

**Ministerial Ordinance to Provide for Criteria Pursuant to Article 7,
Paragraph 1 (2) of the Immigration Control and Refugee
Recognition Act**

**Ministry of Justice Ordinance No. 16 of May 24, 1990
Latest Amendment: Ministry of Justice Ordinance No. 29 of March 30, 2006**

The criteria provided for in Article 7, Paragraph 1 (2) of the Immigration Control and Refugee Recognition Act (hereinafter referred to as “act”) shall be as stipulated in the table below, in accordance with the status of residence given in the left-hand column, in which activities the person who has made an application as provided for in Article 6, Paragraph 2 of the said Act (hereinafter referred to as “the applicant”) is to engage in Japan.

Note: The term “he” as used in this translation refers to persons of either gender.

Status of Residence

Criteria

Investor/Business Manager

1. In cases where the applicant is to commence the operation of international trade or other business, the following conditions are to be fulfilled.

- a. The facilities to be used as an office for the business concerned must be located in Japan.
- b. The business concerned must have the capacity to employ at least 2 full-time employees in Japan (excluding foreign nationals residing under a status of residence listed in Annexed Table 1 of the Act) in addition to those who operate and/or manage the business.

2. In cases where the applicant is to invest in international trade or other business in Japan and to operate or manage that business, or in cases where the applicant is to operate or manage international trade or other business on behalf of a foreign national (including a foreign corporation; hereinafter in this section “foreign national” is to include “foreign corporation”) who has begun such an operation in Japan or has invested in such a business in Japan, the following conditions are to be fulfilled.

- a. The office for the business concerned must be located in Japan.
- b. The business concerned must have the capacity to employ at least 2 full-time employees in Japan (excluding foreign nationals residing under a status of residence listed in Annexed Table I of the Act) in addition to those who operate and/or manage the business.

3. In cases where the applicant is to engage in the management of international trade or other business in Japan, he must have at least 3 years' experience in the operation and/or management of business (including the period during which the applicant majored in business operation and/or management at a graduate school) and must receive no less salary than a Japanese national would receive for comparable work.

Legal/Accounting Services

The applicant must engage in the profession of an attorney (bengoshi), judicial scrivener (shihoushoshi), certified real estate assessor (tochikaokuchousashi), attorney recognized as a gaikokuhou-jimu-bengoshi, certified public accountant (kouninkaikeishi), certified public accountant recognized as a gaikoku-kouninkaikeishi, certified tax specialist (zeirishi), certified social insurance and labor specialist (shakaihokenroumushi), certified patent specialist (benrishi), maritime procedure agent (kaijidairishi) or certified administrative procedures specialist (gyouseishoshi).

Medical Services

1. The applicant who is to engage in the profession of a medical doctor, dentist, pharmacist, public health nurse, midwife, registered nurse, assistant nurse, dental hygienist (shikaeiseishi), X-ray technician for medical examinations, physical therapist (rigakuryouhoushi), occupational therapist (sagouryouhoushi), eye specialist (shinokunrenshi), clinical technician (rinshoukougakugishi) or artificial limb technician (gishisougushi) must receive no less salary than a Japanese national would receive for comparable work.

2. In cases where the applicant is to practice as a dentist, he must fall under one of the following categories.

a. A person who is to practice as a trainee at a hospital attached to a college or to the faculty of medical science, faculty of dentistry or a research institute of the faculty of medical science of a college, or at a hospital designated by the Minister of Health, Labour and Welfare in accordance with the provisions of Article 16-2, Paragraph 1 of the Dentists' Law (Law No. 202 of 1948), or at a hospital designated by the Minister of Justice in the Official Gazette as equivalent thereto, within a period not exceeding 6 years from the date of receipt of a license valid in Japan as a dentist.

b. A person who is to practice at a hospital or a medical clinic, designated by the Minister of Justice in the Official Gazette, in an area where it is difficult to secure the services of a dentist.

3. In cases where the applicant is to practice as a public health nurse, midwife or assistant nurse, he must practice as a trainee within a period not exceeding 4 years from the date of receipt of a license valid in Japan as a public health nurse, midwife or assistant nurse.

4. In cases where the applicant is to practice as a registered nurse, he must practice as a trainee within a period not exceeding 7 years from the date of receipt of a license valid in Japan as a registered nurse.

5. In cases where the applicant is to practice as a pharmacist, dental hygienist, X-ray technician for medical examinations, physical therapist (rigakuryouhoushi), occupational therapist (sagyouryouhoushi), eye specialist (shinoukunrenshi), clinical technician (rinshoukougakugishi) or artificial limb technician (gishisougushi), he must be invited by a medical institution or pharmacy.

Researcher

The following conditions are to be fulfilled, unless the applicant is to engage in research under a contract with the national government, a local government, a corporation established directly in accordance with Japanese laws, a corporation established in accordance with a Japanese special law through special acts of establishment, a corporation which is established in accordance with a Japanese special law and is required to obtain approval from the administrative authorities with respect to the establishment, an independent administrative institution (meaning the independent administrative institution provided for in Article 2, Paragraph 1 of the Law Concerning the General Rules of Independent Administrative Institutions (Law No. 103, 1999); hereinafter the same) or a corporation designated by the Minister of Justice in the Official Gazette, which is managed by funds granted by the national government, a local government or an independent administrative institution.

1. The applicant must have a master's degree or at least 3 years' experience in an area of related research (including research conducted at a graduate school) after graduation from college (excluding graduation from a community or junior college) or an equivalent institution or at least 10 years' experience in an area of related research (including research conducted at a college).

2. The applicant must receive no less salary than a Japanese national would receive for comparable work.

Instructor

1. In cases where the applicant is to engage in instruction at a vocational school (kakushugakkou) or an educational institution equivalent to it in facilities and curriculum or in cases where the applicant is to engage in instruction at another school in a capacity other than that of a teacher, the following conditions are to be fulfilled. In cases where the applicant is to engage in instruction at a vocational school or an educational institution equivalent to it in facilities and curriculum which is established to provide primary or secondary education in a foreign language to the children of those with the status of residence "Diplomat" or "Official" given in Annexed Table I (1) of the Act or "Dependent" given in Annexed Table I (4) of the Act, only requirement a) need be fulfilled.

a. The applicant must have graduated from or completed a course at a college or acquired equivalent education, or must hold a license to teach the subject that he intends to teach in Japan.

b. When the applicant is to teach a foreign language, he must have acquired education in that language for at least 12 years. When the applicant is to teach other subjects, he must have at least 5 years' teaching experience in that subject.

2. The applicant must receive no less salary than a Japanese national would receive for comparable work.

Engineer

The following conditions are to be fulfilled, except in cases where the applicant is to engage in a job that requires skills and/or knowledge concerning information processing, and has passed the examination on information processing skills that is designated by the Minister of Justice in the Official Gazette or has obtained the qualification on information processing skills that is designated by the Minister of Justice in the Official Gazette, in which case the condition provided in Item 1 need not be fulfilled.

1. The applicant must have graduated from or completed a course at a college or acquired equivalent education majoring in a subject relevant to the skills and/or knowledge necessary for performing the job concerned, or the applicant must have at least 10 years' experience (including the period of time spent studying the relevant skills and/or knowledge at a college, college of technology (koutousenmongakkou), upper secondary school, the latter course of a secondary educational school (chutokyouikugakkou) or during a specialized course of study at an advanced vocational school (senshugakkou)).

2. The applicant must receive no less salary than a Japanese national would receive for comparable work.

Specialist in Humanities / International Services

The following conditions are to be fulfilled, unless the applicant is to engage in business related to representation in association with the procedures for an international arbitration case, and falls under Article 58-2 of the Special Measures Law Concerning the Handling of Legal Business by Foreign Lawyers (Law No. 66 of 1986).

1. In cases where the applicant is to engage in a job requiring knowledge in the humanities, he must have graduated from or completed a course at a college or acquired equivalent education majoring in a subject relevant to the knowledge necessary for performing the job concerned, or have at least 10 years' experience (including the period of time spent obtaining the relevant knowledge at a college, college of technology (koutousenmongakkou), upper secondary school, the latter course of a secondary educational school (chutokyouikugakkou) or during a specialized course of study at an advanced vocational school (senshyugakkou)).

2. In cases where the applicant is to engage in a job requiring specific ways of thinking or sensitivity based on experience with a foreign culture, the following conditions are to be fulfilled.

a. The applicant must engage in translation, interpretation, instruction in languages, copywriting, public relations, overseas transactions, fashion or interior design, product development or other similar work.

b. The applicant must have at least 3 years' experience in the relevant job, except in cases where the applicant who has graduated from college is to engage in translation, interpretation or instruction in languages.

3. The applicant must receive no less salary than a Japanese national would receive for comparable work.

Intra-company Transferee

The following conditions are to be fulfilled.

1. The applicant must have been employed at the main office, branch office or other office outside of Japan for at least 1 year immediately prior to the transfer to Japan while engaging in a job which falls under the categories of "Engineer" or "Specialists in Humanities/International Services" specified in Annexed Table I (2) of the Act.

2. The applicant must receive no less salary than a Japanese national would receive for comparable work.

Entertainer

1. In cases where the applicant is to engage in public entertainment consisting of theatrical performances or musical performances the following conditions are to be fulfilled, except for cases which are stipulated in Item 2.

a. The applicant must fulfill one of the following requirements for the type of performance in which he is to engage, except in cases where the total receipt for the applicant's performances (if a group performance then the total receipt for the group) amounts to 5 million yen or more a day.

(1) Deleted

(2) The applicant must have spent a minimum of 2 years at a foreign educational institution majoring in subjects relevant to the type of performance in which he is to engage.

(3) The applicant must have a minimum of 2 years' experience outside Japan in the type of performance in which he is to engage.

b. The applicant must in theatrical or musical performances on the basis of a contract (limited to one that clearly specifies that the organization concerned bears the obligation of making a payment of at least 200,000 yen per month to the applicant; hereinafter referred to as "performance contract" in this item) with an organization in Japan which meets the following requirements. However, this does not apply when the applicant is to engage in musical performances of ethnic music at an ethnic restaurant other than restaurants classified as places operating an entertainment business under Article 2, Paragraph 1, Item 1 or 2 of the Law on Control and Improvement of Amusement and Entertainment Business (Law No. 122 of 1948) (hereinafter referred to as "Entertainment Business Law") with receipt of payment of at least 200,000 yen per month on the basis of a contract with an organization which manages the restaurant concerned.

(1) The operator or the manager of the organization must have at least 3 years' experience in public entertainment involving foreign nationals.

(2) The organization must employ at least 5 full-time employees in Japan.

(3) The operator or the regular employees of the organization must not fall under any one of the following categories.

(i) A person who has committed trafficking in persons or instigated or aided another to commit it.

(ii) A person who has committed the act specified in Article 73-2, Paragraph 1, Item 1 or 2 of the Act or the act of mediating specified in Item 3 of the said paragraph in the past 5 years.

(iii) A person who has forged or altered a document or drawing, has prepared a false document or drawing, or has used, possessed, transferred or lent a forged or altered document or drawing or false document or drawing, or has arranged the transfer or lending thereof with the intent of helping a foreign national illegally receive issuance of a certificate, an endorsement stamp of permission for landing or special permission under the provisions of Chapter III, Section I or II of the Act, permission for landing under the provisions of Section IV of the said chapter or permission under the provisions of Chapter IV, Section I or Chapter V, Section III of the Act, in connection with the business activities of the organization concerned, in the past 5 years.

(iv) A person who has been punished for violation of the provisions of Article 74 to 74-8 of the Act, or Article 6 to 13 of the Anti-Prostitution Act (Law No. 118 of 1956) and for whom 5 years have not yet passed following completion of the sentence or since the date of remission of the execution of the sentence.

(v) A person who is a member of an organized crime group under the provisions of Article 2, Item 6 of the Law Concerning Prevention of Unjust Acts by Organized Crime Group Members (Law No.77 of 1991) or for whom 5 years have not yet passed since leaving an organized crime group.

(4) The organization must make payment of the entire amount of the salary, which it has the obligation to pay to the foreign nationals residing in Japan under the status of residence of “Entertainer” on the basis of performance contracts concluded by the organization in the past 3 years.

c. The facility at which the theatrical or musical performances related to the application are to take place must meet the following requirements. In cases where there are no foreign nationals at the facility with the status of residence of “Entertainer” engaging in entertainment activities other than the applicant, the facility must meet the requirement in (6).

(1) The audience for the performance must not be limited to any specific groups or individuals.

(2) In cases where the facility falls, under Article 2, Paragraph 1, Item 1 or 2 of the Entertainment Business Law, the following conditions are to be fulfilled.

(i) There must be a minimum of 5 employees whose duties are primarily serving customers (the definition of “serving customers” as under the provisions of Article 2, Paragraph 3 of the Entertainment Business Law; hereinafter the same).

(ii) It must be clear that the foreign performers holding the status of residence of “Entertainer” are not required to take part in serving customers.

(3) There must be a stage of at least 13 square meters.

(4) There must be a waiting room for the entertainers of at least 9 square meters. If the number of entertainers is greater than 5, there must be an additional 1.6 square meters for every additional entertainer.

(5) There must be at least 5 employees at the facility.

(6) The operator of the organization which manages the facility concerned or the regular employees who engage in the operations of the facility concerned must not fall under any one of the following categories.

(i) A person who has committed trafficking in persons or instigated or aided another to commit it.

(ii) A person who has committed the act specified in Article 73-2, Paragraph 1, Item 1 or 2 of the Act or the act of mediating specified in Item 3 of the said paragraph in the past 5 years.

(iii) A person who has forged or altered a document or drawing, has prepared a false document or drawing, or has used, possessed, transferred or lent a forged or altered document or drawing or false document or drawing, or has arranged the transfer or lending thereof with the intent of helping a foreign national illegally receive issuance of a certificate, an endorsement stamp of permission for landing or special permission under the provisions of Chapter III, Section I or II of the Act, permission for landing under the provisions of Section IV of the said chapter or permission under the provisions of Chapter IV, Section I or Chapter V, Section III of the Act, in connection with the business activities of the organization concerned, in the past 5 years.

(iv) A person who has been punished for violation of the provisions of Article 74 to 74-8 of the Act, or Article 6 to 13 of the Anti-Prostitution Act and for whom 5 years have not yet passed following completion of the sentence or since the date of remission of the execution of the sentence.

(v) A person who is a member of an organized crime group or for whom 5 years have not yet passed since leaving an organized crime group.

2. When the applicant is to engage in theatrical or musical performances, he must fall under one of the following categories.

a. The applicant is to engage in theatrical or musical performances organized by the national government, a local government or a corporation established directly in accordance with Japanese laws or a corporation established in accordance with a Japanese special law through special acts of establishment, or in theatrical or musical performances conducted at a school, an advanced vocational school or a vocational school provided for under the provisions of the Schools Act (Law No. 26 of 1947).

b. The applicant is to engage in theatrical or musical performances organized by a public or private organization in Japan which has been established with funds from the national government, a local government or an independent administrative institution for the purpose of cultural exchange between Japan and foreign countries.

c. The applicant is to engage in theatrical or musical performances at a facility of 100,000 square meters or more where theatrical or musical performances by foreign nationals are regularly shown in order to attract potential tourists with the theme of foreign settings or culture.

d. The applicant is to engage in theatrical or musical performances at a facility where food and drink are not served for profit to the seated audience and where serving

customers does not take place (limited to one managed by a public or private non-profit organization in Japan or one with a seating capacity of 100 or more).

e. The applicant is to receive a salary of 500,000 yen or more a day for performances concerned (if it is a group performance, then the group's total receipt must be this amount) and to reside in Japan for a period not exceeding 15 days to engage in theatrical or musical performances.

3. In cases where the applicant is to engage in public entertainment other than theatrical or musical performances, he must receive no less a salary than a Japanese national would receive for comparable work.

4. In cases where the applicant is to engage in show business other than public entertainment, he must engage in one of the following activities and must receive no less salary than a Japanese national would receive for comparable work.

- a. Activities relating to the advertisement of goods or business
- b. Activities relating to the production of broadcast programs (including cable broadcast programs) or movies
- c. Activities relating to the taking of commercial-use photographs
- d. Activities for recording sound or images on commercial-use records, videotapes or other recording media

Skilled Labor

The applicant must fall under one of the following categories and must receive no less salary than a Japanese national would receive for comparable work.

1. A person with at least 10 years' experience in preparing cuisine or producing foods that originated overseas and is foreign to Japan (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills (excluding the foreign nationals cited in Item 9).

2. A person with at least 10 years' experience in architecture or civil engineering characteristic to foreign countries (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills. (If the person concerned is to engage in a job under the guidance of a person who has at least 10 years' experience, experience of 5 years will be accepted in lieu of 10 years.)

3. A person with at least 10 years' experience in the manufacture or repair of products special to foreign countries (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills.

4. A person with at least 10 years' experience in the processing of gems, precious stones or fur (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills.

5. A person with at least 10 years' experience in training animals (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills.

6. A person with at least 10 years' experience in seabed digging for oil exploration or digging for development of terrestrial heat or a study of the seabed for minerals exploration (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who is to engage in a job requiring such skills.

7. A person with at least 1,000 hours' experience in piloting an aircraft who is to engage in a job as a pilot of an aircraft used for air transport provided for by Article 2, Paragraph 17 of the Aviation Act (Law No. 231 of 1947).

8. A person with at least 3 years' experience in instructing sport (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned and engaging in the sport with remuneration) who is to engage in a job requiring such skills or a person who has competed in an international event such as the Olympics or World Championships and is to engage in a job requiring such skills concerning instruction in the sport.

9. A person with at least 5 years' experience in assessing, evaluating, and maintaining the quality of wine, and providing wine (hereinafter referred to as "wine assessment") (including the period of time spent studying at educational institutions in a foreign country while majoring in the skills concerned) who falls under one of the following categories and is to engage in a job requiring such skills.

a. A person who has achieved excellence in a contest concerning skills for wine assessment held on an international scale (hereinafter referred to as "international sommelier contest").

b. A person who has entered an international sommelier contest (limited to those that restrict the number of contestants to one per country).

c. A person who has a qualification for skills concerning wine assessment that is certified by a national or local government (including a foreign government), or a public or private organization equivalent thereto and is designated by the Minister of Justice in the Official Gazette.

College Student

1. The applicant must fall under one of the following categories.

a. The applicant must study at a college or an equivalent educational institution, a specialized course of study at an advanced vocational school (senshugakkou), an educational institution specializing in preparing persons who have completed 12 years of education at schools in foreign countries to enter a Japanese college, or a college of technology (koutousenmongakkou), excluding cases where the applicant is to study solely at a night school or through correspondence courses.

- b. The applicant must enter a college in Japan and study solely at a night school for a course offered by a graduate school which holds classes at the college concerned at night (limited to cases where the college concerned has an adequate system to manage the attendance of foreign nationals who study at the graduate school and their compliance with the provisions of Article 19, Paragraph 1 of the Act).
2. The applicant must have sufficient assets, a scholarship or other means of support to meet his expenses while in Japan, unless someone else is to pay the applicant's expenses.
3. In cases where the applicant is to attend courses as a research student or auditor who is to study solely by auditing, he must be enrolled as such through some form of examination by the authorities of the educational institution concerned and must attend at least 10 hours a week.
4. In cases where the applicant is to enroll in a specialized course of study at an advanced vocational school (senshyugakkou) (excluding study solely of the Japanese language), the following requirements are to be fulfilled.
 - a. The applicant must have studied the Japanese language for at least 6 months at one of the Japanese language institutions designated by the Minister of Justice in the Official Gazette, have proved through some form of examination that he has the ability to sufficiently understand the Japanese language to pursue a course of study at an advanced vocational school, or have studied for at least 1 year at one of the schools (excluding kindergartens) provided for by the provision of Article 1 of the Schools Act (Law No. 26 of 1947).
 - b. The advanced vocational school concerned must have a full-time foreign student adviser assisting foreign students with living in Japan.
5. In cases where the applicant is to study solely the Japanese language in a specialized course of study at an advanced vocational school, the school concerned must be one of the Japanese language institutions designated by the Minister of Justice in the Official Gazette.
6. In cases where the applicant is to study at an educational institution specializing in preparing persons who have completed 12 years of education at schools in foreign countries to enter a Japanese college, the educational institution concerned must be one designated as such by the Minister of Justice in the Official Gazette.

Pre-college Student

1. The applicant must study at an upper secondary school (including the latter course of a secondary educational school (chutoukyouikugakkou); hereinafter in this section "high school" is to include "the latter course of a secondary educational school"), its equivalent for the blind or other disabled persons, a higher or general course of study at an advanced vocational school (senshyugakkou) or a vocational school (kakushugakkou) or any other educational institution equivalent to a vocational school in its facilities and curriculum, excluding cases where the applicant studies only at a night school or through correspondence courses.

2. The applicant must have sufficient assets, a scholarship, or other means of support to meet his expenses while in Japan, unless someone else is to pay the applicant's expenses.

3. In cases where the applicant is to study at an upper secondary school, he must be at the age of 20 years or under and must have studied the Japanese language for at least 1 year at an educational institution, unless he is accepted for study through a student exchange program or other equivalent international exchange program of the national government, a local government, independent administrative institution, educational foundation or non-profit foundation.

4. In cases where the applicant is to study at a higher or general course of study at an advanced vocational school, or at a vocational school (excluding study solely of the Japanese language), the following conditions are to be fulfilled, except in cases where the applicant is to engage in study at an educational institution that has been established for enrollment of a considerable number of foreign nationals from foreign countries and provides primary or secondary education in a foreign language, in which case the condition provided in a) need not be fulfilled.

a. The applicant must have studied the Japanese language for at least 6 months at one of the Japanese language institutions designated by the Minister of Justice in the Official Gazette, have proved through some form of examination that he has the ability to sufficiently understand the Japanese language to pursue a course of study at an advanced vocational school or other vocational school or have studied for at least 1 year at one of the schools (excluding kindergartens) provided for by the provisions of Article 1 of the Schools Act (Law No. 26 of 1947).

b. The advanced vocational school or the vocational school concerned must have a full-time adviser assisting foreign students with living in Japan.

5. In cases where the applicant is to study at an educational institution equivalent to a vocational school in its facilities and curriculum (excluding study solely of the Japanese language), the institution concerned must be designated as such by the Minister of Justice in the Official Gazette.

6. In cases where the applicant is to study solely the Japanese language in a higher or general course of study at an advanced vocational school, at a vocational school, or at an educational institution equivalent to a vocational school in its facilities and curriculum, the educational institution concerned must be one of the Japanese language institutions designated by the Minister of Justice in the Official Gazette.

Trainee

1. The technology, skills and/or knowledge that the applicant is to obtain in Japan must not be technology, skills and/or knowledge that could be obtained mostly through the repetition of simple work.

2. The applicant must be at least 18 years of age and is expected to engage in a job

requiring the technology, skills and/or knowledge obtained in Japan after returning to his country of nationality or habitual residence.

3. It must be impossible or difficult for the applicant to obtain the desired technology, skills and/or knowledge in the country where he resides.

4. The proposed training must be conducted under the guidance of a person who is a full-time employee of the public or private organization accepting the trainee concerned (hereinafter referred to as the “accepting organization”) and who has at least 5 years’ experience in the technology, skills and/or knowledge concerned.

5. In cases where the training program scheduled by the accepting organization includes on-the-job training (training intended to impart the technology, skills and/or knowledge through actual performance of goods production or services provision with remuneration), the following conditions are to be fulfilled, unless the applicant participates in the training program provided in 6-2. However, these conditions need not be fulfilled in cases where the applicant is invited by the national government, a local government or an independent administrative institution, or in cases where he falls under the cases designated by the Minister of Justice in the Official Gazette.

a. Housing for trainees must be secured (including cases where a mediating organization concerned in the proposed training is securing the housing).

b. The training facility must be insured.

c. The accepting organization must be inviting trainees at a ratio of 1/20 trainees or less, including the applicant, to each full-time employee.

d. The accepting organization must have an adviser to assist trainees with living in Japan.

e. Measures to cope with the death, accident or sickness of trainees during the training such as private insurance or other means (excluding the Workers’ Accident Compensation Insurance) must be provided (including cases where a mediating organization concerned in the proposed training is taking such measures).

f. Safety and sanitation measures in respect to the training facilities must be secured in accordance with the provisions of the Labor Safety and Sanitation Act (Law No. 57 of 1972).

6. In cases where the training program scheduled by the accepting organization includes on-the-job training, the applicant must be a full-time employee of one of the following organizations and be dispatched from it, unless the applicant participates in the training program provided in the following item. However, this requirement need not be fulfilled in cases where the applicant is accepted for the training of overseas staff who will be working at that organization’s foreign joint venture or local subsidiary, subject to the condition that the establishment of a joint venture or subsidiary has been recognized by the competent authorities, in cases where the applicant is invited by the national government, a local government or an independent administrative institution, or in cases where the applicant falls under the cases designated by the Minister of Justice in the Official Gazette.

a. The national government, local government or public corporation

- b. Joint ventures or affiliated companies of the accepting organization
- c. Organizations which have conducted business transactions with the accepting organization for at least 1 year or with a total of at least 1 billion yen within 1 year.

6-2 In cases where the applicant is to participate in the training program designated by the Minister of Justice in the Official Gazette, the following conditions are to be fulfilled.

- a. The accepting organization must fall under all of the conditions provided for in a), b), and d) to f) of Item 5.
- b. The number of trainees being accepted by the accepting organization, including the applicant, is not to exceed the total number of full-time employees at the organization, and is to be within the number of trainees cited in the right-hand column of the following table according to the relevant total number cited in the left-hand column of the said table. However, in cases where the accepting organization engages in agriculture, the number of trainees being accepted by the organization is not to exceed two, including the applicant.

Total No. of Full-time Employees at the Accepting Organization	Number of Trainees
Over 301	Within 1/20 of the total number of full-time employees
201 to 300	15
101 to 200	10
51 to 100	6
Up to 50	3

7. In cases where the applicant is to participate in on-the-job training, the period for that on-the-job training must be two thirds of the total training program or less (in cases where there are two or more accepting organizations, the time spent in each training program separately must be added together).

8. The accepting organization, the operator, the manager, the person supervising the training and the adviser of the accepting organization must not have committed misconduct in the training of foreign nationals in the past 3 years (including cases where the trainee invited under a training program that does not include on-the-job training has been made to participate in on-the-job training).

9. In cases where an organization, other than the Japanese Government, a local government or an independent administrative institution, is mediating the training, the organization concerned must not be a profit-making organization. Furthermore, the concerned organization, the operator or the full-time employees must not have committed misconduct relating to the training of foreign nationals in the past 3 years.

Dependent

The applicant must be a dependent of a person residing in Japan with a status of residence given in Annexed Table I (1) or (2) of the Immigration Control and Refugee Recognition Act or with the status of residence of “Cultural Activities” or “College Student”.