

Act on the Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases

(Act No. 114 of October 2, 1998)

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Supplementary Provisions

Mankind has over time experienced hardship due to various diseases, including infectious diseases. The spread of plagues, smallpox, cholera and other infectious diseases has often plunged human civilization into a state of crisis. The eradication of infectious diseases has in particular been a long-sought after goal of mankind.

Advances in medical science and medical care and considerable improvement of sanitation have enabled people to overcome a variety of infectious diseases. However, infectious diseases still remain a threat to humankind in new forms,

through the emergence of undiscovered infectious diseases, through the resurgence of known infectious diseases, or with the development of international interpersonal exchanges.

Meanwhile, in the past in Japan there was groundless discrimination or prejudice against patients suffering from leprosy, acquired immunodeficiency syndrome (AIDS), and other infectious diseases, and those suffering from similar illness. The Japanese public must take these facts seriously and apply them as a moral lesson for the future.

In light of such changing circumstances surrounding infectious diseases and the situation surrounding patients of infectious diseases and other persons placed in similar situations, it is desirable to ensure high-quality and appropriate medical care for such persons and to promptly and appropriately address infectious diseases, while respecting their human rights.

From this standpoint, this Act is established to fundamentally overhaul conventional measures concerning the prevention of infectious diseases and to promote integrated measures concerning the prevention of infectious diseases and medical care for patients with infectious diseases.

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to provide for necessary measures concerning the prevention of infectious diseases and medical care for patients with infectious diseases in order to prevent outbreaks and the spreading of infectious diseases, and thereby to improve and promote public health.

(Basic Principles)

Article 2 Measures implemented by the national and local governments for the purpose of preventing the outbreak or spread of any infectious diseases are to be promoted in an integrated and systematic manner through gaining an in-depth understanding of the circumstances surrounding patients with infectious diseases and other persons in a similar situation, and giving full respect to the human rights of those persons, so that those governments can address new infectious diseases or other infectious diseases promptly and adequately by instantly coping with changing circumstances surrounding health and medical care and the development of international exchange, while taking into account international trends in relation to measures implemented for the same purpose.

(Responsibilities of National and Local Governments)

Article 3 (1) The national and local governments must disseminate correct knowledge about infectious diseases through educational, publicity-related and other similar activities, and must gather, organize, analyze and provide information on infectious diseases, promote research on infectious diseases, enhance the capability of examination of pathogens, etc., and educate personnel engaged in the prevention of infectious diseases and improve their professional qualities, while endeavoring to implement necessary measures to enable patients with infectious diseases to receive high-quality and appropriate medical care, while giving due regard to coordinated liaison with social welfare and other related measures. In this regard, the national and local governments must respect the human rights of patients with infectious diseases and other persons placed in similar circumstances.

(2) The national and local governments must mutually coordinate and pay due regard to regional characteristics in order that measures to prevent Infectious Diseases are implemented in an integrated and timely manner.

(3) The national government must endeavor to establish systems for gathering and studying information on infectious diseases and pathogens, etc. and to promote research and development of medicines and facilitate the examination of pathogens, etc. for medical care for infectious diseases, and to ensure international coordination, while endeavoring to offer necessary technical and financial assistance to local governments to encourage them to adequately fulfill the responsibilities referred to in the preceding two paragraphs.

(Responsibilities of the Public)

Article 4 The public must endeavor to acquire accurate knowledge on infectious diseases and to exercise vigilance in order to prevent infectious diseases, and must give due regard so as not to infringe on the human rights of patients with infectious diseases and other persons placed in similar circumstances.

(Responsibilities of Physicians)

Article 5 (1) Physicians and other medical personnel must cooperate in the measures implemented by the national and local governments for the prevention of infectious diseases and endeavor to contribute to the prevention of infectious diseases, while endeavoring to provide high-quality and appropriate medical care based on an in-depth understanding of circumstances surrounding patients with infectious diseases and other persons placed in similar circumstances, and obtaining their consent by providing appropriate explanations about the medical care.

(2) Establishers and administrators of hospitals, clinics, organizations engaged in the examination of pathogens, etc., welfare facilities for the elderly, or other

similar facilities must implement necessary measures to prevent any outbreak or spreading of infectious diseases in their facilities.

(Responsibilities of Veterinarians)

Article 5-2 (1) Veterinarians and other personnel engaged in veterinary practice must cooperate in the measures implemented by the national and local governments for the prevention of infectious diseases and endeavor to contribute to the prevention of infectious diseases.

(2) Operators of businesses handling animals or the like (meaning persons engaged in the business of importing, storing, leasing or selling animals or animal corpses or displaying them at amusement parks, zoos, exhibitions, or other facilities or places where a large, non-specific group of persons visit) must endeavor to acquire the knowledge and skills for the prevention of infectious diseases, appropriately handle animals or animal corpses, and implement other necessary measures so as not to transmit infectious diseases from the animals or animal corpses imported, stored, leased, sold, or displayed to people.

(Definitions)

Article 6 (1) The term "Infectious Disease" as used in this Act means a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease, a Class V Infectious Disease, a Novel Influenza Infection, etc., a Designated Infectious Disease, or a New Infectious Disease.

(2) The term "Class I Infectious Disease" as used in this Act means any of the following Infectious Diseases:

- (i) Ebola haemorrhagic fever;
- (ii) Crimean-Congo haemorrhagic fever;
- (iii) smallpox;
- (iv) South American haemorrhagic fever;
- (v) plague;
- (vi) Marburg virus disease;
- (vii) Lassa fever.

(3) The term "Class II Infectious Disease" as used in this Act means any of the following Infectious Diseases:

- (i) acute poliomyelitis;
- (ii) tuberculosis;
- (iii) diphtheria;
- (iv) severe acute respiratory syndrome (limited to the one involving SARS coronavirus within the genus Betacoronavirus as a pathogen);
- (v) Middle East respiratory syndrome (limited to the one involving MERS coronavirus within the genus Betacoronavirus as a pathogen);

- (vi) avian influenza (limited to the one involving any influenza A virus within the genus Influenzavirus A as a pathogen and involving a serosubtype which is specified by Cabinet Order as being highly likely to mutate into a pathogen of a Novel Influenza Infection, etc. (hereinafter referred to as "specified avian influenza" in paragraph (5), item (vii))).
- (4) The term "Class III Infectious Disease" as used in this Act means any of the following Infectious Diseases:
- (i) cholera;
 - (ii) shigellosis;
 - (iii) enterohaemorrhagic Escherichia coli infection;
 - (iv) typhoid fever;
 - (v) paratyphoid fever.
- (5) The term "Class IV Infectious Disease" as used in this Act means any of the following Infectious Diseases:
- (i) hepatitis E;
 - (ii) hepatitis A;
 - (iii) yellow fever;
 - (iv) Q fever;
 - (v) rabies;
 - (vi) anthrax;
 - (vii) avian influenza (excluding specified avian influenza);
 - (viii) botulism;
 - (ix) malaria;
 - (x) tularaemia;
 - (xi) beyond what is set forth in the preceding items, any known Infectious Diseases specified by Cabinet Order as a disease which is transmissible to human beings through animals or animal corpses, food or drink, clothing, bedding, or other physical items and which are likely to affect the health of citizens as seriously as the diseases set forth in the preceding items.
- (6) The term "Class V Infectious Disease" as used in this Act means any of the following Infectious Diseases:
- (i) influenza (excluding avian influenza and a Novel Influenza Infection, etc.);
 - (ii) viral hepatitis (excluding hepatitis E and hepatitis A);
 - (iii) cryptosporidiosis;
 - (iv) acquired immunodeficiency syndrome (AIDS);
 - (v) genital chlamydia infection;
 - (vi) syphilis;
 - (vii) measles;
 - (viii) methicillin-resistant Staphylococcus aureus infection;
 - (ix) beyond what is set forth in the preceding items, any known Infectious Disease (excluding Class IV Infectious Diseases) specified by Order of the

Ministry of Health, Labour and Welfare as a disease which is likely to affect the health of citizens as seriously as the diseases set forth in the preceding items.

- (7) The term "Novel Influenza Infection, etc." as used in this Act means either of the following Infectious Diseases:
- (i) novel influenza (meaning a type of influenza which involves a virus newly becoming transmissible from person to person as a pathogen and which is deemed to be likely to seriously affect the lives and health of the public in the event of its rapid spread across the country because the public are not immunized against this Infectious Disease in general);
 - (ii) reemerging influenza (meaning a type of influenza specified by the Minister of Health, Labour and Welfare as that which once caused a global pandemic but for which a long period of time has passed since the most recent global pandemic, and which is deemed to be likely to seriously affect the lives and health of the public in the event of its rapid spread across the country because a large majority of the existing public are not immunized against this Infectious Disease in general).
- (8) The term "Designated Infectious Disease" as used in this Act means an already-known Infectious Disease (excluding Class I Infectious Diseases, Class II Infectious Diseases, Class III Infectious Diseases, and Novel Influenza Infection, etc.) specified by Cabinet Order as a disease which would be likely to seriously affect the health of the public in the event of its spread if the provisions of Chapters III to VII, in whole or in part, did not apply *mutatis mutandis*.
- (9) The term "New Infectious Disease" as used in this Act means a disease which is deemed to be transmittable from person to person, which involves pathological conditions or therapeutic outcomes apparently different from those of any already known Infectious Disease, and which could cause a serious condition if developing the disease, and which is deemed to be likely to seriously affect the lives and health of the public in the event of the spread of the disease.
- (10) The term "Suspected Disease Carrier" as used in this Act means a person who is suspected to have contracted an Infectious Disease in light of their pathological condition.
- (11) The term "Asymptomatic Carrier" as used in this Act means a person who carries any pathogen capable of causing an Infectious Disease and who exhibits no symptoms of the Infectious Disease.
- (12) The term "Designated Medical Institution for Infectious Diseases" as used in this Act means a Designated Medical Institution for Specified Infectious Diseases, a Designated Medical Institution for Class I Infectious Diseases, a Designated Medical Institution for Class II Infectious Diseases, or a

Designated Medical Institution for Tuberculosis.

- (13) The term "Designated Medical Institution for Specified Infectious Diseases" as used in this Act means a hospital designated by the Minister of Health, Labour and Welfare as a medical institution in charge of hospitalization of a person with symptoms of a New Infectious Disease or patients of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc.
- (14) The term "Designated Medical Institution for Class I Infectious Diseases" as used in this Act means a hospital designated by a prefectural governor as a medical institution in charge of hospitalization of patients of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc.
- (15) The term "Designated Medical Institution for Class II Infectious Diseases" as used in this Act means a hospital designated by a prefectural governor as a medical institution in charge of hospitalization of patients with a Class II Infectious Disease or a Novel Influenza Infection, etc.
- (16) The term "Designated Medical Institution for Tuberculosis" as used in this Act means a hospital or clinic (including other facilities specified by Cabinet Order as being equivalent to the foregoing) or a pharmacy designated by a prefectural governor as a medical institution in charge of proper medical care for patients with tuberculosis.
- (17) The term "Pathogens, etc." as used in this Act means a pathogen or Toxin of any Infectious Disease.
- (18) The term "Toxin" as used in this Act means a substance which is produced by a pathogen of an Infectious Disease and which is capable of causing the onset of disease or death if entering the human body, including substances such as those artificially synthesized and representing a structural formula identical to that of a certain natural toxin (hereinafter referred to as a "Synthetic Toxin").
- (19) The term "Specified Pathogens, etc." as used in this Act means Class I Pathogens, etc., Class II Pathogens, etc., Class III Pathogens, etc., and Class IV Pathogens, etc.
- (20) The term "Class I Pathogens, etc." as used in this Act means the Pathogens, etc. set forth below (excluding Pathogens, etc. contained in the medicines or regenerative medical products approved under the provisions of Article 14, paragraph (1), Article 23-2-5, paragraph (1), or Article 23-25, paragraph (1) of the Act on Securing Quality, Efficacy and Safety of Pharmaceuticals, Medical Devices, Regenerative and Cellular Therapy Products, Gene Therapy Products, and Cosmetics (Act No. 145 of 1960) or certified under the provisions of Article 23-2-23, paragraph (1) of the same Act or other Pathogens, etc. equivalent thereto (hereinafter referred to as "Medicines or Other Substances") which are

designated by the Minister of Health, Labour and Welfare as substances highly unlikely to cause the development of a disease in humans):

(i) Guanarito virus, Sabia virus, Junin virus, Machupo virus, and Lassa virus, within the genus Arenavirus;

(ii) Ivory Coast ebolavirus, Zair ebolavirus, Sudan ebolavirus, and Reston ebolavirus, within the genus Ebolavirus;

(iii) variola virus (also known as smallpox virus), within the genus Orthopoxvirus;

(iv) Crimean-Congo haemorrhagic fever virus, within the genus Nairovirus;

(v) Lake Victoria marburgvirus, within the genus Marburgvirus;

(vi) beyond what is set forth in the preceding items, the Pathogens, etc. specified by Cabinet Order as being pathogenic to the same degree as the substances set forth in the preceding items and being likely to have extremely serious effects on the lives and health of the public.

(21) The term "Class II Pathogens, etc." as used in this Act means the Pathogens, etc. set forth below (excluding the Medicines or Other Substances designated by the Minister of Health, Labour and Welfare as substances highly unlikely to cause the development of a disease in humans):

(i) *Y. pestis* (also known as plague bacillus), within the genus *Yersinia*;

(ii) *C. botulinum* (also known as *Bacillus botulinus*), within the genus *Clostridium*;

(iii) SARS coronavirus, within the genus Betacoronavirus;

(iv) *B. anthracis* (also known as *Bacillus anthracis*), within the genus *Bacillus*;

(v) *F. tularensis* subsp. *holarctica*, within the genus *Francisella*;

(vi) botulinum toxin (including Synthetic Toxins representing a structural formula identical to that of botulinum toxin);

(vii) beyond what is set forth in the preceding items, the Pathogens, etc. specified by Cabinet Order as being pathogenic to the same degree as the substances set forth in the preceding items and being likely to seriously affect the lives and health of the public.

(22) The term "Class III Pathogens, etc." as used in this Act means the Pathogens, etc. set forth below (excluding the Medicines or Other Substances designated by the Minister of Health, Labour and Welfare as substances highly unlikely to cause the development of a disease in humans):

(i) *C. burnetii*, within the genus *Coxiella*;

(ii) *M. tuberculosis* (also known as tubercle bacillus), within the genus *Mycobacterium* (limited to such substances that have resistance to isonicotinic acid hydrazide, rifampicin, or other drugs specified by Cabinet Order as being available for the medical treatment of tuberculosis);

(iii) rabies virus, within the genus *Lyssavirus*;

(iv) beyond what is set forth in the preceding three items, the Pathogens, etc.

specified by Cabinet Order as being pathogenic to the same degree as the substances set forth in the preceding three items and being likely to affect the lives and health of the public.

(23) The term "Class IV Pathogens, etc." as used in this Act means the Pathogens, etc. set forth below (excluding the Medicines or Other Substances designated by the Minister of Health, Labour and Welfare as substances highly unlikely to cause the development of a disease in humans):

- (i) influenza A viruses, within the genus Influenzavirus A (limited to those involving a serosubtype specified by Cabinet Order (excluding pathogens of a Novel Influenza Infection, etc.) or any pathogen of a Novel Influenza Infection, etc.);
- (ii) E. coli (also known as coliform bacteria), within the genus Escherichia (limited to Enterohaemorrhagic Escherichia coli);
- (iii) poliovirus, within the genus Enterovirus;
- (iv) C. parvum, within the genus Cryptosporidium (limited to those representing genotype 1 or genotype 2);
- (v) S. enterica, within the genus Salmonella (limited to those involving typhi or paratyphi A as a serosubtype);
- (vi) Shiga toxin (including the Synthetic Toxins representing a structural formula identical to that of Shiga toxin);
- (vii) S. sonnei, s. dysenteriae, s. flexneri, and s. boydii, within the genus Shigella (also known as dysentery bacillus);
- (viii) V. cholera (also known as cholera bacillus), within the genus Vibrio (limited to those involving O1 or O139 as a serotype);
- (ix) yellow fever virus, within the genus Flavivirus;
- (x) M. tuberculosis, within the genus Mycobacterium (excluding the pathogens set forth in item (ii) of the preceding paragraph);
- (xi) beyond what is set forth in the preceding items, the Pathogens, etc. specified by Cabinet Order as being pathogenic to the same degree as the substances set forth in the preceding items and being likely to affect the health of the public.

(24) When the Minister of Health, Labour and Welfare intends to propose to establish, revise or abolish a Cabinet Order referred to in paragraph (3), item (vi), the Minister must hear the opinion of the Health Science Council in advance.

(Mutatis Mutandis Application of this Act to Designated Infectious Diseases)

Article 7 (1) With regard to the Designated Infectious Diseases, all or part of the provisions of the following Article and Chapters III through VII, X, XII and XIII apply mutatis mutandis, pursuant to the provisions of Cabinet Order, during the period not longer than one year specified by Cabinet Order.

- (2) The period specified by Cabinet Order as referred to in the preceding paragraph may be extended for a period not longer than one year as specified by Cabinet Order if it is deemed particularly necessary to continue applying mutatis mutandis the provisions which are required to apply mutatis mutandis to the disease specified by the Cabinet Order, pursuant to the Cabinet Order referred to in the same paragraph, after the end of the initially specified period.
- (3) When the Minister of Health, Labour and Welfare intends to propose to establish, revise or abolish a Cabinet Order referred to in the preceding two paragraphs, the Minister must hear the opinion of the Health Science Council in advance.

(Application of this Act to Suspected Disease Carriers and Asymptomatic Carriers)

Article 8 (1) The Suspected Disease Carriers of a Class I Infectious Disease or the Suspected Disease Carriers of any of the Class II Infectious Diseases specified by Cabinet Order are deemed as patients of the Class I Infectious Disease or patients of the Class II Infectious Disease respectively, and the provisions of this Act apply.

- (2) If a person is a Suspected Disease Carrier of a Novel Influenza Infection, etc. and there are reasonable grounds for suspecting that they are infected with that Infectious Disease, the person is deemed as a patient with the Novel Influenza Infection, etc. and the provisions of this Act apply.
- (3) The Asymptomatic Carriers of a Class I Infectious Disease or the Asymptomatic Carriers of a Novel Influenza Infection, etc. is deemed as patients of the Class I Infectious Disease or patients of the Novel Influenza Infection, etc. respectively, and the provisions of this Act apply.

Chapter II Basic Guidelines

(Basic Guidelines)

Article 9 (1) The Minister of Health, Labour and Welfare must formulate the basic guideline for promoting the prevention of Infectious Diseases in an integrated manner (hereinafter referred to as the "Basic Guideline").

- (2) The Basic Guideline is to provide for the following:
 - (i) basic direction for promoting the prevention of Infectious Diseases;
 - (ii) matters concerning measures to prevent the outbreak of Infectious Diseases;
 - (iii) matters concerning measures to prevent the spread of Infectious Diseases;
 - (iv) matters concerning the securing of the systems to provide medical care for Infectious Diseases;
 - (v) matters concerning surveys and research on Infectious Diseases and

- Pathogens, etc.;
- (vi) matters concerning the promotion of research and development of medicines intended for medical care for Infectious Diseases;
 - (vii) matters concerning systems for the examination of Pathogens, etc. and the improvement of examination capabilities;
 - (viii) matters concerning the development of human resources for the prevention of Infectious Diseases;
 - (ix) matters concerning the promotion of public awareness and dissemination of information on Infectious Diseases, and matters concerning respecting the human rights of patients with Infectious Diseases and other persons placed in similar circumstances;
 - (x) matters concerning the securing of the systems to properly treat Specified Pathogens, etc.;
 - (xi) matters concerning measures to prevent the outbreak and spread of an Infectious Disease and to provide medical care in emergencies (including matters concerning the securing of communications between the national and local governments and among local governments); and
 - (xii) other important matters concerning the prevention of Infectious Diseases.
- (3) The Minister of Health, Labour and Welfare is to review the Basic Guideline at least once every five years, based on evaluations of the effectiveness of the measures concerning the prevention of Infectious Diseases, and revise the Basic Guideline when it is deemed necessary.
- (4) When the Minister of Health, Labour and Welfare intends to formulate or revise the Basic Guideline, the Minister must consult with the heads of the relevant administrative organs and hear opinions of the Health Science Council in advance.
- (5) When the Minister of Health, Labour and Welfare has formulated or revised the Basic Guideline, the Minister must publicize the same without delay.

(Prevention Programs)

- Article 10 (1) Prefectural governments must formulate a program for implementing measures to prevent Infectious Diseases (hereinafter referred to as a "prevention program" in this Article) in line with the Basic Guideline.
- (2) Prevention programs are to provide for the following:
- (i) matters concerning measures to prevent the outbreak and spread of an Infectious Disease in line with regional circumstances;
 - (ii) matters concerning the securing of the systems to provide medical care for Infectious Diseases in respective regions; and
 - (iii) matters concerning measures to prevent the outbreak and spread of an Infectious Disease and to provide medical care in emergencies (including the securing of the systems for coordination with the national government and

- communications among local governments).
- (3) Beyond what is set forth in each item of the preceding paragraph, prefectural governments are to endeavor to stipulate in the prevention program the matters concerning the promotion of research on Infectious Diseases, development of human resources, and dissemination of knowledge.
 - (4) If the Basic Guideline is revised, prefectural governments are to review their prevention program and revise the same when it is deemed necessary. The same applies whenever a prefectural government deems it necessary to revise its prevention program as a result of surveying, analyzing and evaluating the status of implementation of the prevention program.
 - (5) When a prefectural government intends to formulate or revise a prevention program, the prefectural government must hear the opinion of municipal governments and associations of persons with relevant knowledge and experience for medical care in advance.
 - (6) When a prefectural government has formulated or revised a prevention program, the prefectural government is to submit its revised version to the Minister of Health, Labour and Welfare without delay.

(Guidelines on Prevention of Specified Infectious Diseases)

Article 11 (1) With respect to certain Infectious Diseases which are specified by Order of the Ministry of Health, Labour and Welfare as the ones for which it is particularly necessary to promote preventive measures in an integrated manner, the Minister of Health, Labour and Welfare is to prepare and publicize the guidelines to facilitate investigations into the causes of those Infectious Diseases, prevention of their outbreak and spread, provision of medical care, promotion of research and development, international coordination, and promotion of other integrated preventive measures customized for respective Infectious Diseases (hereinafter referred to as "prevention guidelines for specified infectious diseases" in the following paragraph).

- (2) When the Minister of Health, Labour and Welfare intends to formulate or revise the prevention guidelines for specified infectious diseases, the Minister must hear the opinion of the Health Science Council in advance.

Chapter III Gathering and Publication of Information on Infectious Diseases

(Notification by Physicians)

Article 12 (1) If a physician has diagnosed either of the following persons, the physician must file a notification with the prefectural governor via the chief of the nearest public health center, except in the cases specified by Order of the

Ministry of Health, Labour and Welfare, stating the person's name, age, gender and other particulars specified by Order of the Ministry of Health, Labour and Welfare immediately if the person is the one set forth in item (i), or the person's age, gender and other matters specified by Order of the Ministry of Health, Labour and Welfare within seven days if the person is the one set forth in item (ii):

- (i) a patient with a Class I Infectious Disease, a patient or Asymptomatic Carrier of a Class II Infectious Disease, a Class III Infectious Disease or a Class IV Infectious Disease, a patient with any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare or a Novel Influenza Infection, etc., or a person suspected to be infected with a New Infectious Disease; or
 - (ii) a patient with any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare (including the Asymptomatic Carriers of any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare).
- (2) The prefectural governor receiving a notification filed under the provisions of the preceding paragraph must report its content to the Minister of Health, Labour and Welfare immediately, with regard to a person set forth in item (i) of the same paragraph, or within the period specified by Order of the Ministry of Health, Labour and Welfare, with regard to a person set forth in item (ii) of the same paragraph.
- (3) If a prefectural governor receives a notification filed under the provisions of paragraph (1) with regard to a person residing in an area outside the prefecture's jurisdiction, the prefectural governor must inform the content of the notification to the prefectural governor having jurisdiction over that person's place of residence.
- (4) A physician who provides patients of any of the chronic Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare with medical treatment must file a notification with the prefectural governor via the chief of the nearest public health center every fiscal year, to report their age, gender, and other matters specified by Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (5) The provisions of paragraphs (2) and (3) apply mutatis mutandis to the notifications filed under the provisions of the preceding paragraph. In this case, the phrase "immediately, with regard to a person set forth in item (i) of the same paragraph, or within the period specified by Order of the Ministry of Health, Labour and Welfare, with regard to a person set forth in item (ii) of the same paragraph" in paragraph (2) is deemed to be replaced with "within the period specified by Order of the Ministry of Health, Labour and Welfare."

(6) The provisions of paragraphs (1) through (3) apply mutatis mutandis when a physician has examined the corpse of a person who had died of an Infectious Disease prescribed in any item of paragraph (1) (including a person suspected to have died of that Infectious Disease).

(Notification by Veterinarians)

Article 13 (1) If a veterinarian has diagnosed a monkey or other animal specified by Cabinet Order with Ebola haemorrhagic fever, Marburg virus disease, or any other Infectious Disease as specified by Cabinet Order, and concludes that they are highly likely to infect human beings, which are designated from Class I Infectious Diseases, Class II Infectious Diseases, Class III Infectious Diseases, Class IV Infectious Diseases or a Novel Influenza Infection, etc., and has determined that the monkey or animal is infected or suspected to be infected with the relevant Infectious Disease, the veterinarian must immediately file a notification with the prefectural governor via the chief of the nearest public health center, stating the name of the owner of the animal (or the person controlling the animal if it is controlled by anyone other than its owner; the same applies hereinafter in this Article) and other particulars specified by Order of the Ministry of Health, Labour and Welfare, which must be filed for each of those Infectious Diseases; provided, however, that this does not apply when the animal is intentionally infected with the relevant Infectious Disease for the purpose of experimentation.

(2) The owner of an animal specified by Cabinet Order must file a notification under the provisions of the preceding paragraph if the owner finds that the animal is infected or suspected of being infected with any of the Infectious Diseases specified by Cabinet Order as referred to in the same paragraph when the animal is not diagnosed by a veterinarian; provided, however, that this does not apply if the animal is intentionally infected with the relevant Infectious Disease for the purpose of experimentation.

(3) The prefectural governor receiving a notification filed under the provisions of either of the preceding two paragraphs must immediately inform the Minister of Health, Labour and Welfare of the content of the notification.

(4) If a prefectural governor receives a notification filed under the provisions of paragraph (1) or (2) with regard to an animal kept in an area outside the prefectures jurisdiction, the prefectural governor must report the content of the notification to the prefectural governor who has jurisdiction over the place where the animal was kept.

(5) The provisions of paragraph (1) and the preceding two paragraphs apply mutatis mutandis when a veterinarian having examined the corpse of an animal specified by Cabinet Order as referred to in paragraph (1) determines in their examination after death of the animal that the animal was infected or

is suspected to have been infected with an Infectious Disease specified by Cabinet Order as referred to in the same paragraph, and the provisions of the preceding three paragraphs apply mutatis mutandis when the owner of the corpse of an animal specified by Cabinet Order as referred to in paragraph (1) finds that the animal was infected or is suspected to have been infected with an Infectious Disease specified by Cabinet Order as referred to in the same paragraph.

(Ascertaining the Status of Outbreaks and the Progress of Infectious Diseases)

- Article 14 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, prefectural governors will designate the hospitals or clinics, subject to the consent of their establisher, which are responsible for filing notifications of the status of outbreaks of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare or notifications of the suspected cases for the Class II Infectious Diseases, Class III Infectious Diseases, Class IV Infectious Diseases or Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare.
- (2) When a physician of a hospital or clinic designated under the provisions of the preceding paragraph (hereinafter referred to as "designated notification organization" in this Article) has diagnosed a patient infected with any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare as referred to in the preceding paragraph (including the Asymptomatic Carriers of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare; hereinafter the same applies in this paragraph) or diagnosed a suspected case for any of the Class II Infectious Diseases, Class III Infectious Diseases, Class IV Infectious Diseases or Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare, or when a physician of a designated notification organization has conducted an examination after death of the corpse of a person who had died of any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare as referred to in the preceding paragraph, the administrator of the designated notification organization must file a notification with the prefectural governor who has jurisdiction over the location of the designated notification organization pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, to report the age, gender, and other matters specified by Order of the Ministry of Health, Labour and Welfare of the patient or deceased.
- (3) A prefectural governor receiving a notification filed under the provisions of the preceding paragraph must report its content to the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (4) A designated notification organization may decline the designation under the provisions of paragraph (1) subject to the advance notice period of not less than 30 days.
- (5) If the administrator of a designated notification organization violates the provisions of paragraph (2), or if a designated notification organization is deemed to be incompetent to perform the duty of notification pursuant to the provisions of the same paragraph, the prefectural governor may rescind the designation under the provisions of paragraph (1).

Article 14-2 (1) Pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, prefectural governors will designate hospitals or clinics or the sanitation inspection stations, subject to the consent of their establisher, who is responsible for submitting specimens of patients infected with any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare or the pathogens of those Infectious Diseases.

- (2) The administrator of a hospital or clinic or a sanitation inspection station designated under the provisions of the preceding paragraph (hereinafter referred to as "designated submitting organization" in this Article) must submit a part of the specimens of a patient infected with any of the Class V Infectious Diseases specified by Order of the Ministry of Health, Labour and Welfare as referred to in the same paragraph or the pathogens of the relevant Infectious Disease pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare to the prefectural governor who designated the designated submitting organization pursuant to the provisions of the same paragraph whenever a physician of the designated submitting organization (limited to hospitals or clinics) has diagnosed the patient or an employee of the designated submitting organization (limited to sanitation inspection stations) has examined specimens of the patient or pathogens of the relevant Infectious Disease.
- (3) Prefectural governors must conduct an examination of the specimens or the pathogens of Infectious Diseases as submitted in accordance with the provisions of the preceding paragraph, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (4) Prefectural governors must report the result of the examination referred to in the preceding paragraph and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (5) When the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, the Minister may ask the prefectural governor to submit a part of the specimens or the pathogens of the Infectious

Disease which had been submitted to the prefectural governor pursuant to the provisions of paragraph (2).

- (6) A designated submitting organization may decline the designation under the provisions of paragraph (1) subject to the advance notice period of not less than 30 days.
- (7) If the administrator of a designated submitting organization violates the provisions of paragraph (2), or if a designated submitting organization is deemed to be incompetent to perform the duty of submission pursuant to the provisions of the same paragraph, the prefectural governor may rescind the designation under the provisions of paragraph (1).

(Investigation into the Status of Outbreaks, Progress, and Causes of Infectious Diseases)

Article 15 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak of an Infectious Disease or clarifying the status of outbreaks, progress, and the cause of outbreaks, the prefectural governor may direct its relevant officials to question the patients, Suspected Disease Carriers or Asymptomatic Carriers of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease, a Class V Infectious Disease or a Novel Influenza Infection, etc., a person with symptoms of a New Infectious Disease, or the owners or administrators of animals likely to transmit an Infectious Disease to human beings or their corpses, and other persons concerned, or to carry out necessary investigations.

- (2) When the Minister of Health, Labour and Welfare deems it urgently necessary for the purpose of preventing the outbreak or spread of an Infectious Disease, the Minister may direct relevant officials to question the patients, Suspected Disease Carriers or Asymptomatic Carriers of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease, a Class V Infectious Disease or a Novel Influenza Infection, etc., a person with symptoms of a New Infectious Disease, or the owners or administrators of animals likely to transmit an Infectious Disease to human beings or their corpses, and other persons concerned, or to carry out necessary investigations.
- (3) When a prefectural governor deems it necessary in the course of the investigations carried out under the provisions of paragraph (1), the prefectural governor may direct relevant officials to request that any person set forth in the following items submit the specimens or pathogens of the Infectious Disease prescribed in the respective item or accept the collection of the specimens by the relevant officials, or request that the custodian (meaning a person who exercises parental authority or a guardian; the same applies hereinafter) of any person set forth in items (i) to (iii) submit the specimens set

forth in the respective item or have the person set forth in the respective item accept the collection of the specimens by the relevant officials:

- (i) a patient, Suspected Disease Carrier or Asymptomatic Carrier of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., or a person who is suspected of being infected with the relevant Infectious Disease on reasonable grounds: specimens of the person;
- (ii) a patient, Suspected Disease Carrier or Asymptomatic Carrier of a Class III Infectious Disease, a Class IV Infectious Disease or a Class V Infectious Disease, or a person who is suspected of being infected with the relevant Infectious Disease on reasonable grounds: specimens of the person;
- (iii) a person with symptoms of a New Infectious Disease or a person who is suspected of being infected with a New Infectious Disease on reasonable grounds: specimens of the person;
- (iv) the owner or administrator of an animal likely to transmit a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc. to human beings or the corpse of such an animal: specimens of the animal or its corpse;
- (v) the owner or administrator of an animal likely to transmit a Class III Infectious Disease, a Class IV Infectious Disease or a Class V Infectious Disease to human beings or the corpse of such an animal: specimens of the animal or its corpse;
- (vi) the owner or administrator of an animal likely to transmit a New Infectious Disease to human beings or the corpse of such an animal: specimens of the animal or its corpse;
- (vii) a person possessing the specimens referred to in item (i) or pathogens of an Infectious Disease prescribed in the same paragraph separated from those specimens: the specimens, or pathogens of the Infectious Disease;
- (viii) a person possessing the specimens referred to in item (ii) or pathogens of an Infectious Disease prescribed in the same paragraph separated from those specimens: the specimens, or pathogens of the Infectious Disease;
- (ix) a person possessing the specimens referred to in item (iii) or pathogens of a New Infectious Disease separated from those specimens: the specimens, or pathogens of that New Infectious Disease;
- (x) a person possessing the specimens referred to in item (iv) or pathogens of an Infectious Disease prescribed in the same paragraph separated from those specimens: the specimens, or pathogens of the Infectious Disease;
- (xi) a person possessing the specimens referred to in item (v) or pathogens of an Infectious Disease prescribed in the same paragraph separated from those specimens: the specimens, or pathogens of the Infectious Disease; or
- (xii) a person possessing the specimens referred to in item (vi) or pathogens of a New Infectious Disease separated from those specimens: the specimens, or

- pathogens of that New Infectious Disease.
- (4) The prefectural governor must conduct an examination of the specimens or the pathogens of an Infectious Disease submitted or the specimens collected by relevant officials in accordance with the provisions of the preceding paragraph, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
 - (5) The provisions of paragraph (3) apply mutatis mutandis to necessary investigations carried out under the provisions of paragraph (2).
 - (6) The patients, Suspected Disease Carriers or Asymptomatic Carriers of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease, a Class V Infectious Disease or a Novel Influenza Infection, etc., a person with symptoms of a New Infectious Disease, or the owners or administrators of animals likely to transmit an Infectious Disease to human beings or their corpses, and other persons concerned must endeavor to cooperate in the questioning or necessary investigations carried out under paragraph (1) or (2).
 - (7) Each of the officials referred to in paragraphs (1) and (2) must carry their identification card and present it at the request of any person concerned.
 - (8) The prefectural governor must report the result of the questioning or necessary investigations carried out in accordance with the provisions of paragraph (1) to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
 - (9) When the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, they may ask the prefectural governor to submit a part of the specimens or the pathogens of the Infectious Disease submitted or the specimens collected by the referenced officials under the provisions of paragraph (3).
 - (10) When a prefectural governor deems it particularly necessary for the purpose of questioning or necessary investigations under the provisions of paragraph (1), the prefectural governor may ask another prefectural governor or the Minister of Health, Labour and Welfare to dispatch an employee or employees of an institute which is engaged in research on the methods of treating Infectious Diseases, examinations of the Pathogens, etc., or other research and development or examinations in connection with Infectious Diseases (hereinafter referred to as "Infectious Diseases Research Institute") or to provide other necessary cooperation.
 - (11) The provisions of paragraph (7) apply mutatis mutandis to the employees dispatched pursuant to the provisions of the preceding paragraph.
 - (12) Necessary matters concerning the identification cards referred to in paragraph (7) are specified by Order of the Ministry of Health, Labour and Welfare

(Coordination with Quarantine Station Chiefs)

- Article 15-2 (1) If a prefectural governor receives a notice from a quarantine station chief pursuant to the provisions of Article 18, paragraph (3) of the Quarantine Act (Act No. 201 of 1951) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 34 of the same Act) stating the instructions given to the person having the health problem or other matters specified by Order of the Ministry of Health, Labour and Welfare (including cases where such a notice is given pursuant to the provisions of Article 34-2, paragraph (3) of the same Act), the prefectural governor may direct the prefecture's officials to question the person with the health problem or other persons concerned or to carry out necessary investigations.
- (2) The prefectural governor must notify the Minister of Health, Labour and Welfare of the result of the questioning or necessary investigations carried out in accordance with the provisions of the preceding paragraph, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (3) The provisions of paragraph (7) of the preceding Article apply mutatis mutandis when a prefectural governor directs relevant officials to implement a measure prescribed in paragraph (1).

- Article 15-3 (1) If a prefectural governor receives a notice from a quarantine station chief pursuant to the provisions of Article 18, paragraph (5) of the Quarantine Act (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on Article 34 of the same Act) stating the matters reported with regard to a person prescribed in Article 18, paragraph (4) of the same Act pursuant to the provisions of the same paragraph (including cases where such a notice is given pursuant to the provisions of Article 34-2, paragraph (3) of the same Act), the prefectural governor may ask the person to report their body temperature and other health conditions during the period specified by the quarantine station chief pursuant to the provisions of Article 18, paragraph (1) of the same Act, or direct the prefecture's officials to question the person.
- (2) If the prefectural governor confirms as a result of the reporting or questioning under the provisions of the preceding paragraph that the person has any health problem, the prefectural governor must immediately make a report to that effect to the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, and the prefectural governor may direct relevant officials to question the person or other persons concerned or to carry out necessary investigations.
- (3) The prefectural governor must report the result of the questioning or

necessary investigations carried out in accordance with the provisions of the preceding paragraph to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (4) The provisions of Article 15, paragraph (7) apply mutatis mutandis when a prefectural governor directs relevant officials to implement a measure prescribed in paragraph (1) or (2).

(Publication of Information)

Article 16 (1) The Minister of Health, Labour and Welfare and prefectural governors must analyze the information on Infectious Diseases gathered pursuant to the provisions of Article 12 through the preceding Article, and actively publicize the information on the status of outbreaks, the progress, and causes of the Infectious Diseases and the information necessary for the prevention and treatment of the Infectious Diseases in newspapers, by broadcasting via the Internet, or by any other appropriate means.

- (2) In the publication of the information referred to in the preceding paragraph, due regard must be paid to protect personal information.

(Requests for Cooperation)

Article 16-2 When it is deemed particularly necessary for the purpose of preventing the outbreak or spread of an Infectious Disease, the Minister of Health, Labour and Welfare and prefectural governors may establish measures necessary to prevent the outbreak or spread of the Infectious Disease and request physicians and other medical personnel for the cooperation necessary to implement the measures, taking into consideration pathological conditions of the patients of the Infectious Disease, the number of such patients, and other circumstances for the outbreak or spread of the Infectious Disease.

Chapter IV Restrictions on Work Attendance and Other Measures

(Collection of Specimens)

Article 16-3 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may recommend that the person set forth in Article 15, paragraph (3), item (i) submit the specimens prescribed in the same item or accept the collection of the specimens by relevant officials, or recommend that the person's custodian submit the specimens or have the person accept the collection of the specimens by the relevant officials; provided, however, that this does not apply when the prefectural governor is considered to be able to obtain the specimens which are the subject of the intended recommendation (including the pathogens of the

Infectious Disease prescribed in the same item which are separated from the specimens which are the subject of the intended recommendation; hereinafter the same applies in this paragraph) from the person who possesses the specimens which are the subject of the intended recommendation.

- (2) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the Minister may recommend that a person set forth in Article 15, paragraph (3), item (i) submit the specimens prescribed in the same item or accept the collection of the specimens by relevant officials, or recommend that the person's custodian submit the specimens or have the person accept the collection of the specimens by the relevant officials; provided, however, that this does not apply when the Minister of Health, Labour and Welfare is considered to be able to obtain the specimens which are the subject of the intended recommendation (including the pathogens of the Infectious Disease prescribed in the same item which are separated from the specimens which are the subject of the intended recommendation; hereinafter the same applies in this paragraph) from the person who possesses the specimens which are the subject of the intended recommendation.
- (3) If the person receiving a recommendation made under the provisions of paragraph (1) does not follow the recommendation, the prefectural governor may, to the minimum necessary extent for examination, direct relevant officials to collect the specimens prescribed in Article 15, paragraph (3), item (i) from the person set forth in the same item who is the subject of the recommendation.
- (4) If the person receiving a recommendation made under the provisions of paragraph (2) does not follow the recommendation, the Minister of Health, Labour and Welfare may, to the minimum necessary for examination, direct relevant officials to collect the specimens prescribed in Article 15, paragraph (3), item (i) from the person set forth in the same item who is the subject of the recommendation.
- (5) When a prefectural governor recommends the submission or collection of specimens under the provisions of paragraph (1) or implements measures for collecting specimens under the provisions of paragraph (3), the prefectural governor must simultaneously notify the person who receives the recommendation or is subject to the measures of the reason for the recommendation or measures and other matters specified by Order of the Ministry of Health, Labour and Welfare, in writing; provided, however, this does not apply when there are pressing needs for recommending the submission or collection of specimens or for implementing a measure of collecting specimens before making a notification of the matters in writing.

- (6) In the case referred to in the proviso of the preceding paragraph, the prefectural governor must issue a written document stating the reason and other matters specified by Order of the Ministry of Health, Labour and Welfare as referred to in the same paragraph to the person who has received the recommendation or has been subject to the measures, within a reasonable period of time after the recommendation of the submission or collection of specimens or the measures of collecting specimens.
- (7) The prefectural governor must examine the specimens submitted or collected by the relevant officials in accordance with the provisions of paragraph (1) or the specimens which the prefectural governor directed the relevant officials to collect in accordance with the provisions of paragraph (3), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (8) The prefectural governor must report the result of the examination referred to in the preceding paragraph and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (9) When the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, the Minister may ask a prefectural governor to submit a part of the specimens submitted or collected by the relevant officials under the provisions of paragraph (1) or a part of the specimens which the prefectural governor directed the relevant officials to collect pursuant to the provisions of paragraph (3).
- (10) When a prefectural governor deems it particularly necessary for the purpose of recommending the submission or collection of specimens under the provisions of paragraph (1), directing relevant officials to collect specimens under the provisions of paragraph (3), or examining the specimens under the provisions of paragraph (7), the prefectural governor may ask another prefectural governor or the Minister of Health, Labour and Welfare to dispatch an employee or employees of an Infectious Diseases Research Institute and to provide other necessary cooperation.
- (11) The provisions of paragraphs (5) and (6) apply mutatis mutandis when the Minister of Health, Labour and Welfare recommends the submission or collection of specimens pursuant to the provisions of paragraph (2) or directs the relevant officials to implement a measure of collecting specimens pursuant to the provisions of paragraph (4).

(Medical Examinations)

Article 17 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Novel Influenza Infection, etc., the

prefectural governor may recommend that a person who is suspected to be infected with the relevant Infectious Disease on reasonable grounds take a medical examination conducted by a physician to ascertain whether the person is infected with the relevant Infectious Disease or not, or recommend to the custodian of the person who is suspected to be infected with the relevant Infectious Disease on reasonable grounds that the person take a medical examination.

- (2) If the person receiving a recommendation made under the provisions of the preceding paragraph does not follow the recommendation, the prefectural governor may direct relevant officials to conduct a medical examination of the person suspected to be infected with the Infectious Disease of the recommendation upon reasonable grounds for doing so.

(Restrictions on Attendance at Work)

Article 18 (1) When a prefectural governor receives a notification filed under the provisions of Article 12, paragraph (1) in connection with a patient with a Class I Infectious Disease or a patient or Asymptomatic Carrier of a Class II Infectious Disease, a Class III Infectious Disease or a Novel Influenza Infection, etc., if the prefectural governor deems it necessary for the purpose of preventing the spread of the relevant Infectious Disease, the prefectural governor may notify the person or their custodian of the content of the notification and other matters specified by Order of the Ministry of Health, Labour and Welfare in writing.

- (2) If a patient or Asymptomatic Carrier prescribed in the preceding paragraph or their custodian receives written notice given under the provisions of the same paragraph, the patient or Asymptomatic Carrier must not perform any of the job duties specified by Order of the Ministry of Health, Labour and Welfare for the respective Infectious Disease which bring the risk of spreading an Infectious Disease to the public for the period specified by Order of the Ministry of Health, Labour and Welfare for the respective Infectious Disease as the length of time required for the elimination of such risk.
- (3) A person who is subject to the provisions of the preceding paragraph or their custodian may request the prefectural governor to confirm that the person has ceased to be subject to the provisions of the same paragraph.
- (4) Upon receipt of a request for confirmation under the provisions of the preceding paragraph, the prefectural governor must confirm whether or not the person to whom the provisions of paragraph (2) are applied and in respect of whom the request is made is a patient or Asymptomatic Carrier of the Infectious Disease based on which the provisions of the same paragraph are applied, or whether or not the period prescribed in the same paragraph has passed.

- (5) When the prefectural governor intends to give notice pursuant to the provisions of paragraph (1), the prefectural governor must, in advance, hear opinions of the committee prescribed in Article 24, paragraph (1) established in the public health center who has jurisdiction over the place of residence of the patient or Asymptomatic Carrier; provided, however, that this does not apply when there is no time to seek opinions of the committee in advance in an emergency.
- (6) In the case referred to in the proviso of the preceding paragraph, the prefectural governor must promptly report to the referenced committee the content of the notice it has given.

(Hospitalization)

- Article 19 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Class I Infectious Disease, the prefectural governor may recommend that a patient with that Infectious Disease be hospitalized or recommend to their custodian that the patient be hospitalized in a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases; provided, however, that in an emergency or under other unavoidable circumstances, the prefectural governor may recommend that the patient be hospitalized or recommend to their custodian that the patient be hospitalized in a hospital or clinic other than a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases, as deemed appropriate by the prefectural governor.
- (2) When a prefectural governor makes a recommendation under the provisions of the preceding paragraph, the prefectural governor must give appropriate explanations to the patient who is subject to the recommendation or their custodian and endeavor to gain their understanding.
 - (3) If the person receiving a recommendation made under the provisions of paragraph (1) does not follow the recommendation, the prefectural governor may hospitalize the patient who is subject to the recommendation in a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases (or if the person does not follow a recommendation made under the proviso of the same paragraph, in a hospital or clinic other than a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases, as deemed appropriate by the prefectural governor).
 - (4) The period of hospitalization under paragraph (1) or the preceding paragraph must not exceed 72 hours.
 - (5) In an emergency or under other unavoidable circumstances, a prefectural governor may hospitalize a patient who has been hospitalized pursuant to the

provisions of paragraph (1) or (3) in another hospital or clinic which is deemed appropriate by the prefectural governor.

- (6) The sum of the period of hospitalization under the provisions of paragraph (1) or (3) and the period of hospitalization under the provisions of the preceding paragraph must not exceed 72 hours.
- (7) If issuing a recommendation under the provisions of paragraph (1) or implementing a measure of hospitalization under the provisions of paragraph (3), the prefectural governor must, without delay, make a report to the committee prescribed in Article 24, paragraph (1) established in the public health center who has jurisdiction over the location of the hospital or clinic where the referenced patient is hospitalized.

Article 20 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Class I Infectious Disease, the prefectural governor may recommend that a patient with that Infectious Disease who is hospitalized pursuant to the provisions of the preceding Article be hospitalized or recommend to their custodian that the patient be hospitalized in a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases for a specified period of not more than 10 days; provided, however, that in an emergency or under other unavoidable circumstances, the prefectural governor may recommend that the patient be hospitalized or recommend to their custodian that the patient be hospitalized in a hospital or clinic other than a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases, as deemed appropriate by the prefectural governor, for a specified period of not more than 10 days.

- (2) If the person receiving a recommendation made under the provisions of the preceding paragraph does not follow the recommendation, the prefectural governor may hospitalize the patient who is subject to the recommendation in a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases (or if the person does not follow a recommendation made under the proviso of the same paragraph, in a hospital or clinic other than a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases, as deemed appropriate by the prefectural governor) for a specified period of not more than 10 days.
- (3) In an emergency or under other unavoidable circumstances, a prefectural governor may hospitalize a patient who has been hospitalized pursuant to the provisions of the preceding two paragraphs in another hospital or clinic other than those in which the patient is currently hospitalized, as deemed appropriate by the prefectural governor, for a specified period of not more than

10 days from the date on which the patient was hospitalized under the provisions of the preceding two paragraphs.

- (4) After the end of the period of the hospitalization referred to in the preceding three paragraphs, if the prefectural governor deems it necessary to continue the hospitalization of the patient who has been so hospitalized, the prefectural governor may extend the period of hospitalization for a specified period of not more than 10 days. The same applies when the period of hospitalization is to be further extended after the end of the previously extended period.
- (5) If the prefectural governor intends to make a recommendation under the provisions of paragraph (1) or to extend the period of the hospitalization pursuant to the provisions of the preceding paragraph, the prefectural governor must, in advance, hear opinions of the committee prescribed in Article 24, paragraph (1) established in the public health center who has jurisdiction over the location of the hospital or clinic where the referenced patient is hospitalized.
- (6) If the prefectural governor intends to make a recommendation under the provisions of paragraph (1), the prefectural governor must give appropriate explanations to the patient or their custodian and endeavor to gain their understanding, and must afford them an opportunity to express their opinions to the official designated by the prefectural governor. In this case, the prefectural governor must give advance notice to the patient or their custodian of the date and time and the place set for such opportunity to express opinions and the facts underlying the grounds for the recommendation.
- (7) The patient or their custodian receiving a notice given under the provisions of the preceding paragraph may have an agent appear and submit evidence in their favor.
- (8) The official who hears the opinions expressed under the provisions of paragraph (6) must prepare a hearing report and submit it to the prefectural governor.

(Patient Transfers)

Article 21 The prefectural governor must transfer the patient who is to be hospitalized in accordance with the provisions of the preceding two Articles, to the hospital or clinic in which the patient is to be hospitalized, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Discharge from Hospital)

Article 22 (1) If it is confirmed that a patient who has been hospitalized pursuant to the provisions of Article 19 or 20 is not carrying the pathogens of the Class I Infectious Disease for which the patient was hospitalized, the prefectural governor must discharge the hospitalized patient.

- (2) When the administrator of the hospital or clinic has confirmed that a patient hospitalized pursuant to the provisions of Article 19 or 20 is not carrying the pathogens of the Class I Infectious Disease for which the patient was hospitalized, such administrator of the hospital or clinic must give notice to the prefectural governor to that effect.
- (3) A patient hospitalized pursuant to the provisions of Article 19 or 20 or their custodian may request the prefectural governor to approve the discharge of the patient.
- (4) Upon receipt of a request for discharge under the provisions of the preceding paragraph, the prefectural governor must confirm whether or not the patient is carrying the pathogens of the Class I Infectious Disease for which the patient was hospitalized.

(Minimum Necessary Measures)

Article 22-2 The measures implemented pursuant to the provisions of Articles 16-3 through 21 are the minimum necessary for the purpose of preventing the outbreak or spread of an Infectious Disease, in light of risks of spreading the Infectious Disease to the public, the severity of pathological conditions when infected with the Infectious Disease, and other circumstances.

(Notice in Writing)

Article 23 The provisions of Article 16-3, paragraphs (5) and (6) apply mutatis mutandis when a prefectural governor recommends a medical examination under the provisions of Article 17, paragraph (1), implements a measure of medical examination under the provisions of paragraph (2) of the same Article, recommends hospitalization under the provisions of Article 19, paragraph (1) or Article 20, paragraph (1), implements a measure of hospitalization under the provisions of Article 19, paragraph (3) or (5) or Article 20, paragraph (2) or (3), or extends the period of hospitalization under the provisions of paragraph (4) of the same Article.

(Committee for the Examination of Infectious Diseases)

Article 24 (1) A committee for examination of Infectious Diseases (hereinafter referred to as "committee" in this Article) will be established in each public health center.

- (2) Notwithstanding the provisions of the preceding paragraph, a prefectural government with two or more health centers may establish a single committee for two or more public health centers when it is deemed particularly necessary.
- (3) The committee will take charge of the following affairs:
 - (i) deliberation of necessary matters when consulted by the prefectural governor in connection with notices given under the provisions of Article 18,

- paragraph (1), recommendations made under the provisions of Article 20, paragraph (1) (including cases where it is applied mutatis mutandis in Article 26), extension of the period of hospitalization under the provisions of Article 20, paragraph (4) (including cases where it is applied mutatis mutandis in Article 26), and the burden of expenses based on an application filed under the provisions of Article 37-2, paragraph (1); and
- (ii) statement of opinions in connection with the reports made under the provisions of Article 18, paragraph (6) or Article 19, paragraph (7) (including cases where it is applied mutatis mutandis in Article 26).
- (4) The committee is to be composed of three or more members.
- (5) Members of the committee must be appointed by the prefectural governor from among the physicians in Designated Medical Institutions for Infectious Diseases, persons with relevant knowledge and experience in medical care for patients with infectious diseases (excluding physicians in Designated Medical Institutions for Infectious Diseases), persons with relevant knowledge and experience in law, and persons with relevant knowledge and experience in the fields other than medical care and law; provided, however, that a majority of the members must be appointed from among the physicians.
- (6) Beyond what is provided for in this Act, necessary matters concerning the committee are specified by Prefectural Ordinance.

(Filing of Complaints with Prefectural Governors)

- Article 24-2 (1) A patient hospitalized pursuant to the provisions of Article 19 or 20 or their custodian may file a complaint with the prefectural governor, in writing or orally, with regard to any treatment received by the patient.
- (2) If the patient prescribed in the preceding paragraph or their custodian intends to file a complaint under the same paragraph orally, the prefectural governor may direct their designated officials to hear the content of the complaint.
- (3) Upon receipt of a complaint filed, the prefectural governor must handle the complaint in good faith and notify the person who filed the complaint of the result of the handling.

(Special Provisions for Requests for Administrative Review)

- Article 25 (1) A patient hospitalized pursuant to the provisions of Article 20, paragraph (2) or (3) for a period exceeding 30 days or their custodian may file a request for administrative review (including a request for re-examination and a request for further examination; hereinafter the same applies in this Article) with the Minister of Health, Labour and Welfare, in writing or orally, with regard to the hospitalization measure prescribed in paragraph (2) or (3) of the same Article.

- (2) When a request for administrative review is filed under the preceding paragraph, the Minister of Health, Labour and Welfare must make a determination on the request within five days from the date on which the request was filed.
- (3) If a patient hospitalized pursuant to the provisions of Article 20, paragraph (2) or (3) whose period of the hospitalization does not exceed 30 days or their custodian files a request for administrative review with the Minister of Health, Labour and Welfare, the Minister must make a determination on the request within 35 days from the day on which the patient for whom the request is filed was hospitalized pursuant to the provisions of paragraph (2) or (3) of the same Article.
- (4) If a patient hospitalized pursuant to the provisions of Article 20, paragraph (2) or (3) whose period of hospitalization does not exceed 30 days or their custodian files a request for administrative review with the prefectural governor, and subsequently the period of the hospitalization of the patient exceeds 30 days, the prefectural governor must immediately transfer the case to the Minister of Health, Labour and Welfare and notify the person who has filed the request to that effect.
- (5) When a case is transferred pursuant to the provisions of the preceding paragraph, the request for administrative review is deemed to have been filed originally with the Minister of Health, Labour and Welfare, and the provisions of paragraph (3) apply.
- (6) When the Minister of Health, Labour and Welfare intends to make a determination referred to in paragraph (2) or a determination referred to in paragraph (3) (limited to those for the patients whose period of hospitalization exceeds 30 days), the Minister must hear the opinion of the Councils, etc. (meaning an organ prescribed in Article 8 of the National Government Organization Act (Act No. 120 of 1948)) specified by Cabinet Order, in advance.
- (7) The provisions of Chapter II, Section 4 of the Administrative Appeal Act (Act No. 68 of 2014) do not apply to requests for administrative review filed with regard to a measure of hospitalization implemented pursuant to the provisions of Article 19, paragraph (3) or (5).

(Application Mutatis Mutandis)

Article 26 The provisions of Articles 19 through 23, Article 24-2, and the preceding Article apply mutatis mutandis to the patients of a Class II Infectious Disease and a Novel Influenza Infection, etc. In this case, the phrase "a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases" in Article 19, paragraphs (1) and (3) and Article 20, paragraphs (1) and (2) is deemed to be replaced with "a Designated Medical Institution for Specified Infectious

Diseases, a Designated Medical Institution for Class I Infectious Diseases, or a Designated Medical Institution for Class II Infectious Diseases," the phrase "a Designated Medical Institution for Specified Infectious Diseases or a Designated Medical Institution for Class I Infectious Diseases" in Article 19, paragraphs (1) and (3) and Article 20, paragraphs (1) and (2) is deemed to be replaced with "a Designated Medical Institution for Specified Infectious Diseases, a Designated Medical Institution for Class I Infectious Diseases, or a Designated Medical Institution for Class II Infectious Diseases," the phrase "must transfer" in Article 21 is deemed to be replaced with "may transfer," the phrase "is not carrying the pathogens of the Class I Infectious Disease" in Article 22, paragraphs (1) and (2) is deemed to be replaced with "is not carrying the pathogens of the Class II Infectious Disease or ceases to have pathological conditions of that Infectious Disease, or is not carrying the pathogens of a Novel Influenza Infection, etc.," the phrase "whether or not the patient is carrying the pathogens of the Class I Infectious Disease" in paragraph (4) of the same Article is deemed to be replaced with "whether or not the patient is carrying the pathogens of the Class II Infectious Disease, ceases to have pathological conditions of that Infectious Disease, or is carrying the pathogens of a Novel Influenza Infection, etc.," and, in addition to the foregoing, necessary technical replacement of terms in connection with these provisions is specified by Cabinet Order.

(Special Provisions for the Hospitalization of Tuberculosis Patients)

Article 26-2 For the purpose of applying the provisions of Articles 19 and 20 as applied mutatis mutandis pursuant to the provisions of the preceding Article following the deemed replacement of terms to tuberculosis patients, the phrase "the location of the hospital or clinic where the referenced patient is hospitalized" in Article 19, paragraph (7) is deemed to be replaced with "the place of residence of the referenced patient," the phrase "not more than 10 days" in the main clause of Article 20, paragraph (1) is deemed to be replaced with "not more than 30 days," the phrase "not more than 10 days" in paragraph (4) of the same Article is deemed to be replaced with "not more than 10 days (or not more than 30 days, in case of the hospitalization under the main clause of paragraph (1))," the phrase "the location of the hospital or clinic where the referenced patient is hospitalized" in paragraph (5) of the same Article is deemed to be replaced with "the place of residence of the referenced patient."

Chapter V Disinfection and Other Measures

(Forcible Collection of Specimens)

Article 26-3 (1) When a prefectural governor deems it necessary for the purpose

of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may order a person set forth in Article 15, paragraph (3), item (vii) or (x) to submit the specimens or pathogens of the Infectious Disease prescribed in the relevant item.

- (2) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the Minister may order a person set forth in Article 15, paragraph (3), item (vii) or (x) to submit the specimens or pathogens of the Infectious Disease prescribed in the relevant item.
- (3) If the person receiving an order made under the provisions of paragraph (1) does not follow the order, the prefectural governor may, to the minimum extent necessary for examination, direct relevant officials to forcibly collect the specimens or pathogens of the Infectious Disease prescribed in Article 15, paragraph (3), item (vii) or (x), without compensation, from the person set forth in the same item who has received the order.
- (4) If the person receiving an order made under the provisions of paragraph (2) does not follow the order, the Minister of Health, Labour and Welfare may, to the minimum extent necessary for examination, direct relevant officials to forcibly collect the specimens or pathogens of the Infectious Disease prescribed in Article 15, paragraph (3), item (vii) or (x), without compensation, from the person set forth in the same item who has received the order.
- (5) The prefectural governor must conduct an examination of the specimens or the pathogens of the Infectious Disease submitted in accordance with the provisions of paragraph (1) or the specimens or pathogens of the Infectious Disease forcibly collected by the referenced officials in accordance with the provisions of paragraph (3), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (6) The prefectural governor must report the result of the examination referred to in the preceding paragraph and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (7) If the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, the Minister may ask the prefectural governor to submit a part of the specimens or the pathogens of the Infectious Disease submitted under the provisions of paragraph (1) or a part of the specimens or the pathogens of the Infectious Disease forcibly collected by the referenced officials under the provisions of paragraph (3).
- (8) If a prefectural governor deems it particularly necessary for the purpose of

ordering the submission of the specimens or the pathogens of the Infectious Disease under the provisions of paragraph (1), directing relevant officials to implement forcible collection of the specimens or the pathogens of the Infectious Disease under the provisions of paragraph (3), or conducting the examination of the specimens or the pathogens of the Infectious Disease under the provisions of paragraph (5), the prefectural governor may ask another prefectural governor or the Minister of Health, Labour and Welfare to dispatch an employee or employees of an Infectious Diseases Research Institute and to provide other necessary cooperation.

(Collection of Specimens)

- Article 26-4 (1) If a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may order a person set forth in Article 15, paragraph (3), item (iv) to submit the specimens prescribed in the same item or to accept the collection of the specimens by relevant officials.
- (2) If the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the Minister may order a person set forth in Article 15, paragraph (3), item (iv) to submit the specimens prescribed in the same item or to accept the collection of the specimens by relevant officials.
- (3) If the person receiving an order made under the provisions of paragraph (1) does not follow the order, the prefectural governor may, to the minimum extent necessary for examination, direct relevant officials to collect the specimens prescribed in Article 15, paragraph (3), item (iv) from the animal or its corpse prescribed in the same item which is the subject of the order.
- (4) If the person receiving an order made under the provisions of paragraph (2) does not follow the order, the Minister of Health, Labour and Welfare may, to the minimum extent necessary for examination, direct relevant officials to collect the specimens prescribed in Article 15, paragraph (3), item (iv) from the animal or its corpse prescribed in the same item which is the subject of the order.
- (5) The prefectural governor must conduct an examination of the specimens which were submitted in accordance with the provisions of paragraph (1) or which the referenced officials collected thereunder, or the specimens collected by the referenced officials based on the prefectural governor's direction in accordance with the provisions of paragraph (3), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (6) The prefectural governor must report the result of the examination referred

to in the preceding paragraph and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (7) When the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, the Minister may ask the prefectural governor to submit a part of the specimens which were submitted under the provisions of paragraph (1) or which the referenced officials collected thereunder, or a part of the specimens collected by the referenced officials based on the prefectural governor's direction under the provisions of paragraph (3).
- (8) When a prefectural governor deems it particularly necessary for the purpose of ordering the submission or collection of the specimens under the provisions of paragraph (1), directing relevant officials to implement a measure of collecting the specimens under the provisions of paragraph (3), or examining the specimens under the provisions of paragraph (5), the prefectural governor may ask another prefectural governor or the Minister of Health, Labour and Welfare to dispatch an employee or employees of an Infectious Diseases Research Institute and to provide other necessary cooperation.

(Disinfection of Areas Contaminated with Pathogens of an Infectious Disease)

Article 27 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may order, with regard to the places where a patient with the relevant Infectious Disease stays or stayed or where there is or was the corpse of a person who had died of the relevant Infectious Disease, and other areas contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease, the patient or their custodian or the person responsible for administration of the places in question or their agent to disinfect those places or areas, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (2) When a prefectural governor deems it difficult to prevent the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc. by means of an order prescribed in the preceding paragraph, the prefectural governor may instruct relevant municipal governments or direct the prefecture's officials to disinfect the places where the patient with the relevant Infectious Disease stays or stayed or where there is or was the corpse of the person who had died of the relevant Infectious Disease, and other areas contaminated or suspected to have been contaminated with pathogens of the

relevant Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Extermination of Rodents or Insects)

Article 28 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Class IV Infectious Disease, the prefectural governor may designate the areas where rodents, insects or the like which are contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease exist, and order the persons responsible for administration of those areas or the persons acting on their behalf to exterminate such rodents, insects or the like, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) When a prefectural governor deems it difficult to prevent the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Class IV Infectious Disease by means of an order prescribed in the preceding paragraph, the prefectural governor may designate the areas where rodents, insects or the like which are contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease exist, and instruct relevant municipal governments who have jurisdiction over those areas or direct the prefecture's officials to exterminate such rodents, insects or the like, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Measures Regarding Physical Items)

Article 29 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may, with regard to food or drink, clothing, bedding, and other physical items contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease, order the holders of those items to restrict or prohibit their relocation, to disinfect or discard them, or to implement other necessary measures for the prevention of the outbreak or spread of the relevant Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) When a prefectural governor deems it difficult to prevent the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc. by means of an order prescribed in the preceding paragraph, the

prefectural governor may instruct relevant municipal governments to disinfect food or drink, clothing, bedding and other physical items contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease, or direct the prefecture's officials to disinfect or discard them or implement other necessary measures for the prevention of the outbreak or spread of the relevant Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Restrictions on the Relocation of Corpses)

Article 30 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Novel Influenza Infection, etc., the prefectural governor may restrict or prohibit the relocation of the corpses contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease.

(2) The corpses contaminated or suspected to have been contaminated with pathogens of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Novel Influenza Infection, etc. must be cremated; provided, however, that the burial of those corpses may be allowed if adequate disinfection has been completed and the permission of the prefectural governor has been obtained.

(3) The corpses contaminated or suspected to have been contaminated with pathogens of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease or a Novel Influenza Infection, etc. may be either cremated or buried within 24 hours.

(Restrictions on the Use of Water for Daily Life)

Article 31 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, a Class II Infectious Disease or a Class III Infectious Disease, the prefectural governor may order the administrator responsible for the water for daily life contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease to restrict or prohibit the use or supply of the water for a specified period.

(2) If a prefectural governor orders to restrict or prohibit the use or supply of water for daily life pursuant to the provisions of the preceding paragraph, the municipal governments in the prefecture must supply users of the water for daily life with alternative water for daily life, for the period prescribed in the same paragraph, in accordance with the prefectural governor's instructions.

(Measures Taken for Buildings)

Article 32 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a Class I Infectious Disease, and it is difficult to achieve this by means of disinfection, the prefectural governor may restrict or prohibit entry into the buildings contaminated or suspected to have been contaminated with pathogens of that Infectious Disease, for a specified period, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) If the spread of a Class I Infectious Disease cannot be prevented even by implementing a measure prescribed in the preceding paragraph, the prefectural governor may seal off the buildings contaminated or suspected to have been contaminated with pathogens of the Infectious Disease or implement other necessary measures for the building for the prevention of the Infectious Disease, in accordance with the standards specified by Cabinet Order, only when it is deemed to be particularly necessary.

(Restriction or Blocking of Traffic)

Article 33 If a prefectural governor deems it particularly necessary for the purpose of preventing the spread of a Class I Infectious Disease, and it is difficult to achieve the purpose by means of disinfection, the prefectural governor may restrict or block the traffic in places where patients with that Infectious Disease stay and other places contaminated or suspected to have been contaminated with pathogens of that Infectious Disease, in accordance with the standards specified by Cabinet Order, for a specified period of not more than 72 hours.

(Minimum Necessary Measures)

Article 34 The measures implemented pursuant to the provisions of Article 26-3 through the preceding Article must be the minimum necessary for the purpose of preventing the outbreak or spread of an Infectious Disease.

(Questioning and Investigations)

Article 35 (1) When a prefectural governor deems it necessary for implementing any of the measures prescribed in Articles 26-3 to 33, the prefectural governor may direct relevant officials to enter the places where patients of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc. stay or stayed, the places where there are or were the corpses of persons who had died of the relevant Infectious Disease, the places where there are or were animals likely to transmit the relevant Infectious Disease to human beings, the places where there are or were the corpses of those animals which had died of the relevant Infectious Disease, and other areas contaminated or suspected to have been

contaminated with pathogens of the relevant Infectious Disease, and question the patients, Suspected Disease Carriers or Asymptomatic Carriers of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc., the owners or administrators of animals likely to transmit the relevant Infectious Disease to human beings or their corpses, and other persons concerned, or carry out necessary investigations.

- (2) Each of the officials referred to in the preceding paragraph must carry their identification card and present it at the request of any person concerned.
- (3) The provisions of paragraph (1) must not be construed as having been granted for criminal investigation.
- (4) The provisions of the preceding three paragraphs apply *mutatis mutandis* when the Minister of Health, Labour and Welfare deems it necessary for the purpose of implementing or directing relevant officials to implement a measure prescribed in Article 26-3, paragraph (2) or (4) or Article 26-4, paragraph (2) or (4). In this case, the phrase ", a Class III Infectious Disease, a Class IV Infectious Disease or" in paragraph (1) is deemed to be replaced with "or."
- (5) The provisions of paragraphs (1) through (3) apply *mutatis mutandis* when a mayor of a municipality deems it necessary for the purpose of implementing a measure prescribed in Article 27, paragraph (2), Article 28, paragraph (2), Article 29, paragraph (2), or Article 31, paragraph (2).
- (6) Necessary matters concerning the identification cards referred to in paragraph (2) are specified by Order of the Ministry of Health, Labour and Welfare.

(Notice in Writing)

- Article 36 (1) If a prefectural governor implements or directs relevant officials to implement a measure prescribed in Article 26-3, paragraph (1) or (3), Article 26-4, paragraph (1) or (3), Article 27, paragraph (1) or (2), Article 28, paragraph (1) or (2), Article 29, paragraph (1) or (2), Article 30, paragraph (1), or Article 31, paragraph (1), the prefectural governor must notify the addressee of the measure or their custodian in writing of the implementation of the measure, the reasons therefor, and other matters specified by Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply when there are pressing needs for implementing the measure before making a notification of those matters in writing.
- (2) In the case referred to in the proviso of the preceding paragraph, the prefectural governor must issue a written document stating the implementation of the referenced measure, the reasons therefor, and other matters specified by Order of the Ministry of Health, Labour and Welfare as referred to in the same paragraph to the addressee of the measure or their

- custodian within a reasonable period of time after implementing the measure.
- (3) The provisions of the preceding two paragraphs apply *mutatis mutandis* when the Minister of Health, Labour and Welfare implements or directs relevant officials to implement a measure prescribed in Article 26-3, paragraph (2) or (4) or Article 26-4, paragraph (2) or (4).
- (4) If a prefectural governor implements or directs relevant officials to implement a measure prescribed in Article 32 or 33, the prefectural governor must post a statement declaring the implementation of the measure, the reasons therefor, and other matters specified by Order of the Ministry of Health, Labour and Welfare at an appropriate place.
- (5) The provisions of paragraphs (1) and (2) apply *mutatis mutandis* when a mayor of a municipality directs relevant officials to implement a measure prescribed in Article 27, paragraph (2), Article 28, paragraph (2), or Article 29, paragraph (2).

Chapter VI Medical Care

(Medical Services for Inpatients)

- Article 37 (1) If a prefectural governor has recommended hospitalization or implemented hospitalization measures pursuant to the provisions of Article 19 or 20 (including cases where these provisions are applied *mutatis mutandis* in Article 26) or the provisions of Article 46, the prefectural government will bear the following expenses for medical services received by the patient (including a person with symptoms of a New Infectious Disease; the same applies hereinafter in this Article) who is subject to the hospitalization at a Designated Medical Institution for Infectious Diseases if the patient or their custodian files an application for the payment of such expenses:
- (i) diagnosis;
 - (ii) supply of medicines or therapeutic materials;
 - (iii) medical procedures, surgery and other therapy; and
 - (iv) caring and other nursing incidental to admission to a hospital and the medical treatment there.
- (2) If the patient prescribed in the preceding paragraph or their spouse or the person obligated to support the patient as prescribed in Article 877, paragraph (1) of the Civil Code (Act No. 89 of 1896) is deemed to be capable of paying the expenses referred to in paragraph (1) in whole or in part, the prefectural government is not required to bear the expenses under the provisions of the same paragraph to the extent the person is capable, notwithstanding the provisions of the same paragraph.
- (3) An application referred to in paragraph (1) must be filed with the prefectural governor via the chief of the public health center who has jurisdiction over the

place of residence of the patient.

(Medical Services for Tuberculosis Patients)

Article 37-2 (1) For the purpose of widespread development of proper medical care for tuberculosis, a prefectural government may, upon receipt of an application filed by a tuberculosis patient residing in any area under the prefecture's jurisdiction or their custodian, bear 95% of the expenses required for the tuberculosis patient to receive the medical services specified by Order of the Ministry of Health, Labour and Welfare at a Designated Medical Institution for Tuberculosis.

- (2) An application as referred to in the preceding paragraph must be filed with the prefectural governor via the chief of the public health center who has jurisdiction over the place of residence of the tuberculosis patient.
- (3) When the prefectural governor makes a decision in relation to an application referred to in the preceding paragraph, the prefectural governor must hear the opinion of the committee prescribed in Article 24, paragraph (1) established in the public health center.
- (4) When six months have passed since the filing of an application referred to in paragraph (1), the payment of the expenses by the prefectural government based on the application are to be discontinued.

(Designated Medical Institutions for Infectious Diseases)

Article 38 (1) Designated Medical Institutions for Specified Infectious Diseases are to be designated by the Minister of Health, Labour and Welfare, subject to the consent of the establisher of the respective medical institution, and further subject to consultations with the prefectural governor who has jurisdiction over the location of the medical institution.

- (2) The Designated Medical Institutions for Class I Infectious Diseases, Designated Medical Institutions for Class II Infectious Diseases, and Designated Medical Institutions for Tuberculosis are to be designated by a prefectural governor, subject to the consent of the establisher of the respective medical institution, which is to be selected from the hospitals (or the hospitals or clinics (including those specified by Cabinet Order referred to in Article 6, paragraph (16)) or the pharmacies, with regard to the Designated Medical Institutions for Tuberculosis) conforming to the standards specified by the Minister of Health, Labour and Welfare.
- (3) Pursuant to the provisions specified by the Minister of Health, Labour and Welfare, the Designated Medical Institutions for Infectious Diseases must take charge of the medical services for patients with infectious diseases and persons with symptoms of New Infectious Diseases for which the prefectural government bears expenses in accordance with the provisions of the preceding

two Articles.

- (4) With regard to the medical services which are referred to in the respective items of Article 37, paragraph (1) and which are provided for persons with symptoms of a New Infectious Disease and patients of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the Designated Medical Institutions for Specified Infectious Diseases must follow any guidance offered by the Minister of Health, Labour and Welfare.
- (5) With regard to the medical services which are referred to in the respective items of Article 37, paragraph (1) and which are provided for patients of a Class I Infectious Disease, a Class II Infectious Disease or a Novel Influenza Infection, etc., the Designated Medical Institutions for Class I Infectious Diseases must follow any guidance offered by the prefectural governor pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (6) With regard to the medical services which are referred to in the respective items of Article 37, paragraph (1) and which are provided for patients of a Class II Infectious Disease or a Novel Influenza Infection, etc., the Designated Medical Institutions for Class II Infectious Diseases must follow any guidance offered by the prefectural governor pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (7) With regard to the medical services prescribed in paragraph (1) of the preceding Article, the Designated Medical Institutions for Tuberculosis must follow any guidance offered by the prefectural governor pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (8) If a Designated Medical Institution for Infectious Diseases intends to decline its designation, it must submit a notification to that effect at least one year (or 30 days, in case of a Designated Medical Institution for Tuberculosis) prior to the date of declination, to the Minister of Health, Labour and Welfare in cases of Designated Medical Institutions for Specified Infectious Diseases, or to the prefectural governor in cases of Designated Medical Institutions for Class I Infectious Diseases, Designated Medical Institutions for Class II Infectious Diseases, or a Designated Medical Institutions for Tuberculosis.
- (9) If a Designated Medical Institution for Infectious Diseases violates any provisions of paragraphs (3) through (7), or is otherwise deemed to be incompetent in providing the medical services prescribed in the preceding two Articles, the Minister of Health, Labour and Welfare may rescind the designation of the institution if it is a Designated Medical Institution for Specified Infectious Diseases, or the prefectural governor may rescind the designation of the institution if it is a Designated Medical Institution for Class I Infectious Diseases, a Designated Medical Institution for Class II Infectious Diseases, or a Designated Medical Institution for Tuberculosis.

(Adjustment with Benefits for Medical Care under Other Laws)

Article 39 (1) If a patient with an Infectious Disease (excluding a person with symptoms of a New Infectious Disease) eligible for the payment of expenses pursuant to the provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1) is concurrently eligible to receive benefits related to medical care pursuant to the provisions of the Health Insurance Act (Act No. 70 of 1922), the National Health Insurance Act (Act No. 192 of 1958), the Mariners Insurance Act (Act No. 73 of 1939), the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947), the National Public Servants Mutual Aid Association Act (Act No. 128 of 1958; including cases where it is applied mutatis mutandis in other laws or where the same rules govern), the Local Public Officers, etc. Mutual Aid Association Act (Act No. 152 of 1962), the Act on Assurance of Medical Care for Elderly People (Act No. 80 of 1982), or the Long-Term Care Insurance Act (Act No. 123 of 1997), the prefectural government is not required to bear the expenses under the provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1) to the extent covered by the benefits granted under the foregoing laws.

(2) The provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1) do not apply to tuberculosis patients eligible for the medical care pursuant to the provisions of the Act on Relief to Wounded and Sick Retired Soldiers (Act No. 168 of 1963).

(3) If a tuberculosis patient eligible for the payment of expenses pursuant to the provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1) is concurrently eligible for the benefits of medical treatment and education under the provisions of the Child Welfare Act (Act No. 164 of 1947), the payment for the medical treatment and education under the provisions of the same Act will not be made to the extent covered by the expenses borne by the prefectural government for that patient.

(Claims for, and Examination and Payment of Medical Fees)

Article 40 (1) Designated Medical Institutions for Infectious Diseases are to claim the portion of medical fees which is paid by the prefectural government pursuant to the provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1) to the prefectural governor.

(2) Prefectural governments must pay the expenses referred to in the preceding paragraph to the Designated Medical Institutions for Infectious Diseases.

(3) Prefectural governors may from time to time examine the content of medical care provided and the medical fees claimed by the Designated Medical Institutions for Infectious Diseases, and decide the amounts of medical fees which the respective Designated Medical Institutions for Infectious Diseases

are entitled to claim under the provisions of paragraph (1).

- (4) Designated Medical Institutions for Infectious Diseases must follow the decisions made by the prefectural governor under the preceding paragraph.
- (5) When a prefectural governor decides the amounts of medical fees pursuant to the provisions of paragraph (3), the prefectural governor must hear the opinion of the review committee provided for in the Health Insurance Claims Review and Reimbursement Services Act (Act No. 129 of 1948), the national health insurance medical fees review committee provided for in the National Health Insurance Act (Act No. 192 of 1958), and other reviewing bodies for medical care issues as specified by Cabinet Order.
- (6) Prefectural governments may entrust the Health Insurance Claims Review and Reimbursement Services, the Federation of National Health Insurance Societies, or other persons specified by Order of the Ministry of Health, Labour and Welfare with affairs related to payments of medical fees to the Designated Medical Institutions for Infectious Diseases.
- (7) A request for administrative review may not be filed with regard to any decision on the amounts of medical fees under the provisions of paragraph (3).

(Standards for Medical Fees)

Article 41 (1) The medical fees payable for the medical services set forth in the respective items of Article 37, paragraph (1) or the medical services specified by Order of the Ministry of Health, Labour and Welfare as prescribed in Article 37-2, paragraph (1) performed by the Designated Medical Institutions for Infectious Diseases are governed by the rules applicable to the medical fees for health insurance.

- (2) When it is impossible or inappropriate to apply the rules on the medical fees prescribed in the preceding paragraph, the medical fees will be governed by the provisions specified by the Minister of Health, Labour and Welfare.

(Special Provisions for Medical Care in Emergencies)

Article 42 (1) If a patient (including a person with symptoms of a New Infectious Disease; hereinafter the same applies in this paragraph) hospitalized in a hospital or clinic which is not a Designated Medical Institution for Infectious Diseases in any prefecture pursuant to the provisions of Article 19 or 20 (including cases where these provisions are applied *mutatis mutandis* in Article 26; hereinafter the same applies in this paragraph) or pursuant to the provisions of Article 46 has received the medical services set forth in the respective items of Article 37, paragraph (1) from the hospital or clinic, or if a tuberculosis patient (excluding patients hospitalized pursuant to the provisions of Article 19 or 20 as applied *mutatis mutandis* pursuant to Article 26 following the deemed replacement of terms; hereinafter the same applies in

this paragraph) residing in any area of the prefecture has received the medical services specified by Order of the Ministry of Health, Labour and Welfare as referred to in Article 37-2, paragraph (1) from a hospital or clinic (including those specified by Cabinet Order referred to in Article 6, paragraph (16)) or pharmacy which is not a Designated Medical Institutions for Tuberculosis in an emergency or under other unavoidable circumstances, the prefectural government may, upon request of the patient or their custodian, reimburse the expenses for such medical treatment in an amount calculated in the same way as applicable to the amount to be borne under the provisions of Article 37, paragraph (1) or Article 37-2, paragraph (1). The same applies when such medical services have been provided in an emergency or under other unavoidable circumstances without filing an application referred to in Article 37, paragraph (1) or Article 37-2, paragraph (1) if a patient hospitalized in a Designated Medical Institution for Infectious Diseases pursuant to the provisions of Article 19, 20 or 46 has received the medical services set forth in the respective items of Article 37, paragraph (1) from the medical institution, or if a tuberculosis patient residing in any area of the prefecture has received the medical services specified by Order of the Ministry of Health, Labour and Welfare as referred to in Article 37-2, paragraph (1) from a Designated Medical Institution for Tuberculosis.

- (2) The provisions of Article 37, paragraph (3) apply mutatis mutandis to the applications referred to in the preceding paragraph.
- (3) The expenses for medical treatment referred to in paragraph (1) are to be paid to the patient only if the medical services are deemed to have been truly necessary at the time the patient received them.

(Requests for Reports and Inspections)

Article 43 (1) If deemed necessary for the purpose of ensuring that the expenses prescribed in Article 37, paragraph (1) and Article 37-2, paragraph (1) are properly borne, the prefectural governor (or either the Minister of Health, Labour and Welfare or the prefectural governor, with regard to the Designated Medical Institutions for Specified Infectious Diseases; hereinafter the same applies in the following paragraph) may request that the administrator of a Designated Medical Institution for Infectious Diseases make necessary reports or direct relevant officials to physically check the records of medical services and other books and documents (including electronic or magnetic records (which means records produced by an electronic device, magnetic device or any other device not recognizable to the human senses, which are made available for use in information processing by computers) when those records are prepared and retained in lieu of the books and documents) of a Designated Medical Institution for Infectious Diseases, with the consent of its

administrator.

- (2) If a Designated Medical Institution for Infectious Diseases fails to respond to a request for a report as referred to in the preceding paragraph, makes a false report, or refuses to give its consent as referred to in the same paragraph without reasonable grounds, the prefectural governor may instruct temporary suspension of, or suspend the payment of medical fees to, the Designated Medical Institution for Infectious Diseases.

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

Article 44 Beyond what is provided for in this Act, necessary matters concerning the procedures for filing an application referred to in Article 37, paragraph (1) or Article 37-2, paragraph (1), the procedures for claiming and payment of medical fees and for entrustment of affairs for processing such payments referred to in Article 40, and other necessary matters related to the payment of expenses prescribed in this Chapter are specified by Order of the Ministry of Health, Labour and Welfare.

Chapter VII Novel Influenza Infection

(Publication of Information on the Outbreak of Novel Influenza Infection and Measures to Be Implemented)

- Article 44-2 (1) When the Minister of Health, Labour and Welfare recognizes the outbreak of a Novel Influenza Infection, etc., the Minister must promptly publicize this fact and the area facing the outbreak, while publicizing the information on that Infectious Disease pursuant to the provisions of Article 16, and sequentially publicizing the serosubtype of the virus serving as a pathogen and means of its examination, pathological conditions, means of diagnosis and medical treatment and means of infection prevention, measures to be implemented pursuant to the provisions of this Act, and other information necessary for the prevention of the outbreak or spread of that Infectious Disease in newspapers, by broadcasting, via the Internet, or by any other appropriate means.
- (2) In making publications of the information referred to in the preceding paragraph, due regard must be paid to protect personal information.
- (3) If the Infectious Disease which is the subject of the information publicized pursuant to the provisions of paragraph (1) is no longer recognized as a Novel Influenza Infection, etc. because a large majority of the public have acquired immunity to that Infectious Disease or due to any other reason, the Minister of Health, Labour and Welfare must promptly make this public.

(Cooperation in the Prevention of Infection)

Article 44-3 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Novel Influenza Infection, etc., the prefectural governor may request a person who is suspected to be infected with that Infectious Disease on reasonable grounds to report their body temperature and other health conditions during the period to be specified in light of the incubation period of that Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) When a prefectural governor deems it necessary for the purpose of preventing the spread of a Novel Influenza Infection, etc., the prefectural governor may request the person who has been requested to make reports in accordance with the provisions of the preceding paragraph to refrain from leaving their residence or other equivalent place during the period specified in accordance with the provisions of the same paragraph or otherwise provide cooperation necessary for preventing transmission of that Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(3) The person who has been requested to make reports or cooperate pursuant to the provisions of the preceding two paragraphs must endeavor to respond to such requests.

(4) When a prefectural governor makes a request for cooperation pursuant to the provisions of paragraph (2), the prefectural governor must, as necessary, endeavor to provide meals, supply daily necessities, and offer other goods or services necessary for daily life (hereinafter referred to as "meals or other support services" in the following paragraph).

(5) If necessary meals or other support services are offered pursuant to the provisions of the preceding paragraph, the prefectural governor may collect the actual costs for the meal or other support services from the recipient or their custodian.

(Application of Provisions for Measures Taken for Buildings)

Article 44-4 (1) If deemed particularly necessary for the purpose of preventing the outbreak or spread of a Novel Influenza Infection, etc., the national government may apply all or part of the provisions of Articles 28 and 31 through 33 and the provisions of Articles 34 through 36 and Chapters XII and XIII (limited to the part pertaining to the measures implemented pursuant to the provisions of Article 28 or Articles 31 through 33) for a period not longer than two years specified by Cabinet Order, pursuant to the provisions of Cabinet Order, by deeming that Infectious Disease as a Class I Infectious Disease.

(2) The period specified by Cabinet Order as referred to in the preceding paragraph may be extended for a period not longer than one year specified by Cabinet Order if it is deemed particularly necessary to continue applying the

provisions which apply to the referenced Infectious Disease under the Cabinet Order referred to in the same paragraph, even after the end of the specified period. The same applies when the period specified by Cabinet Order which has been previously extended is to be further extended after the end of such period.

- (3) When the Minister of Health, Labour and Welfare intends to propose to establish, revise or abolish a Cabinet Order referred to in the preceding two paragraphs, the Minister must hear the opinion of the Health Science Council in advance; provided, however, that this does not apply when there is no time to seek opinions of the Health Science Council in advance when a Cabinet Order referred to in paragraph (1) needs to be urgently established, revised or abolished.
- (4) In the case referred to in the proviso of the preceding paragraph, the Minister of Health, Labour and Welfare must promptly report the content of its proposed draft of the Cabinet Order to the Health Science Council.

(Reports of the Progress of Novel Influenza Infections)

Article 44-5 (1) When a prefectural governor has conducted any affairs concerning a Novel Influenza Infection, etc. under the provisions of this Act or any Cabinet Order based on this Act, the prefectural governor must report their content to the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (2) The provisions of the preceding paragraph apply *mutatis mutandis* when a mayor of a municipality has had relevant officials implement a measure prescribed in Article 35, paragraph (1) as applied *mutatis mutandis* in paragraph (5) of the same Article in connection with a Novel Influenza Infection, etc.

Chapter VIII New Infectious Diseases

(Publication of Information on the Outbreak of New Infectious Diseases and Measures to Be Implemented)

Article 44-6 (1) When the Minister of Health, Labour and Welfare recognizes the outbreak of a New Infectious Disease, the Minister must promptly publicize to that effect and the area facing the outbreak, while publicizing the information on that New Infectious Disease pursuant to the provisions of Article 16, and sequentially publicizing the means of examining the pathogen, pathological conditions, means of diagnosis and medical treatment, and means of infection prevention, measures to be implemented pursuant to the provisions of this Act, and other information necessary for the prevention of the outbreak or spread of the New Infectious Disease in newspapers, by broadcasting, via the Internet, or by any other appropriate means.

- (2) In making publications of the information referred to in the preceding paragraph, due regard must be paid to protect personal information.

(Collection of Specimens of New Infectious Diseases)

Article 44-7 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a New Infectious Disease, the prefectural governor may recommend that the person set forth in Article 15, paragraph (3), item (iii) submit the specimens prescribed in the same item or accept the collection of the specimens by relevant officials, or recommend that the person's custodian submit the specimens or have the person accept the collection of the specimens by relevant officials; provided, however, that this does not apply when the prefectural governor is considered to be able to obtain the specimens which are the subject of the intended recommendation (including pathogens of the New Infectious Disease separated from the specimens which are the subject of the intended recommendation; hereinafter the same applies in this paragraph) from a person who possesses the specimens which are the subject of the intended recommendation.

- (2) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the spread of a New Infectious Disease, the Minister may recommend that the person set forth in Article 15, paragraph (3), item (iii) submit the specimens prescribed in the same item or accept the collection of the specimens by relevant officials, or recommend that the person's custodian submit the specimens or have the person accept the collection of the specimens by relevant officials; provided, however, that this does not apply when the Minister of Health, Labour and Welfare is considered to be able to obtain the specimens which are the subject of the intended recommendation (including pathogens of the New Infectious Disease separated from the specimens which are the subject of the intended recommendation) from a person who possesses the specimens which are the subject of the intended recommendation.

- (3) If the person receiving a recommendation made under the provisions of paragraph (1) does not follow the recommendation, the prefectural governor may, to the minimum extent necessary for examination, direct the referenced officials to collect the specimens prescribed in Article 15, paragraph (3), item (iii) from the person set forth in the same item who is the subject of the recommendation.

- (4) If the person receiving a recommendation made under the provisions of paragraph (2) does not follow the recommendation, the Minister of Health, Labour and Welfare may, to the minimum extent necessary for examination, direct the referenced officials to collect the specimens prescribed in Article 15, paragraph (3), item (iii) from the person set forth in the same item who is the

subject of the recommendation.

- (5) Prefectural governors must conduct an examination of the specimens which were submitted in accordance with the provisions of paragraph (1) or which the referenced officials collected thereunder, or the specimens collected by the referenced officials based on the prefectural governor's direction in accordance with the provisions of paragraph (3), pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (6) Prefectural governors must report the results of the examinations referred to in the preceding paragraph and other matters specified by Order of the Ministry of Health, Labour and Welfare to the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (7) When the Minister of Health, Labour and Welfare deems it necessary to personally conduct an examination, the Minister may ask the prefectural governor to submit a part of the specimens which were submitted under the provisions of paragraph (1) or which the referenced officials collected thereunder, or a part of the specimens collected by the referenced officials based on the prefectural governor's direction under the provisions of paragraph (3).
- (8) When a prefectural governor deems it particularly necessary for the purpose of recommending the submission or collection of the specimens under the provisions of paragraph (1), directing relevant officials to implement a measure of collecting the specimens under the provisions of paragraph (3), or examining the specimens under the provisions of paragraph (5), the prefectural governor may ask another prefectural governor or the Minister of Health, Labour and Welfare to dispatch an employee of an Infectious Diseases Research Institute and to provide other necessary cooperation.
- (9) The provisions of Article 16-3, paragraphs (5) and (6) apply *mutatis mutandis* when a prefectural governor recommends the submission or collection of specimens under the provisions of paragraph (1) or directs relevant officials to implement a measure of collecting specimens under the provisions of paragraph (3).
- (10) The provisions of Article 16-3, paragraphs (5) and (6) apply *mutatis mutandis* when the Minister of Health, Labour and Welfare recommends the submission or collection of specimens under the provisions of paragraph (2) or directs relevant officials to implement a measure of collecting specimens under the provisions of paragraph (4).

(Medical Examinations of New Infectious Diseases)

Article 45 (1) When a prefectural governor deems it necessary for the purpose of preventing the spread of a New Infectious Disease, the prefectural governor

may recommend that a person who is suspected to be infected with the New Infectious Disease on reasonable grounds take a medical examination by a physician to ascertain whether the person is infected with that New Infectious Disease or not, or recommend to their custodian that the person take a medical examination.

- (2) If the person receiving a recommendation made under the provisions of the preceding paragraph does not follow the recommendation, the prefectural governor may direct relevant officials to conduct a medical examination of the person suspected to be infected with the New Infectious Disease who is the subject of the recommendation on reasonable grounds.
- (3) The provisions of Article 16-3, paragraphs (5) and (6) apply *mutatis mutandis* when a prefectural governor recommends a medical examination prescribed in paragraph (1) or implements a measure of conducting the medical examination prescribed in the preceding paragraph.

(Hospitalization of Persons with Symptoms of a New Infectious Disease)

Article 46 (1) If a prefectural governor deems it necessary for the purpose of preventing the spread of a New Infectious Disease, the prefectural governor may recommend that a person with symptoms of the New Infectious Disease be hospitalized, or recommend to their custodian that the person with symptoms of the New Infectious Disease be hospitalized in a Designated Medical Institution for Specified Infectious Diseases, for a specified period of not more than 10 days; provided, however, that in an emergency or under other unavoidable circumstances, the prefectural governor may recommend that the person with symptoms of the New Infectious Disease be hospitalized or recommend to their custodian that the person be hospitalized in a hospital which is not a Designated Medical Institution for Specified Infectious Diseases, as deemed appropriate by the prefectural governor.

- (2) If the person receiving a recommendation made under the provisions of the preceding paragraph does not follow the recommendation, the prefectural governor may hospitalize the person with symptoms of the New Infectious Disease who is the subject of the recommendation in a Designated Medical Institution for Specified Infectious Diseases (or if the person does not follow a recommendation made under the proviso of the same paragraph, in a hospital which is not a Designated Medical Institution for Specified Infectious Diseases, as deemed appropriate by the prefectural governor) for a specified period of not more than 10 days.
- (3) In an emergency or under other unavoidable circumstances, a prefectural governor may hospitalize a person with symptoms of a New Infectious Disease who is hospitalized pursuant to the provisions of the preceding two paragraphs in another hospital which is deemed appropriate by the prefectural governor,

for a specified period of not more than 10 days from the day on which the person is hospitalized under the provisions of the preceding two paragraphs.

- (4) If a prefectural governor deems it necessary to continue the hospitalization of a person with symptoms of a New Infectious Disease who is hospitalized under the provisions of the preceding three paragraphs after the end of the period of hospitalization, the prefectural governor may extend the period of hospitalization for a specified period of not more than 10 days. The same applies when the period of hospitalization is to be further extended after the end of the period previously extended.
- (5) If a prefectural governor intends to make a recommendation under the provisions of paragraph (1), the prefectural governor must give appropriate explanations to the person with symptoms of the New Infectious Disease or their custodian and endeavor to gain their understanding, and must afford them an opportunity to express their opinions to the official designated by the prefectural governor. In this case, the prefectural governor must give advance notice to the suspected patient with the New Infectious Disease or their custodian of the date and time and the place set for such opportunity to express opinions, as well as the facts underlying the recommendation.
- (6) The person with symptoms of the New Infectious Disease or their custodian receiving a notice given under the provisions of the preceding paragraph may have an agent appear and submit evidence in their favor.
- (7) The official hearing the opinions under the provisions of paragraph (5) must prepare a hearing report and submit it to the prefectural governor.

(Transfer of Persons with Symptoms of New Infectious Diseases)

Article 47 Prefectural governors must transfer the person with symptoms of a New Infectious Disease who is hospitalized pursuant to the provisions of the preceding Article to the hospital in which the hospitalization is made.

(Discharge of Suspected Patients of New Infectious Diseases)

Article 48 (1) If it is confirmed that the person hospitalized pursuant to the provisions of Article 46 is unlikely to spread the New Infectious Disease for which the hospitalization was made to the public, the prefectural governor must discharge the hospitalized person.

(2) With regard to a person who is hospitalized pursuant to the provisions of Article 46, the administrator of the hospital may express their opinion to the prefectural governor to the effect that the person is unlikely to spread to the public the New Infectious Disease for which the hospitalization was made.

(3) A person hospitalized pursuant to the provisions of Article 46 or their custodian may request the prefectural governor to approve the discharge of the hospitalized person.

(4) Upon receipt of a request for discharge under the provisions of the preceding paragraph, a prefectural governor must confirm whether or not the hospitalized person is likely to spread to the public the New Infectious Disease for which the hospitalization was made.

(Minimum Necessary Measures)

Article 48-2 The measures implemented pursuant to the provisions of Articles 44-7 through 47 must be the minimum necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease in light of risks of spreading the New Infectious Disease to the public, the severity of pathological conditions when infected with the New Infectious Disease, and other circumstances.

(Notice in Writing for Hospitalization of Suspected Patients of a New Infectious Disease)

Article 49 The provisions of Article 16-3, paragraphs (5) and (6) apply *mutatis mutandis* when a prefectural governor recommends the hospitalization prescribed in Article 46, paragraph (1), implements hospitalization measures prescribed in paragraph (2) or (3) of the same Article, or extends the period of hospitalization prescribed in paragraph (4) of the same Article.

(Filing a Complaint with a Prefectural Governor)

Article 49-2 The provisions of Article 24-2 apply *mutatis mutandis* to a person with symptoms of a New Infectious Disease hospitalized pursuant to the provisions of Article 46.

(Disinfection and Other Measures for New Infectious Diseases)

Article 50 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease, the prefectural governor may implement or direct relevant officials to implement all or part of the measures prescribed in Article 26-3, paragraphs (1) and (3), Article 26-4, paragraphs (1) and (3), Articles 27 through 33, and Article 35, paragraph (1), by deeming that New Infectious Disease as a Class I Infectious Disease.

(2) The provisions of Article 26-3, paragraphs (5) through (8) apply *mutatis mutandis* when a prefectural governor implements or directs relevant officials to implement a measure prescribed in paragraph (1) or (3) of the same Article pursuant to the provisions of the preceding paragraph.

(3) The provisions of Article 26-4, paragraphs (5) through (8) apply *mutatis mutandis* when a prefectural governor implements or directs relevant officials to implement a measure prescribed in paragraph (1) or (3) of the same Article pursuant to the provisions of paragraph (1).

- (4) The provisions of Article 35, paragraphs (2) and (3) apply mutatis mutandis when a prefectural governor directs relevant officials to implement a measure prescribed in paragraph (1) of the same Article pursuant to the provisions of paragraph (1).
- (5) The provisions of Article 36, paragraphs (1) and (2) apply mutatis mutandis when a prefectural governor implements or directs relevant officials to implement a measure prescribed in Article 26-3, paragraph (1) or (3), Article 26-4, paragraph (1) or (3), Article 27, paragraph (1) or (2), Article 28, paragraph (1) or (2), Article 29, paragraph (1) or (2), Article 30, paragraph (1), or Article 31, paragraph (1), pursuant to the provisions of paragraph (1).
- (6) The provisions of Article 36, paragraph (4) apply mutatis mutandis when a prefectural governor implements or directs relevant officials to implement a measure prescribed in Article 32 or 33, pursuant to the provisions of paragraph (1).
- (7) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease, the Minister may implement or direct relevant officials to implement all or part of the measures prescribed in Article 26-3, paragraphs (2) and (4), Article 26-4, paragraphs (2) and (4), and Article 35, paragraph (1) as applied mutatis mutandis in paragraph (4) of the same Article, by deeming that New Infectious Disease as a Class I Infectious Disease.
- (8) The provisions of Article 35, paragraphs (2) and (3) as applied mutatis mutandis in paragraph (4) of the same Article apply mutatis mutandis when the Minister of Health, Labour and Welfare directs relevant officials to implement a measure prescribed in paragraph (1) of the same Article as applied mutatis mutandis in paragraph (4) of the same Article, pursuant to the provisions of the preceding paragraph.
- (9) The provisions of Article 36, paragraphs (1) and (2) as applied mutatis mutandis in paragraph (3) of the same Article apply mutatis mutandis when the Minister of Health, Labour and Welfare implements or directing relevant officials to implement a measure prescribed in Article 26-3, paragraph (2) or (4) or Article 26-4, paragraph (2) or (4), pursuant to the provisions of paragraph (7).
- (10) When a mayor of a municipality deems it necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease, the mayor of a municipality may direct relevant officials to implement a measure prescribed in Article 35, paragraph (1) as applied mutatis mutandis in paragraph (5) of the same Article, by deeming that New Infectious Disease as a Class I Infectious Disease.
- (11) The provisions of Article 35, paragraphs (2) and (3) as applied mutatis mutandis in paragraph (5) of the same Article apply mutatis mutandis when a

mayor of a municipality directs relevant officials to implement a measure prescribed in paragraph (1) of the same Article as applied mutatis mutandis in paragraph (5) of the same Article, pursuant to the provisions of the preceding paragraph.

- (12) The provisions of Article 36, paragraphs (1) and (2) as applied mutatis mutandis in paragraph (5) of the same Article apply mutatis mutandis when a mayor of a municipality directs relevant officials to implement a measure prescribed in Article 27, paragraph (2), Article 28, paragraph (2), or Article 29, paragraph (2), in accordance with the prefectural governor's instructions under the provisions of Article 27, paragraph (2), Article 28, paragraph (2), or Article 29, paragraph (2), which is implemented pursuant to the provisions of paragraph (1).
- (13) The measures implemented pursuant to the provisions of paragraph (1), (7) or (10) must be the minimum necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease.

(Cooperation for Prevention of Infection)

Article 50-2 (1) When a prefectural governor deems it necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease, the prefectural governor may request a person who is suspected to be infected with that New Infectious Disease on reasonable grounds to report their body temperature and other health conditions during the period to be specified in light of the estimated length of the incubation period of that New Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (2) When a prefectural governor deems it necessary for the purpose of preventing the spread of a New Infectious Disease, the prefectural governor may request the person who has been requested to make reports in accordance with the provisions of the preceding paragraph to refrain from leaving their residence or other equivalent place during the period specified in accordance with the provisions of the same paragraph or otherwise provide cooperation necessary for preventing transmission of the New Infectious Disease, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (3) The person who has been requested to make reports or cooperate pursuant to the provisions of the preceding two paragraphs must endeavor to respond to such requests.
- (4) The provisions of Article 44-3, paragraphs (4) and (5) apply mutatis mutandis when a prefectural governor requests for cooperation pursuant to the provisions of paragraph (2).

(Technical Guidance and Advice of the Minister of Health, Labour and Welfare)

Article 51 (1) If a prefectural governor intends to implement or direct relevant officials to implement a measure prescribed in Article 44-7, paragraph (1), Article 45, paragraph (1), Article 46, paragraph (1), (3) or (4), Article 47, or Article 48, paragraph (1) or (4), or intends to implement or direct relevant officials to implement a measure prescribed in Article 26-3, paragraph (1), Article 26-4, paragraph (1), Articles 27 through 33, or Article 35, paragraph (1) pursuant to the provisions of Article 50, paragraph (1), the prefectural governor must, in advance, inform the Minister of Health, Labour and Welfare of the content of the measure, the time for implementing the measure, and other matters specified by Order of the Ministry of Health, Labour and Welfare, and the prefectural governor must implement the measure in close coordination with the Minister of Health, Labour and Welfare.

(2) Upon receipt of information provided under the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare must offer technical guidance and advice to the prefectural governor for the purpose of ensuring proper implementation of the measures prescribed in Articles 44-7 through 48 and Article 50, paragraph (1).

(3) When the Minister of Health, Labour and Welfare intends to offer technical guidance and advice to a prefectural governor pursuant to the provisions of the preceding paragraph, the Minister must hear the opinion of the Health Science Council in advance.

(4) The provisions of the preceding three paragraphs apply *mutatis mutandis* when a mayor of a municipality directs relevant officials to implement a measure prescribed in Article 35, paragraph (1) as applied *mutatis mutandis* in paragraph (5) of the same Article, pursuant to the provisions of Article 50, paragraph (10).

(Instructions of the Minister of Health, Labour and Welfare)

Article 51-2 (1) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of a New Infectious Disease, the Minister may give necessary instructions to a prefectural governor in connection with the affairs conducted by the prefectural governor pursuant to the provisions of Article 44-7, paragraph (1), Article 45, paragraph (1), Article 46, paragraph (1), (3) or (4), Article 47, Article 48, paragraph (1) or (4), Article 50, paragraph (1), or Article 50-2, paragraph (1) or (2).

(2) When the Minister of Health, Labour and Welfare intends to give instructions to a prefectural governor pursuant to the provisions of the preceding paragraph, the Minister must hear the opinion of the Health Science Council; provided, however, that this does not apply when there is no time to seek opinions of the Health Science Council in advance in an emergency.

(3) In the case referred to in the proviso of the preceding paragraph, the Minister of Health, Labour and Welfare must promptly report the content of the instructed measures to the Health Science Council.

(Reports of the Progress of New Infectious Diseases)

Article 52 (1) If a prefectural governor has implemented or has directed relevant officials to implement a measure prescribed in Article 44-7, paragraph (1) or (3) or Articles 45 through 48 or has implemented or has directed relevant officials implement a measure prescribed in Article 26-3, paragraph (1) or (3), Article 26-4, paragraph (1) or (3), Articles 27 through 33, or Article 35, paragraph (1) pursuant to the provisions of Article 50, paragraph (1), or if a prefectural governor has conducted the affairs under the provisions of Article 50-2, paragraph (1) or (2), the prefectural governor must sequentially report the content of the measure or affairs and their subsequent progress to the Minister of Health, Labour and Welfare.

(2) The provisions of the preceding paragraph apply *mutatis mutandis* when a mayor of a municipality has had relevant officials to implement a measure prescribed in Article 50, paragraph (10).

(Designation of New Infectious Diseases by Cabinet Order)

Article 53 (1) When the national government comes to be able to present measures to be implemented for the pathological conditions peculiar to a New Infectious Disease and for the prevention of spread thereof as a result of gathering and analyzing the information on that New Infectious Disease, the national government must promptly implement the measures of applying all or part of the provisions of Chapters III through VI, X, XII and XIII, by deeming the New Infectious Disease and a person with symptoms the New Infectious Disease as a Class I Infectious Disease and a patient with a Class I Infectious Disease respectively for a period not longer than one year specified by Cabinet Order, pursuant to the provisions of Cabinet Order.

(2) The period specified by Cabinet Order as referred to in the preceding paragraph may be extended for a period not longer than one year specified by Cabinet Order if it is deemed particularly necessary to continue applying the provisions which apply to the New Infectious Disease specified by Cabinet Order pursuant to the Cabinet Order referred to in the same paragraph, even after the end of the specified period. The same applies when the period specified by Cabinet Order which has been previously extended is to be further extended after the end of such period.

(3) When the Minister of Health, Labour and Welfare intends to propose to establish, revise or abolish a Cabinet Order referred to in the preceding two paragraphs, the Minister must hear the opinion of the Health Science Council

in advance.

Chapter IX Tuberculosis

(Periodical Medical Examinations)

Article 53-2 (1) The employers prescribed in Article 2, item (iii) of the Industrial Safety and Health Act (Act No. 57 of 1972) (hereinafter referred to as "employer" in this Chapter and Chapter XII), the heads of schools (including specialized training colleges and schools for specialized education, and excluding schools for which the school term is less than one year; the same applies hereinafter), or the heads of correctional institutions or other institutions specified by Cabinet Order (each hereinafter referred to as "specified institution" in this Chapter and Chapter XII) must provide the persons engaged in the business or services operated by the respective employers, the students, pupils or children of the respective schools, or the persons detained in the respective specified institutions (excluding those before the time of commencement of elementary school) who are specified by Cabinet Order with periodical medical examinations for tuberculosis at the periodic intervals specified by Cabinet Order, by designating the dates or the period in each instance.

- (2) The chief of a public health center may give instructions to employers (excluding the national government, prefectural governments, cities having a public health center and special wards) or the heads of schools or specified institutions (excluding the schools or specified institutions established by the national government, a prefectural government, a city having a public health center or a special ward) in connection with the designation of the dates or periods for periodical medical examinations provided under the provisions of the preceding paragraph.
- (3) A mayor of a municipality must provide the persons residing in the region under the municipal jurisdiction (excluding those before the time of commencement of elementary school) who are not eligible for medical examinations referred to in paragraph (1) and who are specified by Cabinet Order with periodical medical examinations for tuberculosis at the periodic intervals specified by Cabinet Order, by designating the dates or period in each instance based on instructions given by the chief of the public health center (or by the prefectural governor, in case of a special ward and a city having a public health center).
- (4) If a medical examination has been provided for persons eligible for medical examinations referred to in paragraph (1) pursuant to the provisions of the Industrial Safety and Health Act, the School Health and Safety Act (Act No. 56 of 1958) or other applicable laws, or any order or regulations thereunder, and

such medical examination conforms to the technical standards referred to in Article 53-9, the employer or the head of the school or Specified Institution, as applicable, is deemed to have provided a periodical medical examination under the provisions of the same paragraph for the eligible persons.

(5) The numbers of medical examinations to be provided under the provisions of paragraph (1) or (3) are specified by Cabinet Order.

(Duty to Undergo a Medical Examination)

Article 53-3 (1) The persons eligible for a medical examination referred to in paragraph (1) or (3) of the preceding Article must undergo the medical examination provided by their employer, the head of the school or specified institution, or the mayor of a municipality on the designated date or within the designated period.

(2) If a person required to undergo a medical examination pursuant to the provisions of the preceding paragraph is under the age of 16 or an adult ward, their custodian must implement necessary measures to have the person take the medical examination.

(Medical Examinations Undergone at Other Opportunities)

Article 53-4 If a person who is supposed to take a periodical medical examination has undergone another medical examination conforming to the technical standards referred to in Article 53-9 within three months prior to the date designated for the periodical medical examination or the expiration date of the period designated therefor, and the person submits a medical certificate or other document certifying the content of the undergone medical examination to the entity responsible for the periodical medical examination on or before the date or expiration date, the person is deemed to have undergone the periodical medical examination.

(Persons Failing to Undergo a Periodical Medical Examination)

Article 53-5 If a person is unable to undergo a periodical medical examination because of an illness or under any other unavoidable accidents and such accidents are eliminated within two months, the person must undergo a medical examination within one month after the elimination of such accident and submit a medical certificate or other document certifying the content of the medical examination to the entity responsible for the periodical medical examination.

(Records of Periodical Medical Examinations)

Article 53-6 (1) When an entity responsible for providing periodical medical examinations (hereinafter referred to as "medical examination provider" in this

Chapter) has provided a periodical medical examination or received a medical certificate or other document submitted pursuant to the provisions of the preceding two Articles, the medical examination provider must prepare a record of the medical examination without delay and retain the record.

- (2) If a person who has undergone a periodical medical examination requests disclosure of the record prepared pursuant to the provisions of the preceding paragraph, the medical examination provider must not refuse this request without reasonable grounds.

(Provision of Information or Reports)

Article 53-7 (1) After providing a periodical medical examination, the medical examination provider must report or provide information on the number of medical examinees and other matters specified by Order of the Ministry of Health, Labour and Welfare with regard to the medical examination (including other medical examinations for which a certificate or other document has been submitted pursuant to the provisions of Article 53-4 or 53-5) to the prefectural governor via the chief of the public health center who has jurisdiction over the location where the periodical medical examination has been provided (or via the chief of the public health center and the city mayor or ward mayor when the location is within a city which has a public health center or a special ward).

- (2) The provisions of the preceding paragraph apply *mutatis mutandis* when a medical examination provider governed by the provisions of any other law or any order or regulation thereunder provides a medical examination which is deemed to constitute a medical examination conducted under the provisions of Article 53-2, paragraph (1) pursuant to the provisions of paragraph (4) of the same Article.

(Consultations with Other Administrative Organs)

Article 53-8 (1) If the chief of a public health center gives instructions to an employer pursuant to the provisions of Article 53-2, paragraph (2) in connection with the persons who are engaged in the employer's business or services and to whom the provisions of the Industrial Safety and Health Act are applied, the chief of the public health center must consult with the chief of the Labour Standards Inspection Office who has jurisdiction over the location for the business or services.

- (2) With regard to the schools under the administrative jurisdiction of the board of education, the chief of the public health center is to give notice to the board of education stating the matters to be instructed under Article 53-2, paragraph (2), in lieu of giving instructions thereunder.
- (3) Upon receipt of a notice referred to in the preceding paragraph, the board of education is to give necessary instructions to the referenced schools.

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

Article 53-9 The methods and technical standards for periodical medical examinations, the matters to be stated in medical certificates and other documents prescribed in Article 53-4 or 53-5, and the forms and the retention period of recording for medical examinations are specified by Order of the Ministry of Health, Labour and Welfare.

(Notice of Notification on Tuberculosis Patients)

Article 53-10 If a prefectural governor receives a notification of a tuberculosis patient under the provisions of Article 12, paragraph (1), and the notification was made via the chief of a public health center which is not the public health center which has jurisdiction over the place of residence of the patient, the prefectural governor must immediately give notice to the chief of the public health center who has jurisdiction over the place of residence of the patient stating the content of the notification.

(Notification by Administrators of Medical Institutions)

Article 53-11 (1) When a tuberculosis patient is hospitalized or a tuberculosis patient who has been hospitalized is discharged, the administrator of the hospital must notify the chief of the nearest public health center of the matters specified by Order of the Ministry of Health, Labour and Welfare for the patient within seven days.

(2) If the chief of a public health center receives a notification referred to in the preceding paragraph with regard to a person other than those residing in the area under the jurisdiction of the public health center, the chief of the public health center must give notice to the chief of the public health center who has jurisdiction over the place of residence of the patient stating the content of the notification.

(Tuberculosis Registration Cards)

Article 53-12 (1) The chief of a public health center must keep tuberculosis registration cards, and record on those cards particulars concerning tuberculosis patients and the persons who have recovered from tuberculosis as specified by Order of the Ministry of Health, Labour and Welfare residing in the area under its jurisdiction.

(2) The records referred to in the preceding paragraph are to be made for the persons for whom a notification has been filed under the provisions of Article 12, paragraph (1) or for whom a notice has been given under the provisions of Article 53-10.

(3) The matters required to be stated on tuberculosis registration cards, their

transfer, the retention period, and other necessary matters concerning tuberculosis registration cards are specified by Order of the Ministry of Health, Labour and Welfare.

(Detailed Examinations)

Article 53-13 When the chief of a public health center deems it necessary for the purpose of preventing tuberculosis or in light of medical needs, the chief of the public health center is to conduct X-ray examinations or other detailed examinations by methods specified by Order of the Ministry of Health, Labour and Welfare for the persons registered on tuberculosis registration cards.

(Home Guidance)

Article 53-14 (1) When the chief of a public health center deems it necessary for the purpose of preventing tuberculosis or in light of medical needs, the chief of the public health center is to direct public health nurses or other officials to visit the residence of a person enrolled on a tuberculosis registration card and to offer guidance for ensuring proper medication of prescribed drugs and other necessary guidance.

(2) When the chief of a public health center deems it necessary for the purpose of preventing tuberculosis or ensuring effective medical care, the chief of the public health center may ask a hospital, clinic, pharmacy, or other person specified by Order of the Ministry of Health, Labour and Welfare to offer guidance for ensuring proper medication of prescribed drugs and other necessary guidance to a person enrolled on a tuberculosis registration card pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Instructions of Physicians)

Article 53-15 If a physician has diagnosed a tuberculosis patient, the physician must give instructions to the patient or their custodian or any other person actually taking care of the patient regarding proper medication of prescribed drugs and other matters necessary for medical care of the patient specified by Order of the Ministry of Health, Labour and Welfare, and for disinfection and other matters necessary for the prevention of infection as specified by Order of the Ministry of Health, Labour and Welfare.

Chapter X Measures on Importing Animals Likely to Transmit Pathogens of Infectious Diseases

(Prohibition of Imports)

Article 54 No person may import the following animals, specified by Cabinet

Order as being highly likely to transmit an Infectious Disease to human beings (hereinafter referred to as "Designated Animals"); provided, however, that this does not apply if Designated Animals must be imported from an area specified by Order of the Ministry of Health, Labour and Welfare or Order of the Ministry of Agriculture, Forestry and Fisheries as referred to in item (i) under special circumstances and the permissions of the Minister of Health, Labour and Welfare and the Minister of Agriculture, Forestry and Fisheries are obtained:

- (i) an animal shipped from any of the areas specified by Order of the Ministry of Health, Labour and Welfare or Order of the Ministry of Agriculture, Forestry and Fisheries for respective Designated Animals by taking into consideration the status of the outbreak of an Infectious Disease and other circumstances; or
- (ii) an animal transported via any of the areas specified by Order of the Ministry of Health, Labour and Welfare or Order of the Ministry of Agriculture, Forestry and Fisheries as referred to in the preceding item.

(Import Quarantines)

Article 55 (1) A person intending to import Designated Animals (hereinafter referred to as an "Importer") must attach the certificate issued by the competent governmental organization of the exporting country or its photocopy stating the result of the inspection in the exporting country to the effect that the animals are not infected with any of the Infectious Diseases specified by Cabinet Order for respective Designated Animals or that the animals are not suspected to be infected with such Infectious Diseases and stating other matters specified by Order of the Ministry of Health, Labour and Welfare or Order of the Ministry of Agriculture, Forestry and Fisheries.

- (2) No Designated Animal may be imported at a place other than the seaports or airports specified by Order of the Ministry of Agriculture, Forestry and Fisheries.
- (3) Importers must notify the Animal Quarantine Service of the types and quantities of the Designated Animals to be imported, the time and place for import, and other particulars specified by Order of the Ministry of Agriculture, Forestry and Fisheries, pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries. In this case, the Director General of the Animal Quarantine Service may instruct the person having filed the notification to change the time or place for the import for which the notification was filed, when it is deemed particularly necessary for efficiently carrying out the inspection referred to in the following paragraph.
- (4) Importers must have the Designated Animals inspected by an animal quarantine officer at an office of the Animal Quarantine Service or at a place

designated by the animal quarantine officer inside a seaport or airport specified pursuant to the provisions of paragraph (2), in order to ascertain whether or not those Designated Animals are infected or suspected of being infected with any of the Infectious Diseases specified by Cabinet Order as referred to in paragraph (1); provided, however, that such inspection may be carried out at any other place designated by the Minister of Agriculture, Forestry and Fisheries under special circumstances.

- (5) The animal quarantine officer may give necessary instructions to the person undergoing the inspection referred to in the preceding paragraph when it is deemed necessary for carrying out the inspection referred to in the same paragraph.
- (6) Beyond what is prescribed in the preceding paragraphs, necessary matters concerning quarantine of Designated Animals are specified by Order of the Ministry of Agriculture, Forestry and Fisheries.

(Measures Based on Inspections)

Article 56 (1) If an animal quarantine officer discovers a Designated Animal infected or suspected of being infected with any of the Infectious Diseases specified by Cabinet Order as referred to in paragraph (1) of the preceding Article in the course of the inspection referred to in paragraph (4) of the same Article, the provisions of Article 13 do not apply. In this case, the Director General of the Animal Quarantine Service is to immediately inform the prefectural governor of the name of the Importer of the Designated Animal and other matters specified by the Order of the Ministry of Health, Labour and Welfare as referred to in paragraph (1) of the same Article via the chief of the nearest public health center.

- (2) The prefectural governor receiving a notice under the provisions of the preceding paragraph must immediately report the content of the notice to the Minister of Health, Labour and Welfare.
- (3) The Director General of the Animal Quarantine Service may direct animal quarantine officers to implement isolation, disinfection or slaughter or other necessary measures for the Designated Animals prescribed in paragraph (1) pursuant to the provisions of Order of the Ministry of Agriculture, Forestry and Fisheries.

(Import Notifications)

Article 56-2 (1) A person intending to import animals (excluding Designated Animals) specified by Order of the Ministry of Health, Labour and Welfare as being likely to transmit an Infectious Disease to human beings or the corpses of animals specified by Order of the Ministry of Health, Labour and Welfare as being likely to transmit an Infectious Disease to human beings (hereinafter

referred to as "notifiable animals or the like" in this Article and Article 77, item (ix)) must file a notification stating the types and quantities of the notifiable animals or the like and other matters specified by Order of the Ministry of Health, Labour and Welfare with the Minister of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. In this case, the notification must be accompanied by a certificate issued by the competent governmental organization of the exporting country or a photocopy of the certificate setting out the result of the inspection in the exporting country to the effect that the animals are not infected with any of the Infectious Diseases specified by Cabinet Order for each of the notifiable animals or the like or that the animals are not suspected to be infected with such Infectious Diseases, and stating other matters specified by Order of the Ministry of Health, Labour and Welfare or Order of the Ministry of Agriculture, Forestry and Fisheries.

- (2) Beyond what is prescribed in the preceding paragraph, necessary matters concerning the notification of import of notifiable animals or the like are specified by Order of the Ministry of Health, Labour and Welfare.

Chapter XI Specified Pathogens

Section 1 Class I Pathogens

(Prohibition of Possession of Class I Pathogens, etc.)

Article 56-3 (1) No person may possess Class I Pathogens, etc.; provided, however, that this does not apply in the following cases:

- (i) when a Holder of Specified Class I Pathogens, etc. possesses the Class I Pathogens, etc. specified by Cabinet Order as requiring test and research (hereinafter referred to as "Specified Class I Pathogens, etc.") for the purpose of test and research at a laboratory designated by the Minister of Health, Labour and Welfare;
- (ii) when a person required to perform sterilization or detoxification (hereinafter referred to as "Sterilization, etc.") of Class I Pathogens, etc. or to transfer Class I Pathogens, etc. pursuant to the provisions of Article 56-22, paragraph (1) (hereinafter referred to as the "Person Obligated to Sterilize and Transfer Class I Pathogens, etc.") possesses Class I Pathogens, etc. pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare until the person completes the Sterilization, etc. or transfer (hereinafter referred to as "Sterilization and Transfer") thereof;
- (iii) when a person undertaking the transportation entrusted by a person prescribed in the preceding two items possesses the entrusted Class I Pathogens, etc. for the purpose of completing the transportation thereof; or
- (iv) when an employee of any of the persons prescribed in the preceding three

items possesses the Class I Pathogens, etc. in the course of duties.

(2) A "Holder of Specified Class I Pathogens, etc." referred to in item (i) of the preceding paragraph means the national government or an incorporated administrative agency (meaning an incorporated administrative agency prescribed in Article 2, paragraph (1) of the Act on General Rules for Independent Administrative Agencies (Act No. 103 of 1999)) or other juridical person specified by Cabinet Order which is designated by the Minister of Health, Labour and Welfare for respective types of Specified Class I Pathogens, etc. as being capable of properly possessing Specified Class I Pathogens, etc.

(Prohibition of Import of Class I Pathogens, etc.)

Article 56-4 No person may import Class I Pathogens, etc.; provided, however, that this does not apply when a Holder of Specified Class I Pathogens, etc. (meaning a Holder of Specified Class I Pathogens, etc. prescribed in paragraph (2) of the preceding Article; the same applies hereinafter) imports Specified Class I Pathogens, etc. designated by the Minister of Health, Labour and Welfare as being required to be procured from foreign countries.

(Prohibition of the Transfer and Receipt of Class I Pathogens, etc.)

Article 56-5 No person may transfer or receive Class I Pathogens, etc.; provided, however, that this does not apply in the following cases:

- (i) when a Holder of Specified Class I Pathogens, etc. transfers Specified Class I Pathogens, etc. to another Holder of Specified Class I Pathogens, etc. or receives the same from another Holder of Class I Pathogens, etc. or from a Person Obligated to Sterilize and Transfer Class I Pathogens, etc., after obtaining the approval of the Minister of Health, Labour and Welfare; or
- (ii) when a Person Obligated to Sterilize and Transfer Class I Pathogens, etc. transfers Specified Class I Pathogens, etc. to a Holder of Specified Class I Pathogens, etc. pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

Section 2 Class II Pathogens

(Permission to Possess Class II Pathogens, etc.)

Article 56-6 (1) A person intending to possess Class II Pathogens, etc. must obtain the permission of the Minister of Health, Labour and Welfare pursuant to the provisions of Cabinet Order; provided, however, that this does not apply in the following cases:

- (i) when a person required to perform the Sterilization and Transfer of Class II Pathogens, etc. pursuant to the provisions of Article 56-22, paragraph (1) (hereinafter referred to as "Person Obligated to Sterilize and Transfer Class

- II Pathogens, etc.") possesses Class II Pathogens, etc. pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare until the person completes the Sterilization and Transfer thereof;
- (ii) when a person undertaking the transportation entrusted by a person having obtained the permission referred to in the main clause of this paragraph (hereinafter referred to as "Permitted Holder of Class II Pathogens, etc.") or by a Person Obligated to Sterilize and Transfer Class II Pathogens, etc. possesses the entrusted Class II Pathogens, etc. for the purpose of completing the transportation thereof; or
 - (iii) when an employee of a Permitted Holder of Class II Pathogens, etc. or a person prescribed in the preceding two items possesses Class II Pathogens, etc. in the course of duties.
- (2) A person intending to obtain permission as referred to in the main clause of the preceding paragraph must file an application stating the following particulars with the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:
- (i) the applicant's personal name or entity name and address, and the name of the representative if the applicant is a corporation;
 - (ii) types of Class II Pathogens, etc. (or the types and quantities if they are Toxins);
 - (iii) purpose and method of possession; and
 - (iv) location, structure and facilities of the laboratory for the storage, use and Sterilization, etc. of Class II Pathogens, etc. (hereinafter referred to as "Laboratory for Handling Class II Pathogens, etc.").

(Ineligibility)

Article 56-7 A person falling under any of the following items will not be granted the permission referred to in the main clause of paragraph (1) of the preceding Article:

- (i) an adult ward or person under curatorship, or a bankrupt whose rights have yet to be restored;
- (ii) a person who has been sentenced to imprisonment without work or a heavier punishment and for whom five years have yet to elapse since the day on which the execution of the sentence was completed or the sentence ceased to be applicable;
- (iii) a person who has been punished by a fine due to a violation of any provisions of this Act, the Rabies Prevention Act (Act No. 247 of 1950) or the Quarantine Act or any order thereunder and for whom five years have yet to elapse since the day on which the execution of sentence was completed or the sentence ceased to be applicable;
- (iv) a person whose permission has been rescinded under the provisions of

Article 56-35, paragraph (2) and for whom five years have yet to elapse since the date of the rescission (or if the permission is rescinded for a corporation, a person who used to be an officer of the corporation (meaning a member executing business, a director, an executive officer, or other person equivalent thereto, including any person who is deemed to have the same or a higher control over the corporation than the members executing business, directors, executive officers or other persons equivalent thereto whether or not they are an adviser, consultant or person having any other designation; hereinafter the same applies in this Article) at any time during the period of sixty days prior to the date on which the notice of disposition of the rescission under the provisions of Article 15 of the Administrative Procedure Act (Act No. 88 of 1993) is given and for whom five years have yet to elapse since the date of the rescission);

- (v) a person having filed a notification pursuant to the provisions of Article 56-22, paragraph (2) during the period commencing on the date the notice under Article 15 of the Administrative Procedure Act stating the disposition of rescission of permission under the provisions of Article 56-35, paragraph (2) and ending on the date of the rescission or the date on which the cancellation of the rescission is determined (excluding those whose filing of the notification is on reasonable grounds) and for whom five years have yet to elapse since the date of the notification;
- (vi) when a notification is filed under the provisions of Article 56-22, paragraph (2) during the period prescribed in the preceding item, a person who used to be an officer or an employee specified by Cabinet Order of the corporation which filed the notification (excluding corporations whose filing of the notification is on reasonable grounds), or an employee specified by Cabinet Order of the individual who filed the notification (excluding those whose filing of the notification is on reasonable grounds) at any time during the period of 60 days prior to the date of the notice referred to in the preceding item and for whom five years have yet to elapse since the date of the notification;
- (vii) a minor who does not have business ability equivalent to adults and whose statutory agent (or an officer of the corporation, when the statutory agent is a corporation) falls under any of the preceding items;
- (viii) a corporation retaining an officer or an employee specified by Cabinet Order who falls under any of items (i) through (vi); or
- (ix) an individual retaining an employee specified by Cabinet Order who falls under any of items (i) through (vi).

(Criteria for Permission)

Article 56-8 The Minister of Health, Labour and Welfare may not grant the

permission referred to in the main clause of Article 56-6, paragraph (1) unless the application for the permission is deemed to conform to both of the following items:

- (i) the purpose of possession is examination, medical treatment, or manufacture or test and research of pharmaceutical products or other products specified by Order of the Ministry of Health, Labour and Welfare; and
- (ii) the location, structure and facilities of the Laboratory for Handling Class II Pathogens, etc. conform to the technical standards specified by Order of the Ministry of Health, Labour and Welfare and there is no risk of the outbreak or spread of any Infectious Disease caused by Class II Pathogens, etc.

(Conditions for Permission)

Article 56-9 (1) Conditions may be attached to the permission referred to in the main clause of Article 56-6, paragraph (1).

- (2) The conditions referred to in the preceding paragraph are limited to the minimum extent necessary for the purpose of preventing the outbreak or spread of an Infectious Disease caused by Class II Pathogens, etc., and must not impose unreasonable obligations on the person obtaining the permission.

(Certificate of Permission)

Article 56-10 (1) When the Minister of Health, Labour and Welfare has granted the permission referred to in the main clause of Article 56-6, paragraph (1), the Minister must issue a certificate of permission stating the types of Class II Pathogens, etc. which are the subject of the permission (or the types and quantities if they are Toxins) and other matters specified by Order of the Ministry of Health, Labour and Welfare.

- (2) Reissuance or return of a certificate of permission or other procedural matters concerning the certificate of permission are specified by Order of the Ministry of Health, Labour and Welfare.

(Change in Permitted Matters)

Article 56-11 (1) When a Permitted Holder of Class II Pathogens, etc. intends to change any of the matters set forth in Article 56-6, paragraph (2), items (ii) through (iv), it must obtain the permission of the Minister of Health, Labour and Welfare pursuant to the provisions of Cabinet Order; provided, however, that this does not apply when the intended change is a minor change as specified by Order of the Ministry of Health, Labour and Welfare.

- (2) When the Permitted Holder of Class II Pathogens, etc. intends to make a minor change prescribed in the proviso of the preceding paragraph, it must notify the Minister of Health, Labour and Welfare to that effect in advance

pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (3) If the Permitted Holder of Class II Pathogens, etc. has changed any matter set forth in Article 56-6, paragraph (2), item (i), it must notify the Minister of Health, Labour and Welfare within 30 days from the date of such change pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (4) The provisions of Articles 56-8 and 56-9 apply mutatis mutandis to the permission referred to in the main clause of paragraph (1).

(Permission to Import Class II Pathogens, etc.)

Article 56-12 (1) A person intending to import Class II Pathogens, etc. must obtain the permission of the Minister of Health, Labour and Welfare pursuant to the provisions of Cabinet Order.

- (2) A person intending to obtain the permission referred to in the preceding paragraph must file an application stating the following particulars with the Minister of Health, Labour and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:
 - (i) the applicant's personal name or entity name and address, and the name of the representative if the applicant is a corporation;
 - (ii) types of Class II Pathogens, etc. to be imported (or the types and quantities if they are Toxins);
 - (iii) purpose of import;
 - (iv) exporter's personal name or entity name and address;
 - (v) period for import;
 - (vi) means of transportation; and
 - (vii) name of the port of import.

(Criteria for Permission)

Article 56-13 When an application for permission referred to in paragraph (1) of the preceding Article is filed, the Minister of Health, Labour and Welfare may not grant the permission unless the application is deemed to conform to all of the following items:

- (i) the applicant is a Permitted Holder of Class II Pathogens, etc.;
- (ii) the purpose of import is examination, medical treatment, or manufacture or test and research of pharmaceutical products or other products specified by Order of the Ministry of Health, Labour and Welfare; and
- (iii) there is no risk of the outbreak or spread of any Infectious Disease caused by Class II Pathogens, etc.

(Mutatis Mutandis Application)

Article 56-14 The provisions of Article 56-9 apply mutatis mutandis to the permissions referred to in Article 56-12, paragraph (1), the provisions of Article 56-10 apply mutatis mutandis to the certificates of permission pertaining to the permissions referred to in Article 56-12, paragraph (1), and the provisions of Article 56-11 apply mutatis mutandis to the persons obtaining the permission referred to in Article 56-12, paragraph (1). In this case, the phrase "Article 56-6, paragraph (2), items (ii) through (iv)" in Article 56-11, paragraph (1) is deemed to be replaced with "Article 56-12, paragraph (2), items (ii) through (vii)," the phrase "Article 56-6, paragraph (2), item (i)" in paragraph (3) of the same Article is deemed to be replaced with "Article 56-12, paragraph (2), item (i)," the phrase "Articles 56-8 and 56-9" in paragraph (4) of the same Article is deemed to be replaced with "Articles 56-9 and 56-13."

(Restriction on the Transfer and Receipt of Class II Pathogens, etc.)

Article 56-15 No person may transfer or receive Class II Pathogens, etc., except in any of the following cases:

- (i) when a Permitted Holder of Class II Pathogens, etc. transfers Class II Pathogens, etc. pertaining to the permission to another Permitted Holder of Class II Pathogens, etc. or receives the same from another Permitted Holder of Class II Pathogens, etc. or a Person Obligated to Sterilize and Transfer Class II Pathogens, etc.; or
- (ii) when a Person Obligated to Sterilize and Transfer Class II Pathogens, etc. transfers Class II Pathogens, etc. to a Permitted Holder of Class II Pathogens, etc. pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

Section 3 Class III Pathogens

(Notification of Possession of Class III Pathogens, etc.)

Article 56-16 (1) A person possessing Class III Pathogens, etc. must notify the Minister of Health, Labour and Welfare of the types of those Class III Pathogens, etc. and other matters specified by Order of the Ministry of Health, Labour and Welfare within seven days from the date of commencement of the possession thereof, pursuant to the provisions of Cabinet Order; provided, however, that this does not apply in the following cases:

- (i) when a hospital or clinic or an institution engaged in examination of Pathogens, etc. possesses Class III Pathogens, etc. until the person completes the Sterilization and Transfer thereof, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, and they come into its possession in the course of performing its business or services;
- (ii) when a person undertaking the transportation entrusted by a person

possessing Class III Pathogens, etc. possesses the entrusted Class III Pathogens, etc. for the purpose of completing the transportation thereof; or (iii) when an employee of a person possessing Class III Pathogens, etc. possesses Class III Pathogens, etc. in the course of duties.

- (2) If a person possessing Class III Pathogens, etc. that has filed a notification under the main clause of the preceding paragraph changes any matter stated in the notification, the person must notify the Minister of Health, Labour and Welfare to that effect within seven days from the date of the change, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies when the Holder ceases to possess the Class III Pathogens, etc. pertaining to the notification.

(Notification of Importing Class III Pathogens, etc.)

Article 56-17 A person having imported Class III Pathogens, etc. must notify the Minister of Health, Labour and Welfare of the following matters within seven days from the date of the import of those Class III Pathogens, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

- (i) the importer's personal name or entity name and address, and the name of the representative if the importer is a corporation;
- (ii) types of Class III Pathogens, etc. imported (or the types and quantities if they are Toxins);
- (iii) purpose of import;
- (iv) the exporter's personal name or entity name and address;
- (v) date of import;
- (vi) means of transportation; and
- (vii) name of the port of import.

Section 4 Duties of Holders

(Establishment of Rules for the Prevention of Outbreaks of Infectious Diseases)

Article 56-18 (1) Holders of Specified Class I Pathogens, etc. and Permitted Holders of Class II Pathogen, etc. must establish their own rules for prevention of outbreaks of Infectious Diseases and file the established rules with the Minister of Health, Labour and Welfare before commencement of their possession of the relevant Pathogens, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, for the purpose of preventing the outbreak or spread of an Infectious Disease caused by the relevant Pathogens, etc.

- (2) If the Holder of Specified Class I Pathogens, etc. or the Permitted Holder of Class II Pathogens, etc. revises the rules for prevention of outbreaks of Infectious Diseases, they must notify the Minister of Health, Labour and

Welfare within 30 days from the date of the revision.

(Appointment of Chief Supervisors for Handling Pathogens)

Article 56-19 (1) Holders of Specified Class I Pathogens, etc. and Permitted Holders of Class II Pathogens, etc. must appoint a chief supervisor for handling Pathogens, etc. to assign them the duty of supervising the prevention of the outbreak or spread of any Infectious Disease caused by the relevant Pathogens, etc., who must be selected from those who satisfy the requirements specified by Order of the Ministry of Health, Labour and Welfare for the knowledge and experience in handling relevant Pathogens, etc.

(2) When the Holder of Specified Class I Pathogens, etc. or the Permitted Holder of Class II Pathogens, etc. has appointed a chief supervisor for handling Pathogens, etc., it must notify the Minister of Health, Labour and Welfare to that effect within 30 days from the date of the appointment, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies when the chief supervisor is dismissed.

(Responsibilities of Chief Supervisors for Handling Pathogens)

Article 56-20 (1) The chief supervisor for handling Pathogens, etc. must execute the assigned duties in good faith.

(2) Any person who enters a laboratory for the storage, use and Sterilization, etc. of Specified Class I Pathogens, etc. (hereinafter referred to as "Laboratory for Handling Class I Pathogens, etc.") or a Laboratory for Handling Class II Pathogens, etc. must follow instructions given by the chief supervisor for handling Pathogens, etc., for the purpose of ensuring the enforcement of this Act or any order or the rules for prevention of outbreaks of Infectious Diseases based on this Act.

(3) In connection with the prevention of the outbreak or spread of an Infectious Disease caused by Pathogens, etc., Holders of Specified Class I Pathogens, etc. and Permitted Holders of Class II Pathogens, etc. must respect opinions of their chief supervisor for handling Pathogens, etc.

(Education and Training)

Article 56-21 Holders of Specified Class I Pathogens, etc. and Permitted Holders of Class II Pathogens, etc. must familiarize the persons who enter the Laboratory for Handling Class I Pathogens, etc. or the Laboratory for Handling Class II Pathogens, etc. with the rules for prevention of outbreaks of Infectious Diseases, and provide necessary education and training to those persons to prevent the outbreak or spread of an Infectious Disease caused by the relevant Pathogens, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Sterilization)

Article 56-22 (1) When a person set forth in either of the following items falls under the case prescribed in the respective item, the person must sterilize, detoxify or transfer the Class I Pathogens, etc. or Class II Pathogens, etc. in its possession:

- (i) Holders of Specified Class I Pathogens, etc. or Permitted Holders of Class II Pathogens, etc.: when it no longer needs to possess Specified Class I Pathogens, etc. or Class II Pathogens, etc., or when the designation referred to in Article 56-3, paragraph (2) or the permission referred to in the main clause of Article 56-6, paragraph (1) is rescinded or suspended;
 - (ii) hospitals or clinics, or institutions engaged in the examination of Pathogens, etc.: when it has come into possession of Class I Pathogens, etc. or Class II Pathogens, etc. in the course of performing its business.
- (2) When a person required to perform the Sterilization and Transfer of Class I Pathogens, etc. or Class II Pathogens, etc. pursuant to the provisions of the preceding paragraph intends to perform the Sterilization and Transfer of the relevant Pathogens, etc., the person must notify the Minister of Health, Labour and Welfare of the types of the relevant Pathogens, etc., the methods of the Sterilization and Transfer, and other matters specified by Order of the Ministry of Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.
- (3) When a Holder of Specified Class I Pathogens, etc. or a Permitted Holder of Class II Pathogens, etc. files a notification under the provisions of the preceding paragraph, and it no longer needs to possess the Pathogens, etc. then in its possession, the designation referred to in Article 56-3, paragraph (2) or the permission referred to in the main clause of Article 56-6, paragraph (1) ceases to be effective.

(Duty of Keeping Records)

Article 56-23 (1) Holders of Specified Class I Pathogens, etc., Permitted Holders of Class II Pathogens, etc., and persons possessing Class III Pathogens, etc. (excluding employees prescribed in Article 56-16, paragraph (1), item (iii); hereinafter referred to as "Holder of Class III Pathogens, etc.") must keep books and record the matters concerning the storage, use and Sterilization, etc. of the relevant Pathogens, etc. and other necessary matters concerning the prevention of the outbreak or spread of an Infectious Disease caused by the relevant Pathogens, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

- (2) The books referred to in the preceding paragraph must be retained pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Standards for Laboratories)

Article 56-24 Holders of Specified Class I Pathogens, etc., Permitted Holders of Class II Pathogens, etc., Holders of Class III Pathogens, etc., and persons possessing Class IV Pathogens, etc. (excluding those who are employees of a person possessing Class IV Pathogens, etc. and who possess those Class IV Pathogens, etc. in the course of their duties; hereinafter referred to as "Holders of Class IV Pathogens, etc.") must maintain the laboratories for the storage, use or Sterilization, etc. of such Specified Pathogens, etc. in such a way that their location, structure and facilities conform to the technical standards specified by Order of the Ministry of Health, Labour and Welfare.

(Standards for Storage)

Article 56-25 In the storage, use or transportation (excluding transportation by vessels or aircrafts; hereinafter the same applies except in paragraph (4) of the following Article), or Sterilization, etc. of Specified Pathogens, etc., the Holders of Specified Class I Pathogens, etc., Permitted Holders of Class II Pathogens, etc., the persons undertaking the transportation entrusted by those Holders, Holders of Class III Pathogens, etc., and Holders of Class IV Pathogens, etc. (hereinafter referred to as "Holder of Specified Pathogens, etc.") must implement necessary measures to prevent the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc. in conformity with the technical standards specified by Order of the Ministry of Health, Labour and Welfare.

(Exclusion from Application)

Article 56-26 (1) The provisions of the preceding three Articles and Article 56-32 do not apply in the case set forth in Article 56-16, paragraph (1), item (i).

(2) The provisions of Article 56-23, Article 56-24 and Article 56-32, paragraph (1) do not apply in the case set forth in Article 56-16, paragraph (1), item (ii).

(3) The provisions of the preceding two Articles and Article 56-32 do not apply when a hospital or clinic or an institution engaged in examination of Pathogens, etc. possesses Class IV Pathogens, etc. until it completes the Sterilization and Transfer thereof, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, if they have come into its possession in the course of conducting business.

(4) The provisions of Article 56-24 and Article 56-32, paragraph (1) do not apply when a person undertaking the transportation entrusted by a Holder of Class IV Pathogens, etc. possesses the entrusted Class IV Pathogens, etc. for the purpose of completing the transportation thereof.

(Notification of Transportation)

- Article 56-27 (1) When a Holder of Specified Class I Pathogens, etc., a Person Obligated to Sterilize and Transfer Class I Pathogens, etc., a Permitted Holder of Class II Pathogens, etc., a Person Obligated to Sterilize and Transfer Class II Pathogens, etc., a person undertaking the transportation entrusted by those Holders or persons, or a Holder of Class III Pathogens, etc. transports Class I Pathogens, etc., Class II Pathogens, etc., or Class III Pathogens, etc. outside its place of business (excluding transportation by vessels or aircrafts), it must notify the Prefectural Public Safety Commission to that effect and obtain a document certifying the notification issued by the commission (hereinafter referred to as "Transportation Certificate"), pursuant to the provisions of the Rules of the National Public Safety Commission.
- (2) Upon receipt of a notification filed under the preceding paragraph, the Prefectural Public Safety Commission may give necessary instructions in connection with the dates and times for transportation, transportation routes, or other matters specified in the Rules of the National Public Safety Commission, pursuant to the provisions of the Rules of the National Public Safety Commission, when it is deemed necessary for preventing those Class I Pathogens, etc., Class II Pathogens, etc., or Class III Pathogens, etc. to be transported from being stolen, lost, or involved in other accidents.
- (3) When the Prefectural Public Safety Commission gives instructions referred to in the preceding paragraph, the commission must set out the details of such instructions in the Transportation Certificate.
- (4) After obtaining a Transportation Certificate issued in the case prescribed in paragraph (1), Holders of Specified Class I Pathogens, etc., Persons Obligated to Sterilize and Transfer Class I Pathogens, etc., Permitted Holders of Class II Pathogens, etc., Persons Obligated to Sterilize and Transfer Class II Pathogens, etc., persons undertaking the transportation entrusted by those Holders or persons, and Holders of Class III Pathogens, etc. must carry their Transportation Certificate with them and perform the transportation in accordance with the conditions set out in the Transportation Certificate.
- (5) When a police officer deems it particularly necessary for the purpose of preventing Class I Pathogens, etc., Class II Pathogens, etc., or Class III Pathogens, etc. under transportation by an automobile or light vehicle from being stolen, lost, or involved in other accidents, the police officer may stop the automobile or light vehicle, ask the person transporting them to present the Transportation Certificate, or check whether or not the transportation is performed in accordance with the conditions set out in the Transportation Certificate pursuant to the provisions of the Rules of the National Public Safety Commission, or may order a change of the transportation route or other appropriate measures to the extent necessary for the enforcement of the

provisions of paragraph (1), paragraph (2) and the preceding paragraph for the purpose of preventing the relevant Pathogens, etc. from being stolen, lost, or involved in other accidents.

- (6) The authority prescribed in the preceding paragraph must not be construed as having been granted for criminal investigation.
- (7) The renewal or reissuance of a Transportation Certificate, or return thereof when it is no longer necessary, and the necessary liaison between or among the Prefectural Public Safety Commissions pertaining to the notifications referred to in paragraph (1), the instructions referred to in paragraph (2) and the issuance, renewal, reissuance and return of the Transportation Certificates when the transportation involves two or more prefectures, are specified by Cabinet Order.

(Notification of Accidents)

Article 56-28 A Holder of Specified Pathogens, etc., a Person Obligated to Sterilize and Transfer Class I Pathogens, etc., or a Person Obligated to Sterilize and Transfer Class II Pathogens, etc. must make a report to a police officer or a coast guard officer without delay if any Specified Pathogens, etc. in its possession are stolen, lost or involved in other accident.

(Emergency Measures in Times of Disaster)

- Article 56-29 (1) A Holder of Specified Pathogens, etc., a Person Obligated to Sterilize and Transfer Class I Pathogens, etc., or a Person Obligated to Sterilize and Transfer Class II Pathogens, etc. must immediately implement emergency measures pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare if an Infectious Disease caused by the Specified Pathogens, etc. in its possession has broken out or spread, or is likely to break out or spread, as a result of occurrence of an earthquake, fire, or other disaster.
- (2) A person who has discovered a situation referred to in the preceding paragraph must immediately inform a police officer or a coast guard officer to that effect.
 - (3) If a situation referred to in paragraph (1) occurs, the Holder of Specified Pathogens, etc., Person Obligated to Sterilize and Transfer Class I Pathogens, etc., or Person Obligated to Sterilize and Transfer Class II Pathogens, etc. must notify the Minister of Health, Labour and Welfare to that effect without delay, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

Section 5 Supervision

(Collection of Reports)

Article 56-30 The Minister of Health, Labour and Welfare or a prefectural public safety commission may direct Holders of Specified Pathogens, etc., persons who have imported Class III Pathogens, etc., persons who have imported Class IV Pathogens, etc., Persons Obligated to Sterilize and Transfer Class I Pathogens, etc., and Persons Obligated to Sterilize and Transfer Class II Pathogens, etc. (hereinafter referred to as "Holders, etc. of Specified Pathogens, etc.") to make a report to the extent necessary for the enforcement of the provisions of this Chapter (or the provisions of Article 56-27, paragraph (2), in case of a Prefectural Public Safety Commission).

(Entry and Inspections)

- Article 56-31 (1) The Minister of Health, Labour and Welfare or a prefectural public safety commission may, to the extent necessary for the enforcement of the provisions of this Chapter (or the provisions of Article 56-27, paragraph (2), in case of a Prefectural Public Safety Commission), direct relevant officials (or police officials, in the case of a Prefectural Public Safety Commission) to enter the offices or places of business of any Holders, etc. of Specified Pathogens, etc., to inspect their books, documents and other necessary objects, to question relevant persons, or to forcibly collect Specified Pathogens, etc. or objects contaminated thereby, without compensation, to the minimum extent necessary for inspection.
- (2) Each of the officials referred to in the preceding paragraph must carry their identification card and present it at the request of any person concerned.
- (3) The authority prescribed in paragraph (1) is not construed as having been granted for criminal investigation.

(Order for Improvement)

- Article 56-32 (1) When the Minister of Health, Labour and Welfare finds that the location, structure or facilities of a laboratory for the storage, use or Sterilization, etc. of Specified Pathogens, etc. do not conform to the technical standards referred to in Article 56-24, the Minister may order the Holder of Specified Class I Pathogens, etc., the Permitted Holder of Class II Pathogens, etc., the Holder of Class III Pathogens, etc., or the Holder of Class IV Pathogens, etc. to repair or alter the laboratory or to implement other necessary measures for the prevention of the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc.
- (2) When the Minister of Health, Labour and Welfare finds that the measures concerning the storage, use, transportation, or Sterilization, etc. of Specified Pathogens, etc. do not conform to the technical standards referred to in Article 56-25, the Minister may order the Holder of Specified Pathogens, etc. to change the methods for the storage, use, transportation, or Sterilization, etc. or to

implement other necessary measures to prevent the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc.

(Order to Change the Rules for Prevention of Outbreaks of Infectious Diseases)

Article 56-33 When the Minister of Health, Labour and Welfare deems it necessary for the purpose of preventing the outbreak or spread of an Infectious Disease caused by Specified Class I Pathogens, etc. or Class II Pathogens, etc., the Minister may order the Holder of Specified Class I Pathogens, etc. or the Permitted Holder of Class II Pathogens, etc. to change its rules for prevention of outbreaks of Infectious Diseases.

(Order of Dismissal)

Article 56-34 When a chief supervisor for handling Pathogens, etc. violates any provisions of this Act or any order based on this Act, the Minister of Health, Labour and Welfare may order the Holder of Specified Class I Pathogens, etc. or the Permitted Holder of Class II Pathogens, etc. to dismiss the chief supervisor for handling Pathogens, etc.

(Rescission of a Designation)

Article 56-35 (1) If a Holder of Specified Class I Pathogens, etc. falls under any of the following items, the Minister of Health, Labour and Welfare may rescind its designation under the provisions of Article 56-3, paragraph (2) or suspend the designation for a specified period of not more than one year:

- (i) if it has violated this Act or any order or disposition based on this Act;
- (ii) if the location, structure or facilities of a Laboratory for Handling Class I Pathogens, etc. do not conform to the technical standards specified by Order of the Ministry of Health, Labour and Welfare; or
- (iii) if it is deemed to be incapable of possessing Specified Class I Pathogens, etc. properly.

(2) If a Permitted Holder of Class II Pathogens, etc. falls under any of the following items, the Minister of Health, Labour and Welfare may rescind the permission referred to in the main clause of Article 56-6, paragraph (1) or suspend the permission for a specified period of not more than one year:

- (i) if it falls under any item of Article 56-7;
- (ii) if it has violated this Act or any order or disposition based on this Act;
- (iii) if the location, structure or facilities of a Laboratory for Handling Class II Pathogens, etc. do not conform to the technical standards referred to in Article 56-8, item (ii); or
- (iv) if it has violated any condition referred to in Article 56-9, paragraph (1) (including cases where it is applied mutatis mutandis in Article 56-11, paragraph (4)).

(Administrative Order for Sterilization)

Article 56-36 When the Minister of Health, Labour and Welfare deems it necessary, the Minister may order a person required to perform the Sterilization and Transfer of Class I Pathogens, etc. or Class II Pathogens, etc. pursuant to the provisions of Article 56-22, paragraph (1) to change the methods of the Sterilization and Transfer of the relevant Pathogens, etc. or to implement other necessary measures for the prevention of the outbreak or spread of an Infectious Diseases caused by the relevant Pathogens, etc., pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Administrative Order in Times of Disaster)

Article 56-37 When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc. in the case referred to in Article 56-29, paragraph (1), the Minister may order a Holder of Specified Pathogens, etc., a Person Obligated to Sterilize and Transfer Class I Pathogens, etc., or a Person Obligated to Sterilize and Transfer Class II Pathogens, etc. to change the location for storage of Specified Pathogens, etc., to perform the Sterilization, etc. of Specified Pathogens, etc., or to implement other necessary measures for the prevention of the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc.

(Relations between the Minister of Health, Labour and Welfare and the Commissioner General of the National Police Agency or Other Organs)

Article 56-38 (1) When it is deemed particularly necessary for the purpose of maintaining public safety or maritime safety, the Commissioner General of the National Police Agency or the Commandant of the Japan Coast Guard may respectively express opinions to the Minister of Health, Labour and Welfare in connection with the operation of the provisions of Article 56-18, paragraph (1), Article 56-19, paragraph (1), Article 56-20, Article 56-21, Article 56-22, paragraph (1), Articles 56-23 through 56-25, Article 56-28, Article 56-29, paragraph (1), or Article 56-32 through the preceding Article.

(2) The Commissioner General of the National Police Agency or the Commandant of the Japan Coast Guard may direct relevant officials to enter the offices or places of business of any Holders of Specified Pathogens, etc., Persons Obligated to Sterilize and Transfer Class I Pathogens, etc., or Persons Obligated to Sterilize and Transfer Class II Pathogens, etc., to inspect their books, documents and other necessary items, or to question relevant persons, to the extent necessary for the enforcement of the provisions of the preceding

paragraph.

- (3) The provisions of Article 56-31, paragraphs (2) and (3) apply mutatis mutandis to the entry and inspection carried out under the provisions of the preceding paragraph.
- (4) When the Minister of Health, Labour and Welfare has designated a laboratory referred to in Article 56-3, paragraph (1), item (i) or a corporation referred to in paragraph (2) of the same Article, granted the permission referred to in the main clause of Article 56-6, paragraph (1), the main clause of Article 56-11, paragraph (1) (including cases where it is applied mutatis mutandis in Article 56-14), or Article 56-12, paragraph (1), given the approval referred to in Article 56-5, item (i), executed any disposition pursuant to the provisions of Article 56-35, or received a notification filed under the provisions of Article 56-11, paragraph (2) or (3) (including cases where they are applied mutatis mutandis in Article 56-14), Articles 56-16 to 56-18, Article 56-19, paragraph (2), Article 56-22, paragraph (2), or Article 56-29, paragraph (3), the Minister must communicate this to the Commissioner General of the National Police Agency, the Commandant of the Japan Coast Guard, or the Commissioner of the Fire and Disaster Management Agency without delay.
- (5) Upon receipt of a notification filed under the provisions of Article 56-28, the police officer or the coast guard officer must inform the Minister of Health, Labour and Welfare to that effect without delay.
- (6) When it is deemed necessary for the purpose of preventing the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc., the Minister of Health, Labour and Welfare may ask the minister who has jurisdiction over the business or services operated by enterprises handling those Specified Pathogens, etc. to implement necessary measures for ensuring that those enterprises will properly handle Specified Pathogens, etc.
- (7) When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of protecting the lives and person of the public, the Minister may request prefectural governors to dispatch an employee of an Infectious Diseases Research Institute or to provide other necessary cooperation to prevent the outbreak or spread of an Infectious Disease caused by Specified Pathogens, etc.

Chapter XII Payment of Expenses

(Expenses Paid by Municipal Governments)

Article 57 Municipal governments must pay the following expenses:

- (i) expenses required for disinfection performed by the municipal government pursuant to the provisions of Article 27, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));

- (ii) expenses required for extermination of rodents, insects or the like performed by the municipal government pursuant to the provisions of Article 28, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
- (iii) expenses required for disinfection performed by the municipal government pursuant to the provisions of Article 29, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
- (iv) expenses required for supplying water for daily life, performed by the municipal government pursuant to the provisions of Article 31, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
- (v) expenses required for periodical medical examinations provided by the municipal government in the capacity of an employer or provided by the heads of schools or Specified Institutions established by the municipal government, pursuant to the provisions of Article 53-2, paragraph (1); or
- (vi) expenses required for periodical medical examinations provided by the mayor of a municipality pursuant to the provisions of Article 53-2, paragraph (3).

(Expenses Paid by Prefectural Governments)

Article 58 Prefectural governments must pay the following expenses:

- (i) expenses required for the affairs conducted pursuant to the provisions of Article 14, Article 14-2, Article 15 (excluding paragraphs (2) and (5)), Articles 15-2 through 16, Article 16-3, paragraphs (1), (3) or (7) through (10), or Article 44-7, paragraphs (1), (3) or (5) through (8);
- (ii) expenses required for medical examinations conducted under the provisions of Article 17 or 45;
- (iii) expenses required for the confirmation under the provisions of Article 18, paragraph (4), Article 22, paragraph (4) (including cases where it is applied mutatis mutandis in Article 26), or Article 48, paragraph (4);
- (iv) expenses required for the transportation under the provisions of Article 21 (including cases where it is applied mutatis mutandis in Article 26) or Article 47;
- (iv)-2 expenses required for receipt or forcible collection of specimens or pathogens of an Infectious Disease under the provisions of Article 26-3, paragraph (1) or (3) (including cases where they are performed pursuant to the provisions of Article 50, paragraph (1)) or required for the affairs conducted pursuant to the provisions of Article 26-3, paragraphs (5) through (8) (including cases where they are applied mutatis mutandis in Article 50, paragraph (2));
- (iv)-3 expenses required for receipt or collection of specimens under the

- provisions of Article 26-4, paragraph (1) or (3) (including cases where they are performed pursuant to the provisions of Article 50, paragraph (1)) or required for the affairs conducted pursuant to the provisions of Article 26-4, paragraphs (5) through (8) (including cases where they are applied mutatis mutandis in Article 50, paragraph (3));
- (v) expenses required for disinfection under the provisions of Article 27, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
 - (vi) expenses required for extermination of rodents, insects or the like under the provisions of Article 28, paragraph (2) (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
 - (vii) expenses required for measures implemented under the provisions of Article 29, paragraph (2) (including cases where they are implemented pursuant to the provisions of Article 50, paragraph (1));
 - (viii) expenses required for measures implemented pertaining to the buildings under the provisions of Article 32, paragraph (2) (including cases where they are implemented pursuant to the provisions of Article 50, paragraph (1));
 - (ix) expenses required for restricting or blocking traffic under the provisions of Article 33 (including cases where it is performed pursuant to the provisions of Article 50, paragraph (1));
 - (x) expenses borne pursuant to the provisions of Article 37, paragraph (1);
 - (xi) expenses borne pursuant to the provisions of Article 37-2, paragraph (1);
 - (xii) expenses required for the payment of medical treatment expenses under the provisions of Article 42, paragraph (1);
 - (xiii) expenses required for periodical medical examinations provided by the prefectural government in the capacity of an employer or provided by the heads of schools or Specified Institutions established by the prefectural government, pursuant to the provisions of Article 53-2, paragraph (1); and
 - (xiv) expenses required for detailed examinations provided by the chief of a public health center pursuant to the provisions of Article 53-13.

(Expenses Paid by Employers)

Article 58-2 Employers (excluding the national government, prefectural governments, and municipal governments) must pay the expenses required for periodical medical examinations conducted under the provisions of Article 53-2, paragraph (1).

(Expenses Paid by Establishers of Schools or Specified Institutions)

Article 58-3 Establishers of schools or Specified Institutions (excluding those established by the national government, a prefectural government, or a municipal government) must pay the expenses required for periodical medical

examinations provided by the heads of schools or Specified Institutions pursuant to the provisions of Article 53-2, paragraph (1).

(Expenses Shared by Prefectural Governments)

Article 59 Prefectural governments will bear two-thirds of the expenses referred to in Article 57, items (i) through (ix) pursuant to the provisions of Cabinet Order.

(Prefectural Government Subsidies)

Article 60 (1) Prefectural governments are to grant a subsidy to cover two-thirds of the expenses referred to in Article 58-3 pursuant to the provisions of Cabinet Order.

(2) Prefectural governments may grant a subsidy to the establisher of a Designated Medical Institution for Class I Infectious Diseases or a Designated Medical Institution for Class II Infectious Diseases, pursuant to the provisions of Cabinet Order, to cover all or part of the expenses required for the establishment and operation of the Designated Medical Institution for Class I Infectious Diseases or the Designated Medical Institution for Class II Infectious Diseases.

(Expenses Shared by the National Government)

Article 61 (1) The national government must bear the expenses required for import quarantine under the provisions of Article 55 (excluding expenses for animal husbandry management for Designated Animals in quarantine).

(2) The national government will bear three-fourths of the expenses referred to in Article 58, item (x) and the expenses referred to in item (xii) of the same Article (excluding expenses for medical services specified by Order of the Ministry of Health, Labour and Welfare as prescribed in Article 37-2, paragraph (1)) pursuant to the provisions of Cabinet Order.

(3) The national government will bear one-half of the expenses referred to in Article 58, items (i) through (ix) and (xiv) and Article 59 pursuant to the provisions of Cabinet Order.

(National Government Subsidies)

Article 62 (1) The national government is to grant a subsidy to cover one-half of the expenses referred to in Article 58, item (xi) and the expenses referred to in item (xii) of the same Article (limited to the expenses for the medical services specified by Order of the Ministry of Health, Labour and Welfare as prescribed in Article 37-2, paragraph (1)) pursuant to Cabinet Order provisions.

(2) The national government may grant a subsidy to cover up to one-half of the expenses referred to in Article 60, paragraph (2) pursuant to the provisions of

Cabinet Order.

- (3) The national government may grant a subsidy to the establisher of a Designated Medical Institution for Specified Infectious Diseases within the limits of the budget, pursuant to the provisions of Cabinet Order, to cover part of the expenses required for the establishment and operation of the Designated Medical Institution for Specified Infectious Diseases.

(Collection of Expenses)

Article 63 (1) If a mayor of a municipality has directed relevant officials to disinfect the places where patients of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc. stay or stayed, or where there are or were the corpses of persons who had died of the relevant Infectious Disease, and other places contaminated or suspected to have been contaminated with pathogens of the relevant Infectious Disease pursuant to the provisions of Article 27, paragraph (2) (including cases where such disinfection is performed pursuant to the provisions of Article 50, paragraph (1)), the mayor of a municipality may collect the amounts of actual costs required for the disinfection from the patients or their custodians or the persons responsible for the administration of those places or their agents.

(2) If a mayor of a municipality has directed relevant officials to exterminate rodents, insects or the like contaminated or suspected to have been contaminated with pathogens of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, or a Class IV Infectious Disease pursuant to the provisions of Article 28, paragraph (2) (including cases where such extermination is performed pursuant to the provisions of Article 50, paragraph (1)), the mayor of a municipality, or their agents may collect the amounts of actual costs required for the extermination from the persons responsible for the administration of the areas where the rodents, insects or the like exist.

(3) If a mayor of a municipality has directed relevant officials to disinfect food or drink, clothing, bedding, or other physical items contaminated or suspected to have been contaminated with pathogens of a Class I Infectious Disease, a Class II Infectious Disease, a Class III Infectious Disease, a Class IV Infectious Disease or a Novel Influenza Infection, etc. pursuant to the provisions of Article 29, paragraph (2) (including such disinfection is performed pursuant to the provisions of Article 50, paragraph (1)), the mayor of a municipality may collect the amounts of actual costs required for the disinfection from the Holders of the food or drink, clothing, bedding, or items.

(4) The provisions of the preceding three paragraphs apply *mutatis mutandis* when a prefectural governor has relevant officials implement disinfection

measures prescribed in Article 27, paragraph (2), extermination of rodents, insects or the like prescribed in Article 28, paragraph (2), or disinfection prescribed in Article 29, paragraph (2).

Chapter XIII Miscellaneous Provisions

(Instructions of the Minister of Health, Labour and Welfare)

Article 63-2 When the Minister of Health, Labour and Welfare deems it particularly necessary for the purpose of preventing the outbreak or spread of an Infectious Disease, the Minister may give necessary instructions to prefectural governors in connection with the affairs which they conduct pursuant to the provisions of this Act (excluding Chapter VIII) or pursuant to the provisions of any Cabinet Order based on this Act.

(Cities with Public Health Centers or Special Wards)

Article 64 (1) In cases of cities which have a public health center or special wards, the term "prefectural governor" is deemed to be replaced with "city mayor" or "ward mayor" and the term "prefectural government" or "prefecture" is deemed to be replaced with "city" or "special ward" in the provisions from Chapter III through the preceding Chapter (excluding Article 14, paragraphs (1) and (5), Article 14-2, paragraphs (1) and (7), Article 38, paragraphs (1), (2), (5), (6), (8) and (9) (excluding the parts related to Designated Medical Institutions for Tuberculosis in paragraphs (2), (8) and (9) of the same Article), Article 40, paragraphs (3) through (5), Article 43 (excluding the parts related to Designated Medical Institutions for Tuberculosis), Article 53-2, paragraph (3), Article 53-7, paragraph (1), Article 56-27, paragraph (7), and Article 60) and the preceding Article.

(2) In the cases of special wards, the term "municipal government(s)" in Article 31, paragraph (2) and Article 57 (limited to the part related to the provisions of item (iv)) is deemed to be replaced with "Tokyo Metropolis."

(Special Provisions for Large Cities)

Article 64-2 Beyond what is prescribed in the preceding Article, in cases of the designated cities referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as "Designated Cities") and the core cities referred to in Article 252-22, paragraph (1) of the same Act (hereinafter referred to as "Core Cities"), the affairs which prefectural governments are supposed to conduct under this Act (limited to those pertaining to the prevention of tuberculosis) which are specified by Cabinet Order are to be conducted by the Designated Cities or Core Cities (hereinafter referred to as "Designated Cities, etc.") pursuant to the provisions

of Cabinet Order. In this case, the provisions concerning prefectural governments in this Act are deemed as the provisions concerning the Designated Cities, etc., by which the Designated Cities, etc. are governed.

(Appeals)

Article 65 (1) If a person is dissatisfied with a determination on a request for administrative review concerning any disposition imposed by the mayor of a city which has a public health center or a special ward (limited to those related to the Type I statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act (hereinafter referred to as "Type I statutory entrusted functions" in the following paragraph and the following Article)) as part of the affairs prescribed in this Act, the person may file a request for re-examination with the Minister of Health, Labour and Welfare.

(2) If the authority to impose a disposition under the Type I statutory entrusted functions, which constitutes part of the affairs that the mayor of a city which has a public health center or a special ward is supposed to conduct pursuant to the provisions of Article 64, has been delegated to the officials serving as a subsidiary organ of the city or special ward or to the head of an administrative organ under the control of the city or special ward, and if a determination referred to in Article 255-2, paragraph (2) of the Local Autonomy Act is made on a request for re-examination filed in connection with any disposition imposed by the officials or the head of the administrative organ based on the entrustment, the person dissatisfied with the determination may file a request for further examination or review with the Minister of Health, Labour and Welfare pursuant to the provisions of Article 252-17-4, paragraphs (5) through (7) of the same Act.

(Classification of Administrative Affairs)

Article 65-2 The affairs which prefectural governments or cities which have a public health center or special wards are supposed to conduct pursuant to the provisions of Chapter III (excluding Article 12, paragraph (4), paragraphs (2) and (3) of the same Article as applied mutatis mutandis in paragraph (5) thereof, Article 14, Article 14-2, Article 16, and Article 16-2), Chapter IV (excluding Article 18, paragraphs (5) and (6), Article 19, paragraphs (2) and (7), and Article 20, paragraphs (6) and (8) (including cases where they are applied mutatis mutandis in Article 26), Article 24, and Article 24-2 (including cases where it is applied mutatis mutandis in Article 26 or 49-2)), Article 26-3, Article 26-4, Article 32, Article 33, Article 38, paragraph (2) (limited to the part related to Designated Medical Institutions for Class I Infectious Diseases) and paragraph (5), paragraphs (8) and (9) of the same Article (limited to the part related to Designated Medical Institutions for Class I Infectious Diseases),

Article 44-3, paragraphs (1) through (3), Article 44-5, Chapter XIII (excluding Article 46, paragraphs (5) and (7), Article 50, paragraph (10), paragraphs (1) and (2) of the same Article as applied mutatis mutandis in Article 36, paragraph (5) which is applied mutatis mutandis in Article 50, paragraph (12), Article 44-3, paragraphs (4) and (5) as applied mutatis mutandis in Article 50-2, paragraph (4), and Article 51, paragraph (1) as applied mutatis mutandis in paragraph (4) of the same Article), and Chapter X, will be the Type I statutory entrusted functions.

(Delegation of Authority)

Article 65-3 (1) The authority of the Minister of Health, Labour and Welfare provided for in this Act may be delegated to the Director-General of a Regional Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(2) The authority delegated to the Director-General of a Regional Bureau of Health and Welfare pursuant to the provisions of the preceding paragraph may be further delegated to the Director-General of a Regional Branch Bureau of Health and Welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(Transitional Measures)

Article 66 If an order or ordinance is established, revised or abolished based on the provisions of this Act, necessary transitional measures (including transitional measures on penal provisions) may be stipulated in the order or ordinance, within the limits reasonably deemed to be necessary in connection with such establishment, revision or abolition.

Chapter XIV Penal Provisions

Article 67 (1) A person who emits Class I Pathogens, etc. without good reason, thereby endangering the public, will be punished by imprisonment for life or for not less than two years or by a fine of not more than 10 million yen.

(2) An attempt to commit the crime referred to in the preceding paragraph will be punished.

(3) A person preparing with the intention of committing a crime referred to in paragraph (1) will be punished by imprisonment for not more than five years or by a fine of not more than 2.5 million yen; provided, however, that a person who turns themselves in for committing a crime referred to in the same paragraph before its commencement may be given a reduced punishment or be granted an absolute discharge.

Article 68 (1) A person violating the provisions of Article 56-4 will be punished by imprisonment for not more than 10 years or by a fine of not more than five million yen.

(2) A person committing a crime referred to in the preceding paragraph with the intention of facilitating the commitment of a crime referred to in paragraph (1) of the preceding Article will be punished by imprisonment for not more than 15 years or by a fine of not more than seven million yen.

(3) An attempt of any of the crimes set forth in the preceding two paragraphs will be punished.

(4) A person preparing with the intention of committing a crime referred to in paragraph (1) or (2) will be punished by imprisonment for not more than three years or by a fine of not more than two million yen.

Article 69 (1) A person falling under either of the following items will be punished by imprisonment for not more than seven years or by a fine of not more than three million yen:

(i) a person possessing Class I Pathogens, etc. in violation of the provisions of Article 56-3; or

(ii) a person transferring or receiving Class I Pathogens, etc. in violation of the provisions of Article 56-5.

(2) A person committing a crime referred to in the preceding paragraph with the intention of facilitating the commitment of a crime referred to in Article 67, paragraph (1) will be punished by imprisonment for not more than 10 years or by a fine of not more than five million yen.

(3) An attempt of any of the crimes referred to in the preceding two paragraphs will be punished.

Article 70 A person importing Class II Pathogens, etc. without obtaining the permission under Article 56-12, paragraph (1) will be punished by imprisonment for not more than five years or by a fine of not more than 2.5 million yen.

Article 71 A person falling under either of the following items will be punished by imprisonment for not more than three years or by a fine of not more than two million yen:

(i) a person possessing Class II Pathogens, etc. without obtaining the permission referred to in the main clause of Article 56-6, paragraph (1); or

(ii) a person transferring or receiving Class II Pathogens, etc. in violation of the provisions of Article 56-15.

Article 72 A person falling under any of the following items will be punished by

imprisonment for not more than one year or by a fine of not more than one million yen:

- (i) a person changing any of the matters set forth in Article 56-6, paragraph (2), items (ii) through (ix) without obtaining the approval referred to in the main clause of Article 56-11, paragraph (1);
- (ii) a person changing any of the matters set forth in Article 56-12, paragraph (2), items (ii) through (vii) in violation of the provisions of Article 56-11, paragraph (1) as applied mutatis mutandis pursuant to Article 56-14 following the deemed replacement of terms, without obtaining the approval referred to in the main clause of the same paragraph;
- (iii) a person violating the provisions of Article 56-19, paragraph (1);
- (iv) a person violating the provisions of Article 56-22, paragraph (1);
- (v) a person violating the provisions of Article 56-29, paragraph (1) or an order made under the provisions of Article 56-37;
- (vi) a person failing to make a report under the provisions of Article 56-30 or making a false report;
- (vii) a person refusing, obstructing or avoiding an entry, inspection or forcible collection under the provisions of Article 56-31, paragraph (1) or failing to answer or giving a false answer to any question under the same paragraph;
or
- (viii) a person refusing, obstructing or avoiding any entry or inspection under the provisions of Article 56-38, paragraph (2) or failing to make a statement or making a false statement to any question under the same paragraph.

Article 73 (1) If a physician becomes aware of any secret of an individual in the course of conducting a medical examination to ascertain whether or not the individual is a patient with an Infectious Disease (including a Suspected Disease Carrier or Asymptomatic Carrier of the Infectious Disease, or a person with symptoms of a New Infectious Disease; hereinafter the same applies in paragraph (1) of the following Article) or providing medical treatment for that Infectious Disease and the physician divulges such a secret without good reason, the physician will be punished by imprisonment for not more than one year or by a fine of not more than one million yen.

(2) The provisions of the preceding paragraph also apply when a government employee or ex-government employee who was engaged in the affairs concerning any of the following matters divulges a secret of any individual which came to their attention in the course of executing the duties for those affairs without good reason: acceptance of a notification under the provisions of Articles 12 to 14 (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) (including cases where the period specified by Cabinet Order as referred to in

paragraph (1) of the same Article is extended pursuant to a Cabinet Order referred to in paragraph (2) of the same Article; hereinafter the same applies in this paragraph and Article 77) and the cases where they are applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1) (including cases where the period specified by Cabinet Order as referred to in paragraph (1) of the same Article is extended pursuant to a Cabinet Order referred to in paragraph (2) of the same Article; hereinafter the same applies in this paragraph and Article 77)); receipt of specimens or pathogens of an Infectious Disease under the provisions of Article 14-2, paragraph (2) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)); examination of specimens or pathogens of an Infectious Disease under the provisions of Article 14-2, paragraph (3) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), or under the provisions of Article 26-3, paragraph (5) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied mutatis mutandis in Article 50, paragraph (2), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)); questioning or investigations under the provisions of Article 15 (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), under the provisions of Article 15-2, paragraph (1), or under the provisions of Article 15-3, paragraph (2), or reporting or questioning under the provisions of paragraph (1) of the same Article; receipt or collection of specimens under the provisions of Article 16-3, paragraph (1) or (2) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or under the provisions of Article 44-7, paragraph (1) or (2); collection of specimens under the provisions of Article 16-3, paragraph (3) or (4) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or under the provisions of Article 44-7, paragraph (3) or (4); examination of specimens under the provisions of Article 16-3, paragraph (7) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53,

paragraph (1)), under the provisions of Article 26-4, paragraph (5) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied mutatis mutandis in Article 50, paragraph (3), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), or under the provisions of Article 44-7, paragraph (5); medical examinations under the provisions of Article 17 (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), Article 45, or Article 53-2; hospitalization under the provisions of Article 19 or 20 as applied mutatis mutandis in Article 19, 20 or 26 (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or under the provisions of Article 46; receipt of specimens or pathogens of an Infectious Disease under the provisions of Article 26-3, paragraph (1) or (2) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), including cases where such receipt is performed pursuant to the provisions of Article 50, paragraph (1) or (7); forcible collection of specimens or pathogens of an Infectious Disease under the provisions of Article 26-3, paragraph (3) or (4) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), including cases where such forcible collection is performed pursuant to the provisions of Article 50, paragraph (1) or (7); receipt or collection of specimens under the provisions of Article 26-4, paragraph (1) or (2) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), including cases where such receipt or collection is performed pursuant to the provisions of Article 50, paragraph (1) or (7); collection of specimens under the provisions of Article 26-4, paragraph (3) or (4) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), including cases where such collection is performed pursuant to the provisions of Article 50, paragraph (1) or (7); measures implemented under the provisions of Article 27 (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), under

the provisions of Article 28 (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1) (including cases where the period specified by Cabinet Order as referred to in paragraph (1) of the same Article is extended pursuant to a Cabinet Order referred to in paragraph (2) of the same Article; hereinafter the same applies in this paragraph and Article 77), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), under the provisions of Article 29 or 30 (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), or under the provisions of Articles 31 to 33 or Article 35 (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), including cases where such measures are implemented pursuant to the provisions of Article 50, paragraph (1), (7) or (10); reports under the provisions of Article 44-3, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on Article 7, paragraph (1)) or under the provisions of Article 50-2, paragraph (1)(xvi) Request for cooperation under the provisions of Article 44-3, paragraph (2) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1)) or under the provisions of Article 50-2, paragraph (2); meal or other support services under the provisions of Article 44-3, paragraph (4) or (5) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1)) or under the provisions of Article 44-3, paragraph (4) or (5) as applied mutatis mutandis in Article 50-2, paragraph (4); or detailed examination under the provisions of Article 53-13.

- (3) The provisions of paragraph (1) also apply when any other government employee or ex-government employee divulges any secret referred to in the preceding paragraph which came to their attention in the course of executing the duties for relevant affairs without good reason.

Article 74 (1) If a person becomes aware in the course of duties that a certain individual is a patient with an Infectious Disease and the person divulges such a secret without good reason, the person will be punished by imprisonment for not more than six months or by a fine of not more than 500 thousand yen.

- (2) A person failing to make a report under the provisions of Article 15-3, paragraph (1), making a false report, or failing to answer or giving a false

answer to any question asked by the referenced official under the provisions of the same paragraph will be punished by imprisonment for not more than six months or by a fine of not more than 500 thousand yen.

Article 75 A person falling under any of the following items will be punished by a fine of not more than three million yen:

- (i) a person violating any condition referred to in Article 56-9, paragraph (1) (including cases where it is applied mutatis mutandis in Article 56-11, paragraph (4) or Article 56-14);
- (ii) a person failing to file a notification under the provisions of the main clause of Article 56-16, paragraph (1) or the provisions of Article 56-17 or filing a false notification;
- (iii) a person failing to file a notification under the provisions of Article 56-22, paragraph (2) or filing a false notification;
- (iv) a person violating the provisions of Article 56-24 (limited to the part pertaining to Holders of Specified Class I Pathogens, etc. or Permitted Holders of Class II Pathogen, etc.);
- (v) a person failing to file a notification under the provisions of Article 56-27, paragraph (1) or filing a false notification, and transporting Class I Pathogens, etc., Class II Pathogens, etc., or Class III Pathogens, etc.;
- (vi) a person violating the provisions of Article 56-27, paragraph (4);
- (vii) a person violating an order made under the provisions of Article 56-32; or
- (viii) a person violating an order made under the provisions of Article 56-36.

Article 76 A person falling under any of the following items will be punished by a fine of not more than one million yen:

- (i) a person failing to file a notification under the provisions of Article 56-11, paragraph (2) (including cases where it is applied mutatis mutandis in Article 56-14) or filing a false notification, and making a change prescribed in the proviso of Article 56-11, paragraph (1);
- (ii) a person failing to file a notification under the provisions of Article 56-16, paragraph (2), Article 56-28, or Article 56-29, paragraph (3) or filing a false notification;
- (iii) a person violating the provisions of Article 56-21;
- (iv) a person failing to keep the books or make entries in the books or making false entries in the books in violation of the provisions of Article 56-23, paragraph (1) or failing to retain the books in violation of the provisions of paragraph (2) of the same Article; or
- (v) a person failing to follow an order to stop, refusing a request for presentation, refusing or obstructing an inspection, or failing to follow an order, as demanded by a police officer under the provisions of Article 56-27,

paragraph (5).

Article 77 A person falling under any of the following items will be punished by a fine of not more than 500 thousand yen:

- (i) a physician failing to file a notification under the provisions of Article 12, paragraph (1) or (4) or the provisions of paragraph (1) of the same Article as applied mutatis mutandis in paragraph (6) of the same Article (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1)), excluding the notifications pertaining to a New Infectious Disease;
- (ii) a veterinarian failing to file a notification under the provisions of Article 13, paragraph (1) or the provisions of paragraph (1) of the same Article as applied mutatis mutandis in paragraph (5) of the same Article (including cases where these provisions are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1));
- (iii) a person failing to answer or giving a false answer to any question asked by the referenced officials under the provisions of Article 15-2, paragraph (1) or Article 15-3, paragraph (2), or refusing, obstructing or avoiding any inspection by the referenced officials under those provisions;
- (iv) a person receiving a notice under the provisions of Article 18, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) and violating the provisions of Article 18, paragraph (2) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1));
- (v) a person failing to follow an order made by a prefectural governor (or the mayor of a city having a public health center or a special ward) (including cases where it is issued pursuant to the provisions of Article 50, paragraph (1)) based on the provisions of Article 27, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), based on the provisions of Article 28, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), based on the provisions of Article 29, paragraph (1) or Article 30, paragraph (1) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order

- based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)), or based on the provisions of Article 31, paragraph (1), Article 32, paragraph (1), or Article 33 (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1));
- (vi) a person violating the provisions of Article 30, paragraph (2) which is enforced pursuant to the provisions of Article 30, paragraph (2) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or pursuant to the provisions of Article 50, paragraph (1);
- (vii) a person failing to answer or falsely answering to any question asked by the referenced officials under the provisions of Article 35, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or under the provisions of Article 35, paragraph (1) which is enforced pursuant to the provisions of Article 50, paragraph (1), (7) or (10), or refusing, obstructing or avoiding any inspection by the referenced officials under the provisions of Article 35, paragraph (1) (including cases where it is applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 44-4, paragraph (1), or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)) or under the provisions of Article 35, paragraph (1) which is enforced pursuant to the provisions of Article 50, paragraph (1), (7) or (10);
- (viii) a person importing Designated Animals in violation of the provisions of Article 54 or Article 55, paragraph (1), (2) or (4) (including cases where they are applied mutatis mutandis pursuant to a Cabinet Order based on the provisions of Article 7, paragraph (1) or applied pursuant to a Cabinet Order based on the provisions of Article 53, paragraph (1)); or
- (ix) a person importing registered animals or the like in violation of the provisions of Article 56-2, paragraph (1).

Article 78 The crimes referred to in Article 67 are governed by Article 4-2 of the Penal Code (Act No. 45 of 1907).

Article 79 If the representative of a corporation, or an agent, employee or other staff member of a corporation or individual commits a crime referred to in Article 67 or commits a violation referred to in Articles 68 to 72, Article 75, Article 76, or Article 77, item (viii) or (ix) in connection with the business or services operated by the corporation or individual, not only will the offender be punished but also the corporation or individual in question will be punished by a fine referred to in the respective provision.

Article 80 A person falling under any of the following items will be punished by a non-criminal fine of not more than 100 thousand yen:

- (i) a person violating the provisions of Article 56-18, paragraph (1);
- (ii) a person failing to file a notification under the provisions of Article 56-19, paragraph (2); or
- (iii) a person violating an order made under the provisions of Article 56-33.

Article 81 A person falling under either of the following items will be punished by a non-criminal fine of not more than 50 thousand yen:

- (i) a person failing to file a notification under the provisions of Article 56-11, paragraph (3) (including cases where it is applied mutatis mutandis pursuant to Article 56-14 following the deemed replacement of terms); or
- (ii) a person failing to file a notification under the provisions of Article 56-18, paragraph (2).