

Medical Practitioners' Act

(Act No. 201 of July 30, 1948)

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Chapter I - General Provisions

Article 1 Medical practitioners shall contribute to the improvement and promotion of public health and ensure the healthy lives of the citizenry, through the administration of medical care and health guidance.

Chapter II - Licensing

Article 2 A person who wishes to become a medical practitioner shall pass the National Examination for Medical Practitioners and receive a license from the Minister of Health, Labour and Welfare.

Article 3 A license shall not be granted to a minor, an adult ward, or a person under curatorship.

Article 4 A license might not be granted to person who falls under any of the following items:

- (i) a person specified by an Ordinance of the Ministry of Health, Labour and Welfare as a person who cannot properly engage in the services of a medical practitioner due to a mental or physical disorder;
- (ii) a person who is addicted to narcotics, cannabis, or opium;
- (iii) a person who has been sentenced to a criminal fine or severer punishment;
- or
- (iv) a person who does not fall under the preceding item, but who has committed a criminal or wrongful act in connection with medical practice.

Article 5 A medical register shall be prepared by the Ministry of Health, Labour

and Welfare, in which shall be recorded the date of registration, matters regarding dispositions pursuant to the provisions of Article 7(1) and (2), and other matters in relation to the medical practitioner's license.

Article 6 (1) Licensing shall be carried out by registration of the license in the medical register upon application by a person who has passed the National Examination for Medical Practitioners.

(2) The Minister of Health, Labour and Welfare shall deliver the certificate of a medical practitioner's license when a license has been granted.

(3) A medical practitioner shall report his/her name, address (and the address of any medical practice at which he/she works), and any other matters specified by an Ordinance of the Ministry of Health, Labour and Welfare as of the thirty-first day of December every second year as specified by an Ordinance of the Ministry of Health, Labour and Welfare, to the Minister of Health, Labour and Welfare via the applicable prefectural governor for said address, by the fifteenth day of January of the following year.

Article 6-2 When the Minister of Health, Labour and Welfare finds that a person who has applied for a medical practitioner's license falls under Article 4(i) and decides not to grant him/her a license pursuant to the provisions of the same Article, he/she shall notify said applicant to that effect in advance, and shall hear the opinions of an official designated by the Minister of Health, Labour and Welfare when so requested by such an applicant.

Article 7 (1) When a medical practitioner comes to fall under Article 3, the Minister of Health, Labour and Welfare shall revoke his/her license.

(2) When a medical practitioner comes to fall under any item of Article 4 or has acted in a way that has damaged his/her respectability as a medical practitioner, the Minister of Health, Labour and Welfare may make the following dispositions:

(i) admonition;

(ii) suspension from medical practice for up to three years; or

(iii) revocation of license.

(3) A person who has been issued a disposition of revocation pursuant to the provisions of the preceding two paragraphs (excluding persons who have been issued a disposition of revocation pursuant to the provisions of the previous paragraph as a person who falls under Article 4(iii) or (iv) or who has acted in a way that has damaged his/her respectability as a medical practitioner, for whom five years have not passed since the day of said disposition) may be granted a new license when said person no longer falls under the circumstances which led to the revocation or when it is found appropriate to

grant a new license due to other later circumstances. In this case, the provisions of Article 6(1) and (2) shall apply mutatis mutandis.

- (4) The Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council in advance of making a disposition as provided for in the preceding three paragraphs.
- (5) When the Minister of Health, Labour and Welfare seeks to make a disposition to revoke a license pursuant to the provisions of paragraph (1) or paragraph (2), he/she may request that the prefectural governor hold a hearing of opinions with the person under said disposition, and may have said hearing of opinions held in lieu of his/her own hearing.
- (6) The provisions of Chapter III, Section 2 (excluding Article 25, Article 26, and Article 28) of the Administrative Procedure Act (Act No. 88 of 1993) shall apply mutatis mutandis in the case that a hearing of opinions pursuant to the preceding paragraph is carried out by a prefectural governor. In this case, the term "hearing" in Section 2 shall be deemed to be replaced with "hearing of opinions," the term "administrative agency" in Article 15(1) with "prefectural governor," the terms "administrative agency," "said administrative agency," and "said administrative agency's" in Article 15(3) (including where applicable mutatis mutandis in Article 22(3)) with "prefectural governor," "said prefectural governor," and "said prefectural governor's" respectively, the term "administrative agency" in Article 16(4) and Article 18(1) and (3) with "prefectural governor," the term "an official designated by the administrative agencies or such other persons as may be provided for by a Cabinet Order" in Article 19(1) with "an official designated by the prefectural governor," the term "administrative agency" in Article 20(1), (2) and (4) with "prefecture," and the term "administrative agency" in Article 20(6), Article 24(3), and Article 27(1) with "prefectural governor."
- (7) Where documentation proving the facts leading to the relevant disposition or other documentation necessary for a hearing of opinions is requested by a prefectural governor, the Minister of Health, Labour and Welfare shall promptly send these to said prefectural governor.
- (8) Where a hearing of opinions is held pursuant to paragraph (5), when the prefectural governor has received, pursuant to the provisions of Article 24(3) of the Administrative Procedure Act as applied mutatis mutandis with the replacements under paragraph (6), a record as set forth in Article 24(1) of the same Act and a written report as set forth in Article 24(3) of the same Act, he/she shall preserve these, draw up a written opinion in which he/she states his/her opinion on said disposition, and submit this to the Minister of Health, Labour and Welfare along with a copy of said record and written report.
- (9) When the Minister of Health, Labour and Welfare finds it necessary in light of the circumstances arising after the conclusion of a hearing of opinions,

he/she may request the prefectural governor to return the written report submitted pursuant to the provisions of the preceding paragraph and order the presiding official to reopen the hearing of opinions. The provisions set forth in the main text of Article 22(2) and (3) of the Administrative Procedure Act shall apply mutatis mutandis to this case.

- (10) The Minister of Health, Labour and Welfare shall carefully consider the details of the written opinion and copies of the record and written report submitted pursuant to the provisions of paragraph (8) when making a decision on said disposition.
- (11) When the Minister of Health, Labour and Welfare seeks to order the suspension of a medical practice pursuant to the provisions of paragraph (2), he/she may request that the prefectural governor hold an explanatory hearing with the person under said disposition, and may have said hearing held in lieu of granting the opportunity for an explanation with the Minister of Health, Labour and Welfare.
- (12) Where an explanatory hearing is held pursuant to the provisions of the preceding paragraph, the prefectural governor shall notify the person under the relevant disposition of the following in writing, within a reasonable period of time before the date of the explanatory hearing:
 - (i) that said disposition is to be held based on the provisions of paragraph (2) and details thereof;
 - (ii) the facts leading to said disposition; and
 - (iii) the time and place of the explanatory hearing.
- (13) In addition to the case set forth in paragraph (11), the Minister of Health, Labour and Welfare may have a member of the Medical Ethics Council hold an explanatory hearing with the person under the relevant disposition, in lieu of granting an opportunity for explanation with the Minister of Health, Labour and Welfare. In this case, the term "preceding paragraph" in the preceding paragraph shall be deemed to be replaced with "following paragraph," the term "prefectural governor" shall be deemed to be replaced with "Minister of Health, Labour and Welfare," and the provisions of the same paragraph shall apply.
- (14) A person who has received notice as set forth in paragraph (12) (including cases where replacements of terms are applied pursuant to the provisions of the second sentence of the preceding paragraph) may have an agent appear and may produce documentary evidence or articles of evidence.
- (15) The prefectural governor or a member of the Medical Ethics Council shall, when an explanatory hearing has been carried out pursuant to the provisions of paragraph (11) or the first sentence of paragraph (13), create and preserve a hearing report, draw up a written report in which he/she states his/her opinion on said disposition, and submit this to the Minister of Health, Labour and Welfare.

- (16) Where a prefectural governor is to hold a hearing of opinions or an explanatory hearing pursuant to the provisions of paragraph (5) or paragraph (11), the Minister of Health, Labour and Welfare shall notify him/her of the following matters in advance:
- (i) the name and address of the person under the relevant disposition;
 - (ii) the details of the relevant disposition and the clause(s) on which it is based;
 - and
 - (iii) the facts leading to the relevant disposition.
- (17) Both the notice under Article 15(1) of the Administrative Procedure Act as applied mutatis mutandis with replacements under paragraph (6) where a hearing of opinions is held pursuant to the provisions of paragraph (5), and a notice under paragraph (12) where an explanatory hearing is held pursuant to the provisions of paragraph (11), shall be based on the details of which notice has been given pursuant to the provisions of the preceding paragraph.
- (18) Where the prefectural governor holds a hearing of opinions or an explanatory hearing pursuant to the provisions of paragraph (5) or paragraph (11), or where a member of the Medical Ethics Council holds an explanatory hearing pursuant to the provisions of the first sentence of paragraph (13), the provisions of Chapter III of the Administrative Procedure Act (excluding Article 12 and Article 14) shall not apply to the relevant disposition.

Article 7-2 (1) The Minister of Health, Labour and Welfare may order a medical practitioner who has been issued a disposition as set forth in Article 7(2)(i) or (ii), or a person who seeks to receive a new license pursuant to the provisions of Article 7(3) to undergo the training to ensure his/her ethics as a medical practitioner or the training in the knowledge and skills that he/she should possess as a medical practitioner that is specified by an Ordinance of the Ministry of Health, Labour and Welfare (hereinafter, "re-education and training").

- (2) Upon application by a person who has completed re-education and training pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare shall record the fact that he/she has completed re-education and training in the medical register.
- (3) When the Minister of Health, Labour and Welfare has recorded details as set forth in the preceding paragraph, he/she shall deliver a registration certificate for completion of re-education and training.
- (4) A person seeking to be registered as set forth in paragraph (2) or a person seeking to be issued a replacement or re-delivered registration certificate for completion of re-education and training shall pay the amounts of fees that are specified by Cabinet Order in consideration of the actual costs.
- (5) The provisions of Article 7(11) through (18) (excluding paragraph (13)) shall

apply mutatis mutandis to where the Minister of Health, Labour and Welfare seeks to issue an order pursuant to the provisions of paragraph (1). In this case, the necessary technical replacement of terms shall be specified by Cabinet Order.

Article 7-3 (1) When the Minister of Health, Labour and Welfare finds that it is necessary to investigate whether a disposition should be made regarding a medical practitioner pursuant to the provisions of Article 7(2), he/she may seek the opinions of and collect reports from persons who are connected with the circumstances in question or witnesses, may order the owners of medical records or other articles to submit said articles, and may have the relevant officials enter the hospital or any other location that is connected with the relevant circumstances and inspect medical records or other articles.

(2) An official seeking to carry out entry and inspection pursuant to the provisions of the preceding paragraph shall carry a certificate of identification and produce it when requested to do so by the persons concerned.

(3) The authority for entry and inspection pursuant to paragraph (1) shall not be construed as being approved for the purposes of criminal investigation.

Article 8 In addition to what is provided for in this Chapter, necessary matters related to applications for licenses, recordings, amendments and erasures in the medical register, the delivery, replacement, re-delivery, return, and submission of license certificates, and notifications of addresses shall be specified by Cabinet Order, and necessary matters related to the implementation of re-education and training as set forth in Article 7-2(1), registration in the medical register as set forth in Article 7-2(2), and the delivery, replacement, and re-delivery of registration certificates for completion of re-education and training as set forth in Article 7-2(3) shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

Chapter III - Examinations

Article 9 The National Examination for Medical Practitioners shall test the requisite knowledge and skills related to medical science and public health in a clinical setting that a person should possess as a medical practitioner.

Article 10 (1) The National Examination for Medical Practitioners and the National Preliminary Examination for Medical Practitioners shall be given by the Minister of Health, Labour and Welfare at least once per year.

(2) The Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council in advance when seeking to specify the subjects,

implementation, or method of determining successful examinees in connection with the National Examination for Medical Practitioners and the National Preliminary Examination for Medical Practitioners.

Article 11 A person who does not fall under any of the following items may not take the National Examination for Medical Practitioners:

- (i) a person who has studied in and graduated from a formal program in medical science at a university under the School Education Act (Act No. 26 of 1947) (hereinafter, "university");
- (ii) a person who has passed the National Preliminary Examination for Medical Practitioners, and who has thereafter spent one year or more in practical training related to medical treatment or public health; or
- (iii) a person who has graduated from a medical school in a foreign state, or who has acquired a medical practitioner's license in a foreign state, who possesses at least the same level of knowledge and skills as the persons described in the two items above and whom the Minister of Health, Labour and Welfare has approved as eligible to take the National Examination for Medical Practitioners.

Article 12 No person who has graduated from a medical school in a foreign state or who has acquired a medical practitioner's license in a foreign state may take the National Preliminary Examination for Medical Practitioners if he/she does not fall under item (iii) of the preceding Article and has not been approved as eligible by the Minister of Health, Labour and Welfare.

Article 13 and Article 14 Deleted

Article 15 Where there has been any misconduct in connection with the National Examination for Medical Practitioners or the National Preliminary Examination for Medical Practitioners, the person involved in said misconduct may be stopped from taking the examination, or may have his/her examination invalidated. In this case, said person may be barred from taking the examination within a specified period.

Article 16 In addition to what is provided for in this Chapter, the subjects for examination, examination procedures, and other necessary matters related to examinations, as well as necessary matters related to practical training, shall be specified by an Ordinance of the Ministry of Health, Labour and Welfare.

Chapter III-2 - Advanced Clinical Training

Article 16-2 (1) A medical practitioner who seeks to provide medical treatment shall undertake advanced clinical training for a period of two years or more at a university hospital with a medical science program or at a hospital designated by the Minister of Health, Labour and Welfare.

(2) When the Minister of Health, Labour and Welfare finds that there is anything inappropriate with regard to the advanced clinical training undertaken by the hospital he/she has designated pursuant to the preceding paragraph, he/she may revoke said designation.

(3) When the Minister of Health, Labour and Welfare seeks to designate a hospital pursuant to paragraph (1) or revoke a designation pursuant to the preceding paragraph, the Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council in advance.

(4) In the application of the provisions of paragraph (1), a hospital in a foreign state that is found to be suitable by the Minister of Health, Labour and Welfare shall be deemed to be a hospital designated by the Minister of Health, Labour and Welfare under paragraph (1).

Article 16-3 A medical practitioner receiving advanced clinical training shall devote him/herself to that advanced clinical training and endeavor to improve him/herself.

Article 16-4 (1) Upon application by a person who has completed advanced clinical training pursuant to the provisions of the Article 16-2(1), the Minister of Health, Labour and Welfare shall record the fact that he/she has completed advanced clinical training in the medical register.

(2) When the Minister of Health, Labour and Welfare has recorded details as set forth in the preceding paragraph, he/she shall deliver an advanced clinical training certificate.

Article 16-5 A person seeking to be registered as set forth in Article 16-4(1) or a person seeking to be issued a replacement or re-delivered advanced clinical training certificate shall pay the amounts of fees that are specified by Cabinet Order in consideration of the actual costs.

Article 16-6 In addition to what is provided for in this Chapter, designation as set forth in Article 16-2(1), recording in the medical register as set forth in Article 16-4(1), delivery of advanced clinical training certificates as set forth in Article 16-4(2), and necessary matters related to replacement and re-delivery shall be specified by Cabinet Order.

Chapter IV - Administrative Affairs

Article 17 No person except a medical practitioner shall engage in medical practice.

Article 18 No person except a medical practitioner shall use the title of medical practitioner or a title that may be confused with this.

Article 19 (1) No medical practitioner who provides medical treatment shall refuse any request for examination or treatment without just cause.
(2) No medical practitioner who has performed an examination or autopsy or who was in attendance at a birth shall refuse a request for a medical certificate, autopsy report, birth certificate, or certificate of stillbirth without just cause.

Article 20 No medical practitioner shall provide medical care or issue a medical certificate or prescription without personally performing an examination, nor shall he/she issue a birth certificate or certificate of stillbirth without personally being in attendance at the birth, nor shall he/she issue an autopsy certificate without personally performing the autopsy; provided, however, that this shall not apply with regard to a death certificate that has been issued where a patient undergoing medical treatment has died within 24 hours of the medical examination.

Article 21 When a medical practitioner finds any abnormality during the autopsy of a corpse or stillborn baby from a pregnancy that had entered its fourth month or beyond, said medical practitioner shall notify the competent police station within 24 hours.

Article 22 Where a medical practitioner finds it necessary to dispense and administer a medicine as a part of a patient's treatment, he/she shall issue a prescription to the patient or a person caring for the patient; provided, however, that this shall not apply where the patient or a person caring for the patient reports that it is not necessary to issue a prescription, or in any of the following cases:

- (i) where a suggestive effect is expected and where issuing a prescription is likely to hinder this from being achieved;
- (ii) where issuing a prescription is likely to cause anxiety to the patient about his/her medical treatment or prognosis, and may complicate the treatment of the illness;
- (iii) where medicines are administered in response to changes in condition over short periods of time;
- (iv) where the diagnosis or method of treatment has not been decided;

- (v) where medicine is administered as an emergency measure necessary for treatment;
- (vi) where there is no person, other than a patient who requires rest, to whom the medicines can be delivered;
- (vii) where stimulants are administered; or
- (viii) where medicine is administered aboard a vessel with no pharmacist on board.

Article 23 When a medical practitioner has provided medical treatment, he/she shall give guidance to the person in question or to the custodian thereof on ways of caring for him/her and other matters necessary to improve his/her health.

Article 24 (1) When a medical practitioner has provided medical treatment, he/she shall enter the matters related to that medical treatment in a medical record without delay.

(2) Medical records as set forth in the preceding paragraph shall be stored for a period of five years by the administrator of the hospital or clinic where medical treatment was provided by a medical practitioner works at that hospital or clinic, and by the medical practitioner himself/herself for medical records related to other medical treatment.

Article 24-2 (1) Where there is a significant public health risk, and the Minister of Health, Labour and Welfare finds it especially necessary to do so in order to prevent harm, the Minister of Health, Labour and Welfare may give instructions to medical practitioners as required regarding medical care or health guidance.

(2) The Minister of Health, Labour and Welfare shall hear the opinions of the Medical Ethics Council in advance before giving instructions pursuant to the provisions of the preceding paragraph.

Chapter V - Medical Practitioners' Examiner

Article 25 and Article 26 Deleted

Article 27 (1) The position of Medical Practitioners' Examiner shall be established in the Ministry of Health, Labour and Welfare to administer affairs related to the National Examination for Medical Practitioners and the National Preliminary Examination for Medical Practitioners.

(2) Necessary matters related to the Medical Practitioners' Examiner shall be specified by Cabinet Order.

Article 28 and Article 29 Deleted

Article 30 The Medical Practitioners' Examiner and other persons administering affairs related to the National Examination for Medical Practitioners and the National Preliminary Examination for Medical Practitioners shall preserve impartiality in their administration of these affairs, and shall do so in a way that is free of misconduct.

Chapter V-2 - Miscellaneous Provisions

Article 30-2 The Minister of Health, Labour and Welfare shall publish the names of medical practitioners and other matters specified by Cabinet Order, to enable persons receiving medical care and other citizens to confirm the qualifications of medical practitioners and to provide them with adequate choices in medical care.

Article 30-3 The affairs to be administered by the prefectures pursuant to provisions in Article 6(3), Article 7(5), the first sentence of Article 7(9), and Article 7(11) and (12) (including where applied mutatis mutandis to Article 7-2(5) for these provisions) of the Medical Practitioners' Act, Article 15(1) and (3) (including where applied mutatis mutandis to Article 22(3) of the Administrative Procedure Act), Article 16(4), Article 18(1) and (3), Article 19(1), Article 20(6), and Article 24(3) of the Administrative Procedure Act as applied mutatis mutandis to Article 7(6) of the Medical Practitioners' Act, and Article 15(3) of the Administrative Procedure Act as applied mutatis mutandis to Article 22(3) of the Administrative Procedure Act, as applied mutatis mutandis to the second sentence of Article 7(9) of the Medical Practitioners' Act shall be Type I statutory entrusted functions pursuant to the provisions of Article 2(9)(i) of the Local Autonomy Act (Act No. 67 of 1947).

Chapter VI - Penal Provisions

Article 31 (1) A person who falls under any of the following items shall be punished by imprisonment with work for up to three years, a fine of up to one million yen, or both:

- (i) a person who has violated the provisions of Article 17; or
- (ii) a person who has received a medical practitioner's license based on a false or wrongful fact.

(2) When a person who has committed the crime set forth in item (i) of the preceding paragraph has used the title of medical practitioner or a similar title,

he/she shall be punished by imprisonment with work for up to three years, a fine of up to two million yen, or both.

Article 32 A person who has been ordered to suspend his/her medical practice pursuant to the provisions of Article 7(2) and who has engaged in medical practice during said period of suspension shall be punished by imprisonment with work for up to one year, a fine of up to five hundred thousand yen, or both.

Article 33 A person who has violated the provisions of Article 30 and has divulged examination questions in advance either intentionally or through gross negligence, or who has intentionally and wrongfully scored examinations shall be punished by imprisonment with work for up to one year or a fine of up to five hundred thousand yen.

Article 33-2 A person who falls under any of the following items shall be punished by a fine of up to five hundred thousand yen:

- (i) a person who has violated the provisions of Article 6(3), Article 18, Article 20 through Article 22, or Article 24;
- (ii) a person who has failed to undertake re-education and training, in violation of an order pursuant to the provisions of Article 7-2(1); or
- (iii) a person who has failed to declare or report, who has made a false statement or report, who has failed to present articles, or who has refused, obstructed, or challenged inspections pursuant to the provisions of Article 7-3(1).

Article 33-3 When the representative of a juridical person, or an agent, employee or other worker of a juridical person or individual commits any one of the violations set forth in item (iii) of the preceding Article with regard to the affairs of said juridical person or individual, not only the offender, but said juridical person or individual as well, shall be punished by the fine prescribed in the Article.

Supplementary Provisions [Extract]

Article 34 This Act shall come into force as of the date specified by a Cabinet Order within a period not exceeding 90 days from the date of its promulgation.

Article 35 The National Medical Treatment Act (Act No. 70 of 1942; hereinafter, "Old Act") is hereby abolished.

Article 36 (1) A person who has received a medical practitioner's license under

the Old Act or the Medical Practitioners' Act (Act No. 47 of 1906; hereinafter, "Old Medical Practitioners' Act") shall be deemed to have received a medical practitioner's license under this Act. The same shall apply to a person who acquired a license for the practice of the medical profession prior to the enforcement of the Old Medical Practitioners' Act.

- (2) With regard to the medical practices of persons who acquired licenses for the practice of the medical profession prior to the enforcement of the Old Medical Practitioners' Act, the provisions then in force shall remain applicable.
- (3) With regard to medical practitioner's licenses and examinations of Japanese nationals who received medical practitioner's licenses from the Governor General of Korea, the Governor General of Taiwan, the Governor of the Karafuto Agency, the Governor of the South Pacific Mandate, the Ambassador Plenipotentiary to Manchukuo, or Manchukuo before August 15, 1945, the provisions then in force shall remain applicable for a period of five years from the date of execution of this Act.
- (4) In addition to persons provided for in the preceding paragraph, with regard to medical practitioner's licenses received and examinations taken by Japanese nationals who have received a license for medical practice or a medical practitioner's license in a foreign country in accordance with the law of that country, or who have received a license for medical practice through the consulate of the Republic of China (including Manchuria and Mongolia) up to August 15, 1945, the provisions then in force shall remain applicable up to December 31, 1955.

Article 37 Records in a medical register compiled under the Old Act or the Old Medical Practitioners' Act shall be deemed to be records in a medical register under this Act.

Article 38 Dispositions regarding the revocation of a medical practitioner's license or suspension of a medical practice made under the Old Act or the Old Medical Practitioners' Act shall be deemed to have been made under the equivalent provisions of this Act. In this case, with regard to a period of suspension, the provisions then in force shall remain applicable.

Article 40 With regard to punishments received by persons who have violated the Old Act, the Old Medical Practitioners' Act, orders issued based on these, or dispositions made based on such orders, the provisions of the Old Act and the Old Medical Practitioners' Act shall remain applicable.

Article 41 A person who falls under the provisions of paragraph (2) of the Supplementary Provisions of the Imperial Ordinance Partially Revising the

Order for Enforcement of the National Medical Treatment Act (Imperial Ordinance No. 402 of 1946) may receive a medical practitioner's license, notwithstanding the provisions of Article 2.

Article 42 A person who falls under the provisions of paragraph (2) of the Supplementary Provisions of the Imperial Ordinance Partially Revising the Order for Enforcement of the National Medical Treatment Act (Imperial Ordinance No. 137 of 1947) may take the National Examination for Medical Practitioners , notwithstanding the provisions of Article 11.

Article 43 A university as provided for in the Universities Ordinance (Imperial Ordinance No. 388 of 1918) or a vocational college as provided for in the Vocational Training School Ordinance (Imperial Ordinance No. 61 of 1903) that is recognized as the continuation of a university or vocational college pursuant to the provisions of Article 3 of the Supplementary Provisions of the School Education Act (Act No. 26 of 1947) shall be deemed to be a university under Article 11(i) of this Act.

Article 44 (1) Until otherwise stipulated, the national government may, within the scope of its budget, provide a portion of the loan monies that are being allocated to the necessary expenses, where a prefecture is carrying out the relevant training itself, or may provide a portion of the loan monies that are being allocated to the expenses that the relevant prefecture is subsidizing for the organizer, where the organizer of the hospital carrying out the training is other than the prefecture, as an interest-free loan for the maintenance of facilities under Article 2(1)(ii) of the Act on Special Measures Concerning the Promotion of Social Infrastructure Development through the Use of Proceeds from the Sale of Nippon Telegraph and Telephone Corporation Stock (Act No. 86 of 1987) that, among the facilities belonging to a hospital provided for in Article 16-2(1), are required for carrying out advanced clinical training.

(2) The term of repayment for loans provided by the national government under the preceding paragraph shall be a term specified by Cabinet Order not exceeding five years (including any grace period not exceeding two years).

(3) In addition to what is provided for in the preceding paragraph, the method of repayment, advance repayment, and other necessary matters concerning repayment of loans under the provisions of paragraph (1), shall be specified by Cabinet Order.

(4) The national government shall, where it has provided a loan to a prefecture pursuant to the provisions of paragraph (1), subsidize an amount equivalent to the loan monies for the maintenance of facilities subject to the relevant loan, and shall do so at the time of said loan's repayment, by delivering an amount of

money equivalent to the amount of loan monies repaid.

- (5) With regard to the application of the provisions of the preceding paragraph where a prefecture has repaid an interest-free loan under paragraph (1) ahead of the due date for repayment determined pursuant to paragraph (2) and paragraph (3) (excluding cases specified by Cabinet Order), the repayment shall be deemed to have been made on the due date for repayment.