

調理師法をここに公布する。

The Licensed Cooks Act is hereby promulgated.

調理師法

Licensed Cooks Act

(昭和三十三年五月十日法律第百四十七号)

(Act No. 147 of May 10, 1958)

(目的)

(Purpose)

第一条 この法律は、調理師の資格等を定めて調理の業務に従事する者の資質を向上させることにより調理技術の合理的な発達を図り、もつて国民の食生活の向上に資することを目的とする。

Article 1 The purpose of this Act is to promote the streamlined development of cooking techniques by improving the quality of those who are engaged in cooking services by specifying qualifications, etc. for licensed cooks, thereby contributing to the improvement of diets of the public.

(定義)

(Definitions)

第二条 この法律で「調理師」とは、調理師の名称を用いて調理の業務に従事することができる者として都道府県知事の免許を受けた者をいう。

Article 2 The term "Licensed Cook" as used in this Act means a person who has been granted a license by a prefectural governor as a person who may engage in cooking services using the title Licensed Cook.

(調理師の免許)

(License of Cooks)

第三条 調理師の免許は、次の各号の一に該当する者に対し、その申請に基づいて都道府県知事が与える。

Article 3 (1) A Licensed Cook's license shall be granted by a prefectural governor to a person who falls under either of the following items on the basis of an application for said license being filed by such person:

一 学校教育法（昭和二十二年法律第二十六号）第五十七条（高等学校の入学資格）に規定する者で、厚生労働大臣の指定する調理師養成施設において、一年以上、調理、栄養及び衛生に関して調理師たるに必要な知識及び技能を修得したもの

(i) A person prescribed by Article 57 (Entrance Requirements of Senior High Schools) of the School Education Act (Act No. 26 of 1947) who has gained the knowledge and skills required of a Licensed Cook concerning cooking,

nutrition and hygiene at a training school for Licensed Cooks designated by the Minister of Health, Labour and Welfare for one year or longer; or

二 学校教育法第五十七条に規定する者で、多数人に対して飲食物を調理して供与する施設又は営業で厚生労働省令の定めるものにおいて二年以上調理の業務に従事した後、調理師試験に合格したもの

(ii) A person prescribed by Article 57 of the School Education Act who has passed an examination for Licensed Cooks after engaging in cooking services for two years or longer at an establishment or business in which food and drink are cooked or prepared and served to a large number of people, and which is specified by Ordinance of the Ministry of Health, Labour and Welfare.

2 前項第一号に規定する調理師養成施設の指定に関する厚生労働大臣の権限に属する事務の一部は、政令で定めるところにより、都道府県知事が行うこととすることができる。

(2) A part of the affairs within the authority of the Minister of Health, Labour and Welfare with regard to the designation of the training school for Licensed Cooks set forth in item (i) of the preceding paragraph may be conducted by a prefectural governor, as specified by Cabinet Order.

(調理師試験)

(Examination for Licensed Cooks)

第三条の二 調理師試験は、厚生労働大臣の定める基準により、調理、栄養及び衛生に関して必要な知識及び技能について、都道府県知事が行う。

Article 3-2 (1) Examinations for Licensed Cooks shall be implemented by prefectural governors according to the standards prescribed by the Minister of Health, Labour and Welfare for examining necessary knowledge and skills concerning cooking, nutrition and hygiene.

2 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、調理師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ものと認められるものとして厚生労働大臣があらかじめ指定する者（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。

(2) Prefectural governors may delegate all or part of the affairs concerning the implementation of an examination for Licensed Cooks (hereinafter referred to as "Examination Affairs"), as specified by Ordinance of the Ministry of Health, Labour and Welfare, to a general incorporated association or general incorporated foundation designated by the Minister of Health, Labour and Welfare in advance, as one acknowledged as capable of conducting said Examination Affairs appropriately and reliably (hereinafter referred to as the "Designated Examining Body").

3 指定試験機関の役員若しくは職員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。

(3) An officer or employee of the Designated Examining Body or a person who previously held either of such positions must not divulge any confidential information that has come to said person's knowledge in relation to Examination Affairs.

4 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。

(4) An officer or employee of the Designated Examining Body engaged in Examination Affairs shall be deemed as an official engaged in public services under the laws and regulations with regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

5 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調理師試験に係る手数料を徴収する場合には、第二項の規定により指定試験機関が行う調理師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。

(5) In cases where examination fees are collected for the examination for Licensed Cooks pursuant to the provision of Article 227 of the Local Autonomy Act (Act No. 67 of 1947), the prefectural government may, as specified by Prefectural Ordinance, require that a person intending to take an examination for Licensed Cooks held by a Designated Examining Body pursuant to the provision of paragraph (2) pay such fees to the Designated Examining Body, thereby treating the fees so paid as its income.

（絶対的欠格事由）

(Absolute Grounds for Disqualification)

第四条 第六条第二号に該当し、同条の規定により免許の取消処分を受けた後一年を経過しない者には、第三条の免許を与えない。

Article 4 The license prescribed by Article 3 shall not be granted to a person who falls under item (ii) of Article 6 and for whom one year has not elapsed after becoming subject to a disposition to revoke the license pursuant to the provision thereof.

（相対的欠格事由）

(Relative Grounds for Disqualification)

第四条の二 次の各号のいずれかに該当する者には、第三条の免許を与えないことがある。

Article 4-2 The license prescribed by Article 3 might not be granted to a person who falls under either of the following items:

一 麻薬、あへん、大麻又は覚せい剤の中毒者

(i) A person who is addicted to narcotics, opium, cannabis or stimulants; or

二 罰金以上の刑に処せられた者

(ii) A person who has been sentenced to a criminal fine or more severe punishment.

(調理師名簿、登録及び免許証の交付)

(Registry of Licensed Cooks, Registration and Delivery of Certificates)

第五条 都道府県に調理師名簿を備え、免許に関する事項を登録する。

Article 5 (1) Each prefecture shall keep a registry of Licensed Cooks, and register particulars concerning licenses.

2 免許は、調理師名簿に登録することによって行う。

(2) Licensure of Licensed Cooks shall be done via registration in the registry of Licensed Cooks.

3 都道府県知事は、免許を与えたときは、調理師免許証を交付する。

(3) Each prefectural governor shall issue a Licensed Cook certificate when a license has been granted.

(届出)

(Notification)

第五条の二 多数人に対して飲食物を調理して供与する施設又は営業で厚生労働省令の定めるものにおいて調理の業務に従事する調理師は、厚生労働省令で定める二年ごとの年の十二月三十一日現在における氏名、住所その他厚生労働省令で定める事項を、当該年の翌年一月十五日までに、その就業地の都道府県知事に届け出なければならない。

Article 5-2 (1) Licensed Cooks engaged in cooking services at establishments or businesses in which food and drink are cooked or prepared and served to a large number of people and which are specified by Ordinance of the Ministry of Health, Labour and Welfare must give notification of their names, addresses and other particulars specified by Ordinance of the Ministry of Health, Labour and Welfare as they stand on December 31 of every second year specified by Ordinance of the Ministry of Health, Labour and Welfare to the prefectural governor of the region in which said Licensed Cook works, on or prior to January 15 of the following year.

2 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、前項の規定による届出の受理に係る事務（以下「届出受理事務」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あらかじめ指定する者（以下「指定届出受理機関」という。）に届出受理事務の全部又は一部を行わせることができる。

(2) Prefectural governors may delegate all or part of the affairs concerning the receipt of notification prescribed in the preceding paragraph (hereinafter referred to as the "Notification Receipt Affairs"), as specified by Ordinance of the Ministry of Health, Labour and Welfare, to a general incorporated association or general incorporated foundation designated by such prefectural

governor in advance as one acknowledged as being capable of conducting the Notification Receipt Affairs appropriately and reliably (hereinafter referred to as the "Designated Notification Receiving Body").

3 指定届出受理機関の役員若しくは職員又はこれらの職にあつた者は、届出受理事務に関して知り得た第一項の規定による届出に係る事項を漏らしてはならない。

(3) An officer or employee of a Designated Notification Receiving Body or a person who previously held either of such positions must not divulge any particulars related to the notifications made pursuant to the provision of paragraph (1) that has come to said person's knowledge in relation to Notification Receipt Affairs.

(免許の取消し)

(Revocation of License)

第六条 都道府県知事は、調理師が次の各号のいずれかに該当するときは、その免許を取り消すことができる。

Article 6 If a Licensed Cook falls under either of the following items, a prefectural governor may revoke said Cook's license:

一 第四条の二各号のいずれかに該当するに至つたとき。

(i) When said Licensed Cook comes to fall under either item of Article 4-2; or

二 その責めに帰すべき事由により、調理の業務に関し食中毒その他衛生上重大な事故を発生させたとき。

(ii) When food poisoning or other serious hygiene-related incident in relation to cooking services is caused by any reason attributable to said Licensed Cook.

(政令への委任)

(Delegation to Cabinet Order)

第七条 この法律に定めるもののほか、調理師の免許、登録、調理師養成施設、指定試験機関及びその行う試験事務並びに指定届出受理機関に関して必要な事項は、政令で定める。

Article 7 In addition to what is provided for in this Act, matters important for licensure and registration of Licensed Cooks, training schools for Licensed Cooks, the designated examining bodies and the examining affairs conducted by such bodies, and for the designated notification receiving bodies, shall be specified by Cabinet Order.

(名称の使用制限)

(Restrictions on Use of Title)

第八条 調理師でなければ、調理師又はこれに紛らわしい名称を用いてはならない。

Article 8 No person other than a Licensed Cook may use the title Licensed Cook or any other confusingly similar title.

(調理師の設置)

(Retaining of Licensed Cooks)

第八条の二 多数人に対して飲食物を調理して供与する施設又は営業で厚生労働省令の定めるものの設置者又は営業者は、当該施設又は営業における調理の業務を行わせるため、当該施設又は営業の施設ごとに、調理師を置くように努めなければならない。

Article 8-2 Establishers or operators of establishments or businesses in which food and drink are cooked or prepared and served to a large number of people and which is specified by Ordinance of the Ministry of Health, Labour and Welfare, must endeavor to employ Licensed Cooks at all of such establishments or business establishments in order to have such Licensed Cooks engage in cooking services thereat.

(調理技術の審査)

(Inspection of Cooking Techniques)

第八条の三 厚生労働大臣は、調理師の資質の向上に資するため、調理技術に関する審査を行うことができる。

Article 8-3 (1) The Minister of Health, Labour and Welfare may conduct an inspection of cooking techniques in order to contribute to the improvement of the quality of Licensed Cooks.

2 厚生労働大臣は、前項の調理技術に関する審査の事務で厚生労働省令の定めるものをその指定する団体に委託することができる。

(2) The Minister of Health, Labour and Welfare may delegate the affairs concerning the examination of cooking techniques prescribed in the preceding paragraph, which are specified by Ordinance of the Ministry of Health, Labour and Welfare, to an organization which they designate.

3 第一項の調理技術に関する審査に関し必要な事項は、厚生労働省令で定める。

(3) Particulars necessary for the inspection of cooking techniques prescribed by paragraph (1) shall be specified by Ordinance of the Ministry of Health, Labour and Welfare.

(調理師会)

(Licensed Cooks Associations)

第九条 調理師は、調理師の資質の向上及び合理的な調理技術の発達に寄与することを目的として、調理師会を組織することができる。

Article 9 (1) Licensed Cooks may form Licensed Cooks associations for the purpose of contributing to the improvement of the quality of Licensed Cooks and the development of rational cooking techniques.

2 調理師会は、調理師の指導及び連絡、調理技術の研究、調理師の福祉の増進その他前項の目的を達するために必要な事業を行う。

(2) Licensed Cooks associations shall provide guidance to and act as a liaison among Licensed Cooks, conduct research on cooking techniques, promote the

welfare of Licensed Cooks and provide other services necessary for achieving the purposes prescribed in the preceding paragraph.

3 二以上の調理師会は、相互の連絡及び事業の調整を行うため、連合会を組織することができる。

(3) Two or more Licensed Cooks associations may form a federation which acts as a liaison between or among the associations and coordinates their undertakings.

(権限の委任)

(Delegation of Authority)

第九条の二 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 9-2 (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 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 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.

(罰則)

(Penal Provisions)

第十条 第三条の二第三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。

Article 10 Persons violating the provision of paragraph (3) of Article 3-2 shall be punished by imprisonment with required labor for not more than one year, or a fine of not more than one million yen.

第十一条 第八条の規定に違反した者は、三十万円以下の罰金に処する。

Article 11 Persons violating the provision of Article 8 shall be punished by a fine of not more than 300,000 yen.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

1 この法律は、公布の日から起算して六月をこえない範囲内で政令で定める日から施行する。

(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.

(経過規定)

(Transitional Provisions)

2 この法律の施行の際、現に都道府県知事の免許による調理士又は調理師である者は、この法律の施行後三年に限り、第三条第一項の免許を受けた者とみなす。

(2) Persons who are Licensed Cooks at the time of enforcement of this Act and whose license has been granted by a prefectural governor shall be deemed to have received the license prescribed by paragraph (1) of Article 3 for only three years after the enforcement of this Act.

3 旧国民学校令（昭和十六年勅令第百四十八号）による国民学校の高等科を修了した者、旧中等学校令（昭和十八年勅令第三十六号）による中等学校の二年の課程を終った者又は厚生労働省令で定めるところによりこれらの者と同等以上の学力があると認められる者は、当分の間、第三条第一項の規定の適用については、学校教育法第五十七条に規定する者とみなす。

(3) Persons who have completed a higher course at a national elementary school under the old National School Ordinance (Imperial Ordinance No. 148 of 1941), persons who have completed a course for two years at a secondary school under the old Secondary School Ordinance (Imperial Ordinance No. 36 of 1943) or persons who are deemed as having scholastic ability equivalent or superior to the foregoing persons as specified by Ordinance of the Ministry of Health, Labour and Welfare shall be deemed, until otherwise provided for by law, as a person prescribed by Article 57 of the School Education Act with regard to the application of the provision of paragraph (1) of Article 3.

附 則 〔昭和五十六年六月二十日法律第八十九号〕

Supplementary Provisions [Act No. 89 of June 20, 1981]

この法律は、公布の日から施行する。

This Act shall come into effect as of the date of promulgation.

附 則 〔昭和六十一年十二月二十六日法律第百九号〕 〔抄〕

Supplementary Provisions [Act No. 109 of December 26, 1986] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act shall come into effect as of the date of promulgation; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein respectively:

一及び二 略

(i) and (ii) : Omitted.

三 第八条の規定並びに附則第三条の規定、附則第十条の規定（厚生省設置法第六条第五十六号の改正規定を除く。）及び附則第十四条の規定 昭和六十二年十月一日

(iii) The provision of Article 8, the provision of Article 3 of the Supplementary Provisions, the provision of Article 10 of the Supplementary Provisions (excluding the provision for revising item (lvi), Article 6 of the Act for Establishment of the Ministry of Health and Welfare) and the provision of Article 14 of the Supplementary Provisions: October 1, 1987

(調理師法の一部改正に伴う経過措置)

(Transitional Measures upon Partial Revision of the Licensed Cooks Act)

第三条 都道府県知事は、第八条の規定の施行の際現に同条の規定による改正前の調理師法（以下この条において「旧法」という。）第三条第一項第二号に該当する者又は旧法附則第三項に規定する者に対しては、第八条の規定による改正後の調理師法（以下この条において「新法」という。）第三条第一項の規定にかかわらず、同項の免許を与えることができる。

Article 3 (1) Notwithstanding the provision of paragraph (1), Article 3 of the Licensed Cooks Act after the revision by the provision of Article 8 (hereinafter in this Article referred to as the "New Act"), the prefectural governor may grant the license prescribed by such paragraph to a person who falls under item (ii), paragraph (1), Article 3 of the Licensed Cooks Act prior to the revision by the provision of Article 8 (hereinafter in this Article referred to as the "Former Act") at the time of enforcement of the provision of such Article or a person who is prescribed by paragraph (3) of the Supplementary Provisions of the Former Act.

2 第八条の規定の施行前に旧法第三条第一項第三号に規定する試験に合格した者は、新法第三条第一項第二号の調理師試験に合格した者とみなす。

(2) Persons who have passed the examination set forth in item (iii), paragraph (1), Article 3 of the Former Act prior to the enforcement of the provision of Article 8 shall be deemed to have passed the examination for Licensed Cooks set forth in item (ii), paragraph (1), Article 3 of the New Act.

(その他の処分、申請等に係る経過措置)

(Transitional Measures Concerning Other Dispositions, Applications, etc.)

第六条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第八条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又

はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）でこの法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 6 With respect to dispositions to grant a license or permission and other acts made or conducted prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same shall apply in this Article and Article 8 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (hereinafter referred to as the "Dispositions and Other Acts" in this Article), or applications for a license or permission and other acts which have been made or conducted at the time of enforcement of this Act, pursuant to the provisions of the respective Acts prior to the revision (hereinafter referred to as "Applications and Other Acts" in this Article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the date of enforcement of this Act, these acts, except those prescribed by Article 2 through the preceding Article in the Supplementary Provisions or by the provisions of the respective revised Acts (including the orders thereunder) concerning transitional measures, shall be deemed, with regard to the application of the respective revised Acts on and after the date of enforcement of this Act, to be the Dispositions and Other Acts or the Applications and Other Acts made or conducted pursuant to the corresponding provisions of the respective revised Acts.

（罰則に関する経過措置）

(Transitional Measures Concerning Penal Provisions)

第八条 この法律の施行前にした行為及び附則第二条第一項の規定により従前の例によることとされる場合における第四条の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act as well as acts committed after the enforcement of the provision of Article 4 in cases where the provisions then in force are to remain applicable pursuant to the provision of paragraph (1), Article 2 of the Supplementary Provisions, said provisions then in force shall remain applicable.

附 則 〔平成五年六月十四日法律第六十号〕

Supplementary Provisions [Act No. 60 of June 14, 1993]

この法律は、公布の日から施行する。

This Act shall come into effect as from the date of promulgation.

附 則 〔平成五年六月十八日法律第七十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一年を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成五年十一月十二日法律第八十九号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、行政手続法（平成五年法律第八十八号）の施行の日から施行する。

Article 1 This Act shall come into effect as of the date of enforcement of the Administrative Procedure Act (Act No. 88 of 1993).

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures for Adverse Dispositions Following Consultation, etc.)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

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

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 13 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.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures upon Arrangement of Provisions on Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 Hearings (excluding those concerning adverse dispositions) implemented pursuant to the provisions of the Acts prior to the enforcement of this Act or procedures incidental thereto shall be deemed to have been implemented pursuant to the corresponding provisions of the relevant Acts as revised by this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 In addition to what is provided for in Article 2 through the preceding Article in the Supplementary Provisions, any necessary transitional measures for the enforcement of this Act shall be specified by Cabinet Order.

附 則 〔平成十一年七月十六日法律第八十七号〕〔抄〕

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act shall come into effect as from April 1, 2000; provided, however, that the provisions listed in the following items shall come into effect on the day specified therein respectively:

- 一 第一条中地方自治法第二百五十条の次に五条、節名並びに二款及び款名を加える改正規定（同法第二百五十条の九第一項に係る部分（両議院の同意を得ることに係る部分に限る。）に限る。）、第四十条中自然公園法附則第九項及び第十項の改正規定（同法附則第十項に係る部分に限る。）、第二百四十四条の規定（農業改良助長法第十四条の三の改正規定に係る部分を除く。）並びに第四百七十二条の規定

(市町村の合併の特例に関する法律第六条、第八条及び第十七条の改正規定に係る部分を除く。)並びに附則第七条、第十条、第十二条、第五十九条ただし書、第六十条第四項及び第五項、第七十三条、第七十七条、第一百五十七条第四項から第六項まで、第一百六十条、第一百六十三条、第一百六十四条並びに第二百二条の規定 公布の日

- (i) The provision for revision in Article 1 to add five Articles, Section headings, two Subsections and Subsection headings after Article 250 of the Local Autonomy Act (limited to the portion pertaining to paragraph (1), Article 250-9 of such Act (limited to the portion pertaining to obtaining the consent of both Houses of the Diet)); the provision in Article 40 to revise paragraphs (9) and (10) of the Supplementary Provisions of the Natural Parks Act (limited to the portion pertaining to paragraph (10) of such Supplementary Provisions); the provision of Article 244 (excluding the portion pertaining to the provision to revise Article 14-3 of the Agricultural Improvement Promotion Act) and the provision of Article 472 (excluding the portion pertaining to the provisions to revise Article 6, Article 8 and Article 17 of the Act on Special Provisions of the Merger of Municipalities); and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, paragraphs (4) and (5) of Article 60, Article 73, Article 77, paragraphs (4) to (6) of Article 157, Article 160, Article 163, Article 164 and Article 202 of the Supplementary Provisions: the date of promulgation

(国等の事務)

(Affairs of the State, etc.)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 In addition to what is provided for in the respective Acts prior to the revision by this Act, affairs of the State, other local governments and other public entities that shall be managed or executed by a local government organ in accordance with any Act or a Cabinet Order thereunder prior to the enforcement of this Act (hereinafter referred to as the "Affairs of the State, etc." in Article 161 of the Supplementary Provisions) shall be, after the enforcement of this Act, administered by the local government as its own affairs in accordance with the Act or the Cabinet Order thereunder.

(処分、申請等に関する経過措置)

(Transitional Measures Concerning Dispositions, Applications, etc.)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下こ

の条及び附則第百六十三条において同じ。)の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為(以下この条において「処分等の行為」という。)又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為(以下この条において「申請等の行為」という。)で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律(これに基づく命令を含む。)の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) With respect to dispositions to grant a license or permission and other acts made or conducted prior to the enforcement of this Act (or the respective provisions listed in the items of Article 1 of the Supplementary Provisions; hereinafter the same shall apply in this Article and Article 163 of the Supplementary Provisions), pursuant to the provisions of the respective Acts prior to the revision (hereinafter referred to as the "Dispositions and Other Acts" in this Article), or applications for a license or permission and other acts which have been made or conducted at the time of enforcement of this Act, pursuant to the provisions of the respective Acts prior to the revision (hereinafter referred to as the "Applications and Other Acts" in this Article), if administrative affairs pertaining to these acts come under the jurisdiction of different persons on the date of enforcement of this Act, these acts, except those prescribed by Article 2 through the preceding Article in the Supplementary Provisions or by the provisions of the respective revised Acts (including the orders thereunder) concerning transitional measures, shall be deemed, with regard to the application of the respective revised Acts on and after the date of enforcement of this Act, as the Dispositions and Other Acts or the Applications and Other Acts made or conducted pursuant to the corresponding provisions of the respective revised Acts.

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) With regard to the matters for which reports, notification, submission or other procedures are required to be made or taken prior to the enforcement of this Act or with national or local government organs pursuant to the provisions of the respective Acts prior to the revision, and for which those procedures have not been taken prior to the date of enforcement of this Act, the provisions of the respective Acts as revised by this Act shall apply by regarding the same

as the matters for which said reports, notification, submission or other procedures are required to be made or taken to or with the corresponding organs of national or local government pursuant to the corresponding provisions of the respective revised Acts, and for which those procedures have not been taken, except as otherwise provided for in this Act or a Cabinet Order hereunder.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeals)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについての同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であつた行政庁とする。

Article 161 (1) With regard to the appeals filed under the Administrative Appeal Act against dispositions regarding the Affairs of the State, etc. ordered prior to the date of enforcement by an administrative agency (hereinafter referred to as the "Administrative Agency Ordering the Disposition" in this Article) which is subordinate to a higher administrative agency prescribed by the Administrative Appeal Act (hereinafter referred to as the "Higher Administrative Agency" in this Article) prior to the date of enforcement, the provisions of the Administrative Appeal Act shall apply to the appeals filed against such dispositions by deeming that the Administrative Agency Ordering the Disposition is still subordinate to a Higher Administrative Agency after the date of enforcement. In this case, the administrative agency to be deemed as the Higher Administrative Agency of such Administrative Agency Ordering the Disposition shall be the administrative agency which was the Higher Administrative Agency of such Administrative Agency Ordering the Disposition prior to the date of enforcement.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新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とする。

(2) In the case of the preceding paragraph, if an administrative agency to be regarded as the Higher Administrative Agency is a local government organ, affairs required to be administered by such organ pursuant to the provisions of the Administrative Appeal Act shall be regarded as Type I statutory entrusted functions set forth in item (i), paragraph (9), Article 2 of the new Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures Concerning Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 With regard to the fees which should have been paid pursuant to the provisions of the respective Acts (including the orders thereunder) prior to the revision by this Act prior to the date of enforcement, the provisions then in force shall remain applicable, except as otherwise specified in this Act or Cabinet Order hereunder.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 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.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 In addition to what is provided for in these Supplementary Provisions, the transitional measures necessary for the enforcement of this Act (including the transitional measures concerning the penal provisions) shall be specified by Cabinet Order.

(検討)

(Review)

第二百五十条 新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については、できる限り新たに設けることのないようにするとともに、新地方自治法別表第一に掲げるもの及び新地方自治法に基づく政令に示すものについては、地方分権を推進する観点から検討を加え、適宜、適切な見直しを行うものとする。

Article 250 With regard to Type I statutory entrusted functions set forth in item (i), paragraph (9), Article 2 of the new Local Autonomy Act, creation of new functions shall be avoided to the greatest extent possible, and the functions listed in Appended Table 1 of the new Local Autonomy Act and those specified by Cabinet Order under the new Local Autonomy Act shall be reviewed from the viewpoint of promoting decentralization, and revised as appropriate.

第二百五十一条 政府は、地方公共団体が事務及び事業を自主的かつ自立的に執行できるよう、国と地方公共団体との役割分担に応じた地方税財源の充実確保の方途について、経済情勢の推移等を勘案しつつ検討し、その結果に基づいて必要な措置を講ずるものとする。

Article 251 The government shall, in order to enable local governments to execute their affairs and services voluntarily and independently, examine how to secure adequate sources of local tax revenue according to the sharing of roles between the national government and local governments taking into account the prevailing economic trends and other factors, and take necessary measures based on the results of such examination.

附 則 〔平成十三年六月二十九日法律第八十七号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して一月を超えない範囲内において政令で定める日から施行する。

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.

(検討)

(Review)

第二条 政府は、この法律の施行後五年を目途として、この法律による改正後のそれぞれの法律における障害者に係る欠格事由の在り方について、当該欠格事由に関する規定の施行の状況を勘案して検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 2 After approximately five years from the enforcement of this Act, the government shall review the grounds for disqualification in the respective Acts after their revision by this Act as relate to persons with disabilities, 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.

(再免許に係る経過措置)

(Transitional Measures Concerning Relicensure)

第三条 この法律による改正前のそれぞれの法律に規定する免許の取消事由により免許を取り消された者に係る当該取消事由がこの法律による改正後のそれぞれの法律により再免許を与えることができる取消事由（以下この条において「再免許が与えられる免許の取消事由」という。）に相当するものであるときは、その者を再免許が与えられる免許の取消事由により免許が取り消された者とみなして、この法律による改正後

のそれぞれの法律の再免許に関する規定を適用する。

Article 3 If a person's license has been revoked on the grounds for revocation of licensure provided for in the respective Acts prior to their revision by this Act, which are equivalent to the grounds for revocation that, pursuant to the respective Acts after their revision by this Act, allow for a person to be granted a relicensure (hereinafter referred to as the "Grounds for Revocation of Licensure Allowing Relicensure" in this Article), the provisions concerning relicensure in the respective Acts after their revision by this Act shall apply by deeming that such person has had their license revoked on the Grounds for Revocation of Licensure Allowing Relicensure.

(罰則に係る経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

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.

附 則 〔平成十九年六月二十七日法律第九十六号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

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

附 則 〔平成二十三年六月二十四日法律第七十四号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二十日を経過した日から施行する。

Article 1 This Act shall come into effect as from the day on which twenty days have elapsed from the date of promulgation.