

児童福祉法

Child Welfare Act

(昭和二十二年十二月十二日法律第百六十四号)
(Act No. 164 of December 12, 1947)

第一章 総則

Chapter I General Provisions

第一条 全て児童は、児童の権利に関する条約の精神にのっとり、適切に養育されること、その生活を保障されること、愛され、保護されること、その心身の健やかな成長及び発達並びにその自立が図られることその他の福祉を等しく保障される権利を有する。

Article 1 All children have the right to be adequately fostered, be afforded the guaranteed level of life and be kindly treated and be equally guaranteed their welfare such as pursuing their growth and development in good mental and physical health and their independence, based on the spirit of Human Rights of the Children.

第二条 全て国民は、児童が良好な環境において生まれ、かつ、社会のあらゆる分野において、児童の年齢及び発達の程度に応じて、その意見が尊重され、その最善の利益が優先して考慮され、心身ともに健やかに育成されるよう努めなければならない。

Article 2 (1) All citizens must endeavor to ensure that children are born in a favorable environment, their opinions are respected, their best interests are considered with the highest priority and be brought up in good mental and physical health, in all sectors of society, in accordance with their age and degree of development.

2 児童の保護者は、児童を心身ともに健やかに育成することについて第一義的責任を負う。

(2) The children's custodians bear the primary responsibility for bringing them up in good mental and physical health.

3 国及び地方公共団体は、児童の保護者とともに、児童を心身ともに健やかに育成する責任を負う。

(3) The national and local governments bear the responsibility for bringing up children in good mental and physical health, along with their custodians.

第三条 前二条に規定するところは、児童の福祉を保障するための原理であり、この原理は、すべて児童に関する法令の施行にあたって、常に尊重されなければならない。

Article 3 The provisions of the preceding two Articles constitute the basic philosophy to guarantee children's welfare and this philosophy must be

consistently respected in enforcing all laws and regulations on children.

第一節 国及び地方公共団体の責務

Section 1 Responsibilities of the National and Local Governments

第三条の二 国及び地方公共団体は、児童が家庭において心身ともに健やかに養育されるよう、児童の保護者を支援しなければならない。ただし、児童及びその保護者の心身の状況、これらの者の置かれている環境その他の状況を勘案し、児童を家庭において養育することが困難であり又は適当でない場合にあつては児童が家庭における養育環境と同様の養育環境において継続的に養育されるよう、児童を家庭及び当該養育環境において養育することが適当でない場合にあつては児童ができる限り良好な家庭的環境において養育されるよう、必要な措置を講じなければならない。

Article 3-2 The national and local governments must support the children's custodians to ensure that the children are brought up in good mental and physical health at home; provided, however, that considering the children's and custodians' mental and physical conditions, the circumstances in which they are placed and other conditions, the national and local governments must take necessary measures accordingly in order that the children can continuously be brought up in the same nurturing environment similar to a home-rearing environment in the case where it is difficult or inappropriate for the children to be brought up at home and that they can be done so in the best possible environment in the case where it is not appropriate for them to be brought up at home or in the relevant nurturing environment.

第三条の三 市町村（特別区を含む。以下同じ。）は、児童が心身ともに健やかに育成されるよう、基礎的な地方公共団体として、第十条第一項各号に掲げる業務の実施、障害児通所給付費の支給、第二十四条第一項の規定による保育の実施その他この法律に基づく児童の身近な場所における児童の福祉に関する支援に係る業務を適切に行わなければならない。

Article 3-3 (1) In order to ensure that children are brought up in good mental and physical health, a municipality (including special wards; the same applies hereinafter) as a basic local government, must implement services listed in the items of Article 10, paragraph (1), pay outpatient benefits for children with disabilities, implement daycare practice prescribed in of Article 24, paragraph (1) and provide the other services pertaining to support related to child welfare in their immediate surroundings pursuant to this Act appropriately.

2 都道府県は、市町村の行うこの法律に基づく児童の福祉に関する業務が適正かつ円滑に行われるよう、市町村に対する必要な助言及び適切な援助を行うとともに、児童が心身ともに健やかに育成されるよう、専門的な知識及び技術並びに各市町村の区域を超えた広域的な対応が必要な業務として、第十一条第一項各号に掲げる業務の実施、小児慢性特定疾病医療費の支給、障害児入所給付費の支給、第二十七条第一項第三号

の規定による委託又は入所の措置その他この法律に基づく児童の福祉に関する業務を適切に行わなければならない。

- (2) In order for a municipality to appropriately and smoothly implement the services related to child welfare pursuant to this Act, the prefectural government must provide necessary advice and appropriate support for a municipality and implement the services related to child welfare, as the ones that require specialized knowledge and cross-regional response regardless of the area of the respective municipalities, including implementation of the services listed in the items of Article 11, paragraph (1), payments of medical expenses for specified chronic pediatric diseases, ones of admission benefits for children with disabilities, measures for entrustment or admission prescribed in Article 27-1, paragraph (1), item (iii) and other services related to child welfare pursuant to this Act.
- 3 国は、市町村及び都道府県が行うこの法律に基づく児童の福祉に関する業務が適正かつ円滑に行われるよう、児童が適切に養育される体制の確保に関する施策、市町村及び都道府県に対する助言及び情報の提供その他の必要な各般の措置を講じなければならない。
- (3) In order for a municipality and a prefectural government to appropriately and smoothly implement the services related to child welfare pursuant to this Act, the national government must take measures to secure the system to bring up children appropriately, provide a municipality and a prefectural government with advice and information and take all the other necessary measures.

第二節 定義

Section 2 Definitions

第四条 この法律で、児童とは、満十八歳に満たない者をいい、児童を左のように分ける。

Article 4 (1) The term "child" as used in this Act means a person under 18 years of age, and children are classified into the following categories:

一 乳児 満一歳に満たない者

(i) infant: Person under one year of age

二 幼児 満一歳から、小学校就学の始期に達するまでの者

(ii) toddler: Person of one year of age or more before the time of commencement of elementary school; and

三 少年 小学校就学の始期から、満十八歳に達するまでの者

(iii) juvenile: Person under 18 years of age after the time of commencement of elementary school.

- 2 この法律で、障害児とは、身体に障害のある児童、知的障害のある児童、精神に障害のある児童（発達障害者支援法（平成十六年法律第百六十七号）第二条第二項に規定する発達障害児を含む。）又は治療方法が確立していない疾病その他の特殊の疾病

であつて障害者の日常生活及び社会生活を総合的に支援するための法律（平成十七年法律第百二十三号）第四条第一項の政令で定めるものによる障害の程度が同項の厚生労働大臣が定める程度である児童をいう。

(2) The term "child with disabilities" as used in this Act means a child with a physical disability, a child with an intellectual disability or a child with a mental disability or disabilities (including a child with developmental disabilities prescribed in Article 2, paragraph (2) of the Act on Support for Persons with Development Disabilities (No.167 Act of 2004).) or a child with disorders or disabilities of a degree of severity specified by the Minister of Health, Labor and Welfare which have arisen due to illness for which no established treatment exists or with other rare illnesses as specified by Article 4, paragraph (1) of the Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities (No. 123 Act of 2005).

第五条 この法律で、妊産婦とは、妊娠中又は出産後一年以内の女子をいう。

Article 5 The term "expectant and nursing mother" as used in this Act means a female who is in pregnancy or within one year after giving birth.

第六条 この法律で、保護者とは、第十九条の三、第五十七条の三第二項、第五十七条の三の三第二項及び第五十七条の四第二項を除き、親権を行う者、未成年後見人その他の者で、児童を現に監護する者をいう。

Article 6 The term "custodian" as used in this Act means a person who has actual custody of a child, that is, a person who has parental authority, a custodian of a minor, or any other person, and who actually cares for the relevant child excluding the cases of Article 19-3, Article 57-3, paragraph (2) and Article 57-3-3, paragraph (2) and Article 57-4, paragraph (2).

第六条の二 この法律で、小児慢性特定疾病とは、児童又は児童以外の満二十歳に満たない者（以下「児童等」という。）が当該疾病にかかっていることにより、長期にわたり療養を必要とし、及びその生命に危険が及ぶおそれがあるものであつて、療養のために多額の費用を要するものとして厚生労働大臣が社会保障審議会の意見を聴いて定める疾病をいう。

Article 6-2 (1) The term "specified chronic pediatric disease" as used in this Act means a disease specified by the Minister of Health, Labor and Welfare after hearing from the Child Welfare Councils as a disease that requires long-term medical treatment, and may danger the lives of children or persons under the age of 20 who are not children (hereinafter meaning "children, etc.") due to the relevant chronic disease, and requires a large amount of cost for their medical treatment.

2 この法律で、小児慢性特定疾病医療支援とは、都道府県知事が指定する医療機関（以下「指定小児慢性特定疾病医療機関」という。）に通い、又は入院する小児慢性

特定疾病にかかっている児童等（政令で定めるものに限る。以下「小児慢性特定疾病児童等」という。）であつて、当該疾病の状態が当該小児慢性特定疾病ごとに厚生労働大臣が社会保障審議会の意見を聴いて定める程度であるものに対し行われる医療（当該小児慢性特定疾病に係るものに限る。）をいう。

(2) The term "medical support for specified chronic pediatric disease" as used in this Act means the medical treatment for children, etc. (limited to those who are specified by a Cabinet Order; hereinafter referred to as "children, etc. with specified chronic pediatric disease") who visit or are hospitalized in the medical institutions designated by the prefectural governors (hereinafter referred to as "designated medical institution for specified chronic pediatric diseases") and children, etc. who suffer from a specified chronic pediatric disease to be admitted and due to the relevant conditions of the disease specified by the Minister of Health, Labor and Welfare for each such specified chronic pediatric disease by hearing from the child welfare councils.

第六条の二の二 この法律で、障害児通所支援とは、児童発達支援、医療型児童発達支援、放課後等デイサービス、居宅訪問型児童発達支援及び保育所等訪問支援をいい、障害児通所支援事業とは、障害児通所支援を行う事業をいう。

Article 6-2-2 (1) The term "outpatient support for children with disabilities" as used in this Act means a child developmental support, medical services child developmental support, after school day services, home-visit type child developmental support and visit support for nursery centers and the term "outpatient support services for children with disabilities" means the one which implement outpatient support for children with disabilities.

2 この法律で、児童発達支援とは、障害児につき、児童発達支援センターその他の厚生労働省令で定める施設に通わせ、日常生活における基本的な動作の指導、知識技能の付与、集団生活への適応訓練その他の厚生労働省令で定める便宜を供与することをいう。

(2) The term "child developmental support" as used in this Act means instruction of basic behaviors in their daily lives by having the children with disabilities attend the developmental support centers for children and other facilities pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, provision of knowledge and skills to them and provision of adaptive trainings to group living other benefits prescribed in Order of the Ministry of Health, Labour and Welfare given to the children with disabilities.

3 この法律で、医療型児童発達支援とは、上肢、下肢又は体幹の機能の障害（以下「肢体不自由」という。）のある児童につき、医療型児童発達支援センター又は独立行政法人国立病院機構若しくは国立研究開発法人国立精神・神経医療研究センターの設置する医療機関であつて厚生労働大臣が指定するもの（以下「指定発達支援医療機関」という。）に通わせ、児童発達支援及び治療を行うことをいう。

(3) The term "medical services child developmental support" as used in this Act

means child developmental support and therapy given to a child with upper-limb, lower-limb or trunk disabilities (hereinafter referred to as "orthopedic disabilities") by having such child visiting an institution for orthopedically impaired children or in a medical institution established by any of medical services child developmental support centers or the National Hospital Organization or National Center of Neurology and Psychiatry designated by the Minister of Health, Labour and Welfare (hereinafter meaning a "designated developmental support medical institution").

4 この法律で、放課後等デイサービスとは、学校教育法（昭和二十二年法律第二十六号）第一条に規定する学校（幼稚園及び大学を除く。）に就学している障害児につき、授業の終了後又は休業日に児童発達支援センターその他の厚生労働省令で定める施設に通わせ、生活能力の向上のために必要な訓練、社会との交流の促進その他の便宜を供与することをいう。

(4) The term "after school day services" as used in this Act means provision of trainings necessary for improvement of life skills, promotion of interaction with their community and provision of other benefit by having a child with disabilities who goes to elementary school prescribed in Article 1 of the School Education Act (Act No. 26 of 1947) (excluding kindergartens and universities) attend any of the child developmental support centers or other facilities pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare after finishing lessons or on holidays.

5 この法律で、居宅訪問型児童発達支援とは、重度の障害の状態その他これに準ずるものとして厚生労働省令で定める状態にある障害児であつて、児童発達支援、医療型児童発達支援又は放課後等デイサービスを受けるために外出することが著しく困難なものにつき、当該障害児の居宅を訪問し、日常生活における基本的な動作の指導、知識技能の付与、生活能力の向上のために必要な訓練その他の厚生労働省令で定める便宜を供与することをいう。

(5) The term "home-visit type child developmental support" as used in this Act means instruction of basic behaviors in their daily life, provision of knowledge and skills, provision of trainings necessary for improvement of life skills and provision of other benefit pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare for a child with disabilities in the condition pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare as a serious disability or any other equivalent condition and who has extreme difficulties in going out to receive child developmental support, medical services child developmental support or after school day services by visiting the residence of the relevant child with disabilities.

6 この法律で、保育所等訪問支援とは、保育所その他の児童が集団生活を営む施設として厚生労働省令で定めるものに通う障害児又は乳児院その他の児童が集団生活を営む施設として厚生労働省令で定めるものに入所する障害児につき、当該施設を訪問し、当該施設における障害児以外の児童との集団生活への適応のための専門的な支援その

他の便宜を供与することをいう。

(6) The term "visit support for nursery centers" as used in this Act means specialized support and other benefit for a child with disabilities who goes to a nursery center or any of other facility to live in groups pursuant to the provisions of Order of the Ministry of Health, Labour or who is admitted to an infant home or any of other facility to live in groups pursuant to the provisions of Order of the Ministry of Health, Labour to adapt to group living with the children other than children with disabilities in the relevant facility by visiting the relevant facility.

7 この法律で、障害児相談支援とは、障害児支援利用援助及び継続障害児支援利用援助を行うことをいい、障害児相談支援事業とは、障害児相談支援を行う事業をいう。

(7) The term "consultation support for children with disabilities" means providing assistance with utilization of support for children with disabilities and continuous assistance with utilization of support for children with disabilities and the term "services to support consultation for children with disabilities" means the services to support consultation for children with disabilities.

8 この法律で、障害児支援利用援助とは、第二十一条の五の六第一項又は第二十一条の五の八第一項の申請に係る障害児の心身の状況、その置かれている環境、当該障害児又はその保護者の障害児通所支援の利用に関する意向その他の事情を勘案し、利用する障害児通所支援の種類及び内容その他の厚生労働省令で定める事項を定めた計画（以下「障害児支援利用計画案」という。）を作成し、第二十一条の五の五第一項に規定する通所給付決定（次項において「通所給付決定」という。）又は第二十一条の五の八第二項に規定する通所給付決定の変更の決定（次項において「通所給付決定の変更の決定」という。）（以下この条及び第二十四条の二十六第一項第一号において「給付決定等」と総称する。）が行われた後に、第二十一条の五の三第一項に規定する指定障害児通所支援事業者等その他の者（次項において「関係者」という。）との連絡調整その他の便宜を供与するとともに、当該給付決定等に係る障害児通所支援の種類及び内容、これを担当する者その他の厚生労働省令で定める事項を記載した計画（次項において「障害児支援利用計画」という。）を作成することをいう。

(8) The term "assistance with utilization of support for children with disabilities" as used in this Act means the creation of a plan which specifies the kind of outpatient support for children with disabilities to be used and other particulars pursuant to the provisions of Order of the Ministry of Health, Labour (hereinafter referred to as "proposed plan for utilization of support for children with disabilities") by taking into consideration the mental and physical condition of the children with disabilities pertaining to the application of Article 21-5-6, paragraph (1) or Article 21-5-8, paragraph (1), the circumstances in which such children are placed and the intentions of the relevant children with disabilities and their custodians related to utilization of outpatient support for children with disabilities and other circumstances, and

creation of the plan which contains the types and contents of outpatient support for children with disabilities, the persons in charge thereof and other particulars pursuant to the provisions of Order of the Ministry of Health, Labour (meaning "plan for utilization of support for children with disabilities") after a grant decision on outpatient benefits payment specified in Article 21-5-5, paragraph (1) (referred to as "grant decision on outpatient benefits payment" in the following paragraph) or decision of alternation to the decision on benefits payment specified in Article 21-5-8, paragraph (2) (referred to as "decision on alternation to grant decision on outpatient benefits payment" in the following paragraph) (hereinafter collectively referred to as "decision on benefits payment, etc." in this Article and Article 24-26, paragraph (1), item (i)) along with carrying out liaison and coordination with the designated operator of outpatient support services for children with disabilities specified by Article 21-5-3, paragraph (1) and others (meaning "relevant persons" in the following paragraph) and provision of other benefits.

9 この法律で、継続障害児支援利用援助とは、通所給付決定に係る障害児の保護者（以下「通所給付決定保護者」という。）が、第二十一条の五の七第八項に規定する通所給付決定の有効期間内において、継続して障害児通所支援を適切に利用することができるよう、当該通所給付決定に係る障害児支援利用計画（この項の規定により変更されたものを含む。以下この項において同じ。）が適切であるかどうかにつき、厚生労働省令で定める期間ごとに、当該通所給付決定保護者の障害児通所支援の利用状況を検証し、その結果及び当該通所給付決定に係る障害児の心身の状況、その置かれている環境、当該障害児又はその保護者の障害児通所支援の利用に関する意向その他の事情を勘案し、障害児支援利用計画の見直しを行い、その結果に基づき、次のいずれかの便宜の供与を行うことをいう。

(9) The term "continuous assistance with utilization of support for children with disabilities" as used in this Act means verifying utilization status of outpatient support for a child with disabilities of the relevant recognized outpatient beneficiary custodian regarding whether the plan for utilization of support for children with disabilities pertaining to the relevant grant decision on outpatient benefits payment (including plans which have been modified pursuant to the provisions in this paragraph; the same applies hereinafter) is appropriate or not for each period specified by an Order of the Ministry of Health, Labour and Welfare and taking into consideration the results and the mental and physical condition of the child with disabilities pertaining to the relevant grant decision on outpatient benefits payment, the circumstances in which such child is placed, and the intentions of the the relevant child with disabilities and their custodian related to utilization of outpatient support for children with disabilities and other circumstances, reviewing plan for utilization of support for children with disabilities and then providing any of the following benefits based on the results of such reviewing, in order for the

custodian of a child with disabilities pertaining to a grant decision on outpatient benefits payment (hereinafter referred to as a "recognized outpatient beneficiary custodian") during the effective period prescribed in Article 21-5-7, paragraph (8) of a grant decision on outpatient benefits payment can continue to proper utilization of outpatient support for children with disabilities.

一 障害児支援利用計画を変更するとともに、関係者との連絡調整その他の便宜の供与を行うこと。

(i) along with changing the plan for utilization of support for children with disabilities, providing liaison and coordination with relevant persons and provision of other benefits.

二 新たな通所給付決定又は通所給付決定の変更の決定が必要であると認められる場合において、当該給付決定等に係る障害児の保護者に対し、給付決定等に係る申請の勧奨を行うこと。

(ii) if it is deemed necessary to make a new decision on outpatient benefits payment or a decision to change the outpatient benefits payment is required, recommendation of application pertaining to decision on benefits, etc. for a custodian of a child with disabilities pertaining to the relevant decision on benefits.

第六条の三 この法律で、児童自立生活援助事業とは、次に掲げる者に対しこれらの者が共同生活を営むべき住居における相談その他の日常生活上の援助及び生活指導並びに就業の支援（以下「児童自立生活援助」という。）を行い、あわせて児童自立生活援助の実施を解除された者に対し相談その他の援助を行う事業をいう。

Article 6-3 (1) The term "children's self-reliant living assistance services" as used in this Act means services providing consultation at the following persons' residence where they are supposed to live communally and other daily life guidance and support in finding employment to the following persons (hereinafter meaning "children's self-reliant living assistance services") and to provide consultation and other assistance to a person for whom implementation of children's self-reliant living assistance services has been cancelled.

一 義務教育を終了した児童又は児童以外の満二十歳に満たない者であつて、措置解除者等（第二十七条第一項第三号に規定する措置（政令で定めるものに限る。）を解除された者その他政令で定める者をいう。次号において同じ。）であるもの（以下「満二十歳未満義務教育終了児童等」という。）

(i) children who have completed compulsory education or children under the age of 20, or those who are not children for whom the measure has been cancelled (meaning the persons for whom the measure specified in Article 27, paragraph (1), item (iii) has been cancelled or those specified by other Cabinet Orders (limited to those who are specified by a Cabinet Order); the same applies in the following item) (meaning "children, etc. having

terminated compulsory education under the age of 20")

二 学校教育法第五十条に規定する高等学校の生徒、同法第八十三条に規定する大学の学生その他の厚生労働省令で定める者であつて、満二十歳に達した日から満二十二歳に達する日の属する年度の末日までの間にあるもの（満二十歳に達する日の前日において児童自立生活援助が行われていた満二十歳未満義務教育終了児童等であつたものに限る。）のうち、措置解除者等であるもの（以下「満二十歳以上義務教育終了児童等」という。）

(ii) high school students specified in Article 50 of the School Education Act, university students specified in Article 83 of the same Act, and the persons specified by Order of the Ministry of Health, Labour, the persons for whom the measure has been cancelled among the persons between the date when such students reach the age of 20 and the end of the year when such students reach the age of 22 (limited to the students who were children, etc. having terminated compulsory education under the age of 20 at the day before reaching the age of 20.) (meaning "children, etc. having terminated compulsory education over the age of 20")

2 この法律で、放課後児童健全育成事業とは、小学校に就学している児童であつて、その保護者が労働等により昼間家庭にいないものに、授業の終了後に児童厚生施設等の施設を利用して適切な遊び及び生活の場を与えて、その健全な育成を図る事業をいう。

(2) The term "services for sound upbringing of after-school children" as used in this Act means services to pursue sound upbringing of elementary-school children around or under the age of 10 whose custodians are absent from home during daytime hours due to work, etc., by utilizing children's recreational facility or other facilities after finishing lessons and giving adequate opportunities for playing and living to those children in accordance with the standards specified by a Cabinet Order.

3 この法律で、子育て短期支援事業とは、保護者の疾病その他の理由により家庭において養育を受けることが一時的に困難となつた児童について、厚生労働省令で定めるところにより、児童養護施設その他の厚生労働省令で定める施設に入所させ、その者につき必要な保護を行う事業をいう。

(3) The term "short-term child care support services" as used in this Act means services to be provided to a child for whom it becomes temporarily difficult to receive child care at their home due to their custodian's illness or other reasons, by moving the child into a foster home or any other facilities specified by an Order of the Ministry of Health, Labour and Welfare and affording the necessary assistance for the child pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

4 この法律で、乳児家庭全戸訪問事業とは、一の市町村の区域内における原則として全ての乳児のいる家庭を訪問することにより、厚生労働省令で定めるところにより、子育てに関する情報の提供並びに乳児及びその保護者の心身の状況及び養育環境の把

握を行うほか、養育についての相談に応じ、助言その他の援助を行う事業をいう。

(4) The term "house-call services for all households with infants" as used in this Act means the services to provide consultation to, advice and other assistance with infant care as well as to provide information on infant care and understand of the mental and physical condition of infants and their custodians and their infant care environment, pursuant to pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, by visiting all households with infants as a general rule within the areas of No. 1

5 この法律で、養育支援訪問事業とは、厚生労働省令で定めるところにより、乳児家庭全戸訪問事業の実施その他により把握した保護者の養育を支援することが特に必要と認められる児童（第八項に規定する要保護児童に該当するものを除く。以下「要支援児童」という。）若しくは保護者に監護させることが不相当であると認められる児童及びその保護者又は出産後の養育について出産前において支援を行うことが特に必要と認められる妊婦（以下「特定妊婦」という。）（以下「要支援児童等」という。）に対し、その養育が適切に行われるよう、当該要支援児童等の居宅において、養育に関する相談、指導、助言その他必要な支援を行う事業をいう。

(5) The term "house-call services to support child care" as used in this Act means the services pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, for a child who is particularly deemed necessary for support of child care by their custodians through the implementation of a house-call services to support child care and others (excluding those who fall under aid-requiring child prescribed in paragraph (8); hereinafter referred to as a "child requiring assistance, etc.") or a child for whom a custody of their custodian is found inappropriate, or a custodian or a pregnant mother who is particularly identified as one in need of extra support after giving birth (hereinafter referred to as a "specified expectant mother"), (hereinafter referred to as a "child requiring assistance, etc.") to provide consultation, instruction, advice, or other necessary support for child care in order for such child care to be carried out appropriately for the children at the residence of the relevant child requiring assistance.

6 この法律で、地域子育て支援拠点事業とは、厚生労働省令で定めるところにより、乳児又は幼児及びその保護者が相互の交流を行う場所を開設し、子育てについての相談、情報の提供、助言その他の援助を行う事業をいう。

(6) The term "local childrearing support center services" as used in this Act means a service that establishes a place where infants or toddlers and their custodians can interact with each other and be provided consultation, information, advice and other assistance on childrearing, pursuant to the provisions of Order of the Ministry of Health, Labour.

7 この法律で、一時預かり事業とは、家庭において保育（養護及び教育（第三十九条の二第一項に規定する満三歳以上の幼児に対する教育を除く。））を行うことをいう。以下同じ。）を受けることが一時的に困難となつた乳児又は幼児について、厚生労働

省令で定めるところにより、主として昼間において、保育所、認定こども園（就学前の子どもに関する教育、保育等の総合的な提供の推進に関する法律（平成十八年法律第七十七号。以下「認定こども園法」という。）第二条第六項に規定する認定こども園をいい、保育所であるものを除く。第二十四条第二項を除き、以下同じ。）その他の場所において、一時的に預かり、必要な保護を行う事業をいう。

(7) The term "temporary custody services" as used in this Act means a service that provides temporary care and necessary assistance for a child for whom it becomes temporarily difficult to receive child care at home (child care and education (excluding the education for toddlers over the age of three years specified in Article 39-2, paragraph (1); the same applies hereinafter) pursuant to the provisions of Order of the Ministry of Health, Labour, primarily during daytime, in nursing schools, certified children centers (referring to the certified children centers specified in the Act on Advancement of Comprehensive Service Related to Education, Child Care of Preschool Children (Act No.77 of 2006) Article 2, paragraph (6) and excluding nursing schools; hereinafter referred to as "Act on Certified Children Centers"; the same applies hereinafter excluding the ones in the same Act Article 24, paragraph (2)) or other places.

8 この法律で、小規模住居型児童養育事業とは、第二十七条第一項第三号の措置に係る児童について、厚生労働省令で定めるところにより、保護者のない児童又は保護者に監護させることが不相当であると認められる児童（以下「要保護児童」という。）の養育に関し相当の経験を有する者その他の厚生労働省令で定める者（次条に規定する里親を除く。）の住居において養育を行う事業をいう。

(8) The term "small scale foster home services" as used in this Act means services that provide child care at their home for a child pertaining to the measures in Article 27, paragraph (1), item (iii) by a person with substantial experience in child care or other persons specified by Order of the Ministry of Health, Labour (excluding a foster parent specified in the following Article) for a child without a custodian or for whom the custody of the child's custodian is found inappropriate (hereinafter referred to as an "child requiring assistance", pursuant to the provisions of Order of the Ministry of Health, Labour.

9 この法律で、家庭的保育事業とは、次に掲げる事業をいう。

(9) The term "home daycare services" as used in this Act means the following services.

一 子ども・子育て支援法（平成二十四年法律第六十五号）第十九条第一項第二号の内閣府令で定める事由により家庭において必要な保育を受けることが困難である乳児又は幼児（以下「保育を必要とする乳児・幼児」という。）であつて満三歳未満のものについて、家庭的保育者（市町村長（特別区の区長を含む。以下同じ。）が行う研修を修了した保育士その他の厚生労働省令で定める者であつて、当該保育を必要とする乳児・幼児の保育を行う者として市町村長が適当と認めるものをいう。以下同じ。）の居宅その他の場所（当該保育を必要とする乳児・幼児の居宅を除く。）において、家庭的保育者による保育を行う事業（利用定員が五人以下である

ものに限る。次号において同じ。)

(i) for infants or toddlers who have difficulty receiving necessary care at their home due to the reasons specified in Cabinet Office Order of the Child and Child Care Support Act Article 19, paragraph (1), item (ii) (hereinafter referred to as "infants or toddlers requiring childcare") under three years old, the services (limited to services with a maximum user capacity of 5 or less; the same applies to the following item) provided by the small scale childcare services providers (the nursery teachers and other persons specified by Order of the Ministry of Health, Labour who have completed the trainings carried out by the mayor of municipality (including mayors of special wards; the same applies hereinafter) and whom the mayors of municipality deem appropriate as the persons to carry out childcare for the infants or toddlers who require the relevant childcare at their residence and other places (excluding the residence of the infants or toddlers who require the relevant childcare).

二 満三歳以上の幼児に係る保育の体制の整備の状況その他の地域の事情を勘案して、保育が必要と認められる児童であつて満三歳以上のものについて、家庭的保育者の居宅その他の場所（当該保育が必要と認められる児童の居宅を除く。）において、家庭的保育者による保育を行う事業

(ii) for children recognized as being three years and older requiring childcare, taking into consideration the development of the systems for childcare pertaining to toddlers aged three years old or older and other local circumstances, services provided by small scale childcare services providers at their residence and other places (excluding the residence of the children who require the relevant childcare).

10 この法律で、小規模保育事業とは、次に掲げる事業をいう。

(10) The term "small-scale childcare services" as used in this Act means the following services:

一 保育を必要とする乳児・幼児であつて満三歳未満のものについて、当該保育を必要とする乳児・幼児を保育することを目的とする施設（利用定員が六人以上十九人以下であるものに限る。）において、保育を行う事業

(i) for infants or toddlers whom are three years old or younger who require childcare, the services which provide childcare in the facilities designed to take care of infants or toddlers who require the relevant childcare (limited to services with a user capacity of six or more to nine or less).

二 満三歳以上の幼児に係る保育の体制の整備の状況その他の地域の事情を勘案して、保育が必要と認められる児童であつて満三歳以上のものについて、前号に規定する施設において、保育を行う事業

(ii) for children three years or older, recognized as requiring childcare, taking into consideration the development of the systems for childcare pertaining to the toddlers whom are three years old or older and other local circumstances,

the services provided at the facilities specified in the preceding item.

1 1 この法律で、居宅訪問型保育事業とは、次に掲げる事業をいう。

(11) The term "home-visit daycare services" as used in this Act means the following services.

一 保育を必要とする乳児・幼児であつて満三歳未満のものについて、当該保育を必要とする乳児・幼児の居宅において家庭的保育者による保育を行う事業

(i) for infants or toddlers whom are three years old or younger who require childcare, a service provided by a small scale childcare services provider at the residence of the the infants or toddlers who require the relevant childcare.

二 満三歳以上の幼児に係る保育の体制の整備の状況その他の地域の事情を勘案して、保育が必要と認められる児童であつて満三歳以上のものについて、当該保育が必要と認められる児童の居宅において家庭的保育者による保育を行う事業

(ii) for the children whom are three years old or older who require childcare, taking into consideration development of the systems for childcare pertaining to the toddlers whom are three years old or older and other local circumstances, a service provided by the small scale childcare services provider at the residence of the children whom are three years old or older who require the relevant childcare.

1 2 この法律で、事業所内保育事業とは、次に掲げる事業をいう。

(12) The term "employer-provided childcare services" as used in this Act means the following services:

一 保育を必要とする乳児・幼児であつて満三歳未満のものについて、次に掲げる施設において、保育を行う事業

(i) for infants or toddlers whom are three years old or younger who require childcare, the services which provide childcare in the following facilities.

イ 事業主がその雇用する労働者の監護する乳児若しくは幼児及びその他の乳児若しくは幼児を保育するために自ら設置する施設又は事業主から委託を受けて当該事業主が雇用する労働者の監護する乳児若しくは幼児及びその他の乳児若しくは幼児の保育を実施する施設

(a) A facility which was established by the employer in order to carry out childcare for the infants or toddlers under the custody of their employee or a facility which provides childcare for the infants or toddlers under the custody of whom their employee of the relevant employer has entrusted by the relevant employer.

ロ 事業主団体がその構成員である事業主の雇用する労働者の監護する乳児若しくは幼児及びその他の乳児若しくは幼児を保育するために自ら設置する施設又は事業主団体から委託を受けてその構成員である事業主の雇用する労働者の監護する乳児若しくは幼児及びその他の乳児若しくは幼児の保育を実施する施設

(b) A facility which was established by the employer's organization in order to carry out childcare for the infants or toddlers under the custody of its

member or the facility which carry out childcare for the infants or toddlers under the custody of its member of the relevant employer, entrusted by the relevant employer's organization.

ハ 地方公務員等共済組合法（昭和三十七年法律第百五十二号）の規定に基づく共済組合その他の厚生労働省令で定める組合（以下ハにおいて「共済組合等」という。）が当該共済組合等の構成員として厚生労働省令で定める者（以下ハにおいて「共済組合等の構成員」という。）の監護する乳児若しくは幼児及びその他の乳児若しくは幼児を保育するために自ら設置する施設又は共済組合等から委託を受けて当該共済組合等の構成員の監護する乳児若しくは幼児及びその他の乳児若しくは幼児の保育を実施する施設

(c) A facility which was established by the association pursuant to the Local Public Care Service Mutual Aid Association Act in order to carry out childcare for the infants or toddlers the custody of whom the person specified by Order of the Ministry of Health, Labour as the member of the relevant mutual aid association (hereinafter referred to as "member of mutual aid association, etc.") has or the facility which carry out childcare for the infants or toddlers the custody of whom member of mutual aid association, etc. has entrusted by the mutual aid association.

二 満三歳以上の幼児に係る保育の体制の整備の状況その他の地域の事情を勘案して、保育が必要と認められる児童であつて満三歳以上のものについて、前号に規定する施設において、保育を行う事業

(ii) for the children whom are three years old or older recognized as requiring childcare, taking into consideration development of the systems for childcare pertaining to the toddlers whom are three years old or older and other local circumstances, the services which provide childcare in the facilities specified in the preceding item.

1 3 この法律で、病児保育事業とは、保育を必要とする乳児・幼児又は保護者の労働若しくは疾病その他の事由により家庭において保育を受けることが困難となつた小学校に就学している児童であつて、疾病にかかっているものについて、保育所、認定こども園、病院、診療所その他厚生労働省令で定める施設において、保育を行う事業をいう。

(13) The term "day care services for sick children" as used in this Act means services providing childcare in nursing schools, certified children centers, hospitals, clinics and other facilities specified by Order of the Ministry of Health, Labour for infants or toddlers requiring childcare or children who attend elementary school, who are suffering a disease, and have difficulties in receiving childcare at home due to their custodians work or suffering an illness.

1 4 この法律で、子育て援助活動支援事業とは、厚生労働省令で定めるところにより、次に掲げる援助のいずれか又は全てを受けることを希望する者と当該援助を行うことを希望する者（個人に限る。以下この項において「援助希望者」という。）との連絡及び調整並びに援助希望者への講習の実施その他の必要な支援を行う事業をいう。

(14) The term "family support center services" as used in this Act means the services providing liaison and coordination between the persons who wish to receive either or all of the following support and the persons who wish to provide the relevant assistances (limited to individuals; hereinafter referred to as "persons wishing support" in this paragraph), implement lectures and provide necessary support for persons wishing support pursuant to the provisions of Order of the Ministry of Health, Labour.

一 児童を一時的に預かり、必要な保護（宿泊を伴って行うものを含む。）を行うこと。

(i) to carry out temporary custody services and necessary assistance (including the assistance that involves an overnight stays)

二 児童が円滑に外出することができるよう、その移動を支援すること。

(ii) to support the mobility of children so that they can go out smoothly.

第六条の四 この法律で、里親とは、次に掲げる者をいう。

Article 6-4 The term "foster parent" as used in this Act means the person listed as follows:

一 厚生労働省令で定める人数以下の要保護児童を養育することを希望する者（都道府県知事が厚生労働省令で定めるところにより行う研修を修了したことその他の厚生労働省令で定める要件を満たす者に限る。）のうち、第三十四条の十九に規定する養育里親名簿に登録されたもの（以下「養育里親」という。）

(i) a person who wishes to foster aid-requiring child whose number does not exceed the number specified by Order of the Ministry of Health, Labour (limited to the ones who have completed the trainings pursuant to the provisions of Order of the Ministry of Health, Labour and meet the requirements specified by Order of the Ministry of Health, Labour) and who has been registered in the registry of foster parents for child welfare specified in Article 34-19 (hereinafter referred to as "foster parents for child welfare").

二 前号に規定する厚生労働省令で定める人数以下の要保護児童を養育すること及び養子縁組によつて養親となることを希望する者（都道府県知事が厚生労働省令で定めるところにより行う研修を修了した者に限る。）のうち、第三十四条の十九に規定する養子縁組里親名簿に登録されたもの（以下「養子縁組里親」という。）

(ii) the person who wishes to foster aid-requiring child whose number does not exceed the number specified by the preceding item and the person who wishes to become a foster parent by adoption (limited to the ones who have completed the trainings conducted by the prefectural governor pursuant to the provisions of Order of the Ministry of Health, Labour.) and who has been registered in the registry of foster parents for child welfare specified in Article 34-19 (hereinafter referred to as "adoptive foster parents for child welfare").

三 第一号に規定する厚生労働省令で定める人数以下の要保護児童を養育することを希望する者（当該要保護児童の父母以外の親族であつて、厚生労働省令で定めるものに限る。）のうち、都道府県知事が第二十七条第一項第三号の規定により児童を委託する者として適当と認めるもの

(iii) the person who wishes to foster aid-requiring child whose number does not exceed the number specified by the item (i) (limited to the relative other than the father and mother of the relevant aid-requiring child and specified by Order of the Ministry of Health, Labour) and whom the prefectural governor has recognized as appropriate as the ones to entrust the children pursuant to Article 27, paragraph (1), item (iii).

第七条 この法律で、児童福祉施設とは、助産施設、乳児院、母子生活支援施設、保育所、幼保連携型認定こども園、児童厚生施設、児童養護施設、障害児入所施設、児童発達支援センター、児童心理治療施設、児童自立支援施設及び児童家庭支援センターとする。

Article 7 (1) The term "child welfare institution" as used in this Act means any midwifery home, infant home, maternal and child living support facility, nursery center, child center in coordination between kindergarten and nursery center, children's recreational facility, foster home, facility for children with disabilities, child developmental support center, psychological treatment facility for children, children's self-reliance support facility, and a child and family support center.

2 この法律で、障害児入所支援とは、障害児入所施設に入所し、又は指定発達支援医療機関に入院する障害児に対して行われる保護、日常生活の指導及び知識技能の付与並びに障害児入所施設に入所し、又は指定発達支援医療機関に入院する障害児のうち知的障害のある児童、肢体不自由のある児童又は重度の知的障害及び重度の肢体不自由が重複している児童（以下「重症心身障害児」という。）に対し行われる治療をいう。

(2) The term "support for facility admission for children with disabilities" as used in this Act means assistance given to children with a disability staying in a facility for children with disabilities or admitted into a designated developmental support medical institution or daily life guidance and provision of knowledge and skills and therapy for children with disabilities staying in a facility for children with disabilities or admitted into a designated developmental support medical institution with a mental disability and children with a physical disability or has both severe intellectual and physical disabilities (hereinafter referred to as "children with severe intellectual and physical disabilities").

第三節 児童福祉審議会等

Section 3 Child Welfare Council

第八条 第九項、第二十七条第六項、第三十三条の十五第三項、第三十五条第六項、第四十六条第四項及び第五十九条第五項の規定によりその権限に属させられた事項を調査審議するため、都道府県に児童福祉に関する審議会その他の合議制の機関を置くものとする。ただし、社会福祉法（昭和二十六年法律第四十五号）第十二条第一項の規定により同法第七条第一項に規定する地方社会福祉審議会（以下「地方社会福祉審議会」という。）に児童福祉に関する事項を調査審議させる都道府県にあつては、この限りでない。

Article 8 (1) A prefectural government is to set up a council related to child welfare or other body with council system in order to study and deliberate the particulars under the prefecture's jurisdiction pursuant to the provisions of paragraph (9) of this Article, Article 27, paragraph (6), Article 33-15, paragraph (3), Article 35, paragraph (6), Article 46, paragraph (4) and Article 59, paragraph (5); provided, however, that this does not apply to a prefectural government which requires the local social welfare council provided in Article 7, paragraph (1) of the Social Welfare Act (Act No. 45 of 1951) (hereinafter referred to as "local social welfare council") to study and deliberate the particulars related to child welfare pursuant to the provisions of Article 12, paragraph (1) of the same Act.

2 前項に規定する審議会その他の合議制の機関（以下「都道府県児童福祉審議会」という。）は、同項に定めるもののほか、児童、妊産婦及び知的障害者の福祉に関する事項を調査審議することができる。

(2) The council or other body with council system prescribed in the preceding paragraph (hereinafter referred to as "prefectural child welfare council") may study and deliberate the particulars related to welfare of children, expectant and nursing mothers and persons with an intellectual disabilities, beyond what is prescribed in the same paragraph.

3 市町村は、第三十四条の十五第四項の規定によりその権限に属させられた事項及び前項の事項を調査審議するため、児童福祉に関する審議会その他の合議制の機関を置くことができる。

(3) A municipality may set up a council related to child welfare or other body with council system in order to study and deliberate the particulars under the municipal jurisdiction and set forth in the preceding paragraph pursuant to the provisions of Article 34-15, paragraph (4).

4 都道府県児童福祉審議会は、都道府県知事の、前項に規定する審議会その他の合議制の機関（以下「市町村児童福祉審議会」という。）は、市町村長の管理に属し、それぞれその諮問に答え、又は関係行政機関に意見を具申することができる。

(4) A prefectural child welfare council is to be placed under the jurisdiction of the prefectural governor, and the council or other body with a council system prescribed in the preceding paragraph (hereinafter referred to as "municipal child welfare council") is placed under the jurisdiction of the mayor of

municipality (including mayors of special wards; the same applies hereinafter). These councils and bodies may provide consultation for the respective governors and mayors, or state their opinions to relevant administrative organs.

5 都道府県児童福祉審議会及び市町村児童福祉審議会（以下「児童福祉審議会」という。）は、特に必要があると認めるときは、関係行政機関に対し、所属職員の出席説明及び資料の提出を求めることができる。

(5) A prefectural child welfare council or a municipal child welfare council (hereinafter referred to as "child welfare council"), when it finds it particularly necessary, may request relevant administrative organs to make their personnel attend a meeting of the council for explanations and submit materials.

6 児童福祉審議会は、特に必要があると認めるときは、児童、妊産婦及び知的障害者、これらの者の家族その他の関係者に対し、第一項本文及び第二項の事項を調査審議するため必要な報告若しくは資料の提出を求め、又はその者の出席を求め、その意見を聴くことができる。

(6) A child welfare council, when it finds particularly necessary, may request the children, expectant and nursing mothers and persons with intellectual disabilities, and their family members and other relevant persons to submit report or materials necessary to study and deliberate the particulars of the main clause of paragraphs (1) and (2), or to request the attendance of such person and hear their opinions.

7 児童福祉審議会は、前項の規定により意見を聴く場合においては、意見を述べる者の心身の状況、その者の置かれている環境その他の状況に配慮しなければならない。

(7) A child welfare council, when hearing opinions, must take into consideration the mental and physical condition of the person giving their opinion, the environment where they are placed and other conditions.

8 社会保障審議会及び児童福祉審議会は、必要に応じ、相互に資料を提供する等常に緊密な連絡をとらなければならない。

(8) A social security council and the child welfare council must always keep in close contact with each other by providing materials when needed.

9 社会保障審議会及び都道府県児童福祉審議会（第一項ただし書に規定する都道府県にあつては、地方社会福祉審議会とする。第二十七条第六項、第三十三条の十二第一項及び第三項、第三十三条の十三、第三十三条の十五、第三十五条第六項、第四十六条第四項並びに第五十九条第五項及び第六項において同じ。）は、児童及び知的障害者の福祉を図るため、芸能、出版物、玩具、遊戯等を推薦し、又はそれらを製作し、興行し、若しくは販売する者等に対し、必要な勧告をすることができる。

(9) In order to pursue welfare of children and persons with intellectual disabilities, a social security council and a prefectural child welfare council (or a local social welfare council, in the case of a prefecture provided in the proviso of paragraph (1); the same applies hereinafter in Article 27, paragraph (6), Article 33-12, paragraphs (1) and (3), Article 33-13, Article 33-15, Article 35

paragraph (6), Article 46, paragraph (4) and Article 59, paragraphs (5) and (6)) may recommend performing arts, publications, toys, games, etc., or give necessary recommendations to the persons, etc., who manufacture, perform, or sell them.

第九条 児童福祉審議会の委員は、児童福祉審議会の権限に属する事項に関し公正な判断をすることができる者であつて、かつ、児童又は知的障害者の福祉に関する事業に従事する者及び学識経験のある者のうちから、都道府県知事又は市町村長が任命する。

Article 9 (1) Members of a child welfare council is selected from the persons found to be possessing fair judgement to the particulars to be placed under their authority and engaged in business related to welfare of children or persons with intellectual disabilities and from persons with relevant knowledge and experience and appointed by the prefectural governor or mayor or head of a municipality

2 児童福祉審議会において、特別の事項を調査審議するため必要があるときは、臨時委員を置くことができる。

(2) A child welfare council may include a temporary member when it is necessary to study and deliberate special particulars.

3 児童福祉審議会の臨時委員は、前項の事項に関し公正な判断をすることができる者であつて、かつ、児童又は知的障害者の福祉に関する事業に従事する者及び学識経験のある者のうちから、都道府県知事又は市町村長が任命する。

(3) Members and temporary members of a child welfare council are selected from persons possessing fair judgement to the particulars in the preceding item and engaged in business related to welfare of children or persons with intellectual disabilities and from persons with relevant knowledge and experience and appointed by the prefectural governor or mayor of municipality.

4 児童福祉審議会に、委員の互選による委員長及び副委員長各一人を置く。

(4) A child welfare council is to have a chairperson and vice-chairperson chosen by its members.

第四節 実施機関

Section 4 Implementing Body

第十条 市町村は、この法律の施行に関し、次に掲げる業務を行わなければならない。

Article 10 (1) With regard to the enforcement of this Act, a municipality must perform the following services:

一 児童及び妊産婦の福祉に関し、必要な実情の把握に努めること。

(i) endeavor to make necessary understanding of actual conditions concerning welfare of children and expectant and nursing mothers;

二 児童及び妊産婦の福祉に関し、必要な情報の提供を行うこと。

(ii) provide necessary information concerning welfare of children and expectant

and nursing mothers; and

三 児童及び妊産婦の福祉に関し、家庭その他からの相談に応ずること並びに必要な調査及び指導を行うこと並びにこれらに付随する業務を行うこと。

(iii) provide consultation to families and others and carry out necessary investigations and guidance with regard to welfare of children and expectant and nursing mothers and provide services incidental thereto.

四 前三号に掲げるもののほか、児童及び妊産婦の福祉に関し、家庭その他につき、必要な支援を行うこと。

(iv) provide necessary support with families and others with regard to welfare of children and expectant and nursing mothers

2 市町村長は、前項第三号に掲げる業務のうち専門的な知識及び技術を必要とするものについては、児童相談所の技術的援助及び助言を求めなければならない。

(2) A mayor of municipality must seek technical assistance and advice from the child guidance center with regard to the services listed in item (iii) of the preceding paragraph that require specialized knowledge and skills.

3 市町村長は、第一項第三号に掲げる業務を行うに当たって、医学的、心理学的、教育学的、社会学的及び精神保健上の判定を必要とする場合には、児童相談所の判定を求めなければならない。

(3) If in providing the services listed in paragraph (1), item (iii) requires medical, psychological, pedagogical, sociological or mental health judgment, the mayor of municipality must seek judgment by the child guidance center.

4 市町村は、この法律による事務を適切に行うために必要な体制の整備に努めるとともに、当該事務に従事する職員の人材の確保及び資質の向上のために必要な措置を講じなければならない。

(4) A municipal government must endeavor to develop the systems necessary to carry out the affairs pursuant to this Act appropriately and take necessary measures to secure human resources for personnel engaged in relevant affairs and enhance their qualifications.

5 国は、市町村における前項の体制の整備及び措置の実施に関し、必要な支援を行うように努めなければならない。

(5) The national government must endeavor to provide necessary support to develop systems and implement the measures in the preceding paragraph.

第十条之二 市町村は、前条第一項各号に掲げる業務を行うに当たり、児童及び妊産婦の福祉に関し、実情の把握、情報の提供、相談、調査、指導、関係機関との連絡調整その他の必要な支援を行うための拠点の整備に努めなければならない。

Article 10-2 When performing the services listed in the items of the preceding Article paragraph (1), a municipality must endeavor to develop the base for understanding actual conditions, provision of information, consultation, investigation, instruction, liaison and coordination with relevant organizations regarding the welfare of children and expectant and nursing mothers and

provide other necessary support.

第十一条 都道府県は、この法律の施行に関し、次に掲げる業務を行わなければならない。

Article 11 (1) With regard to the enforcement of this Act, the prefectural government must perform the following services:

一 第十条第一項各号に掲げる市町村の業務の実施に関し、市町村相互間の連絡調整、市町村に対する情報の提供、市町村職員の研修その他必要な援助を行うこと及びこれらに付随する業務を行うこと。

(i) carry out liaison and coordination among the municipality, provide information and other necessary assistance to the municipality with regard to the implementation of the municipality services listed in the items of Article 10 paragraph (1), and perform the services incidental thereto.

二 児童及び妊産婦の福祉に関し、主として次に掲げる業務を行うこと。

(ii) perform the following services with regard to welfare of children and expectant and nursing mothers, among others.

イ 各市町村の区域を超えた広域的な見地から、実情の把握に努めること。

(a) endeavor to understand actual conditions from a transregional standpoint, regardless of the areas of the respective municipalities;

ロ 児童に関する家庭その他のからの相談のうち、専門的な知識及び技術を必要とするものに応ずること。

(b) provide families and others with consultation concerning children whose care requires specialized knowledge and skills;

ハ 児童及びその家庭につき、必要な調査並びに医学的、心理学的、教育学的、社会学的及び精神保健上の判定を行うこと。

(c) carry out necessary investigation and make a medical, psychological, pedagogical, sociological or mental health judgment in relation to a child and their family;

ニ 児童及びその保護者につき、ハの調査又は判定に基づいて心理又は児童の健康及び心身の発達に関する専門的な知識及び技術を必要とする指導その他必要な指導を行うこと。

(d) provide necessary guidance which requires specialized knowledge and skills related to psyche or health and mental and physical development of children to the child and their custodian based on the investigation or judgment set forth in (c).

ホ 児童の一時保護を行うこと。

(e) take temporary custody of a child.

ヘ 児童の権利の保護の観点から、一時保護の解除後の家庭その他の環境の調整、当該児童の状況の把握その他の措置により当該児童の安全を確保すること。

(f) in terms of protecting the rights of the child, secure the safety of the relevant child by adjusting the domestic or other environments of the child

after temporary custody is lifted, understanding the situation of the the relevant child, and taking other measures.

ト 里親に関する次に掲げる業務を行うこと。

(g) perform the following services with regard to foster parents.

(1) 里親に関する普及啓発を行うこと。

1. raise public awareness of foster parents.

(2) 里親につき、その相談に応じ、必要な情報の提供、助言、研修その他の援助を行うこと。

2. with regard to foster parents, providing consultation thereto, providing necessary information, advice, trainings, and other assistance.

(3) 里親と第二十七条第一項第三号の規定により入所の措置が採られて乳児院、児童養護施設、児童心理治療施設又は児童自立支援施設に入所している児童及び里親相互の交流の場を提供すること。

3. provide a place of exchange between foster parents and the children who have been admitted into an infant home, a foster home, psychological treatment facility for children or a children's self-reliance support facility and foster parents due to measures for admission pursuant to the provisions of Article 27, paragraph (1), item (iii).

(4) 第二十七条第一項第三号の規定による里親への委託に資するよう、里親の選定及び里親と児童との間の調整を行うこと。

4. select foster parents and coordinate between a foster parent and child in order to contribute to entrustment to a foster parent pursuant to the provisions of Article 27, paragraph (1), item (iii).

(5) 第二十七条第一項第三号の規定により里親に委託しようとする児童及びその保護者並びに里親の意見を聴いて、当該児童の養育の内容その他の厚生労働省令で定める事項について当該児童の養育に関する計画を作成すること。

5. by hearing opinions from a child who is supposed to be entrusted to a foster parent pursuant to the provisions of Article 27, paragraph (1), item (iii) and their custodian and a foster parent, creating a plan with regard to taking care of the relevant child concerning the contents of the child's care and other particulars specified by Order of the Ministry of Health, Labour.

チ 養子縁組により養子となる児童、その父母及び当該養子となる児童の養親となる者、養子縁組により養子となつた児童、その養親となつた者及び当該養子となつた児童の父母（民法（明治二十九年法律第八十九号）第八百七条の二第一項に規定する特別養子縁組（第三十三条の六の二において「特別養子縁組」という。）により親族関係が終了した当該養子となつた児童の実方の父母を含む。）その他の児童を養子とする養子縁組に関する者につき、その相談に応じ、必要な情報の提供、助言その他の援助を行うこと。

(h) for a child to be an adopted child by adoption, their parents and a person to be an adoptive parent, a child who became an adopted child by adoption

and a person who became their adoptive parent and the parents of the relevant adopted child (including the natural parents of the child who became the relevant adoptive child whose family relationship with the relevant parents was terminated due to a special adoption (referred to as a "special adoption" in Article 33-6-2) specified in Article 817-2, paragraph (1) of the Civil Code (Act No. 89 of 1896)) and others concerning the adoption of a child, provide consultation and necessary information, advice and other assistance.

三 前二号に掲げるもののほか、児童及び妊産婦の福祉に関し、広域的な対応が必要な業務並びに家庭その他につき専門的な知識及び技術を必要とする支援を行うこと。

(iii) beyond what is listed in the preceding two items, with regard to welfare of children and expectant and nursing mothers, providing specialized knowledge and skills and necessary support for the services, families, and other requiring cross-regional treatment.

2 都道府県知事は、市町村の第十条第一項各号に掲げる業務の適切な実施を確保するため必要があると認めるときは、市町村に対し、体制の整備その他の措置について必要な助言を行うことができる。

(2) When the prefectural government finds it necessary in order to ensure proper implementation of the services listed in the items of Article 10, paragraph (1), the prefectural governor may provide necessary advice to the municipality for development of systems and other measures.

3 都道府県知事は、第一項又は前項の規定による都道府県の事務の全部又は一部を、その管理に属する行政庁に委任することができる。

(3) A prefectural governor may delegate the prefectural government's affairs pursuant to the provisions of paragraph (1) or the preceding paragraph, in whole or in part, to any administrative agency under the prefectural governor's jurisdiction.

4 都道府県知事は、第一項第二号トに掲げる業務（次項において「里親支援事業」という。）に係る事務の全部又は一部を厚生労働省令で定める者に委託することができる。

(4) The prefectural governor may entrust the whole or a part of the affairs pertaining to the services listed in the paragraph (1), item (ii), (g) (referred to as "adoption support services") to the person specified by Order of the Ministry of Health, Labour and Welfare.

5 前項の規定により行われる里親支援事業に係る事務に従事する者又は従事していた者は、その事務に関して知り得た秘密を漏らしてはならない。

(5) A person who is, or used to be, engaged in the affairs concerning the affairs concerning adoption support services prescribed in the preceding paragraph must not divulge any secret coming to their knowledge with regard to the relevant affairs.

6 都道府県は、この法律による事務を適切に行うために必要な体制の整備に努めると

ともに、当該事務に従事する職員の人材の確保及び資質の向上のために必要な措置を講じなければならない。

(6) A prefectural government must endeavor to develop the systems necessary to carry out the affairs pursuant to this Act appropriately and take necessary measures to secure human resources for personnel engaged in the relevant affairs and enhance their qualifications.

7 国は、都道府県における前項の体制の整備及び措置の実施に関し、必要な支援を行うように努めなければならない。

(7) The government must endeavor to provide necessary support with regard to development of the systems and implementation of the measures of the preceding item in the prefectural government.

第十二条 都道府県は、児童相談所を設置しなければならない。

Article 12 (1) A prefectural government must establish a child guidance center.

2 児童相談所は、児童の福祉に関し、主として前条第一項第一号に掲げる業務（市町村職員の研修を除く。）並びに同項第二号（イを除く。）及び第三号に掲げる業務並びに障害者の日常生活及び社会生活を総合的に支援するための法律第二十二条第二項及び第三項並びに第二十六条第一項に規定する業務を行うものとする。

(2) A child guidance center is to perform the services concerning welfare of children, among others, listed in paragraph (1), item (i) of the preceding Article and listed in item (ii) (excluding (a)) and of (iii) of the same paragraph the services prescribed in Article 22, paragraphs (2) and (3) and Article 26, paragraph (1) of Act on Providing Comprehensive Support for the Daily Social Life of Persons with Disabilities.

3 都道府県は、児童相談所が前項に規定する業務のうち法律に関する専門的な知識経験を必要とするものを適切かつ円滑に行うことの重要性に鑑み、児童相談所における弁護士配置又はこれに準ずる措置を行うものとする。

(3) A prefectural government is to appoint a lawyer or take equivalent measures in a child guidance center in view of the significance of its appropriate and smooth implementation of the particulars that require specialized knowledge and experience concerning the laws among the services specified in the preceding paragraph.

4 児童相談所は、必要に応じ、巡回して、第二項に規定する業務（前条第一項第二号ホに掲げる業務を除く。）を行うことができる。

(4) A child guidance center, when needed, may perform the services prescribed in paragraph (2) (excluding the services listed in paragraph (1), item (ii), (e) of the preceding Article).

5 児童相談所長は、その管轄区域内の社会福祉法に規定する福祉に関する事務所（以下「福祉事務所」という。）の長（以下「福祉事務所長」という。）に必要な調査を委嘱することができる。

(5) A director of a child guidance center may commission necessary investigations

from the head of the office relevant to welfare provided in the Social Welfare Act that is located in the jurisdictional district of the child guidance center (hereinafter referred to as "welfare office"; the head of a welfare office being hereinafter referred to as "welfare office director").

6 都道府県知事は、第二項に規定する業務の質の評価を行うことその他必要な措置を講ずることにより、当該業務の質の向上に努めなければならない。

(6) A prefectural governor must endeavor to improve the quality of the services prescribed in the paragraph (2) by carrying out assessment of the quality of the relevant services and by taking other necessary measures.

7 国は、前項の措置を援助するために、児童相談所の業務の質の適切な評価の実施に資するための措置を講ずるよう努めなければならない。

(7) The national government must endeavor to take measures that contribute to implementation of appropriate assessment of the quality of the services by a child guidance center.

第十二条の二 児童相談所には、所長及び所員を置く。

Article 12-2 (1) A child guidance center is to staff a director and employees.

2 所長は、都道府県知事の監督を受け、所務を掌理する。

(2) The director of a child guidance center is to control its affairs under the supervision of the prefectural governor.

3 所員は、所長の監督を受け、前条に規定する業務をつかさどる。

(3) Employees of a child guidance center is to conduct the affairs provided in the preceding Article under the supervision of its director.

4 児童相談所には、第一項に規定するもののほか、必要な職員を置くことができる。

(4) Beyond what is provided in paragraph (1), a child guidance center may staff other necessary employees.

第十二条の三 児童相談所の所長及び所員は、都道府県知事の補助機関である職員とする。

Article 12-3 (1) The director and employees of a child guidance center are to be officials positioned as subsidiary organs for the prefectural governor.

2 所長は、次の各号のいずれかに該当する者でなければならない。

(2) The director of a child guidance center must be a person who falls under any of the following items:

一 医師であつて、精神保健に関して学識経験を有する者

(i) a physician having knowledge and experience concerning mental health;

二 学校教育法に基づく大学又は旧大学令（大正七年勅令第三百八十八号）に基づく大学において、心理学を専修する学科又はこれに相当する課程を修めて卒業した者（当該学科又は当該課程を修めて同法に基づく専門職大学の前期課程を修了した者を含む。）

(ii) a person completing a department specialized in psychology or other

equivalent course in a university (including a person completing junior division of professional graduate school after completing the relevant department or the relevant course.) pursuant to the School Education Act or in a university pursuant to the former Universities Order (Imperial Order No. 388 of 1918).

三 社会福祉士

(iii) a certified social worker;

四 精神保健福祉士

(iv) a certified mental health social worker

五 公認心理師

(v) certified public psychologist

六 児童の福祉に関する事務をつかさどる職員（以下「児童福祉司」という。）として二年以上勤務した者又は児童福祉司たる資格を得た後二年以上所員として勤務した者

(vi) a person who has been working, or used to work, as an employee in charge of affairs relevant to welfare of children (hereinafter referred to as "child welfare officer") for two years or more, or a person who has been working, or used to work, as an employee of the child guidance center for two years or more after obtaining the qualification of child welfare officer; or

七 前各号に掲げる者と同等以上の能力を有すると認められる者であつて、厚生労働省令で定めるもの

(vii) a person who is found to have the ability equivalent or superior to the persons listed in the preceding items as specified by an Order of the Ministry of Health, Labour and Welfare.

3 所長は、厚生労働大臣が定める基準に適合する研修を受けなければならない。

(3) The director of a child guidance center must receive training conforming to the standards specified by the Minister of Health, Labor and Welfare.

4 相談及び調査をつかさどる所員は、児童福祉司たる資格を有する者でなければならない。

(4) An employee of a child guidance center who is in charge of consultation and investigation must be a person who has the qualification of a child welfare officer.

5 判定をつかさどる所員の中には、第二項第一号に該当する者又はこれに準ずる資格を有する者及び同項第二号に該当する者若しくはこれに準ずる資格を有する者又は同項第五号に該当する者が、それぞれ一人以上含まなければならない。

(5) Employees of a child guidance center who are in charge of judgments must include one or more persons who fall under paragraph (2), item (i) or have equivalent qualification, and one or more persons who fall under item (ii) of the same paragraph or who have equivalent qualification or who fall under item (v) of the same paragraph.

6 指導をつかさどる所員の中には、次の各号に掲げる指導の区分に応じ、当該各号に

定める者が含まれなければならない。

(6) Employees of a child guidance center who are in charge of guidance must include a person specified in the relevant items for the categories of guidance set forth respectively in the relevant item.

一 心理に関する専門的な知識及び技術を必要とする指導 第二項第一号に該当する者若しくはこれに準ずる資格を有する者、同項第二号に該当する者若しくはこれに準ずる資格を有する者又は同項第五号に該当する者

(i) guidance requiring specialized knowledge and skills on psychology; a person who falls under paragraph (2), item (i) or a person with any other equivalent qualification; a person who falls under item (ii) of the same paragraph or a person with any other equivalent qualification or a person who falls under item (v) of the same paragraph;

二 児童の健康及び心身の発達に関する専門的な知識及び技術を必要とする指導 医師又は保健師

(ii) guidance requiring specialized knowledge and skills on health and intellectual and physical development of children; doctors or public health nurses

7 前項第一号に規定する指導をつかさどる所員の数は、政令で定める基準を標準として都道府県が定めるものとする。

(7) The number of employees of a child guidance center who are in charge of guidance specified in the preceding paragraph, item (i) is specified by the prefectural government by using the criteria prescribed by Cabinet Order as standard.

第十二条の四 児童相談所には、必要に応じ、児童を一時保護する施設を設けなければならない。

Article 12-4 A child guidance center is to have facilities of taking temporary custody of children where needed.

第十二条の五 この法律で定めるもののほか、児童相談所の管轄区域その他児童相談所に関し必要な事項は、命令でこれを定める。

Article 12-5 Beyond what is provided for in this Act, necessary particulars concerning the child guidance centers including the jurisdictional areas of child guidance centers are prescribed by an Order.

第十二条の六 保健所は、この法律の施行に関し、主として次の業務を行うものとする。

Article 12-6 (1) With regard to the enforcement of this Act, a public health center performs the following services among others

一 児童の保健について、正しい衛生知識の普及を図ること。

(i) endeavors to disseminate accurate knowledge on child health;

二 児童の健康相談に応じ、又は健康診査を行い、必要に応じ、保健指導を行うこと。

- (ii) provide health consultation or conduct health checkups for children and provide health guidance to them where needed;
- 三 身体に障害のある児童及び疾病により長期にわたり療養を必要とする児童の療育について、指導を行うこと。
- (iii) provide guidance for medical treatment and education for children with physical disabilities and children in need of long-term medical treatment due to illness; and
- 四 児童福祉施設に対し、栄養の改善その他衛生に関し、必要な助言を与えること。
- (iv) give necessary advice on improvement in nutrition and other particulars concerning health to child welfare institutions.
- 2 児童相談所長は、相談に応じた児童、その保護者又は妊産婦について、保健所に対し、保健指導その他の必要な協力を求めることができる。
- (2) With regard to children, their custodians or expectant and nursing mothers to whom a child guidance center provides consultation, the director of a child guidance center may seek health guidance or other necessary cooperation from the public health center.

第五節 児童福祉司

Section 5 Child Welfare Officer

第十三条 都道府県は、その設置する児童相談所に、児童福祉司を置かなければならない。

Article 13 (1) A prefectural government must staff Child Welfare Officers in the child guidance center it establishes.

2 児童福祉司の数は、各児童相談所の管轄区域内の人口、児童虐待の防止等に関する法律（平成十二年法律第八十二号）第二条に規定する児童虐待（以下単に「児童虐待」という。）に係る相談に応じた件数、第二十七条第一項第三号の規定による里親への委託の状況及び市町村におけるこの法律による事務の実施状況その他の条件を総合的に勘案して政令で定める基準を標準として都道府県が定めるものとする。

(2) The number of child welfare officers are specified by the prefectural government by using the criteria prescribed by Cabinet Order as the standard, by comprehensively taking into consideration population in the area of each child guidance center, the number of cases for consultation pertaining to child abuse (hereinafter referred to as simply "child abuse") set forth in Child Abuse Prevention and Treatment Act (Act No. 82 of 2000), status of entrustment to foster parents pursuant to the provisions of Article 27, paragraph (1), item (iii) and implementation status of the affairs by this Act in the municipality and other conditions.

3 児童福祉司は、都道府県知事の補助機関である職員とし、次の各号のいずれかに該当する者のうちから、任用しなければならない。

(3) A child welfare officer is an official positioned as a subsidiary organ for the

prefectural governor and must be appointed from among the persons who fall under any of the following items:

一 都道府県知事の指定する児童福祉司若しくは児童福祉施設の職員を養成する学校その他の施設を卒業し、又は都道府県知事の指定する講習会の課程を修了した者

(i) a person graduating from a school or other facility for training of a child welfare officer or employees of child welfare institutions as designated by the Minister of Health, Labor and Welfare, or completing the course of a training session designated by the prefectural governor;

二 学校教育法に基づく大学又は旧大学令に基づく大学において、心理学、教育学若しくは社会学を専修する学科又はこれらに相当する課程を修めて卒業した者（当該学科又は当該課程を修めて同法に基づく専門職大学の前期課程を修了した者を含む。）であつて、厚生労働省令で定める施設において一年以上児童その他の者の福祉に関する相談に応じ、助言、指導その他の援助を行う業務に従事したもの

(ii) a person completing a department specialized in psychology, pedagogy or sociology or other equivalent course in a university (including a person completing junior division of professional graduate school after completing the relevant department or the relevant course) pursuant to the School Education Act or in a university pursuant to the former Universities Order, who has been working, or used to work, for one year or more, in providing consultation and affording advice, guidance and other assistance for welfare of children or others in an institution specified by an Order of the Ministry of Health, Labour and Welfare:

三 医師

(iii) a physician;

四 社会福祉士

(iv) a certified social worker;

五 精神保健福祉士

(v) a certified mental health social worker

六 公認心理師

(vi) a certified public psychologist

七 社会福祉主事として二年以上児童福祉事業に従事した者であつて、厚生労働大臣が定める講習会の課程を修了したもの

(vii) a person who was engaged in child welfare services for two or more years as a social welfare officer and completed the course of training sessions specified by Minister of Health, Labour and Welfare.

八 前各号に掲げる者と同等以上の能力を有すると認められる者であつて、厚生労働省令で定めるもの

(viii) a person who is found to have the ability equivalent or superior to the person listed in the preceding items as specified by Order of the Ministry of Health, Labour and Welfare.

4 児童福祉司は、児童相談所長の命を受けて、児童の保護その他児童の福祉に関する

事項について、相談に応じ、専門的技術に基づいて必要な指導を行う等児童の福祉増進に努める。

(4) A child welfare officer, by an order of the director of a child guidance center, is to endeavor to promote welfare of children by such means as providing consultation and necessary guidance based on their specialized skills with regard to the assistance for children and other particulars concerning welfare of children.

5 児童福祉司の中には、他の児童福祉司が前項の職務を行うため必要な専門的技術に関する指導及び教育を行う児童福祉司（次項及び第七項において「指導教育担当児童福祉司」という。）が含まなければならない。

(5) Among child welfare officers, a child welfare officer who provides guidance and education on specialized knowledge necessary to conduct duties of the preceding paragraph for other child welfare officers (referring to as "child welfare officer in charge of guidance and education").

6 指導教育担当児童福祉司は、児童福祉司としておおむね五年以上勤務した者でなければならない。

(6) a child welfare officer in charge of guidance and education must be a person who has been working for five years or more as a child welfare officer.

7 指導教育担当児童福祉司の数は、政令で定める基準を参酌して都道府県が定めるものとする。

(7) The number of child welfare officer in charge of guidance and education is determined by the prefectural government by taking into consideration the criteria specified by Cabinet Order.

8 児童福祉司は、児童相談所長が定める担当区域により、第四項の職務を行い、担当区域内の市町村長に協力を求めることができる。

(8) A child welfare officer performs their duties set forth in the preceding paragraph in accordance with the area of responsibility specified by the director of a child guidance center and may seek cooperation from the mayor of municipality having jurisdiction over the area of the mayor's responsibility.

9 児童福祉司は、厚生労働大臣が定める基準に適合する研修を受けなければならない。

(9) A child welfare officer must receive training conforming to the standards specified by the Minister of Health, Labour and Welfare.

10 第三項第一号の施設及び講習会の指定に関し必要な事項は、政令で定める。

(10) The particulars necessary to designate a facility and a training session of the paragraph (3), item (i) by a Cabinet Order.

第十四条 市町村長は、前条第四項に規定する事項に関し、児童福祉司に必要な状況の通報及び資料の提供並びに必要な援助を求めることができる。

Article 14 (1) With regard to the particulars provided in paragraph (4) of the preceding Article, a mayor of municipality may request a child welfare officer to make necessary notification of the conditions and provision of the materials

and to give necessary assistance.

2 児童福祉司は、その担当区域内における児童に関し、必要な事項につき、その担当区域を管轄する児童相談所長又は市町村長にその状況を通知し、併せて意見を述べなければならない。

(2) With regard to the children in the area of officer's responsibility, a child welfare officer must give notice of the conditions of necessary particulars and state their opinions to the director of a child guidance center or the mayor of municipality having jurisdiction over the area of the officer's responsibility.

第十五条 この法律で定めるもののほか、児童福祉司の任用叙級その他児童福祉司に関し必要な事項は、命令でこれを定める。

Article 15 Beyond what is provided for in this Act, appointment and assignment of a child welfare officer and other necessary particulars concerning child welfare officer is prescribed by Order.

第六節 児童委員

Section 6 Commissioned Child Welfare Volunteer

第十六条 市町村の区域に児童委員を置く。

Article 16 (1) A municipal government is to staff commissioned child welfare volunteers in its area.

2 民生委員法（昭和二十三年法律第九十八号）による民生委員は、児童委員に充てられたものとする。

(2) A commissioned welfare volunteer pursuant to the Commissioned Welfare Volunteers Law (Act No. 198 of 1948) is deemed to be appointed concurrently as a commissioned child welfare volunteer.

3 厚生労働大臣は、児童委員のうちから、主任児童委員を指名する。

(3) The Minister of Health, Labor and Welfare designates a chief commissioned child welfare volunteer among the commissioned child welfare volunteers.

4 前項の規定による厚生労働大臣の指名は、民生委員法第五条の規定による推薦によつて行う。

(4) The designation by the Minister of Health, Labor and Welfare pursuant to the provisions of the preceding paragraph is made through the nomination pursuant to the provisions of Article 5 of the Commissioned Welfare Volunteers Law.

第十七条 児童委員は、次に掲げる職務を行う。

Article 17 (1) A commissioned child welfare volunteer performs the duties listed in the following items:

一 児童及び妊産婦につき、その生活及び取り巻く環境の状況を適切に把握しておくこと。

- (i) have an appropriate understanding of the living conditions and surrounding environments of the children and expectant and nursing mothers;
- 二 児童及び妊産婦につき、その保護、保健その他福祉に関し、サービスを適切に利用するために必要な情報の提供その他の援助及び指導を行うこと。
- (ii) providing necessary information and other assistance and guidance to enable children and expectant and nursing mothers to utilize services adequately with regard to their assistance, healthcare and other particulars concerning welfare;
- 三 児童及び妊産婦に係る社会福祉を目的とする事業を經營する者又は児童の健やかな育成に関する活動を行う者と密接に連携し、その事業又は活動を支援すること。
- (iii) coordinating closely with persons who operate services intended for social welfare pertaining to children and expectant and nursing mothers or the persons who conduct activities for healthy upbringing of children, and support their services or activities;
- 四 児童福祉司又は福祉事務所の社会福祉主事の行う職務に協力すること。
- (iv) cooperating in the duties performed by a child welfare officer or social welfare secretary of the welfare office
- 五 児童の健やかな育成に関する気運の醸成に努めること。
- (v) endeavoring to encourage a spirit conducive to the healthy upbringing of children; and
- 六 前各号に掲げるもののほか、必要に応じて、児童及び妊産婦の福祉の増進を図るための活動を行うこと。
- (vi) beyond what is listed in the preceding items, conducting other activities to pursue the promotion of welfare of children and expectant and nursing mothers, where needed.
- 2 主任児童委員は、前項各号に掲げる児童委員の職務について、児童の福祉に関する機関と児童委員（主任児童委員である者を除く。以下この項において同じ。）との連絡調整を行うとともに、児童委員の活動に対する援助及び協力を行う。
- (2) With regard to the duties of commissioned child welfare volunteers listed in the items of the preceding paragraph, a chief commissioned child welfare volunteer is to carry out liaison and coordination with organs relevant to the welfare of children and commissioned child welfare volunteers (excluding those who are chief commissioned child welfare volunteers; the same applies hereinafter in this paragraph) and provide assistance and cooperation for activities of commissioned child welfare volunteers.
- 3 前項の規定は、主任児童委員が第一項各号に掲げる児童委員の職務を行うことを妨げるものではない。
- (3) The provisions of the preceding paragraph does not preclude a chief commissioned child welfare volunteer from performing the duties of commissioned child welfare volunteers listed in the items of paragraph (1).
- 4 児童委員は、その職務に関し、都道府県知事の指揮監督を受ける。

(4) A commissioned child welfare volunteer is directed and supervised by the prefectural governor in the course of duties.

第十八条 市町村長は、前条第一項又は第二項に規定する事項に関し、児童委員に必要な状況の通報及び資料の提供を求め、並びに必要な指示をすることができる。

Article 18 (1) With regard to the particulars provided in paragraph (1) or (2) of the preceding Article, a mayor of municipality may request a child welfare officer to make necessary notification of the conditions and provision of the materials and may give necessary instructions to them.

2 児童委員は、その担当区域内における児童又は妊産婦に関し、必要な事項につき、その担当区域を管轄する児童相談所長又は市町村長にその状況を通知し、併せて意見を述べなければならない。

(2) With regard to the children and expectant and nursing mothers in the area of the responsibility of a commissioned child welfare volunteer, must give notice of the conditions of the necessary particulars and state their opinions to the director of a child guidance center or the mayor of municipality having jurisdiction over the area of the volunteer's responsibility.

3 児童委員が、児童相談所長に前項の通知をするときは、緊急の必要があると認める場合を除き、市町村長を経由するものとする。

(3) When a commissioned child welfare volunteer intends to give notice set forth in the preceding paragraph to the director of a child guidance center except in the case where the volunteer finds an urgent necessity, such notice is to be given through the mayor of municipality.

4 児童相談所長は、その管轄区域内の児童委員に必要な調査を委嘱することができる。

(4) A director of a child guidance center may commission a commissioned child welfare volunteer to conduct necessary investigations in the jurisdictional district of the child guidance center.

第十八条の二 都道府県知事は、児童委員の研修を実施しなければならない。

Article 18-2 A prefectural governor must prepare and implement programs for the training of commissioned child welfare volunteers in accordance with the standards specified by the Minister of Health, Labor and Welfare.

第十八条の三 この法律で定めるもののほか、児童委員に関し必要な事項は、命令でこれを定める。

Article 18-3 Beyond what is provided for in this Act, necessary particulars concerning commissioned child welfare volunteers are prescribed by an Order.

第七節 保育士

Section 7 Nursery Teachers

第十八条の四 この法律で、保育士とは、第十八条の十八第一項の登録を受け、保育士の名称を用いて、専門的知識及び技術をもって、児童の保育及び児童の保護者に対する保育に関する指導を行うことを業とする者をいう。

Article 18-4 The term "nursery teacher" as used in this Act means a person who is registered as prescribed in Article 18-18, paragraph (1), and uses the name of nursery teacher to have specialized in obtaining the knowledge and skills, and their work provides childcare in daycare and guidance concerning daycare to their custodians

第十八条の五 次の各号のいずれかに該当する者は、保育士となることができない。

Article 18-5 A person who falls under any of the following items may not become a nursery teacher:

一 心身の故障により保育士の業務を適正に行うことができない者として厚生労働省令で定めるもの

(i) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who cannot properly engage in the services of nursery teacher due to a mental or physical disorder.

二 禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して二年を経過しない者

(ii) a person sentenced to imprisonment without work or heavier punishment and awaiting a lapse of two years from the day on which its execution will be completed or cease to be enforceable;

三 この法律の規定その他児童の福祉に関する法律の規定であつて政令で定めるものにより、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して二年を経過しない者

(iii) a person punished by a fine pursuant to such provisions of this Act or of any other act related to child welfare as specified by a Cabinet Order and awaiting a lapse of two years from the day on which its execution will be completed or cease to be enforceable; or

四 第十八条の十九第一項第二号又は第二項の規定により登録を取り消され、その取消の日から起算して二年を経過しない者

(iv) a person awaiting a lapse of two years from the date of rescission of their registration pursuant to the provisions of Article 18-19, paragraph (1), item (ii) or paragraph (2) of the same Article.

五 国家戦略特別区域法（平成二十五年法律第七号）第十二条の五第八項において準用する第十八条の十九第一項第二号又は第二項の規定により登録を取り消され、その取消の日から起算して二年を経過しない者

(v) a person awaiting a lapse of two years from the date of rescission of their registration pursuant to the provisions of Article 18-19, paragraph (1), item (ii) or paragraph (2) of the same Article which is applied mutatis mutandis in National Strategic Special Zone Act (Act No. 107 of 2013) Article 12-5,

paragraph (8).

第十八条の六 次の各号のいずれかに該当する者は、保育士となる資格を有する。

Article 18-6 A person who falls under any of the following items is qualified to be a nursery teacher.

一 都道府県知事の指定する保育士を養成する学校その他の施設（以下「指定保育士養成施設」という。）を卒業した者（学校教育法に基づく専門職大学の前期課程を修了した者を含む。）

(i) a person graduating from a school for training of nursery teachers or other facility as designated by the Minister of Health, Labor and Welfare (hereinafter referred to as "designated nursery teacher training facility") (including a person completing junior division of professional graduate school pursuant to the School Education Act);

二 保育士試験に合格した者

(ii) a person passing a nursery teacher examination.

第十八条の七 都道府県知事は、保育士の養成の適切な実施を確保するため必要があると認めるときは、その必要な限度で、指定保育士養成施設の長に対し、教育方法、設備その他の事項に関し報告を求め、若しくは指導をし、又は当該職員に、その帳簿書類その他の物件を検査させることができる。

Article 18-7 (1) The prefectural governor, when they find it necessary in order to ensure adequate implementation of training of nursery teachers, within the limit necessary therefor, may request the head of a designated nursery teacher training facility to report on its education methods, accommodation facilities or other particulars or provide guidance to the head of the facility, or make the relevant ministry's official inspect books and documents and other objects.

2 前項の規定による検査を行う場合においては、当該職員は、その身分を示す証明書を携帯し、関係者の請求があるときは、これを提示しなければならない。

(2) When the inspection is conducted pursuant to the provisions of the preceding paragraph, the relevant official must carry their certification for identification and display it upon request by any relevant person.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority pursuant to the provisions of paragraph (1) must not be construed as being permitted for criminal investigation.

第十八条の八 保育士試験は、厚生労働大臣の定める基準により、保育士として必要な知識及び技能について行う。

Article 18-8 (1) A nursery teacher examination is conducted to check the knowledge and skills necessary for a nursery teacher in accordance with the standards specified by the Minister of Health, Labor and Welfare.

2 保育士試験は、毎年一回以上、都道府県知事が行う。

(2) Nursery teacher examinations are held by the prefectural governor once a year or more frequently.

3 保育士として必要な知識及び技能を有するかどうかの判定に関する事務を行わせるため、都道府県に保育士試験委員（次項において「試験委員」という。）を置く。ただし、次条第一項の規定により指定された者に当該事務を行わせることとした場合は、この限りでない。

(3) A prefectural government must staff nursery teacher examination commissioners (referred to as an "examination commissioner" in the following paragraph) to conduct the affairs concerning judgment as to whether an examinee has the knowledge and skills necessary for a nursery teacher; provided, however, that this does not apply to the case where the prefectural government makes a person designated pursuant to the provisions of paragraph (1) of the following Article conduct the relevant affairs.

4 試験委員又は試験委員であつた者は、前項に規定する事務に関して知り得た秘密を漏らしてはならない。

(4) An examination commissioner or an ex-examination commissioner must not divulge any secret coming to their knowledge with regard to the affairs prescribed in the preceding paragraph.

第十八条の九 都道府県知事は、厚生労働省令で定めるところにより、一般社団法人又は一般財団法人であつて、保育士試験の実施に関する事務（以下「試験事務」という。）を適正かつ確実に実施することができると認められるものとして当該都道府県知事が指定する者（以下「指定試験機関」という。）に、試験事務の全部又は一部を行わせることができる。

Article 18-9 (1) A prefectural governor may, pursuant to the provisions of an Order of the Ministry of Health, Labour and Welfare, make a general incorporated association or general incorporated foundation designated by the relevant prefectural governor that is found to be capable of implementing the examination affairs properly and reliably (hereinafter referred to as "designated examining body") conduct the whole or part of the affairs concerning implementation of nursery teacher examinations (hereinafter referred to as "examination affairs").

2 都道府県知事は、前項の規定により指定試験機関に試験事務の全部又は一部を行わせることとしたときは、当該試験事務の全部又は一部を行わないものとする。

(2) When the prefectural governor causes the examination affairs, in whole or in part, to be conducted by a designated examining body pursuant to the provisions of the preceding paragraph, the prefectural governor does not conduct whole or part of such examination affairs.

3 都道府県は、地方自治法（昭和二十二年法律第六十七号）第二百二十七条の規定に基づき保育士試験に係る手数料を徴収する場合には、第一項の規定により指定

試験機関が行う保育士試験を受けようとする者に、条例で定めるところにより、当該手数料の全部又は一部を当該指定試験機関へ納めさせ、その収入とすることができる。

- (3) In the case where the fees pertaining to nursery teacher examinations are collected pursuant to Article 227 of the Local Autonomy Act (Act No. 67 of 1947), the prefectural government, pursuant to the provisions of a Prefectural Ordinance, the prefectural government may require that a person who desires to take a nursery teacher examination held by a designated examining body pursuant to the provisions of paragraph (1) to pay the whole or part of the relevant fees to the relevant designated examining body and account for the fees so collected as the prefecture's income.

第十八条の十 指定試験機関の役員の選任及び解任は、都道府県知事の認可を受けなければ、その効力を生じない。

Article 18-10 (1) Appointment and dismissal of an officer of a designated examining body does not become effective without being approved by the prefectural governor.

2 都道府県知事は、指定試験機関の役員が、この法律（この法律に基づく命令又は処分を含む。）若しくは第十八条の十三第一項に規定する試験事務規程に違反する行為をしたとき、又は試験事務に関し著しく不適当な行為をしたときは、当該指定試験機関に対し、当該役員の解任を命ずることができる。

- (2) When an officer of a designated examining body commits an act in violation of this Act (including orders or dispositions pursuant to this Act) or the rules on examination affairs provided in Article 18-13, paragraph (1) or an extremely inappropriate act with regard to the examination affairs, the prefectural governor may order the relevant designated examining body to dismiss the relevant officer.

第十八条の十一 指定試験機関は、試験事務を行う場合において、保育士として必要な知識及び技能を有するかどうかの判定に関する事務については、保育士試験委員（次項及び次条第一項において「試験委員」という。）に行わせなければならない。

Article 18-11 (1) In the case of conducting its examination affairs, a designated examining body must make a nursery teacher examination commissioner or (hereinafter referred to as an "examination commissioner" in the following paragraph and paragraph (1) of the following Article) take charge of the affairs concerning judgment as to whether an examinee has the knowledge and skills necessary for a nursery teacher.

2 前条第一項の規定は試験委員の選任及び解任について、同条第二項の規定は試験委員の解任について、それぞれ準用する。

- (2) The provisions of paragraph (1) of the preceding Article apply mutatis mutandis to the appointment and dismissal of an examination commissioner, and the provisions of paragraph (2) of the same Article apply mutatis mutandis

to the dismissal of an examination commissioner.

第十八条の十二 指定試験機関の役員若しくは職員（試験委員を含む。次項において同じ。）又はこれらの職にあつた者は、試験事務に関して知り得た秘密を漏らしてはならない。

Article 18-12 (1) An officer or employee of a designated examining body (including examination commissioners; the same applies in the following paragraph) or a person who used to be such an officer or employee must not divulge any secret coming to their knowledge with regard to the examination affairs.

2 試験事務に従事する指定試験機関の役員又は職員は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) With regard to application of the Penal Code (Act No. 45 of 1907) and other penal provisions, an officer or employee of a designated examining body engaged in the examination affairs is deemed to be an official engaged in the public services pursuant to laws and regulations.

第十八条の十三 指定試験機関は、試験事務の開始前に、試験事務の実施に関する規程（以下「試験事務規程」という。）を定め、都道府県知事の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 18-13 (1) A designated examining body must prescribe the rules concerning implementation of its examination affairs (hereinafter referred to as "rules on examination affairs") before commencement of its examination affairs and obtain approval from the prefectural governor; the same applies when the rules on examination affairs are to be changed.

2 都道府県知事は、前項の認可をした試験事務規程が試験事務の適正かつ確実な実施上不適当となつたと認めるときは、指定試験機関に対し、これを変更すべきことを命ずることができる。

(2) When a prefectural governor finds that the rules on examination affairs approved pursuant to the provisions of the preceding paragraph become inappropriate in terms of proper and reliable implementation of the examination affairs, the prefectural governor may order the designated examining body to change the rules.

第十八条の十四 指定試験機関は、毎事業年度、事業計画及び収支予算を作成し、当該事業年度の開始前に（指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、都道府県知事の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 18-14 A designated examining body must prepare its service plan and income and expenditure budget for each business year and obtain approval from the prefectural governor before the start of the relevant business year (or

without delay after designation, in the case where the date of its designation as a designated examining body falls on the relevant business year); the same applies when a service plan or an income and expenditure budget is to be changed.

第十八条の十五 都道府県知事は、試験事務の適正かつ確実な実施を確保するため必要があると認めるときは、指定試験機関に対し、試験事務に関し監督上必要な命令をすることができる。

Article 18-15 When a prefectural governor finds it necessary in order to ensure proper and reliable implementation of the examination affairs, the prefectural governor may give orders necessary for the supervision of the examination affairs to the designated examining body.

第十八条の十六 都道府県知事は、試験事務の適正かつ確実な実施を確保するため必要があると認めるときは、その必要な限度で、指定試験機関に対し、報告を求め、又は当該職員に、関係者に対し質問させ、若しくは指定試験機関の事務所に立ち入り、その帳簿書類その他の物件を検査させることができる。

Article 18-16 (1) When a prefectural governor finds it necessary in order to ensure proper and reliable implementation of the examination affairs, the prefectural governor, within the limit necessary therefor, may request the designated examining body to make a report, or cause the relevant prefecture's official to ask relevant persons questions or enter any office of the designated examining body and inspect books and documents and other objects.

2 前項の規定による質問又は立入検査を行う場合においては、当該職員は、その身分を示す証明書を携帯し、関係者の請求があるときは、これを提示しなければならない。

(2) When any question or entry and inspection is made pursuant to the provisions of the preceding paragraph, the relevant official must carry their identification card and produce it upon request by any relevant person.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority pursuant to the provisions of paragraph (1) must not be construed as being permitted for a criminal investigation.

第十八条の十七 指定試験機関が行う試験事務に係る処分又はその不作為について不服がある者は、都道府県知事に対し、審査請求をすることができる。この場合において、都道府県知事は、行政不服審査法（平成二十六年法律第六十八号）第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、指定試験機関の上級行政庁とみなす。

Article 18-17 A person who has an objection to any disposition pertaining to the examination affairs imposed by a designated examining body or its inaction may request investigation by the prefectural governor pursuant to the

Administrative Appeal Act (Act No. 160 of 1962). Concerning application of the provisions of Administrative Appeal Act (Act No. 68 of 2016), Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47 and Article 49, paragraph (3), the prefectural governor is to deem to be the higher administrative agency of the designated examining body.

第十八条の十八 保育士となる資格を有する者が保育士となるには、保育士登録簿に、氏名、生年月日その他厚生労働省令で定める事項の登録を受けなければならない。

Article 18-18 (1) In order for a person who is qualified as a nursery teacher to become a nursery teacher, they need to obtain registration of their name, date of birth and other particulars specified by an Order of the Ministry of Health, Labour and Welfare in the nursery teachers registry.

2 保育士登録簿は、都道府県に備える。

(2) The nursery teachers registry is kept by the prefectural government.

3 都道府県知事は、保育士の登録をしたときは、申請者に第一項に規定する事項を記載した保育士登録証を交付する。

(3) When an applicant is registered as a nursery teacher, the prefectural governor is to issue a nursery teacher registration certificate stating the particulars provided in paragraph (1) to the applicant.

第十八条の十九 都道府県知事は、保育士が次の各号のいずれかに該当する場合には、その登録を取り消さなければならない。

Article 18-19 (1) If a nursery teacher falls under any of the following items, the prefectural governor must rescind their registration:

一 第十八条の五各号（第四号を除く。）のいずれかに該当するに至つた場合

(i) when any of the items of Article 18-5 (excluding item (iv)) becoming applicable to them; or

二 虚偽又は不正の事実に基づいて登録を受けた場合

(ii) when they are registered as a nursery teacher based on false or wrongful facts.

2 都道府県知事は、保育士が第十八条の二十一又は第十八条の二十二の規定に違反したときは、その登録を取り消し、又は期間を定めて保育士の名称の使用の停止を命ずることができる。

(2) When a nursery teacher violates the provisions of Article 18-21 or 18-22, the prefectural governor may rescind their registration or order them to suspend the use of the name of the nursery teacher for a specified period of time.

第十八条の二十 都道府県知事は、保育士の登録がその効力を失つたときは、その登録を消除しなければならない。

Article 18-20 When the registration of a nursery teacher ceases to be effective, the prefectural governor must delete such registration.

第十八条の二十一 保育士は、保育士の信用を傷つけるような行為をしてはならない。
Article 18-21 A nursery teacher must not commit any act that may damage the credibility of nursery teachers.

第十八条の二十二 保育士は、正当な理由がなく、その業務に関して知り得た人の秘密を漏らしてはならない。保育士でなくなつた後においても、同様とする。
Article 18-22 A nursery teacher must not divulge any secrets of any person coming to their knowledge with regard to their duties without justifiable ground. The same applies even after they cease to be a nursery teacher.

第十八条の二十三 保育士でない者は、保育士又はこれに紛らわしい名称を使用してはならない。
Article 18-23 A person who is not a nursery teacher must not use the name that refers themselves as a nursery teacher or any other name that is confusingly similar to this.

第十八条の二十四 この法律に定めるもののほか、指定保育士養成施設、保育士試験、指定試験機関、保育士の登録その他保育士に関し必要な事項は、政令でこれを定める。
Article 18-24 Beyond what is provided for in this Act, other necessary particulars concerning nursery teachers such as a designated nursery teacher training facility, nursery teacher examinations, designated examining body and registration of nursery teachers prescribed by Cabinet Order.

第二章 福祉の保障

Chapter II Guarantee of Welfare

第一節 療育の指導、小児慢性特定疾病医療費の支給等

Section 1 Guidance on Medical Treatment and Education, Payments of Medical Expenses for Specified Chronic Pediatric Diseases

第一款 療育の指導

Subsection 1 Guidance on Medical Treatment and Education

第十九条 保健所長は、身体に障害のある児童につき、診査を行ない、又は相談に応じ、必要な療育の指導を行なわなければならない。

Article 19 (1) A public health center's director must carry out medical examinations or provide consultation for children with physical disabilities, and must guide medical treatment and education necessary for them.

2 保健所長は、疾病により長期にわたり療養を必要とする児童につき、診査を行い、又は相談に応じ、必要な療育の指導を行うことができる。

(2) A public health center's director may carry out medical examinations or provide consultation for children in need of long-term medical treatment due to

illness, and may provide guidance for medical treatment and education necessary for them.

- 3 保健所長は、身体障害者福祉法（昭和二十四年法律第二百八十三号）第十五条第四項の規定により身体障害者手帳の交付を受けた児童（身体に障害のある十五歳未満の児童については、身体障害者手帳の交付を受けたその保護者とする。以下同じ。）につき、同法第十六条第二項第一号又は第二号に掲げる事由があると認めるときは、その旨を都道府県知事に報告しなければならない。

- (3) When a public health center's director finds that a child to whom a physically disabled certificate is issued pursuant to the provisions of Article 15, paragraph (4) of the Act on Welfare of Persons with Physical Disabilities (Act No. 283 of 1949) (or the custodian of a child to whom a physically disabled certificate is issued as aforementioned, if the person is a child with physical disabilities under 15 years of age; the same applies hereinafter) falls under any of the reasons listed in Article 16, paragraph (2), item (i) or (ii) the same Act, the public health center's director must notify the prefectural governor to that effect.

第二款 小児慢性特定疾病医療費の支給

Subsection 2 Payments of Medical Expenses for Specified Chronic Pediatric Diseases

第一目 小児慢性特定疾病医療費の支給

Division 1 Payments of Medical Expenses for Specified Chronic Pediatric Diseases

第十九条の二 都道府県は、次条第三項に規定する医療費支給認定（以下この条において「医療費支給認定」という。）に係る小児慢性特定疾病児童等が、次条第六項に規定する医療費支給認定の有効期間内において、指定小児慢性特定疾病医療機関（同条第五項の規定により定められたものに限る。）から当該医療費支給認定に係る小児慢性特定疾病医療支援（以下「指定小児慢性特定疾病医療支援」という。）を受けたときは、厚生労働省令で定めるところにより、当該小児慢性特定疾病児童等に係る同条第七項に規定する医療費支給認定保護者（次項において「医療費支給認定保護者」という。）に対し、当該指定小児慢性特定疾病医療支援に要した費用について、小児慢性特定疾病医療費を支給する。

Article 19-2 (1) If a child with a specified chronic pediatric disease, etc. pertaining to grant approval of medical expenses set forth in paragraph (3) of the following Article (hereinafter referred to as "grant approval of medical expenses" in this Article) receives medical support for specified chronic pediatric diseases pertaining the relevant grant approval of medical expenses" in this Article (hereinafter referred to as "designated specified chronic pediatric diseases") within the effective period of grant approval of medical expenses set forth in paragraph (6) of the following Article, from medical

institution for specified chronic pediatric diseases. (limited to such institutions as set forth in paragraph (5) of the same Article), the prefectural government, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, may pay medical expenses for specified chronic pediatric diseases for the expenses required for the relevant custodian given grant approval of medical expenses pertaining to the relevant children with a specified chronic pediatric disease (referring to as "custodian given grant approval of medical expenses" in the following paragraph") with regard to the expenses spent for the relevant medical support for specified chronic pediatric diseases;

2 小児慢性特定疾病医療費の額は、一月につき、次に掲げる額の合算額とする。

(2) The amount of medical expenses for specified chronic pediatric diseases per month is the aggregate amount of the following amount.

一 同一の月に受けた指定小児慢性特定疾病医療支援（食事療養（健康保険法（大正十一年法律第七十号）第六十三条第二項第一号に規定する食事療養をいう。第二十一条の五の二十九第二項及び第二十四条の二十第二項において同じ。）を除く。）につき健康保険の療養に要する費用の額の算定方法の例により算定した額から、当該医療費支給認定保護者の家計の負担能力、当該医療費支給認定に係る小児慢性特定疾病児童等の治療の状況又は身体の状態、当該医療費支給認定保護者と同一の世帯に属する他の医療費支給認定に係る小児慢性特定疾病児童等及び難病の患者に対する医療等に関する法律（平成二十六年法律第五十号）第七条第一項に規定する支給認定を受けた指定難病（同法第五条第一項に規定する指定難病をいう。）の患者の数その他の事情をしん酌して政令で定める額（当該政令で定める額が当該算定した額の百分の二十に相当する額を超えるときは、当該相当する額）を控除して得た額

(i) the amount obtained by deducting, from the amount calculated in accordance with the method for calculating the amount of expenses incurred for medical treatment of health insurance on designated medical support for specified chronic pediatric diseases (excluding dietary treatment (meaning the dietary treatment provided in Article 63, paragraph (2) of the Health Insurance Act (Act No. 70 of 1922); the same applies hereinafter in this paragraph)) in the same month, the amount provided in Cabinet Order as considering the financial capacity of the household budget of the custodian given grant approval of medical expenses, the status of treatment or the physical condition of the child with a specified chronic pediatric disease, etc. pertaining to the relevant grant approval of medical expenses, the number of children with specified chronic pediatric diseases and other patients with designated intractable diseases given a grant recipient approval pertaining to other grant recipient approval of medical expenses provided in Article 7, paragraph (1) of Act on Medical Care for Patients with Intractable Diseases (Act No. 50 of May 30, 2014) who belong to the same household of the relevant custodian given grant approval of medical expenses and other

circumstances (or the equivalent amount if the amount provided by Cabinet Order exceeds the amount equivalent to twenty percent of the relevant calculated amount);

二 当該指定小児慢性特定疾病医療支援（食事療養に限る。）につき健康保険の療養に要する費用の額の算定方法の例により算定した額から、健康保険法第八十五条第二項に規定する食事療養標準負担額、医療費支給認定保護者の所得の状況その他の事情を勘案して厚生労働大臣が定める額を控除した額

(ii) the amount obtained by deducting the amount provided by the Minister of Health, Labour and Welfare in consideration of the amount of the standard co-payment for dietary treatment stipulated in Article 85, paragraph (2) of the Health Insurance Act, the income status of the custodian given grant approval of medical expenses and other circumstances from the amount calculated in accordance with the method for calculating the amount of expenses incurred for medical treatment of health insurance on the relevant designated medical support for a specified chronic pediatric disease (limited to dietary treatment);

3 前項に規定する療養に要する費用の額の算定方法の例によることができないとき、及びこれによることを相当としないときの小児慢性特定疾病医療支援に要する費用の額の算定方法は、厚生労働大臣の定めるところによる。

(3) If it is not possible to calculate an amount in accordance with the method of calculating the amount of expenses incurred for medical treatment provided in the preceding paragraph, or that method is not suitable, the method of calculating the amount of expenses for medical support for specified chronic pediatric diseases is to be prescribed by the Minister of Health, Labour and Welfare.

第十九条の三 小児慢性特定疾病児童等の保護者（小児慢性特定疾病児童等の親権を行う者、未成年後見人その他の者で、当該小児慢性特定疾病児童等を現に監護する者をいう。以下この条、第五十七条の三第二項、第五十七条の三の三第二項及び第五十七条の四第二項において同じ。）は、前条第一項の規定により小児慢性特定疾病医療費の支給を受けようとするときは、都道府県知事の定める医師（以下「指定医」という。）の診断書（小児慢性特定疾病児童等が小児慢性特定疾病にかかっており、かつ、当該小児慢性特定疾病の状態が第六条の二第二項に規定する厚生労働大臣が定める程度であることを証する書面として厚生労働省令で定めるものをいう。）を添えて、都道府県に申請しなければならない。

Article 19-3 (1) When a custodian of a child with a specified chronic pediatric disease, etc. (who has actual custody of the child with a specified chronic pediatric disease, etc., that is, a person who has parental authority, a custodian of a minor, or any other person and who actually cares for the relevant child; the same applies in this Article, Article 57-3, paragraph (2), Article 57-3-3, paragraph (2) and Article 57-4, paragraph (2)) intends to receive

payments of medical expenses for specified chronic pediatric diseases, the custodian must apply to the prefectural government by attaching a medical certificate (meaning a document provided by Order of the Ministry of Health, Labour and Welfare as a document certifying that the child with a specified chronic pediatric disease, etc. has contracted the a specified chronic pediatric disease and the degree of severity of the medical condition of the disease is of one determined by Minister of Health, Labour and Welfare set forth in Article 6-2, paragraph (2)) issued by a physician designated by a prefectural governor (hereinafter referred to as "designated physician").

2 指定医の指定の手續その他指定医に関し必要な事項は、厚生労働省令で定める。

(2) The necessary particulars concerning the procedures for designating designated physicians and other designated physicians must be specified by Ministry of Health, Labour and Welfare.

3 都道府県は、第一項の申請に係る小児慢性特定疾病児童等が小児慢性特定疾病にかかつており、かつ、当該小児慢性特定疾病の状態が第六条の二第二項に規定する厚生労働大臣が定める程度であると認められる場合には、小児慢性特定疾病医療費を支給する旨の認定（以下「医療費支給認定」という。）を行うものとする。

(3) If a child with a specified chronic pediatric disease pertaining to the application referred to in paragraph (1) is found to have contracted the specified chronic pediatric disease and the degree of severity of the medical condition of the disease is of one determined by Minister of Health, Labour and Welfare set forth in Article 6-2, paragraph (2), a prefecture is to give a grant for payment of medical expenses for a specified chronic pediatric disease (hereinafter referred to as "grant approval of medical expenses").

4 都道府県は、第一項の申請があつた場合において、医療費支給認定をしないこととするとき（申請の形式上の要件に適合しない場合として厚生労働省令で定める場合を除く。）は、あらかじめ、次条第一項に規定する小児慢性特定疾病審査会に当該申請に係る小児慢性特定疾病児童等の保護者について医療費支給認定をしないことに関し審査を求めなければならない。

(4) When the application for designation under the paragraph (1) has been filed, and a prefecture has no intention to give a grant approval of medical expenses (excluding the cases provided by Order of Ministry of Health, Labour and Welfare as cases not to meet formal requirements for application), the prefectural in advance, must request the Specified Chronic Pediatric Diseases Examination Board provided in paragraph (1) of the following article to examine in not giving the approval for the grant to a custodian of a child with a specified chronic pediatric disease pertaining to the relevant application.

5 都道府県は、医療費支給認定をしたときは、厚生労働省令で定めるところにより、指定小児慢性特定疾病医療機関の中から、当該医療費支給認定に係る小児慢性特定疾病児童等が小児慢性特定疾病医療支援を受けるものを定めるものとする。

(5) If a prefecture has given a grant approval for medical expenses, the

prefecture is to determine a designated medical institution for specified chronic pediatric diseases among designated medical institutions for a specified chronic pediatric disease where a child with a specified chronic pediatric disease given the relevant grant approval for medical expenses receives medical support for a specified chronic pediatric disease pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

6 医療費支給認定は、厚生労働省令で定める期間（次項及び第十九条の六第一項第二号において「医療費支給認定の有効期間」という。）内に限り、その効力を有する。

(6) A grant approval of medical expenses is only within the period specified by Order of Ministry of Health, Labour and Welfare (referring to as "valid period for grant approval of medical expenses" in the following paragraph and Article 19-6, paragraph (1), item (ii)).

7 都道府県は、医療費支給認定をしたときは、当該医療費支給認定を受けた小児慢性特定疾病児童等の保護者（以下「医療費支給認定保護者」という。）に対し、厚生労働省令で定めるところにより、医療費支給認定の有効期間を記載した医療受給者証（以下「医療受給者証」という。）を交付しなければならない。

(7) If a prefecture has given a grant approval of medical expenses, the prefecture, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, must issue a certification for grant approval which describes the valid period of the grant approval of medical expenses (hereinafter referred to as "certification for grant approval") to a custodian of a child with a specified chronic pediatric disease (hereinafter referred to as "custodian given grant approval of medical expenses").

8 医療費支給認定は、その申請のあつた日に遡つてその効力を生ずる。

(8) Grant approval of medical expenses becomes valid retroactively as of the date of the application.

9 指定小児慢性特定疾病医療支援を受けようとする医療費支給認定保護者は、厚生労働省令で定めるところにより、第五項の規定により定められた指定小児慢性特定疾病医療機関に医療受給者証を提示して指定小児慢性特定疾病医療支援を受けるものとする。ただし、緊急の場合その他やむを得ない事由のある場合については、医療受給者証を提示することを要しない。

(9) A custodian given grant approval of medical expenses who intends to receive designated medical support for a specified chronic pediatric disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, is to receive designated medical support for a specified chronic pediatric disease by presenting certification for grant approval to a designated medical institution for specified chronic pediatric diseases determined pursuant to the provisions of paragraph (5); provided, however, that in the case of an emergency or any other unavoidable circumstance, presenting the medical care recipient certificate is not required.

10 医療費支給認定に係る小児慢性特定疾病児童等が第五項の規定により定められた

指定小児慢性特定疾病医療機関から指定小児慢性特定疾病医療支援を受けたとき（当該小児慢性特定疾病児童等に係る医療費支給認定保護者が当該指定小児慢性特定疾病医療機関に医療受給者証を提示したときに限る。）は、都道府県は、当該医療費支給認定保護者が当該指定小児慢性特定疾病医療機関に支払うべき当該指定小児慢性特定疾病医療支援に要した費用について、小児慢性特定疾病医療費として当該医療費支給認定保護者に支給すべき額の限度において、当該医療費支給認定保護者に代わり、当該指定小児慢性特定疾病医療機関に支払うことができる。

(10) If a child with a specified chronic pediatric disease pertaining to a grant approval for medical expenses has received designated medical support for a specified chronic pediatric disease from a designated medical institution for a specified chronic pediatric disease determined pursuant to the provisions of paragraph (5) (limited to a case where the custodian given grant approval of medical expenses pertaining to the relevant child with a specified chronic pediatric disease presents certification for grant approval to the relevant designated medical institution for specified chronic pediatric diseases), the prefecture, in lieu of the relevant custodian given a grant approval for medical expenses, may pay the relevant designated medical institution for specified chronic pediatric diseases, expenses incurred for the relevant designated medical support for specified chronic pediatric diseases payable by the relevant custodian given a grant approval for medical expenses to the relevant designated medical institution for specified chronic pediatric diseases within the extent of the amount payable to the relevant custodian given a grant approval for medical expenses as medical expenses for specified chronic pediatric diseases.

1 1 前項の規定による支払があつたときは、当該医療費支給認定保護者に対し、小児慢性特定疾病医療費の支給があつたものとみなす。

(11) If a payment has been made pursuant to the provisions of the preceding paragraph, the relevant custodian given a grant approval for medical expenses is deemed to have received medical expenses for a specified chronic pediatric disease.

第十九条の四 前条第四項の規定による審査を行わせるため、都道府県に、小児慢性特定疾病審査会を置く。

Article 19-4 (1) A prefecture is to establish a specified chronic pediatric diseases examination board in order to have the board conduct the examination under paragraph (4) of the preceding Article.

2 小児慢性特定疾病審査会の委員は、小児慢性特定疾病に関し知見を有する医師その他の関係者のうちから、都道府県知事が任命する。

(2) Members of a specified chronic pediatric diseases examination board are appointed by the prefectural governor from among persons with relevant knowledge and experience in specified chronic pediatric diseases.

3 委員の任期は、二年とする。

(3) The tenure of office of a member is two years.

4 この法律に定めるもののほか、小児慢性特定疾病審査会に必要な事項は、厚生労働省令で定める。

(4) Beyond what is provided for in this Act, necessary particulars concerning a specified chronic pediatric diseases examination board are provided by Order of the Ministry of Health, Labour and Welfare.

第十九条の五 医療費支給認定保護者は、現に受けている医療費支給認定に係る第十九条の三第五項の規定により定められた指定小児慢性特定疾病医療機関その他の厚生労働省令で定める事項を変更する必要があるときは、都道府県に対し、当該医療費支給認定の変更の申請をすることができる。

Article 19-5 (1) If a custodian given a grant approval for medical expenses needs to change the designated medical institution for specified chronic pediatric diseases determined pursuant to Article 19-3, paragraph (5) pertaining to the grant approval of medical expenses which the custodian given a grant approval for medical expenses has already been given or other particulars provided by Order of the Ministry of Health, Labour and Welfare, the patient, etc. given grant recipient approval may apply to the prefecture for change on the relevant grant approval for medical expenses pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 都道府県は、前項の申請又は職権により、医療費支給認定保護者に対し、必要があると認めるときは、厚生労働省令で定めるところにより、医療費支給認定の変更の認定を行うことができる。この場合において、都道府県は、当該医療費支給認定保護者に対し医療受給者証の提出を求めるものとする。

(2) If a prefecture finds it necessary to change particulars with regard to a custodian given a grant approval for medical expenses, the prefecture, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, may approve alternation of a grant approval for medical expenses upon receiving an application referred to in the preceding paragraph or authority. In this case, the prefecture is to request that the relevant custodian given a grant approval for medical expenses submit the certification for grant approval.

3 都道府県は、前項の医療費支給認定の変更の認定を行つたときは、医療受給者証に当該変更の認定に係る事項を記載し、これを返還するものとする。

(3) If a prefecture has approved the change of a grant approval for medical expenses referred to in the preceding paragraph, the prefecture is to describe the particulars pertaining to the approval of the change on the certification for grant approval and return it to the custodian.

第十九条の六 医療費支給認定を行つた都道府県は、次に掲げる場合には、当該医療費

支給認定を取り消すことができる。

Article 19-6 (1) A prefecture that has given a grant approval for medical expenses may rescind the relevant grant approval for medical expenses in the following cases:

一 医療費支給認定に係る小児慢性特定疾病児童等が、その疾病の状態、治療の状況等からみて指定小児慢性特定疾病医療支援を受ける必要がなくなつたと認めるとき。

(i) if it is found that a child with a specified chronic pediatric disease pertaining to certification for grant approval for medical expenses no longer needs to receive medical support for specified chronic pediatric diseases in the light of their condition of the disease or the state of treatment, etc.;

二 医療費支給認定保護者が、医療費支給認定の有効期間内に、当該都道府県以外の都道府県の区域内に居住地を有するに至つたと認めるとき。

(ii) if a custodian given a grant approval for medical expenses is deemed to have their place of residence in a prefecture other than the prefecture during the effective period of the grant approval for medical expenses;

三 その他政令で定めるとき。

(iii) in other cases provided by Cabinet Order.

2 前項の規定により医療費支給認定の取消しを行つた都道府県は、厚生労働省令で定めるところにより、当該取消しに係る医療費支給認定保護者に対し、医療受給者証の返還を求めるものとする。

(2) The prefecture that has rescinded a grant approval for medical expenses pursuant to the provisions of the preceding paragraph is to ask the custodian given a grant approval for medical expenses pertaining to the rescission to return the certification for grant approval pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第十九条の七 小児慢性特定疾病医療費の支給は、当該小児慢性特定疾病の状態につき、健康保険法の規定による家族療養費その他の法令に基づく給付であつて政令で定めるもののうち小児慢性特定疾病医療費の支給に相当するものを受けるときは政令で定める限度において、当該政令で定める給付以外の給付であつて国又は地方公共団体の負担において小児慢性特定疾病医療費の支給に相当するものが行われたときはその限度において、行わない。

Article 19-7 Payment of medical expenses for specified chronic pediatric diseases is not to be made for medical care of a child with a specified chronic pediatric disease to the extent provided by Cabinet Order if the child is eligible for benefits equivalent to payment of medical expenses for specified chronic pediatric diseases among benefits provided by Cabinet Order which are benefits for dependents' medical expenses under the Health Insurance Act or any other benefits based on Laws and Regulations in light of the condition of the relevant specified chronic pediatric disease or to the extent covered by the benefits granted if benefits have been provided which are other than the

benefits provided by the relevant Cabinet Order and which are equivalent to payment of medical expenses for a specified chronic pediatric disease at the expense of the national or local governments.

第十九条の八 この目に定めるもののほか、小児慢性特定疾病医療費の支給に関し必要な事項は、厚生労働省令で定める。

Article 19-8 Beyond what is provided for in this section, necessary particulars concerning payment of medical expenses for specified chronic pediatric diseases are provided by Order of the Ministry of Health, Labour and Welfare

第二目 指定小児慢性特定疾病医療機関

Division 2 Designated Medical Institution for Specified Chronic Pediatric Diseases

第十九条の九 第六条の二第二項の指定（以下「指定小児慢性特定疾病医療機関の指定」という。）は、厚生労働省令で定めるところにより、病院若しくは診療所（これらに準ずるものとして政令で定めるものを含む。以下同じ。）又は薬局の開設者の申請があつたものについて行う。

Article 19-9 (1) A designation of Article 6-2, paragraph (2) (hereinafter referred to as designation of designated medical institution for specified chronic pediatric diseases") is made by an application from the establisher, who opened a hospital, clinic (including other institutions provided by Cabinet Order as being equivalent; the same applies hereinafter) or by an establisher of a pharmacy, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare..

2 都道府県知事は、前項の申請があつた場合において、次の各号のいずれかに該当するときは、指定小児慢性特定疾病医療機関の指定をしてはならない。

(2) A prefectural governor must not make a designation of a designated medical institution for specified chronic pediatric diseases if an application referred to in the preceding paragraph is filed and the filed application falls under any of the following items:

一 申請者が、禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(i) if the applicant has been sentenced to imprisonment without work or a heavier punishment and the execution of the sentence for the applicant has not yet been completed or the sentence has not yet been ceased to be applicable;

二 申請者が、この法律その他国民の保健医療若しくは福祉に関する法律で政令で定めるものの規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(ii) if the applicant has been punished by a fine pursuant to the provisions of

this Act, or other Acts concerning national healthcare provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;

三 申請者が、労働に関する法律の規定であつて政令で定めるものにより罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(iii) if the applicant has been punished by a fine pursuant to the provisions of this Act, or other Acts concerning labor provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;

四 申請者が、第十九条の十八の規定により指定小児慢性特定疾病医療機関の指定を取り消され、その取消の日から起算して五年を経過しない者（当該指定小児慢性特定疾病医療機関の指定を取り消された者が法人である場合においては、当該取消しの処分に係る行政手続法（平成五年法律第八十八号）第十五条の規定による通知があつた日前六十日以内に当該法人の役員又はその医療機関の管理者（以下「役員等」という。）であつた者で当該取消しの日から起算して五年を経過しないものを含み、当該指定小児慢性特定疾病医療機関の指定を取り消された者が法人でない場合においては、当該通知があつた日前六十日以内に当該者の管理者であつた者で当該取消しの日から起算して五年を経過しないものを含む。）であるとき。ただし、当該取消しが、指定小児慢性特定疾病医療機関の指定の取消のうち当該取消しの処分の理由となつた事実及び当該事実に関して当該指定小児慢性特定疾病医療機関の開設者が有していた責任の程度を考慮して、この号本文に規定する指定小児慢性特定疾病医療機関の指定の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(iv) if the applicant is a person whose designation of a designated medical institution for specified chronic pediatric diseases has been rescinded pursuant to the provisions of Article 19-18 and for whom five years have not yet elapsed since the date of the rescission (if a person whose designation of the relevant designated medical institution for specified chronic pediatric diseases which has been rescinded is a corporation, including a person who used to be an officer of the corporation or a manager of a medical institution (hereinafter referred to as "officer, etc.") within 60 days prior to the date of notification under Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) pertaining to the rescission, and five years have not yet elapsed since the date of the rescission; and if a person whose designation of the relevant designated medical institution for specified chronic pediatric diseases has been rescinded is not a corporation, including a person who used to be a manager of a person within 60 days prior to the date of the notification and for whom five years have not yet elapsed since the date of the rescission); provided, however, that this does not apply if the rescission falls under a rescission of designation of a designated medical institution for

specified chronic pediatric diseases provided by Order of the Ministry of Health, Labour and Welfare as a rescission which is found appropriate for not falling under a rescission on the relevant designated medical institution for specified chronic pediatric diseases under the main clause of this item in consideration of facts as reasons for the disposition of the rescission and the degree of responsibility held by the establisher of the relevant designated medical institution for specified chronic pediatric diseases with regard to the facts;

五 申請者が、第十九条の十八の規定による指定小児慢性特定疾病医療機関の指定の取消しの処分に係る行政手続法第十五条の規定による通知があつた日（第七号において「通知日」という。）から当該処分をする日又は処分をしないことを決定する日までの間に第十九条の十五の規定による指定小児慢性特定疾病医療機関の指定の辞退の申出をした者（当該辞退について相当の理由がある者を除く。）で、当該申出の日から起算して五年を経過しないものであるとき。

(v) if the applicant is a person who has offered to decline the designation of a designated medical institution for specified chronic pediatric diseases under Article 19-15 during the period from the date of the notification under Article 15 of the Administrative Procedure Act pertaining to the rescission of designation of a designated medical institution for specified chronic pediatric diseases under Article 19-18 (referred to as "the date of notification" in item (vii)) to the date of the disposition or the date of determination not to dispose (excluding a person who has an appropriate reason for the declination); and for whom five years have not elapsed since the date of the relevant offer;

六 申請者が、第十九条の十六第一項の規定による検査が行われた日から聴聞決定予定日（当該検査の結果に基づき第十九条の十八の規定による指定小児慢性特定疾病医療機関の指定の取消しの処分に係る聴聞を行うか否かの決定をすることが見込まれる日として厚生労働省令で定めるところにより都道府県知事が当該申請者に当該検査が行われた日から十日以内に特定の日を通知した場合における当該特定の日をいう。）までの間に第十九条の十五の規定による指定小児慢性特定疾病医療機関の指定の辞退の申出をした者（当該辞退について相当の理由がある者を除く。）で、当該申出の日から起算して五年を経過しないものであるとき。

(vi) if the applicant is a person who, during the period from the date of examination under Article 19-16, paragraph (1) to the scheduled date of determination of hearing (meaning the specified date which a prefectural governor has notified to the applicant within ten days since the examination pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare as the date expected to determine whether the hearing pertaining to the rescission of designation of a designated medical institution for specified chronic pediatric diseases under Article 19-18 or not based on the conclusion of the examination), has offered to decline the designation of a designated medical institution for specified chronic pediatric diseases under Article 19-

15 (excluding a person who has an appropriate reason for the declination) and for whom five years have not yet elapsed since the date of the offer;

七 第五号に規定する期間内に第十九条の十五の規定による指定小児慢性特定疾病医療機関の指定の辞退の申出があつた場合において、申請者が、通知日前六十日以内に当該申出に係る法人（当該辞退について相当の理由がある法人を除く。）の役員等又は当該申出に係る法人でない者（当該辞退について相当の理由がある者を除く。）の管理者であつた者で、当該申出の日から起算して五年を経過しないものであるとき。

(vii) if the declination of designation of a designated medical institution for specified chronic pediatric diseases under Article 19-15 has been offered within the period provided in item (v) and the applicant is a person who used to be an officer, etc. of the corporation pertaining to the offer (excluding a person who has an appropriate reason for the declination) or a manager of a person who is not a corporation pertaining to the offer (excluding a person who has an appropriate reason for the declination) within 60 days prior to the date of notification, and for whom five years have not yet elapsed since the date of the relevant offer;

八 申請者が、前項の申請前五年以内に小児慢性特定疾病医療支援に関し不正又は著しく不当な行為をした者であるとき。

(viii) if the applicant is a person who has committed a wrongful or extremely unjust act concerning specified medical support for specified chronic pediatric diseases within five years prior to the application referred to in the preceding paragraph;

九 申請者が、法人で、その役員等のうちに前各号のいずれかに該当する者のあるものであるとき。

(ix) if the applicant is a corporation and has a person among its officers, etc. who falls under any of the preceding items;

十 申請者が、法人でない者で、その管理者が第一号から第八号までのいずれかに該当する者であるとき。

(x) if the applicant is not a corporation and its manager falls under any of items (i) through (viii).

3 都道府県知事は、第一項の申請があつた場合において、次の各号のいずれかに該当するときは、指定小児慢性特定疾病医療機関の指定をしないことができる。

(3) A prefectural governor may determine not to make a designation of a designated medical institution for specified chronic pediatric diseases if an application referred to in paragraph (1) is filed and the application falls under any of the following items:

一 当該申請に係る病院若しくは診療所又は薬局が、健康保険法第六十三条第三項第一号に規定する保険医療機関若しくは保険薬局又は厚生労働省令で定める事業所若しくは施設でないとき。

(i) if a hospital, clinic or pharmacy pertaining to the application is not a health

insurance-covered medical institution or a health insurance-covered pharmacy provided in Article 63, paragraph (3), item (i) of the Health Insurance Act or a place of business or a facility provided by Order of the Ministry of Health, Labour and Welfare;

二 当該申請に係る病院若しくは診療所若しくは薬局又は申請者が、小児慢性特定疾病医療費の支給に関し診療又は調剤の内容の適切さを欠くおそれがあるとして重ねて第十九条の十三の規定による指導又は第十九条の十七第一項の規定による勧告を受けたものであるとき。

(ii) if a hospital, clinic or pharmacy pertaining to the application or an applicant has been repeatedly directed under Article 19-13 or recommended under Article 19-17, paragraph (1) in fear of lack of appropriateness for contents of medical care or prescription with regard to payment of medical expenses for specified chronic pediatric diseases;

三 申請者が、第十九条の十七第三項の規定による命令に従わないものであるとき。

(iii) if an applicant does not comply with an order under Article 19-17, paragraph (3);

四 前三号に掲げる場合のほか、当該申請に係る病院若しくは診療所又は薬局が、指定小児慢性特定疾病医療機関として著しく不相当と認めるものであるとき。

(iv) beyond what is set forth in the preceding three items, if a hospital, clinic or pharmacy pertaining to the application is found extremely inappropriate as a designated medical institution for specified chronic pediatric diseases.

第十九条の十 指定小児慢性特定疾病医療機関の指定は、六年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 19-10 (1) Unless the designation of a designated medical institution for specified chronic pediatric diseases is renewed every six years, the designation ceases to be effective upon the expiration of such period.

2 健康保険法第六十八条第二項の規定は、前項の更新について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 68, paragraph (2) of the Health Insurance Act apply mutatis mutandis to the renewal of designation of a designated medical institution referred to in the preceding paragraph. In this case, necessary terminological replacements are prescribed by a Cabinet Order.

第十九条の十一 指定小児慢性特定疾病医療機関は、厚生労働大臣の定めるところにより、良質かつ適切な小児慢性特定疾病医療支援を行わなければならない。

Article 19-11 A designated medical institution for specified chronic pediatric diseases must provide high-quality and appropriate medical support for specified chronic pediatric diseases pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第十九条の十二 指定小児慢性特定疾病医療機関の診療方針は、健康保険の診療方針の例による。

Article 19-12 (1) The medical service policy for a designated medical institution for specified chronic pediatric diseases is governed by the medical service policy of the health insurance.

2 前項に規定する診療方針によることができないとき、及びこれによることを適当としないときの診療方針は、厚生労働大臣が定めるところによる。

(2) If the medical service policy provided in the preceding paragraph cannot be complied with or if it is not appropriate to comply therewith, the medical service policy is to be as provided by the Minister of Health, Labour and Welfare.

第十九条の十三 指定小児慢性特定疾病医療機関は、小児慢性特定疾病医療支援の実施に関し、都道府県知事の指導を受けなければならない。

Article 19-13 A designated medical institution for specified chronic pediatric diseases must receive guidance from the prefectural governor with regard to implementation of medical support for specified chronic pediatric diseases.

第十九条の十四 指定小児慢性特定疾病医療機関は、当該指定に係る医療機関の名称及び所在地その他厚生労働省令で定める事項に変更があつたときは、厚生労働省令で定めるところにより、十日以内に、その旨を都道府県知事に届け出なければならない。

Article 19-14 If the name, address and any other particulars provided by Order of the Ministry of Health, Labour and Welfare of the designated medical institution for specified chronic pediatric diseases has been changed, the designated medical institution for specified chronic pediatric diseases must notify a prefectural governor of the change pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare

第十九条の十五 指定小児慢性特定疾病医療機関は、一月以上の予告期間を設けて、指定小児慢性特定疾病医療機関の指定を辞退することができる。

Article 19-15 A designated medical institution for specified chronic pediatric diseases may decline the designation of a designated medical institution for specified chronic pediatric diseases by offering one month or more of prior notice

第十九条の十六 都道府県知事は、小児慢性特定疾病医療支援の実施に関して必要があると認めるときは、指定小児慢性特定疾病医療機関若しくは指定小児慢性特定疾病医療機関の開設者若しくは管理者、医師、薬剤師その他の従業者であつた者（以下この項において「開設者であつた者等」という。）に対し、報告若しくは診療録、帳簿書類その他の物件の提出若しくは提示を命じ、指定小児慢性特定疾病医療機関の開設者若しくは管理者、医師、薬剤師その他の従業者（開設者であつた者等を含む。）に対

し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定小児慢性特定疾病医療機関について設備若しくは診療録、帳簿書類その他の物件を検査させることができる。

Article 19-16 (1) If a prefectural governor finds it necessary in relation for implementing medical support for specified chronic pediatric diseases, the prefectural governor may order a designated medical institution for specified chronic pediatric diseases for any of the persons who were establishers, managers, physicians, pharmacists or other employees of the designated medical institution (hereinafter referred to as "the former establishers, etc." in this paragraph) to make a report or submit or present medical records, books and documents or other items, may request any of the establishers, managers, physicians, pharmacies or other employees of the designated medical institution for specified chronic pediatric diseases (including the former establishers, etc.) to appear, or may have personnel question relevant persons or inspect any equipment or medical records, the books and other documents or other items of the relevant designated medical institution for specified chronic pediatric diseases.

2 前項の規定による質問又は検査を行う場合においては、当該職員は、その身分を示す証明書を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) If questions or inspections are conducted under the preceding paragraph, the personnel must carry an identification card and present it at the request of any person concerned.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under paragraph (1) must not be construed as being granted for criminal investigation.

4 指定小児慢性特定疾病医療機関が、正当な理由がないのに、第一項の規定により報告若しくは提出若しくは提示を命ぜられてこれに従わず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したときは、都道府県知事は、当該指定小児慢性特定疾病医療機関に対する小児慢性特定疾病医療費の支払を一時差し止めることができる。

(4) If a designated medical institution for specified chronic pediatric diseases has failed to comply with an order to report, submit or present records pursuant to paragraph (1) or has made a false report, or refused, or has prevented or avoided inspection under the same paragraph without reasonable grounds, a prefectural governor may temporarily suspend payment of medical expenses for specified chronic pediatric diseases to the relevant designated medical institution for specified chronic pediatric diseases.

第十九条の十七 都道府県知事は、指定小児慢性特定疾病医療機関が、第十九条の十一

又は第十九条の十二の規定に従つて小児慢性特定疾病医療支援を行っていないと認めるときは、当該指定小児慢性特定疾病医療機関の開設者に対し、期限を定めて、第十九条の十一又は第十九条の十二の規定を遵守すべきことを勧告することができる。

Article 19-17 (1) A prefectural governor, if it is found that a designated medical institution for specified chronic pediatric diseases fails to provide medical support for specified chronic pediatric diseases in accordance with Article 19-11 or 19-12, may recommend that an establisher of the designated medical institution comply with Article 19-11 or 19-12 by a set deadline.

2 都道府県知事は、前項の規定による勧告をした場合において、その勧告を受けた指定小児慢性特定疾病医療機関の開設者が、同項の期限内にこれに従わなかつたときは、その旨を公表することができる。

(2) If a prefectural governor has made a recommendation under the preceding paragraph and an establisher of the designated medical institution for specified chronic pediatric diseases who has received the recommendation have failed to comply, within the deadline referred to in the same paragraph, the prefectural governor may make it public to that effect.

3 都道府県知事は、第一項の規定による勧告を受けた指定小児慢性特定疾病医療機関の開設者が、正当な理由がなくその勧告に係る措置をとらなかつたときは、当該指定小児慢性特定疾病医療機関の開設者に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) If an establisher of the designated medical institution for specified chronic pediatric diseases who has received a recommendation under paragraph (1) has failed to take any measures pertaining to the recommendation without reasonable grounds, the prefectural governor may order the establishers of the relevant designated medical institution for specified chronic pediatric diseases to take measures pertaining to the recommendation, by a set deadline.

4 都道府県知事は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) If a prefectural governor has issued an order under the preceding paragraph, the prefectural governor must make a public announcement.

第十九条の十八 都道府県知事は、次の各号のいずれかに該当する場合においては、当該指定小児慢性特定疾病医療機関に係る指定小児慢性特定疾病医療機関の指定を取り消し、又は期間を定めてその指定小児慢性特定疾病医療機関の指定の全部若しくは一部の効力を停止することができる。

Article 19-18 A prefectural governor may rescind the designation of a designated medical institution for specified chronic pediatric diseases pertaining to the relevant designated medical institution specified chronic pediatric diseases or suspend the whole or part of the validity of the designation of a designated medical institution with setting a term in the cases set forth in the following items:

- 一 指定小児慢性特定疾病医療機関が、第十九条の九第二項第一号から第三号まで、第九号又は第十号のいずれかに該当するに至ったとき。
- (i) if a designated medical institution for specified chronic pediatric diseases has come to fall under any of Article 19-9, paragraph (2), items (i) through (iii), (ix) or (x);
- 二 指定小児慢性特定疾病医療機関が、第十九条の九第三項各号のいずれかに該当するに至ったとき。
- (ii) if a designated medical institution for specified chronic pediatric diseases has come to fall under any of the items of Article 19-9, paragraph (3);
- 三 指定小児慢性特定疾病医療機関が、第十九条の十一又は第十九条の十二の規定に違反したとき。
- (iii) if a designated medical institution for specified chronic pediatric diseases has violated Article 19-9 or 19-12;
- 四 小児慢性特定疾病医療費の請求に関し不正があつたとき。
- (iv) if medical expenses for specified chronic pediatric diseases were claimed for by wrongful means;
- 五 指定小児慢性特定疾病医療機関が、第十九条の十六第一項の規定により報告若しくは診療録、帳簿書類その他の物件の提出若しくは提示を命ぜられてこれに従わず、又は虚偽の報告をしたとき。
- (v) if a designated medical institution for specified chronic pediatric diseases ordered to make a report, submit or present medical records, books and other documents or other items pursuant to the provisions of Article 19-10, paragraph (1) failed to comply with the order or has made a false report;
- 六 指定小児慢性特定疾病医療機関の開設者又は従業者が、第十九条の十六第一項の規定により出頭を求められてこれに応ぜず、同項の規定による質問に対して答弁せず、若しくは虚偽の答弁をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避したとき。ただし、当該指定小児慢性特定疾病医療機関の従業者がその行為をした場合において、その行為を防止するため、当該指定小児慢性特定疾病医療機関の開設者が相当の注意及び監督を尽くしたときを除く。
- (vi) if an establisher or an employee of a designated medical institution for specified chronic pediatric diseases have been requested to appear pursuant to the provisions of Article 19-16, paragraph (1) and have failed to answer or made a false answer to questions under the provisions of the same paragraph, or have refused, interfered with or evaded an inspection under the provisions of the same paragraph; provided, however, that this does not apply if, the employee of the designated medical institution has conducted the actions and the establisher of the relevant designated medical institution for specified chronic pediatric diseases has fulfilled the duty of reasonable care and supervision so as to prevent the actions;
- 七 指定小児慢性特定疾病医療機関が、不正の手段により指定小児慢性特定疾病医療機関の指定を受けたとき。

(vii) if a designated medical institution for specified chronic pediatric diseases has received a designation of a designated medical institution for specified chronic pediatric diseases by wrongful means;

八 前各号に掲げる場合のほか、指定小児慢性特定疾病医療機関が、この法律その他の国民の保健医療若しくは福祉に関する法律で政令で定めるもの又はこれらの法律に基づく命令若しくは処分に違反したとき。

(viii) beyond what is set forth in the preceding items, if a designated medical institution for specified chronic pediatric diseases has violated this Act and other Acts on national healthcare or welfare provided by Cabinet Order, or an order or disposition based on these Acts;

九 前各号に掲げる場合のほか、指定小児慢性特定疾病医療機関が、小児慢性特定疾病医療支援に関し不正又は著しく不当な行為をしたとき。

(ix) beyond what is set forth in the preceding items, if a designated medical institution for specified chronic pediatric diseases has committed a wrongful or extremely unjust act concerning medical support for specified chronic pediatric diseases;

十 指定小児慢性特定疾病医療機関が法人である場合において、その役員等のうちに指定小児慢性特定疾病医療機関の指定の取消し又は指定小児慢性特定疾病医療機関の指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に小児慢性特定疾病医療支援に関し不正又は著しく不当な行為をした者があるに至ったとき。

(x) if a designated medical institution for specified chronic pediatric diseases is a corporation, and an officer, etc. thereof who has committed a wrongful or extremely unjust act concerning medical support for specified chronic pediatric diseases within five years from the time when a prefectural governor intends to rescind the validity of the designation of a designated medical institution for specified chronic pediatric diseases or suspend the whole or part of a validity of the designation of a designated medical institution for specified chronic pediatric diseases that has come to belong thereto;

十一 指定小児慢性特定疾病医療機関が法人でない場合において、その管理者が指定小児慢性特定疾病医療機関の指定の取消し又は指定小児慢性特定疾病医療機関の指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に小児慢性特定疾病医療支援に関し不正又は著しく不当な行為をした者であるに至ったとき。

(xi) if a designated medical institution for specified chronic pediatric diseases is not a corporation and a manager thereof who has committed a wrongful or extremely unjust act concerning specified medical care within five years from the time when the manager intends to rescind the validity of the designation of designated medical institution for specified chronic pediatric diseases or suspend in whole or part of the validity of the designation of a designated medical institution for specified chronic pediatric diseases that has come to belong thereto.

第十九条の十九 都道府県知事は、次に掲げる場合には、その旨を公示しなければならない。

Article 19-19 A prefectural governor must make a public announcement in the following cases:

一 指定小児慢性特定疾病医療機関の指定をしたとき。

(i) if a prefectural governor has made a designation of a designated medical institution for specified chronic pediatric diseases;

二 第十九条の十四の規定による届出（同条の厚生労働省令で定める事項の変更に係るものを除く。）があつたとき。

(ii) if a notification under Article 19-14 (excluding notification pertaining to change of particulars provided by Order of the Ministry of Health, Labour and Welfare referred to in the same Article) has been made;

三 第十九条の十五の規定による指定小児慢性特定疾病医療機関の指定の辞退があつたとき。

(iii) if a designated medical institution for specified chronic pediatric diseases has declined a designation of a designated medical institution for specified chronic pediatric diseases under Article 19-15;

四 前条の規定により指定小児慢性特定疾病医療機関の指定を取り消したとき。

(iv) if a designation of a designated medical institution for specified chronic pediatric diseases has been rescinded pursuant to the provisions of the preceding Article.

第十九条の二十 都道府県知事は、指定小児慢性特定疾病医療機関の診療内容及び小児慢性特定疾病医療費の請求を随時審査し、かつ、指定小児慢性特定疾病医療機関が第十九条の三第十項の規定によつて請求することができる小児慢性特定疾病医療費の額を決定することができる。

Article 19-20 (1) A prefectural governor may from time to time examine the content of medical treatment provided and medical expenses for specified chronic pediatric diseases claimed by a designated medical institution for specified chronic pediatric diseases and decide the amount of specified medical expenses for specified chronic pediatric diseases which the designated medical institution for specified chronic pediatric diseases is entitled to claim pursuant to the provisions of Article 19-3, paragraph (10).

2 指定小児慢性特定疾病医療機関は、都道府県知事が行う前項の決定に従わなければならない。

(2) A designated medical institution for specified chronic pediatric diseases must follow the decisions made by a prefectural governor referred to in the preceding paragraph.

3 都道府県知事は、第一項の規定により指定小児慢性特定疾病医療機関が請求することができる小児慢性特定疾病医療費の額を決定するに当たつては、社会保険診療報酬

支払基金法（昭和二十三年法律第百二十九号）に定める審査委員会、国民健康保険法（昭和三十二年法律第百九十二号）に定める国民健康保険診療報酬審査委員会その他政令で定める医療に関する審査機関の意見を聴かなければならない。

- (3) When a prefectural governor decides the amounts of medical expenses for specified chronic pediatric diseases which a designated medical institution for specified chronic pediatric diseases is entitled to claim pursuant to the provisions of paragraph (1), the prefectural governor must hear the opinions of the review committee provided in the Act on Health Insurance Claims Review and Reimbursement Services Act (Act No. 129 of 1948), the National Health Insurance Medical Fees Review Committee provided in the National Health Insurance Act (Act No. 192 of 1958), and other reviewing bodies concerning medical care provided by Cabinet Order.
- 4 都道府県は、指定小児慢性特定疾病医療機関に対する小児慢性特定疾病医療費の支払に関する事務を社会保険診療報酬支払基金、国民健康保険法第四十五条第五項に規定する国民健康保険団体連合会（以下「連合会」という。）その他厚生労働省令で定める者に委託することができる。
- (4) A prefecture may entrust affairs concerning payment of medical expenses for specified chronic pediatric diseases to a designated medical institution for specified chronic pediatric diseases to the Health Insurance Claims Review and Reimbursement Services, the Federation of National Health Insurance Association(hereinafter referred to as "Federation" provided in Article 45, paragraph (5) of the National Health Insurance Act, or other person provided by Order of the Ministry of Health, Labour and Welfare.
- 5 第一項の規定による小児慢性特定疾病医療費の額の決定については、審査請求をすることができない。
- (5) A request for administrative review may not be filed with regard to any decision on the amount of medical expenses for specified chronic pediatric diseases under paragraph (1).

第十九条の二十一 この目に定めるもののほか、指定小児慢性特定疾病医療機関に関し必要な事項は、厚生労働省令で定める。

Article 19-21 Beyond what is provided for in this Section, necessary particulars concerning designated medical institutions for specified chronic pediatric diseases are provided by Order of the Ministry of Health, Labour and Welfare.

第三目 小児慢性特定疾病児童等自立支援事業

Division 3 Self-reliance Support Service for Children with Specified Chronic Pediatric Diseases

第十九条の二十二 都道府県は、小児慢性特定疾病児童等自立支援事業として、小児慢性特定疾病児童等に対する医療及び小児慢性特定疾病児童等の福祉に関する各般の間

題につき、小児慢性特定疾病児童等、その家族その他の関係者からの相談に応じ、必要な情報の提供及び助言を行うとともに、関係機関との連絡調整その他の厚生労働省令で定める便宜を供与する事業を行うものとする。

Article 19-22 (1) A prefecture is to respond to a request for consultation from children, etc. with a specified chronic pediatric disease and their family or other relevant persons, as well as offer necessary information and advice and liaison and coordination with relevant organizations and provide other services provided by Order of Ministry of Health, Labour and Welfare, with regard to various issues concerning medical treatment for children with specified chronic pediatric diseases and welfare for children, etc. with a specified chronic pediatric disease as the projects for self-reliance support service for children, etc. with a specified chronic pediatric disease.

2 都道府県は、前項に掲げる事業のほか、小児慢性特定疾病児童等自立支援事業として、次に掲げる事業を行うことができる。

(2) Beyond the projects listed in the preceding paragraph, a prefecture may conduct the following projects as the services for self-reliance support service for children, etc. with specified chronic pediatric diseases:

一 小児慢性特定疾病児童等について、医療機関その他の場所において、一時的に預かり、必要な療養上の管理、日常生活上の世話その他の必要な支援を行う事業

(i) a project to take temporary measures, management of medical care, daily care, and other necessary support for children with specified chronic pediatric diseases;

二 小児慢性特定疾病児童等が相互の交流を行う機会の提供その他の厚生労働省令で定める便宜を供与する事業

(ii) a project that provides opportunities for mutual exchange for children with specified chronic pediatric diseases and other services provided by Order of Ministry of Health, Labor and Welfare;

三 小児慢性特定疾病児童等に対し、雇用情報の提供その他小児慢性特定疾病児童等の就職に関し必要な支援を行う事業

(iii) a project to provide information and other necessary support concerning employment of children with specified chronic pediatric diseases;

四 小児慢性特定疾病児童等を現に介護する者の支援のため必要な事業

(iv) a project necessary to support persons actually taking care of children with specified chronic pediatric diseases;

五 その他小児慢性特定疾病児童等の自立の支援のため必要な事業

(v) a project necessary for self-reliance support of children with specified chronic pediatric diseases.

3 都道府県は、前項各号に掲げる事業を行うに当たっては、関係機関並びに小児慢性特定疾病児童等及びその家族その他の関係者の意見を聴くものとする。

(3) Upon implementation the services listed in the items of the preceding paragraph, a prefecture is to hear opinions from the organizations concerned

and children with specified chronic pediatric diseases and their family, and other relevant persons.

4 前三項に規定するもののほか、小児慢性特定疾病児童等自立支援事業の実施に関し必要な事項は、厚生労働省令で定める。

(4) Beyond the preceding three paragraphs, the necessary particulars for self-reliance support for children with specified chronic pediatric diseases are provided by Order of Ministry of Health, Labour and Welfare.

第三款 療育の給付

Subsection 3 Medical Treatment and Education Benefits

第二十条 都道府県は、結核にかかっている児童に対し、療養に併せて学習の援助を行うため、これを病院に入院させて療育の給付を行うことができる。

Article 20 (1) The prefectural government may hospitalize a child suffering from bone and joint tuberculosis or other tuberculosis and provide medical treatment and education benefits to them, in order to afford learning assistance together with medical treatment.

2 療育の給付は、医療並びに学習及び療養生活に必要な物品の支給とする。

(2) Medical treatment and education benefits means the provision of medical care and goods necessary for learning and for life with medical treatment.

3 前項の医療は、次に掲げる給付とする。

(3) The medical care set forth in the preceding paragraph means the performance listed in the following items:

一 診察

(i) clinical examinations;

二 薬剤又は治療材料の支給

(ii) provision of medical agents or therapeutic materials;

三 医学的処置、手術及びその他の治療並びに施術

(iii) medical attention, operative treatment and other therapy, and medical practice;

四 病院又は診療所への入院及びその療養に伴う世話その他の看護

(iv) admission into a hospital or clinic, and caring and other nursing incidental to the medical treatment there; and

五 移送

(v) transfer.

4 第二項の医療に係る療育の給付は、都道府県知事が次項の規定により指定する病院（以下「指定療育機関」という。）に委託して行うものとする。

(4) Medical treatment and education benefits pertaining to the medical care set forth in paragraph (2) are entrusted to, and provided by, a hospital designated by the Minister of Health, Labor and Welfare or the prefectural governor pursuant to the provisions of the following paragraph (hereinafter referred to

as a "designated treatment and education institution").

5 都道府県知事は、病院の開設者の同意を得て、第二項の医療を担当させる機関を指定する。

(5) The prefectural governor is to designate the medical providers in charge of the medical care set forth in paragraph (2) with the content of organizers of hospitals.

6 前項の指定は、政令で定める基準に適合する病院について行うものとする。

(6) The designation set forth in the preceding paragraph is made toward hospitals conforming to the standards specified by a Cabinet Order.

7 指定療育機関は、三十日以上予告期間を設けて、その指定を辞退することができる。

(7) A designated treatment and education institution may decline the designation by giving not less than 30 days of advanced notice.

8 都道府県知事は、指定療育機関が第六項の規定に基づく政令で定める基準に適合しなくなったとき、次条の規定に違反したとき、その他指定療育機関に第二項の医療を担当させるについて著しく不相当であると認められる理由があるときは、その指定を取り消すことができる。

(8) When a designated treatment and education institution ceases to conform to the standards specified by a Cabinet Order pursuant to paragraph (6), violates the provisions of the following Article, or is found to be extremely inappropriate as a designated treatment and education institution in charge of the medical care set forth in paragraph (2) due to any other reason, the prefectural governor may rescind its designation.

第二十一条 指定療育機関は、厚生労働大臣の定めるところにより、前条第二項の医療を担当しなければならない。

Article 21 A designated treatment and education institution must take charge of the medical care set forth in paragraph (2) of the preceding Article pursuant to the provisions specified by the Minister of Health, Labor and Welfare

第二十一条の二 第十九条の十二及び第十九条の二十の規定は、指定療育機関について準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 21-2 Provisions of Article 19-12 and Article 19-20 apply mutatis mutandis to a designated treatment and education institution. In this case, necessary terminological replacements is prescribed by Cabinet Order.

第二十一条の三 都道府県知事は、指定療育機関の診療報酬の請求が適正であるかどうかを調査するため必要があると認めるときは、指定療育機関の管理者に対して必要な報告を求め、又は当該職員をして、指定療育機関について、その管理者の同意を得て、実地に診療録、帳簿書類その他の物件を検査させることができる。

Article 21-3 (1) The prefectural governor, if it is found to be necessary to

investigate whether medical fees are correctly claimed by a designated treatment and education institution, may request the manager of the designated treatment and education institution to make a necessary report, or may make relevant official carry out on-site inspection on medical records, books and documents, and other objects of the designated treatment and education institution with the consent of its manager.

2 指定療育機関の管理者が、正当な理由がなく、前項の報告の求めに応ぜず、若しくは虚偽の報告をし、又は同項の同意を拒んだときは、都道府県知事は、当該指定療育機関に対する都道府県の診療報酬の支払を一時差し止めることを指示し、又は差し止めることができる。

(2) If the manager of a designated treatment and education institution, without justifiable ground, fails to respond to the request for reporting set forth in the preceding paragraph or makes a false report, or refuses the consent set forth in the same paragraph, the prefectural governor may instruct temporary halt of, or halt of, the payments of medical fees by the prefectural government to the relevant designated treatment and education institution.

3 厚生労働大臣は、前項に規定する都道府県知事の権限に属する事務について、児童の利益を保護する緊急の必要があると認めるときは、都道府県知事に対し同項の事務を行うことを指示することができる。

(3) The Minister of Health, Labor and Welfare, if it is found to be an urgent necessity to protect interests of a child with regard to the affairs placed under the authority of a prefectural governor prescribed in the preceding paragraph, may instruct the prefectural governor to conduct the affairs set forth in the same paragraph.

第四款 雑則

Subsection 4 Miscellaneous Provisions

第二十一条の四 国は、小児慢性特定疾病の治療方法その他小児慢性特定疾病その他の疾病にかかっていることにより長期にわたり療養を必要とする児童等（第三項及び次条において「疾病児童等」という。）の健全な育成に資する調査及び研究を推進するものとする。

Article 21-4 (1) The national government is to promote surveys and research contributing to the treatment method of specified chronic pediatric diseases and the sound upbringing of children, etc. who require long-term treatment due to other specified chronic pediatric diseases or other diseases (referring to as "children, etc. with diseases" in paragraph (3) and the following Article).

2 国は、前項に規定する調査及び研究の推進に当たっては、難病（難病の患者に対する医療等に関する法律第一条に規定する難病をいう。以下この項において同じ。）の患者に対する良質かつ適切な医療の確保を図るための基盤となる難病の発病の機構、診断及び治療方法に関する調査及び研究との適切な連携を図るよう留意するものとする。

る。

(2) When the national government promotes surveys and research provided in the preceding paragraph, the national government is to pay attention to appropriate coordination on surveys and research on the mechanism of the occurrence, diagnosis and the treatment method of intractable diseases which serve as foundation for securing high-quality and appropriate medical care for patients with intractable diseases (which refers to the intractable diseases provided in Article 1 of Act on Medical Care for Patients with Intractable Diseases; the same applies hereinafter in this paragraph).

3 厚生労働大臣は、第一項に規定する調査及び研究の成果を適切な方法により小児慢性特定疾病の治療方法その他疾病児童等の健全な育成に資する調査及び研究を行う者、医師、疾病児童等及びその家族その他の関係者に対して積極的に提供するものとする。

(3) The Minister of Health, Labour and Welfare is to actively provide results of the surveys and research provided in paragraph (1) to persons who conduct surveys and research contributing to the treatment method of specified chronic pediatric diseases and the sound upbringing of children, etc. with diseases, physicians, children, etc. with diseases, their families, and other relevant persons by appropriate means.

4 厚生労働大臣は、前項の規定により第一項に規定する調査及び研究の成果を提供するに当たっては、個人情報保護に留意しなければならない。

(4) When the Minister of Health, Labour and Welfare offers the results of the surveys and research provided in paragraph (1) pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare must pay attention to protecting personal information.

第二十一条の五 厚生労働大臣は、良質かつ適切な小児慢性特定疾病医療支援の実施その他の疾病児童等の健全な育成に係る施策の推進を図るための基本的な方針を定めるものとする。

Article 21-5 Ministry of Health, Labour and Welfare is to formulate the basic policy to promote measures pertaining to implementing high-quality and appropriate medical support for specified chronic pediatric diseases and sound upbringing of other children, etc. with diseases.

第二節 居宅生活の支援

Section 2 Support for Residential Life

第一款 障害児通所給付費、特例障害児通所給付費及び高額障害児通所給付費の支給

Subsection 1 Payment of Outpatient Benefits for Children with Disabilities and Exceptional Case Outpatient Benefits for Children with Disabilities and High-cost Outpatient Benefits for Children with Disabilities

第二十一条の五の二 障害児通所給付費及び特例障害児通所給付費の支給は、次に掲げる障害児通所支援に関して次条及び第二十一条の五の四の規定により支給する給付とする。

Article 21-5-2 The payment of outpatient benefits for children with disabilities and exceptional case outpatient benefits for children with disabilities are the benefits provided pursuant to the following Article and Article 21-5-4 concerning outpatient support for children with disabilities listed as follows.

一 児童発達支援

(i) child developmental support;

二 医療型児童発達支援（医療に係るものを除く。）

(ii) medical services child developmental support (excluding support pertaining to medical support);

三 放課後等デイサービス

(iii) after school day services

四 居宅訪問型児童発達支援

(iv) home-visit type child developmental support

五 保育所等訪問支援

(v) home-visit support such as nursery center, etc.

第二十一条の五の三 市町村は、通所給付決定保護者が、第二十一条の五の七第八項に規定する通所給付決定の有効期間内において、都道府県知事が指定する障害児通所支援事業を行う者（以下「指定障害児通所支援事業者」という。）又は指定発達支援医療機関（以下「指定障害児通所支援事業者等」と総称する。）から障害児通所支援（以下「指定通所支援」という。）を受けたときは、当該通所給付決定保護者に対し、当該指定通所支援（同条第七項に規定する支給量の範囲内のものに限る。以下この条及び次条において同じ。）に要した費用（食事の提供に要する費用その他の日常生活に要する費用のうち厚生労働省令で定める費用（以下「通所特定費用」という。）を除く。）について、障害児通所給付費を支給する。

Article 21-5-3 (1) A municipality, if a recognized outpatient beneficiary custodian receives outpatient support for children with disabilities (hereinafter referred to as "designated outpatient support") from a person who provides outpatient support services for children with disabilities designated by a prefecture (hereinafter referred to as "designated operator of outpatient support services for children with disabilities") or designated developmental support medical institution (hereinafter referred to as "designated operator of outpatient support services, etc. for children with disabilities" collectively) within the effective period of grant decision on outpatient benefits payment set forth in Article 5-7, paragraph (8), is to pay outpatient benefits for children with disabilities with regard to the expenses required for the relevant designated outpatient support (excluding the expenses specified by Order of

the Ministry of Health, Labour and Welfare from the expenses required for provision of meals and other expenses for daily life (hereinafter referred to as "outpatient specified expenses)) to the relevant recognized outpatient beneficiary custodian.

2 障害児通所給付費の額は、一月につき、第一号に掲げる額から第二号に掲げる額を控除して得た額とする。

(2) The amount of payment of outpatient benefits for children with disabilities is the amount obtained by deducting the amount listed in item (i) from the one listed in item (ii).

一 同一の月に受けた指定通所支援について、障害児通所支援の種類ごとに指定通所支援に通常要する費用（通所特定費用を除く。）につき、厚生労働大臣が定める基準により算定した費用の額（その額が現に当該指定通所支援に要した費用（通所特定費用を除く。）の額を超えるときは、当該現に指定通所支援に要した費用の額）を合計した額

(i) the total amount of the expenses calculated in accordance with the standards specified by the Minister of Health, Labor and Welfare for the expenses for the expenses normally required for designated outpatient support for each type of outpatient support for children with disabilities (excluding outpatient specified expense), with regard to designated outpatient support provided in the same month (if the amount exceeds the expenses actually required for the relevant designated outpatient support, the amount of the relevant actually required amount (excluding outpatient specified expense));

二 当該通所給付決定保護者の家計の負担能力その他の事情を斟酌して政令で定める額（当該政令で定める額が前号に掲げる額の百分の十に相当する額を超えるときは、当該相当する額）

(ii) the amount specified by a Cabinet Order taking into account the financial capacity of the household of the relevant recognized outpatient beneficiary custodian (when ten-hundredths (10/100) of the relevant amount provided by the preceding item exceeds the amount provided by the relevant Cabinet Order, the relevant amount equivalent thereto)

第二十一条の五の四 市町村は、次に掲げる場合において、必要があると認めるときは、厚生労働省令で定めるところにより、当該指定通所支援又は第二号に規定する基準該当通所支援（第二十一条の五の七第七項に規定する支給量の範囲内のものに限る。）に要した費用（通所特定費用を除く。）について、特例障害児通所給付費を支給することができる。

Article 21-5-4 (1) A municipality may pay exceptional case outpatient benefits for children with disabilities for the expenses required for the expenses (excluding outpatient specified expenses) the relevant designated outpatient support or appropriate outpatient support prescribed in item (ii) (limited

within amount of grant specified in Article 21-5-7, paragraph (7)) pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare in the following cases if acknowledged to be necessary.

一 通所給付決定保護者が、第二十一条の五の六第一項の申請をした日から当該通所給付決定の効力が生じた日の前日までの間に、緊急その他やむを得ない理由により指定通所支援を受けたとき。

(i) if a recognized outpatient beneficiary custodian receives designated outpatient support in case of emergency or inevitable circumstances from the day when they made applications prescribed in of Article 21-5-6, paragraph (1) to the previous day when such grant decision took effect

二 通所給付決定保護者が、指定通所支援以外の障害児通所支援（第二十一条の五の十九第一項の都道府県の条例で定める基準又は同条第二項の都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に定める事項のうち都道府県の条例で定めるものを満たすと認められる事業を行う事業所により行われるものに限る。以下「基準該当通所支援」という。）を受けたとき。

(ii) if a recognized outpatient beneficiary custodian receives outpatient support for children with disabilities other than designated outpatient support (limited to the support provided by the business places which provide services to be acknowledged to satisfy the particulars prescribed in Prefectural Ordinance among the particulars prescribed in the standard provided by Prefectural Ordinance set forth in Article 21-5-19, paragraph (1) or the standard concerning equipment and operation of the services of designated outpatient support prescribed in Prefectural Ordinance (hereinafter referred to as "appropriate outpatient support").

三 その他政令で定めるとき。

(iii) in other cases provided by Cabinet Order.

2 都道府県が前項第二号の条例を定めるに当たっては、第一号から第三号までに掲げる事項については厚生労働省令で定める基準に従い定めるものとし、第四号に掲げる事項については厚生労働省令で定める基準を標準として定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(2) The provisions of item (ii) of the preceding paragraph is specified in accordance with the standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed in items (i) through (iii); the particulars of item (iv) is specified by setting based on the standard provided in Order of the Ministry of Health, Labour and Welfare and other particulars are specified by taking into consideration the standard provided in Order of the Ministry of Health, Labour and Welfare.

一 基準該当通所支援に従事する従業者及びその員数

(i) employees engaged in appropriate outpatient support and their number

二 基準該当通所支援の事業に係る居室の床面積その他基準該当通所支援の事業の設備に関する事項であつて障害児の健全な発達に密接に関連するものとして厚生労働

省令で定めるもの

(ii) the floor area of the living room and other particulars concerning the equipment pertaining to the services of appropriate outpatient support, which are closely related to the sound development of children with disabilities, prescribed by Order of Ministry of Health, Labour and Welfare.

三 基準該当通所支援の事業の運営に関する事項であつて、障害児の保護者のサービスの適切な利用の確保、障害児の安全の確保及び秘密の保持に密接に関連するものとして厚生労働省令で定めるもの

(iii) the particulars concerning operation of the services of appropriate outpatient support, which are closely related to ensuring appropriate use of services by custodians of children with disabilities and securing safety of children with disabilities and maintenance of secrets, prescribed by Order of Ministry of Health, Labour and Welfare.

四 基準該当通所支援の事業に係る利用定員

(iv) capacity of persons pertaining to the services of appropriate outpatient support

3 特例障害児通所給付費の額は、一月につき、同一の月に受けた次の各号に掲げる障害児通所支援の区分に応じ、当該各号に定める額を合計した額から、それぞれ当該通所給付決定保護者の家計の負担能力その他の事情をしん酌して政令で定める額（当該政令で定める額が当該合計した額の百分の十に相当する額を超えるときは、当該相当する額）を控除して得た額を基準として、市町村が定める。

(3) A municipality is to determine the amount of exceptional case outpatient benefits for specified children with disabilities based on the amount obtained by per month by deducting the amount provided by Cabinet order by taking into account the financial capacity of the household of the relevant recognized outpatient beneficiary custodian respectively (when ten-hundredths (10/100) of the relevant amount provided by the relevant Cabinet Order exceeds the amount provided by a Cabinet Order, the relevant amount equivalent thereto) from the total sum of the amount provided by the following items according to the category of outpatient support for children with disabilities listed in the relevant items in the same month.

一 指定通所支援 前条第二項第一号の厚生労働大臣が定める基準により算定した費用の額（その額が現に当該指定通所支援に要した費用（通所特定費用を除く。）の額を超えるときは、当該現に指定通所支援に要した費用の額）

(i) designated outpatient support; the amount of expenses calculated according to the standard specified by Minister of Health, Labour and Welfare of paragraph (2), item (i) of the preceding Article (when such amount exceeds the expenses actually required for the relevant designated outpatient support (excluding outpatient specified expenses), the relevant amount of expenses actually required for the designated outpatient support.)

二 基準該当通所支援 障害児通所支援の種類ごとに基準該当通所支援に通常要する

費用（通所特定費用を除く。）につき厚生労働大臣が定める基準により算定した費用の額（その額が現に当該基準該当通所支援に要した費用（通所特定費用を除く。）の額を超えるときは、当該現に基準該当通所支援に要した費用の額）

(ii) appropriate outpatient support; the amount of expenses calculated according to the standard specified by Minister of Health, Labour and Welfare for the expenses (excluding outpatient specified expenses) normally required for appropriate outpatient support for each kind of outpatient support for children with disabilities (when such amount exceeds the expenses actually required for the relevant designated outpatient support (excluding outpatient specified expenses), the relevant amount of expenses actually required for the designated outpatient support)

第二十一条の五の五 障害児通所給付費又は特例障害児通所給付費（以下この款において「障害児通所給付費等」という。）の支給を受けようとする障害児の保護者は、市町村の障害児通所給付費等を支給する旨の決定（以下「通所給付決定」という。）を受けなければならない。

Article 21-5-5 (1) A custodian of a child with disabilities who intend to receive payment of outpatient benefits for children with disabilities or exceptional case outpatient benefits for children with disabilities (referring to as "outpatient benefits, etc. for children with disabilities" hereinafter in this subsection) must receive decision for payment of municipal outpatient benefits, etc. for children with disabilities (hereinafter referred to as "grant decision on outpatient benefits").

2 通所給付決定は、障害児の保護者の居住地の市町村が行うものとする。ただし、障害児の保護者が居住地を有しないとき、又は明らかでないときは、その障害児の保護者の所在地の市町村が行うものとする。

(2) Grant decision on outpatient benefits is made by the municipality where the custodian of a child with disabilities has their residences; provided, however, that the custodian of the child with disabilities do not have their residence or whose residence is not obvious, another municipality where such custodian of the child with disabilities has their current residences are to make such grant decision.

第二十一条の五の六 通所給付決定を受けようとする障害児の保護者は、厚生労働省令で定めるところにより、市町村に申請しなければならない。

Article 21-5-6 (1) When the custodian of a child with disabilities intends to receive grant decision on outpatient benefits, the custodian is to make an application to the municipality pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 市町村は、前項の申請があつたときは、次条第一項に規定する通所支給要否決定を行うため、厚生労働省令で定めるところにより、当該職員をして、当該申請に係る障

害児又は障害児の保護者に面接をさせ、その心身の状況、その置かれている環境その他厚生労働省令で定める事項について調査をさせるものとする。この場合において、市町村は、当該調査を障害者の日常生活及び社会生活を総合的に支援するための法律第五十一条の十四第一項に規定する指定一般相談支援事業者その他の厚生労働省令で定める者（以下この条において「指定障害児相談支援事業者等」という。）に委託することができる。

(2) If the application of the preceding paragraph has been filed, a municipality, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, is to make the relevant official interview with the child with disabilities or the custodian of the child with disabilities pertaining to relevant application and inspect their physical and mental status, circumstances where they are placed, and other particulars prescribed in Order of the Ministry of Health, Labour and Welfare. In this case the municipality may entrust the relevant investigation to designated operators of general consultation support business prescribed in Article 51-14, paragraph (1) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities and other persons specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "designated operators, etc. of consultation support services for children with disabilities" in this Article).

3 前項後段の規定により委託を受けた指定障害児相談支援事業者等は、障害児の保健又は福祉に関する専門的知識及び技術を有するものとして厚生労働省令で定める者に当該委託に係る調査を行わせるものとする。

(3) The designated operators, etc. of consultation support services for children with disabilities who are entrusted pursuant to the provisions of the second sentence of the preceding paragraph are to make the persons specified by Order of the Ministry of Health, Labour and Welfare as having specified knowledge and skills relating to health or welfare for children with disabilities conduct the investigation pertaining to the relevant entrustment.

4 第二項後段の規定により委託を受けた指定障害児相談支援事業者等の役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。次項並びに第二十一条の五の十五第三項第六号（第二十四条の九第三項（第二十四条の十第四項において準用する場合を含む。）及び第二十四条の二十八第二項（第二十四条の二十九第四項において準用する場合を含む。）において準用する場合を含む。））、第二十四条の十七第十一号及び第二十四条の三十六第十一号において同じ。）若しくは前項の厚生労働省令で定める者又はこれらの職にあつた者は、正当な理由なしに、当該委託業務に関して知り得た個人の秘密を漏らしてはならない。

(4) The officers of the designated operators, etc. of consultation support services entrusted pursuant to the provisions of the second sentence of paragraph (2) (meaning employees, directors, or executive officers who execute business, or

the equivalent thereof, including those recognized as having the same or greater influence over corporations as employees who execute business, directors, corporate officers, or the equivalent thereof, regardless of what titles they may have, such as counselor, consultant, etc., which includes the cases of applying mutatis mutandis in the following paragraph and Article 21-5-15, paragraph (3), item (vi) including the case of applying mutatis mutandis in Article 24-9, paragraph (3) (including the case of applying mutatis mutandis in Article 24-10, paragraph (4)) and Article 24-28, paragraph (2) (including the case of applying mutatis mutandis in Article 24-29, paragraph (4))), or the persons prescribed in Order of the Ministry of Health, Labour and Welfare set forth in the preceding paragraph or the persons who used to be in such positions must not disclose personal secrets obtained concerning the relevant entrusted services without a valid reason.

5 第二項後段の規定により委託を受けた指定障害児相談支援事業者等の役員又は第三項の厚生労働省令で定める者で、当該委託業務に従事するものは、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(5) With regard to application of the Penal Code and other penal provisions, an officer or employee of a designated operators, etc. of consultation support services for children with disabilities who are entrusted pursuant to the provisions of the second sentence of paragraph (2) is deemed to be an official engaged in the public services pursuant to laws and regulations.

第二十一条の五の七 市町村は、前条第一項の申請が行われたときは、当該申請に係る障害児の心身の状態、当該障害児の介護を行う者の状況、当該障害児及びその保護者の障害児通所支援の利用に関する意向その他の厚生労働省令で定める事項を勘案して障害児通所給付費等の支給の要否の決定（以下この条において「通所支給要否決定」という。）を行うものとする。

Article 21-5-7 (1) If the application of paragraph (1) of the preceding Article is filed, a municipality is to decide the necessity of grant of payment of outpatient benefits, etc. for children with disabilities (hereinafter referred to as "decision on grant necessity" in this Article) by taking into consideration the mental and physical condition of the child with disabilities pertaining to the relevant application, the condition of the person who takes care of the relevant child with disabilities, the intention relating to use of outpatient support for children with disabilities of the relevant child with disabilities and their custodian and other particulars prescribed in Order of the Ministry of Health, Labour and Welfare.

2 市町村は、通所支給要否決定を行うに当たつて必要があると認めるときは、児童相談所その他厚生労働省令で定める機関（次項、第二十一条の五の十及び第二十一条の五の十三第三項において「児童相談所等」という。）の意見を聴くことができる。

(2) If a municipality acknowledges it is necessary to make decision on grant

necessity, it may hear the opinions of child guidance center and other organizations specified by Order of the Ministry of Health, Labour and Welfare (referring to as "child guidance center, etc." in the following paragraph, Article 21-5-10 and Article 21-5-13, paragraph (3)).

3 児童相談所等は、前項の意見を述べるに当たつて必要があると認めるときは、当該通所支給要否決定に係る障害児、その保護者及び家族、医師その他の関係者の意見を聴くことができる。

(3) If a child guidance center, etc. acknowledges it is necessary to express the opinions of the preceding paragraph, it may hear the opinions of a child with disabilities, their custodian and family, physician and other relevant persons pertaining to the relevant decision on grant necessity for outpatient benefits.

4 市町村は、通所支給要否決定を行うに当たつて必要と認められる場合として厚生労働省令で定める場合には、厚生労働省令で定めるところにより、前条第一項の申請に係る障害児の保護者に対し、第二十四条の二十六第一項第一号に規定する指定障害児相談支援事業者が作成する障害児支援利用計画案の提出を求めるものとする。

(4) A municipality, if Order of the Ministry of Health, Labour and Welfare specifies it as necessary to make decision on grant necessity, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, is to request the custodian of the child with disabilities pertaining to the application of paragraph (1) of the preceding Article to submit a proposed plan for utilization of support for children with disabilities which designated operators of consultation support services for children with disabilities prepare prescribed in Article 24-26, paragraph (1), item (i).

5 前項の規定により障害児支援利用計画案の提出を求められた障害児の保護者は、厚生労働省令で定める場合には、同項の障害児支援利用計画案に代えて厚生労働省令で定める障害児支援利用計画案を提出することができる。

(5) The custodian of the child with disabilities who is requested to submit proposed support use plan for children with disabilities may submit the proposed support use plan for children with disabilities specified in Order of the Ministry of Health, Labour and Welfare in lieu of the one in the same paragraph, in the case where Order of the Ministry of Health, Labour and Welfare specifies.

6 市町村は、前二項の障害児支援利用計画案の提出があつた場合には、第一項の厚生労働省令で定める事項及び当該障害児支援利用計画案を勘案して通所支給要否決定を行うものとする。

(6) If the proposed plan for utilization of support for children with disabilities Children with disabilities in the preceding two paragraphs is submitted, a municipality is to make a decision on grant necessity for outpatient benefits by taking into consideration the particulars specified by Order of the Ministry of Health, Labour and Welfare of paragraph (1) and the relevant proposed plan for utilization of support for children with disabilities.

7 市町村は、通所給付決定を行う場合には、障害児通所支援の種類ごとに月を単位として厚生労働省令で定める期間において障害児通所給付費等を支給する障害児通所支援の量（以下「支給量」という。）を定めなければならない。

(7) If the grant decision on outpatient benefits payment is made, a municipality must determine the amount of grant of outpatient support for children with disabilities (hereinafter referred to as "amount of grant") to pay outpatient benefits, etc. for children with disabilities in the period specified by Order of the Ministry of Health, Labour and Welfare for each type of outpatient support for children with disabilities by the month.

8 通所給付決定は、厚生労働省令で定める期間（以下「通所給付決定の有効期間」という。）内に限り、その効力を有する。

(8) Grant decision on outpatient benefits payment is effective limited to the period specified by Order of Ministry of Health, Labour and Welfare (hereinafter referred to as "effective period for grant decision on outpatient benefits payment")

9 市町村は、通所給付決定をしたときは、当該通所給付決定保護者に対し、厚生労働省令で定めるところにより、支給量、通所給付決定の有効期間その他の厚生労働省令で定める事項を記載した通所受給者証（以下「通所受給者証」という。）を交付しなければならない。

(9) If grant decision on outpatient benefits payment is made, a municipality must issue outpatient beneficiary certificate which describes amount of grant, effective period for grant decision on outpatient benefits payment and other particulars specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "outpatient beneficiary certificate") to the relevant recognized outpatient beneficiary custodian pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

10 指定通所支援を受けようとする通所給付決定保護者は、厚生労働省令で定めるところにより、指定障害児通所支援事業者等に通所受給者証を提示して当該指定通所支援を受けるものとする。ただし、緊急の場合その他やむを得ない事由のある場合については、この限りでない。

(10) A recognized outpatient beneficiary custodian who intends to receive designated outpatient support is to receive relevant designated outpatient support by presenting their outpatient beneficiary certificate to the designated operators, etc. of outpatient support services for children with disabilities pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply in the case of an emergency or any other unavoidable reason.

11 通所給付決定保護者が指定障害児通所支援事業者等から指定通所支援を受けたとき（当該通所給付決定保護者が当該指定障害児通所支援事業者等に通所受給者証を提示したときに限る。）は、市町村は、当該通所給付決定保護者が当該指定障害児通所支援事業者等に支払うべき当該指定通所支援に要した費用（通所特定費用を除く。）

について、障害児通所給付費として当該通所給付決定保護者に支給すべき額の限度において、当該通所給付決定保護者に代わり、当該指定障害児通所支援事業者等に支払うことができる。

(11) If a recognized outpatient beneficiary custodian has received designated outpatient support from designated operators, etc. of outpatient support services for children with disabilities (limited to the cases where relevant recognized outpatient beneficiary custodian has presented their outpatient beneficiary certificate to relevant designated operators, etc. of outpatient support services for children with disabilities), a municipality may, in lieu of relevant recognized outpatient beneficiary custodian, pay the expenses (excluding outpatient specified expenses) incurred for relevant designated operators, etc. of outpatient support services for children with disabilities payable by relevant recognized outpatient beneficiary custodian to relevant designated operators, etc. of outpatient support services for children with disabilities within the extent of the amount payable to the relevant recognized outpatient beneficiary custodian as outpatient benefits for children with disabilities.

1 2 前項の規定による支払があつたときは、当該通所給付決定保護者に対し障害児通所給付費の支給があつたものとみなす。

(12) When a payment is made pursuant to the provisions of the preceding paragraph, outpatient benefits for children with disabilities is deemed to have been paid to the relevant recognized outpatient beneficiary custodian.

1 3 市町村は、指定障害児通所支援事業者等から障害児通所給付費の請求があつたときは、第二十一条の五の三第二項第一号の厚生労働大臣が定める基準及び第二十一条の五の十九第二項の指定通所支援の事業の設備及び運営に関する基準（指定通所支援の取扱いに関する部分に限る。）に照らして審査の上、支払うものとする。

(13) If outpatient benefits for children with disabilities are claimed by designated operators, etc. of outpatient support services for children with disabilities for children with disabilities, a municipality is to pay such benefits after examination in light of the standard specified by Minister of Health, Labour and Welfare of Article 21-5-3, paragraph (2), item (i) and the standards relating to the equipment and operation of the services for designated outpatient support of Article 21-5-19, paragraph (2) (limited to the part relating to handling of designated outpatient support).

1 4 市町村は、前項の規定による審査及び支払に関する事務を連合会に委託することができる。

(14) The municipality may entrust the duties pertaining to the examination and payment under the preceding paragraph to a federation.

第二十一条の五の八 通所給付決定保護者は、現に受けている通所給付決定に係る障害児通所支援の支給量その他の厚生労働省令で定める事項を変更する必要があるときは、

厚生労働省令で定めるところにより、市町村に対し、当該通所給付決定の変更の申請をすることができる。

Article 21-5-8 (1) A recognized outpatient beneficiary custodian, when requiring for alternation for the amount of grant actually received and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare pertaining to grant decision on outpatient support for children with disabilities, may make an application for alternation for the relevant grant decision on outpatient support for children with disabilities.

2 市町村は、前項の申請又は職権により、前条第一項の厚生労働省令で定める事項を勘案し、通所給付決定保護者につき、必要があると認めるときは、通所給付決定の変更の決定を行うことができる。この場合において、市町村は、当該決定に係る通所給付決定保護者に対し通所受給者証の提出を求めるものとする。

(2) A municipality, if it is found to be necessary, may make a decision on alternation of a grant decision on outpatient benefits for a recognized outpatient beneficiary custodian upon receiving an application referred to in the preceding paragraph or authority by taking into consideration the particulars prescribed by Order of the Ministry of Health, Labour and Welfare. In this case, the municipality is to request the relevant recognized outpatient beneficiary custodian to submit their outpatient beneficiary certificate.

3 第二十一条の五の五第二項、第二十一条の五の六（第一項を除く。）及び前条（第一項を除く。）の規定は、前項の通所給付決定の変更の決定について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 21-5-5, paragraph (2), Article 21-5-6 (excluding paragraph (1)) and the preceding Article (excluding paragraph (1)) apply mutatis mutandis to the alternation of grant decision on outpatient benefits payment in the preceding paragraph. In this case, necessary terminological replacements are prescribed by Cabinet Order.

4 市町村は、第二項の通所給付決定の変更の決定を行った場合には、通所受給者証に当該決定に係る事項を記載し、これを返還するものとする。

(4) If a decision is made on alternation of a grant decision on outpatient benefits payment of paragraph (2), a municipality is to state the particulars pertaining to the relevant decision on outpatient beneficiary certificate and return it.

第二十一条の五の九 通所給付決定を行った市町村は、次に掲げる場合には、当該通所給付決定を取り消すことができる。

Article 21-5-9 (1) A municipality which has made a grant decision on outpatient benefits may rescind the relevant grant decision on outpatient benefits payment in any of the cases listed in the following items:

一 通所給付決定に係る障害児が、指定通所支援及び基準該当通所支援を受ける必要がなくなつたと認めるとき。

(i) if it is found that a child with disabilities pertaining to grant decision on

outpatient benefits payment no longer needs to receive designated outpatient support and appropriate outpatient support;

二 通所給付決定保護者が、通所給付決定の有効期間内に、当該市町村以外の市町村の区域内に居住地を有するに至つたと認めるとき。

(ii) if a recognized outpatient beneficiary custodian is deemed to have their place of residence in a municipality other than the relevant municipality during the effective period of grant decision on outpatient benefits payment;

三 通所給付決定に係る障害児又はその保護者が、正当な理由なしに第二十一条の五の六第二項（前条第三項において準用する場合を含む。）の規定による調査に応じないとき。

(iii) if the child with disabilities or their custodian pertaining to the grant decision on outpatient benefits payment does not respond to inspections pursuant to the provisions of Article 21-5-6, paragraph (2) (including cases where it is applied mutatis mutandis pursuant to paragraph (3) of the preceding Article) without just cause.

四 その他政令で定めるとき。

(iv) in other cases provided by Cabinet Order.

2 前項の規定により通所給付決定の取消しを行つた市町村は、厚生労働省令で定めるところにより、当該取消しに係る通所給付決定保護者に対し通所受給者証の返還を求めるものとする。

(2) A municipality that has rescinded a grant decision on outpatient benefits payment pursuant to the provisions of the preceding paragraph is to ask the recognized outpatient beneficiary custodian pertaining to the rescission to return the outpatient beneficiary certificate pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十一条の五の十 都道府県は、市町村の求めに応じ、市町村が行う第二十一条の五の五から前条までの規定による業務に関し、その設置する児童相談所等による技術的事項についての協力その他市町村に対する必要な援助を行うものとする。

Article 21-5-10 A prefecture is to provide cooperation on technical particulars conducted by child guidance centers prescribed in Order of the Ministry of Health, Labour and Welfare and other necessary assistance for municipalities in response to requests from the municipality concerning the service conducted by municipalities pursuant to provisions of Article 21-5-5 through the preceding Article.

第二十一条の五の十一 市町村が、災害その他の厚生労働省令で定める特別の事情があることにより、障害児通所支援に要する費用を負担することが困難であると認められた通所給付決定保護者が受ける障害児通所給付費の支給について第二十一条の五の三第二項の規定を適用する場合においては、同項第二号中「額）」とあるのは、「額）」の範囲内において市町村が定める額」とする。

Article 21-5-11 (1) If a municipality applies the provisions of Article 21-5, paragraph (2) to payment of outpatient benefits for children with disabilities received by a recognized outpatient beneficiary custodian since it finds difficult for them to bear expenses spent for outpatient support for children with disabilities due to a disaster or other special circumstances specified by an Order of the Ministry of Health, Labour and Welfare, the term "amount" referred to in item (ii) of the same paragraph is replaced with "the amount specified by the municipality within the range of the amount".

2 前項に規定する通所給付決定保護者が受ける特例障害児通所給付費の支給について第二十一条の五の四第三項の規定を適用する場合には、同項中「を控除して得た額を基準として、市町村が定める」とあるのは、「の範囲内において市町村が定める額を控除して得た額とする」とする。

(2) If the provisions of Article 21-5-4, paragraph (3) are applied to payment of exceptional case outpatient benefits for children with disabilities received by a recognized outpatient beneficiary custodian specified in the preceding paragraph, the term "a municipality is to determine based on the amount obtained by deducting" is replaced with "the amount obtained by deducting the amount determined by a municipality within the extent".

第二十一条の五の十二 市町村は、通所給付決定保護者が受けた障害児通所支援に要した費用の合計額（厚生労働大臣が定める基準により算定した費用の額（その額が現に要した費用の額を超えるときは、当該現に要した額）の合計額を限度とする。）から当該費用につき支給された障害児通所給付費及び特例障害児通所給付費の合計額を控除して得た額が、著しく高額であるときは、当該通所給付決定保護者に対し、高額障害児通所給付費を支給する。

Article 21-5-12 (1) If the amount of the expenses spent for outpatient support for children with disabilities received by a recognized outpatient beneficiary custodian obtained (in the case the amount actually required exceeds the amount calculated from the standard specified by Minister of Health, Labour and Welfare, the relevant amount actually required) by deducting the total amount of outpatient benefits for children with disabilities and exceptional case outpatient benefits for children with disabilities paid in relation to the relevant expenses is extremely costly, a municipality must pay high-cost outpatient benefits for children with disabilities to the relevant amount of the expenses spent for outpatient support received by a recognized outpatient beneficiary custodian.

2 前項に定めるもののほか、高額障害児通所給付費の支給要件、支給額その他高額障害児通所給付費の支給に関し必要な事項は、指定通所支援に要する費用の負担の家計に与える影響を考慮して、政令で定める。

(2) Beyond what is provided for in the preceding paragraph, necessary particulars for requirements for payment of high-cost outpatient benefits for

children with disabilities, grant amount, other particulars concerning payment of high-cost outpatient benefits for children with disabilities is prescribed in Cabinet Order by considering impact of the burden of expenses spent for designated outpatient support on household finances.

第二十一条の五の十三 市町村は、第二十一条の五の三第一項、第二十一条の五の四第一項又は前条第一項の規定にかかわらず、放課後等デイサービスを受けている障害児（以下この項において「通所者」という。）について、引き続き放課後等デイサービスを受けなければその福祉を損なうおそれがあると認めるときは、当該通所者が満十八歳に達した後においても、当該通所者からの申請により、当該通所者が満二十歳に達するまで、厚生労働省令で定めるところにより、引き続き放課後等デイサービスに係る障害児通所給付費、特例障害児通所給付費又は高額障害児通所給付費（次項において「放課後等デイサービス障害児通所給付費等」という。）を支給することができる。ただし、当該通所者が障害者の日常生活及び社会生活を総合的に支援するための法律第五条第七項に規定する生活介護その他の支援を受けることができる場合は、この限りでない。

Article 21-5-13 (1) With regard to a child with disabilities who receives after school day services (referring to as "attende" in this paragraph), if it is found that the welfare of the relevant attendee is likely to be impaired unless their receipt of such services is continued, a municipality may, notwithstanding the provisions of Article 21-5-3, paragraph (1), Article 21-5, paragraph (1) or paragraph (1) of the preceding Article, continue the payment of outpatient benefits for children with disabilities, exceptional case outpatient benefits for children with disabilities or high-cost outpatient benefits for children with disabilities (referring to as "outpatient benefits, etc. of after school day services for children with disabilities" in the following paragraph) pertaining to after school day services, based on the relevant attendee's application, pursuant to the provisions of Order of Ministry of Health, Labour and Welfare even after the child attains the age of 18 until they become 20 years of age.; provided, however, that this does not apply to the case where the relevant attendee can receive the public assistance provided in Article 5, paragraph (7) of the Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities or other support.

2 前項の規定により放課後等デイサービス障害児通所給付費等を支給することができることとされた者については、その者を障害児又は障害児の保護者とみなして、第二十一条の五の三から前条までの規定を適用する。この場合において、必要な技術的読替えその他これらの規定の適用に関し必要な事項は、政令で定める。

(2) With regard to a person who is eligible for receiving payment of benefits, etc. of after school day services for children with disabilities pursuant to the provisions of the preceding paragraph, they are deemed to be children with disabilities or the custodian of a child with disabilities and the provisions of

Articles 21-5-3 through the preceding Article apply mutatis mutandis. In this case, necessary terminological replacements are prescribed by a Cabinet Order.

3 市町村は、第一項の場合において必要があると認めるときは、児童相談所等の意見を聴くことができる。

(3) In the event that a municipality acknowledges it is necessary to make a decision, if it is found to be necessary in the case of paragraph (1), a municipality may hear the opinions from child guidance centers.

第二十一条の五の十四 この款に定めるもののほか、障害児通所給付費、特例障害児通所給付費又は高額障害児通所給付費の支給及び指定障害児通所支援事業者等の障害児通所給付費の請求に関し必要な事項は、厚生労働省令で定める。

Article 21-5-14 Beyond what is provided for in this subsection, necessary particulars for payment of outpatient benefits for children with disabilities, exceptional case outpatient benefits for children with disabilities or high-cost outpatient benefits for children with disabilities and claim for outpatient benefits for designated operator, etc. of outpatient support services for children with disabilities is specified by Order of Ministry of Health, Labour and Welfare.

第二款 指定障害児通所支援事業者

Subsection 2 Designated Operators of Outpatient Support Services for Children with Disabilities

第二十一条の五の十五 第二十一条の五の三第一項の指定は、厚生労働省令で定めるところにより、障害児通所支援事業を行う者の申請により、障害児通所支援の種類及び障害児通所支援事業を行う事業所（以下「障害児通所支援事業所」という。）ごとに行う。

Article 21-5-15 (1) Designation set forth in Article 21-5-3, paragraph (1) is conducted for each type of outpatient support and each office that provides outpatient support services for children with disabilities (hereinafter referred to as "outpatient support office for children with disabilities") pursuant to the provisions of Order of Ministry of Health, Labour and Welfare, based on application by the persons who provide outpatient support services for children with disabilities.

2 放課後等デイサービスその他の厚生労働省令で定める障害児通所支援（以下この項及び第五項並びに第二十一条の五の二十第一項において「特定障害児通所支援」という。）に係る第二十一条の五の三第一項の指定は、当該特定障害児通所支援の量を定めてするものとする。

(2) The designation of Article 21-5-3, paragraph (1) pertaining to after school day services and other outpatient support prescribed in Order of the Ministry of Health, Labour and Welfare (referring to as "outpatient support for specified

children with disabilities" in this paragraph and paragraph (5) and Article 21-5-20, paragraph (1)) is to determine the amount of the relevant outpatient support for specified children with disabilities.

3 都道府県知事は、第一項の申請があつた場合において、次の各号（医療型児童発達支援に係る指定の申請にあつては、第七号を除く。）のいずれかに該当するときは、指定障害児通所支援事業者の指定をしてはならない。

(3) A prefectural governor must not make a designation of designated operator of outpatient support services for children with disabilities if an application referred to in paragraph (1) is filed and the filed application falls under any of the following items (excluding item (vii) in case of the application of medical services child developmental support):

一 申請者が都道府県の条例で定める者でないとき。

(i) if the applicant is not a person specified by the Prefectural Ordinance.

二 当該申請に係る障害児通所支援事業所の従業者の知識及び技能並びに人員が、第二十一条の五の十九第一項の都道府県の条例で定める基準を満たしていないとき。

(ii) if the knowledge and skills of the employees, and the capacity of an outpatient support office for children with disabilities pertaining to relevant application do not satisfy the standards specified in the Prefectural Ordinance set forth in Article 21-5-19, paragraph (1).

三 申請者が、第二十一条の五の十九第二項の都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に従つて適正な障害児通所支援事業の運営をすることができないと認められるとき。

(iii) if it is found that the applicant cannot operate outpatient support services appropriately in accordance with the standard for equipment and operation of services of designated outpatient support for children with disabilities set forth by the Prefectural Ordinance of Article 21-5-19, paragraph (2).

四 申請者が禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(iv) if the applicant has been sentenced to imprisonment without work or a heavier punishment and the execution of the sentence for the applicant has not yet been completed or the sentence has not yet been ceased to be applicable;

五 申請者が、この法律その他国民の保健医療若しくは福祉に関する法律で政令で定めるものの規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(v) if the applicant has been punished by a fine pursuant to the provisions of this Act, or other Acts concerning national healthcare or welfare provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;

五の二 申請者が、労働に関する法律の規定であつて政令で定めるものにより罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であ

るとき。

(v)-2 if the applicant has been punished by a fine pursuant to the provisions of this Act, or other Acts concerning labor provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;

六 申請者が、第二十一条の五の二十四第一項又は第三十三条の十八第六項の規定により指定を取り消され、その取消の日から起算して五年を経過しない者（当該指定を取り消された者が法人である場合においては、当該取消しの処分に係る行政手続法第十五条の規定による通知があつた日前六十日以内に当該法人の役員又はその障害児通所支援事業所を管理する者その他の政令で定める使用人（以下この条及び第二十一条の五の二十四第一項第十一号において「役員等」という。）であつた者で当該取消しの日から起算して五年を経過しないものを含み、当該指定を取り消された者が法人でない場合においては、当該通知があつた日前六十日以内に当該者の管理者であつた者で当該取消しの日から起算して五年を経過しないものを含む。）であるとき。ただし、当該指定の取消しが、指定障害児通所支援事業者の指定の取消しのうち当該指定の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該指定障害児通所支援事業者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該指定障害児通所支援事業者が有していた責任の程度を考慮して、この号本文に規定する指定の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(vi) if the applicant has been rescinded designation pursuant to the provisions of pursuant to the provisions of Article 21-5-24, paragraph (1) or Article 33-18, paragraph (6) and five years have not elapsed from the date of relevant rescission (if a person whose relevant designation has been rescinded is a corporation, including a person who is or was an officer of relevant corporation or who managed the outpatient support office for children with disabilities or other employees specified by Cabinet Order (hereinafter referred to as "officers, etc." in this Article and Article 21-5-24, paragraph (1), item (xi)) within sixty days prior to the date of notification pursuant to the provisions of Article 15 of the Administrative Procedures Act pertaining to the relevant rescission and five years have not elapsed from the date of the relevant rescission; if a person whose relevant designation has been rescinded is not a corporation, including a person who managed the relevant corporation within sixty days prior to the date of notification and five years have not elapsed calculated from the days from the relevant rescission.); provided, however, that excluding the cases where the relevant rescission falls under the case as determined by Order of the Minister of Health, Labour, which is found to be appropriate to determine not to fall under the rescission of designation specified in the text of this item by considering the fact which constitutes the ground to rescind the relevant designation and the

status of approach for arrangement of the operation control system by the relevant designated operator of outpatient support services for children with disabilities in order to prevent occurrence of the relevant fact and the extent of responsibility borne by the relevant designated operator of outpatient support services for children with disabilities relating to the relevant fact, among the cases of rescission of designation for designated operator of outpatient support services for children with disabilities.

七 申請者と密接な関係を有する者（申請者（法人に限る。以下この号において同じ。）の株式の所有その他の事由を通じて当該申請者の事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるもの（以下この号において「申請者の親会社等」という。）、申請者の親会社等が株式の所有その他の事由を通じてその事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるもの又は当該申請者が株式の所有その他の事由を通じてその事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるもののうち、当該申請者と厚生労働省令で定める密接な関係を有する法人をいう。）が、第二十一条の五の二十四第一項又は第三十三条の十八第六項の規定により指定を取り消され、その取消の日から起算して五年を経過していないとき。ただし、当該指定の取消しが、指定障害児通所支援事業者の指定の取消しのうち当該指定の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該指定障害児通所支援事業者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該指定障害児通所支援事業者が有していた責任の程度を考慮して、この号本文に規定する指定の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(vii) a person who has close relationship with the applicant (limited to a corporation; the same applies in this item), specified by Order of the Minister of Health, Labour, and Welfare, as substantially controlling the services of the relevant applicant by ownerships of shares or other reasons or having a major impact on the relevant applicant (hereinafter referred to a "parent company of applicant" in this item) and refers to a corporation having close relationship with the relevant applicant specified in by Order of the Minister of Health, Labour, and Welfare, or a person specified by Order of the Minister of Health, Labour and Welfare as a person for whom parent company substantially controlling the services of the relevant applicant by ownerships of shares or other reasons or having a major impact on the relevant applicant), and whose designation has been rescinded pursuant to the provisions of pursuant to the provisions of Article 21-5-24, paragraph (1) or Article 33-18, paragraph (6) and five years have not elapsed from the date of relevant rescission; provided, however, that excluding the cases where the relevant rescission falls under the case as determined by Order of the Minister of Health, Labour, which is found to be appropriate to determine

not to fall under the rescission of designation specified in the text of this item by considering the fact which constitutes the ground to rescind the relevant designation and the status of approach for arrangement of operation control system by the relevant designated operator of outpatient support services for children with disabilities in order to prevent occurrence of the relevant fact and the extent of responsibility borne by the relevant designated operator of outpatient support services for children with disabilities relating to the relevant fact, among the cases of rescission of designation for designated operator of outpatient support services for children with disabilities.

八 削除

(viii) deleted

九 申請者が、第二十一条の五の二十四第一項又は第三十三条の十八第六項の規定による指定の取消しの処分に係る行政手続法第十五条の規定による通知があつた日から当該処分をする日又は処分をしないことを決定する日までの間に第二十一条の五の二十四第四項の規定による事業の廃止の届出をした者（当該事業の廃止について相当の理由がある者を除く。）で、当該届出の日から起算して五年を経過しないものであるとき。

(ix) if the applicant is a person who has submitted abolishment of the services pursuant to the provisions of Article 21-5-20, paragraph (4) the designation of a designated medical institution under Article 19-15 during the period from the date of the notification under Article 15 of the Administrative Procedure Act pertaining to the disposition for rescission of designation pursuant to the provisions of Article 21-5-24, paragraph (1) or Article 33-18, paragraph (6) to the date of the relevant disposition or the date of determination not to dispose (excluding a person who has an appropriate reason for the declination); and for whom five years have not elapsed since the date of the relevant notification;

十 申請者が、第二十一条の五の二十二第一項の規定による検査が行われた日から聴聞決定予定日（当該検査の結果に基づき第二十一条の五の二十四第一項の規定による指定の取消しの処分に係る聴聞を行うか否かの決定をすることが見込まれる日として厚生労働省令で定めるところにより都道府県知事が当該申請者に当該検査が行われた日から十日以内に特定の日を通知した場合における当該特定の日をいう。）までの間に第二十一条の五の二十四第四項の規定による事業の廃止の届出をした者（当該事業の廃止について相当の理由がある者を除く。）で、当該届出の日から起算して五年を経過しないものであるとき。

(x) if the applicant is a person who has notified abolishment of the services pursuant to the provisions of Article 21-5-20, paragraph (4) during the period from the date of inspection pursuant to the provisions of Article 21-5-22, paragraph (1) is conducted (referring to the specified date in the case of notifying the relevant specified date within ten days from the date the prefectural governor conducted the relevant inspection to the relevant

applicant pursuant to the provisions of Order of the Minister of Health, Labour, and Welfare to be determined as expected date whether hearing should be carried out or not pertaining to the disposition for recission of designation pursuant to the provisions of Article 21-524, paragraph (1) based on the results of the relevant inspection) (excluding a person who has an appropriate reason for the declination) and whom five years have not elapsed since the date of the relevant notification;

十一 第九号に規定する期間内に第二十一条の五の二十四項の規定による事業の廃止の届出があつた場合において、申請者が、同号の通知の日前六十日以内に当該事業の廃止の届出に係る法人（当該事業の廃止について相当の理由がある法人を除く。）の役員等又は当該届出に係る法人でない者（当該事業の廃止について相当の理由がある者を除く。）の管理者であつた者で、当該届出の日から起算して五年を経過しないものであるとき。

(xi) in the case where the applicant has notified abolishment of the services pursuant to the provisions of Article 21-5-20, paragraph (4) within the period specified in item (ix), the applicant is a person who used to be an officer, etc. of a corporation (excluding a corporation having a reasonable ground for abolishing the relevant services) pertaining to submission of abolishment of the relevant services within sixty days prior to the notification of the relevant services or a person who used to be a manager of a person who was not a corporation (excluding a person having a reasonable ground for abolishing the relevant services) pertaining to the relevant submission and whom five years have not elapsed since the date of the relevant notification;

十二 申請者が、指定の申請前五年以内に障害児通所支援に関し不正又は著しく不当な行為をした者であるとき。

(xii) if the applicant performed a wrongful or significantly unjustifiable act pertaining to outpatient support for children with disabilities within five years prior to the application of designation

十三 申請者が、法人で、その役員等のうちに第四号から第六号まで又は第九号から前号までのいずれかに該当する者のあるものであるとき。

(xiii) if the applicant is a corporation and any of its officers, etc. falls under any of items (iv) through (vi) or item (ix) through the preceding item.

十四 申請者が、法人でない者で、その管理者が第四号から第六号まで又は第九号から第十二号までのいずれかに該当する者であるとき。

(xiv) the applicant is not a corporation and any of its managers falls under any of items (iv) through (vi) or the items (ix) through (xii).

4 都道府県が前項第一号の条例を定めるに当たつては、厚生労働省令で定める基準に従い定めるものとする。

(4) A prefecture is to specify the Prefectural Ordinances of item (i) of the preceding paragraph pursuant to the standard of Order of Ministry of Health, Labour and Welfare.

5 都道府県知事は、特定障害児通所支援につき第一項の申請があつた場合において、当該都道府県又は当該申請に係る障害児通所支援事業所の所在地を含む区域（第三十三条の二十二第二項第二号の規定により都道府県が定める区域をいう。）における当該申請に係る種類ごとの指定通所支援の量が、同条第一項の規定により当該都道府県が定める都道府県障害児福祉計画において定める当該都道府県若しくは当該区域の当該指定通所支援の必要な量に既に達しているか、又は当該申請に係る事業者の指定によつてこれを超えることになると認めるとき、その他の当該都道府県障害児福祉計画の達成に支障を生ずるおそれがあると認めるときは、第二十一条の五の三第一項の指定をしないことができる。

(5) If the application under paragraph (1) has been filed, the prefectural governor may determine not to grant an designation under Article 21-5-3, paragraph (1), in cases where it is found that the amount of designated outpatient support for children with disabilities for each type pertaining to the relevant application in the area including the location of the outpatient support office for children with disabilities pertaining to the relevant prefecture or the relevant application (referring to the area specified by the prefecture pursuant to the provisions of Article 33-22, paragraph (2), item (ii)) has already reached to the amount necessary for the relevant prefecture or the relevant area specified in the prefectural welfare plan for children with disabilities determined by the relevant prefecture pursuant to the provisions of paragraph (1) of the same Article or the relevant amount may be exceeded by designation of the service office pertaining to the relevant application and that it is likely to cause problems with accomplishment of the prefectural welfare plan for children with disabilities.

第二十一条の五の十六 第二十一条の五の三第一項の指定は、六年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 21-5-16 (1) Unless the designation of Article 21-5-3, paragraph (1) is renewed every six years, the designation ceases to be effective upon the expiration of such period.

2 前項の更新の申請があつた場合において、同項の期間（以下この条において「指定の有効期間」という。）の満了の日までにその申請に対する処分がされないときは、従前の指定は、指定の有効期間の満了後もその処分がされるまでの間は、なおその効力を有する。

(2) In the case where a renewal set forth in the preceding paragraph is applied, when no disposition is implemented for the application by the expiration date of the period set forth in the same paragraph (referred to as a "effective period for designation" hereinafter in this Article), the designation before the renewal remains in force until the disposition is implemented, even after the expiration of the effective period for designation.

3 前項の場合において、指定の更新がされたときは、その指定の有効期間は、従前の

指定の有効期間の満了の日の翌日から起算するものとする。

(3) When the designation is renewed in the case referred to in the preceding paragraph, the effective period for designation as renewed starts from the day following the expiration date of the effective period for designation before the renewal.

4 前条の規定は、第一項の指定の更新について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of the preceding Article apply mutatis mutandis to renewal of designation set forth in paragraph (1). In this case, necessary terminological replacements are prescribed by a Cabinet Order.

第二十一条の五の十七 児童発達支援その他厚生労働省令で定める障害児通所支援に係る障害児通所支援事業所について、介護保険法（平成九年法律第百二十三号）第四十一条第一項本文の指定（当該障害児通所支援事業所により行われる障害児通所支援の種類に応じて厚生労働省令で定める種類の同法第八条第一項に規定する居宅サービスに係るものに限る。）、同法第四十二条の二第一項本文の指定（当該障害児通所支援事業所により行われる障害児通所支援の種類に応じて厚生労働省令で定める種類の同法第八条第十四項に規定する地域密着型サービスに係るものに限る。）、同法第五十三条第一項本文の指定（当該障害児通所支援事業所により行われる障害児通所支援の種類に応じて厚生労働省令で定める種類の同法第八条の二第一項に規定する介護予防サービスに係るものに限る。）若しくは同法第五十四条の二第一項本文の指定（当該障害児通所支援事業所により行われる障害児通所支援の種類に応じて厚生労働省令で定める種類の同法第八条の二第十二項に規定する地域密着型介護予防サービスに係るものに限る。）又は障害者の日常生活及び社会生活を総合的に支援するための法律第二十九条第一項の指定障害福祉サービス事業者の指定（当該障害児通所支援事業所により行われる障害児通所支援の種類に応じて厚生労働省令で定める種類の同法第五条第一項に規定する障害福祉サービスに係るものに限る。）を受けている者から当該障害児通所支援事業所に係る第二十一条の五の十五第一項（前条第四項において準用する場合を含む。）の申請があつた場合において、次の各号のいずれにも該当するときにおける第二十一条の五の十五第三項（前条第四項において準用する場合を含む。以下この項において同じ。）の規定の適用については、第二十一条の五の十五第三項第二号中「第二十一条の五の十九第一項の」とあるのは「第二十一条の五の十七第一項第一号の指定通所支援に従事する従業者に係る」と、同項第三号中「第二十一条の五の十九第二項」とあるのは「第二十一条の五の十七第一項第二号」とする。ただし、申請者が、厚生労働省令で定めるところにより、別段の申出をしたときは、この限りでない。

Article 21-5-17 (1) With regard to child developmental support and other outpatient support office for children with disabilities pertaining to other outpatient support services for children with disabilities specified by Order of Ministry of Health, Labour and Welfare, in the case where application of Article 21-5-15, paragraph (1) (which includes applying mutatis mutandis in

paragraph (4) of the preceding Article) pertaining to the relevant outpatient support office for children with disabilities is filed from the person who was granted the designation in the text of Article 41, paragraph (1) of Long-term Care Insurance Act (Act No. 123 of 1997) (limited to the one pertaining in-home services specified by Article 8, paragraph (1) of the same Act of the categories specified by Order of Ministry of Health, Labour and Welfare, in accordance with the categories of outpatient support for children with disabilities practiced by the relevant outpatient support office for children with disabilities), the designation in the text of Article 42-2, paragraph (1) of the same Act (limited to the one pertaining community-based services specified by Article 8, paragraph (14) of the same Act of the categories specified by Order of Ministry of Health, Labour and Welfare, in accordance with the categories of outpatient support for children with disabilities practiced by the relevant outpatient support office for children with disabilities), the designation in the text of Article 53, paragraph (1) of the same Act (limited to the one pertaining preventive long-term care services specified by Article 8-2, paragraph (1) of the same Act of the categories specified by Order of Ministry of Health, Labour and Welfare, in accordance with the categories of outpatient support for children with disabilities practiced by the relevant outpatient support office for children with disabilities), or the designation in the text of Article 54-2, paragraph (1) of the same Act or the designation of the designated operator of welfare service for persons with disabilities of Article 29, paragraph (1) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities (limited to the one pertaining to welfare services for persons with disabilities specified by Article 5, paragraph (1) of the same Act of the categories specified by Order of Ministry of Health, Labour and Welfare, in accordance with the categories of outpatient support services for children with disabilities practiced by the relevant outpatient support services office for children with disabilities) regarding application of the provisions of Article 21-5-15, paragraph (3) which includes applying mutatis mutandis in paragraph (4) of the preceding Article; hereinafter the same applies in this paragraph) in the case where such application falls under all the following items, "of Article 21-5-19, paragraph (1)" is replace with "pertaining to the employees engaged in designated outpatient support of Article 21-5-17, paragraph (1), item (i), and "Article 21-5-19, paragraph (2)" of item (iii) of the same paragraph with "Article 21-5-17, paragraph (1), item (ii)" respectively; provided, however, that these provisions do not apply when the applicant makes a special notification pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- 一 当該申請に係る障害児通所支援事業所の従業者の知識及び技能並びに人員が、指定通所支援に従事する従業者に係る都道府県の条例で定める基準を満たしているこ

と。

(i) if the knowledge and skills of the employees, and the capacity of an outpatient support office for children with disabilities pertaining to relevant application satisfy the standards specified in the Prefectural Ordinance.

二 申請者が、都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に従って適正な障害児通所支援事業の運営をすることができると認められること。

(ii) if it is found that the applicant can operate outpatient support services for children with disabilities appropriately in accordance with the standard for equipment and operation of services of designated outpatient support specified by the Prefectural Ordinance.

2 都道府県が前項各号の条例を定めるに当たっては、第一号から第三号までに掲げる事項については厚生労働省令で定める基準に従い定めるものとし、第四号に掲げる事項については厚生労働省令で定める基準を標準として定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(2) The provisions of all the items of the preceding paragraph are specified in accordance with the standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed in through items (i) through (iii); the particulars of item (iv) is specified by setting based on the standard provided in Order of the Ministry of Health, Labour and Welfare and other particulars are specified by taking into consideration the standard provided in Order of the Ministry of Health, Labour and Welfare.

一 指定通所支援に従事する従業者及びその員数

(i) employees engaged in designated outpatient support and their number

二 指定通所支援の事業に係る居室の床面積その他指定通所支援の事業の設備に関する事項であつて障害児の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(ii) the floor area of living room and other particulars concerning the equipment pertaining to the designated outpatient support services, which are closely related to sound development of children with disabilities, prescribed by Order of Ministry of Health, Labour and Welfare.

三 指定通所支援の事業の運営に関する事項であつて、障害児の保護者のサービスの適切な利用の確保並びに障害児の適切な処遇及び安全の確保並びに秘密の保持に密接に関連するものとして厚生労働省令で定めるもの

(iii) the particulars concerning the operation of the designated outpatient support services, which are closely related to ensuring appropriate use of services by custodians of children with disabilities and securing safety of children with disabilities and maintenance of secrets, prescribed by Order of Ministry of Health, Labour and Welfare.

四 指定通所支援の事業に係る利用定員

(iv) number of persons pertaining to the designated outpatient support services

3 第一項の場合において、同項に規定する者が同項の申請に係る第二十一条の五の三第一項の指定を受けたときは、その者に対しては、第二十一条の五の十九第三項の規定は適用せず、次の表の上欄に掲げる規定の適用については、これらの規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

(3) In the paragraph (1), in the case where a person prescribed in the same paragraph receive designation of Article 21-5-3, paragraph (1) pertaining to the application of the same paragraph, for such person, the provisions of Article 21-5-19, paragraph (3) are not applicable; with regard to application of the provisions listed in the left column of the following table, the letters listed in the middle column are to correspond to the letters of the right column of the same table.

第二十一条の五の七第十三項 Article 21-5-7, paragraph (13)	第二十一条の五の十九第二項 Article 21-5-19, paragraph (1)	第二十一条の五の十七第一項第二号 Article 21-5-17, paragraph (1), item (ii)
第二十一条の五の十九第一項 Article 21-5-19, paragraph (1)	都道府県 Prefecture	第二十一条の五の十七第一項第一号の指定通所支援に従事する従業者に係る都道府県 A prefecture pertaining to employees engaged in designated outpatient support of Article 21-5-17, paragraph (1), item (i)
第二十一条の五の十九第二項 Article 21-5-19, paragraph (2)	指定通所支援の事業 Designated outpatient support services	第二十一条の五の十七第一項第二号の指定通所支援の事業 Designated outpatient support services of Article 21-5-17, paragraph (1), item (ii)
第二十一条の五の二十三第一項第一号 Article 21-5-23, paragraph (1), item (i)	第二十一条の五の十九第一項の of Article 21-5-19, paragraph (1)	第二十一条の五の十七第一項第一号の指定通所支援に従事する従業者に係る Pertaining to employees engaged in designated outpatient support of Article 21-5-17, paragraph (1), item (i)
第二十一条の五の二十三第一項第二号 Article 21-5-23, paragraph (1), item (ii)	第二十一条の五の十九第二項 Article 21-5-19 paragraph (2)	第二十一条の五の十七第一項第二号 Article 21-5-17, paragraph (1), item (ii)

第二十一条の五の二十四第一項第三号 Article 21-5-24, paragraph (1), item (iii)	第二十一条の五の十九第一項の of Article 21-5-19, paragraph (1)	第二十一条の五の十七第一項第一号の指定通所支援に従事する従業者に係る Pertaining to employees engaged in designated outpatient support of Article 21-5-17, paragraph (1),item (i)
第二十一条の五の二十四第一項第四号 Article 21-5-24 paragraph (1), item(iv)	第二十一条の五の十九第二項 Article 21-5-19, paragraph (2)	第二十一条の五の十七第一項第二号 Article 21-5-17, paragraph (1), item (ii)

4 第一項に規定する者であつて、同項の申請に係る第二十一条の五の三第一項の指定を受けたものから、次の各号のいずれかの届出があつたときは、当該指定に係る指定通所支援の事業について、第二十一条の五の二十四第四項の規定による事業の廃止又は休止の届出があつたものとみなす。

(4) If the notification is made for any of the following items by the person specified in paragraph (1) who was granted designation of Article 21-5-3, paragraph (1) pertaining to the application of the same paragraph, it is deemed as notification of abolishment or suspension pursuant to the provisions of Article 21-5-20, paragraph (4) with regard to the designated outpatient support services pertaining to the relevant designation.

一 介護保険法第四十一条第一項に規定する指定居宅サービスの事業（当該指定に係る障害児通所支援事業所において行うものに限る。）に係る同法第七十五条第二項の規定による事業の廃止又は休止の届出

(i) notification of abolishment or suspension of the services pursuant to the provisions of Article 75, paragraph (2) of the Long-Term Care Insurance Act pertaining to the services of the designated in-home service specified in Article 41, paragraph (1) of the same Act (limited to the services provided in outpatient support office for children with disabilities pertaining to the relevant designation).

二 介護保険法第五十三条第一項に規定する指定介護予防サービスの事業（当該指定に係る障害児通所支援事業所において行うものに限る。）に係る同法第百十五条の五第二項の規定による事業の廃止又は休止の届出

(ii) notification of abolishment or suspension of the services pursuant to the provisions of Article 105-5, paragraph (2) of the Long-Term Care Insurance Act pertaining to the services of the preventative long-term care service specified in Article 53, paragraph (1) of the same Act (limited to the services provided in outpatient support office for children with disabilities pertaining to the relevant designation).

三 障害者の日常生活及び社会生活を総合的に支援するための法律第二十九条第一項

に規定する指定障害福祉サービスの事業（当該指定に係る障害児通所支援事業所において行うものに限る。）に係る同法第四十六条第二項の規定による事業の廃止又は休止の届出

(iii) notification of abolishment or suspension of the services pursuant to the provisions of Article 46, paragraph (2) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities pertaining to the services of the designated disabled person welfare service specified in Article 29, paragraph (1) of the same Act (limited to the services provided in outpatient support office for children with disabilities pertaining to the relevant designation).

- 5 第一項に規定する者であつて、同項の申請に係る第二十一条の五の三第一項の指定を受けたものは、介護保険法第四十二条の二第一項に規定する指定地域密着型サービスの事業（当該指定に係る障害児通所支援事業所において行うものに限る。）又は同法第五十四条の二第一項に規定する指定地域密着型介護予防サービスの事業（当該指定に係る障害児通所支援事業所において行うものに限る。）を廃止し、又は休止しようとするときは、厚生労働省令で定めるところにより、その廃止又は休止の日の一月前までに、その旨を当該指定を行つた都道府県知事に届け出なければならない。この場合において、当該届出があつたときは、当該指定に係る指定通所支援の事業について、第二十一条の五の二十四第四項の規定による事業の廃止又は休止の届出があつたものとみなす。

(5) If the person specified in paragraph (1) who was granted designation of Article 21-5-3, paragraph (1), intends to abolish or suspend the services of the designated community-based service specified in Article 42-2, paragraph (1) of the Long-Term Care Insurance Act (limited to the services provided in outpatient support office for children with disabilities pertaining to the relevant designation) or the services of the designated community-based preventative long-term care service specified in Article 54-2, paragraph (1) of the same Act (limited to the services provided in outpatient support office for children with disabilities pertaining to the relevant designation), pursuant to the provisions of Order of Ministry of Health, Labour and Welfare, by one month prior to the date of abolishment or suspension, the person must notify to that effect to the prefectural governor who has made the relevant designation. In this case, if the relevant notification is made, the relevant person is deemed to notify abolishment or suspension of the services pursuant to the provisions of Article 21-5-20, paragraph (4).

第二十一条の五の十八 指定障害児通所支援事業者及び指定発達支援医療機関の設置者（以下「指定障害児事業者等」という。）は、障害児が自立した日常生活又は社会生活を営むことができるよう、障害児及びその保護者の意思をできる限り尊重するとともに、行政機関、教育機関その他の関係機関との緊密な連携を図りつつ、障害児通所支援を当該障害児の意向、適性、障害の特性その他の事情に応じ、常に障害児及びそ

の保護者の立場に立つて効果的に行うように努めなければならない。

Article 21-5-18 (1) In order to enable a child with disabilities to lead self-reliant daily life or social life, the establisher of a designated operator of outpatient support services for children with disabilities and designated developmental support medical institution (hereinafter referred to as "designated services operator, etc. for children with disabilities") must endeavor to effectively implement outpatient support for children with disabilities according to the intention, aptitudes, characteristics of dysfunctions and other circumstances of relevant child with disabilities, while facilitating close coordination with administrative organs, educational institutions and other relevant bodies, as well as respecting the willing of a child with disabilities or their custodian as much as possible constantly from the standpoint of children with disabilities and their custodians.

2 指定障害児事業者等は、その提供する障害児通所支援の質の評価を行うことその他の措置を講ずることにより、障害児通所支援の質の向上に努めなければならない。

(2) The designated services operator, etc. for children with disabilities must endeavor to improve the quality of outpatient support for children with disabilities by evaluating the quality of outpatient support for children with disabilities provided by such operator and taking other measures.

3 指定障害児事業者等は、障害児の人格を尊重するとともに、この法律又はこの法律に基づく命令を遵守し、障害児及びその保護者のため忠実にその職務を遂行しなければならない。

(3) The designated services operator, etc. for children with disabilities must respect the personality of children with disabilities, comply with this Act and the orders based on this Act, and implement their duties faithfully for children with disabilities and their custodians.

第二十一条の五の十九 指定障害児事業者等は、都道府県の条例で定める基準に従い、当該指定に係る障害児通所支援事業所又は指定発達支援医療機関ごとに、当該指定通所支援に従事する従業者を有しなければならない。

Article 21-5-19 (1) The designated services operator, etc. for children with disabilities must have employees engaged in the relevant designated outpatient support, per outpatient support office for children with disabilities or per designated developmental support medical provider institution pertaining to the relevant designation in accordance with the standard specified in the Prefectural Ordinance.

2 指定障害児事業者等は、都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に従い、指定通所支援を提供しなければならない。

(2) The designated services operator, etc. for children with disabilities must provide the designated outpatient support in accordance with the standard relating to equipment and operation of the services of the designated

outpatient support specified in the Prefectural Ordinance.

- 3 都道府県が前二項の条例を定めるに当たっては、第一号から第三号までに掲げる事項については厚生労働省令で定める基準に従い定めるものとし、第四号に掲げる事項については厚生労働省令で定める基準を標準として定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(3) The provisions of the preceding two items are specified in accordance with the standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed through items (i) through (iii); the particulars of item (iv) are specified by setting based on the standards provided in Order of the Ministry of Health, Labour and Welfare and other particulars are be specified by taking into consideration the standards provided in Order of the Ministry of Health, Labour and Welfare.

一 指定通所支援に従事する従業者及びその員数

(i) employees engaged in designated outpatient support and their number

二 指定通所支援の事業に係る居室及び病室の床面積その他指定通所支援の事業の設備に関する事項であつて障害児の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(ii) the floor area of the living room and ward and other particulars concerning the equipment pertaining to the designated outpatient support services, which are closely related to sound development of children with disabilities, prescribed by Order of Ministry of Health, Labour and Welfare.

三 指定通所支援の事業の運営に関する事項であつて、障害児の保護者のサービスの適切な利用の確保並びに障害児の適切な処遇及び安全の確保並びに秘密の保持に密接に関連するものとして厚生労働省令で定めるもの

(iii) the particulars concerning the operation of the designated outpatient support services, which are closely related to ensuring appropriate use of services by custodians of children with disabilities and securing safety of children with disabilities and maintenance of secrets, prescribed by Order of Ministry of Health, Labour and Welfare.

四 指定通所支援の事業に係る利用定員

(iv) the number of persons pertaining to the services of designated outpatient support

- 4 指定障害児通所支援事業者は、次条第四項の規定による事業の廃止又は休止の届出をしたときは、当該届出の日前一月以内に当該指定通所支援を受けていた者であつて、当該事業の廃止又は休止の日以後においても引き続き当該指定通所支援に相当する支援の提供を希望する者に対し、必要な障害児通所支援が継続的に提供されるよう、他の指定障害児事業者等その他関係者との連絡調整その他の便宜の提供を行わなければならない。

(4) If the designated operator of outpatient support services for children with disabilities notifies abolishment or suspension of the services pursuant to the provisions of paragraph (4) of the following Article, for the person who receives

the relevant designated outpatient support within one month prior to the date of the relevant notification and the person who seeks to continue provision of support corresponding to the relevant designated outpatient support even after the date of abolishment or suspension of the relevant services, such operator must carry out liaison and coordination with other designated outpatient services operators, etc. for children with disabilities and other relevant persons and provide other benefits in order to continuously provide necessary outpatient support for children with disabilities.

第二十一条の五の二十 指定障害児通所支援事業者は、第二十一条の五の三第一項の指定に係る特定障害児通所支援の量を増加しようとするときは、厚生労働省令で定めるところにより、同項の指定の変更を申請することができる。

Article 21-5-20 (1) If the designated operator of outpatient support services for children with disabilities intends to increase the amount of outpatient support for specified children with disabilities pertaining to the designation of Article 21-5-3, paragraph (1), the operator may apply alternation of designation of the same paragraph pursuant to the Order of Ministry of Health, Labour and Welfare.

2 第二十一条の五の十五第三項から第五項までの規定は、前項の指定の変更の申請があつた場合について準用する。この場合において、必要な技術的読替へは、政令で定める。

(2) The provisions of Article 21-5-15, paragraph (3) through (5) apply mutatis mutandis to the case where application for alternation of the designation in the preceding paragraph is made. In this case, necessary terminological replacements are prescribed by Cabinet Order.

3 指定障害児通所支援事業者は、当該指定に係る障害児通所支援事業所の名称及び所在地その他厚生労働省令で定める事項に変更があつたとき、又は休止した当該指定通所支援の事業を再開したときは、厚生労働省令で定めるところにより、十日以内に、その旨を都道府県知事に届け出なければならない。

(3) If the designated operator of outpatient support services for children with disabilities changes the name and location of outpatient support office for children with disabilities pertaining to the relevant designation and other particulars set forth in Order of the Ministry of Health, Labour and Welfare is made, or the services of the relevant designated outpatient support whose operation had been suspended resumed, the operator must notify that effect to the prefectural governor within ten days.

4 指定障害児通所支援事業者は、当該指定通所支援の事業を廃止し、又は休止しようとするときは、厚生労働省令で定めるところにより、その廃止又は休止の日の一月前までに、その旨を都道府県知事に届け出なければならない。

(4) If the designated operator of outpatient support services for children with disabilities intends to abolish or suspend the services of the relevant

designated outpatient support for children with disabilities, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, the operator must notify the prefectural governor by one month prior to the date of abolishment or suspension.

第二十一条の五の二十一 都道府県知事又は市町村長は、第二十一条の五の十九第四項に規定する便宜の提供が円滑に行われるため必要があると認めるときは、当該指定障害児通所支援事業者その他の関係者相互間の連絡調整又は当該指定障害児通所支援事業者その他の関係者に対する助言その他の援助を行うことができる。

Article 21-5-21 (1) If a prefectural governor or municipal mayor is found to be necessary to smoothly provide the benefits specified in Article 21-5-21, the governor and mayor may carry out mutual liaison and coordination with the relevant designated operator of outpatient support services for children with disabilities and other relevant persons or provide advice and other assistance for the relevant designated operator of outpatient support services for children with disabilities and other relevant persons,

2 厚生労働大臣は、同一の指定障害児通所支援事業者について二以上の都道府県知事が前項の規定による連絡調整又は援助を行う場合において、第二十一条の五の十九第四項に規定する便宜の提供が円滑に行われるため必要があると認めるときは、当該都道府県知事相互間の連絡調整又は当該指定障害児通所支援事業者に対する都道府県の区域を超えた広域的な見地からの助言その他の援助を行うことができる。

(2) Minister of Health, Labor and Welfare, in the case of liaison and coordination or assistance pursuant to the preceding paragraph by two or more prefectural governors regarding the identical designated operator of outpatient support services for children with disabilities, if it is found necessary for smooth provision of benefits specified in Article 21-5-19, paragraph (4), may provide mutual liaison and coordination between the relevant prefectures, advice and other assistance from a cross-regional viewpoint beyond the areas of the prefectures for the relevant designated operator of outpatient support services for children with disabilities.

第二十一条の五の二十二 都道府県知事又は市町村長は、必要があると認めるときは、指定障害児通所支援事業者若しくは指定障害児通所支援事業者であつた者若しくは当該指定に係る障害児通所支援事業所の従業者であつた者（以下この項において「指定障害児通所支援事業者であつた者等」という。）に対し、報告若しくは帳簿書類その他の物件の提出若しくは提示を命じ、指定障害児通所支援事業者若しくは当該指定に係る障害児通所支援事業所の従業者若しくは指定障害児通所支援事業者であつた者等に対し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定障害児通所支援事業者の当該指定に係る障害児通所支援事業所、事務所その他当該指定通所支援の事業に関係のある場所に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

Article 21-5-22 (1) When a prefectural governor or municipal mayor finds it to be necessary, they may make the relevant officials or relevant persons, for a person who used to be a designated operator of outpatient support services for children with disabilities, or its employee, (hereinafter referred to as "a person who used to be a designated operator, etc. of outpatient support services for children with disabilities") pertaining to the relevant designation, report or submit or present books and documents and other objects, request the appearance of a person who was used to be a designated operator of outpatient support services for children with disabilities, or may make relevant prefecture's official ask relevant persons questions or enter any office of the outpatient support office pertaining the relevant designated operator of outpatient support services for children with disabilities, any office or other location of the services of the relevant designated outpatient support and inspect its equipment, books and documents and other objects.

2 前項の規定は、指定発達支援医療機関の設置者について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of the preceding paragraph apply mutatis mutandis to the establisher of the designated developmental support medical institution. In this case, necessary technical replacement of the terms in this case are provided by Cabinet Order.

3 第十九条の十六第二項の規定は第一項（前項において準用する場合を含む。）の規定による質問又は検査について、同条第三項の規定は第一項（前項において準用する場合を含む。）の規定による権限について準用する。

(3) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questions and inspection pursuant to the provisions of paragraph (1), and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority pursuant to the provisions of paragraph (1) (including application mutatis mutandis to the preceding paragraph).

第二十一条の五の二十三 都道府県知事は、指定障害児事業者等が、次の各号（指定発達支援医療機関の設置者にあつては、第三号を除く。以下この項及び第五項において同じ。）に掲げる場合に該当すると認めるときは、当該指定障害児事業者等に対し、期限を定めて、当該各号に定める措置をとるべきことを勧告することができる。

Article 21-5-23 (1) If the prefectural governor finds that the designated operator, etc. for children with disabilities falls under the cases listed in all the following items (excluding item (iii) for the establisher of the designated developmental support medical institution; the same applies to this paragraph and paragraph (5).), the prefectural governor may recommend the measures to be taken specified in the relevant items, for the relevant designated operator, etc. for children with disabilities by a set deadline.

一 当該指定に係る障害児通所支援事業所又は指定発達支援医療機関の従業者の知識

若しくは技能又は人員について第二十一条の五の十九第一項の都道府県の条例で定める基準に適合していない場合 当該基準を遵守すること。

(i) if the knowledge or skills or capacity of the employees of outpatient support office for children with disabilities or the designated developmental support medical institution do not satisfy the standards specified by Article 21-5-19, paragraph (1) of the Prefectural Ordinance, to comply with the relevant standards;

二 第二十一条の五の十九第二項の都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に従って適正な指定通所支援の事業の運営をしていない場合 当該基準を遵守すること。

(ii) if the services of the designated outpatient support are not operated appropriately in accordance with the standards relating to the equipment and operation of the services of designated outpatient support specified by Article 21-5-19, paragraph (2) of the Prefectural Ordinance, to comply with the relevant standards;

三 第二十一条の五の十九第四項に規定する便宜の提供を適正に行っていない場合 当該便宜の提供を適正に行うこと。

(iii) if the benefits specified by Article 21-5-19, paragraph (4) are not appropriately provided, to provide the relevant benefits appropriately.

2 都道府県知事は、前項の規定による勧告をした場合において、その勧告を受けた指定障害児事業者等が、同項の期限内にこれに従わなかつたときは、その旨を公表することができる。

(2) the prefectural governor, in the case where recommendation is made pursuant to the provisions of the preceding paragraph and the designated operator, etc. for children with disabilities does not comply with such recommendation within the period of the same paragraph, may issue a public announcement to that effect.

3 都道府県知事は、第一項の規定による勧告を受けた指定障害児事業者等が、正当な理由がなくてその勧告に係る措置をとらなかつたときは、当該指定障害児事業者等に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) the prefectural governor, in the case the designated operator, etc. for children with disabilities who has received recommendation pursuant to the provisions of paragraph (1) does not take measures pertaining to such recommendation without justifiable grounds, may order the relevant designated operator, etc. for children with disabilities to take measures pertaining to such recommendation by a set deadline.

4 都道府県知事は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) The prefectural governor must notify the public to that effect, in the event of issuing an order pursuant to the preceding paragraph.

5 市町村は、障害児通所給付費の支給に係る指定通所支援を行つた指定障害児事業者

等について、第一項各号に掲げる場合のいずれかに該当すると認めるときは、その旨を当該指定に係る障害児通所支援事業所又は指定発達支援医療機関の所在地の都道府県知事に通知しなければならない。

- (5) If a municipality finds that the designated operator, etc. for children with disabilities who provided the designated outpatient support pertaining to payment of outpatient benefits for children with disabilities falls under any of the cases listed in the items of paragraph (1), the municipality must notify the prefectural governor of the location of outpatient support office for children with disabilities or the designated developmental support medical institution pertaining to the relevant designation to that effect.

第二十一条の五の二十四 都道府県知事は、次の各号のいずれかに該当する場合においては、当該指定障害児通所支援事業者に係る第二十一条の五の三第一項の指定を取り消し、又は期間を定めてその指定の全部若しくは一部の効力を停止することができる。

Article 21-5-24 (1) The prefectural governor, in the case of falling under any of the following items, may rescind the designation set forth in Article 21-5-3, paragraph (1) pertaining to the relevant designated operator of outpatient support services for children with disabilities or suspend the validity of the designation, in whole or in part, for a period of time to be specified:

一 指定障害児通所支援事業者が、第二十一条の五の十五第三項第四号から第五号の二まで、第十三号又は第十四号のいずれかに該当するに至ったとき。

(i) if the designated operator of outpatient support services for children with disabilities comes to fall under any of Article 21-5-15, paragraph (3), item (iv) through (v)-2, or item (xiii) or (xiv);

二 指定障害児通所支援事業者が、第二十一条の五の十八第三項の規定に違反したと認められるとき。

(ii) if it is found that the designated operator of outpatient support services for children with disabilities has violated the provisions of Article 21-5-18, paragraph (3);

三 指定障害児通所支援事業者が、当該指定に係る障害児通所支援事業所の従業員の知識若しくは技能又は人員について、第二十一条の五の十九第一項の都道府県の条例で定める基準を満たすことができなくなつたとき。

(iii) if the designated operator of outpatient support services for children with disabilities no longer is able to satisfy the standards specified by the Prefectural Ordinance of Article 21-5-19, paragraph (1) with regard to knowledge or skills or capacity of the employees of outpatient support office for children with disabilities pertaining to the relevant designation.

四 指定障害児通所支援事業者が、第二十一条の五の十九第二項の都道府県の条例で定める指定通所支援の事業の設備及び運営に関する基準に従つて適正な指定通所支援の事業の運営をすることができなくなつたとき。

(iv) if the designated operator of outpatient support services for children with

disabilities comes to be unable to operate the services of designated outpatient support appropriately in accordance with the standards relating to the equipment and operation of the services of designated outpatient support specified by the Prefectural Ordinance of Article 21-5-19, paragraph (2).

五 障害児通所給付費又は肢体不自由児通所医療費の請求に関し不正があつたとき。

(v) if any wrongdoing is found with regard to claim for payment of outpatient benefits for children with disabilities or outpatient medical expenses for orthopedically impaired children;

六 指定障害児通所支援事業者が、第二十一条の五の二十二第一項の規定により報告又は帳簿書類その他の物件の提出若しくは提示を命ぜられてこれに従わず、又は虚偽の報告をしたとき。

(vi) if the designated operator of outpatient support services for children with disabilities fails to comply with an order for reporting or submission or presentation of books and documents and other objects pursuant to the provisions of Article 21-5-22, paragraph (1), or makes a false report in response to such an order;

七 指定障害児通所支援事業者又は当該指定に係る障害児通所支援事業所の従業者が、第二十一条の五の二十二第一項の規定により出頭を求められてこれに応ぜず、同項の規定による質問に対して答弁せず、若しくは虚偽の答弁をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避したとき。ただし、当該指定に係る障害児通所支援事業所の従業者がその行為をした場合において、その行為を防止するため、当該指定障害児通所支援事業者が相当の注意及び監督を尽くしたときを除く。

(vii) if the designated operator of outpatient support services for children with disabilities or the employees of outpatient support office for children with disabilities pertaining to the relevant designation have been requested to appear pursuant to the provisions of Article 21-5-22, paragraph (1) and have failed to answer or made a false answer to questions under the provisions of the same paragraph, or have refused, interfered with or evaded an inspection under the provisions of the same paragraph; provided, however, that this does not apply if, the employee of the outpatient support office for children with disabilities has conducted the actions and the relevant designated operator of outpatient support services for children with disabilities has fulfilled the duty of reasonable care and supervision so as to prevent the actions;

八 指定障害児通所支援事業者が、不正の手段により第二十一条の五の三第一項の指定を受けたとき。

(viii) if the designated operator of outpatient support services for children with disabilities receives the designation of Article 21-5-3 paragraph (1) by wrongful means;

九 前各号に掲げる場合のほか、指定障害児通所支援事業者が、この法律その他国民の保健医療若しくは福祉に関する法律で政令で定めるもの又はこれらの法律に基づく命令若しくは処分に違反したとき。

(ix) beyond the cases listed in the preceding items, if the designated operator of outpatient support services for children with disabilities has violated this Act and other Acts on national healthcare or welfare provided by Cabinet Order, or an order or disposition based on these Acts;

十 前各号に掲げる場合のほか、指定障害児通所支援事業者が、障害児通所支援に関し不正又は著しく不当な行為をしたとき。

(x) beyond the cases listed in the preceding items, if the designated operator of outpatient support services for children with disabilities has committed a wrongful or extremely unjust act concerning outpatient support for children with disabilities;

十一 指定障害児通所支援事業者が法人である場合において、その役員等のうちに指定の取消し又は指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に障害児通所支援に関し不正又は著しく不当な行為をした者があるとき。

(xi) in the case where the designated operator of outpatient support services for children with disabilities is a corporation and its officers, etc. include such a person who has committed a wrongdoing or unjust act with regard to outpatient support for children with disabilities within five years prior to the time when the rescission of designation or the whole or partial suspension of its validity is intended.

十二 指定障害児通所支援事業者が法人でない場合において、その管理者が指定の取消し又は指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に障害児通所支援に関し不正又は著しく不当な行為をした者であるとき。

(xii) in the case where the designated operator of outpatient support services for children with disabilities is not a corporation and its manager, etc. has committed a wrongdoing or unjust act with regard to outpatient support for children with disabilities within five years prior to the time when the rescission of designation or the whole or partial suspension of its validity is intended.

2 市町村は、障害児通所給付費等の支給に係る障害児通所支援又は肢体不自由児通所医療費の支給に係る第二十一条の五の二十九第一項に規定する肢体不自由児通所医療を行つた指定障害児通所支援事業者について、前項各号のいずれかに該当すると認めるときは、その旨を当該指定に係る障害児通所支援事業所の所在地の都道府県知事に通知しなければならない。

(2) A municipality must, if it is found that the designated operator of outpatient support services for children with disabilities who has provided outpatient support for children with disabilities pertaining to payment of outpatient benefits, etc. for children with disabilities or outpatient medical treatment for orthopedically impaired children specified by Article 21-5-29, paragraph (1)

pertaining to payment of outpatient medical expenses for orthopedically impaired children falls under any of the items of the preceding paragraph, notify the prefectural governor of the location of outpatient support office for children with disabilities pertaining to the relevant designation to that effect.

第二十一条の五の二十五 都道府県知事は、次に掲げる場合には、その旨を公示しなければならない。

Article 21-5-25 A prefectural governor must give public notice in any of the cases listed in the following items to that effect:

一 第二十一条の五の三第一項の指定障害児通所支援事業者の指定をしたとき。

(i) if a prefectural governor has made the designation of a designated operator of outpatient support services for children with disabilities set forth in Article 21-5-3, paragraph (1);

二 第二十一条の五の二十四第四項の規定による事業の廃止の届出があつたとき。

(ii) if abolishment of the services pursuant to the provisions of Article 21-5-20, paragraph (4) is notified; and

三 前条第一項又は第三十三条の十八第六項の規定により指定障害児通所支援事業者の指定を取り消したとき。

(iii) if the designation of a designated operator of outpatient support services for children with disabilities has been rescinded pursuant to the provisions of paragraph (1) of the preceding Article or Article 33-18, paragraph (6).

第三款 業務管理体制の整備等

Subsection 3 Establishment of Management Systems

第二十一条の五の二十六 指定障害児事業者等は、第二十一条の五の十八第三項に規定する義務の履行が確保されるよう、厚生労働省令で定める基準に従い、業務管理体制を整備しなければならない。

Article 21-5-26 (1) The designated operator, etc. for children with disabilities must establish a management system in accordance with the requirements specified by Order of the Ministry of Health, Labour and Welfare to ensure that the duties prescribed in Article 21-5-18, paragraph (3) are carried out.

2 指定障害児事業者等は、次の各号に掲げる区分に応じ、当該各号に定める者に対し、厚生労働省令で定めるところにより、業務管理体制の整備に関する事項を届け出なければならない。

(2) The designated operator, etc. for children with disabilities, according to their category set forth in the relevant following items, must give notification of particulars pertaining to the establishment of a management system to the relevant person specified in that item, in accordance with Order of the Ministry of Health, Labour and Welfare:

一 次号から第四号までに掲げる指定障害児通所支援事業者以外の指定障害児通所支

援事業者 都道府県知事

(i) the designated operator of outpatient support services for children with disabilities business other those set forth in the following item through item (iv): the prefectural governor;

二 当該指定に係る障害児通所支援事業所が一の地方自治法第二百五十二条の十九第一項の指定都市（以下「指定都市」という。）の区域に所在する指定障害児通所支援事業者 指定都市の長

(ii) the designated operator of outpatient support services for children with disabilities whose places of business of outpatient support office for children with disabilities relevant to the designation are located in a designated city prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act (hereinafter referred to as the "designated city"): the mayor of the designated city;

三 当該指定に係る障害児通所支援事業所が一の地方自治法第二百五十二条の二十二第一項の中核市（以下「中核市」という。）の区域に所在する指定障害児通所支援事業者 中核市の長

(iii) the designated operator of outpatient support services for children with disabilities whose places of business of outpatient support office for children with disabilities relevant to the designation are located in a core city prescribed in Article 252-22, paragraph (1) of the Local Autonomy Act (hereinafter, referred to as "core city"): the mayor of the core city; or

四 当該指定に係る障害児通所支援事業所が二以上の都道府県の区域に所在する指定障害児通所支援事業者及び指定発達支援医療機関の設置者 厚生労働大臣

(iv) the designated operator of outpatient support services for children with disabilities whose places of business of outpatient support office for children with disabilities relevant to the designation are located in two or more places within the prefectures and the establisher of the designated developmental support medical institution: the Minister of Health, Labour and Welfare.

3 前項の規定により届出をした指定障害児事業者等は、その届け出た事項に変更があったときは、厚生労働省令で定めるところにより、遅滞なく、その旨を当該届出をした厚生労働大臣、都道府県知事又は指定都市若しくは中核市の長（以下この款において「厚生労働大臣等」という。）に届け出なければならない。

(3) If any changes have been made to the particulars in the notification which the designated operator, etc. for children with disabilities made pursuant to the preceding paragraph, that designated operator, etc. must give notification to the effect without delay to the Minister of Health, Labour and Welfare, the prefectural governor, or the mayor of the designated city or core city (hereinafter referred to as the "Minister of Health, Labour and Welfare, etc." in this subsection) to whom they gave the notification in question, in accordance with Order of the Ministry of Health, Labour and Welfare.

4 第二項の規定による届出をした指定障害児通所支援事業者は、同項各号に掲げる区

分の変更により、同項の規定により当該届出をした厚生労働大臣等以外の厚生労働大臣等に届出を行うときは、厚生労働省令で定めるところにより、その旨を当該届出をした厚生労働大臣等にも届け出なければならない。

- (4) If the designated operator of outpatient support services for children with disabilities business that gave the Minister of Health, Labour and Welfare, etc. the notification under paragraph (2) gives notification to another Minister, etc. other than that Minister, etc. pursuant to the same paragraph due to a change in their category set forth in the items of the same paragraph, they must also give notification to the effect to that Minister, etc. in accordance with Order of the Ministry of Health, Labour and Welfare.
- 5 厚生労働大臣等は、前三項の規定による届出が適正になされるよう、相互に密接な連携を図るものとする。
- (5) The Ministers of Health, Labour and Welfare, etc. must endeavor to coordinate closely with each other to ensure that the notification under the preceding three paragraphs are made appropriately.

第二十一条の五の二十七 前条第二項の規定による届出を受けた厚生労働大臣等は、当該届出をした指定障害児事業者等（同条第四項の規定による届出を受けた厚生労働大臣等にあつては、同項の規定による届出をした指定障害児通所支援事業者を除く。）における同条第一項の規定による業務管理体制の整備に関して必要があると認めるときは、当該指定障害児事業者等に対し、報告若しくは帳簿書類その他の物件の提出若しくは提示を命じ、当該指定障害児事業者等若しくは当該指定障害児事業者等の従業員に対し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定障害児事業者等の当該指定に係る障害児通所支援事業所、事務所その他の指定通所支援の提供に関係のある場所に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

Article 21-5-27 (1) If the Minister of Health, Labour and Welfare, etc. who has receive a notification under paragraph (2) of the preceding Article finds it necessary for the establishment of the a management system under paragraph (1) of the same Article for the designated operator, etc. for children with disabilities (excluding the designated operator of outpatient support services for children with disabilities that has filed a notification under paragraph (4) the same Article, in cases of the Minister of Health, Labour and Welfare, etc. who has received the notification), they may order that designated operator to make a report; order them to submit or show books, documents or other materials; request that operator or their employees to appear; require the relevant personnel to question the persons concerned; or require them to reenter the places of outpatient support office for children with disabilities or offices relevant to their designation, or enter other places related to the provision of the designated outpatient support services for children with disabilities, in order to inspect the equipment, books, documents or other

materials.

2 厚生労働大臣又は指定都市若しくは中核市の長が前項の権限を行うときは、当該指定障害児通所支援事業者に係る指定を行つた都道府県知事（次条第五項において「関係都道府県知事」という。）と密接な連携の下に行うものとする。

(2) If the Minister of Health, Labour and Welfare or the mayor of a designated city or core city exercises the authority prescribed in the preceding paragraph, they are to do so in close cooperation with the prefectural governor who conferred the designation upon the designated operator of outpatient support services for children with disabilities (referred to as the "relevant prefectural governor" in paragraph (5) of the following Article).

3 都道府県知事は、その行つた又はその行おうとする指定に係る指定障害児通所支援事業者における前条第一項の規定による業務管理体制の整備に関して必要があると認めるときは、厚生労働大臣又は指定都市若しくは中核市の長に対し、第一項の権限を行うよう求めることができる。

(3) When the prefectural governor finds it necessary for the establishment of a management system under paragraph (1) of the preceding article for the designated operator of outpatient support services for children with disabilities relevant to the designation which that prefectural governor conferred or intends to confer, the prefectural governor may request the Minister of Health, Labour and Welfare or the mayor of a designated city or core city to exercise the authority set forth in paragraph (1).

4 厚生労働大臣又は指定都市若しくは中核市の長は、前項の規定による都道府県知事の求めに応じて第一項の権限を行つたときは、厚生労働省令で定めるところにより、その結果を当該権限を行うよう求めた都道府県知事に通知しなければならない。

(4) If the Minister of Health, Labour and Welfare or the mayor of the designated city or core city exercises the authority prescribed in paragraph (1) in response to a request made by the prefectural governor pursuant to the preceding paragraph, they must make the notification of the results to that prefectural governor who made that request, in accordance with Order of the Ministry of Health, Labour and Welfare.

5 第十九条の十六第二項の規定は第一項の規定による質問又は検査について、同条第三項の規定は第一項の規定による権限について準用する。

(5) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questioning and inspection under paragraph (1) of this Article; the provisions of paragraph (3) of Article 19-16 apply mutatis mutandis to the authority under paragraph (1) of this Article.

第二十一条の五の二十八 第二十一条の五の二十六第二項の規定による届出を受けた厚生労働大臣等は、当該届出をした指定障害児事業者等（同条第四項の規定による届出を受けた厚生労働大臣等にあつては、同項の規定による届出をした指定障害児通所支援事業者を除く。）が、同条第一項の厚生労働省令で定める基準に従つて適正な業務

管理体制の整備をしていないと認めるときは、当該指定障害児事業者等に対し、期限を定めて、当該厚生労働省令で定める基準に従って適正な業務管理体制を整備すべきことを勧告することができる。

Article 21-5-28 (1) If the Minister of Health, Labour and Welfare, etc. who has received the notification under Article 21-5-26, paragraph (2) finds that the designated operator, etc. for children with disabilities that has filed the notification (in the case of the Minister of Health, Labour and Welfare, etc. who has received a notification pursuant to paragraph (4) of the same Article, this does not include the designated operator of outpatient support services for children with disabilities who made the notification pursuant to the same paragraph) does not establish an appropriate management system, the Minister, etc. may recommend that designated operator, etc. for children with disabilities to establish an appropriate management system, in accordance with the requirements specified by Order of the Ministry of Health, Labour and Welfare, by the specified date.

2 厚生労働大臣等は、前項の規定による勧告をした場合において、その勧告を受けた指定障害児事業者等が、同項の期限内にこれに従わなかつたときは、その旨を公表することができる。

(2) If the Minister of Health, Labour and Welfare, etc. has issued the recommendation under the preceding paragraph, and the designated operator, etc. for children with disabilities that has received the recommendation fails to comply with the recommendation within the period specified in the same paragraph, the Minister, etc. may make a public announcement to that effect.

3 厚生労働大臣等は、第一項の規定による勧告を受けた指定障害児事業者等が、正当な理由がなくその勧告に係る措置をとらなかつたときは、当該指定障害児事業者等に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) If the designated operator, etc. for children with disabilities that has received the recommendation under paragraph (1) fails to implement measures pertaining to these recommendations without just cause, the Minister of Health, Labour and Welfare, etc. may order that designated operator, etc. for children with disabilities to implement those measures within a specified period.

4 厚生労働大臣等は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) The Minister of Health, Labour and Welfare, etc. who has issued an order under the preceding paragraph must make a public notice of the fact.

5 厚生労働大臣又は指定都市若しくは中核市の長は、指定障害児通所支援事業者が第三項の規定による命令に違反したときは、厚生労働省令で定めるところにより、当該違反の内容を関係都道府県知事に通知しなければならない。

(5) If a designated operator of outpatient support services for children with disabilities violates an order under paragraph (3), the Minister of Health,

Labour and Welfare or the mayor of a designated city or core city must send notice of the violation to the relevant prefectural governor in accordance with Order of the Ministry of Health, Labour and Welfare.

第四款 肢体不自由児通所医療費の支給

Subsection 4 Payments of Outpatient Medical Expenses for Orthopedically Impaired Children

第二十一条の五の二十九 市町村は、通所給付決定に係る障害児が、通所給付決定の有効期間内において、指定障害児通所支援事業者等（病院その他厚生労働省令で定める施設に限る。以下この款において同じ。）から医療型児童発達支援のうち治療に係るもの（以下この条において「肢体不自由児通所医療」という。）を受けたときは、当該障害児に係る通所給付決定保護者に対し、当該肢体不自由児通所医療に要した費用について、肢体不自由児通所医療費を支給する。

Article 21-5-29 (1) A municipality, in the case where a child with disabilities pertaining to grant decision on outpatient benefits payments, within effective period of grant decision on outpatient benefits payments, is to receive medical services child developmental support pertaining to medical treatment, (hereinafter referred to "outpatient medical treatment for orthopedically impaired children" in this Article), from designated operators, etc. of outpatient support service for children with disabilities (limited to hospital or other facility specified in Order of Ministry of Health, Labour and Welfare; the same applies in this subsection), for recognized outpatient beneficiary custodian pertaining to the relevant children with disabilities, pay outpatient medical expenses for orthopedically impaired children.

2 肢体不自由児通所医療費の額は、一月につき、肢体不自由児通所医療（食事療養を除く。）につき健康保険の療養に要する費用の額の算定方法の例により算定した額から、当該通所給付決定保護者の家計の負担能力その他の事情をしん酌して政令で定める額（当該政令で定める額が当該算定した額の百分の十に相当する額を超えるときは、当該相当する額）を控除して得た額とする。

(2) The amount of outpatient medical expenses for outpatient medical treatment for orthopedically impaired children is the amount obtained by deducting the amount specified by Cabinet Order (when ten-hundredths (10/100) of the relevant amount provided by the relevant Cabinet Order exceeds the amount provided by a Cabinet Order, the relevant amount equivalent thereto) from the amount calculated according to the example of calculation method of the amount of the expenses required for medical treatment of health insurance for outpatient medical treatment for orthopedically impaired children (excluding dietary treatment) per month by taking into account the financial capacity of the household of the relevant recognized outpatient beneficiary custodian.

3 通所給付決定に係る障害児が指定障害児通所支援事業者等から肢体不自由児通所医

療を受けたときは、市町村は、当該障害児に係る通所給付決定保護者が当該指定障害児通所支援事業者等に支払うべき当該肢体不自由児通所医療に要した費用について、肢体不自由児通所医療費として当該通所給付決定保護者に支給すべき額の限度において、当該通所給付決定保護者に代わり、当該指定障害児通所支援事業者等に支払うことができる。

(3) When a child with disabilities pertaining to a decision on outpatient benefits receives outpatient medical treatment for orthopedically impaired children from a designated operator, etc. of outpatient support services for children with disabilities, the municipality may pay the expenses required for relevant outpatient medical treatment for orthopedically impaired children payable by the recognized beneficiary custodian pertaining to the relevant child with disabilities to the relevant designated operator, etc. of outpatient support services for children with disabilities in lieu of the relevant recognized outpatient beneficiary custodian, to the relevant designated operator, etc. of outpatient support services, within the limit of the amount payable to the relevant recognized beneficiary custodian as the outpatient medical expenses for orthopedically impaired children.

4 前項の規定による支払があつたときは、当該通所給付決定保護者に対し肢体不自由児通所医療費の支給があつたものとみなす。

(4) When a payment is made pursuant to the provisions of the preceding paragraph, the outpatient medical expenses for orthopedically impaired children for relevant recognized outpatient beneficiary custodian is deemed to have been paid.

第二十一条の五の三十 第十九条の十二及び第十九条の二十の規定は指定障害児通所支援事業者等に対する肢体不自由児通所医療費の支給について、第二十一条の規定は指定障害児通所支援事業者等について、それぞれ準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 21-5-30 The provisions of Article 19-12 and Article 19-20 apply mutatis mutandis to payment of the outpatient medical expenses for orthopedically impaired children to the designated operator, etc. of outpatient support services, and the provisions of Article 20 to the designated operator, etc. of outpatient support services, respectively. In this case, necessary terminological replacements are prescribed by Cabinet Order.

第二十一条の五の三十一 肢体不自由児通所医療費の支給は、当該障害の状態につき、健康保険法の規定による家族療養費その他の法令に基づく給付であつて政令で定めるもののうち肢体不自由児通所医療費の支給に相当するものを受けるときは政令で定める限度において、当該政令で定める給付以外の給付であつて国又は地方公共団体の負担において肢体不自由児通所医療費の支給に相当するものが行われたときはその限度において、行わない。

Article 21-5-31 Payment of the outpatient medical expenses for orthopedically impaired children is not to be made for medical care of orthopedically impaired children to the extent provided by Cabinet Order if the child is eligible for benefits equivalent to payment of the outpatient medical expenses for orthopedically impaired children among benefits provided by Cabinet Order which are benefits for dependents' medical expenses under the Health Insurance Act or any other benefits based on Laws and Regulations in light of the condition of the relevant disabilities or to the extent covered by the benefits granted if benefits have been provided which are other than the benefits provided by the relevant Cabinet Order and which are equivalent to payment of the outpatient medical expenses for orthopedically impaired children at the expense of the national or local governments.

第二十一条の五の三十二 この款に定めるもののほか、肢体不自由児通所医療費の支給及び指定障害児通所支援事業者等の肢体不自由児通所医療費の請求に関し必要な事項は、厚生労働省令で定める。

Article 21-5-32 Beyond what is specified in this subsection, necessary particulars concerning payment of the outpatient medical expenses for orthopedically impaired children and claim for payment of the outpatient medical expenses for orthopedically impaired children of the designated operator, etc. of outpatient support services is specified by Ministry of Health, Labour and Welfare.

第五款 障害児通所支援及び障害福祉サービスの措置

Subsection 5 Outpatient Support for Children with Disabilities and Measures for Disabled Person Welfare Service

第二十一条の六 市町村は、障害児通所支援又は障害者の日常生活及び社会生活を総合的に支援するための法律第五条第一項に規定する障害福祉サービス（以下「障害福祉サービス」という。）を必要とする障害児の保護者が、やむを得ない事由により障害児通所給付費若しくは特例障害児通所給付費又は同法に規定する介護給付費若しくは特例介護給付費（第五十六条の六第一項において「介護給付費等」という。）の支給を受けることが著しく困難であると認めるときは、当該障害児につき、政令で定める基準に従い、障害児通所支援若しくは障害福祉サービスを提供し、又は当該市町村以外の者に障害児通所支援若しくは障害福祉サービスの提供を委託することができる。

Article 21-6 A municipality, if it is found to be extremely difficult for the custodian of a child with disabilities in need of the welfare services for persons with disabilities prescribed in Article 5, paragraph (1) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities (hereinafter referred to as "welfare services for persons with disabilities") to receive nursing care benefits or exceptional nursing care

benefits prescribed in the same Act (referred to as "nursing care benefits, etc." in Article 56-6, paragraph (1)) due to any unavoidable reason, in accordance with the standards specified by a Cabinet Order, may provide outpatient support for children with disabilities or welfare services for persons with disabilities to relevant child with disabilities or entrust the provision of outpatient support for children with disabilities or welfare services for persons with disabilities to a person other than relevant municipality.

第二十一条の七 障害児通所支援事業を行う者及び障害者の日常生活及び社会生活を総合的に支援するための法律第五条第一項に規定する障害福祉サービス事業を行う者は、前条の規定による委託を受けたときは、正当な理由がない限り、これを拒んではならない。

Article 21-7 A person engaged in the welfare services for persons with disabilities provided in Article 5, paragraph (1) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities, if requested to accept entrustment pursuant to the provisions of the preceding Article, must not refuse it without justifiable grounds.

第六款 子育て支援事業

Subsection 6 Child Care Support Services

第二十一条の八 市町村は、次条に規定する子育て支援事業に係る福祉サービスその他地域の実情に応じたきめ細かな福祉サービスが積極的に提供され、保護者が、その児童及び保護者の心身の状況、これらの者の置かれている環境その他の状況に応じて、当該児童を養育するために最も適切な支援が総合的に受けられるように、福祉サービスを提供する者又はこれに参画する者の活動の連携及び調整を図るようにすることその他の地域の実情に応じた体制の整備に努めなければならない。

Article 21-8 In order that welfare services pertaining to the child care support services provided in the following Article and other carefully-crafted welfare services in line with the condition of each region can be positively provided and that each custodian can comprehensively receive the most adequate support for fostering their children in line with the mental and physical condition, environment and other conditions of relevant children and custodians, a municipal government must endeavor to facilitate liaison and coordination for activities of the persons providing or participating in welfare services, and develop other systems in line with the condition of each region.

第二十一条の九 市町村は、児童の健全な育成に資するため、その区域内において、放課後児童健全育成事業、子育て短期支援事業、乳児家庭全戸訪問事業、養育支援訪問事業、地域子育て支援拠点事業、一時預かり事業、病児保育事業及び子育て援助活動支援事業並びに次に掲げる事業であつて主務省令で定めるもの（以下「子育て支援事

業」という。)が着実に実施されるよう、必要な措置の実施に努めなければならない。

Article 21-9 For the purpose of contributing to the sound upbringing of children, a municipality must endeavor to implement necessary measures in order that after-school child sound upbringing services and short-term child care support services, house-call services for all households with babies, house-call services to support childrearing, local childrearing support center services, temporary custody services, childcare for sick children and family support center services and the following services as specified by an order of the competent ministry (hereinafter referred to as "child care support services") can be carried out steadily within its district:

- 一 児童及びその保護者又はその他の者の居宅において保護者の児童の養育を支援する事業
- (i) support services provided at a child and their custodian's residence or any other person's residence for the custodian to take care of the child;
- 二 保育所その他の施設において保護者の児童の養育を支援する事業
- (ii) support services provided in a nursery center or other facilities for a custodian to take care of a child; and
- 三 地域の児童の養育に関する各般の問題につき、保護者からの相談に応じ、必要な情報の提供及び助言を行う事業
- (iii) services to provide consultation to custodians of the child and provide necessary information and advice with regard to all problems concerning taking care of children in each region

第二十一条の十 市町村は、児童の健全な育成に資するため、地域の実情に応じた放課後児童健全育成事業を行うとともに、当該市町村以外の放課後児童健全育成事業を行う者との連携を図る等により、第六条の三第二項に規定する児童の放課後児童健全育成事業の利用の促進に努めなければならない。

Article 21-10 For the purpose of contributing to the sound upbringing of children, a municipality must perform after-school child sound upbringing services in line with the condition of each region and endeavor to promote the utilization of after-school child sound upbringing services for the children provided in paragraph (2) of Article 6-3 by such means as carrying out coordination with persons engaged in after-school child sound upbringing services other than the relevant municipality.

第二十一条の十の二 市町村は、児童の健全な育成に資するため、乳児家庭全戸訪問事業及び養育支援訪問事業を行うよう努めるとともに、乳児家庭全戸訪問事業により要支援児童等（特定妊婦を除く。）を把握したとき又は当該市町村の長が第二十六条第一項第三号の規定による送致若しくは同項第八号の規定による通知若しくは児童虐待の防止等に関する法律第八条第二項第二号の規定による送致若しくは同項第四号の規定による通知を受けたときは、養育支援訪問事業の実施その他の必要な支援を行うも

のとする。

Article 21-10-2 (1) For the purpose of contributing to the sound upbringing of children, a municipality is to endeavor to perform house-call services for all households with babies and house-call services to support childrearing and, in the case where child, etc. requiring assistance (excluding specified expectant mothers) are found by house-call services for all households with babies or the mayor or the head of the municipality receive referral pursuant to the provisions of Article 26, paragraph (1), item (iii) or notice pursuant to the provisions of item (xiii) of the same paragraph or referral pursuant to Article 8, paragraph (2), item (ii) of Child Abuse Prevention and Treatment Act or notice pursuant to the provisions of item (iv) of the same paragraph, is to implement house-call services to support childrearing and provide other necessary support.

2 市町村は、母子保健法（昭和四十年法律第百四十一号）第十条、第十一条第一項若しくは第二項（同法第十九条第二項において準用する場合を含む。）、第十七条第一項又は第十九条第一項の指導に併せて、乳児家庭全戸訪問事業を行うことができる。

(2) A municipality may perform house-call services for all households with babies beyond guidance of Article 10, Article 11, paragraph (1) or (2), Article 17, paragraph (1) or Article 19, paragraph (1) of Maternal and Child Health Act (including application mutatis mutandis to Article 19, paragraph (2) of the same Act).

3 市町村は、乳児家庭全戸訪問事業又は養育支援訪問事業の事務の全部又は一部を当該市町村以外の厚生労働省令で定める者に委託することができる。

(3) A municipality may entrust the whole or a part of the affairs of house-call services for all households with babies and house-call services to support childrearing.

4 前項の規定により行われる乳児家庭全戸訪問事業又は養育支援訪問事業の事務に従事する者又は従事していた者は、その事務に関して知り得た秘密を漏らしてはならない。

(4) A person who is, or used to be, engaged in the affairs concerning house-call services for all households with babies and house-call services to support childrearing must not divulge any secret that may have come to their knowledge with regard to the relevant affairs.

第二十一条の十の三 市町村は、乳児家庭全戸訪問事業又は養育支援訪問事業の実施に当たっては、母子保健法に基づく母子保健に関する事業との連携及び調和の確保に努めなければならない。

Article 21-10-3 When performing house-call services for all households with babies and house-call services to support childrearing, a municipality must endeavor to secure coordination and harmonization with the project concerning maternal and child health based on Maternal and Child Health Act.

第二十一条の十の四 都道府県知事は、母子保健法に基づく母子保健に関する事業又は事務の実施に際して要支援児童等と思われる者を把握したときは、これを当該者の所在地の市町村長に通知するものとする。

Article 21-10-4 A prefectural governor, in the case of finding the person as deemed to be a child requiring assistance upon implementing the project or affairs concerning maternal and child health based on Maternal and Child Health Act, is to notify this to the mayor or head of a municipality of the current location of the relevant person.

第二十一条の十の五 病院、診療所、児童福祉施設、学校その他児童又は妊産婦の医療、福祉又は教育に関する機関及び医師、歯科医師、保健師、助産師、看護師、児童福祉施設の職員、学校の教職員その他児童又は妊産婦の医療、福祉又は教育に関連する職務に従事する者は、要支援児童等と思われる者を把握したときは、当該者の情報をその所在地の市町村に提供するよう努めなければならない。

Article 21-10-5 (1) A person engaged in organizations relevant to medical treatment, welfare or education such as a hospital, clinic, child welfare facility, school and others and the duties relevant to medical treatment of children or expectant and nursing mothers including a doctor, dentist, public health nurse, midwife, nurse, official of child welfare facility, teacher in schools and others, in the case of finding the person deemed to be a child, etc. requiring assistance, the relevant person must endeavor to provide information for the mayor or head of a municipality of the current location of the relevant person.

2 刑法の秘密漏示罪の規定その他の守秘義務に関する法律の規定は、前項の規定による情報の提供をすることを妨げるものと解釈してはならない。

(2) The provisions concerning the crime of unlawful disclosure of confidential information set forth in the Penal Code and provisions in any other Act that provide for confidentiality obligations must not be construed to preclude a report .

第二十一条の十一 市町村は、子育て支援事業に関し必要な情報の収集及び提供を行うとともに、保護者から求めがあつたときは、当該保護者の希望、その児童の養育の状況、当該児童に必要な支援の内容その他の事情を勘案し、当該保護者が最も適切な子育て支援事業の利用ができるよう、相談に応じ、必要な助言を行うものとする。

Article 21-11 (1) A municipality is to collect and provide necessary information concerning child care support services and, upon request from a custodian, provide consultation and necessary advice to enable the relevant custodian to utilize the most adequate Child Care Support Services, by taking into consideration the relevant custodian's wishes, the state of foster care of their child the content of the support necessary for the relevant child and other circumstances.

2 市町村は、前項の助言を受けた保護者から求めがあつた場合には、必要に応じて、

子育て支援事業の利用についてあつせん又は調整を行うとともに、子育て支援事業を行う者に対し、当該保護者の利用の要請を行うものとする。

(2) Upon request from the custodian receiving advice set forth in the preceding paragraph, the municipal government, where necessary, is to make arrangements or carry out coordination for the utilization of Child Care Support Services and make a request for such utilization by relevant custodian to a person engaged in the Child Care Support Services

3 市町村は、第一項の情報の収集及び提供、相談並びに助言並びに前項のあつせん、調整及び要請の事務を当該市町村以外の者に委託することができる。

(3) A municipality may entrust the affairs concerning the collection and provision of information and consultation and advice set forth in paragraph (1), and the arrangement, coordination and requests set forth in the preceding paragraph to a person other than relevant municipality.

4 子育て支援事業を行う者は、前三項の規定により行われる情報の収集、あつせん、調整及び要請に対し、できる限り協力しなければならない。

(4) A person engaged in child care support services must cooperate in the collection of information, arrangement, coordination and requests made pursuant to the provisions of the preceding three paragraphs as much as possible.

第二十一条の十二 前条第三項の規定により行われる情報の提供、相談及び助言並びにあつせん、調整及び要請の事務（次条及び第二十一条の十四第一項において「調整等の事務」という。）に従事する者又は従事していた者は、その事務に関して知り得た秘密を漏らしてはならない。

Article 21-12 A person who is, or used to be, engaged in the affairs concerning the provision of information, the consultation and advice, and the arrangement, coordination and requests pursuant to the provisions of paragraph (3) of the preceding Article (referred to as "coordination and other affairs" in the following Article and Article 21-14, paragraph (1)) must not divulge any secret that may have come to their knowledge with regard to such affairs.

第二十一条の十三 市町村長は、第二十一条の十一第三項の規定により行われる調整等の事務の適正な実施を確保するため必要があると認めるときは、その事務を受託した者に対し、当該事務に関し監督上必要な命令をすることができる。

Article 21-13 When a mayor of a municipality finds it necessary in order to ensure adequate implementation of coordination and other affairs conducted pursuant to the provisions of Article 21-11, paragraph (3), the mayor may give orders necessary for the supervision of relevant affairs to the persons accepting the entrusted affairs.

第二十一条の十四 市町村長は、第二十一条の十一第三項の規定により行われる調整等

の事務の適正な実施を確保するため必要があると認めるときは、その必要な限度で、その事務を受託した者に対し、報告を求め、又は当該職員に、関係者に対し質問させ、若しくは当該事務を受託した者の事務所に立ち入り、その帳簿書類その他の物件を検査させることができる。

Article 21-14 (1) When a mayor of municipality finds it necessary in order to ensure adequate implementation of coordination and other affairs conducted pursuant to the provisions of Article 21-11, paragraph (3), the mayor may, within the limit necessary therefor, request a person accepting the entrusted affairs to make a report, or make relevant municipality's official ask relevant persons questions or enter any office of the person accepting relevant entrusted affairs and inspect the books and documents and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (2) and (3) apply mutatis mutandis to the case referred to in the preceding paragraph.

第二十一条の十五 国、都道府県及び市町村以外の子育て支援事業を行う者は、厚生労働省令で定めるところにより、その事業に関する事項を市町村長に届け出ることができる。

Article 21-15 A person engaged in child care support services, other than the national government, prefectural governments and municipal governments, may notify the mayor of municipality of the particulars concerning their services, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十一条の十六 国及び地方公共団体は、子育て支援事業を行う者に対して、情報の提供、相談その他の適当な援助をするように努めなければならない。

Article 21-16 The national and local governments must endeavor to provide information and give consultation and other appropriate assistance to persons engaged in child care support services

第二十一条の十七 国及び都道府県は、子育て支援事業を行う者が行う福祉サービスの質の向上のための措置を援助するための研究その他保護者の児童の養育を支援し、児童の福祉を増進するために必要な調査研究の推進に努めなければならない。

Article 21-17 The national government and prefectures must endeavor to encourage such studies as well as assist in measures for improvement of the quality of welfare services performed by persons engaged in child care support services, and other researches and studies necessary to support to take care of children by their custodians and promote welfare of children.

第三節 助産施設、母子生活支援施設及び保育所への入所等

Section 3 Admission into a Midwifery Home, Maternal and Child Living

Support Facility and Nursery Center

第二十二条 都道府県、市及び福祉事務所を設置する町村（以下「都道府県等」という。）は、それぞれその設置する福祉事務所の所管区域内における妊産婦が、保健上必要があるにもかかわらず、経済的理由により、入院助産を受けることができない場合において、その妊産婦から申込みがあつたときは、その妊産婦に対し助産施設において助産を行わなければならない。ただし、付近に助産施設がない等やむを得ない事由があるときは、この限りでない。

Article 22 (1) In the case where an expectant and nursing mother in the area of responsibility of the welfare office established by a prefectural government, a city and a town or village with a welfare office (hereinafter referred to as "prefecture, etc.") is unable to receive in-hospital midwifery care due to economic reasons, regardless of the necessity in terms of healthcare, the prefecture, etc., when the expectant and nursing mother applies, must provide midwifery care to her in a midwifery home; provided, however, that this does not apply when there is any unavoidable reason such as non-existence of an adjacent midwifery home.

2 前項に規定する妊産婦であつて助産施設における助産の実施（以下「助産の実施」という。）を希望する者は、厚生労働省令の定めるところにより、入所を希望する助産施設その他厚生労働省令の定める事項を記載した申込書を都道府県等に提出しなければならない。この場合において、助産施設は、厚生労働省令の定めるところにより、当該妊産婦の依頼を受けて、当該申込書の提出を代わつて行うことができる。

(2) A person who is an expectant and nursing mother prescribed in the preceding paragraph and desires to receive midwifery care in a midwifery home (hereinafter referred to as "midwifery care practice") must submit to the prefecture, etc. a written application stating a midwifery home in which she desires to stay and other par specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. In this case, the midwifery home may submit relevant written application in lieu of relevant expectant and nursing mother, upon her request, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 都道府県等は、第二十五条の七第二項第三号、第二十五条の八第三号又は第二十六条第一項第五号の規定による報告又は通知を受けた妊産婦について、必要があると認めるときは、当該妊産婦に対し、助産の実施の申込みを勧奨しなければならない。

(3) When any of the prefectures, etc. finds it necessary for an expectant and nursing mother for whom a report or notice pursuant to the provisions of Article 25-7, paragraph (2), item (iii) of, Article 25-8, item (iii) or Article 26, paragraph (1), item (iv) has been received, the prefecture, etc. must recommend relevant expectant and nursing mothers to apply for midwifery care practice.

4 都道府県等は、第一項に規定する妊産婦の助産施設の選択及び助産施設の適正な運

営の確保に資するため、厚生労働省令の定めるところにより、当該都道府県等の設置する福祉事務所の所管区域内における助産施設の設置者、設備及び運営の状況その他の厚生労働省令の定める事項に関し情報の提供を行わなければならない。

- (4) In order to contribute to the selection of a midwifery home by an expectant and nursing mother prescribed in paragraph (1) and ensuring the adequate operation of midwifery homes, the prefecture, etc. must provide information concerning the establishers of midwifery homes in the area of responsibility of the welfare office established by the relevant prefecture, etc., their facilities and their state of operation, and other particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十三条 都道府県等は、それぞれその設置する福祉事務所の所管区域内における保護者が、配偶者のない女子又はこれに準ずる事情にある女子であつて、その者の監護すべき児童の福祉に欠けるところがある場合において、その保護者から申込みがあつたときは、その保護者及び児童を母子生活支援施設において保護しなければならない。ただし、やむを得ない事由があるときは、適当な施設への入所のあつせん、生活保護法（昭和二十五年法律第百四十四号）の適用等適切な保護を行わなければならない。

Article 23 (1) In the case where a custodian in the area of responsibility of the welfare office established by any of the prefectures, etc. is a female without spouse or a female in equivalent circumstances and lacks the welfare of the child whose custody must be taken by her, the prefecture, etc., when relevant custodian applies, must take into protective custody the custodian and the child in a maternal and child living support facility; provided, however, that, when there is any unavoidable reason, the arrangement for admission into another appropriate facility, the application of the Public Assistance Act (Act No. 144 of 1950) or any other adequate aid must be implemented.

2 前項に規定する保護者であつて母子生活支援施設における保護の実施（以下「母子保護の実施」という。）を希望するものは、厚生労働省令の定めるところにより、入所を希望する母子生活支援施設その他厚生労働省令の定める事項を記載した申込書を都道府県等に提出しなければならない。この場合において、母子生活支援施設は、厚生労働省令の定めるところにより、当該保護者の依頼を受けて、当該申込書の提出を代わつて行うことができる。

- (2) A person who is a custodian prescribed in the preceding paragraph and desires to receive aid in a maternal and child living support facility (hereinafter referred to as "maternal and child aid practice") must submit to the prefecture, etc. a written application stating a maternal and child living support institution in which she desires to stay and other particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. In this case, the maternal and child living support facility may submit the relevant written

application in lieu of the relevant custodian, upon her request, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 都道府県等は、前項に規定する保護者が特別な事情により当該都道府県等の設置する福祉事務所の所管区域外の母子生活支援施設への入所を希望するときは、当該施設への入所について必要な連絡及び調整を図らなければならない。

(3) When a custodian prescribed in the preceding paragraph desires to stay in a maternal and child living support facility located outside the area of responsibility of the welfare office established by the prefecture, etc. due to special circumstances, relevant prefecture, etc. must facilitate necessary liaison and coordination for their admission into the relevant institution.

4 都道府県等は、第二十五条の七第二項第三号、第二十五条の八第三号若しくは第二十六条第一項第五号又は売春防止法（昭和三十一年法律第百十八号）第三十六条の二の規定による報告又は通知を受けた保護者及び児童について、必要があると認めるときは、その保護者に対し、母子保護の実施の申込みを勧奨しなければならない。

(4) When the prefecture, etc. finds it necessary for a custodian and her child or children for whom a report or notice pursuant to the provisions of Article 25-7, paragraph (2), item (iii), Article 25-8, item (iii) or Article 26, paragraph (1), item (v) or Anti-prostitution Act (Act of No. 118 of 1956) has been received, the prefecture, etc. must recommend the relevant custodian to apply for the maternal and child aid.

5 都道府県等は、第一項に規定する保護者の母子生活支援施設の選択及び母子生活支援施設の適正な運営の確保に資するため、厚生労働省令の定めるところにより、母子生活支援施設の設置者、設備及び運営の状況その他の厚生労働省令の定める事項に関し情報の提供を行わなければならない。

(5) In order to contribute to selection of a maternal and child living support facility by a custodian prescribed in paragraph (1) and ensuring of adequate operation of maternal and child living support facilities, the prefecture, etc. must provide information concerning the establishers of maternal and child living support facilities, their facilities and their state of operation, and other particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十四条 市町村は、この法律及び子ども・子育て支援法の定めるところにより、保護者の労働又は疾病その他の事由により、その監護すべき乳児、幼児その他の児童について保育を必要とする場合において、次項に定めるところによるほか、当該児童を保育所（認定こども園法第三条第一項の認定を受けたもの及び同条第十一項の規定による公示がされたものを除く。）において保育しなければならない。

Article 24 (1) Pursuant to this Act and the Child and Child Care Support Act, in the case where a custodian' working or disease or any other reasons prescribed by a municipal ordinance causes lack in daycare of an infant, a toddler or a

child prescribed in Article 39, paragraph (2) whose custody must be taken by the custodian, a municipality must provide daycare to the relevant children in a nursery center (excluding the children who received the certification of the certified children center Act Article 3, paragraph (1) and who were notified pursuant to the provisions of paragraph (11) of the same Act).

2 市町村は、前項に規定する児童に対し、認定こども園法第二条第六項に規定する認定こども園（子ども・子育て支援法第二十七条第一項の確認を受けたものに限る。）又は家庭的保育事業等（家庭的保育事業、小規模保育事業、居宅訪問型保育事業又は事業所内保育事業をいう。以下同じ。）により必要な保育を確保するための措置を講じなければならない。

(2) The municipality must take measures necessary to ensure necessary daycare by the certified children center specified in Article 2, paragraph (6) of Act on Certified Children Centers (limited to those which received confirmation of Article 27, paragraph (1) or home daycare services, etc. (which refers to as home daycare services, etc., small-scale childcare services, home-visit daycare services or employer-provided childcare services) for the children set forth in the preceding paragraph

3 市町村は、保育の需要に応ずるに足りる保育所、認定こども園（子ども・子育て支援法第二十七条第一項の確認を受けたものに限る。以下この項及び第四十六条の二第二項において同じ。）又は家庭的保育事業等が不足し、又は不足するおそれがある場合その他必要と認められる場合には、保育所、認定こども園（保育所であるものを含む。）又は家庭的保育事業等の利用について調整を行うとともに、認定こども園の設置者又は家庭的保育事業等を行う者に対し、前項に規定する児童の利用の要請を行うものとする。

(3) A municipality is to provide necessary information concerning child care support services and, upon request from a custodian, provide consultation and necessary advice to enable relevant custodian to utilize the most adequate child care support services, by taking into consideration relevant custodian's wishes, the state of foster care of their child the content of the support necessary for relevant child and other circumstances.

4 市町村は、第二十五条の八第三号又は第二十六条第一項第五号の規定による報告又は通知を受けた児童その他の優先的に保育を行う必要があると認められる児童について、その保護者に対し、保育所若しくは幼保連携型認定こども園において保育を受けること又は家庭的保育事業等による保育を受けること（以下「保育の利用」という。）の申込みを勧奨し、及び保育を受けることができるよう支援しなければならない。

(4) A municipality, if it is found to be necessary for a child by whom a report or notice pursuant to the provisions of Article 25-8, item (iii) or Article 26, paragraph (1), item (iv) has been received or for whom child care should be provided on a priority basis, the municipality must recommend the child's custodian to apply for a nursery center or child center in coordination between

kindergarten and nursery center or support them in order that the child can receive child care.

5 市町村は、前項に規定する児童が、同項の規定による勸奨及び支援を行つても、なおやむを得ない事由により子ども・子育て支援法に規定する施設型給付費若しくは特例施設型給付費（同法第二十八条第一項第二号に係るものを除く。次項において同じ。）又は同法に規定する地域型保育給付費若しくは特例地域型保育給付費（同法第三十条第一項第二号に係るものを除く。次項において同じ。）の支給に係る保育を受けることが著しく困難であると認めるときは、当該児童を当該市町村の設置する保育所若しくは幼保連携型認定こども園に入所させ、又は当該市町村以外の者の設置する保育所若しくは幼保連携型認定こども園に入所を委託して、保育を行わなければならない。

(5) municipalities may, when it finds that even if the child prescribed in the preceding paragraph receives recommendations and support pursuant to the same paragraph, payment of the institutional-type benefits prescribed in the Child and Child Care Support Act (Article 28, paragraph (1), item (ii) of the same Act; the same applies in the following paragraph) or community-based daycare benefits or specified community-based daycare benefits prescribed in the same Act (Article 30, paragraph (1), item (ii) of the same Act) is extremely difficult to be received by the child for child care; the relevant child is sent to a nursery center or a child center in coordination between kindergarten and nursery center established by the relevant municipality, or entrusting them to a nursery center or a child center in coordination between kindergarten and nursery center set up by person other than the relevant municipality.

6 市町村は、前項に定めるほか、保育を必要とする乳児・幼児が、子ども・子育て支援法第四十二条第一項又は第五十四条第一項の規定によるあつせん又は要請その他市町村による支援等を受けたにもかかわらず、なお保育が利用できないなど、やむを得ない事由により同法に規定する施設型給付費若しくは特例施設型給付費又は同法に規定する地域型保育給付費若しくは特例地域型保育給付費の支給に係る保育を受けることが著しく困難であると認めるときは、次の措置を採ることができる。

(6) Beyond what is provided for in the previous paragraph, for those infants and toddlers whom despite requesting or receiving support subject to the provisions of Article 42, paragraph (1) or Article 54, paragraph (1) provided for in the Child and Child Care Support Actor have received other support, etc. from the municipality , the child still cannot receive child care, and due to unavoidable circumstances, payments for institutional-type benefits or specified community-based daycare benefits provided in the Act are extremely difficult; the municipality can take the following measures:

一 当該保育を必要とする乳児・幼児を当該市町村の設置する保育所若しくは幼保連携型認定こども園に入所させ、又は当該市町村以外の者の設置する保育所若しくは幼保連携型認定こども園に入所を委託して、保育を行うこと。

(i) providing daycare by having the infants and toddlers who need the relevant

daycare to admit into a nursery center or a child center in coordination between the kindergarten and a nursery center established in the relevant municipality or entrusting the admission to nursery centers or a child center in coordination between kindergarten and nursery center established other than in the relevant municipality.

二 当該保育を必要とする乳児・幼児に対して当該市町村が行う家庭的保育事業等による保育を行い、又は家庭的保育事業等を行う当該市町村以外の者に当該家庭的保育事業等により保育を行うことを委託すること。

(ii) providing daycare to the infants and toddlers who need the relevant daycare by home daycare services, etc. provided by the relevant municipality or entrust a person who provide home daycare services, etc. other than in the municipality to practice daycare by the relevant home daycare services, etc.

7 市町村は、第三項の規定による調整及び要請並びに第四項の規定による勧奨及び支援を適切に実施するとともに、地域の実情に応じたきめ細かな保育が積極的に提供され、児童が、その置かれている環境等に応じて、必要な保育を受けることができるよう、保育を行う事業その他児童の福祉を増進することを目的とする事業を行う者の活動の連携及び調整を図る等地域の実情に応じた体制の整備を行うものとする。

(7) In order for welfare services pertaining to the child care support services provided in the following Article and other carefully-crafted welfare services in line with the condition of each region can be positively provided and that each custodian can comprehensively receive the most adequate support for fostering the custodian's children in line with the mental and physical condition, environment, and other conditions of relevant children and custodians, a municipality is to endeavor to facilitate liaison and coordination for activities of the persons providing or participating in welfare services, and develop other systems in line with the condition of each region.

第四節 障害児入所給付費、高額障害児入所給付費及び特定入所障害児食費等給付費並びに障害児入所医療費の支給

Section 4 Payments of Admission Benefits for Children with Disabilities, High-cost Admission Benefits for Children with Disabilities and Benefits for Meal Expenses for Specified Institutionalized Children with Disabilities, and Admission Medical Expenses for Children with Disabilities

第一款 障害児入所給付費、高額障害児入所給付費及び特定入所障害児食費等給付費の支給

Subsection 1 Payments of Admission Benefits for Children with Disabilities, High-Cost Admission Benefits for Children with Disabilities and Benefits for Meal Expenses for Specified Institutionalized Children with Disabilities

第二十四条の二 都道府県は、次条第六項に規定する入所給付決定保護者（以下この条において「入所給付決定保護者」という。）が、次条第四項の規定により定められた期間内において、都道府県知事が指定する障害児入所施設（以下「指定障害児入所施設」という。）又は指定発達支援医療機関（以下「指定障害児入所施設等」と総称する。）に入所又は入院（以下「入所等」という。）の申込みを行い、当該指定障害児入所施設等から障害児入所支援（以下「指定入所支援」という。）を受けたときは、当該入所給付決定保護者に対し、当該指定入所支援に要した費用（食事の提供に要する費用、居住又は滞在に要する費用その他の日常生活に要する費用のうち厚生労働省令で定める費用及び治療に要する費用（以下「入所特定費用」という。）を除く。）について、障害児入所給付費を支給する。

Article 24-2 (1) When a recognized admission beneficiary custodian provided in paragraph (6) of the following Article (referred to as a "recognized admission beneficiary custodian" hereinafter in this Article) applies for admission or institutionalization (hereinafter referred to as "admission, etc.") into an admission institution for children with disabilities (hereinafter referred to as "designated admission institution for children with disabilities") or a designated developmental support medical institution (hereinafter referred to as "designated admission institution, etc. for children with disabilities" collectively.) designated by the prefectural governor during the period of time provided pursuant to the provisions of paragraph (4) of the following Article and the custodian receives admission support for children with disabilities from relevant designated admission institution, etc. for children with disabilities (hereinafter referred to as "designated admission support"), the prefecture is to pay admission benefits for children with disabilities to relevant recognized admission beneficiary custodian with regard to expenses spent for relevant designated admission support (excluding such expenses spent for meal provision, expenses spent for residency or stay and other expenses spent for daily life provided by an Order of the Ministry of Health, Labour and Welfare, and expenses spent on medical treatment (hereinafter referred to as "specified admission expenses")).

2 障害児入所給付費の額は、一月につき、第一号に掲げる額から第二号に掲げる額を控除して得た額とする。

(2) The amount of payment of admission benefits for children with disabilities is to be the amount obtained by deducting the amount listed in item (i) from the one listed in item (ii).

一 同一の月に受けた指定入所支援について、指定入所支援に通常要する費用（入所特定費用を除く。）につき、厚生労働大臣が定める基準により算定した費用の額（その額が現に当該指定入所支援に要した費用（入所特定費用を除く。）の額を超えるときは、当該現に指定入所支援に要した費用の額）を合計した額

(i) the full amount of such expenses actually spent for the relevant designated consultation support (excluding specified institutionalize expenses), when

- the amount so calculated exceeds the amount of such actual expenses
- 二 当該入所給付決定保護者の家計の負担能力その他の事情をしん酌して政令で定める額（当該政令で定める額が前号に掲げる額の百分の十に相当する額を超えるときは、当該相当する額）
- (ii) the amount specified by taking into account the financial capacity of the household of the relevant recognized admission beneficiary custodian (when ten-hundredths (10/100) of the relevant amount provided by the relevant Cabinet Order exceeds the amount provided by a Cabinet Order, the relevant amount equivalent thereto.)

第二十四条の三 障害児の保護者は、前条第一項の規定により障害児入所給付費の支給を受けようとするときは、厚生労働省令で定めるところにより、都道府県に申請しなければならない。

Article 24-3 (1) When the custodian of a child with disabilities intends to receive admission benefits for children with disabilities pursuant to the provisions of paragraph (1) of the preceding Article, the custodian must make an application with the prefectural government, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 都道府県は、前項の申請が行われたときは、当該申請に係る障害児の心身の状態、当該障害児の介護を行う者の状況、当該障害児の保護者の障害児入所給付費の受給の状況その他の厚生労働省令で定める事項を勘案して、障害児入所給付費の支給の要否を決定するものとする。

(2) When an application set forth in the preceding paragraph is made, the prefecture is to decide whether to pay admission benefits for children with disabilities, by taking into consideration the type and level of the dysfunction of the child with disabilities pertaining to relevant application, the state of a caretaker of relevant child with disabilities, the state of receipt of admission benefits for children with disabilities by the custodian of relevant child with disabilities, and other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

3 前項の規定による決定を行う場合には、児童相談所長の意見を聴かなければならない。

(3) In the case where a decision is made pursuant to the provisions of the preceding paragraph, the prefectural government must hear opinions from the director of a child guidance center.

4 障害児入所給付費を支給する旨の決定（以下「入所給付決定」という。）を行う場合には、障害児入所給付費を支給する期間を定めなければならない。

(4) In the case where a decision to pay admission benefits for children with disabilities (hereinafter referred to as "decision on admission benefits payment") is made, a period for payments of admission benefits for children with disabilities must be specified.

5 前項の期間は、厚生労働省令で定める期間を超えることができないものとする。

(5) A period set forth in the preceding paragraph may not exceed the period specified by an Order of the Ministry of Health, Labour and Welfare.

6 都道府県は、入所給付決定をしたときは、当該入所給付決定を受けた障害児の保護者（以下「入所給付決定保護者」という。）に対し、厚生労働省令で定めるところにより、第四項の規定により定められた期間（以下「給付決定期間」という。）を記載した入所受給者証（以下「入所受給者証」という。）を交付しなければならない。

(6) When a decision on admission benefits payment is made, the prefectural government must issue a beneficiary certificate (hereinafter referred to as "admission beneficiary certificate") stating the period specified pursuant to the provisions of paragraph (4) (hereinafter referred to as "benefits payment period") to the custodian of the child with disabilities for whom relevant decision on admission benefits payments is made (hereinafter referred to as "recognized admission beneficiary custodian"), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

7 指定入所支援を受けようとする入所給付決定保護者は、厚生労働省令で定めるところにより、指定障害児入所施設等に入所受給者証を提示して当該指定入所支援を受けるものとする。ただし、緊急の場合その他やむを得ない事由のある場合については、この限りでない。

(7) A recognized admission beneficiary custodian who intends to receive designated admission support must receive relevant designated admission support by presenting their admission beneficiary certificate to the designated institution, etc. for children with disabilities, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply in the case of an emergency or any other unavoidable reason

8 入所給付決定保護者が指定障害児入所施設等から指定入所支援を受けたとき（当該入所給付決定保護者が当該指定障害児入所施設等に入所受給者証を提示したときに限る。）は、都道府県は、当該入所給付決定保護者が当該指定障害児入所施設等に支払うべき当該指定入所支援に要した費用（入所特定費用を除く。）について、障害児入所給付費として当該入所給付決定保護者に支給すべき額の限度において、当該入所給付決定保護者に代わり、当該指定障害児入所施設等に支払うことができる。

(8) When a recognized admission beneficiary custodian has received designated institutional support from a designated admission institution, etc. for children with disabilities, (limited to the cases where the relevant recognized admission beneficiary custodian has presented the custodian admission beneficiary certificate to relevant designated admission institution, etc. for children with disabilities), the prefecture may pay expenses spent for the relevant designated admission support that are payable by the relevant recognized admission beneficiary custodian to the relevant designated institution, etc. for children with disabilities (excluding specified expenses), in lieu of relevant custodian, to

relevant designated admission institution, etc. for children with disabilities, within the limit of the amount payable to the relevant recognized admission beneficiary custodian as the admission benefits for children with disabilities.

9 前項の規定による支払があつたときは、当該入所給付決定保護者に対し障害児入所給付費の支給があつたものとみなす。

(9) When a payment is made pursuant to the provisions of the preceding paragraph, the admission benefits for children with disabilities for the referenced recognized admission beneficiary custodian is deemed to have been paid.

10 都道府県は、指定障害児入所施設等から障害児入所給付費の請求があつたときは、前条第二項第一号の厚生労働大臣が定める基準及び第二十四条の十二第二項の指定障害児入所施設等の設備及び運営に関する基準（指定入所支援の取扱いに関する部分に限る。）に照らして審査の上、支払うものとする。

(10) When a designated admission institution, etc. for children with disabilities, etc. requests admission benefits for children with disabilities, the prefecture is to pay the same after the examination in light of the standards specified by the Minister of Health, Labor and Welfare as set forth in paragraph (2), item (i) of the preceding Article and the standards on facilities and operation of the designated child with mental disabilities outpatient, etc. as set forth in Article 24-12, paragraph (2) (limited to the portions of such standards relating to handling of designated admission support).

11 都道府県は、前項の規定による審査及び支払に関する事務を連合会に委託することができる。

(11) A prefectural government may entrust the federation of national health insurance to conduct the affairs concerning examination and payments pursuant to the provisions of the preceding paragraph.

第二十四条の四 入所給付決定を行つた都道府県は、次に掲げる場合には、当該入所給付決定を取り消すことができる。

Article 24-4 (1) A prefectural government making a grant decision on admission benefits payment may rescind the relevant decision on outpatient benefits payment may rescind the relevant decision on admission benefits payment in any of the cases listed in the following items:

一 入所給付決定に係る障害児が、指定入所支援を受ける必要がなくなつたと認めるとき。

(i) when the prefecture finds that it no longer necessary for the child with disabilities pertaining to the grant decision on admission benefits payment to receive the designated admission support; or

二 入所給付決定保護者が、給付決定期間内に、当該都道府県以外の都道府県の区域内に居住地を有するに至つたと認めるとき。

(ii) when the prefectural government finds that the recognized admission

beneficiary custodian moves their place of residence to the district of any other prefecture during the benefits payment period.

三 その他政令で定めるとき。

(iii) in other cases provided by Cabinet Order.

2 前項の規定により入所給付決定の取消しを行つた都道府県は、厚生労働省令で定めるところにより、当該取消しに係る入所給付決定保護者に対し入所受給者証の返還を求めるものとする。

(2) A prefecture having rescinded a decision on admission benefits payment pursuant to the provisions of the preceding paragraph is to request the recognized admission beneficiary custodian pertaining to the relevant rescission to return the admission beneficiary certificate pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十四条の五 都道府県が、災害その他の厚生労働省令で定める特別の事情があることにより、障害児入所支援に要する費用を負担することが困難であると認めた入所給付決定保護者が受ける障害児入所給付費の支給について第二十四条の二第二項の規定を適用する場合においては、同項第二号中「額）」とあるのは、「額）の範囲内において都道府県が定める額」とする。

Article 24-5 In the case where the prefectural government applies the provisions of paragraph (2) of Article 24-2 to payments of admission benefits for children with disabilities to a recognized admission beneficiary custodian since it finds difficult for the custodian to bear the expenses spent for admission support for children with disabilities due to disaster or other special circumstances specified by an Order of the Ministry of Health, Labour and Welfare, the term "amount" referred to in the same paragraph, item (ii) is replaced with "the amount specified by the prefectural government within the range of (the amount)".

第二十四条の六 都道府県は、入所給付決定保護者が受けた指定入所支援に要した費用の合計額（厚生労働大臣が定める基準により算定した費用の額（その額が現に要した費用の額を超えるときは、当該現に要した額）の合計額を限度とする。）から当該費用につき支給された障害児入所給付費の合計額を控除して得た額が、著しく高額であるときは、当該入所給付決定保護者に対し、高額障害児入所給付費を支給する。

Article 24-6 (1) When the amount obtained (in the case the amount actually required exceeds the amount calculated from the standard specified by Minister of Health, Labour and Welfare, the relevant amount actually required) by deducting the total amount of admission benefits for children with disabilities paid in relation to the expenses spent for designated admission support received by a recognized admission beneficiary custodian from the total amount of such expenses is extremely costly, high-cost admission benefits for children with disabilities are paid to the relevant custodian pursuant to the

provisions of Cabinet Order.

2 前項に定めるもののほか、高額障害児入所給付費の支給要件、支給額その他高額障害児入所給付費の支給に関し必要な事項は、指定入所支援に要する費用の負担の家計に与える影響を考慮して、政令で定める。

(2) Beyond what is prescribed in the preceding paragraph, the requirements for payments of high-cost admission benefits for children with disabilities, the amounts to be paid, and other necessary particulars concerning payments of high-cost admission benefits for children with disabilities are prescribed by a Cabinet Order by considering the impact of the burden of expenses spent for designated admission support on household finances.

第二十四条の七 都道府県は、入所給付決定保護者のうち所得の状況その他の事情をしん酌して厚生労働省令で定めるものに係る障害児が、給付決定期間内において、指定障害児入所施設等に入所等をし、当該指定障害児入所施設等から指定入所支援を受けたときは、当該入所給付決定保護者に対し、当該指定障害児入所施設等における食事の提供に要した費用及び居住に要した費用について、政令で定めるところにより、特定入所障害児食費等給付費を支給する。

Article 24-7 (1) When a child with disabilities pertaining to such a recognized admission beneficiary custodian that is specified by an Order of the Ministry of Health, Labour and Welfare is taken into account through the custodian's state of income and other circumstances is admitted into a designated admission institution, etc. for children with disabilities, during the benefits payment period and the children with disabilities receives designated admission support from relevant designated admission institution, etc. for children with disabilities, the prefecture is to, pursuant to the provisions of a Cabinet Order, pay benefits for meal expenses, etc. for specified institutionalized children with disabilities to relevant recognized admission beneficiary custodian with regard to the expenses spent for the provision of meals and for residence in relevant designated admission institution, etc. for children with disabilities,

2 第二十四条の三第七項から第十一項までの規定は、特定入所障害児食費等給付費の支給について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of paragraphs (7) through (11) of Article 24-3 apply mutatis mutandis to payments of benefits for meal expenses, etc. for specified institutionalized children with disabilities. In this case, necessary terminological replacements are prescribed by a Cabinet Order.

第二十四条の八 この款に定めるもののほか、障害児入所給付費、高額障害児入所給付費又は特定入所障害児食費等給付費の支給及び指定障害児入所施設等の障害児入所給付費又は特定入所障害児食費等給付費の請求に関し必要な事項は、厚生労働省令で定める。

Article 24-8 Beyond what is prescribed in this Subsection, necessary particulars

concerning the payments of admission benefits for children with disabilities, high-cost admission benefits for children with disabilities or benefits for meal expenses, etc. for specified institutionalized children with disabilities and requests by designated admission institutions, etc. for children with disabilities for admission benefits for children with disabilities or benefits for meal expenses, etc. for specified institutionalized children with disabilities are prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二款 指定障害児入所施設等

Subsection 2 Designated Admission Institution for Children with Disabilities

第二十四条の九 第二十四条の二第一項の指定は、厚生労働省令で定めるところにより、障害児入所施設の設置者の申請により、当該障害児入所施設の入所定員を定めて、行う。

Article 24-9 (1) The designation under Article 24-2, paragraph (1) is made specified by Order of Ministry of Health, Labour and Welfare, upon application by the establisher of admission institution for children with disabilities, by specifying admission capacity of the relevant admission institution for children with disabilities.

2 都道府県知事は、前項の申請があつた場合において、当該都道府県における当該申請に係る指定障害児入所施設の入所定員の総数が、第三十三条の二十二第一項の規定により当該都道府県が定める都道府県障害児福祉計画において定める当該都道府県の当該指定障害児入所施設の必要入所定員総数に既に達しているか、又は当該申請に係る施設の指定によつてこれを超えることになることを認めるとき、その他の当該都道府県障害児福祉計画の達成に支障を生ずるおそれがあると認めるときは、第二十四条の二第一項の指定をしないことができる。

(2) When the application for designation under the preceding paragraph has been filed, the prefectural governor may decide not to grant an designation under Article 24-2, paragraph (1), if the total maximum capacity of designated admission institution for children with disabilities pertaining the relevant application of the relevant prefectural governments, covering for which the application was filed has already reached the total required maximum capacity for the relevant designated admission institution for children with disabilities of the relevant prefecture specified in prefectural plan for welfare of persons with disabilities pursuant to the provisions of Article 33-22, paragraph (1); where the prefectural governor finds that the establishment of designated admission institution for children with disabilities for which the application was filed would result in the authorized number of residents in excess of such maximum capacity; or in any other cases where the prefectural governor finds that the establishment thereof may prejudice the attainment of the prefectural

plan for welfare of persons with disabilities.

3 第二十一条の五の十五第三項（第七号を除く。）及び第四項の規定は、第二十四条の二第一項の指定障害児入所施設の指定について準用する。この場合において、必要な技術的読替えは、政令で定める。

(3) The provisions of Article 21-5-15, paragraph (3) (excluding item (vii)) apply to a designation of designated admission institution for children with disabilities of Article 24-2, paragraph (1). In this case, necessary terminological replacements are prescribed by a Cabinet Order.

第二十四条の十 第二十四条の二第一項の指定は、六年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 24-10 (1) The designation set forth in paragraph (1) of Article 24-2 must cease to be effective after a lapse of the term then in force, unless the designation is renewed every six years.

2 前項の更新の申請があつた場合において、同項の期間（以下この条において「指定の有効期間」という。）の満了の日までにその申請に対する処分がされないときは、従前の指定は、指定の有効期間の満了後もその処分がされるまでの間は、なおその効力を有する。

(2) In the case where a renewal set forth in the preceding paragraph is applied, when no disposition is implemented for the application by the expiration date of the period set forth in the same paragraph (referred to as a "valid period for designation" hereinafter in this Article), the designation before the renewal is to remain in force until the disposition is implemented, even after the expiration of the valid period for designation.

3 前項の場合において、指定の更新がされたときは、その指定の有効期間は、従前の指定の有効期間の満了の日の翌日から起算するものとする。

(3) When the designation is renewed in the case referred to in the preceding paragraph, the valid period for designation as renewed is to start from the day following the expiration date of the valid period for designation before the renewal.

4 前条の規定は、第一項の指定の更新について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of the preceding Article apply mutatis mutandis to renewal of designation set forth in paragraph (1). In this case, necessary terminological replacements are prescribed by a Cabinet Order.

第二十四条の十一 指定障害児入所施設等の設置者は、障害児が自立した日常生活又は社会生活を営むことができるよう、障害児及びその保護者の意思をできる限り尊重するとともに、行政機関、教育機関その他の関係機関との緊密な連携を図りつつ、障害児入所支援を当該障害児の意向、適性、障害の特性その他の事情に応じ、常に障害児及びその保護者の立場に立つて効果的に行うように努めなければならない。

Article 24-11 (1) In order to enable a child with disabilities to lead a self-reliant daily or life in society according to their inherent abilities and aptitudes, the establisher of a designated admission institution, etc. for children with disabilities, must facilitate close coordination with administrative organs, educational institutions and other relevant bodies, and endeavor to effectively implement institutional support for children with disabilities according to the intention, aptitudes, characteristics of dysfunctions and other circumstances of relevant child with disabilities.

2 指定障害児入所施設等の設置者は、その提供する障害児入所支援の質の評価を行うことその他の措置を講ずることにより、障害児入所支援の質の向上に努めなければならない。

(2) The establisher of a designated admission institution, etc. for children with disabilities must endeavor to improve the quality of its admission support for children with disabilities, by carrying out assessment of the quality of its own institutional support for children with disabilities and by taking other measures.

3 指定障害児入所施設等の設置者は、障害児の人格を尊重するとともに、この法律又はこの法律に基づく命令を遵守し、障害児及びその保護者のため忠実にその職務を遂行しなければならない。

(3) The establisher of a designated admission institution, etc. for children with disabilities must respect the character of each child with disabilities, comply with this Act or orders pursuant to this Act, and faithfully perform their own duties for children with disabilities and their custodians.

第二十四条の十二 指定障害児入所施設等の設置者は、都道府県の条例で定める基準に従い、指定入所支援に従事する従業者を有しなければならない。

Article 24-12 (1) The establisher of a designated admission institution, etc. for children with disabilities must have employees engaged in designated admission support in accordance with the standards specified by an Order of the Ministry of Health, Labour and Welfare.

2 指定障害児入所施設等の設置者は、都道府県の条例で定める指定障害児入所施設等の設備及び運営に関する基準に従い、指定入所支援を提供しなければならない。

(2) The establisher of a designated admission institution, etc. for children with disabilities must provide designated admission support in accordance with the standards on facilities and operation of designated admission institutions for children with disabilities specified by an Order of the Ministry of Health, Labour and Welfare.

3 都道府県が前二項の条例を定めるに当たっては、次に掲げる事項については厚生労働省令で定める基準に従い定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(3) In specifying the provisions of the preceding item (ii), in accordance with the

standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed as follows and is to prescribe other particulars by taking into consideration Order of the Ministry of Health, Labour and Welfare.

一 指定入所支援に従事する従業者及びその員数

(i) employees engaged in designated admission support and their number

二 指定障害児入所施設等に係る居室及び病室の床面積その他指定障害児入所施設等の設備に関する事項であつて障害児の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(ii) the floor area of living room or ward pertaining to designated admission institution, etc. for children with disabilities and other particulars concerning the equipment of designated admission institution for children with disabilities, which are closely related to sound development of children with disabilities prescribed by Order of Ministry of Health, Labour and Welfare.

三 指定障害児入所施設等の運営に関する事項であつて、障害児の保護者のサービスの適切な利用の確保並びに障害児の適切な処遇及び安全の確保並びに秘密の保持に密接に関連するものとして厚生労働省令で定めるもの

(iii) the particulars concerning operation of designated admission institution, etc. for children with disabilities, which are closely related to ensuring appropriate use by a custodian of a child with disabilities and ensuring appropriate treatment and safety of children with disabilities and maintenance of secrets.

4 第一項及び第二項の都道府県の条例で定める基準は、知的障害のある児童、盲児（強度の弱視児を含む。）、ろうあ児（強度の難聴児を含む。）、肢体不自由のある児童、重症心身障害児その他の指定障害児入所施設等に入所等をする障害児についてそれぞれの障害の特性に応じた適切な支援が確保されるものでなければならない。

(4) The standards specified by the ordinances of the prefectures of paragraph (1) and (2) must ensure appropriate support in accordance with the characteristics of respective disabilities relating to mentally disabled children, blind children (including severely amblyopic children), deaf children (including severely cloth-eared children), children with severe intellectual and physical disabilities and other children with disabilities who admit into designated admission institution, etc. for children with disabilities.

5 指定障害児入所施設の設置者は、第二十四条の十四の規定による指定の辞退をするときは、同条に規定する予告期間の開始日の前日に当該指定入所支援を受けていた者であつて、当該指定の辞退の日以後においても引き続き当該指定入所支援に相当するサービスの提供を希望する者に対し、必要な障害児入所支援が継続的に提供されるよう、他の指定障害児入所施設等の設置者その他関係者との連絡調整その他の便宜の提供を行わなければならない。

(5) When the an establiher of designated admission institution for children with

disabilities intends to decline the designation pursuant to the provisions of Article 24-14, for the person who received the relevant designated admission support and desires to continue to be provided with the services corresponding to the relevant designated admission support for children with disabilities even after the date of the relevant declination of the designation, in order to continuously provide necessary designated admission support for children with disabilities, the relevant establisher must carry out liaison and coordination with other designated admission institution for children with disabilities and persons concerned and provide other benefits.

第二十四条の十三 指定障害児入所施設の設置者は、第二十四条の二第一項の指定に係る入所定員を増加しようとするときは、厚生労働省令で定めるところにより、同項の指定の変更を申請することができる。

Article 24-13 (1) When the establisher of designated admission institution for children with disabilities intends to increase the admission capacity pertaining to the designation of Article 24-2, paragraph (1), the establisher may make an application for alternation of the designation of the same paragraph pursuant to the ordinance of Ministry of Health, Labour and Welfare.

2 第二十四条の九第二項及び第三項の規定は、前項の指定の変更の申請があつた場合について準用する。この場合において、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 24-9, paragraphs (2) and (3) apply mutatis mutandis to the case where there is alternation of designation. In this case, necessary terminological replacements are prescribed by Cabinet Order.

3 指定障害児入所施設の設置者は、設置者の住所その他の厚生労働省令で定める事項に変更があつたときは、厚生労働省令で定めるところにより、十日以内に、その旨を都道府県知事に届け出なければならない。

(3) When there is any change in their address or any other particulars specified by an Order of the Ministry of Health, Labour and Welfare, the establisher of a designated admission institution, etc. for children with disabilities, must notify the prefectural governor to that effect within 10 days pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第二十四条の十四 指定障害児入所施設は、三月以上の予告期間を設けて、その指定を辞退することができる。

Article 24-14 A designated admission institution for children with disabilities may decline its designation with not less than three months period of advance notice.

第二十四条の十四の二 第二十一条の五の二十一の規定は、指定障害児入所施設の設置者による第二十四条の十二第五項に規定する便宜の提供について準用する。この場合において、第二十一条の五の二十一第一項中「都道府県知事又は市町村長」とあるの

は、「都道府県知事」と読み替えるものとする。

Article 24-14-2 The provisions of Article 21-5-21 apply mutatis mutandis to provision of benefits by the establisher of Designated Admission Institution set forth in Articles 24-12, paragraph (5) In this case, the phrase "the prefectural governor or the mayor of municipality" is replaced with "the prefectural governor".

第二十四条の十五 都道府県知事は、必要があると認めるときは、指定障害児入所施設等の設置者若しくは当該指定障害児入所施設等の長その他の従業者（以下この項において「指定施設設置者等」という。）である者若しくは指定施設設置者等であつた者に対し、報告若しくは帳簿書類その他の物件の提出若しくは提示を命じ、指定施設設置者等である者若しくは指定施設設置者等であつた者に対し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定障害児入所施設等、当該指定障害児入所施設等の設置者の事務所その他当該指定障害児入所施設等の運営に関係のある場所に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

Article 24-15 (1) When a prefectural governor finds it necessary, they may order a person who is, or used to be, the establisher or director or any other employee of a designated admission institution, etc. for children with disabilities, (hereinafter referred to as "designated institution establisher, etc.") to make a report or submit or present books and documents and other objects, request the appearance of a person who is, or used to be, a designated admission institution, etc. for children with disabilities, or may make the relevant prefecture's official ask relevant persons questions or enter any office of the relevant designated admission institution, etc. for children with disabilities, the other places related to operation of relevant designated admission institution, etc. for children with disabilities, and inspect books and documents and other objects.

2 第十九条の十六第二項の規定は前項の規定による質問又は検査について、同条第三項の規定は前項の規定による権限について準用する。

(2) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questioning or inspection pursuant to the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority pursuant to the provisions of the preceding paragraph.

第二十四条の十六 都道府県知事は、指定障害児入所施設等の設置者が、次の各号（指定発達支援医療機関の設置者にあつては、第三号を除く。以下この項において同じ。）に掲げる場合に該当すると認めるときは、当該指定障害児入所施設等の設置者に対し、期限を定めて、当該各号に定める措置をとるべきことを勧告することができる。

Article 24-16 (1) When the establisher of a designated admission institution, etc.

for children with disabilities, (in the case of designated developmental support medical institution, excluding item (iii); the same applies hereinafter) is found to fall under any of the following items, the prefectural governor may order the establisher of the relevant designated admission institution, etc. for children with disabilities, to take the measure pertaining to the recommendation by a set deadline:

一 指定障害児入所施設等の従業者の知識若しくは技能又は人員について第二十四条の十二第一項の都道府県の条例で定める基準に適合していない場合 当該基準を遵守すること。

(i) when the employees of the designated admission institution, etc. for children with disabilities, do not satisfy the standards specified by prefectural ordinance referred to in Article 24-12, paragraph (1) in respect of the knowledge or skills of its employees of the institution pertaining to relevant designation or in respect of its personnel staffing, comply with the relevant standards;

二 第二十四条の十二第二項の都道府県の条例で定める指定障害児入所施設等の設備及び運営に関する基準に従って適正な指定障害児入所施設等の運営をしていない場合 当該基準を遵守すること。

(ii) when the establisher of the designated admission institution, etc. for children with disabilities, becomes unable to operate the designated institution for children with disabilities, etc. adequately in accordance with the standards on facilities and operation of designated admission institution, etc. for children with disabilities, specified by Prefectural Ordinance referred to in Article 24-12, paragraph (2), comply with the relevant standards;

三 第二十四条の十二第五項に規定する便宜の提供を適正に行っていない場合 当該便宜の提供を適正に行うこと。

(iii) when the benefits specified in Article 24-12, paragraph (5) are not provided appropriately, the relevant benefits are provided appropriately.

2 都道府県知事は、前項の規定による勧告をした場合において、その勧告を受けた指定障害児入所施設等の設置者が、同項の期限内にこれに従わなかったときは、その旨を公表することができる。

(2) In the case where a recommendation is made pursuant to the provisions of the preceding paragraph, when the establisher of the designated admission institution, etc. for children with disabilities, receiving such recommendation fails to comply with the same by the due date set forth in the same paragraph, the prefectural governor may make public to that effect.

3 都道府県知事は、第一項の規定による勧告を受けた指定障害児入所施設等の設置者が、正当な理由がなくてその勧告に係る措置をとらなかつたときは、当該指定障害児入所施設等の設置者に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) When the establisher of a designated admission institution, etc. for children

with disabilities, receiving a recommendation pursuant to the provisions of paragraph (1) fails to take a measure pertaining to the recommendation without justifiable grounds, the prefectural governor may order the establisher of the relevant designated admission institution, etc. for children with disabilities, to take the measures pertaining to the recommendation by a due date to be specified.

4 都道府県知事は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) When an order is provided pursuant to the provisions of the preceding paragraph, the prefectural governor must give public notice to that effect.

第二十四条の十七 都道府県知事は、次の各号のいずれかに該当する場合においては、当該指定障害児入所施設に係る第二十四条の二第一項の指定を取り消し、又は期間を定めてその指定の全部若しくは一部の効力を停止することができる。

Article 24-17 In any of the cases set forth in the following items, the prefectural governor may rescind the designation set forth in Article 24-2, paragraph (1) pertaining to the relevant designated admission institution, etc. for children with disabilities, or suspend the validity of the designation, in whole or in part, for a period of time to be specified:

一 指定障害児入所施設の設置者が、第二十四条の九第三項において準用する第二十一条の五の十五第三項第四号から第五号の二まで、第十三号又は第十四号のいずれかに該当するに至ったとき。

(i) when the establisher of the designated admission institution for children with disabilities becomes a person falling under any of Article 21-5-15, item (iv) through (v)-2, and (xiii) or (xiv) which are applied mutatis mutandis to Article 24-9, paragraph (3);

二 指定障害児入所施設の設置者が、第二十四条の十一第三項の規定に違反したと認められるとき。

(ii) when it is found that the establisher of the designated admission institution for children with disabilities has violated the provisions of Article 24-11, paragraph (3);

三 指定障害児入所施設の設置者が、当該指定障害児入所施設の従業者の知識若しくは技能又は人員について、第二十四条の十二第一項の都道府県の条例で定める基準を満たすことができなくなつたとき。

(iii) when the establisher of the designated admission institution for children with disabilities becomes unable to satisfy the standards specified by prefectural ordinance referred to in Article 24-12, paragraph (1) in respect of the knowledge or skills of its employees of the institution pertaining to the relevant designation or in respect of its personnel staffing;

四 指定障害児入所施設の設置者が、第二十四条の十二第二項の都道府県の条例で定める指定障害児入所施設等の設備及び運営に関する基準に従つて適正な指定障害児

入所施設の運営をすることができなくなつたとき。

(iv) when the establisher of the designated admission institution for children with disabilities becomes unable to operate the designated admission institution for children with disabilities adequately, in accordance with the standards on facilities and operation of the designated admission institution, etc. for children with disabilities specified by Prefectural Ordinance referred to in Article 24-12, paragraph (2);

五 障害児入所給付費、特定入所障害児食費等給付費又は障害児入所医療費の請求に関し不正があつたとき。

(v) when any wrongdoing is found with regard to a request for admission benefits for children with disabilities, benefits for meal expenses, etc. for specified institutionalized children with disabilities or admission medical expenses for children with disabilities;

六 指定障害児入所施設の設置者又は当該指定障害児入所施設の長その他の従業者（次号において「指定入所施設設置者等」という。）が、第二十四条の十五第一項の規定により報告又は帳簿書類その他の物件の提出若しくは提示を命ぜられてこれに従わず、又は虚偽の報告をしたとき。

(vi) when the establisher or director or any other employee of a designated admission institution for children with disabilities (referred to as "designated admission institution establisher, etc.") fails to comply with an order for reporting or submission or presentation of books and documents and other objects pursuant to the provisions of Article 24-15, paragraph (1), or makes a false report in response to such an order;

七 指定入所施設設置者等が、第二十四条の十五第一項の規定により出頭を求められてこれに応ぜず、同項の規定による質問に対して答弁せず、若しくは虚偽の答弁をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避したとき。ただし、当該指定障害児入所施設の従業者がその行為をした場合において、その行為を防止するため、当該指定障害児入所施設の設置者又は当該指定障害児入所施設の長が相当の注意及び監督を尽くしたときを除く。

(vii) when the designated admission institution establisher, etc. fails to comply with an order for appearance pursuant to the provisions of Article 24-15, paragraph (1), fails to give an answer or makes a false answer in response to a question pursuant to the provisions of the same paragraph, or refuses, interferes with, or recuses the entry or inspection pursuant to the provisions of the same paragraph; provided, however, that this does not apply when the establisher or director of the designated admission institution, etc. for children with disabilities had fulfilled their duty of reasonable care and supervision to prevent any of the acts above mentioned in the case where such an act has been committed by an employee of relevant designated admission institution for children with disabilities.

八 指定障害児入所施設の設置者が、不正の手段により第二十四条の二第一項の指定

を受けたとき。

(viii) when the establisher of the designated admission institution for children with disabilities, etc. obtains the designation set forth in Article 24-2, paragraph (1) by wrongful means;

九 前各号に掲げる場合のほか、指定障害児入所施設の設置者が、この法律その他国民の保健医療若しくは福祉に関する法律で政令で定めるもの又はこれらの法律に基づく命令若しくは処分に違反したとき。

(ix) when the establisher of the designated admission institution for children with disabilities violates this Act or any other act on healthcare or welfare of citizens as specified by a Cabinet Order or any order pursuant to any of these acts or any disposition pursuant thereto, beyond the cases listed in the preceding items respectively;

十 前各号に掲げる場合のほか、指定障害児入所施設の設置者が、障害児入所支援に関し不正又は著しく不当な行為をしたとき。

(x) when the establisher of the designated admission institution for children with disabilities, etc. commits a wrongdoing or unjust act with regard to admission support for children with disabilities, beyond the cases listed in the preceding items respectively;

十一 指定障害児入所施設の設置者が法人である場合において、その役員又は当該指定障害児入所施設の長のうちに指定の取消し又は指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に障害児入所支援に関し不正又は著しく不当な行為をした者があるとき。

(xi) when the establisher of the designated admission institution for children with disabilities, etc. is a corporation and its officers, etc. or a director of the relevant designated admission institution for children with disabilities, etc. include such a person who has committed a wrongdoing or unjust act with regard to institutional support for children with disabilities within 5 years prior to the time when the rescission of designation or the whole or partial suspension of its validity is intended.

十二 指定障害児入所施設の設置者が法人でない場合において、その管理者が指定の取消し又は指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に障害児入所支援に関し不正又は著しく不当な行為をした者であるとき。

(xii) when the establisher of the designated admission institution for children with disabilities, etc. is not a corporation and its manager of the relevant designated admission institution for children with disabilities, etc. such a person who has committed a wrongdoing or unjust act with regard to institutional support for children with disabilities within 5 years prior to the time when the rescission of designation or the whole or partial suspension of its validity is intended.

第二十四条の十八 都道府県知事は、次に掲げる場合には、その旨を公示しなければな

らない。

Article 24-18 A prefectural governor must give public notice in any of the cases listed in the following items:

一 第二十四条の二第一項の指定障害児入所施設の指定をしたとき。

(i) when a prefectural governor has made the designation of a designated admission institution for children with disabilities set forth in Article 24-2, paragraph (1);

二 第二十四条の十四の規定による指定障害児入所施設の指定の辞退があつたとき。

(ii) when a designated admission institution for children with disabilities has declined the designation pursuant to the provisions of Article 24-14; and

三 前条又は第三十三条の十八第六項の規定により指定障害児入所施設の指定を取り消したとき。

(iii) when the designation of a designated admission institution for children with disabilities has been rescinded pursuant to the provisions of the preceding Article.

第二十四条の十九 都道府県は、指定障害児入所施設等に関し必要な情報の提供を行うとともに、その利用に関し相談に応じ、及び助言を行わなければならない。

Article 24-19 (1) A prefectural government must provide necessary information concerning designated admission institution, etc. for children with disabilities, and provide consultations and give advice with regard to the utilization thereof.

2 都道府県は、障害児又は当該障害児の保護者から求めがあつたときは、指定障害児入所施設等の利用についてあつせん又は調整を行うとともに、必要に応じて、指定障害児入所施設等の設置者に対し、当該障害児の利用についての要請を行うものとする。

(2) Upon request from a child with disabilities or their custodian, the prefectural government is to make arrangements or coordinate for the use of a designated admission institution, etc. for children with disabilities and, where needed, make a request for the utilization by the relevant child with disabilities to the establisher of a designated admission institution, etc. for children with disabilities.

3 指定障害児入所施設等の設置者は、前項のあつせん、調整及び要請に対し、できる限り協力しなければならない。

(3) The establisher of a designated admission institution, etc. for children with disabilities must cooperate in the arrangement, coordination and requests set forth in the preceding paragraph as much as possible.

第三款 業務管理体制の整備等

Subsection 3 Establishment of Management Systems

第二十四条の十九の二 第二節第三款の規定（中核市の長に係る部分を除く。）は、指定障害児入所施設等の設置者について準用する。この場合において、必要な技術的読

替えは、政令で定める。

Article 24-19-2 The provisions of Section 2 Subsection 3 (excluding the part pertaining to the mayor of core city) apply mutatis mutandis to the establisher of a designated admission institution, etc. for children with disabilities. In this case, the necessary technical replacement is provided by Cabinet Order.

第四款 障害児入所医療費の支給

Subsection 4 Payments of Admission Medical Expenses for Children with Disabilities

第二十四条の二十 都道府県は、入所給付決定に係る障害児が、給付決定期間内において、指定障害児入所施設等（病院その他厚生労働省令で定める施設に限る。以下この条、次条及び第二十四条の二十三において同じ。）から障害児入所支援のうち治療に係るもの（以下この条において「障害児入所医療」という。）を受けたときは、厚生労働省令で定めるところにより、当該障害児に係る入所給付決定保護者に対し、当該障害児入所医療に要した費用について、障害児入所医療費を支給する。

Article 24-20 (1) When a child with disabilities pertaining to a decision on admission benefits payment receives the institutional support for children with disabilities pertaining to therapy (hereinafter referred to as "admission medical care for children with disabilities") from a designated admission institution, etc. for children with disabilities (limited to such hospitals and other facilities as specified by an Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter in this Article, the following Article and Article 24-23) during the benefits payment period, the prefectural government, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, is to pay admission medical expenses for children with disabilities to the recognized admission beneficiary custodian pertaining to the relevant child with disabilities with regard to the expenses spent for the relevant institutional medical care for children with disabilities; and

2 障害児入所医療費の額は、一月につき、次に掲げる額の合算額とする。

(2) The amount of admission medical expenses for children with disabilities are the total amount of the amounts listed in the following items per month:

一 同一の月に受けた障害児入所医療（食事療養を除く。）につき健康保険の療養に要する費用の額の算定方法の例により算定した額から、当該入所給付決定保護者の家計の負担能力その他の事情をしん酌して政令で定める額（当該政令で定める額が当該算定した額の百分の十に相当する額を超えるときは、当該相当する額）を控除して得た額

(i) the amount obtained by deducting the one provided by a Cabinet Order (when ten-hundredths (10/100) of the relevant amount provided by the relevant Cabinet Order exceeds the amount provided by a Cabinet Order, the relevant amount equivalent thereto) from the total amount of expenses spent

by the referenced recognized admission beneficiary custodian for admission medical care for children with disabilities (excluding dietary treatment) in a specified month calculated by applying the calculation method for the amount of expenses spent for medical treatment covered by health insurance; by taking into account the financial capacity of the household of relevant recognized admission beneficiary custodian and other circumstance.

二 当該障害児入所医療（食事療養に限る。）につき健康保険の療養に要する費用の額の算定方法の例により算定した額から、健康保険法第八十五条第二項に規定する食事療養標準負担額、入所給付決定保護者の所得の状況その他の事情を勘案して厚生労働大臣が定める額を控除した額

(ii) the amount obtained by deducting the amount provided by the Minister of Health, Labor and Welfare, by taking into consideration the standard coverage provided in Article 85, paragraph (2) of the Health Insurance Act, the state of income of the recognized admission beneficiary custodian and other circumstances, from the amount calculated with regard to the relevant admission medical care for children with disabilities (limited to dietary treatment) by applying the calculation method for the amount of expenses spent for medical treatment covered by health insurance.

3 入所給付決定に係る障害児が指定障害児入所施設等から障害児入所医療を受けたときは、都道府県は、当該障害児に係る入所給付決定保護者が当該指定障害児入所施設等に支払うべき当該障害児入所医療に要した費用について、障害児入所医療費として当該入所給付決定保護者に支給すべき額の限度において、当該入所給付決定保護者に代わり、当該指定障害児入所施設等に支払うことができる。

(3) When a child with disabilities pertaining to a decision on admission benefits payment receives admission medical care for children with disabilities from a designated admission institution, etc. for children with disabilities, the prefectural government may pay such expenses spent for relevant institutional medical care for children with disabilities payable by the recognized beneficiary custodian pertaining to the relevant child with disabilities to the relevant designated institution for children with disabilities, etc., in lieu of the relevant recognized beneficiary custodian, to the relevant designated institution for children with disabilities, etc., within the limit of the amount payable to the relevant recognized admission beneficiary custodian as the institutional medical expenses for children with disabilities.

4 前項の規定による支払があつたときは、当該入所給付決定保護者に対し障害児入所医療費の支給があつたものとみなす。

(4) When a payment is made pursuant to the provisions of the preceding paragraph, the institutional medical expenses for children with disabilities for relevant recognized admission beneficiary custodian is deemed to have been paid.

第二十四条の二十一 第十九条の十二及び第十九条の二十の規定は指定障害児入所施設等に対する障害児入所医療費の支給について、第二十一条の規定は指定障害児入所施設等について、それぞれ準用する。この場合において、必要な技術的読替えは、政令で定める。

Article 24-21 The provisions of Article 19-12 and Article 19-20 are for the payment of medical expenses for children with disabilities to a designated admission institution, etc. for children with disabilities, and the provisions of Article 21 for a designated institution, etc. for children with disabilities apply mutatis mutandis; in this case, necessary terminological replacements are prescribed by a Cabinet Order.

第二十四条の二十二 障害児入所医療費の支給は、当該障害の状態につき、健康保険法の規定による家族療養費その他の法令に基づく給付であつて政令で定めるもののうち障害児入所医療費の支給に相当するものを受けるときは政令で定める限度において、当該政令で定める給付以外の給付であつて国又は地方公共団体の負担において障害児入所医療費の支給に相当するものが行われたときはその限度において、行わない。

Article 24-22 A payment of admission medical expenses for children with disabilities is not be made within the limits equivalent to the amount that a recipient can receive according to the state of the referenced dysfunction as prescribed in the subsequent sentence. When the recipient can receive dependent medical treatment expenses pursuant to the Health Insurance Act or other benefits pursuant to relevant laws and regulations and such expenses or benefits are specified by Cabinet Order and fall under the payment of admission medical expenses for children with disabilities, the limit specified by a Cabinet Order applies as the limit referred to in the preceding sentence, and when any benefit other than those specified by relevant Cabinet Order that falls under the payment of admission medical expenses for children with disabilities is paid and borne by the national government or local government, the amount so paid applies as the limit referred to in the preceding sentence.

第二十四条の二十三 この款に定めるもののほか、障害児入所医療費の支給及び指定障害児入所施設等の障害児入所医療費の請求に関し必要な事項は、厚生労働省令で定める。

Article 24-23 Beyond what is prescribed in this Subsection, necessary particulars concerning the payments of admission medical expenses for children with disabilities and the requests by designated admission institutions for children with disabilities, etc. for admission medical expenses for children with disabilities are prescribed by an Order of the Ministry of Health, Labour and Welfare.

第五款 障害児入所給付費、高額障害児入所給付費及び特定入所障害児食費等給付費並びに障害児入所医療費の支給の特例

Subsection 5 Payments of Admission Benefits for Children with Disabilities, High-cost Admission Benefits for Children with Disabilities and Benefits for Meal Expenses for a Designated Admission Institution for Children with Disabilities, and Exception of Admission Medical Expenses for Children with Disabilities

第二十四条の二十四 都道府県は、第二十四条の二第一項、第二十四条の六第一項、第二十四条の七第一項又は第二十四条の二十第一項の規定にかかわらず、厚生労働省令で定める指定障害児入所施設等に入所等をした障害児（以下この項において「入所者」という。）について、引き続き指定入所支援を受けなければその福祉を損なうおそれがあると認めるときは、当該入所者が満十八歳に達した後においても、当該入所者からの申請により、当該入所者が満二十歳に達するまで、厚生労働省令で定めるところにより、引き続き第五十条第六号の三に規定する障害児入所給付費等（次項において「障害児入所給付費等」という。）を支給することができる。ただし、当該入所者が障害者の日常生活及び社会生活を総合的に支援するための法律第五条第六項に規定する療養介護その他の支援を受けることができる場合は、この限りでない。

Article 24-24 (1) For the time being, with regard to a child with disabilities under admission, etc. in any of the designated admission institution, etc. for children with disabilities specified by an Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "admittee" in this paragraph), when a prefectural government finds that welfare of the admittee is likely to be impaired unless the designated admission support for the admittee is continued, the prefectural government, notwithstanding the provisions of Article 24-2, paragraph (1), Article 24-6, paragraph (1), Article 24-7, paragraph (1) or Article 24-20, paragraph (1), may continue to pay or provide admission benefits, etc. for children with disabilities (hereinafter referred to as "admission benefits for children with disabilities") prescribed for in the provisions of Article 50, item (vi)-3 to the relevant admittee based on their application, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, until the relevant admittee becomes able to adapt themselves to their social surroundings, even after the admittee attains the age of 18, until the relevant admittee attains the age of 20 ; provided, however, that this does not apply to the case where relevant admittee can receive the treatment and care services provided in Article 5, paragraph (6) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities or other support.

2 前項の規定により障害児入所給付費等を支給することができることとされた者については、その者を障害児又は障害児の保護者とみなして、第二十四条の二から第二十四条の七まで、第二十四条の十九及び第二十四条の二十から第二十四条の二十二まで

の規定を適用する。この場合において、必要な技術的読替えその他これらの規定の適用に関し必要な事項は、政令で定める。

(2) With regard to a person who is eligible for admission benefits, etc. for children with disabilities pursuant to the provisions of the preceding two paragraphs, the person is deemed to be a child with disabilities or the custodian of a child with disabilities and the provisions of Articles 24-2 through 24-7 and Articles 24-19 through 24-22 apply. In this case, necessary terminological replacements are prescribed by Cabinet Order.

3 第一項の場合においては、都道府県知事は、児童相談所長の意見を聴かなければならない。

(3) In the case referred to in paragraph (1), the prefectural governor must hear opinions from the director of a child guidance center.

第五節 障害児相談支援給付費及び特例障害児相談支援給付費の支給
Section 5 Payments of Consultation Support Benefits for Children with Disabilities and Consultation Support Benefits for Specialized Children with Disabilities

第一款 障害児相談支援給付費及び特例障害児相談支援給付費の支給
Subsection 1 Payments of Consultation Support Benefits for Children with Disabilities and Consultation Support Benefits for Specialized Children with Disabilities

第二十四条の二十五 障害児相談支援給付費及び特例障害児相談支援給付費の支給は、障害児相談支援に関して次条及び第二十四条の二十七の規定により支給する給付とする。

Article 24-25 The payments of consultation benefits for children with disabilities and consultation benefits for specified children with disabilities are the benefits provided pursuant to the next Article and Article 21-5-4 concerning consultation support for children with disabilities.

第二十四条の二十六 市町村は、次の各号に掲げる者（以下この条及び次条第一項において「障害児相談支援対象保護者」という。）に対し、当該各号に定める場合の区分に応じ、当該各号に規定する障害児相談支援に要した費用について、障害児相談支援給付費を支給する。

Article 24-26 (1) A municipality is to pay consultation support benefits for children with disabilities to a person listed in the following each item (hereinafter referred to as "custodian eligible for consultation support benefits for children with disabilities"), the expenses required for consultation support for children with disabilities specified in the relevant each item, for the categories of cases set forth respectively in the relevant item.

一 第二十一条の五の七第四項（第二十一条の五の八第三項において準用する場合を

含む。)の規定により、障害児支援利用計画案の提出を求められた第二十一条の五の六第一項又は第二十一条の五の八第一項の申請に係る障害児の保護者 市町村長が指定する障害児相談支援事業を行う者（以下「指定障害児相談支援事業者」という。）から当該指定に係る障害児支援利用援助（次項において「指定障害児支援利用援助」という。）を受けた場合であつて、当該申請に係る給付決定等を受けたとき。

(i) a custodian of a child with disabilities pertaining to the application of Article 21-5-6, paragraph (1) or Article 21-5-8, paragraph (1) for which submission of proposed plan for utilization of support for children with disabilities was required pursuant to the provisions of Article 21-5-7, paragraph (4) (including the case of applying mutatis mutandis to Article 21-5-8, paragraph (3)), in the case where consultation support for children with disabilities pertaining the relevant designation is provided by a person who practices consultation support services for children with disabilities (hereinafter referred to as "designated operator of consultation support services for children with disabilities") designated by the mayor of municipality) (referring to as "designated use of support for children with disabilities" in the following paragraph) and a decision on payment of benefits pertaining to the relevant application is made.

二 通所給付決定保護者 指定障害児相談支援事業者から当該指定に係る継続障害児支援利用援助（次項において「指定継続障害児支援利用援助」という。）を受けたとき。

(ii) recognized outpatient beneficiary custodian in the case where continuous designated use of support for children with disabilities (referring to "designated continuous use of support for children with disabilities" in the following paragraph) pertaining the relevant designation is provided by a designated operator of consultation support services for children with disabilities.

2 障害児相談支援給付費の額は、指定障害児支援利用援助又は指定継続障害児支援利用援助（以下「指定障害児相談支援」という。）に通常要する費用につき、厚生労働大臣が定める基準により算定した費用の額（その額が現に当該指定障害児相談支援に要した費用の額を超えるときは、当該現に指定障害児相談支援に要した費用の額）とする。

(2) The amount of consultation support benefits for children with disabilities is the amount of expenses calculated, in accordance with the standards specified by the Minister of Health, Labor and Welfare, with regard to expenses generally spent for the designated use of support for children with disabilities or designated continuous use of support for children with disabilities (hereinafter referred to as "designated consultation support for children with disabilities") (the full amount of such expenses actually spent for the relevant designated consultation support when the amount so calculated exceeds the

relevant actual amount of the expenses required for consultation support for children with disabilities).

3 障害児相談支援対象保護者が指定障害児相談支援事業者から指定障害児相談支援を受けたときは、市町村は、当該障害児相談支援対象保護者が当該指定障害児相談支援事業者に支払うべき当該指定障害児相談支援に要した費用について、障害児相談支援給付費として当該障害児相談支援対象保護者に対し支給すべき額の限度において、当該障害児相談支援対象保護者に代わり、当該指定障害児相談支援事業者に支払うことができる。

(3) When a custodian eligible for consultation support benefits for children with disabilities has received designated consultation support from a designated operator, etc. of consultation support service for children with disabilities, the municipality may pay expenses spent for the relevant designated consultation support payable by the relevant custodian eligible for consultation support benefits for children with disabilities to the relevant designated operator of consultation support services for children with disabilities on behalf of relevant custodian, within the limit of the amount payable to the relevant custodian eligible for consultation support benefits for children with disabilities as this payment constituting as consultation support benefits for children with disabilities.

4 前項の規定による支払があつたときは、障害児相談支援対象保護者に対し障害児相談支援給付費の支給があつたものとみなす。

(4) When a payment is made pursuant to the provisions of the preceding paragraph, consultation support benefits for children with disabilities for the relevant custodian eligible for consultation support benefits for children with disabilities is deemed to have been paid.

5 市町村は、指定障害児相談支援事業者から障害児相談支援給付費の請求があつたときは、第二項の厚生労働大臣が定める基準及び第二十四条の三十一第二項の厚生労働省令で定める指定障害児相談支援の事業の運営に関する基準（指定障害児相談支援の取扱いに関する部分に限る。）に照らして審査の上、支払うものとする。

(5) When a designated operator of consultation support services for children with disabilities requests consultation support benefits for children with disabilities, the municipality is to pay the same after the examination in light of the standards specified by the Minister of Health, Labor and Welfare as set forth in paragraph (2) and the standards on facilities and operation of designated consultation support services for children with disabilities as set forth in Article 24-31, paragraph (2) (limited to the portions of such standards relating to handling of designated consultation support for children with disabilities).

6 市町村は、前項の規定による審査及び支払に関する事務を連合会に委託することができる。

(6) A municipality may entrust the federation of national health insurance to conduct the affairs concerning examination and payments pursuant to the

provisions of the preceding paragraph.

7 前各項に定めるもののほか、障害児相談支援給付費の支給及び指定障害児相談支援事業者の障害児相談支援給付費の請求に関し必要な事項は、厚生労働省令で定める。

(7) Beyond what is prescribed in the preceding paragraphs, necessary particulars concerning the payments of consultation support benefits for children with disabilities and requests by designated operator of consultation support services for children with disabilities for consultation support benefits for children with disabilities are prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二十四条の二十七 市町村は、障害児相談支援対象保護者が、指定障害児相談支援以外の障害児相談支援（第二十四条の三十一第一項の厚生労働省令で定める基準及び同条第二項の厚生労働省令で定める指定障害児相談支援の事業の運営に関する基準に定める事項のうち厚生労働省令で定めるものを満たすと認められる事業を行う事業所により行われるものに限る。以下この条において「基準該当障害児相談支援」という。）を受けた場合において、必要があると認めるときは、厚生労働省令で定めるところにより、基準該当障害児相談支援に要した費用について、特例障害児相談支援給付費を支給することができる。

Article 24-27 (1) When a municipality finds necessary, in the case where custodian eligible for consultation support benefits for children with disabilities receive consultation support for children with disabilities other than designated consultation support for children with disabilities (limited to the services applicable to the particulars prescribed by Ministry of Health, Labour and Welfare which are prescribed in the standards concerning operation of the services of designated consultation support for children with disabilities prescribed by Order of Ministry of Health, Labour and Welfare of Article 24-31, paragraph (1) and the ones prescribed by Order of Ministry of Health, Labour and Welfare of paragraph (2) of the same Article, which refers to as "appropriate consultation support for children with disabilities), the municipality may pay specified consultation support benefits for children with disabilities, for the expenses required for appropriate consultation support for children with disabilities.

2 特例障害児相談支援給付費の額は、当該基準該当障害児相談支援について前条第二項の厚生労働大臣が定める基準により算定した費用の額（その額が現に当該基準該当障害児相談支援に要した費用の額を超えるときは、当該現に基準該当障害児相談支援に要した費用の額）を基準として、市町村が定める。

(2) The amount of specified consultation support benefits for children with disabilities is determined by the municipality by using the amount of expenses calculated from the standards prescribed by Minister of Health, Labour and Welfare of paragraph (2) of the preceding Article (in the case such amount actually exceeds the amount required for the relevant appropriate consultation

support for children with disabilities, the relevant amount actually required for the relevant appropriate consultation support for children with disabilities).

3 前二項に定めるもののほか、特例障害児相談支援給付費の支給に関し必要な事項は、厚生労働省令で定める。

(3) Beyond what is prescribed in the preceding two paragraphs, necessary particulars concerning the payments of specified consultation support benefits for children with disabilities are prescribed by an Order of the Ministry of Health, Labour and Welfare.

第二款 指定障害児相談支援事業者

Subsection 2 Designated Operator of Consultation Support Services for Children with Disabilities

第二十四条の二十八 第二十四条の二十六第一項第一号の指定障害児相談支援事業者の指定は、厚生労働省令で定めるところにより、総合的に障害者の日常生活及び社会生活を総合的に支援するための法律第五条第十八項に規定する相談支援を行う者として厚生労働省令で定める基準に該当する者の申請により、障害児相談支援事業を行う事業所（以下「障害児相談支援事業所」という。）ごとに行う。

Article 24-28 (1) The designation of designated operator of consultation support services for children with disabilities set forth in Article 24-26, paragraph (1), item (i) is made for each institution that practice consultation support services for children with disabilities (hereinafter referred to as "consultation support services office for children with disabilities") as the one who practice consultation services specified in Article 5, paragraph (18) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 第二十一条の五の十五第三項（第四号、第十一号及び第十四号を除く。）の規定は、第二十四条の二十六第一項第一号の指定障害児相談支援事業者の指定について準用する。この場合において、第二十一条の五の十五第三項第一号中「都道府県の条例で定める者」とあるのは、「法人」と読み替えるほか、必要な技術的読替えは、政令で定める。

(2) The provisions of Article 21-5-15, paragraph (3) (excluding items (iv) and (xiv)) apply to designation of designated operator of consultation support services for children with disabilities of Article 24-26, paragraph (1), item (i). In this case, the term "a person specified by prefectural ordinance" in Article 21-5-15, paragraph (3), item (i) is replaced with "a corporation". Beyond this, necessary terminological replacements are prescribed by a Cabinet Order.

第二十四条の二十九 第二十四条の二十六第一項第一号の指定は、六年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 24-29 (1) The designation of Article 24-26, paragraph (1), item (i) ceases to be effective after a lapse of the term then in force, unless the designation is renewed every 6 years.

2 前項の更新の申請があつた場合において、同項の期間（以下この条において「指定の有効期間」という。）の満了の日までにその申請に対する処分がされないときは、従前の指定は、指定の有効期間の満了後もその処分がされるまでの間は、なおその効力を有する。

(2) In the case where a renewal set forth in the preceding paragraph is applied, when no disposition is implemented for the application by the expiration date of the period set forth in the same paragraph (referred to as a "effective period for designation" hereinafter in this Article), the designation before the renewal remains in force until the disposition is implemented, even after the expiration of the effective period for designation.

3 前項の場合において、指定の更新がされたときは、その指定の有効期間は、従前の指定の有効期間の満了の日の翌日から起算するものとする。

(3) When the designation is renewed in the case referred to in the preceding paragraph, the effective period for designation as renewed starts from the day following the expiration date of the effective period for designation before the renewal.

4 前条の規定は、第一項の指定の更新について準用する。この場合において、必要な技術的読替えは、政令で定める。

(4) The provisions of the preceding Article apply mutatis mutandis to renewal of designation set forth in paragraph (1). In this case, necessary terminological replacements are prescribed by Cabinet Order.

第二十四条の三十 指定障害児相談支援事業者は、障害児が自立した日常生活又は社会生活を営むことができるよう、障害児及びその保護者の意思をできる限り尊重するとともに、行政機関、教育機関その他の関係機関との緊密な連携を図りつつ、障害児相談支援を当該障害児の意向、適性、障害の特性その他の事情に応じ、常に障害児及びその保護者の立場に立つて効果的に行うように努めなければならない。

Article 24-30 (1) In order to enable a child with disabilities to lead a self-reliant daily or social life according to their inherent abilities and aptitudes, designated operator of consultation support services for children with disabilities must facilitate close coordination with administrative organs, educational institutions and other relevant bodies, and endeavor to effectively implement institutional support for children with disabilities according to the intention, aptitudes, characteristics of dysfunctions and other circumstances of the relevant child with disabilities constantly from the standpoint of children with disabilities and their custodians.

2 指定障害児相談支援事業者は、その提供する障害児相談支援の質の評価を行うことその他の措置を講ずることにより、障害児相談支援の質の向上に努めなければならない。

い。

(2) The designated operator of consultation support services for children with disabilities must endeavor to improve the quality of its consultation support for children with disabilities by carrying out assessment of the quality of its own institutional support for children with disabilities and by taking other measures.

3 指定障害児相談支援事業者は、障害児の人格を尊重するとともに、この法律又はこの法律に基づく命令を遵守し、障害児及びその保護者のため忠実にその職務を遂行しなければならない。

(3) The designated operator of consultation support services for children with disabilities must respect the character of each child with disabilities, comply with this Act or orders pursuant to this Act, and faithfully perform their own duties for children with disabilities and their custodians.

第二十四条の三十一 指定障害児相談支援事業者は、当該指定に係る障害児相談支援事業所ごとに、厚生労働省令で定める基準に従い、当該指定障害児相談支援に従事する従業者を有しなければならない。

Article 24-31 (1) The designated operator of consultation support service for children with disabilities must have employees engaged in the relevant designated consultation support for children with disabilities in accordance with the standards specified by an Order of the Ministry of Health, Labour and Welfare for each designated operator of consultation support service office for children with disabilities pertaining to the relevant designation.

2 指定障害児相談支援事業者は、厚生労働省令で定める指定障害児相談支援の事業の運営に関する基準に従い、指定障害児相談支援を提供しなければならない。

(2) The designated operator of consultation support service for children with disabilities must provide designated consultation support for children with disabilities in accordance with the standards on facilities and operation of designated consultation support services for children with disabilities specified by an Order of the Ministry of Health, Labour and Welfare.

3 指定障害児相談支援事業者は、次条第二項の規定による事業の廃止又は休止の届出をしたときは、当該届出の日前一月以内に当該指定障害児相談支援を受けていた者であつて、当該事業の廃止又は休止の日以後においても引き続き当該指定障害児相談支援に相当する支援の提供を希望する者に対し、必要な障害児相談支援が継続的に提供されるよう、他の指定障害児相談支援事業者その他関係者との連絡調整その他の便宜の提供を行わなければならない。

(3) When a designated operator of consultation support services for children with disabilities makes a notification of abolition or suspension of operation pursuant to the provisions of paragraph (2) of the following Article, the designated operator of consultation support services for children with disabilities must conduct liaison and coordination with other designated

operator of consultation support services for children with disabilities and relevant persons, and provide other benefits to ensure that the a person, who has received the designated consultation support for children with disabilities within one month before the date of the notification and wishes to continue receive the provision of support equivalent to the designated consultation support for children with disabilities even after the date of abolition or the suspension of the operation, continues to receive the necessary designated consultation support for children with disabilities.

第二十四条の三十二 指定障害児相談支援事業者は、当該指定に係る障害児相談支援事業所の名称及び所在地その他厚生労働省令で定める事項に変更があつたとき、又は休止した当該指定障害児相談支援の事業を再開したときは、厚生労働省令で定めるところにより、十日以内に、その旨を市町村長に届け出なければならない。

Article 24-32 (1) When the name and location of the consultation support services office for children with disabilities pertaining to the designation and other particulars specified by Order of the Ministry of Health, Labour and Welfare are changed, or when the suspended operation of designated consultation support for children with disabilities is resumed, the designated operator of consultation support services for children with disabilities must notify the mayor of municipality to that effect within ten days, in accordance with the provisions of Order of the Ministry of Health, Labour and Welfare.

2 指定障害児相談支援事業者は、当該指定障害児相談支援の事業を廃止し、又は休止しようとするときは、厚生労働省令で定めるところにより、その廃止又は休止の日の一月前までに、その旨を市町村長に届け出なければならない。

(2) When a designated operator of consultation support services for children with disabilities intends to abolish or suspend the operation of designated consultation support for children with disabilities, the designated operator of consultation support services for children with disabilities must notify the mayor of municipality to that effect one month before the date of its abolition or suspension, in accordance with Order of the Ministry of Health, Labour and Welfare.

第二十四条の三十三 市町村長は、指定障害児相談支援事業者による第二十四条の三十一第三項に規定する便宜の提供が円滑に行われるため必要があると認めるときは、当該指定障害児相談支援事業者その他の関係者相互間の連絡調整又は当該指定障害児相談支援事業者その他の関係者に対する助言その他の援助を行うことができる。

Article 24-33 When a mayor of municipality finds it necessary to smoothly carry out the provision of the benefits prescribed in Article 24-31, paragraph (3) by a designated operator of consultation support services for children with disabilities, the mayor of municipality may conduct liaison and coordination between the designated operator of consultation support services for children

with disabilities and other relevant persons, or provide advice and other assistance to the designated operator of consultation support services for children with disabilities and other relevant persons.

第二十四条の三十四 市町村長は、必要があると認めるときは、指定障害児相談支援事業者若しくは指定障害児相談支援事業者であつた者若しくは当該指定に係る障害児相談支援事業所の従業者であつた者（以下この項において「指定障害児相談支援事業者であつた者等」という。）に対し、報告若しくは帳簿書類その他の物件の提出若しくは提示を命じ、指定障害児相談支援事業者若しくは当該指定に係る障害児相談支援事業所の従業者若しくは指定障害児相談支援事業者であつた者等に対し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定障害児相談支援事業者の当該指定に係る障害児相談支援事業所、事務所その他指定障害児相談支援の事業に係のある場所に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

Article 24-34 (1) When it is found necessary, a mayor of municipality may order a person who is, or used to be, the designated operator of consultation support services for children with disabilities or the employee of the consultation services support office for children with disabilities pertaining to the designation (hereinafter referred to as the "person, etc. who used to be the designated operator of consultation support services for children with disabilities" in this paragraph) to make a report or submit or present books and documents and other objects, request the appearance of the designated operator of consultation support services for children with disabilities or the employee of the designated operator of consultation support services for children with disabilities or the person, etc. who was the employee of the designated consultation support services office for children with disabilities, or may make the official ask relevant persons questions or enter any consulting support services office for children with disabilities pertaining to the designation of the designated operator of consultation support services for children with disabilities and other places related to the operation of consultation support for children with disabilities and inspect equipment, books and documents and other objects.

2 第十九条の十六第二項の規定は前項の規定による質問又は検査について、同条第三項の規定は前項の規定による権限について準用する。

(2) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the question or the inspection under the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority under the provisions of the preceding paragraph.

第二十四条の三十五 市町村長は、指定障害児相談支援事業者が、次の各号に掲げる場合に該当すると認めるときは、当該指定障害児相談支援事業者に対し、期限を定めて、

当該各号に定める措置をとるべきことを勧告することができる。

Article 24-35 (1) When a mayor of a municipality finds that a designated operator of consultation support services for children with disabilities falls under any of the following items, the mayor of a municipality may recommend the designated operator of consultation support services for children with disabilities to take measures prescribed in each item, by a due date to be specified.

一 当該指定に係る障害児相談支援事業所の従業員の知識若しくは技能又は人員について第二十四条の三十一第一項の厚生労働省令で定める基準に適合していない場合当該基準を遵守すること。

(i) in the event that the knowledge or skills of the employees at the consultation support service office for children with disabilities relevant to the designation or the number of employees do not meet the standards specified in Article 24-31, paragraph (1) of the Order of the Ministry of Health, Labour and Welfare, to comply with the relevant standards.

二 第二十四条の三十一第二項の厚生労働省令で定める指定障害児相談支援の事業の運営に関する基準に従って適正な指定障害児相談支援の事業の運営をしていない場合当該基準を遵守すること。

(ii) in the event that the operation of the designated operator of consultation support services for children with disabilities is not properly conducted in accordance with the standards for the operation of the designated operator of consultation support services for children with disabilities specified in Article 24-31, paragraph (2) of the Order of the Ministry of Health, Labour and Welfare, to comply with the relevant standards.

三 第二十四条の三十一第三項に規定する便宜の提供を適正に行っていない場合当該便宜の提供を適正に行うこと。

(iii) if the provision of benefits prescribed in Article 24-31, paragraph (3) is not carried out properly, the relevant provision of benefits are carried out properly.

2 市町村長は、前項の規定による勧告をした場合において、その勧告を受けた指定障害児相談支援事業者が、同項の期限内にこれに従わなかったときは、その旨を公表することができる。

(2) In the case where a recommendation is made pursuant to the provisions of the preceding paragraph, when the designated operator of consultation support services for children with disabilities receiving the recommendation fails to comply with the same by a set deadline, in the same paragraph, the mayor of a municipality may make public to that effect.

3 市町村長は、第一項の規定による勧告を受けた指定障害児相談支援事業者が、正当な理由がなくてその勧告に係る措置をとらなかつたときは、当該指定障害児相談支援事業者に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) When the designated operator of consultation support services for children with disabilities receiving a recommendation pursuant to the provisions of paragraph (1) fails to take a measure pertaining to the recommendation without justifiable ground, the mayor of a municipality may order the designated operator of consultation support services for children with disabilities to take the measure pertaining to the recommendation by a set deadline.

4 市町村長は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) When an order is provided pursuant to the provisions of the preceding paragraph, the mayor of a municipality must give a public notice to that effect.

第二十四条の三十六 市町村長は、次の各号のいずれかに該当する場合には、当該指定障害児相談支援事業者に係る第二十四条の二十六第一項第一号の指定を取り消し、又は期間を定めてその指定の全部若しくは一部の効力を停止することができる。

Article 24-36 In any of the cases set forth in the following items, a mayor of municipality may rescind the designation set forth in Article 24-26, paragraph (1), item (i) pertaining to the relevant designated operator of consultation support services for children with disabilities or suspend the validity of the designation, in whole or in part, for a period of time to be specified:

一 指定障害児相談支援事業者が、第二十四条の二十八第二項において準用する第二十一条の五の十五第三項第五号、第五号の二又は第十三号のいずれかに該当するに至ったとき。

(i) when the designated operator of consultation support services for children with disabilities becomes a person falling under any of Article 21-5-15, paragraph (3), item (v), item (v-ii) or item (xiii) which is applied mutatis mutandis in Article 24-28, paragraph (2);

二 指定障害児相談支援事業者が、第二十四条の三十第三項の規定に違反したと認められるとき。

(ii) when it is found that the designated operator of consultation support services for children with disabilities has violated the provisions of Article 24-30, paragraph (3)

三 指定障害児相談支援事業者が、当該指定に係る障害児相談支援事業所の従業員の知識若しくは技能又は人員について、第二十四条の三十一第一項の厚生労働省令で定める基準を満たすことができなくなったとき。

(iii) when the designated operator of consultation support services for children with disabilities becomes unable to satisfy the standards specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 24-31, paragraph (1) in respect of the knowledge or skills of its employees of consultation support services office for children with disabilities pertaining to the designation or in respect of its personnel staffing;

四 指定障害児相談支援事業者が、第二十四条の三十一第二項の厚生労働省令で定める指定障害児相談支援の事業の運営に関する基準に従つて適正な指定障害児相談支援の事業の運営をすることができなくなつたとき。

(iv) when the designated operator of consultation support services for children with disabilities becomes unable to conduct the operation of designated consultation support for children with disabilities adequately in accordance with the standards on operation of designated consultation support for children with disabilities specified by Order of the Ministry of Health, Labour and Welfare referred to in Article 24-31, paragraph (2);

五 障害児相談支援給付費の請求に関し不正があつたとき。

(v) when any wrongdoing is found with regard to a claim for consultation support benefits for children with disabilities;

六 指定障害児相談支援事業者が、第二十四条の三十四第一項の規定により報告又は帳簿書類その他の物件の提出若しくは提示を命ぜられてこれに従わず、又は虚偽の報告をしたとき。

(vi) when the designated operator of consultation support services for children with disabilities fails to comply with an order for reporting or submission or presentation of books and documents and other objects pursuant to the provisions of Article 24-34, paragraph (1), or makes a false report in response to such an order;

七 指定障害児相談支援事業者又は当該指定に係る障害児相談支援事業所の従業者が、第二十四条の三十四第一項の規定により出頭を求められてこれに応ぜず、同項の規定による質問に対して答弁せず、若しくは虚偽の答弁をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避したとき。ただし、当該指定に係る障害児相談支援事業所の従業者がその行為をした場合において、その行為を防止するため、当該指定障害児相談支援事業者が相当の注意及び監督を尽くしたときを除く。

(vii) when the designated operator of consultation support services for children with disabilities or its employees of consultation support services office for children with disabilities pertaining to the designation fails to comply with an order for appearance pursuant to the provisions of Article 24-34, paragraph (1), fails to give an answer or makes a false answer in response to a question pursuant to the provisions of the same paragraph, or refuses, interferes with, or recuses the entry or inspection pursuant to the provisions of the same paragraph; provided, however, that this does not apply when the designated operator of consultation support services for children with disabilities had fulfilled the operator's duty of reasonable care and supervision to prevent any of the acts above mentioned in the case where such an act has been committed by an employee of consultation support services office for children with disabilities;

八 指定障害児相談支援事業者が、不正の手段により第二十四条の二十六第一項第一

号の指定を受けたとき。

(viii) when the designated operator of consultation support services for children with disabilities obtains the designation set forth in Article 24-26, paragraph (1) by wrongful means;

九 前各号に掲げる場合のほか、指定障害児相談支援事業者が、この法律その他国民の福祉に関する法律で政令で定めるもの又はこれらの法律に基づく命令若しくは処分に違反したとき。

(ix) when the designated operator of consultation support services for children with disabilities violates this Act or any other act on welfare of citizens as specified by Cabinet Order or any order pursuant to any of these acts or any disposition pursuant thereto, beyond the cases listed in the preceding items respectively;

十 前各号に掲げる場合のほか、指定障害児相談支援事業者が、障害児相談支援に関し不正又は著しく不当な行為をしたとき。

(x) when the designated operator of consultation support services for children with disabilities commits a wrongdoing or an unjust act with regard to the consultation support for children with disabilities, beyond the cases listed in the preceding items respectively; or

十一 指定障害児相談支援事業者の役員又は当該指定に係る障害児相談支援事業所を管理する者その他の政令で定める使用人のうちに指定の取消し又は指定の全部若しくは一部の効力の停止をしようとするとき前五年以内に障害児相談支援に関し不正又は著しく不当な行為をした者があるとき。

(xi) when an officer of the designated operator of consultation support services for children with disabilities, a manager of consultation support services office for children with disabilities pertaining to the designation or other employee specified by Cabinet Order include such a person who has committed a wrongdoing or unjust act with regard to the consultation support for children with disabilities for children with disabilities within five years prior to the time when the rescission of designation or the whole or partial suspension of its validity is intended.

第二十四条の三十七 市町村長は、次に掲げる場合には、その旨を公示しなければならない。

Article 24-37 A mayor of municipality must give public notice in any of the cases listed in the following items:

一 第二十四条の二十六第一項第一号の指定障害児相談支援事業者の指定をしたとき。

(i) when the designation of designated operator of consultation support services for children with disabilities set forth in Article 24-36, paragraph (1), item (i) is made;

二 第二十四条の三十二第二項の規定による事業の廃止の届出があつたとき。

(ii) when a notification of abolition of operation of designated support services

for children with disabilities has been given pursuant to Article 24-32, paragraph (2); and

三 前条の規定により指定障害児相談支援事業者の指定を取り消したとき。

(iii) when the designation of designated operator of consultation support services for children with disabilities has been rescinded pursuant to the provisions of the preceding Article.

第三款 業務管理体制の整備等

Subsection 3 Development of Operational Control System

第二十四条の三十八 指定障害児相談支援事業者は、第二十四条の三十第三項に規定する義務の履行が確保されるよう、厚生労働省令で定める基準に従い、業務管理体制を整備しなければならない。

Article 24-38 (1) The designated operator of consultation support services for children with disabilities must establish a management system in accordance with Order of the Ministry of Health, Labour and Welfare to ensure that the duties prescribed in Article 24-30, paragraph (3) are carried out.

2 指定障害児相談支援事業者は、次の各号に掲げる区分に応じ、当該各号に定める者に対し、厚生労働省令で定めるところにより、業務管理体制の整備に関する事項を届け出なければならない。

(2) The designated operator of consultation support services for children with disabilities, according to their category set forth in the relevant following items, must give notification of particulars pertaining to the establishment of a management system to the relevant person specified in that item, in accordance with the Order of the Ministry of Health, Labour and Welfare.

一 次号及び第三号に掲げる指定障害児相談支援事業者以外の指定障害児相談支援事業者 都道府県知事

(i) a designated operator of consultation support services for children with disabilities other those set forth in the following item and item (iii), the prefectural governor;

二 指定障害児相談支援事業者であつて、当該指定に係る障害児相談支援事業所が一の市町村の区域に所在するもの 市町村長

(ii) a designated operator of consultation support services for children with disabilities whose places of consultation support services for children with disabilities relevant to the designation are all located in a municipality: the mayor of the municipality;

三 当該指定に係る障害児相談支援事業所が二以上の都道府県の区域に所在する指定障害児相談支援事業者 厚生労働大臣

(iii) a designated operator of consultation support services for children with disabilities whose places of consultation support services for children with disabilities relevant to the designation are located in two or more prefectures,

the Minister of Health, Labour and Welfare.

3 前項の規定により届出をした指定障害児相談支援事業者は、その届け出た事項に変更があつたときは、厚生労働省令で定めるところにより、遅滞なく、その旨を当該届出をした厚生労働大臣、都道府県知事又は市町村長（以下この款において「厚生労働大臣等」という。）に届け出なければならない。

(3) A designated operator of consultation support services for children with disabilities who has made the notification pursuant to the provisions of the preceding paragraph, if there is a change in the notified particulars, must notify the Minister of Health, Labour and Welfare, the prefectural governor or the mayor of municipality (hereinafter referred to as the "Minister of Health, Labour and Welfare, etc." in this Subsection) to that effect without delay, in accordance with Order of the Ministry of Health, Labour and Welfare.

4 第二項の規定による届出をした指定障害児相談支援事業者は、同項各号に掲げる区分の変更により、同項の規定により当該届出をした厚生労働大臣等以外の厚生労働大臣等に届出を行うときは、厚生労働省令で定めるところにより、その旨を当該届出をした厚生労働大臣等にも届け出なければならない。

(4) When a designated operator of consultation support services for children with disabilities who has made a notification pursuant to the provisions of paragraph (2) makes a notification to the Minister of Health, Labour and Welfare, etc. other than the Minister of Health, Labor and Welfare, etc. pursuant to the provisions of the same paragraph due to changes in the categories listed in each item of the same paragraph, the designated operator of consultation support services for children with disabilities must also notify the Minister of Health, Labour and Welfare, etc. for whom the notification was made to that effect, in accordance with Order of the Ministry of Health, Labour and Welfare.

5 厚生労働大臣等は、前三項の規定による届出が適正になされるよう、相互に密接な連携を図るものとする。

(5) The Minister of Health, Labor and Welfare, etc. is to work closely with each other so that the notification pursuant to the provisions of the preceding three paragraphs will be made properly

第二十四条の三十九 前条第二項の規定による届出を受けた厚生労働大臣等は、当該届出をした指定障害児相談支援事業者（同条第四項の規定による届出を受けた厚生労働大臣等にあつては、同項の規定による届出をした指定障害児相談支援事業者を除く。）における同条第一項の規定による業務管理体制の整備に関して必要があると認めるときは、当該指定障害児相談支援事業者に対し、報告若しくは帳簿書類その他の物件の提出若しくは提示を命じ、当該指定障害児相談支援事業者若しくは当該指定障害児相談支援事業者の従業者に対し出頭を求め、又は当該職員に、関係者に対し質問させ、若しくは当該指定障害児相談支援事業者の当該指定に係る障害児相談支援事業所、事務所その他の指定障害児相談支援の提供に係る場所に入り、その設

備若しくは帳簿書類その他の物件を検査させることができる。

Article 24-39 (1) When a Minister of Health, Labour and Welfare, etc. who received the notification pursuant to the provisions of paragraph (2) of the preceding Article finds it necessary for the development of management system pursuant to the provisions of paragraph (1) of the same Article in the designated operator of consultation support services for children with disabilities who made the notification (with regard to the Minister of Health, Labor and Welfare, etc. who received the notification pursuant to the provisions of paragraph (4) of the same Article, the designated operator of consultation support services for children with disabilities who made the notification pursuant to the same paragraph is excluded), the Minister of Health, Labour and Welfare, etc. may order the designated operator of consultation support services for children with disabilities to make a report or submit or present books and documents and other objects, request the appearance of the designated operator of consultation support services for children with disabilities or the employee of the designated operator of consultation support services for children with disabilities, or may make the official ask relevant persons questions or enter any establishment or consultation support services office for children with disabilities pertaining to the designation of the designated operator of consultation support services for children with disabilities and other places related to the provision of consultation support for children with disabilities and inspect equipment, books and documents and other objects.

2 厚生労働大臣が前項の権限を行うときは当該指定障害児相談支援事業者に係る指定を行つた市町村長（以下この項及び次条第五項において「関係市町村長」という。）と、都道府県知事が前項の権限を行うときは関係市町村長と密接な連携の下に行うものとする。

(2) When the Minister of Health, Labour and Welfare exercise the authority set forth in the preceding paragraph, it is conducted in close cooperation with the mayor of municipality who has made the designation pertaining to the designated operator of consultation support services for children with disabilities (hereinafter referred to as the "relevant municipal mayor" in this paragraph and paragraph (5) of the following Article), and when the prefectural governor exercises the authority set forth in the preceding paragraph, it is conducted in close cooperation with the relevant municipal mayor.

3 市町村長は、その行つた又はその行おうとする指定に係る指定障害児相談支援事業者における前条第一項の規定による業務管理体制の整備に関して必要があると認めるときは、厚生労働大臣又は都道府県知事に対し、第一項の権限を行うよう求めることができる。

(3) When a mayor of municipality finds it necessary for the development of a

management system pursuant to the provisions of paragraph (1) of the preceding Article in the designated operator of consultation support services for children with disabilities pertaining to the designation made or will be made by the mayor of municipality, the mayor of municipality may request the Minister of Health, Labour and Welfare or the prefectural governor to exercise the authority set forth in paragraph (1).

4 厚生労働大臣又は都道府県知事は、前項の規定による市町村長の求めに応じて第一項の権限を行つたときは、厚生労働省令で定めるところにより、その結果を当該権限を行うよう求めた市町村長に通知しなければならない。

(4) When a Minister of Health, Labour and Welfare or a prefectural governor exercised the authority set forth in paragraph (1) in response to a request from a mayor of municipality pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare or the prefectural governor must notify the mayor of municipality who requested the exercise of the authority about the result, in accordance with Order of Ministry of Health, Labour and Welfare

5 第十九条の十六第二項の規定は第一項の規定による質問又は検査について、同条第三項の規定は第一項の規定による権限について準用する。

(5) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the question or the inspection under the provisions of paragraph (1), and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the exercise of the authority under the provisions of paragraph (1).

第二十四条の四十 第二十四条の三十八第二項の規定による届出を受けた厚生労働大臣等は、当該届出をした指定障害児相談支援事業者（同条第四項の規定による届出を受けた厚生労働大臣等にあつては、同項の規定による届出をした指定障害児相談支援事業者を除く。）が、同条第一項の厚生労働省令で定める基準に従つて適正な業務管理体制の整備をしていないと認めるときは、当該指定障害児相談支援事業者に対し、期限を定めて、当該厚生労働省令で定める基準に従つて適正な業務管理体制を整備すべきことを勧告することができる。

Article 24-40 (1) When a Minister of Health, Labour and Welfare, etc. who received the notification pursuant to the provisions of Article 24-38, paragraph (2) finds that a designated operator of consultation support services for children with disabilities who made the notification (for the Minister of Health, Labor and Welfare, etc. who received the notification pursuant to the provisions of paragraph (4) of the same Article, the designated operator of consultation support services for children with disabilities who made the notification pursuant to the same paragraph is excluded) has not developed an appropriate operational control system in accordance with the standards specified by Order of the Ministry of Health, Labour and Welfare set forth in paragraph (1) of the same Article, the Minister of Health, Labour and Welfare,

etc. may recommend the designated operator of consultation support services for children with disabilities to develop an appropriate operation control system by a set deadline, in accordance with Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣等は、前項の規定による勧告をした場合において、その勧告を受けた指定障害児相談支援事業者が、同項の期限内にこれに従わなかつたときは、その旨を公表することができる。

(2) Minister of Health, Labour and Welfare, etc. in a case of providing recommendation pursuant to the provisions of the preceding paragraph, may provide public notice of the fact that the relevant designated operator of consultation support services for children with disabilities receiving such recommendation fails to comply with the same by the due date set forth in the same paragraph.

3 厚生労働大臣等は、第一項の規定による勧告を受けた指定障害児相談支援事業者が、正当な理由がなくてその勧告に係る措置をとらなかつたときは、当該指定障害児相談支援事業者に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) When a designated operator of consultation support services for children with disabilities receiving a recommendation pursuant to the provisions of paragraph (1) fails to take a measure pertaining to the recommendation without justifiable ground, the Minister of Health, Labour and Welfare, etc. may order the designated operator of consultation support services for children with disabilities to take the measure pertaining to the recommendation by a due date to be specified.

4 厚生労働大臣等は、前項の規定による命令をしたときは、その旨を公示しなければならない。

(4) The Minister of Health, Labour and Welfare, etc. who has issued an order under the preceding paragraph must make a public notice of the fact.

5 厚生労働大臣又は都道府県知事は、指定障害児相談支援事業者が第三項の規定による命令に違反したときは、厚生労働省令で定めるところにより、当該違反の内容を関係市町村長に通知しなければならない。

(5) If a designated operator of consultation support services for children with disabilities violates an order under paragraph (3), the Minister of Health, Labour and Welfare or the prefectural governor must send notice of the violation to the relevant municipal mayor in accordance with Order of the Ministry of Health, Labour and Welfare.

第六節 要保護児童の保護措置等

Section 6 Protective Measures for an Aid-requiring Child

第二十五条 要保護児童を発見した者は、これを市町村、都道府県の設置する福祉事務

所若しくは児童相談所又は児童委員を介して市町村、都道府県の設置する福祉事務所若しくは児童相談所に通告しなければならない。ただし、罪を犯した満十四歳以上の児童については、この限りでない。この場合においては、これを家庭裁判所に通告しなければならない。

Article 25 (1) A person who discovers an aid-requiring child must give notification directly to a welfare office or child guidance center established by the municipal or prefectural government, or to the relevant welfare office or child guidance center through a commissioned child welfare volunteer; provided, however, that this does not apply to a child of 14 years of age or more who has committed a crime. In this case, notification is given to the family court.

2 刑法の秘密漏示罪の規定その他の守秘義務に関する法律の規定は、前項の規定による通告をすることを妨げるものと解釈してはならない。

(2) The provisions concerning the crime of unlawful disclosure of confidential information set forth in the Penal Code and provisions in any other Act that provide for confidentiality obligations must not be construed to preclude a report under the preceding paragraph.

第二十五条の二 地方公共団体は、単独で又は共同して、要保護児童（第三十一条第四項に規定する延長者及び第三十三条第十項に規定する保護延長者（次項において「延長者等」という。）を含む。次項において同じ。）の適切な保護又は要支援児童若しくは特定妊婦への適切な支援を図るため、関係機関、関係団体及び児童の福祉に関連する職務に従事する者その他の関係者（以下「関係機関等」という。）により構成される要保護児童対策地域協議会（以下「協議会」という。）を置くように努めなければならない。

Article 25-2 (1) In order to pursue adequate protective care singly or communally for an aid-requiring child requiring extended aid (a person requiring extended assistance set forth in Article 31, paragraph (4) and a person requiring extended aid prescribed for in Article 33, paragraph (10) (referring as to person requiring extended assistance etc. the same applies to the following paragraph) a local government must endeavor to set up a regional council of countermeasures for appropriate aid or appropriate assistance for children requiring assistance and specified expectant mother (hereinafter referred to as a "council") consisting of relevant bodies, relevant organizations and persons engaged in the duties relevant to welfare of children, and other relevant persons (hereinafter referred to as "relevant bodies, etc.").

2 協議会は、要保護児童若しくは要支援児童及びその保護者（延長者等の親権を行う者、未成年後見人その他の者で、延長者等を現に監護する者を含む。）又は特定妊婦（以下この項及び第五項において「支援対象児童等」という。）に関する情報その他要保護児童の適切な保護又は要支援児童若しくは特定妊婦への適切な支援を図るために必要な情報の交換を行うとともに、支援対象児童等に対する支援の内容に関する協

議を行うものとする。

(2) A council is to exchange information concerning an aid-requiring child or a child requiring assistance and their custodians (who has actual custody of a child, that is, a person who has parental authority, a custodian of a minor, or any other person, and who actually cares for the relevant child.) (hereinafter referred to as "child requiring assistance, etc.") or specified expectant mother (referring to as "child eligible for assistance, etc.") and other information necessary to pursue adequate protective care for aid-requiring child and adequate assistance for child requiring assistance or specified expectant mother, confer on the contents of the support for child eligible for assistance, etc.

3 地方公共団体の長は、協議会を設置したときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(3) When a local government establishes a council, the head of the local government must give public notice to that effect pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

4 協議会を設置した地方公共団体の長は、協議会を構成する関係機関等のうちから、一に限り要保護児童対策調整機関を指定する。

(4) The head of a local government who establishes a council is to designate only one coordinating organization of countermeasures for aid-requiring child to be selected from the relevant bodies, etc. constituting the council.

5 要保護児童対策調整機関は、協議会に関する事務を総括するとともに、支援対象児童等に対する支援が適切に実施されるよう、厚生労働省令で定めるところにより、支援対象児童等に対する支援の実施状況を的確に把握し、必要に応じて、児童相談所、養育支援訪問事業を行う者、母子保健法第二十二条第一項に規定する母子健康包括支援センターその他の関係機関等との連絡調整を行うものとする。

(5) A coordinating organization of countermeasures for an aid-requiring child is to conduct overall management of affairs concerning the council, accurately understand the state of the implementation of the support for an support requiring child, etc. so as to enable its adequate implementation and carry out liaison and coordination with the child guidance center, a person that provides house-call services, a maternal and children's comprehensive support center specified in Maternal and Child Health Act and other relevant bodies, etc., where needed.

6 市町村の設置した協議会（市町村が地方公共団体（市町村を除く。）と共同して設置したものを含む。）に係る要保護児童対策調整機関は、厚生労働省令で定めるところにより、専門的な知識及び技術に基づき前項の業務に係る事務を適切に行うことができる者として厚生労働省令で定めるもの（次項及び第八項において「調整担当者」という。）を置くものとする。

(6) A coordinating organization of countermeasures for an aid-requiring child is to endeavor to assign a person who may appropriately carry out the affairs

pertaining the services of the preceding paragraph based on specialized knowledge and skills (referring to as "coordinator" in the preceding paragraph and paragraph (8)) pertaining to council (including the one established by a local government in collaboration with local authorities (excluding local governments)) established by local authorities by Order of Minister of Health, Labour and Welfare.

7 地方公共団体（市町村を除く。）の設置した協議会（当該地方公共団体が市町村と共同して設置したものを除く。）に係る要保護児童対策調整機関は、厚生労働省令で定めるところにより、調整担当者を置くように努めなければならない。

(7) A coordinating organization of countermeasures for an aid-requiring child must endeavor to assign coordinator pertaining to council (excluding the one established by the relevant local authority in collaboration with a local government) established by local authorities (excluding local governments) by Order of Minister of Health, Labour and Welfare.

8 要保護児童対策調整機関に置かれた調整担当者は、厚生労働大臣が定める基準に適合する研修を受けなければならない。

(8) The coordinator center deployed in coordinating organization of countermeasures for aid-requiring child must receive training conforming to the standards specified by the Minister of Health, Labor and Welfare.

第二十五条の三 協議会は、前条第二項に規定する情報の交換及び協議を行うため必要があると認めるときは、関係機関等に対し、資料又は情報の提供、意見の開陳その他必要な協力を求めることができる。

Article 25-3 (1) A council, when it finds necessary in order to exchange information and confer as prescribed in paragraph (2) of the preceding Article, may request relevant bodies, etc. to furnish materials or information, state their opinions, or provide other necessary cooperation.

2 関係機関等は、前項の規定に基づき、協議会から資料又は情報の提供、意見の開陳その他必要な協力の求めがあつた場合には、これに応ずるよう努めなければならない。

(2) Relevant bodies, etc., when a council requests for materials or information, must state their opinions, or provide other necessary cooperation, endeavor to respond to such request.

第二十五条の四 前二条に定めるもののほか、協議会の組織及び運営に関し必要な事項は、協議会が定める。

Article 25-4 Beyond what is prescribed in the preceding two Articles, necessary particulars concerning the organization and operation of a council are prescribed by the Council.

第二十五条の五 次の各号に掲げる協議会を構成する関係機関等の区分に従い、当該各号に定める者は、正当な理由がなく、協議会の職務に関して知り得た秘密を漏らして

はならない。

Article 25-5 In accordance with the categories of the relevant bodies, etc. constituting a council listed in the following items, no person prescribed in each such item must divulge any secret coming to their knowledge with regard to the duties of the council without justifiable ground:

- 一 国又は地方公共団体の機関 当該機関の職員又は職員であつた者
(i) organs of the national or a local government: A person who is, or used to be, an official of any such organ;
- 二 法人 当該法人の役員若しくは職員又はこれらの職にあつた者
(ii) coporation: A person who is, or used to be, an officer or employee of any such corporation; and
- 三 前二号に掲げる者以外の者 協議会を構成する者又はその職にあつた者
(iii) persons other than those listed in the preceding two items: A person who is, or used to be, a member of the council.

第二十五条の六 市町村、都道府県の設置する福祉事務所又は児童相談所は、第二十五条第一項の規定による通告を受けた場合において必要があると認めるときは、速やかに、当該児童の状況の把握を行うものとする。

Article 25-6 When a welfare office or child guidance center established by a municipal or prefectural government finds it necessary in the case where notification pursuant to the provisions of Article 25, paragraph (1) is received, they are to promptly ascertain an understanding of the state of the referenced child.

第二十五条の七 市町村（次項に規定する町村を除く。）は、要保護児童若しくは要支援児童及びその保護者又は特定妊婦（次項において「要保護児童等」という。）に対する支援の実施状況を的確に把握するものとし、第二十五条第一項の規定による通告を受けた児童及び相談に応じた児童又はその保護者（以下「通告児童等」という。）について、必要があると認めたときは、次の各号のいずれかの措置を採らなければならない。

Article 25-7 (1) A municipality (excluding towns and villages prescribed in the following paragraph) must accurately understand the state of the implementation of the support for an aid-requiring child or specified expectant mother (referring to as "aid-requiring child, etc. " in the following item) and take any of the measures set forth in the following items when the municipality finds necessary for a child for whom notification has been received or consultation has been provided pursuant to the provisions of Article 25, paragraph (1) or their custodian (hereinafter referred to as "child, etc. under notification"):

- 一 第二十七条の措置を要すると認める者並びに医学的、心理学的、教育学的、社会的及び精神保健上の判定を要すると認める者は、これを児童相談所に送致するこ

と。

(i) refer any person who is found to be in need of a measure set forth in Article 27, and any person who is found to be in need of medical, psychological, pedagogical, sociological or mental health judgment, to the child guidance center; or

二 通告児童等を当該市町村の設置する福祉事務所の知的障害者福祉法（昭和三十五年法律第三十七号）第九条第六項に規定する知的障害者福祉司（以下「知的障害者福祉司」という。）又は社会福祉主事に指導させること。

(ii) make a welfare officer for persons with intellectual disabilities (hereinafter referred to as "welfare officer for persons with disabilities") prescribed in Article 9, paragraph (6) of the Act on the Welfare of Persons With Intellectual Disabilities (Act No. 37 of 1960) or a certified social worker of the welfare office established by the municipality provide guidance to a child, etc. under notification.

三 児童自立生活援助の実施が適当であると認める児童は、これをその実施に係る都道府県知事に報告すること。

(iii) report a child for whom practice of children's self-reliant living assistance is found appropriate the prefectural governor pertaining to such practice.

四 児童虐待の防止等に関する法律第八条の二第一項の規定による出頭の求め及び調査若しくは質問、第二十九条若しくは同法第九条第一項の規定による立入り及び調査若しくは質問又は第三十三条第一項若しくは第二項の規定による一時保護の実施が適当であると認める者は、これを都道府県知事又は児童相談所長に通知すること。

(iv) give notice of, any person who is found to be in need of a request of an appearance and an investigation or a question pursuant to the provisions of Article 8-2, paragraph (1) of Child Abuse Prevention and Treatment Act, or an entry and an investigation or a question pursuant to the provisions of Article 29 or Article 9, paragraph (1) of the same act, or a temporary custody pursuant to the provisions of Article 33, paragraph (1) or (2), to a prefectural governor or a director of a child guidance center.

2 福祉事務所を設置していない町村は、要保護児童等に対する支援の実施状況を的確に把握するものとし、通告児童等又は妊産婦について、必要があると認めたときは、次の各号のいずれかの措置を採らなければならない。

(2) A town or village without a welfare office must accurately understand the state of the implementation of the support for an aid-requiring child, etc., and take any of the measures set forth in the following items when the relevant town or village finds it necessary for a child, etc. under notification or an expectant and nursing mother:

一 第二十七条の措置を要すると認める者並びに医学的、心理学的、教育学的、社会的及び精神保健上の判定を要すると認める者は、これを児童相談所に送致すること。

(i) referring any person who is found to be in need of a measure set forth in

Article 27, and any person who is found to be in need of a medical, psychological, pedagogical, sociological or mental health judgment, to the child guidance center;

二 次条第二号の措置が適当であると認める者は、これを当該町村の属する都道府県の設置する福祉事務所に送致すること。

(ii) referring any person for whom a measure set forth in item (ii) of the following Article is found appropriate to the welfare office established by the prefectural government to which relevant town or village belongs; or

三 助産の実施又は母子保護の実施が適当であると認める者は、これをそれぞれその実施に係る都道府県知事に報告すること。

(iii) reporting a person for whom the midwifery care practice or the maternal and child assistance practice is found appropriate to the prefectural governor pertaining to such practice.

四 児童自立生活援助の実施が適当であると認める児童は、これをその実施に係る都道府県知事に報告すること。

(iv) reporting a child for whom practice of children's self-reliant living assistance is found appropriate to the prefectural governor pertaining to such practice.

五 児童虐待の防止等に関する法律第八条の二第一項の規定による出頭の求め及び調査若しくは質問、第二十九条若しくは同法第九条第一項の規定による立入り及び調査若しくは質問又は第三十三条第一項若しくは第二項の規定による一時保護の実施が適当であると認める者は、これを都道府県知事又は児童相談所長に通知すること。

(v) giving notice of, any person who is found to be in need of a request of an appearance and an investigation or a question pursuant to the provisions of Article 8-2, paragraph (1) of Child Abuse Prevention and Treatment Act, or an entry and an investigation or a question pursuant to the provisions of Article 29 or Article 9, paragraph (1) of the same act, or a temporary custody pursuant to the provisions of Article 33, paragraph (1) or (2), to a prefectural governor or a director of a child guidance center.

第二十五条の八 都道府県の設置する福祉事務所の長は、第二十五条第一項の規定による通告又は前条第二項第二号若しくは次条第一項第四号の規定による送致を受けた児童及び相談に応じた児童、その保護者又は妊産婦について、必要があると認めるときは、次の各号のいずれかの措置を採らなければならない。

Article 25-8 The head of a welfare office established by a prefectural government must take a measure set forth in any of the following items, when they find it necessary for a child for whom notification pursuant to the provisions of Article 25, paragraph (1) or a referral pursuant to the provisions of paragraph (2), item (ii) of the preceding Article or paragraph (1), item (iv) of the following Article is made, or a child, their custodian, or an expectant and nursing mother for whom consultation is provided:

一 第二十七条の措置を要すると認める者並びに医学的、心理学的、教育学、社会的及び精神保健上の判定を要すると認める者は、これを児童相談所に送致すること。

(i) referring any person who is found to be in need of a measure set forth in Article 27, and any person who is found to be in need of medical, psychological, pedagogical, sociological or mental health judgment, to the child guidance center;

二 児童又はその保護者をその福祉事務所の知的障害者福祉司又は社会福祉主事に指導させること。

(ii) having children or their custodians be guided by a welfare officer for persons with intellectual disabilities or a social welfare secretary of the welfare office;

三 保育の利用等（助産の実施、母子保護の実施又は保育の利用若しくは第二十四条第五項の規定による措置をいう。以下同じ。）が適当であると認める者は、これをそれぞれその保育の利用等に係る都道府県又は市町村の長に報告し、又は通知すること。

(iii) reporting on, or giving notice of, any person for whom it is found appropriate to use the daycare practice, etc. (which refers to as midwifery practice, maternal and child assistance practice or use of daycare practice or the measures pursuant to Article 24, paragraph (5); the same applies hereinafter) to the head of the prefectural or municipality pertaining to such daycare practice, etc.; or

四 児童自立生活援助の実施が適当であると認める児童は、これをその実施に係る都道府県知事に報告すること。

(iv) report a child for whom practice of children's self-reliant living assistance is found appropriate, to the prefectural governor pertaining to such practice.

五 第二十一条の六の規定による措置が適当であると認める者は、これをその措置に係る市町村の長に報告し、又は通知すること。

(v) reporting on, or giving notice of, any person for whom it is found appropriate to take a measure pursuant to the provisions of Article 21-6 to the head of the municipality pertaining to such a measure.

第二十六条 児童相談所長は、第二十五条第一項の規定による通告を受けた児童、第二十五条の七第一項第一号若しくは第二項第一号、前条第一号又は少年法（昭和二十三年法律第百六十八号）第六条の六第一項若しくは第十八条第一項の規定による送致を受けた児童及び相談に応じた児童、その保護者又は妊産婦について、必要があると認めるときは、次の各号のいずれかの措置を採らなければならない。

Article 26 (1) A director of a child guidance center must take a measure set forth in any of the following items when the director finds necessary for a child for whom notification pursuant to the provisions of Article 25, paragraph (1) of this Act or a referral pursuant to the provisions of Article 25-7, paragraph (1),

item (i) or paragraph (2), item (i) of the same Article or item (i) of the preceding Article of this Act, or Article 6-6, paragraph (1) or Article 18, paragraph (1) of the Juvenile Act (Act No. 168 of 1948) is made, or for a child, their custodian or an expectant and nursing mother for whom consultation is provided:

一 次条の措置を要すると認める者は、これを都道府県知事に報告すること。

(i) reporting on any person who is found to be in need of a measure set forth in the following Article to the prefectural governor;

二 児童又はその保護者を児童相談所その他の関係機関若しくは関係団体の事業所若しくは事務所に通わせ当該事業所若しくは事務所において、又は当該児童若しくはその保護者の住所若しくは居所において、児童福祉司若しくは児童委員に指導させ、又は市町村、都道府県以外の者の設置する児童家庭支援センター、都道府県以外の障害者の日常生活及び社会生活を総合的に支援するための法律第五条第十八項に規定する一般相談支援事業若しくは特定相談支援事業（次条第一項第二号及び第三十四条の七において「障害者等相談支援事業」という。）を行う者その他当該指導を適切に行うことができる者として厚生労働省令で定めるものに委託して指導させること。

(ii) having children or their custodians to commute to a child welfare office and office of other relevant institutions or relevant bodies to be guided by a child welfare officer or a commissioned child welfare volunteer in the relevant office or the office or at the residence or residence of the relevant children or their custodians, or entrust such guidance to a child and family support center established by a person other than the prefectural government or to a person other than the prefectural government who is engaged in the specialized consultation support services provided in Article 5, paragraph (18) of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities (hereinafter referred to as "consultation support services for persons with disabilities, etc." in paragraph (1), item (ii) of the following Article and Article 34-6) and other persons qualified to provide appropriate guidance set forth by Order of Ministry of Health, Labour and Welfare.

三 児童及び妊産婦の福祉に関し、情報を提供すること、相談（専門的な知識及び技術を必要とするものを除く。）に応ずること、調査及び指導（医学的、心理学的、教育学的、社会学的及び精神保健上の判定を必要とする場合を除く。）を行うことその他の支援（専門的な知識及び技術を必要とするものを除く。）を行うことを要すると認める者（次条の措置を要すると認める者を除く。）は、これを市町村に送致すること。

(iii) providing information, responding to consultation (excluding the one which requires specialized knowledge and skills.), conducting surveys and guidance (excluding the case that requires medical, psychological, educational, social scientific and mental health judgement) for welfare of children and expectant and nursing mothers. Refer any person for whom it is found to be necessary

to take other measures (excluding the one which requires specialized knowledge and skills).

四 第二十五条の七第一項第二号又は前条第二号の措置が適当であると認める者は、これを福祉事務所に送致すること。

(iv) referring any person for whom it is found appropriate to take a measure set forth in of Article 25-7, paragraph (1), item (ii) or item (ii) of the preceding Article to the Welfare Office;

五 保育の利用等が適当であると認める者は、これをそれぞれその保育の利用等に係る都道府県又は市町村の長に報告し、又は通知すること。

(v) reporting on, or giving notice of, any person for whom it is found appropriate to use the daycare practice, etc. to the head of the prefectural or municipality pertaining to such use of daycare practice, etc.;

六 児童自立生活援助の実施が適当であると認める児童は、これをその実施に係る都道府県知事に報告すること。

(vi) reporting a child for whom practice of children's self-reliant living assistance is found appropriate the prefectural governor pertaining to such practice.

七 第二十一条の六の規定による措置が適当であると認める者は、これをその措置に係る市町村の長に報告し、又は通知すること。

(vii) reporting on, or giving notice of, any person for whom it is found appropriate to take a measure pursuant to the provisions of Article 21-6 to the head of the municipality pertaining to such a measure.

八 放課後児童健全育成事業、子育て短期支援事業、養育支援訪問事業、地域子育て支援拠点事業、子育て援助活動支援事業、子ども・子育て支援法第五十九条第一号に掲げる事業その他市町村が実施する児童の健全な育成に資する事業の実施が適当であると認める者は、これをその事業の実施に係る市町村の長に通知すること。

(viii) giving notice of any person for whom it is found appropriate to practice the services contributing to the sound upbringing of children carried out by after-school child sound upbringing services and short-term child care support services, house-call services to support child care, local childrearing support center services, family support center services, to the head of municipality pertaining to such practice of the services.

2 前項第一号の規定による報告書には、児童の住所、氏名、年齢、履歴、性行、健康状態及び家庭環境、同号に規定する措置についての当該児童及びその保護者の意向その他児童の福祉増進に関し、参考となる事項を記載しなければならない。

(2) A report pursuant to the provisions of item (i) of the preceding paragraph must state the address, name, age, history, character and conduct, health condition and family environment of the referenced child, the intent of relevant child and their custodian with regard to the measure provided in the same item, and other referential particulars concerning promotion of welfare of the child.

第二十七条 都道府県は、前条第一項第一号の規定による報告又は少年法第十八条第二項の規定による送致のあつた児童につき、次の各号のいずれかの措置を採らなければならない。

Article 27 (1) A prefectural government must take any of the following measures set forth in the following items with regard to a child for whom a report pursuant to paragraph (1), item (i) of the preceding Article or a referral pursuant to Article 18, paragraph (2) of the Juvenile Act is made:

一 児童又はその保護者に訓戒を加え、又は誓約書を提出させること。

(i) providing an admonition to the child or their custodian, or cause them to submit a written pledge;

二 児童又はその保護者を児童相談所その他の関係機関若しくは関係団体の事業所若しくは事務所に通わせ当該事業所若しくは事務所において、又は当該児童若しくはその保護者の住所若しくは居所において、児童福祉司、知的障害者福祉司、社会福祉主事、児童委員若しくは当該都道府県の設置する児童家庭支援センター若しくは当該都道府県が行う障害者等相談支援事業に係る職員に指導させ、又は市町村、当該都道府県以外の者の設置する児童家庭支援センター、当該都道府県以外の障害者等相談支援事業を行う者若しくは前条第一項第二号に規定する厚生労働省令で定める者に委託して指導させること。

(ii) when a director of a child guidance center finds necessary, they may take temporary custody of a child or entrust an appropriate person including child welfare officer, social welfare officer, a commissioned child welfare volunteer or child and family support center established in the relevant prefecture or the officials pertaining to consultation support services practiced by the relevant prefecture, to do so, until a measure set forth in Article 26, paragraph (1) is taken in order to secure the child's safety promptly and take appropriate custody or to understand their mental and physical conditions, the circumstances in which the child is placed and other conditions.

三 児童を小規模住居型児童養育事業を行う者若しくは里親に委託し、又は乳児院、児童養護施設、障害児入所施設、児童心理治療施設若しくは児童自立支援施設に入所させること。

(iii) entrusting the child to a small scale foster home services provider or a foster parent, or admitting the child into an infant home, a foster home, a facility for children with disabilities, a psychological treatment facility for children or a children's self-reliance support facility; or

四 家庭裁判所の審判に付することが適当であると認める児童は、これを家庭裁判所に送致すること。

(iv) referring the child to a family court if it is found appropriate to submit the child to the family court's inquiry.

2 都道府県は、肢体不自由のある児童又は重症心身障害児については、前項第三号の措置に代えて、指定発達支援医療機関に対し、これらの児童を入院させて障害児入所施設（第四十二条第二号に規定する医療型障害児入所施設に限る。）におけると同様

な治療等を行うことを委託することができる。

- (2) With regard to a child prescribed in Article 43-3 or 43-4, the prefectural government may, in lieu of the measure set forth in item (iii) of the preceding paragraph, entrust a designated medical institution (limited to medical services facilities for children with disabilities prescribed in Article 12, item(ii)) to hospitalize the child and provide them with therapy, etc. equivalent to those that would be provided in an institution orthopedically impaired children or an institution for severely-retarded children.
- 3 都道府県知事は、少年法第十八条第二項の規定による送致のあつた児童につき、第一項の措置を採るにあつては、家庭裁判所の決定による指示に従わなければならない。
- (3) When a prefectural governor intends to take a measure set forth in paragraph (1) for a child referred pursuant to the provisions of Article 18, paragraph (2) of the Juvenile Act, the prefectural governor must follow the instruction based on a decision by the family court.
- 4 第一項第三号又は第二項の措置は、児童に親権を行う者（第四十七条第一項の規定により親権を行う児童福祉施設の長を除く。以下同じ。）又は未成年後見人があるときは、前項の場合を除いては、その親権を行う者又は未成年後見人の意に反して、これを採ることができない。
- (4) When the referenced child has a person who has parental authority (excluding the head of a child welfare institution who exercises the parental authority pursuant to the provisions of Article 47, paragraph (1); the same applies hereinafter) or a custodian of a minor, the measure set forth in paragraph (1), item (iii) or paragraph (2) may not be taken against the intent of relevant person who has parental authority or relevant custodian of a minor, except in the case referred to in the preceding paragraph.
- 5 都道府県知事は、第一項第二号若しくは第三号若しくは第二項の措置を解除し、停止し、又は他の措置に変更する場合には、児童相談所長の意見を聴かななければならない。
- (5) In the case where a measure set forth in paragraph (1), item (ii) or (iii) or paragraph (2) is cancelled, suspended, or changed to any other measure, the prefectural governor must hear opinions from the director of a child guidance center.
- 6 都道府県知事は、政令の定めるところにより、第一項第一号から第三号までの措置（第三項の規定により採るもの及び第二十八条第一項第一号又は第二号ただし書の規定により採るものを除く。）若しくは第二項の措置を採る場合又は第一項第二号若しくは第三号若しくは第二項の措置を解除し、停止し、若しくは他の措置に変更する場合には、都道府県児童福祉審議会の意見を聴かななければならない。
- (6) In the case where any of the measures set forth in paragraph (1), items (i) through (iii) (excluding those taken pursuant to the provisions of paragraph (3) and those taken pursuant to the provisions of item (i) or the proviso of item (ii)

of Article 28, paragraph (1)) or those set forth in paragraph (2) is taken, or in the case where a measure set forth in paragraph (1), item (ii) or (iii) or in paragraph (2) is cancelled, suspended, or changed to any other measure, pursuant to the provisions of a Cabinet Order, the prefectural governor must hear opinions from the Prefectural Child Welfare Council.

第二十七条の二 都道府県は、少年法第二十四条第一項又は第二十六条の四第一項の規定により同法第二十四条第一項第二号の保護処分を受けた児童につき、当該決定に従って児童自立支援施設に入所させる措置（保護者の下から通わせて行うものを除く。）又は児童養護施設に入所させる措置を採らなければならない。

Article 27-2 (1) With regard to a child who has received a decision on protective custody set forth in Article 24, paragraph (1), item (ii) of the Juvenile Act pursuant to the provisions of Article 24, paragraph (1) or Article 26-4, paragraph (1) the same act, the prefectural government must take a measure to admit the child into a children's self-reliance support facility in accordance with relevant decision (excluding having them commute from the place of residence where the child's custodian lives) or a measure to admit the child into a foster home.

2 前項に規定する措置は、この法律の適用については、前条第一項第三号の児童自立支援施設又は児童養護施設に入所させる措置とみなす。ただし、同条第四項及び第六項（措置を解除し、停止し、又は他の措置に変更する場合に係る部分を除く。）並びに第二十八条の規定の適用については、この限りでない。

(2) With regard to the application of this Act, a measure prescribed in the preceding paragraph is deemed to be a measure to admit the referenced child into a children's self-reliance support facility or a foster home as set forth in paragraph (1), item (iii) of the preceding Article; provided, however, that this does not apply when the provisions of paragraphs (4) and (6) of the preceding Article (excluding the portions pertaining to the cases where a measure is cancelled, suspended, or changed to any other measure) apply, and when the provisions of Article 28 apply.

第二十七条の三 都道府県知事は、たまたま児童の行動の自由を制限し、又はその自由を奪うような強制的措置を必要とするときは、第三十三条、第三十三条の二及び第四十七条の規定により認められる場合を除き、事件を家庭裁判所に送致しなければならない。

Article 27-3 When it is necessary to take a compulsory measure that may unintentionally be conducive to restriction on a child's liberty of action or deprivation of the child's liberty, the prefectural governor must refer that case to the family court, except in the cases permitted pursuant to the provisions of Articles 33-2 and 47.

第二十七条の四 第二十六条第一項第二号又は第二十七条第一項第二号の規定により行われる指導（委託に係るものに限る。）の事務に従事する者又は従事していた者は、その事務に関して知り得た秘密を漏らしてはならない。

Article 27-4 A person who is, or used to be, engaged in the affairs concerning the affairs concerning Adoption Support Services prescribed in the preceding paragraph must not divulge any secret coming to their knowledge with regard to the relevant affairs.

第二十八条 保護者が、その児童を虐待し、著しくその監護を怠り、その他保護者に監護させることが著しく当該児童の福祉を害する場合において、第二十七条第一項第三号の措置を採ることが児童の親権を行う者又は未成年後見人の意に反するときは、都道府県は、次の各号の措置を採ることができる。

Article 28 (1) In the case where a custodian abuses their child or extremely neglects the duty of custody of their child or in any other case where the custodian's exercise of the custody extremely harms the welfare of the relevant child, when taking a measure set forth in Article 27, paragraph (1), item (iii) is contrary to the intention of a person who has parental authority or a custodian of a minor for the child, the prefectural government may take a measure set forth in any of the following items:

一 保護者が親権を行う者又は未成年後見人であるときは、家庭裁判所の承認を得て、第二十七条第一項第三号の措置を採ること。

(i) taking a measure set forth in Article 27, paragraph (1), item (iii) with approval from the family court, when the custodian is a person who has parental authority or a custodian of a minor; and

二 保護者が親権を行う者又は未成年後見人でないときは、その児童を親権を行う者又は未成年後見人に引き渡すこと。ただし、その児童を親権を行う者又は未成年後見人に引き渡すことが児童の福祉のため不相当であると認めるときは、家庭裁判所の承認を得て、第二十七条第一項第三号の措置を採ること。

(ii) delivering the child to a person who has parental authority or a custodian of a minor, when the custodian is neither a person who has parental authority nor a custodian of a minor; provided, however, that a measure set forth in Article 27, paragraph (1), item (iii) is taken with approval from the family court, when such delivery is found inappropriate for welfare of the child.

2 前項第一号及び第二号ただし書の規定による措置の期間は、当該措置を開始した日から二年を超えてはならない。ただし、当該措置に係る保護者に対する指導措置（第二十七条第一項第二号の措置をいう。以下この条並びに第三十三条第二項及び第九項において同じ。）の効果等に照らし、当該措置を継続しなければ保護者がその児童を虐待し、著しくその監護を怠り、その他著しく当該児童の福祉を害するおそれがあると認めるときは、都道府県は、家庭裁判所の承認を得て、当該期間を更新することができる。

(2) The period for a measure taken pursuant to the provisions of item (i) and the proviso of item (ii) of the preceding paragraph is not to exceed two years from the date of commencement of relevant measure; provided, however, that the prefectural government may renew relevant period with approval from the family court, when it is found that the custodian is likely to abuse the child, extremely neglect the custody of the child, or cause any other harm to the welfare of relevant child, in light of effects, etc. of the guidance to the custodian pertaining to the referenced measure (which means the guidance set forth in Article 27, paragraph (1), item (ii); the same applies hereinafter in this Article and Article 33, paragraphs (2) and (9)) unless the referenced measure is continued.

3 都道府県は、前項ただし書の規定による更新に係る承認の申立てをした場合において、やむを得ない事情があるときは、当該措置の期間が満了した後も、当該申立てに対する審判が確定するまでの間、引き続き当該措置を採ることができる。ただし、当該申立てを却下する審判があつた場合は、当該審判の結果を考慮してもなお当該措置を採る必要があると認めるときに限る。

(3) When there are any inevitable circumstances in the case where an application for approval pertaining to the renewal pursuant to the provisions of the proviso to the preceding paragraph is made, the prefectural government may continue to take the relevant measure until a decision for relevant application becomes final and binding, even after the period for relevant measure expires; provided, however, that the same is limited to the cases where, if a decision to dismiss relevant application is made, it is found still necessary to take relevant measure after considering the result of relevant decision.

4 家庭裁判所は、第一項第一号若しくは第二号ただし書又は第二項ただし書の承認（以下「措置に関する承認」という。）の申立てがあつた場合は、都道府県に対し、期限を定めて、当該申立てに係る保護者に対する指導措置を採るよう勧告すること、当該申立てに係る保護者に対する指導措置に関し報告及び意見を求めること、又は当該申立てに係る児童及びその保護者に関する必要な資料の提出を求めることができる。

(4) In the case where an application for approval for the proviso to the paragraph (1), item (i) or (ii) or the proviso to the paragraph (2) (hereinafter referred to as "approval for measures") is made, the family court may request the prefectural government to report on, or state its opinions on, the guidance to the custodian pertaining to the relevant application, or to submit necessary materials concerning the child and their custodian pertaining to the relevant application, by a set deadline.

5 家庭裁判所は、前項の規定による勧告を行つたときは、その旨を当該保護者に通知するものとする。

(5) In the case where the family court issues recommendation pursuant to the preceding paragraph, it is to notify the relevant custodian to that effect.

6 家庭裁判所は、措置に関する承認の申立てに対する承認の審判をする場合において、

当該措置の終了後の家庭その他の環境の調整を行うため当該保護者に対する指導措置を採ることが相当であると認めるときは、都道府県に対し、当該指導措置を採るよう勧告することができる。

(6) In the case where a family court carries out the inquiry procedure for approval for measures, when the family court finds reasonable to afford guidance to the referenced custodian in order to coordinate domestic or other environments after termination of the referenced measure, the family court may recommend the prefectural government to afford the guidance to the relevant custodian.

7 家庭裁判所は、第四項の規定による勧告を行つた場合において、措置に関する承認の申立てを却下する審判をするときであつて、家庭その他の環境の調整を行うため当該勧告に係る当該保護者に対する指導措置を採ることが相当であると認めるときは、都道府県に対し、当該指導措置を採るよう勧告することができる。

(7) In the case where the family court issues recommendation pursuant to the provisions of paragraph (4) and if a decision to dismiss the relevant application for approval for the measures is made, when the family court finds it reasonable to afford guidance to the referenced custodian in order to coordinate domestic or other environments after termination of the referenced measure, the family court may recommend the prefectural government to afford the guidance to the relevant custodian.

8 第五項の規定は、前二項の規定による勧告について準用する。

(8) The provisions of the paragraph (5) apply to the recommendation of the preceding paragraph (2).

第二十九条 都道府県知事は、前条の規定による措置をとるため、必要があると認めるときは、児童委員又は児童の福祉に関する事務に従事する職員をして、児童の住所若しくは居所又は児童の従業する場所に立ち入り、必要な調査又は質問をさせることができる。この場合においては、その身分を証明する証票を携帯させ、関係者の請求があつたときは、これを提示させなければならない。

Article 29 When a prefectural governor finds necessary in order to take a measure pursuant to the provisions of the preceding Article, the prefectural governor must make a commissioned child welfare volunteer or the relevant prefecture's official engaged in the affairs concerning welfare of children enter the residence or residence of the referenced child or their workplace and make necessary inspections or questioning. In this case, the prefectural governor must make the commissioned child welfare volunteer, or the official carry their identification and produce it upon request by any relevant person.

第三十条 四親等内の児童以外の児童を、その親権を行う者又は未成年後見人から離して、自己の家庭（単身の世帯を含む。）に、三月（乳児については、一月）を超えて同居させる意思をもつて同居させた者又は継続して二月以上（乳児については、二十

日以上)同居させた者(法令の定めるところにより児童を委託された者及び児童を単に下宿させた者を除く。)は、同居を始めた日から三月以内(乳児については、一月以内)に、市町村長を経て、都道府県知事に届け出なければならない。ただし、その届出期間内に同居をやめたときは、この限りでない。

Article 30 (1) If a person (excluding persons to whom children are entrusted pursuant to laws and regulations and persons who merely lodge children) starts living together with a child other than children within the fourth degree of kinship at the person's own home (including the case of a single-person household) with the intention of living together for more than three months (or more than one month, if the child is an infant) or lives together at the person's own home for consecutive two months or more (or 20 days or more, if the child is an infant) by separating the child from the person who has parental authority or the custodian of a minor, that person living together must notify the prefectural governor through the mayor of municipality within three months (or within one month, if the child is an infant) from the date of start of such living together; provided, however, that this does not apply when they have discontinued living together within this notification period.

2 前項に規定する届出をした者が、その同居をやめたときは、同居をやめた日から一月以内に、市町村長を経て、都道府県知事に届け出なければならない。

(2) When a person who has given notification as prescribed in the preceding paragraph discontinues living together, the person must notify the prefectural governor through the mayor of municipality within one month from the date of such discontinuation.

3 保護者は、経済的理由等により、児童をそのもとにおいて養育しがたいときは、市町村、都道府県の設置する福祉事務所、児童相談所、児童福祉司又は児童委員に相談しなければならない。

(3) When it is difficult for a custodian to foster the child at their home due to economic reasons, etc., the custodian must consult with the welfare office established by the municipal or prefectural government, the child guidance center, a child welfare officer or a commissioned child welfare volunteer.

第三十条の二 都道府県知事は、小規模住居型児童養育事業を行う者、里親(第二十七条第一項第三号の規定により委託を受けた里親に限る。第三十三条の八第二項、第三十三条の十、第三十三条の十四第二項、第四十四条の三、第四十五条の二、第四十六条第一項、第四十七条、第四十八条及び第四十八条の三において同じ。)及び児童福祉施設の長並びに前条第一項に規定する者に、児童の保護について、必要な指示をし、又は必要な報告をさせることができる。

Article 30-2 A prefectural governor may provide necessary instructions to, or request necessary reporting from, small scale foster home services provider, foster parents (limited to the one entrusted pursuant to provisions of Article 27, paragraph (1), item (iii)); the same applies to Article 33-8, paragraph (2),

Article 33-10, Article 33-14, paragraph (2), Article 44-3, Article 45-2, Article 46, paragraph (1), Article 47, Article 48, and Article 48-3) and the head of child welfare institution and the heads of child welfare institutions, and the persons prescribed in paragraph (1) of the preceding Article, with regard to the assistance for children.

第三十一条 都道府県等は、第二十三条第一項本文の規定により母子生活支援施設に入所した児童については、その保護者から申込みがあり、かつ、必要があると認めるときは、満二十歳に達するまで、引き続きその者を母子生活支援施設において保護することができる。

Article 31 (1) With regard to a child admitted into a maternal and child living support facility pursuant to the main clause of Article 23, paragraph (1), the prefecture, etc. may continue to take protective custody of the child in the maternal and child living support facility until the child attains the age of 20, when the prefecture, etc. has received an application from the child's custodian and finds it necessary to do so.

2 都道府県は、第二十七条第一項第三号の規定により小規模住居型児童養育事業を行う者若しくは里親に委託され、又は児童養護施設、障害児入所施設（第四十二条第一号に規定する福祉型障害児入所施設に限る。）、児童心理治療施設若しくは児童自立支援施設に入所した児童については満二十歳に達するまで、引き続き同項第三号の規定による委託を継続し、若しくはその者をこれらの児童福祉施設に在所させ、又はこれらの措置を相互に変更する措置を採ることができる。

(2) The prefectural government may continue the entrustment or continue the measure to have the referenced child reside in the referenced child welfare institution pursuant to the provisions of Article 27, paragraph (1), item (iii), until the referenced child attains the age of 20 if the child is a child entrusted to a small scale foster home services provider or a foster parent or admitted into a foster home, an admission institution for children with disabilities (limited to welfare services facility for children with disabilities set forth in Article 42, paragraph (1)), a psychological treatment facility for children or a children's self-reliance support facility pursuant to the provisions of the same item, or take the measures to mutually change the relevant measures.

3 都道府県は、第二十七条第一項第三号の規定により障害児入所施設（第四十二条第二号に規定する医療型障害児入所施設に限る。）に入所した児童又は第二十七条第二項の規定による委託により指定発達支援医療機関に入院した肢体不自由のある児童若しくは重症心身障害児については満二十歳に達するまで、引き続きその者をこれらの児童福祉施設に在所させ、若しくは同項の規定による委託を継続し、又はこれらの措置を相互に変更する措置を採ることができる。

(3) The prefectural government may continue the entrustment or continue the measure to have the referenced child reside in the referenced child welfare institution pursuant to the provisions of Article 27, paragraph (1), item (iii),

until the referenced child attains the age of 20, if the child is a child admitted into a designated developmental support medical institution, an admission institution for children with disabilities (limited to medical services facility set forth in Article 42, paragraph (2)), children with severe intellectual disabilities or has both severe intellectual and physical disabilities pursuant to the provisions of the same item, or take the measures to mutually change the relevant measures.

- 4 都道府県は、延長者（児童以外の満二十歳に満たない者のうち、次の各号のいずれかに該当するものをいう。）について、第二十七条第一項第一号から第三号まで又は第二項の措置を採ることができる。この場合において、第二十八条の規定の適用については、同条第一項中「保護者が、その児童」とあるのは「第三十一条第四項に規定する延長者（以下この条において「延長者」という。）の親権を行う者、未成年後見人その他の者で、延長者を現に監護する者（以下この条において「延長者の監護者」という。）が、その延長者」と、「保護者に」とあるのは「延長者の監護者に」と、「当該児童」とあるのは「当該延長者」と、「おいて、第二十七条第一項第三号」とあるのは「おいて、同項の規定による第二十七条第一項第三号」と、「児童の親権」とあるのは「延長者の親権」と、同項第一号中「保護者」とあるのは「延長者の監護者」と、「第二十七条第一項第三号」とあるのは「第三十一条第四項の規定による第二十七条第一項第三号」と、同項第二号中「保護者」とあるのは「延長者の監護者」と、「児童」とあるのは「延長者」と、「第二十七条第一項第三号」とあるのは「第三十一条第四項の規定による第二十七条第一項第三号」と、同条第二項ただし書中「保護者」とあるのは「延長者の監護者」と、「第二十七条第一項第二号」とあるのは「第三十一条第四項の規定による第二十七条第一項第二号」と、「児童」とあるのは「延長者」と、同条第四項中「保護者」とあるのは「延長者の監護者」と、「児童」とあるのは「延長者」と、同条第五項から第七項までの規定中「保護者」とあるのは「延長者の監護者」とする。

- (4) The prefectural government is take measures of Article 27, paragraph (1), items (i) through (iii) or paragraph (2) for a person requiring extended assistance (which refers to the person who has not attained 20 years old who falls under any of the following items). In this case, with regard to application of the provisions of Article 28, the following replacements are applied: "a custodian, for their child" with "a child requiring assistance (a person requiring extended assistance set forth in Article 31, paragraph (4) and a person requiring extended assistance (referring as to person requiring extended assistance, etc.; the same applies to the following paragraph.)", "to a custodian" with "to a person who has custody of a person requiring extended assistance", Article 27, paragraph (1), item (iii)" with "Article 27, paragraph (1), item(iii) pursuant to the provisions of the same paragraph"; in item (i) of the same paragraph "parental authority of a child" with "parental authority of a person requiring extended assistance", "a custodian" with "a person who has custody of a person requiring extended assistance", "Article 27, paragraph(1),

item (iii)" with "Article 27, paragraph (1), item (iii) pursuant to the provisions of Article 31, paragraph (4)"; in item (ii) of the same paragraph, "parental authority of a child" with "parental authority of a person requiring extended assistance", "a child" with "a person requiring extended assistance", "Article 27, paragraph (1), item (iii)" with "Article 27, paragraph (1), item (iii) pursuant to the provisions of Article 31, paragraph (4)", "Article 27, paragraph (1), item (iii)" with "Article 27, paragraph (1), item (iii) pursuant to the provisions of Article 31, paragraph (4)"; in the proviso of paragraph (2) of the same Article, "a custodian" with "a person who has custody of a person requiring extended assistance", "Article 27, paragraph (1), item (iii)" with "Article 27, paragraph (1), item (iii) pursuant to the provisions of Article 31, paragraph (4)", "a child" with "a person requiring extended assistance"; in paragraph (4) of the same Article, "a custodian" with "a person who has custody of a person requiring extended assistance", "a child" with "a person requiring extended assistance"; and in through paragraphs (5) through (7) of the same Article, "a custodian" with "a person who has custody of a person requiring extended assistance".

一 満十八歳に満たないときにされた措置に関する承認の申立てに係る児童であつた者であつて、当該申立てに対する審判が確定していないもの又は当該申立てに対する承認の審判がなされた後において第二十八条第一項第一号若しくは第二号ただし書若しくは第二項ただし書の規定による措置が採られていないもの

(i) a person who is a child pertaining to application of approval concerning the measures taken when the child has not attained 18 years old, and for whom the relevant application the decision has not become final and binding, and for whom the measures by Article 28, paragraph (1), item (i) or paragraph (2) proviso or the provisions of paragraph (2) has not been taken after the decision for approval of the relevant application becomes final and binding.

二 第二項からこの項までの規定による措置が採られている者（前号に掲げる者を除く。）

(ii) a person for whom the measures pursuant of the provisions through paragraph (2) to this paragraph have been taken (excluding the person listed in the preceding item).

三 第三十三条第八項から第十一項までの規定による一時保護が行われている者（前二号に掲げる者を除く。）

(iii) a person for whom the temporary measure pursuant of the provisions through paragraph (2) to this paragraph have been taken (excluding the person listed in the preceding item).

5 前各項の規定による保護又は措置は、この法律の適用については、母子保護の実施又は第二十七条第一項第一号から第三号まで若しくは第二項の規定による措置とみなす。

(5) With regard to the application of this Act, the assistance or the measure provided in each of the preceding paragraphs are deemed to be the maternal

and child assistance practice or a measure provided in paragraph (1), items (i) through (iii) or paragraph (2), of Article 27.

6 第二項から第四項までの場合においては、都道府県知事は、児童相談所長の意見を聴かなければならない。

(6) In the case referred to in paragraph (2) or (4), the prefectural governor must hear the opinions from the director of a child guidance center.

第三十二条 都道府県知事は、第二十七条第一項若しくは第二項の措置を採る権限又は児童自立生活援助の実施の権限の全部又は一部を児童相談所長に委任することができる。

Article 32 (1) A prefectural governor may delegate the authority to take measures or implementation of children's self-reliant living assistance set forth in Article 27, paragraph (1) or (2), in whole or in part, to the director of a child guidance center.

2 都道府県知事又は市町村長は、第二十一条の六の措置を採る権限又は助産の実施若しくは母子保護の実施の権限、第二十三条第一項ただし書に規定する保護の権限並びに第二十四条の二から第二十四条の七まで及び第二十四条の二十の規定による権限の全部又は一部を、それぞれその管理する福祉事務所の長に委任することができる。

(2) A prefectural governor or a mayor of municipality may delegate the authority to take measures set forth in Article 21-6 or the authority of the Midwifery Care Practice or the Maternal and Child Assistance Practice, or the authority of the assistance provided in the proviso of Article 23, paragraph (1), and the authority pursuant to the provisions of Articles 24-2 through 24-7 and Article 24-20, in whole or in part, to the head of a welfare office under the management of the prefectural governor or mayor of municipality.

3 市町村長は、保育所における保育を行うことの権限並びに第二十四条第三項の規定による調整及び要請、同条第四項の規定による勧奨及び支援並びに同条第五項又は第六項の規定による措置に関する権限の全部又は一部を、その管理する福祉事務所の長又は当該市町村に置かれる教育委員会に委任することができる。

(3) A mayor of municipality may delegate the authority of the daycare practice in nursery center and the coordination and request pursuant to the provisions of Article 24, paragraph (3), recommendation pursuant to the provisions of paragraph (4) of the relevant Article and the authority related to the measure pursuant to the provisions of paragraph (5) or (6) in the same Article in whole or in part, to the head of the welfare office under the management of the municipality or to the board of education set up in the relevant municipality.

第三十三条 児童相談所長は、必要があると認めるときは、第二十六条第一項の措置を採るに至るまで、児童の安全を迅速に確保し適切な保護を図るため、又は児童の心身の状況、その置かれている環境その他の状況を把握するため、児童の一時保護を行い、又は適当な者に委託して、当該一時保護を行わせることができる。

Article 33 (1) When a director of a child guidance center finds it necessary, the director may take temporary custody of a child, or entrust an appropriate person to do so until a measure set forth in Article 26, paragraph (1) is taken in order to secure the child's safety promptly and take appropriate custody or to understand their mental and physical conditions, the circumstances in which the child is placed and other conditions.

2 都道府県知事は、必要があると認めるときは、第二十七条第一項又は第二項の措置（第二十八条第四項の規定による勧告を受けて採る指導措置を除く。）を採るに至るまで、児童の安全を迅速に確保し適切な保護を図るため、又は児童の心身の状況、その置かれている環境その他の状況を把握するため、児童相談所長をして、児童の一時保護を行わせ、又は適当な者に当該一時保護を行うことを委託させることができる。

(2) If a prefectural governor finds it necessary, the governor may have the director of a child guidance center take temporary custody of a child or entrust an appropriate person to do so until a measure set forth in Article 26, paragraph (1) is taken in order to secure the child's safety promptly and take appropriate custody or to understand the child's mental and physical conditions, the circumstances in which they are placed and other conditions.

3 前二項の規定による一時保護の期間は、当該一時保護を開始した日から二月を超えてはならない。

(3) The period for temporary custody pursuant to the preceding two paragraphs must not exceed two months from the date of commencement of relevant temporary custody.

4 前項の規定にかかわらず、児童相談所長又は都道府県知事は、必要があると認めるときは、引き続き第一項又は第二項の規定による一時保護を行うことができる。

(4) Notwithstanding the provisions of the preceding paragraph, a director of a child guidance center or a prefectural governor may, when the director finds it necessary, continue the temporary custody pursuant to the provisions of paragraph (1) or (2).

5 前項の規定により引き続き一時保護を行うことが当該児童の親権を行う者又は未成年後見人の意に反する場合においては、児童相談所長又は都道府県知事が引き続き一時保護を行おうとするとき、及び引き続き一時保護を行つた後二月を超えて引き続き一時保護を行おうとするときごとに、児童相談所長又は都道府県知事は、家庭裁判所の承認を得なければならない。ただし、当該児童に係る第二十八条第一項第一号若しくは第二号ただし書の承認の申立て又は当該児童の親権者に係る第三十三条の七の規定による親権喪失若しくは親権停止の審判の請求若しくは当該児童の未成年後見人に係る第三十三条の九の規定による未成年後見人の解任の請求がされている場合は、この限りでない。

(5) When continuing temporary custody of a child pursuant to the provisions of the preceding paragraph is contrary to the intention of a person who has parental authority or a custodian of a minor for the relevant child, and the director of a child guidance center or a prefectural governor intends to continue

taking temporary custody of the relevant child or intends to do so two months or more after continuing the temporary custody, the director of a child guidance center or a prefectural governor must obtain approval of the family court; provided, however, that this does not include in the case where application for approval of proviso of Article 28, paragraph (1), item (i) or (ii) or a request for a trial for loss of parental authority pursuant to the provisions of Article 33-7 or suspension of parental authority pursuant to the provisions of Article 33-7 pertaining to the relevant child or request for dismissal of a custodian of a minor pursuant to the provisions of Article 33-9 pertaining to the custodian of a minor of the relevant child is made.

6 児童相談所長又は都道府県知事は、前項本文の規定による引き続いての一時保護に係る承認の申立てをした場合において、やむを得ない事情があるときは、一時保護を開始した日から二月を経過した後又は同項の規定により引き続き一時保護を行つた後二月を経過した後も、当該申立てに対する審判が確定するまでの間、引き続き一時保護を行うことができる。ただし、当該申立てを却下する審判があつた場合は、当該審判の結果を考慮してもなお引き続き一時保護を行う必要があると認めるときに限る。

(6) When there are any inevitable circumstances in the case where an application for approval pertaining to continuing temporary custody of a child pursuant to the provisions of the preceding paragraph by the director of a child guidance center or a prefectural governor is made, two months after the commencement of temporary custody or even after two months or more after continuing the temporary custody pursuant to the provisions of the same paragraph, the director of a child guidance center or the prefectural government may continue to take the relevant temporary custody until a decision for relevant application becomes final and binding; provided, however, that the same is limited to the cases where, if a decision to dismiss the relevant application is made, it is found still necessary to take relevant temporary custody after considering the result of the relevant decision.

7 前項本文の規定により引き続き一時保護を行つた場合において、第五項本文の規定による引き続いての一時保護に係る承認の申立てに対する審判が確定した場合における同項の規定の適用については、同項中「引き続き一時保護を行おうとするとき、及び引き続き一時保護を行つた」とあるのは、「引き続いての一時保護に係る承認の申立てに対する審判が確定した」とする。

(7) In the case where the relevant temporary custody continued to be taken, with regard to application of the case where the decision for application of approval pertaining continuous temporary custody pursuant to the provisions of the text of the paragraph (5) becomes final and binding, the term "in case of intending to continue taking temporary custody, or continued taking temporary custody" is replaced with "the decision for application for approval pertaining continuous temporary custody becomes final and binding".

8 児童相談所長は、特に必要があると認めるときは、第一項の規定により一時保護が

行われた児童については満二十歳に達するまでの間、次に掲げる措置を採るに至るまで、引き続き一時保護を行い、又は一時保護を行わせることができる。

(8) When a director of a child guidance center finds it necessary, with regard to a child for whom temporary custody has been taken, until the child attains the age of 20, and the following measures are taken, the director may continue taking temporary custody or be entrusted with temporary custody.

一 第三十一条第四項の規定による措置を要すると認める者は、これを都道府県知事に報告すること。

(i) a person who require measures to be taken pursuant to the provisions of Article 31, paragraph (4), is reported to the prefectural governor.

二 児童自立生活援助の実施が適当であると認める満二十歳未満義務教育終了児童等は、これをその実施に係る都道府県知事に報告すること。

(ii) children, etc. having terminated compulsory education under the age of 20 for whom find it appropriate to implement children's self-reliant living assistance services is to report this to the prefectural governor about the relevant implementation.

9 都道府県知事は、特に必要があると認めるときは、第二項の規定により一時保護が行われた児童については満二十歳に達するまでの間、第三十一条第四項の規定による措置（第二十八条第四項の規定による勧告を受けて採る指導措置を除く。第十一項において同じ。）を採るに至るまで、児童相談所長をして、引き続き一時保護を行わせ、又は一時保護を行うことを委託させることができる。

(9) When the prefectural governor finds it particularly necessary, the prefectural governor may have the director of a child guidance center continue taking temporary custody or be entrusted with, regarding a child for whom temporary custody has been taken, until the child attains the age of 20, and the following measures pursuant to the provisions of Article 31, paragraph (4) (excluding the measures of guidance taken after receiving recommendation pursuant to Article 28, paragraph (4); the same applies to paragraph (11)) are taken

10 児童相談所長は、特に必要があると認めるときは、第八項各号に掲げる措置を採るに至るまで、保護延長者（児童以外の満二十歳に満たない者のうち、次の各号のいずれかに該当するものをいう。以下この項及び次項において同じ。）の安全を迅速に確保し適切な保護を図るため、又は保護延長者の心身の状況、その置かれている環境その他の状況を把握するため、保護延長者の一時保護を行い、又は適当な者に委託して、当該一時保護を行わせることができる。

(10) When the director of a child guidance center finds it necessary, the director may take temporary custody of a person requiring extended assistance (which refers to the person who has not attained 20 years old who falls under any of the following items; the same applies to this paragraph and the following paragraph) or entrust an appropriate person to do so until a measure set forth in Article 26, paragraph (1) is taken in order to secure the persons safety promptly and take appropriate custody or to understand their mental and

physical conditions, the circumstances in which the person is placed and other conditions.

一 満十八歳に満たないときにされた措置に関する承認の申立てに係る児童であつた者であつて、当該申立てに対する審判が確定していないもの又は当該申立てに対する承認の審判がなされた後において第二十八条第一項第一号若しくは第二号ただし書若しくは第二項ただし書の規定による措置が採られていないもの

(i) a person who is a child pertaining to application of approval concerning the measures taken when the child has not attained 18 years old, and for whom the relevant application the decision has not become final and binding, and for whom the measures set forth in Article 28, paragraph (1), item (i) or paragraph (2) proviso or pursuant to the provisions of paragraph (2) have not been taken after the decision for approval of the relevant application becomes final and binding.

二 第三十一条第二項から第四項までの規定による措置が採られている者（前号に掲げる者を除く。）

(ii) a person for whom the measures pursuant of the provisions paragraphs (2) through (4) of Article 31 have been taken (excluding the person listed in the preceding item)

1 1 都道府県知事は、特に必要があると認めるときは、第三十一条第四項の規定による措置を採るに至るまで、保護延長者の安全を迅速に確保し適切な保護を図るため、又は保護延長者の心身の状況、その置かれている環境その他の状況を把握するため、児童相談所長をして、保護延長者の一時保護を行わせ、又は適当な者に当該一時保護を行うことを委託させることができる。

(11) When the prefectural governor finds it necessary, the prefectural governor may have the director of a child guidance center to take temporary custody of a person requiring extended assistance or to entrust an appropriate person to do so until a measure set forth in Article 31, paragraph (4) is taken in order to secure the person's safety promptly and take appropriate custody or to understand their mental and physical conditions, the circumstances in which the person is placed and other conditions.

1 2 第八項から前項までの規定による一時保護は、この法律の適用については、第一項又は第二項の規定による一時保護とみなす。

(12) The temporary custody pursuant to the provisions of paragraph (8) to the preceding paragraph is deemed as the one pursuant to the provisions of paragraph (1) or (2) with regard to application of this Act.

第三十三条の二 児童相談所長は、一時保護が行われた児童で親権を行う者又は未成年後見人のないものに対し、親権を行う者又は未成年後見人があるに至るまでの間、親権を行う。ただし、民法第七百九十七条の規定による縁組の承諾をするには、厚生労働省令の定めるところにより、都道府県知事の許可を得なければならない。

Article 33-2 (1) The director of a child guidance center must exercise parental

authority over a child for whom temporary custody was taken there and having neither a person who has parental authority nor a custodian of a minor until the child comes to have either a person who has parental authority or a custodian of a minor; provided, however, that permission from the prefectural governor must be obtained pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare when accepting adoption pursuant to the provisions of Article 797 of the Civil Code.

2 児童相談所長は、一時保護が行われた児童で親権を行う者又は未成年後見人のあるものについても、監護、教育及び懲戒に関し、その児童の福祉のため必要な措置を採ることができる。ただし、体罰を加えることはできない。

(2) The director of a child guidance center may take temporary custody for a child having neither a person who has parental authority nor a custodian of a minor and take measures necessary for welfare of the child with regard to the child's custody, education, and disciplinary action; provided, however, that corporal punishment can not be used.

3 前項の児童の親権を行う者又は未成年後見人は、同項の規定による措置を不当に妨げてはならない。

(3) The person who has parental authority or the custodian of a minor in the preceding paragraph may not unreasonably interfere with the measures pursuant to the preceding paragraph.

4 第二項の規定による措置は、児童の生命又は身体の安全を確保するため緊急の必要があると認めるときは、その親権を行う者又は未成年後見人の意に反しても、これをとることができる。

(4) When there is an urgent necessity to secure safety of the child's life and body, the measures pursuant to the provisions of paragraph (2) may be taken even against the will of the person who has parental authority or the custodian of a minor.

第三十三条の二の二 児童相談所長は、一時保護が行われた児童の所持する物であつて、一時保護中本人に所持させることが児童の福祉を損なうおそれがあるものを保管することができる。

Article 33-2-2 (1) The director of a child guidance center may retain items possessed by a child under temporary custody, if the director's own possessions during such temporary custody is likely to be harmful to welfare of the child.

2 児童相談所長は、前項の規定により保管する物で、腐敗し、若しくは滅失するおそれがあるもの又は保管に著しく不便なものは、これを売却してその代価を保管することができる。

(2) If the items retained pursuant to the provisions of the preceding paragraph are likely to decay or get lost or it is extremely difficult to retain them, the director of a child guidance center may sell those items and retain their proceeds.

3 児童相談所長は、前二項の規定により保管する物について当該児童以外の者が返還請求権を有することが明らかな場合には、これをその権利者に返還しなければならない。

(3) In the case where it is obvious that a person other than the referenced child has the right to demand restitution with regard to the things retained pursuant to the provisions of the preceding two paragraphs, the director of a child guidance center must return those items to such a right holder.

4 児童相談所長は、前項に規定する返還請求権を有する者を知ることができないとき、又はその者の所在を知ることができないときは、返還請求権を有する者は、六月以内に申し出るべき旨を公告しなければならない。

(4) When the director of a child guidance center is unable to find out the person who has the right to demand restitution prescribed in the preceding paragraph or their address, the director of a child guidance center must give public notice to request the right holder to come forward within 6 months.

5 前項の期間内に同項の申出がないときは、その物は、当該児童相談所を設置した都道府県に帰属する。

(5) In the case where nobody comes forward as prescribed in the preceding paragraph within the period set forth in the same paragraph, the referenced items are to belong to the prefectural government establishing the referenced child guidance center.

6 児童相談所長は、一時保護を解除するときは、第三項の規定により返還する物を除き、その保管する物を当該児童に返還しなければならない。この場合において、当該児童に交付することが児童の福祉のため不適當であると認めるときは、これをその保護者に交付することができる。

(6) When a temporary custody is cancelled, the director of a child guidance center must return the items retained by them to the referenced child, excluding those returned pursuant to the provisions of paragraph (3). In this case, the items to be returned may be delivered to the custodian of the child, when the director of a child guidance center finds inappropriate for welfare of the child to deliver them to the relevant child.

7 第一項の規定による保管、第二項の規定による売却及び第四項の規定による公告に要する費用は、その物の返還を受ける者があるときは、その者の負担とする。

(7) Expenses spent for retaining the things pursuant to the provisions of paragraph (1), sale thereof pursuant to the provisions of paragraph (2) and public notice pursuant to the provisions of paragraph (4) are borne by the person receiving them, if any.

第三十三条の三 児童相談所長は、一時保護が行われている間に児童が逃走し、又は死亡した場合において、遺留物があるときは、これを保管し、かつ、前条第三項の規定により権利者に返還しなければならない物を除き、これを当該児童の保護者若しくは親族又は相続人に交付しなければならない。

Article 33-3 (1) In the case where a child under temporary custody escapes or dies, when there are any articles left behind, the director of a child guidance center must retain and deliver them to the relevant child's custodian or relative or their heir, excluding the things to be returned to their right holders pursuant to the provisions of paragraph (3) of the preceding Article.

2 前条第二項、第四項、第五項及び第七項の規定は、前項の場合に、これを準用する。

(2) The provisions of paragraphs (2), (4), (5) and (7) of the preceding Article apply mutatis mutandis to the case referred to in the preceding paragraph.

第三十三条の四 都道府県知事、市町村長、福祉事務所長又は児童相談所長は、次の各号に掲げる措置又は助産の実施、母子保護の実施若しくは児童自立生活援助の実施を解除する場合には、あらかじめ、当該各号に定める者に対し、当該措置又は助産の実施、母子保護の実施若しくは児童自立生活援助の実施の解除の理由について説明するとともに、その意見を聴かななければならない。ただし、当該各号に定める者から当該措置又は助産の実施、母子保護の実施若しくは児童自立生活援助の実施の解除の申出があつた場合その他厚生労働省令で定める場合においては、この限りでない。

Article 33-4 In the case of cancellation of a measure or midwifery practice, maternal and child assistance practice or implementation of children's self-reliant living assistance services listed in any of the following items, the prefectural governor, the mayor of municipality, the welfare office's director or the director of a child guidance center, in advance, must explain the reason for such cancellation of the relevant measure or midwifery practice, maternal and child assistance practice or implementation of children's self-reliant living assistance services to the person prescribed in the referenced item and hear the person's opinion; provided, however, that this does not apply in the case where the person specified in each item for whom the measure was implemented has requested the cancellation of such measure or midwifery practice, maternal and child assistance practice or children's self-reliant living assistance services, or in any other cases specified by Order of the Ministry of Health, Labour and Welfare.

一 第二十一条の六、第二十四条第五項及び第六項、第二十五条の七第一項第二号、第二十五条の八第二号、第二十六条第一項第二号並びに第二十七条第一項第二号の措置 当該措置に係る児童の保護者

(i) measures set forth in Article 21-6, Article 24, paragraphs (5) and (6), Article 25-7, paragraph (1), item (ii), Article 25-8, item (ii), Article 26, paragraph (1), item (ii), and Article 27, paragraph (1), item (ii): The custodian of the child pertaining to the relevant measure;

二 助産の実施 当該助産の実施に係る妊産婦

(ii) the midwifery care practice: the expectant and nursing mother pertaining to the referenced midwifery care practice;

三 母子保護の実施 当該母子保護の実施に係る児童の保護者

(iii) the maternal and child assistance practice and the daycare practice: the custodian of the child pertaining to the referenced maternal and child assistance practice or daycare practice; or

四 第二十七条第一項第三号及び第二項の措置 当該措置に係る児童の親権を行う者又はその未成年後見人

(iv) measures set forth in paragraph (1), item (iii) and Article 27, paragraph (2): the person who has parental authority over, or the custodian of a minor of, the child pertaining to the referenced measure.

五 児童自立生活援助の実施 当該児童自立生活援助の実施に係る満二十歳未満義務教育終了児童等又は満二十歳以上義務教育終了児童等

(v) implementation of children's self-reliant living assistance services children, etc. having terminated compulsory education under the age of 20 pertaining to the relevant children's self-reliant living assistance services or children, etc. having terminated compulsory education over the age of 20.

第三十三条の五 第二十一条の六、第二十四条第五項若しくは第六項、第二十五条の七第一項第二号、第二十五条の八第二号、第二十六条第一項第二号若しくは第二十七条第一項第二号若しくは第三号若しくは第二項の措置を解除する処分又は助産の実施、母子保護の実施若しくは児童自立生活援助の実施の解除については、行政手続法第三章（第十二条及び第十四条を除く。）の規定は、適用しない。

Article 33-5 The provisions of Chapter 3 of the Administrative Procedure Act (excluding Articles 12 and 14) do not apply when imposing the cancellation of a measure set forth in Article 21-6, Article 24, paragraph (5) or (6), Article 25-7, paragraph (1), item (ii), Article 25-8, item (ii), Article 26, paragraph (1), item (ii) or Article 27, paragraph (1), item (ii) or (iii), or Article 27, paragraph (1), item (ii) or (iii) or paragraph (2) or (7) or canceling midwifery practice, maternal and child assistance practice or implementation of children's self-reliant living assistance services.

第三十三条の六 都道府県は、その区域内における満二十歳未満義務教育終了児童等の自立を図るため必要がある場合において、その満二十歳未満義務教育終了児童等から申込みがあつたときは、自ら又は児童自立生活援助事業を行う者（都道府県を除く。次項において同じ。）に委託して、その満二十歳未満義務教育終了児童等に対し、厚生労働省令で定めるところにより、児童自立生活援助を行わなければならない。ただし、やむを得ない事由があるときは、その他の適切な援助を行わなければならない。

Article 33-6 (1) A prefecture, in the case of application by children, etc. having terminated compulsory education under the age of 20, pursuing their independence, must provide children's self-reliant living assistance pursuant to the provisions of Order of Ministry of Health, Labour and Welfare by itself or entrusting to a person who provide children's self-reliant living assistance services (excluding prefectures; the same applies to the following paragraph) to

the children, etc. having terminated compulsory education under the age of 20; provided, however, that in the case where there are unavoidable reasons, other appropriate aid must be provided

2 満二十歳未満義務教育終了児童等であつて児童自立生活援助の実施を希望するものは、厚生労働省令の定めるところにより、入居を希望する住居その他厚生労働省令の定める事項を記載した申込書を都道府県に提出しなければならない。この場合において、児童自立生活援助事業を行う者は、厚生労働省令の定めるところにより、満二十歳未満義務教育終了児童等の依頼を受けて、当該申込書の提出を代わつて行うことができる。

(2) A person such as a child, etc. having terminated compulsory education under the age of 20 and wishing provision of children's self-reliant living assistance services must submit a written application stating the residence in which the person desires to stay, and other particulars specified by Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. In this case, a person who provides the child's self-reliant living assistance services may submit the relevant written application in lieu of the child, etc. having terminated compulsory education under the age of 20, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 都道府県は、満二十歳未満義務教育終了児童等が特別な事情により当該都道府県の区域外の住居への入居を希望するときは、当該住居への入居について必要な連絡及び調整を図らなければならない。

(3) A prefecture, if a child, etc. having terminated compulsory education under the age of 20 desires to stay the residence in the area of the prefecture other than the relevant prefecture due to special circumstances, conduct liaison and coordination necessary to move into the relevant residence.

4 都道府県は、第二十五条の七第一項第三号若しくは第二項第四号、第二十五条の八第四号若しくは第二十六条第一項第六号の規定による報告を受けた児童又は第三十三条第八項第二号の規定による報告を受けた満二十歳未満義務教育終了児童等について、必要があると認めるときは、これらの者に対し、児童自立生活援助の実施の申込みを勧奨しなければならない。

(4) A prefecture, if it is found to be necessary for the children for whom the prefecture received report pursuant to the provisions of Article 25-7, paragraph (1), item (iii) or paragraph (2), item (iv), Article 25-8, item (iv) or Article 26, paragraph (1), item (vi) or the children, etc. having terminated compulsory education under the age of 20 whom it received report pursuant to the provisions of Article 33, paragraph (8), item (ii), the prefecture must recommend such children to apply for implementation of children's self-reliant living assistance services.

5 都道府県は、満二十歳未満義務教育終了児童等の住居の選択及び児童自立生活援助事業の適正な運営の確保に資するため、厚生労働省令の定めるところにより、その区

域内における児童自立生活援助事業を行う者、当該事業の運営の状況その他の厚生労働省令の定める事項に関し情報の提供を行わなければならない。

(5) A prefecture, for the purpose of contributing to selection of residence and securing of appropriate operation of children's self-reliant living assistance services for the children, etc. having terminated compulsory education under the age of 20, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, must provide information with regard to a person who provides children's self-reliant living assistance services within the area, the status of operation of the relevant services and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

6 第一項から第三項まで及び前項の規定は、満二十歳以上義務教育終了児童等について準用する。この場合において、第一項中「行わなければならない。ただし、やむを得ない事由があるときは、その他の適切な援助を行わなければならない」とあるのは「行うよう努めなければならない」と、第三項中「図らなければならない」とあるのは「図るよう努めなければならない」と読み替えるものとする。

(6) The provisions of paragraphs (1) through (3) and the preceding paragraph apply mutatis mutandis to children, etc. having terminated compulsory education over the age of 20. In this case, "must conduct; provided, however, that due to unavoidable reason, must provide other appropriate assistance." must be replaced with "must endeavor to conduct.", "must seek to" with "must endeavor to seek to".

第三十三条の六の二 児童相談所長は、児童について、家庭裁判所に対し、養親としての適格性を有する者との間における特別養子縁組について、家事事件手続法（平成二十三年法律第五十二号）第百六十四条第二項に規定する特別養子適格の確認を請求することができる。

Article 33-6-2 (1) A director of a child guidance center may request confirmation of eligibility of special adoption specified in Article 164, paragraph (2) of Domestic Relations Case Procedure Act (Act No.52 of 2011), to the family court, with regard to special adoption between a child and a person who is eligible for adoptive parent.

2 児童相談所長は、前項の規定による請求に係る児童について、特別養子縁組によつて養親となることを希望する者が現に存しないときは、養子縁組里親その他の適当な者に対し、当該児童に係る民法第八百七条の二第一項に規定する請求を行うことを勧奨するよう努めるものとする。

(2) A director of a child guidance center, in the case where there is actually no person who desires to become their adoptive parent under an adoption arrangement, for a child pertaining to the request pursuant to the provisions of the preceding paragraph, the director must endeavor to make a request pursuant to the provisions of Article 817-2, paragraph (1) of Civil Code pertaining to the relevant child, to persons appropriate for foster parents for

adoption or others.

第三十三条の六の三 児童相談所長は、児童に係る特別養子適格の確認の審判事件（家事事件手続法第三条の五に規定する特別養子適格の確認の審判事件をいう。）の手續に参加することができる。

Article 33-6-3 (1) A director of a child guidance center may participate in the procedures of adjudication case to confirm eligibility for special adoption pertaining to a child (referring to adjudication case to confirm eligibility for special adoption specified in Article 3-5 of Domestic Relations Case Procedure Act.

2 前項の規定により手續に参加する児童相談所長は、家事事件手続法第四十二条第七項に規定する利害関係参加人とみなす。

(2) The director of a child guidance center who participates in the procedures pursuant to the provisions of the preceding paragraph is deemed as an interested person specified in Article 42, paragraph (7) of Domestic Relations Case Procedure Act.

第三十三条の七 児童等の親権者に係る民法第八百三十四条本文、第八百三十四条の二第一項、第八百三十五条又は第八百三十六条の規定による親権喪失、親権停止若しくは管理権喪失の審判の請求又はこれらの審判の取消しの請求は、これらの規定に定める者のほか、児童相談所長も、これを行うことができる。

Article 33-7 A director of a child guidance center may conduct loss of parental authority or request for a trial for suspension of parental authority or loss of right of administration of property or request for recession of these trials pursuant to the text of Article 834, Article 834-2, paragraph (1), Article 835 or the provisions of Article 836 of Civil Code pertaining to the parent of a child, beyond the persons specified in these provisions.

第三十三条の八 児童相談所長は、親権を行う者のない児童等について、その福祉のため必要があるときは、家庭裁判所に対し未成年後見人の選任を請求しなければならない。

Article 33-8 (1) A director of a child guidance center must request, with regard to the children who have no person to exercises parental authority, etc. if it is found to be necessary for their welfare, request selection of a custodian of a minor to the family court.

2 児童相談所長は、前項の規定による未成年後見人の選任の請求に係る児童等（小規模住居型児童養育事業を行う者若しくは里親に委託中若しくは児童福祉施設に入所中の児童等又は一時保護中の児童を除く。）に対し、親権を行う者又は未成年後見人があるに至るまでの間、親権を行う。ただし、民法第七百九十七条の規定による縁組の承諾をするには、厚生労働省令の定めるところにより、都道府県知事の許可を得なければならない。

(2) A director of a child guidance center must exercise parental authority over a child admitted there and having neither a person who has parental authority nor a custodian of a minor until the child comes to have either a person who has parental authority or a custodian of a minor (excluding the person who operate small scale foster home services, or a child entrusted to a foster parent or a child admitted in a child welfare institution or a child under temporary custody.); provided, however, that permission from the prefectural governor is obtained pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare when accepting adoption pursuant to the provisions of Article 797 of the Civil Code.

第三十三条の九 児童等の未成年後見人に、不正な行為、著しい不行跡その他後見の任務に適しない事由があるときは、民法第八百四十六条の規定による未成年後見人の解任の請求は、同条に定める者のほか、児童相談所長も、これを行うことができる。

Article 33-9 When the custodian of a minor for a child, etc. causes a wrongful act, an extreme misbehavior, or any other reason inadequate for custodianship, a request for dismissal of the custodian of a minor pursuant to the provisions of Article 846 of the Civil Code may be made by the director of a child guidance center, beyond the persons prescribed in the same Article.

第三十三条の九の二 国は、要保護児童の保護に係る事例の分析その他要保護児童の健全な育成に資する調査及び研究を推進するものとする。

Article 33-9-2 The national government must endeavor to promote surveys and research to contribute to the sound upbringing of aid-requiring child including analysis of the cases pertaining to aid for aid-requiring child and others.

第七節 被措置児童等虐待の防止等

Section 7 Prevention of Abuse of Children for Whom Admission Measures Are Taken

第三十三条の十 この法律で、被措置児童等虐待とは、小規模住居型児童養育事業に従事する者、里親若しくはその同居人、乳児院、児童養護施設、障害児入所施設、児童心理治療施設若しくは児童自立支援施設の長、その職員その他の従業者、指定発達支援医療機関の管理者その他の従業者、第十二条の四に規定する児童を一時保護する施設を設けている児童相談所の所長、当該施設の職員その他の従業者又は第三十三条第一項若しくは第二項の委託を受けて児童の一時保護を行う業務に従事する者（以下「施設職員等」と総称する。）が、委託された児童、入所する児童又は一時保護が行われた児童（以下「被措置児童等」という。）について行う次に掲げる行為をいう。

Article 33-10 The term "abuse of children for whom admission measures are taken, etc." as used in this Act means the following acts committed by a person engaged in small scale foster home services, a foster parent or a person living

together, the head of an infant home, a foster home, a facility for children with disabilities, a psychological treatment facility for children or a children's self-reliance support facility and their staff or other employees, the manager and other employees of designated developmental support medical institution the director of a child guidance center who establishes an institution to take temporary custody for children specified in Article 12-4, the staff of the relevant institution and other employees or a person engaged in the duties to take temporary custody of children by receiving entrustment of Article 33, paragraphs (1) and (2) (herein after collectively referred to as "institution staff, etc.") to a child to be admitted or a child under temporary custody (hereinafter referred to as "a child for whom admission measures are taken, etc.")

一 被措置児童等の身体に外傷が生じ、又は生じるおそれのある暴行を加えること。

(i) assaulting the child for whom admission measures are taken, etc. in a manner that will cause or is likely to cause external injury on the body of the child;

二 被措置児童等にわいせつな行為をすること又は被措置児童等をしてわいせつな行為をさせること。

(ii) engaging in indecent acts against the child for whom admission measures are taken, etc. or cause the child for whom admission measures are taken, etc. to engage in indecent acts;

三 被措置児童等の心身の正常な発達を妨げるような著しい減食又は長時間の放置、同居人若しくは生活を共にする他の児童による前二号又は次号に掲げる行為の放置その他の施設職員等としての養育又は業務を著しく怠ること。

(iii) substantially reducing the amount of food for the child for whom admission measures are taken, etc. or abandon and neglect the child for whom admission measures are taken, etc. for a long time period in a manner that may interfere with normal development of the child mentally or physically, or leaving a person living together other than the custodian to commit any act that is equivalent to those listed in the preceding two items or the following item, or otherwise materially failing to perform the duty of custody as a custodian; or

四 被措置児童等に対する著しい暴言又は著しく拒絶的な対応その他の被措置児童等に著しい心理的外傷を与える言動を行うこと。

(iv) using significantly violent language or take an extreme attitude of rejection against the child for whom admission measures are taken, etc., or otherwise speaking or behaving in a manner that would be significantly traumatic to the child for whom admission measures are taken, etc.

第三十三条の十一 施設職員等は、被措置児童等虐待その他被措置児童等の心身に有害な影響を及ぼす行為をしてはならない。

Article 33-11 Institutional staff, etc. must not abuse a child for whom admission

measures are taken, etc. and take any other actions that have a mentally and physically harmful effect on a child for whom admission measures are taken, etc.

第三十三条の十二 被措置児童等虐待を受けたと思われる児童を発見した者は、速やかに、これを都道府県の設置する福祉事務所、児童相談所、第三十三条の十四第一項若しくは第二項に規定する措置を講ずる権限を有する都道府県の行政機関（以下この節において「都道府県の行政機関」という。）、都道府県児童福祉審議会若しくは市町村又は児童委員を介して、都道府県の設置する福祉事務所、児童相談所、都道府県の行政機関、都道府県児童福祉審議会若しくは市町村に通告しなければならない。

Article 33-12 (1) A person who found a child who seems to suffer from abuse of a child for whom admission measures are taken, etc. must promptly notify this to the welfare office established by the prefecture, the child guidance center, the prefectural administrative organ, the prefectural child welfare council or the municipality through the welfare office established by the prefecture, the child guidance center, the prefectural administrative organ that have the authority to take the measures prescribed in article 33-14, paragraph (1) or paragraph (2) (hereinafter referred to as the "prefectural administrative organ" in this section), the prefectural child welfare council or the municipality, or the commissioned child welfare volunteer.

2 被措置児童等虐待を受けたと思われる児童を発見した者は、当該被措置児童等虐待を受けたと思われる児童が、児童虐待を受けたと思われる児童にも該当する場合において、前項の規定による通告をしたときは、児童虐待の防止等に関する法律第六条第一項の規定による通告をすることを要しない。

(2) A person who found a child who seems to suffer from abuse of a child for whom admission measures are taken, etc., if the child who seems to suffer from the relevant abuse of a child for whom admission measures are taken, etc., also falls under the category of a child who seems to suffer from child abuse and has given a report pursuant to the provisions of the preceding paragraph, is not required to give a report pursuant to the provisions of Article 6, paragraph (1) of Child Abuse Prevention and Treatment Act.

3 被措置児童等は、被措置児童等虐待を受けたときは、その旨を児童相談所、都道府県の行政機関又は都道府県児童福祉審議会に届け出ることができる。

(3) When a child for whom admission measures are taken, etc. suffers from abuse of a child for whom admission measures are taken, etc., the child for whom admission measures are taken, etc. may notify to that effect to the child guidance center, the prefectural administrative organ or the welfare office established by the prefecture.

4 刑法の秘密漏示罪の規定その他の守秘義務に関する法律の規定は、第一項の規定による通告（虚偽であるもの及び過失によるものを除く。次項において同じ。）をすることを妨げるものと解釈してはならない。

(4) The provisions concerning the crime of unlawful disclosure of confidential information set forth in the Penal Code and provisions in any other Act that provide for confidentiality obligations must not be construed to preclude a report under the paragraph (1) (excluding false reports and reports filed through negligence; the same applies in the following paragraph).

5 施設職員等は、第一項の規定による通告をしたことを理由として、解雇その他不利益な取扱いを受けない。

(5) Institutional staff, etc. is not subject to any unfavorable treatment such as dismissal from the relevant institution on the ground of having made a report under paragraph (1).

第三十三条の十三 都道府県の設置する福祉事務所、児童相談所、都道府県の行政機関、都道府県児童福祉審議会又は市町村が前条第一項の規定による通告又は同条第三項の規定による届出を受けた場合においては、当該通告若しくは届出を受けた都道府県の設置する福祉事務所若しくは児童相談所の所長、所員その他の職員、都道府県の行政機関若しくは市町村の職員、都道府県児童福祉審議会の委員若しくは臨時委員又は当該通告を仲介した児童委員は、その職務上知り得た事項であつて当該通告又は届出をした者を特定させるものを漏らしてはならない。

Article 33-13 When a welfare office established by the prefecture, a child guidance center, a prefectural administrative organ, a prefectural child welfare council or a municipality receives a report pursuant to the provisions of paragraph (1) of the preceding Article or a notification pursuant to the provisions of paragraph (3) of the same Article, the director, employee or other staff of the welfare office established by the prefecture, the official of the prefectural administrative organ or the municipality, the member or the temporary member of the prefectural child welfare council who received the report or the notification, or the commissioned child welfare volunteer who mediated relevant notification, must not divulge any information that comes to their knowledge in the course of their duties and that may identify the person who made the notification.

第三十三条の十四 都道府県は、第三十三条の十二第一項の規定による通告、同条第三項の規定による届出若しくは第三項若しくは次条第一項の規定による通知を受けたとき又は相談に応じた児童について必要があると認めるときは、速やかに、当該被措置児童等の状況の把握その他当該通告、届出、通知又は相談に係る事実について確認するための措置を講ずるものとする。

Article 33-14 (1) When a prefecture receives a report pursuant to the provisions of Article 33-12, paragraph (1), a notification pursuant to the provisions of paragraph (3) of the same Article or a notice pursuant to the provisions of paragraph (3) or paragraph (1) of the following Article, or when it is found necessary for the child who consulted with the prefecture, the prefecture is to

promptly take measures to grasp the status of the child for whom admission measures are taken, etc. and to confirm the fact related to the relevant report, notification, notice or consultation.

2 都道府県は、前項に規定する措置を講じた場合において、必要があると認めるときは、小規模住居型児童養育事業、里親、乳児院、児童養護施設、障害児入所施設、児童心理治療施設、児童自立支援施設、指定発達支援医療機関、第十二条の四に規定する児童を一時保護する施設又は第三十三条第一項若しくは第二項の委託を受けて一時保護を行う者における事業若しくは業務の適正な運営又は適切な養育を確保することにより、当該通告、届出、通知又は相談に係る被措置児童等に対する被措置児童等虐待の防止並びに当該被措置児童等及び当該被措置児童等と生活を共にする他の被措置児童等の保護を図るため、適切な措置を講ずるものとする。

(2) If the measures prescribed in the preceding paragraph are taken, a prefectural government, when it is found necessary, is to take appropriate measures to prevent abuse of a child for whom admission measures are taken, etc. for a child for whom admission measures are taken, etc. related to the relevant report, notification, notice or consultation and to protect the child for whom admission measures are taken, etc. and other children for whom admission measures are taken, etc. who live with the child for whom admission measures are taken, etc. by securing small scale foster home services, foster parents, infant home, facilities for children with disabilities, etc., psychological treatment facility for children, designated developmental support medical institutions, institutions for temporary protection of children prescribed in Article 12-4 or services provided by a person who takes temporary custody under the consignment set forth in Article 33, paragraph (1) or paragraph (2) or proper management of services or proper education.

3 都道府県の設置する福祉事務所、児童相談所又は市町村が第三十三条の十二第一項の規定による通告若しくは同条第三項の規定による届出を受けたとき、又は児童虐待の防止等に関する法律に基づく措置を講じた場合において、第一項の措置が必要であると認めるときは、都道府県の設置する福祉事務所の長、児童相談所の所長又は市町村の長は、速やかに、都道府県知事に通知しなければならない。

(3) When a welfare office established by the prefecture, a child guidance center or a municipality receives a report pursuant to the provisions of Article 33-12, paragraph (1) or a notification pursuant to the provisions of paragraph (3) of the same Article or takes the measures based on the Child Abuse Prevention and Treatment Act, and when it is found necessary to take the measures set forth in paragraph (1), the director of the welfare office established by the prefecture, the director of child guidance center or the mayor of municipality must promptly notify the prefectural governor to that effect.

第三十三条の十五 都道府県児童福祉審議会は、第三十三条の十二第一項の規定による通告又は同条第三項の規定による届出を受けたときは、速やかに、その旨を都道府県

知事に通知しなければならない。

Article 33-15 (1) When a prefectural child welfare council receives a report pursuant to the provisions of Article 33-12, paragraph (1) or a notification pursuant to the provisions of paragraph (3) of the same Article, the prefectural child welfare council must promptly notify the prefectural governor to that effect.

2 都道府県知事は、前条第一項又は第二項に規定する措置を講じたときは、速やかに、当該措置の内容、当該被措置児童等の状況その他の厚生労働省令で定める事項を都道府県児童福祉審議会に報告しなければならない。

(2) When a prefectural governor takes the measures prescribed in paragraph (1) or paragraph (2) of the preceding Article, the prefectural governor must promptly report to the prefectural child welfare council about the details of the measures, the status of the child for whom admission measures are taken, etc. and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

3 都道府県児童福祉審議会は、前項の規定による報告を受けたときは、その報告に係る事項について、都道府県知事に対し、意見を述べることができる。

(3) When a prefectural child welfare council receives a report pursuant to the provisions of the preceding paragraph, the prefectural child welfare council may state opinions to the prefectural governor regarding the particulars related to the report.

4 都道府県児童福祉審議会は、前項に規定する事務を遂行するため特に必要があると認めるときは、施設職員等その他の関係者に対し、出席説明及び資料の提出を求めることができる。

(4) A prefectural child welfare council may, when it is found necessary to carry out the affairs prescribed in the preceding paragraph, request institutional staff, etc. and other relevant persons to attend a meeting of the council for explanations and submit materials.

第三十三条の十六 都道府県知事は、毎年度、被措置児童等虐待の状況、被措置児童等虐待があつた場合に講じた措置その他厚生労働省令で定める事項を公表するものとする。

Article 33-16 A prefectural governor, every year, is to announce the status of abuse of a child for whom admission measures are taken, etc., the measures taken in the event of abuse of a child for whom admission measures are taken, etc. and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

第三十三条の十七 国は、被措置児童等虐待の事例の分析を行うとともに、被措置児童等虐待の予防及び早期発見のための方策並びに被措置児童等虐待があつた場合の適切な対応方法に資する事項についての調査及び研究を行うものとする。

Article 33-17 The national government is to analyze the cases of abuse of a child for whom admission measures are taken, etc. and investigate and research the measures for prevention and early detection of abuse of a child for whom admission measures are taken, etc. and the particulars contributing to appropriate measures in the event of abuse of a child for whom admission measures are taken, etc.

第八節 情報公表対象支援の利用に資する情報の報告及び公表

Section 8 Report and Publication of Information That Contributes to the Use of Support for Information Disclosure

第三十三条の十八 指定障害児通所支援事業者及び指定障害児相談支援事業者並びに指定障害児入所施設等の設置者（以下この条において「対象事業者」という。）は、指定通所支援、指定障害児相談支援又は指定入所支援（以下この条において「情報公表対象支援」という。）の提供を開始しようとするとき、その他厚生労働省令で定めるときは、厚生労働省令で定めるところにより、情報公表対象支援情報（その提供する情報公表対象支援の内容及び情報公表対象支援を提供する事業者又は施設の運営状況に関する情報であつて、情報公表対象支援を利用し、又は利用しようとする障害児の保護者が適切かつ円滑に当該情報公表対象支援を利用する機会を確保するために公表されることが適当なものとして厚生労働省令で定めるものをいう。第八項において同じ。）を、当該情報公表対象支援を提供する事業所又は施設の所在地を管轄する都道府県知事に報告しなければならない。

Article 33-18 (1) When a designated operator of outpatient support services for children with disabilities, a designated operator of consultation support services for children with disabilities, and an establisher of a designated admission institution, etc. for children with disabilities (hereinafter referred to as the "designated operator" in this Article) intends to start providing designated outpatient care support, designated consultation support for children with disabilities or designated admission support (hereinafter referred to as the "support for information disclosure" in this Article), or when otherwise specified by Order of the Ministry of Health, Labour and Welfare, the designated operator must report the information on support for information disclosure (refers to the information on the content of the support for information disclosure to be provided and the operational status of the business operator or the institution that provides the support for information disclosure, which is specified by Order of the Ministry of Health, Labour and Welfare as appropriate to be published in order to ensure that a custodian of child with disabilities who uses or intends to use support for information disclosure has an opportunity to use the support for information disclosure properly and smoothly; the same applies in paragraph (8)) to the prefectural governor having jurisdiction over the location of the place of the office or the

institution that provides the relevant "support for information disclosure", in accordance with the provisions of Order of the Ministry of Health, Labour and Welfare

2 都道府県知事は、前項の規定による報告を受けた後、厚生労働省令で定めるところにより、当該報告の内容を公表しなければならない。

(2) A prefectural governor, after receiving the report pursuant to the provisions of the preceding paragraph, must give public notice of the content of the report in accordance with the provisions of Order of the Ministry of Health, Labour and Welfare.

3 都道府県知事は、前項の規定による公表を行うため必要があると認めるときは、第一項の規定による報告が真正であることを確認するのに必要な限度において、当該報告をした対象事業者に対し、当該報告の内容について、調査を行うことができる。

(3) A prefectural governor, when it is found necessary to make a public announcement pursuant to the provisions of the preceding paragraph, may investigate the content of the report for the designated operator who made the report, to the extent necessary to confirm the authenticity of the report under the provisions of paragraph (1).

4 都道府県知事は、対象事業者が第一項の規定による報告をせず、若しくは虚偽の報告をし、又は前項の規定による調査を受けず、若しくは調査を妨げたときは、期間を定めて、当該対象事業者に対し、その報告を行い、若しくはその報告の内容を是正し、又はその調査を受けることを命ずることができる。

(4) If a designated operator does not make a report under the provisions of paragraph (1) or makes a false report, or does not accept an investigation under the provisions of the preceding paragraph or interferes with the investigation, a prefectural governor may order the designated operator to make the report or correct the content of the report, or accept the investigation, by a set deadline.

5 都道府県知事は、指定障害児相談支援事業者に対して前項の規定による処分をしたときは、遅滞なく、その旨をその指定をした市町村長に通知しなければならない。

(5) When a prefectural governor disposes of a designated operator of consultation support services for children with disabilities pursuant to the provisions of the preceding paragraph, the prefectural governor must notify the mayor of municipality who has made the designation to that effect without delay.

6 都道府県知事は、指定障害児通所支援事業者又は指定障害児入所施設の設置者が第四項の規定による命令に従わないときは、当該指定障害児通所支援事業者又は指定障害児入所施設の指定を取り消し、又は期間を定めてその指定の全部若しくは一部の効力を停止することができる。

(6) If a designated operator of outpatient support services for children with disabilities or an establisher of the designated admission institution for children with disabilities, etc. does not comply with the order under the provisions of paragraph (4), the prefectural governor may rescind the

designation of the designated operator of outpatient support services for children with disabilities or the designated admission institution for children with disabilities, or suspend the effect of all or part of the designation for a period of time to be specified.

7 都道府県知事は、指定障害児相談支援事業者が第四項の規定による命令に従わない場合において、当該指定障害児相談支援事業者の指定を取り消し、又は期間を定めてその指定の全部若しくは一部の効力を停止することが適当であると認めるときは、理由を付して、その旨をその指定をした市町村長に通知しなければならない。

(7) When it is found appropriate to rescind the designation of designated operator of consultation support services for children with disabilities, or suspend the effect of all or part of the designation for a period of time to be specified in the case where the designated operator of consultation support services for children with disabilities does not comply with the order under the provisions of paragraph (4), the prefectural governor must provide notice of the effect indicating the reasons to the mayor of municipality who has made the designation.

8 都道府県知事は、情報公表対象支援を利用し、又は利用しようとする障害児の保護者が適切かつ円滑に当該情報公表対象支援を利用する機会の確保に資するため、情報公表対象支援の質及び情報公表対象支援に従事する従業者に関する情報（情報公表対象支援情報に該当するものを除く。）であつて厚生労働省令で定めるものの提供を希望する対象事業者から提供を受けた当該情報について、公表を行うよう配慮するものとする。

(8) A prefectural governor is to consider disclosing the information that is information on the quality of support for information disclosure and information on employees engaged in the support for information disclosure (excluding those that correspond to information on the support for information disclosure) and provided by the designated operator who wishes to receive those specified by Order of the Ministry of Health, Labour and Welfare, in order to ensure that a custodian of a child with disabilities who uses or intends to use the support for information disclosure has an opportunity to use the relevant support for information disclosure properly and smoothly.

第九節 障害児福祉計画

Section 9 Welfare Plan for Children with Disabilities

第三十三条の十九 厚生労働大臣は、障害児通所支援、障害児入所支援及び障害児相談支援（以下この項、次項並びに第三十三条の二十二第一項及び第二項において「障害児通所支援等」という。）の提供体制を整備し、障害児通所支援等の円滑な実施を確保するための基本的な指針（以下この条、次条第一項及び第三十三条の二十二第一項において「基本指針」という。）を定めるものとする。

Article 33-19 (1) The Minister of Health, Labour and Welfare is to develop a

system for providing outpatient care support for children with disabilities, admission support for children with disabilities and consultation support for children with disabilities (hereinafter referred to as the "outpatient care support, etc. for children with disabilities" in this paragraph, the following paragraph, and Article 33-22, paragraph (1) and paragraph (2)) and establish basic guidelines for ensuring smooth implementation of the outpatient care support, etc. for children with disabilities (hereinafter referred to as the "basic guidelines" in this Article, paragraph (1) of the following Article and paragraph (1) of Article 33-22).

2 基本指針においては、次に掲げる事項を定めるものとする。

(2) The basic guidelines are to specify the following particulars.

一 障害児通所支援等の提供体制の確保に関する基本的事項

(i) basic particulars concerning securing a system for providing outpatient support, etc. for children with disabilities;

二 障害児通所支援等の提供体制の確保に係る目標に関する事項

(ii) particulars pertaining to the goals relevant to securing a system for providing outpatient support, etc. for children with disabilities.

三 次条第一項に規定する市町村障害児福祉計画及び第三十三条の二十二第一項に規定する都道府県障害児福祉計画の作成に関する事項

(iii) particulars pertaining to the preparation of a municipal plan for the welfare of children with disabilities set forth in paragraph (1) of the following succeeding Article and the prefectural plan for welfare of children with disabilities set forth in Article 33-22, paragraph (1).

四 その他障害児通所支援等の円滑な実施を確保するために必要な事項

(iv) particulars necessary to ensure the unimpeded implementation of outpatient care support, etc. for children with disabilities.

3 基本指針は、障害者の日常生活及び社会生活を総合的に支援するための法律第八十七条第一項に規定する基本指針と一体のものとして作成することができる。

(3) Basic guidelines may be formulated in an integrated manner with the guidelines prescribed in Article 87, paragraph (1) of the Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities.

4 厚生労働大臣は、基本指針の案を作成し、又は基本指針を変更しようとするときは、あらかじめ、障害児及びその家族その他の関係者の意見を反映させるために必要な措置を講ずるものとする。

(4) When formulating the basic guidelines or when intending to change them, the Minister of Health, Labour and Welfare is to first implement measures necessary to ensure that they reflect the opinions of children with disabilities, their families, and other relevant parties.

5 厚生労働大臣は、障害児の生活の実態、障害児を取り巻く環境の変化その他の事情を勘案して必要があると認めるときは、速やかに基本指針を変更するものとする。

(5) The Minister of Health, Labour and Welfare is to change the basic guidelines without delay if deemed necessary after due consideration of the actual life situations of children with disabilities, etc., changes in the environment of children with disabilities, etc., and other circumstances.

6 厚生労働大臣は、基本指針を定め、又はこれを変更したときは、遅滞なく、これを公表しなければならない。

(6) The Minister of Health, Labour and Welfare must make a public notice without delay when the basic guidelines are established or changed.

第三十三条の二十 市町村は、基本指針に即して、障害児通所支援及び障害児相談支援の提供体制の確保その他障害児通所支援及び障害児相談支援の円滑な実施に関する計画（以下「市町村障害児福祉計画」という。）を定めるものとする。

Article 33-20 (1) The municipality is to formulate a plan for securing a system for providing outpatient support for children with disabilities and consultation support for children with disabilities and for smoothly implementing outpatient support for children with disabilities and consultation support for children with disabilities (hereinafter referred to as the "municipal plan for the welfare of children with disabilities"), in accordance with the basic guidelines.

2 市町村障害児福祉計画においては、次に掲げる事項を定めるものとする。

(2) The following particulars are established in the municipal plan for welfare of children with disabilities.

一 障害児通所支援及び障害児相談支援の提供体制の確保に係る目標に関する事項
(i) particulars regarding to the goals relevant to establishing the systems for providing outpatient support for children with disabilities and consultation support for children with disabilities.

二 各年度における指定通所支援又は指定障害児相談支援の種類ごとの必要な見込量
(ii) expected amount required per year by the type of the designated outpatient support or the designated consultation support for children with disabilities.

3 市町村障害児福祉計画においては、前項各号に掲げるもののほか、次に掲げる事項について定めるよう努めるものとする。

(3) Beyond the particulars set forth in the preceding items, efforts are made to specify the following particulars in the municipal plan for the welfare of children with disabilities.

一 前項第二号の指定通所支援又は指定障害児相談支援の種類ごとの必要な見込量の確保のための方策

(i) policy for securing the estimated required quantities according to the type of the designated outpatient care support or the designated consultation support for children with disabilities, prescribed in item (ii) of the preceding paragraph.

二 前項第二号の指定通所支援又は指定障害児相談支援の提供体制の確保に係る医療機関、教育機関その他の関係機関との連携に関する事項

- (ii) particulars pertaining to coordination with medical institutions, educational institutions and other relevant organizations related to securing a system for providing the designated outpatient care support or the designated consultation support for children with disabilities prescribed in item (ii) of the preceding paragraph.
- 4 市町村障害児福祉計画は、当該市町村の区域における障害児の数及びその障害の状況を勘案して作成されなければならない。
- (4) The municipal plan for the welfare of children with disabilities must be prepared after due consideration of the number of children with disabilities, etc. and the state of their disabilities within the relevant municipality.
- 5 市町村は、当該市町村の区域における障害児の心身の状況、その置かれている環境その他の事情を正確に把握した上で、これらの事情を勘案して、市町村障害児福祉計画を作成するよう努めるものとする。
- (5) The municipality is to endeavor to prepare a municipal plan for the welfare of children with disabilities after accurately confirming and duly considering the mental and physical state of the children with disabilities within the relevant municipality, the environment of the children and other particulars.
- 6 市町村障害児福祉計画は、障害者の日常生活及び社会生活を総合的に支援するための法律第八十八条第一項に規定する市町村障害福祉計画と一体のものとして作成することができる。
- (6) The municipal plan for the welfare of children with disabilities may be established in an integrated manner with the municipal plan for the welfare of persons with disabilities prescribed in Article 88, paragraph (1) of the Act on the Comprehensive Support for the Daily and Social Life of Persons with Disabilities
- 7 市町村障害児福祉計画は、障害者基本法（昭和四十五年法律第八十四号）第十一条第三項に規定する市町村障害者計画、社会福祉法第一百七条第一項に規定する市町村地域福祉計画その他の法律の規定による計画であつて障害児の福祉に関する事項を定めるものと調和が保たれたものでなければならない。
- (7) The municipal plan for the welfare of children with disabilities must be harmonized with the municipal plan for persons with disabilities prescribed in Article 11, paragraph (3) of the Basic Act for Persons with Disabilities (Act No. 84 of 1970), the regional welfare plans prescribed in Article 107, paragraph (1) of the Social Welfare Act, and plans prescribed by other acts specifying particulars pertaining to the welfare of children with disabilities.
- 8 市町村は、市町村障害児福祉計画を定め、又は変更しようとするときは、あらかじめ、住民の意見を反映させるために必要な措置を講ずるよう努めるものとする。
- (8) The municipal government is to endeavor first to take the measures necessary to reflect the opinions of residents when intending to establish or change the municipal plan for welfare of children with disabilities.
- 9 市町村は、障害者の日常生活及び社会生活を総合的に支援するための法律第八十九

条の三第一項に規定する協議会を設置したときは、市町村障害児福祉計画を定め、又は変更しようとする場合において、あらかじめ、当該協議会の意見を聴くよう努めなければならない。

(9) In the event of establishing a council pursuant to Article 89-3, paragraph (1) of the Act on the Comprehensive Support for the Daily and Social Life of Persons with Disabilities, the municipal government must endeavor to hear the opinions of the council before establishing a municipal plan for the welfare of children with disabilities, or making changes thereto.

10 障害者基本法第三十六条第四項の合議制の機関を設置する市町村は、市町村障害児福祉計画を定め、又は変更しようとするときは、あらかじめ、当該機関の意見を聴かなければならない。

(10) A municipality with a council organization prescribed in Article 36, paragraph (4) of the Basic Act for Persons with Disabilities must first consult the council organization before establishing a municipal plan for the welfare of children with disabilities or making changes thereto.

11 市町村は、市町村障害児福祉計画を定め、又は変更しようとするときは、第二項に規定する事項について、あらかじめ、都道府県の意見を聴かなければならない。

(11) The municipality must hear the opinions of the prefecture before establishing a municipal plan for the welfare of children with disabilities or making changes thereto.

12 市町村は、市町村障害児福祉計画を定め、又は変更したときは、遅滞なく、これを都道府県知事に提出しなければならない。

(12) After establishing or changing a municipal plan for the welfare of children with disabilities, the municipality must submit the plan to the prefectural governor without delay.

第三十三条の二十一 市町村は、定期的に、前条第二項各号に掲げる事項（市町村障害児福祉計画に同条第三項各号に掲げる事項を定める場合にあつては、当該各号に掲げる事項を含む。）について、調査、分析及び評価を行い、必要があると認めるときは、当該市町村障害児福祉計画を変更することその他の必要な措置を講ずるものとする。

Article 33-21 The municipality is to periodically conduct investigations, analyses, and assessments of the particulars set forth in the items in paragraph (2) of the preceding article (including the particulars mentioned in each item in paragraph (3) of the same article in the event of specifying the particulars therein for the municipal plan for the welfare of children with disabilities), and when it is deemed necessary, make changes to the municipal plan for the welfare of children with disabilities or implement the necessary measures.

第三十三条の二十二 都道府県は、基本指針に即して、市町村障害児福祉計画の達成に資するため、各市町村を通ずる広域的な見地から、障害児通所支援等の提供体制の確保その他障害児通所支援等の円滑な実施に関する計画（以下「都道府県障害児福祉計

画」という。)を定めるものとする。

Article 33-22 (1) The prefectural government is to establish a plan ensuring a system providing outpatient care support, etc. for children with disabilities and the unimpeded implementation of other outpatient care support, etc. for children with disabilities (hereinafter referred to as the "prefectural plan for welfare of children with disabilities"), from a broad perspective encompassing multiple municipalities in order to contribute to the realization of a municipal plan for welfare of children with disabilities based on the basic guidelines.

2 都道府県障害児福祉計画においては、次に掲げる事項を定めるものとする。

(2) The prefectural plan for welfare of children with disabilities is to specify the following particulars.

一 障害児通所支援等の提供体制の確保に係る目標に関する事項

(i) particulars pertaining to the goal of ensuring the establishment of a system providing outpatient support, etc. for children with disabilities.

二 当該都道府県が定める区域ごとの各年度の指定通所支援又は指定障害児相談支援の種類ごとの必要な見込量

(ii) expected amount required for each type of the designated outpatient support or the designated consultation support for children with disabilities per year and per type of service in the areas specified by the relevant prefecture.

三 各年度の指定障害児入所施設等の必要入所定員総数

(iii) the total number of residents required for a designated admission institution, etc. for children with disabilities.

3 都道府県障害児福祉計画においては、前項各号に掲げる事項のほか、次に掲げる事項について定めるよう努めるものとする。

(3) Beyond the particulars set forth in the preceding items, efforts are to be made to specify the following particulars in the prefectural plan for the welfare of children with disabilities.

一 前項第二号の区域ごとの指定通所支援の種類ごとの必要な見込量の確保のための方策

(i) policy for securing the required quantities estimated by type and area of the designated outpatient support prescribed in item (ii) of the preceding paragraph.

二 前項第二号の区域ごとの指定通所支援又は指定障害児相談支援の質の向上のために講ずる措置に関する事項

(ii) particulars pertaining to the implementation of measures improve the quality of the designated outpatient care support or the designated consultation support for children with disabilities by area prescribed in item (ii) of the preceding paragraph

三 指定障害児入所施設等の障害児入所支援の質の向上のために講ずる措置に関する事項

(iii) particulars pertaining to implementation of measures to improve the quality of designated admission support for children with disabilities for a designated admission institution, etc. for children with disabilities.

四 前項第二号の区域ごとの指定通所支援の提供体制の確保に係る医療機関、教育機関その他の関係機関との連携に関する事項

(iv) particulars pertaining to coordination with medical institutions, educational institutions and other relevant bodies related to securing a system for providing the designated outpatient support per area in item (ii) of the preceding paragraph.

4 都道府県障害児福祉計画は、障害者の日常生活及び社会生活を総合的に支援するための法律第八十九条第一項に規定する都道府県障害福祉計画と一体のものとして作成することができる。

(4) The prefectural plan for the welfare of children with disabilities may be established in an integrated manner with the prefectural plan for the welfare of persons with disabilities prescribed in Article 89, paragraph (1) of the Act on the Comprehensive Support for the Daily and Social Life of Persons with Disabilities

5 都道府県障害児福祉計画は、障害者基本法第十一条第二項に規定する都道府県障害者計画、社会福祉法第百八条第一項に規定する都道府県地域福祉支援計画その他の法律の規定による計画であつて障害児の福祉に関する事項を定めるものと調和が保たれたものでなければならない。

(5) The prefectural plan for the welfare of children with disabilities must be harmonized with the prefectural plan for persons with disabilities prescribed in Article 11, paragraph (2) of the Basic Act for Persons with Disabilities, the prefectural plan for community welfare support prescribed in Article 108, paragraph (1) of the Social Welfare Act, and plans prescribed by other acts specifying particulars pertaining to the welfare of children with disabilities.

6 都道府県は、障害者の日常生活及び社会生活を総合的に支援するための法律第八十九条の三第一項に規定する協議会を設置したときは、都道府県障害児福祉計画を定め、又は変更しようとする場合において、あらかじめ、当該協議会の意見を聴くよう努めなければならない。

(6) In the event of establishing a council prescribed in Article 89-3, paragraph (1) of the Act on the Comprehensive Support for the Daily and Social Life of Persons with Disabilities, the prefectures must first hear the opinions of the council before establishing a prefectural plan for the welfare of children with disabilities or making any changes thereto.

7 都道府県は、都道府県障害児福祉計画を定め、又は変更しようとするときは、あらかじめ、障害者基本法第三十六条第一項の合議制の機関の意見を聴かなければならない。

(7) The prefectures must first hear the opinions of the council organizations prescribed in Article 36, paragraph (1) of the Basic Act for Persons with

Disabilities before establishing a prefectural plan for the welfare of children with disabilities or making any changes thereto.

8 都道府県は、都道府県障害児福祉計画を定め、又は変更したときは、遅滞なく、これを厚生労働大臣に提出しなければならない。

(8) The prefectures must notify the Minister of Health, Labour and Welfare without delay in the event of establishing a prefectural plan for the welfare of children with disabilities or making any changes thereto.

第三十三条の二十三 都道府県は、定期的に、前条第二項各号に掲げる事項（都道府県障害児福祉計画に同条第三項各号に掲げる事項を定める場合にあつては、当該各号に掲げる事項を含む。）について、調査、分析及び評価を行い、必要があると認めるときは、当該都道府県障害児福祉計画を変更することその他の必要な措置を講ずるものとする。

Article 33-23 The prefectures are to periodically conduct investigations, analyses, and assessments of the particulars set forth in the items of paragraph (2) of the preceding article (including particulars set forth in each item in paragraph (3) of the same article when specifying the particulars therein for the prefectural plan for welfare of children with disabilities), and when it is deemed necessary, make changes to the prefectural plan for welfare of children with disabilities or implement other necessary measures.

第三十三条の二十四 都道府県知事は、市町村に対し、市町村障害児福祉計画の作成上の技術的事項について必要な助言をすることができる。

Article 33-24 (1) Prefectural governor may provide municipalities with necessary advice for technical particulars on drafting a municipal plan for the welfare of children with disabilities.

(2) 厚生労働大臣は、都道府県に対し、都道府県障害児福祉計画の作成の手法その他都道府県障害児福祉計画の作成上の重要な技術的事項について必要な助言をすることができる。

2. The Minister of Health, Labour and Welfare may provide prefectures with necessary advice for drafting method of prefectural plan for the welfare of children with disabilities and other important technical particulars on drafting the prefectural plan for the welfare of children with disabilities.

第三十三条の二十五 国は、市町村又は都道府県が、市町村障害児福祉計画又は都道府県障害児福祉計画に定められた事業を実施しようとするときは、当該事業が円滑に実施されるように必要な助言その他の援助の実施に努めるものとする。

Article 33-25 If municipalities or prefectures intend to implement a project specified by a municipal plan for the welfare of children with disabilities or a prefectural plan for the welfare of disabled children, the national government is to provide advice and other forms of assistance necessary for the smooth

implementation of the relevant project.

第十節 雑則

Section 10 Miscellaneous Provisions

第三十四条 何人も、次に掲げる行為をしてはならない。

Article 34 (1) No person must commit an act listed in any of the following items:

一 身体に障害又は形態上の異常がある児童を公衆の観覧に供する行為

(i) placing a child with physical disabilities or morphological abnormalities for public viewing;

二 児童にこじきをさせ、又は児童を利用してこじきをする行為

(ii) having a child to act as a beggar, or beg by exploiting a child;

三 公衆の娯楽を目的として、満十五歳に満たない児童にかかるわざ又は曲馬をさせる行為

(iii) having a child under 15 years of age to perform acrobatics or stunt horse riding for the purpose of public entertainment;

四 満十五歳に満たない児童に戸々について、又は道路その他これに準ずる場所で歌謡、遊芸その他の演技を業務としてさせる行為

(iv) having a child under 15 years of age to engage in such money earning acts as singing, dancing, tricks and other performances from house to house or on the road, or in other equivalent places;

四の二 児童に午後十時から午前三時までの間、戸々について、又は道路その他これに準ずる場所で物品の販売、配布、展示若しくは拾集又は役務の提供を業務としてさせる行為

(iv)-2 having a child to engage in such money earning acts as sale, distribution, exhibition or collection of goods or provision of services, from 10:00 p.m. to 3:00 a.m., from house to house or on the road, or in other equivalent places;

四の三 戸々について、又は道路その他これに準ずる場所で物品の販売、配布、展示若しくは拾集又は役務の提供を業務として行う満十五歳に満たない児童を、当該業務を行うために、風俗営業等の規制及び業務の適正化等に関する法律（昭和二十三年法律第百二十二号）第二条第四項の接待飲食等営業、同条第六項の店舗型風俗特殊営業及び同条第九項の店舗型電話異性紹介営業に該当する営業を営む場所に立ち入らせる行為

(iv)-3 having a child under 15 years of age who engages in such money earning activities as sale, distribution, exhibition or collection of goods or provision of services from house to house or on the road, or in other equivalent places to enter any place where any business falling under those listed below is operated, in order for the child to conduct their work there; the applicable businesses in this regard are businesses for entertaining and catering, etc. set forth in Article 2, paragraph (4) of the Act on Control and Improvement of Amusement Businesses, etc. (Act No. 122 of 1948), store-based sex-related

amusement special business set forth in paragraph (6) of the same Article, and store-based telephonic dating agency business set forth in paragraph (9) of the same Article is operated;

五 満十五歳に満たない児童に酒席に侍する行為を業務としてさせる行為

(v) having a child under 15 years of age to engage in such money earning acts as entertaining at an alcoholic party;

六 児童に淫いん行をさせる行為

(vi) having a child to commit an obscene act;

七 前各号に掲げる行為をするおそれのある者その他児童に対し、刑罰法令に触れる行為をなすおそれのある者に、情を知つて、児童を引き渡す行為及び当該引渡し行為のなされるおそれがあるの情を知つて、他人に児童を引き渡す行為

(vii) handing over a child knowingly to a person who is likely to commit any of the acts listed in the preceding items or a person who is likely to commit any other act violating laws and regulations concerning criminal punishment toward a child, or deliver a child to other person with the knowledge of a risk of further delivery of the child to a person who is likely to commit any of the acts as listed above;

八 成人及び児童のための正当な職業紹介の機関以外の者が、営利を目的として、児童の養育をあっせんする行為

(viii) making arrangements to take care of a child for the purpose of profit, if it is arranged by a person other than legitimate employment agencies for adults and children; or

九 児童の心身に有害な影響を与える行為をさせる目的をもって、これを自己の支配下に置く行為

(ix) keep a child under one's control, with the intent of having the child to commit an act making an impact that is mentally and physically harmful to the child.

2 児童養護施設、障害児入所施設、児童発達支援センター又は児童自立支援施設においては、それぞれ第四十一条から第四十三条まで及び第四十四条に規定する目的に反して、入所した児童を酷使してはならない。

(2) A foster home, a facility for children with disabilities, the developmental support centers for children or a children's self-reliance support facility must not exploit children admitted there against the purposes provided respectively in through Articles 41 through 43 and Article 44.

第三十四条の二 この法律に定めるもののほか、福祉の保障に関し必要な事項は、政令でこれを定める。

Article 34-2 Beyond what is provided for in this Act, necessary particulars concerning guarantee of welfare is prescribed by a Cabinet Order.

第三章 事業、養育里親及び養子縁組里親並びに施設

Chapter III Services, Foster Parents for Child Welfare and Adoptive Foster Parents for Child Welfare and Facilities

第三十四条の三 都道府県は、障害児通所支援事業又は障害児相談支援事業（以下「障害児通所支援事業等」という。）を行うことができる。

Article 34-3 (1) The prefectural government is to conduct outpatient support services for children with disabilities or consultation support services for children with disabilities (hereinafter referred to as "outpatient support services for children with disabilities").

2 国及び都道府県以外の者は、厚生労働省令で定めるところにより、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出て、障害児通所支援事業等を行うことができる。

(2) A person other than the national and prefectural governments may engage in children's self-reliant living assistance services by notifying the prefectural governor, in advance, of the particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 国及び都道府県以外の者は、前項の規定により届け出た事項に変更が生じたときは、変更の日から一月以内に、その旨を都道府県知事に届け出なければならない。

(3) When any of the particulars in the notification pursuant to the provisions of the preceding paragraph is changed, a person other than the national and prefectural governments must notify the prefectural governor to that effect within 1 month from the date of the change.

4 国及び都道府県以外の者は、障害児通所支援事業等を廃止し、又は休止しようとするときは、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出なければならない。

(4) When a person other than the national and prefectural governments intends to abolish or suspend the outpatient support services for children with disabilities, the person must, in advance, notify the prefectural governor of the particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第三十四条の四 国及び都道府県以外の者は、厚生労働省令の定めるところにより、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出て、児童自立生活援助事業又は小規模住居型児童養育事業を行うことができる。

Article 34-4 (1) A person other than the national and prefectural governments may engage in children's self-reliant living assistance services or small scale foster home services by notifying the prefectural governor, in advance, of the particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 国及び都道府県以外の者は、前項の規定により届け出た事項に変更を生じたときは、変更の日から一月以内に、その旨を都道府県知事に届け出なければならない。

(2) When any of the particulars in the notification pursuant to the provisions of the preceding paragraph is changed, a person other than the national and prefectural governments must notify the prefectural governor to that effect within 1 month from the date of the change.

3 国及び都道府県以外の者は、児童自立生活援助事業又は小規模住居型児童養育事業を廃止し、又は休止しようとするときは、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出なければならない。

(3) When a person other than a national government or a prefecture intends to abolish or suspend a child welfare institution or small scale foster home services, the person must notify the prefectural governor of the particulars specified by an Order of the Ministry of Health, Labour and Welfare in advance.

第三十四条の五 都道府県知事は、児童の福祉のために必要があると認めるときは、障害児通所支援事業等、児童自立生活援助事業若しくは小規模住居型児童養育事業を行う者に対して、必要と認める事項の報告を求め、又は当該職員に、関係者に対して質問させ、若しくはその事務所若しくは施設に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 34-5 (1) When a prefectural governor finds it necessary for the welfare of children, the prefectural governor may request a person engaged in the day care support for children with disabilities, children's self-reliant living assistance services to make reporting, or make relevant prefecture's official ask relevant persons questions or enter any office or facility of the relevant person and inspect equipment, books and documents and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (2) and (3) apply mutatis mutandis to the case referred to in the preceding paragraph.

第三十四条の六 都道府県知事は、障害児通所支援事業等、児童自立生活援助事業又は小規模住居型児童養育事業を行う者が、この法律若しくはこれに基づく命令若しくはこれらに基づいてする処分に違反したとき、その事業に関し不当に営利を図り、若しくはその事業に係る児童の処遇につき不当な行為をしたとき、又は障害児通所支援事業者が第二十一条の七の規定に違反したときは、その者に対し、その事業の制限又は停止を命ずることができる。

Article 34-6 When a person engaged in children's self-reliant living assistance services or small scale foster home services, such as outpatient support operator, etc. for children with disabilities violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto or pursues profit unjustly with regard to such services or commits an unjust act with regard to the treatment of any child pertaining to such services, the prefectural

governor may order the person to restrict or suspend relevant services.

第三十四条の七 障害者等相談支援事業、小規模住居型児童養育事業又は児童自立生活援助事業を行う者は、第二十六条第一項第二号、第二十七条第一項第二号若しくは第三号又は第三十三条の六第一項（同条第六項において準用する場合を含む。）の規定による委託を受けたときは、正当な理由がない限り、これを拒んではならない。

Article 34-7 When a person engaged in consultation support services for persons with disabilities, etc., small scale foster home services, or children's self-reliant living assistance services is requested to accept entrustment pursuant to the provision of Article 26, paragraph (1), item (ii) or paragraph (1), item (ii) or Article 27, paragraph (7), the person must not refuse it without justifiable grounds.

第三十四条の八 市町村は、放課後児童健全育成事業を行うことができる。

Article 34-8 (1) A municipality may provide after-school child sound upbringing services.

2 国、都道府県及び市町村以外の者は、厚生労働省令で定めるところにより、あらかじめ、厚生労働省令で定める事項を市町村長に届け出て、放課後児童健全育成事業を行うことができる。

(2) A person other than the national, prefectural and municipal government may provide after-school child sound upbringing services.

3 国、都道府県及び市町村以外の者は、前項の規定により届け出た事項に変更を生じたときは、変更の日から一月以内に、その旨を市町村長に届け出なければならない。

(3) A person other than the national, prefectural and municipal government must notify the prefectural governor of any changes to the particulars specified by Order of the Ministry of Health, Labour and Welfare, within one month from the day when the change was effected.

4 国、都道府県及び市町村以外の者は、放課後児童健全育成事業を廃止し、又は休止しようとするときは、あらかじめ、厚生労働省令で定める事項を市町村長に届け出なければならない。

(4) A person other than the national, prefectural and municipal government, when intending to abolish or suspend a child welfare institution, must notify the prefectural governor of the particulars specified by an Order of the Ministry of Health, Labour and Welfare not less than one month prior to the date of such abolition or suspension.

第三十四条の八の二 市町村は、放課後児童健全育成事業の設備及び運営について、条例で基準を定めなければならない。この場合において、その基準は、児童の身体的、精神的及び社会的な発達のために必要な水準を確保するものでなければならない。

Article 34-8-2 (1) A municipality must specify the standards by Ordinance on facilities and operation of child welfare institution and on child care by foster

parents. In this case, those standards are ones that can ensure a living standard necessary for physical, mental, and social development of children.

2 市町村が前項の条例を定めるに当たっては、厚生労働省令で定める基準を参酌するものとする。

(2) A municipality, upon specifying the Ordinance of the preceding paragraph, take into consideration the standard specified by Order of Ministry of Health, Labor and Welfare.

3 放課後児童健全育成事業を行う者は、第一項の基準を遵守しなければならない。

(3) A person who provides after-school child sound upbringing services must comply with the standard of the paragraph (1).

第三十四条の八の三 市町村長は、前条第一項の基準を維持するため、放課後児童健全育成事業を行う者に対して、必要と認める事項の報告を求め、又は当該職員に、関係者に対して質問させ、若しくはその事業を行う場所に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 34-8-3 (1) A prefectural governor, in order to maintain the minimum standards set forth in the preceding Article, may request the establisher of child welfare institutions, the head of child welfare institution and a foster parent to submit necessary reports to the person who provides after-school child sound upbringing services and make relevant official ask relevant persons questions or enter any of their facilities where the services are provided and inspect equipment, books and documents and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraph (ii) and (iii) apply mutatis mutandis to a case under the preceding paragraph.

3 市町村長は、放課後児童健全育成事業が前条第一項の基準に適合しないと認められるに至ったときは、その事業を行う者に対し、当該基準に適合するために必要な措置を採るべき旨を命ずることができる。

(3) A mayor or a head of municipality, when it comes to be found that after-school child sound upbringing services do not satisfy the standard of paragraph (1) of the preceding Article, may order the person who provides the relevant services to take measures necessary to satisfy the relevant standard.

4 市町村長は、放課後児童健全育成事業を行う者が、この法律若しくはこれに基づく命令若しくはこれらに基づいてする処分に違反したとき、又はその事業に関し不当に営利を図り、若しくはその事業に係る児童の処遇につき不当な行為をしたときは、その者に対し、その事業の制限又は停止を命ずることができる。

(4) A mayor or a head of municipality, when a person who provides after-school child sound upbringing services violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto or pursues profit unjustly with regard to such services or commits an unjust act with regard to the treatment of any child pertaining to such services, the mayor or head of

municipality may order the person to restrict or suspend relevant services.

第三十四条の九 市町村は、厚生労働省令で定めるところにより、子育て短期支援事業を行うことができる。

Article 34-9 A municipality may provide short-term child care support services pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第三十四条の十 市町村は、第二十一条の十の二第一項の規定により乳児家庭全戸訪問事業又は養育支援訪問事業を行う場合には、社会福祉法の定めるところにより行うものとする。

Article 34-10 A municipality may provide house-call services for all households with infants or house-call services to support child, pursuant to the provisions of the Social Welfare Act.

第三十四条の十一 市町村、社会福祉法人その他の者は、社会福祉法の定めるところにより、事業を行うことができる。

Article 34-11 (1) A municipality, a social welfare corporation or other person may provide local childrearing support center services pursuant to the provisions of the Social Welfare Act.

2 地域子育て支援拠点事業に従事する者は、その職務を遂行するに当たっては、個人の身上に関する秘密を守らなければならない。

(2) A person engaged in local childrearing support center services, when performing their duties, must not divulge any secret concerning personal circumstances.

第三十四条の十二 市町村、社会福祉法人その他の者は、厚生労働省令の定めるところにより、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出て、一時預かり事業を行うことができる。

Article 34-12 (1) A municipality, a social welfare corporation or other person may provide temporary custody services, by notifying the particulars specified by Order of the Ministry of Health, Labour and Welfare pursuant to the provisions Order of the Ministry of Health, Labour and Welfare to a prefectural governor in advance.

2 市町村、社会福祉法人その他の者は、前項の規定により届け出た事項に変更を生じたときは、変更の日から一月以内に、その旨を都道府県知事に届け出なければならない。

(2) A municipality, a social welfare corporation or other person must notify a prefectural governor of any changes to the particulars occurred which had been notified pursuant to the provisions of the preceding paragraph, within one month from the day when the change was effected.

3 市町村、社会福祉法人その他の者は、一時預かり事業を廃止し、又は休止しようとするときは、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出なければならない。

(3) A municipality, a social welfare corporation or other person must when intending to abolish or suspend temporary custody services, notify a prefectural governor of the particulars prescribed in Order of the Ministry of Health, Labour and Welfare to prefectural governors in advance.

第三十四条の十三 一時預かり事業を行う者は、その事業を実施するために必要なものとして厚生労働省令で定める基準を遵守しなければならない。

Article 34-13 A person who provides temporary custody services must comply with standards prescribed by an Order of the Ministry of Health, Labour, and Welfare as necessary for implementation of the relevant services.

第三十四条の十四 都道府県知事は、前条の基準を維持するため、一時預かり事業を行う者に対して、必要と認める事項の報告を求め、又は当該職員に、関係者に対して質問させ、若しくはその事業を行う場所に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 34-14 (1) A prefectural governor, in order to maintain the standard of the preceding Article, may request the person engaged in temporary custody services to report the particulars found to be necessary, or to make relevant prefecture's official ask relevant persons questions or enter any office or facility of relevant person and inspect equipment, books and documents and other objects

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (ii) and (iii) apply mutatis mutandis to a case under the preceding paragraph.

3 都道府県知事は、一時預かり事業が前条の基準に適合しないと認められるに至ったときは、その事業を行う者に対し、当該基準に適合するために必要な措置を採るべき旨を命ずることができる。

(3) If the prefectural governor, when it comes to be found that temporary custody services do not satisfy the standard of paragraph (1) of the preceding Article, may order the person who provide the relevant services to take measures necessary to satisfy the relevant standard.

4 都道府県知事は、一時預かり事業を行う者が、この法律若しくはこれに基づく命令若しくはこれらに基づいてする処分に違反したとき、又はその事業に関し不当に営利を図り、若しくはその事業に係る乳児若しくは幼児の処遇につき不当な行為をしたときは、その者に対し、その事業の制限又は停止を命ずることができる。

(4) When a person engaged in temporary custody services violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto, or pursues unjustly profit with regard to such services or commits an unjust act

with regard to the treatment of any infant or toddler pertaining to such services, the prefectural governor may order the person to restrict or suspend the relevant services.

第三十四条の十五 市町村は、家庭的保育事業等を行うことができる。

Article 34-15 (1) The municipality may provide home daycare services, etc.

2 国、都道府県及び市町村以外の者は、厚生労働省令の定めるところにより、市町村長の認可を得て、家庭的保育事業等を行うことができる。

(2) A person other than the national, prefectural and municipal government may provide home daycare services, etc. by obtaining from the mayor or head of municipality, pursuant to the provisions of Order of the Ministry of Health, Labour,

3 市町村長は、家庭的保育事業等に関する前項の認可の申請があつたときは、次条第一項の条例で定める基準に適合するかどうかを審査するほか、次に掲げる基準（当該認可の申請をした者が社会福祉法人又は学校法人である場合にあつては、第四号に掲げる基準に限る。）によつて、その申請を審査しなければならない。

(3) When a prefectural governor has received an application for permission of the preceding paragraph concerning temporary custody services, the prefectural governor must examine such application by the standard listed as follows (limited to the standard listed in item (iv), in the case where the applicant of the relevant permission is a social welfare corporation or an incorporated educational institution) other than to examine whether the application conforms to the standards specified by the Ordinance of paragraph (1) of the following Article.

一 当該家庭的保育事業等を行うために必要な経済的基礎があること。

(i) the applicant has the financial basis necessary to provide the relevant home daycare services, etc.

二 当該家庭的保育事業等を行う者（その者が法人である場合にあつては、経営担当役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいう。第三十五条第五項第二号において同じ。）とする。）が社会的信望を有すること。

(ii) the person who provides the relevant home daycare services, etc. (in the case where the person is a corporation, an executive officer (referring to an employee, board director, corporate executive officer or any other person equivalent thereto) is to have the trust of the public.

三 実務を担当する幹部職員が社会福祉事業に関する知識又は経験を有すること。

(iii) the senior officials in charge of the practice have knowledge or experience concerning social welfare services.

四 次のいずれにも該当しないこと。

(iv) none of the following are applicable:

イ 申請者が、禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

- (a) if the applicant is a person punished with imprisonment without work or a heavier punishment and the execution of relevant penalty has yet been completed or has not yet expired.
- ロ 申請者が、この法律その他国民の福祉に関する法律で政令で定めるものの規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。
- (b) if the applicant has been punished by a fine pursuant to the provisions of this Act, or other Acts concerning national welfare provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;
- ハ 申請者が、労働に関する法律の規定であつて政令で定めるものにより罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。
- (c) if the applicant has been punished by a fine pursuant to the provisions of Acts concerning labor provided by Cabinet Order and the execution of the penalty for the applicant has not yet been completed or has not yet expired;
- ニ 申請者が、第五十八条第二項の規定により認可を取り消され、その取消の日から起算して五年を経過しない者（当該認可を取り消された者が法人である場合においては、当該取消しの処分に係る行政手続法第十五条の規定による通知があつた日前六十日以内に当該法人の役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同様以上の支配力を有するものと認められる者を含む。ホにおいて同じ。）又はその事業を管理する者その他の政令で定める使用人（以下この号及び第三十五条第五項第四号において「役員等」という。）であつた者で当該取消しの日から起算して五年を経過しないものを含み、当該認可を取り消された者が法人でない場合においては、当該通知があつた日前六十日以内に当該事業を行う者の管理者であつた者で当該取消しの日から起算して五年を経過しないものを含む。）であるとき。ただし、当該認可の取消しが、家庭的保育事業等の認可の取消しのうち当該認可の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該家庭的保育事業等を行う者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該家庭的保育事業等を行う者が有していた責任の程度を考慮して、ニ本文に規定する認可の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。
- (d) The applicant for whom certification has been rescinded pursuant to the provisions of Article 58, paragraph (2), and five years have not elapsed from the date of the relevant rescission (if a person for whom the relevant certification is rescinded is a corporation, within sixty days prior to the date of notification pursuant to the provisions of Article 15 of the Administrative Procedures Act pertaining to relevant rescission, or an

employee who executes services for a corporation, board director, executive officer and other person who is deemed as having equal or greater control; the same applies to (e)) or a person who manages the services or employee specified by Cabinet Order (referring to as "officers, etc. in this item and Article 35, paragraph (5), item (iv)) or (the applicant for whom certification has been rescinded is not a corporation, including a person for whom five years have not elapsed from the date of relevant rescission and who used to be a manager of a person who practice the relevant services within sixty days before the date of notification); provided however, that excluding the case where it is reasonable to acknowledge that rescission of designation in the text of item (d) is not applicable, by taking into the fact of the disposition of rescission of the relevant designation and development of the approach to arrangement of operation control system by the person who provides home care services, etc. to prevent occurrence of the relevant fact and the extent of responsibility of the relevant person who provides home care services, etc.

ホ 申請者と密接な関係を有する者（申請者（法人に限る。以下ホにおいて同じ。）の役員に占めるその役員の割合が二分の一を超え、若しくは当該申請者の株式の所有その他の事由を通じて当該申請者の事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるもの（以下ホにおいて「申請者の親会社等」という。）、申請者の親会社等の役員と同一の者がその役員に占める割合が二分の一を超え、若しくは申請者の親会社等が株式の所有その他の事由を通じてその事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるもの又は当該申請者の役員と同一の者がその役員に占める割合が二分の一を超え、若しくは当該申請者が株式の所有その他の事由を通じてその事業を実質的に支配し、若しくはその事業に重要な影響を与える関係にある者として厚生労働省令で定めるものうち、当該申請者と厚生労働省令で定める密接な関係を有する法人をいう。第三十五条第五項第四号ホにおいて同じ。）が、第五十八条第二項の規定により認可を取り消され、その取消の日から起算して五年を経過していないとき。ただし、当該認可の取消しが、家庭的保育事業等の認可の取消しのうち当該認可の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該家庭的保育事業等を行う者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該家庭的保育事業等を行う者が有していた責任の程度を考慮して、ホ本文に規定する認可の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(e) if a person who has close relationship with the applicant (limited to a corporation; the same applies in (e)), specified by Order of the Ministry of Health, Labour, and Welfare, as substantially controlling the services of the relevant applicant by ownerships of shares or other reasons or having a major impact on the relevant applicant and whose number of officers

exceed 50% (hereinafter referred to a "parent company of applicant" in (e)) or a corporation having close relationship with the relevant applicant specified in by Order of the Minister of Health, Labour, and Welfare, among the persons specified by Order of the Minister of Health, Labour and Welfare as a person for whom the identical person with an official of parent company of the applicant whose number of officers exceed 50% or as substantially controlling the services of the relevant applicant by ownerships of shares or other reasons or having a major impact on the relevant applicant or the person who have relationship with the person whom the identical person with an official of the relevant parent company of the applicant whose number of officers exceed 50% or as substantially controlling the services of the relevant applicant by ownerships of shares or other reasons or having a major impact on the relevant applicant; the same applies to Article 35, paragraph (5), item (iv)) has been rescinded designation pursuant to the provisions of pursuant to the provisions of Article 58, paragraph (2) and five years have not elapsed from the date of the relevant rescission; provided, however excluding the case where it is reasonable to acknowledge that rescission of designation in the rescission of certification of home care services, in (e) of the text of this item is not applicable by taking into the fact of the disposition of rescission of the relevant designation and development of the approach to arrangement of operation control system by the person who provides home care services, etc. to prevent occurrence of the relevant fact and the extent of responsibility of the relevant person who provides home care services, etc.

へ 申請者が、第五十八条第二項の規定による認可の取消しの処分に係る行政手続法第十五条の規定による通知があつた日から当該処分をする日又は処分をしないことを決定する日までの間に第七項の規定による事業の廃止をした者（当該廃止について相当の理由がある者を除く。）で、当該事業の廃止の承認の日から起算して五年を経過しないものであるとき。

(f) When the applicant is a person who declines the designation pursuant to the provisions of Article 58, paragraph (2) during the period commencing on the date of the notice pursuant to the provisions of Article 15 of the Administrative Procedure Act pertaining to the rescission of designation and ending on the date on which relevant disposition is implemented or decided to be discontinued (excluding a person having a reasonable ground for relevant abolishment) and for whom five years have not elapsed since the date of certification of abolishment of the relevant services;

ト 申請者が、第三十四条の十七第一項の規定による検査が行われた日から聴聞決定予定日（当該検査の結果に基づき第五十八条第二項の規定による認可の取消しの処分に係る聴聞を行うか否かの決定をすることが見込まれる日として厚生労働省令で定めるところにより市町村長が当該申請者に当該検査が行われた日から十

日以内に特定の日を通知した場合における当該特定の日をいう。)までの間に第七項の規定による事業の廃止をした者(当該廃止について相当の理由がある者を除く。)で、当該事業の廃止の承認の日から起算して五年を経過しないものであるとき。

- (g) if the applicant is a person who has submitted abolishment of the services pursuant to the provisions of Article 58, paragraph (2) during the period from the date the inspection pursuant to the provisions of Article 34-17, paragraph (1) is conducted (referring to the specified date in the case of notifying the relevant specified date within ten days from the date the prefectural governor conducted the relevant inspection to the relevant applicant pursuant to the provisions of Order of the Minister of Health, Labour, and Welfare to be determined as expected date whether hearing should be carried out or not pertaining to the disposition for recission of certification pursuant to the provisions of Article 58, paragraph (2) based on the results of the relevant inspection) (excluding a person who has an appropriate reason for the relevant abolishment) and for whom five years have not elapsed since the date of certification of abolishment of the relevant services;

チ へに規定する期間内に第七項の規定による事業の廃止の承認の申請があつた場合において、申請者が、への通知の日前六十日以内に当該申請に係る法人(当該事業の廃止について相当の理由がある法人を除く。)の役員等又は当該申請に係る法人でない事業を行う者(当該事業の廃止について相当の理由があるものを除く。)の管理者であつた者で、当該事業の廃止の承認の日から起算して五年を経過しないものであるとき。

- (h) in the case of application for abolishment of certification of the services pursuant to the provisions of paragraph (7) within the period specified in (f), if the applicant is a person who used to be an officer, etc. a corporation pertaining to the relevant application within sixty years prior to the notice of (f) (excluding the corporation with reasonable ground concerning abolishment of the relevant services) or a manager of the person who provide the services as not a corporation pertaining to the relevant application (excluding the corporation with reasonable ground concerning abolishment of the relevant services) and for whom five years have not elapsed since the date of certification of abolishment of the relevant services.

リ 申請者が、認可の申請前五年以内に保育に関し不正又は著しく不当な行為をした者であるとき。

- (i) if the applicant performed a wrongful or significantly unjustifiable act pertaining to child care within five years prior to the application of certification of the preceding paragraph.

ヌ 申請者が、法人で、その役員等のうちにイからニまで又はへからリまでのいず

れかに該当する者のあるものであるとき。

(j) if an applicant is a corporation and any of the officials, etc. falls under any of (a) through (d) or (f) through (i); and

ル 申請者が、法人でない者で、その管理者がイからニまで又はへからリまでのい
ずれかに該当する者であるとき。

(k) When an applicant is not a corporation and whose manager falls under any of (a) through (d) or (f) through (i).

4 市町村長は、第二項の認可をしようとするときは、あらかじめ、市町村児童福祉審議会を設置している場合にあつてはその意見を、その他の場合にあつては児童の保護者その他児童福祉に係る当事者の意見を聴かなければならない。

(4) A mayor or head of municipality, in the case of granting certification of paragraph (2), if the municipal child welfare council is established, must hear the opinions from such council, or in other cases, hear opinions from the custodians of children and other relevant parties pertaining to child welfare.

5 市町村長は、第三項に基づく審査の結果、その申請が次条第一項の条例で定める基準に適合しており、かつ、その事業を行う者が第三項各号に掲げる基準（その者が社会福祉法人又は学校法人である場合にあつては、同項第四号に掲げる基準に限る。）に該当すると認めるときは、第二項の認可をするものとする。ただし、市町村長は、当該申請に係る家庭的保育事業等の所在地を含む教育・保育提供区域（子ども・子育て支援法第六十一条第二項第一号の規定により当該市町村が定める教育・保育提供区域とする。以下この項において同じ。）における特定地域型保育事業所（同法第二十九条第三項第一号に規定する特定地域型保育事業所をいい、事業所内保育事業における同法第四十三条第一項に規定する労働者等の監護する小学校就学前子どもに係る部分を除く。以下この項において同じ。）の利用定員の総数（同法第十九条第一項第三号に掲げる小学校就学前子どもの区分に係るものに限る。）が、同法第六十一条第一項の規定により当該市町村が定める市町村子ども・子育て支援事業計画において定める当該教育・保育提供区域の特定地域型保育事業所に係る必要利用定員総数（同法第十九条第一項第三号に掲げる小学校就学前子どもの区分に係るものに限る。）に既に達しているか、又は当該申請に係る家庭的保育事業等の開始によつてこれを超えることになると認めるとき、その他の当該市町村子ども・子育て支援事業計画の達成に支障を生ずるおそれがある場合として厚生労働省令で定める場合に該当すると認めるときは、第二項の認可をしないことができる。

(5) Based on the examination pursuant to the paragraph (3), when the a mayor of municipality deems as applicable, as the applicant meets the standard specified by Ordinance of paragraph (1) of the following Article and the operator that practice the services meets the standard listed in the items of paragraph (3) (limited to the standards when the operator is a social welfare corporation or incorporated educational institution, limited to the standard listed in the item (iv) of the same paragraph), the mayor may provide the certification of paragraph (2); provided, however, that the mayor of municipality may decide not to grant an certification of paragraph (4), in cases

where the total capacity of use (limited to the one pertaining to the category of children up to elementary school entrance listed in Article 19, paragraph (1), items (ii) and (iii) of the same Act) of specified community-based child care facilities (referring to specified community-based child care facilities specified in Article 29, paragraph (3), item (i) and excluding the part pertaining to children up to elementary school entrance which the worker, etc. specified by Article 43, paragraph (3), item (i) of the same Act has custody in employee-provided childcare services; the same applies in this paragraph.) in area providing education/child care including the location of the nursing center (referring to as the area specified by the relevant prefecture pursuant to the provisions of Article 62, paragraph (2), item (i) of Act on Child and Childcare Support; the same applies in this paragraph) pertaining the relevant application has already reached the total necessary capacity of users pertaining to specified childcare facilities of the relevant area for providing childcare specified in prefectural childcare support project of the relevant prefecture pursuant to the provisions of Article 62, paragraph (1) of the same Act or it is determined that such capacity will be exceeded by establishment of the nursing center pertaining to the relevant application, or it is determined that such application falls under the case specified by Order of Health, Labor and Welfare, where it is likely to be the cause problems with the accomplishment of the relevant prefectural childcare support project.

6 市町村長は、家庭的保育事業等に関する第二項の申請に係る認可をしないときは、速やかにその旨及び理由を通知しなければならない。

(6) If the mayor of municipality does not grant the certification pertaining to the application of paragraph (2) concerning home daycare services, etc., the mayor must notify the applicant to that effect and of the reason.

7 国、都道府県及び市町村以外の者は、家庭的保育事業等を廃止し、又は休止しようとするときは、厚生労働省令の定めるところにより、市町村長の承認を受けなければならない。

(7) A person other than the national, prefectural and municipal government must, when intending to abolish or suspend home daycare services, etc., obtain approval of the mayor or head of municipality pursuant to the provisions of Order of Health, Labor and Welfare.

第三十四条の十六 市町村は、家庭的保育事業等の設備及び運営について、条例で基準を定めなければならない。この場合において、その基準は、児童の身体的、精神的及び社会的な発達のために必要な保育の水準を確保するものでなければならない。

Article 34-16 (1) The municipality must determine the standard concerning equipment and operation of home daycare services, etc. In this case, such standard must ensure the level of child care necessary for physical, mental and social development of children.

2 市町村が前項の条例を定めるに当たっては、次に掲げる事項については厚生労働省令で定める基準に従い定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(2) The municipality is to specify the Ordinance of the preceding paragraph, in accordance with the standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed as follows and is to take into consideration the standard specified by Order of the Ministry of Health, Labour and Welfare for other particulars.

一 家庭的保育事業等に従事する者及びその員数

(i) person engaged in home daycare services and their number

二 家庭的保育事業等の運営に関する事項であつて、児童の適切な処遇の確保及び秘密の保持並びに児童の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(ii) the particulars concerning operation of home daycare services, etc., which are closely related to sound development of children, prescribed by Order of Ministry of Health, Labour and Welfare.

3 家庭的保育事業等を行う者は、第一項の基準を遵守しなければならない。

(3) A person who provide home daycare services, etc. must comply with the standard of the paragraph (1).

第三十四条の十七 市町村長は、前条第一項の基準を維持するため、家庭的保育事業等を行う者に対して、必要と認める事項の報告を求め、又は当該職員に、関係者に対して質問させ、若しくは家庭的保育事業等を行う場所に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 34-17 (1) In order to maintain the standards set forth in paragraph (1) of the preceding Article, the mayor of municipality may request to report the particulars determined as necessary, or make relevant official ask relevant persons questions or enter any of their facilities where home daycare services, etc. are provided, and inspect equipment, books and documents and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (ii) and (iii) apply mutatis mutandis to the case under the preceding paragraph.

3 市町村長は、家庭的保育事業等が前条第一項の基準に適合しないと認められるに至ったときは、その事業を行う者に対し、当該基準に適合するために必要な措置を採るべき旨を勧告し、又はその事業を行う者がその勧告に従わず、かつ、児童福祉に有害であると認められるときは、必要な改善を命ずることができる。

(3) When any facilities or operation of a child welfare institution fails to attain the minimum standards set forth in the preceding Article, the mayor of municipality may recommend its establisher to make necessary improvements. When the establisher of the institution fails to follow this recommendation and

the mayor of municipality finds such failure to be harmful to child welfare, the mayor of municipality may order the establisher to make necessary improvements.

- 4 市町村長は、家庭的保育事業等が、前条第一項の基準に適合せず、かつ、児童福祉に著しく有害であると認められるときは、その事業を行う者に対し、その事業の制限又は停止を命ずることができる。
- (4) The mayor of municipality, if home daycare services, etc. do not conform to the standard of paragraph (1) of the preceding Article, and are found to be extremely harmful for child welfare, may order the person who provides such services to restrict or suspend relevant services.

第三十四条の十八 国及び都道府県以外の者は、厚生労働省令で定めるところにより、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出て、病児保育事業を行うことができる。

Article 34-18 (1) A person other than the national and prefectural government may engage in day care services for sick children by notifying the prefectural governor, in advance, of the particulars specified by an Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- 2 国及び都道府県以外の者は、前項の規定により届け出た事項に変更を生じたときは、変更の日から一月以内に、その旨を都道府県知事に届け出なければならない。

(2) A person other than the national, prefectural and municipal government must notify the prefectural governor of any changes to the particulars specified by Order of the Ministry of Health, Labour and Welfare, within one month from the day when the change was effected.

- 3 国及び都道府県以外の者は、病児保育事業を廃止し、又は休止しようとするときは、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出なければならない。

(3) When a person other than the national and prefectural governments intends to abolish or suspend day care services for sick children, the person, in advance, must notify the prefectural governor of the particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第三十四条の十八の二 都道府県知事は、児童の福祉のために必要があると認めるときは、病児保育事業を行う者に対して、必要と認める事項の報告を求め、又は当該職員に、関係者に対して質問させ、若しくはその事業を行う場所に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 34-18-2 (1) A prefectural governor, if it is found to be necessary for the welfare of children, is to request a person engaged in day care services for sick children to report the particulars determined as necessary, or make the relevant official ask relevant persons question or enter any office or facility of relevant person and inspect equipment, books and documents and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (ii) and (iii) apply mutatis mutandis to a case under the preceding paragraph.

3 都道府県知事は、病児保育事業を行う者が、この法律若しくはこれに基づく命令若しくはこれらに基づいてする処分に違反したとき、又はその事業に関し不当に営利を図り、若しくはその事業に係る児童の処遇につき不当な行為をしたときは、その者に対し、その事業の制限又は停止を命ずることができる。

(3) When a person engaged in day care services for sick children violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto or pursues unjustly profit with regard to such services or commits an unjust act with regard to the treatment of any child pertaining to such services, the prefectural governor may order the person to restrict or suspend relevant services.

第三十四条の十八の三 国及び都道府県以外の者は、社会福祉法の定めるところにより、子育て援助活動支援事業を行うことができる。

Article 34-18-3 (1) A person other than the national and prefectural governments may provide family support center services pursuant to the provisions of the Social Welfare Act.

2 子育て援助活動支援事業に従事する者は、その職務を遂行するに当たっては、個人の身上に関する秘密を守らなければならない。

(2) Upon performing their duties, a person engaged in family support center services must not divulge any secrets concerning personal circumstances.

第三十四条の十九 都道府県知事は、第二十七条第一項第三号の規定により児童を委託するため、厚生労働省令で定めるところにより、養育里親名簿及び養子縁組里親名簿を作成しておかなければならない。

Article 34-19 The prefectural governor must create the registry of foster parents for child welfare and the registry of adoptive foster parents for child pursuant to the provisions of Order of Ministry of Health, Labour and Welfare, to entrust children pursuant to the provisions of Article 27, paragraph (1), item (iii).

第三十四条の二十 本人又はその同居人が次の各号のいずれかに該当する者は、養育里親及び養子縁組里親となることができない。

Article 34-20 (1) When the person or a person living together falls under any of the following items, the person may not become a foster parent or an adoptive foster parent for child welfare.

一 禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者

(i) a person who has been sentenced to imprisonment without work or a heavier punishment and the execution of the sentence for the applicant has not yet

- been completed or the sentence has not yet been ceased to be applicable;
- 二 この法律、児童買春、児童ポルノに係る行為等の規制及び処罰並びに児童の保護等に関する法律（平成十一年法律第五十二号）その他国民の福祉に関する法律で政令で定めるものの規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者
- (ii) a person who has been sentenced to imprisonment without work or a heavier punishment and the execution of the sentence for the applicant has not yet been completed or the sentence has not yet been ceased to be applicable pursuant to the provisions of this Act, Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999);
- 三 児童虐待又は被措置児童等虐待を行った者その他児童の福祉に関し著しく不適当な行為をした者
- (iii) a person who has committed child abuse or abuse of children for whom admission measures are taken and other persons who had engaged in any extremely inappropriate conduct the welfare of the child;
- 2 都道府県知事は、養育里親若しくは養子縁組里親又はその同居人が前項各号のいずれかに該当するに至つたときは、当該養育里親又は養子縁組里親を直ちに養育里親名簿又は養子縁組里親名簿から抹消しなければならない。
- (2) When the prefectural governor, when a foster parent or an adoptive foster parent for child welfare or a person living together falls under any of the following items, the prefectural governor must promptly delete the relevant foster parent or an adoptive foster parent for child welfare the registry of foster parents for child welfare and the registry of adoptive foster parents registry.

第三十四条の二十一 この法律に定めるもののほか、養育里親名簿又は養子縁組里親名簿の登録のための手続その他養育里親又は養子縁組里親に関し必要な事項は、厚生労働省令で定める。

Article 34-21 Beyond what is specified by this Act, the necessary particulars concerning the procedures for the registry of foster parents for child welfare and the registry of adoptive foster parents for child and other particulars concerning foster parents and adoptive foster parents registry is specified by Ministry of Health, Labour and Welfare.

第三十五条 国は、政令の定めるところにより、児童福祉施設（助産施設、母子生活支援施設、保育所及び幼保連携型認定こども園を除く。）を設置するものとする。

Article 35 (1) The national government is to establish a child welfare institution (excluding midwifery homes, maternal and child living support facilities, nursery centers and child center in coordination between kindergarten and nursery center) pursuant to the provisions of a Cabinet Order.

2 都道府県は、政令の定めるところにより、児童福祉施設（幼保連携型認定こども園

を除く。以下この条、第四十五条、第四十六条、第四十九条、第五十条第九号、第五十一条第七号、第五十六条の二、第五十七条及び第五十八条において同じ。)を設置しなければならない。

(2) A prefectural government must establish a child welfare institution pursuant to the provisions of a Cabinet Order, a child welfare center (excluding children child center in coordination between kindergarten and nursery center; the same applies in Article 45, Article 46, Article 49, Article 50, item (ix), Article, item (vii), Article 56-2, Article 57, and Article 58).

3 市町村は、厚生労働省令の定めるところにより、あらかじめ、厚生労働省令で定める事項を都道府県知事に届け出て、児童福祉施設を設置することができる。

(3) A municipal government, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, establish a child welfare institution by notifying the prefectural governor, in advance, of the particulars specified by an Order of the Ministry of Health, Labour and Welfare.

4 国、都道府県及び市町村以外の者は、厚生労働省令の定めるところにより、都道府県知事の認可を得て、児童福祉施設を設置することができる。

(4) A person other than the national, prefectural and municipal governments may establish a child welfare institution, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, with the prefectural governor's approval.

5 都道府県知事は、保育所に関する前項の認可の申請があつたときは、第四十五条第一項の条例で定める基準（保育所に係るものに限る。第八項において同じ。）に適合するかどうかを審査するほか、次に掲げる基準（当該認可の申請をした者が社会福祉法人又は学校法人である場合にあっては、第四号に掲げる基準に限る。）によつて、その申請を審査しなければならない。

(5) When a prefectural governor has received an application for certification of the preceding paragraph concerning nursery center, the prefectural governor must examine whether the application conforms to the standards specified by the Prefectural Ordinance of Article 45, paragraph (1) (limited to the one pertaining to nursing centers; the same applies to paragraph (8)), and examine the application based on the following standard (limited to the standard listed in item (iv), in the case where the applicant of the relevant permission is a social welfare corporation or an incorporated educational institution).

一 当該保育所を運営するために必要な経済的基礎があること。

(i) the applicant has the financial basis necessary to manage the relevant nursing center.

二 当該保育所の経営者（その者が法人である場合にあっては、経営担当役員とする。）が社会的信望を有すること。

(ii) the senior officials in charge of the practice have knowledge or experience concerning social welfare services. The person who manages the relevant nursing center (in the case where the person is a corporation, an executive

officer) is to have the trust of the public.

三 実務を担当する幹部職員が社会福祉事業に関する知識又は経験を有すること。

(iii) the senior officials in charge of the practice have knowledge or experience concerning social welfare services.

四 次のいずれにも該当しないこと。

(iv) the person does not fall under any of the following items:

イ 申請者が、禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(a) The applicant is a person punished by imprisonment without work or a heavier punishment and the execution of the relevant penalty has yet to been completed has not yet expired.

ロ 申請者が、この法律その他国民の福祉若しくは学校教育に関する法律で政令で定めるものの規定により罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(b) The applicant is a person fined pursuant to this Act or other Acts concerning national welfare or school education provided in the Cabinet Order, completed the payment thereof or is no longer executed.

ハ 申請者が、労働に関する法律の規定であつて政令で定めるものにより罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなるまでの者であるとき。

(c) The applicant is a person sentenced to a fine pursuant to the provisions of acts relating to labor provided by Cabinet Order, completed the payment thereof or is no longer executed.

ニ 申請者が、第五十八条第一項の規定により認可を取り消され、その取消の日から起算して五年を経過しない者（当該認可を取り消された者が法人である場合においては、当該取消しの処分に係る行政手続法第十五条の規定による通知があつた日前六十日以内に当該法人の役員等であつた者で当該取消しの日から起算して五年を経過しないものを含み、当該認可を取り消された者が法人でない場合においては、当該通知があつた日前六十日以内に当該保育所の管理者であつた者で当該取消しの日から起算して五年を経過しないものを含む。）であるとき。ただし、当該認可の取消しが、保育所の設置の認可の取消しのうち当該認可の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該保育所の設置者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該保育所の設置者が有していた責任の程度を考慮して、ニ本文に規定する認可の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(d) The applicant whose certification has been rescinded pursuant to the provisions of Article 58, paragraph (2), and for whom five years have not elapsed from the date of the relevant rescission (if the person whose certification has been rescinded is a corporation, including the person who used be the official, etc. of the relevant corporation within sixty days prior

to the date of notification pursuant to the provisions of Article 15 of the Administrative Procedures Act pertaining to relevant rescission, and five years have not elapsed from the date of relevant rescission, and if a person for whom relevant certification is rescinded is not a corporation, including a person who used to be a manager of the relevant nursing center within sixty days prior to the date of relevant notification and five years have not elapsed from the date of relevant rescission); provided however, excluding the case where it is reasonable to acknowledge that rescission of the relevant certification in the text of sub-item (d) is not applicable, by taking into the fact of the disposition of rescission of the relevant certification and development of the approach to arrangement of operation control system by the establisher of the relevant nursing center to prevent occurrence of the relevant fact and the extent of responsibility of the establisher of the relevant nursing center related to other situations concerning the facts.

ホ 申請者と密接な関係を有する者が、第五十八条第一項の規定により認可を取り消され、その取消しの日から起算して五年を経過していないとき。ただし、当該認可の取消しが、保育所の設置の認可の取消しのうち当該認可の取消しの処分の理由となつた事実及び当該事実の発生を防止するための当該保育所の設置者による業務管理体制の整備についての取組の状況その他の当該事実に関して当該保育所の設置者が有していた責任の程度を考慮して、ホ本文に規定する認可の取消しに該当しないこととすることが相当であると認められるものとして厚生労働省令で定めるものに該当する場合を除く。

(e) When A person who has a close relationship with the applicant for whom certification has been rescinded pursuant to the provisions of Article 58, paragraph (1) and five years have not elapsed from the date of relevant rescission; provided, however, that excluding the case where it is reasonable to acknowledge that rescission of designation in the text of sub-item (e) is not applicable, by taking into the fact of the disposition of rescission of the relevant designation and development of the approach to operation control system and the extent of responsibility of the establisher of the relevant nursing center related to other situations concerning the facts.

へ 申請者が、第五十八条第一項の規定による認可の取消しの処分に係る行政手続法第十五条の規定による通知があつた日から当該処分をする日又は処分をしないことを決定する日までの間に第十二項の規定による保育所の廃止をした者（当該廃止について相当の理由がある者を除く。）で、当該保育所の廃止の承認の日から起算して五年を経過しないものであるとき。

(f) if a person who has close relationship with the applicant for whom certification has been rescinded pursuant to the provisions of Article paragraph (1) from the date of the notice pursuant to the provisions of Article 15 of the Administrative Procedure Act pertaining to deposition for

recission to the date of decision to execute deposition or not to do so, five years have not elapsed from the date of relevant abolition of the relevant nursery center (excluding the person having reasonable reason for the relevant abolition)

ト 申請者が、第四十六条第一項の規定による検査が行われた日から聴聞決定予定日（当該検査の結果に基づき第五十八条第一項の規定による認可の取消しの処分に係る聴聞を行うか否かの決定をすることが見込まれる日として厚生労働省令で定めるところにより都道府県知事が当該申請者に当該検査が行われた日から十日以内に特定の日を通知した場合における当該特定の日をいう。）までの間に第十二項の規定による保育所の廃止をした者（当該廃止について相当の理由がある者を除く。）で、当該保育所の廃止の承認の日から起算して五年を経過しないものであるとき。

(g) if the applicant is a person who has abolished the nursing center pursuant to the provisions of Article 12, during the period from the date when the inspection pursuant to Article 46, paragraph (1) was performed to the decision due date for hearing (referring to the date in the case of notifying the specified date when the decision on where hearing pertaining the deposition of recission of certification is executed or not pursuant to the provisions of Article 58, paragraph (1) based on the inspection), for whom five years have not yet elapsed from approval of abolition of the relevant nursing center.

チ へに規定する期間内に第十二項の規定による保育所の廃止の承認の申請があつた場合において、申請者が、への通知の日前六十日以内に当該申請に係る法人（当該保育所の廃止について相当の理由がある法人を除く。）の役員等又は当該申請に係る法人でない保育所（当該保育所の廃止について相当の理由があるものを除く。）の管理者であつた者で、当該保育所の廃止の承認の日から起算して五年を経過しないものであるとき。

(h) if abolition of the nursing center is approved during the period specified in sub-item (f), and the applicant was an officer, etc. of a corporation pertaining to the relevant application (excluding a corporation having a reasonable reason for abolition of the relevant nursing center.) or a manager of non-corporation pertaining to the relevant application (excluding the one having a reasonable reason for abolition of the relevant nursing center), for whom five years have not yet elapsed from approval of abolition of the relevant nursing center.

リ 申請者が、認可の申請前五年以内に保育に関し不正又は著しく不当な行為をした者であるとき。

(i) if the applicant performed a wrongful or significantly unjustifiable act pertaining medical support for specified chronic pediatric diseases, within five years prior to the application of the preceding paragraph.

ヌ 申請者が、法人で、その役員等のうちにイからニまで又はへからリまでのいず

れかに該当する者のあるものであるとき。

(j) if the applicant is a corporation and whose officer, etc. falls under any of (a) through (d) or (f) through (i); and

ル 申請者が、法人でない者で、その管理者がイからニまで又はへからリまでのいずれかに該当する者であるとき。

(k) if the applicant is not a corporation and whose manager falls under any of (a) through (d) or (f) through (i).

6 都道府県知事は、第四項の規定により保育所の設置の認可をしようとするときは、あらかじめ、都道府県児童福祉審議会の意見を聴かななければならない。

(6) A prefectural governor, when intending to provide certification for establishment of a nursing center pursuant to the provisions of paragraph (4), must hear opinions from a prefectural child welfare council in advance.

7 都道府県知事は、第四項の規定により保育所の設置の認可をしようとするときは、厚生労働省令で定めるところにより、あらかじめ、当該認可の申請に係る保育所が所在する市町村の長に協議しなければならない。

(7) A prefectural governor must, when intending to provide certification for establishment of a nursing center pursuant to the provisions of paragraph (4), in order to make a designation under the preceding paragraph, the prefectural governor must consult with the mayor of municipality where the nursing center pertaining to the application of the relevant certification is located in advance.

8 都道府県知事は、第五項に基づく審査の結果、その申請が第四十五条第一項の条例で定める基準に適合しており、かつ、その設置者が第五項各号に掲げる基準（その者が社会福祉法人又は学校法人である場合にあっては、同項第四号に掲げる基準に限る。）に該当すると認めるときは、第四項の認可をするものとする。ただし、都道府県知事は、当該申請に係る保育所の所在地を含む区域（子ども・子育て支援法第六十二条第二項第一号の規定により当該都道府県が定める区域とする。以下この項において同じ。）における特定教育・保育施設（同法第二十七条第一項に規定する特定教育・保育施設をいう。以下この項において同じ。）の利用定員の総数（同法第十九条第一項第二号及び第三号に掲げる小学校就学前子どもに係るものに限る。）が、同法第六十二条第一項の規定により当該都道府県が定める都道府県子ども・子育て支援事業支援計画において定める当該区域の特定教育・保育施設に係る必要利用定員総数（同法第十九条第一項第二号及び第三号に掲げる小学校就学前子どもの区分に係るものに限る。）に既に達しているか、又は当該申請に係る保育所の設置によつてこれを超えることになると認めるとき、その他の当該都道府県子ども・子育て支援事業支援計画の達成に支障を生ずるおそれがある場合として厚生労働省令で定める場合に該当すると認めるときは、第四項の認可をしないことができる。

(8) A prefectural governor is to provide a certification, as a result of the examination based on the paragraph (5), when it deems as applicable that the application satisfies the standards specified by Prefectural Ordinance of Article 45, paragraph (1) and that the establisher falls under the standards listed in

the items of paragraph (5) (limited to the standards when the operator is a social welfare corporation or incorporated educational institution, limited to the standards listed in the item (iv) of the same paragraph), the prefectural governor is to provide the certification of paragraph (4); provided, however, that the prefectural governor may decide not to grant a certification of paragraph (4), if the total capacity of use (limited to the one pertaining to the category of children up to elementary school entrance listed in Article 19, paragraph (1), items (ii) and (iii) of the same Act) of specified community-based child care facilities (referring to specified community-based child care facilities specified in Article 29, paragraph (3), item (i) and excluding the part pertaining to children up to elementary school entrance which the worker, etc. specified by Article 43, paragraph (3), item (i) of the same Act has custody in employee-provided childcare services; the same applies in this paragraph) in an area providing child care including the location of the nursing center (referring to as the area specified by the relevant prefecture pursuant to the provisions of Article 62, paragraph (2), item (i) of Act on Child and Childcare Support; the same applies in this paragraph) pertaining the relevant application has already reached the total necessary capacity of users pertaining to the specified childcare facilities of the relevant area for providing child care specified in prefectural childcare support project of the relevant prefecture pursuant to the provisions of Article 62, paragraph (1) of the same Act or it is determined that such capacity will be exceeded by establishment of the nursing center pertaining to the relevant application, or it is determined that such application falls under the case specified by Order of Health, Labor and Welfare, where it is likely to hinder the plan of the relevant prefectural childcare support project.

9 都道府県知事は、保育所に関する第四項の申請に係る認可をしないときは、速やかにその旨及び理由を通知しなければならない。

(9) If the prefectural governor does not provide certification pertaining to the application of paragraph (4) concerning nursing center, the prefectural governor must notify relevant applicant to that effect and of the reason.

10 児童福祉施設には、児童福祉施設の職員の養成施設を附置することができる。

(10) The child welfare institution may have a personal training facility as its auxiliary facility.

11 市町村は、児童福祉施設を廃止し、又は休止しようとするときは、その廃止又は休止の日の一月前（当該児童福祉施設が保育所である場合には三月前）までに、厚生労働省令で定める事項を都道府県知事に届け出なければならない。

(11) When a municipality intends to abolish or suspend a child welfare institution, the municipality must notify the prefectural governor of the particulars specified by an Order of the Ministry of Health, Labour and Welfare not less than one month prior to the date of such abolition or

suspension (if the relevant child welfare institution is a nursing center, three months prior).

12 国、都道府県及び市町村以外の者は、児童福祉施設を廃止し、又は休止しようとするときは、厚生労働省令の定めるところにより、都道府県知事の承認を受けなければならない。

(12) When a person other than the national and prefectural governments intends to abolish or suspend the child welfare institution, the person must obtain the prefectural governor's approval pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare

第三十六条 助産施設は、保健上必要があるにもかかわらず、経済的理由により、入院助産を受けることができない妊産婦を入所させて、助産を受けさせることを目的とする施設とする。

Article 36 A midwifery home is a facility intended for admitting expectant and nursing mothers who are unable to receive in-hospital midwifery care due to economic reasons, regardless of the necessity in terms of healthcare, and providing midwifery care to them.

第三十七条 乳児院は、乳児（保健上、安定した生活環境の確保その他の理由により特に必要のある場合には、幼児を含む。）を入院させて、これを養育し、あわせて退院した者について相談その他の援助を行うことを目的とする施設とする。

Article 37 An infant home is a facility intended for admitting and fostering infants (including toddlers in the case where it is particularly necessary for ensuring a steady living environment or due to other reasons in terms of healthcare), as well as providing consultation and other assistance to those who have left there.

第三十八条 母子生活支援施設は、配偶者のない女子又はこれに準ずる事情にある女子及びその者の監護すべき児童を入所させて、これらの者を保護するとともに、これらの者の自立の促進のためにその生活を支援し、あわせて退所した者について相談その他の援助を行うことを目的とする施設とする。

Article 38 A maternal and child living support facility is a facility intended for admitting and protecting females without a spouse or females in equivalent circumstances and the children whose custody must be taken by those females and supporting their life to encourage their self-reliance, as well as intended for providing consultation and other assistance to those who have left there.

第三十九条 保育所は、保育を必要とする乳児・幼児を日々保護者の下から通わせて保育を行うことを目的とする施設（利用定員が二十人以上であるものに限り、幼保連携型認定こども園を除く。）とする。

Article 39 (1) A nursery center is a facility intended for providing daycare to

infants or toddlers requiring daycare based by having them commute from their custodians on a daily basis (limited to the one whose capacity of users is 20 persons or more and excluding center in coordination between kindergarten and nursery center.)

2 保育所は、前項の規定にかかわらず、特に必要があるときは、保育を必要とするその他の児童を日々保護者の下から通わせて保育することができる。

(2) Notwithstanding the provisions of the preceding paragraph, a nursery center may, when it is particularly needed, provide daycare to other children lacking daycare by having them commute from their custodians on a daily basis.

第三十九条の二 幼保連携型認定こども園は、義務教育及びその後の教育の基礎を培うものとしての満三歳以上の幼児に対する教育（教育基本法（平成十八年法律第百二十号）第六条第一項に規定する法律に定める学校において行われる教育をいう。）及び保育を必要とする乳児・幼児に対する保育を一体的に行い、これらの乳児又は幼児の健やかな成長が図られるよう適当な環境を与えて、その心身の発達を助長することを目的とする施設とする。

Article 39-2 (1) Child center in coordination between kindergarten and nursery center is an institution which aims at promoting infants' and toddlers' mental and physical development by integratedly practicing daycare for infants and toddlers who require education for the toddlers of three years or older (which refers as to education performed in schools specified by the Act which is specified in Article 6, paragraph (1) of Basic Education Act (Act. No. 120 of 2006) and daycare and providing appropriate environments in order to promote their sound upbringing, as the basis of compulsory education and subsequent education.

2 幼保連携型認定こども園に関しては、この法律に定めるもののほか、認定こども園法の定めるところによる。

(2) Child center in coordination between kindergarten and nursery center is specified in the Act on Certified Children Centers, beyond the provisions of this Act.

第四十条 児童厚生施設は、児童遊園、児童館等児童に健全な遊びを与えて、その健康を増進し、又は情操をゆたかにすることを目的とする施設とする。

Article 40 A children's recreational facility is a facility, such as a child play space and a child center, intended for providing children with sound opportunities for play in order to promote their health or enrich their sentiments.

第四十一条 児童養護施設は、保護者のない児童（乳児を除く。ただし、安定した生活環境の確保その他の理由により特に必要のある場合には、乳児を含む。以下この条において同じ。）、虐待されている児童その他環境上養護を要する児童を入所させて、

これを養護し、あわせて退所した者に対する相談その他の自立のための援助を行うことを目的とする施設とする。

Article 41 A foster home is a facility intended for admitting, and providing foster care with, children without a custodian (excluding infants; provided, however, that infants are also included in the case where it is particularly necessary for ensuring a steady living environment or due to other reasons; the same applies hereinafter in this Article), abused children, and other children in need of foster care in terms of their environment, as well as those intended for providing consultation and other assistance for self-reliance to those who have left.

第四十二条 障害児入所施設は、次の各号に掲げる区分に応じ、障害児を入所させて、当該各号に定める支援を行うことを目的とする施設とする。

Article 42 A facility for children with disabilities is to aim at providing support specified in the relevant items by having children with disabilities admit into such facility according to categories listed in the following item.

一 福祉型障害児入所施設 保護、日常生活の指導及び独立自活に必要な知識技能の付与

(i) welfare services facility for children with disabilities: aid, guidance for daily life and provision of knowledge and skills required for independence and self-supporting.

二 医療型障害児入所施設 保護、日常生活の指導、独立自活に必要な知識技能の付与及び治療

(ii) medical services facility for children with disabilities: aid, guidance for daily life and provision of knowledge and skills required for independence and self-supporting.

第四十三条 児童発達支援センターは、次の各号に掲げる区分に応じ、障害児を日々保護者の下から通わせて、当該各号に定める支援を提供することを目的とする施設とする。

Article 43 A developmental support center for children is to aim at providing support specified in the relevant items by having children with disabilities commute from their custodian on a daily basis.

一 福祉型児童発達支援センター 日常生活における基本的動作の指導、独立自活に必要な知識技能の付与又は集団生活への適応のための訓練

(i) welfare services child developmental support center: instructions on basic actions in daily life, provision of knowledge and skills required for independence and self-supporting or adaptive trainings to group living; and

二 医療型児童発達支援センター 日常生活における基本的動作の指導、独立自活に必要な知識技能の付与又は集団生活への適応のための訓練及び治療

(ii) medical services child developmental support center: instruction on basic

actions in daily life, provision of knowledge and skills required for independence and self-supporting or adaptive trainings to group living, and medical treatment.

第四十三条の二 児童心理治療施設は、家庭環境、学校における交友関係その他の環境上の理由により社会生活への適応が困難となつた児童を、短期間、入所させ、又は保護者の下から通わせて、社会生活に適応するために必要な心理に関する治療及び生活指導を主として行い、あわせて退所した者について相談その他の援助を行うことを目的とする施設とする。

Article 43-2 A psychological treatment facility for children is a facility intended for admitting children who have difficulties in adaptation to social life, due to their family environment, friendship in schools or other environmental reasons, stay there for a short time, or have those children commute there from their custodians, mainly providing necessary treatment concerning psychology guidance and life guidance to those children for adaption to society and supporting their self-reliance, as well having the intention of providing consultation and other assistance to those who have left there.

第四十四条 児童自立支援施設は、不良行為をなし、又はなすおそれのある児童及び家庭環境その他の環境上の理由により生活指導等を要する児童を入所させ、又は保護者の下から通わせて、個々の児童の状況に応じて必要な指導を行い、その自立を支援し、あわせて退所した者について相談その他の援助を行うことを目的とする施設とする。

Article 44 A children's self-reliance support facility is a facility intended for admitting children who have committed, or are likely to commit, delinquencies and other children in need of life guidance, etc. due to their family environment or other environmental reasons or having those children commute there from their custodians, and providing necessary guidance to those children in accordance with their individual circumstances and supporting their self-reliance, as well as having the intention of providing consultation and other assistance to those who have left there.

第四十四条の二 児童家庭支援センターは、地域の児童の福祉に関する各般の問題につき、児童に関する家庭その他からの相談のうち、専門的な知識及び技術を必要とするものに応じ、必要な助言を行うとともに、市町村の求めに応じ、技術的助言その他必要な援助を行うほか、第二十六条第一項第二号及び第二十七条第一項第二号の規定による指導を行い、あわせて児童相談所、児童福祉施設等との連絡調整その他厚生労働省令の定める援助を総合的に行うことを目的とする施設とする。

Article 44-2 (1) A child and family support center is a facility intended for providing consultation related to children from family and others, among which specialized knowledge and skills, and giving necessary advice to them, in respond to request from municipality, beyond providing necessary support such

as technical advice, and providing guidance pursuant to the provisions of Article 26 paragraph (1), item (ii) and Article 27, paragraph (1), item (ii), as well as intended for comprehensively carrying out liaison and coordination with child guidance centers, child welfare institutions, etc. and affording other assistance specified by an Order of the Ministry of Health, Labour and Welfare.

2 児童家庭支援センターの職員は、その職務を遂行するに当たっては、個人の身上に関する秘密を守らなければならない。

(2) An employee of a child and family support center, when performing their duties, must not divulge any secrets concerning personal circumstances.

第四十四条の三 第六条の三各項に規定する事業を行う者、里親及び児童福祉施設（指定障害児入所施設及び指定通所支援に係る児童発達支援センターを除く。）の設置者は、児童、妊産婦その他これらの事業を利用する者又は当該児童福祉施設に入所する者の人格を尊重するとともに、この法律又はこの法律に基づく命令を遵守し、これらの者のため忠実にその職務を遂行しなければならない。

Article 44-3 The person engaged in the services specified in the paragraphs of Article 6-3, a foster parent and the establisher of child welfare center (excluding designated admission institution for children with disabilities and the developmental support centers for children pertaining to designated outpatient support) respect the character of children and expectant and nursing mothers, other users of these services or admittees of the relevant child welfare institution, comply with this Act or orders pursuant to this Act, and faithfully perform their own duties for the aforementioned persons.

第四十五条 都道府県は、児童福祉施設の設備及び運営について、条例で基準を定めなければならない。この場合において、その基準は、児童の身体的、精神的及び社会的な発達のために必要な生活水準を確保するものでなければならない。

Article 45 (1) A prefecture must specify the standards by Prefectural Ordinance concerning the equipment and operation of child welfare center. In this case, those standards must be the ones that can ensure the living level necessary for physical, mental, and social development of children.

2 都道府県が前項の条例を定めるに当たっては、次に掲げる事項については厚生労働省令で定める基準に従い定めるものとし、その他の事項については厚生労働省令で定める基準を参酌するものとする。

(2) The prefecture is to specify the Ordinance of the preceding paragraph, in accordance with the standards specified by Order of Ministry of Health, Labour and Welfare concerning the particulars listed as follows and is to take into consideration the standards specified by Order of the Ministry of Health, Labour and Welfare concerning other particulars.

一 児童福祉施設に配置する従業者及びその員数

(i) employees deployed in the child welfare institution and their number

二 児童福祉施設に係る居室及び病室の床面積その他児童福祉施設の設備に関する事項であつて児童の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(ii) The floor area of living room or ward pertaining to child welfare institution and other particulars concerning the equipment of child welfare institution, which are closely related to the sound development of children with disabilities prescribed by Order of Ministry of Health, Labour and Welfare.

三 児童福祉施設の運営に関する事項であつて、保育所における保育の内容その他児童（助産施設にあつては、妊産婦）の適切な処遇の確保及び秘密の保持、妊産婦の安全の確保並びに児童の健全な発達に密接に関連するものとして厚生労働省令で定めるもの

(iii) the particulars concerning operation of child welfare institution, which are closely related to securing appropriate treatment of the contents of childcare in nursing center and other children (expectant and nursing mothers in midwifery home), maintenance of confidentiality and sound development of children prescribed by Order of Ministry of Health, Labour and Welfare.

3 児童福祉施設の設置者は、第一項の基準を遵守しなければならない。

(3) The establisher of the child welfare institution must comply with the standards of paragraph (1).

4 児童福祉施設の設置者は、児童福祉施設の設備及び運営についての水準の向上を図ることに努めるものとする。

(4) The establisher of a child welfare institution is to endeavor to improve the level of its facilities and operation.

第四十五条の二 厚生労働大臣は、里親の行う養育について、基準を定めなければならない。この場合において、その基準は、児童の身体的、精神的及び社会的な発達のために必要な生活水準を確保するものでなければならない。

Article 45-2 (1) The Minister of Health, Labor and Welfare must specify the minimum standards on child care by foster parents. In this case, those minimum standards are the ones that can ensure the living level necessary for physical, mental, and social development of children.

2 里親は、前項の基準を遵守しなければならない。

(2) A foster parent must comply with the standards of the preceding paragraph.

第四十六条 都道府県知事は、第四十五条第一項及び前条第一項の基準を維持するため、児童福祉施設の設置者、児童福祉施設の長及び里親に対して、必要な報告を求め、児童の福祉に関する事務に従事する職員に、関係者に対して質問させ、若しくはその施設に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

Article 46 (1) A prefectural governor, in order to maintain the standards set forth in Article 45, paragraph (1) and paragraph (1) of the preceding Article, may request the establisher of the child welfare facility, the head of the child

welfare facility, and the foster parents to submit necessary reports and may make an official engaged in the affairs concerning child welfare ask relevant questions of relevant persons or enter and inspect any facilities, inspect equipment, books and documents, and other objects.

2 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(2) The provisions of Article 18-16, paragraphs (2) and (3) apply mutatis mutandis to the case referred to in the preceding paragraph.

3 都道府県知事は、児童福祉施設の設備又は運営が第四十五条第一項の基準に達しないときは、その施設の設置者に対し、必要な改善を勧告し、又はその施設の設置者がその勧告に従わず、かつ、児童福祉に有害であると認められるときは、必要な改善を命ずることができる。

(3) A prefectural governor may recommend necessary improvements to the establisher of the facility when the facility or its management do not meet the standards set forth in Article 45, paragraph (1) or may order necessary improvements when the establisher of the facility fails to follow recommendations and it is found to be harmful to child welfare.

4 都道府県知事は、児童福祉施設の設備又は運営が第四十五条第一項の基準に達せず、かつ、児童福祉に著しく有害であると認められるときは、都道府県児童福祉審議会の意見を聴き、その施設の設置者に対し、その事業の停止を命ずることができる。

(4) When any facility or operation of the child welfare facilities fails to attain the standards set forth in Article 45, paragraph (1) and the prefectural governor finds such failure to be extremely harmful to child welfare, the prefectural governor may, after hearing opinions from the prefectural child welfare council, order the establisher of the facility to suspend its services.

第四十六条の二 児童福祉施設の長は、都道府県知事又は市町村長（第三十二条第三項の規定により第二十四条第五項又は第六項の規定による措置に関する権限が当該市町村に置かれる教育委員会に委任されている場合にあつては、当該教育委員会）からこの法律の規定に基づく措置又は助産の実施若しくは母子保護の実施のための委託を受けたときは、正当な理由がない限り、これを拒んではならない。

Article 46-2 (1) When the head of the child welfare facility has been entrusted by a prefectural governor or a mayor of municipality (in the case where the authority concerning the measures prescribed in the provisions of Article 24, paragraph (5) or (6) is delegated to a board of education established in relevant municipality pursuant to the provisions of Article 32, paragraph (3), that board of education) with measures pursuant to the provisions of this Act, or the midwifery care practice, or the maternal and child assistance practice, the head must not refuse such entrustment without justifiable grounds.

2 保育所若しくは認定こども園の設置者又は家庭的保育事業等を行う者は、第二十四条第三項の規定により行われる調整及び要請に対し、できる限り協力しなければならない。

- (2) The establisher of a nursery center or certified children center or a person engaged in domestic daycare services, etc. must cooperate in coordination and requests made pursuant to the provisions of Article 24, paragraph (3) as much as possible.

第四十七条 児童福祉施設の長は、入所中の児童等で親権を行う者又は未成年後見人のないものに対し、親権を行う者又は未成年後見人があるに至るまでの間、親権を行う。ただし、民法第七百九十七条の規定による縁組の承諾をするには、厚生労働省令の定めるところにより、都道府県知事の許可を得なければならない。

Article 47 (1) The head of a child welfare facility must exercise parental authority over any child staying in the institution that does not have a custodian or a person that exercises parental authority over the child until such time as there is a custodian or a person that exercises parental authority over the child; provided, however, that approval for adoption pursuant to the provisions of Article 797 of the Civil Code must be obtained from the prefectural governor, pursuant to the provisions of Order of the Ministry of Health, Labor and Welfare.

- 2 児童相談所長は、小規模住居型児童養育事業を行う者又は里親に委託中の児童等で親権を行う者又は未成年後見人のないものに対し、親権を行う者又は未成年後見人があるに至るまでの間、親権を行う。ただし、民法第七百九十七条の規定による縁組の承諾をするには、厚生労働省令の定めるところにより、都道府県知事の許可を得なければならない。

(2) The director of a child guidance center must exercise parental authority over a child entrusted to a person engaged in small scale foster home services or a foster parent and that does not have a custodian or a person who exercises parental authority over the child until such time as there is a custodian or a person who exercises parental authority over the child; provided, however, that approval for adoption pursuant to the provisions of Article 797 of the Civil Code must be obtained from the prefectural governor, pursuant to the provisions of Order of the Ministry of Health, Labor and Welfare.

- 3 児童福祉施設の長、その住居において養育を行う第六条の三第八項に規定する厚生労働省令で定める者又は里親は、入所中又は受託中の児童等で親権を行う者又は未成年後見人のあるものについても、監護、教育及び懲戒に関し、その児童等の福祉のため必要な措置をとることができる。ただし、体罰を加えることはできない。

(3) The head of a child welfare facility, a person specified by an Order of the Ministry of Health, Labor and Welfare as provided in Article 6-3, paragraph (8), or a foster parent who takes care of a child at the foster parent's residence may take necessary measures for the welfare of the child with regard to custody, education, and disciplinary action, even with regard to a child placed in or entrusted to the facility who already has a custodian or other figure with parental authority; provided, however, that corporal punishment is not

permitted.

4 前項の児童等の親権を行う者又は未成年後見人は、同項の規定による措置を不当に妨げてはならない。

(4) A person who exercises parental authority over a child or a custodian of a minor as set forth in the preceding paragraph must not unjustly interfere with the measures prescribed in the same paragraph.

5 第三項の規定による措置は、児童等の生命又は身体の安全を確保するため緊急の必要があると認めるときは、その親権を行う者又は未成年後見人の意に反しても、これをとることができる。この場合において、児童福祉施設の長、小規模住居型児童養育事業を行う者又は里親は、速やかに、そのとつた措置について、当該児童等に係る通所給付決定若しくは入所給付決定、第二十一条の六、第二十四条第五項若しくは第六項若しくは第二十七条第一項第三号の措置、助産の実施若しくは母子保護の実施又は当該児童に係る子ども・子育て支援法第二十条第四項に規定する教育・保育給付認定を行つた都道府県又は市町村の長に報告しなければならない。

(5) Measures pursuant to the provisions of paragraph (3) may be taken even against the will of the person who exercises parental authority or the custodian of a minor, when it is found urgently necessary for securing the life or physical safety of the child. In this case, the head of a child welfare institution, a person engaged in small scale foster home services, or a foster parent must promptly report on the measures taken to the head of the prefecture or municipality which made a decision on the outpatient benefits or decision on the admission benefits, the measures set forth in Article 21-6, Article 24, paragraph (5) or paragraph (6), or Article 27, paragraph (1), item (iii), the midwifery care practice or the maternal and child assistance practice, or the certification of education and nursing benefits prescribed in Article 20, paragraph (4) of the child and child care support Act pertaining to that child.

第四十八条 児童養護施設、障害児入所施設、児童心理治療施設及び児童自立支援施設の長、その住居において養育を行う第六条の三第八項に規定する厚生労働省令で定める者並びに里親は、学校教育法に規定する保護者に準じて、その施設に入所中又は受託中の児童を就学させなければならない。

Article 48 The head of a foster home, a facility for children with disabilities, a child psychological treatment facility, or a children's self-reliance support facility, a person specified by Ordinance of the Ministry of Health, Labor and Welfare provided in Article 6-3 paragraph (8) who takes care of a child in a private residence, or a foster parent must send the children admitted in those institutions or entrusted to those foster parents to school as if they were the custodians prescribed in the School Education Act.

第四十八条の二 乳児院、母子生活支援施設、児童養護施設、児童心理治療施設及び児童自立支援施設の長は、その行う児童の保護に支障がない限りにおいて、当該施設の

所在する地域の住民につき、児童の養育に関する相談に応じ、及び助言を行うよう努めなければならない。

Article 48-2 The head of an infant home, a mother and child living support facility, a foster home, a child psychological treatment facility, and a children's self-reliance support facility must endeavor to provide consultation and advice concerning foster care of children to residents in the region where the institution is located, to the extent not detrimental to the protective care services for children performed by the institution.

第四十八条の三 乳児院、児童養護施設、障害児入所施設、児童心理治療施設及び児童自立支援施設の長並びに小規模住居型児童養育事業を行う者及び里親は、当該施設に入所し、又は小規模住居型児童養育事業を行う者若しくは里親に委託された児童及びその保護者に対して、市町村、児童相談所、児童家庭支援センター、教育機関、医療機関その他の関係機関との緊密な連携を図りつつ、親子の再統合のための支援その他の当該児童が家庭（家庭における養育環境と同様の養育環境及び良好な家庭的環境を含む。）で養育されるために必要な措置を採らなければならない。

Article 48-3 The head of an infant home, a foster home, a facility for children with disabilities, a child psychological treatment facility, and a children's self-reliance support facility, as well as a person engaged in a small scale foster home services and a foster parent must take necessary measures for the referenced child to be cared for at home (including a nurturing environment similar to a home-rearing environment and a good and nurturing home environment), such as support for reintegration of parent and child, in close coordination with municipalities, child guidance centers, child and family support centers, educational institutions, medical institutions and other relevant organs, for the referenced child admitted in the facility, a person engaged in small-scale residential child care services or a child entrusted by the foster parent and their parents.

第四十八条の四 保育所は、当該保育所が主として利用される地域の住民に対してその行う保育に関し情報の提供を行い、並びにその行う保育に支障がない限りにおいて、乳児、幼児等の保育に関する相談に応じ、及び助言を行うよう努めなければならない。

Article 48-4 (1) A nursery center must provide information concerning its daycare to residents in the region where that nursery center is mainly utilized, and must endeavor to provide consultation and advice concerning daycare of infants, toddlers, etc., to the extent not detrimental to the daycare services provided by that nursery center.

2 保育所に勤務する保育士は、乳児、幼児等の保育に関する相談に応じ、及び助言を行うために必要な知識及び技能の修得、維持及び向上に努めなければならない。

(2) A nursery teacher working in a nursery center must endeavor to acquire, maintain and improve their knowledge and skills necessary to provide

consultation and afford advice concerning daycare of infants, toddlers, etc.

第四十九条 この法律で定めるもののほか、児童自立生活援助事業、放課後児童健全育成事業、乳児家庭全戸訪問事業、養育支援訪問事業、地域子育て支援拠点事業、一時預かり事業、小規模住居型児童養育事業、家庭的保育事業、小規模保育事業、居宅訪問型保育事業、事業所内保育事業、病児保育事業及び子育て援助活動支援事業並びに児童福祉施設の職員その他児童福祉施設に関し必要な事項は、命令で定める。

Article 49 Beyond what is provided for in this Act, other necessary particulars concerning children's self-reliant living assistance services, after-school child sound upbringing services, visiting services for all infants and families, visiting services for support of child care, local child care support center services, temporary custody services, small scale foster home services, home-care services, small-scale daycare services, home-visit daycare services, on-site daycare services, sick child care services and support services for child care activities, employees of child welfare institutions and other necessary particulars concerning child welfare institutions must be prescribed by an Order.

第四章 費用 Chapter IV Expenses

第四十九条の二 国庫は、都道府県が、第二十七条第一項第三号に規定する措置により、国の設置する児童福祉施設に入所させた者につき、その入所後に要する費用を支弁する。

Article 49-2 With regard to the persons admitted by the prefectural governments into a child welfare institution established by the national government based on the measures provided in Article 27, paragraph (1), item (iii), the national treasury is to pay expenses spent for those persons after that admission.

第五十条 次に掲げる費用は、都道府県の支弁とする。

Article 50 The following expenses must be paid by prefectures:

- 一 都道府県児童福祉審議会に要する費用
(i) expenses required for the Prefectural Child Welfare Council;
- 二 児童福祉司及び児童委員に要する費用
(ii) expenses required for Child Welfare Officers and commissioned child welfare volunteers;
- 三 児童相談所に要する費用（第九号の費用を除く。）
(iii) expenses required for the child guidance center (excluding expenses set forth in item (ix));
- 四 削除
(iv) deleted;

五 第二十条の措置に要する費用

(v) expenses required for measures set forth in Article 20;

五の二 小児慢性特定疾病医療費の支給に要する費用

(v)-2 expenses required for payment of medical expenses for specified chronic disease in children

五の三 小児慢性特定疾病児童等自立支援事業に要する費用

(v)-3 expenses required for services to support the self-reliance of children with chronic specified diseases in children.

六 都道府県の設置する助産施設又は母子生活支援施設において市町村が行う助産の実施又は母子保護の実施に要する費用（助産の実施又は母子保護の実施につき第四十五条第一項の基準を維持するために要する費用をいう。次号及び次条第三号において同じ。）

(vi) expenses required for the midwifery care practice or the maternal and child assistance practice afforded by municipalities in the midwifery homes or mother and child living support facilities established by the prefecture (this must mean the expenses required for maintaining the standards set forth in Article 45, paragraph (1) with regard to the midwifery care practice or the maternal and child assistance practice; the same must apply in the following item and item (iii) of the following Article.);

六の二 都道府県が行う助産の実施又は母子保護の実施に要する費用

(vi)-2 expenses required for the Midwifery Care Practice or the Maternal and Child Assistance Practice afforded by the prefectural government;

六の三 障害児入所給付費、高額障害児入所給付費若しくは特定入所障害児食費等給付費又は障害児入所医療費（以下「障害児入所給付費等」という。）の支給に要する費用

(vi)-3 expenses required for payments of admission benefits for children with disabilities, high-cost admission benefits for children with disabilities, benefits for meals expenses, etc. for specified institutionalized children with disabilities, or admission medical expenses for children with disabilities (hereinafter referred to as "admission benefits, etc. for children with disabilities");

七 都道府県が、第二十七条第一項第三号に規定する措置を採った場合において、入所又は委託に要する費用及び入所後の保護又は委託後の養育につき、第四十五条第一項又は第四十五条の二第一項の基準を維持するために要する費用（国の設置する乳児院、児童養護施設、障害児入所施設、児童心理治療施設又は児童自立支援施設に入所させた児童につき、その入所後に要する費用を除く。）

(vii) expenses required for admission or entrustment and expenses spent for maintaining the standards set forth in Article 45, paragraph (1) or Article 45-2, paragraph (1) with regard to the public assistance after admission or for child care after entrustment when the prefectural government takes the measures prescribed in Article 27, paragraph (1), item (iii) (with regard to a

child admitted in an infant home, a foster home, a facility for children with disabilities, a children's psychological treatment facility or a children's self-reliance support facility established by the national government, the expenses spent for such child after such admission must be excluded)

七の二 都道府県が、第二十七条第二項に規定する措置を採った場合において、委託及び委託後の治療等に要する費用

(vii)-2 expenses required for entrustment and treatment after entrustment in the case where a prefecture takes the measures prescribed in Article 27, paragraph (2);

七の三 都道府県が行う児童自立生活援助（満二十歳未満義務教育終了児童等に係るものに限る。）の実施に要する費用

(vii)-3 expenses required for the implementation of children's self-reliant living assistance (limited to those pertaining to children, etc. having terminated compulsory education under the age of 20) to be provided by the prefecture;

八 一時保護に要する費用

(viii) expenses required for temporary custody; and

九 児童相談所の設備並びに都道府県の設置する児童福祉施設の設備及び職員の養成施設に要する費用

(ix) expenses required for the facilities of the child guidance center and for the facilities of child welfare institutions established by the prefectural government and their personnel training facilities.

第五十一条 次に掲げる費用は、市町村の支弁とする。

Article 51 The following expenses must be paid by municipalities.

一 障害児通所給付費、特例障害児通所給付費若しくは高額障害児通所給付費又は肢体不自由児通所医療費の支給に要する費用

(i) expenses required for payments of outpatient benefits for children with disabilities, outpatient benefits for specified children with disabilities or high-cost outpatient benefits for children with disabilities, or outpatient medical expenses for orthopedically impaired children;

二 第二十一条の六の措置に要する費用

(ii) expenses required for the measures set forth in Article 21, paragraph (6);

三 市町村が行う助産の実施又は母子保護の実施に要する費用（都道府県の設置する助産施設又は母子生活支援施設に係るものを除く。）

(iii) expenses required for the midwifery care practice or the maternal and child assistance practice afforded by the municipality (excluding services pertaining to midwifery homes or mother and child living support facilities established by the prefecture.);

四 第二十四条第五項又は第六項の措置（都道府県若しくは市町村の設置する保育所若しくは幼保連携型認定こども園又は都道府県若しくは市町村の行う家庭的保育事業等に係るものに限る。）に要する費用

(iv) expenses required for the measures referred to in Article 24, paragraph (5) or (6) (limited to those pertaining to a nursery center established by the prefecture or the municipality, and child center in coordination between kindergarten and nursery center , or domestic daycare services, etc. conducted by the prefecture or the municipality);

五 第二十四条第五項又は第六項の措置（都道府県及び市町村以外の者の設置する保育所若しくは幼保連携型認定こども園又は都道府県及び市町村以外の者の行う家庭的保育事業等に係るものに限る。）に要する費用

(v) expenses required for the measures referred to in Article 24, paragraphs (5) or (6) (limited to those pertaining to nursery centers established by persons other than prefectures and municipalities or nursery center or child center in coordination between kindergarten and nursery center , or home-style daycare services, etc. conducted by persons other than prefectures and municipalities.);

六 障害児相談支援給付費又は特例障害児相談支援給付費の支給に要する費用

(vi) expenses required for payment of consultation support benefits for children with disabilities or specified consultation support benefits for children with disabilities for disabilities.

七 市町村の設置する児童福祉施設の設備及び職員の養成施設に要する費用

(vii) expenses required for facilities and personnel training facilities of child welfare institutions established by the municipality;

八 市町村児童福祉審議会に要する費用

(viii) expenses required for municipal child welfare councils;

第五十二条 第二十四条第五項又は第六項の規定による措置に係る児童が、子ども・子育て支援法第二十七条第一項、第二十八条第一項（第二号に係るものを除く。）、第二十九条第一項又は第三十条第一項（第二号に係るものを除く。）の規定により施設型給付費、特例施設型給付費、地域型保育給付費又は特例地域型保育給付費の支給を受けることができる保護者の児童であるときは、市町村は、その限度において、前条第四号又は第五号の規定による費用の支弁をすることを要しない。

Article 52 When a child pertaining to a measure taken pursuant to the provisions of Article 24, paragraph (5) or (6) of the Child and Childcare Support Act falls under any of the following items. When a child is the child of a custodian who is entitled to receive institutional type benefits, specified institutional type benefits, community-based daycare benefits or specified community-based daycare benefits pursuant to the provisions of Article 28, paragraph (1) (excluding those pertaining to item (ii)), Article 29, paragraph (1) or Article 30, paragraph (1) (excluding those pertaining to item (ii)), the municipality will not be required to pay expenses pursuant to the provisions of item (iv) or (v) of the preceding Article to that extent.

第五十三条 国庫は、第五十条（第一号から第三号まで及び第九号を除く。）及び第五十一条（第四号、第七号及び第八号を除く。）に規定する地方公共団体の支弁する費用に対しては、政令の定めるところにより、その二分の一を負担する。

Article 53 The national treasury, pursuant to the provisions of Cabinet Order, must bear one half of the expenses paid by local governments prescribed in Article 50 (excluding items (i) through (iii) and item (ix)) and Article 51 (excluding items (iv), (vii) and (viii)).

第五十四条 削除

Article 54 Deleted

第五十五条 都道府県は、第五十一条第一号から第三号まで、第五号及び第六号の費用に対しては、政令の定めるところにより、その四分の一を負担しなければならない。

Article 55 The head of a prefecture that has paid one quarter of the expenses prescribed in Article 51, items (i) through (iii), item (v) and item (vi) pursuant to the provisions of Cabinet Order.

第五十六条 第四十九条の二に規定する費用を国庫が支弁した場合においては、厚生労働大臣は、本人又はその扶養義務者（民法に定める扶養義務者をいう。以下同じ。）から、都道府県知事の認定するその負担能力に応じ、その費用の全部又は一部を徴収することができる。

Article 56 (1) In the case where expenses provided in Article 49-2 are paid by the national treasury, the Minister of Health, Labor and Welfare may collect the full amount of those expenses or part thereof from the person or their supporter under duty (which means a supporter under duty provided in the Civil Code; the same applies hereinafter) in accordance with the financial capacity recognized by the prefectural governor.

2 第五十条第五号、第六号、第六号の二若しくは第七号から第七号の三までに規定する費用を支弁した都道府県又は第五十一条第二号から第五号までに規定する費用を支弁した市町村の長は、本人又はその扶養義務者から、その負担能力に応じ、その費用の全部又は一部を徴収することができる。

(2) The head of a prefecture that has paid the expenses prescribed in Article 50, item (v), item (vi), item (vi)-2, or items (vii) through (vii)-3 or a municipality that has paid the expenses prescribed in Article 51, items (ii) through (v) may collect all or part of those expenses from the person or the person responsible for the person's support, in accordance with that person's ability to bear those expenses.

3 前項の規定による徴収金の収納の事務については、収入の確保及び本人又はその扶養義務者の便益の増進に寄与すると認める場合に限り、政令で定めるところにより、私人に委託することができる。

(3) Affairs for the collection and storage of money pursuant to the provisions of

the preceding paragraph may be entrusted to a private individual pursuant to the provisions of a Cabinet Order, only when it is found to contribute to the securing of income and the promotion of the benefits of the person or the person responsible for their support.

4 都道府県知事又は市町村長は、第一項の規定による負担能力の認定又は第二項の規定による費用の徴収に関し必要があると認めるときは、本人又はその扶養義務者の収入の状況につき、本人若しくはその扶養義務者に対し報告を求め、又は官公署に対し必要な書類の閲覧若しくは資料の提供を求めることができる。

(4) The prefectural governor or the mayor or head of municipality, when necessary in relation to the recognition of the ability to bear expenses under the provisions of paragraph (1) or the collection of expenses under the provisions of paragraph (2), may request the person or the person responsible for their support to report on the state of income of the person or the person responsible for their support, or request a public agency to inspect necessary documents or provide necessary materials.

5 第一項又は第二項の規定による費用の徴収は、これを本人又はその扶養義務者の居住地又は財産所在地の都道府県又は市町村に嘱託することができる。

(5) The collection of expenses under the provisions of paragraph (1) or paragraph (2) may be commissioned to the prefecture or municipality where the place of residence or property of the person or the person responsible for their support is located.

6 第一項又は第二項の規定により徴収される費用を、指定の期限内に納付しない者があるときは、第一項に規定する費用については国税の、第二項に規定する費用については地方税の滞納処分の例により処分することができる。この場合における徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

(6) When a person fails to pay the expenses collected pursuant to the provisions of paragraph (1) or paragraph (2) within the designated time limit, disposition may be made for the expenses prescribed in paragraph (1) by applying the rules for collection of national tax delinquency and for the expenses prescribed in paragraph (2) by applying the rules for collection of local tax delinquency. In this case, the order of the statutory lien of the money collected must come after national tax and local tax.

7 保育所又は幼保連携型認定こども園の設置者が、次の各号に掲げる乳児又は幼児の保護者から、善良な管理者と同一の注意をもつて、当該各号に定める額のうち当該保護者が当該保育所又は幼保連携型認定こども園に支払うべき金額に相当する金額の支払を受けることに努めたにもかかわらず、なお当該保護者が当該金額の全部又は一部を支払わない場合において、当該保育所又は幼保連携型認定こども園における保育に支障が生じ、又は生ずるおそれがあり、かつ、市町村が第二十四条第一項の規定により当該保育所における保育を行うため必要であると認めるとき又は同条第二項の規定により当該幼保連携型認定こども園における保育を確保するため必要であると認めるときは、市町村は、当該設置者の請求に基づき、地方税の滞納処分の例によりこれを

処分することができる。この場合における徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

(7) In the case where the head of a nursery center or child center in coordination between a kindergarten and nursery center has made efforts to receive, with the same care as a prudent manager, payment from the custodian of an infant or toddler listed in the following items of the amount equivalent to the amount to be paid to that nursery center or child center in coordination between kindergarten and nursery center but the custodian fails to pay all or part of the amount, and when a hindrance occurs or is likely to occur to daycare at that nursery center or child center in coordination between kindergarten and nursery center, and the municipality finds it necessary for performing daycare at the nursery center pursuant to the provisions of Article 24, paragraph (1) or when it finds it necessary for ensuring daycare at that relevant child center in coordination between a kindergarten and nursery center pursuant to the provisions of paragraph (2) of the same Article, the municipality, upon request from the head, may dispose of the same in accordance with the provisions of the disposition for delinquent payment of local taxes. In this case, the order of the statutory lien on the collected money will be after that of national tax and local tax.

一 子ども・子育て支援法第二十七条第一項に規定する特定教育・保育を受けた乳児又は幼児 同条第三項第一号に掲げる額から同条第五項の規定により支払がなされた額を控除して得た額（当該支払がなされなかつたときは、同号に掲げる額）又は同法第二十八条第二項第一号の規定による特例施設型給付費の額及び同号に規定する政令で定める額を限度として市町村が定める額（当該市町村が定める額が現に当該特定教育・保育に要した費用の額を超えるときは、当該現に特定教育・保育に要した費用の額）の合計額

(i) an infant or toddler that has received specified education and childcare prescribed in Article 27, paragraph (1) of the Child and Child Care Support Act: The sum of the amount obtained by deducting the amount paid pursuant to the provisions of paragraph (5) of the same Article from the amount listed in paragraph (3), item (i) of the same Article (when that payment has not been made, the amount listed in that item) or the amount specified by a municipality to the extent of the amount of special institutional benefits under the provisions of Article 28, paragraph (2), item (i) of the same Act and the amount specified by Cabinet Order prescribed in the same item (in the case where the amount specified by the municipality exceeds the amount of expenses actually incurred in the specified education and daycare, the amount of expenses actually incurred in the specified education and daycare)

二 子ども・子育て支援法第二十八条第一項第二号に規定する特別利用保育を受けた幼児 同条第二項第二号の規定による特例施設型給付費の額及び同号に規定する市町村が定める額（当該市町村が定める額が現に当該特別利用保育に要した費用の額

を超えるときは、当該現に特別利用保育に要した費用の額)の合計額から同条第四項において準用する同法第二十七条第五項の規定により支払がなされた額を控除して得た額(当該支払がなされなかつたときは、当該合計額)

(ii) Child and Child Care Support Act: The amount obtained by deducting the amount paid pursuant to the provisions of Article 28, paragraph (5) of the same Act, as applied mutatis mutandis pursuant to paragraph (4) of the same Article, from the sum of the amount of exceptional institutional benefits under the provisions of Article 27, paragraph (2), item (ii) of the same Act and the amount specified by the municipality prescribed in the same item (in the case where the amount specified by the municipality exceeds the actual expenses required for that special daycare, the actual expenses required for the special daycare) (in the case where that payment was not made, the total amount)

8 家庭的保育事業等を行う者が、次の各号に掲げる乳児又は幼児の保護者から、善良な管理者と同一の注意をもつて、当該各号に定める額のうち当該保護者が当該家庭的保育事業等を行う者に支払うべき金額に相当する金額の支払を受けることに努めたにもかかわらず、なお当該保護者が当該金額の全部又は一部を支払わない場合において、当該家庭的保育事業等による保育に支障が生じ、又は生ずるおそれがあり、かつ、市町村が第二十四条第二項の規定により当該家庭的保育事業等による保育を確保するため必要であると認めるときは、市町村は、当該家庭的保育事業等を行う者の請求に基づき、地方税の滞納処分の例によりこれを処分することができる。この場合における徴収金の先取特権の順位は、国税及び地方税に次ぐものとする。

(8) In the case where a person engaged in home daycare services, etc. has made efforts to receive, from the custodian of an infant or toddler listed in the following items with the same care as a prudent manager, payment of the amount equivalent to the amount payable by the custodian to the person engaged in the home daycare services, etc. out of the amount specified respectively in those items, nevertheless that custodian has failed to pay the amount in whole or in part, and when a hindrance occurs or is likely to occur to daycare by the relevant home daycare services, etc. and the municipality finds it necessary in order to ensure daycare by that home daycare services, etc. pursuant to the provisions of Article 24, paragraph (2), the municipality may, at the request of the person engaged in home daycare services, etc., make a disposition for delinquency of local tax, pursuant to the provisions of disposition of local tax. In this case, the order of the statutory lien of the money collected will come after national tax and local tax.

一 子ども・子育て支援法第二十九条第一項に規定する特定地域型保育(同法第三十条第一項第二号に規定する特別利用地域型保育(次号において「特別利用地域型保育」という。))及び同項第三号に規定する特定利用地域型保育(第三号において「特定利用地域型保育」という。)を除く。)を受けた乳児又は幼児 同法第二十九条第三項第一号に掲げる額から同条第五項の規定により支払がなされた額を控除

して得た額（当該支払がなされなかつたときは、同号に掲げる額）又は同法第三十条第二項第一号の規定による特例地域型保育給付費の額及び同号に規定する政令で定める額を限度として市町村が定める額（当該市町村が定める額が現に当該特定地域型保育に要した費用の額を超えるときは、当該現に特定地域型保育に要した費用の額）の合計額

(i) an infant or toddler who has had specified community-based childcare prescribed in Article 29, paragraph (1) of the Child and Child Care Support Act (excluding specified use community-based childcare provided in Article 30, paragraph (1), item (ii) of the same Act (referred to as "special use community childcare" in the following item) and specified use community-based childcare provided in item (iii) of the same paragraph (referred to as "specified use community-based childcare" in item (iii))): The sum of the amount obtained by deducting the amount paid pursuant to the provisions of Article 29, paragraph (5) of the same Act from the amount listed in paragraph (3), item (i) of the same Article (when the payment has not been made, the amount listed in that item) or the amount specified by the municipality to the extent of the amount of special community-based childcare benefits pursuant to the provisions of Article 30, paragraph (2), item (i) of the same Act and the amount specified by Cabinet Order prescribed in the same item (in the case where the amount specified by the municipality exceeds the amount of expenses actually incurred in the specified community-based daycare, the amount of expenses actually incurred in relevant specified community-based daycare)

二 特別利用地域型保育を受けた幼児 子ども・子育て支援法第三十条第二項第二号の規定による特例地域型保育給付費の額及び同号に規定する市町村が定める額（当該市町村が定める額が現に当該特別利用地域型保育に要した費用の額を超えるときは、当該現に特別利用地域型保育に要した費用の額）の合計額から同条第四項において準用する同法第二十九条第五項の規定により支払がなされた額を控除して得た額（当該支払がなされなかつたときは、当該合計額）

(ii) toddlers who have received specified use community-based daycare The amount obtained by deducting the amount paid pursuant to the provisions of Article 30, paragraph (5) of the Child and Child Care Support Act for a child that has undergone community-based childcare for special use from the sum of the specified community-based childcare benefits pursuant to the provisions of Article 29, paragraph (2), item (ii) of the same Act and the amount specified by a municipality as prescribed in the same item (in the case where the amount specified by the municipality exceeds the amount of expenses actually required for the community-based childcare, the amount of expenses actually required for that community-based childcare) (in the case where payment was not made, the total amount)

三 特定利用地域型保育を受けた幼児 子ども・子育て支援法第三十条第二項第三号

の規定による特例地域型保育給付費の額及び同号に規定する市町村が定める額（当該市町村が定める額が現に当該特定利用地域型保育に要した費用の額を超えるときは、当該現に特定利用地域型保育に要した費用の額）の合計額から同条第四項において準用する同法第二十九条第五項の規定により支払がなされた額を控除して得た額（当該支払がなされなかつたときは、当該合計額）

(iii) toddlers who have received specified use community-based daycare The amount obtained by deducting the amount paid pursuant to the provisions of Article 30, paragraph (5) of the Child and Child Care Support Act for a child that has received specified community-based childcare from the sum of the exceptional allowance for community-based childcare benefit pursuant to the provisions of Article 29, paragraph (2), item (iii) of the same Act and the amount specified by a municipality as prescribed in the same item (in the case where the amount specified by the municipality exceeds the amount of expenses actually incurred in the relevant specified community-based daycare, the amount of expenses actually incurred in the relevant specified community-based daycare) (in the case where payment was not made, the total amount)

第五十六条の二 都道府県及び市町村は、次の各号に該当する場合には、第三十五条第四項の規定により、国、都道府県及び市町村以外の者が設置する児童福祉施設（保育所を除く。以下この条において同じ。）について、その新設（社会福祉法第三十一条第一項の規定により設立された社会福祉法人が設置する児童福祉施設の新設に限る。）、修理、改造、拡張又は整備（以下「新設等」という。）に要する費用の四分の三以内を補助することができる。ただし、一の児童福祉施設について都道府県及び市町村が補助する金額の合計額は、当該児童福祉施設の新設等に要する費用の四分の三を超えてはならない。

Article 56-2 (1) In the case falling under any of the following items, the prefecture and municipality, pursuant to the provisions of Article 35, paragraph (4), may subsidize not more than three-fourths of the expenses spent for new construction (limited to new construction of child welfare facilities established by social welfare corporations established pursuant to the provisions of Article 31, paragraph (1) of the social welfare Act), repair, renovation, expansion or improvement (hereinafter referred to as "new construction, etc.") of child welfare institutions (excluding nursery centers; hereinafter the same must apply in this Article) established by persons other than the national, prefecture and municipality; provided, however, that the sum of the amounts subsidized by the prefecture and municipality for a single child welfare institution must not exceed three fourths of the expenses spent for the new establishment, etc. of the child welfare facility.

一 その児童福祉施設が、社会福祉法第三十一条第一項の規定により設立された社会福祉法人、日本赤十字社又は公益社団法人若しくは公益財団法人の設置するもので

あること。

(i) when the child welfare institution is established by a social welfare corporation established pursuant to the provisions of Article 31, paragraph (1) of the Social Welfare Act, the Japanese Red Cross Society or a non-profit incorporated association or non-profit incorporated foundation; or

二 その児童福祉施設が主として利用される地域において、この法律の規定に基づく障害児入所給付費の支給、入所させる措置又は助産の実施若しくは母子保護の実施を必要とする児童、その保護者又は妊産婦の分布状況からみて、同種の児童福祉施設が必要とされるにかかわらず、その地域に、国、都道府県又は市町村の設置する同種の児童福祉施設がないか、又はあつてもこれが十分でないこと。

(ii) when no child welfare institution of the same kind established by the national, prefectural or municipal government exists or the existing child welfare institutions, if any, are insufficient in the region where the referenced child welfare institution will be mainly utilized, regardless of the necessity of a child welfare institution of the same kind in terms of the state of distribution of children, their custodians or expectant and nursing mothers in need of measures such as payments of institutional benefits for children with disabilities, admission into those institutions, and the daycare practice, etc. pursuant to this Act.

2 前項の規定により、児童福祉施設に対する補助がなされたときは、厚生労働大臣、都道府県知事及び市町村長は、その補助の目的が有効に達せられることを確保するため、当該児童福祉施設に対して、第四十六条及び第五十八条第一項に規定するもののほか、次に掲げる権限を有する。

(2) When subsidies are disbursed for a child welfare facility pursuant to the provisions of the preceding paragraph, the minister of health, labor and welfare, the prefectural governor and the mayor of municipality will, beyond what is provided in Article 46 and Article 58, paragraph (1), have the following powers over the child welfare facility, to ensure that the purpose of the subsidy is effectively achieved.

一 その児童福祉施設の予算が、補助の効果をあげるために不適當であると認めるときは、その予算について必要な変更をすべき旨を指示すること。

(i) instruct necessary change in the budget of the child welfare institution when such budget is found inappropriate to achieve the effects of the subsidies; and

二 その児童福祉施設の職員が、この法律若しくはこれに基づく命令又はこれらに基づいてする処分に違反したときは、当該職員を解職すべき旨を指示すること。

(ii) instruct dismissal of an employee of the child welfare institution when the employee has violated this Act or any order pursuant to this Act or any disposition imposed pursuant thereto

3 国庫は、第一項の規定により都道府県が障害児入所施設又は児童発達支援センターについて補助した金額の三分の二以内を補助することができる。

(3) The national treasury may subsidize not more than two thirds of the amount subsidized by the prefectural government pursuant to the provisions of paragraph (1) for a facility for children with disabilities or a developmental support center for children.

第五十六条の三 都道府県及び市町村は、次に掲げる場合においては、補助金の交付を受けた児童福祉施設の設置者に対して、既に交付した補助金の全部又は一部の返還を命ずることができる。

Article 56-3 In any of the cases listed in the following items, the prefectural and municipal governments may order the establisher of the child welfare institution to which the subsidies have been granted to refund the full amount of the subsidies already granted or part thereof:

一 補助金の交付条件に違反したとき。

(i) when the conditions for the grant of the subsidies are violated;

二 詐欺その他の不正な手段をもつて、補助金の交付を受けたとき。

(ii) when the subsidies are granted by fraudulent or other wrongful means;

三 児童福祉施設の経営について、営利を図る行為があつたとき。

(iii) when an act in pursuit of profit is committed with regard to the operation of the child welfare institution; or

四 児童福祉施設が、この法律若しくはこれに基く命令又はこれらに基いてする処分に違反したとき。

(iv) when the child welfare institution violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto.

第五十六条の四 国庫は、第五十条第二号に規定する児童委員に要する費用のうち、厚生労働大臣の定める事項に関するものについては、予算の範囲内で、その一部を補助することができる。

Article 56-4 The national treasury may, within the scope of the budget, subsidize a part of such expenses spent for commissioned child welfare volunteers provided in Article 50, item (ii) as relating to the particulars specified by the Minister of Health, Labor and Welfare.

第五十六条の四の二 市町村は、保育を必要とする乳児・幼児に対し、必要な保育を確保するために必要があると認めるときは、当該市町村における保育所及び幼保連携型認定こども園（次項第一号及び第二号並びに次条第二項において「保育所等」という。）の整備に関する計画（以下「市町村整備計画」という。）を作成することができる。

Article 56-4-2 (1) A municipality, when it is determined to be necessary in order to ensure necessary nursery care for infants and toddlers in need of nursery care, may prepare a plan concerning the development of nursery centers and child center in coordination between kindergarten and nursery center (referred

to as "daycare centers, etc." in items (i) and (ii) of the following paragraph (1) and paragraph (2) of the following Article) in that municipality (hereinafter referred to as "municipal development plan").

2 市町村整備計画においては、おおむね次に掲げる事項について定めるものとする。

(2) A municipal development plan must provide for the following particulars in general:

一 保育提供区域（市町村が、地理的条件、人口、交通事情その他の社会的条件、保育を提供するための施設の整備の状況その他の条件を総合的に勘案して定める区域をいう。以下同じ。）ごとの当該保育提供区域における保育所等の整備に関する目標及び計画期間

(i) goals and the planning period for development of nursery centers, etc. in each nursery provision area (an area specified by a municipality in consideration of geographical conditions, population, traffic conditions and other social conditions, the state of development of facilities to provide nursery care and other conditions in a comprehensive manner; the same applies hereinafter.)

二 前号の目標を達成するために必要な保育所等を整備する事業に関する事項

(ii) particulars concerning a project to develop nursery centers, etc. necessary for achieving the goals set forth in the preceding item;

三 その他厚生労働省令で定める事項

(iii) other particulars specified by an Order of the Ministry of Health, Labor and Welfare.

3 市町村整備計画は、子ども・子育て支援法第六十一条第一項に規定する市町村子ども・子育て支援事業計画と調和が保たれたものでなければならない。

(3) A municipal development plan must be in harmony with the municipal plans for child and child care support services prescribed in Article 61, paragraph (1) of the child and child care support Act.

4 市町村は、市町村整備計画を作成し、又はこれを変更したときは、次条第一項の規定により当該市町村整備計画を厚生労働大臣に提出する場合を除き、遅滞なく、都道府県にその写しを送付しなければならない。

(4) When a municipality prepares a municipal development plan or makes a change thereto, it must send a copy thereof to the prefecture without delay, except in the case of submitting a municipal development plan to the minister of health, labor and welfare pursuant to the provisions of paragraph (1) of the following Article.

第五十六条の四の三 市町村は、次項の交付金を充てて市町村整備計画に基づく事業又は事務（同項において「事業等」という。）の実施をしようとするときは、当該市町村整備計画を、当該市町村の属する都道府県の知事を経由して、厚生労働大臣に提出しなければならない。

Article 56-4-3 (1) If a municipality intends to implement a project or affairs

(referred to as "business, etc." in that paragraph) based on a municipal development plan using the grants set forth in the following, paragraph, it must submit the municipal development plan to the Minister of Health, Labor, and Welfare via the governor of the prefecture to which the municipality belongs.

2 国は、市町村に対し、前項の規定により提出された市町村整備計画に基づく事業等（国、都道府県及び市町村以外の者が設置する保育所等に係るものに限る。）の実施に要する経費に充てるため、保育所等の整備の状況その他の事項を勘案して厚生労働省令で定めるところにより、予算の範囲内で、交付金を交付することができる。

(2) The national government, pursuant to the provisions of an Order of the Ministry of Health, Labor and Welfare by taking into consideration the state of development of nursery centers, etc. and other particulars, may grant a subsidy within the scope of the budget to a municipality, in order to allocate it to the expenses required for the implementation of projects, etc. based on the municipal development plan submitted pursuant to the provisions of the preceding paragraph (limited to those pertaining to nursery centers, etc. established by persons other than the state, prefectures and municipalities.)

3 前二項に定めるもののほか、前項の交付金の交付に関し必要な事項は、厚生労働省令で定める。

(3) Beyond what is provided for in the preceding two paragraphs, necessary particulars concerning the grant set forth in the preceding paragraph must be specified by an Ordinance of the Ministry of Health, Labor and Welfare.

第五十六条の五 社会福祉法第五十八条第二項から第四項までの規定は、国有財産特別措置法（昭和二十七年法律第二百十九号）第二条第二項第二号の規定又は同法第三条第一項第四号及び同条第二項の規定により普通財産の譲渡又は貸付けを受けた児童福祉施設に準用する。

Article 56-5 The provisions of Article 58, paragraphs (2) through (4) of the Social Welfare Act apply mutatis mutandis to a child welfare institution to which any general property has been transferred or any loan has been provided pursuant to the provision of Article 2, paragraph (2), item (ii) of the Act on Special Measures Concerning National Property (Act No. 219 of 1952) or the provisions of Article 3, paragraph (1), item (iv) of the same Act and paragraph (2) of the same Article.

第五章 国民健康保険団体連合会の児童福祉法関係業務

Chapter V Services Related to the Child Welfare Act of the Federation of the National Health Insurance Associations

第五十六条の五の二 連合会は、国民健康保険法の規定による業務のほか、第二十四条の三第十一項（第二十四条の七第二項において準用する場合を含む。）の規定により

都道府県から委託を受けて行う障害児入所給付費及び特定入所障害児食費等給付費又は第二十一条の五の七第十四項及び第二十四条の二十六第六項の規定により市町村から委託を受けて行う障害児通所給付費及び障害児相談支援給付費の審査及び支払に関する業務を行う。

Article 56-5-2 Beyond the duties prescribed in the national health insurance Act, the federation is to conduct the services concerning examination and payment of residential benefits for children with disabilities and benefits for meal expenses, etc. for specified institutionalized children with disabilities, which are entrusted by a prefectural government pursuant to the provisions of Article 24, paragraph (11) (including the cases where it is applied mutatis mutandis pursuant to Article 24, paragraph (7)), or daycare benefits for children with disabilities and consultation support benefits for children with disabilities, which are entrusted by a municipality pursuant to the provisions of Article 21-5-7, paragraph (14) and Article 24-26, paragraph (6).

第五十六条の五の三 連合会が前条の規定により行う業務（次条において「児童福祉法関係業務」という。）については、国民健康保険法第八十六条において準用する同法第二十九条の規定にかかわらず、厚生労働省令で定めるところにより、規約をもつて議決権に関する特段の定めをすることができる。

Article 56-5-3 With regard to business that a federation conducts pursuant to the provisions of the preceding Article (hereinafter referred to as "services related to Child Welfare Act"), notwithstanding the provisions of Article 29 of the National Health Insurance Act as applied mutatis mutandis pursuant to Article 86 of the same Act, special provisions concerning voting rights are to be provided by the constitution.

第五十六条の五の四 連合会は、児童福祉法関係業務に係る経理については、その他の経理と区分して整理しなければならない。

Article 56-5-4 A federation must keep accounts for the services related to the Child Welfare Act separately from other accounts.

第六章 審査請求

Chapter VI Request for Examination

第五十六条の五の五 市町村の障害児通所給付費又は特例障害児通所給付費に係る処分に不服がある障害児の保護者は、都道府県知事に対して審査請求をすることができる。

Article 56-5-5 (1) The parents of a child with disabilities who is dissatisfied with the disposition pertaining to a child with disabilities outpatient benefits or exceptional child with disabilities outpatient benefits of a municipality may file a request for administrative review with the prefectural governor.

2 前項の審査請求については、障害者の日常生活及び社会生活を総合的に支援するた

めの法律第八章（第九十七条第一項を除く。）の規定を準用する。この場合において、必要な技術的読替えは、政令で定める。

- (2) The provisions of chapter VIII (excluding Article 97, paragraph (1)) of the Act for Comprehensive Support for the Daily and Social Lives of Persons with Disabilities apply mutatis mutandis to the application for examination set forth in the preceding paragraph. In this case, the necessary technical replacement of terms must be specified by Cabinet Order.

第七章 雑則

Chapter VII Miscellaneous Provisions

第五十六条の六 地方公共団体は、児童の福祉を増進するため、障害児通所給付費、特例障害児通所給付費、高額障害児通所給付費、障害児相談支援給付費、特例障害児相談支援給付費、介護給付費等、障害児入所給付費、高額障害児入所給付費又は特定入所障害児食費等給付費の支給、第二十一条の六、第二十四条第五項若しくは第六項又は第二十七条第一項若しくは第二項の規定による措置及び保育の利用等並びにその他の福祉の保障が適切に行われるように、相互に連絡及び調整を図らなければならない。

Article 56-6 (1) In order to promote the welfare of children, local governments must endeavor to liaise and coordinate so that payments of outpatient benefits for Children with disabilities, outpatient benefits for specified children with disabilities, high-cost outpatient benefits for children with disabilities, consultation support benefits for children with disabilities, specified consultation support benefits for children with disabilities, nursing care benefits, etc., admission benefits for children with disabilities, high-cost admission benefits for children with disabilities, and benefits for meals expenses, etc. for specified institutionalized children with disabilities, measures pursuant to the provisions of Article 21-6, Article 24, paragraph (5) or paragraph (6) or Article 27, paragraph (1) or paragraph (2) and utilization of daycare and other welfare benefits are appropriately provided.

2 地方公共団体は、人工呼吸器を装着している障害児その他の日常生活を営むために医療を要する状態にある障害児が、その心身の状況に応じた適切な保健、医療、福祉その他の各関連分野の支援を受けられるよう、保健、医療、福祉その他の各関連分野の支援を行う機関との連絡調整を行うための体制の整備に関し、必要な措置を講ずるよう努めなければならない。

- (2) The local governments must endeavor to take necessary measures to develop a system for liaison and coordination with organizations providing support in the fields of health, medical care, welfare and other relevant fields so that children with disabilities wearing ventilators and other children with disabilities in need of medical care to lead their daily lives can receive appropriate support in the fields of health, medical care, welfare, and other relevant fields according to the mental and physical condition of the child.

3 児童自立生活援助事業又は放課後児童健全育成事業を行う者及び児童福祉施設の設置者は、その事業を行い、又はその施設を運営するに当たっては、相互に連携を図りつつ、児童及びその家庭からの相談に応ずることその他の地域の実情に応じた積極的な支援を行うように努めなければならない。

(3) When performing their services or operating their institutions, the persons engaged in children's self-reliant living assistance services or after-school child sound upbringing services and the establishers of child welfare institutions are to facilitate their mutual coordination and must endeavor to provide consultation to children and their families and afford other positive support in line with the condition of each region.

第五十六条の七 市町村は、必要に応じ、公有財産（地方自治法第二百三十八条第一項に規定する公有財産をいう。次項において同じ。）の貸付けその他の必要な措置を積極的に講ずることにより、社会福祉法人その他の多様な事業者の能力を活用した保育所の設置又は運営を促進し、保育の利用に係る供給を効率的かつ計画的に増大させるものとする。

Article 56-7 (1) By positively leasing or lending public property (which means the public property provided in Article 238, paragraph (1) of the Local Autonomy Act) or taking other necessary measures, a municipality is to promote establishment or operation of nursery centers by utilizing the abilities of social welfare corporations and other various businesses and thereby increase the supply pertaining to the use of daycare practice efficiently and systematically.

2 市町村は、必要に応じ、公有財産の貸付けその他の必要な措置を積極的に講ずることにより、社会福祉法人その他の多様な事業者の能力を活用した放課後児童健全育成事業の実施を促進し、放課後児童健全育成事業に係る供給を効率的かつ計画的に増大させるものとする。

(2) By positively leasing or lending public property or taking other necessary measures, a municipality is to promote implementation of after-school child sound upbringing services by utilizing the abilities of social welfare corporations and other various businesses and thereby increase supply pertaining to the supply pertaining to after-school child sound upbringing services efficiently and systematically.

3 国及び都道府県は、前二項の市町村の措置に関し、必要な支援を行うものとする。

(3) The national and prefectural governments are to provide necessary support with regard to measures set forth in the preceding two paragraphs taken by the municipality.

第五十六条の八 市町村長は、当該市町村における保育の実施に対する需要の状況等に照らし適当であると認めるときは、公私連携型保育所（次項に規定する協定に基づき、当該市町村から必要な設備の貸付け、譲渡その他の協力を得て、当該市町村との連携

の下に保育及び子育て支援事業（以下この条において「保育等」という。）を行う保育所をいう。以下この条において同じ。）の運営を継続的かつ安定的に行うことができる能力を有するものであると認められるもの（法人に限る。）を、その申請により、公私連携型保育所の設置及び運営を目的とする法人（以下この条において「公私連携保育法人」という。）として指定することができる。

Article 56-8 (1) A mayor of municipality, when it finds appropriate in light of demand status, etc. for daycare in the relevant municipality, may designate the facility (limited to a corporation) which is found to satisfy capacity to operate a public-private collaborative nursery center (which refers to provide daycare and child care support services (referring to as "daycare, etc." in this article) in cooperation with the relevant municipality by obtaining cooperation including lending, transferring, etc. of necessary equipment based on the agreement specified in the following paragraph) continuously and steadily as a corporation aiming at establishing and operating a public-private collaborative nursery center (hereinafter referred to as "public-private collaborative incorporated nursery center" upon its application.

2 市町村長は、前項の規定による指定（第十一項において単に「指定」という。）をしようとするときは、あらかじめ、当該指定をしようとする法人と、次に掲げる事項を定めた協定（以下この条において単に「協定」という。）を締結しなければならない。

(2) A mayor of municipality must conclude an agreement (hereinafter referred to as simply "agreement" in this Article) which specifies the following particulars before making a designation (referring to as "designation" in paragraph (11)) under the provisions of the preceding item.

一 協定の目的となる公私連携型保育所の名称及び所在地

(i) name and address of a public-private collaborative nursery center for which an agreement is concluded

二 公私連携型保育所における保育等に関する基本的事項

(ii) basic particulars concerning daycare, etc. in a public-private collaborative nursery center

三 市町村による必要な設備の貸付け、譲渡その他の協力に関する基本的事項

(iii) basic particulars concerning lending, transferring, etc. of necessary equipment or other cooperation by a municipality

四 協定の有効期間

(iv) effective period of agreement

五 協定に違反した場合の措置

(v) measures to be taken in the event of violation of agreement

六 その他公私連携型保育所の設置及び運営に関し必要な事項

(vi) other necessary particulars concerning establishment and operation of a public-private collaborative nursery center

3 公私連携保育法人は、第三十五条第四項の規定にかかわらず、市町村長を経由し、

都道府県知事に届け出ることにより、公私連携型保育所を設置することができる。

(3) Notwithstanding the provisions of Article 35, paragraph (4), a public-private collaborative incorporated nursery center may establish public-private collaborative nursery center by notifying the prefectural governor being made through a mayor of municipality.

4 市町村長は、公私連携保育法人が前項の規定による届出をした際に、当該公私連携保育法人が協定に基づき公私連携型保育所における保育等を行うために設備の整備を必要とする場合には、当該協定に定めるところにより、当該公私連携保育法人に対し、当該設備を無償又は時価よりも低い対価で貸し付け、又は譲渡するものとする。

(4) In the case where the relevant public-private collaborative incorporated nursery center requires equipment for daycare practice in a public-private collaborative nursery center based on the agreement, a mayor of municipality is to lend or transfer the relevant equipment either free of charge or at a cost below market value for the relevant public-private collaborative incorporated nursery center pursuant to the provisions of the relevant agreement.

5 前項の規定は、地方自治法第九十六条及び第二百三十七条から第二百三十八条の五までの規定の適用を妨げない。

(5) The provisions of the preceding paragraph do not preclude application of the provisions of Article 96 and Article 237 through Article 238 of Local Autonomy Act.

6 公私連携保育法人は、第三十五条第十二項の規定による廃止又は休止の承認の申請を行おうとするときは、市町村長を経由して行わなければならない。この場合において、当該市町村長は、当該申請に係る事項に関し意見を付すことができる。

(6) When a public-private collaborative incorporated nursery center intends to make an application to abolishment or suspension pursuant to the provisions of Article 35, paragraph (12), such application must be made through a mayor of municipality. In this case, the relevant mayor of municipality may append opinion concerning the relevant application.

7 市町村長は、公私連携型保育所の運営を適切にさせるため、必要があると認めるときは、公私連携保育法人若しくは公私連携型保育所の長に対して、必要な報告を求め、又は当該職員に、関係者に対して質問させ、若しくはその施設に立ち入り、設備、帳簿書類その他の物件を検査させることができる。

(7) When a mayor of municipality finds it necessary to have operation of a public-private collaborative incorporated nursery center be appropriate, the mayor may order the public-private collaborative incorporated nursery centers or directors of public-private collaborative incorporated nursery centers to report the particulars found to be necessary or cause such staff persons to ask questions to those concerned or to enter the locations of the facilities so as to inspect the equipment, books and documents and other objects.

8 第十八条の十六第二項及び第三項の規定は、前項の場合について準用する。

(8) The provisions of Article 18-16, paragraphs (2) and (3) apply mutatis

mutandis to a case under the preceding paragraph.

9 第七項の規定により、公私連携保育法人若しくは公私連携型保育所の長に対し報告を求め、又は当該職員に、関係者に対し質問させ、若しくは公私連携型保育所に立入検査をさせた市町村長は、当該公私連携型保育所につき、第四十六条第三項又は第四項の規定による処分が行われる必要があると認めるときは、理由を付して、その旨を都道府県知事に通知しなければならない。

(9) Pursuant to the provisions of paragraph (7), a mayor of municipality who requested the head of public-private collaborative incorporated nursery center or public-private collaborative nursery center for report, or made relevant official ask questions to relevant persons or enter and inspect the public-private collaborative nursery center, when it finds necessary to give a disposition pursuant to the provisions of Article 46, paragraph (3) or paragraph (4), must notify the prefectural governor to that effect with a reason therefor.

10 市町村長は、公私連携型保育所が正当な理由なく協定に従って保育等を行っていないと認めるときは、公私連携保育法人に対し、協定に従って保育等を行うことを勧告することができる。

(10) When a mayor of municipality finds that a public-private collaborative nursery center has not conduct daycare, etc. in accordance with the agreement, the mayor may recommend that public-private collaborative incorporated nursery center conduct daycare, etc. in accordance therewith.

11 市町村長は、前項の規定により勧告を受けた公私連携保育法人が当該勧告に従わないときは、指定を取り消すことができる。

(11) When public-private collaborative incorporated nursery center receives the recommendation from a mayor of municipality pursuant to the provisions of the preceding paragraph, the mayor or municipality may rescind the designation.

12 公私連携保育法人は、前項の規定による指定の取消しの処分を受けたときは、当該処分に係る公私連携型保育所について、第三十五条第十二項の規定による廃止の承認を都道府県知事に申請しなければならない。

(12) When public-private collaborative incorporated nursery center receives the disposition of rescission pursuant to the provisions of the preceding paragraph, it must make an application for approval of abolishment pursuant to the provisions of Article 35, paragraph (12), with regard to a public-private collaborative nursery center pertaining to the relevant disposal.

13 公私連携保育法人は、前項の規定による廃止の承認の申請をしたときは、当該申請の日前一月以内に保育等を受けていた者であつて、当該廃止の日以後においても引き続き当該保育等に相当する保育等の提供を希望する者に対し、必要な保育等が継続的に提供されるよう、他の保育所及び認定こども園その他関係者との連絡調整その他の便宜の提供を行わなければならない。

(13) When public-private collaborative incorporated nursery center makes an applicant for approval of abolishment, for a person who has received daycare,

etc. within one month from the day of the relevant application and wishes to continue to be provided with daycare, etc. corresponding to the relevant daycare, etc. even after the day of the relevant abolishment, in order to continuously provide necessary daycare, etc., public-private collaborative incorporated nursery center must carry out liaison and coordination with other nursery centers, certified children centers and relevant persons and provide other benefits.

第五十七条 都道府県、市町村その他の公共団体は、左の各号に掲げる建物及び土地に対しては、租税その他の公課を課することができない。但し、有料で使用させるものについては、この限りでない。

Article 57 A prefectural, municipal or other government may not impose any tax or charge on a building and land listed in any of the following items; provided, however, that this does not apply to those that are made available for use with charge:

一 主として児童福祉施設のために使う建物

(i) a building mainly utilized for a child welfare institution; or

二 前号に掲げる建物の敷地その他主として児童福祉施設のために使う土地

(ii) the site for a building listed in the preceding item or any other land mainly utilized for a child welfare institution.

第五十七条の二 市町村は、偽りその他不正の手段により障害児通所給付費、特例障害児通所給付費若しくは高額障害児通所給付費若しくは肢体不自由児通所医療費又は障害児相談支援給付費若しくは特例障害児相談支援給付費（以下この章において「障害児通所給付費等」という。）の支給を受けた者がいるときは、その者から、その障害児通所給付費等の額に相当する金額の全部又は一部を徴収することができる。

Article 57-2 (1) When there is a person who receives outpatient benefits, etc. for children with disabilities, exceptional case outpatient benefits for children with disabilities or high-cost outpatient benefits for children with disabilities or medical expenses for orthopedically impaired children or consultation support benefits for children with disabilities or consultation support benefits for specialized children with disabilities (hereinafter referred to as "outpatient benefits for children with disabilities, etc." in this chapter) by a deception or other wrongful means, the municipality may collect the amount equivalent to such outpatient benefits, etc. for children with disabilities, in full or in part, from that person.

2 市町村は、指定障害児通所支援事業者等又は指定障害児相談支援事業者が、偽りその他不正の行為により障害児通所給付費、肢体不自由児通所医療費又は障害児相談支援給付費の支給を受けたときは、当該指定障害児通所支援事業者等又は指定障害児相談支援事業者に対し、その支払った額につき返還させるほか、その返還させる額に百分の四十を乗じて得た額を支払わせることができる。

- (2) When any of the designated operator, etc. of outpatient support services for children with disabilities or the designated operator of consultation support services for children with disabilities receives outpatient benefits for children with disabilities, medical expenses for orthopedically impaired children or consultation support benefits for children with disabilities by a deception or other wrongful act, by a deception or other wrongful means, the municipality may cause relevant designated operator, etc. of outpatient support services for children with disabilities or the designated operator of consultation support services to refund the amount paid and additionally pay the amount obtained by multiplying the amount to be refunded by forty-hundredths (40/100).
- 3 都道府県は、偽りその他不正の手段により小児慢性特定疾病医療費又は障害児入所給付費等の支給を受けた者があるときは、その者から、その小児慢性特定疾病医療費又は障害児入所給付費等の額に相当する金額の全部又は一部を徴収することができる。
- (3) When there is a person who receives medical expense for specified chronic pediatric diseases or admission benefits, etc. for children with disabilities, by deception or other wrongful means, the prefectural government may collect the amount equivalent to such medical expense for specified chronic pediatric diseases or admission benefits, etc. for children with disabilities, in full or in part, from that person.
- 4 都道府県は、指定小児慢性特定疾病医療機関が、偽りその他不正の行為により小児慢性特定疾病医療費の支給を受けたときは、当該指定小児慢性特定疾病医療機関に対し、その支払った額につき返還させるほか、その返還させる額に百分の四十を乗じて得た額を支払わせることができる。
- (4) When any of designated medical institution for specified chronic pediatric diseases receives payment of medical expense for specified chronic pediatric diseases, by deception or other wrongful means, the prefectural government may cause the relevant designated medical institution for specified chronic pediatric diseases to refund the amount paid and additionally pay the amount obtained by multiplying the amount to be refunded by forty-hundredths (40/100).
- 5 都道府県は、指定障害児入所施設等が、偽りその他不正の行為により障害児入所給付費若しくは特定入所障害児食費等給付費又は障害児入所医療費の支給を受けたときは、当該指定障害児入所施設等に対し、その支払った額につき返還させるほか、その返還させる額に百分の四十を乗じて得た額を支払わせることができる。
- (5) When any a designated admission institution, etc. for children with disabilities, receives admission benefits for children with disabilities, benefits for meal expenses, etc. for specified institutionalized children with disabilities, admission medical expenses for children with disabilities, by a deception or other wrongful means, the prefectural government may have the relevant designated admission institution, etc. for children with disabilities, to refund the amount paid and additionally pay the amount obtained by multiplying the

amount to be refunded by forty-hundredths (40/100).

6 前各項の規定による徴収金は、地方自治法第二百三十一条の三第三項に規定する法律で定める歳入とする。

(6) The amounts collected pursuant to the provisions of the preceding two paragraphs are revenues specified by the act provided in Article 231-3, paragraph (3) of the Local Autonomy Act.

第五十七条の三 市町村は、障害児通所給付費等の支給に関して必要があると認めるときは、障害児の保護者若しくは障害児の属する世帯の世帯主その他その世帯に属する者又はこれらの者であつた者に対し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

Article 57-3 (1) If a municipality finds it necessary to provide payment of outpatient benefits, etc. for children with disabilities, etc., the municipality may require the custodians of children with disabilities or the head of the household or other members or former members of the household to which the children with disabilities belong to make a report; require them to submit or show documents or other materials; or require relevant personnel to question them.

2 都道府県は、小児慢性特定疾病医療費の支給に関して必要があると認めるときは、小児慢性特定疾病児童等の保護者若しくは小児慢性特定疾病児童等の属する世帯の世帯主その他その世帯に属する者又はこれらの者であつた者に対し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

(2) When a prefectural government finds it necessary for payments of medical expenses for specified chronic pediatric diseases, etc., it may order reporting or submission or presentation of documents and other objects to the custodian of a child with specified chronic pediatric diseases, or the householder or any other member of the family to which a child with specified chronic pediatric diseases belongs, or a person who used to be relevant custodian, householder or family member, or may make relevant prefecture's official ask them questions.

3 都道府県は、障害児入所給付費等の支給に関して必要があると認めるときは、障害児の保護者若しくは障害児の属する世帯の世帯主その他その世帯に属する者又はこれらの者であつた者に対し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

(3) If a prefectural government finds it necessary to provide payment of residential benefits, etc. for children with disabilities, the prefectural government may require the custodians of children with disabilities or the head of the household or other members or the former members of the household to which the children with disabilities belong to make a report; require them to submit or show documents or other materials; or require relevant personnel to question them.

4 第十九条の十六第二項の規定は前三項の規定による質問について、同条第三項の規

定は前三項の規定による権限について準用する。

- (4) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questioning pursuant to the provisions of the preceding paragraph (3), and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority pursuant to the provisions of the preceding paragraph (3).

第五十七条の三の二 市町村は、障害児通所給付費等の支給に関して必要があると認めるときは、当該障害児通所給付費等の支給に係る障害児通所支援若しくは障害児相談支援を行う者若しくはこれらを使用する者若しくはこれらの者であつた者に対し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に、関係者に対し質問させ、若しくは当該障害児通所支援若しくは障害児相談支援の事業を行う事業所若しくは施設に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

Article 57-3-2 (1) If a municipality finds it necessary to provide payment of outpatient benefits, etc. for children with disabilities, the municipality may require the persons who engage or engaged in the day care support for children with disabilities or consultation support for children with disabilities related to the payment of outpatient benefit for children with disabilities or those who employ or employed them to make a report; may require them to submit or show documents or other materials; may require relevant personnel to question the persons concerned; or may require them to enter the places of business or facilities of the service of outpatient support for children with disabilities or consultation support for children with disabilities, in order to inspect the equipment, documents or other materials.

2 第十九条の十六第二項の規定は前項の規定による質問又は検査について、同条第三項の規定は前項の規定による権限について準用する。

- (2) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questioning or inspection pursuant to the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority pursuant to the provisions of the preceding paragraph (3) of the same Article.

第五十七条の三の三 厚生労働大臣又は都道府県知事は、障害児通所給付費等の支給に関して必要があると認めるときは、当該障害児通所給付費等の支給に係る障害児の保護者又は障害児の保護者であつた者に対し、当該障害児通所給付費等の支給に係る障害児通所支援若しくは障害児相談支援の内容に関し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

Article 57-3-3 (1) The Minister of Health, Labour and Welfare or the prefectural governors finds it necessary to provide payment of outpatient support for children with disabilities, etc., the minister or governors may order the custodians of children with disabilities or those who were formerly those

persons to make a report or submit or show documents or other materials concerning the content of the relevant services, etc. subject to the payment of outpatient support for children with disabilities or consultation support for children with disabilities, or may require relevant personnel to question the persons concerned.

2 厚生労働大臣は、小児慢性特定疾病医療費の支給に関して緊急の必要があると認めるときは、当該都道府県の知事との密接な連携の下に、当該小児慢性特定疾病医療費の支給に係る小児慢性特定疾病児童等の保護者又は小児慢性特定疾病児童等の保護者であつた者に対し、当該小児慢性特定疾病医療費の支給に係る小児慢性特定疾病医療支援の内容に関し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

(2) When the Minister of Health, Labor and Welfare finds an urgent necessity related to payments of medical expense for specified chronic pediatric diseases, through close cooperation with the relevant prefectural governor, order a custodian of a child with specified chronic pediatric diseases, etc., or a person who was such a person reporting or submission or presentation of documents and other objects relating to the contents of medical support for specified chronic pediatric diseases pertaining the relevant payments of medical support for specified chronic pediatric diseases, or may make relevant prefecture's official ask them questions.

3 厚生労働大臣は、障害児入所給付費等の支給に関して必要があると認めるときは、当該障害児入所給付費等の支給に係る障害児の保護者又は障害児の保護者であつた者に対し、当該障害児入所給付費等の支給に係る障害児入所支援の内容に関し、報告若しくは文書その他の物件の提出若しくは提示を命じ、又は当該職員に質問させることができる。

(3) Minister of Health, Labour and Welfare finds it necessary to provide payment of residential benefits, etc. for children with disabilities, the minister may order custodians of children with disabilities pertaining to residential benefits, etc. for children with disabilities, or a person who was such person reporting or submission or presentation of documents and other objects relating to the contents of residential support for children with disabilities pertaining the relevant payments of residential benefits, etc. for children with disabilities, or may make relevant prefecture's official ask them questions.

4 厚生労働大臣又は都道府県知事は、障害児通所給付費等の支給に関して必要があると認めるときは、障害児通所支援若しくは障害児相談支援を行つた者若しくはこれを使用した者に対し、その行つた障害児通所支援若しくは障害児相談支援に関し、報告若しくは当該障害児通所支援若しくは障害児相談支援の提供の記録、帳簿書類その他の物件の提出若しくは提示を命じ、又は当該職員に関係者に対し質問させることができる。

(4) The Minister of Health, Labour and Welfare or the prefectural governors find it necessary to provide payment of outpatient support for children with

disabilities, etc., the minister or governors may order those who provided services subject to the payment of outpatient support for children with disabilities or those who employed them to make a report on the services which they provided; may order them to submit or show the records, books, documents or other materials on the provision of the services; or may require relevant personnel to question the persons concerned.

5 厚生労働大臣は、小児慢性特定疾病医療費の支給に関して緊急の必要があると認めるときは、当該都道府県の知事との密接な連携の下に、小児慢性特定疾病医療支援を行つた者又はこれを使用した者に対し、その行つた小児慢性特定疾病医療支援に関し、報告若しくは当該小児慢性特定疾病医療支援の提供の記録、帳簿書類その他の物件の提出若しくは提示を命じ、又は当該職員に関係者に対し質問させることができる。

(5) When the Minister of Health, Labor and Welfare finds an urgent necessity related to payments of medical expenses for specified chronic pediatric diseases, through close cooperation with the relevant prefectural governor, order a person who provided with medical support for specified chronic pediatric diseases or used such support, to submit or to present reports or offer records of the relevant medical support for specified chronic pediatric diseases, books and document or other objects, related to the medical support for specified chronic pediatric diseases provided or may have the relevant staff ask questions of the relevant persons.

6 厚生労働大臣は、障害児入所給付費等の支給に関して必要があると認めるときは、障害児入所支援を行つた者若しくはこれを使用した者に対し、その行つた障害児入所支援に関し、報告若しくは当該障害児入所支援の提供の記録、帳簿書類その他の物件の提出若しくは提示を命じ、又は当該職員に関係者に対し質問させることができる。

(6) If the Minister of Health, Labour and Welfare finds it necessary to provide payment of admission benefits, etc. for children with disabilities, the minister may order those who provided services or used them to make a report on the services which they provided; may order them to submit or show the records, books, documents or other materials on the provision of the services, etc.; or may require relevant personnel to question the persons concerned.

7 第十九条の十六第二項の規定は前各項の規定による質問について、同条第三項の規定は前各項の規定による権限について準用する。

(7) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to the questioning pursuant to the provisions of the preceding paragraph, and the provisions of paragraph (3) of the same Article apply mutatis mutandis to the authority pursuant to the provisions of the preceding paragraph.

第五十七条の三の四 市町村及び都道府県は、次に掲げる事務の一部を、法人であつて厚生労働省令で定める要件に該当し、当該事務を適正に実施することができるものとして都道府県知事が指定するもの（以下「指定事務受託法人」という。）に委託することができる。

Article 57-3-4 (1) A municipal and prefectural government may entrust a part of the affairs listed as follows to a corporation that qualifies as per requirements as determined by Order of the Ministry of Health, Labour, and Welfare and is designated by a prefectural governor as a person that can perform the relevant affairs appropriately (hereinafter referred to as a "designated corporations entrusted with duties").

一 第五十七条の三第一項及び第三項、第五十七条の三の二第一項並びに前条第一項及び第四項に規定する事務（これらの規定による命令及び質問の対象となる者並びに立入検査の対象となる事業所及び施設の選定に係るもの並びに当該命令及び当該立入検査を除く。）

(i) the affairs specified in Article 57-3, paragraphs (1) and (3), Article 57-3-2, paragraph (1) and paragraphs (1) and (4) of the preceding Article (excluding the order pursuant to the above provisions and a person subject to questioning and the objects pertaining to selection of offices and facilities subject to on-site inspection the relevant order and the relevant on-site inspection.)

二 その他厚生労働省令で定める事務（前号括弧書に規定するものを除く。）

(ii) the other affairs specified by a corporation that qualifies as per requirements as determined by Order of the Ministry of Health, Labour, and Welfare (excluding the provisions specified in parentheses in the preceding item)

2 指定事務受託法人の役員若しくは職員又はこれらの職にあつた者は、正当な理由なしに、当該委託事務に関して知り得た秘密を漏らしてはならない。

(2) A person who is, or used to be, an officer or employee of a designated corporations entrusted with duties must not divulge any secret coming to their knowledge with regard to the relevant entrusted affairs without justifiable ground.

3 指定事務受託法人の役員又は職員で、当該委託事務に従事するものは、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(3) A person who is an officer or employee of a designated corporations entrusted with duties and engages in relevant entrusted affairs are deemed to be an official engaging in public duties pursuant to the provisions of laws and regulation in the application of criminal punishments stipulated pursuant to the Penal Code or other laws.

4 市町村又は都道府県は、第一項の規定により事務を委託したときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(4) A municipal or a prefectural government, when its affairs are entrusted pursuant to the provisions of paragraph (2), must give public notice to that effect pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

5 第十九条の十六第二項の規定は、第一項の規定により委託を受けて行う第五十七条

の三第一項及び第三項、第五十七条の三の二第一項並びに前条第一項及び第四項の規定による質問について準用する。

(5) The provisions of Article 19-16, paragraph (2) apply mutatis mutandis to Article 57-3, paragraphs (1) and (3) conducted by entrustment pursuant to the provisions of paragraph (1), Article 57-3-2, paragraph (1) and questioning pursuant to the provisions of paragraphs (1) and (4) of the preceding Article.

6 前各項に定めるもののほか、指定事務受託法人に関し必要な事項は、政令で定める。

(6) Beyond the particulars prescribed in the preceding items, the particulars necessary concerning a designated corporations entrusted with duties are specified by Cabinet Order.

第五十七条の四 市町村は、障害児通所給付費等の支給に関して必要があると認めるときは、障害児の保護者又は障害児の属する世帯の世帯主その他その世帯に属する者の資産又は収入の状況につき、官公署に対し必要な文書の閲覧若しくは資料の提供を求め、又は銀行、信託会社その他の機関若しくは障害児の保護者の雇用主その他の関係人に報告を求めることができる。

Article 57-4 (1) If a municipality finds it necessary to provide payment of outpatient benefit, etc. for children with disabilities, the municipality may request public agencies to provide access to necessary documents or provide necessary materials, or may request a report from banks, trust companies, other institutions, employers of the custodian of children with disabilities, or the householder or other members of the households to which the persons or children with disabilities belong.

2 都道府県は、小児慢性特定疾病医療費の支給に関して必要があると認めるときは、小児慢性特定疾病児童等の保護者又は小児慢性特定疾病児童等の属する世帯の世帯主その他その世帯に属する者の資産又は収入の状況につき、官公署に対し必要な文書の閲覧若しくは資料の提供を求め、又は銀行、信託会社その他の機関若しくは小児慢性特定疾病児童等の保護者の雇用主その他の関係人に報告を求めることができる。

(2) When a prefectural government finds it necessary for the payment of medical expenses for specified chronic pediatric diseases, the prefectural government may request the concerned public agency to inspect necessary documents or provide necessary materials with regard to the state of assets or income of the custodian of a child with specified chronic pediatric diseases, or the householder or any other member of the family to a custodian of a child with specified chronic pediatric diseases or a child with specified chronic pediatric diseases belongs, or may request reporting from banks, trust corporations and other bodies or the employer of the custodian of the child with disabilities and other relevant persons.

3 都道府県は、障害児入所給付費等の支給に関して必要があると認めるときは、障害児の保護者又は障害児の属する世帯の世帯主その他その世帯に属する者の資産又は収入の状況につき、官公署に対し必要な文書の閲覧若しくは資料の提供を求め、又は銀

行、信託会社その他の機関若しくは障害児の保護者の雇用主その他の関係人に報告を
求めることができる。

- (3) If a prefectural government finds it necessary to provide payment of admission benefits, etc. for children with disabilities, the prefectural government may request public agencies to provide access to necessary documents or provide necessary materials, or may request a report from banks, trust companies, other institutions, employers of the custodian of the children with disabilities or other interested parties to provide reports concerning the assets and income status of custodians of children with disabilities or the householder or other members of the households to which the children with disabilities belong.

第五十七条の四の二 連合会について国民健康保険法第百六条及び第百八条の規定を適用する場合において、これらの規定中「事業」とあるのは、「事業（児童福祉法（昭和二十二年法律第百六十四号）第五十六条の五の三に規定する児童福祉法関係業務を含む。）」とする。

Article 57-4-2 In the case of applying the provisions of Articles 106 and 108 of the National Health Insurance Act regarding the association, "services" means "the services (including the ones related to the Child Welfare Act (Act of No. 64 of 1947) Article 56-5-3)".

第五十七条の五 租税その他の公課は、この法律により支給を受けた金品を標準として、これを課することができない。

Article 57-5 (1) Taxes and other charges may not be imposed based on the money and goods paid or provided pursuant to this Act.

2 小児慢性特定疾病医療費、障害児通所給付費等及び障害児入所給付費等を受ける権利は、譲り渡し、担保に供し、又は差し押さえることができない。

(2) The right to receive payments of medical expense for specified chronic pediatric diseases, outpatient benefits, etc. for children with disabilities and admission benefits, etc. for children with disabilities in living support facilities may not be transferred, hypothecated nor seized.

3 前項に規定するもののほか、この法律による支給金品は、既に支給を受けたものであるとないつにかかわらず、これを差し押さえることができない。

(3) Beyond what is prescribed in the preceding paragraph, the money and goods paid or provided pursuant to this Act may not be seized, regardless of whether they have already been paid or provided or not.

第五十八条 第三十五条第四項の規定により設置した児童福祉施設が、この法律若しくはこの法律に基づいて発する命令又はこれらに基づいてなす処分に違反したときは、都道府県知事は、同項の認可を取り消すことができる。

Article 58 (1) When a child welfare institution established pursuant to the

provisions of Article 35, paragraph (4) violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto, the prefectural governor may rescind the approval set forth in the same paragraph.

2 第三十四条の十五第二項の規定により開始した家庭的保育事業等が、この法律若しくはこの法律に基づいて発する命令又はこれらに基づいてなす処分に違反したときは、市町村長は、同項の認可を取り消すことができる。

(2) When a child welfare institution is commenced pursuant to the provisions of Article 34-15, paragraph (2) violates this Act or any order pursuant to this Act or any disposition imposed pursuant thereto, the mayor of municipality may rescind the approval set forth in the same paragraph.

第五十九条 都道府県知事は、児童の福祉のため必要があると認めるときは、第六条の三第九項から第十二項まで若しくは第三十六条から第四十四条まで（第三十九条の二を除く。）に規定する業務を目的とする施設であつて第三十五条第三項の届出若しくは認定こども園法第十六条の届出をしていないもの又は第三十四条の十五第二項若しくは第三十五条第四項の認可若しくは認定こども園法第十七条第一項の認可を受けていないもの（前条の規定により児童福祉施設若しくは家庭的保育事業等の認可を取り消されたもの又は認定こども園法第二十二条第一項の規定により幼保連携型認定こども園の認可を取り消されたものを含む。）については、その施設の設置者若しくは管理者に対し、必要と認める事項の報告を求め、又は当該職員をして、その事務所若しくは施設に立ち入り、その施設の設備若しくは運営について必要な調査若しくは質問をさせることができる。この場合においては、その身分を証明する証票を携帯させなければならない。

Article 59 (1) When the prefectural governor finds necessary for the welfare of children with regard to an institution intended for any of the services provided in Article 6-3 paragraphs (9) through (12) or Articles 36 through 44 (excluding Article 39-2) for which the notification set forth in Article 35, paragraph (3) or the one set forth in the Certified Children Center Act Article 16 has not been made or the approval set forth in Article 34-15, paragraph (2) or the one set forth in the Certified Children Center Act Article 17, paragraph (1) has not been obtained (including institutions for which the approval as a child welfare institution or the home daycare services, etc. pursuant to the provisions of the preceding Article or the certification for child center in coordination between kindergarten and nursery center pursuant to the Certified Children Center Act Article 22, paragraph (1) has been rescinded), the prefectural governor may request its establisher or manager to report the particulars found necessary by the prefectural governor or cause the relevant prefecture's official to enter any of its offices or facilities or to conduct necessary investigations or ask questions in relation to the facilities or operation of the institution. In this case, the prefectural governor must make the official carry their certification for identification.

- 2 第十八条の十六第三項の規定は、前項の場合について準用する。
- (2) The provisions of Article 18-16, paragraph (3) apply mutatis mutandis to the case referred to in the preceding paragraph.
- 3 都道府県知事は、児童の福祉のため必要があると認めるときは、第一項に規定する施設の設置者に対し、その施設の設備又は運営の改善その他の勧告をすることができる。
- (3) When a prefectural governor finds it necessary for the welfare of children, the prefectural governor may recommend the establisher of an institution provided in paragraph (1) to improve the facilities or operation of the institution, or give any other recommendation to the establisher.
- 4 都道府県知事は、前項の勧告を受けた施設の設置者がその勧告に従わなかったときは、その旨を公表することができる。
- (4) When the establisher of the institution receiving a recommendation set forth in the preceding paragraph fails to follow the recommendation, the prefectural governor may publicize such failure.
- 5 都道府県知事は、第一項に規定する施設について、児童の福祉のため必要があると認めるときは、都道府県児童福祉審議会の意見を聴き、その事業の停止又は施設の閉鎖を命ずることができる。
- (5) With regard to an institution provided in paragraph (1), when a prefectural governor finds it necessary for the welfare of children, may order suspension of its services or its closing, after hearing opinions from the prefectural child welfare council.
- 6 都道府県知事は、児童の生命又は身体の安全を確保するため緊急を要する場合で、あらかじめ都道府県児童福祉審議会の意見を聴くいとまがないときは、当該手続を経ないで前項の命令をすることができる。
- (6) In the case of urgent necessity to ensure the life or physical safety of a child, when there is not much time to the hear opinions from the Prefectural Child Welfare Council in advance, the prefectural governor may give an order set forth in the preceding paragraph without taking relevant procedure for hearing.
- 7 都道府県知事は、第三項の勧告又は第五項の命令をした場合には、その旨を当該施設の所在地の市町村長に通知するものとする。
- (7) In the case where a recommendation set forth in paragraph (3) or an order set forth in paragraph (5) is given, the prefectural governor is to notify the mayor of municipality having jurisdiction over the location of the referenced institution to that effect.

第五十九条の二 第六条の三第九項から第十二項までに規定する業務又は第三十九条第一項に規定する業務を目的とする施設（少数の乳児又は幼児を対象とするものその他の厚生労働省令で定めるものを除く。）であつて第三十四条の十五第二項若しくは第三十五条第四項の認可又は認定こども園法第十七条第一項の認可を受けていないもの（第五十八条の規定により児童福祉施設若しくは家庭的保育事業等の認可を取り消さ

れたもの又は認定こども園法第二十二条第一項の規定により幼保連携型認定こども園の認可を取り消されたものを含む。)については、その施設の設置者は、その事業の開始の日(第五十八条の規定により児童福祉施設若しくは家庭的保育事業等の認可を取り消された施設又は認定こども園法第二十二条第一項の規定により幼保連携型認定こども園の認可を取り消された施設にあつては、当該認可の取消しの日)から一月以内に、次に掲げる事項を都道府県知事に届け出なければならない。

Article 59-2 (1) With regard to an institution intended for any of the services provided in Article 6-3, paragraphs (9) through (12) or Articles 39, paragraph (1) (excluding the institution for a small number of infants or toddlers and others specified by Order of the Ministry of Health, Labour and Welfare) inclusive for certification set forth in Article 34-15, paragraph (2) or the one set forth in the Certified Children Center Act Article 17, paragraph (1) has not been obtained (including institutions for which the approval as a child welfare institution or the home daycare services, etc. pursuant to the provisions of Article 58 or the approval for child center in coordination between kindergarten and nursery center pursuant to the Certified Children Center Act Article 22, paragraph (1) has been rescinded, its establisher must notify the prefectural governor of the particulars listed in the following items within one month from the date of commencement of its services (or from the date of rescission of the approval, in the case of a child welfare institution or the home daycare services, etc. for which the approval has been rescinded pursuant to the provisions of Article 58, in the case of child center in coordination between kindergarten and nursery center pursuant to the Certified Children Center Act Article 22, paragraph (1)).

一 施設の名称及び所在地

(i) name and location of the institution;

二 設置者の氏名及び住所又は名称及び所在地

(ii) name and address, or name and location, of the establisher;

三 建物その他の設備の規模及び構造

(iii) scale and structure of buildings and other facilities;

四 事業を開始した年月日

(iv) date of commencement of the services;

五 施設の管理者の氏名及び住所

(v) name and address of the manager of the institution; and

六 その他厚生労働省令で定める事項

(vi) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

2 前項に規定する施設の設置者は、同項の規定により届け出た事項のうち厚生労働省令で定めるものに変更を生じたときは、変更の日から一月以内に、その旨を都道府県知事に届け出なければならない。その事業を廃止し、又は休止したときも、同様とする。

(2) When any change arises in such particulars as specified in an Order of the Ministry of Health, Labour and Welfare included in the notification pursuant to the provision of the preceding paragraph, the establisher of the institution prescribed in the same paragraph must notify the prefectural governor within one month from the date of such change. The same applies when the services of the institution has been abolished or suspended.

3 都道府県知事は、前二項の規定による届出があつたときは、当該届出に係る事項を当該施設の所在地の市町村長に通知するものとする。

(3) When notification is made pursuant to the provisions of the preceding two paragraphs, the prefectural governor is to give notice of the particulars pertaining to the relevant notification to the mayor of municipality having jurisdiction over the location of the referenced institution.

第五十九条の二の二 前条第一項に規定する施設の設置者は、次に掲げる事項を当該施設において提供されるサービスを利用しようとする者の見やすい場所に掲示しなければならない。

Article 59-2-2 The establisher of an institution prescribed in paragraph (1) of the preceding Article posts the particulars listed in the following items in a place easily viewable for persons who intend to use the services provided in the relevant institution:

一 設置者の氏名又は名称及び施設の管理者の氏名

(i) name of the establisher of the institution and name of its manager;

二 建物その他の設備の規模及び構造

(ii) scale and structure of buildings and other facilities; and

三 その他厚生労働省令で定める事項

(iii) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第五十九条の二の三 第五十九条の二第一項に規定する施設の設置者は、当該施設において提供されるサービスを利用しようとする者からの申込みがあつた場合には、その者に対し、当該サービスを利用するための契約の内容及びその履行に関する事項について説明するように努めなければならない。

Article 59-2-3 When the establisher of an institution prescribed in Article 59-2, paragraph (1) receives an application from a person who intends to use the services provided in relevant institution, the establisher must endeavor to explain the particulars concerning the contents of a contract for use of relevant services and the performance thereof.

第五十九条の二の四 第五十九条の二第一項に規定する施設の設置者は、当該施設において提供されるサービスを利用するための契約が成立したときは、その利用者に対し、遅滞なく、次に掲げる事項を記載した書面を交付しなければならない。

Article 59-2-4 When a contract for use of the services provided in an institution prescribed in Article 59-2, paragraph (1) has been executed, the establisher of relevant institution, without delay, must deliver to the user a document stating the particulars listed in the following items:

- 一 設置者の氏名及び住所又は名称及び所在地
(i) name and address, or name and location, of the establisher;
- 二 当該サービスの提供につき利用者が支払うべき額に関する事項
(ii) particulars concerning the amounts payable by the user for provision of relevant services; and
- 三 その他厚生労働省令で定める事項
(iii) other particulars specified by an Order of the Ministry of Health, Labour and Welfare.

第五十九条の二の五 第五十九条の二第一項に規定する施設の設置者は、毎年、厚生労働省令で定めるところにより、当該施設の運営の状況を都道府県知事に報告しなければならない。

Article 59-2-5 (1) The establisher of an institution provided in Article 59-2, paragraph (1) must report the state of the operation of relevant institution to the prefectural governor every year pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 都道府県知事は、毎年、前項の報告に係る施設の運営の状況その他第五十九条の二第一項に規定する施設に関し児童の福祉のため必要と認める事項を取りまとめ、これを各施設の所在地の市町村長に通知するとともに、公表するものとする。

(2) A prefectural governor is to annually compile the state of the operation of the institutions pertaining to the reports set forth in the preceding paragraph and other particulars found necessary for welfare of children with regard to the institutions provided in Article 59-2, paragraph (1) and notify the mayor of municipality having jurisdiction over the location of the respective institution of such compilation and publicize the same.

第五十九条の二の六 都道府県知事は、第五十九条、第五十九条の二及び前条に規定する事務の執行及び権限の行使に関し、市町村長に対し、必要な協力を求めることができる。

Article 59-2-6 With regard to the execution of the affairs and the exercise of the authorities provided in Article 59, Article 59-2 and the preceding Article, a prefectural governor may request necessary cooperation from the mayors of municipalities

第五十九条の二の七 町村が一部事務組合又は広域連合を設けて福祉事務所を設置した場合には、この法律の適用については、その一部事務組合又は広域連合を福祉事務所を設置する町村とみなす。

Article 59-2-7 With regard to the application of this Act in the case where some towns and villages have established a welfare office by setting up an administrative association or cross-regional federation, relevant association or federation is deemed to be a town or village establishing a welfare office.

第五十九条の三 町村の福祉事務所の設置又は廃止により助産の実施及び母子保護の実施に係る都道府県又は市町村に変更があつた場合においては、この法律又はこの法律に基づいて発する命令の規定により、変更前の当該助産の実施若しくは母子保護の実施に係る都道府県又は市町村の長がした行為は、変更後の当該助産の実施若しくは母子保護の実施に係る都道府県又は市町村の長がした行為とみなす。ただし、変更前に行われ、又は行われるべきであつた助産の実施若しくは母子保護の実施に関する費用の支弁及び負担については、変更がなかつたものとする。

Article 59-3 In the case where a prefecture or municipality pertaining to the midwifery care practice and the maternal and child assistance practice is changed due to the establishment or abolition of a welfare office by a town or village, the acts done by the head of the prefecture or municipality pertaining to the relevant midwifery care practice or maternal and child assistance practice before such change pursuant to the provisions of this Act or orders issued pursuant to this Act is deemed to be the acts done by the head of the prefecture or municipality pertaining to the relevant midwifery care practice or maternal and child assistance practice after such change; provided, however, that no change is regarded to have arisen with regard to the payments and burden of the expenses for the midwifery care practice or the maternal and child assistance practice that were, or should have been, provided before such change.

第五十九条の四 この法律中都道府県が処理することとされている事務で政令で定めるものは、指定都市及び中核市並びに児童相談所を設置する市（特別区を含む。以下この項において同じ。）として政令で定める市（以下「児童相談所設置市」という。）においては、政令で定めるところにより、指定都市若しくは中核市又は児童相談所設置市（以下「指定都市等」という。）が処理するものとする。この場合においては、この法律中都道府県に関する規定は、指定都市等に関する規定として指定都市等に適用があるものとする。

Article 59-4 (1) With regard to the designated city or core city or the city with child guidance center (including special wards; the same applies hereinafter.) (hereinafter referred to as "city with child guidance center") pursuant to the provisions of a Cabinet Order, the affairs specified by a Cabinet Order that are supposed to be handled by a prefectural government under this Act are handled by. In this case, the provisions concerning prefectures in this Act apply to designated cities, etc. as if they were the provisions concerning designated cities, etc.

2 前項の規定により指定都市等の長がした処分（地方自治法第二条第九項第一号に規定する第一号法定受託事務（次項及び第五十九条の六において「第一号法定受託事務」という。）に係るものに限る。）に係る審査請求についての都道府県知事の裁決に不服がある者は、厚生労働大臣に対して再審査請求をすることができる。

(2) A person who has an objection to the prefectural governor's determination on a request for examination pertaining to a disposition imposed by the head of any of the designated cities, etc. pursuant to the provisions of the preceding paragraph (limited to the dispositions pertaining to the category 1 statutory entrusted affairs (which referred to as "category 1 statutory entrusted function" in the following paragraph and Article 59-6)) provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act) may request the Minister of Health, Labor and Welfare to conduct re-examination.

3 指定都市等の長が第一項の規定によりその処理することとされた事務のうち第一号法定受託事務に係る処分をする権限をその補助機関である職員又はその管理に属する行政機関の長に委任した場合において、委任を受けた職員又は行政機関の長がその委任に基づいてした処分につき、地方自治法第二百五十五条の二第二項の再審査請求の裁決があつたときは、当該裁決に不服がある者は、同法第二百五十二条の十七の四第五項から第七項までの規定の例により、厚生労働大臣に対して再々審査請求をすることができる。

(3) When the head of any of the designated cities, etc. delegates the authority for disposition pertaining to category 1 statutory entrusted affairs among the administration works which the authority performs in accordance with the provisions of paragraph (1) to the official of its subsidiary body or the head of administrative agency under their management and there is a determination for re-examination of Article 255-2 , paragraph (2) of Local Autonomy Act for the disposition the delegated official or head of administrative agency conducted based on such delegation, a person who is dissatisfied with such determination of re-examination may request re-examination again to the Minister of Health, Labour and Welfare pursuant to the provisions Article 252-10 , paragraphs (5) through (7) of the same Act.

4 都道府県知事は、児童相談所設置市の長に対し、当該児童相談所の円滑な運営が確保されるように必要な勧告、助言又は援助をすることができる。

(4) A prefectural governor may provide the head of a city with child guidance center with recommendation, advice or assistance necessary to ensure smooth operation of such a child guidance center.

5 この法律に定めるもののほか、児童相談所設置市に関し必要な事項は、政令で定める。

(5) Beyond what is provided for in this Act, necessary particulars concerning a city with child guidance center is prescribed by a Cabinet Order.

第五十九条の五 第十九条の十六第一項、第二十一条の三第一項、第三十四条の五第一

項、第三十四条の六、第四十六条及び第五十九条の規定により都道府県知事の権限に属するものとされている事務は、児童の利益を保護する緊急の必要があると厚生労働大臣が認める場合にあつては、厚生労働大臣又は都道府県知事が行うものとする。

Article 59-5 (1) When the Minister of Health, Labor and Welfare finds an urgent necessity to protect the interests of a child, the affairs that are supposed to be placed under the prefectural governor's authority pursuant to the provisions of Article 19-16 paragraph (1), Article 21-3 paragraph (1), Article 34-5 paragraph (1), Article 34-6, Article 46 and Article 59 is conducted by the Minister of Health, Labor and Welfare or the prefectural governor.

2 前項の場合においては、この法律の規定中都道府県知事に関する規定（当該事務に係るものに限る。）は、厚生労働大臣に関する規定として厚生労働大臣に適用があるものとする。この場合において、第四十六条第四項中「都道府県児童福祉審議会の意見を聴き、その施設の」とあるのは「その施設の」と、第五十九条第五項中「都道府県児童福祉審議会の意見を聴き、その事業の」とあるのは「その事業の」とする。

(2) In the case referred to in the preceding paragraph, the provisions concerning prefectures in this Act (limited to those pertaining to the referenced affairs) apply to the Minister of Health, Labor and Welfare as if they were the provisions concerning the Minister of Health, Labor and Welfare. In this case, the phrases "suspend their services after hearing opinions from the prefectural child welfare council" referred to in Article 46, paragraph (4) and "suspension of its services or its closing, after hearing opinions from the prefectural child welfare council" referred to in Article 59, paragraph (5) are deemed to be replaced with "suspend their services" and suspension of its services or its closing" respectively.

3 第一項の場合において、厚生労働大臣又は都道府県知事が当該事務を行うときは、相互に密接な連携の下に行うものとする。

(3) When the referenced affairs are conducted by the Minister of Health, Labor and Welfare or the prefectural governor in the case referred to in paragraph (1), they are conducted under mutually close coordination.

第五十九条の六 第五十六条第一項の規定により都道府県が処理することとされている事務は、第一号法定受託事務とする。

Article 59-6 The affairs that are supposed to be handled by a prefectural government pursuant to the provision of Article 56, paragraph (1) is the category 1 statutory entrusted affairs provided in item (i) of Article 2, paragraph (9) of the Local Autonomy Act.

第五十九条の七 この法律における主務省令は、厚生労働省令とする。ただし、第二十一条の九各号に掲げる事業に該当する事業のうち厚生労働大臣以外の大臣が所管するものに関する事項については、厚生労働大臣及びその事業を所管する大臣の発する命令とする。

Article 59-7 The ordinance of the competent ministry referred to in this Act is the Order of the Ministry of Health, Labour and Welfare; provided, however, that, with regard to the particulars concerning such services falling under those listed in the respective items of Article 21-9 that are placed under the jurisdiction of the minister other than the Minister of Health, Labor and Welfare, the orders issued respectively by the Minister of Health, Labor and Welfare and the minister having jurisdiction over such services are the competent ministry's orders.

第五十九条の八 この法律に規定する厚生労働大臣の権限は、厚生労働省令で定めるところにより、地方厚生局長に委任することができる。

Article 59-8 (1) The authorities of the Minister of Health, Labor and Welfare provided in this Act may be delegated to the Director General of each Regional Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 前項の規定により地方厚生局長に委任された権限は、厚生労働省令で定めるところにより、地方厚生支局長に委任することができる。

(2) The authorities delegated to the Director General of the Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be further delegated to the Director General of each Regional Branch Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

第八章 罰則

Chapter VIII Penal Provisions

第六十条 第三十四条第一項第六号の規定に違反した者は、十年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

Article 60 (1) A person who violates the provisions of Article 34, paragraph (1), item (vi) is punished by imprisonment with work for not more than 10 years or a fine of not more than 3,000,000 yen, or by cumulative imposition of both of them.

2 第三十四条第一項第一号から第五号まで又は第七号から第九号までの規定に違反した者は、三年以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

(2) A person who violates any of the provisions of items (i) through (v) or Article 34, paragraph (1), items (vii) through (ix) is punished by imprisonment for not more than three years or a fine of not more than 1,000,000 yen, or by cumulative imposition of both penalties.

3 第三十四条第二項の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

(3) A person who violates the provisions of Article 34, paragraph (2) is punished

by imprisonment for not more than one year or a fine of not more than 500,000 yen.

4 児童を使用する者は、児童の年齢を知らないことを理由として、前三項の規定による処罰を免れることができない。ただし、過失のないときは、この限りでない。

(4) A person who employs a child may not be exculpated from the punishments pursuant to the provisions of the preceding three paragraphs for reasons of not knowing the age of the child; provided, however, that this does not apply when the person is not negligent.

5 第一項及び第二項（第三十四条第一項第七号又は第九号の規定に違反した者に係る部分に限る。）の罪は、刑法第四条の二の例に従う。

(5) Crimes set forth in paragraphs (1) and (2) (limited to the portions pertaining to the persons who violate any of the provisions of Article 34, paragraph (1), items (vii) and (ix) is governed by Article 4-2 of the Penal Code.

第六十条の二 小児慢性特定疾病審査会の委員又はその委員であつた者が、正当な理由がないのに、職務上知り得た小児慢性特定疾病医療支援を行つた者の業務上の秘密又は個人の秘密を漏らしたときは、一年以下の懲役又は百万円以下の罰金に処する。

Article 60-2 (1) When a person who is, or used to be, a member of specified chronic pediatric diseases review board divulges any commercial or personal secrets coming to their knowledge of a person who conducted medical support for specified chronic pediatric diseases without justifiable ground, the person is punished by imprisonment for not more than one year or a fine of not more than 1,000,000 yen.

2 第五十六条の五の五第二項において準用する障害者の日常生活及び社会生活を総合的に支援するための法律第九十八条第一項に規定する不服審査会の委員若しくは連合会の役員若しくは職員又はこれらの者であつた者が、正当な理由がないのに、職務上知り得た障害児通所支援、障害児入所支援又は障害児相談支援を行つた者の業務上の秘密又は個人の秘密を漏らしたときは、一年以下の懲役又は百万円以下の罰金に処する。

(2) When a member of appeal examination board or a director or an officials of federation or a person who was formerly in such a position, specified in Article 98, paragraph (1) of the Act on Providing Comprehensive Support for the Daily Life and Life in Society in Society of Persons with Disabilities which is applied mutatis mutandis in Article 56-5-5, paragraph (2) divulges any commercial or personal secrets coming to their knowledge of a person who conducted the day care support for children with disabilities, admission support for children with disabilities or consultation support for children with disabilities, without justifiable ground, they are punished by imprisonment for not more than one year or a fine of not more than 1,000,000 yen.

3 第二十一条の五の六第四項（第二十一条の五の八第三項において準用する場合を含む。）又は第五十七条の三の四第二項の規定に違反した者は、一年以下の懲役又は百

万円以下の罰金に処する。

- (3) A person who violates the provisions of Article 21-5-6 (including the case that apply mutatis mutandis to Article 21-5-8, paragraph (3)) or Article 57-3-4, paragraph (2) is punished by imprisonment for not more than one year or a fine of not more than 1,000,000 yen.

第六十一条 児童相談所において、相談、調査及び判定に従事した者が、正当の理由なく、その職務上取り扱ったことについて知得した人の秘密を漏らしたときは、これを一年以下の懲役又は五十万円以下の罰金に処する。

Article 61 When a person who is, or used to be, engaged in consultation, investigations and judgment in a child guidance center divulges any secret coming to their knowledge in the course of duties without justifiable ground, they are punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.

第六十一条の二 第十八条の二十二の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 61-2 (1) A person who violates the provisions of Article 18-22 is punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.

2 前項の罪は、告訴がなければ公訴を提起することができない。

(2) With regard to a crime set forth in the preceding paragraph, no prosecution may be instituted without complaint.

第六十一条の三 第十一条第五項、第十八条の八第四項、第十八条の十二第一項、第二十一条の十の二第四項、第二十一条の十二、第二十五条の五又は第二十七条の四の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 61-3 A person who violates the provisions of Article 11, paragraph (5), Article 18-8, paragraph (4), Article 18-12, paragraph (1), Article 21-10-2, paragraph (4), Article 21-12 or Article 25-5 or Article 27-4 is punished by imprisonment with work for not more than one year or a fine of not more than 500,000 yen.

第六十一条の四 第四十六条第四項又は第五十九条第五項の規定による事業の停止又は施設の閉鎖の命令に違反した者は、六月以下の懲役若しくは禁錮又は五十万円以下の罰金に処する。

Article 61-4 A person who violates an order for suspension of the services or closing of an institution pursuant to the provisions of Article 46, paragraph (4) or Article 59, paragraph (5) is punished by imprisonment or imprisonment without work for not more than six months or a fine of not more than 500,000 yen.

第六十一条の五 正当の理由がないのに、第二十九条の規定による児童委員若しくは児童の福祉に関する事務に従事する職員の職務の執行を拒み、妨げ、若しくは忌避し、又はその質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは児童に答弁をさせず、若しくは虚偽の答弁をさせた者は、五十万円以下の罰金に処する。

Article 61-5 A person, who refuses, interferes with, or recuses the execution of duties by a commissioned child welfare volunteer or by an employee engaged in the affairs concerning welfare of children pursuant to the provisions of Article 29, or fails to answer a question or makes a false answer or makes a child to refrain from answering or make a false answer, without justifiable ground, is punished by a fine of not more than 500,000 yen.

第六十一条の六 正当の理由がないのに、第十八条の十六第一項の規定による報告をせず、若しくは虚偽の報告をし、同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした指定試験機関の役員又は職員は、三十万円以下の罰金に処する。

Article 61-6 When an officer or employee of a designated examining body fails to make a report pursuant to the provisions of Article 18-16, paragraph (1) or makes a false report, or fails to answer a question pursuant to the provisions of the same paragraph or makes a false answer, or refuses, interferes with, or recuses the entry or inspection pursuant to the provisions of the same paragraph, without justifiable ground, the officer or employee causing such violation is punished by a fine of not more than 300,000 yen.

第六十二条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 62 A person who falls under any of the following items is punished by a fine of not more than 300,000 yen:

一 第十八条の十九第二項の規定により保育士の名称の使用の停止を命ぜられた者で、当該停止を命ぜられた期間中に、保育士の名称を使用したもの

(i) a person who uses the name of nursery teacher during the period for which the person is ordered to suspend the use of the name of nursery teacher pursuant to the provisions of Article 18-19, paragraph (2);

二 第十八条の二十三の規定に違反した者

(ii) a person who violates the provisions of Article 18-23;

三 正当の理由がないのに、第二十一条の十四第一項の規定による報告をせず、若しくは虚偽の報告をし、同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避した者

(iii) a person who fails to make reporting pursuant to the provisions of paragraph (1) of Article 21-14 or makes a false report, or fails to answer a

- question pursuant to the provisions of the same paragraph or makes a false answer, or refuses, interferes with, or recuses the entry or inspection pursuant to the provisions of the same paragraph, without justifiable ground;
- 四 正当の理由がないのに、第十九条の十六第一項、第二十一条の五の二十二第一項（同条第二項において準用する場合を含む。）、第二十一条の五の二十七第一項（第二十四条の十九の二において準用する場合を含む。）、第二十四条の十五第一項、第二十四条の三十四第一項若しくは第二十四条の三十九第一項の規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件の提出若しくは提示をし、これらの規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、又はこれらの規定による立入り若しくは検査を拒み、妨げ、若しくは忌避した者
- (iv) a person who fails to make a report pursuant to the provisions of Article 19-16, paragraph (1), Article 21-5-22, paragraph (1) (including the case which applies to paragraph (2) of the same Article), Article 21-5-27, paragraph (1) (including the case which applies to Article 24-34, paragraph (1)), Article 24-15, paragraph (1), Article 24-34, paragraph (1) or Article 24-39, paragraph (1) submit or present an object, or makes a false report or submits or presents a false object, or fails to answer a question pursuant to the above-mentioned provisions or makes a false answer, or refuses, interferes with, or recuses the entry or inspection pursuant to the above-mentioned provisions, without justifiable grounds;
- 五 第三十条第一項に規定する届出を怠つた者
- (v) a person who neglects to give notification provided in Article 30, paragraph (1); or
- 六 正当の理由がないのに、第五十七条の三の三第一項から第三項までの規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件の提出若しくは提示をし、又はこれらの規定による当該職員の質問若しくは第五十七条の三の四第一項の規定により委託を受けた指定事務受託法人の職員の第五十七条の三の三第一項の規定による質問に対して、答弁せず、若しくは虚偽の答弁をした者
- (vi) a person who fails to make a report or submit an object pursuant to the provisions of Article 57-3-3, paragraphs (1) through (3) makes a false report or submit or present a false object, or fails to answer a question or makes a false answer to the relevant official pursuant to the provisions of the above-mentioned paragraphs, or to the official of a designated corporations entrusted with duties who was entrusted pursuant to Article 57-3-3, paragraph (1), without justifiable grounds.
- 七 正当の理由がないのに、第五十九条第一項の規定による報告をせず、若しくは虚偽の報告をし、同項の規定による立入調査を拒み、妨げ、若しくは忌避し、又は同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者
- (vii) a person who fails to make a report pursuant to the provisions of

paragraph (1) of Article 59 or makes a false report, or refuses, interferes with, or recuses the entry and inspection pursuant to the provisions of the same paragraph, or fails to answer a question pursuant to the provisions of the same paragraph or makes a false answer, without justifiable ground.

第六十二条の二 正当の理由がないのに、第五十六条の五の五第二項において準用する障害者の日常生活及び社会生活を総合的に支援するための法律第百三条第一項の規定による処分に違反して、出頭せず、陳述をせず、報告をせず、若しくは虚偽の陳述若しくは報告をし、又は診断その他の調査をしなかつた者は、三十万円以下の罰金に処する。ただし、第五十六条の五の五第二項において準用する同法第九十八条第一項に規定する不服審査会が行う審査の手続における請求人又は第五十六条の五の五第二項において準用する同法第百二条の規定により通知を受けた市町村その他の利害関係人は、この限りでない。

Article 62-2 In the event that persons who, violated the disposition pursuant to the provisions of paragraph (1) of Article 103 of Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities which is applied mutatis mutandis in Article 56-5-5, paragraph (2) do not appear, provide statements, they state or provide false reports, and make diagnoses or conduct other inspection without just cause, they, are punished by a fine of not more than 300,000 yen; provided, however, that this does not apply to requesters for the examination procedures that appeal examination board specified in Article 98, paragraph (1) of the same Act which is applied mutatis mutandis to Article 56-5-5, paragraph (2) conduct, municipalities or other interested persons who received the notice pursuant to the provisions of Article 102 of the same Act.

第六十二条の三 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、第六十条第一項から第三項まで及び第六十二条第四号の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

Article 62-3 When a representative of a corporation or an agent, employee or other worker of a corporation or individual causes a violation set forth in paragraphs (1) through (3) of Article 60 and paragraph (4) of Article 62 with regard to the business of the relevant corporation or individual, not only offender is punished but the relevant corporation or individual is also punished by the fine prescribed in the respective articles.

第六十二条の四 第五十九条の二第一項又は第二項の規定による届出をせず、又は虚偽の届出をした者は、五十万円以下の過料に処する。

Article 62-4 A person who fails to give notification pursuant to the provisions of Article 59-2, paragraph (1) or (2) or gives false notification is punished by a

civil fine of not more than 500,000 yen.

第六十二条の五 次の各号のいずれかに該当する者は、十万円以下の過料に処する。

Article 62-5 A person who falls under any of the following items is punished by a civil fine of not more than 100,000 yen:

一 正当な理由がなく、第五十六条第四項（同条第二項の規定による第五十条第五号、第六号、第六号の二若しくは第七号の三又は第五十一条第三号に規定する費用の徴収に関する部分を除く。）の規定による報告をせず、又は虚偽の報告をした者

(i) a person who fails to report or makes a false report pursuant to the provisions of Article 56, paragraph (4) (excluding the portions related to collection of expenses specified in Article 50, item (v), (vi), (vi)-2 or (vii)-3 or Article 51, item (iii) pursuant to paragraph (2) of the same Article.), without justifiable grounds.

二 第五十七条の三の三第四項から第六項までの規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件の提出若しくは提示をし、又はこれらの規定による当該職員の質問に対して、答弁せず、若しくは虚偽の答弁をした者

(ii) a person who fails to report or makes a false report pursuant to the provisions of Article 57-3, paragraphs (4) through (6) or fails to submit or present an object or makes a false report or submit or present a false object or fails to answer a question or makes a false answer to the relevant official pursuant to the above-mentioned provisions.

三 第五十七条の三の四第一項の規定により委託を受けた指定事務受託法人の職員の第五十七条の三の三第四項の規定による質問に対して、答弁せず、又は虚偽の答弁をした者

(iii) a person who fails to answer a question or makes a false answer to the official of a designated corporation entrusted with duties pursuant to the provisions of Article 57-3-4, paragraph (1).

第六十二条の六 都道府県は、条例で、次の各号のいずれかに該当する者に対し十万円以下の過料を科する規定を設けることができる。

Article 62-6 A prefectural government may, in a Prefectural Ordinance, prescribe provisions to impose a civil fine of not more than 100,000 yen on a person who falls under any of the following items:

一 第十九条の六第二項の規定による医療受給者証又は第二十四条の四第二項の規定による入所受給者証の返還を求められてこれに応じない者

(i) a person who is unwilling to comply with a request for return of claimant certification of medical care or the admission beneficiary certificate pursuant to the provisions of Article 24-4, paragraph (2); or

二 正当の理由がないのに、第五十七条の三第二項若しくは第三項の規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件

の提出若しくは提示をし、又はこれらの規定による当該職員の質問若しくは第五十七条の三の四第一項の規定により委託を受けた指定事務受託法人の職員の第五十七条の三第三項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(ii) a person who fails to make a report or submit or present an object pursuant to the provisions of Article 57-3-3, paragraph (2) makes a false report or submit or present a false object or fails to answer a question or answers falsely to the relevant official pursuant to the provisions of the above-mentioned paragraphs, or fails to answer pursuant to Article 57-3-3, paragraph (1) or makes a false answer to the official of a designated corporations entrusted with duties who was entrusted pursuant to Article 57-3-4, paragraph (1), without justifiable ground.

第六十二条の七 市町村は、条例で、次の各号のいずれかに該当する者に対し十万円以下の過料を科する規定を設けることができる。

Article 62-7 A municipality, in a Municipal Ordinance, may prescribe provisions to impose a non-criminal fine of not more than 100,000 yen on a person who falls under any of the following items:

一 第二十一条の五の八第二項又は第二十一条の五の九第二項の規定による通所受給者証の提出又は返還を求められてこれに応じない者

(i) a person who is unwilling to comply with a request for return of the outpatient beneficiary certificate pursuant to the provisions of Article 21-5-8, paragraph (2) and Article 21-5-9, paragraph (2); or

二 正当の理由がないのに、第五十七条の三第一項の規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件の提出若しくは提示をし、又は同項の規定による当該職員の質問若しくは第五十七条の三の四第一項の規定により委託を受けた指定事務受託法人の職員の第五十七条の三第一項の規定による質問に対して、答弁せず、若しくは虚偽の答弁をした者

(ii) a person who fails to make a report or submit or present an object pursuant to the provisions of Article 57-3, paragraph (1) makes a false report or submit or present a false object or fails to answer a question or answers falsely to the relevant official pursuant to the provisions of the above-mentioned paragraphs, or fails to answer pursuant to Article 57-3, paragraph (1) or answers falsely to the official of a designated corporations entrusted with duties who was entrusted pursuant to Article 57-3, paragraph (1), without justifiable ground.

三 正当の理由がないのに、第五十七条の三の二第一項の規定による報告若しくは物件の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の物件の提出若しくは提示をし、又は同項の規定による当該職員の質問若しくは第五十七条の三の四第一項の規定により委託を受けた指定事務受託法人の職員の第五十七条の三の二第一項の規定による質問に対して、答弁せず、若しくは虚偽の答弁をし、若しくは同項の規定による検査を拒み、妨げ、若しくは忌避した者

(iii) a person who fails to make a report or submit or present an object pursuant to the provisions of Article 57-3-2, paragraph (1) makes a false report or submit or present a false object or fails to answer a question or answers falsely to the relevant official pursuant to the provisions of the above-mentioned paragraphs, or fails to answer pursuant to Article 57-3-2, paragraph (1) or answers falsely to the official of a designated corporations entrusted with duties who was entrusted pursuant to Article 57-3-4, paragraph (1) or refuses, interferes with, or recuses the inspection pursuant to the same paragraph, without justifiable ground.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

第六十三条 この法律は、昭和二十三年一月一日から、これを施行する。但し、第十九条、第二十二條から第二十四條まで、第五十条第四号、第六号、第七号及び第九号（児童相談所の設備に関する部分を除く。）第五十一条、第五十四条及び第五十五条の規定並びに第五十二条、第五十三条及び第五十六条の規定中これらの規定に関する部分は、昭和二十三年四月一日から、これを施行する。

Article 63 This Act comes into force as from January 1, 1948; provided, however, that the provisions of Article 19, Articles 22 through 24, Article 50, items (iv), (vi), (vii) and (ix) (excluding the portions concerning the facilities of child guidance centers), Article 51, Article 54 and Article 55, and the portions concerning the aforementioned provisions referred to in the provisions of Articles 52, 53 and 56 come into force as from April 1, 1948.

第六十三条の二 児童相談所長は、当分の間、第二十六条第一項に規定する児童のうち身体障害者福祉法第十五条第四項の規定により身体障害者手帳の交付を受けた十五歳以上の者について、障害者の日常生活及び社会生活を総合的に支援するための法律第五条第十一項に規定する障害者支援施設（次条において「障害者支援施設」という。）に入所すること又は障害福祉サービス（同法第四条第一項に規定する障害者のみを対象とするものに限る。次条において同じ。）を利用することが適当であると認めるときは、その旨を身体障害者福祉法第九条又は障害者の日常生活及び社会生活を総合的に支援するための法律第十九条第二項若しくは第三項に規定する市町村の長に通知することができる。

Article 63-2 For the time being, with regard to a child of 15 years of age or more as prescribed in Article 26, paragraph (1) to whom a physically disabled certificate is issued pursuant to the provisions of Article 15, paragraph (4) of the Act on Welfare of Physically Disabled Persons when the director of a child guidance center finds appropriate to admit the child into support facilities for

the persons with disabilities provided in Article 5, paragraph (12) of the Act on Providing Comprehensive Support for the Daily Life and Life in Society in Society of Persons with Disabilities (referred to as a "support facilities for the persons with disabilities" in the following Article) or use welfare services for persons with disabilities (limited to the services targeting only persons with disabilities provided in Article 4, paragraph (1) of the same Act; the same applies in the following Article), the director of a child guidance center may notify the head of the municipality provided in Article 9 of the Act on Welfare of Physically Disabled Persons or Article 19, paragraph (2) or (3) of the Act on the Comprehensive Support for the Daily and Life in Society of Persons with Disabilities.

第六十三条の三 児童相談所長は、当分の間、第二十六条第一項に規定する児童のうち十五歳以上の者について、障害者支援施設に入所すること又は障害福祉サービスを利用することが適当であると認めるときは、その旨を知的障害者福祉法第九条又は障害者の日常生活及び社会生活を総合的に支援するための法律第十九条第二項若しくは第三項に規定する市町村の長に通知することができる。

Article 63-3 For the time being, with regard to a child of 15 years of age or more as prescribed in Article 26, paragraph (1) when the director of a child guidance center finds appropriate to admit the child into support facilities for the persons with disabilities or use welfare services for persons with disabilities, the director of a child guidance center may notify the head of the municipality specified in Article 9 of the Act for the Welfare of Persons with Intellectual Disabilities or Article 19, paragraph (2) or (3) of the Act on Providing Comprehensive Support for the Daily Life and Life in Society in Society of Persons with Disabilities to that effect.

第六十四条 民生委員令〔昭和二十一年九月勅令第四二六号〕による民生委員は、第十二条第三項の規定の施行の日から、三箇月を経過した日に、その任期が満了したものとみなす。

Article 64 (1) The tenure of office of a commissioned welfare volunteer pursuant to Ordinance of the Commissioned Welfare Volunteers [No. 426 Imperial Order of September of 1946] is deemed to expire on the day when three months have elapsed from the date of enforcement of the provisions of paragraph (3) of Article 12.

2 前項の規定による任期満了の結果、民生委員を選ぶに当つては、第十二条第二項の職務を行うに適することを要件としなければならない。

(2) As a result of expiration of the tenure of office pursuant to the provisions of the preceding paragraph, upon selecting a commissioned welfare volunteer, it must be a requirement that such commissioned welfare volunteer has qualification to perform the duties.

第六十五条 児童虐待防止法〔昭和八年法律第四〇号〕及び少年教護法〔昭和八年法律第五五号〕は、これを廃止する。但し、これらの法律廃止前に、なした行為に関する罰則の適用については、これらの法律は、なおその効力を有する。

Article 65 The Child Abuse Prevention Act and the Juvenile Education and Protection Act is abolished; provided, however, that these acts remain in force with regard to the application of the penal provisions to an act done prior to their abolition.

第六十六条 児童虐待防止法第二条の規定により、都道府県知事のなした処分は、これをこの法律中の各相当規定による措置とみなす。

Article 66 A disposition imposed by a prefectural governor pursuant to the provisions of Article 2 of the Child Abuse Prevention Act is deemed to be a measure pursuant to the applicable provisions of this Act.

第六十七条 この法律施行の際、現に存する少年教護法の規定による少年教護院及び職員養成所は、これをこの法律の規定により設置した教護院及び職員養成施設とみなし、少年教護院に在院中の者は、これを第二十七条第一項第三号の規定により、教護院に入院させられた者とみなす。

Article 67 A juvenile education and protection center and its personnel training school pursuant to the Juvenile Education and Protection Act actually existing upon the coming into force of this Act is deemed to be an education and protection center and a personnel training facility established pursuant to this Act, and a person institutionalized in a juvenile education and protection center is deemed to be a person institutionalized in an education and protection center pursuant to the provisions of Article 27, paragraph (1), item (iii).

第六十八条 少年教護法第二十四条第一項但書の規定により、その教科につき、文部大臣の承認を受けた少年教護院であつて、この法律施行の際、現に存するものは、第四十八条第三項の規定により、教科に関する事項につき、学校教育法第二十条又は第三十八条の監督庁の承認を受けたものとみなす。

Article 68 With regard to a juvenile education and protection center for which the curriculum has been approved by the Minister of Education pursuant to the proviso of Article 24, paragraph (1) of the Juvenile Education and Protection Act and which actually exists upon the coming into force of this Act, relevant center is deemed to have obtained approval set forth in Article 20 or 38 of the School Education Act from the supervising agency for the particulars concerning the curriculum pursuant to the provisions of Article 48, paragraph (3).

第六十九条 この法律施行の際、現に存する生活保護法〔昭和二五年五月法律第一四四号〕の規定による保護施設中の児童保護施設は、これをこの法律の規定により設置した児童福祉施設とみなす。

Article 69 A child assistance institution actually existing upon the coming into force of this Act and falling under an assistance institution pursuant to the Public Assistance Act is deemed to be a child welfare institution established pursuant to the provisions of this Act.

第七十条 この法律施行の際、現に存する児童福祉施設であつて、第六十七条及び前条の規定に該当しないものは、命令の定めるところにより、行政庁の認可を得て、この法律による児童福祉施設として存続することができる。

Article 70 A child welfare institution actually existing upon the coming into force of this Act and not falling under the provisions of Article 67 nor the preceding Article may continue to exist as a child welfare institution pursuant to this Act by obtaining approval from the administrative agency pursuant to the provisions of an Order.

第七十一条 満十四歳以上の児童で、学校教育法第九十六条の規定により、義務教育の課程又はこれと同等以上と認める課程を修了した者については、第三十四条第一項第三号から第五号までの規定は、これを適用しない。

Article 71 The provisions of Article 34, paragraph (1), items (iii) through (v) do not apply to a child of 14 years of age or more who completed the course of compulsory education or a course that is found equivalent or superior thereto pursuant to the provisions of Article 96 of the School Education Act.

第七十二条 国は、当分の間、都道府県（第五十九条の四第一項の規定により、都道府県が処理することとされている第五十六条の二第一項の事務を指定都市等が処理する場合にあつては、当該指定都市等を含む。以下この項及び第七項において同じ。）に対し、第五十六条の二第三項の規定により国がその費用について補助することができる知的障害児施設等の新設等で日本電信電話株式会社の株式の売払収入の活用による社会資本の整備の促進に関する特別措置法（昭和六十二年法律第八十六号。以下「社会資本整備特別措置法」という。）第二条第一項第二号に該当するものにつき、社会福祉法第三十一条第一項の規定により設立された社会福祉法人、日本赤十字社又は公益社団法人若しくは公益財団法人に対し当該都道府県が補助する費用に充てる資金について、予算の範囲内において、第五十六条の二第三項の規定（この規定による国の補助の割合について、この規定と異なる定めをした法令の規定がある場合には、当該異なる定めをした法令の規定を含む。以下同じ。）により国が補助することができる金額に相当する金額を無利子で貸し付けることができる。

Article 72 (1) For the time being, the national government may, within the scope of the budget, provide loans without interest to a prefectural government (including designated cities, etc., in the case where they handle the affairs set

forth in Article 56-2, paragraph (1) that are supposed to be handled by a prefectural government pursuant to the provisions of Article 59-4, paragraph (1); the same applies hereinafter in this paragraph and paragraph (7)), and any such loan is in the amount equivalent to the amount that can be subsidized by the national government pursuant to the provisions of Article 56-2, paragraph (3) (including the provisions of the laws and regulations, if any, which provide for other different percentages that can be subsidized by the national government; the same applies hereinafter). Such loans are funded to be appropriated to the expenses subsidized by the relevant prefectural government to social welfare corporations established pursuant to the provisions of Article 31, paragraph (1) of the Social Welfare Act, the Japanese Red Cross Society or non-profit incorporated associations or non-profit incorporated foundations, if such subsidies from the relevant prefectural government are granted for the expenses spent for such construction, etc. of institutions for mentally disabled children, etc. that can be subsidized by the national government pursuant to the provisions of Article 56-2, paragraph (3) and that falls under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning Promotion of Development of Infrastructures by Utilization of Revenues from the Sale of Shares of Nippon Telegraph and Telephone Corporation(Act No. 86 of 1987) (hereinafter referred to as "Act on Special Measures Concerning Infrastructure Development").

2 国は、当分の間、都道府県又は市町村に対し、児童家庭支援センターの新設、修理、改造、拡張又は整備で社会資本整備特別措置法第二条第一項第二号に該当するものに要する費用に充てる資金の一部を、予算の範囲内において、無利子で貸し付けることができる。

(2) For the time being, the national government may, within the scope of the budget, provide loans without interest to a prefectural or municipal government for part of the funds appropriated to the expenses spent for such new construction, repair, renovation, expansion or improvement of child and family support centers as falling under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning Infrastructure Development.

3 国は、当分の間、都道府県又は指定都市等に対し、児童の保護を行う事業又は児童の健全な育成を図る事業を目的とする施設の新設、修理、改造、拡張又は整備（第五十六条の二第三項の規定により国がその費用について補助するものを除く。）で社会資本整備特別措置法第二条第一項第二号に該当するものにつき、当該都道府県又は指定都市等が自ら行う場合にあつてはその要する費用に充てる資金の一部を、指定都市等以外の市町村又は社会福祉法人が行う場合にあつてはその者に対し当該都道府県又は指定都市等が補助する費用に充てる資金の一部を、予算の範囲内において、無利子で貸し付けることができる。

(3) For the time being, the national government may, within the scope of the budget, provide loans without interest to a prefectural government or a

designated city, etc. with regard to the expenses spent for such new construction, repair, renovation, expansion or improvement (excluding those for which the national government provides subsidies for expenses pursuant to the provisions of Article 56-2, paragraph (3)) of institutions that is intended for the services for providing the assistance for children or pursuing sound upbringing of children and that falls under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning Infrastructure Development. If such new construction, repair, renovation, expansion or improvement is implemented by relevant prefectural government or designated city, etc., the loans from the national government is provided for part of funds to be appropriated to the expenses spent therefor by relevant prefectural government or designated city, etc., and if implemented by a municipal government or a social welfare corporation other than designated cities, etc., the loans from the national government is provided for part of funds to be appropriated to the expenses subsidized therefor by relevant prefectural government or designated city, etc.

- 4 国は、当分の間、都道府県、市町村又は長期にわたり医療施設において療養を必要とする児童（以下「長期療養児童」という。）の療養環境の向上のために必要な事業を行う者に対し、長期療養児童の家族が宿泊する施設の新設、修理、改造、拡張又は整備で社会資本整備特別措置法第二条第一項第二号に該当するものに要する費用に充てる資金の一部を、予算の範囲内において、無利子で貸し付けることができる。

(4) For the time being, the national government may, within the scope of the budget, provide loans without interest to a prefectural or municipal government or a person engaged in the services necessary for improvement of the medical treatment environment for children in need of long-term medical treatment in a medical institution (hereinafter meaning a "children under long-term treatment") for part of funds to be appropriated to expenses spent for such new construction, repair, renovation, expansion or improvement of lodging facilities for family members of children under long-term treatment as falling under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning Infrastructure Development.

- 5 前各項の国の貸付金の償還期間は、五年（二年以内の据置期間を含む。）以内で政令で定める期間とする。

(5) The period for reimbursement of loans from the national government set forth in any of the preceding paragraphs is a period not exceeding five years (inclusive of a grace period not exceeding two years) as specified by a Cabinet Order.

- 6 前項に定めるもののほか、第一項から第四項までの規定による貸付金の償還方法、償還期限の繰上げその他償還に関し必要な事項は、政令で定める。

(6) Beyond what is prescribed in the preceding paragraph, the method of reimbursement of loans, acceleration of the reimbursement period and other

necessary particulars concerning reimbursements pursuant to the provisions of paragraphs (1) through (4) are prescribed by a Cabinet Order.

7 国は、第一項の規定により都道府県に対し貸付けを行つた場合には、当該貸付けの対象である事業について、第五十六条の二第三項の規定による当該貸付金に相当する金額の補助を行うものとし、当該補助については、当該貸付金の償還時において、当該貸付金の償還金に相当する金額を交付することにより行うものとする。

(7) If a loan is provided to a prefectural government pursuant to the provisions of paragraph (1), the national government is to subsidize the amount equivalent to relevant loan amount pursuant to the provisions of Article 56-2, item (iii) with regard to the services to be covered by relevant loan, and relevant subsidy is given by means of granting the amount equivalent to the amount of relevant loan reimbursement at the times of such reimbursements.

8 国は、第二項から第四項までの規定により都道府県、市町村又は長期療養児童の療養環境の向上のために必要な事業を行う者に対し貸付けを行つた場合には、当該貸付けの対象である事業について、当該貸付金に相当する金額の補助を行うものとし、当該補助については、当該貸付金の償還時において、当該貸付金の償還金に相当する金額を交付することにより行うものとする。

(8) In the case where a loan is provided to a prefectural or municipal government or a person engaged in the services necessary for the improvement of the medical treatment environment for children under long-term treatment pursuant to the provisions of paragraphs (2) through (4), the national government is to subsidize the amount equivalent to the loan amount with regard to the services to be covered by the relevant loan, and the relevant subsidy is given by means of granting the amount equivalent to the amount of relevant loan reimbursement at the times of such reimbursements.

9 都道府県、市町村又は長期療養児童の療養環境の向上のために必要な事業を行う者が、第一項から第四項までの規定による貸付けを受けた無利子貸付金について、第五項及び第六項の規定に基づき定められる償還期限を繰り上げて償還を行つた場合（政令で定める場合を除く。）における前二項の規定の適用については、当該償還は、当該償還期限の到来時に行われたものとみなす。

(9) With regard to the application of the provisions of the preceding two paragraphs in the case where a prefectural or municipal government or a person engaged in the services necessary for the improvement of the medical treatment environment for children under long-term treatment redeems the loan amount without interest provided pursuant to the provisions of paragraphs (1) through (4) by accelerating the reimbursement period specified pursuant to the provisions of paragraphs (5) and (6) (excluding the cases specified by a Cabinet Order), relevant accelerated reimbursements is deemed to be made upon the maturity dates for relevant original reimbursement period.

第七十三条 第二十四条第三項の規定の適用については、当分の間、同項中「市町村は、

保育の需要に応ずるに足りる保育所、認定こども園（子ども・子育て支援法第二十七条第一項の確認を受けたものに限る。以下この項及び第四十六条の二第二項において同じ。）又は家庭的保育事業等が不足し、又は不足するおそれがある場合その他必要と認められる場合には、保育所、認定こども園」とあるのは、「市町村は、保育所、認定こども園（子ども・子育て支援法第二十七条第一項の確認を受けたものに限る。以下この項及び第四十六条の二第二項において同じ。）」とするほか、必要な技術的読替えは、政令で定める。

Article 73 (1) With regard to application of provisions of Article 24, paragraph (3), for the time being, the term "The municipality, in the case of there being deficiency of nursery centers, certified children centers (limited to the ones which have received confirmation of Article 27, paragraph (1) of Child and Child Care Support Act. The same applies to this paragraph and Article 46-2, paragraph (2)) or home daycare services, etc. to meet the demands for childcare, or fear of there being deficiency, nursery centers, certified children centers" in the same paragraph is replaced with "The municipality, nursery centers, certified children centers (limited to the ones which have received confirmation of Article 27, paragraph (1) of Child and Child Care Support Act. The same applies to this paragraph and Article 46-2, paragraph (2))". Other than the above-mentioned, necessary terminological replacements are prescribed by Cabinet Order.

2 第四十六条の二第一項の規定の適用については、当分の間、同項中「第二十四条第五項」とあるのは「保育所における保育を行うことの権限及び第二十四条第五項」と、「母子保護の実施のための委託」とあるのは「母子保護の実施のための委託若しくは保育所における保育を行うことの委託」とするほか、必要な技術的読替えは、政令で定める。

(2) With regard to application of provisions of Article 46-2, paragraph (1), for the time being, the term "Article 24, paragraph (5)" is replaced with " the authority of the daycare practice in nursery center and Article 24, paragraph (5)", "entrusted for maternal and child assistance practice" to be replaced with "entrusted for maternal and child assistance practice or entrusted for daycare practice in a nursery center". Other than the above-mentioned, necessary terminological replacements are prescribed by Cabinet Order.