

# 旅館業法

## Hotel Business Act

(昭和二十三年七月十二日法律第百三十八号)  
(Act No. 138 of July 12, 1948)

第一条 この法律は、旅館業の業務の適正な運営を確保すること等により、旅館業の健全な発達を図るとともに、旅館業の分野における利用者の需要の高度化及び多様化に対応したサービスの提供を促進し、もつて公衆衛生及び国民生活の向上に寄与することを目的とする。

Article 1 The purpose of this Act is to achieve sound development in the hotel business and facilitate the provision of services to meet the increasingly sophisticated and diverse demands of users in the hotel industry by such means as ensuring the appropriate management of services in the hotel business, and to thereby contribute to improving public health and the lives of the people.

第二条 この法律で「旅館業」とは、旅館・ホテル営業、簡易宿所営業及び下宿営業をいう。

Article 2 (1) The term "hotel business" as used in this Act means the business of operating an inn or hotel, the business of operating a common lodging house, or the business of operating a boarding house.

2 この法律で「旅館・ホテル営業」とは、施設を設け、宿泊料を受けて、人を宿泊させる営業で、簡易宿所営業及び下宿営業以外のものをいう。

(2) The term "the business of operating an inn or hotel" as used in this Act means the business of running a facility, receiving lodging fees, and allowing people to lodge there, other than the business of operating a common lodging house or the business of operating a boarding house.

3 この法律で「簡易宿所営業」とは、宿泊する場所を多数人で共用する構造及び設備を主とする施設を設け、宿泊料を受けて、人を宿泊させる営業で、下宿営業以外のものをいう。

(3) The term "the business of operating a common lodging house" as used in this Act means the business of running a facility mainly consisting of communal lodging spaces and equipment or furnishings shared by many people, receiving lodging fees, and allowing people to lodge there, other than the business of operating a boarding house.

4 この法律で「下宿営業」とは、施設を設け、一月以上の期間を単位とする宿泊料を受けて、人を宿泊させる営業をいう。

(4) The term "the business of operating a boarding house" as used in this Act means the business of running a facility, receiving lodging fees in increments

of at least one month, and allowing people to lodge there.

- 5 この法律で「宿泊」とは、寝具を使用して前各項の施設を利用することをいう。
- (5) The term "to lodge" as used in this Act means to make use of bedding when using a facility as referred to in one of the preceding paragraphs.

第三条 旅館業を営もうとする者は、都道府県知事（保健所を設置する市又は特別区にあつては、市長又は区長。第四項を除き、以下同じ。）の許可を受けなければならない。ただし、旅館・ホテル営業又は簡易宿所営業の許可を受けた者が、当該施設において下宿営業を営もうとする場合は、この限りでない。

Article 3 (1) A person seeking to run a hotel business must be licensed by the prefectural governor (or by the mayor of the city, in a city with a health center; or by the mayor of the ward, in a special ward; the same applies hereinafter except for in paragraph (4)); provided, however, that this does not apply if a person licensed for the business of operating an inn or hotel or the business of operating a common lodging house seeks to be in the business of operating a boarding house within the relevant facility.

2 都道府県知事は、前項の許可の申請があつた場合において、その申請に係る施設の構造設備が政令で定める基準に適合しないと認めるとき、当該施設の設置場所が公衆衛生上不相当であると認めるとき、又は申請者が次の各号のいずれかに該当するときは、同項の許可を与えないことができる。

(2) When a person has applied for licensing as referred to in the preceding paragraph, it is permissible for the prefectural governor not to grant the licensing referred to in that paragraph on finding that the structure, equipment, or furnishings of the facility to which the application pertains do not conform to the standards that Cabinet Order prescribes, on finding that the location of the facility is inappropriate from a public health standpoint, or if the applicant falls under one of the following items:

一 成年被後見人又は被保佐人

(i) an adult ward or person under curatorship;

二 破産手続開始の決定を受けて復権を得ない者

(ii) a person subject to an order commencing bankruptcy proceedings that has not been discharged from bankruptcy;

三 禁錮以上の刑に処せられ、又はこの法律若しくはこの法律に基づく処分に違反して罰金以下の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して三年を経過していない者

(iii) a person that has been sentenced to imprisonment without work or a heavier punishment, or that has been sentenced to a fine or lighter punishment for violating this Act or a disposition based on this Act, if three years have not yet passed since the day on which the person finished serving the sentence or ceased to be subject to its execution;

四 第八条の規定により許可を取り消され、取消しの日から起算して三年を経過して

いない者

(iv) a person whose license has been rescinded pursuant to the provisions of Article 8, if three years have not yet passed since the day of the rescission;

五 暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）第二条第六号に規定する暴力団員又は同号に規定する暴力団員でなくなつた日から起算して五年を経過しない者（第八号において「暴力団員等」という。）

(v) a member of an organized crime group as prescribed in Article 2, item (vi) of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) or a person who ceased to be the member of an organized crime group as prescribed in that item on a day that is not yet five years in the past (referred to as a "current or former member of an organized crime group" in item (viii));

六 営業に関し成年者と同一の行為能力を有しない未成年者でその法定代理人（法定代理人が法人である場合においては、その役員を含む。）が前各号のいずれかに該当するもの

(vi) a minor who does not have the same legal capacity to act as an adult with respect to business, and whose statutory agent (if the statutory agent is a corporation, this includes any officer of the statutory agent) falls under one of the preceding items;

七 法人であつて、その業務を行う役員のうち第一号から第五号までのいずれかに該当する者があるもの

(vii) a corporation that has a person falling under one of items (i) through (v) among the officers engaged in its operations;

八 暴力団員等がその事業活動を支配する者

(viii) a person whose business activities are controlled by a current or former member of an organized crime group.

3 第一項の許可の申請に係る施設の設置場所が、次に掲げる施設の敷地（これらの用に供するものと決定した土地を含む。以下同じ。）の周囲おおむね百メートルの区域内にある場合において、その設置によつて当該施設の清純な施設環境が著しく害されるおそれがあると認めるときも、前項と同様とする。

(3) The preceding paragraph also applies if the facility to which a licensing application as referred to in paragraph (1) pertains would be located within roughly 100 meters of the grounds of one of the following institutions (this includes land that it has been decided will be used for such an institution; the same applies hereinafter) and the prefectural governor finds that locating the facility there would risk significantly marring the innocent institutional environment of the relevant institution:

一 学校教育法（昭和二十二年法律第二十六号）第一条に規定する学校（大学を除くものとし、次項において「第一条学校」という。）及び就学前の子どもに関する教育、保育等の総合的な提供の推進に関する法律（平成十八年法律第七十七号）第二条第七項に規定する幼保連携型認定こども園（以下この条において「幼保連携型認

定こども園」という。)

(i) a school as prescribed in Article 1 of the School Education Act (Act No. 26 of 1947) (other than a university; such a school is referred to as an "Article 1 school" in the following paragraph) or a certified pre-school/daycare center as prescribed in Article 2, paragraph (7) of the Act on Facilitating the Comprehensive Provision of Education and Child Care to Children Not Yet of School Age (Act No. 77 of 2006) (hereinafter referred to as a "certified pre-school/daycare center" in this Article);

二 児童福祉法（昭和二十二年法律第百六十四号）第七条第一項に規定する児童福祉施設（幼保連携型認定こども園を除くものとし、以下単に「児童福祉施設」という。）

(ii) a child welfare institution as prescribed in Article 7, paragraph (1) of the Child Welfare Act (Act No. 164 of 1947) (other than a certified pre-school/daycare center; hereinafter referred to simply as a "child welfare institution");

三 社会教育法（昭和二十四年法律第二百七号）第二条に規定する社会教育に関する施設その他の施設で、前二号に掲げる施設に類するものとして都道府県（保健所を設置する市又は特別区にあつては、市又は特別区。以下同じ。）の条例で定めるもの

(iii) an institution that is connected with the social education prescribed in Article 2 of the Social Education Act (Act No. 207 of 1949) or any other institution provided for by prefectural ordinance (or by city ordinance, in a city with a health center; or by ward ordinance, in a special ward; the same applies hereinafter) as being similar to an institution as set forth in the preceding two items.

4 都道府県知事（保健所を設置する市又は特別区にあつては、市長又は区長）は、前項各号に掲げる施設の敷地の周囲おおむね百メートルの区域内の施設につき第一項の許可を与える場合には、あらかじめ、その施設の設置によつて前項各号に掲げる施設の清純な施設環境が著しく害されるおそれがないかどうかについて、学校（第一条学校及び幼保連携型認定こども園をいう。以下この項において同じ。）については、当該学校が大学附置の国立学校（国（国立大学法人法（平成十五年法律第百十二号）第二条第一項に規定する国立大学法人を含む。以下この項において同じ。）が設置する学校をいう。）又は地方独立行政法人法（平成十五年法律第百十八号）第六十八条第一項に規定する公立大学法人（以下この項において「公立大学法人」という。）が設置する学校であるときは当該大学の学長、高等専門学校であるときは当該高等専門学校の校長、高等専門学校以外の公立学校であるときは当該学校を設置する地方公共団体の教育委員会（幼保連携型認定こども園であるときは、地方公共団体の長）、高等専門学校及び幼保連携型認定こども園以外の私立学校であるときは学校教育法に定めるその所管庁、国及び地方公共団体（公立大学法人を含む。）以外の者が設置する幼保連携型認定こども園であるときは都道府県知事（地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市（以下この項において「指定都

市」という。)及び同法第二百五十二条の二十二第一項の中核市(以下この項において「中核市」という。)においては、当該指定都市又は中核市の長)の意見を、児童福祉施設については、児童福祉法第四十六条に規定する行政庁の意見を、前項第三号の規定により都道府県の条例で定める施設については、当該条例で定める者の意見を求めなければならない。

- (4) Before granting licensing as referred to in paragraph (1) in connection with a facility that would be located within roughly 100 meters of the grounds of an institution as set forth in one of the items of the preceding paragraph, the prefectural governor (or the mayor of the city, in a city with a health center; or the mayor of the ward, in a special ward) must first seek the opinion of the relevant person as to whether locating the facility there would risk significantly marring the innocent institutional environment of the institution set forth in one of the items of the preceding paragraph; if the institution in question is a school (meaning an Article 1 school or certified pre-school/daycare center; hereinafter the same applies in this paragraph) and that school is a national school (meaning a school run by the national government (including a national university corporation as prescribed in Article 2, paragraph (1) of the National University Corporation Act (Act No. 112 of 2003); hereinafter the same applies in this paragraph)) affiliated with a university or is run by an incorporated municipal university as prescribed in Article 68, paragraph (1) of the Local Incorporated Administrative Agencies Act (Act No. 118 of 2003) (hereinafter referred to as an "incorporated municipal university" in this paragraph), this means seeking the opinion of the president of the relevant university; if the school is a college of technology, this means seeking the opinion of its principal; if the school is a public school other than a college of technology, this means seeking the opinion of the board of education of the local government running the school (or of the head of the local government, if it is a certified pre-school/daycare center); if the school is a private school other than a college of technology or certified pre-school/daycare center, this means seeking the opinion of its administering agency as provided in the School Education Act; and if the school is a certified pre-school/daycare center run by a person other than the national or local government (including by an incorporated municipal university), this means seeking the opinion of the prefectural governor (in a designated city as referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as "designated city" in this paragraph) this means seeking the opinion of the mayor of the designated city; and in a core city as referred to in Article 252-22, paragraph (1) of that Act (hereinafter referred to as a "core city" in this paragraph), this means seeking the opinion of the mayor of the core city); if the institution in question is a child welfare institution, this means seeking the opinion of the administrative authority prescribed in Article 46 of

the Child Welfare Act; and if the institution in question is one that is provided for by prefectural ordinance pursuant to the provisions of item (iii) of the preceding paragraph, this means seeking the opinion of the person provided for in the relevant ordinance.

5 第二項又は第三項の規定により、第一項の許可を与えない場合には、都道府県知事は、理由を附した書面をもつて、その旨を申請者に通知しなければならない。

(5) If not granting the licensing referred to in paragraph (1) pursuant to the provisions of paragraph (2) or (3), the prefectural governor must notify the applicant of this through a document that gives the reason therefor.

6 第一項の許可には、公衆衛生上又は善良の風俗の保持上必要な条件を附することができる。

(6) It is permissible to attach the conditions that are necessary from a public health standpoint or from the perspective of upholding public policy to the licensing referred to in paragraph (1).

第三条の二 前条第一項の許可を受けて旅館業を営む者（以下「営業者」という。）たる法人の合併の場合（営業者たる法人と営業者でない法人が合併して営業者たる法人が存続する場合を除く。）又は分割の場合（当該旅館業を承継させる場合に限る。）において当該合併又は分割について都道府県知事の承認を受けたときは、合併後存続する法人若しくは合併により設立された法人又は分割により当該旅館業を承継した法人は、営業者の地位を承継する。

Article 3-2 (1) If a corporation that constitutes a person licensed as referred to in paragraph (1) of the preceding Article to run a hotel business (hereinafter referred to as a "hotelier") undergoes a merger (other than a merger between a corporation constituting a hotelier and a corporation not constituting a hotelier which the corporation constituting a hotelier survives) or a corporate split (but only one in which it has another person succeed to its hotel business), and the merger or split has been approved by the prefectural governor, the corporation surviving the merger, the corporation incorporated in the merger, or the corporation succeeding to the hotel business in the split succeeds to the status of hotelier.

2 前条第二項（申請者に係る部分に限る。）及び第三項から第六項までの規定は、前項の承認について準用する。この場合において、同条第二項中「申請者」とあるのは、「合併後存続する法人若しくは合併により設立される法人又は分割により当該旅館業を承継する法人」と読み替えるものとする。

(2) The provisions of paragraph (2) of the preceding Article (limited to parts relating to the applicant) and paragraph (3) through paragraph (6) of that Article apply mutatis mutandis to the approval referred to in the preceding paragraph. In such a case, the term "the applicant" in paragraph (2) of that Article is deemed to be replaced with "the corporation surviving the merger, the corporation incorporated in the merger, or the corporation succeeding to

the hotel business in the split".

第三条の三 営業者が死亡した場合において、相続人（相続人が二人以上ある場合において、その全員の同意により当該旅館業を承継すべき相続人を選定したときは、その者。以下同じ。）が被相続人の営んでいた旅館業を引き続き営もうとするときは、その相続人は、被相続人の死亡後六十日以内に都道府県知事に申請して、その承認を受けなければならない。

Article 3-3 (1) If a hotelier has died and the heir (or the person selected at the unanimous consent of all heirs as the heir that will succeed to the hotel business, if there are two or more heirs; the same applies hereinafter) seeks to continue to run the hotel business that the decedent ran, the heir must apply to the prefectural governor within sixty days of the decedent's death and obtain the approval of the prefectural governor.

2 相続人が前項の承認の申請をした場合においては、被相続人の死亡の日からその承認を受ける日又は承認をしない旨の通知を受ける日までは、被相続人に対してした第三条第一項の許可は、その相続人に対してしたものとみなす。

(2) If an heir applies for the approval referred to in the preceding paragraph, the Article 3, paragraph (1) licensing of the decedent is deemed to be conferred on the heir from the day of the decedent's death until either the day the heir is approved or the day the heir is notified that approval will not be granted.

3 第三条第二項（申請者に係る部分に限る。）及び第三項から第六項までの規定は、第一項の承認について準用する。

(3) The provisions of Article 3, paragraph (2) (limited to the part relating to the applicant) and paragraphs (3) through (6) of that Article apply mutatis mutandis to the approval referred to in paragraph (1).

4 第一項の承認を受けた相続人は、被相続人に係る営業者の地位を承継する。

(4) An heir who has obtained the approval referred to in paragraph (1) succeeds to the status that the decedent held as a hotelier.

第三条の四 営業者は、旅館業が国民生活において果たしている役割の重要性に鑑み、旅館業の施設及び宿泊に関するサービスについて安全及び衛生の水準の維持及び向上に努めるとともに、旅館業の分野における利用者の需要が高度化し、かつ、多様化している状況に対応できるよう、旅館業の施設の整備及び宿泊に関するサービスの向上に努めなければならない。

Article 3-4 In view of the importance of the role of the hotel business in the lives of the people, hoteliers must endeavor to maintain and improve safety and sanitation standards in hotel business facilities and lodging-related services, as well as endeavoring to improve the condition of hotel business facilities and enhance lodging-related services so that they are able to meet the increasingly sophisticated and diverse demands of users in the hotel industry.

第四条 営業者は、旅館業の施設について、換気、採光、照明、防湿及び清潔その他宿泊者の衛生に必要な措置を講じなければならない。

Article 4 (1) A hotelier must take the necessary measures for the ventilation, natural lighting, artificial lighting, dampness prevention, and cleanliness of its hotel business facilities and take other necessary measures for the health of persons lodging there.

2 前項の措置の基準については、都道府県が条例で、これを定める。

(2) Prefectures prescribe the standards for the measures referred to in the preceding paragraph by Prefectural Ordinance.

3 第一項に規定する事項を除くほか、営業者は、旅館業の施設を利用させるについては、政令で定める基準によらなければならない。

(3) Beyond the things that are prescribed in paragraph (1), a hotelier must comply with the standards that Cabinet Order prescribes regarding allowing persons to use hotel business facilities.

第五条 営業者は、左の各号の一に該当する場合を除いては、宿泊を拒んではならない。

Article 5 A hotelier must not deny a person lodging except in a case falling under one of the following items:

一 宿泊しようとする者が伝染性の疾病にかかっていると明らかに認められるとき。

(i) it is evident that the person seeking lodging has an infectious disease;

二 宿泊しようとする者がとばく、その他の違法行為又は風紀を乱す行為をする虞があると認められるとき。

(ii) it appears likely that the person seeking lodging would gamble or engage in other unlawful activities, or would take part in activities injurious to public morals;

三 宿泊施設に余裕がないときその他都道府県が条例で定める事由があるとき。

(iii) a hotelier is not in a position to accommodate the person in its lodging facilities, or there are other grounds that the prefecture prescribes by ordinance.

第六条 営業者は、厚生労働省令で定めるところにより旅館業の施設その他の厚生労働省令で定める場所に宿泊者名簿を備え、これに宿泊者の氏名、住所、職業その他の厚生労働省令で定める事項を記載し、都道府県知事の要求があつたときは、これを提出しなければならない。

Article 6 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, a hotelier must keep a register of lodgers in the hotel business facilities or in any other place that Order of the Ministry of Health, Labour and Welfare prescribes, giving the names, addresses, and occupations of the lodgers and other information that Order of the Ministry of Health, Labour and Welfare prescribes, and must submit this register if required to do so by the prefectural governor.



2 宿泊者は、営業者から請求があつたときは、前項に規定する事項を告げなければならない。

(2) A lodger must give the information prescribed in the preceding paragraph if requested to do so by a hotelier.

第七条 都道府県知事は、この法律の施行に必要な限度において、営業者その他の関係者から必要な報告を求め、又は当該職員に、旅館業の施設に立ち入り、その構造設備若しくはこれに関する書類を検査させ、若しくは関係者に質問させることができる。

Article 7 (1) To the extent necessary for bringing this Act into effect, a prefectural governor may ask a hotelier or any other relevant person to file the necessary reports, and may have the relevant officials enter a hotel business facility to inspect its structure, equipment, furnishings, or documents concerning them, or to question the relevant persons.

2 都道府県知事は、旅館業が営まれている施設において次条第三項の規定による命令をすべきか否かを調査する必要があると認めるときは、当該旅館業を営む者（営業者を除く。）その他の関係者から必要な報告を求め、又は当該職員に、旅館業の施設に立ち入り、その構造設備若しくはこれに関する書類を検査させ、若しくは関係者に質問させることができる。

(2) On finding the need to investigate whether to issue an order under the provisions of paragraph (3) of the following Article for a facility in which a person is running a hotel business, the prefectural governor may ask the person running the hotel business (other than a hotelier) and other relevant persons to file the necessary reports, or may have the relevant officials enter a hotel business facility to inspect its structure, equipment, furnishings, or documents concerning them and to question the relevant persons.

3 当該職員が、前二項の規定により立入検査をする場合においては、その身分を示す証票を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(3) When conducting an on-site inspection pursuant to the provisions of the preceding two paragraphs, the relevant official must carry identification and present it if requested to do so by the relevant persons.

4 第一項及び第二項の規定による立入検査の権限は、犯罪捜査のために認められたものと解してはならない。

(4) The authority for an on-site inspection under the provisions of paragraph (1) or (2) must not be construed as being granted for criminal investigation purposes.

第七条の二 都道府県知事は、旅館業の施設の構造設備が第三条第二項の政令で定める基準に適合しなくなつたと認めるときは、当該営業者に対し、相当の期間を定めて、当該施設の構造設備をその基準に適合させるために必要な措置をとるべきことを命ずることができる。

Article 7-2 (1) On finding that the structure, equipment, or furnishings of a hotel

business facility no longer conform to the standards that Cabinet Order prescribes which are referred to in Article 3, paragraph (2), the prefectural governor may fix a reasonable period of time and order the hotelier to take the necessary measures to make the structure, equipment, or furnishings of the relevant facility conform to those standards.

2 都道府県知事は、旅館業による公衆衛生上の危害の発生若しくは拡大又は善良の風俗を害する行為の助長若しくは誘発を防止するため必要があると認めるときは、当該営業者に対し、公衆衛生上又は善良の風俗の保持上必要な措置をとるべきことを命ずることができる。

(2) On finding that it is necessary to do so in order to prevent a hotel business from causing or amplifying a public health risk or from furthering or provoking activities that contravene public policy, a prefectural governor may order the hotelier to take measures that are necessary from a public health standpoint or from the perspective of upholding public policy.

3 都道府県知事は、この法律の規定に違反して旅館業が営まれている場合であつて、当該旅館業が営まれることによる公衆衛生上の重大な危害の発生若しくは拡大又は著しく善良の風俗を害する行為の助長若しくは誘発を防止するため緊急に措置をとる必要があると認めるときは、当該旅館業を営む者（営業者を除く。）に対し、当該旅館業の停止その他公衆衛生上又は善良の風俗の保持上必要な措置をとるべきことを命ずることができる。

(3) If a hotel business is being run in violation of the provisions of this Act and the prefectural governor finds that measures need to be taken urgently in order to prevent the running of that hotel business from causing or amplifying a serious public health risk or from furthering or provoking activities that seriously contravene public policy, the prefectural governor may order the person running the hotel business (other than a hotelier) to discontinue that hotel business or to take other measures that are necessary from a public health standpoint or from the perspective of upholding public policy.

第八条 都道府県知事は、営業者が、この法律若しくはこの法律に基づく命令の規定若しくはこの法律に基づく処分に違反したとき、又は第三条第二項各号（第四号を除く。）に該当するに至つたときは、同条第一項の許可を取り消し、又は一年以内の期間を定めて旅館業の全部若しくは一部の停止を命ずることができる。営業者（営業者が法人である場合におけるその代表者を含む。）又はその代理人、使用人その他の従業者が、当該旅館業に関し次に掲げる罪を犯したときも、同様とする。

Article 8 If a hotelier has violated the provisions of this Act, the provisions of an order that is based on this Act, or a disposition that is based on this Act; or if a hotelier has come to fall under the items of Article 3, paragraph (2) (except for item (iv)), the prefectural governor may revoke the license referred to in paragraph (1) of that Article or order the discontinuation of all or some aspects of the hotel business for a specified period of one year or less. The same applies

if a hotelier (or its representative, if a hotelier is a corporation) or the agent, employee, or other worker thereof commits one of the following crimes in connection with the hotel business:

一 刑法（明治四十年法律第四十五号）第七十四条、第七十五条又は第八十二条の罪

(i) a crime referred to in Articles 174, 175, or 182 of the Penal Code (Act No. 45 of 1907);

二 風俗営業等の規制及び業務の適正化等に関する法律（昭和二十三年法律第二百二十二号）に規定する罪（同法第二条第四項の接待飲食等営業及び同条第十一項の特定遊興飲食店営業に関するものに限る。）

(ii) a crime prescribed in the Act on Control and Improvement of Amusement Business, etc. (Act No. 122 of 1948) (limited to one related to operation of business entertainment-related eating and drinking services, etc. in Article 2, paragraph (4) of that Act and operation of specified amusement eating and drinking places in paragraph (11) of that Article);

三 売春防止法（昭和三十一年法律第一百十八号）第二章に規定する罪

(iii) a crime prescribed in Chapter 2 of the Anti-Prostitution Act (Act No. 118 of 1956);

四 児童買春、児童ポルノに係る行為等の規制及び処罰並びに児童の保護等に関する法律（平成十一年法律第五十二号）第二章に規定する罪

(iv) a crime prescribed in Chapter 2 of the Act on Regulation and Punishment of Acts Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999).

第八条の二 国立大学の学長その他第三条第四項に規定する者は、同条第三項各号に掲げる施設の敷地の周囲おおむね百メートルの区域内にある旅館業の施設の構造設備が同条第二項の政令で定める基準に適合しなくなつた場合又は営業者が同条第三項各号に掲げる施設の敷地の周囲おおむね百メートルの区域内において第四条第三項の規定に違反した場合において、当該施設の清純な施設環境が著しく害されていると認めるときは、第七条の二（第三項を除く。）又は前条に規定する処分について都道府県知事に意見を述べることができる。

Article 8-2 If the structure, equipment, or furnishings of a hotel business facility located within roughly 100 meters of the grounds of an institution as set forth in one of the items of Article 3, paragraph (3) have come to no longer conform to the standards that Cabinet Order prescribes which are referred to in paragraph (2) of that Article, or if a hotelier has violated the provisions of Article 4, paragraph (3) in an area within roughly 100 meters of the grounds of an institution as set forth in one of the items of paragraph (3) of that Article, and the president of a national university or other person prescribed in Article 3, paragraph (4) finds that the innocent institutional environment of the relevant institution has been significantly marred, that person may state an

opinion to the prefectural governor regarding the disposition prescribed in Article 7-2 (except for paragraph (3)) or the preceding Article.

第九条 第八条の規定による処分に係る行政手続法（平成五年法律第八十八号）第十五条第一項又は第三十条の通知は、聴聞の期日又は弁明を記載した書面の提出期限（口頭による弁明の機会の付与を行う場合には、その日時）の一週間前までにしなければならない。

Article 9 (1) The notice referred to in Article 15, paragraph (1) or Article 30 of the Administrative Procedure Act (Act No. 88 of 1993) relating to a disposition under the provisions of Article 8 must be given no later than one week prior to the date of a hearing or the deadline for submitting a written explanation (or at the date and time of the opportunity for oral explanation, if one will be granted).

2 第八条の規定による許可の取消しに係る聴聞の期日における審理は、公開により行わなければならない。

(2) The proceedings on the date of a hearing relating to the revocation of a license under the provisions of Article 8 must be open to the public.

第九条の二 国及び地方公共団体は、営業者に対し、旅館業の健全な発達を図り、並びに旅館業の分野における利用者の需要の高度化及び多様化に対応したサービスの提供を促進するため、必要な資金の確保、助言、情報の提供その他の措置を講ずるよう努めるものとする。

Article 9-2 The national and local governments are to endeavor to secure the necessary funds for, give advice to, provide information to, and take other measures in respect of hoteliers in order to promote the sound development of the hotel business and facilitate the provision of services to meet the increasingly sophisticated and diverse demands of users in the hotel industry.

第十条 次の各号のいずれかに該当する者は、これを六月以下の懲役若しくは百万円以下の罰金に処し、又はこれを併科する。

Article 10 A person falling under one of the following items is subject to imprisonment for not more than six months, a fine of not more than 1,000,000 yen, or both:

一 第三条第一項の規定に違反して同項の規定による許可を受けないで旅館業を営んだ者

(i) a person running a hotel business without being licensed as under the provisions of Article 3, paragraph (1), in violation of the provision of that paragraph;

二 第八条の規定による命令に違反した者

(ii) a person violating an order under the provisions of Article 8.

第十一条 次の各号のいずれかに該当する者は、これを五十万円以下の罰金に処する。  
Article 11 A person falling under one of the following items is subject to a fine of not more than 500,000 yen:

一 第五条又は第六条第一項の規定に違反した者

(i) a person violating the provisions of Article 5 or Article 6, paragraph (1);

二 第七条第一項又は第二項の規定による報告をせず、若しくは虚偽の報告をし、又は当該職員の検査を拒み、妨げ、若しくは忌避し、若しくは質問に対し答弁をせず、若しくは虚偽の答弁をした者

(ii) a person failing to file or falsely filing a report under the provisions of Article 7, paragraph (1) or (2); a person refusing, obstructing, or evading an inspection by the relevant officials under those provisions; or a person failing to answer or falsely answering questions under those provisions;

三 第七条の二第二項又は第三項の規定による命令に違反した者

(iii) a person violating an order under the provisions of Article 7-2, paragraphs (2) or (3).

第十二条 第六条第二項の規定に違反して同条第一項の事項を偽つて告げた者は、これを拘留又は科料に処する。

Article 12 A person falsifying the information referred to in Article 6, paragraph (1) in violation of the provisions of paragraph (2) of that Article is subject to penal detention or a petty fine.

第十三条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して、第十条又は第十一条の違反行為をしたときは、行為者を罰する外、その法人又は人に対しても、各本条の罰金刑を科する。

Article 13 If the representative of a corporation or the agent, employee, or other worker of a corporation or individual violates Article 10 or 11 in connection with the business of that corporation or individual, in addition to the offender being subject to punishment, the corporation or individual is subject to the fine referred to in the relevant Article.

## 附 則

### Supplementary Provisions

第十四条 この法律は、昭和二十三年七月十五日から、これを施行する。

Article 14 This Act comes into effect as of July 15, 1948.

第十五条 この法律施行の際、現に従前の命令の規定により営業の許可を受けて旅館業を営んでいる者は、それぞれ第三条第一項の規定による許可を受けたものとみなす。

Article 15 A person that, at the time this Act comes into effect, is running a hotel business based on a business license obtained pursuant to the provisions

of a prior Order is deemed to have been licensed as under the provisions of Article 3, paragraph (1).

第十六条 昭和二十三年一月一日から、この法律施行の日までに、新たに旅館業を営み、この法律施行の際現にこれを営んでいる者は、この法律施行の日から二月間は、第三条第一項の規定にかかわらず、引き続きこれを営むことができる。

Article 16 (1) Notwithstanding the provisions of Article 3, paragraph (1), a person that has started to run a hotel business between January 1, 1948 and the date on which this Act comes into effect and that is running that business at the time this Act comes into effect may continue to run that business for two months after the date this Act comes into effect.

2 前項の規定に該当する者は、この法律施行後二月以内に、都道府県知事にその旨を届け出なければならない。

(2) A person falling under the provisions of the preceding paragraph must file a notification to that effect with the prefectural governor within two months after this Act comes into effect.

3 前項の届出をした者は、それぞれ第三条第一項の許可を受けたものとみなす。

(3) A person filing a notification as referred to in the preceding paragraph is deemed to have been licensed as under Article 3, paragraph (1).