

## 1. Indictment - in English

2010 Tohoku Agency Foreign Territory No. 6487, 6624

2010 inspection number 17461, 17462, 202145, 20216

### Prosecution (indictment)

July 26, 2010

Tokyo District Court

Tokyo District Public Prosecutor's Office  
Prosecutor's attorney Kunita Tokunaga

Petition prosecution for the following defendant case.

#### Record

Domicile

Residence

Officer of a business company

(In detention)

Yasuhiro Nagano

Born September 9, 1949

Country of Citizenship

Residence

Profession

(In d1etention)

KinGungaku (金軍学) Jin Jun Shu

Born February 10, 1981

#### Accused fact

The defendant's name, after conspiracy

1st CyoSuki (張述輝), a foreign national of the People's Republic of China, changed the status of residence to "interrogation knowledge / international work", renewed his / her period of stay and stayed in Japan, and also became a foreign national of the People's Republic of China During the period from 26th March 2009 to May 11th, 2010, we had a restaurant "Rice DIBINGBAR Hokkaido Nihonbashi" which is located on the 1st floor of the Asahi Bridge Building 2 - 8 - 11 Nihonbashi, Shop ", when he worked as an employee exclusively to receive remuneration not belonging to the activity corresponding to the status of residence,

About November 2008, the defendant, Yushihiro Nagano, located on the 4th floor of Kurobe Suzuki Building, 1st - 2nd - 13th Kuzute - nabe, Chiyoda - ku, Tokyo, was informed of the person 's request for conducting activities outside his / At the Lefco office serving as a director, the truth is that the employee of the company was employed by Lefco, but because he was employed by the company and engaged in the work of programmers etc., the residence to humanities knowledge and international work Contents to the effect of requesting change of qualification At that time, we created a false employment contract, and at that time, we prepared a restaurant "Bekko Coffee Shop Tabuchi Store" at East Terminal Station East Terminal Co., Ltd. Tabata Station 1 - In the same year, on December 15, the same day, the same person was issued to the same person at the Tokyo Immigration Bureau, Minato Ward, Minato-ku, Kotonani 5 - 5 - 30, Tokyo, the period of stay (qualification) renewal Let me submit the above false employment contract etc along

with permission application form, and on March 23, 2010, we will obtain the same permission

Second Rin Kouritu (林厚立) who is a foreign national of the People's Republic of China, changed his / her status of residence to "technology", renewed his / her period of stay and stayed in Japan, then allowed the Minister of Justice permission to engage in activities other than the status of qualification There is a restaurant "Shibuya Udagawa Town as well as Hinonoya" on the 1st floor of Emerald Building No. 12, Udagawa-cho, Shibuya-ku, Tokyo, from April 9th 2009 to May 11th, 2010 In 2 stores, when we operate as an employee of each store, and exclusively carried out an activity to receive compensation not belonging to the activity corresponding to the status of residence clearly,

About the end of November 2008, at the Lefco office, the truth was that even though the fact is that the same person was hired by Lefco, while knowing the circumstances that the same person undertook a non - Contents to the effect that the same person is hired by the company and to engage in the business of programmers etc, so request to change the status of residence to the technology False Employment Agreement was prepared and at that time, at the "Beck Coffee Shop Tabi Shop" , On the same day on December 26 of the same year, the Tokyo Immigration Bureau provided the above-mentioned contents with false employment agreement Please let me submit, etc, and get it with permission on March 25, 2010

The third Ka Houkou (何宝光) who is a foreign national with the nationality of the People's Republic of China Hobaoguan changed its status of residence to "technology", renewed his / her period of stay, stayed in Japan, and allowed the Minister of Justice permission to engage in activities other than the status of qualification From April 27, 2009 to May 11, 2010, there is a restaurant "Shinjuku Numazu Port" located at MY Shinjuku 2nd Building Nishi Shinjuku 1 - chome 1 - chome Shinjuku - ku, Tokyo 1 other store , When we operate as an employee of each store and exclusively carried out an activity to receive compensation not belonging to the activities corresponding to the status of residence clearly,

About the end of November 2008, at the Lefco office, the truth was that although the same person was hired by Lefco, while knowing the circumstances that the same person performs a non-qualification activity upon receiving a request from Ho, Contents to the effect that the same person is employed by the same company and to engage in the work of programmers etc. Request for change of status of residence to technology Created a false employment contract, at that time, 1st Nakahara 1 - chome, Kita - ku, Tokyo On November 24, Kashiwagi Bldg., Room 403, the above-mentioned content was given a false employment contract, etc. On December 24, the same day, at the Tokyo Immigration Bureau, the same period of stay (qualification) renewal permission application form Let me submit the above-mentioned false employment contracts etc, and obtain the same permission on March 25, 2010

Fourth RiMoe (李萌) who is a foreign national of the People's Republic of China has

changed his / her status of residence to "Humanities Knowledge / International Work", renewed his / her period of stay and stayed in Japan, the qualification of the Minister of Justice Without permission from outside activities, from around March 2009 to June 3, 2010, at one restaurant "Mamiya" located at 7-14 Nihonbashi Ningyocho, Chuo-ku, Tokyo, When we operate as an employee of each shop, and exclusively carried out activities to receive remuneration which does not belong to the activity obviously corresponding to the status of residence,

About the end of November 2008, at the Lefco office, the truth was that although the fact was that the same person was employed by Lefco, while knowing the circumstances that the same person performs a non-qualification activity upon receiving a request from the above- Contents to the effect that the same person is hired by the same company and engages in interpreter / translation work etc, so as to request change of status of residence to humanities knowledge / international work Fake false employment contract form was created, and Kashiwagi Building 402 On December 24, the same day, the Tokyo Immigration Bureau provided the above-mentioned contents with false hiring employment renewal permission application form Let me submit a contract etc, and on March 25, 2010, let me obtain the same permission

Thereby facilitating the above-mentioned activities other than the above-mentioned qualifications of 4 people such as Chang.

Charges and penalties

Violation of Immigration Control and Refugee Recognition Act Article 70 (1) (4), Article 19 (1) (1)

Article 62 (1) of the Penal Code, Article 60

**The yellow ground part is the provision itself of the false document submission in Immigration Law Article 22 4 to 4**

**Four former principals were reported submitting false documents and submitting them to Tokyo immigration office.**

**In this punishment, the principal offender is subject to the administrative penalty of deportation from the Minister of Justice,**

**For this reason it has not been subject to administrative penalty for deportation.**

**Foreigners who assisted in Article 22 4 - 4 of the Immigration Act were charged with prosecution on July 26, 2010 and were taken away from abroad on July 1, 2010, but Kin Gungaku (Gold Military Academy) goes back in accordance with Article 39 of the Constitution It is not punished for seeking. I can not punish the Japanese.**

訴因

起 訴 状

平成22年7月26日

東京地方裁判所 殿

東京地方検察庁

検察官 検事 徳 永 国 大

下記被告事件につき公訴を提起する。

記

本 籍 千葉市美浜区高浜6丁目18番  
住 居 同市美浜区高浜6丁目18番9号  
職 業 会社役員

(勾留中)

長野 恭 博  
昭和24年9月9日生

国 籍 中華人民共和国  
住 居 東京都北区東田端1丁目12番1号 稲垣ハイツ404号室  
職 業 飲食店経営

(勾留中)

金 軍学ことジン ジュンシュエ  
1981年2月10日生

公 訴 事 実

被告人両名は、共謀の上

第1 中華人民共和国の国籍を有する外国人である張述輝ことチャン シューホイ  
が、在留資格を「人文知識・国際業務」に変更し、在留期間を更新して本邦に  
在留した上、法務大臣の資格外活動の許可を受けないで、平成21年3月25  
日から平成22年5月11日までの間、東京都中央区日本橋2丁目8番11号  
旭洋ビル地下1階所在の飲食店「ごはんDINING BAR ほっこり日本  
橋店」において、従業員として稼働し、もって明らかに在留資格に応じた活動  
に属しない報酬を受ける活動を専ら行った際、平成20年11月ころ、前記

ヤンから依頼を受けて、同人が資格外活動を行うことの情を知りながら、東京都千代田区九段北1丁目2番13号九段スズキビル4階所在の被告人長野恭博が代表取締役を務める株式会社レフコ事務所において、真実は、前記ヤンが株式会社レフコに雇用された事実はないのに、同人が同会社に雇用され、プログラマー等の業務に従事するため、人文知識・国際業務への在留資格変更を要請する旨の内容虚偽の雇用契約書等を作成し、そのころ、東京都北区東田端1丁目17番1号東日本旅客鉄道株式会社田端駅構内の飲食店「ベックスコーヒーショップ田端店」において、同人に対し、前記内容虚偽の雇用契約書等を交付し、同年12月15日、同人に、東京都港区港南5丁目5番30号東京入国管理局において、在留期間更新許可申請書とともに前記内容虚偽の雇用契約書等を提出させて、平成22年3月23日、同許可を得させ

第2 中華人民共和国の国籍を有する外国人である林厚立ことリン ホウリーが、在留資格を「技術」に変更し、在留期間を更新して本邦に在留した上、法務大臣の資格外活動の許可を受けないで、平成21年4月9日から平成22年5月11日までの間、東京都渋谷区宇田川町12番7号エメラルドビル地下1階所在の飲食店「渋谷宇田川町のひもの屋」ほか2店舗において、各店従業員として稼働し、もって明らかに在留資格に応じた活動に属しない報酬を受ける活動を専ら行った際、平成20年11月下旬ころ、前記リンから依頼を受けて、同人が資格外活動を行うことの情を知りながら、前記株式会社レフコ事務所において、真実は、同人が株式会社レフコに雇用された事実はないのに、同人が同会社に雇用され、プログラマーの業務に従事するため、技術への在留資格変更を要請する旨の内容虚偽の雇用契約書等を作成し、そのころ、前記「ベックスコーヒーショップ田端店」において、同人に対し、前記内容虚偽の雇用契約書等を交付し、同年12月26日、同人に、前記東京入国管理局において、在留期間更新許可申請書とともに前記内容虚偽の雇用契約書等を提出させて、平成22年3月25日、同許可を得させ

第3 中華人民共和国の国籍を有する外国人である何宝光ことホー バオグワンが、在留資格を「技術」に変更し、在留期間を更新して本邦に在留した上、法務大臣の資格外活動の許可を受けないで、平成21年4月27日から平成22年5月11日までの間、東京都新宿区西新宿1丁目10番1号MY新宿第2ビル所在の飲食店「新宿沼津港」ほか1店舗において、各店従業員として稼働し、もって明らかに在留資格に応じた活動に属しない報酬を受ける活動を専ら行った際、平

成20年11月下旬ころ、前記ホーから依頼を受けて、同人が資格外活動を行うことの情を知りながら、前記株式会社レフコ事務所において、真実は、同人が株式会社レフコに雇用された事実はないのに、同人が同会社に雇用され、プログラマーの業務に従事するため、技術への在留資格変更を要請する旨の内容虚偽の雇用契約書等を作成し、そのころ、東京都北区仲原1丁目1番2号柏木ビル402号室において、同人に対し、前記内容虚偽の雇用契約書等を交付し、同年12月24日、同人に、前記東京入国管理局において、在留期間更新許可申請書とともに前記内容虚偽の雇用契約書等を提出させて、平成22年3月2日、同許可を得させ

第4 中華人民共和国の国籍を有する外国人である李萌ことリモンが、在留資格を「人文知識・国際業務」に変更し、在留期間を更新して本邦に在留した上、法務大臣の資格外活動の許可を受けないで、平成21年3月ころから平成22年6月3日までの間、東京都中央区日本橋人形町3丁目7番14号所在の飲食店「カミヤ」ほか1店舗において、各店従業員として稼働し、もって明らかに在留資格に応じた活動に属しない報酬を受ける活動を専ら行った際、平成20年11月下旬ころ、前記リから依頼を受けて、同人が資格外活動を行うことの情を知りながら、前記株式会社レフコ事務所において、真実は、同人が株式会社レフコに雇用された事実はないのに、同人が同会社に雇用され、通訳・翻訳業務等に従事するため、人文知識・国際業務への在留資格変更を要請する旨の内容虚偽の雇用契約書等を作成し、そのころ、前記柏木ビル402号室において、同人に対し、前記内容虚偽の雇用契約書等を交付し、同年12月24日、同人に、前記東京入国管理局において、在留期間更新許可申請書とともに前記内容虚偽の雇用契約書等を提出させて、平成22年3月7日、同許可を得させ

もって前記チャン等4名の前記各資格外活動を容易にさせ幫助したものである。

#### 罪 名 及 び 罰 条

出入国管理及び難民認定法違反幫助

同法70条1項4号、19条1項1号

刑法62条1項、60条

上記は謄本である

前 同 日  
東京地方検察庁 検察事務官

浅岡 隆平