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Act on Improvement, etc. of Employment Management for Part-Time Workers (Act No. 76 of 1993)

Chapter I General Provisions

Article 1 (Purpose)

The purpose of this Act is to enable Part-Time Workers to effectively exercise their abilities through ensuring, etc. of their treatment balanced with that of ordinary workers, and thereby enhance welfare of the Part-Time Workers and contribute to economic and social development, by means of taking such measures as those concerning ensuring of proper working conditions for Part-Time Workers, improvement of employment management for them, promotion of their transformation to ordinary workers, development and improvement, etc. of vocational abilities, in view of the fact that the importance of roles played by Part-Time Workers is increasing with such socioeconomic changes in Japan as the progress of aging population combined with low birthrates and change in employment structures.

Article 2 (Definition)

The term "Part-Time Worker" as used in this Act mean a worker whose prescribed weekly working hours are shorter than those of ordinary workers employed at the same place of business (or said ordinary workers who are engaged in the same kind of work as said workers, unless otherwise specified by Ordinance of the Ministry of Health, Labour and Welfare, if the worker is engaged in the same kind of work as said ordinary worker employed at the said place of business).

Article 3 (Responsibilities of Business Operator, etc.)

(1) A business operator may seek to ensure the treatment of Part-Time Workers

employed by him/her that is balanced with that of ordinary workers employed by him/her as well as to take other measures and, may endeavor to enable said Part-Time Workers to effectively exercise their abilities, with consideration to such matters as their employment situations etc., and by means of taking such measures as those for ensuring of proper working conditions, implementation of education and training, enrichment of a welfare program, other improvement of employment management, and promotion of the transformation to ordinary workers (which means the employment of a Part-Time Worker as an ordinary worker at his/her place of business; the same shall apply hereinafter) (hereinafter referred to as "Employment Management Improvement, etc.").

- (2) An association of business operators shall endeavor to provide necessary advice, cooperation and other assistance with regard to the Employment Management Improvement, etc. for Part-Time Workers employed by business operators who are members of the association.

Article 4 (Responsibilities of National and Local Governments)

- (1) The national government shall provide necessary guidance, assistance, etc. to business operators and other relevant persons according to their actual circumstances, while respecting their voluntary efforts, with regard to the Employment Management Improvement, etc. for Part-Time Workers. In addition, the national government shall conduct advertising and other enlightenment activities necessary to remove various factors preventing Part-Time Workers from exercising their abilities effectively, and endeavor to comprehensively and effectively promote measures necessary for the promotion of the Employment Management Improvement, etc. for Part-Time Workers and other enhancement of their welfare, such as development and improvement, etc. of their vocational abilities.
- (2) In cooperation with the national government's measures set forth in the preceding paragraph, a local government shall endeavor to promote measures necessary to enhance welfare of Part-Time Workers.

Chapter II Basic Policy on Measures for Part-Time Workers

Article 5

- (1) In order to enhance welfare of Part-Time Workers, the Minister of Health, Labour and Welfare shall formulate a basic policy underlying the measures concerning the promotion of the Employment Management Improvement, etc. for Part-Time Workers and the development and improvement, etc. of their vocational abilities (referred to as "the Basic Policy on Measures for Part-Time Workers" hereinafter in this Article).
- (2) Matters to be prescribed in the Basic Policy on Measures for Part-Time Workers shall be as follows.

- (i) Matters concerning trends in working lives of Part-Time Workers
 - (ii) Matters underlying the measures to be taken to promote the Employment Management Improvement, etc. for Part-Time Workers and develop and improve their vocational abilities
 - (iii) Matters underlying the measures to be taken to enhance welfare of Part-Time Workers, in addition to what is listed in the preceding two items
- (3) The Basic Policy on Measures for Part-Time Workers shall be formulated with due consideration to such matters as the working conditions, views, and employment situations of Part-Time Workers.
- (4) In formulating the Basic Policy on Measures for Part-Time Workers, the Minister of Health, Labour and Welfare shall hear opinions from the Labour Policy Council in advance.
- (5) After formulating the Basic Policy on Measures for Part-Time Workers, the Minister of Health, Labour and Welfare shall publicize it without delay.
- (6) The provisions of the preceding two paragraphs shall apply mutatis mutandis to amendments to the Basic Policy on Measures for Part-Time Workers.

Chapter III Measures, etc. concerning Employment Management Improvement, etc. for Part-Time Workers

Section 1 Measures concerning Employment Management Improvement, etc.

Article 6 (Delivery of Documents on Working Conditions, etc.)

- (1) When a business operator employs a Part-Time Worker, the business operator shall promptly indicate clearly to said Part-Time Worker such matters concerning the working conditions specified by Ordinance of the Ministry of Health, Labour and Welfare, but other than those specified by Ordinance of the Ministry of Health, Labour and Welfare as provided in paragraph 1 of Article 15 of the Labour Standards Act (Act No. 49 of 1947) (referred to as "Specified Matters" in the following paragraph) by delivery of documents or by any other method specified by Ordinance of the Ministry of Health, Labour and Welfare (referred to as "Document Delivery, etc." in the following paragraph).
- (2) When a business operator clearly indicates the Specified Matters pursuant to the provision of the preceding paragraph, he/she shall endeavor to clearly indicate such matters concerning the working conditions other than such Specified Matters and the matters specified by Ordinance of the Ministry of Health, Labour and Welfare as provided in paragraph 1 of Article 15 of the Labour Standards Act by means of Document Delivery, etc.

Article 7 (Procedure for Preparation of Rules of Employment)

When a business operator intends to prepare or amend the rules of employment with regard to the matters pertaining to Part-Time Workers, he/she shall endeavor to hear opinions from a person or persons who is/are found to represent a majority of the Part-Time Workers employed at said place of business.

Article 8 (Prohibition of Discriminatory Treatment of Part-Time Workers Equivalent to Ordinary Workers)

- (1) With regard to a Part-Time Worker for whom the description of his/her work and the level of responsibilities associated with said work (hereinafter referred to as "Job Description") are equal to those of ordinary workers employed at the referenced place of business (hereinafter referred to as "Part-Time Worker with Equal Job Description") and who has concluded a labor contract without a definite period with a business operator, and whose Job Description and assignment are likely to be changed within the same range as the Job Description and assignment of said ordinary workers, in light of the practices at said place of business and other circumstances, throughout the entire period until the termination of the employment relationship with said business operator (hereinafter referred to as "Part-Time Worker Equivalent to Ordinary Workers"), the business operator shall not engage in discriminatory treatment in terms of the decision of wages, the implementation of education and training, the utilization of welfare facilities and other treatments for workers by reason of being a Part-Time Worker.
- (2) The labor contract without a definite period set forth in the preceding paragraph shall include such a labor contract with a definite period that is repeatedly renewed and is therefore reasonably deemed to be a labor contract without a definite period under socially accepted conventions.

Article 9 (Wage)

- (1) With regard to Part-Time Workers (excluding Part-Time Workers Equivalent to Ordinary Workers; the same shall apply in paragraph 2 of the following Article and Article 11) employed by a business operator, he/she shall endeavor to decide their wages (excluding commutation allowances, retirement allowances and others specified by Ordinance of the Ministry of Health, Labour and Welfare; the same shall apply in the following paragraph), with due consideration to a balance with ordinary workers, and by taking into consideration of such matters as the Job Descriptions of those Part-Time Workers, the performances of their jobs, their motivation, and their abilities or experience.
- (2) Notwithstanding the provision of the preceding paragraph, with regard to a Part-Time Worker with Equal Job Description (excluding Part-Time Workers Equivalent to Ordinary Workers; the same shall apply in paragraph 1 of the following Article) whose Job Description and assignment are likely to be change within the same range as the

Job Description and assignment of said ordinary workers, in light of the practices at said place of business and other circumstances, at least during a specific period of time that is a part of the period of the employment by said business operator, he/she shall endeavor to decide wages for said Part-Time Worker, during the period for such change is expected, by the same method as applied to said ordinary workers.

Article 10 (Education and Training)

- (1) With regard to the education and training to be provided to ordinary workers to cause them to acquire the abilities necessary for executing the jobs in which said ordinary workers are engaged, the business operator shall equally provide such education and training to Part-Time Workers with Equal Job Description as well, except in the case where the Part-Time Worker with Equal Job Description already possesses the abilities necessary for said jobs, or in any other case specified by Ordinance of the Ministry of Health, Labour and Welfare.
- (2) In addition to what is prescribed in the preceding paragraph, a business operator shall endeavor to provide other education and training to Part-Time Workers employed by him/her, with due consideration to a balance with ordinary workers, and according to such matters as the Job Descriptions of said Part-Time Workers, the performances of their jobs, their motivation, and their abilities or experience.

Article 11 (Welfare Facilities)

With regard to the welfare facilities which a business operator provides ordinary workers opportunities to utilize and which are specified by Ordinance of the Ministry of Health, Labour and Welfare as contributing to the maintenance of health or the smooth performance of works, the business operator shall give due consideration to provide opportunities to utilize those facilities to Part-Time Workers employed by him/her as well.

Article 12 (Transformation to Ordinary Worker)

- (1) A business operator shall take any of the measures set forth in the following items for Part-Time Workers employed by him/her, in order to promote their transformation to ordinary workers.
 - (i) In the case of recruiting an ordinary worker, the business operator shall make known the descriptions of the work to be engaged, wages, working hours, and other matters pertaining to the recruiting to Part-Time Workers employed at the place of business pertaining to such recruiting, by such means as posting at said place of business.
 - (ii) In the case of newly assigning an ordinary worker, the business operator shall provide an opportunity for applying for such assignment to the Part-Time Workers employed at the place of business pertaining to such assignment.

- (iii) The business operator shall establish examination systems targeting certain qualified Part-Time Workers for their transformation to ordinary workers, and take other measures to promote their transformation to ordinary workers.
- (2) In order to promote the transformation to ordinary workers, the national government shall endeavor to take such necessary measures as provide assistance to business operators taking the measures listed in the following items of the preceding paragraph.

Article 13 (Explanation on Matters Considered in Decision of Treatment)

A business operator shall, upon request from a Part-Time Worker employed by him/her, explain to said Part-Time Worker the matters considered when making decisions concerning the matters for which the measures are required to be taken pursuant to the provisions of Articles 6 to 11 inclusive and paragraph 1 of the preceding Article.

Article 14 (Guidelines)

- (1) With regard to the measures, etc. concerning the Employment Management Improvement, etc. that are required to be taken by business operators pursuant to the provision of paragraph 1 of Article 3, in addition to what is prescribed in Articles 6 to 11 inclusive, paragraph 1 of Article 12 and the preceding Article, the Minister of Health, Labour and Welfare shall prescribe the guidelines for appropriate and effective implementation of those measures (referred to as the "Guidelines" hereinafter in this Section).
- (2) The provisions of paragraphs 3 to 5 inclusive of Article 5 shall apply mutatis mutandis to the formulation of the Guidelines, and the provisions of paragraphs 4 and 5 of the same Article shall apply mutatis mutandis to revisions of the Guidelines.

Article 15 (Part-Time Employment Manager)

A business operator shall, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, endeavor to appoint a Part-Time employment manager for each place of business where the number of Part-Time Workers constantly employed is not less than the number specified by Ordinance of the Ministry of Health, Labour and Welfare, in order to direct him/her to manage the matters specified in the Guidelines and other matters concerning the Employment Management Improvement, etc. for Part-Time Workers.

Article 16 (Collection of Reports and Advice, Guidance and Recommendation)

- (1) When it finds necessary for accelerating the Employment Management Improvement, etc. for Part-Time Workers, the Minister of Health, Labour and Welfare may request reporting from business operators employing Part-Time Workers or provide advice, guidance or recommendation to business operators.
- (2) The authorities of the Minister of Health, Labour and Welfare prescribed in the

preceding paragraph may be partially delegated to the Director of the Prefectural Labour Bureau pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

Section 2 Measures concerning Development and Improvement, etc. of Vocational Abilities

Article 17 (Implementation, etc. of Vocational Training)

In order to encourage Part-Time Workers and persons seeking to become a Part-Time Worker to develop and improve their vocational abilities, the national government, prefectural governments and the Employment and Human Resources Development Organization of Japan shall endeavor to carry out enlightenment propaganda targeting Part-Time Workers, persons seeking to become a Part-Time Worker, and other relevant persons, concerning development and improvement of vocational abilities, and shall give special consideration to the implementation of vocational training.

Article 18 (Enrichment, etc. of Employment Placement)

In order to facilitate the vocational choice by persons seeking to become a Part-Time Worker according to their aptitudes, abilities, experience, skill levels, etc. and their adaptation to their respective occupations, the national government shall endeavor to take such necessary measures as the provision of employment information, vocational guidance, and enrichment of employment placement.

Chapter IV Resolution of Disputes

Section 1 Assistance in Resolution of Disputes

Article 19 (Voluntary Resolution of Complaints)

When a business operator receives a complaint from a Part-Time Worker with regard to any of the matters prescribed in paragraph 1 of Article 6, paragraph 1 of Article 8, paragraph 1 of Article 10, Article 11, paragraph 1 of Article 12 and Article 13, the business operator shall endeavor to achieve a voluntary resolution by such means as entrusting the handling of said complaint to a complaint handling organ (which means an organ for handling complaints from workers at said place of business which is composed of the representative(s) of the business operator and the representative(s) of the workers at said place of business).

Article 20 (Special Provisions for Promotion of Resolution of Disputes)

The provisions of Article 4, Article 5 and Articles 12 to 19 inclusive of the Act on Promoting the Resolution of Individual Labour-Related Disputes (Act No. 112 of 2001)

shall not apply to a dispute between a Part-Time Worker and his/her employer with regard to the matters set forth in the preceding Article, which shall be applied based on the provisions of Article 21 to 24 inclusive.

Article 21 (Assistance in Resolution of Disputes)

- (1) In the case where the Director of the Prefectural Labour Bureau receives a request for assistance in the resolution of a dispute prescribed in the preceding Article from both or either of the parties to said dispute, the Director may provide necessary advice, guidance or recommendation to the parties to said dispute.
- (2) A business operator shall not dismiss or otherwise treat a Part-Time Worker disadvantageously by reason of said Part-Time Worker having requested the assistance set forth in the preceding paragraph.

Section 2 Conciliation

Article 22 (Delegation of Conciliation)

- (1) When the Director of the Prefectural Labour Bureau finds it necessary for the resolution of said dispute in the case where the application for conciliation is filed by both or either of the parties to said dispute provided in Article 20, the Director of the Prefectural Labour Bureau shall have the Dispute Coordinating Committee set forth in paragraph 1 of Article 6 of the Act on Promoting the Resolution of Individual Labour-Related Disputes to conduct conciliation.
- (2) The provision of paragraph 2 of the preceding Article shall apply mutatis mutandis to the case where a Part-Time Worker files the application set forth in the preceding paragraph.

Article 23 (Conciliation)

The provisions of Article 19, paragraph 1 of Article 20 and Articles 21 to 26 inclusive of the Act on Securing, Etc. of Equal Opportunity and Treatment between Men and Women in Employment (Act No. 113 of 1972) shall apply mutatis mutandis to the procedure of conciliation set forth in paragraph 1 of the preceding Article. In this case, the term "paragraph 1 of the preceding Article" in paragraph 1 of Article 19 of the same Act shall be deemed to be replaced with "paragraph 1 of Article 22 of the Act on Improvement, etc. of Employment Management for Part-Time Workers", the term "relevant parties" in paragraph 1 of Article 20 of the same Act shall be deemed to be replaced with "relevant parties or workers employed at the same place of business as the relevant parties and other witnesses", and the term "paragraph 1 of Article 18" in paragraph 1 of Article 25 of the same Act shall be deemed to be replaced with "paragraph 1 of Article 22 of the Act on Improvement, etc. of Employment Management for Part-Time Workers".

Article 24 (Delegation to Ordinance of the Ministry of Health, Labour and Welfare)

In addition to what is prescribed in this Section, necessary matters concerning procedures of conciliation shall be prescribed by Ordinance of the Ministry of Health, Labour and Welfare.

Chapter V Part-Time Working Assistance Center

Article 25 (Designation, etc.)

- (1) The Minister of Health, Labour and Welfare may, upon application, designate a juridical person set forth in Article 34 of the Civil Code (Act No. 89 of 1896) which has been established for the purpose of assisting the Employment Management Improvement, etc. for Part-Time Workers or otherwise enhancing welfare of Part-Time Workers and which is found to be conforming with the criteria listed in the following items with regard to the services provided in Article 27, as the sole entity for the entire the State performing the services provided in the same Article.
 - (i) The juridical person is found to have proper plans for performing the services with regard to personnel and service methods and other matters, and to have an accounting and technical basis for sufficient execution of said plans.
 - (ii) In addition to what is prescribed in the preceding item, the juridical person is found to be capable of carrying out proper and sure operations of the services and contributing to the Employment Management Improvement, etc. for Part-Time Workers and other enhancement of their welfare.
- (2) Upon making designation prescribed in the provision of the preceding paragraph, the Minister of Health, Labour and Welfare shall make a public notice the name, address and office location of a juridical person designated pursuant to the provision of the same paragraph (hereinafter referred to as "Part-Time Working Assistance Center").
- (3) When the Part-Time Working Assistance Center intends to change its name, address or office location, it shall notify the Minister of Health, Labour and Welfare thereof in advance.
- (4) When notification is submitted pursuant to the provision of the preceding paragraph, the Minister of Health, Labour and Welfare shall make a public notice the matters with pertaining to said notification.

Article 26 (Conditions for Designation)

- (1) Conditions may be attached to the designation prescribed in the provision of paragraph 1 of preceding Article, and they may be altered.
- (2) The conditions set forth in the preceding paragraph shall be limited to the minimum necessary for the sure implementation of the matters pertaining to said designation, and shall not be such as to impose undue obligations on the person obtaining said designation.

Article 27 (Services)

- (1) The Part-Time Working Assistance Center shall perform the services listed in the following items.
 - (i) Comprehensively collecting information and materials concerning working lives of Part-Time Workers and furnishing them to Part-Time Workers, business operators and other relevant persons
 - (ii) Performing the services provided in paragraph 1 of the following Article
 - (iii) Performing the services to assist the Employment Management Improvement, etc. for Part-Time Workers and other services necessary to enhance welfare of Part-Time Workers, in addition to what is listed in the preceding two items

Article 28 (Implementation of Services for Employment Management Improvement Projects for Part-Time Workers Performed by the Part-Time Working Assistance Center)

- (1) After designating the Part-Time Working Assistance Center, the Minister of Health, Labour and Welfare shall direct the Center to perform all or part of the services pertaining to the projects which are kinds of the social rehabilitation promotion projects set forth in Article 29 of the Workers' Accident Compensation Insurance Act (Act No. 50 of 1947) or the employment security projects set forth in Article 62 of the Employment Insurance Act (Act No. 116 of 1974), and which are such projects that are intended to provide payments specified by Ordinance of the Ministry of Health, Labour and Welfare to business operators employing Part-Time Workers or the business operator's organizations and other projects incidental to them.
- (2) The requirements for paying or provision of payments pursuant to the provision of Article 29 of the Workers' Accident Compensation Insurance Act or Article 62 of the Employment Insurance Act which fall under the payments set forth in the preceding paragraph and the amounts thereof shall be prescribed by Ordinance of the Ministry of Health, Labour and Welfare.
- (3) In commencing all or part of the services provided in paragraph 1 (hereinafter referred to as "the Services for Employment Management Improvement Projects for Part-Time Workers"), the Part-Time Working Assistance Center shall notify the Minister of Health, Labour and Welfare of the scheduled start date of said services and the location of the office for the performance of said services by type of said services. The provisions above shall apply to the case where the Part-Time Working Assistance Center intends to change the location of the office for performing said services.
- (4) The Minister of Health, Labour and Welfare shall make public notice types of the Services for Employment Management Improvement Projects for Part-Time Workers which the Minister directs the Part-Time Working Assistance Center to perform pursuant to the provision of paragraph 1 and the matters pertaining to the notification

pursuant to the provision of the preceding paragraph.

Article 29 (Approval of Service Regulations)

- (1) In performing the Services for Employment Management Improvement Projects for Part-Time Workers, the Part-Time Working Assistance Center shall prepare regulations concerning the performance of said services (hereinafter referred to as "Service Regulations") and obtain an approval of the Minister of Health, Labour and Welfare prior to commencing said business. The provisions above shall apply to the case where the Center intends to change said regulations.
- (2) When the Service Regulations approved provided for in the preceding paragraph finds to be inappropriate in terms of proper and sure implementation of the Services for Employment Management Improvement Projects for Part-Time Workers, the Minister of Health, Labour and Welfare may order to change said Service Regulations.
- (3) Matters to be specified in the Service Regulations shall be specified by Ordinance of the Ministry of Health, Labour and Welfare.

Article 30 (The Minister of Health, Labour and Welfare's Approval for Provision of Payments for Employment Management Improvement Projects for Part-Time Workers)

In the case of performing, among the Services the services pertaining to the provision of the payments provided in paragraph 1 of Article 28 (referred to as the "Payments Services" in the following Article and Article 37) and intending to receive payments provided in paragraph 2 of Article 28 pursuant to the provision of Article 29 of the Workers' Accident Compensation Insurance Act or Article 62 of the Employment Insurance Act, the Part-Time Working Assistance Center shall obtain an approval from the Minister of Health, Labour and Welfare pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare.

Article 31 (Reporting)

In the case of performing the Payments Services and finding it necessary with regard to said services, the Part-Time Working Assistance Center may request a business operator to submit reports on necessary matters.

Article 32 (Service Plan, etc.)

- (1) The Part-Time Working Assistance Center shall, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, prepare a service a budget for revenue and expenditure for each business year, and obtain an approval of the Minister of Health, Labour and Welfare. The provisions above shall apply to the case where the Center intends to change said plan or budget.
- (2) The Part-Time Working Assistance Center shall, pursuant to the provisions of

Ordinance of the Ministry of Health, Labour and Welfare, prepare a service report, a balance sheet, a statement of accounts, and the inventory of property, and submit them to the Minister of Health, Labour and Welfare for approval after each business year ends.

Article 33 (Separate Accounting)

In the case of performing the Services for Employment Management Improvement Projects for Part-Time Workers, the Part-Time Working Assistance Center shall separate accounting for those services and accounting for other services.

Article 34 (Grants)

The national government may, within the limits of the budget, grant the Part-Time Working Assistance Center the amount of money equivalent to all or part of expense necessary for the Services for Employment Management Improvement Projects for Part-Time Workers.

Article 35 (Delegation to Ordinance of the Ministry of Health, Labour and Welfare)

In addition to what is prescribed in this Chapter, necessary matters concerning the financial and accounting for the Part-Time Working Assistance Center to perform the Services for Employment Management Improvement Projects for Part-Time Workers shall be prescribed by Ordinance of the Ministry of Health, Labour and Welfare.

Article 36 (Appointment and Dismissal of Officer)

- (1) Appointment and dismissal of an officer of the Part-Time Working Assistance Center shall not be effective without approval of the Minister of Health, Labour and Welfare.
- (2) When an officer of the Part-Time Working Assistance Center commits an act in violation of the provisions of this Chapter (including orders or dispositions pursuant to said provisions) or the Service Regulations approved pursuant to the provision of paragraph 1 of Article 29 or commits an extremely inappropriate act with regard to the services provided in Article 27, the Minister of Health, Labour and Welfare may order the Part-Time Working Assistance Center to dismiss said officer.

Article 37 (Status of Officers and Personnel as Public Officer)

With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, officers or personnel of the Part-Time Working Assistance Center engaged in a Payments Services shall be deemed as personnel engaged in public services pursuant to laws and regulations.

Article 38 (Reports and Inspections)

- (1) The Minister of Health, Labour and Welfare may, within the limit necessary for

ensuring proper performance of the services provided in Article 27, make the Part-Time Working Assistance Center submit necessary reports with regard to the services provided in the same Article or the assets, or may permit the Ministry's personnel to enter the offices of the Part-Time Working Assistance Center and inspect the service, accounting books documents or other articles.

- (2) An official who enters and inspects pursuant to the provision of the preceding paragraph shall carry a certificate for identification and produce it to the people concerned.
- (3) The authority to enter and inspect pursuant to the provision of paragraph 1 shall not be construed as being permitted for criminal investigations.

Article 39 (Supervisory Orders)

The Minister of Health, Labour and Welfare may, within the limit necessary for implementing the provisions of this Chapter, give orders necessary for the supervision of the services provided in Article 27 to the Part-Time Working Assistance Center.

Article 40 (Rescission, etc. of Designation)

- (1) When the Part-Time Working Assistance Center falls under any of the following items, the Minister of Health, Labour and Welfare may rescind the designation pursuant to the provision of paragraph 1 of Article 25 (hereinafter referred to as "Designation") or order to suspend for a fixed period all or part of the services provided in Article 27.
 - (i) When the Center is found to be unable to perform the services provided in Article 27 properly and surely
 - (ii) When the Center has committed a wrongful act regard to the Designation
 - (iii) When the Center violates the provisions of this Chapter or orders or dispositions pursuant to said provisions
 - (iv) When the Center violates the conditions set forth in paragraph 1 of Article 26
 - (v) When the Center performs the Services for Employment Management Improvement Projects for Part-Time Workers, not complying with the Service Regulations approved pursuant to the provision of paragraph 1 of Article 29
- (2) The Minister of Health, Labour and Welfare shall, in the case of rescinding the Designation or ordering the suspension of all or part of the services provided in Article 27 pursuant to the provisions of the preceding paragraph, make public notice to said rescission or order.

Article 41 (Implementation of Services for Employment Management Improvement Projects for Part-Time Workers Performed by the Minister of Health, Labour and Welfare)

- (1) The Minister of Health, Labour and Welfare shall, in the case of rescinding the

Designation or orders to suspend all or part of the Services for Employment Management Improvement Projects for Part-Time Workers, or in the case of finding it necessary when it becomes difficult for the Part-Time Working Assistance Center to perform the Services for Employment Management Improvement Projects for Part-Time Workers, perform said services by him/herself.

- (2) When the Minister of Health, Labour and Welfare intends to perform the Services for Employment Management Improvement Projects for Part-Time Workers pursuant to the provision of the preceding paragraph, or intends to cease the Services for Employment Management Improvement Projects for Part-Time Workers which is being performed pursuant to the provision of the same paragraph, the Minister shall make public notice said intention in advance.
- (3) In the case where the Minister of Health, Labour and Welfare intends to perform the Services for Employment Management Improvement Projects for Part-Time Workers pursuant to the provision of paragraph 1, or intends to cease the Services for Employment Management Improvement Projects for Part-Time Workers performed pursuant to the provision of the same paragraph, the succession of said services and other necessary matters shall be prescribed by Ordinance of the Minister of Health, Labour and Welfare.

Chapter VI Miscellaneous Provisions

Article 42 (Research, etc. for Employment Management Improvement, etc.)

In order to enable Part-Time Workers to exercise their abilities effectively, the Minister of Health, Labour and Welfare may endeavor to conduct research, study and preparation of data with regard to measures concerning the Employment Management Improvement, etc. according to the expansion of the scope of Part-Time Workers' job and other necessary matters concerning the Employment Management Improvement, etc. for Part-Time Workers.

Article 43 (Exclusion from Application)

This Act shall not apply to national public officers and local public officers and mariners provided in paragraph 1 of Article 6 of the Mariners Employment Security Act (Act No. 130 of 1948).

Article 44 (Penal provision)

- (1) A person who falls under any of the following items shall be punished by a fine of not more than 200,000 yen.
 - (i) A person who fails to submit a report pursuant to the provision of Article 31 or makes a false report
 - (ii) A person who fails to submit a report pursuant to the provision of paragraph 1 of

Article 38 or makes a false report, or refuses, interferes with, or recuses the entry or inspection pursuant to the provision of the same paragraph

Article 45

When a representative of a juridical person or an agent, employee or other worker of a juridical person or individual committed an act in violation set forth in the preceding Article with regard to the services of said juridical person or individual, not only offender but also said juridical person or individual shall be punished by the fine prescribed in the same Article.

Article 46

When the Part-Time Working Assistance Center fails to receive approval from the Minister of Health, Labour and Welfare in the case where such approval is required to be received pursuant to the provision of Article 30, the officer of the Center causing such violation shall be punished by a non-penal fine not more than 200,000 yen.

Article 47

A person who violates the provision of paragraph 1 of Article 6 shall be punished by a non-penal fine not more than 100,000 yen.