

Certified Social Worker and Certified Care Worker Act

(Act No. 30 of May 26, 1987)

Chapter I General Rules (Article 1 to Article 3)

Chapter II Certified Social Worker (Article 4 to Article 38)

Chapter III Certified Care Worker (Article 39 to Article 44)

Chapter IV Duties, etc. of Certified Social Worker and Certified Care Worker
(Article 44-2 to Article 49)

Chapter V Punishment (Article 50 to Article 56)

Supplementary Provisions

Chapter I General Rules

(Purpose)

Article 1 The purpose of this Act is to provide for the qualifications of certified social workers and certified care workers and to promote the appropriateness of their services, thereby contributing to the enhancement of social welfare.

(Definition)

Article 2 (1) The term "certified social worker" as used in this Act means a person with expert knowledge and skills who has received the registration provided in Article 28 and uses the appellation "certified social worker" to provide advice, guidance, or welfare services in consultations about the welfare of persons with physical disabilities or mental disorder and intellectual disabilities or persons facing difficulty in leading a normal life due to environmental factors, and a person engaged in the business of communicating and coordinating with and providing other assistance (referred to as "consultation and assistance" in Article 7 and Article 47-2) to doctors, other health and medical service providers, and other related parties (referred to as "persons concerned with welfare services, etc." in Article 47).

(2) The term "certified care worker" as used in this Act means a person with expert skills and knowledge who has received the registration provided in paragraph (1), Article 42, and uses the appellation "certified care worker" to engage in the business of providing care for a person with physical disabilities or mental disorder and intellectual disabilities that make it difficult to lead a normal life (including mucus aspiration, and other conduct that is necessary for the everyday life of the person, exercised under the direction of a medical doctor (limited to the services provided for in Ordinance of the Ministry of

Health, Labour and Welfare; hereafter referred to as "mucus aspiration, etc."), and providing instructions on caregiving (hereafter referred to as "caregiving, etc.") to the person and the person's caregiver .

(Disqualification)

Article 3 A person who falls under any of the following items cannot be qualified to be a certified social worker or a certified care worker:

- (i) an adult ward or a person subject to a conservatorship or curatorship;
- (ii) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;
- (iii) a person who is sentenced to a fine pursuant to the provisions of this Act or other provisions of acts concerning social welfare or health and medical care and provided for by a Cabinet Order, and to whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;
- (iv) a person whose registration has been cancelled pursuant to the provision of item (ii), paragraph (1), or paragraph (2), Article 32 (including cases in which these provisions apply mutatis mutandis pursuant to paragraph (2), Article 42), and to whom two years have not yet passed since the date of the cancellation.

Chapter II Certified Social Worker

(Qualification of Certified Social Worker)

Article 4 A person who has passed the certified social worker examination is qualified to be a certified social worker.

(Certified Social Worker Examination)

Article 5 The certified social worker examination is implemented on the knowledge and skills that are required of a certified social worker.

(Implementation of Certified Care Worker Examination)

Article 6 The Minister of Health, Labour and Welfare holds the certified social worker examination at least once a year.

(Qualification of Candidate for Examination)

Article 7 Only a person who falls under any of the following items can be qualified to apply for the certified social worker examination:

- (i) a person who has graduated upon completing study of the subjects

- concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as the "core subjects" in this Article) at a university (excluding a junior college; the same applies hereafter in this Article) based on the School Education Act (Act No. 26 of 1947), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto;
- (ii) a person who has graduated upon completing the basic subjects concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as the "basic subjects" in this Article) at a university based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified social worker at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or a training facility designated by a prefectural governor (hereafter referred to as a "certified social worker short-term training facility, etc.") during a period of six months or longer;
- (iii) a person who has graduated from a university based on the School Education Act, and a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified social worker at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or a training facility designated by a prefectural governor (hereafter referred to as a "certified social worker general training facility, etc.") during a period of one year or longer;
- (iv) a person who has graduated upon completing the core subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has been engaged in the services of consultation and assistance at a facility designated by Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as a "designated facility" in this Article) for one year or longer;
- (v) a person who has graduated upon completing the basic subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in

- Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for one year or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. as a certified social worker during a period of six months or longer;
- (vi) a person who has graduated upon completing the designated subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for one year or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare general training facility, etc. as a certified social worker during a period of one year or longer;
- (vii) a person who has graduated upon completing the core subjects at a junior college based on the School Education Act or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has been engaged in the services of consultation and assistance at a designated facility for two years or longer;
- (viii) a person who has graduated upon completing the basic subjects at a junior college based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance at a designated facility for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. during a period of six months or longer;
- (ix) a person who has completed a course at a training institution provided for in item (ii), paragraph (1), Article 19 of the Social Welfare Act (Act No. 45 of 1951) and, after engaging in the services of consultation and assistance at a designated facility for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. during a period of six months or longer;
- (x) a person who has graduated from a junior college or a technical college based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare general training facility, etc., during a period of one year or longer;
- (xi) a person who has been engaged in the services of consultation and assistance at a designated facility for four years or longer and has acquired

the knowledge and skills required of a certified social worker at a social welfare general training facility, etc. during a period of one year or longer;

(xii) a person who has acquired the knowledge and skills required of a certified social worker at a certified social worker short-term training facility, etc. during a period of six months or longer, after completing an official term of four years or more as a juvenile welfare officer pursuant to the Child Welfare Act (Act No. 164 of 1947), a welfare officer for persons with physical disabilities pursuant to the Act on Welfare of Persons with Physical Disabilities (Act No. 283 of 1949), a staff member pursuant to item (i), paragraph (1), Article 15 of the Social Welfare Act at an office concerning welfare pursuant to the same Act, a social welfare officer for persons with intellectual disabilities pursuant to the Act on Welfare of Persons with Intellectual Disabilities (Act No. 37 of 1960), or a social welfare officer pursuant to Article 6 and Article 7 of Act on Social Welfare for the Elderly (Act No. 133 of 1963).

(Invalidity of Certified Social Worker Examination)

- Article 8 (1) If any misconduct is committed in respect of a certified social worker examination, the Minister of Health, Labour and Welfare may suspend the examination or have the examination results of a person involved in the misconduct nullified.
- (2) The Minister of Health, Labour and Welfare may set a term during which a person subject to the disposition pursuant to the provision of the preceding paragraph is not permitted to apply for the certified social worker examination.

(Examination Fee)

- Article 9 (1) An applicant who intends to take the certified social worker examination must pay the state an examination fee provided in a Cabinet Order in consideration of the actual cost.
- (2) The fee pursuant to the preceding paragraph is not returned when a person who has paid the examination fee does not take the certified social worker examination.

(Designation of Examination Organization)

- Article 10 (1) The Minister of Health, Labour and Welfare may have a designated person (hereafter referred to as the "designated examination organization" in this Chapter) carry out the processes concerning the certified social worker examination (hereafter referred to as the "examination processes" in this Chapter) pursuant to Ordinance of the Ministry of Health, Labour and Welfare.
- (2) The designation as a designated examination organization is made, pursuant

to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, upon application by a person who intends to perform the examination processes.

- (3) If the Minister of Health, Labour and Welfare must not designate a person as designation examination organization unless no other person has received designation and unless the application referred to in the preceding paragraph is found to satisfy the following requirements:
- (i) the application contains a plan concerning processes staff, provisions, methods for implementing the examination processes, and other matters that is appropriate for adequate and certain implementation processes;
 - (ii) it has the accounting and technical basis required for adequate and reliable implementation of the plan to carry out of the examination processes referred to in the previous item.
- (4) The Minister of Health, Labour and Welfare must not designate an examination organization if the application in paragraph (2) falls under any of the following items:
- (i) the applicant is a person other than a general incorporated association or a general incorporated foundation;
 - (ii) the applicant is unlikely to be able to carry out the examination processes fairly because it engages in business other than the examination processes;
 - (iii) the applicant's designation has been cancelled pursuant to the provisions of Article 22, and two years have not passed since the date of the cancellation;
 - (iv) the officers of the applicant fall under either of the following items:
 - (a) A person who has violated this Act and has been sentenced, and two years have not passed since the date on which the execution of the sentence has been completed or since the person has become no longer subject to the execution of the sentence.
 - (b) A person who has been dismissed pursuant to the provision of paragraph (2) in the next Article, and two years have not passed since the date of dismissal.

(Appointment and Dismissal of Designated Examination Organization Officers)

- Article 11 (1) The selection and dismissal of the officers of the designated examination organization do not come into force, if the Minister of Health, Labour and Welfare does not approve the selection and dismissal.
- (2) If an officer of the designated examination organization violates this Act (including orders or dispositions based on the Act) or the operational rules for the examination processes provided in paragraph (1), Article 23, or commits significantly inappropriate misconduct concerning the examination processes, the Minister of Health, Labour and Welfare may order the designated examination organization to dismiss the officer.

(Approval of Business Plan)

Article 12 (1) Each fiscal year, the designated examination organization must prepare a business plan and a budget for revenue and expenditure, and must ask the Minister of Health, Labour and Welfare for approval before the beginning of the fiscal year to which the plan pertains (without delay after the designation is given, if the day on which the designation is given falls in the fiscal year in which the plan and budget are prepared). The same applies if any changes are to be made.

(2) The designated examination organization must prepare a business report and a report on the settlement of accounts within three months after the end of each fiscal year, and submit them to the Minister of Health, Labour and Welfare.

(Operational Rules for Examination Processes)

Article 13 (1) The designated examination organization must provide operational rules concerning the implementation of the examination processes (hereafter referred to as the "operational rules for examination processes" in this Chapter) and ask the Minister of Health, Labour and Welfare to approve them before the organization starts the examination processes. The same applies if the operational rules for examination processes are to be changed.

(2) The matters that are to be provided for in the operational rules for the examination processes will be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(3) If the Minister of Health, Labour and Welfare recognizes that the operational rules for examination processes for which approval in paragraph (1) has been obtained have become inappropriate for the adequate and definite implementation of examination processes, the minister may order the designated examination organization to change them accordingly.

(Certified Social Worker Examination Committee Member)

Article 14 (1) When the designated examination organization implements examination processes, it must have the certified social worker examination committee members (hereafter referred to as "examination committee members" in this Chapter) judge whether or not an applicant has the knowledge and skills required of a certified social worker.

(2) When the designated examination organization intends to select examination committee members, it must select them from among persons who fulfill the requirements provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(3) When the designated examination organization selects committee members, it

must notify the Minister Health, Labour and Welfare of the selection pursuant to Ordinance of the Ministry of Health, Labour and Welfare. The same applies if the examination committee members are changed.

(4) The provision of paragraph (2), Article 11 applies mutatis mutandis to the dismissal of examination committee members.

(Application of Provisions)

Article 15 (1) With regard to the application of the provision of paragraph (1), Article 8 and paragraph (1), Article 9, when the designated examination organization implements the examination processes, both "the Minister of Health, Labour and Welfare" in paragraph (1), Article 8 and "the State" in paragraph (1), Article 9 are deemed to be replaced with "designated examination organization".

(2) The examination fee paid to the designated examination organization pursuant to the provision of paragraph (1), Article 9 as applied by replacing the terms pursuant to the provision of the preceding paragraph are to be paid to the designated examination organization.

(Duty of Confidentiality)

Article 16 (1) A person who had been an officer of the designated examination organization or a member of staff (including an examination committee member; the same applies in the next paragraph) or a person who had been engaged in the business of the designated examination organization must not disclose any secrets that came to be known to the person concerning examination processes.

(2) An officer or a member of staff of the designated organization who is engaged in examination processes is deemed as a member of staff who is engaged in a public service pursuant to acts and ordinances with regard to the application of the Penal Code (Act. No. 45 of 1907) and other punishments.

(Preparation of Account Book)

Article 17 The designated examination organization must prepare an account book in which matters concerning examination processes and what are provided for in Ordinance of the Ministry of Health, Labour and Welfare are written and keep it as a record.

(Supervision Order)

Article 18 The Minister of Health, Labour and Welfare may issue an order required for supervision concerning examination processes to the designated examination organization if the minister finds it necessary for the enforcement of this act.

(Report)

Article 19 The Minister of Health, Labour and Welfare may have the designated examination organization make a report to the extent necessary pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare if the minister finds it necessary for the enforcement of this act.

(On-the-Spot Inspection)

Article 20 (1) The Minister of Health, Labour and Welfare may have a member of the ministry's staff enter the designated examination organization to the necessary extent to inspect the books, documents, and other necessary matters of the designated examination organization on the spot and question the parties concerned of the said organization.

(2) The member of staff who inspects the designated examination organization on the spot shall bring ID and present it at the request of the parties concerned.

(3) The authority for the on-site inspection pursuant to the provision of paragraph (1) must not be interpreted as authorizing a criminal investigation.

(Suspension or Abolition of Examination Processes)

Article 21 The designated examination organization must neither suspend nor abolish the whole or part of examination processes without obtaining approval from the Minister of Health, Labour and Welfare.

(Cancellation of Designation)

Article 22 (1) The Minister of Health, Labour and Welfare must cancel the designation of the designated examination organization when the organization falls under any of the items of paragraph (4), Article 10 (excluding item (iii).)

(2) The Minister of Health, Labour and Welfare may cancel the designation of the designated examination organization or order the organization to suspend the whole or a part of examination processes for a term the minister decides if the organization falls under any of the following items:

(i) it is recognized that the requirements of all items in paragraph (3), Article 10 are not satisfied;

(ii) the organization violates an order pursuant to the provision of paragraph (2), Article 11 (including cases where it applies mutatis mutandis pursuant to paragraph (4), Article 14), paragraph (3), Article 13, or Article 18;

(iii) the organization violates the provisions of Article 12, paragraphs (1) to (3), Article 14, or the preceding Article;

(iv) the organization implements examination processes without complying with the operational rules for examination processes authorized pursuant to paragraph (1), Article 13;

(v) the said organization violates the conditions of paragraph (1) in the next Article.

(Conditions of Designation)

Article 23 (1) Conditions may be attached to designation, authorization or license pursuant to the provision of paragraph (1), Article 10, paragraph (1), Article 11, paragraph (1), Article 12, paragraph (1), Article 13, or Article 21, and the conditions may be changed.

(2) The conditions in the preceding paragraph are limited to the minimum extent necessary for the certain implementation of matters related to the designation, authorization or license and an improper duty must not be imposed on a person who is designated, authorized or licensed.

Article 24 Deleted.

(Appeal to Disposition Imposed by Designated Examination Organization, etc.)

Article 25 A person who has an objection to a disposition or inaction in respect of the examination processes implemented by the designated examination organization may submit a request for an investigation to the Minister of Health, Labour and Welfare pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

(Implementation of Examination Processes by Minister of Health, Labour and Welfare, etc.)

Article 26 (1) When the Minister of Health, Labour and Welfare has designated an examination organization, the minister is not to implement the examination processes.

(2) The Minister of Health, Labour and Welfare is to implement the whole or part of examination processes, if the designated examination processes organization suspends the whole or part of examination processes upon obtaining approval pursuant to the provisions of Article 21, if the minister orders the designated examination organization to suspend the whole or part of the examination processes pursuant to the provision of paragraph (2), Article 22, or if the designated examination organization finds it difficult or becomes unable to implement the whole or part of the examination processes due to a natural disaster or otherwise and the minister finds it necessary to implement the examination processes instead.

(Official Notice)

Article 27 When the Minister of Health, Labour and Welfare has taken any of the following actions the minister must make a public notice of that fact in the

official gazette :

- (i) making a designation pursuant to the provision of paragraph (1), Article 10;
- (ii) granting approval pursuant to the provisions of Article 21;
- (iii) canceling designation pursuant to the provisions of Article 22, or ordering the designated examination organization to suspend the whole or part of examination processes;
- (iv) deciding to implement the whole or part of examination processes pursuant to the provision of paragraph (2) of the preceding Article or deciding to stop implementing the whole or part of the examination processes that the minister has been implementing .

(Registration)

Article 28 In order to become a certified social worker, a person who is qualified to be a certified social worker must have the person's name, birth date, and other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare registered in the Certified Social Worker Register .

(Certified Social Worker Register)

Article 29 The Certified Social Worker Register is kept at the Ministry of Health, Labour and Welfare.

(Certified Social Worker Registration Certificate)

Article 30 The Minister of Health, Labour and Welfare issues to an applicant the certified social worker registration certificate, in which the matters provided for in Article 28 are described (hereafter referred to as the "registration certificate" in this Chapter), when the applicant is registered as a certified social worker.

(Notification of Changing Registered Matters)

- Article 31 (1) A certified social worker must notify the Minister of Health, Labour and Welfare without delay, when any of the registered matters have changed.
- (2) When a certified social worker notifies the Minister of Health, Labour and Welfare of a change pursuant to the provision of the preceding paragraph, the worker must attach the registration certificate and have it corrected.

(Cancellation of Registration)

Article 32 The Minister of Health, Labour and Welfare must cancel the registration if a certified social worker falls under any of the following items:

- (i) The worker falls under any of the items in Article 3 (excluding item (iv));
- (ii) a person that has been registered based on false or wrong information;

(iii) if the worker violates the provisions of Article 45 and Article 46, the Minister of Health, Labour and Welfare may cancel the registration or order the worker to suspend the worker's use of to use the appellation of a certified social worker for a term the minister decides.

(Deletion of Registration)

Article 33 The Minister of Health, Labour and Welfare must cancel the registration if the registration of a certified social worker has lost its effect.

(Fee for Changing Registration)

Article 34 A person who requests a change of the matters described in a registration certificate and a person who requests a reissuing of a registration certificate must pay a fee to the State in the amount provided for by a Cabinet Order.

(Designation of a Registration Organization)

Article 35 (1) The Minister of Health, Labour and Welfare may have a person who the minister has designated (hereafter referred to as the "designated registration organization" in this Chapter) perform the processes concerning the registration of certified social workers (hereafter referred to as the "registration processes" in this Chapter) provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(2) The designation as a designated examination organization is made, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare upon application by a person who intends to perform the registration processes.

Article 36 (1) "The Ministry of Health, Labour and Welfare", "the Minister of Health, Labour and Welfare" and "the State" in the provisions of Article 29, Article 30, paragraph (1), Article 31, Article 33 and Article 34 are deemed to be replaced with "the designated registration organization" if the designated registration organization is engaged in the registration processes.

(2) When the designated registration organization is engaged in the registration processes, a person who intends to be registered as a certified social worker must pay a fee to the designated registration organization in the amount provided for by a Cabinet Order.

(3) The fee paid to the designated registration organization pursuant to Article 34 and the preceding paragraph applied by replacing terms pursuant to paragraph (1) is to be an income of the designated registration organization.

(Application Mutatis Mutandis)

Article 37 The provisions of paragraphs (3) and (4), Article 10, Article 11 to

Article 13, Article 16 to Article 23, and Article 25 to Article 27 apply mutatis mutandis to the designated registration organization. In this case, "the examination processes" in these provisions is deemed to be replaced with "the registration processes" and "the operational rules for examination processes" is deemed to be replaced with "operational rules for registration processes", "the preceding paragraph" in paragraph (3), Article 10, and "paragraph (2)" in parts other than the items in paragraph (4) in the same Article are deemed to be replaced with "paragraph (2), Article 35", "a member of staff (including examination committee member; the same applies in the next paragraph)" in paragraph (1), Article 16 is deemed to be replaced with "a member of staff", "paragraph 2, Article 11 (including cases where it applies mutatis mutandis pursuant to paragraph (4), Article 14)" in item (ii), paragraph (2), Article 22 is deemed to be replaced with "paragraph (2), Article 11", " paragraphs (1) to (3), Article 14, or the preceding Article" in item (iii) in the same paragraph to "or the preceding Article", and "paragraph (1), Article 10" in paragraph (1), Article 23 and item (1), Article 27 to "paragraph (1), Article 35".

(Delegation to Cabinet Order and Ordinance of the Ministry of Health, Labour and Welfare)

Article 38 Beyond what are provided in this Chapter, the necessary matters concerning the designations of certified social worker short-term training facilities, etc. and certified social worker general training facilities, etc. are provided for in Cabinet Orders, and the necessary matters concerning certified social worker examination, the designated examination organization, the registration of certified social workers, the designated registration organization, and other matters necessary for the enforcement of the provisions in this Chapter are provided for in Ordinance of the Ministry of Health, Labour and Welfare.

Chapter III Certified Care Worker

(Qualification of Certified Care Worker)

Article 39 A person who falls under any of the following items is qualified to be a care worker:

- (i) a person who can enroll at a university pursuant to the provision of paragraph (1), Article 90 of the School Education Act (including a person who is allowed, pursuant to the provision of paragraph (2) of the same Article, to enroll at a school designated as a university by the Minister of Education, Culture, Sport, Science and Technology and the Minister of Health, Labour and Welfare pursuant to this item), and has acquired the knowledge and skills required of a certified care worker by studying for two years or more at

- a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or at a training facility designated by a prefectural governor;
- (ii) a person who has graduated upon completing study of the subjects concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare at a university based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified care worker by studying for one year or more at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or at a training facility designated by a prefectural governor;
 - (iii) a person who can enroll at a university pursuant to the provision of paragraph (1), Article 90 of the School Education Act (including a person who is allowed, pursuant to the provision of paragraph (2) of the same Article, to enroll at a school designated as a university by Ordinance of the Ministry of Health, Labour and Welfare), after graduating from a school or a training center provided for in Ordinance of the Ministry of Health, Labour and Welfare, and has acquired the knowledge and skills required of a certified care worker by studying for one year or more at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or at a training center designated by a prefectural governor;
 - (iv) a person who passes the certified care worker examination.

(Certified Care Worker Examination)

Article 40 (1) The certified care worker examination is implemented on the knowledge and skills required of a certified care worker.

(2) A person who falls under any of the following items is qualified to apply for the certified care worker examination:

- (i) a person who has acquired the knowledge and skills required of a certified care worker by studying at a high school or a junior high school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare for three years or more (two years or more if the person has acquired knowledge and skills requiring two years or more to acquire in a non-degree course for graduates) based on the School Education Act;
- (ii) a person who has been engaging in services such as care work for three years;
- (iii) a person who is recognized as having knowledge and skills equivalent to or

greater than the knowledge and skills possessed by the persons listed in the preceding items and is provided for in Ordinance of the Ministry of Health, Labour and Welfare.

- (3) The provisions of Article 6, Article 8 and Article 9 apply mutatis mutandis to the certified care worker examination.

(Designation of Examination Organization)

Article 41 (1) The Minister of Health, Labour and Welfare may have a person who the minister has designated (hereafter referred to as the "designated examination organization" in this Chapter) perform the processes concerning the processes certified care worker examination (hereafter referred to as the "examination processes" in this Chapter) provided for in Ordinance of the Ministry of Health, Labour and Welfare.

- (2) A person who intends to perform the examination processes is to apply for designation as an examination organization pursuant to Ordinance of the Ministry of Health, Labour and Welfare.
- (3) The provisions of paragraphs (3) and (4), Article 10, Article 11 to Article 23, and Article 25 to Article 27 apply mutatis mutandis to the examination organization. In this case, ", the examination processes" in item (i), paragraph (3), Article 10 is deemed to be replaced with "the examination processes provided for in paragraph (1), Article 41 (hereafter referred to simply as the "examination processes")", "of a certified social worker" and "the certified social worker examination committee members" in paragraph (1), Article 14 are deemed to be replaced with "of a certified care worker" and "the certified care worker examination committee members", respectively, and "paragraph (1), Article 10" in paragraph (1), Article 23 and item (i), Article 27 is deemed to be replaced with "paragraph (1), Article 41".

(Registration)

Article 42 (1) In order to become a certified care worker, a person who is qualified to be a certified care worker must have the person's name, birth date, and other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare registered in the Certified Care Worker Registration Roster.

- (2) The provisions of Article 29 to Article 34 apply mutatis mutandis to the registration of a certified care worker. In this case, "the Social Care Registration Roster" in Article 29 is deemed to be replaced with "the Certified Care Worker Register ", "Article 28" and "the certified social worker registration certificate" in Article 30 are deemed to be replaced with "paragraph (1), Article 42" and "the certified care worker registration certificate", respectively, and "a certified social worker" in Article 31 and paragraphs (1) and (2), Article 32 is deemed to be replaced with "a certified

care worker".

(Designation of Registration Organization)

Article 43 (1) The Minister of Health, Labour and Welfare may have a person who the minister has designated (hereafter referred to as the "designated registration organization" in this Chapter) perform the processes concerning the implementation of the registration of a certified care worker (hereafter referred to as the "registration processes" in this Chapter).

(2) A person who intends to perform the registration processes is to apply for designation as a registration organization pursuant to Ordinance of the Ministry of Health, Labour and Welfare.

(3) The provisions of paragraphs (3) and (4), Article 10, Article 11 to Article 13, Article 16 to Article 23, Article 25 to Article 27, and Article 36 apply mutatis mutandis to the designated registration organization. In this case, "the examination processes" in these provisions is deemed to be replaced with "the registration processes", "the operational rules for the examination processes" is deemed to be replaced with "the operational rules for the registration processes", "the preceding paragraph" in paragraph (3), Article 10 and "paragraph (2)" in the parts other than each item of paragraph (4) in the same Article are deemed to be replaced with "paragraph (2), Article 43", "it engages" in item (ii) in the same paragraph is deemed to be replaced with "it engages in employment placement as provided in paragraph (1), Article 4 of the Employment Security Act (Act No. 141 of 1947) (limited to employment placement where the occupations handled include care work, etc.) and other", "a member of staff (including an examination committee member; the same applies in the next paragraph)" in paragraph (1), Article 16 is deemed to be replaced with "a member of staff", "paragraph (2), Article 11 (including cases where it is applies mutatis mutandis pursuant to paragraph (4), Article 14)" in item (ii), paragraph (2), Article 22 is deemed to be replaced with "paragraph (2), Article 11", "paragraphs (1) to (3), Article 14 or the preceding Article" in item (iii) of the same paragraph is deemed to be replaced with "or the preceding Article", "paragraph (1), Article 10" in paragraph (1), Article 23 and paragraph (1), Article 27 is deemed to be replaced with "paragraph (1), Article 43" and "a certified social worker" in paragraph (2), Article 36 is deemed to be replaced with "a certified care worker".

(Delegation to Cabinet Order and Ordinance of the Ministry of Health, Labour and Welfare)

Article 44 Beyond what are provided for in this Chapter, necessary matters concerning the designation of a school and a training center provided for in items (i) to (iii), Article 39 and the designation of a high school and a junior

high school provided for in item (i), paragraph (2), Article 40 will be provided for by a Cabinet Order, and necessary matters concerning the certified care worker examination, the designated examination organization, certified care worker registration, and the designated registration organization, and other necessary matters concerning the enforcement of this Chapter will be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

Chapter IV Duty of Certified Social Worker and Certified Care Worker

(Duty of Good Faith)

Article 44-2 A certified social worker and a certified care worker must be in good faith engaged in the services so as to allow the persons under their charge to maintain personal dignity and live an independent life in light of their standing at all times.

(Prohibition of Acts that Damage Credibility)

Article 45 A certified social worker and a certified care worker must not commit any acts that may damage their credibility as a certified social worker or a certified care worker.

(Duty of Confidentiality)

Article 46 A certified social worker and a certified care worker must not leak any personal secrets that may become known to them in their course of services without legitimate grounds. The same principle applies after they cease engaging in their services.

(Coordination)

Article 47 (1) A certified social worker must have a person in charge of the services maintain smooth coordination with persons concerned with welfare services, etc. while exerting originality and ingenuity suited to the local area so as to enable the comprehensive and appropriate provision of welfare service and associated health medical service, and other services (referred to as "welfare services, etc." in the next paragraph).

(2) A certified care worker must have a person in charge of the services maintain coordination with persons concerned with welfare services so as to enable the comprehensive and appropriate provision of welfare services, etc. in response to the mental, physical, and other conditions, including dementia (meaning dementia as provided for in Article 5-2 of the Public Nursing Care Insurance Act (Act No. 123 of 1997)).

(Responsibility of Quality Improvement)

Article 47-2 A certified social worker and a certified care worker must endeavor to steadily improve their knowledge and skills concerning consultation and assistance, or nursing, etc. in order to adequately and flexibly adapt to any changes in services caused by changes in the environment surrounding social welfare and nursing.

(Restriction on Use of Appellation)

Article 48 (1) A person who is not a certified social worker must not use the appellation of a certified social worker.

(2) A person who is not a certified care worker must not use the appellation of a certified care worker.

(Relation with the Act on Public Health Nurses, Midwives, and Nurses)

Article 48-2 (1) Notwithstanding the provisions of paragraph (1), Article 31 and Article 32 of the Act on Public Health Nurses, Midwives and Nurses (Act No. 203 of 1948), a certified care worker may engage in the business of assisting with mucus aspiration, etc.

(2) The provision of the preceding paragraph does not apply to a person who has been ordered to suspend the use of the appellation of a certified care worker pursuant to the provision of paragraph (2), Article 32 applied mutatis mutandis pursuant to paragraph (2), Article 42.

(Registration of Mucus Aspiration, etc. Services)

Article 48-3 (1) A person who intends to perform mucus aspiration , etc. (limited to that performed by a certified care worker) as the person's services or as a part of the person's business must obtain registration for each of its business establishments from the respective prefectural governors having jurisdiction over each of the business establishments.

(2) A person who intends to obtain a registration in the preceding paragraph (hereafter referred to as the "registration" in this Chapter) must submit an application form containing the matters listed below to the prefectural governor pursuant to what is provided for in Ordinance of the Ministry of Health, Labour and Welfare:

- (i) the name or appellation, address, and the name of the representative if it is a corporation;
- (ii) the appellation and location of the business establishment;
- (iii) the scheduled starting date of the mucus aspiration, etc. services;
- (iv) other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Disqualification)

Article 48-4 A person who falls under any of the following items may not be registered:

- (i) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;
- (ii) a person who is sentenced to a fine pursuant to the provisions of this Act or other provisions of acts concerning social welfare or health and medical care and provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;
- (iii) a person whose registration has been cancelled pursuant to the provisions of Article 48-7, and for whom two years have not yet passed since the date of the cancellation;
- (iv) a corporation with a person who falls under any of the preceding three items among the officers who perform the business.

(Registration Standard)

Article 48-5 (1) a prefectural governor must register an applicant if the applicant files an application form pursuant to the provision of paragraph (2), Article 48-3 and complies with all of the requirements listed in the following:

- (i) to comply with the standard provided for in Ordinance of the Ministry of Health, Labour and Welfare as a person that has secured coordination with a medical doctor, nurse, and other medical personnel;
 - (ii) records concerning the practice of mucus aspiration , etc. are well arranged and measures are be provided for in Ordinance of the Ministry of Health, Labour and Welfare to safely and adequately perform mucus aspiration, etc;
 - (iii) not falling under what is provided for in Ordinance of the Ministry of Health, Labour and Welfare as a certified care worker for whom it is not necessary to perform mucus aspiration, etc. because an adequate system for the performance of mucus aspiration, etc. by medical doctors, nurses and other medical personnel is in place.
- (2) The registration shall describe the matters as listed below in the registration book:
- (i) date of Registration and Registration Number;
 - (ii) the matters as listed in each item in paragraph (2), Article 48.

(Notification of Change)

Article 48-6 (1) If a person that obtained registration (hereafter referred to as a "registered mucus aspiration, etc. provider") intends to change the matters as listed in items (i) to (iii), paragraph (2), Article 48-3, the person must notify the

governor of that fact in advance, and without delay if the matters listed in item (iv) in the same paragraph are changed.

- (2) If it becomes unnecessary for a registered mucus aspiration, etc. provider to perform mucus aspiration, etc. services, the provider must notify the governor of that fact without delay.
- (3) If the notification pursuant to the provision of the preceding paragraph is filed with the governor, the registration of the said registered mucus aspiration, etc. provider ceases to be effective.

(Cancellation of Registration)

Article 48-7 The governor may cancel the registration of a registered mucus aspiration, etc. provider, or order it to suspend the mucus aspiration, etc. services within a term that the governor decides, if the said registered mucus aspiration, etc. provider falls under any of the following items:

- (i) the registered mucus aspiration, etc. provider comes to fall under any of the items (excluding item (iii)) of Article 48-4;
- (ii) the registered mucus aspiration, etc. provider no longer complies with a requirement in any of the items of paragraph (1), Article 48-5;
- (iii) the registered mucus aspiration, etc. provider fails to submit notification pursuant to the provision of paragraph (1) of the preceding article, or makes a false notification;
- (iv) when a person that who has been registered based on false or wrong information.

(Official Notice)

Article 48-8 In the following cases, the governor must give public notice to the respective effects:

- (i) governor has made the registration;
- (ii) a notification is filed pursuant to the provision of paragraph (1), Article 48-6 (limited to a notification of a name, appellation, or address, or of an appellation or address of a business establishment);
- (iii) a notification is filed pursuant to the provision of paragraph (2), Article 48-6;
- (iv) a registration pursuant to the provision of the preceding Article is canceled, or an order is issued to suspend mucus aspiration, etc. services.

(Application Mutatis Mutandis)

Article 48-9 The provisions of Article 19 and Article 20 apply mutatis mutandis to the mucus aspiration, etc. services provider. In this case, "the Minister of Health, Labour and Welfare" in these provisions is deemed to be replaced with "the governor".

(Delegation to Ordinance of Minister of Health, Labour and Welfare)

Article 48-10 Beyond what are provided for in Article 48-3 to the preceding article, the matters required concerning the registration of mucus aspiration, etc. services are to be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Delegation of Authority)

Article 48-11 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act are to be delegated to the Director General of the Local Bureaus of Health and Welfare pursuant to Ordinance of the Ministry of Health, Labour and Welfare.

(2) The authority delegated to the Director General of the Local Bureaus of Health and Welfare pursuant to the provision of the preceding paragraph may be delegated to a branch manager of the regional bureau of health and labour pursuant to Ordinance of the Ministry of Health, Labour and Welfare.

(Transitional Measures)

Article 49 When an order is provided for or is established, revised or abolished pursuant to the provisions of this Act, any necessary transitional measure (including a transitional measure concerning punishment) may be provided for in the order within a scope that is judged reasonably necessary in accordance with the establishment, revision, or abolishment.

Chapter V Punishment

Article 50 (1) A person who violates the provisions of Article 46 will be punished by imprisonment with required labor for not more than one year or a fine of not more than 300,000 yen.

(2) A public prosecutor may not institute a public action against the crime in the preceding paragraph without filing a complaint.

Article 51 A person who violates the provision of paragraph (1), Article 16 (including cases where it applies mutatis mutandis pursuant to Article 37, paragraph (3), Article 41 and paragraph (3), Article 43) will be punished by imprisonment with required labor for not more than one year or a fine of not more than 300,000 yen.

Article 52 If an officer or member of staff of the designated examination organization (referred to simply as the "designated examination organization" in Article 54) provided for in paragraph (1), Article 10 or paragraph (1), Article

41, or of the designated registration organization (referred to simply as the "designated registration organization" in Article 54) provided for in paragraph (1), Article 35 or paragraph (1), Article 43 violates an order to suspend the examination processes (referred to simply as the "examination processes" in Article 54) provided for in paragraph (1), Article 10 or paragraph (1), Article 41 pursuant to the provision of paragraph (2), Article 22 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43) or the registration processes (referred to simply as the "registration processes" in Article 54) provided for in paragraph (1), Article 35, or paragraph (1), Article 43, that person will be punished by imprisonment with required labor for not more than one year or a fine of not more than 300,000 yen.

Article 53 A person who falls under any of the following items will be punished by a fine of not more than 300,000 yen:

- (i) a person who has been ordered to suspend use of the appellation of a certified social worker pursuant to the provision of paragraph (2), Article 32 uses the appellation of a certified social worker for the period of the suspended order;
- (ii) a person who has been ordered to suspend use of the appellation of a certified care worker pursuant to the provision of paragraph (2), Article 32 applied mutatis mutandis in paragraph (2), Article 42 uses the appellation of a certified care worker for the period of the suspended order;
- (iii) a person who violates the provision of paragraph (1) or (2), Article 48;
- (iv) a person who has violated the provision of paragraph (1), Article 48-3, and has not received the registration referred to in the same paragraph, and is then engaged in mucus aspiration, etc. services;
- (v) a person who has violated an order to suspend mucus aspiration, etc. services pursuant to the provisions of Article 48-7.

Article 54 When an officer or member of staff of the designated examination organization or designated registration organization commits any of the violations listed in the following items it will be punished by a fine of not more than 200,000 yen:

- (i) failing to provide an accounting book at the office or to enter matters in the book, entering false matters in the book, or failing to keep the book at the office in violation of the provisions of Article 17 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43);
- (ii) failing to make a report stipulated in the provisions of Article 19 or making a false report (including cases where it applies mutatis mutandis in Article

- 37, paragraph (3), Article 41 and paragraph (3), Article 43);
- (iii) refusing, obstructing or evading an entry or inspection made pursuant to the provision of paragraph (1), Article 20 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43) or failing to answer a question, or making a false statement during the entry or inspection;
 - (iv) ceasing all of the examination processes or the registration processes without the permission referred to in Article 21 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43).

Article 55 When a person commits any of the violations listed in the following items, the person will be punished by a fine of not more than 200,000 yen:

- (i) failing to make a report stipulated in the provision of Article 19 applied mutatis mutandis in Article 48-9, or making a false report;
- (ii) refusing, obstructing, or evading an entry or inspection made pursuant to the provision of paragraph (1), Article 20 applied mutatis mutandis in Article 48-9 or failing to answer a question, or making a false statement during the entry or inspection.

Article 56 If the representative of a corporation, or an agent, employee or other worker of a corporation or individual commits a violation of item (iv) or item (v), Article 53 or the preceding article in connection with the business of the corporation or individual in addition to the offender being subject punishment, the corporation or individual is subject to the fine referred to in the relevant article.

Supplementary Provisions

(Effective Date)

Article 1 This Act will come into force on the date provided for by a Cabinet Order within a scope not exceeding one year from the date of promulgation.

(Special Case of Examination Qualification of Certified Care Worker Examination)

Article 2 (1) Notwithstanding the provision of paragraph (2), Article 40, a person who has enrolled by March 31, 2014, at a high school or junior high school based on the School Education Act and designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare, has acquired the basic knowledge and skills required of a care worker by studying for three years or more at the school (two years or more in

case of acquiring required basic knowledge and skills requiring two years or more to acquire in a non-degree course for graduates), and has engaged in the services of nursing, etc. for nine months or more is entitled to take the certified care worker examination.

- (2) The matters required concerning the designation of a high school or of a junior high school provided for in the preceding paragraph are to be provided for by a Cabinet Order.

(Exception of Authorized Specified Conduct Practitioner)

Article 3 (1) For the time being, a person who has received issuance of an authorized specified conduct practitioner certificate (hereafter referred to as an "authorized specified conduct practitioner") among persons engaged in the services of nursing (excluding a certified care worker; the same applies in paragraph (2) of the next Article) can perform a specified conduct as services (meaning the conduct provided for in Ordinance of the Ministry of Health, Labour and Welfare in response to the training course programs concerning mucus aspiration, etc. provided for in paragraph (2) of the next Article that the said authorized specified conduct practitioner has finished; the same applies hereafter) under the direction of a medical doctor as assistance for medical examinations notwithstanding the provisions of paragraph (1), Article 30 and Article 32 of the Act on the Public Health Nurses, Midwives and Nurses; provided, however, that this does not apply to a person who has been ordered to suspend the services of a specified conduct pursuant to the provision of paragraph (4) of the next Article.

- (2) An authorized specified conduct practitioner must maintain coordination with medical doctors, nurses and other medical personnel when performing the services of a specified conduct.

Article 4 (1) The authorized specified conduct practitioner certificate is issued by the governor pursuant to Ordinance of the Ministry of Health, Labour and Welfare.

- (2) A person who is recognized by the governor to have completed the training course program (hereafter referred to as the "mucus aspiration, etc. training program") that the governor or a person registered by the governor (hereafter referred to as the "registered training program organization") implements so as to enable a person engaged in the services of nursing to acquire the knowledge and skills required to become an authorized specified conduct practitioner can receive the issuance of an authorized specified conduct practitioner certificate.

- (3) The governor may refuse to issue an authorized specified conduct practitioner certificate to a person who falls under any of the following items:

(i) adult ward or person under curatorship;

- (ii) a person who has been sentenced to imprisonment without work or a heavier punishment and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;
 - (iii) a person who has been sentenced to a fine pursuant to the provisions of this act, and other provisions of acts concerning social welfare or health medical care provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be to its enforcement;
 - (iv) a person whose registration as a certified care worker has been cancelled pursuant to the provision of item (ii), paragraph (1), Article 32, or paragraph (2) applied mutatis mutandis in paragraph (2), Article 42, and two years have not yet passed since the date of such cancellation;
 - (v) a person who has been ordered to return the authorized specified conduct practitioner certificate, and two years have not yet passed since the date of the return.
- (4) When an authorized specified conduct practitioner falls under any of the following items, the governor may order it to suspend the specified conduct for a term decided by the governor or order to return the authorized specified conduct practitioner certificate. In this case, the matters required concerning the implementation of the order are to be provided for by a Cabinet Order:
- (i) the case where the authorized specified conduct practitioner comes to fall under any of the items (excluding item (v)) of the preceding paragraph;
 - (ii) aside from the case in the preceding item, the case where the authorized specified conduct practitioner commits unjust acts concerning the services of the specified conduct;
 - (iii) the case where the authorized specified conduct practitioner receives the issuance of an authorized specified conduct practitioner certificate based on a false or incorrect fact.
- (5) Beyond what are provided for in each preceding item, the matters required concerning the authorized specified conduct practitioner, reissuance, and return, the authorization by the governor in paragraph (2), and other authorized specified conduct practitioners are to be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Delegation of Issuing Processes of Authorized Specified Conduct Practitioner Certificate)

Article 5 (1) The governor may delegate all or some of the processes concerning the authorized specified conduct practitioner certificate provided for in the preceding Article pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding the processes of the return of an authorized specified

conduct practitioner certificate and others provided for by a Cabinet Order; hereafter referred to as the "processes of certificate issuance") to a registered training program organization.

- (2) An officer of the registered training program organization to which the processes of certificate issuance are delegated pursuant to the provision of the preceding paragraph (in a registered training program organization which is not a legal person, a person who is registered pursuant to the provision of paragraph (2) in the preceding Article) (referred to as the "registration" in the preceding Article to Article 9 of Supplementary Provisions and Article 16, Article 17 and Article 19 of Supplementary Provisions) or a member of staff or persons who have been in the positions of these duties must not leak any secrets that they come to know concerning the authorized certificate issuance processes of the said delegation.

(Application for Registration)

Article 6 A registration is made, pursuant to the provisions of Ordinance of the Ministry of Health, Labour and Welfare, for each business establishment, upon application by a person that intends to implement a mucus aspiration, etc. training program

(Disqualification)

Article 7 A person who falls under any of the following items cannot be registered:

- (i) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be to its enforcement;
- (ii) a person who has been sentenced by a fine pursuant to the provisions of this Act, and other provisions of Acts concerning social welfare or medical health care provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence to be to its enforcement;
- (iii) a person whose registration has been cancelled pursuant to the provisions of Article 16 of the Supplementary Provisions and for which two years have not yet passed since the date of cancellation;
- (iv) a corporation with an officer who falls under any of the preceding three items among the officers engaged in the business thereof.

(Registration Standard)

Article 8 (1) The governor must register an applicant who applies for registration if the applicant complies with all the requirements as listed in the following pursuant to the provisions of Article 13 of Supplementary Provisions:

- (i) performing the services of implementing a mucus aspiration, etc. training program concerning the legal system for and actual practice of mucus aspiration, etc;
 - (ii) with regard to the subjects concerning the actual practice of mucus aspiration , etc. in the preceding item, a medical doctor, a nurse and others provided for in Ordinance of the Ministry of Health, Labour and Welfare are to be engaged as lecturers in the business of implementing a mucus aspiration , etc. training program;
 - (iii) beyond what are listed in the preceding two items, the business of implementing an mucus aspiration , etc. training program is to observe the criteria provided for in Ordinance of the Ministry of Health, Labour and Welfare as a training program implemented sufficiently adequately and certainly.
- (2) Regarding registration, the matters as listed in the following are to be entered in the training program institution registration book:
- (i) registration date and registration number;
 - (ii) the name, appellation, and address of the person who is registered and the name of the representative in the case of a corporation;
 - (iii) appellation and address of business establishment;
 - (iv) scheduled date of mucus aspiration, etc. training program;
 - (v) other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Update of Registration)

- Article 9 (1) If registration is not renewed at the end of a term provided for by a Cabinet Order that is no less than five years and no more than ten years, it ceases to be effective.
- (2) The provisions of the preceding three articles apply mutatis mutandis to the renewal referred to in the preceding paragraph.

(Duty to Implement a Mucus Aspiration, etc. Training Program)

Article 10 The registered training program organization must precede fairly with implementing a mucus aspiration, etc. training program in way which ensures compliance with the standard in the provisions of each item of paragraph (1), Article 8 of the Supplementary Provisions and provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Notification of Change)

Article 11 If a registered training program organization intends to change a matter listed in any item (excluding item (i)) of paragraph (2), Article 8 of the Supplementary Provisions, the said organization must notify the governor of

that fact in advance.

(Operational Rules)

Article 12 (1) A registered training program organization must provide for the operational rules concerning an mucus aspiration, etc. training program (referred to as the "operational rules" in the next paragraph) and notify the governor of them prior to the start of the business of implementing an mucus aspiration , etc. training program. When the organization intends to change the rules, the same process applies.

(2) How to implement the mucus aspiration, etc. training program, the fees concerning the mucus aspiration, etc. training program and other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare must be described in the operational rules.

(Suspension or Abolition of Business)

Article 13 When a registered training program organization intends to suspend or abolish all or a part of the business of implementing an mucus aspiration , etc. training program, etc., the organization must notify the governor of that fact in Ordinance of the Ministry of Health, Labour and Welfare.

(Order to Comply)

Article 14 If the governor recognizes that a registered training program organization violates the provision of paragraph (1), Article 8 of the Supplementary Provisions, the governor may order the organization to take necessary measures to comply with these provisions.

(Improvement Order)

Article 15 If the governor recognizes that the registered training program organization has violated the provisions of Article 10 of Supplementary Provisions, the governor may order the organization to conduct matters necessary for performing the mucus aspiration, etc. training program pursuant to the same Article or take necessary measures for the improvement of methods used to perform the mucus aspiration, etc. training program and methods used to perform other businesses.

(Cancellation of Registration)

Article 16 If the registered training program organization falls under any of the following items, the governor may cancel the registration or order the organization to suspend the whole or a part of the business of the mucus aspiration, etc. training program for a term decided by the governor:

(i) when coming to fall under any of each item (excluding item (iii).), Article 7

- of Supplementary Provisions;
- (ii) when violating the provisions of Article 11 to Article 13 of Supplementary Provisions;
 - (iii) when violating an order pursuant to either of the preceding two Articles;
 - (iv) when violating the provisions of Article 17 applied mutatis mutandis in Article 18 of Supplementary Provisions;
 - (v) when a registration is made based on a false or unlawful fact.

(Public Notification)

Article 17 In the following cases, the governor must give public notice to the respective effects:

- (i) when a registration is made;
- (ii) when a notification is filed pursuant to the provisions of Article 11 of Supplementary Provisions (limited to those concerning the name or address, or the appellation of location of a business establishment);
- (iii) when a notification is filed pursuant to the provisions of Article 13 of Supplementary Provisions;
- (iv) when an order is issued to cancel the registration pursuant to the provision of the preceding Article or to suspend the whole or a part of the business.

(Application Mutatis Mutandis)

Article 18 The provisions of Article 17, Article 19 and Article 20 apply mutatis mutandis to the registered training program organization. In this case, "the examination processes" in Article 17 is deemed to be replaced with "the services of the mucus aspiration , etc. training program", and "the Minister of Health, Labour and Welfare" in Article 19 and paragraph (1), Article 20 is deemed to be replaced with "the governor".

(Delegation to Ordinance of the Ministry of Health, Labour and Welfare)

Article 19 Beyond what are provided for in Article 6 to the preceding Article of Supplementary Provisions, the matters required concerning the registration of the registered training program organization are to be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(Registration of Specified Conduct Services)

Article 20 (1) A person who intends to perform specified conduct (limited to that performed by an authorized specified conduct services practitioner; hereafter referred to as "specified conduct services") as the person's business or as part of the person's business must obtain registration for each of its business establishments from the respective prefectural governors having jurisdiction over each of the business establishments.

(2) The provisions of Article 19 and Article 20 apply mutatis mutandis to a person who obtains the registration provided in the preceding paragraph, and the provisions of paragraph (2), Article 48-3, Article 48-4 to Article 48-8, and Article 48-10. In this case, "the Minister of Health, Labour and Welfare" is deemed to be replaced with "the governor", "the mucus aspiration , etc. services" is deemed to be replaced with "the specified conduct services", "the designated examination organization" in Article 19 is deemed to be replaced with "a person who is registered in paragraph (1), Article 20 of Supplementary Provisions (hereafter the "registered specified conduct enterprise)", "the designated examination organization" in paragraph (1), Article 20 is deemed to be replaced with "the registered specified conduct enterprise", "Article 48-7" in item (iii), Article 48-4 is deemed to be replaced with "Article 48-7 (including cases where it is applied mutatis mutandis in paragraph (2), Article 20 of Supplementary Provisions)", "the mucus aspiration , etc." in item (ii), paragraph (1), Article 48-5 is deemed to be replaced with "the specified conduct", "a certified care worker" is deemed to be replaced with "an registered specified conduct enterprise", "a person who is registered (hereafter referred to as "the registered mucus aspiration , etc. provider") in item (i), Article 48-6 is deemed to be replaced with "the registered specified conduct enterprise" and "the registered mucus aspiration , etc. provider" in paragraphs (2) and (3) in the same Article and Article 48-7 is deemed to be replaced with "the registered specific conduct enterprise".

(Punishment)

Article 21 A person who violates the provision of paragraph (2) of Article 5 of Supplementary Provisions will be sentenced by imprisonment with required labor for not more than one year or a fine of not more than 300,000 yen.

Article 22 If the registration training program organization violates an order to suspend business pursuant to the provisions of Article 16 of Supplementary Provisions, the organization (if it is a corporation, the officer or the member of staff that committed the violation) will be sentenced by imprisonment required labor for not more than one year or a fine of not more than 300,000 yen.

Article 23 A person who falls under any of the following items will be sentenced by a fine of not more than 300,000 yen:

- (i) a person who has engaged in the specified conduct services without obtaining registration in violation of the provision of paragraph (1), Article 20 of Supplementary Provisions;
- (ii) a person who has violated an order to suspend the specified conduct services pursuant to the provisions of Article 48-7 applied mutatis mutandis

in paragraph (2), Article 20 of Supplementary Provisions.

Article 24 When falling under any of the following items, the registered training program organization (if it is a corporation, its officer or a member of staff that committed the violation) will be sentenced by a fine of not more than 200,000 yen:

- (i) failing to file a notification pursuant to the provisions of Article 13 of Supplementary Provisions or filing a false notification;
- (ii) failing to provide an accounting book, failing to describe the necessary matters in it or writing false matters in it, or failing to maintain the accounting book, in violation of the provisions of Article 17 applied mutatis mutandis in Article 18 of Supplementary Provisions;
- (iii) failing to file a report stipulated in the provisions of Article 19 applied mutatis mutandis in Article 18 of Supplementary Provisions, or filing a false report;
- (iv) refusing, obstructing, or evading an entry or inspection made pursuant to the provision of paragraph (1), Article 20 applied mutatis mutandis in Article 18 of Supplementary Provisions or failing to answer a question, or making a false statement during the entry or inspection.

Article 25 When falling under any of the following items, a person who commits the violation shall be sentenced by a fine of not more than 200,000 yen:

- (i) refusing, obstructing, or evading an entry or inspection made pursuant to the provisions of Article 19 applied mutatis mutandis to the provision of paragraph (2), Article 20 of Supplementary Provisions or failing to answer a question, or making a false statement during the entry or inspection;
- (ii) failing to file a report stipulated in the provision of paragraph (1), Article 20 applied mutatis mutandis to the provision of paragraph (2), Article 20 of Supplementary Provisions or filing a false report.

Article 26 If a representative of a corporation, or an agent, employee or other worker of a corporation or person commits a violation of Article 23 of Supplementary Provisions or the preceding Article in connection with the business of the corporation or individual, in addition to the offender being subject punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

Article 27 A person who violates the order pursuant to the provision of paragraph (4), Article 4 of Supplementary Provisions and doesn't return the authorized specified conduct services practitioner certificate without any reasonable grounds will be sentenced by a fine of not more than 100,000 yen.

(Application of Provisions of Item (iii), Article 48-4)

Article 28 With regard to the application of item (iii), Article 48-4, "Article 48-7" in the same item is deemed to be replaced with "Article 48-7 (including cases where it applies mutatis mutandis in paragraph (2), Article 20 of Supplementary Provisions)" for the time being.

Supplementary Provisions [Act No. 58 of June 29, 1990] [Extract]

(Effective Date)

Article 1 This Act will come into force on January 1, 1991; provided, however, that the provisions listed in each of the following items will come into force on the date provided for in each item:

(iii) the provisions of Article 2 (excluding those listed in the preceding item), the provisions of Article 4 and Article 6, the provisions in Article 9 revising Article 13, Article 17, and Article 24 of the Social Welfare Service Act, the provisions of Article 10, the provisions of Article 7, Article 11 and Article 23 of Supplementary Provisions, the provisions in Article 24 of Supplementary Provisions revising Article 23 and Article 292 of the Local Tax Act, and the provisions of Article 28, Article 31, Article 32, and Article 36 of Supplementary Provisions: April 1, 1993.

(Transitional Measures Accompanied by Partial Revision of Certified Social Worker and Certified Care Worker Act)

Article 32 Regarding the application of the provisions of Article 7 of the Certified Social Worker and Certified Care Worker Act after its revision pursuant to the provision of the preceding Article, a social welfare officer established pursuant to the provisions of Article 6 of the Act on Social Welfare for the Elderly before its revision pursuant to the provisions of Article 2 is deemed to be established pursuant to the provisions of Article 6 or Article 7 of the Act on Social Welfare for the Elderly after its revision pursuant to the provision of the preceding Article.

Supplementary Provisions [Act No. 25 of April 2, 1991] [Extract]

(Effective Date)

1. This Act will come into force on July 1, 1991.

Supplementary Provisions [Act No. 67 of June 3, 1992] [Extract]

(Effective Date)

Article 1 This Act will come into force on April 1, 1993.

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act will come into force on the effective date of the Administrative Procedure Act (Act No. 89 of 1993).

(Transitional Measures Concerning Adverse Disposition Following Consultation)

Article 2 If a consultation or other request has been made, prior to the enforcement of this Act, under laws and regulations to a council or any other body with a council system, with respect to the implementation of procedures corresponding to hearings, the granting of an opportunity for explanation and other procedures for giving a statement of opinion prescribed by Article 13 of the Administrative Procedure Act, the provisions then in force will remain applicable with regard to the procedures for adverse dispositions pertaining to said consultation or other request, notwithstanding the provisions of relevant Acts as amended by this Act.

(Transitional Measures Concerning Punishment)

Article 13 Regarding the application of penal provisions to acts committed before the Act comes into force, the provisions then in force remain applicable.

(Transitional Measures Accompanied by Arrangements of Provisions Concerning Hearing)

Article 14 Hearings or meetings thereof (excluding those pertaining to adverse dispositions) or procedures incidental thereto implemented pursuant to the provisions of any Act prior to the enforcement of this Act are deemed to have been implemented pursuant to the corresponding provisions of the relevant Act revised by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond what are provided for in Article 2 to the preceding Article of Supplementary Provisions, the transitional measures required concerning the enforcement of this Act will be provided for by a Cabinet Order.

Supplementary Provisions [Act No. 91 of May 12, 1995] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date on which twenty days have

passed since the date of promulgation.

Supplementary Provisions [Act No. 45 of May 9, 1997] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date provided for by a Cabinet Order not exceeding three months from the date of promulgation; provided, however, that the provisions in Article 1 revising the table of contents, paragraph (1), Article 15-6, paragraphs (1) and (2), Article 16, Article 17, Article 25, the section-name of Section V, and Article 27 of the Human Resources Development Promotion Act, the provisions that adds a section-name after Article 27 of the Human Resources Development Act, the provisions revising paragraph (2), Article 27-2, Article 97-2, and Article 97-2 of the Human Resources Development Promotion Act, the provisions of Article 2 (limited to the provisions revising items (i) and (ii), paragraph (1), Article 19 of the Employment Promotion Organization Act), the next Article to Article 4 of Supplementary Provisions, and Article 6 to Article 8 and Article 10 to Article 16 of Supplementary Provisions, the provisions of Article 17 of Supplementary Provisions (excluding the part changing "paragraph (2), Article 10" in item (iv), paragraph (1), Article 63 of the Employment Insurance Act (Act No. 196 of 1974) to "paragraph (2), Article 10-2") and the provisions of Article 18 to Article 22 of Supplementary Provisions will come into force on April 1, 1999.

Supplementary Provisions [Act No. 110 of September 28, 1998] [Extract]

This Act shall come into force as of April 1, 1999.

Supplementary Provisions [Act No. 85 of July 7, 1998] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date provided for by a Cabinet Order not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(Effective Date)

Article 1 This Act will come into force on April 1, 2000.

Article 4 Regarding the application of penal provisions to acts committed before the Act comes into force, the provisions then in force remain applicable.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (excluding Article 2 and Article 3) will come into force on January 6, 2001.

Supplementary Provisions [Act No. 111 of June 7, 2000] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date of promulgation.

Supplementary Provisions [Act No. 35 of April 25, 2001] [Extract]

(Effective Date)

Article 1 This Act will come into force on October 1, 2001.

Supplementary Provisions [Act No.105 of July 11, 2001] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date of promulgation; provided, however, that the provisions listed in the following items will come into force on the date provided in each item:

- (ii) the provisions adding one paragraph to Article 56, the provisions revising paragraph (3), Article 57, the provisions adding one paragraph to Article 67, the provisions revising Article 73-3 and Article 82-10, and the provisions of the next Article, and Article 5 to Article 16 of Supplementary Provisions: April 1, 2002

Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

(Effective Date)

This Act will come into effect on the effective date of the Act on General Incorporated Associations and General Incorporated Foundations.

Supplementary Provisions [Act No. 96 of June 27, 2007] [Extract]

(Effective Date)

This Act shall come into force on the date provided for by a Cabinet Order not exceeding six months from the date of promulgation.

Supplementary Provisions [Act No. 125 of December 5, 2007] [Extract]

(Effective Date)

Article 1 This Act will come into force on April 1, 2015; provided, however, that the provisions listed in the following items will come into force on the respective dates listed in the items:

- (i) the provisions of Article 1, Article 4 to Article 6, Article 8, and paragraph (1), Article 9 of Supplementary Provisions: the date of promulgation;
- (ii) the provisions of the next Article: The date provided for by a Cabinet Order not exceeding one year from the date of promulgation;
- (iii) the provisions of Article 2, and Article 3 to Article 5 of Supplementary Provisions: As of April 1, 2009

(Preparatory Actions)

Article 2 (1) Item (i), paragraph (2), Article 40 of the Certified Social Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 2, the designation of a high school and a junior education school and the necessary related procedures, and other actions pursuant to the provision of paragraph (1), Article 2 of Supplementary Provisions may be performed according to the examples listed in the provision of item (i), paragraph (2), Article 40 of the same Act after its revision pursuant to the provisions of Article 2 and the provision of paragraph (1), Article 2 of Supplementary Provisions even before the provisions listed in item (iii) of the preceding Article comes into force.

(2) The designation of a school and a training facility pursuant to the provisions of items (i) to (iii) and item (v), paragraph (2), Article 40 of the Certified Social Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 3 (hereafter referred to as the "New Act") and related necessary procedures, and other actions may be performed according to the examples listed in the provisions of items (i) to (iii) and item (v) in the same paragraph even before this Act comes into force.

Article 3 (1) A person who falls under any of the following items can take the certified social worker examination irrespective of the provisions of Article 7 of the Certified Social Worker and Certified Care Worker Act after its revision pursuant to Article 2:

- (i) a person who currently falls under any of the requirements of item (i), item (ii), item (iv), item (v), item (vii) or item (viii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 when the provisions as listed in item (iii), Article 1 of Supplementary Provisions come into force;
- (ii) a person who was a student at a university (excluding a junior college; the

- same applies hereafter in this item and the next item) based on the School Education Act (Act No. 26 of 1947) before the date of enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirement provided item (i), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2, or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a university based on the School Education Act, completed the core subjects provided for in the same item (hereafter referred to as the "old core subjects" in this paragraph), and graduated from the university and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);
- (iii) a person who was a student at a university based on the School Education Act before the date of enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirement provided in item (ii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a university based on the School Education Act, completed the basic subjects (hereafter referred to as the "old basic subjects" in this paragraph) provided in the same item, and graduated from the university and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);
- (iv) a person who was a student at a junior college (limited to one where the term of study is three years; the same applies hereafter in this item and the next item) based on the School Education Act before the date of enforcement of the of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided in item (iv), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old core subjects, and graduated from the college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);
- (v) a person who was a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes

- to fall under the requirement provided in item (v), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old basic subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);
- (vi) a person who was a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii) Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided in item (vii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old core subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);
- (vii) a person who is a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided for item (viii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old basic subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare).
- (2) A person who falls under any of the following items can take the certified social worker examination implemented between the date of enforcement listed in item (iii), Article 1 of Supplementary Provisions and the date on which five years have passed since that date or the first certified social worker examination implemented after that period irrespective of the provisions of Article 7 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 2:
- (i) a person who falls under the requirement provided in item (xi), Article 7 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 2 when the provision of item (iii), Article 1 of Supplementary Provisions comes into force;

(ii) a person who comes to fall under the requirement provided in item (xi), Article 7 of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 between the date of enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and the date on which five years have passed since the date stipulated in item (i) of the same Article.

Article 4 A person who falls under any of the following items is qualified to be a certified care worker irrespective of the provisions of Article 39 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provision of Article 2:

(i) a person who falls under the requirement provided for in item (ii), Article 39 of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 when the provision of item (iii), Article 1 of Supplementary Provisions comes into force;

(ii) a person who was a student at a university based on the School Education Act before the enforcement date of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the enforcement date, comes to fall under the requirement provided for in item (ii), Article 39 of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the enforcement date, enrolled at a university based on the School Education Act, completed the subjects concerning social welfare designated by the Minister of Health, Labour and Welfare provided for in the same item, and graduated from the university and a person deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare).

Article 5 A person who falls under the requirement provided for in item (ii), paragraph (2), Article 40 of the social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 when the provision of item (iii), Article 1 of Supplementary Provisions comes into force can take the certified care worker examination irrespective of the provision of paragraph (2), Article 40 in the same Act after its revision pursuant to the provisions of Article 2.

Article 6 A person who falls under the requirement of any of the items of Article 39 of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 3 when this Act comes into force is qualified to be a certified care worker irrespective of the provisions of Article

39 of the New Act.

Article 7 For six months after this Act comes into force, the provisions of Article 7 of Supplementary Provisions to the New Act do not apply to a person who uses the appellation of an associate care worker.

(Delegation to Cabinet Order)

Article 8 Beyond what are provided for Article 3 of Supplementary Provisions to the preceding Article, the transitional measures required concerning the enforcement of this Act will be provided for by a Cabinet Order.

(Review)

Article 9 (1) The national government is to consider the consultation conditions between the Japanese Government and the Republic of the Philippines Government concerning the agreement between Japan and the Republic of the Philippines on economic cooperation, and is to review the system of associate care workers with five years after the promulgation this Act as a target and take necessary measures based on the results.

(2) The government is to consider the enforcement conditions of the New Act within five years as a target, review the qualification system of the Certified Social Worker and Certified Care Worker Act after its revision pursuant to this Act, and take and measures that it finds are necessary for improvement based on the results.

Supplementary Provisions [Act No. 71 of December 10, 2010] [Extract]

(Effective Date)

Article 1 This Act will come into force on April 1, 2012; provided, however, that the provisions listed in each of the following items will come into force on the date provided in each item:

(i) the provisions of Article 1, the provisions in Article 2 revising the table of contents of the Services and Supports for Persons with Disabilities Act (limited to the part changing "Article 31" to "Article 31-2"; the same applies in item (iii)), the provisions revising Article 1 of the same Act, the provision revising item (i), paragraph (1), Article 2 of the same Act, the provisions revising Article 3 of the same Act, the provision revising paragraph (1), Article 4 of the same Act, the provisions adding one Article after Article 31, Subsection 3, Section 2, Chapter II of the same Act, the provision revising paragraph (1), Article 42 of the same Act, the provision revising item (i), paragraph (1), Article 77 of the same Act (limited to the part removing, "according to their respective abilities and aptitudes"; the same applies in

item (iii)) and the provisions revising paragraph (3), Article 77 and paragraph (2), Article 78 in the same Act, the provision revising paragraph (1), Article 24-11 of the Child Welfare Act in Article 4, the provisions of Article 10, the next Article, and Article 37 of Supplementary Provisions, and the provisions of Article 39: The date of promulgation

(Preparation Before Enforcement)

Article 37 The enactment and revision of an ordinance required to enforce this Act (with regard to the provisions listed in item (iii), Article 1 of Supplementary Provisions, those provisions; hereafter the same applies in this Article), the designated procedure of paragraph (1), Article 51-14 of the New Services and Supports for Persons with Disabilities Act pursuant to the provision of paragraph (1), Article 51-19 of the New Services and Supports for Persons with Disabilities Act, the designated procedure of item (i), Article 51-17 of the New Services and Supports for Persons with Disabilities Act pursuant to the provision of paragraph (1), Article 51-20 of the New Services and Supports for Persons with Disabilities Act, the designated procedure of paragraph (1), Article 21-5-3 of the Child Welfare Act pursuant to the provisions of Article 21-5-15 of the New Child Welfare Act, the designated procedure of item (i), paragraph (1), Article 24-26 of the New Child Welfare Act pursuant to the provision of paragraph (1), Article 24-28 of the New Child Welfare Act, and the notifications and other conduct listed in paragraph (2), Article 34-3 of the New Services and Supports for Persons with Disabilities Act may be performed even before this Act comes into force.

(Transitional Measures Concerning Application of Punishment)

Article 38 With regard to the application of penal provisions to acts committed before this Act comes into force and acts committed after this Act comes into force in cases where the provisions then in force are to remain applicable pursuant to Article 13 and Article 31 of Supplementary Provisions, the provisions then in force are to remain applicable.

(Delegation of Other Transitional Measures to Cabinet Order)

Article 39 Beyond what are provided in these Supplementary Provisions, the transitional measures required accompanied by the enforcement of this Act (including the transitional measures concerning punishments) will be provided for by a Cabinet Order.

Supplementary Provisions [Act No. 72 of June 22, 2011] [Extract]

(Effective Date)

Article 1 This Act will come into force as of April 1, 2012; provided, however, that the provisions listed in each item in the following will come into force as of the date provided for in each item.

(i) The provisions of Article 2 (limited to the provisions revising the table of contents of the Act on Social Welfare for the Elderly , the provisions deleting Chapter IV-II in the same Act, the provisions changing Chapter IV-III to Chapter IV-II, and the provision of item (i), Article 40 in the same Act (limited to the part deleting "paragraph (1), Article 28-12")), Article 4, Article 6, and Article 7, and the provisions of Article 9, Article 11, Article 15, Article 22, Article 41, Article 47 of Supplementary Provisions (limited to the provisions revising the proviso to Article (1) of Supplementary Provisions to the Act concerning Special Financial Assistance and Grants to Deal with the East Japan Great Earthquake (Act No. 40 of 2011), the provisions deleting each item from the same article, and the provisions revising Article 14 of Supplementary Provisions to the same Act) and Article 50 to Article 52: The date of promulgation

(Review)

Article 2 The government is to review the enforcement conditions of the provisions after the revision pursuant to the provisions of this Act within five years from the enforcement of this Act as a target, and take any measures it finds necessary based on the results.

(Transitional Measures Accompanied by Partial Revision of Certified Social Worker and Certified Care Worker Act)

Article 12 (1) In the period between April 1, 2012, and March 31, 2015, "care (including mucus aspiration, and other conduct that is necessary for the everyday life of the person, exercised under the direction of a medical doctor (limited to the services provided for in Ordinance of the Ministry of Health, Labour and Welfare; hereafter referred to as " mucus aspiration, etc.))" in paragraph (2), Article 2 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 5 is deemed to be replaced with "care", "social welfare or health medical care" in item (iii), Article 3 of the New Social Welfare Worker and Certified Care Worker Act is deemed to be replaced with "social welfare", "a person who is engaged in the business of care (excluding a certified care worker; the same applies in paragraph (2) of the next Article)" in paragraph (1), Article 3 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act is deemed to be replaced with "a person who is engaged in the business of care", "paragraph (1) in the same Article" is deemed to be replaced with "paragraph (1) in the next Article", "of the mucus aspiration, etc." is deemed to be replaced

with "of mucus aspiration and other acts that are carried out under the direction of a medical doctor and are necessary to enable a person with physical disabilities or mental disorder and intellectual disabilities s who is receiving support to lead an everyday life (limited to those provided in Ordinance of the Ministry of Health, Labour and Welfare; referred to as "expectoration absorption, etc." in item (i) and item (ii), paragraph (1), Article 8 of Supplementary Provisions.)".

- (2) The provisions of paragraph (1), Article 48-2 and paragraph (1), Article 48-3 of the New Social Welfare Worker and Certified Care Worker Act will not be applied until March 31, 2015.

Article 13 (1) The provisions of paragraph (2), Article 2, Article 3 (limited to the part related to item (iii)) and paragraph (1), Article 48-2 of the New Social Welfare Worker and Certified Care Worker Act do not apply to a person who was registered as a certified care worker on April 1, 2015, or a person who is qualified to be a certified care worker on the same day and is registered after the same day (hereafter the "specified registrant"), and the provisions of paragraph (2), Article 2 and Article 3 (limited to the part related to item (iii)) of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 5 will remain effective.

- (2) The provisions of paragraph (2), Article 2, Article 3 (limited to the part related to item (iii)) and item (i), Article 48-2 of the New Social Welfare and Certified Care Worker Act apply to a specified registrant who applied between April 1, 2015, and March 31, 2025, irrespective of the provision of the preceding paragraph.

- (3) A specified registrant who intends to file the application in the preceding paragraph must finish the training course program (referred to as "the designated training program" in the next paragraph and paragraph (5)) designated by the Minister of Health, Labour, Welfare prior to the application.

- (4) The Minister of Health, Labour and Welfare must make an additional remark in the certified care worker registration book of the said specified registrant to the effect that the said applicant has finished the designated training program without delay if the application is filed with the said Minister pursuant to the provisions of Article 2.

- (5) If the Minister Health, Labour, and Welfare makes an additional remark in the certified care worker registration book pursuant to the provision of the preceding paragraph, the Minister must issue a certified care worker registration certificate (referred to as "the certified registration certificate" in the next paragraph) with an additional remark to the effect that the person has finished the designated training program course.

- (6) The specified registrant who has received the issuance of the specified

registration certificate pursuant to the provision of the preceding paragraph must return the certified care worker registration certificate that has been previously issued to the Minister of Health, Labour and Welfare without delay.

- (7) Beyond what are provided in the preceding items, matters required concerning the enforcement of the provisions of the training program for the specified registrant and other matters necessary for implementation of the provisions of the preceding items will be provided in Ordinance of the Ministry of Health, Labour and Welfare.
- (8) With regard to the application of paragraph (1), Article 10 of Supplementary Provisions to the Social Welfare Worker and Certified Care Worker Act after its revision (referred to as "the Social Welfare Worker and Certified Care Worker Act after its revision" in paragraph (3) in the next Article) pursuant to the provisions of Article 3 of the Act that partially revises the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 6 to the specified registrant, "the certified care worker" in the same paragraph is deemed to be replaced with "the certified care worker (excluding a certified registrant provided in paragraph (1), Article 13 of Supplementary Provisions of the Act that partially revises the Public Nursing Care Insurance Act, etc. to strengthen the base of the nursing services (Act No. 72 of 2011) who has not completed the designated training program provided in paragraph (3) in the same Article)".

- Article 14 (1) A person who is engaged in the business of nursing when this Act comes into force and has gained the knowledge and skills required to appropriately perform a specified conduct provided in paragraph (1), Article 3 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act (hereafter referred to as the "specified conduct" in this paragraph) (including a person who has been acquiring the knowledge and skills required to appropriately perform the specified conduct when this Act comes into force and has completed their acquirement after this Act comes into force) may, pursuant to Ordinance of the Ministry of Health, Labour and Welfare, receive approval from the governor for each relevant specified conduct to the effect that the person possessed knowledge and skills equivalent to or greater than those possessed by a person who has completed the course of the mucus aspiration, etc. training program provided in paragraph (2), Article 4 of the New Social Welfare Worker and Certified Care Worker Act.
- (2) Irrespective of the provisions in paragraph (2), Article 4 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act, the governor may issue the authorized specified conduct services practitioner certificate provided in paragraph (1) of the same Article to a person who has received the approval provided in the preceding paragraph.

- (3) With regard to the application of the provision of paragraph (1), Article 3 of the New Social Welfare Worker and Certified Care Worker Act to a person who has received the issuance of the authorized specified conduct services practitioner certificate in paragraph (1), Article 4 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act pursuant to the provision of the preceding paragraph, during the period of April 1, 2012, to March 31, 2015, "under the direction of a medical doctor" in the same paragraph is deemed to be replaced with "of the said authorization by an authorized person pursuant to the provision of paragraph (1), Article 14 of Supplementary Provisions to the Act that partially revises the Public Nursing Care Insurance Act, etc. to strengthen the base of the nursing care services (Act No. 72 of 2011) under the direction of a medical doctor", "in response to the training course programs concerning mucus aspiration, etc. provided in paragraph (2) of the next Article that the said authorized specified conduct services practitioner has finished, "is deemed to be replaced with "in the mucus aspiration ,etc. ", "under the direction of a medical doctor" in paragraph (1), Article 10 of Supplementary Provisions to the Social Welfare Worker and Certified Care Worker Act after its revision after April 1 in the same year to "of the said authorization by an authorized person pursuant to the provision in paragraph (1), Article 10 of Supplementary Provisions to the Act (Act No. 72 of 2011) that partially revises the Public Nursing Care Insurance Act to strengthen the base of the nursing care services", and "in response to "the mucus aspiration , etc. training program course" provided for in paragraph (2) in the same Article which the authorized specified conduct services practitioner has finished" to "of the mucus aspiration , etc.".
- (4) The provisions of paragraph (3), Article 4 and Article 5 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act apply mutatis mutandis to the issuance pursuant to the provision of paragraph (2).
- (5) Beyond what are provided in the preceding items, the matters required concerning the enforcement of the issuance pursuant to the provision of paragraph (2) and other matters necessary for implementation of the provisions of the preceding items will be provided in Ordinance of the Ministry of Health, Labour and Welfare.

Article 15 The registration in paragraph (2), Article 4, and paragraph (1), Article 20 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act and the procedure of the authorization in paragraph (1) in the preceding Article 1 may be also performed even before the date of enforcement.

Article 16 A person who violates the provision of paragraph (2), Article 5 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act applied mutatis mutandis in paragraph (4), Article 14 of Supplementary Provisions will be sentenced by imprisonment with required labor for not more than one year or by a fine of not more than 300,000 yen.

(Transitional Measures Concerning Punishment)

Article 51 With regard to the application of penal provisions to acts committed before this Act (the relevant provision in the case of the provision of item (i), Article 1 of Supplementary Provisions) comes into force, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 52 Beyond what are provided for in these Supplementary Provisions, the transitional measures required concerning the enforcement of this Act (including the transitional measures concerning the punishment) will be provided for by a Cabinet Order.

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date on which twenty days have passed since the date of promulgation.

Supplementary Provisions [Act No. 51 of June 4, 2014] [Extract]

(Effective Date)

Article 1 This Act will come into force on April 1, 2015.

(Transitional Measures Concerning Punishment)

Article 8 With regard to the application of penal provisions to acts committed before this Act comes into force, the provisions then in force remain applicable.

(Delegation to Cabinet Order)

Article 9 Beyond what are provided for in Article 2 to the preceding Article of Supplementary Provisions, transitional measures (including the transitional measures concerning punishment) required concerning the enforcement of this Act will be provided in a Cabinet Order.

Supplementary Provisions [Act No. 69 of June 13, 2014] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date of enforcement of the Administrative Appeal Act (Act No. 68 of 2014).

Supplementary Provisions [Act No. 83 of June 25, 2014] [Extract]

(Effective Date)

Article 1 This Act will come into force on the date of promulgation or April 1, 2014, whichever comes later; provided, however, that the provisions as listed in each item in the following will come into force as of the date provided for in each item.

(i) The provisions in Article (12) revising paragraph (2), Article 26 of the Act on Medical Radiology Technicians, the provisions of Article 24 and the next Article, and the provisions of Article 7, the proviso to Article 13, Article 18, the proviso to paragraph (1), Article 20, Article 22, Article 25, Article 29, Article 31, Article 61, Article 62, Article 64, Article 67, Article 71 and Article 72 of Supplementary Provisions: The date of promulgation

(Transitional Measures Concerning Application of Punishment)

Article 71 Prior laws continue to govern the applicability of penal provisions to conduct engaged in before this Act comes into effect (the relevant provisions in the case of the provisions listed in each item of Article 1 of Supplementary Provisions; The same applies hereafter in this Article.); to conduct engaged in after this Act comes into effect in a case that, pursuant to these Supplementary Provisions ,is to continue to be governed by prior laws ; and to conduct that a person engages in after this Act comes into effect but with regard to which prior laws are to remain in effect pursuant to these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 72 Beyond what are provided for in Article 3 to Article 41 of Supplementary Provisions and the preceding Article, transitional measures required for the enforcement of this Act will be provided in a Cabinet Order.