

# 社会福祉士及び介護福祉士法

## Certified Social Worker and Certified Care Worker Act

(昭和六十二年五月二十六日法律第三十号)

(Act No. 30 of May 26, 1987)

第一章 総則（第一条—第三条）

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### 第一章 総則

#### Chapter I General Rules

（目的）

(Purpose)

第一条 この法律は、社会福祉士及び介護福祉士の資格を定めて、その業務の適正を図り、もつて社会福祉の増進に寄与することを目的とする。

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

（定義）

(Definition)

第二条 この法律において「社会福祉士」とは、第二十八条の登録を受け、社会福祉士の名称を用いて、専門的知識及び技術をもつて、身体上若しくは精神上の障害があること又は環境上の理由により日常生活を営むのに支障がある者の福祉に関する相談に応じ、助言、指導、福祉サービスを提供する者又は医師その他の保健医療サービスを提供する者その他の関係者（第四十七条において「福祉サービス関係者等」という。）との連絡及び調整その他の援助を行うこと（第七条及び第四十七条の二におい

て「相談援助」という。)を業とする者をいう。

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

2 この法律において「介護福祉士」とは、第四十二条第一項の登録を受け、介護福祉士の名称を用いて、専門的知識及び技術をもつて、身体上又は精神上の障害があることにより日常生活を営むのに支障がある者につき心身の状況に応じた介護（喀痰吸引その他のその者が日常生活を営むのに必要な行為であつて、医師の指示の下に行われるもの（厚生労働省令で定めるものに限る。以下「喀痰吸引等」という。）を含む。）を行い、並びにその者及びその介護者に対して介護に関する指導を行うこと（以下「介護等」という。）を業とする者をいう。

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

(欠格事由)

(Disqualification)

第三条 次の各号のいずれかに該当する者は、社会福祉士又は介護福祉士となることができない。

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

一 成年被後見人又は被保佐人

(i) an adult ward or a person subject to a conservatorship or curatorship;

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 who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;

三 この法律の規定その他社会福祉又は保健医療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 who is sentenced to a fine pursuant to the provisions of this Act or other provisions of acts concerning social welfare or health and medical care and provided for by a Cabinet Order, and to whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;

四 第三十二条第一項第二号又は第二項（これらの規定を第四十二条第二項において準用する場合を含む。）の規定により登録を取り消され、その取消しの日から起算して二年を経過しない者

(iv) a person whose registration has been cancelled pursuant to the provision of item (ii), paragraph (1), or paragraph (2), Article 32 (including cases in which these provisions apply mutatis mutandis pursuant to paragraph (2), Article 42), and to whom two years have not yet passed since the date of the cancellation.

## 第二章 社会福祉士

### Chapter II Certified Social Worker

(社会福祉士の資格)

(Qualification of Certified Social Worker)

第四条 社会福祉士試験に合格した者は、社会福祉士となる資格を有する。

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

(社会福祉士試験)

(Certified Social Worker Examination)

第五条 社会福祉士試験は、社会福祉士として必要な知識及び技能について行う。

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

(社会福祉士試験の実施)

(Implementation of Certified Care Worker Examination)

第六条 社会福祉士試験は、毎年一回以上、厚生労働大臣が行う。

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

(受験資格)

**(Qualification of Candidate for Examination)**

第七条 社会福祉士試験は、次の各号のいずれかに該当する者でなければ、受けることができない。

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

一 学校教育法（昭和二十二年法律第二十六号）に基づく大学（短期大学を除く。以下この条において同じ。）において文部科学省令・厚生労働省令で定める社会福祉に関する科目（以下この条において「指定科目」という。）を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者

(i) a person who has graduated upon completing study of the subjects concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as the "core subjects" in this Article) at a university (excluding a junior college; the same applies hereafter in this Article) based on the School Education Act (Act No. 26 of 1947), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto;

二 学校教育法に基づく大学において文部科学省令・厚生労働省令で定める社会福祉に関する基礎科目（以下この条において「基礎科目」という。）を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者であつて、文部科学大臣及び厚生労働大臣の指定した学校又は都道府県知事の指定した養成施設（以下「社会福祉士短期養成施設等」という。）において六月以上社会福祉士として必要な知識及び技能を修得したもの

(ii) a person who has graduated upon completing the basic subjects concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as the "basic subjects" in this Article) at a university based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified social worker at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or a training facility designated by a prefectural governor (hereafter referred to as a "certified social worker short-term training facility, etc.") during a period of six months or longer;

三 学校教育法に基づく大学を卒業した者その他その者に準ずるものとして厚生労働省令で定める者であつて、文部科学大臣及び厚生労働大臣の指定した学校又は都道府県知事の指定した養成施設（以下「社会福祉士一般養成施設等」という。）において一年以上社会福祉士として必要な知識及び技能を修得したもの

(iii) a person who has graduated from a university based on the School Education Act, and a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified social worker at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or a training facility designated by a prefectural governor (hereafter referred to as a "certified social worker general training facility, etc.") during a period of one year or longer;

四 学校教育法に基づく短期大学（修業年限が三年であるものに限る。）において指定科目を修めて卒業した者（夜間において授業を行う学科又は通信による教育を行う学科を卒業した者を除く。）その他その者に準ずるものとして厚生労働省令で定める者であつて、厚生労働省令で定める施設（以下この条において「指定施設」という。）において一年以上相談援助の業務に従事したもの

(iv) a person who has graduated upon completing the core subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has been engaged in the services of consultation and assistance at a facility designated by Ordinance of the Ministry of Health, Labour and Welfare (hereafter referred to as a "designated facility" in this Article) for one year or longer;

五 学校教育法に基づく短期大学（修業年限が三年であるものに限る。）において基礎科目を修めて卒業した者（夜間において授業を行う学科又は通信による教育を行う学科を卒業した者を除く。）その他その者に準ずるものとして厚生労働省令で定める者であつて、指定施設において一年以上相談援助の業務に従事した後、社会福祉士短期養成施設等において六月以上社会福祉士として必要な知識及び技能を修得したもの

(v) a person who has graduated upon completing the basic subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for one year or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. as a certified social worker during a period of six months or longer;

六 学校教育法に基づく短期大学（修業年限が三年であるものに限る。）を卒業した者（夜間において授業を行う学科又は通信による教育を行う学科を卒業した者を除く。）その他その者に準ずるものとして厚生労働省令で定める者であつて、指定施

設において一年以上相談援助の業務に従事した後、社会福祉士一般養成施設等において一年以上社会福祉士として必要な知識及び技能を修得したもの

(vi) a person who has graduated upon completing the designated subjects at a junior college based on the School Education Act (limited to one having a three-year term of study) (excluding a person who has graduated from a night-class course or a correspondence course), or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for one year or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare general training facility, etc. as a certified social worker during a period of one year or longer;

七 学校教育法に基づく短期大学において指定科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者であつて、指定施設において一年以上相談援助の業務に従事したもの

(vii) a person who has graduated upon completing the core subjects at a junior college based on the School Education Act or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has been engaged in the services of consultation and assistance at a designated facility for two years or longer;

八 学校教育法に基づく短期大学において基礎科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者であつて、指定施設において一年以上相談援助の業務に従事した後、社会福祉士短期養成施設等において六月以上社会福祉士として必要な知識及び技能を修得したもの

(viii) a person who has graduated upon completing the basic subjects at a junior college based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance at a designated facility for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. during a period of six months or longer;

九 社会福祉法（昭和二十六年法律第四十五号）第十九条第一項第二号に規定する養成機関の課程を修了した者であつて、指定施設において一年以上相談援助の業務に従事した後、社会福祉士短期養成施設等において六月以上社会福祉士として必要な知識及び技能を修得したもの

(ix) a person who has completed a course at a training institution provided for in item (ii), paragraph (1), Article 19 of the Social Welfare Act (Act No. 45 of 1951) and, after engaging in the services of consultation and assistance at a designated facility for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare short-term training facility, etc. during a period of six months or longer;

十 学校教育法に基づく短期大学又は高等専門学校を卒業した者その他その者に準ず

るものとして厚生労働省令で定める者であつて、指定施設において二年以上相談援助の業務に従事した後、社会福祉士一般養成施設等において一年以上社会福祉士として必要な知識及び技能を修得したもの

(x) a person who has graduated from a junior college or a technical college based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and, after engaging in the services of consultation and assistance for two years or longer, has acquired the knowledge and skills required of a certified social worker at a social welfare general training facility, etc., during a period of one year or longer;

十一 指定施設において四年以上相談援助の業務に従事した後、社会福祉士一般養成施設等において一年以上社会福祉士として必要な知識及び技能を修得した者

(xi) a person who has been engaged in the services of consultation and assistance at a designated facility for four years or longer and has acquired the knowledge and skills required of a certified social worker at a social welfare general training facility, etc. during a period of one year or longer;

十二 児童福祉法（昭和二十二年法律第百六十四号）に定める児童福祉司、身体障害者福祉法（昭和二十四年法律第二百八十三号）に定める身体障害者福祉司、社会福祉法に定める福祉に関する事務所に置かれる同法第十五条第一項第一号に規定する所員、知的障害者福祉法（昭和三十五年法律第三十七号）に定める知的障害者福祉司並びに老人福祉法（昭和三十八年法律第百三十三号）第六条及び第七条に規定する社会福祉主事であつた期間が四年以上となつた後、社会福祉士短期養成施設等において六月以上社会福祉士として必要な知識及び技能を修得した者

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

(社会福祉士試験の無効等)

(Invalidity of Certified Social Worker Examination)

第八条 厚生労働大臣は、社会福祉士試験に関して不正の行為があつた場合には、その不正行為に関係のある者に対しては、その受験を停止させ、又はその試験を無効とす

ることができる。

Article 8 (1) If any misconduct is committed in respect of a certified social worker examination, the Minister of Health, Labour and Welfare may suspend the examination or have the examination results of a person involved in the misconduct nullified.

2 厚生労働大臣は、前項の規定による処分を受けた者に対し、期間を定めて社会福祉士試験を受けることができないものとすることができる。

(2) The Minister of Health, Labour and Welfare may set a term during which a person subject to the disposition pursuant to the provision of the preceding paragraph is not permitted to apply for the certified social worker examination.

(受験手数料)

(Examination Fee)

第九条 社会福祉士試験を受けようとする者は、実費を勘案して政令で定める額の受験手数料を国に納付しなければならない。

Article 9 (1) An applicant who intends to take the certified social worker examination must pay the state an examination fee provided in a Cabinet Order in consideration of the actual cost.

2 前項の受験手数料は、これを納付した者が社会福祉士試験を受けない場合においても、返還しない。

(2) The fee pursuant to the preceding paragraph is not returned when a person who has paid the examination fee does not take the certified social worker examination.

(指定試験機関の指定)

(Designation of Examination Organization)

第十条 厚生労働大臣は、厚生労働省令で定めるところにより、その指定する者（以下この章において「指定試験機関」という。）に、社会福祉士試験の実施に関する事務（以下この章において「試験事務」という。）を行わせることができる。

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

2 指定試験機関の指定は、厚生労働省令で定めるところにより、試験事務を行おうとする者の申請により行う。

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

3 厚生労働大臣は、他に指定を受けた者がなく、かつ、前項の申請が次の要件を満た



していると認めるときでなければ、指定試験機関の指定をしてはならない。

(3) If the Minister of Health, Labour and Welfare must not designate a person as designation examination organization unless no other person has received designation and unless the application referred to in the preceding paragraph is found to satisfy the following requirements:

一 職員、設備、試験事務の実施の方法その他の事項についての試験事務の実施に関する計画が、試験事務の適正かつ確実な実施のために適切なものであること。

(i) the application contains a plan concerning processes staff, provisions, methods for implementing the examination processes, and other matters that is appropriate for adequate and certain implementation processes;

二 前号の試験事務の実施に関する計画の適正かつ確実な実施に必要な経理的及び技術的な基礎を有するものであること。

(ii) it has the accounting and technical basis required for adequate and reliable implementation of the plan to carry out of the examination processes referred to in the previous item.

4 厚生労働大臣は、第二項の申請が次のいずれかに該当するときは、指定試験機関の指定をしてはならない。

(4) The Minister of Health, Labour and Welfare must not designate an examination organization if the application in paragraph (2) falls under any of the following items:

一 申請者が、一般社団法人又は一般財団法人以外の者であること。

(i) the applicant is a person other than a general incorporated association or a general incorporated foundation;

二 申請者が、その行う試験事務以外の業務により試験事務を公正に実施することができないおそれがあること。

(ii) the applicant is unlikely to be able to carry out the examination processes fairly because it engages in business other than the examination processes;

三 申請者が、第二十二条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二年を経過しない者であること。

(iii) the applicant's designation has been cancelled pursuant to the provisions of Article 22, and two years have not passed since the date of the cancellation;

四 申請者の役員のうち、次のいずれかに該当する者があること。

(iv) the officers of the applicant fall under either of the following items:

イ この法律に違反して、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

(a) A person who has violated this Act and has been sentenced, and two years have not passed since the date on which the execution of the sentence has been completed or since the person has become no longer subject to the execution of the sentence.

ロ 次条第二項の規定による命令により解任され、その解任の日から起算して二年

を経過しない者

- (b) A person who has been dismissed pursuant to the provision of paragraph (2) in the next Article, and two years have not passed since the date of dismissal.

(指定試験機関の役員を選任及び解任)

(Appointment and Dismissal of Designated Examination Organization Officers)

第十一条 指定試験機関の役員を選任及び解任は、厚生労働大臣の認可を受けなければ、その効力を生じない。

Article 11 (1) The selection and dismissal of the officers of the designated examination organization do not come into force, if the Minister of Health, Labour and Welfare does not approve the selection and dismissal.

2 厚生労働大臣は、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。）若しくは第十三条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、指定試験機関に対し、当該役員解任を命ずることができる。

(2) If an officer of the designated examination organization violates this Act (including orders or dispositions based on the Act) or the operational rules for the examination processes provided in paragraph (1), Article 23, or commits significantly inappropriate misconduct concerning the examination processes, the Minister of Health, Labour and Welfare may order the designated examination organization to dismiss the officer.

(事業計画の認可等)

(Approval of Business Plan)

第十二条 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）、厚生労働大臣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 12 (1) Each fiscal year, the designated examination organization must prepare a business plan and a budget for revenue and expenditure, and must ask the Minister of Health, Labour and Welfare for approval before the beginning of the fiscal year to which the plan pertains (without delay after the designation is given, if the day on which the designation is given falls in the fiscal year in which the plan and budget are prepared). The same applies if any changes are to be made.

2 指定試験機関は、毎事業年度の経過後三月以内に、その事業年度の事業報告書及び収支決算書を作成し、厚生労働大臣に提出しなければならない。

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

Welfare.

(試験事務規程)

(Operational Rules for Examination Processes)

第十三条 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（以下この章において「試験事務規程」という。）を定め、厚生労働大臣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 13 (1) The designated examination organization must provide operational rules concerning the implementation of the examination processes (hereafter referred to as the "operational rules for examination processes" in this Chapter) and ask the Minister of Health, Labour and Welfare to approve them before the organization starts the examination processes. The same applies if the operational rules for examination processes are to be changed.

2 試験事務規程で定めるべき事項は、厚生労働省令で定める。

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

3 厚生労働大臣は、第一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。

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

(社会福祉士試験委員)

(Certified Social Worker Examination Committee Member)

第十四条 指定試験機関は、試験事務を行う場合において、社会福祉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、社会福祉士試験委員（以下この章において「試験委員」という。）に行わせなければならない。

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

2 指定試験機関は、試験委員を選任しようとするときは、厚生労働省令で定める要件を備える者のうちから選任しなければならない。

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

and Welfare.

3 指定試験機関は、試験委員を選任したときは、厚生労働省令で定めるところにより、厚生労働大臣にその旨を届け出なければならない。試験委員に変更があつたときも、同様とする。

(3) When the designated examination organization selects committee members, it must notify the Minister Health, Labour and Welfare of the selection pursuant to Ordinance of the Ministry of Health, Labour and Welfare. The same applies if the examination committee members are changed.

4 第十一条第二項の規定は、試験委員の解任について準用する。

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

(規定の適用等)

(Application of Provisions)

第十五条 指定試験機関が試験事務を行う場合における第八条第一項及び第九条第一項の規定の適用については、第八条第一項中「厚生労働大臣」とあり、及び第九条第一項中「国」とあるのは、「指定試験機関」とする。

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

2 前項の規定により読み替えて適用する第九条第一項の規定により指定試験機関に納められた受験手数料は、指定試験機関の収入とする。

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

(秘密保持義務等)

(Duty of Confidentiality)

第十六条 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 16 (1) A person who had been an officer of the designated examination organization or a member of staff (including an examination committee member; the same applies in the next paragraph) or a person who had been engaged in the business of the designated examination organization must not disclose any secrets that came to be known to the person concerning examination processes.

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

(帳簿の備付け等)

(Preparation of Account Book)

第十七条 指定試験機関は、厚生労働省令で定めるところにより、試験事務に関する事項で厚生労働省令で定めるものを記載した帳簿を備え、これを保存しなければならない。

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

(監督命令)

(Supervision Order)

第十八条 厚生労働大臣は、この法律を施行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 The Minister of Health, Labour and Welfare may issue an order required for supervision concerning examination processes to the designated examination organization if the minister finds it necessary for the enforcement of this act.

(報告)

(Report)

第十九条 厚生労働大臣は、この法律を施行するため必要があると認めるときは、その必要な限度で、厚生労働省令で定めるところにより、指定試験機関に対し、報告をさせることができる。

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

(立入検査)

(On-the-Spot Inspection)

第二十条 厚生労働大臣は、この法律を施行するため必要があると認めるときは、その必要な限度で、その職員に、指定試験機関の事務所に立ち入り、指定試験機関の帳簿、書類その他必要な物件を検査させ、又は関係者に質問させることができる。

Article 20 (1) The Minister of Health, Labour and Welfare may have a member of

the ministry's staff enter the designated examination organization to the necessary extent to inspect the books, documents, and other necessary matters of the designated examination organization on the spot and question the parties concerned of the said organization.

2 前項の規定により立入検査を行う職員は、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) The member of staff who inspects the designated examination organization on the spot shall bring ID and present it at the request of the parties concerned.

3 第一項に規定する権限は、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 for the on-site inspection pursuant to the provision of paragraph (1) must not be interpreted as authorizing a criminal investigation.

(試験事務の休廃止)

(Suspension or Abolition of Examination Processes)

第二十一条 指定試験機関は、厚生労働大臣の許可を受けなければ、試験事務の全部又は一部を休止し、又は廃止してはならない。

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

(指定の取消し等)

(Cancellation of Designation)

第二十二条 厚生労働大臣は、指定試験機関が第十条第四項各号（第三号を除く。）のいずれかに該当するに至ったときは、その指定を取り消さなければならない。

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

2 厚生労働大臣は、指定試験機関が次の各号のいずれかに該当するに至ったときは、その指定を取り消し、又は期間を定めて試験事務の全部若しくは一部の停止を命ずることができる。

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

一 第十条第三項各号の要件を満たさなくなつたと認められるとき。

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

二 第十一条第二項（第十四条第四項において準用する場合を含む。）、第十三条第三項又は第十八条の規定による命令に違反したとき。

(ii) the organization violates an order pursuant to the provision of paragraph (2), Article 11 (including cases where it applies mutatis mutandis pursuant

- to paragraph (4), Article 14), paragraph (3), Article 13, or Article 18;  
三 第十二条、第十四条第一項から第三項まで又は前条の規定に違反したとき。  
(iii) the organization violates the provisions of Article 12, paragraphs (1) to (3),  
Article 14, or the preceding Article;  
四 第十三条第一項の認可を受けた試験事務規程によらないで試験事務を行ったとき。  
(iv) the organization implements examination processes without complying  
with the operational rules for examination processes authorized pursuant to  
paragraph (1), Article 13;  
五 次条第一項の条件に違反したとき。  
(v) the said organization violates the conditions of paragraph (1) in the next  
Article.

(指定等の条件)

(Conditions of Designation)

第二十三条 第十条第一項、第十一条第一項、第十二条第一項、第十三条第一項又は第二十一条の規定による指定、認可又は許可には、条件を付し、及びこれを変更することができる。

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

2 前項の条件は、当該指定、認可又は許可に係る事項の確実な実施を図るため必要な最小限度のものに限り、かつ、当該指定、認可又は許可を受ける者に不当な義務を課することとなるものであつてはならない。

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

第二十四条 削除

Article 24 Deleted.

(指定試験機関がした処分等に係る不服申立て)

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

第二十五条 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、厚生労働大臣に対し、行政不服審査法（昭和三十七年法律第百六十号）による審査請求をすることができる。

Article 25 A person who has an objection to a disposition or inaction in respect of the examination processes implemented by the designated examination organization may submit a request for an investigation to the Minister of Health, Labour and Welfare pursuant to the Administrative Appeal Act (Act

No. 160 of 1962).

(厚生労働大臣による試験事務の実施等)

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

第二十六条 厚生労働大臣は、指定試験機関の指定をしたときは、試験事務を行わないものとする。

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

2 厚生労働大臣は、指定試験機関が第二十一条の規定による許可を受けて試験事務の全部若しくは一部を休止したとき、第二十二条第二項の規定により指定試験機関に対し試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により試験事務の全部若しくは一部を実施することが困難となつた場合において必要があると認めるときは、試験事務の全部又は一部を自ら行うものとする。

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

(公示)

(Official Notice)

第二十七条 厚生労働大臣は、次の場合には、その旨を官報に公示しなければならない。

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

一 第十条第一項の規定による指定をしたとき。

(i) making a designation pursuant to the provision of paragraph (1), Article 10;

二 第二十一条の規定による許可をしたとき。

(ii) granting approval pursuant to the provisions of Article 21;

三 第二十二条の規定により指定を取り消し、又は試験事務の全部若しくは一部の停止を命じたとき。

(iii) canceling designation pursuant to the provisions of Article 22, or ordering the designated examination organization to suspend the whole or part of examination processes;



四 前条第二項の規定により試験事務の全部若しくは一部を自ら行うこととするとき、又は自ら行っていた試験事務の全部若しくは一部を行わないこととするとき。

(iv) deciding to implement the whole or part of examination processes pursuant to the provision of paragraph (2) of the preceding Article or deciding to stop implementing the whole or part of the examination processes that the minister has been implementing .

(登録)

(Registration)

第二十八条 社会福祉士となる資格を有する者が社会福祉士となるには、社会福祉士登録簿に、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 28 In order to become a certified social worker, a person who is qualified to be a certified social worker must have the person's name, birth date, and other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare registered in the Certified Social Worker Register .

(社会福祉士登録簿)

(Certified Social Worker Register)

第二十九条 社会福祉士登録簿は、厚生労働省に備える。

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

(社会福祉士登録証)

(Certified Social Worker Registration Certificate)

第三十条 厚生労働大臣は、社会福祉士の登録をしたときは、申請者に第二十八条に規定する事項を記載した社会福祉士登録証（以下この章において「登録証」という。）を交付する。

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

(登録事項の変更の届出等)

(Notification of Changing Registered Matters)

第三十一条 社会福祉士は、登録を受けた事項に変更があつたときは、遅滞なく、その旨を厚生労働大臣に届け出なければならない。

Article 31 (1) A certified social worker must notify the Minister of Health, Labour and Welfare without delay, when any of the registered matters have changed.

2 社会福祉士は、前項の規定による届出をするときは、当該届出に登録証を添えて提出し、その訂正を受けなければならない。

(2) When a certified social worker notifies the Minister of Health, Labour and Welfare of a change pursuant to the provision of the preceding paragraph, the worker must attach the registration certificate and have it corrected.

(登録の取消し等)

(Cancellation of Registration)

第三十二条 厚生労働大臣は、社会福祉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 32 The Minister of Health, Labour and Welfare must cancel the registration if a certified social worker falls under any of the following items:

一 第三条各号（第四号を除く。）のいずれかに該当するに至つた場合

(i) The worker falls under any of the items in Article 3 (excluding item (iv));

二 虚偽又は不正の事実に基づいて登録を受けた場合

(ii) a person that has been registered based on false or wrong information;

三 厚生労働大臣は、社会福祉士が第四十五条及び第四十六条の規定に違反したときは、その登録を取り消し、又は期間を定めて社会福祉士の名称の使用の停止を命ずることができる。

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

(登録の消除)

(Deletion of Registration)

第三十三条 厚生労働大臣は、社会福祉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 33 The Minister of Health, Labour and Welfare must cancel the registration if the registration of a certified social worker has lost its effect.

(変更登録等の手数料)

(Fee for Changing Registration)

第三十四条 登録証の記載事項の変更を受けようとする者及び登録証の再交付を受けようとする者は、実費を勘案して政令で定める額の手数料を国に納付しなければならない。

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

(指定登録機関の指定等)

(Designation of a Registration Organization)

第三十五条 厚生労働大臣は、厚生労働省令で定めるところにより、その指定する者（以下この章において「指定登録機関」という。）に社会福祉士の登録の実施に関する事務（以下この章において「登録事務」という。）を行わせることができる。

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

2 指定登録機関の指定は、厚生労働省令で定めるところにより、登録事務を行おうとする者の申請により行う。

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

第三十六条 指定登録機関が登録事務を行う場合における第二十九条、第三十条、第三十一条第一項、第三十三条及び第三十四条の規定の適用については、これらの規定中「厚生労働省」とあり、「厚生労働大臣」とあり、及び「国」とあるのは、「指定登録機関」とする。

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

2 指定登録機関が登録を行う場合において、社会福祉士の登録を受けようとする者は、実費を勘案して政令で定める額の手数料を指定登録機関に納付しなければならない。

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

3 第一項の規定により読み替えて適用する第三十四条及び前項の規定により指定登録機関に納められた手数料は、指定登録機関の収入とする。

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

(準用)

(Application Mutatis Mutandis)

第三十七条 第十条第三項及び第四項、第十一条から第十三条まで、第十六条から第二

十三条まで並びに第二十五条から第二十七条までの規定は、指定登録機関について準用する。この場合において、これらの規定中「試験事務」とあるのは「登録事務」と、「試験事務規程」とあるのは「登録事務規程」と、第十条第三項中「前項」とあり、及び同条第四項各号列記以外の部分中「第二項」とあるのは「第三十五条第二項」と、第十六条第一項中「職員（試験委員を含む。次項において同じ。）」とあるのは「職員」と、第二十二條第二項第二号中「第十一条第二項（第十四条第四項において準用する場合を含む。）」とあるのは「第十一条第二項」と、同項第三号中「、第十四条第一項から第三項まで又は前条」とあるのは「又は前条」と、第二十三条第一項及び第二十七条第一号中「第十条第一項」とあるのは「第三十五条第一項」と読み替えるものとする。

Article 37 The provisions of paragraphs (3) and (4), Article 10, Article 11 to Article 13, Article 16 to Article 23, and Article 25 to Article 27 apply mutatis mutandis to the designated registration organization. In this case, "the examination processes" in these provisions is deemed to be replaced with "the registration processes" and "the operational rules for examination processes" is deemed to be replaced with "operational rules for registration processes", "the preceding paragraph" in paragraph (3), Article 10, and "paragraph (2)" in parts other than the items in paragraph (4) in the same Article are deemed to be replaced with "paragraph (2), Article 35", "a member of staff (including examination committee member; the same applies in the next paragraph)" in paragraph (1), Article 16 is deemed to be replaced with "a member of staff", "paragraph 2, Article 11 (including cases where it applies mutatis mutandis pursuant to paragraph (4), Article 14)" in item (ii), paragraph (2), Article 22 is deemed to be replaced with "paragraph (2), Article 11", " paragraphs (1) to (3), Article 14, or the preceding Article" in item (iii) in the same paragraph to "or the preceding Article", and "paragraph (1), Article 10" in paragraph (1), Article 23 and item (1), Article 27 to "paragraph (1), Article 35".

(政令及び厚生労働省令への委任)

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

第三十八条 この章に定めるもののほか、社会福祉士短期養成施設等及び社会福祉士一般養成施設等の指定に関し必要な事項は政令で、社会福祉士試験、指定試験機関、社会福祉士の登録、指定登録機関その他この章の規定の施行に関し必要な事項は厚生労働省令で定める。

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

organization, and other matters necessary for the enforcement of the provisions in this Chapter are provided for in Ordinance of the Ministry of Health, Labour and Welfare.

### 第三章 介護福祉士

#### Chapter III Certified Care Worker

(介護福祉士の資格)

(Qualification of Certified Care Worker)

第三十九条 次の各号のいずれかに該当する者は、介護福祉士となる資格を有する。

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

一 学校教育法第九十条第一項の規定により大学に入学することができる者（この号の規定により文部科学大臣及び厚生労働大臣の指定した学校が大学である場合において、当該大学が同条第二項の規定により当該大学に入学させた者を含む。）であつて、文部科学大臣及び厚生労働大臣の指定した学校又は都道府県知事の指定した養成施設において二年以上介護福祉士として必要な知識及び技能を修得したもの

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

二 学校教育法に基づく大学において文部科学省令・厚生労働省令で定める社会福祉に関する科目を修めて卒業した者その他その者に準ずる者として厚生労働省令で定める者であつて、文部科学大臣及び厚生労働大臣の指定した学校又は都道府県知事の指定した養成施設において一年以上介護福祉士として必要な知識及び技能を修得したもの

(ii) a person who has graduated upon completing study of the subjects concerning social welfare provided for in Ordinance of the Ministry of Education, Culture, Sports, Science and Technology and Ordinance of the Ministry of Health, Labour and Welfare at a university based on the School Education Act, or a person who is provided for in Ordinance of the Ministry of Health, Labour and Welfare as equivalent thereto and has acquired the knowledge and skills required of a certified care worker by studying for one year or more at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and

Welfare or at a training facility designated by a prefectural governor;

三 学校教育法第九十条第一項の規定により大学に入学することができる者（この号の厚生労働省令で定める学校が大学である場合において、当該大学が同条第二項の規定により当該大学に入学させた者を含む。）であつて、厚生労働省令で定める学校又は養成所を卒業した後、文部科学大臣及び厚生労働大臣の指定した学校又は都道府県知事の指定した養成施設において一年以上介護福祉士として必要な知識及び技能を修得したもの

(iii) a person who can enroll at a university pursuant to the provision of paragraph (1), Article 90 of the School Education Act (including a person who is allowed, pursuant to the provision of paragraph (2) of the same Article, to enroll at a school designated as a university by Ordinance of the Ministry of Health, Labour and Welfare), after graduating from a school or a training center provided for in Ordinance of the Ministry of Health, Labour and Welfare, and has acquired the knowledge and skills required of a certified care worker by studying for one year or more at a school designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare or at a training center designated by a prefectural governor;

四 介護福祉士試験に合格した者

(iv) a person who passes the certified care worker examination.

(介護福祉士試験)

(Certified Care Worker Examination)

第四十条 介護福祉士試験は、介護福祉士として必要な知識及び技能について行う。

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

2 介護福祉士試験は、次の各号のいずれかに該当する者でなければ、受けることができない。

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

一 学校教育法 に基づく高等学校又は中等教育学校であつて文部科学大臣及び厚生労働大臣の指定したものにおいて三年以上（専攻科において三年以上必要な知識及び技能を習得する場合は、三年以上）介護福祉士として必要な知識及び技能を習得した者

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

二 三年介護等の業務に従事した者

(ii) a person who has been engaging in services such as care work for three years;

三 前号に掲げる者と同等以上の知識及び技能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。

(iii) a person who is recognized as having knowledge and skills equivalent to or greater than the knowledge and skills possessed by the persons listed in the preceding items and is provided for in Ordinance of the Ministry of Health, Labour and Welfare.

3 第六条、第八条及び第九条の規定は、介護福祉士試験について準用する。

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

(指定試験機関の指定等)

(Designation of Examination Organization)

第四十一条 厚生労働大臣は、厚生労働省令で定めるところにより、その指定する者（以下この章において「指定試験機関」という。）に、介護福祉士試験の実施に関する事務（以下この章において「試験事務」という。）を行わせることができる。

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

2 指定試験機関の指定は、厚生労働省令で定めるところにより、試験事務を行おうとする者の申請により行う。

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

3 第十条第三項及び第四項、第十一条から第二十三条まで並びに第二十五条から第二十七条までの規定は、指定試験機関について準用する。この場合において、第十条第三項第一号中「、試験事務の実施」とあるのは「、第四十一条第一項に規定する試験事務（以下単に「試験事務」という。）の実施」と、第十四条第一項中「社会福祉士として」とあるのは「介護福祉士として」と、「社会福祉士試験委員」とあるのは「介護福祉士試験委員」と、第二十三条第一項及び第二十七条第一号中「第十条第一項」とあるのは「第四十一条第一項」と読み替えるものとする。

(3) The provisions of paragraphs (3) and (4), Article 10, Article 11 to Article 23, and Article 25 to Article 27 apply mutatis mutandis to the examination organization. In this case, ", the examination processes" in item (i), paragraph (3), Article 10 is deemed to be replaced with "the examination processes provided for in paragraph (1), Article 41 (hereafter referred to simply as the

"examination processes")", "of a certified social worker" and "the certified social worker examination committee members" in paragraph (1), Article 14 are deemed to be replaced with "of a certified care worker" and "the certified care worker examination committee members", respectively, and "paragraph (1), Article 10" in paragraph (1), Article 23 and item (i), Article 27 is deemed to be replaced with "paragraph (1), Article 41".

(登録)

(Registration)

第四十二条 介護福祉士となる資格を有する者が介護福祉士となるには、介護福祉士登録簿に、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 42 (1) In order to become a certified care worker, a person who is qualified to be a certified care worker must have the person's name, birth date, and other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare registered in the Certified Care Worker Registration Roster.

2 第二十九条から第三十四条までの規定は、介護福祉士の登録について準用する。この場合において、第二十九条中「社会福祉士登録簿」とあるのは「介護福祉士登録簿」と、第三十条中「第二十八条」とあるのは「第四十二条第一項」と、「社会福祉士登録証」とあるのは「介護福祉士登録証」と、第三十一条並びに第三十二条第一項及び第二項中「社会福祉士」とあるのは「介護福祉士」と読み替えるものとする。

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

(指定登録機関の指定等)

(Designation of Registration Organization)

第四十三条 厚生労働大臣は、厚生労働省令で定めるところにより、その指定する者（以下この章において「指定登録機関」という。）に介護福祉士の登録の実施に関する事務（以下この章において「登録事務」という。）を行わせることができる。

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



2 指定登録機関の指定は、厚生労働省令の定めるところにより、登録事務を行おうとする者の申請により行う。

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

3 第十条第三項及び第四項、第十一条から第十三条まで、第十六条から第二十三条まで、第二十五条から第二十七条まで並びに第三十六条の規定は、指定登録機関について準用する。この場合において、これらの規定中「試験事務」とあるのは「登録事務」と、「試験事務規程」とあるのは「登録事務規程」と、第十条第三項中「前項」とあり、及び同条第四項各号列記以外の部分中「第二項」とあるのは「第四十三条第二項」と、同項第二号中「その行う」とあるのは「その行う職業安定法（昭和二十二年法律第百四十一号）第四条第一項に規定する職業紹介の事業（その取り扱う職種が介護等を含むものに限る。）その他の」と、第十六条第一項中「職員（試験委員を含む。次項において同じ。）」とあるのは「職員」と、第二十二条第二項第二号中「第十一条第二項（第十四条第四項において準用する場合を含む。）」とあるのは「第十一条第二項」と、同項第三号中「、第十四条第一項から第三項まで又は前条」とあるのは「又は前条」と、第二十三条第一項及び第二十七条第一号中「第十条第一項」とあるのは「第四十三条第一項」と、第三十六条第二項中「社会福祉士」とあるのは「介護福祉士」と読み替えるものとする。

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

certified social worker" in paragraph (2), Article 36 is deemed to be replaced with "a certified care worker".

(政令及び厚生労働省令への委任)

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

第四十四条 この章に規定するもののほか、第三十九条第一号から第三号までに規定する学校及び養成施設の指定並びに第四十条第二項第一号に規定する高等学校及び中等教育学校の指定に関し必要な事項は政令で、介護福祉士試験、指定試験機関、介護福祉士の登録、指定登録機関その他この章の規定の施行に関し必要な事項は厚生労働省令で定める。

Article 44 Beyond what are provided for in this Chapter, necessary matters concerning the designation of a school and a training center provided for in items (i) to (iii), Article 39 and the designation of a high school and a junior high school provided for in item (i), paragraph (2), Article 40 will be provided for by a Cabinet Order, and necessary matters concerning the certified care worker examination, the designated examination organization, certified care worker registration, and the designated registration organization, and other necessary matters concerning the enforcement of this Chapter will be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

#### 第四章 社会福祉士及び介護福祉士の義務等

#### Chapter IV Duty of Certified Social Worker and Certified Care Worker

(誠実義務)

(Duty of Good Faith)

第四十四条の二 社会福祉士及び介護福祉士は、その担当する者が個人の尊厳を保持し、自立した日常生活を営むことができるよう、常にその者の立場に立つて、誠実にその業務を行わなければならない。

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

(信用失墜行為の禁止)

(Prohibition of Acts that Damage Credibility)

第四十五条 社会福祉士又は介護福祉士は、社会福祉士又は介護福祉士の信用を傷つけるような行為をしてはならない。

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

(秘密保持義務)

**(Duty of Confidentiality)**

第四十六条 社会福祉士又は介護福祉士は、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。社会福祉士又は介護福祉士でなくなった後においても、同様とする。

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

(連携)

**(Coordination)**

第四十七条 社会福祉士は、その業務を行うに当たっては、その担当する者に、福祉サービス及びこれに関連する保健医療サービスその他のサービス（次項において「福祉サービス等」という。）が総合的かつ適切に提供されるよう、地域に即した創意と工夫を行いつつ、福祉サービス関係者等との連携を保たなければならない。

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

2 介護福祉士は、その業務を行うに当たっては、その担当する者に、認知症（介護保険法（平成九年法律第百二十三号）第五条の二に規定する認知症をいう。）であること等の心身の状況その他の状況に応じて、福祉サービス等が総合的かつ適切に提供されるよう、福祉サービス関係者等との連携を保たなければならない。

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

(資質向上の責務)

**(Responsibility of Quality Improvement)**

第四十七条の二 社会福祉士又は介護福祉士は、社会福祉及び介護を取り巻く環境の変化による業務の内容の変化に適応するため、相談援助又は介護等に関する知識及び技能の向上に努めなければならない。

Article 47-2 A certified social worker and a certified care worker must endeavor to steadily improve their knowledge and skills concerning consultation and

assistance, or nursing, etc. in order to adequately and flexibly adapt to any changes in services caused by changes in the environment surrounding social welfare and nursing.

(名称の使用制限)

(Restriction on Use of Appellation)

第四十八条 社会福祉士でない者は、社会福祉士という名称を使用してはならない。

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

2 介護福祉士でない者は、介護福祉士という名称を使用してはならない。

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

(保健師助産師看護師法との関係)

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

第四十八条の二 介護福祉士は、保健師助産師看護師法（昭和二十三年法律第二百三十三号）第三十一条第一項及び第三十二条の規定にかかわらず、診療の補助として喀痰吸引等を行うことを業とすることができる。

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

2 前項の規定は、第四十二条第二項において準用する第三十二条第二項の規定により介護福祉士の名称の使用の停止を命ぜられている者については、適用しない。

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

(喀痰吸引等業務の登録)

(Registration of Mucus Aspiration, etc. Services)

第四十八条の三 自らの事業又はその一環として、喀痰吸引等（介護福祉士が行うものに限る。）の業務（以下「喀痰吸引等業務」という。）を行おうとする者は、その事業所ごとに、その所在地を管轄する都道府県知事の登録を受けなければならない。

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

2 前項の登録（以下この章において「登録」という。）を受けようとする者は、厚生労働省令で定めるところにより、次に掲げる事項を記載した申請書を都道府県知事に

提出しなければならない。

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

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) the name or appellation, address, and the name of the representative if it is a corporation;

二 事業所の名称及び所在地

(ii) the appellation and location of the business establishment;

三 喀痰吸引等業務開始の予定年月日

(iii) the scheduled starting date of the mucus aspiration, etc. services;

四 その他厚生労働省令で定める事項

(iv) other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(欠格条項)

(Disqualification)

第四十八条の四 次の各号のいずれかに該当する者は、登録を受けることができない。

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

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つた日から起算して二年を経過しない者

(i) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;

二 この法律の規定その他社会福祉又は保健医療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

(ii) a person who is sentenced to a fine pursuant to the provisions of this Act or other provisions of acts concerning social welfare or health and medical care and provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;

三 第四十八条の七の規定により登録を取り消され、その取消しの日から起算して二年を経過しない者

(iii) a person whose registration has been cancelled pursuant to the provisions of Article 48-7, and for whom two years have not yet passed since the date of the cancellation;

四 法人であつて、その業務を行う役員のうち前三号のいずれかに該当する者があるもの

(iv) a corporation with a person who falls under any of the preceding three items among the officers who perform the business.

(登録基準)

(Registration Standard)

第四十八条の五 都道府県知事は、第四十八条の三第二項の規定により登録を申請した者が次に掲げる要件の全てに適合しているときは、登録をしなければならない。

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

一 医師、看護師その他の医療関係者との連携が確保されているものとして厚生労働省令で定める基準に適合していること。

(i) to comply with the standard provided for in Ordinance of the Ministry of Health, Labour and Welfare as a person that has secured coordination with a medical doctor, nurse, and other medical personnel;

二 喀痰吸引等の実施に関する記録が整備されていることその他喀痰吸引等を安全かつ適正に実施するために必要な措置として厚生労働省令で定める措置が講じられていること。

(ii) records concerning the practice of mucus aspiration, etc. are well arranged and measures are be provided for in Ordinance of the Ministry of Health, Labour and Welfare to safely and adequately perform mucus aspiration, etc;

三 医師、看護師その他の医療関係者による喀痰吸引等の実施のための体制が充実しているため介護福祉士が喀痰吸引等を行う必要性が乏しいものとして厚生労働省令で定める場合に該当しないこと。

(iii) not falling under what is provided for in Ordinance of the Ministry of Health, Labour and Welfare as a certified care worker for whom it is not necessary to perform mucus aspiration, etc. because an adequate system for the performance of mucus aspiration, etc. by medical doctors, nurses and other medical personnel is in place.

2 登録は、登録簿に次に掲げる事項を記載してするものとする。

(2) The registration shall describe the matters as listed below in the registration book:

一 登録年月日及び登録番号

(i) date of Registration and Registration Number;

二 第四十八条の三第二項各号に掲げる事項

(ii) the matters as listed in each item in paragraph (2), Article 48.

(変更等の届出)

(Notification of Change)

第四十八条の六 登録を受けた者（以下「登録喀痰吸引等事業者」という。）は、第四十八条の三第二項第一号から第三号までに掲げる事項を変更しようとするときはあらかじめ、同項第四号に掲げる事項に変更があつたときは遅滞なく、その旨を都道府県知事に届け出なければならない。

Article 48-6 (1) If a person that obtained registration (hereafter referred to as a "registered mucus aspiration, etc. provider") intends to change the matters as listed in items (i) to (iii), paragraph (2), Article 48-3, the person must notify the governor of that fact in advance, and without delay if the matters listed in item (iv) in the same paragraph are changed.

2 登録喀痰吸引等事業者は、喀痰吸引等業務を行う必要がなくなつたときは、遅滞なく、その旨を都道府県知事に届け出なければならない。

(2) If it becomes unnecessary for a registered mucus aspiration, etc. provider to perform mucus aspiration, etc. services, the provider must notify the governor of that fact without delay.

3 前項の規定による届出があつたときは、当該登録喀痰吸引等事業者の登録は、その効力を失う。

(3) If the notification pursuant to the provision of the preceding paragraph is filed with the governor, the registration of the said registered mucus aspiration, etc. provider ceases to be effective.

(登録の取消し等)

(Cancellation of Registration)

第四十八条の七 都道府県知事は、登録喀痰吸引等事業者が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて喀痰吸引等業務の停止を命ずることができる。

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

一 第四十八条の四各号（第三号を除く。）のいずれかに該当するに至つたとき。

(i) the registered mucus aspiration, etc. provider comes to fall under any of the items (excluding item (iii)) of Article 48-4;

二 第四十八条の五第一項各号に掲げる要件に適合しなくなつたとき。

(ii) the registered mucus aspiration, etc. provider no longer complies with a requirement in any of the items of paragraph (1), Article 48-5;

三 前条第一項の規定による届出をせず、又は虚偽の届出をしたとき。

(iii) the registered mucus aspiration, etc. provider fails to submit notification pursuant to the provision of paragraph (1) of the preceding article, or makes a false notification;

四 虚偽又は不正の事実に基づいて登録を受けたとき。

(iv) when a person that who has been registered based on false or wrong

information.

(公示)

(Official Notice)

第四十八条の八 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 48-8 In the following cases, the governor must give public notice to the respective effects:

一 登録をしたとき。

(i) governor has made the registration;

二 第四十八条の六第一項の規定による届出（氏名若しくは名称若しくは住所又は事業所の名称若しくは所在地に係るものに限る。）があつたとき。

(ii) a notification is filed pursuant to the provision of paragraph (1), Article 48-6 (limited to a notification of a name, appellation, or address, or of an appellation or address of a business establishment);

三 第四十八条の六第二項の規定による届出があつたとき。

(iii) a notification is filed pursuant to the provision of paragraph (2), Article 48-6;

四 前条の規定により登録を取り消し、又は喀痰吸引等業務の停止を命じたとき。

(iv) a registration pursuant to the provision of the preceding Article is canceled, or an order is issued to suspend mucus aspiration, etc. services.

(準用)

(Application Mutatis Mutandis)

第四十八条の九 第十九条及び第二十条の規定は、登録喀痰吸引等事業者について準用する。この場合において、これらの規定中「厚生労働大臣」とあるのは、「都道府県知事」と読み替えるものとする。

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

(厚生労働省令への委任)

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

第四十八条の十 第四十八条の三から前条までに規定するもののほか、喀痰吸引等業務の登録に関し必要な事項は、厚生労働省令で定める。

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



(権限の委任)

**(Delegation of Authority)**

第四十八条の十一 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 48-11 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act are to be delegated to the Director General of the Local Bureaus of Health and Welfare pursuant to Ordinance of the Ministry of Health, Labour and Welfare.

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

(経過措置)

**(Transitional Measures)**

第四十九条 この法律の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

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

**第五章 罰則**

**Chapter V Punishment**

第五十条 第四十六条の規定に違反した者は、一年以下の懲役又は三十万円以下の罰金に処する。

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

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

第五十一条 第十六条第一項（第三十七条、第四十一条第三項及び第四十三条第三項において準用する場合を含む。）の規定に違反した者は、一年以下の懲役又は三十万円以下の罰金に処する。

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

第五十二条 第二十二條第二項（第三十七條、第四十一條第三項及び第四十三條第三項において準用する場合を含む。）の規定による第十条第一項若しくは第四十一條第一項に規定する試験事務（第五十四條において単に「試験事務」という。）又は第三十五條第一項若しくは第四十三條第一項に規定する登録事務（第五十四條において単に「登録事務」という。）の停止の命令に違反したときは、その違反行為をした第十条第一項若しくは第四十一條第一項に規定する指定試験機関（第五十四條において単に「指定試験機関」という。）又は第三十五條第一項若しくは第四十三條第一項に規定する指定登録機関（第五十四條において単に「指定登録機関」という。）の役員又は職員は、一年以下の懲役又は三十万円以下の罰金に処する。

Article 52 If an officer or member of staff of the designated examination organization (referred to simply as the "designated examination organization" in Article 54) provided for in paragraph (1), Article 10 or paragraph (1), Article 41, or of the designated registration organization (referred to simply as the "designated registration organization" in Article 54) provided for in paragraph (1), Article 35 or paragraph (1), Article 43 violates an order to suspend the examination processes (referred to simply as the "examination processes" in Article 54) provided for in paragraph (1), Article 10 or paragraph (1), Article 41 pursuant to the provision of paragraph (2), Article 22 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43) or the registration processes (referred to simply as the "registration processes" in Article 54) provided for in paragraph (1), Article 35, or paragraph (1), Article 43, that person will be punished by imprisonment with required labor for not more than one year or a fine of not more than 300,000 yen.

第五十三条 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 53 A person who falls under any of the following items will be punished by a fine of not more than 300,000 yen:

- 一 第三十二條第二項の規定により社会福祉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、社会福祉士の名称を使用したもの  
(i) a person who has been ordered to suspend use of the appellation of a certified social worker pursuant to the provision of paragraph (2), Article 32 uses the appellation of a certified social worker for the period of the suspended order;
- 二 第四十二條第二項において準用する第三十二條第二項の規定により介護福祉士の

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、介護福祉士の名称を使用したもの

(ii) a person who has been ordered to suspend use of the appellation of a certified care worker pursuant to the provision of paragraph (2), Article 32 applied mutatis mutandis in paragraph (2), Article 42 uses the appellation of a certified care worker for the period of the suspended order;

三 第四十八条第一項又は第二項の規定に違反した者

(iii) a person who violates the provision of paragraph (1) or (2), Article 48;

四 第四十八条の三第一項の規定に違反して、同項の登録を受けなくて、喀痰吸引等業務を行つた者

(iv) a person who has violated the provision of paragraph (1), Article 48-3, and has not received the registration referred to in the same paragraph, and is then engaged in mucus aspiration, etc. services;

五 第四十八条の七の規定による喀痰吸引等業務の停止の命令に違反した者

(v) a person who has violated an order to suspend mucus aspiration, etc. services pursuant to the provisions of Article 48-7.

第五十四条 次の各号のいずれかに該当するときは、その違反行為をした指定試験機関又は指定登録機関の役員又は職員は、二十万円以下の罰金に処する。

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

一 第十七条（第三十七条、第四十一条第三項及び第四十三条第三項において準用する場合を含む。）の規定に違反して帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

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

二 第十九条（第三十七条、第四十一条第三項及び第四十三条第三項において準用する場合を含む。）の規定による報告をせず、又は虚偽の報告をしたとき。

(ii) failing to make a report stipulated in the provisions of Article 19 or making a false report (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43);

三 第二十条第一項（第三十七条、第四十一条第三項及び第四十三条第三項において準用する場合を含む。）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、又は質問に対して陳述をせず、若しくは虚偽の陳述をしたとき。

(iii) refusing, obstructing or evading an entry or inspection made pursuant to the provision of paragraph (1), Article 20 (including cases where it applies

mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43) or failing to answer a question, or making a false statement during the entry or inspection;

四 第二十一条（第三十七条、第四十一条第三項及び第四十三条第三項において準用する場合を含む。）の許可を受けなくて試験事務又は登録事務の全部を廃止したとき。

(iv) ceasing all of the examination processes or the registration processes without the permission referred to in Article 21 (including cases where it applies mutatis mutandis in Article 37, paragraph (3), Article 41 and paragraph (3), Article 43).

第五十五条 次の各号のいずれかに該当するときは、その違反行為をした者は、二十万円以下の罰金に処する。

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

一 第四十八条の九において準用する第十九条の規定による報告をせず、又は虚偽の報告をしたとき。

(i) failing to make a report stipulated in the provision of Article 19 applied mutatis mutandis in Article 48-9, or making a false report;

二 第四十八条の九において準用する第二十条第一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、又は質問に対して陳述をせず、若しくは虚偽の陳述をしたとき。

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

第五十六条 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五十三条第四号若しくは第五号又は前条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 56 If the representative of a corporation, or an agent, employee or other worker of a corporation or individual commits a violation of item (iv) or item (v), Article 53 or the preceding article in connection with the business of the corporation or individual in addition to the offender being subject punishment, the corporation or individual is subject to the fine referred to in the relevant article.

## 附 則

### Supplementary Provisions

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

(介護福祉士試験の受験資格の特例)

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

第二条 第四十条第二項の規定にかかわらず、平成二十六年三月三十一日までに学校教育法に基づく高等学校又は中等教育学校であつて文部科学大臣及び厚生労働大臣の指定したものに入学し、当該学校において三年以上（専攻科において三年以上必要な基礎的な知識及び技能を修得する場合にあつては、一年以上）介護福祉士として必要な基礎的な知識及び技能を修得した者であつて、九月以上介護等の業務に従事したものは、介護福祉士試験を受けることができる。

Article 2 (1) Notwithstanding the provision of paragraph (2), Article 40, a person who has enrolled by March 31, 2014, at a high school or junior high school based on the School Education Act and designated by the Minister of Education, Culture, Sports, Science and Technology and the Minister of Health, Labour and Welfare, has acquired the basic knowledge and skills required of a care worker by studying for three years or more at the school (two years or more in case of acquiring required basic knowledge and skills requiring two years or more to acquire in a non-degree course for graduates), and has engaged in the services of nursing, etc. for nine months or more is entitled to take the certified care worker examination.

2 前項に規定する高等学校及び中等教育学校の指定に関し必要な事項は、政令で定める。

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

(認定特定行為従事者に係る特例)

(Exception of Authorized Specified Conduct Practitioner)

第三条 介護の業務に従事する者（介護福祉士を除く。次条二項において同じ。）のうち、同条第一項の認定特定行為従事者認定証の交付を受け入れている者（以下「認定特定行為従事者」という。）は当分の間、保健師助産師看護師法第三十条第一項及び三十二条の規定にかかわらず、診療の補助として、医師の指示の下に、特定行為（喀痰吸引等のうち当該認定特定行為従事者が終了した次条第二項に規定する喀痰吸引等研修の課程に応じて厚生労働省令で定める行為をいう。以下同じ。）を行うことを業とすることができる。ただし、次条第四項の規定により特定行為の業務の停止を命じら

れている者については、この限りでない。

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

2 認定特定行為従事者は、特定行為の業務を行うに当たっては、医師、看護師その他の医療関係者との連携を保たなければならない。

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

第四条 認定特定行為従事者認定証は、厚生労働省令で定めるところにより、都道府県知事が交付する。

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

2 認定特定行為従事者認定証は、介護の業務に従事する者に対して特定行為従事者となるのに必要な知識及び技能を習得させるため、都道府県知事又はその登録を受けたもの（以下「登録研修機関」という。）が行う研修（以下「喀痰吸引等研修」という。）の課程を修了したと都道府県知事が認定した者でなければ、その交付を受けることができない。

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

3 都道府県知事は、次の各号のいずれかに該当するものに対しては、認定特定行為従事者認定証の交付を行わないことができる。

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

一 成年被後見人又は被保佐人

(i) adult ward or person under curatorship;

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った日から起算して二年を経過しない者

(ii) a person who has been sentenced to imprisonment without work or a heavier punishment and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be subject to its enforcement;

三 この法律の規定その他社会福祉又は保健医療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った日から起算して二年を経過していない者

(iii) a person who has been sentenced to a fine pursuant to the provisions of this act, and other provisions of acts concerning social welfare or health medical care provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be to its enforcement;

四 第四十二条二項において準用する第三十二条第一項二号又は第二項の規定により介護福祉士の登録を取り消され、その取り消しの日から起算して二年を経過しない者

(iv) a person whose registration as a certified care worker has been cancelled pursuant to the provision of item (ii), paragraph (1), Article 32, or paragraph (2) applied mutatis mutandis in paragraph (2), Article 42, and two years have not yet passed since the date of such cancellation;

五 次条の規定により認定特定行為従事者認定証の返納を命ぜられ、その日から二年を経過しない者

(v) a person who has been ordered to return the authorized specified conduct practitioner certificate, and two years have not yet passed since the date of the return.

4 都道府県知事は、認定特定行為従事者が次の各号のいずれかに該当する場合には、期間を定めて特定行為の業務を停止し、又は認定特定行為従事者認定証の返納を命ずることができる。この場合において、当該処分の実施に関し必要な事項は、政令で定める。

(4) When an authorized specified conduct practitioner falls under any of the following items, the governor may order it to suspend the specified conduct for a term decided by the governor or order to return the authorized specified conduct practitioner certificate. In this case, the matters required concerning the implementation of the order are to be provided for by a Cabinet Order:

一 前項各号（第五号を除く。）のいずれかに該当するに至った場合

(i) the case where the authorized specified conduct practitioner comes to fall

- under any of the items (excluding item (v)) of the preceding paragraph;
- 二 前号に該当する場合を除くほか、特定行為の業務に関し不正の行為があった場合  
(ii) aside from the case in the preceding item, the case where the authorized specified conduct practitioner commits unjust acts concerning the services of the specified conduct;
- 三 虚偽又は不正の事実に基づいて認定特定行為従事者認定証の交付を受けた場合  
(iii) the case where the authorized specified conduct practitioner receives the issuance of an authorized specified conduct practitioner certificate based on a false or incorrect fact.
- 5 前各項に定めるもののほか、認定特定行為従事者認定証の交付、再交付及び返納、第二項の都道府県知事の認定その他認定特定行為業務従事者に関し必要な事項は、厚生労働省令で定める。
- (5) Beyond what are provided for in each preceding item, the matters required concerning the authorized specified conduct practitioner, reissuance, and return, the authorization by the governor in paragraph (2), and other authorized specified conduct practitioners are to be provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(認定特定行為業務従事者認定証の交付事務の委託)

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

第五条 都道府県知事は、厚生労働省令で定めるところにより、前条に規定する認定特定行為業務従事者認定証に関する事務（認定特定行為業務従事者認定証の返納に係る事務その他政令で定める事務を除く。次項において「認定証交付事務」という。）の全部または一部を登録研修機関に委託することができる。

Article 5 (1) The governor may delegate all or some of the processes concerning the authorized specified conduct practitioner certificate provided for in the preceding Article pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding the processes of the return of an authorized specified conduct practitioner certificate and others provided for by a Cabinet Order; hereafter referred to as the "processes of certificate issuance") to a registered training program organization.

2 前項の規定により認定証交付事務の委託を受けた登録研修機関の役員（法人でない登録研修機関にあつては、前条第二項の登録（次条から附則第九条まで並びに附則第十六条、第十七条及び第十九条において「登録」という。）を受けた者）若しくは職員又はこれらの職にあつた者は、当該委託に係る認定証交付事務に関して知り得た秘密を漏らしてはならない。

(2) An officer of the registered training program organization to which the processes of certificate issuance are delegated pursuant to the provision of the preceding paragraph (in a registered training program organization which is not a legal person, a person who is registered pursuant to the provision of



paragraph (2) in the preceding Article) (referred to as the "registration" in the preceding Article to Article 9 of Supplementary Provisions and Article 16, Article 17 and Article 19 of Supplementary Provisions) or a member of staff or persons who have been in the positions of these duties must not leak any secrets that they come to know concerning the authorized certificate issuance processes of the said delegation.

(登録の申請)

(Application for Registration)

第六条 登録は、厚生労働令で定めるところにより、事業所ごとに、喀痰吸引等研修を行おうとする者の申請により行う。

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

(欠格事由)

(Disqualification)

第七条 次の各号のいずれかに該当する者は、登録を受けることができない。

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

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

(i) a person who has been sentenced to imprisonment without work or a heavier punishment, and for whom two years have not yet passed since the date on which the person finished serving the sentence or to be to its enforcement;

二 この法律の規定その他社会福祉又は保健医療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、または執行を受けることがなくなった日から起算して二年を経過しない者

(ii) a person who has been sentenced by a fine pursuant to the provisions of this Act, and other provisions of Acts concerning social welfare or medical health care provided for by a Cabinet Order, and for whom two years have not yet passed since the date on which the person finished serving the sentence to be to its enforcement;

三 附則第十六条の規定により登録を取り消され、その取り消しの日から起算して二年を経過しない者

(iii) a person whose registration has been cancelled pursuant to the provisions of Article 16 of the Supplementary Provisions and for which two years have not yet passed since the date of cancellation;

四 法人であつて、その業務を行う役員のうち前三号のいずれかに該当する者があるもの。

- (iv) a corporation with an officer who falls under any of the preceding three items among the officers engaged in the business thereof.

(登録基準)

**(Registration Standard)**

第八条 都道府県知事は、附則第十三条の規定により登録を申請した者が次に掲げる要件のすべてに適合しているときは、登録をしなければならない。

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

一 喀痰吸引等に関する法律制度及び実務に関する科目について喀痰吸引等研修の業務を実施するものであること

(i) performing the services of implementing a mucus aspiration, etc. training program concerning the legal system for and actual practice of mucus aspiration, etc;

二 前号の喀痰吸引等に関する実務に関する科目にあつては、医師、看護師その他の厚生労働省令で定める者が講師として喀痰吸引等研修の業務に従事するものであること。

(ii) with regard to the subjects concerning the actual practice of mucus aspiration , etc. in the preceding item, a medical doctor, a nurse and others provided for in Ordinance of the Ministry of Health, Labour and Welfare are to be engaged as lecturers in the business of implementing a mucus aspiration , etc. training program;

三 前二号に掲げるもののほか、喀痰吸引等研修の業務を適正かつ確実に実施するに足りるものとして厚生労働省令で定める基準に適合するものであること。

(iii) beyond what are listed in the preceding two items, the business of implementing an mucus aspiration , etc. training program is to observe the criteria provided for in Ordinance of the Ministry of Health, Labour and Welfare as a training program implemented sufficiently adequately and certainly.

2 登録は、研修機関登録簿に次に掲げる事項を記載するものとする。

(2) Regarding registration, the matters as listed in the following are to be entered in the training program institution registration book:

一 登録年月日及び登録番号

(i) registration date and registration number;

二 登録を受けたものの氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(ii) the name, appellation, and address of the person who is registered and the name of the representative in the case of a corporation;

三 事業所の名称及び所在地

(iii) appellation and address of business establishment;

四 喀痰吸引等研修の業務開始の予定年月日

(iv) scheduled date of mucus aspiration, etc. training program;

五 その他厚生労働省令で定める事項

(v) other matters provided for in Ordinance of the Ministry of Health, Labour and Welfare.

(登録の更新)

(Update of Registration)

第九条 登録は、五年以上十年以内において政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

Article 9 (1) If registration is not renewed at the end of a term provided for by a Cabinet Order that is no less than five years and no more than ten years, it ceases to be effective.

2 前三条の規定は、前項の登録の更新について準用する。

(2) The provisions of the preceding three articles apply mutatis mutandis to the renewal referred to in the preceding paragraph.

(喀痰吸引等研修の実施に係る義務)

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

第十条 登録研修機関は、公正に、かつ、附則第八条第一項各号の規定及び厚生労働省令で定める基準に適合する方法により喀痰吸引等研修を行わなければならない。

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

(変更の届出)

(Notification of Change)

第十一条 登録研修機関は、附則第八条第二項各号（第一号を除く。）に掲げる事項を変更しようとするときは、あらかじめ、その旨を都道府県知事に届け出なければならない。

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

(業務規定)

(Operational Rules)

第十二条 登録研修機関は、喀痰吸引等研修に関する規定（次項において「業務規程」という。）を定め、喀痰吸引等研修の業務の開始前に、都道府県知事に届け出なければ

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

2 業務規程には、喀痰吸引等研修の実施方法、喀痰吸引等研修に関する料金その他の厚生労働省令で定める事項を定めておかなければならない。

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

(業務の休廃止)

(Suspension or Abolition of Business)

第十三条 登録研修機関は、喀痰吸引等研修の業務の全部又は一部を休止、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、その旨を都道府県知事に届け出なければならない。

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

(適合命令)

(Order to Comply)

第十四条 都道府県知事は、登録研修機関が附則第八条第一項の規定に違反していると認めるときは、その登録研修機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

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

(改善命令)

(Improvement Order)

第十五条 都道府県知事は、登録研修機関が附則第十条の規定に違反していると認めるときは、その登録研修機関に対し、同条の規定による喀痰吸引等研修を行うべきこと又は喀痰吸引等研修の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

Article 15 If the governor recognizes that the registered training program

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

(登録の取り消し等)

(Cancellation of Registration)

第十六条 都道府県知事は、登録研修機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて喀痰吸引等研修の業務の全部又は一部の停止を命ずることができる。

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

一 附則第七条各号（第三号を除く。）のいずれかに該当するに至ったとき

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

二 附則第十一条から第十三条までの規定に違反したとき。

(ii) when violating the provisions of Article 11 to Article 13 of Supplementary Provisions;

三 前二条による命令に違反したとき。

(iii) when violating an order pursuant to either of the preceding two Articles;

四 附則第十八条において準用する第十七条の規定に違反したとき。

(iv) when violating the provisions of Article 17 applied mutatis mutandis in Article 18 of Supplementary Provisions;

五 虚偽または不正の事実に基づいて登録を受けた時。

(v) when a registration is made based on a false or unlawful fact.

(公示)

(Public Notification)

第十七条 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 17 In the following cases, the governor must give public notice to the respective effects:

一 登録をしたとき。

(i) when a registration is made;

二 附則第十一条の規定による届け出（氏名若しくは住所または事業所の名称若しくは所在地に係るものに限る。）があったとき。

(ii) when a notification is filed pursuant to the provisions of Article 11 of Supplementary Provisions (limited to those concerning the name or address,

or the appellation of location of a business establishment);

三 附則第十三条の規定による届け出があったとき。

(iii) when a notification is filed pursuant to the provisions of Article 13 of Supplementary Provisions;

四 前条の規定により登録を取り消し、又は業務の全部もしくは一部の停止を命じたとき。

(iv) when an order is issued to cancel the registration pursuant to the provision of the preceding Article or to suspend the whole or a part of the business.

(準用)

(Application Mutatis Mutandis)

第十八条 第十七条、第十九条及び第二十条の規定は、登録研修機関について準用する。

この場合において、第十七条中「試験事務」とあるのは「喀痰吸引等研修の業務」と、第十九条及び第二十条第一項中「厚生労働大臣」とあるのは「都道府県知事」と読み変えるものとする。

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

(厚生労働省令への委任)

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

第十九条 附則第六条から前条までに規定するもののほか、登録研修機関の登録に関し必要な事項は、厚生労働省令で定める。

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

(特定行為業務の登録)

(Registration of Specified Conduct Services)

第二十条 自らの事業又はその一環として、特定行為（認定特定行為業務従事者が行うものに限る。）の業務（以下「特定行為業務」という。）を行なおうする者は、その事業所ごとに、その所在地を管轄する都道府県知事の登録をうけなければならない。

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

over each of the business establishments.

2 第十九条及び第二十条の規定は前項の登録をうけた者について、第四十八条の三第二項、第四十八条の四から第四十八条の八まで及び第四十八条の十の規定は前項の登録について準用する。この場合において、これらの規定中「厚生労働大臣」とあるのは「都道府県知事」と、「喀痰吸引等業務」とあるのは「特定行為業務」と、「指定試験機関」第十九条中とあるのは「附則第二十条第一項の登録をうけた者（以下「登録特定行為事業者」という。））」と、第二十条第一項中「指定試験機関」とあるのは「登録特定事業者」と、第四十八条の四第三号中「第四十八条の七」とあるのは「第四十八条の七」（「附則第二十条第二項において準用する場合を含む。））」と、第四十八条の五第一項第二号中「喀痰吸引等」とあるのは「特定行為」、「介護福祉士」とあるのは「認定特定行為業務従事者」と、第四十八条の六第一項中「登録を受けたもの」（以下「登録喀痰吸引等事業者」という。））」とあるのは「登録特定行為事業者」と、同条第二項及び第三項並びに第四十八条の七中「登録喀痰吸引等事業者」とあるのは「登録特定行為事業者」と読み替えるものとする。

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

(罰則)

(Punishment)

第二十一条 附則第五条第二項の規定に違反した者は、一年以下の懲役又は三十万円以下の罰金に処する。

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

第二十二條 附則第十六條の規定による業務の停止の命令に違反したときは、その違反行為をした登録研修機関（その者が法人である場合であつては、その役員または職員）は、一年以下の懲役又は三十万円以下の罰金に処する。

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

第二十三條 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 23 A person who falls under any of the following items will be sentenced by a fine of not more than 300,000 yen:

一 附則第二十条第一項の規定に違反して、同項の登録を受けないで、特定行為業務を行った者。

(i) a person who has engaged in the specified conduct services without obtaining registration in violation of the provision of paragraph (1), Article 20 of Supplementary Provisions;

二 附則第二十条第二項において準用する第四十八条の七の規定による特定行為業務の停止の命令に違反した者。

(ii) a person who has violated an order to suspend the specified conduct services pursuant to the provisions of Article 48-7 applied mutatis mutandis in paragraph (2), Article 20 of Supplementary Provisions.

第二十四條 次の各号のいずれかに該当するときは、その違反行為をした登録研修機関（その者が法人である場合にあつては、その役員又は職員）は、二十万円以下の罰金に処する。

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

一 附則第十三条の規定による届出をせず、又は虚偽の届出をしたとき。

(i) failing to file a notification pursuant to the provisions of Article 13 of Supplementary Provisions or filing a false notification;

二 附則第十八条において準用する第十七条の規定に違反して帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかったとき。

(ii) failing to provide an accounting book, failing to describe the necessary matters in it or writing false matters in it, or failing to maintain the



accounting book, in violation of the provisions of Article 17 applied mutatis mutandis in Article 18 of Supplementary Provisions;

三 附則第十八条において準用する第十九条の規定による報告をせず、又は虚偽の報告をしたとき。

(iii) failing to file a report stipulated in the provisions of Article 19 applied mutatis mutandis in Article 18 of Supplementary Provisions, or filing a false report;

四 附則第十八条において準用する第二十条第一項の規定による立ち入り若しくは検査を拒み、妨げ、若しくは忌避し、又は質問に対して陳述をせず、若しくは虚偽の陳述をしたとき。

(iv) refusing, obstructing, or evading an entry or inspection made pursuant to the provision of paragraph (1), Article 20 applied mutatis mutandis in Article 18 of Supplementary Provisions or failing to answer a question, or making a false statement during the entry or inspection.

第二十五条 次の各号のいずれかに該当するときは、その違反行為をした者は、二十万円以下の罰金に処する。

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

一 附則第二十条第二項の規定において準用する第十九条の規定による立ち入り若しくは検査を拒み、妨げ、若しくは忌避し、又は質問に対して陳述をせず、若しくは虚偽の陳述をしたとき。

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

二 附則第二十条第二項の規定において準用する第二十条第一項の規定による報告をせず、又は虚偽の報告をしたとき。

(ii) failing to file a report stipulated in the provision of paragraph (1), Article 20 applied mutatis mutandis to the provision of paragraph (2), Article 20 of Supplementary Provisions or filing a false report.

第二十六条 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附則第二十三条又は前条の違反行為をしたときは、行為者を罰するほか、その法人または人に対しても各本条の罰金刑を科する。

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

第二十七条 正当な理由なく、附則第四条第四項の規定による命令に違反して認定特定行為者業務従事者認定証を返納しなかった者は、十万以下の科料に処する。

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

(第四十八条の四第三号の規定の適用関係)

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

第二十八条 第四十八条の四第三号の規定の適用については、当分の間、同号中「第四十八条の七」とあるのは、「第四十八条の七（附則第二十条二項において準用する場合を含む。）」とする。

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

附 則 [平成二年六月二十九日法律第五十八号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、平成三年一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 will come into force on January 1, 1991; provided, however, that the provisions listed in each of the following items will come into force on the date provided for in each item:

三 第二条の規定（前号に掲げるものを除く。）、第四条及び第六条の規定、第九条中社会福祉事業法第十三条、第十七条及び第二十条の改正規定並びに第十条の規定並びに附則第七条、第十一条及び第二十三条の規定、附則第二十四条中地方税法第二十三条及び第二百九十二条の改正規定並びに附則第二十八条、第三十一条、第三十二条及び第三十六条の規定 平成五年四月一日

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

(社会福祉士及び介護福祉士法の一部改正に伴う経過措置)

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

第三十二条 第二条の規定による改正前の老人福祉法第六条の規定により置かれた社会福祉主事は、前条の規定による改正後の社会福祉士及び介護福祉士法第七条の規定の適用については、第二条の規定による改正後の老人福祉法第六条又は第七条の規定により置かれたものとみなす

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

附 則 〔平成三年四月二日法律第二十五号〕〔抄〕

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

(施行期日)

(Effective Date)

- 1 この法律は、平成三年七月一日から施行する。
1. This Act will come into force on July 1, 1991.

附 則 〔平成四年六月三日法律六十七号〕〔抄〕

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

(施行期日)

(Effective Date)

- 第一条 この法律は、平成五年四月一日から施行する。
- Article 1 This Act will come into force on April 1, 1993.

附 則 〔平成五年十一月十二日法律八十九号〕〔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（平成五年法律八十九号）の施行の日から施行する。
- Article 1 This Act will come into force on the effective date of the Administrative Procedure Act (Act No. 89 of 1993).

(諮問等がされた不利益処分に関する経過措置)

**(Transitional Measures Concerning Adverse Disposition Following Consultation)**

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きその他の意見陳述のための手続きに相当する手続き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きに関しては、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 a consultation or other request has been made, prior to the enforcement of this Act, under laws and regulations to a council or any other body with a council system, with respect to the implementation of procedures corresponding to hearings, the granting of an opportunity for explanation and other procedures for giving a statement of opinion prescribed by Article 13 of the Administrative Procedure Act, the provisions then in force will remain applicable with regard to the procedures for adverse dispositions pertaining to said consultation or other request, notwithstanding the provisions of relevant Acts as amended by this Act.

(罰則に関する経過措置)

**(Transitional Measures Concerning Punishment)**

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

(聴聞に関する規定の整理に伴う経過措置)

**(Transitional Measures Accompanied by Arrangements of Provisions Concerning Hearing)**

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、聴聞若しくは聴聞会（不利益処分に係るものを除く。）又はこれらための手続きは、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 or meetings thereof (excluding those pertaining to adverse dispositions) or procedures incidental thereto implemented pursuant to the provisions of any Act prior to the enforcement of this Act are deemed to have been implemented pursuant to the corresponding provisions of the relevant Act revised by this Act.

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

附 則 〔平成七年五月十二日法律第九十一号〕 〔抄〕

**Supplementary Provisions [Act No. 91 of May 12, 1995] [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 will come into force on the date on which twenty days have passed since the date of promulgation.

附 則 〔附則（平成九年五月九日法律第四十五）抄〕 〔抄〕

**Supplementary Provisions [Act No. 45 of May 9, 1997] [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三月を超えない範囲以内において政令で定める日から施行する。ただし、第一条中職業能力開発促進法（以下「能開法」という。）の目次、第十五条の六第一項、第十六条第一項及び第二項、第十七条、第二十五条、第五節の節名並びに第二十七条の改正規定、能開法第二十七条の次に節名を付する改正規定並びに能開法第二十七条の二第二項、第九十七条の二及び第九十七条の二の改正規定、第二条の規定（雇用促進事業団法第十九条第一項第一号及び第二号の改正規定に限る。）並びに次条から附則第四条まで、附則第六条から第八条まで及び第十条から第十六条までの規定、附則第十七条の規定（雇用保険法（昭和四十九年法律第百九十六条）第六十三条第一項第四号中「第十条第二項」を「第十条の二第二項」に改める部分を除く。）並びに附則第十八条から第二十二條までの規定は、平成十一年四月一日から施行する。

Article 1 This Act will come into force on the date provided for by a Cabinet Order not exceeding three months from the date of promulgation; provided, however, that the provisions in Article 1 revising the table of contents, paragraph (1), Article 15-6, paragraphs (1) and (2), Article 16, Article 17, Article 25, the section-name of Section V, and Article 27 of the Human Resources Development Promotion Act, the provisions that adds a section-name after Article 27 of the Human Resources Development Act, the provisions revising paragraph (2), Article 27-2, Article 97-2, and Article 97-2 of the Human Resources Development Promotion Act, the provisions of Article 2 (limited to the provisions revising items (i) and (ii), paragraph (1), Article 19 of the Employment Promotion Organization Act), the next Article to Article 4 of

Supplementary Provisions, and Article 6 to Article 8 and Article 10 to Article 16 of Supplementary Provisions, the provisions of Article 17 of Supplementary Provisions (excluding the part changing "paragraph (2), Article 10" in item (iv), paragraph (1), Article 63 of the Employment Insurance Act (Act No. 196 of 1974) to "paragraph (2), Article 10-2") and the provisions of Article 18 to Article 22 of Supplementary Provisions will come into force on April 1, 1999.

附 則 〔平成十年九月二十八日法律第百十号〕〔抄〕

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

この法律は、平成十一年四月一日から施行する。

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

附 則 〔平成十一年七月七日法律第八十五号〕〔抄〕

**Supplementary Provisions [Act No. 85 of July 7, 1998] [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 will come into force on the date provided for by a Cabinet Order not exceeding six months from the date of promulgation.

附 則 〔平成十一年十二月八日法律第百五十一号〕〔抄〕

**Supplementary Provisions [Act No. 151 of December 8, 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。

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

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

附 則 〔平成十一年十二月二十二日法律第百六十号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律（第二条及び第三条を除く。）は、平成十三年一月六日から施行する。  
Article 1 This Act (excluding Article 2 and Article 3) will come into force on  
January 6, 2001.

附 則 〔平成十二年六月七日法律第百十一号〕〔抄〕  
**Supplementary Provisions [Act No. 111 of June 7, 2000] [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。

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

附 則 〔平成十三年四月二十五日法律第三十五号〕〔抄〕  
**Supplementary Provisions [Act No. 35 of April 25, 2001] [Extract]**

(施行期日)

(Effective Date)

第一条 この法律は、平成一三年十月一日から施行する。

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

附 則 〔平成十三年七月十一日法律第百五号〕〔抄〕  
**Supplementary Provisions [Act No.105 of July 11, 2001] [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、当該各号に定める日から施行する。

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

二 第五十六条に一項を加える改正規定、第五十七条三項の改正規定、第六十七条に一項を加える改正規定並びに第七十三条の三及び第八十二条の十の改正規定並びに次条及び附則第五条から第十六条までの規定 平成十四年四月一日

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

附 則 〔平成十八年六月二日法律第五十号〕〔抄〕  
**Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]**

(施行期日)

(Effective Date)

この法律は、一般社団・財団法人法の施行の日から施行する。

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

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)

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。

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

附 則 〔平成十九年十二月五日法律第百二十五号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七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、それぞれ当該各号に定める日から施行する。

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

一 第一条及び第四条から第六条までの規定並びに附則第八条及び第九条第一項の規定  
日 公布の日

(i) the provisions of Article 1, Article 4 to Article 6, Article 8, and paragraph (1), Article 9 of Supplementary Provisions: the date of promulgation;

二 次条の規定 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

(ii) the provisions of the next Article: The date provided for by a Cabinet Order not exceeding one year from the date of promulgation;

三 第二条の規定及び附則三条から第五条までの規定

(iii) the provisions of Article 2, and Article 3 to Article 5 of Supplementary;  
日 平成二十一年四月一日

Provisions: As of April 1, 2009

(準備行為)



(Preparatory Actions)

第二条 第二条の規定による改正後の社会福祉士及び介護福祉士法第四十条第二項第一号及び附則第二条第一項の規定による高等学校及び中等教育学校の指定並びに」これに関し必要な手続きその他の行為は、前条第三号に掲げる規定の施行前においても、第二条の規定による改正後の同法第四十条第二項第一号及び附則第二項第一項の規定の例により行うことができる。

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

2 第三条の規定による改正後の社会福祉士及び介護福祉士法（以下「新法」という。）第四十条第二項第一号から第三号まで及び第五号の規定による学校及び養成施設の指定並びにこれに関し必要な手続きその他の行為は、この法律の施行前においても、同項第一号から第三号まで及び第五号の規定の例により行うことができる。

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

第三条 次の各号のいずれかに該当する者は、第二条の規定による改正後の社会福祉士及び介護福祉士法第七条の規定にかかわらず、社会福祉士試験を受けることができる。

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

一 附則第一条第三号に掲げる規定の施行の際現に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第一号、第二号、第四号、第五号、第七号又は第八号のいずれかの要件に該当する者

(i) a person who currently falls under any of the requirements of item (i), item (ii), item (iv), item (v), item (vii) or item (viii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 when the provisions as listed in item (iii), Article 1 of

Supplementary Provisions come into force;

二 附則第一条第三号に掲げる規定の施行の日前に学校教育法（昭和二十二年法律第二十六号）に基づく大学（短期大学を除く。以下この号及び次号において同じ。）に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第一号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく大学に入学し、当該大学において同号に規定する指定科目（以下この項において「旧指定科目」という。）を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

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

三 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく大学に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第二号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく大学に入学し、当該大学において同号に規定する基礎科目（以下この項において「旧基礎科目」という。）を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

(iii) a person who was a student at a university based on the School Education Act before the date of enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirement provided in item (ii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a university based on the School Education Act, completed the basic subjects (hereafter referred to as the "old basic subjects" in this paragraph) provided in the same item, and graduated from the university and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);

四 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく短期大学（修業年限が三年であるものに限る。以下この号及び次号において同じ。）に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第四号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく短期大学に入学し、当該短期大学において旧指定科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

(iv) a person who was a student at a junior college (limited to one where the term of study is three years; the same applies hereafter in this item and the next item) based on the School Education Act before the date of enforcement of the of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided in item (iv), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old core subjects, and graduated from the college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);

五 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく短期大学に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第五号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく短期大学に入学し、当該短期大学において旧基礎科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

(v) a person who was a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirement provided in item (v), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old basic subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);

六 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく短期大学に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第七号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく短期大学に入学し、当該

短期大学において旧指定科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。)

- (vi) a person who was a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii) Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided in item (vii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old core subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare);

七 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく短期大学に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第八号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく短期大学に入学し、当該短期大学において旧基礎科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

- (vii) a person who is a student at a junior college based on the School Education Act before the enforcement of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the date of enforcement, comes to fall under the requirements provided for item (viii), Article 7 of the Certified Social Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the date of enforcement, enrolled at a junior college based on the School Education Act, completed the old basic subjects, and graduated from the junior college and a person who is deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare).

2 次の各号のいずれかに該当する者は、第二条の規定による改正後の社会福祉士及び介護福祉士法第七条の規定にかかわらず、附則第一条第三号に掲げる規定の施行の日から同条第一号に掲げる規定の施行の日から起算して五年を経過する日までの間に実施される社会福祉士試験及び同日後最初に実施される社会福祉士試験を受けることができる。

- (2) A person who falls under any of the following items can take the certified social worker examination implemented between the date of enforcement listed in item (iii), Article 1 of Supplementary Provisions and the date on which five years have passed since that date or the first certified social worker examination implemented after that period irrespective of the provisions of Article 7 of the Social Welfare Worker and Certified Care Worker Act after its

revision pursuant to the provisions of Article 2:

一 附則第一条第三号に掲げる規定の施行の際現に第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第十一号に規定する要件に該当する者

(i) a person who falls under the requirement provided in item (xi), Article 7 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 2 when the provision of item (iii), Article 1 of Supplementary Provisions comes into force;

二 附則第一条第三号に掲げる規定の施行の日から同条第一号に掲げる日から起算して五年を経過する日までに第二条の規定による改正前の社会福祉士及び介護福祉士法第七条第十一号に規定する要件に該当することとなった者

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

第四条 次の各号のいずれかに該当する者は、第二条の規定による改正後の社会福祉士及び介護福祉士法第三十九条の規定にかかわらず、介護福祉士となる資格を有する。

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

一 附則第一条第三号に掲げる規定の施行の際現に第二条の規定による改正前の社会福祉士及び介護福祉士法第三十九条第二号に規定する要件に該当する者

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

二 附則第一条第三号に掲げる規定の施行の日前に学校教育法に基づく大学に在学し、同日以後に第二条の規定による改正前の社会福祉士及び介護福祉士法第三十九条第二号に規定する要件に該当することとなった者その他その者に準ずるものとして厚生労働省令で定める者（同日以後に学校教育法に基づく大学に入学し、当該大学において同号に規定する厚生労働大臣の指定する社会福祉に関する科目を修めて卒業した者その他その者に準ずるものとして厚生労働省令で定める者を除く。）

(ii) a person who was a student at a university based on the School Education Act before the enforcement date of the provision of item (iii), Article 1 of Supplementary Provisions and who, after the enforcement date, comes to fall under the requirement provided for in item (ii), Article 39 of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 2 or a person who is deemed equivalent pursuant

to Ordinance of the Ministry of Health, Labour and Welfare (excluding a person who, after the enforcement date, enrolled at a university based on the School Education Act, completed the subjects concerning social welfare designated by the Minister of Health, Labour and Welfare provided for in the same item, and graduated from the university and a person deemed equivalent pursuant to Ordinance of the Ministry of Health, Labour and Welfare).

第五条 附則第一条第三号に掲げる規定の施行の際現に第二条の規定による改正前の社会福祉士及び介護福祉士法第四十条第二項第二号に規定する要件に該当する者は、第二条の規定による改正後の同法第四十条第二項の規定にかかわらず、介護福祉士試験を受けることができる。

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

第六条 この法律の施行の際現に第三条の規定による改正前の社会福祉士及び介護福祉士法第三十九条各号のいずれかの要件に該当する者は、新法第三十九条の規定にかかわらず、介護福祉士となる資格を有する。

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

第七条 この法律の施行の際現に准介護福祉士という名称を使用している者については、新法附則第七条の規定は、この法律の施行後六月間は、適用しない。

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

(政令への委任)

(Delegation to Cabinet Order)

第八条 附則第三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必要な経過措置は、政令で定める。

Article 8 Beyond what are provided for Article 3 of Supplementary Provisions to the preceding Article, the transitional measures required concerning the

enforcement of this Act will be provided for by a Cabinet Order.

(検討)

(Review)

第九条 政府は、経済上の連携に関する日本国とフィリピン共和国との間の協定に関する日本国政府とフィリピン共和国政府の間の協議の状況を勘案し、この法律の公布後五年を目途として、准介護福祉士の制度について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

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

2 政府は、この法律の施行後五年を目途として、新法の施行の状況等を勘案し、この法律による改正後の社会福祉士及び介護福祉士の資格制度について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

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

附 則 [平成二十二年十二月十日法律第七十一号] [抄]

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四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 will come into force on April 1, 2012; provided, however, that the provisions listed in each of the following items will come into force on the date provided in each item:

一 第一条の規定、第二条中障害者自立支援法目次の改正規定（「第三十一条」を「第三十一条の二」に改める部分に限る。第三号において同じ。）、「同法第一条の改正規定、同法第二条第一項第一号の改正規定、同法第三条の改正規定、同法第四条第一項の改正規定、同法第二章第二節第三款中第三十一条の次に一条を加える改正規定、同法第四十二条第一項の改正規定、同法第七十七条第一項第一号の改正規定（「、その有する能力及び適性に応じ」を削る部分に限る。第三号において同じ。）並びに同法第七十七条第三項及び第七十八条第二項の改正規定、第四条中児童福祉法第二十四条の十一第一項の改正規定並びに第十条の規定並びに次条並びに

附則第三十七条及び第三十九条の規定 公布の日

(i) the provisions of Article 1, the provisions in Article 2 revising the table of contents of the Services and Supports for Persons with Disabilities Act (limited to the part changing "Article 31" to "Article 31-2"; the same applies in item (iii)), the provisions revising Article 1 of the same Act, the provision revising item (i), paragraph (1), Article 2 of the same Act, the provisions revising Article 3 of the same Act, the provision revising paragraph (1), Article 4 of the same Act, the provisions adding one Article after Article 31, Subsection 3, Section 2, Chapter II of the same Act, the provision revising paragraph (1), Article 42 of the same Act, the provision revising item (i), paragraph (1), Article 77 of the same Act (limited to the part removing, "according to their respective abilities and aptitudes"; the same applies in item (iii)) and the provisions revising paragraph (3), Article 77 and paragraph (2), Article 78 in the same Act, the provision revising paragraph (1), Article 24-11 of the Child Welfare Act in Article 4, the provisions of Article 10, the next Article, and Article 37 of Supplementary Provisions, and the provisions of Article 39: The date of promulgation

(施行前の準備)

(Preparation Before Enforcement)

第三十七条 この法律（附則第一条第三号に掲げる規定については、当該規定。以下この条において同じ。）を施行するために必要な条例の制定又は改正、新自立支援法第五十一条の十九の規定による新自立支援法第五十一条の十四第一項の指定の手續、新自立支援法第五十一条の二十第一項の規定による新自立支援法第五十一条の十七第一項第一号の指定の手續、新児童福祉法第二十一条の五の十五の規定による新児童福祉法第二十一条の五の三第一項の指定の手續、新児童福祉法第二十四条の二十八第一項の規定による新児童福祉法第二十四条の二十六第一項第一号の指定の手續、新児童福祉法第三十四条の三第二項の届出その他の行為は、この法律の施行前においても行うことができる。

Article 37 The enactment and revision of an ordinance required to enforce this Act (with regard to the provisions listed in item (iii), Article 1 of Supplementary Provisions, those provisions; hereafter the same applies in this Article), the designated procedure of paragraph (1), Article 51-14 of the New Services and Supports for Persons with Disabilities Act pursuant to the provision of paragraph (1), Article 51-19 of the New Services and Supports for Persons with Disabilities Act, the designated procedure of item (i), Article 51-17 of the New Services and Supports for Persons with Disabilities Act pursuant to the provision of paragraph (1), Article 51-20 of the New Services and Supports for Persons with Disabilities Act, the designated procedure of paragraph (1), Article 21-5-3 of the Child Welfare Act pursuant to the provisions of Article 21-5-15 of the New Child Welfare Act, the designated



procedure of item (i), paragraph (1), Article 24-26 of the New Child Welfare Act pursuant to the provision of paragraph (1), Article 24-28 of the New Child Welfare Act, and the notifications and other conduct listed in paragraph (2), Article 34-3 of the New Services and Supports for Persons with Disabilities Act may be performed even before this Act comes into force.

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Punishment)

第三十八条 この法律の施行前にした行為並びに附則第十三条及び第三十一条の規定によりなお従前の例によることとされる場合におけるこの法律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 38 With regard to the application of penal provisions to acts committed before this Act comes into force and acts committed after this Act comes into force in cases where the provisions then in force are to remain applicable pursuant to Article 13 and Article 31 of Supplementary Provisions, the provisions then in force are to remain applicable.

(その他経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三十九条 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 39 Beyond what are provided in these Supplementary Provisions, the transitional measures required accompanied by the enforcement of this Act (including the transitional measures concerning punishments) will be provided for by a Cabinet Order.

附 則 〔平成二十三年六月二十二日法律第七十二号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四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 will come into force as of April 1, 2012; provided, however, that the provisions listed in each item in the following will come into force as of the date provided for in each item.

一 第二条（老人福祉法目次の改正規定、同法第四章の二を削る改正規定、同法第四章の三を第四章の二とする改正規定及び同法第四十条第一号の改正規定（「第二十八条の十二第一項若しくは」を削る部分に限る。）に限る。）、第四条、第六条及び第七条の規定並びに附則第九条、第十一条、第十五条、第二十二條、第四十一条、第四十七条（東日本大震災に対処するための特別の財政援助及び助成に関する法律

(平成二十三年法律第四十号) 附則第一条ただし書の改正規定及び同条各号を削る改正規定並びに同法附則第十四条の改正規定に限る。) 及び第五十条から第五十二条までの規定 公布の日

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

(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、この法律の規定による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

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

(社会福祉士及び介護福祉士法の一部改正に伴う経過措置)

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

第十二条 平成二十四年四月一日から平成二十八年三月三十一日までの間においては、第五条の規定による改正後の社会福祉士及び介護福祉士法（以下「新社会福祉士及び介護福祉士法」という。）第二条第二項中「介護（喀痰吸引その他のその者が日常生活を営むのに必要な行為であつて、医師の指示の下に行われるもの（厚生労働省令で定めるものに限る。以下「喀痰吸引等」という。）を含む。）」とあるのは「介護」と、新社会福祉士及び介護福祉士法第三条第三号中「社会福祉又は保健医療」とあるのは「社会福祉」と、新社会福祉士及び介護福祉士法附則第三条第一項中「介護の業務に従事する者（介護福祉士を除く。次条第二項において同じ。）」とあるのは「介護の業務に従事する者」と、「同条第一項」とあるのは「次条第一項」と、「喀痰吸引等の」とあるのは「喀痰吸引その他の身体上又は精神上の障害があることにより日常生活を営むのに支障がある者が日常生活を営むのに必要な行為であつて、医師の指

示の下に行われるもの（厚生労働省令で定めるものに限る。附則第八条第一項第一号及び第二号において「喀痰吸引等」という。）の」とする。

Article 12 (1) In the period between April 1, 2012, and March 31, 2015, "care (including mucus aspiration, and other conduct that is necessary for the everyday life of the person, exercised under the direction of a medical doctor (limited to the services provided for in Ordinance of the Ministry of Health, Labour and Welfare; hereafter referred to as "mucus aspiration, etc.))" in paragraph (2), Article 2 of the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 5 is deemed to be replaced with "care", "social welfare or health medical care" in item (iii), Article 3 of the New Social Welfare Worker and Certified Care Worker Act is deemed to be replaced with "social welfare", "a person who is engaged in the business of care (excluding a certified care worker; the same applies in paragraph (2) of the next Article)" in paragraph (1), Article 3 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act is deemed to be replaced with "a person who is engaged in the business of care", "paragraph (1) in the same Article" is deemed to be replaced with "paragraph (1) in the next Article", "of the mucus aspiration, etc." is deemed to be replaced with "of mucus aspiration and other acts that are carried out under the direction of a medical doctor and are necessary to enable a person with physical disabilities or mental disorder and intellectual disabilities who is receiving support to lead an everyday life (limited to those provided in Ordinance of the Ministry of Health, Labour and Welfare; referred to as "expectoration absorption, etc." in item (i) and item (ii), paragraph (1), Article 8 of Supplementary Provisions.)".

2 新社会福祉士及び介護福祉士法第四十八条の二第一項及び第四十八条の三第一項の規定は、平成二十七年三月三十一日までは、適用しない。

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

第十三条 平成二十八年四月一日に介護福祉士の登録を受けている者及び同日に介護福祉士となる資格を有する者であつて同日以後に介護福祉士の登録を受けたもの（以下この条において「特定登録者」という。）については、新社会福祉士及び介護福祉士法第二条第二項、第三条（第三号に係る部分に限る。）及び第四十八条の二第一項の規定は適用せず、第五条の規定による改正前の社会福祉士及び介護福祉士法第二条第二項及び第三条（第三号に係る部分に限る。）の規定は、なおその効力を有する。

Article 13 (1) The provisions of paragraph (2), Article 2, Article 3 (limited to the part related to item (iii)) and paragraph (1), Article 48-2 of the New Social Welfare Worker and Certified Care Worker Act do not apply to a person who was registered as a certified care worker on April 1, 2015, or a person who is

qualified to be a certified care worker on the same day and is registered after the same day (hereafter the "specified registrant"), and the provisions of paragraph (2), Article 2 and Article 3 (limited to the part related to item (iii)) of the Social Welfare Worker and Certified Care Worker Act before its revision pursuant to the provisions of Article 5 will remain effective.

2 特定登録者は、平成二十八年四月一日から平成三十八年三月三十一日までの間に申請をした場合には、前項の規定にかかわらず、新社会福祉士及び介護福祉士法第二条第二項、第三条（第三号に係る部分に限る。）及び第四十八条の二第一項の規定を適用する。

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

3 前項の申請をしようとする特定登録者は、その申請に先立って厚生労働大臣が指定する研修の課程（次項及び第五項において「指定研修課程」という。）を修了しなければならない。

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

4 厚生労働大臣は、第二項の規定による申請を受けたときは、遅滞なく、当該特定登録者に係る介護福祉士登録簿に指定研修課程を修了した旨の付記をしなければならない。

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

5 厚生労働大臣は、前項の規定により介護福祉士登録簿に付記をしたときは、当該申請者に、その者が指定研修課程を修了した旨の付記をした介護福祉士登録証（次項において「特定登録証」という。）を交付しなければならない。

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

6 前項の規定により特定登録証の交付を受けた特定登録者は、遅滞なく、現に交付を受けている介護福祉士登録証を厚生労働大臣に返還しなければならない。

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

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

7 前各項に規定するもののほか、特定登録者に係る研修その他前各項の規定の施行に関し必要な事項は、厚生労働省令で定める。

(7) Beyond what are provided in the preceding items, matters required concerning the enforcement of the provisions of the training program for the specified registrant and other matters necessary for implementation of the provisions of the preceding items will be provided in Ordinance of the Ministry of Health, Labour and Welfare.

8 特定登録者に対する第六条の規定による改正後の社会福祉士及び介護福祉士法等の一部を改正する法律第三条の規定による改正後の社会福祉士及び介護福祉士法（次条第三項において「改正後の社会福祉士及び介護福祉士法」という。）附則第十条第一項の規定の適用については、同項中「介護福祉士」とあるのは、「介護福祉士（介護サービスの基盤強化のための介護保険法等の一部を改正する法律（平成二十三年法律第七十二号）附則第十三条第一項に規定する特定登録者であつて、同条第三項に規定する指定研修課程を修了していないものを除く。）」とする。

(8) With regard to the application of paragraph (1), Article 10 of Supplementary Provisions to the Social Welfare Worker and Certified Care Worker Act after its revision (referred to as "the Social Welfare Worker and Certified Care Worker Act after its revision" in paragraph (3) in the next Article) pursuant to the provisions of Article 3 of the Act that partially revises the Social Welfare Worker and Certified Care Worker Act after its revision pursuant to the provisions of Article 6 to the specified registrant, "the certified care worker" in the same paragraph is deemed to be replaced with "the certified care worker (excluding a certified registrant provided in paragraph (1), Article 13 of Supplementary Provisions of the Act that partially revises the Public Nursing Care Insurance Act, etc. to strengthen the base of the nursing services (Act No. 72 of 2011) who has not completed the designated training program provided in paragraph (3) in the same Article)".

第十四条 この法律の施行の際現に介護の業務に従事する者であつて、この法律の施行の際新社会福祉士及び介護福祉士法附則第三条第一項に規定する特定行為（以下この項において「特定行為」という。）を適切に行うために必要な知識及び技能の修得を終えている者（この法律の施行の際現に特定行為を適切に行うために必要な知識及び技能を修得中であり、その修得をこの法律の施行後に終えた者を含む。）は、厚生労働省令で定めるところにより、当該特定行為ごとに新社会福祉士及び介護福祉士法附則第四条第二項に規定する喀痰吸引等研修の課程を修了した者と同等以上の知識及び技能を有する旨の都道府県知事の認定を受けることができる。

Article 14 (1) A person who is engaged in the business of nursing when this Act comes into force and has gained the knowledge and skills required to

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

2 都道府県知事は、前項の認定を受けた者に対しては、新社会福祉士及び介護福祉士法附則第四条第二項の規定にかかわらず、同条第一項の認定特定行為業務従事者認定証を交付することができる。

(2) Irrespective of the provisions in paragraph (2), Article 4 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act, the governor may issue the authorized specified conduct services practitioner certificate provided in paragraph (1) of the same Article to a person who has received the approval provided in the preceding paragraph.

3 前項の規定により新社会福祉士及び介護福祉士法附則第四条第一項の認定特定行為業務従事者認定証の交付を受けている者に対する新社会福祉士及び介護福祉士法附則第三条第一項の規定の適用については、平成二十四年四月一日から平成二十八年三月三十一日までの間は、同項中「医師の指示の下に、」とあるのは「医師の指示の下に、介護サービスの基盤強化のための介護保険法等の一部を改正する法律（平成二十三年法律第七十二号）附則第十四条第一項の規定による認定を受けた者ごとに当該認定に係る」と、「喀痰吸引等」という。）のうち当該認定特定行為業務従事者が修了した次条第二項に規定する喀痰吸引等研修の課程に応じて」とあるのは「喀痰吸引等」という。）のうち」とし、同年四月一日以後は、改正後の社会福祉士及び介護福祉士法附則第十条第一項中「医師の指示の下に、」とあるのは「医師の指示の下に、介護サービスの基盤強化のための介護保険法等の一部を改正する法律（平成二十三年法律第七十二号）附則第十四条第一項の規定による認定を受けた者ごとに当該認定に係る」と、「喀痰吸引等のうち当該認定特定行為業務従事者が修了した次条第二項に規定する喀痰吸引等研修の課程に応じて」とあるのは「喀痰吸引等のうち」とする。

(3) With regard to the application of the provision of paragraph (1), Article 3 of the New Social Welfare Worker and Certified Care Worker Act to a person who has received the issuance of the authorized specified conduct services practitioner certificate in paragraph (1), Article 4 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act pursuant to the provision of the preceding paragraph, during the period of April 1, 2012, to March 31, 2015, "under the direction of a medical doctor" in the same

paragraph is deemed to be replaced with "of the said authorization by an authorized person pursuant to the provision of paragraph (1), Article 14 of Supplementary Provisions to the Act that partially revises the Public Nursing Care Insurance Act, etc. to strengthen the base of the nursing care services (Act No. 72 of 2011) under the direction of a medical doctor", "in response to the training course programs concerning mucus aspiration, etc. provided in paragraph (2) of the next Article that the said authorized specified conduct services practitioner has finished, "is deemed to be replaced with "in the mucus aspiration ,etc. ", "under the direction of a medical doctor" in paragraph (1), Article 10 of Supplementary Provisions to the Social Welfare Worker and Certified Care Worker Act after its revision after April 1 in the same year to "of the said authorization by an authorized person pursuant to the provision in paragraph (1), Article 10 of Supplementary Provisions to the Act (Act No. 72 of 2011) that partially revises the Public Nursing Care Insurance Act to strengthen the base of the nursing care services", and "in response to "the mucus aspiration , etc. training program course" provided for in paragraph (2) in the same Article which the authorized specified conduct services practitioner has finished" to "of the mucus aspiration , etc."

4 新社会福祉士及び介護福祉士法附則第四条第三項及び第五条の規定は、第二項の規定による交付について準用する。

(4) The provisions of paragraph (3), Article 4 and Article 5 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act apply mutatis mutandis to the issuance pursuant to the provision of paragraph (2).

5 前各項に規定するもののほか、第二項の規定による交付その他前各項の規定の施行に関し必要な事項は、厚生労働省令で定める。

(5) Beyond what are provided in the preceding items, the matters required concerning the enforcement of the issuance pursuant to the provision of paragraph (2) and other matters necessary for implementation of the provisions of the preceding items will be provided in Ordinance of the Ministry of Health, Labour and Welfare.

第十五条 新社会福祉士及び介護福祉士法附則第四条第二項及び第二十条第一項の登録並びに前条第一項の認定の手続は、施行日前においても行うことができる。

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

第十六条 附則第十四条第四項において準用する新社会福祉士及び介護福祉士法附則第

五条第二項の規定に違反した者は、一年以下の懲役又は三十万円以下の罰金に処する。  
Article 16 A person who violates the provision of paragraph (2), Article 5 of Supplementary Provisions to the New Social Welfare Worker and Certified Care Worker Act applied mutatis mutandis in paragraph (4), Article 14 of Supplementary Provisions will be sentenced by imprisonment with required labor for not more than one year or by a fine of not more than 300,000 yen.

(罰則に関する経過措置)

(Transitional Measures Concerning Punishment)

第五十一条 この法律（附則第一条第一号に掲げる規定にあつては、当該規定）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 51 With regard to the application of penal provisions to acts committed before this Act (the relevant provision in the case of the provision of item (i), Article 1 of Supplementary Provisions) comes into force, the provisions then in force remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第五十二条 この附則に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

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

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

附 則 〔平成二十六年六月四日法律第五十一号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年四月一日から施行する。

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



(罰則に関する経過措置)

(Transitional Measures Concerning Punishment)

第八条 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 8 With regard to the application of penal provisions to acts committed before this Act comes into force, the provisions then in force remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第九条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

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

附 則 〔平成二十六年六月十三日法律第六十九号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、行政不服審査法（平成二十六年法律第六十八号）の施行の日から施行する。

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

附 則 〔平成二十六年六月二十五日法律第八十三号〕〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、公布の日又は平成二十六年四月一日のいずれか遅い日から施行する。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 will come into force on the date of promulgation or April 1, 2014, whichever comes later; provided, however, that the provisions as listed in each item in the following will come into force as of the date provided for in each item.

一 第十二条中診療放射線技師法第二十六条第二項の改正規定及び第二十四条の規定並びに次条並びに附則第七条、第十三条ただし書、第十八条、第二十条第一項ただし書、第二十二條、第二十五條、第二十九條、第三十一條、第六十一條、第六十二

条、第六十四条、第六十七条、第七十一条及び第七十二条の規定 公布の日

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

(罰則の適用に関する経過措置)

(Transitional Measures Concerning Application of Punishment)

第七十一条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為並びにこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為及びこの附則の規定によりなお効力を有することとされる場合におけるこの法律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 71 Prior laws continue to govern the applicability of penal provisions to conduct engaged in before this Act comes into effect (the relevant provisions in the case of the provisions listed in each item of Article 1 of Supplementary Provisions; The same applies hereafter in this Article.); to conduct engaged in after this Act comes into effect in a case that, pursuant to these Supplementary Provisions, is to continue to be governed by prior laws; and to conduct that a person engages in after this Act comes into effect but with regard to which prior laws are to remain in effect pursuant to these Supplementary Provisions.

(政令への委任)

(Delegation to Cabinet Order)

第七十二条 附則第三条から第四十一条まで及び前条に定めるもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

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