

**MEMORANDUM OF COOPERATION**  
**ON THE TECHNICAL INTERN TRAINING PROGRAM**  
**BETWEEN**  
**THE MINISTRY OF JUSTICE, THE MINISTRY OF FOREIGN AFFAIRS AND THE**  
**MINISTRY OF HEALTH, LABOUR AND WELFARE OF JAPAN**  
**AND**  
**THE MINISTRY OF EMPLOYMENT, PRODUCTIVITY AND WORKPLACE**  
**RELATIONS OF THE REPUBLIC OF FIJI**

The Ministry of Justice, the Ministry of Foreign Affairs and the Ministry of Health, Labour and Welfare of Japan (hereinafter referred to as "the Ministries of Japan") and the Ministry of Employment, Productivity and Workplace Relations (hereinafter referred to as "MEPWR"), representing the Government of the Republic of Fiji, shared the view that the purpose of the Technical Intern Training Program is to transfer technical skills, techniques and knowledge (hereinafter referred to as "technical skills, etc.") to the Republic of Fiji, to contribute to the human resource development which would lead the development of the economy of the Republic of Fiji and thus to promote the bilateral cooperation between Japan and the Republic of Fiji. Based on this view, the Ministries of Japan and MEPWR (hereinafter referred to collectively as "both sides") have decided as follows in order to adequately advance the Technical Intern Training Program:

**1. Purpose**

The purpose of this Memorandum of Cooperation (hereinafter referred to as "MOC") is to transfer technical skills, etc. from Japan to the Republic of Fiji appropriately and smoothly through the Technical Intern Training Program by setting out the commitments of both sides to sending and accepting technical intern trainees, thereby promoting bilateral cooperation.

**2. Commitments by the Ministries of Japan**

The Ministries of Japan, in cooperation with the Embassy of Japan in the Republic of Fiji, if appropriate, will carry out the following commitments related to the acceptance of technical intern trainees from the Republic of Fiji in line with the relevant laws and regulations of Japan:

(a) When the Ministries of Japan receive information from MEPWR on a sending organization that intends to send technical intern trainees to Japan (hereinafter referred to as "Sending Organization") and has been approved by MEPWR to meet Sending Organization's Approving

Standards described in Attachment 1 (hereinafter respectively referred to as "Approved Sending Organization" and "Approving Standards"), to make such information publicly available in Japan;

(b) To provide MEPWR with a list of licensed Japanese supervising organizations;

(c) To accept only those technical intern trainees who are sent by Approved Sending Organization. However, the Ministries of Japan may not accept some even if sent by Approved Sending Organization in case that including, without limitation, a technical intern training plan is not approved;

(d) To substitute an approval to a Sending Organization by the Republic of Fiji for a letter of recommendation for the Sending Organization by a public authority of the Republic of Fiji provided that MEPWR completes procedures to approve a Sending Organization and provides the Ministries of Japan with a full list of Approved Sending Organizations;

(e) Not to require a letter of recommendation for technical intern trainees by MEPWR after receiving a full list of Approved Sending Organizations, on the condition that the Ministries of Japan receive the Certificate described in Attachment 3;

(f) When the Ministries of Japan receive information from MEPWR on the revocation of an approval of Approved Sending Organization, to make such information publicly available in Japan;

(g) In line with Criteria for the License of Supervising Organizations described in Attachment 4 and with the Criteria for Accreditation of the Technical Intern Training Plan described in Attachment 5, to conduct business relating to licenses and accreditation in an appropriate manner;

(h) To carry out appropriate measures including the revocation of a license when a supervising organization commits an act that falls under any of the items described in Attachment 6;

(i) To carry out appropriate measures including the revocation of accreditation of a technical intern training plan when a case that falls under any of the items described in Attachment 7 arises;

(j) To require submission of necessary documents regarding the Standards of Treatment of Technical Intern Trainees described in Attachment 8 and to carry out appropriate measures including the revocation of accreditation of a technical intern training plan in the event that an actual treatment is found different from the contents stated in the submitted documents;

(k) When informed by MEPWR of an actual condition that is not in conformity with the Criteria for Accreditation of the Technical Intern Training Plan described in Attachment 5 or is different from an accredited plan, to investigate, instruct, and supervise a Japanese implementing organization, take appropriate action and communicate results with MEPWR;

(l) To notify MEPWR of results, when the Ministries of Japan take administrative measures against a supervising organization by revoking a license, issuing an order for suspension of operation or issuing an order for improvement, or administrative measures against an implementing organization by revoking accreditation of a technical intern training plan or issuing an order for

improvement in line with Articles 15, 16, 36 or 37, including case of violations of Article 46 to 49 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees;

(m) To establish a system to transfer technical intern trainees to other implementing organizations in case of the revocation of a license of a supervising organization, discontinuation of business by an implementing organization or infringement of human rights by a supervising organization or an implementing organization; and

(n) To provide necessary information when the Ministries of Japan receive inquiries from MEPWR pertaining to issues such as status of implementation of the Technical Intern Training Program, any revisions of the Program, or any change of occupations covered by the Program.

### **3. Commitments by MEPWR**

MEPWR, in line with the relevant laws and regulations of the Republic of Fiji, will carry out the following commitments with regard to sending technical intern trainees:

(a) To prepare guidelines that detail the recruitment process and criteria for the selection and deployment of Technical Intern Trainees from the Republic of Fiji to Japan in close coordination with the Ministries of Japan;

(b) To ensure that recommendation made by MEPWR on a Sending Organization which is considered to have the ability to properly coordinate applications of technical intern trainees for supervising-organization-type of the Technical Intern Training Program to supervising organizations in Japan (the recommendation stipulated in paragraph 1, Article 25 of the Regulation for Enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees) may not be made by any public authorities other than MEPWR;

(c) To examine whether or not Sending Organizations meet Approving Standards, and to give approvals when appropriate;

(d) To make names and other information of Approved Sending Organization in the Republic of Fiji publicly available when approvals set out in the previous paragraph are given. To provide the Ministries of Japan with information on an Approved Sending Organization in the form specified in Attachment 2, and to continue issuing letters of recommendation for Sending Organization that MEPWR considers appropriate to send technical intern trainees to Japan until MEPWR provides the Ministries of Japan with a full list of the Approved Sending Organizations;

(e) When MEPWR is informed by the Ministries of Japan of that an Approved Sending Organization seems to have exercised activities inconsistent with Approving Standards or other improper activities, to conduct investigations over the Approved Sending Organization in question, to provide necessary guidance and supervision, and then to report results to the Ministries of Japan;

(f) To provide guidance to Approved Sending Organization in the Republic of Fiji to select and send technical intern trainees in an appropriate manner, to revoke an approval when MEPWR

considers that an Approved Sending Organization no longer meets Approving Standards, and to notify the Ministries of Japan of its reasons and results;

(g) To cooperate on follow-up surveys conducted by the Ministries of Japan concerning the utilization of acquired technical skills and others after technical intern trainees return to the Republic of Fiji, particularly by, providing guidance to the Approved Sending Organization in order to obtain accurate feedback as much as possible from former technical intern trainees;

(h) To provide the Ministries of Japan with required information, when MEPWR receives inquiries from the Ministries of Japan pertaining to guidance and supervision records exercised over Approved Sending Organization, records related to approvals of Sending Organizations, matters relating to job categories in demand for technical transfer in the Republic of Fiji, etc.; and

(i) To designate the National Employment Center ("NEC") under the MEPWR as a public Sending Organization for the Technical Intern Training Program.

#### **4. Treatment of Technical Intern Trainees**

Both sides reconfirm the following items:

(a) Technical intern trainees from the Republic of Fiji are subject to the Labour Standards Act, the Industrial Safety and Health Act, Act on Equal Opportunity and Treatment between Men and Women in Employment of Japan, and other laws and regulations relating to labour, and they are protected during their work in Japan, just as Japanese workers are; and

(b) The employers are not allowed to give disadvantageous treatments such as dismissal to workers by reason of pregnancy, childbirth, etc., under Act on Equal Opportunity and Treatment between Men and Women in Employment in Japan; and

(c) It is inappropriate to include provisions of compulsory sending back to home country, which might encourage disadvantageous treatment prohibited by Japanese laws and regulations, in the contract between Sending Organization and technical intern trainees or supervising organizations by reason of pregnancy, childbirth, etc.

#### **5. Designation of Contact Points**

Both sides will designate respectively the following contact points related to communications and coordination between both countries in order to effectively implement activities under this MOC.

(a) For Japan, the International Affairs Department of the Organization for Technical Intern Training (hereinafter referred to as "OTIT") (Employment for Skill Development Organization ("ESDO") as the contact point after the Act on Proper Implementation of Employment for Skill Development and Protection of Skill Development Employees comes into effect). For modification and supplementation of this MOC and desire to discontinue the cooperation under this MOC, the Residency Management Division, Residency Management and Support Department

of Immigration Services Agency, the Ministry of Justice and the Office of the Counselor for Overseas Human Resources Development to the Director-General for Human Resources Development, the Ministry of Health, Labour and Welfare.

(b) For the Republic of Fiji, the MEPWR may delegate a part of the work related to this MOC to the Embassy of the Republic of Fiji in Japan.

## **6. Settlement of issues**

Both sides will consult each other regarding the implementation of activities under this MOC or issues arising therefrom, including occurrences of technical intern trainees' disappearances and deportations of illegally-staying technical intern trainees, and will settle such issues amicably and in close cooperation through diplomatic channels as deemed appropriate, in cooperation with each country's relevant ministries and agencies.

## **7. Implementation within the scope of laws and regulations**

The cooperation under this MOC will be conducted within the scope of the laws and regulations in force in each country. Either side will not disclose confidential information obtained from the other side through cooperation and exchange of information within the framework of this MOC without a written notice.

## **8. Consultation**

Representatives of both sides will consult from time to time, as necessary. Both sides will consult through diplomatic channels as deemed appropriate. OTIT and the Embassy of the Republic of Fiji in Japan will communicate as necessary concerning the implementation of the Technical Intern Training Program.

## **9. Miscellaneous**

(1) This MOC was signed at Tokyo on 13 November 2025 in two originals in English. The cooperation under this MOC will commence on the date of its signature. With the commencement of this MOC, the cooperation between both sides on the Technical Intern Training Program will be conducted under this MOC.

(2) The cooperation under this MOC will continue for a period of five years from the date of the signature and will be automatically extended for additional five years unless either side provides a written notice of their intention not to desire to extend it, at least sixty days in advance of the discontinuance date. In case either side wishes to discontinue the cooperation based on this MOC before the end of the five-year period mentioned above, the cooperation may be discontinued by a

written notice to the other side indicating such intent, not later than ninety days before the desired discontinuance date.

(3) The contents of this MOC may be modified or supplemented as necessary with written consent from both sides.

FOR THE MINISTRY OF JUSTICE OF  
JAPAN

FOR THE MINISTRY OF EMPLOYMENT,  
PRODUCTIVITY AND WORKPLACE  
RELATIONS  
OF THE REPUBLIC OF FIJI

FOR THE MINISTRY OF FOREIGN  
AFFAIRS OF JAPAN

FOR THE MINISTRY OF HEALTH,  
LABOUR AND WELFARE OF JAPAN

### **Approving Standards for the Republic of Fiji's Sending Organizations**

The Republic of Fiji's Sending Organization must meet all of the following standards:

- (1) To appropriately select and send to Japan only those who are motivated to engage in technical intern training with recognition of the objectives of the Technical Intern Training Program and to contribute to the economic development of the Republic of Fiji by making use of achievement through technical intern training after returning to the Republic of Fiji;
- (2) To clearly specify the calculating criteria of commissions and any other fees to be collected from 'technical intern trainees and/or technical intern trainee candidates' (hereinafter referred to as "trainees and candidates") and make the criteria publicly available such as on the website so that it can be found not only in the Republic of Fiji but in Japan, and to explain the details of such commissions and other fees to trainees and candidates in order to obtain their recognition sufficiently;
- (3) To provide technical intern trainees who returned to the Republic of Fiji after completing the technical intern training with necessary support, such as finding occupations in order for them to appropriately utilize acquired technical skills, etc;
- (4) With respect to the proper implementation of the Technical Intern Training Program or the protection of technical intern trainees, to respond requests from the Minister of Justice of Japan, the Minister of Health, Labour and Welfare of Japan or the Organization for Technical Intern Training. Such requests include cooperation on follow-up surveys on the technical intern trainees who returned to the Republic of Fiji after completing technical intern training;
- (5) As for Sending Organization and its officers, if they had been sentenced to imprisonment or more severe penalty in Japan or in the Republic of Fiji, at least five years have elapsed after the penalty had been completed or the penalty had been exempted from the execution;
- (6) To carry out any projects in line with the laws and regulations of the Republic of Fiji;
- (7) As for Sending Organization and its board members, to have never conducted any of the following acts within the preceding five years: (a) In connection with technical intern training, managing money or other properties of trainees and candidates, their relatives or other persons concerned, regardless of any reasons such as collecting deposits or any other purposes; (b) Finalizing any contracts that impose monetary penalties or that expect undue transfer of money or other properties, for the violation of the contracts in relation to technical intern training; (c) Infringing human rights against trainees and candidates such as assaults, intimidations, and restrictions of freedom\* (\*Compulsory sending back to the Republic of Fiji by reason of pregnancy, childbirth, etc. is included in human rights infringements); (d) With regards to the procedures of the Technical Intern Training Program as well as the immigration control program in Japan, using or providing forged, altered or false documents, pictures or drawings with the intention of obtaining permissions fraudulently;

- (8) To have never allowed brokers to intervene in the recruiting of technical intern trainees or in dispatching and accepting technical intern trainees between the Republic of Fiji Sending Organization and Japanese supervising organizations or to pay a bribe or commission fees to Japanese supervising organizations;
- (9) In coordinating applications for technical intern training to Japanese supervising organizations, to confirm that trainees and candidates, their relatives or other persons concerned have never been involved in the Acts set out in (a) and (b) of (7);
- (10) Acknowledging the importance of addressing disappearance of technical intern trainees, to cooperate with Japanese supervising organizations and to make efforts in order to prevent technical intern trainees from disappearing; and
- (11) To have other necessary capacities to appropriately coordinate applications for technical intern training to Japanese supervising organizations.

Date: \_\_\_\_\_

### **Outline of Approved Sending Organization**

Name of Organization: \_\_\_\_\_

Name of Representative: \_\_\_\_\_

(Address) \_\_\_\_\_

TEL: \_\_\_\_\_

FAX: \_\_\_\_\_

E-mail: \_\_\_\_\_

URL: \_\_\_\_\_

Date of establishment \_\_\_\_\_

Date of approval (Duration): \_\_\_\_\_ (Valid until: \_\_\_\_\_)

Type of industry and main business: \_\_\_\_\_

Capital: \_\_\_\_\_

Yearly turnover figure (the most recent year) \_\_\_\_\_

Number of full-time employees (the number of employees involved in sending work): \_\_\_\_\_

Name of person in charge of training \_\_\_\_\_

(Position) \_\_\_\_\_

(Address) \_\_\_\_\_

(TEL) : \_\_\_\_\_

(FAX): \_\_\_\_\_

(E-mail) \_\_\_\_\_

Contact point in Japan \_\_\_\_\_

(Name) \_\_\_\_\_

(Name of representative (In the case of a company/organization)) \_\_\_\_\_

(Address) \_\_\_\_\_

(TEL) \_\_\_\_\_

(FAX): \_\_\_\_\_

(E-mail) \_\_\_\_\_

### **Certificate**

The Ministry of Employment, Productivity and Workplace Relations (hereinafter referred to as "MEPWR") hereby recognizes that the technical intern trainees who will be sent to Japan by Approved Sending Organization\* are appropriate to engage in technical intern training, other than those whom MEPWR recognizes as inappropriate and reports to the Japanese contact point designated in Paragraph 5 (a) of the Memorandum of Cooperation on the Technical Intern Training Program. \* The term "Approved Sending Organization" means the sending organization that is approved by MEPWR.

Permanent Secretary MEPWR

Signature \_\_\_\_\_

### **Criteria for the License of Supervising Organizations**

Pursuant to the provisions provided for in Article 25 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as "the Act"), an organization must conform to all of the following items in order to obtain the license of supervising organization:

- (1) To be a Japanese nonprofit juridical person as provided for in Article 29 of the Regulation for Enforcement of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as "the Regulation");
- (2) To have sufficient capability to conduct the supervising business appropriately in line with the criteria as provided for in Article 52 of the Regulation;
- (3) To possess a sufficient financial basis to soundly conduct the supervision business;
- (4) To have taken the necessary measures to properly manage personal information (information about an individual that can identify the specific individual) and to maintain the confidentiality of the implementing organization of the supervising-organization-type technical intern training, etc. and the supervising-organization-type technical intern trainees, etc.
- (5) To have taken any of the following measures for the purpose of appropriate management of the supervising business: (a) Not to compose its officers entirely of persons with a close relationship with the implementing organization of supervising-organization-type technical intern training as provided for in Article 30 of the Regulation, and otherwise to make the composition of the officers not likely to impede the securing of appropriate operation of the supervising business; (b) In addition to auditing by inspectors and persons responsible for auditing the business of the juridical person, to have an audit by a person, who satisfies the requirements as provided for in Article 30 of the Regulation and does not have a close relationship with the implementing organization of supervising-organization-type technical intern training as provided for in Article 30 of the Regulation, which audit the performance of duties pertaining to the supervision business by the officers, pursuant to Article 30 of the Regulation;
- (6) In cases where it intends to receive job applications for supervising-organization-type technical intern training from a person applying to become a supervising-organization-type technical intern trainee through the mediation of a sending organization in the Republic of Fiji, to have a contract with the sending organization in the Republic of Fiji pertaining to such mediation;
- (7) In cases where the application for the license set forth under paragraph (1), Article 23 of the Act concerns general supervising business, to conform to the criteria provided for by the Regulation as meeting the high standard of capability to conduct an audit of the status of implementation of supervising-organization-type technical intern training and to perform other work; and

(8) In addition to the matters provided for in the items (1) to (7) above, to possess the capability to enable it to perform the supervising business appropriately.

### **Criteria for Accreditation of the Technical Intern Training Plan**

Pursuant to the provisions provided for in Article 9 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as "the Act"), a technical intern training plan must conform to all of the following items in order to have it accredited:

- (1) The skills to be acquired, etc., must be the ones that would be difficult to acquire in the Republic of Fiji;
- (2) The goal and content of the technical intern training must conform to the criteria provided for in Article 10 of the Regulation for Enforcement of the Act (hereinafter referred to as "the Regulation") in line with the category of technical intern training;
- (3) The period of the technical intern training will be a maximum of one year in cases of individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (i), or a maximum of two years in cases of individual-enterprise-type technical intern training (ii), individual-enterprise-type technical intern training (iii), supervising-organization-type technical intern training (ii) or supervising-organization-type technical intern training (iii);
- (4) The goal has been achieved about the passing of the trade skills test or technical intern training evaluation examination as prescribed in the technical intern training plan for individual-enterprise-type technical intern training (i) or supervising-organization-type technical intern training (i) pertaining to the skills, etc. in each respective technical intern training plan in cases of individual-enterprise-type technical intern training (ii) or supervising-organization-type technical intern training (ii) or the technical intern training plan for individual-enterprise-type technical intern training (ii) or supervising-organization-type technical intern training (ii) pertaining to the skills, etc. in each respective technical intern training plan in cases of individual-enterprise-type technical intern training (iii) or supervising-organization-type technical intern training (iii);
- (5) The evaluation of the skills, etc., which the technical intern trainee has acquired, etc. should be conducted through a trade skills test or technical intern training evaluation examination as provided for in Article 11 of the Regulation before the completion of the technical intern training;
- (6) The structure and the equipment of the place of business based on which the technical intern training is to be conducted must conform to the criteria provided for in Article 12 of the Regulation;
- (7) A person has been appointed at each place of business as provided for in Article 13 of the Regulation, responsible for implementation of the technical intern training;
- (8) In cases of supervising-organization-type technical intern training, the applicant's training will be supervised by a supervising organization (limited to the one that has obtained a license to supervise (limited to that pertaining to general supervising business as prescribed in item (i), paragraph (1), Article 23 of the Act) in cases where the technical intern training plan is for

supervising-organization-type technical intern training (iii)), from which it received guidance on preparation of the technical intern training plan;

(9) Treatment of the technical intern trainees must conform to the criteria provided for in Article 14 of the Regulation;

(10) In cases of individual-enterprise-type technical intern training (iii) or supervising-organization-type technical intern training (iii), the applicant should conform to the criteria provided for in Article 15 of the Regulation as an entity with a high standard of capabilities to ensure the acquisition, etc., of the skills, etc.; and

(11) In cases where the applicant is to conduct technical intern training for multiple technical intern trainees at the same time during the technical intern training period, such number of trainees should not exceed the number provided for in Article 16 of the Regulation.

### **Revocation of the License for Supervising Organizations**

Pursuant to the provisions provided for in Article 37 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as "the Act"), the Minister of Justice and the Minister of Health, Labour and Welfare of Japan may revoke the license to supervise if a supervising organization falls under any of the following items:

- (1) It is deemed that the supervising organization no longer conforms to any of the items of paragraph (1), Article 25 of the Act;
- (2) The supervising organization falls under one of the items of Article 26 of the Act (excluding item (ii), item (iii), and item (v) (c) and (d));
- (3) The supervising organization has violated the conditions attached to the license to supervise pursuant to the provisions of paragraph (1), Article 30 of the Act;
- (4) The supervising organization has violated the provisions of the Act or the provisions of laws relating to immigration or labour that are provided for by a Cabinet Order, or an order or disposition based on these provisions; and
- (5) It has committed a wrongful or significantly unjust act with regard to the laws or regulations relating to immigration or labour.\*

\*The "laws or regulations relating to immigration or labour" include the Labour Standards Act, the Industrial Safety and Health Act, Act on Equal Opportunity and Treatment between Men and Women in Employment of Japan, etc. \*\* When a supervising organization is found to have received any money that is not regarded as fees for supervision from any relevant person in relation to technical intern training including sending organizations, the license to supervise will be revoked. Further, pursuant to the provisions provide for in Article 111 of the Act, such act will be subject to imprisonment for not more than 6 months or a fine of not more than 300,000 yen.

### **Revocation of Accreditation of the Technical Intern Training Plan**

Pursuant to the provisions provided for in Article 16 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (hereinafter referred to as "the Act"), the Commissioner of the Immigration Services Agency and the Minister of Health, Labour and Welfare of Japan (hereinafter referred to as "the Commissioner and the Minister") may revoke the accreditation of the technical intern training plan in cases falling under any of the following items:

- (1) The Commissioner and the Minister deem that the implementing organization is deemed to have not conducted the technical intern training in line with the accredited plan.
- (2) The Commissioner and the Minister deem that the accredited plan is not deemed to conform to any of the items of Article 9 of the Act.
- (3) The implementing organization has come to fall under one of the items of Article 10 of the Act.
- (4) The implementing organization has omitted to give a report or to submit or present books or records pursuant to the provisions of paragraph (1), Article 13 of the Act, has given a false report or submitted or presented false books or records, or has not given an answer or has given a false answer to questions pursuant to the provisions of the same paragraph, or refused, interfered with or evaded an inspection pursuant to the provisions of the same paragraph.
- (5) The implementing organization has made a false report or submitted or presented false books or records in response to a request from the Organization for Technical Intern Training to make the report or submit or present books or records pursuant to the provisions of paragraph (1), Article 14 of the Act, or has given a false answer to questions asked by the staff of the Organization for Technical Intern Training pursuant to the provisions of the same paragraph.
- (6) The implementing organization has violated the order prescribed under the provisions of paragraph (1), Article 15 of the Act.
- (7) The implementing organization has committed a wrongful or significantly unjust act with regard to laws or regulations relating to immigration or labour\* ; and \*The "laws or regulations relating to immigration or labour" include the Labour Standards Act, the Industrial Safety and Health Act, Act on Equal Opportunity and Treatment between Men and Women in Employment of Japan, etc.
- (8) The applicant or preparatory organization in the Republic of Fiji (in case pertaining to supervising-organization-type technical intern training, the applicant, supervising organization, intermediating sending organization or preparatory organization), in connection with the technical intern training that the technical intern trainee, etc. is to engage in while in Japan, has entered into a contract that stipulates penalties with regard to non-performance of a contract pertaining to the technical intern training or a contract that otherwise expects the unjust transfer of money or other property with any other people.

### **Standards of Treatment of Technical Intern Trainees**

The applicant of individual-enterprise-type technical intern training or the applicant or the supervising organization of supervising-organization-type technical intern training must conform to the following standards of treatment of technical intern trainees:

- (1) In cases of supervising-organization-type technical intern training, to ensure that such trainee will not be made to directly or indirectly pay for the expenses collected as supervision fees pursuant to the provisions of paragraph (2), Article 28 of the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (applicable to the applicant or the supervising organization of supervising-organization-type technical intern training only);
- (2) With regard to the expenses to be paid regularly by the technical intern trainee regardless of whether they are food expenses, accommodation expenses or other expenses, to have the technical intern trainee sufficiently recognize the contents of the meals, accommodation facilities and other benefits to be provided in exchange for the expenses, to reach consensus with the trainee about such conditions and to ensure that the amount of the expenses is equivalent to the actual expenses or is otherwise an appropriate amount; and
- (3) To pay the travel expenses required for the trainee's return to home country after the conclusion of the technical intern training (applicable to the applicant of individual-enterprise-type technical intern training or the supervising organization of supervising-organization-type technical intern training only). In case an application for technical intern training (iii) of a technical intern trainee (ii) is submitted during the period of his/her technical intern training (ii), to pay the travel expenses required for his/her travel to Japan prior to the technical intern training (iii) (applicable to the applicant of individual-enterprise-type technical intern training or the supervising organization of supervising-organization-type technical intern training that makes the technical intern trainee (iii) engage in the technical intern training (iii) only).