

The Dietitians Act is hereby promulgated.

Dietitians Act

(Act No. 245 of December 29, 1947)

Article 1 (1) The term "Dietitian" as used in this Act means a person who is engaged in the service of providing nutritional guidance using the title Dietitian under license from a prefectural governor.

(2) The term "Registered Dietitian" as used in this Act means a person who, using the title Registered Dietitian under license from the Minister of Health, Labour and Welfare, is engaged in the service of providing nutritional guidance necessary for medical treatment of the sick and injured, nutritional guidance for maintaining and promoting health which is specific to the physical condition, nutritional condition and the like of each individual which requires highly specialized knowledge and skills, and who is engaged in providing food service management at food service facilities which provide meals to a large number of specific people on a continuous basis, of which said management requires special consideration to be taken depending on the physical condition and nutritional condition of users and how such facilities are used, and providing guidance and instruction necessary for improving nutrition at such facilities.

Article 2 (1) Dietitian's licenses shall be granted by prefectural governors to a person who has gained the knowledge and skills required of a Dietitian at a Training School for Dietitians designated by the Minister of Health, Labour and Welfare (hereinafter referred to as a "Training School") for two years or longer.

(2) Persons qualified to enter a Training School shall be those prescribed by Article 90 of the School Education Act (Act No. 26 of 1947).

(3) Registered Dietitian's licenses shall be granted by the Minister of Health, Labour and Welfare to persons who have passed the National Examination for Registered Dietitians.

Article 3 Dietitian's licenses or Registered Dietitian's licenses might not be granted to persons who fall under either of the following items:

(i) Persons who have been sentenced to a criminal fine or more severe punishment; or

(ii) Other than those falling under the preceding item, persons who have committed a crime or misconduct in relation to the services prescribed by

Article 1.

Article 3-2 (1) Each prefecture shall keep a Dietitian registry and register particulars concerning Dietitian's licenses.

(2) The Ministry of Health, Labour and Welfare shall keep a Registered Dietitian register and register the particulars concerning Registered Dietitian's licenses.

Article 4 (1) Dietitian license shall be conducted through registration in a Dietitian registry by the prefectural governor.

(2) Each prefectural governor shall deliver a Dietitian's certificate when a Dietitian's license has been granted.

(3) Registered Dietitian license shall be conducted through registration in the Registered Dietitian register by the Minister of Health, Labour and Welfare.

(4) The Minister of Health, Labour and Welfare shall deliver a Registered Dietitian's certificate when a Registered Dietitian's license has been granted.

Article 5 (1) When a Dietitian comes to fall under either item of Article 3, the prefectural governor may revoke said Dietitian's license or order said person to discontinue using the title of Dietitian for a fixed period not exceeding one year.

(2) When a Registered Dietitian comes to fall under either item of Article 3, the Minister of Health, Labour and Welfare may revoke such Registered Dietitian's license or order said person to discontinue using the title of Registered Dietitian for a fixed period not exceeding one year.

(3) If prefectural governor has revoked a Dietitian's license or ordered a Dietitian to discontinue using the title of Dietitian pursuant to the provision of paragraph (1), said governor must promptly give notice to the Minister of Health, Labour and Welfare to that effect.

(4) If the Minister of Health, Labour and Welfare has revoked a Registered Dietitian's license or ordered a Registered Dietitian to discontinue using the title of Registered Dietitian pursuant to the provision of paragraph (2), said minister must promptly give notice to that effect to the prefectural governor who has granted said Dietitian's license to the person who has become subject to said revocation or discontinuation.

Article 5-2 The Minister of Health, Labour and Welfare shall hold a National Examination for Registered Dietitians with respect to the knowledge and skills required of a Registered Dietitian at least once a year.

Article 5-3 No person other than a Dietitian who falls under any of the following items is qualified to take a National Examination for Registered Dietitians:

(i) A person who has engaged in the services of providing nutritional guidance

- for three years or longer at the facilities specified by Ordinance of the Ministry of Health, Labour and Welfare after graduating from a Training School with a two-year training term and obtaining a Dietitian's license;
- (ii) A person who has engaged in the services of providing nutritional guidance for two years or longer at the facilities specified by an Ordinance of the Ministry of Health, Labour and Welfare after graduating from a Training School with a three-year training term and obtaining a Dietitian's license;
 - (iii) A person who has engaged in the services of providing nutritional guidance for one year or longer at facilities specified by Ordinance of the Ministry of Health, Labour and Welfare after graduating from a Training School with a four-year training term and obtaining a Dietitian's license; or
 - (iv) A person who has graduated from a Training School with a four-year training term which is designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare in cases where such institute is a school (meaning a school set forth in Article 1 of the School Education Act, or a specialized training college set forth in Article 125 of the same Act or a school for specialized education set forth in Article 134 of the same Act which is established by an establisher of a school set forth in Article 1 of the same Act; hereinafter the same shall apply in this item), or by the Minister of Health, Labour and Welfare in cases where such institution is not a school, according to the standards specified by Cabinet Order (hereinafter referred to as a "Training School for Registered Dietitians").

Article 5-4 If any misconduct relating to a National Examination for Registered Dietitian occurs, the person involved in such misconduct may be stopped from taking said examination, or said person's examination may be invalidated. In such a case, such person may be barred from taking the National Examination for Registered Dietitians for a specified period of time.

Article 5-5 If a Registered Dietitian provides nutritional guidance necessary for medical treatment of the sick and injured, said Dietitian must follow the guidance of an attending physician.

Article 6 (1) No person other than a Dietitian may engage in the services prescribed by Article 1, paragraph (1) using the title of Dietitian or any other similar title.

(2) No person other than a Registered Dietitian may engage in the services prescribed by Article 1, paragraph (2) using the title of Registered Dietitian or any other similar title.

Article 6-2 The position of examiner for the National Examination for Registered Dietitians shall be established in the Ministry of Health, Labour and Welfare to administer affairs related to the National Examination for Registered Dietitians.

Article 6-3 Examiners for the National Examination for Registered Dietitians and other persons administering affairs related to the National Examination for Registered Dietitians must maintain a strict and fair attitude and avoid any misconduct in their administration of such affairs.

Article 6-4 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director-General of a Regional Bureau of Health and Welfare, as specified by Ordinance of the Ministry of Health, Labour and Welfare.

(2) The authority delegated to the Director-General of a Regional Bureau of Health and Welfare pursuant to the provision of the preceding paragraph may be delegated to the Director-General of a Regional Branch Bureau of Health and Welfare, as specified by Ordinance of the Ministry of Health, Labour and Welfare.

Article 7 In addition to what is provided for in this Act, particulars necessary for Dietitian licenses and license certificates, Training Schools, Registered Dietitian licenses and license certificates, Training Schools for Registered Dietitians, national Registered Dietitian Examinations and examiners for the National Examination for Registered Dietitians shall be specified by Cabinet Order.

Article 7-2 A person who has in advance divulged examination questions without authorization intentionally or through gross negligence or who has given unfair scores intentionally, in violation of the provision of Article 6-3, shall be punished by imprisonment with required labor for not more than six months or a fine of not more than five hundred thousand yen.

Article 8 A person who falls under any of the following items shall be punished by a fine of not more than three hundred thousand yen:

- (i) A person who has been ordered to discontinue using the title of Dietitian pursuant to the provision of Article 5, paragraph (1) and who, during the period specified by such order, has engaged in the services prescribed by Article 1, paragraph (1) using the title of Dietitian;
- (ii) A person who has been ordered to discontinue using the title of Registered Dietitian pursuant to the provision of Article 5, paragraph (2) and who,

during the period specified by such order, has engaged in the services prescribed by Article 1, paragraph (2) of using the title of Registered Dietitian;

- (iii) A person who has engaged in the services prescribed by paragraph (1) of Article 1 using the title of Dietitian or any other similar title, in violation of the provision of Article 6, paragraph (1); or
- (iv) A person who has engaged in the services prescribed by Article 1, paragraph (2) of using the title of Registered Dietitian or any other similar title, in violation of the provision of Article 6, paragraph (2).

Supplementary Provisions

Article 9 This Act shall come into effect as from January 1, 1948.

Article 10 The Ordinance for Dietitians (Ordinance of Ministry of Health and Welfare No. 14 of 1945) is hereby discontinued.

Article 11 The dispositions and other acts made or conducted pursuant to the provisions of the Ordinance of Ministry of Health and Welfare No. 14 of 1945, the Ordinance for Dietitian, prior to the enforcement of this Act shall be deemed as the dispositions and other acts made or conducted pursuant to the corresponding provisions of this Act or an order issued under this Act.

Article 12 A person who has graduated from a secondary school under the Secondary School Ordinance or who is deemed to have the equivalent or greater scholastic ability by the Minister of Education, Culture, Sports, Science and Technology may enter the Training School for Dietitians prescribed by Article 2, paragraph (1), until otherwise provided for by law, notwithstanding the provision of paragraph (2) of the same Article.

Supplementary Provisions [Act No. 17 of March 27, 1950] [Extract]

(1) This Act shall come into effect as from April 1, 1950.

Supplementary Provisions [Act No. 213 of August 15, 1953] [Extract]

(1) This Act shall come into effect as from September 1, 1953.

(2) Permission, authorization or other dispositions, or applications, notifications or other procedures made, given or taken pursuant to the provisions of the former laws and regulations prior to the enforcement of this Act shall be deemed as the dispositions and procedures made or taken pursuant to the

corresponding provisions after their respective amendment.

Supplementary Provisions [Act No. 158 of September 13, 1962] [Extract]

(Effective Date)

- (1) The provisions of Article 1 of this Act and paragraphs (2) through (4) and paragraph (6) of the Supplementary Provisions of this Act shall come into effect as from April 1, 1963, and the provisions of Article 2 of this Act and paragraph (5) of the Supplementary Provisions of this Act shall come into effect as from April 1, 1964.

(Special Provisions on Examinations for Registered Dietitians)

- (2) In an examination for Registered Dietitians prescribed by Article 5-3 of the amended Dietitians Act, persons who fall under any of the following items at the time of enforcement of the provision of Article 1 and who, after obtaining a Dietitian's license, has engaged in the service of providing nutritional guidance at the facilities specified by Ordinance of the Ministry of Health and Welfare for a period exceeding five years, shall be exempt from a part of the examination subjects until otherwise provided for by law:
- (i) A person who has obtained a Dietitian's license;
 - (ii) A person who is qualified to obtain a Dietitian's license; or
 - (iii) A person who is under training at the Training School set forth in Article 2, paragraph (1), item (i) of the Dietitians Act.
- (3) The preceding paragraph shall also apply when persons who, at the time of enforcement of the provision of Article 1, fall under the provision of Article 2, paragraph (3) or Article 12, paragraph (2) of the Dietitians Act, or those prescribed by Article 56 of the School Education Act (Act No. 26 of 1947) and is in practical training for Dietitian services, or those who have graduated from a secondary school under the Secondary School Ordinance (Imperial Ordinance No. 36 of 1943) or is deemed to have the equivalent or greater scholastic ability by the Minister of Education and is in practical training for Dietitian services, obtains a Dietitian's license on or prior to March 31, 1965 and subsequently has engaged in the services of providing nutritional guidance at the facilities specified by Ordinance of the Ministry of Health and Welfare for a period exceeding five years.

(Special Provisions on Registration of Registered Dietitians)

- (4) Persons who fall under the provision of paragraph (2) of the Supplementary Provisions or the preceding paragraph and who are recognized by the Minister of Health and Welfare as those who should be exempt from the examination conducted pursuant to the provision of paragraph (2) of the Supplementary

Provisions or the preceding paragraph, after examining, according to the standards specified by Ordinance of the Ministry of Health and Welfare, the facilities where such persons engaged in the services of providing nutritional guidance and the content of such services, may become a Registered Dietitian by being registered in the Registered Dietitian register as prescribed by Article 5-2 of the amended Dietitians Act, notwithstanding the provision of the same Article.

Supplementary Provisions [Act No. 51 of June 25, 1969]

This Act shall come into effect as of the date of promulgation; provided, however, that the revising provision for deleting the row for the pharmacist examination council in the table in paragraph (1), Article 29 of the Act for Establishment of the Ministry of Health and Welfare in Article 1 and the provisions of Articles 10 and 11 shall come into effect as of September 1, 1969; and the revising provision for the row for the nutrition council in the table in Article 29, paragraph (1) of the Act for Establishment of the Ministry of Health and Welfare, the revising provision for revising the row for the medical practitioners' examination and training council in the same table, the revising provision for deleting the rows for the dentists' examination council, the council for public health nurses, birthing assistants and nurses and the council for physical therapists and occupational therapists in the same table, and the revising provision for adding the proviso to Article 36-7, item (iii) of the same Act and the revising provision for adding one item to Article 36-8 of the same Act, each in Article 1, and the provisions of Articles 2 through 9 shall come into effect as of November 1, 1969.

Supplementary Provisions [Act No. 73 of June 25, 1985] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 1987.

(Persons Obtaining License of Dietitian under Former Act)

Article 2 Persons who are as set forth in Article 2, paragraph (1), item (ii) of the Dietitians Act prior to amendment by this Act (hereinafter referred to as the "Former Act") and have obtained a Dietitian's license at the time of enforcement of this Act shall be deemed as a persons who have obtained Dietitian's licenses pursuant to the provision of paragraph (1), Article 2 of the Dietitians Act as amended by this Act (hereinafter referred to as the "New Act").

(Dietitian's Certificate under the Former Act)

Article 3 A Dietitian's certificate delivered to a person set forth in Article 2, paragraph (1), item (ii) of the Former Act pursuant to the provision of Article 4 of the Former Act shall be deemed to be a Dietitian's certificate delivered pursuant to the provision of Article 4 of the New Act.

(Registration in Registered Dietitian Register under the Former Act)

Article 4 The registration of a person prescribed by Article 5-2 of the Former Act in the Registered Dietitian register made pursuant to the provision of the same Article shall be deemed as the registration in the Registered Dietitian register made pursuant to the provision of Article 5-2 of the New Act.

(Special Provisions on Dietitian's Licenses)

Article 5 (1) Persons who have passed the examination for Dietitians pursuant to the provisions of the Former Act (including the examination for Dietitians to which the provisions then in force remain applicable pursuant to the provision of the following paragraph) may obtain a Dietitian's license, notwithstanding the provision of Article 2, paragraph (1) of the New Act.

(2) The provisions then in force shall remain applicable to the examination for Dietitians until March 31, 1992.

(3) Persons who fall under Article 2, paragraph (3) or Article 12, paragraph (2) of the Former Act may take the examination for Dietitians set forth in the preceding paragraph.

(4) The affairs related to the examination for Dietitians set forth in paragraph (2) shall be administered by the Examiner for the National Examination for Registered Dietitians prescribed by Article 6-2 of the New Act.

(Special Provisions on the Registration of Registered Dietitians)

Article 6 (1) Persons who have passed the examination for Registered Dietitians prescribed by Article 5-3 of the Former Act or who have graduated from a Training School for Dietitians designated under Article 5-2, item (ii) of the Former Act prior to the date of enforcement of this Act, or a person who is learning the knowledge and skills required of a Registered Dietitian at a Training School for Dietitians designated under the same item at the time of enforcement of this Act and who has graduated from such a Training School after the enforcement of this Act may become a Registered Dietitian by being registered in a Registered Dietitian register prescribed by Article 5-2 of the New Act, notwithstanding the provision of the same Article.

(2) A person prescribed by paragraph (4) of the Supplementary Provisions of the Act for Partial Amendment of the Dietitians Act, etc. (Act No. 158 of 1962; hereinafter referred to as the "Amendment Act of 1962") may become a

Registered Dietitian by being registered in a Registered Dietitian register prescribed by Article 5-2 of the New Act, notwithstanding the provision of the same Article, only until March 31, 1990.

(Special Provisions on Qualifications, etc. for the National Examination for Registered Dietitians)

Article 7 (1) Persons prescribed by paragraph (2) or (3) of the Supplementary Provisions of the Amendment Act of 1962 (excluding those allowed to take the National Examination for Registered Dietitians pursuant to the provision of Article 5-4 of the New Act) may take the National Examination for Registered Dietitians, notwithstanding the provision of the same Article, only until March 31, 1990.

(2) A person who has graduated from a Training School for Dietitians designated under Article 5-4, item (iii) of the Former Act at the time of enforcement of this Act may take the National Examination for Registered Dietitians until otherwise provided for by law, notwithstanding the provision of Article 5-4 of the New Act.

(3) When a person prescribed by paragraph (2) or (3) of the Supplementary Provisions of the Revising Act of 1962 takes the National Examination for Registered Dietitians pursuant to the provision of Article 5-4 of the New Act or paragraph (1), said person may be partially exempt from the National Examination for Registered Dietitians, as specified by Ordinance of the Ministry of Health and Welfare, only until March 31, 1990.

(Transitional Measures Concerning the Designation of Training Schools for Dietitians)

Article 8 The Training Schools for Dietitians which have been designated under Article 5-2, item (ii) of the Former Act at the time of enforcement of this Act shall be deemed as having been designated under Article 5-3, paragraph (2) of the New Act.

(Dispositions and Procedures under the Former Act)

Article 9 Unless otherwise specifically provided for in these Supplementary Provisions, any disposition, procedure or other act made, taken or conducted under the Former Act shall be deemed to have been made, taken or conducted under the New Act to the extent there is any corresponding provision in the New Act.

(Transitional Measures Concerning Penal Provisions)

Article 10 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain

applicable.

Supplementary Provisions [Act No. 74 of June 18, 1993] [Extract]

(Effective Date)

Article 1 This Act shall come into effect from the day specified by Cabinet Order within a period not exceeding one year from the date of promulgation.

Supplementary Provisions [Act No. 38 of April 7, 2000] [Extract]

(Effective Date)

Article 1 This Act shall come into effect as from April 1, 2002.

(Persons Registered in Registered Dietitian Register Provided for in Former Act)

Article 2 A person who has had their name registered in the Registered Dietitian register prescribed by Article 5-2 of the Dietitians Act prior to amendment by this Act (hereinafter referred to as the "Former Act") at the time of enforcement of this Act shall be deemed as a person who has obtained a Registered Dietitian's license pursuant to the provision of Article 2, paragraph (3) of the Dietitians Act as amended by this Act (hereinafter referred to as the "New Act").

(Special Provisions on Registered Dietitian's Licenses)

Article 3 Persons who have passed the National Examination for Registered Dietitians pursuant to the provision of Article 5-3 of the Former Act or persons prescribed by Article 6, paragraph (1) of the Supplementary Provisions of the Act for Partial Amendment of the Dietitians Act and the Nutrition Improvement Act (Act No. 73 of 1985) may obtain a Registered Dietitian's license, notwithstanding the provision of Article 2, paragraph (3) of the New Act.

(Transitional Measures Concerning Designation of Training Schools)

Article 4 The Training Schools which have been designated under Article 5-3, paragraph (2) of the Former Act at the time of enforcement of this Act shall be deemed as having been designated under Article 5-3, item (iv) of the New Act.

(Transitional Measures Concerning the National Examination for Registered Dietitians)

Article 5 (1) Until March 31, 2005, the phrase "required of a Registered Dietitian" in Article 5-2 of the New Act shall be deemed to be replaced with

"which are highly technical in relation to nutritional guidance".

- (2) The provision of Article 5-3 of the New Act shall not apply to the National Examination for Registered Dietitians conducted pursuant to the provision of Article 5-2 of the New Act as replaced pursuant to the preceding paragraph, and the provisions of Article 5-3, paragraph (2) and Article 5-4 of the Former Act shall remain in force.
- (3) Persons who are those as prescribed by Article 5-3, paragraph (2) of the Former Act as of the day before the date of enforcement of this Act may take the National Examination for Registered Dietitians on and after April 1, 2005, notwithstanding the provision of Article 5-3 of the New Act.
- (4) Persons who fall under any of the items of Article 5-4 of the Former Act, which are deemed to remain in force pursuant to the provision of paragraph (2) as of March 31, 2005 (excluding those prescribed in the preceding paragraph), may take the National Examination for Registered Dietitians during the period between April 1 of the same year through March 31, 2010, notwithstanding the provision of Article 5-3 of the New Act.

(Dispositions under the Former Act)

Article 6 Unless otherwise specifically provided for in these Supplementary Provisions, any disposition or other act made or conducted under the Former Act shall be deemed to have been made or conducted under the New Act to the extent where there is any corresponding provision in the New Act.

(Transitional Measures Concerning Penal Provisions)

Article 7 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(Effective Date)

Article 1 This Act shall come into effect from the day specified by Cabinet Order within a period not exceeding one month from the date of promulgation.

(Review)

Article 2 After approximately five years from the enforcement of this Act, the government shall review how the grounds for disqualification in the respective Acts after their amendment by this Act as they relate to persons with disabilities should be, taking into account the status of enforcement of the provisions concerning such grounds for disqualification, and shall take necessary measures based on the results of such review.

(Transitional Measures Concerning Relicense)

Article 3 If a person's license has been revoked on the grounds for revocation of license provided for in the respective Acts prior to their amendment by this Act, which are equivalent to the grounds for revocation that, pursuant to the respective Acts after their amendment by this Act, allow for a person to be granted a relicense (hereinafter referred to as the "grounds for revocation of license allowing relicense" in this Article), the provisions concerning relicense in the respective Acts after their amendment by this Act shall apply by regarding that such person has had their license revoked on the grounds for revocation of license allowing relicense.

(Transitional Measures Concerning Penal Provisions)

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force shall remain applicable.

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

(Effective Date)

Article 1 This Act shall come into effect from the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.