis mutandis to the business plan provided for in the preceding paragraph.
 - (5) If the competent ministers have received a notification of change pertaining to the establishment of a new place of business to conduct supervision business pursuant to the provisions of paragraph (3), they shall issue a license certificate corresponding to the number of newly established places of business.
 - (6) If a supervising organization files a notification pursuant to the provisions of paragraph (3) and the matters pertaining to the notification are matters described on the license certificate, it shall have its license certificate updated.
 - (7) The provisions of Article 18 shall apply mutatis mutandis to the administrative affairs relating to acceptance of the notification pursuant to the provisions of paragraph (3), and the

provisions of Article 29, paragraph (4) and paragraph (5) shall apply mutatis mutandis to the administrative affairs relating to issuance of the license certificate pursuant to the provisions of paragraph (5).

(Notification of Difficulty in Conducting the Technical Intern Training)

Article 33 (1) If the supervising organization has received a notice pursuant to the provisions of Article 19, paragraph (2) or it deems that it would be difficult for an implementing organization of supervising-organization-type technical intern training whose training it supervises to conduct the supervising-organization-type technical intern training, the supervising organization shall, without delay, notify the competent ministers of the matters pertaining to such notice and other matters as provided for by an ordinance of the competent ministries.

(2) The provisions of Article 18 shall apply mutatis mutandis to the administrative affairs relating to the receipt of the notification pursuant to the provisions of the preceding paragraph.

(Suspension and Discontinuation of Business)

Article 34 (1) If a supervising organization intends to discontinue its supervision business or to suspend it in whole or in part, the supervising organization shall notify the competent ministers to such effect at least one month prior to the date of such discontinuation or suspension, and shall notify them of the measures to be taken to ensure the continuation of the supervising-organization-type technical intern training pertaining to the implementing organization of the supervising-organization-type technical intern training whose training the supervising organization supervises, and other matters as provided for by an ordinance of the competent ministries.

(2) The provisions of Article 18 shall apply mutatis mutandis to the administrative affairs of receipt of the notification pursuant to the provisions of the preceding paragraph.

(Collection of Reports, etc.)

Article 35 (1) The competent ministers may, within the extent necessary for the purpose of implementing the provisions of this Section, order a person related to the supervising-organization-type technical intern training (meaning a supervising organization, etc. or a current or former implementing organization of supervising-organization-type technical intern training) or a current officer or employee of a person related to supervising-organization-type technical intern training (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) to make a report, submit or present books and records, may request the appearance of persons related to the supervising-organization-type technical intern training or employee or officer, etc., or have an official of the competent ministries question relevant persons, or enter the premises of the places of business of the implementing organization of supervising-organization-type technical intern training or other sites related to the supervising-organization-type technical intern training to inspect their facilities, book and records, or other articles.

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

(Orders for Improvement)

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

- (2) If the competent ministers have issued an order pursuant to the provisions of the preceding paragraph, they shall give public notice to such effect.

(Revocation of the License)

Article 37 (1) The competent ministers may revoke the license to supervise if the supervising organization falls under any of the following items:

- (i) It is deemed that the supervising organization no longer conforms to any of the items of paragraph (1) of Article 25;
- (ii) The supervising organization falls under one of the items of Article 26 (excluding item (ii), item (iii), and item (v) (c) and (d));
- (iii) The supervising organization has violated the conditions attached to the license to supervise pursuant to the provisions of Article 30, paragraph (1);
- (iv) The supervising organization has violated the provisions of this Act or the provisions of laws relating to immigration or labor which are provided for by a Cabinet Order, or an order or disposition based on these provisions;

- (v) It has committed a wrongful or significantly unjust act with regard to the laws or regulations related to immigration or labor.
- (2) If the competent ministers deem that a supervising organization which was granted a license to supervise (limited to that for general supervision business) no longer conforms to the criteria provided for by an ordinance of the competent ministries set forth under Article 25, paragraph (1), item (vii), they may, ex officio, change such license to supervise to one for specified supervision business.
- (3) If the competent ministers deem that a supervising organization falls under any of the provisions of paragraph (1), item (i) or item (iii) to item (v) inclusive, they may order suspension of all or part of the supervision business for a set period of time.
- (4) If the competent ministers have revoked a license to supervise pursuant to the provisions of paragraph (1), amended a license to supervise pursuant to the provisions of paragraph (2), or issued an order pursuant to the provisions of the preceding paragraph, they shall give public notice to such effect.

(Prohibition of Name Lending)

Article 38 Supervising organizations shall not have any other person conduct the supervision business using their name.

(Supervision of Training in Accordance with the Accredited Plan)

Article 39 (1) The supervising organization shall endeavor to have supervising-organization-type technical intern trainees acquire the necessary knowledge to engage in the supervising-organization-type technical intern training and shall supervise the supervising-organization-type technical intern training in accordance with the accredited plan.

- (2) The supervising organization shall provide necessary guidance and advice to the implementing organization of supervising-organization-type technical intern training when an implementing organization of supervising-organization-type technical intern training whose training it supervises is to conduct an evaluation of the skills, etc. acquired by the supervising-organization-type technical intern trainees.
- (3) In addition to the matters listed in the two preceding paragraphs, the supervising organization shall implement its business in accordance with the criteria as provided for by an ordinance of the competent ministries with regard to the audit of the status of implementation of the supervising-organization-type technical intern training and other work.

(Appointment of a Supervision Manager)

Article 40 (1) The supervising organization, as provided for by an ordinance of the competent ministries, shall appoint a supervision manager for each place of business conducting supervision business in order to have him or her generally supervise the following matters related to the supervision business:

- (i) Preparations for acceptance of supervising-organization-type technical intern trainees;
- (ii) Matters related to guidance and advice provided to implementing organizations of supervising-organization-type technical intern training with regard to the acquisition, etc., of skills, etc., by the supervising-organization-type technical intern trainees, and communication and coordination with the implementing organizations of supervising-organization-type technical intern training;
- (iii) Matters related to protection of the technical intern trainees as provided for in the following Section, and other matters related to the protection of supervising-organization-type technical intern trainees;
- (iv) Matters related to the management of personal information relating to the implementing organization of supervising-organization-type technical intern training and supervising-organization-type technical intern trainees, etc.;
- (v) Matters related to communication and coordination with the manager pursuant to the provisions of Article 9, item (vii) in relation to labor conditions, and the industrial health and safety of the supervising-organization-type technical intern trainees;
- (vi) Matters related to communication and coordination with the national and local government agencies which have jurisdiction over the administrative affairs relating to technical intern training, OTIT, and other relevant organizations.

(2) The supervision manager shall be a person other than those given below:

- (i) A person who falls under the provisions of Article 26, item (v) (a) (excluding the parts related to Article 10, item (x)(b) to (d) inclusive);
- (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 pursuant to the provisions of the preceding paragraph, or on or after the date of appointment;
- (iii) A minor.

(3) The supervising organization shall have the supervision manager provide the necessary guidance to ensure that an implementing organization of supervising-organization-type technical intern training does not violate the Labor Standards Act, Industrial Safety and

Health Act, or other laws and regulations related to labor in connection with the supervising-organization-type technical intern training.

- (4) If the supervising organization deems that an implementing organization of supervising-organization-type technical intern training has violated the Labor Standards Act, Industrial Safety and Health Act, or other laws and regulations related to labor in connection with the supervising-organization-type technical intern training, it shall have the supervision manager issue the necessary instructions for corrective purposes.
- (5) If the supervising organization has issued the instructions as provided for in the preceding paragraph, it shall promptly report such fact to the relevant administrative organs.

(Keeping of Books and Records)

Article 41 The supervising organization shall prepare books and records relating to the supervision business as provided for by an ordinance of the competent ministries, and shall keep them at the place of business conducting the supervision business.

(Audit Reports)

Article 42 (1) If the supervising organization has conducted an audit of an implementing organization of supervising-organization-type technical intern training whose training it supervises in accordance with the criteria provided for by an ordinance of the competent ministries set forth under Article 39, paragraph (3), it shall prepare an audit report without delay after it has completed the audit and shall submit it to the competent ministers.

- (2) The supervising organization shall, as provided for by an ordinance of the competent ministries, prepare a business report on the supervision business for each place of business conducting the supervision business, and shall submit them to the competent ministers.
- (3) The provisions of Article 18 shall apply mutatis mutandis to the administrative affairs relating to the receipt of the audit report pursuant to the provisions of paragraph (1) and receipt of the business report pursuant to the provisions of the preceding paragraph.

(Handling of Personal Information)

Article 43 (1) When a supervising organization collects, keeps, or uses the personal information of an implementing organization of supervising-organization-type technical intern training, etc. or a supervising-organization-type technical intern trainee, etc. in connection with the supervision business, it shall collect such information only within the scope necessary to achieve the objectives of the supervision business, and shall keep and use the personal

information of the implementing organization of supervising-organization-type technical intern training, etc. or the supervising-organization-type technical intern trainee, etc. only within the scope of the purposes for which it was collected; provided, however, that this shall not apply to cases in which the individual concerned gave consent or where there are otherwise reasonable grounds.

- (2) The supervising organization shall take the necessary measures for proper management of personal information related to the implementing organizations of supervising-organization-type technical intern training, etc. and supervising-organization-type technical intern trainees, etc.

(Obligation of Confidentiality)

Article 44 The officers and employees or former officers and employees of the supervising organization shall not divulge or misuse any confidential information which they came to know of in connection with their work without reasonable grounds.

(Delegation to Ordinances of the Competent Ministries)

Article 45 In addition to the provisions of this Section, the licensing procedures for the supervising organizations and other necessary matters relating to implementation in the provisions of this Section shall be provided for by an ordinance of the competent ministries.

Section 3. Protection of Technical Intern Trainees

(Prohibited Acts)

Article 46 A person engaging in the supervision of training (referred to as "training supervisor" in Article 48, paragraph (1)) or its officers or employees (referred to as "training supervisors, etc." in the following Article) shall not force the technical intern trainees to engage in technical intern training against their will through the use of assault, intimidation, confinement, or any other means which unfairly restrict the mental or physical freedom of the technical intern trainee.

Article 47(1) The training supervisors, etc. shall not enter into a contract with the technical intern trainees, etc. (referring to technical intern trainees or prospective technical intern trainees; hereinafter the same shall apply in this Article) or their spouses, lineal relatives or relatives

cohabiting with the trainee, or any other person who has a close personal relationship with the technical intern trainees, etc. in terms of a social life that stipulates penalties with regard to non-performance of a contract pertaining to the technical intern training or a contract which predetermines compensation for damages.

- (2) The training supervisors, etc. shall not have a technical intern trainee, etc. enter into a savings contract incidental to the contract pertaining to the technical intern training or enter into a contract assuming control of the savings of the technical intern trainee, etc.

Article 48 (1) A person conducting technical intern training, training supervisor, or officer or employee thereof (referred to as "persons related to the technical intern training" in the following paragraph) shall not retain the passport (meaning the passports as prescribed for in the provisions of Article 2, paragraph (5) of the Immigration Control Act; the same shall apply in Article 111, paragraph (5)) or residence card (meaning the residence cards as prescribed for in the provisions of Article 19-3 of the Immigration Control Act; the same shall apply in Article 111, paragraph (5)) of a technical intern trainee.

- (2) Persons related to the technical intern training shall not improperly restrict the freedom of the technical intern trainees to go out, or otherwise impose unfair restrictions on their freedom in their personal lives.

(Reporting to the Competent Ministers)

Article 49 (1) In cases where the implementing organization, supervising organization, or officers or employees thereof (referred to in the following paragraph as "implementing organization, etc.") is in violation of the provisions of this Act or an order based thereon, the technical intern trainee may report such fact to the competent ministers.

- (2) The implementing organization, etc., shall not suspend the technical intern trainee or discriminate against the technical intern trainee by reason of the technical intern trainee having given the report provided for in the preceding paragraph.

Section 4 Auxiliary Provisions

(Guidance and Advice, etc.)

Article 50 (1) If the competent ministers deem it to be necessary with regard to the enforcement of the provisions of this Chapter, they may give necessary guidance or advice to the

implementing organizations and supervising organizations in order to secure the proper implementation of technical intern training and protection of the technical intern trainees.

- (2) The competent ministers shall provide necessary information, advice, or other assistance in response to a consultation from a technical intern trainee for the purpose of the proper implementation of technical intern training and protection of the technical intern trainees.

(Communication and Coordination)

Article 51 (1) If an implementing organization or supervising organization intends to file a notification pursuant to the provisions of Article 19, paragraph (1) or Article 33, paragraph (1), a notice pursuant to the provisions of Article 19, paragraph (2), or a notification of discontinuation or suspension of business pursuant to the provisions of Article 34, paragraph (1), it shall communicate and coordinate with other implementing organizations, supervising organizations, or other relevant persons and shall take other necessary measures to ensure that the technical intern trainees who wish to continue with the technical intern training are able to do so.

- (2) If the competent ministers deem it to be necessary for implementation of the measures prescribed in the provisions of the preceding paragraph or for any other purpose, they may provide the necessary guidance and advice to the implementing organizations, supervising organizations, and other relevant persons.

(Technical Intern Training Evaluation Examination)

Article 52 (1) The competent ministers shall endeavor to promote technical intern training evaluation examinations in order to ensure the smooth evaluation of skills, etc., by the implementing organizations.

- (2) The competent ministers shall establish the criteria for the technical intern training evaluation examinations in an ordinance of the competent ministries in order to ensure that fair technical intern training evaluation examinations are conducted.

(Requests to the Minister with Jurisdiction over the Business)

Article 53 If the competent ministries deem it to be necessary for the proper implementation of technical intern training and protection of the technical intern trainees, they may request necessary cooperation in relation to the technical intern training related to the business in the specific industry from the minister who has jurisdiction over such industry (referred to as "minister with jurisdiction over the business" in paragraph (1) of the following Article).

(Business Council)

Article 54 (1) The minister with jurisdiction over the business may organize a council composed of such minister and implementing organizations or supervising organizations related to the specific industries under the jurisdiction of the minister (hereinafter referred to as "Business Council" in this Article).

- (2) The Business Council may add OTIT or other persons deemed necessary by the Business Council as members where necessary.
- (3) The Business Council shall share useful information for the purpose of proper implementation of technical intern training and protection of the technical intern trainees, through mutual communication among its members, work towards close cooperation among its members, and shall discuss initiatives to contribute to the proper implementation of technical intern training and protection of the technical intern trainees in light of the actual conditions of the business.
- (4) Any person who performs or previously performed the administrative affairs of the Business Council shall not divulge or misuse any confidential information which he or she came to know of in connection with the administrative affairs without reasonable grounds.
- (5) In addition to those matters provided for in the preceding items, any other necessary matters in relation to the organization and operation of the Business Council shall be established by the Business Council.

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

Article 55 (1) If the competent ministers deem it to be necessary for the purpose of the proper implementation of technical intern training and protection of the technical intern trainees, they may provide information to the heads of the relevant administrative organs to contribute to the proper implementation of technical intern training and protection of the technical intern trainees.

- (2) If the competent ministers deem that there are measures based on the provisions of other laws that may be used for the proper implementation of technical intern training and protection of the technical intern trainees, and that such measures should be implemented promptly for the purpose of the proper implementation of technical intern training and protection of the technical intern trainees, they may make a request to the minister with jurisdiction over the administrative affairs relating to the implementation of the measures for prompt implementation of such measures.
- (3) If the competent ministers have made a request for the prompt implementation of measures set forth under the preceding paragraph pursuant to the provisions of the same paragraph,

they may make a request to the relevant minister for a report on the status of implementation of such measures.

(Regional Council)

Article 56 (1) A national government agency with jurisdiction over the administrative affairs relating to technical intern training in a region may organize a council made up of such agency, local government agencies, and other relevant agencies (hereinafter referred to as "Regional Council" in this Article).

- (2) The Regional Council may add OTIT or other persons deemed necessary by the Regional Council as members where necessary.
- (3) The Regional Council shall share useful information for the purpose of the proper implementation of technical intern training and protection of the technical intern trainees, through mutual communication among its members, work toward close cooperation among its members, and shall discuss initiatives to contribute to the proper implementation of technical intern training and protection of the technical intern trainees in light of the actual conditions of the region.
- (4) Any person who performs or previously performed the administrative affairs of the Regional Council shall not divulge or misuse any confidential information which he or she came to know of in connection with the administrative affairs without reasonable grounds.
- (5) In addition to the matters specified above, other necessary matters for organization and operation of the Regional Council shall be established by the Regional Council.

Chapter 3 Organization for Technical Intern Training

Section 1 General Provisions

(Purpose of OTIT)

Article 57 The purpose of the Organization for Technical Intern Training (hereinafter referred to as "OTIT") is to ensure the proper implementation of technical intern training and protection of the technical intern trainees in relation to the acquisition, etc. of skills, etc. by foreign nationals, thereby promoting international cooperation through the transfer of skills, etc. to developing regions and elsewhere through human resources development.

(Legal Personality)

Article 58 OTIT shall be a juridical person.

(Number)

Article 59 The number of Organizations for Technical Intern Training to be established shall be one.

(Capital)

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

(2) OTIT may increase its stated capital, where necessary, with the authorization of the competent ministers.

(Name)

Article 61 (1) OTIT shall use the words "Gaikokujin Ginojissu Kiko (Organization for Technical Intern Training)" in its name.

(2) No person other than OTIT shall use the words "Gaikokujin Ginojissu Kiko" in its name.

(Registration)

Article 62 (1) OTIT shall be registered pursuant to the provisions of a Cabinet Order.

(2) The matters 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.

(Mutatis Mutandis Application of the Act on General Incorporated Associations and General Incorporated Foundations)

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) shall apply mutatis mutandis to OTIT.

Section 2 Incorporation

(Incorporators)

Article 64 Three or more incorporators, who have specialized knowledge and experience relating to technical intern training, are required in order to be able to incorporate OTIT.

(Preparation of the Articles of Incorporation, etc.)

Article 65 The incorporators shall promptly prepare articles of incorporation for OTIT, and shall solicit capital contributions for OTIT from non-governmental persons.

(2) The articles of incorporation referred to in the preceding paragraph shall provide for the following matters:

- (i) Purpose;
- (ii) Name;
- (iii) Location of the office;
- (iv) Matters relating to the stated capital and capital contribution;
- (v) Matters relating to officers;
- (vi) Matters relating to the board of councilors;
- (vii) Matters relating to business and execution thereof;
- (viii) Matters related to finance and accounting;
- (ix) Matters relating to the revision of the articles of incorporation; and
- (x) Method of public notices.

(Authorization for Incorporation, etc.)

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

- (2) The competent ministers shall nominate a person to be the president and persons to be the inspectors of OTIT.
- (3) The person nominated to be the president and the inspectors of OTIT pursuant to the provisions of the preceding paragraph shall be deemed to have been respectively appointed as president and inspectors at the time of the establishment of OTIT pursuant to the provisions of Article 71, paragraph (1).

(Transfer of Administrative Affairs)

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

- (2) The person nominated pursuant to the provisions of paragraph (2) of the preceding Article to be the president of OTIT shall, when he or she has taken over the administrative affairs under the provisions of the preceding paragraph, request the payment of capital contributions, without delay, from the government and non-governmental persons who have responded to the solicitation of capital contributions.

(Registration of Incorporation)

Article 68 (1) If capital contributions have been paid in 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 OTIT shall, without delay, register the incorporation of OTIT pursuant to the provisions of a Cabinet Order.

- (2) OTIT shall be established upon the registration of its incorporation.

Section 3 Officers, etc.

(Officers)

Article 69 OTIT shall have one president, no more than three directors, and no more than two

inspectors as its officers.

(Duties and Authority of the Officers)

Article 70 (1) The president shall represent OTIT and preside over the business thereof.

- (2) The directors shall, as determined by the president, represent OTIT, assist the president in administering the business of OTIT, act on behalf of the president when the president is unavailable, and perform the duties of the president when the post is vacant.
- (3) The inspectors shall inspect the business of OTIT.
- (4) The inspectors may submit their opinions to the president or the competent ministers when they find it necessary based on the results of an inspection.

(Appointment of Officers)

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

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

(Term of Office of Officers)

Article 72 The term of office of officers shall be two years; provided, however, that the term of office of an officer who is appointed to fill a vacancy shall be for the remaining term of office of his or her predecessor.

- (2) An officer may be reappointed.

(Officer's Disqualification Clause)

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

(Dismissal of Officers)

Article 74 The competent ministers or the president shall dismiss the officer he or she has appointed if such officer comes to fall under the provisions of the preceding Article.

(2) The competent ministers or the president may, in accordance with the rules under the provisions of Article 71, dismiss an officer he or she has appointed if such officer comes to fall under any of the following items, or when he or she finds it is inappropriate for such officer to remain an officer:

(i) The officer has been issued an order for the commencement of bankruptcy proceedings;

(ii) The officer has been sentenced to imprisonment without labor or a greater punishment;

(iii) The officer has been found incapable of executing his or her duties due to mental or physical disorder; or

(iv) The officer has breached an obligation in the course of his or her duties.

(Prohibition of Concurrent Office-Holding by Officers)

Article 75 Officers of OTIT (excluding officers in a part-time position) shall not become an officer of a for-profit organization, and shall not themselves engage in a profit-making business; provided, however, that this shall not apply where the officer obtains the approval of the competent ministers.

(Prohibition of Concurrent Office-Holding by Inspectors)

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

(Restrictions on the Right to Represent)

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

(Appointment of Agents)

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

(Appointment of Employees)

Article 79 OTIT's employees shall be appointed by the president.

(Duty of Confidentiality of the Officers and Employees)

Article 80 No officer or employee of OTIT, or person who has held any of those positions shall, without justifiable reason, divulge or misuse any confidential information he or she came to know of in the course of his or her duties.

(Status of Officers and Employees)

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

Section 4 Board of Councilors

(Establishment)

Article 82 (1) OTIT shall have a board of councilors in order to ensure smooth operation of the business specified in Article 87 (excluding the business set forth in item (i) of the same Article and other business incidental thereto; the same shall apply hereinafter in this Article).

(2) The board of councilors shall deliberate important matters relating to the administration of the business specified in Article 87.

(3) In addition to those matters provided for in the preceding paragraph, the board of councilors may, in response to a consultation by the president, submit its opinion on important matters related to the administration of the business specified in Article 87, and may propose to the president matters it deems to be necessary.

(Organization)

Article 83 The board of councilors shall consist of up to 15 councilors.

(Councilors)

Article 84 (1) The councilors shall be appointed by the president with the authorization of the competent ministers from among persons representing the workers, persons representing the employers, and persons with specialized knowledge and experience relating to technical intern training.

(2) The councilors shall consist of the same number as the persons representing workers and the persons representing employers.

(3) The term of office of councilors shall be four years; provided, however, that the term of office of a councilor who is appointed to fill a vacancy shall be for the remaining term of office of his or her predecessor.

(4) A councilor may be reappointed.

(Dismissal of Councilors)

Article 85 The president may, in accordance with the rules under the provisions of paragraph (1) of the preceding Article, dismiss a councilor if the councilor comes to fall under any item of paragraph (4) of Article 74.

(Duty of Confidentiality of Councilors, etc.)

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

Section 5 Business

(Scope of Business)

Article 87 OTIT shall conduct the following business in order to achieve the purposes specified in Article 57:

(i) The following business conducted in relation to the technical intern training:

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

- (b) Request reports, or the submission or presentation of books and records pursuant to the provisions of Article 14, paragraph (1), or have its employee ask a question or conduct an inspection;
 - (c) Accept notifications, reports, audit reports or business reports pursuant to the provisions of Article 18, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to the provisions of Article 19, paragraph (3), Article 21, paragraph (2), Article 27, paragraph (3), Article 32, paragraph (7), Article 33, paragraph (2), Article 34, paragraph (2), and Article 42, paragraph (3));
 - (d) Conduct investigations into the facts pursuant to the provisions of Article 24, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2));
 - (e) Accept written applications pursuant to the provisions of Article 24, paragraph (3) (including cases where it is applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2)); and
 - (f) Perform administrative affairs relating to the issuance or reissuance of licenses pursuant to the provisions of Article 29, paragraph (4) (including cases where it is applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2) and paragraph (7)).
- (ii) Perform the administrative affairs to provide technical intern trainees with necessary information, advice and other assistance in response to a consultation from a technical intern trainee in order to ensure the proper implementation of technical intern training and protection of the technical intern trainees (excluding administrative affairs falling under the following item).
 - (iii) Perform the administrative affairs to provide necessary information, advice and other assistance to a technical intern trainee in response to a consultation from a technical intern trainee and necessary guidance and advice to implementing organizations, supervising organizations and other relevant persons so that technical intern trainees, who face difficulty in engaging in technical intern training but who wish to continue receiving technical intern training, are able to do so.
 - (iv) Perform the administrative affairs to conduct studies and research relating to technical intern training.
 - (v) Perform other administrative affairs relating to the proper implementation of technical intern training and protection of the technical intern trainees.
 - (vi) Perform the administrative affairs to collect fees for the administrative affairs provided for in each of the preceding items (including administrative affairs incidental thereto, but excluding the administrative affairs provided for in an ordinance of the competent ministries).

(vii) Perform the administrative affairs incidental to each of the preceding items.

(Entrustment of Business)

Article 88(1) OTIT may entrust part of the business set forth in the preceding Article (excluding the business set forth in item (i) of the same Article, and business incidental thereto) with the authorization of the competent ministers.

(2) The provisions of Article 80 and Article 81 shall apply *mutatis mutandis* to a person entrusted with the business under the provisions of the preceding paragraph (or their officers in cases where such person is a juridical person), his or her employees and other persons engaging in the entrusted business.

(Operational Method Statement)

Article 89 (1) When OTIT commences its business, it shall prepare an operational method statement and obtain the authorization of the competent minister. The same shall apply when OTIT intends to modify such operational method statement.

(2) The operational method statement set forth under the preceding paragraph shall include the matters prescribed by an ordinance of the competent ministries.

(Request for Delivery of Materials, etc.)

Article 90 (1) If OTIT finds it to be particularly necessary in conducting its business and makes a request, the national government or a local government may deliver to OTIT necessary materials or make them available for viewing by OTIT.

(2) If OTIT finds it necessary in conducting its business, 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 provide necessary cooperation.

Section 6 Finance and Accounting

(Business Year)

Article 91 The business year of OTIT shall commence on April 1 of each year and shall end on

March 31 of the following year.

(Authorization of the Budget, etc.)

Article 92 (1) OTIT shall prepare a budget and business plan for each business year, and obtain the authorization of the competent ministers prior to the commencement of such business year. The same shall apply when OTIT intends to modify such budget and business plan.

(2) If the competent ministers intend to give the authorization set forth under the preceding paragraph, the competent ministers shall consult the Minister of Finance in advance.

(Financial Statements, etc.)

Article 93 (1) OTIT shall prepare a balance sheet, profit and loss statement, and other documents specified by an ordinance of the competent ministries and the annexed detailed statements thereof (hereinafter referred to in this Article as "financial statements") for each business year, and shall submit them to the competent ministers within three months of the end of such business year and receive their approval.

(2) If OTIT submits the financial statements to the competent ministers pursuant to the provisions of the preceding paragraph, it shall attach thereto a business report and a statement of accounts based on its budget classification for that business year, and the inspectors' written opinion on the financial statements and statement of accounts.

(3) If OTIT receives the approval of the competent ministers pursuant to the provisions of paragraph (1), it shall give public notice of the financial statements in the Official Gazette without delay, and shall keep the financial statements, business report, statement of accounts, and the inspectors' written opinion set forth under the preceding paragraph (hereinafter referred to in this Article as "financial statements, etc.") at each place of business, and shall make them available for public inspection for a period of time prescribed by an ordinance of the competent ministries.

(4) The 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 which are specified by an ordinance of the competent ministries; the same shall apply hereinafter).

(5) If the financial statements, etc., are prepared in the form of an electronic or magnetic record, OTIT may, with regard to its office, take the measures specified by an ordinance of the competent ministries as measures enabling information recorded in such electronic or magnetic record available to the general public by electronic or magnetic means (meaning methods using an electronic data processing system or other information and communication technology which are specified in an ordinance of the competent ministries). In such case,

the financial statements, etc., shall be deemed to have been kept and made available for public inspection pursuant to the provisions of paragraph (3).

(Handling of Profits and Losses)

Article 94 (1) If a profit arises in the calculation of profits and losses for a business year, OTIT shall thereby offset any loss carried over from the previous business year, and any surplus that may remain even after offsetting the loss shall be kept as reserve funds.

(2) If a loss is incurred based on the calculation of profits and losses for a business year, OTIT shall 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, OTIT shall account for the amount of the deficit as a loss carried forward.

(3) OTIT may, within the limits of the amount prescribed by the budget, allocate the reserve funds specified in the provisions of paragraph (1) to expenses required for the business set forth in Article 87.

(Borrowing of Funds)

Article 95 (1) OTIT may make short-term borrowings with the authorization of the competent ministers in cases where it is necessary to allocate funds to expenses required for its business.

(2) The short-term borrowings pursuant to the provisions of the preceding paragraph shall be reimbursed within the business 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) The short-term borrowings that have been refinanced pursuant to the provisions of the proviso to the preceding paragraph shall be reimbursed within one year.

(4) If the competent ministers intend to give the authorization set forth under the provisions of paragraph (1) and paragraph (2), the competent ministers shall consult with the Minister of Finance in advance.

(5) OTIT may neither make long-term borrowings nor issue bonds.

(Grants)

Article 96 The government shall, within the limits of the budget, grant OTIT the amount of money equivalent to the expenses required for its business.

(Investment of Surplus Funds)

Article 97 OTIT shall not invest any surplus funds arising in the course of its business other than through the following means:

- (i) Holding of government bonds and other securities designated by the competent ministers;
- (ii) Depositing of surplus funds in a financial institution designated by the competent ministers; or
- (iii) Other means prescribed by an ordinance of the competent ministries.

(Delegation to an Ordinance of the Competent Ministries)

Article 98 In addition to those matters provided for in this Act, any matter necessary for the enforcement of the provisions of this Section shall be provided for by an ordinance of the competent ministries.

Section 7 Supervision

(Supervision)

Article 99 (1) OTIT shall be supervised by the competent minister.

- (2) If the competent minister finds it necessary for the enforcement of this Act, it may issue an order necessary for the supervision of its business.

(Reports and Inspections)

Article 100 (1) If the competent minister finds it necessary for the enforcement of this Act, it may order OTIT to submit a report on its business, or may have its officials enter OTIT's offices to inspect OTIT's books, records and other articles.

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

Section 8 Auxiliary Provisions

(Changes to the Articles of Incorporation)

Article 101 Changes to OTIT's articles of incorporation shall not become effective without the authorization of the competent ministers.

(Dissolution)

Article 102 (1) If OTIT is dissolved and there are residual assets even after it has paid its debts, OTIT shall distribute them to each contributor in amounts proportionate to the amount of each capital contribution.

(2) In addition to the matters provided for in the preceding paragraph, matters concerning the dissolution of OTIT shall be provided for by a separate Act.

Chapter 4 Miscellaneous Provisions

(Competent Minister, etc.)

Article 103(1) The competent ministers referred to in this Act shall be the Minister of Justice and the Minister of Health, Labour and Welfare.

(2) The ordinance of the competent ministries referred to in this Act shall be an order issued by the competent ministers.

(Delegation of Authority, etc.)

Article 104 (1) Pursuant to the provisions of a Cabinet Order, the competent ministers may delegate to the Minister of Land, Infrastructure, Transport and Tourism part of their authority over the collection of reports, the order to submit or present books and records, the order to appear, or the questioning and on-site inspection pursuant to the provisions of Article 35, paragraph (1) (limited to business conducted for the enforcement of the provisions of Article 40, paragraph (3) to paragraph (5) inclusive) (hereinafter referred to as the "collection of reports, etc." in the following paragraph and Article).

- (2) If the Minister of Land, Infrastructure, Transport and Tourism performs the collection of reports, etc. pursuant to the delegation under the provisions of the preceding paragraph, he or she shall promptly report the results to the competent ministers.
- (3) The Minister of Land, Infrastructure, Transport and Tourism may delegate the authority delegated pursuant to the provisions of paragraph (1) to the director of the regional transport bureau pursuant to the provisions of a Cabinet Order.
- (4) The authority delegated to the director of the regional transport bureau pursuant to the provisions of the preceding paragraph may be delegated to the director of the transport bureau branch, or the head of the office of the regional transport bureau, transport control division or transport bureau branch pursuant to the provisions of a Cabinet Order.
- (5) The authority of the competent minister provided for in this Act (excluding those delegated to the Minister of Land, Infrastructure, Transport and Tourism pursuant to the provisions of paragraph (1)) may be delegated to the head of a local branch office pursuant to the provisions of an ordinance of the competent ministries.

(Exercise of Authority)

Article 105 (1) The competent ministers may have a labor standard inspector enforce 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) 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 enforce 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.

(Coordination between the National Government and Others)

Article 106 (1) The national government, local governments and OTIT shall endeavor to exchange necessary information and to otherwise ensure close mutual coordination in order to ensure that the technical intern training is conducted smoothly.

- (2) OTIT shall provide the competent ministers with necessary information relating to the exercise of authority by the competent ministers for the coordination provided for in the preceding paragraph.

(Delegation to an Ordinance of the Competent Ministries)

Article 107 In addition to those matters provided for in this Act, any matter necessary for the enforcement of the provisions of this Act shall be stipulated by an ordinance of the competent ministries.

Chapter 5 Penal Provisions

Article 108 Any person who has violated the provisions of Article 46 shall be punished with imprisonment with work for not less than one year but not more than 10 years, or by a fine of not less than 200,000 yen but not more than 3,000,000 yen.

Article 109 Any person falling under any of the following items shall be punished with imprisonment with work for not more than 1 year or a fine of not more than 1,000,000 yen:

- (i) A person who has conducted supervision business in violation of Article 23, paragraph (1);
- (ii) A person who has, by deception or some other wrongful act, received the license provided for in Article 23, paragraph (1), renewal of the valid period of the license provided for in Article 31, paragraph (2), or permission for a change provided for in Article 32, paragraph (1);
- (iii) An officer or employee of a supervising organization which has committed a violation in cases of violation of the disposition under the provisions of Article 37, paragraph (3);
or
- (iv) The officer or employee of a supervising organization who committed the violation in cases of violation of the provisions of Article 38.

Article 110 Any person who has violated the provisions of Article 44, Article 54, paragraph (4), Article 56, paragraph (4), or Article 80 (including cases where it is applied mutatis mutandis pursuant to Article 86 and Article 88, paragraph (2)) shall be punished with imprisonment with work for not more than 1 year or a fine of not more than 500,000 yen.

Article 111 Any person falling under any of the following items shall be punished with imprisonment with work for not more than 6 months or a fine of not more than 300,000 yen:

- (i) A person who has violated the disposition under the provisions of Article 15, paragraph (1);
- (ii) The officer or employee of a supervising organization who committed the violation in cases of violation of the provisions of Article 28, paragraph (1);
- (iii) The officer or employee of a supervising organization who committed the violation in cases of violation of the disposition under the provisions of Article 36, paragraph (1); or
- (iv) A person who has violated the provisions of Article 47;
- (v) A person who has kept the passport or residence card of a technical intern trainee against the wishes of the technical intern trainee in violation of Article 48, paragraph (1);
- (vi) A person who has stated, in violation of Article 48, paragraph (2), to a technical intern trainee that during any hours other than the hours of engaging in the technical intern training, the technical intern trainee is prohibited, in whole or in part, from communicating or meeting with others or going outside, through indicating dismissal or other disadvantages in the labor relationship, or the collection of a penalty or other financial disadvantages; or
- (vii) A person who has violated the provisions of Article 49, paragraph (2).

Article 112 Any person falling under any of the following items shall be punished with a fine of not more than 300,000 yen:

- (i) A person who has failed to give a report or to submit or present books and records as provided for in Article 13, paragraph (1) or Article 35, paragraph (1), or made a false report, or submitted or presented false books or records, or who has refused to reply or given a false answer to questions under these provisions, or has refused, interfered with, or evaded an inspection under these provisions;
- (ii) A person who has not made the notification provided for in Article 17 or has made a false notification;
- (iii) A person who has not made the notification provided for in Article 19, paragraph (1) or has made a false notification;
- (iv) A person who has not given the notice provided for in Article 19, paragraph (2), or has given false notice;
- (v) A person who, in violation of Article 20, has not prepared books or records or kept them at its place of business, or has prepared false books or records;
- (vi) A person who has submitted the written application provided for in Article 23,

- paragraph (2) (including cases where it is applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2)) or the document provided for in Article 23, paragraph (3) (including cases where it is applied mutatis mutandis pursuant to Article 31, paragraph (5) and Article 32, paragraph (2)) which contains a false statement;
- (vii) The officer or employee of a supervising organization who committed the violation in cases where the notification provided for in Article 32, paragraph (3) was not made, or a false notification was made, or the document provided for in the same paragraph was submitted containing a false statement;
 - (viii) The officer or employee of a supervising organization who committed the violation in cases where the notification provided for in Article 33, paragraph (1) was not made, or a false notification was made;
 - (ix) The officer or employee of a supervising organization who committed the violation in cases where the notification provided for in Article 34, paragraph (1) was not made, or a false notification was made, or all or part of the supervision business was discontinued or suspended;
 - (x) The officer or employee of a supervising organization who committed the violation in cases of violation of the provisions of Article 40, paragraph (1);
 - (xi) The officer or employee of a supervising organization who committed the violation in cases where books or records were not prepared or kept at the place of business in violation of Article 41, or false books or documents were prepared; or
 - (xii) The officer or employee of OTIT who committed the violation in cases where the report provided for in Article 100, paragraph (1) was not made or a false report was made, or the inspection provided for in the same paragraph was refused, interfered with, or evaded.

Article 113 In cases where the representative of a juridical person, 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, Article 110 (limited to the part pertaining to Article 44), Article 111 and the preceding Article (excluding item (xii)) in connection with the business of the juridical person or individual, in addition to the offender being subject to punishment, the juridical person or individual shall also be subject to the fine set forth under the relevant Article.

Article 114 In cases coming under any of the following items, the officer of OTIT who committed the violation shall be punished with a non-criminal fine of not more than 200,000 yen:

- (i) Failure to receive authorization or approval in cases where the authorization or approval of the competent ministers is required pursuant to the provisions of Chapter 3;
- (ii) Failure to be registered in violation of a Cabinet Order pursuant to the provisions of Article 62, paragraph (1);
- (iii) Engaging in business other than that provided for in Article 87;
- (iv) Failure to keep documents or to make them available for public inspection in violation of Article 93, paragraph (3);
- (v) Investing surplus funds from the business in violation of Article 97; or
- (vi) Violation of the order of the competent ministers provided for in Article 99, paragraph (2).

Article 115 Any person who has violated the provisions of Article 61, paragraph (2) shall be punished with a non-criminal fine of not more than 200,000 yen.

Supplementary Provisions

(Effective Date)

Article 1 This Act shall come into effect as of the date provided for by a Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Chapter 1, Chapter 3, Article 103, Article 106, Article 107, Article 110 (limited to the part pertaining to Article 80 (including cases where it is applied mutatis mutandis pursuant to Article 86 and Article 88, paragraph (2))), Article 112 (limited to the part pertaining to item (xii)), Article 114 and Article 115, and the provisions of the Supplementary Provisions, Article 5 to Article 9 inclusive, Article 11, Article 14 to Article 17 inclusive, and Article 18 (limited to the provisions to amend Appended Table III of the Registration and License Tax Act (Act No. 35 of 1967)), Article 20 to Article 23 inclusive, and Article 26 shall come into effect as of the date of promulgation.

(Review)

Article 2 The government shall review the provisions of this Act taking into consideration the state of enforcement of the Act approximately five years after the enforcement of this Act, and, if it finds it to be necessary, shall also take necessary measures based on the findings of

the review.

(Transitional Measures Relating to the Technical Intern Training)

- Article 3 (1) The activities conducted by a person residing in Japan with the status of residence of "Technical Intern Training" of Appended Table I (2) of the Immigration Control and Refugee Recognition Act (hereinafter referred to as the "Former Immigration Control Act") prior to amendment pursuant to the provisions of Article 12 of the Supplementary Provisions deemed to remain in force pursuant to the provisions of Article 13, paragraph (1) shall not fall under technical intern training.
- (2) If a person provided for in the preceding paragraph, a person (excluding persons provided for in the same paragraph) residing with the status of residence of "Technical Intern Training" of Appended Table I (2) of the Former Immigration Control Act prior to the date of enforcement of this Act (hereinafter referred to as the "date of enforcement"), or any other persons whom the competent ministers deem to be appropriate as an equivalent person thereto (hereinafter referred to in this Article and the following Article as a "person with the status of residence of former technical intern training, etc.") completes the training provided for by an ordinance of the competent ministries as equivalent to individual-enterprise-type technical intern training (i), until otherwise provided for by law, the term "individual-enterprise-type technical intern training (i)" in item (ii) of paragraph (2) of Article 2 shall be replaced with "training provided for by an ordinance of the competent ministries as provided for in Article 3, paragraph (2) of the Supplementary Provisions" with respect to application of the same item.
- (3) If a person with the status of residence of former technical intern training, etc. completes the training provided for by an ordinance of the competent ministries as equivalent to individual-enterprise-type technical intern training (ii), until otherwise provided for by law, the term "individual-enterprise-type technical intern training (ii)" in item (iii) of paragraph (2) of Article 2 shall be replaced with "training provided for by an ordinance of the competent ministries as provided for in Article 3, paragraph (3) of Supplementary Provisions" with respect to application of the same item.
- (4) If a person with the status of residence of former technical intern training, etc. completes the training provided for by an ordinance of the competent ministries as equivalent to supervising-organization-type technical intern training (i), until otherwise provided for by law, the term "supervising-organization-type technical intern training (i)" in item (ii) of paragraph (4) of Article 2 shall be replaced with "training provided for by an ordinance of the competent ministries as provided for in Article 3, paragraph (4) of Supplementary Provisions" with respect to application of the same item.
- (5) If a person with the status of residence of former technical intern training, etc. completes the training provided for by an ordinance of the competent ministries as equivalent to supervising-organization-type technical intern training (ii), until otherwise provided for by law, the term "supervising-organization-type technical intern training (ii)" in item (iii) of

paragraph (4) of Article 2 shall be replaced with "training provided for by an ordinance of the competent ministries as provided for in Article 3, paragraph (5) of Supplementary Provisions" with respect to application of the same item.

(Transitional Measures Relating to the Criteria for Accreditation of the Technical Intern Training Plan)

Article 4 If a person who employs or intends to employ a person with the status of residence of former technical intern training, etc., prepares a technical intern training plan for such person with the status of residence of former technical intern training, etc. (excluding those for individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (i)), and applies for accreditation under Article 8, paragraph (1), until otherwise provided for by law, the term "technical intern training plan for individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (ii)" in item (iv) of Article 9 shall be replaced with "plan provided for by an ordinance of the competent ministries for activities to be conducted by a person with the status of residence of former technical intern training, etc. provided for in Article 3, paragraph (2) of the Supplementary Provisions" (hereinafter referred to in this item as an "equivalent technical intern training plan"), and the term "technical intern training plan for individual-enterprise-type technical intern training (ii) or supervising-organization-type technical intern training (ii)" in the same item shall be replaced with "equivalent technical intern training plan," and the term "technical intern trainees engaging in technical intern training" in item (xi) of the same Article shall be replaced with "technical intern trainees (including persons with the status of residence of former technical intern training, etc. provided for in Article 3, paragraph (2) of the Supplementary Provisions who engaged in training equivalent to technical intern training (meaning training provided for by an ordinance of the competent ministries as provided for in paragraph (2) of the same Article, training provided for by an ordinance of the competent ministries as provided for in paragraph (3) of the same Article, training provided for by an ordinance of the competent ministries as provided for in paragraph (4) of the same Article, and training provided for by an ordinance of the competent ministries as provided for in paragraph (5) of the same Article; the same shall apply hereinafter in this item)) engaging in technical intern training (including training equivalent to technical intern training)" with respect to application of Article 9.

Article 5 to 7 Omitted

(Preparations before Enforcement)

Article 8 (1) The procedure for accreditation set forth under Article 8, paragraph (1) and the license set forth under Article 23, paragraph (1) may be performed even prior to the date of enforcement. In such case, the competent ministers may have OTIT conduct all or part of the administrative affairs for accreditation or investigation in accordance with the rules under the provisions of Article 12 and Article 24.

- (2) In cases where the procedure for the license under Article 23, paragraph (1) is performed prior to the date of enforcement, the Minister of Health, Labour and Welfare may hear the opinions of the Labour Policy Council in accordance with the rules under the provisions of paragraph (6) of the same Article.
- (3) Any person who has submitted a written application for the procedure for the license under Article 23, paragraph (1) or any document to be attached to such application that contains a false statement shall be punished with a fine of not more than 300,000 yen.
- (4) In cases where the representative of a juridical person, the agent or employee of a juridical or natural person, or any other person working for a juridical or natural person, has committed the violation provided for in the preceding paragraph in connection with the business of the juridical or individual, such juridical person or individual, in addition to the offender being subject to punishment, the juridical person or individual shall also be subject to the fine set forth under the same paragraph.

Article 9 to 12 Omitted

(Transitional Measures Accompanying the Partial Amendment of Immigration Control Act)

Article 13 (1) With regard to the status of residence and period of stay of a person currently residing in Japan with the status of residence of "Technical Intern Training" as provided for in Appended Table I (2) of the Former Immigration Control Act at the time of this Act entering into effect, or a person residing in Japan having been granted a seal of verification or permission for landing (limited to those accompanying a determination on a status of residence) under the provisions of Chapter 3, Section 1 or Section 2 of the Former Immigration Control Act in cases where the provisions then in force remain applicable pursuant to the provisions of paragraph (3), item (i) and paragraph (4), the provisions then in force shall remain applicable; provided, however, that this shall not apply to a change to the status of residence or renewal of the period of stay as provided for in item (ii) of paragraph (1) of Article 20-2 of the Former Immigration Control Act.

- (2) Notwithstanding the provisions of the proviso to the preceding paragraph, with regard to dispositions on the following applications filed prior to the enforcement of this Act, the provisions then in force shall remain applicable:
 - (i) Applications for a change to the status of residence as provided for in Article 20-2,

- paragraph (1), item (ii) of the Former Immigration Control Act pursuant to the provisions of Article 20, paragraph (2) of the Former Immigration Control Act that have been made by a person residing in Japan with the status of residence of "Technical Intern Training" as provided for in Appended Table I (2) of the Former Immigration Control Act (limited to those pertaining to item (i) sub-items (a) or (b) in the right-hand column under "Technical Intern Training" of the same Table) (limited to those for whom the period of stay for such status of residence is to expire within three months from the date of enforcement), for which a disposition as to whether or not to grant permission under the provisions of Article 20, paragraph (3) of the Former Immigration Control Act has not been rendered at the time of the enforcement of this Act; or
- (ii) Applications for renewal of the period of stay as provided for in Article 21, paragraph (2) of the Former Immigration Control Act that have been made by a person residing in Japan under the status of residence of "Technical Intern Training" as provided for in Appended Table I (2) of the Former Immigration Control Act (limited to those for whom the period of stay for such status of residence is to expire within three months from the date of enforcement), for which a disposition as to whether or not to grant permission under the provisions of paragraph (3) of the same Article has not been rendered at the time of the enforcement of this Act.
- (3) With regard to dispositions on the following applications filed prior to the enforcement of this Act, the provisions then in force shall remain applicable:
- (i) Applications for landing under the provisions of Article 6, paragraph (2) of the Former Immigration Control Act that have been filed by foreign nationals who intend to engage in the activities as provided for in item (i) sub-items (a) or (b) in the right-hand column under "Technical Intern Training" of Appended Table I (2) of the Former Immigration Control Act (hereinafter in this Article referred to as "former technical intern training (i) activities") while in Japan, for which a disposition as to whether or not to affix a seal of verification for landing under the provisions of Chapter 3, Section 1 or Section 2 of the Former Immigration Control Act has not been rendered at the time of the enforcement of this Act; or
- (ii) Applications for the issuance of a certificate under the provisions of Article 7-2, paragraph (1) of the Former Immigration Control Act that have been filed by foreign nationals who intend to engage in former technical intern training (i) activities (limited to those intending to land in Japan within three months from the date of enforcement) while in Japan, for which any disposition as to whether or not to issue the certificate has not been rendered at the time of the enforcement of this Act.
- (4) With regard to dispositions on applications for landing under the provisions of Article 6, paragraph (2) of the Immigration Control Act following amendment pursuant to the provisions of the preceding Article which were filed after the date of enforcement by a person who, prior to the date of enforcement, received the issuance of a certificate under the provisions of Article 7-2, paragraph (1) of the Former Immigration Control Act with the intent to engage in former technical intern training (i) activities while in Japan, or by a

person who received the issuance of a certificate under the provisions of paragraph (1) of the same Article of the Former Immigration Control Act in cases where the provisions then in force remain applicable pursuant to the provisions of item (ii) of the preceding paragraph, the provisions then in force shall remain applicable for a period of three months from the date of enforcement (or the date of the issuance of the certificate in cases of a person issued with a certificate pursuant to the provisions of Article 7-2, paragraph (1) of the Former Immigration Control Act in cases where the provisions then in force are to remain applicable pursuant to the provisions of item (ii) of the preceding paragraph).

Article 14 to 24 Omitted

(Transitional Measures Relating to the Penal Provisions)

Article 25 With regard to application of the penal provisions to acts committed prior to the enforcement of this Act and acts committed after the enforcement of this Act in cases where the provisions then in force remain applicable pursuant to the provisions of this Act, the provisions then in force shall remain applicable.

Article 26 Omitted