

雇用保険法

Employment Insurance Act

昭和四十九年十二月二十八日法律第百十六号

Act No. 116 of December 28, 1974

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第一章 総則

Chapter I General Provisions

（目的）

(Purpose)

第一条

雇用保険は、労働者が失業した場合及び労働者について雇用の継続が困難となる事由が生じた場合に必要な給付を行うほか、労働者が自ら職業に関する教育訓練を受けた場合に必要な給付を行うことにより、労働者の生活及び雇用の安定を図るとともに、求職活動を容易にする等その就職を促進し、あわせて、労働者の職業の安定に資するため、失業の予防、雇用状態の是正及び雇用機会の増大、労働者の能力の開発及び向上その他労働者の福祉の増進を図ることを目的とする。

Article 1 The purpose of the Employment Insurance is to stabilize the standard of living and employment of workers by providing necessary benefits for workers who are unemployed, who are having trouble continuing employment or who are receiving job-related training, and to facilitate their job-seeking activities, as well as to prevent unemployment, redress the employment situation, increase employment opportunities, develop and improve the capacity of workers, and promote their welfare, so as to contribute to their employment security.

（管掌）

(Administration)

第二条 雇用保険は、政府が管掌する。

Article 2 (1) The Employment Insurance shall be administered by the government.

2

雇用保険の事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

(2) Part of the administration of the Employment Insurance may be delegated to prefectural governors pursuant to the provisions of a Cabinet Order.

（雇用保険事業）

(Employment Insurance Services)

第三条

雇用保険は、第一条の目的を達成するため、失業等給付を行うほか、雇用安定事業及び能力開発事業を行うことができる。

Article 3 In order to achieve the purposes referred to in Article 1, the Employment Insurance may, in addition to granting benefits for unemployment, etc. undertake services for the stabilization of employment and services for human resources development.

(定義)

(Definitions)

第四条

この法律において「被保険者」とは、適用事業に雇用される労働者であつて、第六条各号に掲げる者以外のものをいう。

Article 4 (1) The term "insured person" as used in this Act means a worker who is employed in a covered undertaking other than the person listed in each item of Article 6.

2

この法律において「離職」とは、被保険者について、事業主との雇用関係が終了することをいう。

(2) The term "separation from employment" as used in this Act means the termination of the employment relationship between an insured person and the business operator.

3

この法律において「失業」とは、被保険者が離職し、労働の意思及び能力を有するにもかかわらず、職業に就くことができない状態にあることをいう。

(3) The term "unemployment" as used in this Act means the conditions under which an insured person is separated from employment and is unable to find employment in spite of having the will and ability to work.

4

この法律において「賃金」とは、賃金、給料、手当、賞与その他名称のいかんを問わず、労働の対償として事業主が労働者に支払うもの（通貨以外のもので支払われるものであつて、厚生労働省令で定める範囲外のものを除く。）をいう。

(4) The term "wage" as used in this Act means the wage, salary, allowance, bonus and all other payments to the worker from the business operator as remuneration for labor under whatever name such remuneration is known (excluding wages that are paid in anything other than currency and are outside the scope specified by an Ordinance of the Ministry of Health, Labour and Welfare).

5

賃金のうち通貨以外のもので支払われるものの評価に関して必要な事項は、厚生労働省令で定める。

(5) Necessary matters pertaining to the evaluation of the wages paid to a worker other than in currency shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

第二章 適用事業等

Chapter II Covered Undertakings, etc.


(適用事業)

(Covered Undertakings)

第五条 この法律においては、労働者が雇用される事業を適用事業とする。

Article 5 (1) In this Act, undertakings in which a worker(s) is employed shall be covered undertakings.

2

適用事業についての保険関係の成立及び消滅については、[労働保険の保険料の徴収等に関する法律](#)（昭和四十四年法律第八十四号。以下「徴収法」という。）の定めるところによる。 

(2) The commencement and expiration of the insurance effect for the covered undertakings are as prescribed by the Act on the Collection of Premiums on Labor Insurance (Act No. 84 of 1969, hereinafter referred to as the "Premiums Collection Act").

(適用除外)

(Exclusions from Application)

第六条 次の各号に掲げる者については、この法律は、適用しない。

Article 6 This Act does not apply to those listed in the following items:

一

六十五歳に達した日以後に雇用される者（同一の事業主の適用事業に同日の前日から引き続き六十五歳に達した日以後の日において雇用されている者及びこの法律を適用することとした場合において第三十八条第一項に規定する短期雇用特例被保険者又は第四十三条第一項に規定する日雇労働被保険者に該当することとなる者を除く。）

(i) Persons who are employed on or after the day on which they reached 65 years of age (excluding those employed on or after the day on which they reached 65 years of age who have been continuously employed in a covered undertaking by the same business operator from the day before the day on which they reached 65 years of age and those who would, where this Act is deemed to apply, fall under specially insured persons in short-term employment prescribed in paragraph (1) of Article 38 or under insured day workers prescribed in paragraph (1) of Article 43);

一の二

短時間労働者（一週間の所定労働時間が、同一の適用事業に雇用される通常の労働者の一週間の所定労働時間に比し短く、かつ、厚生労働大臣の定める時間数未満である者をいう。第十三条第一項第一号において同じ。）であつて、第三十八条第一項各号に掲げる者に該当するもの（この法律を適用することとした場合において第四十三条第一項に規定する日雇労働被保険者に該当することとなる者を除く。）

(i)-2 Part-time workers who fall under those listed in each item of paragraph (1) of Article 38 (meaning those whose prescribed weekly working hours are shorter than the prescribed weekly working hours of ordinary workers employed in the same covered undertaking and fewer than the number of hours specified by the Minister of Health, Labour and Welfare; the same shall apply in item (i) of paragraph (1) of Article 13 and excluding those who would, where this Act is deemed to apply, fall under insured day workers prescribed in paragraph (1) of Article 43);

一の三

第四十二条に規定する日雇労働者であつて、第四十三条第一項各号のいずれにも該当しないもの（厚生労働省令で定めるところにより公共職業安定所長の認可を受けた者を除く。）

(i)-3 Day workers prescribed in Article 42 who do not fall under any of the items of paragraph (1) of Article 43 (excluding those who have obtained approval from the Chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare);

二 四箇月以内の期間を予定して行われる季節的事業に雇用される者

(ii) Persons who are employed in a seasonal undertaking scheduled for a period not exceeding four months;

三

[船員保険法](#)（昭和十四年法律第七十三号）第十七条の規定による船員保険の被保険者

(iii) Insured persons under mariners insurance pursuant to the provision of Article 17 of the [Mariners Insurance Act](#) (Act No. 73 of 1939);

四

国、都道府県、市町村その他これらに準ずるものの事業に雇用される者のうち、離職した場合に、他の法令、条例、規則等に基づいて支給を受けるべき諸給与の内容が、求職者給付及び就職促進給付の内容を超えると認められる者であつて、厚生労働省令で定めるもの

(iv) Persons who are employed by the national, prefectural or municipal governments or in the undertakings of equivalent bodies and who would, in the case of separation from employment, be qualified to receive payment, based on other laws and regulations, ordinances and rules, etc., of benefits that are deemed to exceed the level of job applicant benefits and employment promotion benefits and who are specified by an Ordinance of the Ministry of Health, Labour and Welfare.

(被保険者に関する届出)

(Notification concerning Insured Persons)

第七条

事業主（徴収法第八条第一項又は第二項の規定により元請負人が事業主とされる場合にあつては、当該事業に係る労働者のうち元請負人が雇用する労働者以外の労働者については、当該労働者を雇用する下請負人。以下同じ。）は、厚生労働省令で定めるところにより、その雇用する労働者に関し、当該事業主の行う適用事業（同条第一項又は第二項の規定により数次の請負によつて行われる事業が一の事業とみなされる場合にあつては、当該事業に係る労働者のうち元請負人が雇用する労働者以外の労働者については、当該請負に係るそれぞれの事業。以下同じ。）に係る被保険者となつたこと、当該事業主の行う適用事業に係る被保険者でなくなつたことその他厚生労働省令で定める事項を厚生労働大臣に届け出なければならない。当該事業主から徴収法第三十三条第一項の委託を受けて同項に規定する労働保険事務の一部として前段の届出に関する事務を処理する同条第三項に規定する労働保険事務組合（以下「労働保険事務組合」という。）についても、同様とする。

Article 7 Pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, a business operator (where the original contractor is regarded as the business operator pursuant to the provisions of paragraph (1) or paragraph (2) of Article 8 of the Premiums Collection Act, with regard to those workers engaged in said undertaking other than those employed by the original contractor, the sub-contractor who employs said workers; the same shall apply hereinafter) shall notify the Minister of Health, Labour and Welfare of the fact that workers he/she employs have become insured persons or ceased to be insured persons, with regard to a covered undertaking (where a series of undertakings carried out by means of successive contracts is regarded as a single undertaking pursuant to the provisions of paragraph (1) or paragraph (2) of Article 8, with regard to those workers engaged in said undertaking other than those employed by the original contractor, each undertaking pertaining to said successive contracts; the same shall apply hereinafter) carried out by said business operator and of other matters specified by an Ordinance of the Ministry of Health, Labour and Welfare. The same shall apply to a labor insurance affairs association prescribed in paragraph (3) of Article 33 of the Premiums Collection Act that manages affairs relating to the notifications referred to in the first sentence of this Article on behalf of said business operator, pursuant to paragraph (1) of Article

33 of the Premiums Collection Act, as part of the labor insurance-related affairs prescribed in the same paragraph (hereinafter referred to as a "labor insurance affairs association").

(確認の請求)

(Demand for Confirmation)

第八条

被保険者又は被保険者であつた者は、いつでも、次条の規定による確認を請求することができる。

Article 8 Any person who is or was an insured person may at any time demand confirmation under the provisions of the following Article.

(確認)

(Confirmation)

第九条

厚生労働大臣は、第七条の規定による届出若しくは前条の規定による請求により、又は職権で、労働者が被保険者となつたこと又は被保険者でなくなつたことの確認を行うものとする。

Article 9 (1) Confirmation of the fact that workers have become insured persons or the fact that workers have ceased to be insured persons shall be made by the Minister of Health, Labour and Welfare based on a notification under the provision of Article 7 or a demand under the provision of the preceding Article, or on his/her authority.

2

前項の確認については、[行政手続法](#)（平成五年法律第八十八号）第三章（第十二条及び第十四条を除く。）の規定は、適用しない。

(2) With regard to the confirmation referred to in the preceding paragraph, the provisions of Chapter III (excluding Articles 12 and 14) of the [Administrative Procedure Act](#) (Act No. 88 of 1993) do not apply.

第三章 失業等給付

Chapter III Benefits for Unemployment, etc.

第一節 通則

Section 1 General Rules

(失業等給付)

(Benefits for Unemployment, etc.)

第十条

失業等給付は、求職者給付、就職促進給付、教育訓練給付及び雇用継続給付とする。

Article 10 (1) Benefits for Unemployment, etc. shall consist of the job applicant benefits, employment promotion benefits, educational training benefits and continuous employment benefits.

2 求職者給付は、次のとおりとする。

(2) The job applicant benefits shall consist of the following:

一 基本手当

(i) Basic allowance;

二 技能習得手当

(ii) Skill acquisition allowance;

三 寄宿手当

(iii) Lodging allowance;

四 傷病手当

(iv) Injury and disease allowance.

3

前項の規定にかかわらず、第三十七条の二第一項に規定する高年齢継続被保険者に係る求職者給付は、高年齢求職者給付金とし、第三十八条第一項に規定する短期雇用特例被保険者に係る求職者給付は、特例一時金とし、第四十三条第一項に規定する日雇労働被保険者に係る求職者給付は、日雇労働求職者給付金とする。

(3) Notwithstanding the provisions of the preceding paragraph, the job applicant benefits for the continuously insured elderly prescribed in paragraph (1) of Article 37-2 shall be the job applicant benefits for the elderly, the job applicant benefits for specially insured persons in short-term employment prescribed in paragraph (1) of Article 38 shall be a special lump sum payment, and the job applicant benefits for the insured day workers prescribed in paragraph (1) of Article 43 shall be the job applicant benefits for day workers.

4 就職促進給付は、次のとおりとする。

(4) The employment promotion benefits shall consist of the following:

一 就業促進手当

(i) Employment promotion allowance;

二 移転費

(ii) Moving expenses;

三 広域求職活動費

(iii) Wide area job-seeking activity expenses.

5 教育訓練給付は、教育訓練給付金とする。

(5) The educational training benefits shall consist of payment for the educational training benefits.

6 雇用継続給付は、次のとおりとする。

(6) The continuous employment benefits shall consist of the following:

一

高年齢雇用継続基本給付金及び高年齢再就職給付金（第六節第一款において「高年齢雇用継続給付」という。）

(i) Basic continuous employment benefits for the elderly and re-employment benefits for the elderly (hereinafter referred to as "continuous employment benefits for the elderly" in Subsection 1 of Section 6);

二

育児休業基本給付金及び育児休業者職場復帰給付金（第六節第二款において「育児休業給付」という。）

(ii) Basic childcare leave benefits and re-engagement benefits for persons taking childcare leave (hereinafter referred to as "childcare leave benefits" in Subsection 2 of Section 6);

三 介護休業給付金

(iii) Family care leave benefits.

（就職への努力）

(Efforts to Find Employment)

第十条の二

求職者給付の支給を受ける者は、必要に応じ職業能力の開発及び向上を図りつつ、誠実かつ熱心に求職活動を行うことにより、職業に就くように努めなければならない。

Article 10-2 A person who receives payment of the job applicant benefits shall endeavor to find employment by carrying out job-seeking activities sincerely and earnestly, while endeavoring to develop and improve his/her vocational skills as necessary.

(未支給の失業等給付)

(Unpaid Benefits for Unemployment, etc.)

第十条の三

失業等給付の支給を受けることができる者が死亡した場合において、その者に支給されるべき失業等給付でまだ支給されていないものがあるときは、その者の配偶者（婚姻の届出をしていないが、事実上婚姻関係と同様の事情にあつた者を含む。）、子、父母、孫、祖父母又は兄弟姉妹であつて、その者の死亡の当時その者と生計を同じくしていたものは、自己の名で、その未支給の失業等給付の支給を請求することができる。

Article 10-3 (1) In the case where a person qualified to receive payment of the benefits for unemployment, etc. has died and part of the benefits remains unpaid, his/her spouse (including a person in a de facto marital relationship with said person, where the marriage has not been registered), children, parents, grandchildren, grandparents and brothers or sisters, who had shared a livelihood with said person at the time of that person's death, may demand payment of said unpaid part of the benefits for unemployment, etc. in their own names.

2

前項の規定による未支給の失業等給付の支給を受けるべき者の順位は、同項に規定する順序による。

(2) The order of priority in which persons should receive the unpaid part of the benefits for unemployment, etc. pursuant to the provisions of the preceding paragraph, shall be as prescribed in the same paragraph.

3

第一項の規定による未支給の失業等給付の支給を受けるべき同順位者が二人以上あるときは、その一人のした請求は、全員のためその全額につきしたものとみなし、その一人に対してした支給は、全員に対してしたものとみなす。

(3) In the case where there are two or more persons of the same rank in the order of priority in which persons are to receive the unpaid part of the benefits for unemployment, etc. pursuant to the provisions of paragraph (1), a demand made by any one of them shall be deemed to have been made on behalf of all of them with regard to the total amount claimable, and any payment made to one of them shall be deemed to have been made to all of them.

(返還命令等)

(Order to Return Benefits, etc.)

第十条の四

偽りその他不正の行為により失業等給付の支給を受けた者がある場合には、政府は、その者に対して、支給した失業等給付の全部又は一部を返還することを命ずることができ、また、厚生労働大臣の定める基準により、当該偽りその他不正の行為により支給を受けた失業等給付の額の二倍に相当する額以下の金額を納付することを命ずることができる。

Article 10-4 (1) In the case where a person has received payment of the benefits for unemployment, etc. by means of deceptive or other wrongful conduct, the government may order such person to return the whole or a part of the benefits for unemployment, etc. paid, and may, in accordance with the standards specified by the Minister of Health, Labour and Welfare, order

such person to pay the amount not exceeding an amount equivalent to twice the benefits that were received through deceptive or other wrongful conduct.

2

前項の場合において、事業主、職業紹介事業者等（[職業安定法](#)（昭和二十二年法律第百四十一号）第四条第七項に規定する職業紹介事業者又は業として同条第四項に規定する職業指導（職業に就こうとする者の適性、職業経験その他の実情に応じて行うものに限る。）を行う者（公共職業安定所その他の職業安定機関を除く。）をいう。以下同じ。）又は指定教育訓練実施者（第六十条の二第一項に規定する厚生労働大臣が指定する教育訓練を行う者をいう。以下同じ。）が偽りの届出、報告又は証明をしたためその失業等給付が支給されたものであるときは、政府は、その事業主、職業紹介事業者等又は指定教育訓練実施者に対し、その失業等給付の支給を受けた者と連帯して、前項の規定による失業等給付の返還又は納付を命ぜられた金額の納付をすることを命ずることができる。

(2) In the case referred to in the preceding paragraph, if benefits for unemployment, etc were paid due to a false notification, report or certification by the business operator, employment placement service provider, etc. (meaning an employment placement provider prescribed in paragraph (7) of Article 4 of the [Employment Security Act](#) (Act No. 141 of 1947) or a person who conducts vocational guidance (limited to such guidance as is conducted in accordance with the aptitude, vocational experiences, and other circumstances of a person seeking employment) prescribed in paragraph (4) of the same Article on a regular basis (excluding Public Employment Security Offices and other employment security agencies); the same shall apply hereinafter), or a practitioner of specified educational training (meaning a person who conducts educational training specified by the Minister of Health, Labour and Welfare under paragraph (1) of Article 60-2; the same shall apply hereinafter), the government may order said business operator, employment placement service provider, or practitioner of specified educational training to return the benefits for unemployment, etc., or pay an amount of money, as prescribed in the preceding paragraph, jointly or severally with the person who received payment of the benefits for unemployment, etc..

3

徴収法第二十六条及び第四十一条第二項の規定は、前二項の規定により返還又は納付を命ぜられた金額の納付を怠った場合に準用する。

(3) The provisions of Article 26 and paragraph (2) of Article 41 of the Premiums Collection Act shall apply mutatis mutandis to cases where the person concerned has failed to pay an amount of money whose return or payment has been ordered pursuant to the provisions of the preceding two paragraphs.

（受給権の保護）

(Protection of the Right to Receive Benefits)

第十一条

失業等給付を受ける権利は、譲り渡し、担保に供し、又は差し押えることができない。

Article 11 The right to receive benefits for unemployment, etc. may not be transferred nor offered as a security nor be subject to attachment.

（公課の禁止）

(Prohibition of Public Imposts)

第十二条

租税その他の公課は、失業等給付として支給を受けた金銭を標準として課することができない。

Article 12 Taxes and other public imposts may not be imposed based on the money received as benefits for unemployment, etc.

第二節 一般被保険者の求職者給付

Section 2 Job Applicant Benefits for Generally Insured Persons

第一款 基本手当

Subsection 1 Basic Allowance

(基本手当の受給資格)

(Recipient Qualification for the Basic Allowance)

第十三条

基本手当は、被保険者が失業した場合において、離職の日以前一年間（次の各号に掲げる被保険者については、当該各号に定める日数を一年に加算した期間（その期間が四年を超えるときは、四年間）。第十七条第一項において「算定対象期間」という。）に、次条の規定による被保険者期間が通算して六箇月以上であつたときに、この款の定めるところにより、支給する。

Article 13 (1) The basic allowance shall be paid pursuant to the provisions of this Subsection, where an insured person who becomes unemployed has been insured for a total period of six months or more during the one-year period preceding the day of separation from employment, pursuant to the provisions of the following Article (for insured persons listed in the following items, during the period of one year plus the number of days specified in said respective items (where the aggregate period exceeds four years, four years); referred to as the "period for calculation" in paragraph (1) of Article 17):

一

離職の日以前一年間に短時間労働者である被保険者（以下「短時間労働被保険者」という。）であつた期間がある被保険者

当該短時間労働被保険者となつた日（その日が当該離職の日以前一年間にならないときは、当該離職の日の一年前の日の翌日）から当該短時間労働被保険者でなくなつた日の前日までの日数

(i) For insured persons who have at one time been part-time workers (hereinafter referred to as "part-time insured persons") for a period during the one-year period preceding the day of separation from employment, the number of days from the day on which said person became a part-time insured worker (when that day is not within the one-year period preceding said day of separation from employment, from the day after the day one year preceding the day of separation) to the day before the day on which the person ceased to be a part-time insured worker;

二

離職の日以前一年間（前号に掲げる被保険者にあつては、同号に定める日数を一年に加算した期間）に疾病、負傷その他厚生労働省令で定める理由により引き続き三十日以上賃金の支払を受けることができなかつた被保険者

当該理由により賃金の支払を受けることができなかつた日数（同号に掲げる被保険者にあつては、その日数に同号に定める日数を加えた日数）

(ii) For insured persons who were continuously unable to receive payment of their wages for 30 days or more due to sickness or injury or for any other reason specified by an Ordinance of the Ministry of Health, Labour and Welfare during the one-year period preceding the day of separation from employment (for insured persons listed in the preceding item, for the period of one year plus the number of days specified in the same item), the number of days for which they were unable to receive payment of their wages for said reason (for insured persons listed in the preceding item, the number of days pursuant to this item plus the number of days specified in the preceding item).

2

被保険者が短時間労働被保険者に該当するかどうかの確認は、厚生労働大臣が行う。

(2) Confirmation as to whether an insured person falls under a part-time insured worker shall be made by the Minister of Health, Labour and Welfare.

(被保険者期間)

(Insured Period)

第十四条

被保険者期間は、被保険者であつた期間のうち、当該被保険者でなくなつた日又は各月においてその日に応当し、かつ、当該被保険者であつた期間内にある日（その日に応当する日がない月においては、その月の末日。以下この項において「喪失応当日」という。）の各前日から各前月の喪失応当日までさかのぼつた各期間（賃金の支払の基礎となつた日数が十四日以上であるものに限る。）を一箇月として計算し、その他の期間は、被保険者期間に算入しない。ただし、当該被保険者となつた日からその日後における最初の喪失応当日の前日までの期間の日数が十五日以上であり、かつ、当該期間内における賃金の支払の基礎となつた日数が十四日以上であるときは、当該期間を二分の一箇月の被保険者期間として計算する。

Article 14 (1) Each period (limited to those periods with 14 or more days based on which wages were paid) within the overall insured period when the person concerned was an insured person, counted backwards from the day on which said person ceased to be an insured person or from the day before each day that corresponds to that day in each month and is within the overall insured period (for months that do not have a day corresponding to that day, the last day of the month; hereinafter referred to as the "substitute corresponding day" in this paragraph), to the substitute corresponding day in each previous month shall be counted as a full month. Other periods shall not be included in the overall insured period. Provided, however, that, when the number of days in the period from the day on which said person became an insured person, to the day before the first substitute corresponding day thereafter, is 15 days or more and the number of days in the period based on which wages were paid is 14 days or more, said period shall be counted as an insured period of a half month.

2

被保険者であつた期間が短時間労働被保険者であつた期間である場合における前項の規定の適用については、同項中「十四日」とあるのは「十一日」と、「一箇月として」とあるのは「二分の一箇月として」と、「二分の一箇月」とあるのは「四分の一箇月」とする。

(2) With regard to the application of the provisions of the preceding paragraph in the case where the insured period is a period in which the person concerned was a part-time insured

worker, the terms "14 days", "a full month" and "a half month" in the same paragraph shall be deemed to be replaced with "11 days", "a half month" and "a quarter of a month", respectively.

3

前二項の規定により被保険者期間を計算する場合において、次の各号に掲げる期間は、前二項に規定する被保険者であつた期間に含めない。

(3) The periods listed in each of the following items shall not be included when calculating the period in which the person concerned was an insured person prescribed in the preceding two paragraphs pursuant to the provisions of the preceding two paragraphs:

一

最後に被保険者となつた日前に、当該被保険者が受給資格（前条第一項の規定により基本手当の支給を受けることができる資格をいう。次節から第四節までを除き、以下同じ。）第三十七条の三第二項に規定する高年齢受給資格又は第三十九条第二項に規定する特例受給資格を取得したことがある場合には、当該受給資格、高年齢受給資格又は特例受給資格に係る離職の日以前における被保険者であつた期間

(i) In the case where the person concerned had obtained recipient qualification (meaning qualification for receiving the basic allowance pursuant to the provisions of paragraph (1) of the preceding Article; the same shall apply hereinafter, except in the following Section to Section 4), the recipient qualification for the elderly prescribed in paragraph (2) of Article 37-3 or the special recipient qualification prescribed in paragraph (2) of Article 39, before the day on which he/she most recently became an insured person, the period during which he/she was an insured person preceding the day of separation from employment pertaining to said recipient qualification, recipient qualification for the elderly or special recipient qualification;

二

第九条の規定による被保険者となつたことの確認があつた日の二年前の日以前における被保険者であつた期間

(ii) The period when the person concerned was an insured person before the day two years preceding the day on which it was confirmed that the person had become an insured person pursuant to the provisions of Article 9.

(失業の認定)

(Recognition of Unemployment)

第十五条

基本手当は、受給資格を有する者（次節から第四節までを除き、以下「受給資格者」という。）が失業している日（失業していることについての認定を受けた日に限る。以下この款において同じ。）について支給する。

Article 15 (1) The basic allowance shall be paid with regard to the days on which a person who has recipient qualifications (hereinafter referred to as a "qualified recipient" except in the following Section to Section 4 inclusive) is unemployed (limited to those days with regard to which the recognition of his/her unemployment has been obtained; hereinafter the same shall apply in this Subsection).

2

前項の失業していることについての認定（以下この款において「失業の認定」という。）を受けようとする受給資格者は、離職後、厚生労働省令で定めるところにより、公共職業安定所に出頭し、求職の申込みをしなければならない。

(2) To obtain the recognition of unemployment set forth in the preceding paragraph (hereinafter referred to as the "recognition of unemployment" in this Subsection), a qualified recipient shall, after separation from employment, report in person to the Public Employment Security Office and apply for employment pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

3

失業の認定は、求職の申込みを受けた公共職業安定所において、受給資格者が離職後最初に出頭した日から起算して四週間に一回ずつ直前の二十八日の各日について行うものとする。ただし、厚生労働大臣は、公共職業安定所長の指示した公共職業訓練等（国、都道府県及び市町村並びに独立行政法人雇用・能力開発機構が設置する公共職業能力開発施設の行う職業訓練（職業能力開発総合大学校の行うものを含む。）その他法令の規定に基づき失業者に対して作業環境に適応することを容易にさせ、又は就職に必要な知識及び技能を習得させるために行われる訓練又は講習であつて、政令で定めるものをいう。以下同じ。）を受ける受給資格者その他厚生労働省令で定める受給資格者に係る失業の認定について別段の定めをすることができる。

(3) The recognition of unemployment shall be given by the Public Employment Security Office to which a qualified recipient has applied for employment, once every four weeks calculated from the day on which he/she first reported in person after separation from employment, with regard to each day of the 28 days immediately before. Provided, however, that the Minister of Health, Labour and Welfare may establish different standards with regard to the recognition of unemployment for qualified recipients who take public vocational training, etc. designated by the Chief of the Public Employment Security Office (meaning vocational training (including training conducted by the Polytechnic University) conducted by Public Human Resources Development Centers established by the State, prefectures or municipalities or the Employment and Human Resources Development Organization of Japan and other training or courses given pursuant to the provisions of laws and regulations, for assisting unemployed persons in adapting to the working environment or for having them acquire the knowledge and skills necessary for gaining employment and that are specified by a Cabinet Order; the same shall apply hereinafter) and for other qualified recipients specified by an Ordinance of the Ministry of Health, Labour and Welfare.

4

受給資格者は、次の各号のいずれかに該当するときは、前二項の規定にかかわらず、厚生労働省令で定めるところにより、公共職業安定所に出頭することができなかつた理由を記載した証明書を提出することによつて、失業の認定を受けることができる。

(4) Notwithstanding the provisions of the preceding two paragraphs, in the case where a qualified recipient falls under any of the following items, he/she may obtain the recognition of unemployment by submitting a certificate in which the reason why he/she has been unable to report in person to the Public Employment Security Office is described, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare:

一

疾病又は負傷のために公共職業安定所に出頭することができなかつた場合において、その期間が継続して十五日未満であるとき。

(i) When he/she has been unable to report in person to the Public Employment Security Office due to sickness or injury and the period thereof has been less than 15 consecutive days;

二

公共職業安定所の紹介に応じて求人者に面接するために公共職業安定所に出頭することができなかつたとき。

(ii) When he/she has been unable to report in person to the Public Employment Security Office on account of calling on a job offerer to whom he/she has been referred by the Public Employment Security Office;

三

公共職業安定所長の指示した公共職業訓練等を受けるために公共職業安定所に出頭することができなかつたとき。

(iii) When he/she has been unable to report in person to the Public Employment Security Office on account of receiving public vocational training, etc., designated by the Chief of the Public Employment Security Office;

四

天災その他やむを得ない理由のために公共職業安定所に出頭することができなかつたとき。

(iv) When he/she has been unable to report in person to the Public Employment Security Office on account of a natural disaster or other unavoidable reason.

5

失業の認定は、厚生労働省令で定めるところにより、受給資格者が求人者に面接したこと、公共職業安定所その他の職業安定機関若しくは職業紹介事業者等から職業を紹介され、又は職業指導を受けたことその他求職活動を行つたことを確認して行うものとする。

(5) The recognition of unemployment shall be given by confirming that a qualified recipient has carried out job-seeking activities, such as having called on a job offerer, having been referred to employment by or having received vocational guidance from the Public Employment Security Office and other employment security agencies or employment placement service providers, etc., pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

(基本手当の日額)

(Daily Amount of the Basic Allowance)

第十六条

基本手当の日額は、賃金日額に百分の五十（二千百四十円以上四千二百十円未満の賃金日額（その額が第十八条の規定により変更されたときは、その変更された額）については百分の八十、四千二百十円以上一万二千二百二十円以下の賃金日額（その額が同条の規定により変更されたときは、その変更された額）については百分の八十から百分の五十までの範囲で、賃金日額の逡増に応じ、逡減するように厚生労働省令で定める率）を乗じて得た金額とする。

Article 16 (1) The daily amount of the basic allowance shall be an amount obtained by multiplying the daily amount of wages by 50 percent (for daily amounts of wages from 2,140 yen up to less than 4,210 yen (when those amounts have been revised pursuant to the provisions of Article 18, the revised amounts), 80 percent; and for daily amounts of wages from 4,210 yen up to not more than 12,220 yen (when those amounts have been revised pursuant to the provisions of Article 18, the revised amounts), the percentage specified by an Ordinance of the Ministry of Health, Labour and Welfare, gradually decreasing within the range of 80 percent to 50 percent, in accordance with the increase in the daily amount of wages).

2

受給資格に係る離職の日において六十歳以上六十五歳未満である受給資格者に対する前項の規定の適用については、同項中「百分の五十」とあるのは「百分の四十五」と、「四千二百十円以上一万二千二百二十円以下」とあるのは「四千二百十円以上一万九百五十円以下」とする。

(2) With regard to the application of the provisions of the preceding paragraph to qualified recipients who are 60 or over and under 65 years of age on the day of separation from employment pertaining to their recipient qualification, the term "50 percent" in the same paragraph shall be deemed to be replaced with "45 percent" and the term "from 4,210 yen up to not more than 12,220 yen" shall be deemed to be replaced with "from 4,210 yen up to not more than 10,950 yen".

(賃金日額)

(Daily Amount of Wages)

第十七条

賃金日額は、算定対象期間において第十四条（第一項ただし書（同条第二項において読み替えて適用する場合を含む。）を除く。）の規定により被保険者期間として計算された最後の六箇月間（当該最後の六箇月間に同条第二項において読み替えて適用する同条第一項の規定により二分の一箇月として計算された被保険者期間が含まれるときは、当該二分の一箇月として計算された被保険者期間を一箇月として計算された被保険者期間とした場合における最後の六箇月間）に支払われた賃金（臨時に支払われる賃金及び三箇月を超える期間ごとに支払われる賃金を除く。次項及び第六節において同じ。）の総額を百八十で除して得た額とする。

Article 17 (1) The daily amount of wages shall be the amount obtained by dividing by 180 the total amount of wages (excluding wages paid temporarily and wages paid periodically once in a period exceeding three months; the same shall apply in the following paragraph and Section 6) paid during the last six months in the period for calculation that have been counted as the insured period under the provisions of Article 14 (excluding the proviso of paragraph (1) (including cases where that proviso is applied pursuant to paragraph (2) of the same Article, as rephrased therein)) (where said last six months include an insured period counted as a half month under the provisions of paragraph (1) of Article 14 as applied pursuant to paragraph (2) thereof, as rephrased therein, the last six months counted as the insured period when said half month is deemed to be one month in counting the insured period).

2

前項の規定による額が次の各号に掲げる額に満たないときは、賃金日額（受給資格に係る離職の日において短時間労働被保険者であつた受給資格者に係るものを除く。）は、同項の規定にかかわらず、当該各号に掲げる額とする。

(2) In the case where the amount calculated under the provisions of the preceding paragraph is less than the amount listed in each of the following items, the daily amount of wages (excluding those related to qualified recipients who were part-time insured workers on the day of separation from employment pertaining to their recipient qualification) shall, notwithstanding the provisions of the preceding paragraph, be the amount listed in said respective items:

一

賃金が、労働した日若しくは時間によつて算定され、又は出来高払制その他の請負制に

よつて定められている場合には、前項に規定する最後の六箇月間に支払われた賃金の総額を当該最後の六箇月間に労働した日数で除して得た額の百分の七十に相当する額

(i) In the case where wages are calculated by the days or hours worked, or are determined by a piece rate or other contract system, the amount equivalent to 70 percent of the amount obtained by dividing the total amount of wages paid during the last six months prescribed in the preceding paragraph by the number of days worked during said last six months;

二

賃金の一部が、月、週その他一定の期間によつて定められている場合には、その部分の総額をその期間の総日数（賃金の一部が月によつて定められている場合には、一箇月を三十日として計算する。）で除して得た額と前号に掲げる額との合算額

(ii) In the case where a portion of wages is fixed by the month, the week or any other set period, the total of the amount obtained by dividing the total sum of the portion by the number of days in the period concerned (where a portion of wages is fixed by the month, a month shall be regarded as 30 days) and the amount listed in the preceding item.

三

前二項の規定により賃金日額を算定することが困難であるとき、又はこれらの規定により算定した額を賃金日額とすることが適当でないとき認められるときは、厚生労働大臣が定めるところにより算定した額を賃金日額とする。

(3) In the case where it is difficult to calculate the daily amount of wages pursuant to the provisions of the preceding two paragraphs or where it is found inappropriate to deem the amount calculated pursuant to the provisions of the preceding two paragraphs to be the daily amount of wages, the amount calculated in accordance with the specifications of the Minister of Health, Labour and Welfare shall be deemed to be the daily amount of wages.

四

前三項の規定にかかわらず、これらの規定により算定した賃金日額が、第一号に掲げる額を下るときはその額を、第二号に掲げる額を超えるときはその額を、それぞれ賃金日額とする。

(4) Notwithstanding the provisions of the preceding three paragraphs, in the case where the daily amount of wages calculated under these provisions is less than the amount listed in item (i), the amount listed therein, and in the case where the above daily amount of wages exceeds the amount listed in item (ii), the amount listed therein, shall respectively be the daily amount of wages:

一 二千百四十円（その額が次条の規定により変更されたときは、その変更された額）

(i) 2,140 yen (when the amount has been revised pursuant to the provisions of the following Article, the revised amount);

二

次のイからニまでに掲げる受給資格者の区分に応じ、当該イからニまでに定める額（これらの額が次条の規定により変更されたときは、それぞれその変更された額）

(ii) In accordance with the classification of qualified recipients listed in (a) to (d) inclusive below, the amounts specified in (a) to (d) below (when these amounts have been revised pursuant to the provisions of the following Article, the revised amounts, respectively);

イ 受給資格に係る離職の日において六十歳以上六十五歳未満である受給資格者
一万五千五百八十円

- (a) For a qualified recipient who is 60 or over and under 65 years of age on the day of separation from employment pertaining to recipient qualification, 15,580 yen;
ロ 受給資格に係る離職の日において四十五歳以上六十歳未満である受給資格者 一万六千八十円
- (b) For a qualified recipient who is 45 or over and under 60 years of age on the day of separation from employment pertaining to recipient qualification, 16,080 yen;
ハ 受給資格に係る離職の日において三十歳以上四十五歳未満である受給資格者 一万四千六百二十円
- (c) For a qualified recipient who is 30 or over and under 45 years of age on the day of separation from employment pertaining to recipient qualification, 14,620 yen;
ニ 受給資格に係る離職の日において三十歳未満である受給資格者 一万三千百六十円
- (d) For a qualified recipient who is under 30 years of age on the day of separation from employment pertaining to recipient qualification, 13,160 yen.

(基本手当の日額の算定に用いる賃金日額の範囲等の自動的変更)

(Automatic Revision of the Range, etc. of the Daily Amount of Wages used in Calculating the Daily Amount of the Basic Allowance)

第十八条

厚生労働大臣は、年度（四月一日から翌年の三月三十一日までをいう。以下同じ。）の平均給与額（厚生労働省において作成する毎月勤労統計における労働者の平均定期給与額を基礎として厚生労働省令で定めるところにより算定した労働者一人当たりの給与の平均額をいう。以下同じ。）が平成十三年四月一日から始まる年度（この条の規定により自動変更対象額が変更されたときは、直近の当該変更がされた年度の前年度）の平均給与額を超え、又は下るに至った場合においては、その上昇し、又は低下した比率に応じて、その翌年度の八月一日以後の自動変更対象額を変更しなければならない。

Article 18 (1) When the average earnings (meaning the average amount earned per worker calculated pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, based on the average regular earnings for workers indicated in the Monthly Labor Statistics compiled by the Ministry of Health, Labour and Welfare, the same shall apply hereinafter) of the fiscal year (meaning April 1 to March 31 of the following year, the same shall apply hereinafter) have either exceeded or fallen below the average earnings for the fiscal year starting April 1, 2001 (when the amount subject to automatic revision has been revised pursuant to the provisions of this Article, the fiscal year preceding the fiscal year when said revision was implemented), the Minister of Health, Labour and Welfare shall revise the daily amount of wages subject to automatic revision applicable from August 1 of the following fiscal year in accordance with the rate of the increase or decrease.

2

前項の規定により変更された自動変更対象額に五円未満の端数があるときは、これを切り捨て、五円以上十円未満の端数があるときは、これを十円に切り上げるものとする。

(2) In the case where there is a fractional amount of one to four yen in the amount subject to automatic revision revised pursuant to the provisions of the preceding paragraph, the amount shall be rounded down to the nearest ten yen. A fractional amount of five to nine yen shall be rounded up to the nearest ten yen.

3

前二項の「自動変更対象額」とは、第十六条第一項（同条第二項において読み替えて適

用する場合を含む。)の規定による基本手当の日額の算定に当たって、百分の八十を乗ずる賃金日額の範囲となる同条第一項に規定する二千百四十円以上四千二百十円未満の額及び百分の八十から百分の五十までの範囲の率を乗ずる賃金日額の範囲となる同項に規定する四千二百十円以上一万二千二百二十円以下の額並びに前条第四項各号に掲げる額をいう。

(3) "The amount subject to automatic revision" referred to in the preceding two paragraphs means the amounts used in calculating the daily amount of the basic allowance pursuant to the provisions of paragraph (1) of Article 16 (including cases where they are applied pursuant to paragraph (2) of the same Article, as rephrased therein), being the daily wage range of 2,140 yen to less than 4,210 yen, which is multiplied by 80 percent pursuant to the provisions of paragraph (1) of the same Article and the daily wage range of 4,210 yen to less than 12,220 yen, which is multiplied by a rate from 80 percent to 50 percent pursuant to the provisions of the same paragraph and the amounts listed in each item of paragraph (4) of the preceding Article.

(基本手当の減額)

(Reduction in the Amount of the Basic Allowance)

第十九条

受給資格者が、失業の認定に係る期間中に自己の労働によつて収入を得た場合には、その収入の基礎となつた日数（以下この項において「基礎日数」という。）分の基本手当の支給については、次に定めるところによる。

Article 19 (1) In the case where a qualified recipient has earned money by his/her labor during a period for which he/she has obtained the recognition of unemployment, payment of the basic allowance for the number of days on which those earnings have been based (hereinafter referred to as the "number of basis days" in this paragraph) shall be specified by the following provisions:

一

その収入の一日分に相当する額（収入の総額を基礎日数で除して得た額をいう。）から千三百八十八円（その額が次項の規定により変更されたときは、その変更された額。同項において「控除額」という。）を控除した額と基本手当の日額との合計額（次号において「合計額」という。）が賃金日額の百分の八十に相当する額を超えないとき。基本手当の日額に基礎日数を乗じて得た額を支給する。

(i) When the total of the amount obtained by deducting 1,388 yen (when the amount has been revised pursuant to the provisions of the following paragraph, the revised amount; hereinafter referred to as the "amount of deduction" in this paragraph), from the amount equivalent to the daily amount of earnings (meaning the amount obtained by dividing the total earnings by the number of basis days) and adding the daily amount of the basic allowance (referred to as "the total" in the following item) does not exceed an amount equivalent to 80 percent of the daily amount of wages, the amount obtained by multiplying the daily amount of the basic allowance by the number of basis days shall be paid;

二

合計額が賃金日額の百分の八十に相当する額を超えるととき（次号に該当する場合を除く。）。

当該超える額（次号において「超過額」という。）を基本手当の日額から控除した残りの額に基礎日数を乗じて得た額を支給する。

(ii) When the total exceeds an amount equivalent to 80 percent of the daily amount of wages (excluding cases falling under the following item), the amount obtained by multiplying the remainder after deducting said excess amount (referred to as "the excess" in the following item) from the daily amount of the basic allowance by the number of basis days shall be paid;

三 超過額が基本手当の日額以上であるとき。基礎日数分の基本手当を支給しない。

(iii) When the excess is more than the daily amount of the basic allowance, the basic allowance for the number of basis days shall not be paid.

2

厚生労働大臣は、年度の平均給与額が平成十三年四月一日から始まる年度（この項の規定により控除額が変更されたときは、直近の当該変更がされた年度の前年度）の平均給与額を超え、又は下るに至つた場合においては、その上昇し、又は低下した比率を基準として、その翌年度の八月一日以後の控除額を変更しなければならない。

(2) In the case where the average earnings for the fiscal year have exceeded or fallen below the average earnings for the fiscal year starting April 1, 2001 (when the amount of deduction has been revised pursuant to the provisions of this paragraph, the fiscal year preceding the fiscal year when the said revision was implemented), the Minister of Health, Labour and Welfare shall revise the amount of deduction applicable from August 1 of the following fiscal year in accordance with the rate of the increase or decrease.

3

受給資格者は、失業の認定を受けた期間中に自己の労働によつて収入を得たときは、厚生労働省令で定めるところにより、その収入の額その他の事項を公共職業安定所長に届け出なければならない。

(3) In the case where a qualified recipient has earned money by his/her labor during a period for which he/she has obtained the recognition of unemployment, he/she shall submit a report on the amount of earnings and other matters to the Chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

(支給の期間及び日数)

(Benefit Period and the Duration of Benefits)

第二十条

基本手当は、この法律に別段の定めがある場合を除き、次の各号に掲げる受給資格者の区分に応じ、当該各号に定める期間（当該期間内に妊娠、出産、育児その他厚生労働省令で定める理由により引き続き三十日以上職業に就くことができない者が、厚生労働省令で定めるところにより公共職業安定所長にその旨を申し出た場合には、当該理由により職業に就くことができない日数を加算するものとし、その加算された期間が四年を超えるときは、四年とする。）内の失業している日について、第二十二条第一項に規定する所定給付日数に相当する日数分を限度として支給する。

Article 20 (1) The basic allowance shall be paid, unless otherwise specified in this Act, in accordance with the classification of qualified recipients listed in the following items, for the days of unemployment within the period prescribed in each of said items (where a qualified recipient, who is unable to work for a continuous period of 30 days or more within said period due to pregnancy, childbirth or childcare or for other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare, has reported to that effect to the Chief of the Public Employment Security Office pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, the number of days for which the person is unable to work due to

said reasons shall be added to said period and where the total period after that addition exceeds four years, the prescribed period shall be four years), within the limit of the number of benefit days equivalent to the prescribed duration of benefits provided for in paragraph (1) of Article 22:

一 次号及び第三号に掲げる受給資格者以外の受給資格者

当該基本手当の受給資格に係る離職の日（以下この款において「基準日」という。）の翌日から起算して一年

(i) For qualified recipients other than those listed in items (ii) and (iii) below, one year calculated from the day after the day of separation from employment pertaining to recipient qualification for said basic allowance (hereinafter referred to as "the basis day" in this Subsection);

二 基準日において第二十二條第二項第一号に該当する受給資格者

基準日の翌日から起算して一年に六十日を加えた期間

(ii) For qualified recipients who fall under item (i) of paragraph (2) of Article 22 on the basis day, a period of a year plus 60 days calculated from the day after the basis day;

三

基準日において第二十三條第一項第二号イに該当する同條第二項に規定する特定受給資格者 基準日の翌日から起算して一年に三十日を加えた期間

(iii) For specific qualified recipients prescribed in paragraph (2) of Article 23 who fall under item (ii), (a) of paragraph (1) of Article 23 on the basis day, a period of a year plus 30 days calculated from the day after the basis day.

2

受給資格者であつて、当該受給資格に係る離職が定年（厚生労働省令で定める年齢以上の定年に限る。）に達したことその他厚生労働省令で定める理由によるものであるものが、当該離職後一定の期間第十五條第二項の規定による求職の申込みをしないことを希望する場合において、厚生労働省令で定めるところにより公共職業安定所長にその旨を申し出たときは、前項中「次の各号に掲げる受給資格者の区分に応じ、当該各号に定める期間」とあるのは「次の各号に掲げる受給資格者の区分に応じ、当該各号に定める期間と、次項に規定する求職の申込みをしないことを希望する一定の期間（一年を限度とする。）に相当する期間を合算した期間（当該求職の申込みをしないことを希望する一定の期間内に第十五條第二項の規定による求職の申込みをしたときは、当該各号に定める期間に当該基本手当の受給資格に係る離職の日（以下この款において「基準日」という。）の翌日から当該求職の申込みをした日の前日までの期間に相当する期間を加算した期間）」と、「当該期間内」とあるのは「当該合算した期間内」と、同項第一号中「当該基本手当の受給資格に係る離職の日（以下この款において「基準日」という。）」とあるのは「基準日」とする。

(2) In the case where a qualified recipient whose separation from employment pertaining to said recipient qualification is because of reaching retirement age (limited to retirement ages equal to or exceeding the ages specified by an Ordinance of the Ministry of Health, Labour and Welfare) or for any other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare, does not wish to apply for employment as prescribed in paragraph (2) of Article 15, during a certain period after said separation from employment, and makes a report to this effect to the Chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, the terms "in accordance with the classification of qualified recipient listed in the following items...within the period prescribed in

each of said items" and "within said period" in the preceding paragraph shall be deemed to be replaced, respectively, with "within the total of the period prescribed in each of said items plus the period equivalent to a certain period (limited to one year) during which he/she does not wish to apply for employment as prescribed in the following paragraph (where he/she has applied for employment as prescribed in paragraph (2) of Article 15, during said certain period in which he/she does not wish to apply for employment, the total of the period prescribed in each of said items plus a period equivalent to the period from the day after the day of separation from employment pertaining to recipient qualification for said basic allowance (hereinafter referred to as "the basis day" in this Subsection) until the day before said application for employment is made" and "within said total period"; the term "the day of separation from employment pertaining to recipient qualification for said basic allowance (hereinafter referred to as "the basis day" in this Subsection)" in item (i) of the same paragraph shall be deemed to be replaced with "the basis day".

3

前二項の場合において、第一項の受給資格（以下この項において「前の受給資格」という。）を有する者が、前二項の規定による期間内に新たに受給資格、第三十七条の三第二項に規定する高年齢受給資格又は第三十九条第二項に規定する特例受給資格を取得したときは、その取得した日以後においては、前の受給資格に基づく基本手当は、支給しない。

(3) In the case referred to in the preceding two paragraphs, when a person who has the recipient qualification referred to in paragraph (1) (hereinafter referred to as "previous recipient qualification" in this paragraph) has newly obtained recipient qualification, recipient qualification for the elderly prescribed in paragraph (2) of Article 37-3, or special recipient qualification prescribed in paragraph (2) of Article 39 during the period under the provisions of the preceding two paragraphs, the basic allowance based on the previous recipient qualification shall not be paid as from the date of obtaining such new qualification.

(待期)

(Waiting Period)

第二十一条

基本手当は、受給資格者が当該基本手当の受給資格に係る離職後最初に公共職業安定所に求職の申込みをした日以後において、失業している日（疾病又は負傷のため職業に就くことができない日を含む。）が通算して七日に満たない間は、支給しない。

Article 21 The basic allowance shall not be paid unless a qualified recipient has been unemployed for a period of seven days in total (including days on which he/she is unable to work on account of sickness or injury) as from the day of the first application for employment to the Public Employment Security Office after separation from employment pertaining to recipient qualification for the basic allowance concerned.

(所定給付日数)

(Prescribed Duration of Benefits)

第二十二条

一の受給資格に基づき基本手当を支給する日数（以下「所定給付日数」という。）は、次の各号に掲げる受給資格者の区分に応じ、当該各号に定める日数とする。

Article 22 (1) The number of days for which the basic allowance is payable based on single recipient qualification (hereinafter referred to as the "prescribed duration of benefits") shall be

the number of days specified in each of the following items in accordance with the classification of qualified recipients listed in said respective items:

一 算定基礎期間が二十年以上である受給資格者 百五十日

(i) For qualified recipients with a basic period for calculation of 20 years or more -- 150 days;

二 算定基礎期間が十年以上二十年未満である受給資格者 百二十日

(ii) For qualified recipients with a basic period for calculation of ten years or more and less than 20 years -- 120 days;

三 算定基礎期間が十年未満である受給資格者 九十日

(iii) For qualified recipients with a basic period for calculation of less than ten years -- 90 days.

2

前項の受給資格者で厚生労働省令で定める理由により就職が困難なものに係る所定給付日数は、同項の規定にかかわらず、その算定基礎期間が一年以上の受給資格者にあつては次の各号に掲げる当該受給資格者の区分に応じ当該各号に定める日数とし、その算定基礎期間が一年未満の受給資格者にあつては百五十日とする。

(2) Notwithstanding the provisions of the preceding paragraph, the prescribed duration of benefits for qualified recipients set forth in the preceding paragraph who have difficulty in finding employment for reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare shall be the number of days specified in the following item in accordance with the classification of qualified recipients listed in said item for those with a basic period for calculation equal to or exceeding one year, and 150 days for those with a basic period for calculation of less than one year:

一 基準日において四十五歳以上六十五歳未満である受給資格者 三百六十日

(i) For qualified recipients who are 45 or over and under 65 years of age on the basis day -- 360 days;

二 基準日において四十五歳未満である受給資格者 三百日

(ii) For qualified recipients who are under 45 years of age on the basis day -- 300 days.

3

前二項の算定基礎期間は、これらの規定の受給資格者が基準日まで引き続いて同一の事業主の適用事業に被保険者として雇用された期間（当該雇用された期間に係る被保険者となつた日前に被保険者であつたことがある者については、当該雇用された期間と当該被保険者であつた期間を通算した期間）とする。ただし、当該期間に次の各号に掲げる期間が含まれているときは、当該各号に掲げる期間に該当するすべての期間を除いて算定した期間とする。

(3) The basic period for calculation referred to in the two preceding paragraphs shall be the period in which a qualified recipient specified in those paragraphs has been employed as an insured person in a covered undertaking by the same business operator continuously until the basis day (as for a person who had at one time been an insured person before he/she became an insured person pertaining to said employment period, the total of said employment period and the period for which he/she was such insured person). Provided, however, that, in the case where said period includes periods listed in the following items, the period shall be that calculated by excluding all the periods falling under periods listed in said respective items:

一

当該雇用された期間又は当該被保険者であつた期間に係る被保険者となつた日の直前の被保険者でなくなつた日が当該被保険者となつた日前一年の期間内がないときは、当該直前の被保険者でなくなつた日前の被保険者であつた期間

(i) When the day on which a person most recently ceased to be an insured person immediately preceding the day on which said person became an insured person pertaining to said insured period or said employment period, is not within the one-year period preceding the day on which said person became an insured person, the insured period preceding that immediately preceding said day on which he/she most recently ceased to be an insured person;

二

当該雇用された期間に係る被保険者となつた日前に基本手当又は特例一時金の支給を受けたことがある者については、これらの給付の受給資格又は第三十九条第二項に規定する特例受給資格に係る離職の日以前の被保険者であつた期間

(ii) For those who had received the basic allowance or a special lump sum payment before the day on which they became insured persons pertaining to said employment period, the period during which they were insured persons before the day of their separation from employment pertaining to recipient qualification for these benefits or to the special recipient qualification prescribed in paragraph (2) of Article 39.

4

一の被保険者であつた期間に関し、被保険者となつた日が第九条の規定による被保険者となつたことの確認があつた日の二年前の日より前であるときは、当該確認のあつた日の二年前の日当該被保険者となつたものとみなして、前項の規定による算定を行うものとする。

(4) With regard to a single insured period, where the day on which a person became an insured person was before the day two years preceding the day on which confirmation of the person's status as an insured person was made pursuant to the provisions of Article 9, the calculations under the preceding paragraph shall be carried out by deeming said person to have become an insured person on the day two years preceding the day of said confirmation.

第二十三条

特定受給資格者（前条第三項に規定する算定基礎期間（以下この条において単に「算定基礎期間」という。）が一年（第三号から第五号までに掲げる特定受給資格者にあつては、五年）以上のものに限る。）に係る所定給付日数は、前条第一項の規定にかかわらず、次の各号に掲げる当該特定受給資格者の区分に応じ、当該各号に定める日数とする

。

Article 23 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, the prescribed duration of benefits for specific qualified recipients (limited to those with the basic period for calculation prescribed in paragraph (3) of the preceding Article (hereinafter referred to simply as a "basic period for calculation" in this Article) for one year or more (or for five years or more for the specific qualified recipients listed in items (iii) to (v) inclusive) shall, in accordance with the classification of said specific qualified recipients listed in the following items, be the number of days specified in said items.

一 基準日において六十歳以上六十五歳未満である特定受給資格者

次のイからニまでに掲げる算定基礎期間の区分に応じ、当該イからニまでに定める日数

(i) For specific qualified recipients who are 60 or over and under 65 years of age on the basis day, the number of days specified in (a) to (d) inclusive below, in accordance with the classification of the basic periods for calculation listed in (a) to (d) below:

イ 二十年以上 二百四十日

(a) Twenty years or more -- 240 days;

ロ 十年以上二十年未満 二百十日

(b) Ten years or more and less than 20 years -- 210 days;

ハ 五年以上十年未満 百八十日

(c) Five years or more and less than ten years -- 180 days;

ニ 一年以上五年未満 百五十日

(d) One year or more and less than five years -- 150 days;

三 基準日において四十五歳以上六十歳未満である特定受給資格者

次のイからニまでに掲げる算定基礎期間の区分に応じ、当該イからニまでに定める日数

(ii) For specific qualified recipients who are 45 or over and under 60 years of age on the basis day, the number of days specified in (a) to (d) inclusive below, in accordance with the classification of the basic periods for calculation listed in (a) to (d) below:

イ 二十年以上 三百三十日

(a) Twenty years or more -- 330 days;

ロ 十年以上二十年未満 二百七十日

(b) Ten years or more and less than 20 years -- 270 days;

ハ 五年以上十年未満 二百四十日

(c) Five years or more and less than ten years -- 240 days;

ニ 一年以上五年未満 百八十日

(d) One year or more and less than five years -- 180 days.

三 基準日において三十五歳以上四十五歳未満である特定受給資格者

次のイからハまでに掲げる算定基礎期間の区分に応じ、当該イからハまでに定める日数

(iii) For specific qualified recipients who are 35 or over and under 45 years of age on the basis day, the number of days specified in (a) to (c) inclusive below, in accordance with the classification of the basic periods for calculation listed in (a) to (c) below:

イ 二十年以上 二百七十日

(a) Twenty years or more -- 270 days;

ロ 十年以上二十年未満 二百四十日

(b) Ten years or more and less than 20 years -- 240 days;

ハ 五年以上十年未満 百八十日

(c) Five years or more and less than ten years -- 180 days.

四 基準日において三十歳以上三十五歳未満である特定受給資格者

次のイからハまでに掲げる算定基礎期間の区分に応じ、当該イからハまでに定める日数

(iv) For specific qualified recipients who are 30 or over and under 35 years of age on the basis day, the number of days specified in (a) to (c) inclusive below, in accordance with the classification of the basic periods for calculation listed in (a) to (c) below:

イ 二十年以上 二百四十日

(a) Twenty years or more -- 240 days;

ロ 十年以上二十年未満 二百十日

(b) Ten years or more and less than 20 years -- 210 days;

ハ 五年以上十年未満 百八十日

(c) Five years or more and less than ten years -- 180 days.

五 基準日において三十歳未満である特定受給資格者

次のイ又はロに掲げる算定基礎期間の区分に応じ、当該イ又はロに定める日数

(v) For specific qualified recipients who are under 30 years of age on the basis day, the number of days specified in (a) or (b) below, in accordance with the classification of the basic periods for calculation listed in (a) or (b) below:

イ 十年以上 百八十日

(a) Ten years or more -- 180 days;

ロ 五年以上十年未満 百二十日

(b) Five years or more and less than ten years -- 120 days.

2

前項の特定受給資格者とは、次の各号のいずれかに該当する受給資格者（前条第二項に規定する受給資格者を除く。）をいう。

(2) The specific qualified recipients set forth in the preceding paragraph are qualified recipients who fall under either of the following items (excluding qualified recipients prescribed in paragraph (2) of the preceding Article):

一

当該基本手当の受給資格に係る離職が、その者を雇用していた事業主の事業について発生した倒産（破産手続開始、再生手続開始、更生手続開始又は特別清算開始の申立てその他厚生労働省令で定める事由に該当する事態をいう。第五十七条第二項第一号において同じ。）又は当該事業主の適用事業の縮小若しくは廃止に伴うものである者として厚生労働省令で定めるもの

(i) Persons whose separation from employment pertaining to recipient qualification for the basic allowance has been designated by an Ordinance of the Ministry of Health, Labour and Welfare as having accompanied insolvency (meaning the commencement of bankruptcy proceedings, commencement of rehabilitation proceedings, commencement of reorganization proceedings, an application for the commencement of special liquidation or other situations falling under reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare; the same shall apply in item (i) of paragraph (2) of Article 57) that occurred with regard to the undertaking by a business operator who had been employing said persons or the downsizing or discontinuance of a covered undertaking by said business operator;

二

前号に定めるもののほか、解雇（自己の責めに帰すべき重大な理由によるものを除く。第五十七条第二項第二号において同じ。）その他の厚生労働省令で定める理由により離職した者

(ii) In addition to what is prescribed in the preceding item, persons who have been dismissed (excluding those who have been dismissed for significant cause imputable to the accused themselves; the same shall apply in item (ii) of paragraph (2) of Article 57) or separated from employment for other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare.

（訓練延長給付）

(Extended Training Benefits)

第二十四条

受給資格者が公共職業安定所長の指示した公共職業訓練等（その期間が政令で定める期間を超えるものを除く。以下この条、第三十六条第一項及び第二項並びに第四十一条第一項において同じ。）を受ける場合には、当該公共職業訓練等を受ける期間（その者が当該公共職業訓練等を受けるため待期している期間（政令で定める期間に限る。）を含む。）内の失業している日について、所定給付日数（当該受給資格者が第二十条第一項及び第二項の規定による期間内に基本手当の支給を受けた日数が所定給付日数に満たない場合には、その支給を受けた日数。第三十三条第三項を除き、以下この節において同じ。）を超えてその者に基本手当を支給することができる。

Article 24 (1) In the case where a qualified recipient takes public vocational training, etc. as directed by the Chief of the Public Employment Security Office (excluding such training, etc. that exceeds the duration specified by a Cabinet Order; hereinafter the same applies in this Article, paragraphs (1) and (2) of Article 36 and paragraph (1) of Article 41), the basic allowance may be paid to the person for a period in excess of the prescribed duration of benefits (where the number of days for which said qualified recipient has received payment of the basic allowance within the period under paragraphs (1) and (2) of Article 20 is less than the prescribed duration of benefits, said number of days for which he/she has received payment of the basic allowance; hereinafter the same shall apply in this Section, except in paragraph (3) of Article 33), with regard to days when the person is unemployed during the duration of said public vocational training, etc. (including periods of time that the person spends waiting to receive said public vocational training, etc. (limited to the period specified by a Cabinet Order)).

2

公共職業安定所長が、その指示した公共職業訓練等を受ける受給資格者（その者が当該公共職業訓練等を受け終わる日における基本手当の支給残日数（当該公共職業訓練等を受け終わる日の翌日から第四項の規定の適用がないものとした場合における受給期間（当該期間内の失業している日について基本手当の支給を受けることができる期間をいう。以下同じ。）の最後の日までの間に基本手当の支給を受けることができる日数をいう。以下この項及び第四項において同じ。）が政令で定める日数に満たないものに限る。）で、政令で定める基準に照らして当該公共職業訓練等を受け終わつてもなお就職が相当程度に困難な者であると認めたものについては、同項の規定による期間内の失業している日について、所定給付日数を超えてその者に基本手当を支給することができる。この場合において、所定給付日数を超えて基本手当を支給する日数は、前段に規定する政令で定める日数から支給残日数を差し引いた日数を限度とするものとする。

(2) In the case where the Chief of the Public Employment Security Office finds, in light of criteria specified by a Cabinet Order, that a qualified recipient receiving public vocational training, etc. as directed by the Chief of the Public Employment Security Office (limited to qualified recipients for whom the remaining number of basic allowance benefit days as on the day of completion of said public vocational training, etc. (meaning the number of days for which the basic allowance is payable within the period from the day after the day of completion of said course of public vocational training, etc. to the last day of the benefit period (meaning the period for which the basic allowance is payable for days of unemployment within said period; the same shall apply hereinafter) in the case where the provisions of paragraph (4) do not apply; hereinafter the same shall apply in this paragraph and paragraph (4)) is less than the number of days specified by a Cabinet Order), is a person who has considerable difficulty in finding

employment even after completion of said public vocational training, etc., the basic allowance may be paid to that person in excess of the prescribed duration of benefits with regard to the days of unemployment within the period prescribed in paragraph (4). In this case, the number of days for which the basic allowance is payable in excess of the prescribed duration of benefits shall be limited to the number of days obtained by deducting the remaining number of benefit days from the number of days specified by a Cabinet Order as prescribed in the first sentence of this paragraph.

3

第一項の規定による基本手当の支給を受ける受給資格者が第二十条第一項及び第二項の規定による期間を超えて公共職業安定所長の指示した公共職業訓練等を受けるときは、その者の受給期間は、これらの規定にかかわらず、当該公共職業訓練等を受け終わる日までの間とする。

(3) In the case where a qualified recipient, who receives payment of the basic allowance pursuant to the provisions of paragraph (1), takes public vocational training, etc. as directed by the Chief of the Public Employment Security Office in excess of the duration of benefits prescribed in paragraphs (1) and (2) of Article 20, that person's benefit period shall, notwithstanding these provisions, be the period until the day of completion of said public vocational training, etc.

4

第二項の規定による基本手当の支給を受ける受給資格者の受給期間は、第二十条第一項及び第二項の規定にかかわらず、これらの規定による期間に第二項前段に規定する政令で定める日数から支給残日数を差し引いた日数を加えた期間（同条第一項及び第二項の規定による期間を超えて公共職業安定所長の指示した公共職業訓練等を受ける者で、当該公共職業訓練等を受け終わる日について第一項の規定による基本手当の支給を受けることができるものにあつては、同日から起算して第二項前段に規定する政令で定める日数を経過した日までの間）とする。

(4) The benefit period for a qualified recipient who receives payment of the basic allowance under the provisions of paragraph (2) shall, notwithstanding the provisions of paragraphs (1) and (2) of Article 20, be the total of the period specified in these provisions plus the number of days obtained by deducting the remaining number of benefit days from the number of days specified by a Cabinet Order as prescribed in the first sentence of paragraph (2) of this Article (for persons who take public vocational training, etc. as directed by the Chief of the Public Employment Security Office in excess of the duration of benefits prescribed in paragraphs (1) and (2) of the same Article and who are qualified to receive payment of the basic allowance pursuant to the provisions of paragraph (1), with regard to the day of completion of said public vocational training, etc., the period from that day until the day on which the number of days specified by a Cabinet Order as prescribed in the first sentence of paragraph (2) have elapsed).

(広域延長給付)

(Wide Area Extended Benefits)

第二十五条

厚生労働大臣は、その地域における雇用に関する状況等から判断して、その地域内に居住する求職者がその地域において職業に就くことが困難であると認める地域について、求職者が他の地域において職業に就くことを促進するための計画を作成し、関係都道府県労働局長及び公共職業安定所長に、当該計画に基づく広範囲の地域にわたる職業紹介

活動（以下この条において「広域職業紹介活動」という。）を行わせた場合において、当該広域職業紹介活動に係る地域について、政令で定める基準に照らして必要があると認めるときは、その指定する期間内に限り、公共職業安定所長が当該地域に係る当該広域職業紹介活動により職業のあつせんを受けることが適当であると認定する受給資格者について、第四項の規定による期間内の失業している日について、所定給付日数を超えて基本手当を支給する措置を決定することができる。この場合において、所定給付日数を超えて基本手当を支給する日数は、政令で定める日数を限度とするものとする。

Article 25 (1) In the case where the Minister of Health, Labour and Welfare finds that it is difficult for job applicants residing in a certain area to find employment in the area, based on employment and other conditions in the area, has established plans to promote the employment of such job applicants in other areas and has had the Prefectural Labor Director and the Chief of the Public Employment Security Offices concerned carry out employment placement activities over a wide area under these plans (hereinafter referred to as "wide area employment placement activities" in this Article), and where the Minister finds it necessary in light of the standards specified by a Cabinet Order, with regard to said area covered by the wide area employment placement activities, the Minister may make a decision about measures for paying the basic allowance to qualified recipients whom the Chief of the Public Employment Security Office finds to be appropriate for referral to employment through wide area employment placement activities for said area, in excess of the prescribed duration of benefits, with regard to the days of unemployment within the period prescribed in paragraph (4), but limited to the period designated by the Minister. In this case, the number of days for which the basic allowance is payable in excess of the prescribed duration of benefits shall be limited to the number of benefit days specified by a Cabinet Order.

2

前項の措置に基づく基本手当の支給（以下「広域延長給付」という。）を受けることができる者が厚生労働大臣の指定する地域に住所又は居所を変更した場合には、引き続き当該措置に基づき基本手当を支給することができる。

(2) In the case where a person who is qualified to receive payment of the basic allowance based on the measures set forth in the preceding paragraph (hereinafter referred to as the "wide area extended benefits") has changed his/her domicile or address to a place within the area designated by the Minister of Health, Labour and Welfare, the basic allowance may continue to be paid based on said measures.

3

公共職業安定所長は、受給資格者が広域職業紹介活動により職業のあつせんを受けることが適当であるかどうかを認定するときは、厚生労働大臣の定める基準によらなければならない。

(3) In determining whether or not a qualified recipient is appropriate for referral to employment through wide area employment placement activities, the Chief of the Public Employment Security Office shall conform to the standards specified by the Minister of Health, Labour and Welfare.

4

広域延長給付を受ける受給資格者の受給期間は、第二十条第一項及び第二項の規定にかかわらず、これらの規定による期間に第一項後段に規定する政令で定める日数を加えた期間とする。

(4) The benefit period for a qualified recipient who is to receive payment of the wide area extended benefits shall, notwithstanding the provisions of paragraphs (1) and (2) of Article 20 be the total of the period specified in these provisions plus the number of days specified by a Cabinet Order as prescribed in the second sentence of paragraph (1).

第二十六条

前条第一項の措置が決定された日以後に他の地域から当該措置に係る地域に移転した受給資格者であつて、その移転について特別の理由がないと認められるものには、当該措置に基づく基本手当は、支給しない。

Article 26 (1) The basic allowance based on the measures referred to in paragraph (1) of the preceding Article shall not be paid to a qualified recipient who, on or after the day on which the decision on said measures was made, has moved from another area to the area covered by said measures and has been found to have no special reason for the move.

2

前項に規定する特別の理由があるかどうかの認定は、公共職業安定所長が厚生労働大臣の定める基準に従つてするものとする。

(2) The determination as to whether or not there is any special reason for the move of a qualified recipient prescribed in the preceding paragraph shall be made by the Chief of the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare.

(全国延長給付)

(National Extended Benefits)

第二十七条

厚生労働大臣は、失業の状況が全国的に著しく悪化し、政令で定める基準に該当するに至つた場合において、受給資格者の就職状況からみて必要があると認めるときは、その指定する期間内に限り、第三項の規定による期間内の失業している日について、所定給付日数を超えて受給資格者に基本手当を支給する措置を決定することができる。この場合において、所定給付日数を超えて基本手当を支給する日数は、政令で定める日数を限度とするものとする。

Article 27 (1) The Minister of Health, Labour and Welfare may, where there has been a severe nationwide worsening of unemployment reaching the standards specified by a Cabinet Order, and the Minister finds it necessary from the perspective of employment prospects for qualified recipients, make a decision about measures for paying the basic allowance to qualified recipients in excess of the prescribed duration of benefits, for a limited period designated by the Minister, with regard to the days of unemployment within the period prescribed in paragraph (3). In this case, the number of days for which the basic allowance is payable in excess of the prescribed duration of benefits shall be limited to the number of days specified by a Cabinet Order.

2

厚生労働大臣は、前項の措置を決定した後において、政令で定める基準に照らして必要があると認めるときは、同項の規定により指定した期間（その期間がこの項の規定により延長されたときは、その延長された期間）を延長することができる。

(2) The Minister of Health, Labour and Welfare may, when he/she finds it necessary in light of the standards specified by a Cabinet Order after having made a decision about the measures referred to in the preceding paragraph, extend the period designated under the provisions of the

preceding paragraph (when the period has been extended under the provisions of this paragraph, said extended period).

3

第一項の措置に基づく基本手当の支給（以下「全国延長給付」という。）を受ける受給資格者の受給期間は、第二十条第一項及び第二項の規定にかかわらず、これらの規定による期間に第一項後段に規定する政令で定める日数を加えた期間とする。

(3) The benefit period for a qualified recipient who is qualified to receive payment of the basic allowance based on the measures referred to in paragraph (1) (hereinafter referred to as the "national extended benefits") shall, notwithstanding the provisions of paragraphs (1) and (2) of Article 20, be the total of the period specified in these provisions plus the number of days specified by a Cabinet Order as prescribed in the second sentence of paragraph (1).

（延長給付に関する調整）

(Adjustment Concerning Extended Benefits)

第二十八条

広域延長給付を受けている受給資格者については、当該広域延長給付が終わった後でなければ全国延長給付及び訓練延長給付（第二十四条第一項又は第二項の規定による基本手当の支給をいう。以下同じ。）は行わず、全国延長給付を受けている受給資格者については、当該全国延長給付が終わった後でなければ訓練延長給付は行わない。

Article 28 (1) With regard to qualified recipients receiving the wide area extended benefits, unless payment of said wide area extended benefits has ended, the national extended benefits and the training extended benefits (meaning payment of the basic allowance under the provisions of paragraph (1) or paragraph (2) of Article 24; the same shall apply hereinafter) shall not be paid; with regard to qualified recipients receiving the national extended benefits, unless payment of said national extended benefits has ended, the training extended benefits shall not be paid.

2

訓練延長給付を受けている受給資格者について広域延長給付又は全国延長給付が行われることとなったときは、これらの延長給付が行われる間は、その者について訓練延長給付は行わず、全国延長給付を受けている受給資格者について広域延長給付が行われることとなったときは、広域延長給付が行われる間は、その者について全国延長給付は行わない。

(2) In the case where it has been decided that the wide area extended benefits or the national extended benefits is to be paid to a qualified recipient receiving the training extended benefits, the training extended benefits shall not be paid to said person as long as these extended benefits are being paid; in the case where it has been decided that the wide area extended benefits are to be paid to a qualified recipient receiving the national extended benefits, the national extended benefits shall not be paid to said person as long as the wide area extended benefits are being paid.

3

前二項に規定するもののほか、第一項に規定する各延長給付を順次受ける受給資格者に係る基本手当を支給する日数、受給期間その他これらの延長給付についての調整に関して必要な事項は、政令で定める。

(3) In addition to what is prescribed in the preceding two paragraphs, the number of days for which the basic allowance is payable, the benefit period, and other matters necessary for the adjustment of extended benefits for qualified recipients who consecutively receive payment of

various kinds of extended benefits prescribed in paragraph (1), shall be specified by a Cabinet Order.

(給付日数を延長した場合の給付制限)

(Restriction on Benefits Where the Duration of Benefits Has Been Extended)

第二十九条

訓練延長給付（第二十四条第二項の規定による基本手当の支給に限る。第三十二条第一項において同じ。）、広域延長給付又は全国延長給付を受けている受給資格者が、正当な理由がなく、公共職業安定所の紹介する職業に就くこと、公共職業安定所長の指示した公共職業訓練等を受けること又は厚生労働大臣の定める基準に従って公共職業安定所が行うその者の再就職を促進するために必要な職業指導を受けることを拒んだときは、その拒んだ日以後基本手当を支給しない。ただし、その者が新たに受給資格を取得したときは、この限りでない。

Article 29 (1) In the case where a qualified recipient receiving the training extended benefits (limited to payment of the basic allowance under the provisions of paragraph (2) of Article 24; the same shall apply in paragraph (1) of Article 32), the wide area extended benefits or the national extended benefits has refused, without justifiable reason, to take up the employment to which he/she has been referred by the Public Employment Security Office, to take a course of public vocational training, etc., as directed by the Chief of the Public Employment Security Office or to receive the vocational guidance necessary for facilitating re-employment given by the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare, the basic allowance shall not be paid as from the date of such refusal. Provided, however, that this shall not apply to such person who has newly obtained recipient qualification.

2

前項に規定する正当な理由があるかどうかの認定は、公共職業安定所長が厚生労働大臣の定める基準に従ってするものとする。

(2) The determination as to whether or not there is a justifiable reason referred to in the preceding paragraph shall be made by the Chief of the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare.

(支給方法及び支給期日)

(Method and Date of Payment)

第三十条

基本手当は、厚生労働省令で定めるところにより、四週間に一回、失業の認定を受けた日分を支給するものとする。ただし、厚生労働大臣は、公共職業安定所長の指示した公共職業訓練等を受ける受給資格者その他厚生労働省令で定める受給資格者に係る基本手当の支給について別段の定めをすることができる。

Article 30 (1) The basic allowance shall be paid once every four weeks, with regard to the days for which the recognition of unemployment has been given, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare. Provided, however, that the Minister of Health, Labour and Welfare may establish different standards for paying the basic allowance to qualified recipients who take a course of public vocational training, etc., as directed by the Chief of the Public Employment Security Office and to other qualified recipients as specified by an Ordinance of the Ministry of Health, Labour and Welfare.

2

公共職業安定所長は、各受給資格者について基本手当を支給すべき日を定め、その者に通知するものとする。

(2) The Chief of the Public Employment Security Office shall specify the date to pay the basic allowance to each qualified recipient and inform such recipient thereof.

(未支給の基本手当の請求手続)

(Demanding for Unpaid Basic Allowance)

第三十一条

第十条の三第一項の規定により、受給資格者が死亡したため失業の認定を受けることができなかつた期間に係る基本手当の支給を請求する者は、厚生労働省令で定めるところにより、当該受給資格者について失業の認定を受けなければならない。

Article 31 (1) A person, who demands, under the provisions of paragraph (1) of Article 10-3, for payment of the basic allowance for a period for which the recognition of unemployment could not be obtained due to the death of the qualified recipient, shall obtain the recognition of unemployment for said qualified recipient pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

2

前項の受給資格者が第十九条第一項の規定に該当する場合には、第十条の三第一項の規定による未支給の基本手当の支給を受けるべき者は、厚生労働省令で定めるところにより、第十九条第一項の収入の額その他の事項を公共職業安定所長に届け出なければならない。

(2) In the case where a qualified recipient set forth in the preceding paragraph falls under the provisions of paragraph (1) of Article 19, a person who is to be paid the unpaid part of the basic allowance pursuant to the provisions of paragraph (1) of Article 10-3 shall, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, report the amount of earnings referred to in paragraph (1) of Article 19 and other matters to the Chief of the Public Employment Security Office.

(給付制限)

(Restriction on Benefits)

第三十二条

受給資格者（訓練延長給付、広域延長給付又は全国延長給付を受けている者を除く。以下この条において同じ。）が、公共職業安定所の紹介する職業に就くこと又は公共職業安定所長の指示した公共職業訓練等を受けることを拒んだときは、その拒んだ日から起算して一箇月間は、基本手当を支給しない。ただし、次の各号のいずれかに該当するときは、この限りでない。

Article 32 (1) In the case where a qualified recipient (excluding one who is receiving the training extended benefits, wide area extended benefits or national extended benefits; hereinafter the same applies in this Article) has refused to take up the employment to which he/she has been referred by the Public Employment Security Office or to take a course of public vocational training, etc., as directed by the Chief of the Public Employment Security Office, the basic allowance shall not be paid for one month as from the date of such refusal. Provided, however, that this shall not apply to the case where said person falls under any of the following items:

一

紹介された職業又は公共職業訓練等を受けることを指示された職種が、受給資格者の能力からみて不適當であると認められるとき。

(i) When it is found that the employment to which the qualified recipient has been referred, or the occupation for which he/she has been directed to take public vocational training, etc. is not appropriate in light of his/her abilities;

二

就職するため、又は公共職業訓練等を受けるため、現在の住所又は居所を変更することを要する場合において、その変更が困難であると認められるとき。

(ii) When a change to his/her current domicile or address would be required in order to take up the employment or take public vocational training, etc. and it is found that the change would be difficult;

三

就職先の賃金が、同一地域における同種の業務及び同程度の技能に係る一般の賃金水準に比べて、不当に低いとき。

(iii) When the wage offered by the employer is unjustifiably low in comparison to the wage level usual for work of the same degree of skill in the same kind of business in the same locality;

四

[職業安定法](#)第二十条（第二項ただし書を除く。）の規定に該当する事業所に紹介されたとき。

(iv) When he/she has been referred to a place of business that falls under the provisions of Article 20 (excluding the provisions of paragraph (2)) of the [Employment Security Act](#);

五 その他正当な理由があるとき。

(v) When there is any other justifiable reason.

2

受給資格者が、正当な理由がなく、厚生労働大臣の定める基準に従つて公共職業安定所が行うその者の再就職を促進するために必要な職業指導を受けることを拒んだときは、その拒んだ日から起算して一箇月を超えない範囲内において公共職業安定所長の定める期間は、基本手当を支給しない。

(2) In the case where a qualified recipient has refused, without justifiable reason, to receive vocational guidance necessary for facilitating re-employment given by the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare, the basic allowance shall not be paid during the period specified by the Chief of the Public Employment Security Office within a limit not exceeding one month calculated from the day of such refusal.

3

受給資格者についての第一項各号のいずれかに該当するかどうかの認定及び前項に規定する正当な理由があるかどうかの認定は、公共職業安定所長が厚生労働大臣の定める基準に従つてするものとする。

(3) The Chief of the Public Employment Security Office shall determine whether a qualified recipient falls under any of the items of paragraph (1) and whether any justifiable reason set forth in the preceding paragraph exists in accordance with the standards specified by the Minister of Health, Labour and Welfare.

第三十三条

被保険者が自己の責めに帰すべき重大な理由によつて解雇され、又は正当な理由がなく自己の都合によつて退職した場合には、第二十一条の規定による期間の満了後一箇月以上三箇月以内の間で公共職業安定所長の定める期間は、基本手当を支給しない。ただし、公共職業安定所長の指示した公共職業訓練等を受ける期間及び当該公共職業訓練等を受け終わった日後の期間については、この限りでない。

Article 33 (1) In the case where an insured person has been dismissed due to significant cause imputable to the accused himself/herself or has resigned voluntarily without justifiable reason, the basic allowance shall not be paid for a period specified by the Chief of the Public Employment Security Office of one month or more and less than three months, following the expiration of the period prescribed in Article 21. Provided, however, that this shall not apply to a period during which he/she takes public vocational training, etc. as directed by the Chief of the Public Employment Security Office, nor to a period after the day of completion of said public vocational training, etc.

2

受給資格者が前項の場合に該当するかどうかの認定は、公共職業安定所長が厚生労働大臣の定める基準に従つてするものとする。

(2) The determination as to whether or not a qualified recipient falls under any of the cases set forth in the preceding paragraph shall be made by the Chief of the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare.

3

基本手当の受給資格に係る離職について第一項の規定により基本手当を支給しないこととされる場合において、当該基本手当を支給しないこととされる期間に七日を超え三十日以下の範囲内で厚生労働省令で定める日数及び当該受給資格に係る所定給付日数に相当する日数を加えた期間が一年（当該基本手当の受給資格に係る離職の日において第二十二条第二項第一号に該当する受給資格者にあつては、一年に六十日を加えた期間）を超えるときは、当該受給資格者の受給期間は、第二十条第一項及び第二項の規定にかかわらず、これらの規定による期間に当該超える期間を加えた期間とする。

(3) In the case where the basic allowance is not payable under the provisions of paragraph (1) with regard to the separation from employment pertaining to recipient qualification for the basic allowance and the total of the period in which said basic allowance is not payable, plus the seven to 30 day period specified by an Ordinance of the Ministry of Health, Labour and Welfare and the number of days equivalent to the prescribed duration of benefits pertaining to said recipient qualification, exceeds one year (a period of one year plus 60 days for a qualified recipient who falls under item (i) of paragraph (2) of Article 22 on the day of separation from employment pertaining to recipient qualification for said basic allowance), the benefit period for said qualified recipient shall, notwithstanding the provisions of paragraphs (1) and (2) of Article 20, be the total of the period prescribed in these provisions plus the period in excess of one year.

4

前項の規定に該当する受給資格者については、第二十四条第一項中「第二十条第一項及び第二項」とあるのは、「第三十三条第三項」とする。

(4) With regard to qualified recipients falling under the provisions of the preceding paragraph, the term "paragraphs (1) and (2) of Article 20" in paragraph (1) of Article 24 shall be deemed to be replaced with " paragraph (3) of Article 33".

5

第三項の規定に該当する受給資格者が広域延長給付、全国延長給付又は訓練延長給付を受ける場合におけるその者の受給期間についての調整に関して必要な事項は、厚生労働省令で定める。

(5) In the case where a qualified recipient falling under the provisions of paragraph (3) receives payment of the wide area extended benefits, national extended benefits or training extended benefits, necessary matters concerning adjustments of the benefit period for such person shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

第三十四条

偽りその他不正の行為により求職者給付又は就職促進給付の支給を受け、又は受けようとした者には、これらの給付の支給を受け、又は受けようとした日以後、基本手当を支給しない。ただし、やむを得ない理由がある場合には、基本手当の全部又は一部を支給することができる。

Article 34 (1) The basic allowance shall not be paid to a person who has received or attempted to receive payment of the job applicant benefits or employment promotion benefits by means of deception or other wrongful conduct, as from the day on which said person received or attempted to receive payment of those benefits. Provided, however, that, in the case where there are unavoidable circumstances, the whole or a part of the basic allowance may be paid.

2

前項に規定する者が同項に規定する日以後新たに受給資格を取得した場合には、同項の規定にかかわらず、その新たに取得した受給資格に基づく基本手当を支給する。

(2) In the case where a person prescribed in the preceding paragraph has newly obtained recipient qualification after the day prescribed in the same paragraph, the basic allowance based on the newly obtained qualification shall be paid, notwithstanding the provisions of the preceding paragraph.

3

受給資格者が第一項の規定により基本手当を支給されないこととされたため、当該受給資格に基づき基本手当の支給を受けることができる日数の全部について基本手当の支給を受けることができなくなつた場合においても、第二十二條第三項の規定の適用については、当該受給資格に基づく基本手当の支給があつたものとみなす。

(3) Even in the case where a qualified recipient has, because of having had payment of the basic allowance withheld under the provisions of paragraph (1), become unable to receive payment of the basic allowance for the entire number of benefit days for which he/she would otherwise have been qualified to receive payment of the basic allowance based on said recipient qualification, he/she shall be deemed, with regard to the application of the provisions of paragraph (3) of Article 22, to have been paid the basic allowance based on said recipient qualification.

4

受給資格者が第一項の規定により基本手当を支給されないこととされたため、同項に規定する日以後当該受給資格に基づき基本手当の支給を受けることができる日数の全部又は一部について基本手当の支給を受けることができなくなつたときは、第三十七條第四項の規定の適用については、その支給を受けることができないこととされた日数分の基本手当の支給があつたものとみなす。

(4) In the case where a qualified recipient has, because of having had payment of the basic allowance withheld under the provisions of paragraph (1), become unable to receive payment of the basic allowance, as from the day prescribed in the same paragraph, for the whole or a part of the number of benefit days for which he/she would otherwise have been qualified to receive payment of the basic allowance based on said recipient qualification, he/she shall be deemed, with respect to the application of the provisions of paragraph (4) of Article 37, to have been paid the basic allowance for the number of benefit days for which it has been decided that the basic allowance is not payable.

(短時間労働被保険者以外の被保険者が引き続き短時間労働被保険者となった場合等の特例)

(Special Provisions for Cases, etc., Where Insured Persons Other than Part-time Insured Workers Have Become Part-time Insured Workers without Interruption)

第三十五条

被保険者が同一の事業主の適用事業に引き続き雇用された期間に次に掲げる事由が生じた場合におけるこの款（第十五条第二項及び第三項、第二十条第二項、第二十一条、第二十三条並びに第三十三条を除く。）並びに第五十六条の二第三項第一号及び第五十七条第一項（受給資格に係る離職に限る。）の規定の適用については、当該被保険者は、当該事由の生じた日の前日に離職したものとみなす。

Article 35 (1) In the case where the following reasons have become apparent during a period in which an insured person was continuously employed in a covered undertaking by the same business operator, said insured person shall, with regard to the application of the provisions of this Subsection (excluding paragraphs (2) and (3) of Article 15, paragraph (2) of Article 20, Article 21, Article 23 and Article 33), be deemed to have been separated from employment on the day before the day on which said reasons became apparent:

一 短時間労働被保険者以外の被保険者が、短時間労働被保険者となったこと。

(i) An insured person other than a part-time insured worker has become a part-time insured worker;

二 短時間労働被保険者が、短時間労働被保険者以外の被保険者となったこと。

(ii) A part-time insured worker has become an insured person other than a part-time insured worker.

2

前項に規定する場合における第十四条の規定の適用については、当該被保険者は、同項各号に掲げる事由の生じた日に被保険者でなくなり、かつ、同日に新たに被保険者となったものとみなす。

(2) With regard to the application of the provisions of Article 14 in cases prescribed in the preceding paragraph, the said insured person shall be deemed to have ceased to be an insured person on the day on which the reasons listed in each item of the preceding paragraph became apparent and to have newly become an insured person on the same day.

3

第一項に規定する場合における第二十条第一項の規定の適用については、同項中「当該各号に定める期間（当該期間内）」とあるのは、「当該各号に定める期間と当該離職の日の翌日から引き続いて当該同一の事業主の適用事業に被保険者として雇用された最後の日までの期間に相当する期間（その期間が三年を超えるときは、三年とする。）とを合算した期間（当該合算した期間内）」とする。

(3) With regard to the application of the provisions of paragraph (1) of Article 20 in cases prescribed in paragraph (1), the term "the period prescribed in each of said items (... within said period)" in paragraph (1) of Article 20 shall be deemed to be replaced with "the period which is the total of the period prescribed in each of said items plus the period equivalent to the period from the day after said day of separation from employment until the last day of the period in which the person concerned was continuously employed as an insured person in a covered undertaking by the same business operator (when that period exceeds three years, three years) (... within said total period)".

4

第一項に規定する場合における第二十四条第一項、第三項及び第四項、第二十五条第四項、第二十七条第三項並びに第三十三条第三項及び第四項の規定の適用については、これらの規定中「第二十条第一項」とあるのは「第二十条第一項（第三十五条第三項において読み替えて適用する場合を含む。）」と、第二十四条第四項中「同条第一項」とあるのは「第二十条第一項（第三十五条第三項において読み替えて適用する場合を含む。）」と、第三十三条第四項中「第二十四条第一項」とあるのは「第三十五条第四項において読み替えて適用する第二十四条第一項」と、「第三十三条第三項」とあるのは「第三十三条第三項（第三十五条第四項において読み替えて適用する場合を含む。）」とする。

(4) With regard to the application of the provisions of paragraphs (1), (3) and (4) of Article 24, paragraph (4) of Article 25, paragraph (3) of Article 27 and paragraphs (3) and (4) of Article 33 in cases prescribed in paragraph (1), the term "paragraph (1) of Article 20" in these provisions shall be deemed to be replaced with "paragraph (1) of Article 20 (including cases where it is applied pursuant to paragraph (3) of Article 35, as rephrased therein)", the term "paragraph (1) of the same Article" in paragraph (4) of Article 24 shall be deemed to be replaced with "paragraph (1) of Article 20 (including cases where it is applied pursuant to paragraph (3) of Article 35, as rephrased therein)", the term "paragraph (1) of Article 24" in paragraph (4) of Article 33 shall be deemed to be replaced with "paragraph (1) of Article 24 as applied pursuant to paragraph (4) of Article 35, as rephrased therein" and the term "paragraph (3) of Article 33" shall be deemed to be replaced with "paragraph (3) of Article 33 (including cases where it is applied pursuant to paragraph (4) of Article 35, as rephrased therein)".

第二款 技能習得手当及び寄宿手当

Subsection 2 Skill Acquisition Allowance and Lodging Allowance

(技能習得手当及び寄宿手当)

(Skill Acquisition Allowance and Lodging Allowance)

第三十六条

技能習得手当は、受給資格者が公共職業安定所長の指示した公共職業訓練等を受ける場合に、その公共職業訓練等を受ける期間について支給する。

Article 36 (1) In the case where a qualified recipient takes a course of public vocational training, etc., as directed by the Chief of the Public Employment Security Office, a skill acquisition allowance shall be paid for the period of said course.

2

寄宿手当は、受給資格者が、公共職業安定所長の指示した公共職業訓練等を受けるため、その者により生計を維持されている同居の親族（婚姻の届出をしていないが、事実上

その者と婚姻関係と同様の事情にある者を含む。第五十八条第二項において同じ。)と別居して寄宿する場合に、その寄宿する期間について支給する。

(2) In the case where a qualified recipient takes up lodging separately from relatives with whom he/she has been residing and whom he/she is supporting financially (including a person with whom a marriage is not registered but with whom he/she is in a de facto marital relationship, the same shall apply in paragraph (2) of Article 58) in order to take public vocational training, etc. as directed by the Chief of the Public Employment Security Office, a lodging allowance shall be paid for the period of lodging.

3

第三十二条第一項若しくは第二項又は第三十三条第一項の規定により基本手当を支給しないこととされる期間については、技能習得手当及び寄宿手当を支給しない。

(3) The skill acquisition allowance and the lodging allowance shall not be paid for a period for which the basic allowance is not to be paid pursuant to the provisions of paragraphs (1) and (2) of Article 32, and paragraph (1) of Article 33.

4 技能習得手当及び寄宿手当の支給要件及び額は、厚生労働省令で定める。

(4) The requirements for payment and the amount of the skill acquisition allowance and of the lodging allowance shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

5

第三十四条第一項及び第二項の規定は、技能習得手当及び寄宿手当について準用する。

(5) The provisions of paragraphs (1) and (2) of Article 34 shall apply mutatis mutandis to the skill acquisition allowance and the lodging allowance.

第三款 傷病手当

Subsection 3 Injury and Disease Allowance

(傷病手当)

(Sickness and Injury Allowance)

第三十七条

傷病手当は、受給資格者が、離職後公共職業安定所に出頭し、求職の申込みをした後において、疾病又は負傷のために職業に就くことができない場合に、第二十条第一項（第三十五条第三項において読み替えて適用する場合を含む。第五十六条の二第一項第一号及び第三項第一号、第五十七条第一項及び第二項並びに第七十八条において同じ。）及び第二項の規定による期間（第三十三条第三項（第三十五条第四項において読み替えて適用する場合を含む。以下この項、第五十六条の二第一項第一号及び第三項第一号並びに第五十七条第一項及び第二項において同じ。）の規定に該当する者については第三十三条第三項の規定による期間とし、第五十七条第一項の規定に該当する者については同項の規定による期間とする。）内の当該疾病又は負傷のために基本手当の支給を受けることができない日（疾病又は負傷のために基本手当の支給を受けることができないことについての認定を受けた日に限る。）について、第四項の規定による日数に相当する日数分を限度として支給する。

Article 37 (1) In the case where a qualified recipient becomes unable to work due to sickness or injury after reporting in person and applying for employment at the Public Employment Security Office following separation from employment, an injury and disease allowance shall be paid, within the limit of the number of days equivalent to the number of days prescribed in paragraph (4), with regard to the days within the period prescribed in paragraph (1) of Article 20

(including cases where it is applied pursuant to paragraph (3) of Article 35, as rephrased therein; the same shall apply in paragraph and item (i) of paragraph (3) of Article 56-2, paragraphs (1) and (2) of Article 57, and Article 78) and paragraph (2) of Article 20 (for those falling under the provisions of paragraph (3) of Article 33 (including cases where they are applied pursuant to paragraph (4) of Article 35, as rephrased therein; hereinafter the same shall apply in this paragraph, paragraph (1) and item (i) of paragraph (3) of Article 56-2, and paragraphs (1) and (2) of Article 57), the period prescribed in paragraph (3) of Article 33 and for those falling under the provisions of paragraph (1) of Article 57, the period prescribed in the said paragraph), during which payment of the basic allowance could not be received due to said sickness or injury (limited to those days with regard to which recognition of the fact that he/she cannot receive payment of the basic allowance due to sickness or injury has been obtained).

2 前項の認定は、厚生労働省令で定めるところにより、公共職業安定所長が行う。

(2) The recognition set forth in the preceding paragraph shall be given by the Chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

3 傷病手当の日額は、第十六条の規定による基本手当の日額に相当する額とする。

(3) The daily amount of the injury and disease allowance shall be the amount equivalent to the daily amount of the basic allowance under the provisions of Article 16.

4

傷病手当を支給する日数は、第一項の認定を受けた受給資格者の所定給付日数から当該受給資格に基づき既に基本手当を支給した日数を差し引いた日数とする。

(4) The number of days for which the sickness and injury allowance is payable shall be the number of days obtained by deducting from the prescribed duration of benefits for the qualified recipient having obtained the recognition referred to in paragraph (1), the number of days for which the basic allowance has already been paid to said qualified recipient based on the recipient qualification concerned.

5

第三十二条第一項若しくは第二項又は第三十三条第一項の規定により基本手当を支給しないこととされる期間については、傷病手当を支給しない。

(5) The injury and disease allowance shall not be paid for a period for which the basic allowance is not to be paid pursuant to the provisions of paragraph (1) or (2) of Article 32, or paragraph (1) of Article 33.

6

傷病手当を支給したときは、この法律の規定（第十条の四及び第三十四条の規定を除く。）の適用については、当該傷病手当を支給した日数に相当する日数分の基本手当を支給したものとみなす。

(6) In the case where the injury and disease allowance has been paid, with regard to the application of the provisions of this Act (excluding the provisions of Article 10-4 and Article 34), the basic allowance shall be deemed to have been paid for the number of days equivalent to the number of days for which said injury and disease allowance was paid.

7

傷病手当は、厚生労働省令で定めるところにより、第一項の認定を受けた日分を、当該職業に就くことができない理由がやんだ後最初に基本手当を支給すべき日（当該職業に就くことができない理由がやんだ後において基本手当を支給すべき日がない場合には、

公共職業安定所長の定める日)に支給する。ただし、厚生労働大臣は、必要があると認めるときは、傷病手当の支給について別段の定めをすることができる。

(7) The injury and disease allowance shall be paid, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, for the days with regard to which the recognition referred to in paragraph (1) has been obtained, on the day on which payment of the basic allowance is due for the first time after the reason that the person concerned cannot take up said employment has ceased to exist (where there is no day on which payment of the basic allowance is due after the reason that the person concerned cannot take up said employment has ceased to exist, the day designated by the Chief of the Public Employment Security Office). Provided, however, that the Minister of Health, Labour and Welfare, may, when he/she finds it necessary, establish different standards for paying the injury and disease allowance.

8

第一項の認定を受けた受給資格者が、当該認定を受けた日について、[健康保険法](#)（大正十一年法律第七十号）第九十九条の規定による傷病手当金、[労働基準法](#)（昭和二十二年法律第四十九号）第七十六条の規定による休業補償、[労働者災害補償保険法](#)（昭和二十二年法律第五十号）の規定による休業補償給付又は休業給付その他これらに相当する給付であつて法令（法令の規定に基づく条例又は規約を含む。）により行われるもののうち政令で定めるものの支給を受けることができる場合には、傷病手当は、支給しない。

(8) The injury and disease allowance shall not be paid where a qualified recipient who has obtained the recognition referred to in paragraph (1) can, with regard to the days for which said recognition was obtained, receive payment of the injury and disease allowance prescribed in Article 99 of the [Health Insurance Act](#) (Act No. 70 of 1922), the compensation for absence from work prescribed in Article 76 of the [Labor Standards Act](#) (Act No. 49 of 1947), the temporary absence from work compensation benefits or the temporary absence from work benefits prescribed in the [Workers' Accident Compensation Insurance Act](#) (Act No. 50 of 1947) or other benefits equivalent thereto that are specified by a Cabinet Order from among the benefits provided pursuant to laws and regulations (including ordinances or rules enacted based on the provisions of laws and regulations).

9

第十九条、第二十一条、第三十一条並びに第三十四条第一項及び第二項の規定は、傷病手当について準用する。この場合において、第十九条第一項及び第三項並びに第三十一条第一項中「失業の認定」とあるのは、「第三十七条第一項の認定」と読み替えるものとする。

(9) The provisions of Article 19, Article 21, Article 31 and paragraphs (1) and (2) of Article 34 shall apply mutatis mutandis to the injury and disease allowance. In this case, the term "recognition of unemployment" in paragraphs (1) and (3) of Article 19 and paragraph (1) of Article 31, shall be deemed to be replaced with "recognition referred to in paragraph (1) of Article 37".

第二節の二 高年齢継続被保険者の求職者給付

Section 2-2 Job Applicant Benefits for Continuously Insured Elderly

(高年齢継続被保険者)

(Continuously Insured Elderly Persons)

第三十七条の二

被保険者であつて、同一の事業主の適用事業に六十五歳に達した日の前日から引きつい

て六十五歳に達した日以後の日において雇用されているもの（第三十八条第一項に規定する短期雇用特例被保険者及び第四十三条第一項に規定する日雇労働被保険者を除く。以下「高年齢継続被保険者」という。）が失業した場合には、この節の定めるところにより、高年齢求職者給付金を支給する。

Article 37-2 (1) The job applicant benefits for the elderly shall be paid, pursuant to the provisions of this Section, where an insured person who has been continuously employed in a covered undertaking by the same business operator from the day before he/she reached 65 years of age to the day after he/she reached 65 years of age (excluding specially insured persons in short-term employment prescribed in paragraph (1) of Article 38 and insured day workers prescribed in paragraph (1) of Article 43; hereinafter referred to as "continuously insured elderly persons"), has become unemployed.

2

高年齢継続被保険者に関しては、前節（第十三条第二項及び第十四条を除く。）、次節及び第四節の規定は、適用しない。

(2) The provisions of the preceding Section (excluding paragraph (2) of Article 13 and Article 14), the following Section and Section 4 shall not apply to continuously insured elderly persons.

（高年齢受給資格）

(Recipient Qualification for the Elderly)

第三十七条の三

高年齢求職者給付金は、高年齢継続被保険者が失業した場合において、離職の日以前一年間（次の各号に掲げる高年齢継続被保険者である被保険者については、当該各号に定める日数を一年に加算した期間（その期間が四年を超えるときは、四年間））に、第十四条の規定による被保険者期間が通算して六箇月以上であつたときに、次条に定めるところにより、支給する。

Article 37-3 (1) The job applicant benefits for the elderly shall be paid, pursuant to the provisions of the following Article, where a continuously insured elderly person becomes unemployed and the total insured period under Article 14 during the one-year period preceding the day of separation from employment (for continuously insured elderly persons prescribed in each of the following items, the period of one year plus the number of days prescribed in each said item (where the period exceeds four years, four years)) is six months or more:

一 離職の日以前一年間に短時間労働被保険者であつた期間がある高年齢継続被保険者
当該短時間労働被保険者となつた日（その日が当該離職の日以前一年間がないときは、当該離職の日の一年前の日の翌日）から当該短時間労働被保険者でなくなつた日の前日までの日数

(i) For a continuously insured elderly person who had at one time been a part-time insured worker for a period during the one-year period preceding the day of separation from employment, the number of days from the day on which he/she became said part-time insured worker (when that day is not within the one-year period preceding the day of separation from employment, the next day of the day one year before the day of said separation from employment) until the day before the day on which he/she ceased to be said part-time insured worker;

二

離職の日以前一年間（前号に掲げる高年齢継続被保険者である被保険者にあつては、同号に定める日数を一年に加算した期間）に疾病、負傷その他厚生労働省令で定める理由

により引き続き三十日以上賃金の支払を受けることができなかつた高年齢継続被保険者
当該理由により賃金の支払を受けることができなかつた日数（同号に掲げる高年齢継続
被保険者である被保険者にあつては、その日数に同号に定める日数を加えた日数）

(ii) For a continuously insured elderly person who was continuously unable to receive payment of wages for 30 days or more due to sickness, injury or other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare during the one-year period preceding the day of separation from employment (for an insured person who is a continuously insured elderly person listed in the preceding item, the total of the number of days prescribed in the same item plus one year), the number of days for which he/she was unable to receive payment of wages for said reason (for an insured person who is a continuously insured elderly person listed in the preceding item, the number of days prescribed in the same item plus the number of days prescribed in this item).

2

前項の規定により高年齢求職者給付金の支給を受けることができる資格（以下「高年齢受給資格」という。）を有する者（以下「高年齢受給資格者」という。）が次条第四項の規定による期間内に高年齢求職者給付金の支給を受けることなく就職した後再び失業した場合（新たに第三十九条第二項に規定する特例受給資格を取得した場合を除く。）において、当該期間内に公共職業安定所に出頭し、求職の申込みをした上、次条第四項の認定を受けたときは、その者は、当該高年齢受給資格に基づく高年齢求職者給付金の支給を受けることができる。

(2) In the case where a person who is qualified to receive payment of the job applicant benefits for the elderly pursuant to the provisions of the preceding paragraph (hereinafter referred to as "recipient qualification for the elderly") (hereinafter such person shall be referred to as an "elderly qualified recipient"), took up employment without receiving the job applicant benefits for the elderly during the period prescribed in paragraph (4) of the following Article and thereafter again became unemployed (excluding the case where he/she has newly obtained a special recipient qualification prescribed in paragraph (2) of Article 39.), if such person has obtained the recognition referred to in paragraph (4) of the following Article after reporting in person to the Public Employment Security Office and applying for employment during said period, he/she may receive payment of the job applicant benefits for the elderly based on said recipient qualification for the elderly.

（高年齢求職者給付金）

(Job Applicant Benefits for the Elderly)

第三十七条の四

高年齢求職者給付金の額は、高年齢受給資格者を第十五条第一項に規定する受給資格者とみなして第十六条から第十八条まで（第十七条第四項第二号を除く。）の規定を適用した場合にその者に支給されることとなる基本手当の日額に、次の各号に掲げる算定基礎期間の区分に応じ、当該各号に定める日数（第四項の認定があつた日から同項の規定による期間の最後の日までの日数が当該各号に定める日数に満たない場合には、当該認定のあつた日から当該最後の日までの日数に相当する日数）を乗じて得た額とする。

Article 37-4 (1) The amount of the job applicant benefits for the elderly shall be the amount obtained by multiplying the daily amount of the basic allowance to be paid where the provisions of Articles 16 to 18 inclusive (excluding item (ii) of paragraph (4) of Article 17) are applied to qualified recipients by regarding elderly qualified recipients as qualified recipients prescribed in

paragraph (1) of Article 15 by the number of days prescribed in the items below in accordance with the classification of the basic periods for calculation listed in said items (where the number of days from the day on which the recognition referred to in paragraph (4) was obtained until the final day of the period prescribed in the same paragraph is less than the number of days prescribed in the same items, the number of days equivalent to the number of days from the day on which said recognition was obtained until said final day):

一 一年以上 五十日

(i) One year or more -- 50 days;

二 一年未満 三十日

(ii) Less than one year -- 30 days.

2

前項の規定にかかわらず、同項の規定により算定した高年齢受給資格者の賃金日額が第十七条第四項第二号ニに掲げる額（その額が第十八条の規定により変更されたときは、その変更された額。）を超えるときは、その額を賃金日額とする。

(2) Notwithstanding the provisions of the preceding paragraph, in the case where the daily amount of wages for elderly qualified recipients calculated pursuant to the provisions of the same paragraph exceeds the amount listed in item (ii), (d) of paragraph (4) of Article 17 (where the amount has been revised pursuant to the provisions of Article 18, the revised amount), this amount shall be the daily amount of wages.

3

第一項の算定基礎期間は、当該高年齢受給資格者を第十五条第一項に規定する受給資格者と、当該高年齢受給資格に係る離職の日を第二十条第一項第一号に規定する基準日とみなして第二十二条第三項及び第四項の規定を適用した場合に算定されることとなる期間に相当する期間とする。この場合において、同条第三項に規定する基準日まで引き続いて同一の事業主の適用事業に雇用された期間のうち六十五歳に達した日以後の期間については、当該期間に十分の十を限度として厚生労働省令で定める率を乗じて得た期間をもつて当該期間とする。

(3) The basic period for calculation referred to in paragraph (1) shall be the period equivalent to the period calculated when said elderly qualified recipients are regarded as qualified recipients prescribed in paragraph (1) of Article 15 and the provisions of paragraphs (3) and (4) of Article 22 are applied, regarding the day of separation from employment pertaining to said recipient qualification for the elderly as the basis day prescribed in item (i), paragraph (1) of Article 20. In this case, with regard to a period, during a period of continuous employment in a covered undertaking by the same employer, on or after the day on which the person reached 65 years of age until the basis day prescribed in paragraph (3) of the same Article, the said period shall be the period obtained by multiplying said period by a rate specified by an Ordinance of the Ministry of Health, Labour and Welfare, within the limit of 100 percent.

4

高年齢求職者給付金の支給を受けようとする高年齢受給資格者は、離職の日の翌日から起算して一年を経過する日までに、厚生労働省令で定めるところにより、公共職業安定所に出頭し、求職の申込みをした上、失業していることについての認定を受けなければならない。

(4) An elderly qualified recipient seeking to receive payment of the job applicant benefits for the elderly shall report in person to the Public Employment Security Office, by the day on which

one year has elapsed from the day following the day of separation from employment, apply for employment, and then obtain the recognition of unemployment, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

5

第二十一条、第三十一条第一項、第三十二条、第三十三条第一項及び第二項並びに第三十四条第一項の規定は、高年齢求職者給付金について準用する。この場合において、これらの規定中「受給資格者」とあるのは「高年齢受給資格者」と、「受給資格」とあるのは「高年齢受給資格」と、第三十一条第一項中「失業の認定を受けることができなかった期間」とあるのは「第三十七条の四第四項の認定を受けることができなかった場合における当該高年齢受給資格者」と、「失業の認定を受けなければならない」とあるのは「同項の認定を受けなければならない」と、第三十三条第一項中「第二十一条の規定による期間」とあるのは「第三十七条の四第五項において準用する第二十一条の規定による期間」と読み替えるものとする。

(5) The provisions of Article 21, paragraph (1) of Article 31, Article 32, paragraphs (1) and (2) of Article 33, and paragraph (1) of Article 34, shall apply mutatis mutandis with regard to the job applicant benefits for the elderly. In this case, the term "qualified recipients" and "recipient qualification" in these provisions shall be deemed to be replaced, respectively, with "elderly qualified recipients" and "recipient qualification for the elderly"; in paragraph (1) of Article 31, the terms "a period for which the recognition of unemployment could not be obtained" and "shall obtain the recognition of unemployment" shall be deemed to be replaced, respectively, with "elderly qualified recipients where the recognition referred to in Article 37-4, paragraph (4) could not be obtained" and "shall obtain the recognition referred to in the same paragraph"; and the term "the period prescribed in Article 21" in paragraph (1) of Article 33 shall be deemed to be replaced with "the period prescribed in Article 21 as applied mutatis mutandis pursuant to paragraph (5) of Article 37-4".

(短時間労働被保険者以外の高年齢継続被保険者が引き続き短時間労働被保険者である高年齢継続被保険者となった場合等の特例)

(Special Provisions for the Cases, etc. where Continuously Insured Elderly Persons Other than Part-time Insured Workers Have Become Continuously Insured Elderly Part-time Workers without Interruption)

第三十七条の五

高年齢継続被保険者が同一の事業主の適用事業に引き続き雇用された期間（六十五歳に達した日後の期間に限る。）に次に掲げる事由が生じた場合における第十四条、第三十七条の三第一項及び前条（第四項を除く。）の規定の適用については、当該高年齢継続被保険者は、当該事由の生じた日の前日に離職したものとみなす。

Article 37-5 (1) With regard to the application of the provisions of Article 14, paragraph (1) of Article 37-3, and the preceding Article (excluding paragraph (4)), in the case where the reasons listed below have become apparent during the period in which a continuously insured elderly person was continuously employed in a covered undertaking by the same business operator (limited to the period following the day on which said elderly person reached 65 years of age), said continuously insured elderly person shall be deemed to have been separated from employment on the day before said reason became apparent:

一

短時間労働被保険者以外の高年齢継続被保険者が、短時間労働被保険者である高年齢継続被保険者となったこと。

(i) A continuously insured elderly person other than a part-time insured worker has become a continuously insured elderly part-time worker;

二

短時間労働被保険者である高年齢継続被保険者が、短時間労働被保険者以外の高年齢継続被保険者となったこと。

(ii) A continuously insured elderly part-time worker has become a continuously insured elderly person other than a part-time insured worker.

2

前項に規定する場合における第十四条の規定の適用については、当該高年齢継続被保険者は、同項各号に掲げる事由の生じた日に被保険者でなくなり、かつ、同日に新たに被保険者となったものとみなす。

(2) With regard to the application of the provisions of Article 14 in the case prescribed in the preceding paragraph, said continuously insured elderly person shall be deemed to have ceased to be an insured person on the day on which the reasons listed in the items of the same paragraph became apparent, and to have newly become an insured person on the same day.

3

第一項に規定する場合における前条第五項の規定の適用については、同項中「第三十一条第一項中」とあるのは、「第二十一条中「離職」とあるのは「離職（第三十七条の五第一項の規定により離職したものとみなされる場合を除く。）」と、第三十一条第一項中」とする。

(3) With regard to the application of the provisions of paragraph (5) of the preceding Article in the case prescribed in paragraph (1), the term "in Article, 31 paragraph (1)" in the same paragraph shall be deemed to be replaced with "the term 'separation from employment' in Article 21 shall be deemed to be replaced with 'separation from employment (excluding the case where a person is deemed to have been separated from employment pursuant to the provisions of paragraph (1) of Article 37-5,)'"; in paragraph (1) of Article 31".

4

高年齢継続被保険者が六十五歳に達した日以前の期間に第三十五条第一項各号に掲げる事由が生じていた場合における第十四条及び前条の規定の適用に関し必要な事項は、厚生労働省令で定める。

(4) Necessary matters concerning the application of the provisions of Article 14 and the preceding Article in the case where the reasons listed in the items of paragraph (1) of Article 35 have become apparent during the period before a continuously insured elderly person reached 65 years of age shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

第三節 短期雇用特例被保険者の求職者給付

Section 3 Job Applicant Benefits for Specially Insured Persons in Short-Term Employment

(短期雇用特例被保険者)

(Specially Insured Persons in Short-Term Employment)

第三十八条

被保険者であつて、次の各号のいずれかに該当するもの（第四十三条第一項に規定する

日雇労働被保険者を除く。以下「短期雇用特例被保険者」という。)が失業した場合には、この節の定めるところにより、特例一時金を支給する。

Article 38 (1) In the case where an insured person who falls under any of the following items (excluding insured day workers prescribed in paragraph (1) of Article 43; hereinafter referred to as a "specially insured person in short-term employment") has become unemployed, a special lump sum payment shall be made, pursuant to the provisions of this Section:

一 季節的に雇用される者（次号に掲げる者を除く。）

(i) Persons employed seasonally (excluding those listed in the following item);

二

短期の雇用（同一の事業主に引き続き被保険者として雇用される期間が一年未満である雇用をいう。）に就くことを常態とする者

(ii) Persons who are normally engaged in short-term employment (meaning employment where the term for which such persons are employed continuously by the same business operator as insured persons is less than one year).

2

被保険者が前項各号に掲げる者に該当するかどうかの確認は、厚生労働大臣が行う。

(2) The confirmation as to whether or not an insured person falls under any of the items of the preceding paragraph shall be made by the Minister of Health, Labour and Welfare.

3

短期雇用特例被保険者に関しては、第二節（第十三条第二項及び第十四条（第三十五条第二項の規定により適用する場合を含む。）を除く。）を除外し、前節及び次節の規定は、適用しない。

(3) The provisions of Section 2 (excluding paragraph (2) of Article 13 and Article 14 (including cases where they are applied pursuant to paragraph (2) of Article 35)), the preceding Section and the following Section shall not apply to specially insured persons in short-term employment.

（特例受給資格）

(Special Recipient Qualification)

第三十九条

特例一時金は、短期雇用特例被保険者が失業した場合において、離職の日以前一年間（次の各号に掲げる短期雇用特例被保険者である被保険者については、当該各号に定める日数を一年に加算した期間（その期間が四年を超えるときは、四年間））に、第十四条の規定による被保険者期間が通算して六箇月以上であつたときに、次条に定めるところにより、支給する。

Article 39 (1) A special lump sum payment shall be made pursuant to the provisions of the following Article, where a specially insured person in short-term employment has become unemployed and his/her total insured period under Article 14 during the one-year period preceding the day of separation from employment has been six months or more (for insured persons who are specially insured persons in short-term employment listed in the following items, the period of one year plus the number of days prescribed in said items (where the total period exceeds four years, four years)):

一

離職の日以前一年間（最後に被保険者となつた日から当該離職の日までの期間を除く。）に短時間労働被保険者であつた期間がある短期雇用特例被保険者

当該短時間労働被保険者となつた日（その日が当該離職の日以前一年間がないときは、当該離職の日の一年前の日の翌日）から当該短時間労働被保険者でなくなつた日の前日までの日数

(i) For a specially insured person in short-term employment who had at one time been a part-time insured worker for a period during the one-year period preceding the day of separation from employment (excluding the period from the day on which he/she most recently became an insured person until the day of said separation from employment), the number of days from the day on which he/she became said part-time insured worker (where that day is not within the one-year period preceding the day of said separation from employment, the day after the day one year before the day of said separation from employment), until the day before the day on which he/she ceased to be said part-time insured worker;

二

離職の日以前一年間（前号に掲げる短期雇用特例被保険者である被保険者にあつては、同号に定める日数を一年に加算した期間）に疾病、負傷その他厚生労働省令で定める理由により引き続き三十日以上賃金の支払を受けることができなかつた短期雇用特例被保険者

当該理由により賃金の支払を受けることができなかつた日数（同号に掲げる短期雇用特例被保険者である被保険者にあつては、その日数に同号に定める日数を加えた日数）

(ii) For a specially insured person in short-term employment who was continuously unable to receive payment of wages for 30 days or more due to sickness, injury or other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare during the one-year period preceding the day of separation from employment (for an insured person who is a specially insured person in short-term employment listed in the preceding item, the period of one year plus the number of days prescribed in the same item), the number of days for which he/she was unable to receive payment of wages due to said reason (for an insured person who is a specially insured person in short-term employment listed in the preceding item, that number of days plus the number of days prescribed in the same item).

2

前項の規定により特例一時金の支給を受けることができる資格（以下「特例受給資格」という。）を有する者（以下「特例受給資格者」という。）が次条第三項の規定による期間内に特例一時金の支給を受けることなく就職した後再び失業した場合（新たに第十四条第三項第一号に規定する受給資格、高年齢受給資格又は特例受給資格を取得した場合を除く。）において、当該期間内に公共職業安定所に出頭し、求職の申込みをした上、次条第三項の認定を受けたときは、その者は、当該特例受給資格に基づく特例一時金の支給を受けることができる。

(2) In the case where a person who is qualified to receive the special lump sum payment pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "special recipient qualification") (hereinafter such person shall be referred to as a "specially qualified recipient") has obtained employment without receiving the special lump sum payment within the period prescribed in paragraph (3) of the following Article and has subsequently become unemployed again (excluding the case where such person has newly obtained a recipient qualification prescribed in item (i) of paragraph (3) of Article 14 recipient qualification for the elderly or special recipient qualification), when he/she, within said period, has obtained the recognition referred to in paragraph (3) of the following Article after reporting in person at the

Public Employment Security Office and applying for employment, such person shall be qualified to receive the special lump sum payment based on said special recipient qualification.

(特例一時金)

(Special Lump Sum Payment)

第四十条

特例一時金の額は、特例受給資格者を第十五条第一項に規定する受給資格者とみなして第十六条から第十八条までの規定を適用した場合にその者に支給されることとなる基本手当の日額の五十日分（第三項の認定があつた日から同項の規定による期間の最後の日までの日数が五十日に満たない場合には、その日数に相当する日数分）とする。

Article 40 (1) The amount of the special lump sum payment shall be an amount equivalent to the daily amount of the basic allowance that would be payable to a specially qualified recipient if said recipient were regarded as a qualified recipient prescribed in paragraph (1) of Article 15 and the provisions of Articles 16 to 18 inclusive were applied to the recipient, multiplied by 50 days (where the number of days from the day on which the recognition referred to in paragraph (3) was made until the last day of the period under the same paragraph is less than 50 days, the number of days equivalent to that number of days).

2

前項に規定する場合における第十七条第四項の規定の適用については、同項第二号ニ中「三十歳未満」とあるのは「三十歳未満又は六十五歳以上」とする。

(2) With regard to the application of the provisions of paragraph (4) of Article 17 in the case prescribed in the preceding paragraph, the term "under 30 years of age" in item (ii), (d) of the same paragraph shall be deemed to be replaced with "under 30 years of age or 65 years of age or older".

3

特例一時金の支給を受けようとする特例受給資格者は、離職の日の翌日から起算して六箇月を経過する日までに、厚生労働省令で定めるところにより、公共職業安定所に出頭し、求職の申込みをした上、失業していることについての認定を受けなければならない。

(3) A specially qualified recipient who seeks to receive the special lump sum payment shall, before the day on which six months have elapsed from the day following the day of separation from employment and pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, obtain the recognition of unemployment by reporting in person at the Public Employment Security Office and applying for employment.

4

第二十一条、第三十一条第一項、第三十二条、第三十三条第一項及び第二項並びに第三十四条第一項から第三項までの規定は、特例一時金について準用する。この場合において、第二十一条中「受給資格者」とあるのは「特例受給資格者」と、「受給資格」とあるのは「特例受給資格」と、第三十一条第一項中「受給資格者」とあるのは「特例受給資格者」と、「失業の認定を受けることができなかつた期間」とあるのは「第四十条第三項の認定を受けることができなかつた場合における当該特例受給資格者」と、「失業の認定を受けなければならない」とあるのは「同項の認定を受けなければならない」と、第三十二条中「受給資格者」とあるのは「特例受給資格者」と、第三十三条第一項中「支給しない。ただし公共職業安定所長の指示した公共職業訓練等を受ける期間及び当

該公共職業訓練等を受け終わった日後の期間については、この限りでない」とあるのは「支給しない」と、同条第二項中「受給資格者」とあるのは「特例受給資格者」と、第三十四条第二項中「受給資格」とあるのは「特例受給資格」と、同条第三項中「受給資格者」とあるのは「特例受給資格者」と、「受給資格」とあるのは「特例受給資格」とそれぞれ読み替えるものとする。

(4) The provisions of Article 21, paragraph (1) of Article 31, Article 32, paragraphs (1) and (2) of Article 33, and paragraphs (1) to (3) of Article 34, inclusive shall apply mutatis mutandis to the special lump sum payment. In this case, the terms "qualified recipient" and "recipient qualification" in Article 21 shall be deemed to be replaced, respectively, with "specially qualified recipient" and "special recipient qualification"; the terms "qualified recipient", "a period for which the recognition of unemployment could not be obtained" and "shall obtain the recognition of unemployment" in paragraph (1) of Article 31 shall be deemed to be replaced, respectively, with "specially qualified recipient", "said specially qualified recipients where the recognition of unemployment referred to in paragraph (3) of Article 40 could not be obtained" and "shall obtain the recognition referred to in the same paragraph"; the term "qualified recipient" in Article 32 shall be deemed to be replaced with "specially qualified recipient"; the term "Provided, however, that this shall not apply to a period during which he/she takes public vocational training, etc. as directed by the Chief of the Public Employment Security Office, nor to the period after the day of completion of said public vocational training, etc." in paragraph (1) of Article 33 shall be deleted; the term "qualified recipient" in paragraph (2) of the same Article shall be deemed to be replaced with "specially qualified recipient"; the term "recipient qualification" in Article 34, paragraph (2) shall be deemed to be replaced with "special recipient qualification" and the terms "qualified recipient" and "recipient qualification" in paragraph (3) of the same Article shall be deemed to be replaced, respectively, with "specially qualified recipient" and "special recipient qualification".

(公共職業訓練等を受ける場合)

(Case of Taking a Course of Public Vocational Training, etc.)

第四十一条

特例受給資格者が、当該特例受給資格に基づく特例一時金の支給を受ける前に公共職業安定所長の指示した公共職業訓練等（その期間が政令で定める期間に達しないものを除く。）を受ける場合には、第十条第三項及び前三条の規定にかかわらず、特例一時金を支給しないものとし、その者を第十五条第一項に規定する受給資格者とみなして、当該公共職業訓練等を受け終わる日までの間に限り、第二節（第三十三条第一項ただし書の規定を除く。）に定めるところにより、求職者給付を支給する。

Article 41 (1) In the case where a specially qualified recipient is to take a course of public vocational training, etc. (excluding one for a period which is less than that specified by a Cabinet Order), as directed by the Chief of the Public Employment Security Office, before receiving the special lump sum payment based on the special recipient qualification concerned, the special lump sum payment shall not be paid, notwithstanding the provisions of paragraph (3) of Article 10 and the preceding three Articles, and the job applicant benefits shall be paid, pursuant to the provisions of Section 2 (excluding the provisions of the proviso of paragraph (1) of Article 33), by deeming such person to be a qualified recipient prescribed in paragraph (1) of Article 15, limited to the period until the day of completion of said course of public vocational training, etc.

2

前項の特例受給資格者は、当該特例受給資格に係る被保険者となつた日前に第二十九条

第一項又は第三十四条第一項の規定により基本手当の支給を受けることができないこととされている場合においても、前項の規定により求職者給付の支給を受けることができる。

(2) A specially qualified recipient referred to in the preceding paragraph shall be qualified to receive payment of the job applicant benefits pursuant to the provisions of the same paragraph, even where such person had been found to be unable to receive payment of the basic allowance pursuant to the provisions of Article 29, paragraph (1) or Article 34, paragraph (1), before the day on which he/she became an insured person pertaining to the special recipient qualification concerned.

第四節 日雇労働被保険者の求職者給付

Section 4 Job Applicant Benefits for Insured Day Workers

(日雇労働者)

(Day Workers)

第四十二条

この節において日雇労働者とは、次の各号のいずれかに該当する労働者（前二月の各月において十八日以上同一の事業主の適用事業に雇用された者（次条第二項の認可を受けた者を除く。）を除く。）をいう。

Article 42 In this Section, the term "day worker" means a worker who falls under any of the following items (excluding those who have been employed in a covered undertaking by the business operator for 18 days or more in each of the preceding two months (except those who have obtained the approval referred to in paragraph (2) of the following Article)):

一 日々雇用される者

(i) Persons who are employed by the day;

二 三十日以内の期間を定めて雇用される者

(ii) Persons who are employed for a fixed period of employment of 30 days or less.

(日雇労働被保険者)

(Insured Day Workers)

第四十三条

被保険者である日雇労働者であつて、次の各号のいずれかに該当するもの及び第六条第一号の三の認可を受けたもの（以下「日雇労働被保険者」という。）が失業した場合には、この節の定めるところにより、日雇労働求職者給付金を支給する。

Article 43 (1) In the case where a day worker who is an insured person and falls under any of the following items or has obtained the approval referred to in item (i)-3 of Article 6 (hereinafter referred to as an "insured day worker ") has become unemployed, job applicant benefits for day workers shall be paid pursuant to the provisions of this Section:

一

特別区若しくは公共職業安定所の所在する市町村の区域（厚生労働大臣が指定する区域を除く。）又はこれらに隣接する市町村の全部又は一部の区域であつて、厚生労働大臣が指定するもの（以下この項において「適用区域」という。）に居住し、適用事業に雇用される者

(i) Persons who reside in a special ward or an area of a municipality in which a Public Employment Security Office is located (excluding areas designated by the Minister of Health, Labour and Welfare) or in the entire area of or parts of neighboring municipalities designated by

the Minister of Health, Labour and Welfare (hereinafter referred to as the "covered area" in this paragraph) and are employed in a covered undertaking;

二 適用区域外の地域に居住し、適用区域内にある適用事業に雇用される者
(ii) Persons who reside outside the covered area and are employed in a covered undertaking located inside the covered area;

三

適用区域外の地域に居住し、適用区域外の地域にある適用事業であつて、日雇労働の労働市場の状況その他の事情に基づいて厚生労働大臣が指定したものに雇用される者

(iii) Persons who reside outside the covered area and are employed in a covered undertaking located outside the covered area which has been designated by the Minister of Health, Labour and Welfare based on the situation in the day labor market and other circumstances.

2

日雇労働被保険者が前二月の各月において十八日以上同一の事業主の適用事業に雇用された場合において、厚生労働省令で定めるところにより公共職業安定所長の認可を受けたときは、その者は、引き続き、日雇労働被保険者となることができる。

(2) In the case where an insured day worker was employed in a covered undertaking by the same business operator for 18 days or more in each of the preceding two months, when said day worker has obtained an approval by the Chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, said day worker may continue to be an insured day worker.

3

前二月の各月において十八日以上同一の事業主の適用事業に雇用された日雇労働被保険者が前項の認可を受けなかつたため、日雇労働被保険者とされなくなつた最初の月に離職し、失業した場合には、その失業した月の間における日雇労働求職者給付金の支給については、その者を日雇労働被保険者とみなす。

(3) In the case where an insured day worker, who was employed in a covered undertaking by the same business operator for 18 days or more in each of the preceding two months has been separated from employment in the first month in which he/she ceased to be treated as an insured day worker due to not having received the approval referred to in the preceding paragraph and who has become unemployed, said person shall be deemed to be an insured day worker, with regard to payment of the job applicant benefits for day workers during the month in which he/she became unemployed.

4

日雇労働被保険者に関しては、第六条（第二号に限る。）及び第七条から第九条まで並びに前三節の規定は、適用しない。

(4) The provisions of Article 6 (limited to item (ii)), Articles 7 to 9 inclusive and the preceding three Sections shall not apply to insured day workers.

（日雇労働被保険者手帳）

(Insured Day Worker's Benefits Book)

第四十四条

日雇労働被保険者は、厚生労働省令で定めるところにより、公共職業安定所において、日雇労働被保険者手帳の交付を受けなければならない。

Article 44 An insured day worker shall, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, receive the insured day worker's benefits book at the Public Employment Security Office.

(日雇労働求職者給付金の受給資格)

(Recipient Qualification for the Job Applicant Benefits for Day Workers)

第四十五条

日雇労働求職者給付金は、日雇労働被保険者が失業した場合において、その失業の日の属する月の前二月間に、その者について、徴収法第十条第二項第四号の印紙保険料（以下「印紙保険料」という。）が通算して二十六日分以上納付されているときに、第四十七条から第五十二条までに定めるところにより支給する。

Article 45 In the case where an insured day worker has become unemployed, and when the stamp premiums referred to in item (iv) of paragraph (2) of Article 10 of the Premiums Collection Act (hereinafter referred to as "stamp premiums") are paid with regard to such person for 26 days or more in total during the period of two months before the month containing the date of unemployment, the job applicant benefits for day workers shall be paid pursuant to the provisions of Articles 47 to 52 inclusive.

第四十六条

前条の規定により日雇労働求職者給付金の支給を受けることができる者が第十五条第一項に規定する受給資格者である場合において、その者が、基本手当の支給を受けたときはその支給の対象となつた日については日雇労働求職者給付金を支給せず、日雇労働求職者給付金の支給を受けたときはその支給の対象となつた日については基本手当を支給しない。

Article 46 In the case where a person who is qualified to receive payment of the job applicant benefits for day workers pursuant to the provisions of the preceding Article is a qualified recipient prescribed in paragraph (1) of Article 15, the job applicant benefits for day workers shall not be paid with regard to the days for which he/she has received payment of the basic allowance, and the basic allowance shall not be paid with regard to the days for which he/she has received payment of the job applicant benefits for day workers.

(日雇労働被保険者に係る失業の認定)

(Recognition of Unemployment of an Insured Day Worker)

第四十七条

日雇労働求職者給付金は、日雇労働被保険者が失業している日（失業していることについての認定を受けた日に限る。第五十四条第一号において同じ。）について支給する。

Article 47 (1) The job applicant benefits for day workers shall be paid with regard to the days on which an insured day worker is unemployed (limited to those days with regard to which the recognition of unemployment has been obtained; the same shall apply in Article 54, item (i)).

2

前項の失業していることについての認定（以下この節において「失業の認定」という。）を受けようとする者は、厚生労働省令で定めるところにより、公共職業安定所に出頭し、求職の申込みをしなければならない。

(2) A person who seeks to obtain the recognition of unemployment referred to in the preceding paragraph (hereinafter referred to as the "recognition of unemployment" in this Section) shall report in person to the Public Employment Security Office and apply for employment, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

厚生労働大臣は、必要があると認めるときは、前項の規定にかかわらず、日雇労働被保険者に係る失業の認定について別段の定めをすることができる。

(3) The Minister of Health, Labour and Welfare may, when he/she finds it necessary, establish different standards for the recognition of unemployment of insured day workers, notwithstanding the provisions of the preceding paragraph.

(日雇労働求職者給付金の日額)

(Daily Amount of Job Applicant Benefits for Day Workers)

第四十八条

日雇労働求職者給付金の日額は、次の各号に掲げる区分に応じ、当該各号に定める額とする。

Article 48 The daily amount of the job applicant benefits for day workers shall be the amount prescribed in the following items, in accordance with the classification listed in said items:

一

前二月間に納付された印紙保険料のうち、徴収法第二十二条第一項第一号に掲げる額（その額が同条第二項又は第四項の規定により変更されたときは、その変更された額）の印紙保険料（以下「第一級印紙保険料」という。）が二十四日分以上であるとき。

七千五百円（その額が次条第一項の規定により変更されたときは、その変更された額）

(i) When stamp premiums of the amount listed in item (i) of paragraph (1) of Article 22 of the Premiums Collection Act (hereinafter referred to as "first class stamp premiums") (where the amount has been revised pursuant to the provisions of paragraph (2) or (4) of the same Article, the revised amount) out of the stamp premiums paid during the preceding two months are for 24 days or more -- 7,500 yen (where this amount has been revised pursuant to the provisions of paragraph (1) of the following Article, the revised amount);

二 次のいずれかに該当するとき。

六千二百円（その額が次条第一項の規定により変更されたときは、その変更された額）

(ii) When falling under any one of the following -- 6,200 yen (or, in the case this amount has been revised pursuant to the provisions of paragraph (1) of the following Article, the revised amount):

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前二月間に納付された印紙保険料のうち、第一級印紙保険料及び徴収法第二十二条第一項第二号に掲げる額（その額が同条第二項又は第四項の規定により変更されたときは、その変更された額）の印紙保険料（以下「第二級印紙保険料」という。）が二十四日分以上であるとき（前号に該当するときを除く。）。

(a) When the first class stamp premiums and the stamp premiums of the amount listed in item (ii) of paragraph (1) of Article 22 of the Premiums Collection Act (hereinafter referred to as "second class stamp premiums") (where the amount has been revised pursuant to the provisions of paragraph (2) or (4) of the same Article, the revised amount) out of the stamp premiums paid during the preceding two months are for 24 days or more (excluding cases falling under the preceding item);

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前二月間に納付された印紙保険料のうち、第一級印紙保険料及び第二級印紙保険料が二十四日分未満である場合において、第一級印紙保険料の納付額と第二級印紙保険料の納付額との合計額に、徴収法第二十二条第一項第三号に掲げる額（その額が同条第二項又

は第四項の規定により変更されたときは、その変更された額) の印紙保険料 (以下「第三級印紙保険料」という。) の納付額のうち二十四日から第一級印紙保険料及び第二級印紙保険料の納付日数を差し引いた日数に相当する日数分の額を加算した額を二十四で除して得た額が第二級印紙保険料の日額以上であるとき。

(b) When, out of the stamp premiums paid during the preceding two months, the first class stamp premiums and the second class stamp premiums are for less than 24 days, and the amount obtained by dividing by 24 the total of the first class stamp premiums amount paid and the second class stamp premiums paid plus the amount paid for the number of days equivalent to the number of days after deducting, from 24 days, the number of days for which first class stamp premiums and second class stamp premiums were paid, of the stamp premiums listed in item (iii) of paragraph (1) of Article 22 of the Premiums Collection Act (hereinafter referred to as the "third class stamp premiums") (where the amount has been revised pursuant to the provisions of paragraph (2) or (4) of the same Article, the revised amount), is not less than the daily amount of second class stamp premiums.

三 前二号のいずれにも該当しないとき。

四千百円 (その額が次条第一項の規定により変更されたときは、その変更された額)

(iii) When not falling under any one of the preceding two items -- 4,100 yen (where this amount has been revised pursuant to the provisions of paragraph (1) of the following Article, the revised amount).

(日雇労働求職者給付金の日額等の自動的変更)

(Automatic Revision of the Daily Amounts, etc. of Job Applicant Benefits for Day Workers)

第四十九条

厚生労働大臣は、平均定期給与額 (第十八条第一項の平均定期給与額をいう。以下この項において同じ。) が、平成六年九月の平均定期給与額 (この項の規定により日雇労働求職者給付金の日額等が変更されたときは直近の当該変更の基礎となつた平均定期給与額) の百分の百二十を超え、又は百分の八十三を下るに至つた場合において、その状態が継続すると認めるときは、その平均定期給与額の上昇し、又は低下した比率を基準として、日雇労働求職者給付金の日額等を変更しなければならない。

Article 49 (1) When the average regular earnings (meaning the average regular earnings referred to in paragraph (1) of Article 18, hereinafter the same shall apply in this paragraph) have either exceeded 120 percent or fallen below 83 percent of the average regular earnings for September 1994 (the average regular earnings which were the basis of the most recent revision where the daily amounts, etc. of the job applicant benefits for day workers have been revised, based on the provisions of this paragraph), and when the situation is found to be likely to persist, the Minister of Health, Labour and Welfare shall revise the daily amounts, etc. of the job applicant benefits for day workers, in accordance with the rate of increase or decrease of said average regular earnings.

2

前項の「日雇労働求職者給付金の日額等」とは、前条第一号に定める額の日雇労働求職者給付金 (次項及び第五十四条において「第一級給付金」という。) の日額、前条第二号に定める額の日雇労働求職者給付金 (次項及び第五十四条において「第二級給付金」という。) の日額及び前条第三号に定める額の日雇労働求職者給付金 (次項及び第五十四条において「第三級給付金」という。) の日額並びに徴収法第二十二条第一項に規定する印紙保険料の額の区分に係る賃金の日額のうち第一級印紙保険料と第二級印紙保険

料との区分に係る賃金の日額（その額が前項の規定により変更されたときは、その変更された額。次項において「一級・二級印紙保険料区分日額」という。）及び第二級印紙保険料と第三級印紙保険料との区分に係る賃金の日額（その額が前項の規定により変更されたときは、その変更された額。次項において「二級・三級印紙保険料区分日額」という。）をいう。

(2) The "daily amounts, etc. of the job applicant benefits for day workers" referred to in the preceding paragraph means the daily amount of wages pertaining to the classification of the first class stamp premiums and the second class stamp premiums (where the amounts have been revised pursuant to the provisions of the preceding paragraph, the revised amounts; referred to as "daily amounts of wages pertaining to the first and second class stamp premium classification" in the following paragraph) and the daily amount of wages pertaining to the classification of the second class stamp premiums and the third class stamp premiums (where the amounts have been revised pursuant to the provisions of the preceding paragraph, the revised amounts; referred to as "daily amounts of wages pertaining to the second and third class stamp premium classification" in the following paragraph), out of the daily amount of the job applicant benefits for day workers prescribed in item (i) of the preceding Article (referred to as "first class benefits" in the following paragraph and Article 54), the daily amount of the job applicant benefits for day workers prescribed in item (ii) of the preceding Article (referred to as "second class benefits" in the following paragraph and Article 54), the daily amount of the job applicant benefits for day workers prescribed in item (iii) of the preceding Article (referred to as "third class benefits" in the following paragraph and Article 54) and the daily amounts of wages pertaining to the classification of the amounts of stamp premiums prescribed in Article 22, paragraph (1) of the Premium Collection Act.

3

徴収法第二十二條第五項の規定により同條第二項に規定する第一級保険料日額、第二級保険料日額及び第三級保険料日額の変更があつた場合には、厚生労働大臣は、その変更のあつた日から一年を経過した日の前日（その日前に当該変更に関して国会の議決があつた場合には、その議決のあつた日の前日）までの間は、第一項の規定による第一級給付金の日額、第二級給付金の日額及び第三級給付金の日額並びに一級・二級印紙保険料区分日額及び二級・三級印紙保険料区分日額の変更を行うことができない。

(3) In the case where the daily amounts of the first class premiums, the second class premiums, and the third class premiums prescribed in Article 22, paragraph (2) of the Premiums Collection Act have been revised pursuant to the provisions of paragraph (5) of the same Article, the Minister of Health, Labour and Welfare may not revise the daily amounts of the first class benefits, the second class benefits, and the third class benefits nor of the daily amounts of wages pertaining to the first and second class stamp premium classification or of wages pertaining to the second and third class stamp premium classification pursuant to the provisions of paragraph (1), during the period from the date of such revision until the day before the day on which one year has elapsed from the date of said revision (where there has been a Diet decision with regard to the revision concerned before said day, the day before the day of said decision).

（日雇労働求職者給付金の支給日数等）

(Duration, etc., of the Job Applicant Benefits for Day Workers)

第五十条

日雇労働求職者給付金は、日雇労働被保険者が失業した日の属する月における失業の認

定を受けた日について、その月の前二月間に、その者について納付されている印紙保険料が通算して二十八日分以下であるときは、通算して十三日分を限度として支給し、その者について納付されている印紙保険料が通算して二十八日分を超えているときは、通算して、二十八日分を超える四日分ごとに一日を十三日に加えて得た日数分を限度として支給する。ただし、その月において通算して十七日分を超えては支給しない。

Article 50 (1) The job applicant benefits for day workers shall be paid, with regard to the days in the month containing the day on which an insured day worker became unemployed, for which the recognition of unemployment was obtained, within the limit of 13 benefit days in total, when stamp premiums have been paid for said insured day worker for less than 28 days in total during the two-month period before the month containing the day of unemployment and within the limit of the number of benefit days obtained by adding one day to the 13 days above for every four days in excess of said 28 days, when stamp premiums have been paid for said insured day worker for more than 28 days in total. Provided, however, that the job applicant benefits for day workers shall not be paid for more than 17 days in total for that month.

2

日雇労働求職者給付金は、各週（日曜日から土曜日までの七日をいう。）につき日雇労働被保険者が職業に就かなかつた最初の日については、支給しない。

(2) The job applicant benefits for day workers shall not be paid for the first day in each week (meaning the seven day period from Sunday to Saturday) on which the insured day worker did not take up employment.

（日雇労働求職者給付金の支給方法等）

(Method of Payment for the Job Applicant Benefits for Day Workers, etc.)

第五十一条

日雇労働求職者給付金は、公共職業安定所において、失業の認定を行つた日に支給するものとする。

Article 51 (1) The job applicant benefits for day workers shall be paid at the Public Employment Security Office on the day on which the recognition of unemployment is given.

2

厚生労働大臣は、必要があると認めるときは、前項の規定にかかわらず、日雇労働求職者給付金の支給について別段の定めをすることができる。

(2) The Minister of Health, Labour and Welfare may, when he/she finds it necessary, establish different standards for paying the job applicant benefits for day workers, notwithstanding the provisions of the preceding paragraph.

3

第三十一条第一項の規定は、日雇労働求職者給付金について準用する。この場合において、同項中「受給資格者」とあるのは「日雇労働求職者給付金の支給を受けることができる者」と、「失業の認定」とあるのは「第四十七条第二項の失業の認定」と読み替えるものとする。

(3) The provisions of paragraph (1) of Article 31, shall apply mutatis mutandis to the job applicant benefits for day workers. In this case, the terms "qualified recipient" and "recognition of unemployment" in the same paragraph shall be deemed to be replaced, respectively, with "person qualified to receive payment of the job applicant benefits for day workers" and "recognition of unemployment referred to in paragraph (2) of Article 47".

（給付制限）

(Restriction on Benefits)

第五十二条

日雇労働求職者給付金の支給を受けることができる者が公共職業安定所の紹介する業務に就くことを拒んだときは、その拒んだ日から起算して七日間は、日雇労働求職者給付金を支給しない。ただし、次の各号のいずれかに該当するときは、この限りでない。

Article 52 (1) In the case where a day worker who is qualified to receive payment of the job applicant benefits for day workers has refused to take up the employment to which he/she was referred by the Public Employment Security Office, the job applicant benefits for day workers shall not be paid for seven days as from the day on which he/she refused to take up the employment; however, where he/she falls under any of the following items, this shall not apply:

一 紹介された業務が、その者の能力からみて不相当であると認められるとき。

(i) When it is found that the employment to which he/she was referred is not appropriate in the light of said person's abilities;

二

紹介された業務に対する賃金が、同一地域における同種の業務及び同程度の技能に係る一般の賃金水準に比べて、不当に低いとき。

(ii) When the wage for the employment to which he/she was referred is unjustifiably low in comparison to the wage level usual for work to the same degree of skill in the same kind of business in the same locality;

三

[職業安定法](#)第二十条（第二項ただし書を除く。）の規定に該当する事業所に紹介されたとき。

(iii) When he/she was referred to a place of business that falls under the provisions of Article 20 (excluding the proviso of paragraph (2)) of the [Employment Security Act](#);

四 その他正当な理由があるとき。

(iv) When there is other justifiable reason.

2

日雇労働求職者給付金の支給を受けることができる者についての前項各号のいずれかに該当するかどうかの認定は、公共職業安定所長が厚生労働大臣の定める基準に従つてするものとする。

(2) The determination as to whether or not a person who is qualified to receive payment of the job applicant benefits for day workers falls under any of the items of the preceding paragraph shall be made by the Chief of the Public Employment Security Office in accordance with the standards specified by the Minister of Health, Labour and Welfare.

3

日雇労働求職者給付金の支給を受けることができる者が、偽りその他不正の行為により求職者給付又は就職促進給付の支給を受け、又は受けようとしたときは、その支給を受け、又は受けようとした月及びその月の翌月から三箇月間は、日雇労働求職者給付金を支給しない。ただし、やむを得ない理由がある場合には、日雇労働求職者給付金の全部又は一部を支給することができる。

(3) In the case where a person qualified to receive payment of the job applicant benefits for day workers has received or attempted to receive payment of the job applicant benefits or employment promotion benefits by means of deception or other wrongful conduct, the job applicant benefits for day workers shall not be paid to such person for the month for which

he/she received or attempted to receive payment of the job applicant benefits or the employment promotion benefits, and for the period of three months as from the month following said month. Provided, however, that, in the case where there are unavoidable reasons, the whole or a part of the job applicant benefits for day workers may be paid.

(日雇労働求職者給付金の特例)

(Special Provisions Concerning the Job Applicant Benefits for Day Workers)

第五十三条

日雇労働被保険者が失業した場合において、次の各号のいずれにも該当するときは、その者は、公共職業安定所長に申し出て、次条に定める日雇労働求職者給付金の支給を受けることができる。

Article 53 (1) In the case where an insured day worker has become unemployed and falls under all of the following items, he/she may report to that effect to the Chief of the Public Employment Security Office and receive payment of the job applicant benefits for day workers prescribed in the following Article:

一

継続する六月間に当該日雇労働被保険者について印紙保険料が各月十一日分以上、かつ、通算して七十八日分以上納付されていること。

(i) Stamp premiums have been paid for said insured day worker for 11 days or more in each month and for 78 days or more in total during six consecutive months;

二

前号に規定する継続する六月間（以下「基礎期間」という。）のうち後の五月間に第四十五条の規定による日雇労働求職者給付金の支給を受けていないこと。

(ii) He/she has not received payment of the job applicant benefits for day workers under the provisions of Article 45 during the last five months out of the six consecutive months referred to in the preceding item (hereinafter referred to as the "basis period");

三

基礎期間の最後の月の翌月以後二月間（申出をした日が当該二月の期間内にあるときは、同日までの間）に第四十五条の規定による日雇労働求職者給付金の支給を受けていないこと。

(iii) He/she has not received payment of the job applicant benefits for day workers under the provisions of Article 45 during the period of two months as from the month following the last month of the basis period (when the date of the report falls within said two month period, the period up to the date of the report).

2

前項の申出は、基礎期間の最後の月の翌月以後四月の期間内に行わなければならない。

(2) The report referred to in the preceding paragraph shall be made within the period of four months as from the month following the last month of the basis period.

第五十四条

前条第一項の申出をした者に係る日雇労働求職者給付金の支給については、第四十八条及び第五十条第一項の規定にかかわらず、次の各号に定めるところによる。

Article 54 The payment of the job applicant benefits for day workers to a person who has made the report referred to in paragraph (1) of the preceding Article shall, notwithstanding the provisions of Article 48 and paragraph (1) of Article 50, be as prescribed in the following items:

一

日雇労働求職者給付金の支給を受けることができる期間及び日数は、基礎期間の最後の月の翌月以後四月の期間内の失業している日について、通算して六十日分を限度とする。

(i) The period during which and the number of days for which the job applicant benefits for day workers may be received shall be limited to 60 days in total, with regard to days of unemployment within the period of four months as from the month following the last month of the basis period;

二

日雇労働求職者給付金の日額は、次のイからハまでに掲げる区分に応じ、当該イからハまでに定める額とする。

(ii) The daily amount of the job applicant benefits for day workers shall be the amount prescribed, respectively, in (a) to (c) below, in accordance with the classification listed in (a) to (c) below:

イ

基礎期間に納付された印紙保険料のうち、第一級印紙保険料が七十二日分以上であるとき。 第一級給付金の日額

(a) When the first class stamp premiums out of the stamp premiums paid during the basis period have been paid for 72 days or more, the daily amount of first class benefits;

ロ 次のいずれかに該当するとき。 第二級給付金の日額

(b) When falling under any one of the following, the daily amount of second class benefits:

(1)

基礎期間に納付された印紙保険料のうち、第一級印紙保険料及び第二級印紙保険料が七十二日分以上であるとき（イに該当するときを除く。）。

1. When the first class stamp premiums and the second class stamp premiums out of the stamp premiums paid during the basis period have been paid for 72 days or more (excluding cases falling under (a) above);

(2)

基礎期間に納付された印紙保険料のうち、第一級印紙保険料及び第二級印紙保険料が七十二日分未満である場合において、第一級印紙保険料の納付額と第二級印紙保険料の納付額との合計額に、第三級印紙保険料の納付額のうち七十二日から第一級印紙保険料及び第二級印紙保険料の納付日数を差し引いた日数に相当する日数分の額を加算した額を七十二で除して得た額が第二級印紙保険料の日額以上であるとき。

2. When, out of the stamp premiums paid in the basis period, the first class stamp premiums and second class stamp premiums have been paid for less than 72 days and when the amount obtained by dividing by 72 the total of the first class stamp premiums paid and the second class stamp premiums paid plus the amount of the third class stamp premiums paid for the number of days equivalent to the number of days after deducting, from 72 days, the number of days for which first class stamp premiums and second class stamp premiums were paid, is not less than the daily amount of the second class stamp premiums.

ハ イ又はロに該当しないとき 第三級給付金の日額

(c) When not falling under (a) or (b) above, the daily amount of the third class benefits.

第五十五条

基礎期間の最後の月の翌月以後二月の期間内に第五十三条第一項の申出をした者について

ては、当該二月を経過する日までは、第四十五条の規定による日雇労働求職者給付金は、支給しない。

Article 55 (1) With regard to a person who has made the report referred to in paragraph (1) of Article 53 within the period of two months following the last month of the basis period, the job applicant benefits for day workers under the provisions of Article 45 shall not be paid until the day on which said two months have elapsed.

2

第五十三条第一項の申出をした者が、基礎期間の最後の月の翌月から起算して第三月目又は第四月目に当たる月において、第四十五条の規定による日雇労働求職者給付金の支給を受けたときは当該日雇労働求職者給付金の支給の対象となつた日については前条の規定による日雇労働求職者給付金を支給せず、同条の規定による日雇労働求職者給付金の支給を受けたときは当該日雇労働求職者給付金の支給の対象となつた日については第四十五条の規定による日雇労働求職者給付金を支給しない。

(2) In the case where a person who has made the report referred to in paragraph (1) of Article 53 has received payment of the job applicant benefits for day workers under the provisions of Article 45 in the third or fourth month as from the month following the last month of the basis period, the job applicant benefits for day workers under the provisions of the preceding Article shall not be paid with regard to the days for which said job applicant benefits for day workers were paid; and where the person has received payment of the job applicant benefits for day workers under the provisions of the preceding Article, the job applicant benefits for day workers under the provisions of Article 45 shall not be paid with regard to the days for which said job applicant benefits for day workers were paid.

3

前条の規定による日雇労働求職者給付金の支給を受けた者がその支給を受けた後に第五十三条第一項の申出をする場合における同項第二号の規定の適用については、その者は、第四十五条の規定による日雇労働求職者給付金の支給を受けたものとみなす。

(3) With regard to the application of the provisions of item (ii) of paragraph (1) of Article 53 in the case where a person who, after having received payment of the job applicant benefits for day workers under the provisions of the preceding Article, makes the report referred to in paragraph (1) of Article 53, the person shall be deemed to have received payment of the job applicant benefits for day workers under the provisions of Article 45.

4

第四十六条、第四十七条、第五十条第二項、第五十一条及び第五十二条の規定は、前条の規定による日雇労働求職者給付金について準用する。

(4) The provisions of Article 46, Article 47, paragraph (2) of Article 50, and Articles 51 and 52 shall apply mutatis mutandis to the job applicant benefits for day workers under the provisions of the preceding Article.

(日雇労働被保険者であつた者に係る被保険者期間等の特例)

(Special Provisions Concerning the Insured Period, etc. with Regard to a Person Who Was an Insured Day Worker)

第五十六条

日雇労働被保険者が二月の各月において十八日以上同一の事業主の適用事業に雇用され、その翌月以後において離職した場合には、その二月を第十四条の規定による被保険者

期間の二箇月として計算することができる。ただし、その者が第四十三条第二項又は第三項の規定の適用を受けた者である場合には、この限りでない。

Article 56 (1) In the case where an insured day worker had been employed in a covered undertaking by the same business operator for 18 days or more in each of two months and was separated from employment in or after the following month, said two months may be calculated as two months of the insured period under the provisions of Article 14. Provided, however, that this shall not apply in the case where the provisions of paragraph (2) or (3) of Article 43 have been applied to said worker.

2

前項の規定により同項に規定する二月を被保険者期間として計算することによつて第十四条第三項第一号に規定する受給資格、高年齢受給資格又は特例受給資格を取得した者について、第十七条に規定する賃金日額を算定する場合には、その二月の各月において納付された印紙保険料の額を厚生労働省令で定める率で除して得た額をそれぞれその各月に支払われた賃金額とみなす。

(2) In the case where the daily amount of wages prescribed in Article 17 is calculated for a person who has obtained recipient qualification, recipient qualification for the elderly or special recipient qualification prescribed in item (i) of paragraph (3) of Article 14 by calculating the two months prescribed in the preceding paragraph as the insured period pursuant to the provisions of the same paragraph, the amount obtained by dividing the amount of the stamp premiums paid in each of those two months by the rate specified by an Ordinance of the Ministry of Health, Labour and Welfare shall be deemed to be the amount of wages paid in each month.

3

第一項の規定は、第二十二条第三項の規定による算定基礎期間の算定について準用する。この場合において、「その二月を第十四条の規定による被保険者期間の二箇月として」とあるのは、「当該雇用された期間を第二十二条第三項に規定する基準日まで引き続いて同一の事業主の適用事業に被保険者として雇用された期間に該当するものとして」と読み替えるものとする。

(3) The provisions of paragraph (1) shall apply mutatis mutandis to the calculation of the basis period for calculation under the provisions of paragraph (3) of Article 22. In this case, the term "said two months may be calculated as two months of the insured period under the provisions of Article 14" shall be deemed to be replaced with "said employed period may be calculated as a period falling under the period in which said person was employed as an insured person in a covered undertaking by the same business operator continuously until the basis day prescribed in paragraph (3) of Article 22".

第五節 就職促進給付

Section 5 Employment Promotion Benefits

(就業促進手当)

(Employment Promotion Allowance)

第五十六条の二

就業促進手当は、次の各号のいずれかに該当する者に対して、公共職業安定所長が厚生労働省令で定める基準に従つて必要があると認めるときに、支給する。

Article 56-2 (1) An employment promotion allowance shall be paid to a person who falls under any of the following items when the Chief of the Public Employment Security Office finds

it necessary in accordance with the standards specified by an Ordinance of the Ministry of Health, Labour and Welfare:

一

次のイ又はロのいずれかに該当する受給資格者であつて、その職業に就いた日の前日における基本手当の支給残日数（当該職業に就かなかつたこととした場合における同日の翌日から当該受給資格に係る第二十条第一項及び第二項の規定による期間（第三十三条第三項の規定に該当する受給資格者については同項の規定による期間とし、次条第一項の規定に該当する受給資格者については同項の規定による期間とする。）の最後の日までの間に基本手当の支給を受けることができることとなる日数をいう。以下同じ。）が当該受給資格に基づく所定給付日数の三分の一以上かつ四十五日以上であるもの

(i) A qualified recipient falling under (a) or (b) below for whom the remaining number of payment days for the basic allowance on the day before the day on which he/she took up said employment (meaning the number of days for which the basic allowance would have been payable to the person, assuming he/she had not taken up the employment, during the period between the day after the day on which he/she took up said employment and the final day of the period prescribed in paragraphs (1) and (2) of Article 20 pertaining to the recipient qualification (for qualified recipients falling under the provisions of paragraph (3) of Article 33, the period under the provisions of the same paragraph and for qualified recipients falling under the provisions of paragraph (1) of the following Article, the period under the provisions of the same paragraph); the same shall apply hereinafter) is one-third or more of the prescribed duration of benefits based on said recipient qualification and 45 days or more:

イ 職業に就いた者であつて、ロに該当しないものであること。

(a) Persons who have taken up employment and do not fall under (b) below;

ロ 厚生労働省令で定める安定した職業に就いた者であること。

(b) Persons who have taken up stable employment specified by an Ordinance of the Ministry of Health, Labour and Welfare;

二

厚生労働省令で定める安定した職業に就いた受給資格者（当該職業に就いた日の前日における基本手当の支給残日数が当該受給資格に基づく所定給付日数の三分の一未満又は四十五日未満である者に限る。）、特例受給資格者（特例一時金の支給を受けた者であつて、当該特例受給資格に係る離職の日の翌日から起算して六箇月を経過していないものを含む。以下同じ。）又は日雇受給資格者（第四十五条又は第五十四条の規定による日雇労働求職者給付金の支給を受けることができる者をいう。以下同じ。）であつて、身体障害者その他の就職が困難な者として厚生労働省令で定めるもの

(ii) A qualified recipient (limited to a person for whom the remaining number of payment days for the basic allowance on the day before the day on which he/she took up said employment is less than one-third of the prescribed duration of benefits based on the recipient qualification or less than 45 days), specially qualified recipient (including one who has received the special lump sum payment and for whom six months calculated from the day after the day of separation from employment pertaining to the special recipient qualification concerned have not elapsed; the same shall apply hereinafter), or qualified day worker recipient (meaning a person qualified to receive payment of the job applicant benefits for day workers pursuant to the provisions of Article 45 or Article 54; the same applies hereinafter) who has taken up stable employment specified by an Ordinance of the Ministry of Health, Labour and Welfare and who is designated

as a physically disabled person or any other person who has difficulty finding employment by an Ordinance of the Ministry of Health, Labour and Welfare.

2

受給資格者、特例受給資格者又は日雇受給資格者（第五十八条及び第五十九条第一項において「受給資格者等」という。）が、前項第一号ロ又は同項第二号に規定する安定した職業に就いた日前厚生労働省令で定める期間内の就職について就業促進手当（前項第一号イに該当する者に係るものを除く。以下この項において同じ。）の支給を受けたことがあるときは、前項の規定にかかわらず、就業促進手当は、支給しない。

(2) In the case where a qualified recipient, specially qualified recipient, or qualified day worker recipient (referred to as a "qualified recipient, etc." in Article 58 and paragraph (1) of Article 59) has received payment of an employment promotion allowance (excluding an allowance pertaining to those falling under item (i), (a) of the preceding paragraph; hereinafter the same shall apply in this paragraph) with regard to the employment during the period specified by an Ordinance of the Ministry of Health, Labour and Welfare before the day on which he/she took up the stable employment prescribed in item (i), (b) or item (ii) of the preceding paragraph, the employment promotion allowance shall not be paid, notwithstanding the provisions of the preceding paragraph.

3

就業促進手当の額は、次の各号に掲げる者の区分に応じ、当該各号に定める額とする。

(3) The amount of the employment promotion allowance shall be the amount prescribed respectively in the following items, in accordance with the classification of persons listed in said items:

一 第一項第一号イに該当する者

現に職業に就いている日（当該職業に就かなかつたこととした場合における同日から当該就業促進手当に係る基本手当の受給資格に係る第二十条第一項及び第二項の規定による期間（第三十三条第三項の規定に該当する受給資格者については同項の規定による期間とし、次条第一項の規定に該当する受給資格者については同項の規定による期間とする。）の最後の日までの間に基本手当の支給を受けることができることとなる日があるときに限る。）について、第十六条の規定による基本手当の日額（その金額が同条第一項（同条第二項において読み替えて適用する場合を含む。）に規定する一万二千二百二十円（その額が第十八条の規定により変更されたときは、その変更された額）に百分の五十（受給資格に係る離職の日において六十歳以上六十五歳未満である受給資格者にあつては、百分の四十五）を乗じて得た金額を超えるときは、当該金額。以下この条において「基本手当日額」という。）に十分の三を乗じて得た額

(i) Persons falling under item (i), (a) of paragraph (1) -- with regard to days during which they are actually employed (limited to the case where there are any days on which the basic allowance would have been payable, assuming they had not taken up the employment, during the period between the day on which they took up said employment and the final day of the period prescribed in paragraphs (1) and (2) of Article 20 pertaining to the recipient qualification for the basic allowance pertaining to said employment promotion allowance (for qualified recipients falling under the provisions of paragraph (3) of Article 33, the period under the provisions of the same paragraph and for qualified recipients falling under the provisions of paragraph (1) of the following Article, the period under the provisions of the same paragraph), the amount obtained by multiplying the daily amount of the basic allowance under the provisions of Article 16 (when

the amount exceeds the amount obtained by multiplying 12,220 yen (when the amount has been revised pursuant to the provisions of Article 18, the revised amount) prescribed in paragraph (1) of Article 16, (including cases where it is applied pursuant to paragraph (2) of the same Article, as rephrased therein) by 50 percent (for qualified recipients who are 60 or over and under 65 years of age on the day of separation from employment pertaining to their recipient qualification, 45 percent), said amount; hereinafter referred to as the "daily amount of the basic allowance" in this Article) by 0.3;

二 第一項第一号ロに該当する者

基本手当日額に支給残日数に相当する日数に十分の三を乗じて得た数を乗じて得た額

(ii) Persons falling under item (i), (b) of paragraph (1) -- the amount obtained by multiplying the daily amount of the basic allowance by the number obtained by multiplying the number of days equivalent to the remaining number of payment days by 0.3;

三 第一項第二号に該当する者

次のイからハまでに掲げる者の区分に応じ、当該イからハまでに定める額に三十を乗じて得た額を限度として厚生労働省令で定める額

(iii) Persons falling under item (ii) of paragraph (1) -- the amount specified by an Ordinance of the Ministry of Health, Labour and Welfare in accordance with the classification of persons listed in (a) to (c) below, within the limit of the amount obtained by multiplying the amount prescribed in (a) to (c) below by 30:

イ 受給資格者 基本手当日額

(a) Qualified recipients -- the daily amount of the basic allowance;

ロ 特例受給資格者

その者を基本手当の受給資格者とみなして第十六条から第十八条までの規定を適用した場合にその者に支給されることとなる基本手当の日額（その金額がその者を基本手当の受給資格者とみなして適用される第十六条第一項（同条第二項において読み替えて適用する場合を含む。）に規定する一万二千二百二十円（その額が第十八条の規定により変更されたときは、その変更された額）に百分の五十（特例受給資格に係る離職の日において六十歳以上六十五歳未満である特例受給資格者にあつては、百分の四十五）を乗じて得た金額を超えるときは、当該金額）

(b) Specially qualified recipients -- the daily amount of the basic allowance to be paid to the persons in the case where the provisions of Articles 16 to 18 are applied by deeming them to be qualified recipients of the basic allowance (when the amount exceeds the amount obtained by multiplying 12,220 yen (when the amount has been revised pursuant to the provisions of Article 18, the revised amount) prescribed in paragraph (1) of Article 16 (including cases where it is applied pursuant to paragraph (2) of the same Article, as rephrased therein) which is applied by deeming the persons to be qualified recipients of the basic allowance, by 50 percent (for qualified recipients who are 60 or over and under 65 years of age on the day of separation from employment pertaining to their special recipient qualifications, 45 percent), said amount);

ハ 日雇受給資格者

第四十八条又は第五十四条第二号の規定による日雇労働求職者給付金の日額

(c) Qualified day worker recipients -- the daily amount of the job applicant benefits for day workers under the provisions of Article 48 or Article 54, item (ii).

4

第一項第一号イに該当する者に係る就業促進手当を支給したときは、この法律の規定（

第十条の四及び第三十四条の規定を除く。次項において同じ。)の適用については、当該就業促進手当を支給した日数に相当する日数分の基本手当を支給したものとみなす。

(4) When the employment promotion allowance pertaining to persons falling under item (i), (a) of paragraph (1) has been paid, with regard to the application of the provisions of this Act (excluding the provisions of Articles 10-3 and 34; the same shall apply in the following paragraph), the basic allowance shall be deemed to have been paid for the number of days equivalent to the number of days for which said employment promotion allowance was paid.

5

第一項第一号ロに該当する者に係る就業促進手当を支給したときは、この法律の規定の適用については、当該就業促進手当の額を基本手当日額で除して得た日数に相当する日数分の基本手当を支給したものとみなす。

(5) When the employment promotion allowance pertaining to persons falling under item (i), (b) of paragraph (1) has been paid, with regard to the application of the provisions of this Act, the basic allowance shall be deemed to have been paid for the number of days equivalent to the number of days obtained by dividing the amount of said employment promotion allowance by the daily amount of the basic allowance.

(就業促進手当の支給を受けた場合の特例)

(Special Provisions for Cases where the Employment Promotion Allowance Has Been Paid)

第五十七条

特定就業促進手当受給者について、第一号に掲げる期間が第二号に掲げる期間を超えるときは、当該特定就業促進手当受給者の基本手当の受給期間は、第二十条第一項及び第二項並びに第三十三条第三項の規定にかかわらず、これらの規定による期間に当該超える期間を加えた期間とする。

Article 57 (1) Notwithstanding the provisions of paragraphs (1) and (2) of Article 20 and paragraph (3) of Article 33, when the period listed in item (i) exceeds the period listed in item (ii), with regard to specific recipients of the employment promotion allowance, the basic allowance benefit period for said specific recipients of the employment promotion allowance shall be the period adding the period under these provisions and said exceeding period:

一

就業促進手当（前条第一項第一号ロに該当する者に係るものに限る。以下この条において同じ。）に係る基本手当の受給資格に係る離職の日の翌日から再離職（当該就業促進手当の支給を受けた後の最初の離職（新たに受給資格、高年齢受給資格又は特例受給資格を取得した場合における当該受給資格、高年齢受給資格又は特例受給資格に係る離職を除く。）をいう。次項において同じ。）の日までの期間に次のイ及びロに掲げる日数を加えた期間

(i) The period adding the period between the day after the day of separation from employment pertaining to the recipient qualification for the basic allowance pertaining to the employment promotion allowance (limited to an allowance pertaining to persons falling under item (i), (b) of paragraph (1) of the preceding Article; hereinafter the same applies in this Article) and the day of a second separation from employment (meaning the first separation from employment after receiving payment of said employment promotion allowance; the same shall apply in the following paragraph (when the recipient qualification, recipient qualification for the elderly, or special recipient qualification has been newly obtained, excluding separation from employment

pertaining to said recipient qualification, recipient qualification for the elderly, or special recipient qualification)) and the number of days listed in (a) and (b) below:

イ 二十日以下の範囲内で厚生労働省令で定める日数

(a) The number of days specified by an Ordinance of the Ministry of Health, Labour and Welfare within a limit of 20 days or less;

ロ

当該就業促進手当に係る職業に就いた日の前日における支給残日数から前条第五項の規定により基本手当を支給したものとみなされた日数を差し引いた日数

(b) The number of days obtained by deducting the number of days for which the basic allowance is deemed to have been paid pursuant to the provisions of paragraph (5) of the preceding Article from the remaining number of payment days on the day before the day on which the person took up the employment pertaining to said employment promotion allowance;

二

当該職業に就かなかつたこととした場合における当該受給資格に係る第二十条第一項及び第二項の規定による期間（第三十三条第三項の規定に該当する受給資格者については、同項の規定による期間）

(ii) The period prescribed in paragraphs (1) and (2) of Article 20 pertaining to said recipient qualification, assuming the person had not taken up said employment (for qualified recipients falling under the provisions of paragraph (3) of Article 33 the period prescribed in the same paragraph).

2

前項の特定就業促進手当受給者とは、就業促進手当の支給を受けた者であつて、再離職の日が当該就業促進手当に係る基本手当の受給資格に係る第二十条第一項及び第二項の規定による期間（第三十三条第三項の規定に該当する受給資格者については、同項の規定による期間）内にあり、かつ、次の各号のいずれかに該当するものをいう。

(2) The specific recipients of the employment promotion allowance referred to in the preceding paragraph means persons who have received payment of the employment promotion allowance, whose second separation from employment falls within the period prescribed in paragraphs (1) and (2) of Article 20 pertaining to recipient qualification for the basic allowance pertaining to said employment promotion allowance (for qualified recipients falling under the provisions of paragraph (3) of Article 33 the period prescribed in the same paragraph) and who fall under any of the following items:

一

再離職が、その者を雇用していた事業主の事業について発生した倒産又は当該事業主の適用事業の縮小若しくは廃止に伴うものである者として厚生労働省令で定めるもの

(i) Persons whose second separation from employment has been designated by an Ordinance of the Ministry of Health, Labour and Welfare as having accompanied an insolvency that occurred with regard to the undertaking by the business operator who had been employing said persons, or the downsizing or discontinuance of the covered undertaking by said business operator;

二

前号に定めるもののほか、解雇その他の厚生労働省令で定める理由により離職した者

(ii) In addition to what is prescribed in the preceding item, persons who have been separated from employment because of dismissal or other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare.

3

第一項の規定に該当する受給資格者については、第二十四条第一項中「第二十条第一項及び第二項」とあるのは、「第五十七条第一項」とする。

(3) With regard to qualified recipients falling under the provisions of paragraph (1), the term "paragraphs (1) and (2) of Article 20" in paragraph (1) of Article 24 shall be deemed to be replaced with " paragraph (1) of Article 57".

4

第三十三条第五項の規定は、第一項の規定に該当する受給資格者について準用する。

(4) The provisions of paragraph (5) of Article 33 shall apply mutatis mutandis to qualified recipients falling under paragraph (1).

(移転費)

(Moving Expenses)

第五十八条

移転費は、受給資格者等が公共職業安定所の紹介した職業に就くため、又は公共職業安定所長の指示した公共職業訓練等を受けるため、その住所又は居所を変更する場合において、公共職業安定所長が厚生労働大臣の定める基準に従つて必要があると認めるときに、支給する。

Article 58 (1) In the case where a qualified recipient, etc., changes his/her domicile or address to take up the employment to which he/she was referred by the Public Employment Security Office or to take a course of public vocational training, etc., as directed by the Chief of the Public Employment Security Office and the Chief of the Public Employment Security Office finds it necessary in accordance with the standards specified by the Minister of Health, Labour and Welfare, moving expenses shall be paid.

2

移転費の額は、受給資格者等及びその者により生計を維持されている同居の親族の移転に通常要する費用を考慮して、厚生労働省令で定める。

(2) The amount of the moving expenses shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare, taking into account the expenses normally required for removal of a qualified recipient, etc., and the relatives who live with and are supported by him/her.

(広域求職活動費)

(Wide Area Job-Seeking Activity Expenses)

第五十九条

広域求職活動費は、受給資格者等が公共職業安定所の紹介により広範囲の地域にわたる求職活動をする場合において、公共職業安定所長が厚生労働大臣の定める基準に従つて必要があると認めるときに、支給する。

Article 59 (1) In the case where a qualified recipient, etc., engages in wide area job-seeking activities through referral by the Public Employment Security Office and the Chief of the Public Employment Security Office finds it necessary in accordance with the standards specified by the Minister of Health, Labour and Welfare, wide area job-seeking activity expenses shall be paid.

2

広域求職活動費の額は、前項の求職活動に通常要する費用を考慮して、厚生労働省令で定める。

(2) The amount of the wide area job-seeking activity expenses shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare, taking into account the expenses normally required for the job-seeking activities referred to in the preceding paragraph.

(給付制限)

(Restriction on Benefits)

第六十条

偽りその他不正の行為により求職者給付又は就職促進給付の支給を受け、又は受けようとした者には、これらの給付の支給を受け、又は受けようとした日以後、就職促進給付を支給しない。ただし、やむを得ない理由がある場合には、就職促進給付の全部又は一部を支給することができる。

Article 60 (1) The employment promotion benefits shall not be paid to a person who has received or attempted to receive payment of the job applicant benefits or employment promotion benefits by means of deception or other wrongful conduct, as from the day on which he/she received or attempted to receive payment of these benefits. Provided, however, that, in the case where there are unavoidable reasons, the whole or a part of the employment promotion benefits may be paid.

2

前項に規定する者が同項に規定する日以後新たに受給資格又は特例受給資格を取得した場合には、同項の規定にかかわらず、その受給資格又は特例受給資格に基づく就職促進給付を支給する。

(2) If a person prescribed in the preceding paragraph has newly obtained recipient qualification or special recipient qualification on or after the day prescribed in the same paragraph, the employment promotion benefits based on said recipient qualification or special recipient qualification shall be paid, notwithstanding the provisions of the same paragraph.

3

第一項に規定する者であつて、第五十二条第三項（第五十五条第四項において準用する場合を含む。次項において同じ。）の規定により日雇労働求職者給付金の支給を受けることができない者とされたものが、その支給を受けることができない期間を経過した後において、日雇受給資格者である場合又は日雇受給資格者となつた場合には、第一項の規定にかかわらず、その日雇受給資格者たる資格に基づく就職促進給付を支給する。

(3) Where a person prescribed in paragraph (1), who has been disqualified from receiving payment of the job applicant benefits for day workers pursuant to the provisions of paragraph (3) of Article 52 (including where said provisions are applied mutatis mutandis pursuant to paragraph (4) of Article 55; the same shall apply in the following paragraph), is or has become a qualified day worker recipient, after the expiration of the period of disqualification for said payment the employment promotion benefits shall be paid based on said qualification as a qualified day worker recipient, notwithstanding the provisions of paragraph (1).

4

第一項に規定する者（第五十二条第三項の規定により日雇労働求職者給付金の支給を受けることができない者とされている者を除く。）が新たに日雇受給資格者となつた場合には、第一項の規定にかかわらず、その日雇受給資格者たる資格に基づく就職促進給付を支給する。

(4) In the case where a person prescribed in paragraph (1) (excluding a person who is deemed to be disqualified from receiving payment of the job applicant benefits for day workers pursuant

to the provisions of paragraph (3) of Article 52) has newly become a qualified day worker recipient, the employment promotion benefits based on said qualification as a qualified day worker recipient shall be paid to said person, notwithstanding the provisions of paragraph (1).

5

受給資格者が第一項の規定により就職促進給付を支給されないこととされたため、当該受給資格に基づく就業促進手当の全部又は一部の支給を受けることができなくなつたときは、第五十六条の二第四項及び第五項の規定の適用については、その全部又は一部の支給を受けることができないこととされた就業促進手当の支給があつたものとみなす。

(5) When a qualified recipient has been disqualified from receiving payment of the whole or a part of the employment promotion allowance based on the recipient qualification concerned, due to being denied payment of the employment promotion benefits pursuant to the provisions of paragraph (1), the whole or a part of the employment promotion allowance that the person was disqualified from receiving shall be deemed to have been paid, with regard to the application of the provisions of paragraph (4) of Article 56-2.

第五節の二 教育訓練給付

Section 5-2 Educational Training Benefits

(教育訓練給付金)

(Educational Training Benefits)

第六十条の二

教育訓練給付金は、次の各号のいずれかに該当する者が、厚生労働省令で定めるところにより、雇用の安定及び就職の促進を図るために必要な職業に関する教育訓練として厚生労働大臣が指定する教育訓練を受け、当該教育訓練を修了した場合（当該教育訓練を行つた指定教育訓練実施者によりその旨の証明がされた場合に限る。）において、支給要件期間が三年以上であるときに、支給する。

Article 60-2 (1) The educational training benefits shall be paid in the case where persons falling under any of the following items, take and complete educational training designated by the Minister of Health, Labour and Welfare as job-related educational training necessary for employment security and promotion of job placement pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare (limited to the case where such fact has been certified by the practitioner of specified educational training who conducted said educational training), and where the required period for payment exceeds three years:

一

当該教育訓練を開始した日（以下この条において「基準日」という。）に被保険者（高年齢継続被保険者、短期雇用特例被保険者及び日雇労働被保険者を除く。次号において「一般被保険者」という。）である者

(i) Insured persons (excluding continuously insured elderly persons, specially insured persons in short-term employment and insured day workers; referred to as "generally insured persons" in the following item) on the day of commencing said educational training (hereinafter referred to as "the basis day" in this Article);

二

前号に掲げる者以外の者であつて、基準日が当該基準日の直前の一般被保険者でなくなつた日から厚生労働省令で定める期間内にあるもの

(ii) Persons other than those listed the previous item, whose basis day falls within the period specified by an Ordinance of the Ministry of Health, Labour and Welfare from the day on which they ceased to be generally insured persons immediately before said basis day.

2

前項の支給要件期間は、同項各号に掲げる者が基準日までの間に同一の事業主の適用事業に引き続いて被保険者（高年齢継続被保険者を除く。以下この項において同じ。）として雇用された期間（当該雇用された期間に係る被保険者となつた日前に被保険者であつたことがある者については、当該雇用された期間と当該被保険者であつた期間を通算した期間）とする。ただし、当該期間に次の各号に掲げる期間が含まれているときは、当該各号に掲げる期間に該当するすべての期間を除いて算定した期間とする。

(2) The required period for payment referred to in paragraph (1) shall be the period, within the period before the basis day, during which a person listed in the items of paragraph (1), is employed continuously as an insured person (excluding continuously insured elderly persons, hereinafter the same applies in this paragraph) in a covered undertaking by the same business operator (for persons who had at one time been insured before the day they became an insured person pertaining to said period of employment, the period shall be the aggregate of said period of employment and said period during which he/she had been insured). Provided, however, that, when the periods listed in the following items are included in said period, the period shall be calculated excluding all periods falling under those listed in said items:

一

当該雇用された期間又は当該被保険者であつた期間に係る被保険者となつた日の直前の被保険者でなくなつた日が当該被保険者となつた日前一年の期間内にはないときは、当該直前の被保険者でなくなつた日以前の被保険者であつた期間

(i) When said period of employment or the day on which said person had ceased to be an insured person immediately before the day he/she became an insured person pertaining to said period during which he/she had been insured is not within a one-year period prior to said day on which he/she had become insured, the period shall be the period during which the person had been insured before said day on which he/she had ceased to be an insured person;

二

当該基準日前に教育訓練給付金の支給を受けたことがあるときは、当該給付金に係る基準日以前の被保険者であつた期間

(ii) When the educational training benefits have been received prior to said basis day, the period shall be the period during which the person was insured prior to the basis day pertaining to said benefits.

3 第二十二條第四項の規定は、前項の支給要件期間の算定について準用する。

(3) The provisions of paragraph (4) of Article 22 shall apply mutatis mutandis to the calculations of the required period for payment referred to in the preceding paragraph.

4

教育訓練給付金の額は、第一項各号に掲げる者が同項に規定する教育訓練の受講のために支払つた費用（厚生労働省令で定める範囲内のものに限る。）の額（当該教育訓練の受講のために支払つた費用の額であることについて当該教育訓練を行つた指定教育訓練実施者により証明がされたものに限る。）に百分の二十以上百分の四十以下の範囲内において厚生労働省令で定める率を乗じて得た額（その額が厚生労働省令で定める額を超えるときは、その定める額）とする。

(4) The amount of the educational training benefits shall be an amount obtained by multiplying the amount of expenses which persons listed in the items of paragraph (1) have paid for taking the educational training prescribed in the same paragraph (limited to expenses within the limit specified by an Ordinance of the Ministry of Health, Labour and Welfare, and limited to the amount which has been certified by the practitioner of specified educational training who conducted said educational training as that paid for taking said educational training) by a rate specified by an Ordinance of the Ministry of Health, Labour and Welfare, within the range of 20 percent to 40 percent (when the amount exceeds the amount specified by an Ordinance of the Ministry of Health, Labour and Welfare, the amount specified).

5

第一項及び前項の規定にかかわらず、同項の規定により教育訓練給付金の額として算定された額が厚生労働省令で定める額を超えないときは、教育訓練給付金は、支給しない。

(5) Notwithstanding the provisions of paragraph (1) and the preceding paragraph, when the amount calculated as the educational training benefits under the provisions of those paragraphs does not exceed the amount specified by an Ordinance of the Ministry of Health, Labour and Welfare, the educational training benefits shall not be paid.

(給付制限)

(Restriction on Benefits)

第六十条の三

偽りその他不正の行為により教育訓練給付金の支給を受け、又は受けようとした者には、当該給付金の支給を受け、又は受けようとした日以後、教育訓練給付金を支給しない。ただし、やむを得ない理由がある場合には、教育訓練給付金の全部又は一部を支給することができる。

Article 60-3 (1) The educational training benefits shall not be paid to a person who has received or attempted to receive payment of the educational training benefits by means of deception or other wrongful conduct, as from the day on which said person received or attempted to receive payment of said benefits. Provided, however, that, if there are unavoidable reasons, the whole or a part of the educational training benefits may be paid.

2

前項の規定により教育訓練給付金の支給を受けることができない者とされたものが、同項に規定する日以後、新たに教育訓練給付金の支給を受けることができる者となつた場合には、同項の規定にかかわらず、教育訓練給付金を支給する。

(2) In the case where a person who has been disqualified from receiving payment of the educational training benefits pursuant to the provisions of the preceding paragraph, has newly become a person qualified to receive payment of the educational training benefits, notwithstanding the provisions of the same paragraph, the educational training benefits shall be paid.

3

第一項の規定により教育訓練給付金の支給を受けることができなくなつた場合においても、前条第二項の規定の適用については、当該給付金の支給があつたものとみなす。

(3) Even in the case where a person has become unable to receive payment of the educational training benefits pursuant to the provisions of paragraph (1), with regard to the application of the

provisions of paragraph (2) of the preceding Article, said benefits shall be deemed to have been paid.

第六節 雇用継続給付

Section 6 Continuous Employment Benefits

第一款 高年齢雇用継続給付

Subsection 1 Continuous Employment Benefits for the Elderly

(高年齢雇用継続基本給付金)

(Basic Continuous Employment Benefits for the Elderly)

第六十一条

高年齢雇用継続基本給付金は、被保険者（短期雇用特例被保険者及び日雇労働被保険者を除く。以下この款において同じ。）に対して支給対象月（当該被保険者が第一号に該当しなくなつたときは、同号に該当しなくなつた日の属する支給対象月以後の支給対象月）に支払われた賃金の額（支給対象月において非行、疾病その他の厚生労働省令で定める理由により支払を受けることができなかつた賃金がある場合には、その支払を受けたものとみなして算定した賃金の額。以下この項、第四項及び第五項各号（次条第三項において準用する場合を含む。）並びに同条第一項において同じ。）が、当該被保険者を受給資格者と、当該被保険者が六十歳に達した日（当該被保険者が第一号に該当しなくなつたときは、同号に該当しなくなつた日）を受給資格に係る離職の日とみなして第十七条（第三項を除く。）の規定を適用した場合に算定されることとなる賃金日額に相当する額（以下この条において「みなし賃金日額」という。）に三十を乗じて得た額の百分の七十五に相当する額を下るに至つた場合に、当該支給対象月について支給する。ただし、次の各号のいずれかに該当するときは、この限りでない。

Article 61 (1) The basic continuous employment benefits for the elderly shall be paid for the months subject to payment where the amount of wages paid (where there are wages, payment of which could not be received in the months subject to payment due to misconduct, sickness or other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare, the amount calculated by deeming those wages to have been paid; hereinafter the same shall apply in this paragraph, the items of paragraphs (4) and (5) (including cases where they are applied mutatis mutandis pursuant to paragraph (3) of the following Article) and paragraph (1) of the same Article), to an insured person (excluding specially insured persons in short-term employment and insured day workers; hereinafter the same apply in this Subsection) in said month subject to payment (when said insured person has ceased to fall under item (i), the months subject to payment after the month subject to payment containing the day on which he/she ceased to fall under the same item), has fallen below an amount equivalent to 75 percent of the amount obtained by multiplying by 30 an amount equivalent to the daily amount of wages calculated where the provisions of Article 17 (excluding paragraph (3)) are applied, deeming said insured person to be a qualified recipient and the day on which said insured person reached 60 years of age (when said insured person has ceased to fall under item (i), the day on which he/she ceased to fall under the same item) as the day of separation from employment pertaining to the recipient qualification (hereinafter referred to as the "amount deemed to be the daily amount of wages" in this Article). Provided, however, that this shall not apply when falling under any of the following items:

一

当該被保険者を受給資格者と、当該被保険者が六十歳に達した日又は当該支給対象月に

においてその日に相当する日（その日に相当する日がない月においては、その月の末日。）を第二十条第一項第一号に規定する基準日とみなして第二十二条第三項及び第四項の規定を適用した場合に算定されることとなる期間に相当する期間が、五年に満たないとき。

(i) When the period equivalent to the period to be calculated when the provisions of paragraphs (3) and (4) of Article 22 have been applied, deeming the insured person to be a qualified recipient and the day on which said insured person reached 60 years of age or the day in the said month subject to payment corresponding to that day (for a month which does not have a day corresponding to that day, the last day of that month) as the basis day prescribed in item (i) of paragraph (1) of Article 20 is less than five years;

二

当該支給対象月に支払われた賃金の額が、三十五万八百八十円（その額が第七項の規定により変更されたときは、その変更された額。以下この款において「支給限度額」という。）以上であるとき。

(ii) When the amount of wages paid in said month subject to payment is 350,880 yen or more (when that amount has been revised pursuant to the provisions of paragraph (7), the revised amount; hereinafter referred to as the "payment amount limit" in this Subsection).

2

この条において「支給対象月」とは、被保険者が六十歳に達した日の属する月から六十五歳に達する日の属する月までの期間内にある月（その月の初日から末日まで引き続いて、被保険者であり、かつ、育児休業基本給付金又は介護休業給付金の支給を受けることができる休業をしなかつた月に限る。）をいう。

(2) In this Article, "months subject to payment" means the months within the period from the month containing the day on which the insured person reached 60 years of age until the month containing the day on which he/she reaches 65 years of age (limited to months in which he/she was continuously insured from the first to the last day of the month and in which he/she did not take leave for which he/she could receive payment of the basic childcare leave benefits or family care leave benefits).

3

第一項の規定によりみなし賃金日額を算定する場合における第十七条第四項の規定の適用については、同項中「前三項の規定」とあるのは、「第一項及び第二項の規定」とする。

(3) In the case where the amount deemed to be the daily amount of wages is calculated pursuant to the provisions of paragraph (1), with regard to the application of the provisions of paragraph (4) of Article 17, the term "the provisions of the preceding three paragraphs" in the same paragraph shall be deemed to be replaced with "the provisions of paragraphs (1) and (2)".

4

第一項の規定によりみなし賃金日額を算定することができないとき若しくは困難であるとき、又は同項の規定により算定したみなし賃金日額を用いて同項の規定を適用することが適当でないと認められるときは、厚生労働大臣が定めるところにより算定した額をみなし賃金日額とする。この場合において、第十七条第四項の規定は、この項の規定により算定したみなし賃金日額について準用する。

(4) When it is not possible or is difficult to calculate the amount deemed to be the daily amount of wages pursuant to the provisions of paragraph (1), or where it is found inappropriate to apply

the provisions of the same paragraph using the amount deemed to be the daily amount of wages calculated pursuant to the provisions of the same paragraph, the amount deemed to be the daily amount of wages shall be an amount calculated as specified by the Minister of Health, Labour and Welfare. In this case, the provisions of paragraph (4) of Article 17 shall apply mutatis mutandis to the amount deemed to be the daily amount of wages calculated pursuant to the provisions of this paragraph.

5

高年齢雇用継続基本給付金の額は、一支給対象月について、次の各号に掲げる区分に応じ、当該支給対象月に支払われた賃金の額に当該各号に定める率を乗じて得た額とする。ただし、その額に当該賃金の額を加えて得た額が支給限度額を超えるときは、支給限度額から当該賃金の額を減じて得た額とする。

(5) The amount of the basic continuous employment benefits for the elderly for a single month subject to payment shall be the amount obtained, in accordance with the classification listed in the following items, by multiplying the amount of wages paid in said month subject to payment by the rates prescribed in said items. Provided, however, that, where the amount obtained by adding said amount of wages to that amount exceeds the payment amount limit, it shall be the amount obtained by deducting said amount of wages from the payment amount limit:

一

当該賃金の額が、みなし賃金日額に三十を乗じて得た額の百分の六十一に相当する額未満であるとき。 百分の十五

(i) When said amount of wages is less than the amount equivalent to 61 percent of the amount obtained by multiplying the amount deemed to be the daily amount of wages by 30 -- 15 percent;

二 前号に該当しないとき。

みなし賃金日額に三十を乗じて得た額に対する当該賃金の額の割合が逡増する程度に応じ、百分の十五から一定の割合で逡減するように厚生労働省令で定める率

(ii) When not falling under the preceding item -- the percentage specified by an Ordinance of the Ministry of Health, Labour and Welfare, gradually decreasing from 15 percent in set proportion in accordance with the degree of gradual increase in the proportion of said amount of wages to the amount obtained by multiplying the amount deemed to be the daily amount of wages by 30.

6

第一項及び前項の規定にかかわらず、同項の規定により支給対象月における高年齢雇用継続基本給付金の額として算定された額が第十七条第四項第一号に掲げる額（その額が第十八条の規定により変更されたときは、その変更された額）の百分の八十に相当する額を超えないときは、当該支給対象月については、高年齢雇用継続基本給付金は、支給しない。

(6) Notwithstanding the provisions of paragraph (1) and the preceding paragraph, the basic continuous employment benefits for the elderly shall not be paid for the month subject to payment, when the amount calculated as the amount of the basic continuous employment benefits for the elderly for said month subject to payment does not exceed the amount equivalent to 80 percent of the amount listed in item (i) of paragraph (4) of Article 17 (where that amount has been revised pursuant to the provisions of Article 18, the revised amount).

厚生労働大臣は、年度の平均給与額が平成十三年四月一日から始まる年度（この項の規定により支給限度額が変更されたときは、直近の当該変更がされた年度の前年度）の平均給与額を超え、又は下るに至った場合においては、その上昇し、又は低下した比率を基準として、その翌年度の八月一日以後の支給限度額を変更しなければならない。

(7) Where the average earnings for the fiscal year have either exceeded or fallen below the average earnings for the year beginning on April 1, 2001 (where the payment amount limit has been revised pursuant to the provisions of this paragraph, the fiscal year preceding the fiscal year of the most recent revision), the Minister of Health, Labour and Welfare shall revise the payment amount limit applicable from August 1 of the following fiscal year, in accordance with the rate of increase or decrease.

（高年齢再就職給付金）

(Re-employment Benefits for the Elderly)

第六十一条の二

高年齢再就職給付金は、受給資格者（その受給資格に係る離職の日における第二十二条第三項の規定による算定基礎期間が五年以上あり、かつ、当該受給資格に基づく基本手当の支給を受けたことがある者に限る。）が六十歳に達した日以後安定した職業に就くことにより被保険者となつた場合において、当該被保険者に対し再就職後の支給対象月に支払われた賃金の額が、当該基本手当の日額の算定の基礎となつた賃金日額に三十を乗じて得た額の百分の七十五に相当する額を下るに至つたときに、当該再就職後の支給対象月について支給する。ただし、次の各号のいずれかに該当するときは、この限りでない。

Article 61-2 (1) The re-employment benefits for the elderly shall be paid for the months subject to payment after re-employment, where a qualified recipient (limited to one whose basic period for calculation pursuant to the provisions of paragraph (3) of Article 22 as on the day of separation from employment pertaining to said recipient qualification is not less than five years and who has received payment of the basic allowance based on said recipient qualification) has become an insured person due to taking stable employment on or after the day on which he/she reached 60 years of age, and when the amount of wages paid to said insured person in the months subject to payment after re-employment has fallen below the amount equivalent to 75 percent of the amount obtained by multiplying by 30 the daily amount of wages, which was the basis of the calculation of the daily amount of said basic allowance. Provided, however, that this shall not apply when falling under any of the following items:

一

当該職業に就いた日（次項において「就職日」という。）の前日における支給残日数が、百日未満であるとき。

(i) Where the remaining number of payment days as on the day before the day on which he/she took up said employment (referred to as the "employment day" in the following paragraph) is less than 100 days;

二 当該再就職後の支給対象月に支払われた賃金の額が、支給限度額以上であるとき。

(ii) Where the amount of wages paid in the months subject to payment after said re-employment is not less than the payment amount limit.

2

前項の「再就職後の支給対象月」とは、就職日の属する月から当該就職日の翌日から起

算して二年（当該就職日の前日における支給残日数が二百日未満である同項の被保険者については、一年）を経過する日の属する月（その月が同項の被保険者が六十五歳に達する日の属する月後であるときは、六十五歳に達する日の属する月）までの期間内にある月（その月の初日から末日まで引き続いて、被保険者であり、かつ、育児休業基本給付金又は介護休業給付金の支給を受けることができる休業をしなかつた月に限る。）をいう。

(2) The "months subject to payment after re-employment" referred to in the preceding paragraph, means the months within the period between the month containing the employment day and the month containing the day on which two years (for an insured person referred to in the same paragraph whose remaining number of payment days on the day before said employment day is less than 200 days, one year) have elapsed from the day after said employment day (where such month is a month after the month in which the insured person referred to in the same paragraph reaches 65 years of age, the month in which he/she reaches 65 years of age) (limited to months in which he/she was continuously insured from the first to the last day of the month and in which he/she did not take leave for which he/she could receive payment of the basic childcare leave benefits or family care benefits).

3

前条第五項及び第六項の規定は、高年齢再就職給付金の額について準用する。この場合において、同条第五項中「支給対象月について」とあるのは「再就職後の支給対象月（次条第二項に規定する再就職後の支給対象月をいう。次条第三項において準用する第六項において同じ。）について」と、「当該支給対象月」とあるのは「当該再就職後の支給対象月」と、「みなし賃金日額」とあるのは「次条第一項の賃金日額」と、同条第六項中「第一項」とあるのは「次条第一項」と、「支給対象月」とあるのは「再就職後の支給対象月」と読み替えるものとする。☐

(3) The provisions of paragraphs (5) and (6) of the preceding Article shall apply mutatis mutandis to the amount of the re-employment benefits for the elderly. In this case, the terms in paragraph (5) of the same Article "for a single month subject to payment", "said month subject to payment" and "the amount deemed to be the daily amount of wages" shall be deemed to be replaced, respectively, with "for a single month subject to payment after re-employment (meaning the months subject to payment after the re-employment prescribed in paragraph (2) of the following Article; the same shall apply in paragraph (6) as applied mutatis mutandis pursuant to paragraph (3) of the following Article)", "said month subject to payment after re-employment" and "the daily amount of wages referred to in paragraph (1) of the following Article"; and the terms in paragraph (6) of the same Article "paragraph (1)" and "the month subject to payment" shall be deemed to be replaced, respectively, with "paragraph (1) of the following Article" and "the month subject to payment after re-employment".

4

高年齢再就職給付金の支給を受けることができる者が、同一の就職につき就業促進手当（第五十六条の二第一項第一号ロに該当する者に係るものに限る。以下この項において同じ。）の支給を受けることができる場合において、その者が就業促進手当の支給を受けたときは高年齢再就職給付金を支給せず、高年齢再就職給付金の支給を受けたときは就業促進手当を支給しない。

(4) In the case where a person who is qualified to receive payment of the re-employment benefits for the elderly is qualified to receive payment of the employment promotion allowance

(limited to an allowance pertaining to persons falling under item (i), (b) of paragraph (1) of Article 56-2; hereinafter the same applies in this paragraph) with regard to the same employment, the re-employment benefits for the elderly shall not be paid when he/she has received payment of the employment promotion allowance, and the employment promotion allowance shall not be paid when he/she has received payment of the re-employment benefits for the elderly.

(給付制限)

(Restriction on Benefits)

第六十一条の三

偽りその他不正の行為により次の各号に掲げる失業等給付の支給を受け、又は受けようとした者には、当該給付の支給を受け、又は受けようとした日以後、当該各号に定める高年齢雇用継続給付を支給しない。ただし、やむを得ない理由がある場合には、当該高年齢雇用継続給付の全部又は一部を支給することができる。

Article 61-3 The continuous employment benefits for the elderly prescribed in the following items shall not be paid to a person who has received or attempted to receive payment of the benefits for unemployment, etc., listed in the same items by means of deception or other wrongful conduct, as from the day on which he/she received or attempted to receive payment of said benefits. Provided, however, that in the case where there are unavoidable reasons, the whole or a part of said continuous employment benefits for the elderly may be paid:

一 高年齢雇用継続基本給付金 高年齢雇用継続基本給付金

(i) Basic continuous employment benefits for the elderly -- basic continuous employment benefits for the elderly;

二

高年齢再就職給付金又は当該給付金に係る受給資格に基づく求職者給付若しくは就職促進給付 高年齢再就職給付金

(ii) Re-employment benefits for the elderly or job applicant benefits or employment promotion benefits based on the recipient qualification pertaining to said benefits -- re-employment benefits for the elderly.

第二款 育児休業給付

Subsection 2 Childcare Leave Benefits

(育児休業基本給付金)

(Basic Childcare Leave Benefits)

第六十一条の四

育児休業基本給付金は、被保険者（高年齢継続被保険者、短期雇用特例被保険者及び日雇労働被保険者を除く。以下この款及び次款において同じ。）が、厚生労働省令で定めるところにより、その一歳（その子が一歳に達した日後の期間について休業することが雇用の継続のために特に必要と認められる場合として厚生労働省令で定める場合に該当する場合にあつては、一歳六か月）に満たない子を養育するための休業をした場合において、当該休業を開始した日前二年間（当該休業を開始した日前二年間に疾病、負傷その他厚生労働省令で定める理由により引き続き三十日以上賃金の支払を受けることができなかつた被保険者については、当該理由により賃金の支払を受けることができなかつた日数を二年に加算した期間（その期間が四年を超えるときは、四年間））に、みなし

被保険者期間が通算して十二箇月以上であつたときに、支給単位期間について支給する。

Article 61-4 (1) The basic childcare leave benefits shall be paid for the payment unit period where an insured person (excluding continuously insured elderly persons, specially insured persons in short-term employment and insured day workers; hereinafter the same applies in this Subsection and the following Subsection) has, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, taken leave in order to take care of his/her child under one year of age (when falling under the case specified by an Ordinance of the Ministry of Health, Labour and Welfare as the case where it is found especially necessary to take leave on or after the day on which the child reaches one year of age for the purpose of continuing employment, one and a half years of age), when the period deemed to be the insured period is a total of 12 months or more within the two-year period preceding the day on which said leave was commenced (for an insured person who was continuously unable to receive payment of wages for 30 days or more due to sickness, injury or other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare during the two-year period preceding the day on which said leave was commenced, the total of the number of days for which payment of wages could not be received due to said reason plus two years (when that total period exceeds four years; four years)).

2

前項の「みなし被保険者期間」は、同項に規定する休業を開始した日を被保険者でなくなつた日とみなして第十四条（第二項を除く。）の規定を適用した場合に計算されることとなる被保険者期間に相当する期間とする。この場合における同条第一項及び第三項の規定の適用については、同条第一項中「十四日」とあるのは「十一日」と、同条第三項中「前二項の」とあるのは「第一項の」と、「前二項に」とあるのは「同項に」とする。

(2) The "period deemed to be the insured period" referred to in the preceding paragraph shall be the period equivalent to the insured period to be calculated when the provisions of Article 14 (excluding paragraph (2)) have been applied, deeming the day on which the leave prescribed in the preceding paragraph was commenced to be the day on which the person ceased to be an insured person. In this case, with regard to the application of the provisions of paragraphs (1) and (3) of the same Article, the term "14 days" in paragraph (1) of the same Article shall be deemed to be replaced with "11 days"; the terms "of the preceding two paragraphs" and "in the preceding two paragraphs" in paragraph (3) of the same Article shall be deemed to be replaced, respectively, with "of paragraph (1)" and "in the same paragraph".

3

この条及び次条第二項において「支給単位期間」とは、第一項に規定する休業をした期間を、当該休業を開始した日又は各月においてその日に応じ、かつ、当該休業をした期間内にある日（その日に応じする日がない月においては、その月の末日。以下この項及び次項第二号において「休業開始応当日」という。）から各翌月の休業開始応当日の前日（当該休業を終了した日の属する月にあつては、当該休業を終了した日）までの各期間に区分した場合における当該区分による一の期間をいう。

(3) The "payment unit period" in this Article and paragraph (2) of the following Article means a single period when the period of leave taken pursuant to the provisions of paragraph (1) has been classified into each period from the day on which said leave was commenced or the day

corresponding to that day in each month within the period of said leave (for a month which does not have a day corresponding to that day, the last day of the month; hereinafter referred to as the "corresponding leave commencement day" in this paragraph and item (ii) of the following paragraph) until the day before the corresponding leave commencement day in each successive month (for the month containing the day on which the leave was concluded, said day on which the leave was concluded), in accordance with said classification.

4

育児休業基本給付金の額は、一支給単位期間について、育児休業基本給付金の支給を受けることができる被保険者を受給資格者と、当該被保険者が当該育児休業基本給付金の支給に係る休業を開始した日の前日を受給資格に係る離職の日とみなして第十七条の規定を適用した場合に算定されることとなる賃金日額に相当する額（以下この款において「休業開始時賃金日額」という。）に次の各号に掲げる支給単位期間の区分に応じて当該各号に定める日数（次項及び次条第二項において「支給日数」という。）を乗じて得た額の百分の三十に相当する額とする。この場合における同条の規定の適用については、同条第三項中「困難であるとき」とあるのは「できないとき若しくは困難であるとき」と、同条第四項中「第二号」とあるのは「第二号ハ」とする。

(4) The amount of the basic childcare leave benefits for a single payment unit period shall be an amount equivalent to 30 percent of the amount obtained by multiplying the amount equivalent to the daily amount of wages to be calculated when the provisions of Article 17 have been applied, deeming the person qualified to receive payment of the basic childcare leave benefits to be a qualified recipient and the day before the day on which said qualified recipient commenced the leave pertaining to payment of said basic childcare leave benefits as the day of separation from employment pertaining to the recipient qualification (hereinafter referred to as the "daily amount of wages at the commencement of leave" in this Subsection), by the duration of benefits prescribed in the following items in accordance with the classification of payment unit periods listed in the same items (referred to as the "duration of benefits" in this paragraph and paragraph (2) of the following Article). In this case, with regard to the application of the provisions of the same Article, the term "where it is difficult" in paragraph (3) of the same Article shall be deemed to be replaced with "when it is not possible or difficult"; the term "item (ii)" in paragraph (4) of the same Article shall be deemed to be replaced with "item (ii), (c)":

一 次号に掲げる支給単位期間以外の支給単位期間 三十日

(i) Payment unit periods other than the payment unit period listed in the following item -- 30 days;

二 当該休業を終了した日の属する支給単位期間

当該支給単位期間における当該休業を開始した日又は休業開始応当日から当該休業を終了した日までの日数

(ii) The payment unit period containing the day on which said leave was concluded -- the number of days from the day on which said leave was commenced or the corresponding leave commencement day until the day on which said leave was concluded during said payment unit period.

5

前項の規定にかかわらず、第一項に規定する休業をした被保険者に当該被保険者を雇用している事業主から支給単位期間に賃金が支払われた場合において、当該賃金の額に当該支給単位期間における育児休業基本給付金の額を加えて得た額が休業開始時賃金日額

に支給日数を乗じて得た額の百分の八十に相当する額以上であるときは、休業開始時賃金日額に支給日数を乗じて得た額の百分の八十に相当する額から当該賃金の額を減じて得た額を、当該支給単位期間における育児休業基本給付金の額とする。この場合において、当該賃金の額が休業開始時賃金日額に支給日数を乗じて得た額の百分の八十に相当する額以上であるときは、同項の規定にかかわらず、当該賃金が支払われた支給単位期間については、育児休業基本給付金は、支給しない。

(5) Notwithstanding the provisions of the preceding paragraph, in the case where wages have been paid during the payment unit period to the insured person who has taken the leave prescribed in paragraph (1) by the business operator who employs said insured person, when the amount obtained by adding the amount of the basic childcare leave benefits for said payment unit period to said amount of wages exceeds the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of benefits, the amount obtained by deducting said amount of wages from the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of benefits shall be the amount of the basic childcare leave benefits for said payment unit period. In this case, when said amount of wages is not less than the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of benefits, notwithstanding the provisions of the same paragraph, the basic childcare leave benefits shall not be paid for the payment unit period for which said wages were paid.

(育児休業者職場復帰給付金)

(Re-engagement Benefits for Persons Taking Childcare Leave)

第六十一条の五

育児休業者職場復帰給付金は、育児休業基本給付金の支給を受けることができる被保険者が、当該支給を受けることができる育児休業基本給付金に係る休業の期間中被保険者として雇用されていた事業主に当該休業を終了した日後引き続き六箇月以上雇用されているときに、支給する。

Article 61-5 (1) The re-engagement benefits for persons taking childcare leave shall be paid when an insured person qualified to receive payment of the basic childcare leave benefits has been employed by the business operator who employed him/her as an insured person during the period of the leave pertaining to said basic childcare leave benefits which he/she is qualified to receive, for six months or more continuously on or after the day on which said leave was concluded.

2

育児休業者職場復帰給付金の額は、前項の休業をした期間内における支給単位期間（育児休業基本給付金の支給を受けることができるものに限る。）における支給日数を合計した数に、当該支給単位期間に支給を受けることができる育児休業基本給付金に係る休業開始時賃金日額の百分の十に相当する額を乗じて得た額とする。

(2) The amount of the re-engagement benefits for persons taking childcare leave shall be the amount obtained by multiplying the amount equivalent to 10 percent of the daily amount of wages at the commencement of leave pertaining to the basic childcare leave benefits which he/she is qualified to receive during said payment unit period, by the total duration of benefits for the payment unit periods (limited to periods for which payment of the basic childcare leave benefits can be received) during the period of leave taken referred to in the preceding paragraph.

(給付制限)

(Restriction on Benefits)

第六十一条の六

偽りその他不正の行為により育児休業基本給付金の支給を受け、又は受けようとした者には、当該給付金の支給を受け、又は受けようとした日以後、育児休業給付を支給しない。ただし、やむを得ない理由がある場合には、育児休業給付の全部又は一部を支給することができる。

Article 61-6 (1) The childcare leave benefits shall not be paid to a person who has received or attempted to receive payment of the basic childcare leave benefits by means of deception or other wrongful conduct, as from the day on which he/she received or attempted to receive payment of said benefits. Provided, however, that, in the case where there are unavoidable reasons, the whole or a part of the childcare leave benefits may be paid.

2

前項の規定により育児休業給付の支給を受けることができない者とされたものが、同項に規定する日以後、新たに第六十一条の四第一項に規定する休業を開始し、育児休業基本給付金の支給を受けることができる者となった場合には、前項の規定にかかわらず、当該休業に係る育児休業給付を支給する。

(2) In the case where a person who has been disqualified from receiving payment of the childcare leave benefits pursuant to the provisions of the preceding paragraph has newly taken leave as prescribed in Article 61-4, paragraph (1), following the day prescribed in the preceding paragraph, and who has become a person qualified to receive payment of the basic childcare leave benefits, the childcare leave benefits pertaining to said leave shall be paid notwithstanding the provisions of the preceding paragraph.

第三款 介護休業給付

Subsection 3 Family Care Leave Benefits

(介護休業給付金)

(Family Care Leave Benefits)

第六十一条の七

介護休業給付金は、被保険者が、厚生労働省令で定めるところにより、対象家族（当該被保険者の配偶者（婚姻の届出をしていないが、事実上婚姻関係と同様の事情にある者を含む。以下この項において同じ。））、父母及び子（これらの者に準ずる者として厚生労働省令で定めるものを含む。）並びに配偶者の父母をいう。以下この条において同じ。）を介護するための休業をした場合において、当該休業を開始した日前二年間（当該休業を開始した日前二年間に疾病、負傷その他厚生労働省令で定める理由により引き続き三十日以上賃金の支払を受けることができなかつた被保険者については、当該理由により賃金の支払を受けることができなかつた日数を二年に加算した期間（その期間が四年を超えるときは、四年間））に、みなし被保険者期間が通算して十二箇月以上であったときに、支給単位期間について支給する。

Article 61-7 (1) The family care leave benefits shall be paid for the payment unit period where an insured person has, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, taken leave in order to take care of his/her specified family members (meaning said insured person's spouse (including a person in a relationship with said insured person where a marital relationship is de facto, though a marriage has not been

registered; hereinafter the same applies in this paragraph), parents, children (including those specified as such by an Ordinance of the Ministry of Health, Labour and Welfare) and the parents of the insured person's spouse; hereinafter the same applies in this Article), when the period deemed to be the insured period is a total of 12 months or more within the two-year period preceding the day on which said leave was commenced (for an insured person who was continuously unable to receive payment of wages for 30 days or more due to sickness, injury of other reasons specified by an Ordinance of the Ministry of Health, Labour and Welfare during the two-year period preceding the day on which said leave was commenced, the total of the number of days for which payment of wages could not be received due to said reason plus two years (when that period exceeds four years, four years)).

2

前項の「みなし被保険者期間」は、同項に規定する休業を開始した日を被保険者でなくなつた日とみなして第十四条（第二項を除く。）の規定を適用した場合に計算されることとなる被保険者期間に相当する期間とする。この場合における同条第一項及び第三項の規定の適用については、同条第一項中「十四日」とあるのは「十一日」と、同条第三項中「前二項の」とあるのは「第一項の」と、「前二項に」とあるのは「同項に」とする。

(2) The period deemed to be the insured period referred to in the preceding paragraph shall be the period equivalent to the insured period to be calculated when the provisions of Article 14 (excluding paragraph (2)) have been applied, deeming the day on which the leave prescribed in the preceding paragraph was commenced to be the day on which the person ceased to be an insured person. In this case, with regard to the application of the provisions of paragraphs (1) and (3) of the same Article, the term "14 days" in paragraph (1) of the same Article shall be deemed to be replaced with "11 days"; the terms "of the preceding two paragraphs" and "in the preceding two paragraphs" in paragraph (3) of the same Article shall be deemed to be replaced, respectively, with "of paragraph (1)" and "in the same paragraph".

3

この条において「支給単位期間」とは、第一項に規定する休業をした期間（当該対象家族を介護するための休業を開始した日から起算して三月を経過する日までの期間に限る。）を、当該休業を開始した日又は各月においてその日に応当し、かつ、当該休業をした期間内にある日（その日に応当する日がない月においては、その月の末日。以下この項及び次項第二号において「休業開始応当日」という。）から各翌月の休業開始応当日の前日（当該休業を終了した日の属する月にあつては、当該休業を終了した日）までの各期間に区分した場合における当該区分による一の期間をいう。

(3) The "payment unit period" in this Article means a single period when the period of leave taken pursuant to the provisions of paragraph (1) (limited to the period until the day on which three months have elapsed since the day on which said leave taken in order to take care of the specified family members was commenced) has been classified into each period from the day on which said leave was commenced or the day corresponding to that day in each month within the period of said leave (for a month which does not have a day corresponding to that day, the last day of the month, hereinafter referred to as the "corresponding leave commencement day" in this paragraph and item (ii) of the following paragraph) until the day before the corresponding leave commencement day in each successive month (for the month containing the day on which said leave was concluded, said day on which the leave was concluded), in accordance with said classification.

4

介護休業給付金の額は、一支給単位期間について、介護休業給付金の支給を受けることができる被保険者を受給資格者と、当該被保険者が当該介護休業給付金の支給に係る休業を開始した日の前日を受給資格に係る離職の日とみなして第十七条の規定を適用した場合に算定されることとなる賃金日額に相当する額（次項において「休業開始時賃金日額」という。）に次の各号に掲げる支給単位期間の区分に応じて当該各号に定める日数（次項において「支給日数」という。）を乗じて得た額の百分の四十に相当する額とする。この場合における同条の規定の適用については、同条第三項中「困難であるとき」とあるのは「できないとき若しくは困難であるとき」と、同条第四項中「第二号」とあるのは「第二号ハ」とする。

(4) The amount of the basic family care leave benefits for a single payment unit period, shall be an amount equivalent to 40 percent of the amount obtained by multiplying the amount equivalent to the daily amount of wages to be calculated when the provisions of Article 17 have been applied, deeming the person qualified to receive payment of the basic family care leave benefits to be a qualified recipient and the day before the day on which said qualified recipient commenced the leave pertaining to payment of said basic family care leave benefits to be the day of separation from employment pertaining to the recipient qualification (hereinafter referred to as the "daily amount of wages at the commencement of leave" in the following paragraph), by the duration of benefits prescribed in the following items in accordance with the classification of payment unit periods listed in the same items (referred to as the "duration of benefits" in the following paragraph). In this case, with regard to the application of the provisions of the same Article, the term "where it is difficult" in paragraph (3) of the same Article shall be deemed to be replaced with "when it is not possible or difficult"; the term "item (ii)" in paragraph (4) of the same Article shall be deemed to be replaced with "item (ii), (c)":

一 次号に掲げる支給単位期間以外の支給単位期間 三十日

(i) Payment unit periods other than the payment unit period listed in the following item -- 30 days;

二 当該休業を終了した日の属する支給単位期間

当該支給単位期間における当該休業を開始した日又は休業開始応当日から当該休業を終了した日までの日数

(ii) The payment unit period containing the day on which said leave was concluded -- the number of days from the day on which said leave was commenced or the corresponding leave commencement day until the day on which said leave was concluded during said payment unit period.

5

前項の規定にかかわらず、第一項に規定する休業をした被保険者に当該被保険者を雇用している事業主から支給単位期間に賃金が支払われた場合において、当該賃金の額に当該支給単位期間における介護休業給付金の額を加えて得た額が休業開始時賃金日額に支給日数を乗じて得た額の百分の八十に相当する額以上であるときは、休業開始時賃金日額に支給日数を乗じて得た額の百分の八十に相当する額から当該賃金の額を減じて得た額を、当該支給単位期間における介護休業給付金の額とする。この場合において、当該賃金の額が休業開始時賃金日額に支給日数を乗じて得た額の百分の八十に相当する額以

上であるときは、同項の規定にかかわらず、当該賃金が支払われた支給単位期間については、介護休業給付金は、支給しない。

(5) Notwithstanding the provisions of the previous paragraph, in the case where wages have been paid during the payment unit period to the insured person who has taken leave prescribed in paragraph (1) by the business operator who employs said insured person, when the amount obtained by adding the amount of the family care leave benefits for said payment unit period to said amount of wages exceeds the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of benefits, the amount obtained by deducting said amount of wages from the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of the benefits shall be the amount of the family care leave benefits for said payment unit period. In this case, when said amount of wages is not less than the amount equivalent to 80 percent of the amount obtained by multiplying the daily amount of wages at the commencement of leave by the duration of benefits, notwithstanding the provisions of the same paragraph, the basic family care leave benefits shall not be paid for the payment unit period for which said wages were paid.

6

第一項の規定にかかわらず、被保険者が対象家族を介護するための休業についてこの款の定めるところにより介護休業給付金の支給を受けたことがある場合であつて、当該休業を開始した日から起算して九十三日を経過する日後において、当該被保険者が次の各号のいずれかに該当する休業をしたときは、介護休業給付金は、支給しない。

(6) Notwithstanding the provisions of paragraph (1), in the case where an insured person has received payment of the family care leave benefits with regard to leave taken in order to take care of his/her specified family members, pursuant to the provisions of this Subsection, and when said insured person has taken leave falling under any of the following items after the day on which 93 days have elapsed since the day on which said leave was commenced, the family care leave benefits shall not be paid:

一

当該休業を開始した日から引き続き要介護状態にある当該対象家族を介護するための休業

(i) Leave in order to take care of the specified family members who have been in need of care continuously since the day on which said leave was commenced;

二

当該対象家族について当該被保険者がした休業（対象家族を介護するための休業をいう。以下この号において同じ。）ごとに、休業を開始した日から休業を終了した日までの日数を合算して得た日数が九十三日に達した日後の休業

(ii) Leave with regard to each period of leave taken by said insured person for said specified family members (meaning leave taken in order to take care of the specified family members; hereinafter the same applies in this item), taken after the day on which the total number of days from the day on which the leave was commenced to the day on which the leave was concluded has reached 93 days.

（給付制限）

(Restriction on Benefits)

第六十一条の八

偽りその他不正の行為により介護休業給付金の支給を受け、又は受けようとした者には、当該給付金の支給を受け、又は受けようとした日以後、介護休業給付金を支給しない。ただし、やむを得ない理由がある場合には、介護休業給付金の全部又は一部を支給することができる。

Article 61-8 (1) The family care leave benefits shall not be paid to a person who has received or attempted to receive payment of the family care leave benefits by means of deception or other wrongful conduct, as from the day on which he/she received or attempted to receive payment of said benefits. Provided, however, that in the case where there are unavoidable reasons, the whole or a part of the family care leave benefits may be paid.

2

前項の規定により介護休業給付金の支給を受けることができない者とされたものが、同項に規定する日以後、新たに前条第一項に規定する休業を開始し、介護休業給付金の支給を受けることができる者となつた場合には、前項の規定にかかわらず、当該休業に係る介護休業給付金を支給する。

(2) In the case where a person who has been disqualified from receiving payment of the family care leave benefits pursuant to the provisions of the preceding paragraph, has newly taken leave prescribed in paragraph (1) of the preceding Article, following the day prescribed in the same paragraph, and who has become a person qualified to receive payment of the family care leave benefits, notwithstanding the provisions of the preceding paragraph, the family care leave benefits pertaining to said leave shall be paid.

第四章 雇用安定事業等

Chapter IV Services for the Stabilization of Employment, etc.

(雇用安定事業)

(Services for the Stabilization of Employment)

第六十二条

政府は、被保険者、被保険者であつた者及び被保険者になろうとする者（以下この章において「被保険者等」という。）に関し、失業の予防、雇用状態の是正、雇用機会の増大その他雇用の安定を図るため、雇用安定事業として、次の事業を行うことができる。

Article 62 (1) The government may undertake the following services with regard to insured persons and those who were or are intending to become insured persons (hereinafter referred to as "insured persons, etc." in this Chapter), as services for the stabilization of employment, with a view to preventing unemployment, redressing the employment situation, increasing employment opportunities and otherwise stabilizing employment:

一

景気の変動、産業構造の変化その他の経済上の理由により事業活動の縮小を余儀なくされた場合において、労働者を休業させる事業主その他労働者の雇用の安定を図るために必要な措置を講ずる事業主に対して、必要な助成及び援助を行うこと。

(i) Providing necessary aid and assistance for business operators who lay off workers or take other measures necessary for stabilizing worker employment in the case where the business operator have been compelled to curtail business activities due to changes in the economy or in the industrial structure or other economic reasons;

二

離職を余儀なくされる労働者に対して、[雇用対策法](#)（昭和四十一年法律第百三十二号）

第二十六条第一項に規定する休暇を与える事業主その他当該労働者の再就職を促進するために必要な措置を講ずる事業主に対して、必要な助成及び援助を行うこと。

(ii) Providing necessary aid and assistance for business operators who provide leave under the provisions of Article 26, paragraph (1) of the Employment Measures Act (Act No. 132 of 1966) to workers who have been compelled to be separated from employment or for business operators who take other measures necessary for promoting the re-employment of said workers;

三

定年の引上げ、[高年齢者等の雇用の安定等に関する法律](#)（昭和四十六年法律第六十八号）第九条に規定する継続雇用制度の導入等により高年齢者の雇を延長し、又は同法第二条第二項に規定する高年齢者等（以下この号において単に「高年齢者等」という。）に対し再就職の援助を行い、若しくは高年齢者等を雇い入れる事業主その他高年齢者等の雇用の安定を図るために必要な措置を講ずる事業主に対して、必要な助成及び援助を行うこと。

(iii) Providing necessary aid and assistance for the business operators who raise the retirement age, extend the employment of the elderly such as through introducing the continuous employment system prescribed in Article 9 of the Act Concerning Stabilization of Employment of the Elderly, etc. (Act No. 618 of 1971), assist the elderly, etc. prescribed in Article 2, paragraph (2) of the same Act (hereinafter referred to simply as "the elderly, etc." in this item) with their re-employment, or hire the elderly, etc., and for business operators who take other measures necessary for stabilizing the employment of the elderly, etc.;

四

雇用機会を増大させる必要がある地域への事業所の移転により新たに労働者を雇い入れる事業主、季節的に失業する者が多数居住する地域においてこれらの者を年間を通じて雇用する事業主その他雇用に関する状況を改善する必要がある地域における労働者の雇用の安定を図るために必要な措置を講ずる事業主に対して、必要な助成及び援助を行うこと。

(iv) Providing necessary aid and assistance to business operators who newly employ workers through relocating their places of business to areas where there is a need for increased employment opportunities, business operators who employ, throughout the year, persons who become unemployed on a seasonal basis in areas where many such persons reside, or business operators who take other measures necessary for stabilizing worker employment in areas where improvement in the conditions relating to employment is necessary;

五

前各号に掲げるもののほか、障害者その他就職が特に困難な者の雇入れの促進、雇用に關する状況が全国的に悪化した場合における労働者の雇入れの促進その他被保険者等の雇用の安定を図るために必要な事業であつて、厚生労働省令で定めるものを行うこと。

(v) In addition to what is listed in the preceding items, other services, specified by an Ordinance of the Ministry of Health, Labour and Welfare, which are necessary for promoting the employment of physically disabled persons and others having particular difficulty in finding employment, for promoting the employment of workers in the case where the status of employment has become unstable nationwide and for stabilizing the employment of insured persons, etc.

2 前項各号に掲げる事業の実施に關して必要な基準は、厚生労働省令で定める。

(2) Necessary standards for the implementation of the services listed in the items of the preceding paragraph shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

3

政府は、[独立行政法人雇用・能力開発機構法](#)（平成十四年法律第百七十号）及び[独立行政法人高齢・障害者雇用支援機構法](#)（平成十四年法律第百六十五号）並びにこれらに基づく命令で定めるところにより、第一項各号に掲げる事業の一部を独立行政法人雇用・能力開発機構及び独立行政法人高齢・障害者雇用支援機構に行わせるものとする。

(3) The government shall entrust part of the services listed in the items of paragraph (1) to the Employment and Human Resources Development Organization of Japan and the Japan Organization for Employment of the Elderly and Persons with Disabilities, pursuant to the provisions of the Act on the Employment and Human Resources Development Organization of Japan (Act No. 170 of 2002) and the Act on the Japan Organization for Employment of the Elderly and Persons with Disabilities (Act No. 165 of 2002) and the orders issued thereunder.

（能力開発事業）

(Services for the Human Resources Development)

第六十三条

政府は、被保険者等に関し、職業生活の全期間を通じて、これらの者の能力を開発し、及び向上させることを促進するため、能力開発事業として、次の事業を行うことができる。

Article 63 (1) The government may undertake the following services with regard to insured persons, as services for human resources development with a view to promoting the development and the improvement of their abilities throughout their working lives:

一

[職業能力開発促進法](#)（昭和四十四年法律第六十四号）第十三条に規定する事業主等及び職業訓練の推進のための活動を行う者に対して、同法第十一条に規定する計画に基づく職業訓練、同法第二十四条第三項（同法第二十七条の二第二項において準用する場合を含む。）に規定する認定職業訓練（第五号において「認定職業訓練」という。）その他当該事業主等の行う職業訓練を振興するために必要な助成及び援助を行うこと並びに当該職業訓練を振興するために必要な助成及び援助を行う都道府県に対して、これらに要する経費の全部又は一部の補助を行うこと。

(i) Providing the business operators and the like prescribed in Article 13 of the [Human Resources Development Promotion Act](#) (Act No. 64 of 1969) and persons engaged in activities for the promotion of vocational training, with the aid and assistance necessary for the promotion of vocational training based on the plan prescribed in Article 11 of the same Act, authorized vocational training prescribed in Article 24, paragraph (3) of the same Act (including cases where it is applied mutatis mutandis pursuant to Article 27-2, paragraph (2) of the same Act) (referred to as "authorized vocational training" in item (v)) or other vocational training provided by said business operators and the like, and providing prefectures that provide the aid and assistance necessary for the promotion of said vocational training with subsidies for the whole or a part of the expenses required;

二

公共職業能力開発施設（公共職業能力開発施設を行う職業訓練を受ける者のための宿泊施設を含む。以下この号において同じ。）又は職業能力開発総合大学校（職業能力開発

総合大学校の行う指導員訓練又は職業訓練を受ける者のための宿泊施設を含む。)を設置し、又は運営すること、[職業能力開発促進法](#)第十五条の六第一項ただし書に規定する職業訓練を行うこと及び公共職業能力開発施設を設置し、又は運営する都道府県に対して、これらに要する経費の全部又は一部の補助を行うこと。

(ii) Establishing or operating public human resources development facilities (including lodging facilities for persons taking vocational training conducted by public human resources development facilities; hereinafter the same applies in this item) or the Polytechnic University (including lodging facilities for persons taking instructor training or vocational training conducted by the Polytechnic University), conducting the vocational training prescribed in the proviso of Article 15-6, paragraph (1) of the [Human Resources Development Promotion Act](#) and providing prefectures establishing or operating public human resources development facilities with subsidies for the whole or a part of the expenses required;

三

求職者及び退職を予定する者に対して、再就職を容易にするために必要な知識及び技能を習得させるための講習（第五号において「職業講習」という。）並びに作業環境に適応させるための訓練を実施すること。

(iii) Implementing training to allow for adaptation to the work environment and courses to allow the acquisition of the skills and knowledge necessary for facilitating re-employment (referred to as "vocational courses" in item (v)) for job applicants and persons planning to retire;

四

[職業能力開発促進法](#)第十条の四第二項に規定する有給教育訓練休暇を与える事業主に対して、必要な助成及び援助を行うこと。

(iv) Providing necessary aid and assistance for business operators who grant the paid educational training leave prescribed in Article 10-4, paragraph (2) of the [Human Resources Development Promotion Act](#);

五

職業訓練（公共職業能力開発施設又は職業能力開発総合大学校の行うものに限る。）又は職業講習を受ける労働者に対して、当該職業訓練又は職業講習を受けることを容易にし、又は促進するために必要な交付金を支給すること及びその雇用する労働者に[職業能力開発促進法](#)第十一条に規定する計画に基づく職業訓練、認定職業訓練その他の職業訓練を受けさせる事業主（当該職業訓練を受ける期間、労働者に対し所定労働時間労働した場合に支払われる通常の賃金を支払う事業主に限る。）に対して、必要な助成を行うこと。

(v) Providing workers who take vocational training (limited to training conducted by public human resources development facilities or the Polytechnic University) or a vocational course, with the necessary grant for facilitating or promoting their taking of said vocational training or vocational course and providing necessary aid for business operators (limited to those who pay workers the wages usually payable for prescribed working hours, for the period during which the workers take vocational training) who allow the workers they employ to take vocational training based on the plan prescribed in Article 11 of the [Human Resources Development Promotion Act](#), authorized vocational training or other vocational training;

六

技能検定の実施に要する経費を負担すること、技能検定を行う法人その他の団体に対して、技能検定を促進するために必要な助成を行うこと及び技能検定を促進するために必

要な助成を行う都道府県に対して、これに要する経費の全部又は一部の補助を行うこと。

(vi) Bearing the expenses necessary for the implementation of trade skill testing, providing the aid necessary for the promotion of trade skill testing for juridical persons and other organizations that conduct trade skill testing and providing prefectures that provide the aid and assistance necessary for the promotion of trade skill testing with subsidies for the whole or a part of the expenses required;

七

前各号に掲げるもののほか、労働者の能力の開発及び向上のために必要な事業であつて、厚生労働省令で定めるものを行うこと。

(vii) In addition to what is listed in the preceding items, other services necessary for the development and improvement of workers' abilities, which are specified by an Ordinance of the Ministry of Health, Labour and Welfare.

2

前項各号に掲げる事業の実施に関して必要な基準については、同項第二号の規定による都道府県に対する経費の補助に係るものにあつては政令で、その他の事業に係るものにあつては厚生労働省令で定める。


(2) With regard to necessary standards for the implementation of the services listed in the items of the preceding paragraph, those pertaining to the subsidies for expenses to be provided to prefectures under the provisions of item (ii) of the same paragraph shall be specified by a Cabinet Order and those pertaining to other services shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

3

政府は、[独立行政法人雇用・能力開発機構法](#)及びこれに基づく命令で定めるところにより、第一項各号に掲げる事業の一部を独立行政法人雇用・能力開発機構に行わせるものとする。

(3) The government shall entrust part of the services listed in the items of paragraph (1) to the Employment and Human Resources Development Organization of Japan, pursuant to the provisions of the Act on the Employment and Human Resources Development Organization of Japan and the orders issued thereunder.

第六十四条 削除 

Article 64 Deleted 

(事業等の利用)

(Utilization of the Services, etc.)

第六十五条

第六十二条及び第六十三条の規定による事業又は当該事業に係る施設は、被保険者等の利用に支障がなく、かつ、その利益を害しない限り、被保険者等以外の者に利用させることができる。

Article 65 The services prescribed in Articles 62 and 63 and the facilities pertaining to said services may be made available to persons other than the insured persons, etc., insofar as it does not constitute a hindrance to use by the insured persons, etc. and does not harm their interests.

第五章 費用の負担

Chapter V Bearing of Expenses

(国庫の負担)

(Amount to be Borne by the National Treasury)

第六十六条

国庫は、次に掲げる区分によつて、求職者給付（高年齢求職者給付金を除く。第一号において同じ。）及び雇用継続給付（高年齢雇用継続基本給付金及び高年齢再就職給付金を除く。第三号において同じ。）に要する費用の一部を負担する。

Article 66 (1) The National Treasury shall bear a part of the expenses necessary for the payment of the job applicant benefits (excluding job applicant benefits for the elderly; the same shall apply in item (i)) and continuous employment benefits (excluding basic continuous employment benefits for the elderly and re-employment benefits for the elderly; the same shall apply in item (iii)), in accordance with the classification listed as follows:

一

日雇労働求職者給付金以外の求職者給付については、当該求職者給付に要する費用の四分の一

(i) With regard to the job applicant benefits other than the job applicant benefits for day workers, one-fourth of the expenses necessary for the payment of said job applicant benefits;

二

日雇労働求職者給付金については、当該日雇労働求職者給付金に要する費用の三分の一

(ii) With regard to the job applicant benefits for day workers, one-third of the expenses necessary for the payment of said job applicant benefits for day workers;

三 雇用継続給付については、当該雇用継続給付に要する費用の八分の一

(iii) With regard to the continuous employment benefits, one-eighth of the expenses necessary for the payment of said continuous employment benefits.

2

前項第一号に掲げる求職者給付については、国庫は、毎会計年度において、支給した当該求職者給付の総額の四分の三に相当する額が徴収法の規定により徴収した一般保険料の額を超える場合には、同号の規定にかかわらず、当該超過額について、同号の規定による国庫の負担額を加えて国庫の負担が当該会計年度において支給した当該求職者給付の総額の三分の一に相当する額に達する額までを負担する。

(2) In each fiscal year, with regard to the job applicant benefits listed in item (i) of the preceding paragraph, in the case where the amount of the general premiums collected pursuant to the provisions of the Premiums Collection Act is exceeded by the amount equivalent to three-quarters of the total amount of said job applicant benefits paid, the National Treasury shall bear an amount up to the amount equivalent to one-third of the total amount of said job applicant benefits paid during said fiscal year, with regard to said excess amount, in addition to the amount to be borne by the National Treasury pursuant to the provisions of the same item, notwithstanding the provisions of the same item.

3

前項に規定する一般保険料の額は、第一号に掲げる額から第二号及び第三号に掲げる額の合計額を減じた額とする。

(3) The amount of the general premiums prescribed in the preceding paragraph shall be the amount obtained by deducting the total of the amounts listed in items (ii) and (iii) from the amount listed in item (i):

一

次に掲げる額の合計額（以下この条及び第六十八条第二項において「一般保険料徴収額」という。）

(i) The total of the amounts listed below (hereinafter referred to as the "general premiums amount collected" in this Article and in paragraph (2) of Article 68):

イ

徴収法の規定により徴収した徴収法第十二条第一項第一号に掲げる事業に係る一般保険料の額のうち雇用保険率（その率が同条第五項又は第八項の規定により変更されたときは、その変更された率。以下この条において同じ。）に应ずる部分の額（徴収法第十一条の二の規定により高年齢労働者を使用する事業の一般保険料の額を同条の規定による額とすることとする場合には、当該一般保険料の額に徴収法第十二条第六項に規定する高年齢者免除額（同条第一項第一号に掲げる事業に係るものに限る。以下この号において同じ。）を加えた額のうち雇用保険率に应ずる部分の額から高年齢者免除額を減じた額）

(a) The amount of the portion corresponding to the employment insurance rate (where the rate has been revised pursuant to the provisions of paragraph (5) or paragraph (8) of Article 12 of the Premiums Collection Act, the revised rate; hereinafter the same applies in this Article) out of the amount of the general premiums pertaining to undertakings listed in item (i) of paragraph (1) of Article 12 of the same Act which has been collected pursuant to the provisions of the same Act (where the amount of the general premiums for an undertaking that employs elderly workers is, pursuant to the provisions of Article 11-2 of the Premiums Collection Act, deemed to be the amount prescribed in the same Article, the amount obtained by deducting the elderly worker exemption amount from the amount of the portion corresponding to the employment insurance rate out of the amount obtained by adding the elderly worker exemption amount prescribed in paragraph (6) of Article 12 of the same Act (limited to an exemption amount pertaining to undertakings listed in item (i) of paragraph (1) of the same Article; hereinafter the same shall apply in this item) to said general premiums);

ロ 徴収法第十二条第一項第三号に掲げる事業に係る一般保険料の額

(b) The amount of the general premiums pertaining to undertakings listed in item (iii) of paragraph (1) of Article 12 of the Premiums Collection Act.

二

徴収法の規定により徴収した印紙保険料の額に相当する額に厚生労働大臣が財務大臣と協議して定める率を乗じて得た額

(ii) The amount obtained by multiplying the amount equivalent to the amount of the stamp premiums collected under the provisions of the Premiums Collection Act by the rate specified by the Minister of Health, Labour and Welfare in consultation with the Minister of Finance;

三

一般保険料徴収額から前号に掲げる額を減じた額に千分の三・五の率（徴収法第十二条第四項第三号に掲げる事業については、千分の四・五の率）を雇用保険率で除して得た率（第五項及び第六十八条第二項において「二事業率」という。）を乗じて得た額

(iii) The amount obtained by multiplying the amount obtained by deducting the amount listed in the preceding item from the general premiums amount collected by the rate obtained by dividing the rate of 0.35 percent (0.45 percent for the undertakings listed in item (iii) of paragraph (4) of Article 12 of the Premiums Collection Act) by the employment insurance rate

(such obtained rate shall be referred to as the "two-program rate" in paragraph (5) and paragraph (2) of Article 68).

4

徴収法第十二条第八項の規定により雇用保険率に変更されている場合においては、前項第三号中「千分の三・五」とあるのは「千分の三」と、「千分の四・五」とあるのは「千分の四」とする。

(4) In the case where the employment insurance rate has been revised pursuant to the provisions of paragraph (8) of Article 12 of the Premiums Collection Act, the terms "0.35 percent" and "0.45 percent" in item (iii) of the preceding paragraph shall be deemed to be replaced, respectively, with "0.3 percent" and "0.4 percent".

5

日雇労働求職者給付金については、国庫は、毎会計年度において第一号に掲げる額が第二号に掲げる額を超える場合には、第一項第二号の規定にかかわらず、同号の規定による国庫の負担額から当該超過額に相当する額を減じた額（その額が当該会計年度において支給した日雇労働求職者給付金の総額の四分の一に相当する額を下回る場合には、その四分の一に相当する額）を負担する。

(5) With regard to the job applicant benefits for day workers in each fiscal year, in the case where the amount listed in item (i) below exceeds the amount listed in item (ii) below, the National Treasury shall bear the amount obtained by deducting the amount equivalent to said excess amount from the amount to be borne by the National Treasury pursuant to the provisions of item (ii) of paragraph (1), notwithstanding the provisions of the same item (in the case where this amount is less than the amount equivalent to one-fourth of the total amount of the job applicant benefits for day workers paid during said fiscal year, said amount equivalent to one-fourth of the total amount of the job applicant benefits for day workers paid during said fiscal year):

一 次に掲げる額を合計した額

(i) The total of the amounts listed below:

イ 徴収法の規定により徴収した印紙保険料の額

(a) The amount of the stamp premiums collected pursuant to the provisions of the Premiums Collection Act;

ロ

イの額に相当する額に第三項第二号に掲げる厚生労働大臣が財務大臣と協議して定める率を乗じて得た額から、その額に二事業率を乗じて得た額を減じた額

(b) The amount obtained by deducting from the amount obtained by multiplying an amount equivalent to the amount referred to in (a) above by the rate listed in item (ii) of paragraph (3) which has been specified by the Minister of Health, Labour and Welfare in consultation with the Minister of Finance, the amount obtained by multiplying that amount by the two-program rate.

二 支給した日雇労働求職者給付金の総額の三分の二に相当する額

(ii) The amount equivalent to two-thirds of the total amount of the job applicant benefits for day workers which has been paid.

6

国庫は、前各項に規定するもののほか、毎年度、予算の範囲内において、雇用保険事業の事務の執行に要する経費を負担する。

(6) In addition to what is prescribed in the preceding paragraphs, the National Treasury shall bear the expenses necessary for the administration of the Employment Insurance Services, within the budgetary limits for each fiscal year.

第六十七条

第二十五条第一項の措置が決定された場合には、前条第一項第一号の規定にかかわらず、国庫は、広域延長給付を受ける者に係る求職者給付に要する費用の三分の一を負担する。この場合において、同条第二項中「支給した当該求職者給付の総額」とあるのは「支給した当該求職者給付の総額から広域延長給付を受ける者に係る求職者給付の総額を控除した額」と、「一般保険料の額を超える場合には」とあるのは「一般保険料の額から広域延長給付を受ける者に係る求職者給付の総額の三分の二に相当する額を控除した額を超える場合には」と読み替えるものとする。

Article 67 In the case where the measures referred to in paragraph (1) of Article 25 have been decided on, notwithstanding the provisions of item (i) of paragraph (1) of the preceding Article the National Treasury shall, bear one-third of the expenses necessary for the payment of the job applicant benefits pertaining to those who receive the wide area extended benefits. In this case, the terms "the total amount of said job applicant benefits paid" and "where the amount of the general premiums" in paragraph (2) of the preceding Article shall be deemed to be replaced, respectively, with "the amount obtained by deducting the total amount of the job applicant benefits pertaining to those who receive the wide area extended benefits from the total amount of said job applicant benefits paid" and "where the amount obtained by deducting the amount equivalent to two-thirds of the total amount of the job applicant benefits pertaining to those who receive the wide area extended benefits from the amount of the general premiums".

(保険料)

(Premiums)

第六十八条

雇用保険事業に要する費用に充てるため政府が徴収する保険料については、徴収法の定めるところによる。

Article 68 (1) The premiums to be collected by the government for the purpose of allocating them for covering the expenses necessary for the Employment Insurance Services shall be specified by the provisions of the Premiums Collection Act.

2

前項の保険料のうち、一般保険料徴収額からその額に二事業率を乗じて得た額を減じた額及び印紙保険料の額に相当する額の合計額は、失業等給付に要する費用に充てるものとし、一般保険料徴収額に二事業率を乗じて得た額は、雇用安定事業及び能力開発事業に要する費用に充てるものとする。

(2) Of the premiums referred to in the preceding paragraph, the total of the amount equivalent to the stamp premiums amount plus the amount obtained by deducting the amount obtained by multiplying the general premiums amount collected by the two-program rate from said general premiums amount collected, shall be allocated for covering the necessary expenses for benefits for unemployment, etc. and the amount obtained by multiplying the general premiums amount collected by the two-program rate shall be allocated for covering the necessary expenses for services for the stabilization of employment and services for the development of ability.

第六章 不服申立て及び訴訟

Chapter VI Appeals and Lawsuits

(不服申立て)

(Appeal)

第六十九条

第九条の規定による確認、失業等給付に関する処分又は第十条の四第一項若しくは第二項の規定による処分に不服のある者は、雇用保険審査官に対して審査請求をし、その決定に不服のある者は、労働保険審査会に対して再審査請求をすることができる。

Article 69 (1) A person who has an objection to a confirmation pursuant to the provisions of Article 9, a disposition concerning benefits for unemployment, etc. or a disposition pursuant to the provisions of paragraph (1) or paragraph (2) of Article 10-4 may apply for an examination by the Employment Insurance Referee; a person who has an objection to that decision may apply for a re-examination by the Labor Insurance Appeal Committee.

2

前項の審査請求をしている者は、審査請求をした日の翌日から起算して三箇月を経過しても審査請求についての決定がないときは、当該審査請求に係る処分について、決定を経ないで、労働保険審査会に対して再審査請求をすることができる。

(2) A person applying for an examination referred to in paragraph (1) may, if no decision has been made concerning said application for examination after three months have elapsed since the day after the day on which he/she made said application for examination, apply for a re-examination with regard to the disposition pertaining to said application for examination by the Labor Insurance Appeal Committee, without awaiting a decision from the Employment Insurance Referee.

3

第一項の審査請求及び前二項の再審査請求は、時効の中断に関しては、裁判上の請求とみなす。

(3) The application for examination referred to in paragraph (1) and the application for re-examination referred to in the preceding two paragraphs shall be deemed to be requisitions for court action with regard to the suspension of the statute of limitations.

4

第一項の審査請求及び同項又は第二項の再審査請求については、[行政不服審査法](#)（昭和三十七年法律第百六十号）第二章第一節、第二節（第十八条及び第十九条を除く。）及び第五節の規定を適用しない。

(4) The provisions of Sections 1, 2 (excluding Articles 18 and 19) and 5 of Chapter II of the [Administrative Appeal Act](#) (Act No. 160 of 1962) shall not apply to the application for examination referred to in paragraph (1) and re-examination referred to in paragraph (1) or (2).

(不服理由の制限)

(Limitation on Reasons for an Objection)

第七十条

第九条の規定による確認に関する処分が確定したときは、当該処分についての不服を当該処分に基づく失業等給付に関する処分についての不服の理由とすることができない。

Article 70 Where a disposition for confirmation under the provisions of Article 9 has become final and binding, an objection to said disposition shall not be permitted as a reason for an objection to a disposition for the payment of benefits for unemployment, etc. based on said disposition.

(不服申立てと訴訟との関係)

(Relation between an Appeal and a Lawsuit)

第七十一条

第六十九条第一項に規定する処分取消しの訴えは、当該処分についての再審査請求に対する労働保険審査会の裁決を経た後でなければ、提起することができない。ただし、次の各号のいずれかに該当するときは、この限りでない。

Article 71 A lawsuit for the revocation of the disposition prescribed in paragraph (1) of Article 69 cannot be instituted until a determination has been made by the Labor Insurance Appeal Committee with regard to the application for re-examination of said disposition. Provided, however, that this shall not apply when falling under any of the following items:

一 再審査請求がされた日の翌日から起算して三箇月を経過しても裁決がないとき。

(i) When no decision has been made after three months have elapsed since the day after the day on which the application for re-examination was made;

二

再審査請求についての裁決を経ることにより生ずる著しい損害を避けるため緊急の必要があるときその他その裁決を経ないことにつき正当な理由があるとき。

(ii) When there is an urgent necessity in order to avoid the conspicuous damage that would occur through waiting for a determination concerning the application for re-examination or there are other justifiable reasons for bypassing the determination.

第七章 雑則

Chapter VII Miscellaneous Provisions

(労働政策審議会への諮問)

(Consultation with the Labor Policy Council)

第七十二条

厚生労働大臣は、第二十五条第一項又は第二十七条第一項若しくは第二項の基準を政令で定めようとするとき、第十三条第一項第二号、第二十条第一項若しくは第二項、第二十二條第二項、第三十七条の三第一項第二号、第三十九条第一項第二号、第六十一条の四第一項若しくは第六十一条の七第一項の理由、第五十六条の二第一項の基準又は同項第二号の就職が困難な者を厚生労働省令で定めようとするとき、第六条第一号の二の時間数又は第十条の四第一項、第二十五条第三項、第二十六条第二項、第二十九条第二項、第三十二条第三項（第三十七条の四第五項及び第四十条第四項において準用する場合を含む。）、第三十三条第二項（第三十七条の四第五項及び第四十条第四項において準用する場合を含む。）若しくは第五十二条第二項（第五十五条第四項において準用する場合を含む。）の基準を定めようとするとき、その他この法律の施行に関する重要事項について決定しようとするときは、あらかじめ、労働政策審議会の意見を聴かなければならない。

Article 72 (1) The Minister of Health, Labour and Welfare shall hear the opinions of the Labor Policy Council in advance when intending to specify the standards referred to in paragraph (1) of Article 25, paragraph (1) or paragraph (2) of Article 27 by a Cabinet Order; when intending to specify the reasons referred to in item (ii) of paragraph (1) of Article 13, paragraph (1) or paragraph (2) of Article 20, paragraph (2) of Article 22, item (ii) of paragraph (1) of Article 37-3, item (ii) of paragraph (1) of Article 39, paragraph (1) of Article 61-4, or paragraph (1) of Article 61-7, the standards referred to in paragraph (1) of Article 56-2, or the persons who have difficulty in finding employment as referred to in item (ii) of the same paragraph by an Ordinance of the Ministry of Health, Labour and Welfare; when intending to specify the number

of hours referred to in Article 6, item (i)-2 or the standards referred to in paragraph (1) of Article 10-4, paragraph (3) of Article 25, paragraph (2) of Article 26, paragraph (2) of Article 29, paragraph (3) of Article 32 (including cases where it is applied mutatis mutandis pursuant to Article 37-4, paragraph (5) and Article 40, paragraph (4)), paragraph (2) of Article 33, (including cases where it is applied mutatis mutandis pursuant to paragraph (5) of Article 37-4 and paragraph (4) of Article 40), or paragraph (2) of Article 52 (including cases where it is applied mutatis mutandis pursuant to paragraph (4) of Article 55); or when making decisions on other important matters pertaining to the enforcement of this Act.

2

労働政策審議会は、厚生労働大臣の諮問に応ずるほか、必要に応じ、雇用保険事業の運営に関し、関係行政庁に建議し、又はその報告を求めることができる。

(2) In addition to responding to the Minister of Health, Labour and Welfare's requisitions for consultation, the Labor Policy Council may, as necessary, make proposals to the administrative agencies concerned, or may require their reports, concerning the administration of the Employment Insurance Services.

(不利益取扱いの禁止)

(Prohibition of Disadvantageous Treatment)

第七十三条

事業主は、労働者が第八条の規定による確認の請求をしたことを理由として、労働者に対して解雇その他不利益な取扱いをしてはならない。

Article 73 A business operator shall not dismiss workers or treat them in a disadvantageous manner on the ground of their having required confirmation under the provisions of Article 8.

(時効)

(Prescription)

第七十四条

失業等給付の支給を受け、又はその返還を受ける権利及び第十条の四第一項又は第二項の規定により納付をすべきことを命ぜられた金額を徴収する権利は、二年を経過したときは、時効によつて消滅する。

Article 74 The right to receive payment of the benefits for unemployment, etc., or to obtain a refund of said benefits and the right to collect an amount which has been ordered to be paid pursuant to the provisions of paragraph (1) or paragraph (2) of Article 10-4, shall be extinguished by prescription when two years have elapsed.

(戸籍事項の無料証明)

(Free Certification of Matters on Family Register)

第七十五条

市町村長（特別区及び[地方自治法](#)（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市においては、区長とする。）は、行政庁又は求職者給付又は就職促進給付の支給を受ける者に対して、当該市（特別区を含む。）町村の条例の定めるところにより、求職者給付又は就職促進給付の支給を受ける者の戸籍に関し、無料で証明を行うことができる。

Article 75 The head of a municipality (the head of a ward in a special ward and designated cities referred to in paragraph (1) of Article 252-19 of the [Local Autonomy Act](#) (Act No. 67 of 1947)), may, pursuant to the provisions of an ordinance of said municipality (including a special ward), issue a certificate concerning the family register of a person who receives payment of the

job applicant benefits or employment promotion benefits to the administrative agency or to the person who receives payment of the job applicant benefits or employment promotion benefits, free of charge.

(報告等)

(Reports, etc.)

第七十六条

行政庁は、厚生労働省令で定めるところにより、被保険者若しくは受給資格者、高年齢受給資格者、特例受給資格者若しくは日雇受給資格者（以下「受給資格者等」という。）若しくは第六十条の二第一項各号のいずれかに該当する者（以下「教育訓練給付対象者」という。）を雇用し、若しくは雇用していた事業主又は労働保険事務組合若しくは労働保険事務組合であつた団体に対して、この法律の施行に関して必要な報告、文書の提出又は出頭を命ずることができる。

Article 76 (1) The administrative agency may, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, order a business operator who employs or has employed insured persons or qualified recipients, elderly qualified recipients, specially qualified recipients or qualified day worker recipients (hereinafter referred to as "qualified recipients, etc.") or persons falling under any of the items of paragraph (1) of Article 60-2 (hereinafter referred to as "educational training benefit recipients"), a labor insurance affairs association or an organization that was a labour insurance affairs association, to make a report, submit a document or report in person as may be necessary for the enforcement of this Act.

2

行政庁は、厚生労働省令で定めるところにより、受給資格者等を雇用しようとする事業主、受給資格者等に対し職業紹介若しくは職業指導を行う職業紹介事業者等又は教育訓練給付対象者に対し第六十条の二第一項に規定する教育訓練を行う指定教育訓練実施者に対して、この法律の施行に関して必要な報告又は文書の提出を命ずることができる。

(2) The administrative agency may, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, order a business operator who intends to employ qualified recipients, etc., an employment placement provider, etc. who conducts employment placement services or vocational guidance for qualified recipients, etc., or a practitioner of specified educational training who conducts the educational training prescribed in paragraph (1) of Article 60-2 for educational training benefit recipients, to make a report or submit a document as may be necessary for the enforcement of this Act.

3

離職した者は、厚生労働省令で定めるところにより、従前の事業主又は当該事業主から徴収法第三十三条第一項の委託を受けて同項に規定する労働保険事務の一部として求職者給付の支給を受けるために必要な証明書の交付に関する事務を処理する労働保険事務組合に対して、求職者給付の支給を受けるために必要な証明書の交付を請求することができる。その請求があつたときは、当該事業主又は労働保険事務組合は、その請求に係る証明書を交付しなければならない。

(3) Those who have been separated from employment may, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare, requisition a previous business operator or a labor insurance affairs association conducting affairs concerning the issuance of certificates necessary for receiving payment of the job applicant benefits, as a part of the labor insurance-related affairs prescribed in paragraph (1) of Article 33 of the Premiums Collection

Act, upon being entrusted therewith by said business operator, to issue a certificate necessary for receiving payment of the job applicant benefits. Said employer or labor insurance affairs association when so require, shall issue the certificate as required.

4

前項の規定は、雇用継続給付の支給を受けるために必要な証明書の交付の請求について準用する。この場合において、同項中「離職した者」とあるのは「被保険者又は被保険者であつた者」と、「従前の事業主」とあるのは「当該被保険者若しくは被保険者であつた者を雇用し、若しくは雇用していた事業主」と読み替えるものとする。

(4) The provisions of the preceding paragraph shall apply mutatis mutandis to a requisition concerning the issuance of certificates necessary for receiving payment of the continuous employment benefits. In this case, the terms "those who have been separated from employment" and "previous business operator" in the preceding paragraph shall be deemed to be replaced, respectively, with "insured persons or those who were insured persons" and "business operator who employed said insured persons or those who were insured persons".

第七十七条

行政庁は、被保険者、受給資格者等、教育訓練給付対象者又は未支給の失業等給付の支給を請求する者に対して、この法律の施行に関して必要な報告、文書の提出又は出頭を命ずることができる。

Article 77 The administrative agency may order an insured person, qualified recipient, etc., educational training benefit recipient or person requiring payment of the unpaid part of the benefits for unemployment, etc., to make a report, submit a report or report in person, as may be necessary for the enforcement of this Act.

(診断)

(Diagnosis)

第七十八条

行政庁は、求職者給付の支給を行うため必要があると認めるときは、第十五条第四項第一号の規定により同条第二項に規定する失業の認定を受け、若しくは受けようとする者、第二十条第一項の規定による申出をした者又は傷病手当の支給を受け、若しくは受けようとする者に対して、その指定する医師の診断を受けるべきことを命ずることができる。

Article 78 The administrative agency may, when it finds it necessary for implementing the payment of the job applicant benefits, order a person who obtains or seeks to obtain the recognition of unemployment prescribed in paragraph (2) of Article 15 pursuant to the provisions of item (i) of the same paragraph, a person who has made a report pursuant to the provisions of paragraph (1) of Article 20 or a person who receives or seeks to receive payment of the sickness and injury allowance, to undergo diagnosis by a designated physician.

(立入検査)

(On-site Inspection)

第七十九条

行政庁は、この法律の施行のため必要があると認めるときは、当該職員に、被保険者、受給資格者等若しくは教育訓練給付対象者を雇用し、若しくは雇用していた事業主の事業所又は労働保険事務組合若しくは労働保険事務組合であつた団体の事務所に立ち入り、関係者に対して質問させ、又は帳簿書類（その作成又は保存に代えて電磁的記録（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式で作られ

る記録であつて、電子計算機による情報処理の用に供されるものをいう。)の作成又は保存がされている場合における当該電磁的記録を含む。)の検査をさせることができる。

Article 79 (1) The administrative agency may, when it finds it necessary for the enforcement of this Act, have its officials enter the place of business which belongs to the business operator who employs or has employed an insured person, qualified recipient, etc., or educational training benefits recipient or the office of the labor insurance affairs association or the office of the organization which was a labor insurance affairs association, and question the persons concerned or inspect the books and documents (in the case where electromagnetic records (meaning records produced by an electronic device, magnetic device or any other device not recognizable to human senses, which are used for data processing by a computer) are prepared and retained in lieu of those books and documents, including said electromagnetic records).

2

前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(2) The official who enters and makes an inspection pursuant to the provisions of the preceding paragraph, shall carry a certificate for identification and produce it to the persons concerned.

3

第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct on-site inspections under the provisions of paragraph (1) shall not be construed as being granted for criminal investigation.

(経過措置の命令への委任)

(Delegation of Transitional Measures to Orders)

第八十条

この法律に基づき政令又は厚生労働省令を制定し、又は改廃する場合においては、それぞれ政令又は厚生労働省令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置を定めることができる。この法律に基づき、厚生労働大臣が第十八条第三項の自動変更対象額その他の事項を定め、又はこれを改廃する場合においても、同様とする。

Article 80 In the case where a Cabinet Order or an Ordinance of the Ministry of Health, Labour and Welfare is established, revised or repealed based on this Act, necessary transitional measures may be established by said Order or Ordinance of the Ministry of Health, Labour and Welfare, respectively, within the limit deemed to be reasonably necessary. The same shall apply to the case where the Minister of Health, Labour and Welfare specifies, revises or abolishes the amount subject to automatic revision referred to in paragraph (3) of Article 18 and other matters.

(権限の委任)

(Delegation of Authority)

第八十一条

この法律に定める厚生労働大臣の権限は、厚生労働省令で定めるところにより、その一部を都道府県労働局長に委任することができる。

Article 81 (1) Part of the authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Prefectural Labor Director, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

前項の規定により都道府県労働局長に委任された権限は、厚生労働省令で定めるところにより、公共職業安定所長に委任することができる。

(2) The authority delegated to the Prefectural Labor Director under the provisions of the preceding paragraph may be delegated to the chief of the Public Employment Security Office, pursuant to the provisions of an Ordinance of the Ministry of Health, Labour and Welfare.

(厚生労働省令への委任)

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

第八十二条

この法律に規定するもののほか、この法律の実施のため必要な手続その他の事項は、厚生労働省令で定める。

Article 82 In addition to what is provided for in this Act, procedural and other matters necessary for the implementation of this Act shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

第八章 罰則

Chapter VIII Penal Provisions

第八十三条

事業主が次の各号のいずれかに該当するときは、六箇月以下の懲役又は三十万円以下の罰金に処する。

Article 83 In the case where a business operator falls under any of the following items, he/she shall be punished by imprisonment with labor for not more than six months or to a fine of not more than 300,000 yen:

一 第七条の規定に違反して届出をせず、又は偽りの届出をした場合

(i) When he/she has failed to make a notification or has made a false notification, in violation of the provisions of Article 7;

二 第七十三条の規定に違反した場合

(ii) When he/she has violated the provisions of Article 73;

三

第七十六条第一項の規定による命令に違反して報告をせず、若しくは偽りの報告をし、又は文書を提出せず、若しくは偽りの記載をした文書を提出した場合

(iii) When he/she has failed to make a report or has made a false report, or has failed to submit documents or has submitted documents containing false entries, in violation of an order under the provisions of paragraph (1) of Article 76;

四

第七十六条第三項（同条第四項において準用する場合を含む。）の規定に違反して証明書書の交付を拒んだ場合

(iv) When he/she has refused to issue a certificate, in violation of the provisions of paragraph (3) of Article 76 (including the case where they are applied mutatis mutandis pursuant to paragraph (4) of the same Article);

五

第七十九条第一項の規定による当該職員の質問に対して答弁をせず、若しくは偽りの陳述をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合

(v) When he/she has failed to give an answer or has given a false answer to a question by the official concerned under the provisions of paragraph (1) of Article 79 or has refused, obstructed or evaded inspection under the provisions of the same paragraph.

第八十四条

労働保険事務組合が次の各号のいずれかに該当するときは、その違反行為をした労働保険事務組合の代表者又は代理人、使用人その他の従業者は、六箇月以下の懲役又は三十万円以下の罰金に処する。

Article 84 In the case where a labor insurance affairs association falls under any of the following items, the representative, agent, or employee or other worker of the association who has committed such violation shall be punished by imprisonment with labor for not more than six months or to a fine of not more than 300,000 yen:

一 第七条の規定に違反して届出をせず、又は偽りの届出をした場合

(i) When it has failed to make a notification or has made a false notification, in violation of the provisions of Article 7;

二

第七十六条第一項の規定による命令に違反して報告をせず、若しくは偽りの報告をし、又は文書を提出せず、若しくは偽りの記載をした文書を提出した場合

(ii) When it has failed to make a report or has made a false report, or has failed to submit documents or has submitted documents containing false entries, in violation of an order under the provisions of paragraph (1) of Article 76,;

三

第七十六条第三項（同条第四項において準用する場合を含む。）の規定に違反して証明書_の交付を拒んだ場合

(iii) When it has refused to issue a certificate, in violation of the provisions of paragraph (3) of Article 76 (including the case where they are applied mutatis mutandis pursuant to paragraph (4) of the same Article);

四

第七十九条第一項の規定による当該職員の質問に対して答弁をせず、若しくは偽りの陳述をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合

(iv) When it has failed to give an answer or has given a false answer to a question by the official concerned under the provisions of paragraph (1) of Article 79 or has refused, obstructed or evaded inspection under the provisions of the same paragraph.

第八十五条

被保険者、受給資格者等、教育訓練給付対象者又は未支給の失業等給付の支給を請求する者その他の関係者が次の各号のいずれかに該当するときは、六箇月以下の懲役又は二十万円以下の罰金に処する。

Article 85 In the case where an insured person, qualified recipient, etc., educational training benefit recipient or person requiring payment of the unpaid part of the benefits for unemployment, etc., or other person concerned falls under any of the following items, he/she shall be punished by imprisonment with labor for not more than six months, or to a fine of not more than 200,000 yen:

一

第四十四条の規定に違反して偽りその他不正の行為によつて日雇労働被保険者手帳の交付を受けた場合

(i) When he/she has obtained an insured day worker's benefits book by means of deception or other wrongful conduct, in violation of the provisions of Article 44;

二

第七十七条の規定による命令に違反して報告をせず、若しくは偽りの報告をし、文書を提出せず、若しくは偽りの記載をした文書を提出し、又は出頭しなかつた場合

(ii) When he/she has failed to make a report or has made a false report, or has failed to submit documents or has submitted documents containing false entries, or has failed to report in person, in violation of an order under the provisions of Article 77;

三

第七十九条第一項の規定による当該職員の質問に対して答弁をせず、若しくは偽りの陳述をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避した場合

(iii) When he/she has failed to give an answer or has given a false answer to a question by the official concerned under the provisions of paragraph (1) of Article 79 or has refused, obstructed or evaded inspection under the provisions of the same paragraph.

第八十六条

法人（法人でない労働保険事務組合を含む。以下この項において同じ。）の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、前三条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても各本条の罰金刑を科する。

Article 86 (1) In the case where a representative of a juridical person (including a labor insurance affairs association which is not a juridical person: hereinafter the same shall apply in this paragraph), or an agent, employee or other worker of a juridical person or an individual, has committed a violation under the preceding three Articles, with regard to the business of said juridical person or individual, not only the offender shall be punished but also said juridical person or individual shall be punished by the fine prescribed in the respective Article.

2

前項の規定により法人でない労働保険事務組合を処罰する場合においては、その代表者又は管理人が訴訟行為につきその労働保険事務組合を代表するほか、法人を被告人とする場合の刑事訴訟に関する法律の規定を準用する。

(2) In the case where a labor insurance affairs association that is not a juridical person is punished pursuant to the provisions of the preceding paragraph, the representative or administrator of that association shall represent the labor insurance affairs association, with regard to procedural acts and the provisions of the Acts applicable in criminal trials where the accused is a juridical person shall apply mutatis mutandis.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条

この法律は、昭和五十年四月一日から施行する。ただし、附則第二十一条の規定は、同年一月一日から施行する。

Article 1 This Act shall come into force as from April 1, 1975; provided, however, that the provisions of Article 21 of the Supplementary Provisions shall come into force as from January 1 of the same year.

(適用範囲に関する暫定措置)
(Temporary Measures Concerning Scope of Application)
以下略
(The rest omitted.)