

健康増進法

Health Promotion Act

(平成十四年八月二日法律第百三号)
(Act No. 103 of August 2, 2002)

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、我が国における急速な高齢化の進展及び疾病構造の変化に伴い、国民の健康の増進の重要性が著しく増大していることにかんがみ、国民の健康の増進の総合的な推進に関し基本的な事項を定めるとともに、国民の栄養の改善その他の国民の健康の増進を図るための措置を講じ、もって国民保健の向上を図ることを目的とする。

Article 1 The purpose of this Act is to prescribe the basic particulars involved in comprehensively advancing the people's improvement of their health, as well as to implement measures that are meant to enable the people to improve their nutrition and make other such improvements in their health, given that the importance of the people's improvement of their health has significantly increased alongside rapid progress in the aging of the population and changes in the country's disease patterns.

(国民の責務)

(Responsibilities of the People)

第二条 国民は、健康な生活習慣の重要性に対する関心と理解を深め、生涯にわたって、自らの健康状態を自覚するとともに、健康の増進に努めなければならない。

Article 2 The people must endeavor to deepen their interest in and understanding of the importance of healthy lifestyles, and to both be aware of the state of their own health and improve their health throughout the course of their lives.

(国及び地方公共団体の責務)

(Responsibilities of the National and Local Governments)

第三条 国及び地方公共団体は、教育活動及び広報活動を通じた健康の増進に関する正しい知識の普及、健康の増進に関する情報の収集、整理、分析及び提供並びに研究の推進並びに健康の増進に係る人材の養成及び資質の向上を図るとともに、健康増進事業実施者その他の関係者に対し、必要な技術的援助を与えることに努めなければならない。

Article 3 The national and local governments must endeavor to spread correct knowledge about promoting health through educational and publicity activities; to collect, organize, analyze, and provide information on promoting health; and to develop and improve the quality of personnel engaged in advancing research and promoting health; as well as endeavoring to provide persons implementing health promotion projects and other relevant persons with the necessary technical assistance.

(健康増進事業実施者の責務)

(Responsibilities of Persons Implementing Health Promotion Projects)

第四条 健康増進事業実施者は、健康教育、健康相談その他国民の健康の増進のために必要な事業（以下「健康増進事業」という。）を積極的に推進するよう努めなければならない。

Article 4 A person implementing a health promotion project must endeavor to actively advance health education, health counseling, or any other undertaking that the people need in order to improve their health (hereinafter referred to as a "health promotion project").

(関係者の協力)

(Cooperation by the Relevant Persons)

第五条 国、都道府県、市町村（特別区を含む。以下同じ。）、健康増進事業実施者、医療機関その他の関係者は、国民の健康の増進の総合的な推進を図るため、相互に連携を図りながら協力するよう努めなければならない。

Article 5 The national government, prefectures, municipalities (including special wards; the same applies hereinafter), persons implementing health promotion projects, medical institutions, and other relevant persons must endeavor to cooperate and coordinate with one another to comprehensively advance the people's improvement of their health.

(定義)

(Definitions)

第六条 この法律において「健康増進事業実施者」とは、次に掲げる者をいう。

Article 6 The term "person implementing a health promotion project" as used in this Act means the following:

一 健康保険法（大正十一年法律第七十号）の規定により健康増進事業を行う全国健康保険協会、健康保険組合又は健康保険組合連合会

(i) the Japan Health Insurance Association, a health insurance society, or federation of health insurance societies, in its capacity carrying out a health promotion project pursuant to the provisions of the Health Insurance Act (Act No. 70 of 1922);

二 船員保険法（昭和十四年法律第七十三号）の規定により健康増進事業を行う全国

健康保険協会

- (ii) the Japan Health Insurance Association, in its capacity carrying out a health promotion project pursuant to the provisions of the Seaman's Insurance Act (Act No. 73 of 1939);
- 三 国民健康保険法（昭和三十二年法律第九十二号）の規定により健康増進事業を行う市町村、国民健康保険組合又は国民健康保険団体連合会
- (iii) a municipality, national health insurance society, or federation of national health insurance associations, in its capacity carrying out a health promotion project pursuant to the provisions of the National Health Insurance Act (Act No. 192 of 1958);
- 四 国家公務員共済組合法（昭和三十二年法律第二百二十八号）の規定により健康増進事業を行う国家公務員共済組合又は国家公務員共済組合連合会
- (iv) a national public service officers mutual aid association or the Federation of National Public Service Officers Mutual Aid Associations, in its capacity carrying out a health promotion project pursuant to the provisions of the National Public Officers Mutual Aid Association Act (Act No. 128 of 1958);
- 五 地方公務員等共済組合法（昭和三十七年法律第五十二号）の規定により健康増進事業を行う地方公務員共済組合又は全国市町村職員共済組合連合会
- (v) a local public service mutual aid association or the National Federation of Mutual Aid Associations for Municipal Personnel, in its capacity carrying out a health promotion project pursuant to the provisions of the Local Public Service Mutual Aid Association Act (Act No. 152 of 1962);
- 六 私立学校教職員共済法（昭和二十八年法律第二百四十五号）の規定により健康増進事業を行う日本私立学校振興・共済事業団
- (vi) the Promotion and Mutual Aid Corporation for Private Schools of Japan, in its capacity carrying out a health promotion project pursuant to the provisions of the Private School Personnel Mutual Aid Association Act (Act No. 245 of 1953);
- 七 学校保健安全法（昭和三十二年法律第五十六号）の規定により健康増進事業を行う者
- (vii) a person carrying out a health promotion project pursuant to the provisions of the School Health and Safety Act (Act No. 56 of 1958);
- 八 母子保健法（昭和四十年法律第四十一号）の規定により健康増進事業を行う市町村
- (viii) a municipality carrying out a health promotion project pursuant to the provisions of the Maternal and Child Health Act (Act No. 141 of 1965);
- 九 労働安全衛生法（昭和四十七年法律第五十七号）の規定により健康増進事業を行う事業者
- (ix) an employer carrying out a health promotion project pursuant to the provisions of the Industrial Safety and Health Act (Act No. 57 of 1972);
- 十 高齢者の医療の確保に関する法律（昭和五十七年法律第八十号）の規定により健

康増進事業を行う全国健康保険協会、健康保険組合、市町村、国民健康保険組合、共済組合、日本私立学校振興・共済事業団又は後期高齢者医療広域連合

(x) the Japan Health Insurance Association, a health insurance society, municipality, national health insurance society, mutual aid association, the Promotion and Mutual Aid Corporation for Private Schools of Japan, or the Association of Medical Care Services for Older Senior Citizens, in its capacity carrying out a health promotion project pursuant to the provisions of the Act on Assurance of Medical Care for Elderly People (Act No. 80 of 1982);

十一 介護保険法（平成九年法律第百二十三号）の規定により健康増進事業を行う市町村

(xi) a municipality carrying out a health promotion project pursuant to the provisions of the Long-Term Care Insurance Act (Act No. 123 of 1997);

十二 この法律の規定により健康増進事業を行う市町村

(xii) a municipality carrying out a health promotion project pursuant to the provisions of this Act;

十三 その他健康増進事業を行う者であつて、政令で定めるもの

(xiii) any other person that carries out a health promotion project and that is provided for by Cabinet Order.

第二章 基本方針等

Chapter II Basic Policy; Related Matters

(基本方針)

(Basic Policy)

第七条 厚生労働大臣は、国民の健康の増進の総合的な推進を図るための基本的な方針（以下「基本方針」という。）を定めるものとする。

Article 7 (1) The Minister of Health, Labour and Welfare is to establish a basic policy for comprehensively advancing the people's improvement of their health (hereinafter referred to as the "basic policy").

2 基本方針は、次に掲げる事項について定めるものとする。

(2) The basic policy is to establish the following:

一 国民の健康の増進の推進に関する基本的な方向

(i) the basic direction for advancing the people's improvement of their health;

二 国民の健康の増進の目標に関する事項

(ii) the particulars of targets for the people's improvement of their health;

三 次条第一項の都道府県健康増進計画及び同条第二項の市町村健康増進計画の策定に関する基本的な事項

(iii) basic particulars related to the formulation of the prefectural health promotion plan under paragraph (1) and the municipal health promotion plan under paragraph (2) of the following Article;

四 第十条第一項の国民健康・栄養調査その他の健康の増進に関する調査及び研究に

関する基本的な事項

(iv) basic particulars related to the national health and nutrition surveys under Article 10, paragraph (1) and other surveys and research related to health promotion;

五 健康増進事業実施者間における連携及び協力に関する基本的な事項

(v) basic particulars related to collaboration and cooperation among person implementing a health promotion project;

六 食生活、運動、休養、飲酒、喫煙、歯の健康の保持その他の生活習慣に関する正しい知識の普及に関する事項

(vi) the particulars involved in spreading correct knowledge about dietary habits, exercise, rest, drinking alcohol, smoking, maintenance of dental health, and other life habits;

七 その他国民の健康の増進の推進に関する重要事項

(vii) other important particulars related to advancing the people's improvement of their health.

3 厚生労働大臣は、基本方針を定め、又はこれを変更しようとするときは、あらかじめ、関係行政機関の長に協議するものとする。

(3) Before formulating or modifying the basic policy, the Minister of Health, Labour and Welfare is to first consult with the head of the relevant administrative organ.

4 厚生労働大臣は、基本方針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(4) Having formulated or modified the basic policy, the Minister of Health, Labour and Welfare is to make it public without delay.

(都道府県健康増進計画等)

(Prefectural Health Promotion Plans; Related Matters)

第八条 都道府県は、基本方針を勘案して、当該都道府県の住民の健康の増進の推進に関する施策についての基本的な計画（以下「都道府県健康増進計画」という。）を定めるものとする。

Article 8 (1) A prefecture is to establish a basic plan for measures to advance prefectural residents' improvement of their health (hereinafter referred to as the "prefectural health promotion plan") while taking into consideration the basic policy.

2 市町村は、基本方針及び都道府県健康増進計画を勘案して、当該市町村の住民の健康の増進の推進に関する施策についての計画（以下「市町村健康増進計画」という。）を定めるよう努めるものとする。

(2) A municipality is to endeavor to establish a plan for measures to advance municipal residents' improvement of their health (hereinafter referred to as the "municipal health promotion plan") while taking into consideration the basic policy and the prefectural health promotion plan.

3 国は、都道府県健康増進計画又は市町村健康増進計画に基づいて住民の健康増進のために必要な事業を行う都道府県又は市町村に対し、予算の範囲内において、当該事業に要する費用の一部を補助することができる。

(3) The national government may provide a prefecture or municipality that carries out a project that its residents need in order to improve their health based on the prefectural health promotion plan or the municipal health promotion plan with a subsidy for a part of the costs required for that project, within the scope of the budget.

(健康診査の実施等に関する指針)

(Guidelines for Implementing Health Checkups and Taking Related Measures)

第九条 厚生労働大臣は、生涯にわたる国民の健康の増進に向けた自主的な努力を促進するため、健康診査の実施及びその結果の通知、健康手帳（自らの健康管理のために必要な事項を記載する手帳をいう。）の交付その他の措置に関し、健康増進事業実施者に対する健康診査の実施等に関する指針（以下「健康診査等指針」という。）を定めるものとする。

Article 9 (1) The Minister of Health, Labour and Welfare is to establish guidelines for implementing health checkups and taking related measures (hereinafter referred to as the "health checkup guidelines") directed at persons implementing health promotion projects, concerning implementing health checkups, notifying people of the results, issuing health handbooks (meaning handbooks giving information that people need to manage their own health), and taking other such measures, in order to advance the people's voluntary efforts to improve their health throughout the course of their lives.

2 厚生労働大臣は、健康診査等指針を定め、又はこれを変更しようとするときは、あらかじめ、総務大臣、財務大臣及び文部科学大臣に協議するものとする。

(2) Before establishing or modifying the health checkup guidelines, the Minister of Health, Labour and Welfare is to first consult with the Minister of Internal Affairs and Communications, the Minister of Finance, and the Minister of Education, Culture, Sports, Science and Technology.

3 厚生労働大臣は、健康診査等指針を定め、又はこれを変更したときは、遅滞なく、これを公表するものとする。

(3) Having established or modified the health checkup guidelines, the Minister of Health, Labour and Welfare is to make them public without delay.

第三章 国民健康・栄養調査等

Chapter III National Health and Nutrition Surveys; Related Matters

(国民健康・栄養調査の実施)

(Implementing National Health and Nutrition Surveys)

第十条 厚生労働大臣は、国民の健康の増進の総合的な推進を図るための基礎資料とし

て、国民の身体の状況、栄養摂取量及び生活習慣の状況を明らかにするため、国民健康・栄養調査を行うものとする。

Article 10 (1) The Minister of Health, Labour and Welfare is to carry out national health and nutrition surveys as foundational information for comprehensively advancing the people's improvement of their health, in order to clarify the physical conditions, nutrient intake, and lifestyle conditions of the people.

2 厚生労働大臣は、国立研究開発法人医薬基盤・健康・栄養研究所（以下「研究所」という。）に、国民健康・栄養調査の実施に関する事務のうち集計その他の政令で定める事務の全部又は一部を行わせることができる。

(2) The Minister of Health, Labour and Welfare may have the National Institute of Biomedical Innovation, Health and Nutrition (hereinafter referred to as "the Institute") carry out all or a part of the tabulation and other functions that Cabinet Order prescribes among those that are related to implementing the national health and nutrition survey.

3 都道府県知事（保健所を設置する市又は特別区にあっては、市長又は区長。以下同じ。）は、その管轄区域内の国民健康・栄養調査の執行に関する事務を行う。

(3) A prefectural governor (or the mayor of the city or the ward, for a city that has a health center or for a special ward; the same applies hereinafter) carries out the functions related to conducting national health and nutrition surveys within the jurisdictional district.

（調査世帯）

(Surveyed Households)

第十一条 国民健康・栄養調査の対象の選定は、厚生労働省令で定めるところにより、毎年、厚生労働大臣が調査地区を定め、その地区内において都道府県知事が調査世帯を指定することによって行う。

Article 11 (1) The subjects of a national health and nutrition survey are selected every year pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, by the Minister of Health, Labour and Welfare establishing the survey area and the prefectural governor designating survey households in that area.

2 前項の規定により指定された調査世帯に属する者は、国民健康・栄養調査の実施に協力しなければならない。

(2) A person belonging to a survey household designated pursuant to the provisions of the preceding paragraph must cooperate with the implementation of the national health and nutrition survey.

（国民健康・栄養調査員）

(National Health and Nutrition Surveyors)

第十二条 都道府県知事は、その行う国民健康・栄養調査の実施のために必要があると

きは、国民健康・栄養調査員を置くことができる。

Article 12 (1) If it is necessary to do so in order to implement a national health and nutrition survey that the prefectural governor is carrying out, the governor may appoint national health and nutrition surveyors.

2 前項に定めるもののほか、国民健康・栄養調査員に関し必要な事項は、厚生労働省令でこれを定める。

(2) Beyond what is provided in the preceding paragraph, Order of the Ministry of Health, Labour and Welfare prescribes the necessary particulars related to national health and nutrition surveyors.

(国の負担)

(Costs Borne by the National Government)

第十三条 国は、国民健康・栄養調査に要する費用を負担する。

Article 13 The national government bears costs required for national health and nutrition surveys.

(調査票の使用制限)

(Restrictions on the Use of Questionnaires)

第十四条 国民健康・栄養調査のために集められた調査票は、第十条第一項に定める調査の目的以外の目的のために使用してはならない。

Article 14 Questionnaires collected for a national health and nutrition survey may not be used other than for a survey purpose prescribed in Article 10, paragraph (1).

(省令への委任)

(Delegation to Ministerial Order)

第十五条 第十条から前条までに定めるもののほか、国民健康・栄養調査の方法及び調査項目その他国民健康・栄養調査の実施に関して必要な事項は、厚生労働省令で定める。

Article 15 Beyond what is provided for in Article 10 through the preceding Article, Order of the Ministry of Health, Labour and Welfare prescribes the survey method for national health and nutrition surveys, survey topics, and other necessary particulars connected with the implementation of national health and nutrition surveys.

(生活習慣病の発生の状況の把握)

(Assessing the Conditions in Which Lifestyle Diseases Occur)

第十六条 国及び地方公共団体は、国民の健康の増進の総合的な推進を図るための基礎資料として、国民の生活習慣とがん、循環器病その他の政令で定める生活習慣病（以下単に「生活習慣病」という。）との相関関係を明らかにするため、生活習慣病の発生の状況の把握に努めなければならない。

Article 16 In order to clarify the correlation between the lifestyles of the people and cancer, cardiovascular disease, and other lifestyle diseases specified by Cabinet Order (hereinafter any one of these is simply referred to as a "lifestyle disease"), the national and local governments must endeavor to assess the conditions in which lifestyle diseases occur as foundational information for comprehensively advancing the people's improvement of their health.

(食事摂取基準)

(Dietary Reference Intakes)

第十六条の二 厚生労働大臣は、生涯にわたる国民の栄養摂取の改善に向けた自主的な努力を促進するため、国民健康・栄養調査その他の健康の保持増進に関する調査及び研究の成果を分析し、その分析の結果を踏まえ、食事による栄養摂取量の基準（以下この条において「食事摂取基準」という。）を定めるものとする。

Article 16-2 (1) In order to facilitate the people's self-initiated efforts to improve their nutritional intake throughout the course of their lives, the Minister of Health, Labour and Welfare is to analyze the results of national health and nutrition surveys and other such surveys and research on health maintenance and improvement, and is to establish standards for nutritional intake from food (hereinafter referred to as "dietary reference intakes" in this Article) based on the result of the analysis.

2 食事摂取基準においては、次に掲げる事項を定めるものとする。

(2) The following particulars are to be established in the dietary reference intakes:

一 国民がその健康の保持増進を図る上で摂取することが望ましい熱量に関する事項

(i) the particulars of the number of calories which it is advisable for people to get, from the perspective of maintaining and improving their health;

二 国民がその健康の保持増進を図る上で摂取することが望ましい次に掲げる栄養素の量に関する事項

(ii) the particulars of the amounts of the following nutrients which it is advisable for people to get, from the perspective of maintaining and improving their health:

イ 国民の栄養摂取の状況からみてその欠乏が国民の健康の保持増進を妨げているものとして厚生労働省令で定める栄養素

(a) nutrients prescribed by Order of the Ministry of Health, Labour and Welfare as those in which, judging from the extent of the people's nutritional intake, the people have a nutritional deficiency that is interfering with the maintenance and improvement of their health;

ロ 国民の栄養摂取の状況からみてその過剰な摂取が国民の健康の保持増進を妨げているものとして厚生労働省令で定める栄養素

(b) nutrients prescribed by Order of the Ministry of Health, Labour and Welfare as those of which, judging from the extent of the people's

nutritional intake, the people have an excessive intake that is interfering with the maintenance and improvement of their health.

3 厚生労働大臣は、食事摂取基準を定め、又は変更したときは、遅滞なく、これを公表するものとする。

(3) Having established or modified the dietary reference intakes, the Minister of Health, Labour and Welfare is to make them public without delay.

第四章 保健指導等

Chapter IV Health Guidance: Related Matters

(市町村による生活習慣相談等の実施)

(Implementation of Lifestyle Consultations by the Municipalities)

第十七条 市町村は、住民の健康の増進を図るため、医師、歯科医師、薬剤師、保健師、助産師、看護師、准看護師、管理栄養士、栄養士、歯科衛生士その他の職員に、栄養の改善その他の生活習慣の改善に関する事項につき住民からの相談に応じさせ、及び必要な栄養指導その他の保健指導を行わせ、並びにこれらに付随する業務を行わせるものとする。

Article 17 (1) In order to promote the health of the residents, a municipality is to have physicians, dentists, pharmacists, public health nurses, midwives, nurses, assistant nurses, registered dietitians, dietitians, dental hygienists, and other such personnel provide consultations to residents on matters related to nutritional improvements and other such lifestyle improvements, provide residents with the necessary nutritional guidance and other public health guidance, and carry out operations incidental thereto.

2 市町村は、前項に規定する業務の一部について、健康保険法第六十三条第三項各号に掲げる病院又は診療所その他適当と認められるものに対し、その実施を委託することができる。

(2) A municipality may entrust a hospital or clinic as set forth in the items of Article 63, paragraph (3) of the Health Insurance Act or any other person that is found to be appropriate with implementing a part of the operations prescribed in the preceding paragraph.

(都道府県による専門的な栄養指導その他の保健指導の実施)

(Implementation of Specialized Nutritional Guidance and Other Public Health Guidance by the Prefectures)

第十八条 都道府県、保健所を設置する市及び特別区は、次に掲げる業務を行うものとする。

Article 18 (1) Prefectures, cities that have health centers, and special wards are to carry out the following operations:

一 住民の健康の増進を図るために必要な栄養指導その他の保健指導のうち、特に専門的な知識及び技術を必要とするものを行うこと。

(i) providing the nutritional guidance and other such public health guidance that is needed to enable residents to improve their health and that requires specialized knowledge and skills;

二 特定かつ多数の者に対して継続的に食事を供給する施設に対し、栄養管理の実施について必要な指導及び助言を行うこと。

(ii) providing the necessary guidance and advice on implementing nutritional management to food service facilities that provide meals to a large number of specific people on a continuous basis;

三 前二号の業務に付随する業務を行うこと。

(iii) carrying out operations incidental to the operations referred to in the preceding two items.

2 都道府県は、前条第一項の規定により市町村が行う業務の実施に関し、市町村相互間の連絡調整を行い、及び市町村の求めに応じ、その設置する保健所による技術的事項についての協力その他当該市町村に対する必要な援助を行うものとする。

(2) A prefecture is to undertake communication and coordination among the municipalities in connection with the implementation of the operations which the municipalities carry out pursuant to paragraph (1) of the preceding Article, and, if asked to do so by the municipality, is to cooperate on technical matters through a prefecturally established health center and provide the municipality with other necessary assistance.

(栄養指導員)

(Nutrition Counselors)

第十九条 都道府県知事は、前条第一項に規定する業務（同項第一号及び第三号に掲げる業務については、栄養指導に係るものに限る。）を行う者として、医師又は管理栄養士の資格を有する都道府県、保健所を設置する市又は特別区の職員のうちから、栄養指導員を命ずるものとする。

Article 19 A prefectural governor is to appoint nutrition counselors from among officials of the prefecture, cities that have health centers, and special wards who are qualified physicians and registered dietitians, as persons who will carry out the operations provided for in paragraph (1) of the preceding Article (but only those involving nutritional guidance, for the operations set forth in items (i) and (iii) of that paragraph).

(市町村による健康増進事業の実施)

(Implementation of Health Promotion Projects by the Municipalities)

第十九条の二 市町村は、第十七条第一項に規定する業務に係る事業以外の健康増進事業であって厚生労働省令で定めるものの実施に努めるものとする。

Article 19-2 A municipality is to endeavor to implement health promotion projects that do not constitute projects related to the operations provided for in Article 17, paragraph (1), and that are prescribed by Order of the Ministry of

Health, Labour and Welfare.

(都道府県による健康増進事業に対する技術的援助等の実施)

(Implementation of Technical Assistance for Health Promotion Projects by the Prefectures)

第十九条の三 都道府県は、前条の規定により市町村が行う事業の実施に関し、市町村相互間の連絡調整を行い、及び市町村の求めに応じ、その設置する保健所による技術的事項についての協力その他当該市町村に対する必要な援助を行うものとする。

Article 19-3 A prefecture is to undertake communication and coordination among the municipalities in connection with the implementation of the operations which those municipalities carry out pursuant to the provisions of the preceding Article, and, if asked to do so by the municipality, is to cooperate on technical matters through a prefecturally established health center and provide the municipality with other necessary assistance.

(報告の徴収)

(Collection of Reports)

第十九条の四 厚生労働大臣又は都道府県知事は、市町村に対し、必要があると認めるときは、第十七条第一項に規定する業務及び第十九条の二に規定する事業の実施の状況に関する報告を求めることができる。

Article 19-4 On finding it to be necessary to do so, the Minister of Health, Labour and Welfare or a prefectural governor may request a municipality to report on the implementation status of a project provided for in Article 17, paragraph (1) and those provided for in Article 19-2.

第五章 特定給食施設

Chapter V Specified Food Service Facilities

(特定給食施設の届出)

(Filing Notifications for Specified Food Service Facilities)

第二十条 特定給食施設（特定かつ多数の者に対して継続的に食事を供給する施設のうち栄養管理が必要なものとして厚生労働省令で定めるものをいう。以下同じ。）を設置した者は、その事業の開始の日から一月以内に、その施設の所在地の都道府県知事に、厚生労働省令で定める事項を届け出なければならない。

Article 20 (1) A person that has established a specified food service facility (meaning a food service facility that provides meals to a large number of specific people on a continuous basis and that is prescribed by Order of the Ministry of Health, Labour and Welfare as one at which nutritional management is necessary; the same applies hereinafter) must file a notification with the governor of the prefecture where the facility is located of the particulars prescribed by Order of the Ministry of Health, Labour and

Welfare within one month after the date of commencement of those services.

2 前項の規定による届出をした者は、同項の厚生労働省令で定める事項に変更を生じたときは、変更の日から一月以内に、その旨を当該都道府県知事に届け出なければならない。その事業を休止し、又は廃止したときも、同様とする。

(2) If a particular prescribed by Order of the Ministry of Health, Labour and Welfare changes, a person that has filed a notification under the provisions of the preceding paragraph must file a notification of this with the relevant prefectural governor within one month after the date of the change. The same applies if that person suspends or discontinues its services.

(特定給食施設における栄養管理)

(Nutritional Management at Specified Food Service Facilities)

第二十一条 特定給食施設であつて特別の栄養管理が必要なものとして厚生労働省令で定めるところにより都道府県知事が指定するものの設置者は、当該特定給食施設に管理栄養士を置かなければならない。

Article 21 (1) A person that has in place a specified food service facility that a prefectural governor has designated pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare as one at which special nutritional management is necessary must assign a registered dietitian to that facility.

2 前項に規定する特定給食施設以外の特定給食施設の設置者は、厚生労働省令で定めるところにより、当該特定給食施設に栄養士又は管理栄養士を置くように努めなければならない。

(2) A person that has in place a specified food service facility other than one as prescribed in the preceding paragraph must endeavor to assign a dietitian or registered dietician to that facility, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 特定給食施設の設置者は、前二項に定めるもののほか、厚生労働省令で定める基準に従つて、適切な栄養管理を行わなければならない。

(3) Beyond what is provided for in the preceding two paragraphs, a person that has in place a specified food service facility must carry out appropriate nutritional management in accordance with the standards prescribed by Order of the Ministry of Health, Labour and Welfare.

(指導及び助言)

(Providing Guidance and Advice)

第二十二条 都道府県知事は、特定給食施設の設置者に対し、前条第一項又は第三項の規定による栄養管理の実施を確保するため必要があると認めるときは、当該栄養管理の実施に関し必要な指導及び助言をすることができる。

Article 22 On finding that it is necessary to do so in order to ensure the implementation of nutritional management under the provisions of paragraph (1) or (3) of the preceding Article, a prefectural governor may provide a person

that has in place a specified food service facility with the necessary guidance and advice regarding the implementation of nutritional management.

(勧告及び命令)

(Issuing Recommendations and Orders)

第二十三条 都道府県知事は、第二十一条第一項の規定に違反して管理栄養士を置かず、若しくは同条第三項の規定に違反して適切な栄養管理を行わず、又は正当な理由がなくて前条の栄養管理をしない特定給食施設の設置者があるときは、当該特定給食施設の設置者に対し、管理栄養士を置き、又は適切な栄養管理を行うよう勧告をすることができる。

Article 23 (1) If any person that has in place a specified food service facilities fails to appoint a registered dietitian in violation of the provisions of Article 21, paragraph (1), fails to carry out appropriate nutritional management in violation of the provisions of paragraph (3) of that Article, or fails to carry out the nutritional management referred to in the preceding Article without a legitimate reason for failing to do so, the prefectural governor may issue a recommendation for that person to appoint a registered dietitian or to carry out appropriate nutritional management.

2 都道府県知事は、前項に規定する勧告を受けた特定給食施設の設置者が、正当な理由がなくてその勧告に係る措置をとらなかったときは、当該特定給食施設の設置者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(2) If a person that has in place a specified food service facility and that has been issued a recommendation as prescribed in the preceding paragraph fails to take the recommended measures without a legitimate reason for failing to do so, the prefectural governor may order that person to take the recommended measures.

(立入検査等)

(On-Site Inspections)

第二十四条 都道府県知事は、第二十一条第一項又は第三項の規定による栄養管理の実施を確保するため必要があると認めるときは、特定給食施設の設置者若しくは管理者に対し、その業務に関し報告をさせ、又は栄養指導員に、当該施設に立ち入り、業務の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 24 (1) On finding it to be necessary to do so in order to ensure the implementation of the nutritional management under the provisions of Article 21, paragraph (1) or (3), a prefectural governor may have a person that has in place or manages a specified food service facility report on its operations, and may have nutrition counselors enter facility to inspect its operational status and its books, documents, and other articles and to question the relevant persons.

2 前項の規定により立入検査又は質問をする栄養指導員は、その身分を示す証明書を

携帯し、関係者に提示しなければならない。

(2) A nutrition counselor conducting an on-site inspection or questioning pursuant to the provisions of the preceding paragraph must carry identification and present it to the relevant persons.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under the provisions of paragraph (1) must not be construed as having been granted for the purpose of a criminal investigation.

第六章 受動喫煙防止

Chapter VI Prevention of Passive Smoking

第一節 総則

Section 1 General Provisions

(国及び地方公共団体の責務)

(Responsibilities of the National and Local Governments)

第二十五条 国及び地方公共団体は、望まない受動喫煙が生じないように、受動喫煙に関する知識の普及、受動喫煙の防止に関する意識の啓発、受動喫煙の防止に必要な環境の整備その他の受動喫煙を防止するための措置を総合的かつ効果的に推進するよう努めなければならない。

Article 25 The national and local governments must endeavor to spread knowledge about passive smoking, raise public awareness about its prevention, make the necessary environmental arrangements to prevent it, and comprehensively and effectively advance other such measures to prevent it, so that no unwanted exposure to passive smoke occurs.

(関係者の協力)

(Cooperation by the Relevant Persons)

第二十六条 国、都道府県、市町村、多数の者が利用する施設（敷地を含む。以下この章において同じ。）及び旅客運送事業自動車等の管理権原者（施設又は旅客運送事業自動車等の管理について権原を有する者をいう。以下この章において同じ。）その他の関係者は、望まない受動喫煙が生じないように、受動喫煙を防止するための措置の総合的かつ効果的な推進を図るため、相互に連携を図りながら協力するよう努めなければならない。

Article 26 The national government, prefectures, municipalities, managing authorities of facilities used by a large number of people (inclusive of the sites of those facilities; hereinafter the same applies in this Chapter) and of commercial means of passenger transportation (meaning persons holding the right to manage facilities or commercial means of passenger transportation; hereinafter the same applies in this Chapter), and other relevant persons must endeavor to cooperate and coordinate with one another to comprehensively and

effectively advance measures to prevent passive smoking, so that no unwanted exposure to passive smoke occurs.

(喫煙をする際の配慮義務等)

(Obligation to Consider One's Surroundings When Smoking; Related Matters)

第二十七条 何人も、特定施設及び旅客運送事業自動車等（以下この章において「特定施設等」という。）の第二十九条第一項に規定する喫煙禁禁場所以外の場所において喫煙をする際、望まない受動喫煙を生じさせることがないように周囲の状況に配慮しなければならない。

Article 27 (1) Every person must consider their surroundings when smoking in a place other than the no smoking area as provided in Article 29, paragraph (1) of a specified facility or commercial means of passenger transportation (hereinafter referred to as "specified facility or equivalent place" in this Chapter) so that this will not cause unwanted exposure to passive smoke.

2 特定施設等の管理権原者は、喫煙をすることができる場所を定めようとするときは、望まない受動喫煙を生じさせることがない場所とするよう配慮しなければならない。

(2) When seeking to designate an area in which people are permitted to smoke, a managing authority of a specified facility or equivalent place must make considerations to make this an area where it will not cause unwanted exposure to passive smoke.

(定義)

(Definitions)

第二十八条 この章において、次の各号に掲げる用語の意義は、当該各号に定めるところによる。

Article 28 In this Chapter, the meanings of the terms set forth in the following items are as prescribed respectively in those items:

一 たばこ たばこ事業法（昭和五十九年法律第六十八号）第二条第三号に掲げる製造たばこであって、同号に規定する喫煙用に供されるもの及び同法第三十八条第二項に規定する製造たばこ代用品をいう。

(i) the term "tobacco" means manufactured tobacco as set forth in Article 2, item (iii) of the Tobacco Business Act (Act No. 68 of 1984) that used for smoking as provided in that item, or a manufactured tobacco substitute as provided in Article 38, paragraph (2) of that Act;

二 喫煙 人が吸入するため、たばこを燃焼させ、又は加熱することにより煙（蒸気を含む。次号及び次節において同じ。）を発生させることをいう。

(ii) the terms "smoking" and "to smoke" mean a person's lighting or heating tobacco and thereby causing it to generate smoke (including vapor; the same applies in the following item and the following Chapter) in order to inhale it;

三 受動喫煙 人が他人の喫煙によりたばこから発生した煙にさらされることをいう。

(iii) the terms "passive smoking" and "exposure to passive smoke" mean a

person's being exposed to the smoke that has been generated by tobacco due to another person's smoking;

四 特定施設 第一種施設、第二種施設及び喫煙目的施設をいう。

(iv) the term "specified facility" means a type I facility, type II facility, or facility for smokers;

五 第一種施設 多数の者が利用する施設のうち、次に掲げるものをいう。

(v) the term "type I facility" means a facility as follows that a large number of people use:

イ 学校、病院、児童福祉施設その他の受動喫煙により健康を損なうおそれが高い者が主として利用する施設として政令で定めるもの

(a) a school, hospital, child welfare facility, or any other facility prescribed by Cabinet Order as one whose main users are persons whose health is highly likely to be impaired by passive smoking;

ロ 国及び地方公共団体の行政機関の庁舎（行政機関がその事務を処理するために使用する施設に限る。）

(b) the government building of an administrative organ of the national or local government (limited to a facility that an administrative organ uses to handle its administrative functions);

六 第二種施設 多数の者が利用する施設のうち、第一種施設及び喫煙目的施設以外の施設をいう。

(vi) the term "type II facility" means a facility used by a large number of people, other than a type I facility or facility for smokers;

七 喫煙目的施設 多数の者が利用する施設のうち、その施設を利用する者に対して、喫煙をする場所を提供することを主たる目的とする施設として政令で定める要件を満たすものをいう。

(vii) the term "facility for smokers" means a facility used by a large number of people that meets the requirements prescribed by Cabinet Order as a facility whose main purpose is to provide a place to smoke to people who use it;

八 旅客運送事業自動車等 旅客運送事業自動車、旅客運送事業航空機、旅客運送事業鉄道等車両及び旅客運送事業船舶をいう。

(viii) the term "commercial means of passenger transportation" means a motor vehicle used in commercial passenger transportation; an aircraft used in commercial passenger transportation; a railway, cableway, or tramway car used in commercial passenger transportation; or a vessel used in commercial passenger transportation;

九 旅客運送事業自動車 道路運送法（昭和二十六年法律第百八十三号）による旅客自動車運送事業者が旅客の運送を行うためその事業の用に供する自動車をいう。

(ix) the term "motor vehicle used in commercial passenger transportation" means a motor vehicle that a commercial passenger transporter under the Road Transportation Act (Act No. 183 of 1951) uses in its business in order to transport passengers;

十 旅客運送事業航空機 航空法（昭和二十七年法律第二百三十一号）による本邦航空運送事業者（旅客の運送を行うものに限る。）が旅客の運送を行うためその事業の用に供する航空機をいう。

(x) the term "aircraft used in commercial passenger transportation" means an aircraft that a domestic air carrier (limited to one that transports passengers) under the Civil Aeronautics Act (Act No. 231 of 1952) uses in its business in order to transport passengers;

十一 旅客運送事業鉄道等車両 鉄道事業法（昭和六十一年法律第九十二号）による鉄道事業者（旅客の運送を行うものに限る。）及び索道事業者（旅客の運送を行うものに限る。）並びに軌道法（大正十年法律第七十六号）による軌道経営者（旅客の運送を行うものに限る。）が旅客の運送を行うためその事業の用に供する車両又は搬器をいう。

(xi) the term "railway, cableway, or tramway car used in commercial passenger transportation" means a car or carrier that a commercial railway (limited to one that transports passengers) or commercial cableway (limited to one that transports passengers) under the Railway Business Act (Act No. 92 of 1986), or a commercial tramway (limited to one that transports passengers) under the Act on Rail Tracks (Act No. 76 of 1921) uses in its business in order to transport passengers;

十二 旅客運送事業船舶 海上運送法（昭和二十四年法律第百八十七号）による船舶運航事業者（旅客の運送を行うものに限る。）が旅客の運送を行うためその事業の用に供する船舶（船舶法（明治三十二年法律第四十六号）第一条に規定する日本船舶に限る。）をいう。

(xii) the term "vessel used in commercial passenger transportation" means a vessel (limited to a Japanese vessel as provided in Article 1 of the Ship Act (Act No. 46 of 1899)) that a commercial shipping operator (limited to one that transports passengers) under the Maritime Transportation Act (Act No. 187 of 1949) uses in its business in order to transport passengers;

十三 特定屋外喫煙場所 第一種施設の屋外の場所の一部の場所のうち、当該第一種施設の管理権原者によって区画され、厚生労働省令で定めるところにより、喫煙をすることができる場所である旨を記載した標識の掲示その他の厚生労働省令で定める受動喫煙を防止するために必要な措置がとられた場所をいう。

(xiii) the term "specified outdoor smoking area" means a part of the area outdoors at a type I facility which has been sectioned off by the managing authority of that facility, and for which, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, signs indicating that people are permitted to smoke there have been posted and other necessary measures to prevent passive smoking that are prescribed by Order of the Ministry of Health, Labour and Welfare have been taken;

十四 喫煙関連研究場所 たばこに関する研究開発（喫煙を伴うものに限る。）の用に供する場所をいう。

(xiv) the term "smoking research area" means an areas used for research and development related to tobacco (limited to those that involve people smoking).

第二節 受動喫煙を防止するための措置

Section 2 Measures to Prevent Passive Smoking

(特定施設等における喫煙の禁止等)

(Prohibition of Smoking in Specified Facilities and Means of Transportation)

第二十九条 何人も、正当な理由がなくて、特定施設等においては、次の各号に掲げる特定施設等の区分に応じ、当該特定施設等の当該各号に定める場所（以下この節において「喫煙禁止場所」という。）で喫煙をしてはならない。

Article 29 (1) It is prohibited for any person, without a legitimate reason, to smoke at or in a specified facility or equivalent place, if it is in an area of the specified facility or equivalent place that is prescribed in the relevant of the following items for the category of specified facility or equivalent place set forth in that item (hereinafter referred to as a "no smoking area" in this Chapter):

一 第一種施設 次に掲げる場所以外の場所

(i) type I facilities: an area other than the following areas:

イ 特定屋外喫煙場所

(a) a specified outdoor smoking area;

ロ 喫煙関連研究場所

(b) a smoking research area;

二 第二種施設 次に掲げる場所以外の屋内の場所

(ii) type II facilities: an indoor area other than the following:

イ 第三十三条第三項第一号に規定する喫煙専用室の場所

(a) an area constituting a smoking room provided for in Article 33, paragraph (3), item (i);

ロ 喫煙関連研究場所

(b) a smoking research area;

三 喫煙目的施設 第三十五条第三項第一号に規定する喫煙目的室以外の屋内の場所

(iii) facilities for smokers: an indoor area not constituting a smoking lounge as provided in Article 35, paragraph (3), item (i);

四 旅客運送事業自動車及び旅客運送事業航空機 内部の場所

(iv) motor vehicles used in commercial passenger transportation and aircraft used in commercial passenger transportation: the area inside them;

五 旅客運送事業鉄道等車両及び旅客運送事業船舶 第三十三条第三項第一号に規定する喫煙専用室以外の内部の場所

(v) railway, cableway, and tramway cars used in commercial passenger transportation and vessels used in commercial passenger transportation: areas inside them that do not constitute a smoking room provided for in

Article 33, paragraph (3), item (i).

2 都道府県知事は、前項の規定に違反して喫煙をしている者に対し、喫煙の中止又は同項第一号から第三号までに掲げる特定施設の喫煙禁止場所からの退出を命ずることができる。

(2) Prefectural governors may order a person who is smoking in violation of the provisions of the preceding paragraph to stop smoking or to leave the no smoking area of a specified facility set forth in item (i) through (iii) of that paragraph.

(特定施設等の管理権原者等の責務)

(Responsibilities of the Managing Authorities and Managers of Specified Facilities and Means of Transportation)

第三十条 特定施設等の管理権原者等（管理権原者及び施設又は旅客運送事業自動車等の管理者をいう。以下この節において同じ。）は、当該特定施設等の喫煙禁止場所に専ら喫煙の用に供させるための器具及び設備を喫煙の用に供することができる状態で設置してはならない。

Article 30 (1) The managing authority or manager of a specified facility or equivalent place (meaning the managing authority or manager of a facility or a commercial means of passenger transportation; hereinafter the same applies in this Section) may not have in place, in a no smoking area of that specified facility or equivalent place, an implement or convenience that is meant to be used exclusively when people are smoking, in a condition that makes it possible for people to use that implement or convenience when smoking.

2 特定施設の管理権原者等は、当該特定施設の喫煙禁止場所において、喫煙をし、又は喫煙をしようとする者に対し、喫煙の中止又は当該喫煙禁止場所からの退出を求めるよう努めなければならない。

(2) The managing authority or manager of a specified facility must endeavor to ask a person who smokes or attempts to smoke in a no smoking area of the facility to stop smoking or leave the no smoking area.

3 旅客運送事業自動車等の管理権原者等は、当該旅客運送事業自動車等の喫煙禁止場所において、喫煙をし、又は喫煙をしようとする者に対し、喫煙の中止を求めるよう努めなければならない。

(3) The managing authority or manager of a commercial means of passenger transportation must endeavor to ask a person who smokes or attempts to smoke in a no smoking area of that commercial means of passenger transportation to stop smoking.

4 前二項に定めるもののほか、特定施設等の管理権原者等は、当該特定施設等における受動喫煙を防止するために必要な措置をとるよう努めなければならない。

(4) Beyond as provided in the preceding two paragraphs, the managing authority or manager of a specified facility or equivalent place must endeavor to take the necessary to prevent passive smoking in that specified facility or equivalent

place

(特定施設等の管理権原者等に対する指導及び助言)

(Guidance and Advice for the Managing Authorities and Managers of Specified Facilities and Means of Transportation)

第三十一条 都道府県知事は、特定施設等の管理権原者等に対し、当該特定施設等における受動喫煙を防止するために必要な指導及び助言をすることができる。

Article 31 A prefectural governor may provide the managing authority or manager of a specified facility or equivalent place with the necessary guidance and advice to prevent passive smoking in the specified facility or equivalent place.

(特定施設等の管理権原者等に対する勧告、命令等)

(Issuing Recommendations and Orders to the Managing Authorities and Managers of Specified Facilities and Means of Transportation)

第三十二条 都道府県知事は、特定施設等の管理権原者等が第三十条第一項の規定に違反して器具又は設備を喫煙の用に供することができる状態で設置しているときは、当該管理権原者等に対し、期限を定めて、当該器具又は設備の撤去その他当該器具又は設備を喫煙の用に供することができないようにするための措置をとるべきことを勧告することができる。

Article 32 (1) If the managing authority or manager of a specified facility or equivalent place, in violation of the provisions of Article 30, paragraph (1), has in place an implement or convenience in a condition that makes it possible for people to use it when smoking, the prefectural governor may issue a recommendation to the managing authority or manager to remove the implement or convenience or take other measures to make it so that it is not possible for people to use it when smoking, within a specified period.

2 都道府県知事は、前項の規定による勧告を受けた特定施設等の管理権原者等が、同項の期限内にこれに従わなかったときは、その旨を公表することができる。

(2) If the managing authority or manager of a specified facility or equivalent place that has been issued a recommendation under the provisions of the preceding paragraph fails to comply with the recommendation within the period referred to in that paragraph, the prefectural governor may make a public announcement to that effect.

3 都道府県知事は、第一項の規定による勧告を受けた特定施設等の管理権原者等が、その勧告に係る措置をとらなかったときは、当該管理権原者等に対し、期限を定めて、その勧告に係る措置をとるべきことを命ずることができる。

(3) If the managing authority or manager of a specified facility or equivalent place that has been issued a recommendation under the provisions of paragraph (1) fails to take the recommended measures, the prefectural governor may order the managing authority or manager to take the

recommended measures within a specified period.

(喫煙専用室)

(Smoking Rooms)

第三十三条 第二種施設等（第二種施設並びに旅客運送事業鉄道等車両及び旅客運送事業船舶をいう。以下この条及び第三十七条第一項第一号において同じ。）の管理権原者は、当該第二種施設等の屋内又は内部の場所の一部の場所であつて、構造及び設備がその室外の場所（特定施設等の屋内又は内部の場所に限る。）へのたばこの煙の流出を防止するための基準として厚生労働省令で定める技術的基準に適合した室（次項及び第三項第一号において「基準適合室」という。）の場所を専ら喫煙をすることができる場所として定めることができる。

Article 33 (1) The managing authority of a type II facility or equivalent place (meaning a type II facility, a railway, cableway, or tramway car used in commercial passenger transportation, or a vessel used in commercial passenger transportation; hereinafter the same applies in this Article and Article 37, paragraph (1), item (i)) may designate an area that is a part of the indoor or interior space of that facility or place, and that constitutes a room whose structure and equipment conform to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare as standards for preventing tobacco smoke from flowing out to an area outside of the room (but only from flowing out to an indoor or interior space of a specified facility or equivalent place) (such a room is referred to as a "conforming room" in the following paragraph and paragraph (3), item (i)) as an area that is exclusively for people to smoke in.

2 第二種施設等の管理権原者は、前項の規定により当該第二種施設等の基準適合室の場所を専ら喫煙をすることができる場所として定めようとするときは、厚生労働省令で定めるところにより、当該場所の出入口の見やすい箇所に、次に掲げる事項を記載した標識（以下この節において「喫煙専用室標識」という。）を掲示しなければならない。

(2) If, pursuant to the provisions of the preceding paragraph, the managing authority of a type II facility or equivalent place seeks to designate an area that constitutes a conforming room in the facility or place as an area that is exclusively for people to smoke in, it must post a sign stating the following things (hereinafter referred to as a "smoking room sign" in this Section) in a readily visible position at the entrance to that area, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

一 当該場所が専ら喫煙をすることができる場所である旨

(i) that it is an area that is exclusively for people to smoke in;

二 当該場所への二十歳未満の者の立入りが禁止されている旨

(ii) that persons under 20 years of age are prohibited from entering;

三 その他厚生労働省令で定める事項

(iii) other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

3 第二種施設等の管理権原者は、前項の規定により喫煙専用室標識を掲示したときは、厚生労働省令で定めるところにより、直ちに、当該第二種施設等の主たる出入口の見やすい箇所に、次に掲げる事項を記載した標識（以下この節において「喫煙専用室設置施設等標識」という。）を掲示しなければならない。ただし、当該第二種施設等の主たる出入口の見やすい箇所に、既に喫煙専用室設置施設等標識が掲示されている場合は、この限りでない。

(3) If the managing authority of a type II facility or equivalent place has posted a smoking room sign pursuant to the provisions of the preceding paragraph, it must immediately post a sign stating the following things (hereinafter referred to as a "sign indicating that the facility has a smoking room" in this Section) in a readily visible position at the main entrance of the type II facility or equivalent place pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply if a sign indicating that the facility has a smoking room has already been posted in a readily visible position at the main entrance of the type II facility or equivalent place:

一 喫煙専用室（前項の規定により喫煙専用室標識が掲示されている基準適合室をいう。以下この条及び次条第一項において同じ。）が設置されている旨

(i) that the facility has a smoking room (meaning a conforming room where a smoking room sign is posted pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this Article and paragraph (1) of the following Article);

二 その他厚生労働省令で定める事項

(ii) other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

4 喫煙専用室が設置されている第二種施設等（以下この節において「喫煙専用室設置施設等」という。）の管理権原者は、当該喫煙専用室設置施設等の喫煙専用室の構造及び設備を第一項の厚生労働省令で定める技術的基準に適合するように維持しなければならない。

(4) The managing authority of a type II facility or equivalent place that has a smoking room (hereinafter referred to as a "facility that has a smoking room" in this Section) must maintain the structure and equipment of the smoking room in the type II facility or equivalent place so that they conform to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (1).

5 喫煙専用室設置施設等の管理権原者等は、二十歳未満の者を当該喫煙専用室設置施設等の喫煙専用室に立ち入らせてはならない。

(5) The managing authority or manager of a facility that has a smoking room must not allow persons under 20 years of age to enter the smoking room.

6 喫煙専用室設置施設等の管理権原者は、喫煙専用室の場所を専ら喫煙をすることができる場所としないこととしようとするときは、当該喫煙専用室において掲示された喫煙専用室標識を除去しなければならない。

(6) If the managing authority of a facility that has a smoking room seeks to turn an area constituting a smoking room into something other than an area that is exclusively for people to smoke in, it must remove the smoking room signs posted at the smoking room.

7 喫煙専用室設置施設等の管理権原者は、当該喫煙専用室設置施設等の全ての喫煙専用室の場所を専ら喫煙をすることができる場所としないこととしたときは、直ちに、当該喫煙専用室設置施設等において掲示された喫煙専用室設置施設等標識を除去しなければならない。

(7) If the managing authority of a facility that has smoking rooms has turned all areas constituting smoking rooms in the facility into something other than areas that are exclusively for people to smoke in, it must immediately remove signs indicating that the facility has smoking rooms which have been posted at the facility.

(喫煙専用室設置施設等の管理権原者に対する勧告、命令等)

(Issuing Recommendations and Orders to the Managing Authority of a Facility That Has a Smoking Room)

第三十四条 都道府県知事は、喫煙専用室設置施設等の喫煙専用室の構造又は設備が前条第一項の厚生労働省令で定める技術的基準に適合しなくなったと認めるときは、当該喫煙専用室設置施設等の管理権原者に対し、当該喫煙専用室において掲示された喫煙専用室標識及び当該喫煙専用室設置施設等において掲示された喫煙専用室設置施設等標識（喫煙専用室設置施設等に複数の喫煙専用室が設置されている場合にあっては、当該喫煙専用室設置施設等の全ての喫煙専用室の構造又は設備が同項の厚生労働省令で定める技術的基準に適合しなくなったと認めるときに限る。）を直ちに除去し、又は当該喫煙専用室の構造及び設備が同項の厚生労働省令で定める技術的基準に適合するまでの間、当該喫煙専用室の供用を停止することを勧告することができる。

Article 34 (1) On finding that the structure or equipment of a smoking room in a facility that has a smoking room no longer conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (1) of the preceding Article, the prefectural governor may issue a recommendation to the managing authority of the facility to immediately remove the smoking room sign that has been posted at the smoking room and the sign indicating that the facility has a smoking room which has been posted at the facility (if there are multiple smoking rooms in a facility, this is limited to cases in which the prefectural governor finds that the structure or equipment of all of the facility's smoking rooms no longer conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in that paragraph), or to suspend the

use of the smoking room until the structure and equipment of the room conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in that paragraph.

2 都道府県知事は、前項の規定による勧告を受けた喫煙専用室設置施設等の管理権原者が、その勧告に従わなかったときは、その旨を公表することができる。

(2) If the managing authority of a facility that has a smoking room that has been issued a recommendation under the provisions of the preceding paragraph fails to comply with the recommendation, the prefectural governor may make a public announcement to that effect.

3 都道府県知事は、第一項の規定による勧告を受けた喫煙専用室設置施設等の管理権原者が、その勧告に係る措置をとらなかったときは、当該管理権原者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(3) If the managing authority of a facility that has a smoking room that has been issued a recommendation under the provisions of paragraph (1) fails to take the recommended measures, the prefectural governor may order the managing authority to take the recommended measures.

(喫煙目的室)

(Smokers' Lounges)

第三十五条 喫煙目的施設の管理権原者は、当該喫煙目的施設の屋内の場所の全部又は一部の場所であって、構造及び設備がその室外の場所（特定施設等の屋内又は内部の場所に限る。）へのたばこの煙の流出を防止するための基準として厚生労働省令で定める技術的基準に適合した室（次項及び第三項第一号において「基準適合室」という。）の場所を喫煙をすることができる場所として定めることができる。

Article 35 (1) The managing authority of a facility for smokers may designate an area that forms all or a part of the indoor space of that facility, and that constitutes a room whose structure and equipment conform to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare as standards for preventing tobacco smoke from flowing out to an area outside of the room (but only from flowing out to an indoor or interior space of a specified facility or equivalent place) (such a room is referred to as a "conforming room" in the following paragraph and paragraph (3), item (i)) as an area that people may smoke in.

2 喫煙目的施設の管理権原者は、前項の規定により当該喫煙目的施設の基準適合室の場所を喫煙をすることができる場所として定めようとするときは、厚生労働省令で定めるところにより、当該場所の出入口の見やすい箇所に、次に掲げる事項を記載した標識（以下この節において「喫煙目的室標識」という。）を掲示しなければならない。

(2) If the managing authority of a facility for smokers seeks to designate an area constituting a conforming room in the facility as an area that people may smoke in pursuant to the provisions of the preceding paragraph, it must post a sign stating the following things (hereinafter referred to as a "smoking lounge

sign" in this Section) in a readily visible position at the entrance of the area pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare:

一 当該場所が喫煙を目的とする場所である旨

(i) that it is an area meant for smoking;

二 当該場所への二十歳未満の者の立入りが禁止されている旨

(ii) that persons under 20 years of age are prohibited from entering;

三 その他厚生労働省令で定める事項

(iii) other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

3 喫煙目的施設の管理権原者は、前項の規定により喫煙目的室標識を掲示したときは、厚生労働省令で定めるところにより、直ちに、当該喫煙目的施設の主たる出入口の見やすい箇所に、次に掲げる事項を記載した標識（以下この節において「喫煙目的室設置施設標識」という。）を掲示しなければならない。ただし、当該喫煙目的施設の主たる出入口の見やすい箇所に、既に喫煙目的室設置施設標識が掲示されている場合は、この限りでない。

(3) If the managing authority of a facility for smokers posts a smoking lounge sign pursuant to the provisions of the preceding paragraph, it must immediately post a sign stating the following things (hereinafter referred to as a "sign indicating that the facility has a smoking lounge" in this Section) in a readily visible position at the main entrance of the facility pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply if a sign indicating that the facility has a smoking lounge has already been posted in a readily visible position at the main entrance of the facility for smokers:

一 喫煙目的室（前項の規定により喫煙目的室標識が掲示されている基準適合室をいう。以下この条及び次条において同じ。）が設置されている旨

(i) that the facility has a smoking lounge (meaning a conforming room where a smoking lounge sign is posted pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this Article and the following Article);

二 その他厚生労働省令で定める事項

(ii) other particulars prescribed by Order of the Ministry of Health, Labour and Welfare.

4 喫煙目的室が設置されている喫煙目的施設（以下この節において「喫煙目的室設置施設」という。）の管理権原者は、当該喫煙目的室設置施設が第二十八条第七号の政令で定める要件を満たすように維持しなければならない。

(4) The managing authority of a facility for smokers that has a smoking lounge (hereinafter referred to as a "facility that has a smoking lounge" in this Section) must maintain the facility so that it conforms to the requirements specified by Cabinet Order that are referred to in Article 28, item (vii).

5 喫煙目的室設置施設の管理権原者は、当該喫煙目的室設置施設の喫煙目的室の構造及び設備を第一項の厚生労働省令で定める技術的基準に適合するように維持しなければならない。

(5) The managing authority of a facility that has a smoking lounge must maintain the structure and equipment of the facility's smoking lounge so that they conform to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (1).

6 喫煙目的室設置施設（喫煙目的室において客に飲食をさせる営業が行われる施設その他の政令で定める施設に限る。以下この項及び第八項において同じ。）の管理権原者は、帳簿を備え、当該喫煙目的室設置施設の第二十八条第七号の政令で定める要件に関し厚生労働省令で定める事項を記載し、これを保存しなければならない。

(6) The managing authority of a facility that has a smoking lounge (but only a facility where business that allows customers to eat and drink in the smoking lounge is taking place and any other facility prescribed by Cabinet Order; hereinafter the same applies in this paragraph and paragraph (8)) must keep books, enter the particulars prescribed by Order of the Ministry of Health, Labour and Welfare in them concerning the requirements prescribed by Cabinet Order that are referred to in Article 28, item (vii) for the facility, and preserve them.

7 喫煙目的室設置施設の管理権原者等は、二十歳未満の者を当該喫煙目的室設置施設の喫煙目的室に立ち入らせてはならない。

(7) The managing authority or manager of a facility that has a smoking lounge must not allow persons under 20 years of age to enter the facility's smoking lounge.

8 喫煙目的室設置施設の管理権原者等は、当該喫煙目的室設置施設の営業について広告又は宣伝をするときは、厚生労働省令で定めるところにより、当該喫煙目的室設置施設が喫煙目的室設置施設である旨を明らかにしなければならない。

(8) When the managing authority or manager of a facility that has a smoking lounge advertises or promotes the business of the facility, it must make it clear, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, that the facility is a facility that has a smoking lounge.

9 喫煙目的室設置施設の管理権原者は、喫煙目的室の場所を喫煙をすることができる場所としないこととしようとするときは、当該喫煙目的室において掲示された喫煙目的室標識を除去しなければならない。

(9) If the managing authority of a facility that has a smoking lounge seeks to turn an area constituting a smoking lounge into something other than an area that people may smoke in, the managing authority must remove the smoking lounge sign posted at the smoking lounge.

10 喫煙目的室設置施設の管理権原者は、当該喫煙目的室設置施設の全ての喫煙目的室の場所を喫煙をすることができる場所としないこととしたときは、直ちに、当該喫煙目的室設置施設において掲示された喫煙目的室設置施設標識を除去しなければなら

ない。

- (10) If the managing authority of a facility that has smoking lounges has turned all areas constituting smoking lounges in the facility into something other than areas that people may smoke in, the managing authority must immediately remove signs indicating that the facility has smoking lounges which have been posted at the facility.

(喫煙目的室設置施設の管理権原者に対する勧告、命令等)

(Issuing Recommendations and Orders to the Managing Authority of a Facility That Has a Smoking Lounge)

第三十六条 都道府県知事は、喫煙目的室設置施設が第二十八条第七号の政令で定める要件を満たしていないと認めるときは、当該喫煙目的室設置施設の管理権原者に対し、当該喫煙目的室設置施設の喫煙目的室において掲示された喫煙目的室標識及び当該喫煙目的室設置施設において掲示された喫煙目的室設置施設標識を直ちに除去し、又は当該喫煙目的室設置施設が同号の政令で定める要件を満たすまでの間、当該喫煙目的室設置施設の供用を停止することを勧告することができる。

Article 36 (1) On finding that a facility that has a smoking lounge does not meet the requirements prescribed by Cabinet Order that are referred to in Article 28, item (vii), the prefectural governor may issue a recommendation to the managing authority of the facility to immediately remove the smoking lounge sign posted at the facility's smoking lounge and the sign indicating that the facility has a smoking lounge posted at the facility, or to suspend the use of the facility until it meets the requirements prescribed by Cabinet Order that are referred to in that item.

2 都道府県知事は、喫煙目的室設置施設の喫煙目的室の構造又は設備が前条第一項の厚生労働省令で定める技術的基準に適合しなくなったと認めるときは、当該喫煙目的室設置施設の管理権原者に対し、当該喫煙目的室において掲示された喫煙目的室標識及び当該喫煙目的室設置施設において掲示された喫煙目的室設置施設標識（喫煙目的室設置施設に複数の喫煙目的室が設置されている場合にあつては、当該喫煙目的室設置施設の全ての喫煙目的室の構造又は設備が同項の厚生労働省令で定める技術的基準に適合しなくなったと認めるときに限る。）を直ちに除去し、又は当該喫煙目的室の構造及び設備が同項の厚生労働省令で定める技術的基準に適合するまでの間、当該喫煙目的室の供用を停止することを勧告することができる。

(2) On finding that the structure or equipment of a smoking lounge at a facility that has a smoking lounge no longer conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (1) of the preceding Article, the prefectural governor may issue a recommendation to the managing authority of the facility to immediately remove the smoking lounge sign that has been posted at the smoking lounge and the sign indicating that the facility has a smoking lounge that has been posted at the facility (if there are multiple smoking lounges in a

facility, this is limited to cases in which the prefectural governor finds that the structure or equipment of all of the facility's smoking lounges no longer conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in that paragraph), or to suspend the use of the smoking lounge until the structure and equipment of the lounge conforms to the technical standards prescribed by Order of the Ministry of Health, Labour and Welfare that are referred to in that paragraph.

3 都道府県知事は、前二項の規定による勧告を受けた喫煙目的室設置施設の管理権原者が、その勧告に従わなかったときは、その旨を公表することができる。

(3) If the managing authority of a facility that has a smoking lounge that has been issued a recommendation under the provisions of the preceding two paragraphs fails to comply with the recommendation, the prefectural governor may make a public announcement to that effect.

4 都道府県知事は、第一項又は第二項の規定による勧告を受けた喫煙目的室設置施設の管理権原者が、その勧告に係る措置をとらなかったときは、当該管理権原者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(4) If the managing authority of a facility that has a smoking lounge that has been issued a recommendation under the provisions of paragraph (1) or (2) fails to take the recommended measures, the prefectural governor may order the managing authority to take the recommended measures.

(標識の使用制限)

(Restriction on the Use of Signs)

第三十七条 何人も、次に掲げる場合を除き、特定施設等において喫煙専用室標識、喫煙専用室設置施設等標識、喫煙目的室標識若しくは喫煙目的室設置施設標識（以下この条において「喫煙専用室標識等」と総称する。）又は喫煙専用室標識等に類似する標識を掲示してはならない。

Article 37 (1) Except in the following cases, it is prohibited for any person to post a smoking room sign, sign indicating that a facility has a smoking room, smoking lounge sign, or sign indicating that a facility has a smoking lounge (hereinafter any one of these is referred to as a "smoking sign" in this Article), or a sign similar to a smoking sign in a specified facility or equivalent place:

一 第二種施設等の管理権原者が第三十三条第二項の規定により喫煙専用室標識を掲示する場合又は同条第三項の規定により喫煙専用室設置施設等標識を掲示する場合

(i) if the managing authority of a type II facility or equivalent place posts a smoking room sign pursuant to the provisions of Article 33, paragraph (2) or a sign indicating that the facility has a smoking room pursuant to the provisions of paragraph (3) of that Article;

二 喫煙目的施設の管理権原者が第三十五条第二項の規定により喫煙目的室標識を掲示する場合又は同条第三項の規定により喫煙目的室設置施設標識を掲示する場合

(ii) if the managing authority of a facility for smokers posts a smoking lounge

sign pursuant to the provisions of Article 35, paragraph (2) or a sign indicating that the facility has a smoking lounge pursuant to the provisions of paragraph (3) of that Article.

2 何人も、次に掲げる場合を除き、喫煙専用室標識等を除去し、又は汚損その他喫煙専用室標識等の識別を困難にする行為をしてはならない。

(2) Except in the following cases, it is prohibited for any person to remove or deface a smoking sign, or otherwise make it difficult to identify such a sign:

一 喫煙専用室設置施設等の管理権原者が第三十三条第六項の規定により喫煙専用室標識を除去する場合、同条第七項の規定により喫煙専用室設置施設等標識を除去する場合又は第三十四条第一項の規定による勧告若しくは同条第三項の規定に基づく命令に係る措置として喫煙専用室標識及び喫煙専用室設置施設等標識を除去する場合

(i) if the managing authority of a facility that has a smoking room removes a smoking room sign pursuant to the provisions of Article 33, paragraph (6) or a sign indicating that the facility has a smoking room pursuant to the provisions of paragraph (7) of that Article, or removes a smoking room sign and a sign indicating that the facility has a smoking room as measures associated with a recommendation under the provisions of Article 34, paragraph (1) or as measures based on an order under the provisions of paragraph (3) of that Article;

二 喫煙目的室設置施設の管理権原者が第三十五条第九項の規定により喫煙目的室標識を除去する場合、同条第十項の規定により喫煙目的室設置施設標識を除去する場合又は前条第一項若しくは第二項の規定による勧告若しくは同条第四項の規定に基づく命令に係る措置として喫煙目的室標識及び喫煙目的室設置施設標識を除去する場合

(ii) if the managing authority of a facility that has a smoking lounge removes a smoking lounge sign pursuant to the provisions of Article 35, paragraph (9) or a sign indicating that the facility has a smoking lounge pursuant to the provisions of paragraph (10) of that Article, or removes a smoking lounge sign and a sign indicating that the facility has a smoking lounge as measures associated with a recommendation under the provisions of paragraph (1) or (2) of the preceding Article or as measures based on an order under the provisions of paragraph (4) of that Article.

(立入検査等)

(On-Site Inspections)

第三十八条 都道府県知事は、この節の規定の施行に必要な限度において、特定施設等の管理権原者等に対し、当該特定施設等の喫煙禁止場所における専ら喫煙の用に供させるための器具及び設備の撤去その他の受動喫煙を防止するための措置の実施状況に関し報告をさせ、又はその職員に、特定施設等に立ち入り、当該措置の実施状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

Article 38 (1) To the extent that is necessary to bring the provisions of this Section into effect, a prefectural governor may have the managing authority or manager of a specified facility or equivalent place report on the status of its implementation of the removal of implements or conveniences in a no smoking area of the specified facility or equivalent place that are meant to be used exclusively when people are smoking and other such measures to prevent passive smoking; may have a prefectural official enter a specified facility or equivalent place to inspect the status of its implementation of those measures and its books, documents, and other articles; and may have such an official question the relevant persons.

2 前項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(2) An official conducting an on-site inspection or questioning pursuant to the provisions of the preceding paragraph must carry identification and present it to the relevant persons.

3 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority under the provisions of paragraph (1) must not be construed as having been granted for the purpose of a criminal investigation.

(適用関係)

(Application)

第三十九条 第一種施設の場所に第一種施設以外の特定施設に該当する場所がある場合においては、当該場所については、第一種施設の場所としてこの章の規定を適用する。

Article 39 (1) If there is an area falling under the category of a specified facility other than a type I facility within an area that constitutes a type I facility, the provisions of this Chapter apply to that area as an area that is in a type I facility.

2 旅客運送事業鉄道等車両の場所又は旅客運送事業船舶の場所において現に運行している旅客運送事業自動車の内部の場所については、旅客運送事業自動車に関するこの章の規定を適用する。

(2) The provisions of this Chapter concerning motor vehicles used in commercial passenger transportation apply to the interior space of a motor vehicle used in commercial passenger transportation that are being operated in an area constituting a railway, cableway, or tramway car used in commercial passenger transportation or in an area constituting a vessel used in commercial passenger transportation at the time in question.

3 旅客運送事業自動車の場所又は旅客運送事業航空機の場所に特定施設に該当する場所がある場合においては、当該場所については、旅客運送事業自動車の場所又は旅客運送事業航空機の場所としてこの章の規定を適用する。

(3) If there is an area falling under the category of a specified facility within an

area constituting a motor vehicle used in commercial passenger transportation or aircraft used in commercial passenger transportation, the provisions of this Chapter apply to that area as an area that is in a motor vehicle used in commercial passenger transportation or aircraft used in commercial passenger transportation.

4 旅客運送事業鉄道等車両の場所又は旅客運送事業船舶の場所に特定施設に該当する場所がある場合においては、当該場所については、特定施設の場所としてこの章の規定を適用する。

(4) If there is an area falling under the category of a specified facility within an area constituting a railway, cableway, or tramway car used in commercial passenger transportation or vessel used in commercial passenger transportation, the provisions of this Chapter apply to that area as an area constituting a specified facility.

5 特定施設の場所において現に運行している旅客運送事業自動車等の内部の場所については、旅客運送事業自動車等に関するこの章の規定を適用する。

(5) The provisions of this Chapter concerning commercial means of passenger transportation apply to the interior space of a commercial means of passenger transportation that is being operated in an area constituting a specified facility at the time in question.

(適用除外)

(Exclusion from Application)

第四十条 次に掲げる場所については、この節の規定（第三十条第四項及びこの条の規定を除く。以下この条において同じ。）は、適用しない。

Article 40 (1) The provisions of this Section (excluding the provisions of Article 30, paragraph (4) and this Article; hereinafter the same applies in this Article) do not apply to the following areas:

一 人の居住の用に供する場所（次号に掲げる場所を除く。）

(i) an area used as a person's residence (this excludes an area as set forth in the following item);

二 旅館業法（昭和二十三年法律第百三十八号）第二条第一項に規定する旅館業の施設の客室の場所（同条第三項に規定する簡易宿所営業の施設及び同条第四項に規定する下宿営業の施設の客室（個室を除く。））の場所を除く。）

(ii) an area constituting the guest room of a facility associated with the hotel business provided for in Article 2, paragraph (1) of the Hotel Business Act (Act No. 138 of 1948) (excluding an area constituting a guest room (other than a private room) of a facility associated with the business of operating a common lodging house as provided in paragraph (3) of that Article or of a facility associated with the business of operating a boarding house as provided in paragraph (4) of that Article);

三 その他前二号に掲げる場所に準ずる場所として政令で定めるもの

(iii) any other area prescribed by Cabinet Order as equivalent to an area set forth in the preceding two items.

2 特定施設等の場所に前項各号に掲げる場所に該当する場所がある場合においては、当該特定施設等の場所（当該同項各号に掲げる場所に該当する場所に限る。）については、この節の規定は、適用しない。

(2) If there is an area falling under the category of an area as set forth in the items of the preceding paragraph in a specified facility or equivalent place, the provisions of this Section do not apply to the area constituting that specified facility or equivalent place (this is limited to an area falling under the category of an area as set forth in items of that paragraph).

3 特定施設等の場所において一般自動車等（旅客運送事業自動車等以外の自動車、航空機、鉄道車両又は船舶をいう。）が現に運行している場合における当該一般自動車等の内部の場所については、この節の規定は、適用しない。

(3) The provisions of this Section do not apply to the interior space of a general means of transportation (meaning an automobile, aircraft, railway car, or vessel not constituting a commercial means of passenger transportation) that is being operated in an area constituting a specified facility or equivalent place at the time in question.

（受動喫煙に関する調査研究）

(Research and Studies on Passive Smoking)

第四十一条 国は、受動喫煙に関する調査研究その他の受動喫煙の防止に関する施策の策定に必要な調査研究を推進するよう努めなければならない。

Article 41 The national government must endeavor to implement research and studies on passive smoking and other research and studies that it needs to formulate policies on preventing passive smoking.

（経過措置）

(Transitional Measures)

第四十二条 この章の規定に基づき政令又は厚生労働省令を制定し、又は改廃する場合においては、それぞれ、政令又は厚生労働省令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 42 When Cabinet Order or Order of the Ministry of Health, Labour and Welfare is enacted, amended, or repealed pursuant to the provisions of this Chapter, the necessary transitional measures (including transitional measures for penal provisions) may be provided by Cabinet Order or Order of the Ministry of Health, Labour and Welfare to the extent reasonably considered to be necessary for the enactment, amendment, or repeal.

第七章 特別用途表示等

Chapter VII Making Representations About a Special Use; Related Matters

(特別用途表示の許可)

(Permission to Make Representations About a Special Use)

第四十三条 販売に供する食品につき、乳児用、幼児用、妊産婦用、病者用その他内閣府令で定める特別の用途に適する旨の表示（以下「特別用途表示」という。）をしようとする者は、内閣総理大臣の許可を受けなければならない。

Article 43 (1) A person seeking to make a representation indicating that a food product which it sells is for infants, young children, expectant mothers, or sick persons or that it is suitable for any other special use prescribed by Cabinet Office Order (hereinafter referred to as a "representation about a special use") must obtain the permission of the Prime Minister.

2 前項の許可を受けようとする者は、製品見本を添え、商品名、原材料の配合割合及び当該製品の製造方法、成分分析表、許可を受けようとする特別用途表示の内容その他内閣府令で定める事項を記載した申請書を内閣総理大臣に提出しなければならない。

(2) A person seeking the permission referred to in the preceding paragraph must submit to the Prime Minister a written application stating the name of the item, the composition percentages of the raw materials, the way the product is manufactured, a componential analysis table, the substance of the representation about the special use for which the person seeks permission, and other particulars prescribed by Cabinet Office Order, along with a sample of the product.

3 内閣総理大臣は、研究所又は内閣総理大臣の登録を受けた法人（以下「登録試験機関」という。）に、第一項の許可を行うについて必要な試験（以下「許可試験」という。）を行わせるものとする。

(3) The Prime Minister is to have a research laboratory or a corporation that the Prime Minister has registered (hereinafter referred to as a "registered testing organization") conduct the necessary testing associated with granting the permission referred to in paragraph (1) (hereinafter referred to as "permission-related testing").

4 第一項の許可を申請する者は、実費（許可試験に係る実費を除く。）を勘案して政令で定める額の手数料を国に、研究所の行う許可試験にあつては許可試験に係る実費を勘案して政令で定める額の手数料を研究所に、登録試験機関の行う許可試験にあつては当該登録試験機関が内閣総理大臣の認可を受けて定める額の手数料を当該登録試験機関に納めなければならない。

(4) A person applying for the permission referred to in paragraph (1) must pay the national government a fee in the amount prescribed by Cabinet Order in consideration of actual expenses (excluding actual expenses involved in permission-related testing); pay a research laboratory a fee in the amount prescribed by Cabinet Order in consideration of the actual expenses involved in permission-related testing for testing it conducts; and pay a registered testing

organization a fee in the amount established by the registered testing organization with the authorization of the Prime Minister for testing it conducts.

5 内閣総理大臣は、第一項の許可をしようとするときは、あらかじめ、厚生労働大臣の意見を聴かなければならない。

(5) Before giving the permission referred to in paragraph (1), the Prime Minister must first hear the opinion of the Minister of Health, Labour and Welfare.

6 第一項の許可を受けて特別用途表示をする者は、当該許可に係る食品（以下「特別用途食品」という。）につき、内閣府令で定める事項を内閣府令で定めるところにより表示しなければならない。

(6) A person making a representation about a special use for which the person has obtained the permission referred to in paragraph (1) must indicate the particulars prescribed by Cabinet Office Order regarding the food product to which the permission pertains (hereinafter referred to as a "food for special dietary uses") pursuant to the provisions of Cabinet Office Order.

7 内閣総理大臣は、第一項又は前項の内閣府令を制定し、又は改廃しようとするときは、あらかじめ、厚生労働大臣に協議しなければならない。

(7) Before enacting, amending, or repealing the Cabinet Office Order referred to in paragraph (1) or the preceding paragraph, the Prime Minister must first consult with the Minister of Health, Labour and Welfare.

（登録試験機関の登録）

(Registering an Organization as a Registered Testing Organization)

第四十四条 登録試験機関の登録を受けようとする者は、内閣府令で定める手続に従い、実費を勘案して政令で定める額の手数料を納めて、内閣総理大臣に登録の申請をしなければならない。

Article 44 A person seeking registration as a registered testing organization must pay a fee in the amount prescribed by Cabinet Order in consideration of actual expenses and apply for registration to the Prime Minister in accordance with the procedures prescribed by Cabinet Office Order.

（欠格条項）

(Ineligibility)

第四十五条 次の各号のいずれかに該当する法人は、第四十三条第三項の登録を受けることができない。

Article 45 A corporation falling under any of the following items may not be registered as referred to in Article 43, paragraph (3):

一 その法人又はその業務を行う役員がこの法律の規定に違反し、罰金以上の刑に処せられ、その執行を終わり、又はその執行を受けることのなくなった日から二年を経過しないもの

(i) a corporation or an officer conducting its business that has been sentenced

to a fine or heavier punishment for violating this Act, if two years have not passed since the corporation or officer finished serving the sentence or ceased to be subject to its enforcement;

二 第五十五条の規定により登録を取り消され、その取消しの日から二年を経過しない法人

(ii) a corporation whose registration has been rescinded pursuant to the provisions of Article 55, if two years have not passed since the date of rescission;

三 第五十五条の規定による登録の取消しの日前三十日以内にその取消しに係る法人の業務を行う役員であった者でその取消しの日から二年を経過しないものがその業務を行う役員となっている法人

(iii) a corporation that has, as an officer conducting its business, a person who, within the 30 days prior to the rescission of a registration under the provisions of Article, was an officer conducting business at the corporation subject to that rescission, if two years have not passed since the date of the rescission.

(登録の基準)

(Criteria for Registration)

第四十六条 内閣総理大臣は、第四十四条の規定により登録を申請した者（以下この項において「登録申請者」という。）が次に掲げる要件の全てに適合しているときは、その登録をしなければならない。この場合において、登録に関して必要な手続は、内閣府令で定める。

Article 46 (1) The Prime Minister must register a person applying for registration pursuant to the provisions of Article 44 (hereinafter referred to as an "applicant for registration" in this paragraph) if that person conforms to all of the following requirements; the necessary procedures for registration in such a case are prescribed by Cabinet Office Order:

一 別表の上欄に掲げる機械器具その他の設備を有し、かつ、許可試験は同表の中欄に掲げる条件に適合する知識経験を有する者が実施し、その人数が同表の下欄に掲げる数以上であること。

(i) the applicant has the machinery, apparatuses, and other equipment set forth in the right-hand column of the Appended Table; permission-related testing is implemented by persons with knowledge and experience that meet the conditions set forth in the middle column of that Table; and the number of persons implementing the testing is at least the number set forth in the left-hand column of that Table;

二 次に掲げる許可試験の信頼性の確保のための措置がとられていること。

(ii) the following measures are taken to ensure the reliability of permission-related testing:

イ 試験を行う部門に許可試験の種類ごとにそれぞれ専任の管理者を置くこと。

- (a) a full-time supervisor is appointed for each type of permission-related testing in the department conducting the testing;
- ロ 許可試験の業務の管理及び精度の確保に関する文書が作成されていること。
- (b) documents on the operational management of permission-related testing and on ensuring accuracy of the testing have been prepared;
- ハ ロに掲げる文書に記載されたところに従い許可試験の業務の管理及び精度の確保を行う専任の部門を置くこと。
- (c) a permanent department that manages operations for permission-related testing and ensures accuracy of the testing in accordance with what is stated in the documents set forth in (b) has been established;
- 三 登録申請者が、第四十三条第一項若しくは第六十三条第一項の規定により許可若しくは承認を受けなければならないこととされる食品を製造し、輸入し、又は販売する食品衛生法（昭和二十二年法律第二百三十三号）第四条第八項に規定する営業者（以下この号及び第五十二条第二項において「特別用途食品営業者」という。）に支配されているものとして次のいずれかに該当するものでないこと。
- (iii) the applicant for registration does not fall under any of the following as a person controlled by an enterprise provided for in Article 4, paragraph (8) of the Food Sanitation Act (Act No. 233 of 1947) that manufactures, imports, or sells food products for which permission or approval must be obtained pursuant to the provisions of Article 43, paragraph (1) or Article 63, paragraph (1) (hereinafter referred to as a "person engaged in business involving food for special dietary uses" in this item and Article 52, paragraph (2)):
- イ 登録申請者が株式会社である場合にあっては、特別用途食品営業者がその親法人（会社法（平成十七年法律第八十六号）第八百七十九条第一項に規定する親法人をいう。）であること。
- (a) it is a stock company, and a person engaged in business involving food for special dietary uses is its parent corporation (meaning a parent corporation as provided in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005));
- ロ 登録申請者の役員（持分会社（会社法第五百七十五条第一項に規定する持分会社をいう。）にあっては、業務を執行する社員）に占める特別用途食品営業者の役員又は職員（過去二年間に当該特別用途食品営業者の役員又は職員であった者を含む。）の割合が二分の一を超えていること。
- (b) more than half of its officers (if that applicant is a membership company (meaning a membership company as provided in Article 575, paragraph (1) of the Companies Act), this refers to the members executing its business) are officers or employees of a person engaged in business involving food for special dietary uses (or have been officers or employees of a person engaged in business involving food for special dietary uses in the past two years);
- ハ 登録申請者の代表権を有する役員が、特別用途食品営業者の役員又は職員（過

去二年間に当該特別用途食品営業者の役員又は職員であった者を含む。) であること。

(c) the officer that has the authority to represent the applicant is the officer or employee of a person engaged in business involving food for special dietary uses (or has been the officer or employee of a person engaged in business involving food for special dietary uses in the past two years).

2 登録は、次に掲げる事項を登録台帳に記帳して行う。

(2) The Prime Minister makes a registration by entering the following information in a registration ledger:

一 登録年月日及び登録番号

(i) the date of registration and registration number;

二 登録試験機関の名称、代表者の氏名及び主たる事務所の所在地

(ii) the name of the registered testing organization, the name of its representative, and the location of its principal office;

三 登録試験機関が許可試験を行う事業所の名称及び所在地

(iii) the name and location of the office where the registered testing organization conducts permission-related testing.

(登録の更新)

(Renewal of Registration)

第四十七条 登録試験機関の登録は、五年以上十年以内において政令で定める期間ごとにその更新を受けなければ、その期間の経過によって、その効力を失う。

Article 47 (1) If a registered testing organization does not have its registration renewed for each period of at least five years and not more than ten years that Cabinet Order prescribes, its registration expires due to the passage of that period.

2 前三条の規定は、前項の登録の更新について準用する。

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

(試験の義務)

(Obligation to Conduct Testing)

第四十八条 登録試験機関は、許可試験を行うことを求められたときは、正当な理由がある場合を除き、遅滞なく、許可試験を行わなければならない。

Article 48 When a registered testing organization has been requested to conduct permission-related testing, it must conduct that testing without delay unless it has a legitimate reason not to do so.

(事業所の変更の届出)

(Filing Notification of a Change of Place of Business)

第四十九条 登録試験機関は、許可試験を行う事業所の所在地を変更しようとするとき

は、変更しようとする日の二週間前までに、内閣総理大臣に届け出なければならない。
Article 49 If a registered testing organization seeks to change the location of the office where it conducts permission-related testing, it must file a notification with the Prime Minister no later than two weeks prior to the day on which it seeks to make the change.

(試験業務規程)

(Testing Operations Rules)

第五十条 登録試験機関は、許可試験の業務に関する規程（以下「試験業務規程」という。）を定め、許可試験の業務の開始前に、内閣総理大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 50 (1) A registered testing organization must establish rules for permission-related testing operations (hereinafter referred to as "testing operations rules"), and obtain the authorization of the Prime Minister prior to the commencement of those operations. The same applies if a registered testing organization seeks to modify its testing operations rules.

2 試験業務規程には、許可試験の実施方法、許可試験の手数料その他の内閣府令で定める事項を定めておかななければならない。

(2) In the testing operations rules, the method of conducting a permission-related testing, a fee for a permission-related testing and other matters prescribed by Cabinet Office Order must be provided.

3 内閣総理大臣は、第一項の認可をした試験業務規程が許可試験の適正かつ確実な実施上不相当となったと認めるときは、登録試験機関に対し、その試験業務規程を変更すべきことを命ずることができる。

(3) If the Prime Minister finds that the testing operations rules which the Prime Minister has authorized under paragraph (1) is no longer appropriate in terms of proper and reliable conduct of permission-related testing, the Prime Minister may order that the relevant registered testing organization should modify those testing operations rules.

(業務の休廃止)

(Suspension or Discontinuation of Services)

第五十一条 登録試験機関は、内閣総理大臣の許可を受けなければ、許可試験の業務の全部又は一部を休止し、又は廃止してはならない。

Article 51 A registered testing organization may not suspend or discontinue all or a part of services for permission-related testing without the permission of the Prime Minister.

(財務諸表等の備付け及び閲覧等)

(Keeping and Inspection of Financial Statements)

第五十二条 登録試験機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、

貸借対照表及び損益計算書又は収支計算書並びに事業報告書（その作成に代えて電磁的記録（電子的方式、磁気的方式その他の人の知覚によっては認識することができない方式で作られる記録であって、電子計算機による情報処理の用に供されるものをいう。以下この条において同じ。）の作成がされている場合における当該電磁的記録を含む。次項及び第七十八条第三号において「財務諸表等」という。）を作成し、五年間事業所に備えて置かなければならない。

Article 52 (1) Within three months after the end of each business year, a registered testing organization must prepare an inventory of assets, balance sheet, profit and loss statement or income and expenditure statement, and business report for that business year (this includes electronic or magnetic records (meaning records used in computer data processing that are created in electronic form, magnetic form, or any other form that cannot be perceived by the human senses; hereinafter the same applies in this Article) ,if electronic or magnetic records are prepared in lieu of these paper documents; hereinafter each of these is individually referred to as a "financial statement or business report" in the following paragraph and Article 78, item (iii)), and keep them at its office for five years.

2 特別用途食品業者その他の利害関係人は、登録試験機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録試験機関の定めた費用を支払わなければならない。

(2) A person engaged in business involving food for special dietary uses or other interested person may make the following requests at any time during the business hours of a registered testing organization; provided, however, that the person must pay the fee that the registered testing organization sets, in order to make a request as referred to in item (ii) or (iv):

一 財務諸表等が書面をもって作成されているときは、当該書面の閲覧又は謄写の請求

(i) a request to inspect or copy the paper document constituting a financial statement or business report, if the financial statement or business report has been prepared in the form of a paper document;

二 前号の書面の謄本又は抄本の請求

(ii) a request for a certified copy or extract of a document as referred to in the preceding item;

三 財務諸表等が電磁的記録をもって作成されているときは、当該電磁的記録に記録された事項を内閣府令で定める方法により表示したものの閲覧又は謄写の請求

(iii) a request to inspect or copy something that has been made to show the particulars recorded in the electronic or magnetic record constituting a financial statement or business report through the means prescribed by Cabinet Office Order, if the financial statement or business report has been prepared in the form of an electronic or magnetic record;

四 前号の電磁的記録に記録された事項を電磁的方法であって内閣府令で定めるもの

により提供することの請求又は当該事項を記載した書面の交付の請求
(iv) a request to be provided with the particulars recorded in an electronic or magnetic record as referred to in the preceding item by the electronic or magnetic means that Cabinet Office Order prescribes, or a request to be issued a document giving those particulars.

(秘密保持義務等)

(Duty of Confidentiality; Related Matters)

第五十三条 登録試験機関の役員若しくは職員又はこれらの職にあった者は、許可試験の業務に関して知り得た秘密を漏らしてはならない。

Article 53 (1) It is prohibited for a current or former officer or employee of a registered testing organization to disclose confidential information learned in the course of permission-related testing operations.

2 許可試験の業務に従事する登録試験機関の役員又は職員は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) The officers or employees of a registered testing organization who are engaged in permission-related testing operations are deemed to be officials engaged in public service pursuant to laws and regulations with respect to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

(適合命令)

(Order for Conformity)

第五十四条 内閣総理大臣は、登録試験機関が第四十六条第一項各号のいずれかに適合しなくなったと認めるときは、その登録試験機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 54 If the Prime Minister finds that a registered testing organization no longer conforms to one of items of Article 46, paragraph (1), the Prime Minister may order the registered testing organization to take the necessary measures to conform with these.

(登録の取消し等)

(Rescission of Registration)

第五十五条 内閣総理大臣は、登録試験機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて許可試験の業務の全部若しくは一部の停止を命ずることができる。

Article 55 If a registered testing organization falls under one of the following items, the Prime Minister may rescind its registration or order the suspension of all or part of its permission-related testing operations for a specified period:

一 第四十五条第一号又は第三号に該当するに至ったとき。

(i) it has come to fall under Article 45, item (i) or (iii);

二 第四十八条、第四十九条、第五十一条、第五十二条第一項又は次条の規定に違反したとき。

(ii) it has violated the provisions of Article 48, Article 49, Article 51, Article 52, paragraph (1), or the following Article;

三 正当な理由がないのに第五十二条第二項各号の規定による請求を拒んだとき。

(iii) it has refused a request under the provisions of items of Article 52, paragraph (2) without a legitimate reason to do so;

四 第五十条第一項の認可を受けた試験業務規程によらないで許可試験を行ったとき。

(iv) it has conducted permission-related testing without abiding by the testing operations rules for which it has been authorized as referred to in Article 50, paragraph (1);

五 第五十条第三項又は前条の規定による命令に違反したとき。

(v) it has violated an order under the provisions of Article 50, paragraph (3) or the preceding Article;

六 不正の手段により第四十三条第三項の登録（第四十七条第一項の登録の更新を含む。）を受けたとき。

(vi) it has become registered as referred to in Article 43, paragraph (3) (or had a registration renewed as referred to in Article 47, paragraph (1)) through wrongful means.

(帳簿の記載)

(Bookkeeping)

第五十六条 登録試験機関は、内閣府令で定めるところにより、帳簿を備え、許可試験に関する業務に関し内閣府令で定める事項を記載し、これを保存しなければならない。

Article 56 A registered testing organization must keep books, enter the particulars prescribed by Cabinet Office Order in those books concerning permission-related testing operations, and preserve them pursuant to the provisions of Cabinet Office Order.

(登録試験機関以外の者による人を誤認させる行為の禁止)

(Prohibition of Misleading Actions by Persons That Are Not Registered Testing Organizations)

第五十七条 登録試験機関以外の者は、その行う業務が許可試験であると人を誤認させるような表示その他の行為をしてはならない。

Article 57 (1) It is prohibited for a person that is not a registered testing organization to make a representation or take any other such action that would tend to give someone the mistaken impression that the operations which it carries out are permission-related testing.

2 内閣総理大臣は、登録試験機関以外の者に対し、その行う業務が許可試験であると人を誤認させないようにするための措置をとるべきことを命ずることができる。

(2) The Prime Minister may order a person that is not a registered testing

organization to take measures to ensure that it does not give people the mistaken impression that the operations it carries out are permission-related testing.

(報告の徴収)

(Collection of Reports)

第五十八条 内閣総理大臣は、この法律の施行に必要な限度において、登録試験機関に対し、その業務又は経理の状況に関し報告をさせることができる。

Article 58 The Prime Minister may have a registered testing organization report its operational or accounting status to the extent necessary to bring this Act into effect.

(立入検査)

(On-Site Inspections)

第五十九条 内閣総理大臣は、この法律の施行に必要な限度において、その職員に、登録試験機関の事務所又は事業所に立ち入り、業務の状況又は帳簿、書類その他の物件を検査させることができる。

Article 59 (1) To the extent that is necessary to bring the this Act into effect, the Prime Minister may have the relevant officials enter an office or a place of business of a registered testing organization to inspect its operational status or its books, documents, and other articles.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(2) An official conducting an on-site inspection pursuant to the provisions of the preceding paragraph must carry identification and present it to the relevant persons.

3 第一項の立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection as referred to in paragraph (1) must not be construed as having been granted for the purpose of a criminal investigation.

(公示)

(Public Notice)

第六十条 内閣総理大臣は、次の場合には、その旨を官報に公示しなければならない。

Article 60 In the following cases, the Prime Minister must issue a public notice indicating that such is the case in the Official Gazette:

一 第四十三条第三項の登録をしたとき。

(i) when the Prime Minister has made a registration as referred to in Article 43, paragraph (3);

二 第四十七条第一項の規定により登録試験機関の登録がその効力を失ったとき。

(ii) if the registration of a registered testing organization ceases to be effective pursuant to the provisions of Article 47, paragraph (1);

三 第四十九条の規定による届出があったとき。

(iii) if the Prime Minister has received a notification under the provisions of Article 49;

四 第五十一条の規定による許可をしたとき。

(iv) when the Prime Minister gives permission under the provisions of Article 51;

五 第五十五条の規定により登録試験機関の登録を取り消し、又は許可試験の業務の停止を命じたとき。

(v) if the Prime Minister has rescinded the registration of a registered testing organization or ordered the suspension of permission-related testing operations pursuant to the provisions of Article 55.

(特別用途食品の検査及び収去)

(Inspection and Taking Samples of Food for Special Dietary Uses)

第六十一条 内閣総理大臣又は都道府県知事は、必要があると認めるときは、当該職員に特別用途食品の製造施設、貯蔵施設又は販売施設に立ち入らせ、販売の用に供する当該特別用途食品を検査させ、又は試験の用に供するのに必要な限度において当該特別用途食品を収去させることができる。

Article 61 (1) On finding it to be necessary to do so, the Prime Minister or a prefectural governor may have the relevant officials enter a manufacturing facility, storage facility, or sales facility for food for special dietary uses; inspect food for special dietary uses that is meant for sale; or take samples of the relevant food for special dietary uses, to the extent necessary for use in testing.

2 前項の規定により立入検査又は収去をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(2) An official conducting an on-site inspection or taking samples pursuant to the provisions of the preceding paragraph must carry identification and present it to the relevant persons.

3 第一項に規定する当該職員の権限は、食品衛生法第三十条第一項に規定する食品衛生監視員が行うものとする。

(3) The authority of the relevant officials provided for in paragraph (1) is to be exercised by food sanitation inspectors provided for in Article 30, paragraph (1) of the Food Sanitation Act.

4 第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority under the provisions of paragraph (1) must not be construed as having been granted for the purpose of a criminal investigation.

5 内閣総理大臣は、研究所に、第一項の規定により収去された食品の試験を行わせる

ものとする。

(5) The Prime Minister is to have a research laboratory test the food samples that have been taken pursuant to the provisions of paragraph (1).

(特別用途表示の許可の取消し)

(Rescission of Permission to Make Representations About a Special Use)

第六十二条 内閣総理大臣は、第四十三条第一項の許可を受けた者が次の各号のいずれかに該当するときは、当該許可を取り消すことができる。

Article 62 If a person that has received permission under Article 43, paragraph (1) falls under one of the following items, the Prime Minister may rescind its permission:

一 第四十三条第六項の規定に違反したとき。

(i) the person violates the provisions of Article 43, paragraph (6);

二 当該許可に係る食品につき虚偽の表示をしたとき。

(ii) the person makes a false representation regarding the food to which that permission pertains;

三 当該許可を受けた日以降における科学的知見の充実により当該許可に係る食品について当該許可に係る特別用途表示をすることが適切でないことが判明するに至ったとき。

(iii) it has become evident that it is not appropriate to make the permitted representation about a special use regarding the food subject to that permission, due to the enhancement of scientific knowledge that has occurred after the day on which permission was received.

(特別用途表示の承認)

(Approval for Making Representations About a Special Use)

第六十三条 本邦において販売に供する食品につき、外国において特別用途表示をしようとする者は、内閣総理大臣の承認を受けることができる。

Article 63 (1) A person in a foreign country that seeks to make a representation about a special use for a food product for sale in Japan may receive approval from the Prime Minister.

2 第四十三条第二項から第七項まで及び前条の規定は前項の承認について、第六十一条の規定は同項の承認に係る食品について、それぞれ準用する。この場合において、同条第一項中「製造施設、貯蔵施設」とあるのは、「貯蔵施設」と読み替えるものとする。

(2) The provisions of Article 43, paragraphs (2) through (7) and the preceding Article apply mutatis mutandis to approval referred to in the preceding paragraph, and the provisions of Article 61 apply mutatis mutandis to the food product subject to the approval referred to in that paragraph. In such a case, the phrase "manufacturing facility, storage facility" in paragraph (1) of that Article is deemed to be replaced with "storage facility".

(特別用途表示がされた食品の輸入の許可)

(Permission to Import a Food Product for Which a Representation About a Special Use Is Being Made)

第六十四条 本邦において販売に供する食品であつて、第四十三条第一項の規定による許可又は前条第一項の規定による承認を受けずに特別用途表示がされたものを輸入しようとする者については、その者を第四十三条第一項に規定する特別用途表示をしようとする者とみなして、同条及び第七十二条第二号の規定を適用する。

Article 64 A person seeking to import for sale in Japan a food product for which a representation about a special use is being made without the permission under the provisions of Article 43, paragraph (1) or approval under the provisions of paragraph (1) of the preceding Article having been received is deemed to be a person seeking to make a representation about a special use as provided in Article 43, paragraph (1), and the provisions of that Article and Article 72, item (ii) apply.

(誇大表示の禁止)

(Prohibition of Exaggerated Representations)

第六十五条 何人も、食品として販売に供する物に関して広告その他の表示をするときは、健康の保持増進の効果その他内閣府令で定める事項（次条第三項において「健康保持増進効果等」という。）について、著しく事実に相違する表示をし、又は著しく人を誤認させるような表示をしてはならない。

Article 65 (1) It is prohibited for any person to make a representation that is significantly contrary to fact or that would tend to give someone a significantly mistaken impression with respect to health-maintenance and health-improvement effects and other particulars prescribed by Cabinet Office Order (hereinafter referred to as "healthful effects" in paragraph (3) of the following Article) when advertising or making any other such representation concerning a thing that is sold as a food product.

2 内閣総理大臣は、前項の内閣府令を制定し、又は改廃しようとするときは、あらかじめ、厚生労働大臣に協議しなければならない。

(2) Before enacting, amending, or repealing the Cabinet Office Order referred to in the preceding paragraph, the Prime Minister must first consult with the Minister of Health, Labour and Welfare.

(勧告等)

(Issuing Recommendations; Related Matters)

第六十六条 内閣総理大臣又は都道府県知事は、前条第一項の規定に違反して表示をした者がある場合において、国民の健康の保持増進及び国民に対する正確な情報の伝達に重大な影響を与えるおそれがあると認めるときは、その者に対し、当該表示に関し必要な措置をとるべき旨の勧告をすることができる。

Article 66 (1) If a person has made a representation violating the provisions of paragraph (1) of the preceding Article and the Prime Minister or the relevant prefectural governor finds there to be a risk of this seriously affecting people's maintenance and improvement of their health and the communication of correct information to the people, the Prime Minister or that prefectural governor may issue a recommendation for the person to take the necessary measures concerning its representation.

2 内閣総理大臣又は都道府県知事は、前項に規定する勧告を受けた者が、正当な理由がなくその勧告に係る措置をとらなかつたときは、その者に対し、その勧告に係る措置をとるべきことを命ずることができる。

(2) If a person that has been issued a recommendation provided for in the preceding paragraph fails to take the recommended measures without a legitimate reason for failing to do so, the Prime Minister or the relevant prefectural governor may order the person to take the recommended measures.

3 第六十一条の規定は、食品として販売に供する物であつて健康保持増進効果等についての表示がされたもの（特別用途食品及び第六十三条第一項の承認を受けた食品を除く。）について準用する。

(3) The provisions of Article 61 apply mutatis mutandis to a thing that is sold as a food product that has been represented to have healthful effects (other than a food for special dietary uses or a food for which the approval referred to in Article 63, paragraph (1) has been given).

4 都道府県知事は、第一項又は第二項の規定によりその権限を行使したときは、その旨を内閣総理大臣に通知するものとする。

(4) When a prefectural governor has exercised the authority thereof pursuant to the provisions of paragraph (1) or (2), the governor is to notify the Prime Minister of this.

(再審査請求等)

(Requests for Re-examination)

第六十七条 第六十一条第一項（第六十三条第二項において準用する場合を含む。）の規定により保健所を設置する市又は特別区の長が行う処分についての審査請求の裁決に不服がある者は、内閣総理大臣に対して再審査請求をすることができる。

Article 67 (1) A person that is dissatisfied with the determination following a request for administrative review concerning a disposition that the mayor of a city that has a health center or the mayor of a special ward has taken pursuant to the provisions of Article 61, paragraph (1) (including as applied mutatis mutandis pursuant to Article 63, paragraph (2)) may file a request for re-examination with the Prime Minister.

2 保健所を設置する市又は特別区の長が第六十一条第一項（第六十三条第二項において準用する場合を含む。）の規定による処分をする権限をその補助機関である職員又はその管理に属する行政機関の長に委任した場合において、委任を受けた職員又は行

政機関の長がその委任に基づいてした処分につき、地方自治法（昭和二十二年法律第六十七号）第二百五十五条の二第二項の再審査請求の裁決があったときは、当該裁決に不服がある者は、同法第二百五十二条の十七の四第五項から第七項までの規定の例により、内閣総理大臣に対して再々審査請求をすることができる。

(2) If the mayor of a city that has a health center or the mayor of a special ward has delegated the authority to take dispositions under the provisions of Article 61, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 63, paragraph (2)) to an official positioned as a subsidiary organ for the mayor or the head of an administrative agency under the management of the mayor, and a determination is made following a request for re-examination under Article 255-2, paragraph (2) of the Local Autonomy Act (Act No. 67 of 1947) concerning a disposition that the official or head of the administrative agency to which the mayor has delegated the authority has taken based on that delegated authority, a person that is dissatisfied with the determination may file a request for further examination with the Prime Minister following the example referred to in the provisions of Article 252-17-4, paragraphs (5) through (7) of that Act.

第八章 雑則

Chapter VIII Miscellaneous Provisions

（事務の区分）

(Classification of Functions)

第六十八条 第十条第三項、第十一条第一項及び第六十一条第一項（第六十三条第二項において準用する場合を含む。）の規定により都道府県、保健所を設置する市又は特別区が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

Article 68 Functions to be handled by prefectures, cities that have health centers, or special wards, pursuant to the provisions of Article 10, paragraph (3), Article 11, paragraph (1), and Article 61, paragraph (1) (including as applied *mutatis mutandis* pursuant to Article 63, paragraph (2)) are type I statutory entrusted functions provided for in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

（権限の委任）

(Delegation of Authority)

第六十九条 この法律に規定する厚生労働大臣の権限は、厚生労働省令で定めるところにより、地方厚生局長に委任することができる。

Article 69 (1) The authority of the Minister of Health, Labour and Welfare provided 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 前項の規定により地方厚生局長に委任された権限は、厚生労働省令で定めるところにより、地方厚生支局長に委任することができる。

(2) The authority delegated to the director-general of a regional bureau of health and welfare pursuant to the provisions of the preceding paragraph may be delegated to the director-general of the relevant regional branch bureau of health and welfare pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 内閣総理大臣は、この法律による権限（政令で定めるものを除く。）を消費者庁長官に委任する。

(3) The Prime Minister delegates the authority under this Act to the Secretary General of the Consumer Affairs Agency (except the authority prescribed by Cabinet Order).

4 消費者庁長官は、政令で定めるところにより、前項の規定により委任された権限の一部を地方厚生局長又は地方厚生支局長に委任することができる。

(4) The Secretary General of the Consumer Affairs Agency may delegate a part of the authority delegated thereto pursuant to the provisions of the preceding paragraph to the director-general of the regional bureau of health and welfare or regional branch bureau of health and welfare pursuant to the provisions of Cabinet Order.

5 地方厚生局長又は地方厚生支局長は、前項の規定により委任された権限を行使したときは、その結果について消費者庁長官に報告するものとする。

(5) When the director-general of the relevant regional bureau of health and welfare or regional branch bureau of health and welfare exercises the authority delegated thereto pursuant to the provisions of the preceding paragraph, the director-general is to report the result of this to the Secretary General of the Consumer Affairs Agency.

第九章 罰則

Chapter IX Penal Provisions

第七十条 国民健康・栄養調査に関する事務に従事した公務員、研究所の職員若しくは国民健康・栄養調査員又はこれらの職にあった者が、その職務の執行に関して知り得た人の秘密を正当な理由がなく漏らしたときは、一年以下の懲役又は百万円以下の罰金に処する。

Article 70 (1) If a current or former public officer engaged in functions related to national health and nutrition surveys, employee of a research laboratory, or national health and nutrition surveyor, without a legitimate reason for doing so, discloses another person's confidential information learned in the course of duty, that officer, employee, or surveyor is subject to imprisonment with work for not more than one year or a fine of not more than 1,000,000 yen.

2 職務上前項の秘密を知り得た他の公務員又は公務員であった者が、正当な理由がなくその秘密を漏らしたときも、同項と同様とする。

(2) The preceding paragraph also applies if a current or former public officer of another kind discloses confidential information referred to in that paragraph learned in the course of duty, without a legitimate reason for doing so.

3 第五十三条第一項の規定に違反してその職務に関して知り得た秘密を漏らした者は、一年以下の懲役又は百万円以下の罰金に処する。

(3) A person that has disclosed confidential information learned in the course of duty in violation of the provisions of Article 53, paragraph (1) is subject to imprisonment with work for not more than one year or a fine of not more than 1,000,000 yen.

4 第五十五条の規定による業務の停止の命令に違反したときは、その違反行為をした登録試験機関の役員又は職員は、一年以下の懲役又は百万円以下の罰金に処する。

(4) If a registered testing organization violates an order of suspension for the operations under the provisions of Article 55, the officer or employee of the registered testing organization who commits the violation is subject to imprisonment with work for not more than one year or a fine of not more than 1,000,000 yen.

第七十一条 第六十六条第二項の規定に基づく命令に違反した者は、六月以下の懲役又は百万円以下の罰金に処する。

Article 71 A person violating an order that is based on the provisions of Article 66, paragraph (2) is subject to imprisonment with work for not more than six months or a fine of not more than 1,000,000 yen.

第七十二条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 72 A person falling under any of the following items is subject to a fine of not more than 500,000 yen:

一 第二十三条第二項の規定に基づく命令に違反した者

(i) a person violating an order that is based on the provisions of Article 23, paragraph (2);

二 第四十三条第一項の規定に違反した者

(ii) a person violating the provisions of Article 43, paragraph (1);

三 第五十七条第二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 57, paragraph (2).

第七十三条 次に掲げる違反があった場合においては、その行為をした登録試験機関の代表者、代理人、使用人その他の従業者は、五十万円以下の罰金に処する。

Article 73 In the event of any of the following violations, the representative, agent, employee, or other worker of a registered testing organization that

commits the violation is subject to a fine of not more than 500,000 yen:

一 第五十一条の規定による許可を受けないで、許可試験の業務を廃止したとき。

(i) if the registered testing organization suspends permission-related testing operations without obtaining the permission under the provisions of Article 51;

二 第五十六条の規定による帳簿を備え付けず、帳簿に記載せず、若しくは虚偽の記載をし、又は帳簿を保存しなかったとき。

(ii) if the registered testing organization fails to keep books, make statements in books, or preserve books pursuant to the provisions of Article 56, or makes false statements in its books;

三 第五十八条の規定による報告をせず、又は虚偽の報告をしたとき。

(iii) if the registered testing organization fails to make a report under the provisions of Article 58 or makes a false report;

四 第五十九条第一項の規定による検査を拒み、妨げ、又は忌避したとき。

(iv) if the registered testing organization refuses, hinders, or evades an inspection under the provisions of Article 59, paragraph (1).

第七十四条 次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

Article 74 A person falling under either of the following items is subject to a fine of not more than 300,000 yen:

一 第二十四条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(i) a person that fails to make a report under the provisions of Article 24, paragraph (1) or makes a false report; that refuses, hinders, or evades an inspection under the provisions of that paragraph; that fails to answer questions under the provisions of that paragraph; or that gives false answers to the questions;

二 第六十一条第一項（第六十三条第二項において準用する場合を含む。）の規定による検査又は収去を拒み、妨げ、又は忌避した者

(ii) a person that refuses, hinders, or evades an inspection or the taking of samples under the provisions of Article 61, paragraph (1) (including as applied mutatis mutandis pursuant to Article 63, paragraph (2)).

第七十五条 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、第七十二条又は前条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対して各本条の刑を科する。

Article 75 If the representative of a corporation or the agent, employee, or other worker of a corporation or individual commits a violation as referred to in Article 72 or the preceding Article concerning the business of the corporation or individual, in addition to the offender being subject to punishment, the

corporation or individual is subject to the fine provided for in the Article in question.

第七十六条 次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

Article 76 A person falling under either of the following items is subject to a civil fine of not more than 500,000 yen:

一 第三十二条第三項、第三十四条第三項又は第三十六条第四項の規定に基づく命令に違反した者

(i) a person violating an order issued under the provisions of Article 32, paragraph (3), Article 34, paragraph (3), or Article 36, paragraph (4);

二 第三十三条第三項、第三十五条第三項又は第三十七条の規定に違反した者

(ii) a person violating the provisions of Article 33, paragraph (3), Article 35, paragraph (3), or Article 37.

第七十七条 次の各号のいずれかに該当する者は、三十万円以下の過料に処する。

Article 77 A person falling under either of the following items is subject to a civil fine of not more than 300,000 yen:

一 第二十九条第二項の規定に基づく命令に違反した者

(i) a person violating an order that is based on the provisions of Article 29, paragraph (2);

二 第三十三条第七項又は第三十五条第十項の規定に違反した者

(ii) a person violating the provisions of Article 33, paragraph (7), or Article 35, paragraph (10).

第七十八条 次の各号のいずれかに該当する者は、二十万円以下の過料に処する。

Article 78 A person falling under any of the following items is subject to a civil fine of not more than 200,000 yen:

一 第三十五条第六項の規定による帳簿を備え付けず、帳簿に記載せず、若しくは虚偽の記載をし、又は帳簿を保存しなかった者

(i) a person that fails to keep books, make statements in books, or preserve books pursuant to the provisions of Article 35, paragraph (6), or that makes false statements in its books;

二 第三十八条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(ii) a person that fails to make a report under the provisions of Article 38, paragraph (1) or makes a false report; that refuses, hinders, or evades an inspection under the provisions of that paragraph; that fails to answer questions under the provisions of that paragraph; or that gives false answers to those questions;

三 第五十二条第一項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記

載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに同条第二項各号の規定による請求を拒んだ者

(iii) a person that fails to keep a financial statement or business report or to include information that it is required to include in a financial statement or business report in violation of the provisions of Article 52, paragraph (1); that includes false information in a financial statement or business report; or that refuses a request under the provisions of items of paragraph (2) of that Article without a legitimate reason to do so.

附 則 [抄]

Supplementary Provisions [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、第九条及び附則第八条から第十九条までの規定は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions of Article 9, and Articles 8 through 19 of the Supplementary Provisions come into effect on the date prescribed by Cabinet Order within a period not exceeding two years from the date of promulgation.

(栄養改善法の廃止)

(Repeal of the Nutrition Improvement Act)

第二条 栄養改善法（昭和二十七年法律第二百四十八号）は、廃止する。

Article 2 The Nutrition Improvement Act (Act No. 248 of 1952) is hereby repealed.

(経過措置)

(Transitional Measures)

第三条 この法律の施行の際現に存する特定給食施設の設置者は、この法律の施行の日（以下「施行日」という。）から三月を経過する日までの間は、第二十条第一項の届出をしないで、引き続きその事業を行うことができる。

Article 3 A person that has in place a specified food service facility that exists at the time when this Act comes into effect may continue to do business without filing the notification referred to in Article 20, paragraph (1) until the last day in the three-month period that follows the date on which this Act comes into effect (hereinafter referred to as the "effective date").

第四条 施行日前にした附則第二条の規定による廃止前の栄養改善法の規定による許可、承認その他の処分又は申請その他の手続は、この附則に別段の定めがある場合を除き、この法律の相当の規定によってした許可、承認その他の処分又は申請その他の手続とみなす。

Article 4 Unless otherwise provided in these Supplementary Provisions, an administrative disposition such as permission or approval or a process such as the filing of an application that has been undertaken prior to the effective date pursuant to the provisions of the Nutrition Improvement Act before its repeal under Article 2 of these Supplementary Provisions is deemed to be an administrative disposition such as permission or approval or a process such as the filing of an application that has been undertaken pursuant to the corresponding provisions of this Act.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第五条 施行日前にした行為に対する罰則の適用については、なお従前の例による。

Article 5 Prior laws continue to govern the applicability of penal provisions to actions which a person takes before the effective date.

(政令への委任)

(Delegation to Cabinet Order)

第六条 前三条に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 6 Beyond what is provided for in the preceding three Articles, Cabinet Order prescribes the necessary transitional measures occasioned by this Act's entry into effect.

(検討)

(Reviews)

第七条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況を勘案し、必要があると認めるときは、この法律の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 7 Once five years have passed after this Act's entry into effect, if the government finds it to be necessary to do so in consideration of the status of this Act's entry into effect, it is to review the provisions of this Act and take the necessary measures based on the result of its review.

附 則 〔平成十五年五月三十日法律第五十五号〕〔抄〕

Supplementary Provisions [Act No. 55 of May 30, 2003 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order within a period not exceeding three months from the date of promulgation; provided, however, that the provisions set forth in the following items come into effect on the dates prescribed in each of those items:

一及び二 略

(i) and (ii) omitted

三 第二条（次号に掲げる改正規定を除く。）、第六条（次号に掲げる改正規定を除く。）、第八条（次号に掲げる改正規定を除く。）及び第十条並びに附則第二条から第五条まで、第八条、第十六条から第十八条まで、第二十一条から第二十六条まで、第三十一条、第三十三条及び第三十五条の規定 公布の日から起算して九月を超えない範囲内において政令で定める日

(iii) the provisions of Article 2 (excluding the amended provisions set forth in the following item), Article 6 (excluding the amended provisions set forth in the following item), Article 8 (excluding the amended provisions set forth in the following item), and Article 10, and the provisions of Articles 2 through 5, Article 8, Articles 16 through 18, Articles 21 through 26, Article 31, Article 33, and Article 35: the date prescribed by Cabinet Order within a period not exceeding nine months from the date of promulgation.

附 則 〔平成十五年五月三十日法律第五十六号〕

Supplementary Provisions [Act No. 56 of May 30, 2003]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して九月を超えない範囲内において政令で定める日から施行する。ただし、目次の改正規定（「第三十九条」を「第四十条」に改める部分を除く。）、第六章の章名の改正規定、第三十二条の次に二条を加える改正規定、第三十三条の改正規定、第三十六条の次に一条を加える改正規定及び附則第三条の規定は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions that amend the table of contents (excluding the part revising "Article 39" to "Article 40"), the provisions that amend the title of Chapter VI, the provisions that add two Articles after Article 32, the provisions that amend Article 33, the provisions that add one Article after Article 36, and the provisions of Article 3 of the Supplementary

Provisions come into effect on the date prescribed by Cabinet Order within a period not exceeding three months from the date of promulgation.

(施行前の準備)

(Preparation Before Entry into Effect)

第二条 この法律による改正後の健康増進法（以下「新法」という。）第二十六条第三項の登録を受けようとする者は、この法律の施行前においても、その申請を行うことができる。新法第二十六条の八第一項の規定による試験業務規程の認可の申請についても、同様とする。

Article 2 A person seeking the registration under Article 26, paragraph (3) of the Health Promotion Act (hereinafter referred to as the "new Act") as amended by this Act may apply for it even before this Act comes into effect. The same applies to an application for authorization for the testing operations rules under the provisions of Article 26-8, paragraph (1) of the new Act.

(政令への委任)

(Delegation to Cabinet Order)

第三条 前条に定めるもののほか、この法律の施行に関し必要となる経過措置は、政令で定める。

Article 3 Beyond what is provided for in the preceding Article, Cabinet Order prescribes the transitional measures that become necessary in connection with this Act's entry into effect.

(検討)

(Reviews)

第四条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状況を勘案し、必要があると認めるときは、この法律の規定について検討を加え、その結果に基づいて必要な措置を講ずるものとする。

Article 4 Once five years have passed after this Act's entry into effect, if the government finds it to be necessary to do so in consideration of the status of this Act's entry into effect, it is to review the provisions of this Act and take the necessary measures based on the result of its review.

附 則 〔平成十七年六月二十九日法律第七十七号〕 〔抄〕

Supplementary Provisions [Act No. 77 of June 29, 2005 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十八年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2006.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第五十五条 この法律の施行前にした行為及び附則第九条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 55 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect, and to actions that a person takes after this Act comes into effect in a situation that the provisions of Article 9 of these Supplementary Provisions prescribe as continuing to be governed by prior laws.

附 則 [平成十七年七月二十六日法律第八十七号] [抄]

Supplementary Provisions [Act No. 87 of July 26, 2005 Extract] [Extract]

この法律は、会社法の施行の日から施行する。

This Act comes into effect on the date on which the Companies Act comes into effect.

附 則 [平成十八年六月二十一日法律第八十三号] [抄]

Supplementary Provisions [Act No. 83 of June 21, 2006 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成十八年十月一日から施行する。ただし、次の各号に掲げる規定は、それぞれ当該各号に定める日から施行する。

Article 1 This Act comes into effect on October 1, 2006; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 第十条並びに附則第四条、第三十三条から第三十六条まで、第五十二条第一項及び第二項、第百五条、第二百二十四条並びに第三百十一条から第三百三十三条までの規定 公布の日

(i) the provisions of Article 10, and Article 4, Articles 33 through 36, Article 52, paragraphs (1) and (2), Article 105, Article 124, and Articles 131 through 133 of the Supplementary Provisions: the date of promulgation;

二及び三 略

(ii) and (iii) omitted

四 第三条、第七条、第十三条、第十六条、第十九条及び第二十四条並びに附則第二条第二項、第三十七条から第三十九条まで、第四十一条、第四十二条、第四十四条、第五十七条、第六十六条、第七十五条、第七十六条、第七十八条、第七十九条、第八十一条、第八十四条、第八十五条、第八十七条、第八十九条、第九十三条から第九十五条まで、第九十七条から第百条まで、第百三条、第百九条、第百十四条、第

百十七条、第二百十条、第二百三条、第二百六条、第二百八条及び第三百十条の規定 平成二十年四月一日

(iv) the provisions of Article 3, Article 7, Article 13, Article 16, Article 19 and Article 24, and the provisions of Article 2, paragraph (2), Articles 37 through 39, Article 41, Article 42, Article 44, Article 57, Article 66, Article 75, Article 76, Article 78, Article 79, Article 81, Article 84, Article 85, Article 87, Article 89, Articles 93 through 95, Articles 97 through 100, Article 103, Article 109, Article 114, Article 117, Article 120, Article 123, Article 126, Article 128 and Article 130 of the Supplementary Provisions: April 1, 2008;

五 第四条、第八条及び第二十五条並びに附則第十六条、第十七条、第十八条第一項及び第二項、第十九条から第三十一条まで、第八十条、第八十二条、第八十八条、第九十二条、第一百条、第一百四条、第一百七条、第一百八条、第一百五十五条、第一百六条、第一百八条、第二十一条並びに第二百九条の規定 平成二十年十月一日

(v) the provisions of Article 4, Article 8, and Article 25, and the provisions of Article 16, Article 17, Article 18, paragraphs (1) and (2), Articles 19 through 31, Article 80, Article 82, Article 88, Article 92, Article 101, Article 104, Article 107, Article 108, Article 115, Article 116, Article 118, Article 121 and Article 129 of the Supplementary Provisions: October 1, 2008.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第三百十一条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下同じ。）の施行前にした行為、この附則の規定によりなお従前の例によることとされる場合及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為並びにこの法律の施行後前条第一項の規定によりなおその効力を有するものとされる同項に規定する法律の規定の失効前にした行為に対する罰則の適用については、なお従前の例による。

Article 131 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect (or, for the provisions set forth in items of Article 1 of these Supplementary Provisions, each relevant provision; hereinafter the same applies in this paragraph); to actions that a person takes after this act comes into effect in a situation that the provisions of these Supplementary Provisions prescribe as continuing to be governed by prior laws or in a situation regarding which the provisions of these Supplementary Provisions provide that prior laws remain in effect; and to actions that a person takes before the loss of effect of the provisions of the Act prescribed in paragraph (1) of the preceding Article that the provisions of that paragraph provide remain in effect after this Act comes into effect.

(処分、手続等に関する経過措置)

(Transitional Measures for Dispositions and Procedures)

第百三十二条 この法律の施行前に改正前のそれぞれの法律（これに基づく命令を含む。以下この条において同じ。）の規定によってした処分、手続その他の行為であって、改正後のそれぞれの法律の規定に相当の規定があるものは、この附則に別段の定めがあるものを除き、改正後のそれぞれの法律の相当の規定によってしたものとみなす。

Article 132 (1) Unless otherwise provided in these Supplementary Provisions, a disposition, procedure, or other action taken pursuant to the provisions of one of the relevant laws prior to amendment before this Act comes into effect (including orders issued thereunder; hereinafter the same applies in this Article), for which corresponding provisions exist in the amended law is deemed to be a disposition, procedure, or other action taken pursuant to the corresponding provisions of that amended law.

2 この法律の施行前に改正前のそれぞれの法律の規定により届出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく命令に別段の定めがあるものを除き、これを、改正後のそれぞれの法律中の相当の規定により手続がされていないものとみなして、改正後のそれぞれの法律の規定を適用する。

(2) Unless otherwise prescribed in this Act or in an order based on this Act, a particular in connection with which, prior to this Act's entry into effect, a person must file a notification or undertake any other such procedure pursuant to the provisions of one of the relevant Acts before its amendment by this Act, but in connection with which that procedure has not been undertaken before the day on which this Act comes into effect is deemed to be one for which that procedure has not been undertaken pursuant to the corresponding provisions of the amended Act in question, and the provisions of that amended Act apply.

（その他の経過措置の政令への委任）

(Delegation of Other Transitional Measures to Cabinet Order)

第百三十三条 附則第三条から前条までに規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 133 Beyond what is provided in Article 3 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures occasioned by this Act's entry into effect.

附 則 〔平成十九年四月二十三日法律第三十号〕 〔抄〕

Supplementary Provisions [Act No. 30 of April 23, 2007 Extract] [Extract]

（施行期日）

(Effective Date)

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

Article 1 This Act comes into effect on the date of promulgation; provided,

however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一及び二 略

(i) and (ii) omitted

三 第二条、第四条、第六条及び第八条並びに附則第二十七条、第二十八条、第二十九条第一項及び第二項、第三十条から第五十条まで、第五十四条から第六十条まで、第六十二条、第六十四条、第六十五条、第六十七条、第六十八条、第七十一条から第七十三条まで、第七十七条から第八十条まで、第八十二条、第八十四条、第八十五条、第九十条、第九十四条、第九十六条から第百条まで、第百三条、第百五条から第百八条まで、第百二十条、第百二十一条、第百二十三条から第百二十五条まで、第百二十八条、第百三十条から第百三十四条まで、第百三十七条、第百三十九条及び第百三十九条の二の規定 日本年金機構法の施行の日

(iii) the provisions of Article 2, Article 4, Article 6, and Article 8, and the provisions of Article 27, Article 28, Article 29, paragraphs (1) and (2), Articles 30 through 50, Articles 54 through 60, Article 62, Article 64, Article 65, Article 67, Article 68, Articles 71 through 73, Articles 77 through 80, Article 82, Article 84, Article 85, Article 90, Article 94, Articles 96 through 100, Article 103, Articles 115 through 118, Article 120, Article 121, Articles 123 through 125, Article 128, Articles 130 through 134, Article 137, Article 139 and Article 139-2 of the Supplementary Provisions: the date on which the Japan Pension Organization Act comes into effect.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第百四十一条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この項において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 141 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect (or, for the provisions set forth in items of Article 1 of these Supplementary Provisions, each relevant provision; hereinafter the same applies in this paragraph), and to actions that a person takes after this Act comes into effect in a situation that the provisions of these Supplementary Provisions prescribe as continuing to be governed by prior laws.

(政令への委任)

(Delegation to Cabinet Order)

第百四十三条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 143 Beyond what is provided for in these Supplementary Provisions,

Cabinet Order prescribes the necessary transitional measures occasioned by this Act's entry into effect.

附 則 〔平成十九年七月六日法律第百九号〕 〔抄〕

Supplementary Provisions [Act No. 109 of July 6, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十二年四月一日までの間において政令で定める日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order in a period not later than April 1, 2010; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 附則第三条から第六条まで、第八条、第九条、第十二条第三項及び第四項、第二十九条並びに第三十六条の規定、附則第六十三条中健康保険法等の一部を改正する法律（平成十八年法律第八十三号）附則第十八条第一項の改正規定、附則第六十四条中特別会計に関する法律（平成十九年法律第二十三号）附則第二十三条第一項、第六十七条第一項及び第百九十一条の改正規定並びに附則第六十六条及び第七十五条の規定 公布の日

(i) the provisions of Articles 3 through 6, Article 8, Article 9, Article 12, paragraphs (3) and (4), Article 29, and Article 36 of the Supplementary Provisions, the provisions of Article 63 of the Supplementary Provisions that amend Article 18, paragraph (1) of the Supplementary Provisions of the Act for Partial Revision of the Health Insurance Act, etc. (Act No. 83 of 2006), the provisions of Article 64 of the Supplementary Provisions that amend the provisions of Article 23, paragraph (1), Article 67, paragraph (1) and Article 191 of the Supplementary Provisions of the Act on Special Accounts (Act No. 23 of 2007), and the provisions of Article 66 and Article 75 of the Supplementary Provisions: the date of promulgation.

附 則 〔平成十九年七月六日法律第百十一号〕 〔抄〕

Supplementary Provisions [Act No. 111 of July 6, 2007 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the date of promulgation.

附 則 〔平成二十年六月十八日法律第七十三号〕 〔抄〕

Supplementary Provisions [Act No. 73 of June 18, 2008 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十一年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2009.

附 則 [平成二十一年六月五日法律第四十九号] [抄]

Supplementary Provisions [Act No. 49 of June 5, 2009 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、消費者庁及び消費者委員会設置法（平成二十一年法律第四十八号）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date on which the Act for the Establishment of the Consumer Affairs Agency and the Consumer Commission (Act No. 48 of 2009) comes into effect; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 附則第九条の規定 この法律の公布の日

(i) the provisions of Article 9 of the Supplementary Provisions: the date of promulgation of this Act;

(処分等に関する経過措置)

(Transitional Measures for Dispositions, Applications, and Other Actions)

第四条 この法律の施行前にこの法律による改正前のそれぞれの法律（これに基づく命令を含む。以下「旧法令」という。）の規定によりされた免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、この法律による改正後のそれぞれの法律（これに基づく命令を含む。以下「新法令」という。）の相当規定によりされた免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 4 (1) Beyond as otherwise provided by a law or regulation, licensure, permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action that has been taken, before this Act comes into effect, pursuant to the provisions of one of the relevant Acts before its amendment by this Act (or pursuant to the provisions of an order based upon one of those Acts; hereinafter referred to as a "former Act or order") is deemed to be licensure, permission, authorization, approval, designation, or any other such disposition, or the issuance of a notice or any other such action that has been taken pursuant to the corresponding provisions of the relevant amended Act (or pursuant to the provisions of an order based upon one of those

amended Acts; hereinafter referred to as a "new Act or order") after this Act's entry into effect.

2 この法律の施行の際現に旧法令の規定によりされている免許の申請、届出その他の行為は、法令に別段の定めがあるもののほか、この法律の施行後は、新法令の相当規定によりされた免許の申請、届出その他の行為とみなす。

(2) Beyond as otherwise provided by a law or regulation, the filing of a licensing application, the filing of a notification, or any other such action that has been taken pursuant to the provisions of a former Act or order by the time this Act comes into effect is deemed to be the filing of a licensing application, the filing of a notification, or any other such action that has been taken pursuant to the corresponding provisions of a new Act or order after this Act comes into effect.

3 この法律の施行前に旧法令の規定により報告、届出、提出その他の手続をしなければならない事項で、この法律の施行日前にその手続がされていないものについては、法令に別段の定めがあるもののほか、この法律の施行後は、これを、新法令の相当規定によりその手続がされていないものとみなして、新法令の規定を適用する。

(3) Beyond as otherwise provided by a law or regulation, information that, before this Act comes into effect, a person must report, file, submit, or undertake any other such process for pursuant to the provisions of a former Act or order, but for which that process has not been undertaken before the effective date of this Act, is deemed to be information that a person must report, file, submit, or undertake any other such process for pursuant to the corresponding provisions of a new Act or order after this Act comes into effect, but for which that process has not been undertaken; and the provisions of a new Act or order apply.

(命令の効力に関する経過措置)

(Transitional Measures Related to the Effect of Orders)

第五条 旧法令の規定により発せられた内閣府設置法第七条第三項の内閣府令又は国家行政組織法第十二条第一項の省令は、法令に別段の定めがあるもののほか、この法律の施行後は、新法令の相当規定に基づいて発せられた相当の内閣府設置法第七条第三項の内閣府令又は国家行政組織法第十二条第一項の省令としての効力を有するものとする。

Article 5 Unless otherwise provided by a law or regulation, a Cabinet Office Order as referred to in Article 7, paragraph 3 of the Act for the Establishment of the Cabinet Office or a Ministerial Order as referred to in Article 12, paragraph (1) of the National Government Organization Act that has been issued pursuant to the provisions of a former Act or order is to be effective as the corresponding Cabinet Office Order referred to in Article 7, paragraph (3) of the Act for the Establishment of the Cabinet Office or Ministerial Order as referred to in Article 12, paragraph (1) of the National Government Organization Act that has been issued pursuant to the corresponding provisions of the new Act or order after this Act comes into effect.

(罰則の適用に関する経過措置)

(Transitional Measures Related to the Application of Penal Provisions)

第八条 この法律の施行前にした行為及びこの法律の附則においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect, and to actions that a person takes after this Act comes into effect in a situation that the provisions of these Supplementary Provisions prescribe as continuing to be governed by prior laws.

(政令への委任)

(Delegation to Cabinet Order)

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

Article 9 Beyond what is provided in Article 2 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十三年六月二十二日法律第七十二号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十四年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2012; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

- 一 第二条（老人福祉法目次の改正規定、同法第四章の二を削る改正規定、同法第四章の三を第四章の二とする改正規定及び同法第四十条第一号の改正規定（「第二十八条の十二第一項若しくは」を削る部分に限る。）に限る。）、第四条、第六条及び第七条の規定並びに附則第九条、第十一条、第十五条、第二十二條、第四十一条、第四十七条（東日本大震災に対処するための特別の財政援助及び助成に関する法律（平成二十三年法律第四十号）附則第一条ただし書の改正規定及び同条各号を削る改正規定並びに同法附則第十四条の改正規定に限る。）及び第五十条から第五十二条までの規定 公布の日

(i) the provisions of Article 2 (limited to the provisions that amend the table of contents of the Act on Social Welfare for the Elderly, the provisions that

delete Chapter IV-2 of that Act, the provisions that change Chapter IV-3 to Chapter IV-2 of that Act, and the provisions that amend Article 40, item (i) of that Act (limited to the part that deletes the phrase "Article 28-12, item (i) or")), Article 4, Article 6, and Article 7, and the provisions of Article 9, Article 11, Article 15, Article 22, Article 41, Article 47 (limited to the provisions that amend the proviso to Article 1 of the Supplementary Provisions of the Act on Special Fiscal Aid and Subsidies for Recovery from the Great East Japan Earthquake (Act No. 40 of 2011), the provisions that delete items of that Article, and the provisions that amend Article 14 of the Supplementary Provisions of that Act) and Articles 50 through 52 of the Supplementary Provisions: the date of promulgation;

(検討)

(Reviews)

第二条 政府は、この法律の施行後五年を目途として、この法律の規定による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 2 Approximately five years after this Act's entry into effect, the government is to review the status of entry into effect of the provisions amended by the provisions of this Act, and is to take the necessary measures based on the result of the review if it finds this to be necessary.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第五十一条 この法律（附則第一条第一号に掲げる規定にあつては、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 51 Prior laws continue to govern the applicability of penal provisions to actions a person takes before this Act comes into effect (or for the provisions set forth in Article 1, item (i) of these Supplementary Provisions, before the relevant provisions come into effect).

(政令への委任)

(Delegation to Cabinet Order)

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

Article 52 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十三年八月三十日法律第百五号〕 〔抄〕

Supplementary Provisions [Act No. 105 of August 30, 2011 Extract]

[Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から施行する。

Article 1 This Act comes into effect on the date of promulgation.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第八十一条 この法律（附則第一条各号に掲げる規定にあつては、当該規定。以下この条において同じ。）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 81 Prior laws continue to govern the applicability of penal provisions to actions a person takes before this Act comes into effect (or for the provisions set forth in items of Article 1 of these Supplementary Provisions, before the relevant provisions come into effect; hereinafter the same applies in this Article), and to actions that a person takes after this Act comes into effect in a situation that the provisions of these Supplementary Provisions prescribe as continuing to be governed by prior laws.

(政令への委任)

(Delegation to Cabinet Order)

第八十二条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 82 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十五年六月二十八日法律第七十号〕〔抄〕

Supplementary Provisions [Act No. 70 of June 28, 2013 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して二年を超えない範囲内において政令で定める日から施行する。ただし、次条及び附則第十八条の規定については、公布の日から施行する。

Article 1 This Act comes into effect on the date prescribed by Cabinet Order within a period not exceeding two years from the date of promulgation; provided, however, that the provisions of the following Article and Article 18 of the Supplementary Provisions come into effect on the date of promulgation.

(経過措置)

(Transitional Measures)

第十六条 この法律の施行前に附則第四条の規定による改正前の食品衛生法、附則第六条の規定による改正前の農林物資の規格化及び品質表示の適正化に関する法律又は附則第十一条の規定による改正前の健康増進法の規定によってした処分その他の行為であつて、この法律に相当の規定があるものは、当該規定によってしたものとみなす。

Article 16 An administrative disposition or other such action that a person has taken before this Act comes into effect pursuant to the provisions of the Food Sanitation Act before its amendment by the provisions of Article 4 of these Supplementary Provisions, the Act on Standardization and Proper Quality Labeling of Agricultural and Forestry Products before its amendment by the provisions of Article 6 of these Supplementary Provisions, or the Health Promotion Act before its amendment by the provisions of Article 11 of these Supplementary Provisions, and for which corresponding provisions exist in this Act, is deemed to be an action that the person has taken pursuant to those corresponding provisions.

(罰則の適用に関する経過措置)

(Transitional Measures Related to the Application of Penal Provisions)

第十七条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 17 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect.

(政令への委任)

(Delegation to Cabinet Order)

第十八条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 18 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect.

附 則 〔平成二十六年五月二十一日法律第三十八号〕 〔抄〕

Supplementary Provisions [Act No. 38 of May 21, 2014 Extract] [Extract]

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect on the date prescribed by Cabinet Order

within a period not exceeding one year from the date of promulgation.

附 則 〔平成二十六年六月四日法律第五十一号〕 〔抄〕

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

(施行期日)

(Effective Date)

第一条 この法律は、平成二十七年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2015; provided, however, that the provisions set forth in the following items comes into effect on the dates specified respectively in those items:

一及び二 略

(i) and (ii) omitted

三 第一条から第三条まで、第三十四条及び第三十五条の規定並びに附則第十六条（登録免許税法（昭和四十二年法律第三十五号）別表第一第八十六号の改正規定に限る。）の規定 平成二十八年四月一日

(iii) the provisions of Articles 1 through 3, Article 34, and Article 35, and Article 16 of the Supplementary Provisions (limited to the amended provisions of Article 1, item (lxxxvi) of the Appended Table of the Registration and License Tax Act (Act No. 35 of 1967)): April 1, 2016.

(処分、申請等に関する経過措置)

(Transitional Measures for Dispositions, Applications, and Other Actions)

第七条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び次条において同じ。）の施行前にこの法律による改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この項において「処分等の行為」という。）又はこの法律の施行の際現にこの法律による改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この項において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又はこの法律による改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後におけるこの法律による改正後のそれぞれの法律の適用については、この法律による改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 7 (1) To apply the relevant Acts amended by this Act on and after the day this Act comes into effect, with the exception of what is prescribed in Article 2 of the Supplementary Provisions through the preceding Article and the provisions on transitional measures in the relevant Acts after their amendment (including orders thereunder), a disposition or any other such action regarding something such as permission that is taken, pursuant to one of the relevant

Acts before its amendment, before this Act comes into effect (for the provisions set forth in items of Article 1 of these Supplementary Provisions, this means before those provisions come into effect; hereinafter the same applies in this Article and the following Article) (hereinafter referred to as a "disposition or other such action" in this paragraph), or the filing of an application or any other such action regarding something such as permission that is taken, pursuant to the provisions of one of the relevant Acts before its amendment, by the time this Act comes into effect (hereinafter referred to as an "application or other such action" in this paragraph), which involves an administrative function that will start to be carried out by a different person on the day on which this Act comes into effect, is deemed to be a disposition or other such action or an application or other such action that is taken pursuant to the corresponding provisions of the relevant Act after its amendment by this Act.

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

(2) Beyond as otherwise provided for in this Act and Cabinet Order based hereupon, information that, before this Act comes into effect, a person must report to, file with, submit to, or otherwise undertake a process for with the national government or a local government agency pursuant to one of the relevant Acts before its amendment by this Act, but for which that process has not been undertaken before the date on which this Act comes into force, is deemed to be information that a person must report to, file with, submit to, or undertake any other such process for with the national government or the corresponding agency of the local government pursuant to the corresponding provisions of the relevant Act after its amendment by this Act, but for which that process has not been undertaken; and the relevant Act after its amendment by this Act applies.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第八条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 8 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect.

(政令への委任)

(Delegation to Cabinet Order)

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

Article 9 Beyond what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十六年六月十三日法律第六十七号〕 〔抄〕

Supplementary Provisions [Act No. 67 of June 13, 2014 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、独立行政法人通則法の一部を改正する法律（平成二十六年法律第六十六号。以下「通則法改正法」という。）の施行の日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on the date on which the Act Partially Amending the Act on General Rules for Incorporated Administrative Agencies (Act No. 66 of 2014; hereinafter referred to as the "Act Amending the Act on General Rules") comes into effect; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 附則第十四条第二項、第十八条及び第三十条の規定 公布の日

(i) the provisions of Article 14, paragraph (2), Article 18, and Article 30 of the Supplementary Provisions: the date of promulgation;

(処分等の効力)

(Effect of Actions Such as Dispositions)

第二十八条 この法律の施行前にこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定によってした又はすべき処分、手続その他の行為であつてこの法律による改正後のそれぞれの法律（これに基づく命令を含む。以下この条において「新法令」という。）に相当の規定があるものは、法律（これに基づく政令を含む。）に別段の定めのあるものを除き、新法令の相当の規定によってした又はすべき処分、手続その他の行為とみなす。

Article 28 Unless otherwise provided for by the Act in question (or by a Cabinet Order based on an Act), a disposition, procedure, or other action that was taken or should have been taken pursuant to the provisions of one of the relevant Acts before its amendment by this Act (including an order issued based on one of these) before this Act comes into effect, for which corresponding provisions exist in that Act as amended by this Act (including an order issued based on it; hereinafter referred to as the "new Act or order" in

this Article) is deemed to be a disposition, procedure, or other action that was taken or should have been taken pursuant to the corresponding provisions of the new Act or order.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第二十九条 この法律の施行前にした行為及びこの附則の規定によりなおその効力を有することとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 29 Prior laws continue to govern the applicability of penal provisions to actions that a person takes before this Act comes into effect, and to actions that a person takes after this act comes into effect in a situation regarding which the provisions of these Supplementary Provisions provide that prior laws remain in effect.

(その他の経過措置の政令等への委任)

(Delegation of Other Transitional Measures to Cabinet Orders)

第三十条 附則第三条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令（人事院の所掌する事項については、人事院規則）で定める。

Article 30 Beyond what is provided for in Article 3 through the preceding Article of the Supplementary Provisions, Cabinet Order (or rules of the National Personnel Authority, for matters under the jurisdiction of the National Personnel Authority) prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十六年六月十三日法律第六十九号〕 〔抄〕

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

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect on the date on which the Administrative Appeal Act (Act No. 68 of 2014) comes into effect.

(経過措置の原則)

(Principles of Transitional Measures)

第五条 行政庁の処分その他の行為又は不作為についての不服申立てであってこの法律の施行前にされた行政庁の処分その他の行為又はこの法律の施行前にされた申請に係

る行政庁の不作为に係るものについては、この附則に特別の定めがある場合を除き、なお従前の例による。

Article 5 Unless otherwise provided in these Supplementary Provisions, prior laws continue to govern an appeal against a disposition or other such action by an administrative agency if that appeal concerns a disposition or other such action by an administrative agency that has been taken before this Act's entry into effect; prior laws also continue to govern an appeal against the inaction of an administrative agency if that appeal concerns the inaction of an administrative agency in connection with an application that was filed before this Act's entry into effect.

(訴訟に関する経過措置)

(Transitional Measures Related to Litigation)

第六条 この法律による改正前の法律の規定により不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ訴えを提起できないこととされる事項であつて、当該不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したもの（当該不服申立てが他の不服申立てに対する行政庁の裁決、決定その他の行為を経た後でなければ提起できないとされる場合にあつては、当該他の不服申立てを提起しないでこの法律の施行前にこれを提起すべき期間を経過したものを含む。）の訴えの提起については、なお従前の例による。

Article 6 (1) Prior laws continue to govern the filing of an action regarding a matter for which, pursuant to the provisions of laws before their amendment by this Act, it is provided that an action may not be filed until after the matter has passed through an administrative agency's determination, decision, or other such action concerning an appeal, and for which the period of time during which an action must be filed has expired before this Act comes into effect without such an appeal having been filed (if it is prescribed that the appeal in question may not be filed until after the matter has passed through an administrative agency's determination, decision, or other such action concerning an appeal, this includes any matter for which the period of time during which an action must be filed has expired, without that other appeal having been filed, before this Act comes into effect).

2 この法律の規定による改正前の法律の規定（前条の規定によりなお従前の例によることとされる場合を含む。）により異議申立てが提起された処分その他の行為であつて、この法律の規定による改正後の法律の規定により審査請求に対する裁決を経た後でなければ取消しの訴えを提起することができないこととされるものの取消しの訴えの提起については、なお従前の例による。

(2) Prior laws continue to govern an action for revocation concerning a disposition or other such action against which an objection has been filed pursuant to the provisions of laws before their amendment by the provisions of this Act (including cases that the provisions of the preceding Article prescribe

as continuing to be governed by prior laws) and for which an action for revocation may not be filed until after a determination on a request for review has been made pursuant to the provisions of the laws amended by the provisions of this Act.

3 不服申立てに対する行政庁の裁決、決定その他の行為の取消しの訴えであつて、この法律の施行前に提起されたものについては、なお従前の例による。

(3) Prior laws continue to govern an action filed before this Act comes into effect concerning the revocation of a determination, decision, or other such action taken by an administrative agency concerning an appeal.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第九条 この法律の施行前にした行為並びに附則第五条及び前二条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 9 Prior laws continue to govern the applicability of penal provisions to actions a person takes before this Act comes into effect, and to actions that a person takes after this Act comes into effect in a situation that the provisions of Article 5 or the preceding two Articles of these Supplementary Provisions prescribe as continuing to be governed by prior laws.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第十条 附則第五条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 10 Beyond what is provided for in Article 5 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

附 則 〔平成二十九年五月三十一日法律第四十一号〕 〔抄〕

Supplementary Provisions [Act No. 41 of May 31, 2017 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成三十一年四月一日から施行する。ただし、次条及び附則第四十八条の規定は、公布の日から施行する。

Article 1 This Act comes into effect on April 1, 2019; provided, however, that the provisions of the following Article and Article 48 of the Supplementary Provisions come into effect on the date of promulgation.

(政令への委任)

(Delegation to Cabinet Order)

第四十八条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 48 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect.

附 則 〔平成三十年七月二十五日法律第七十八号〕〔抄〕

Supplementary Provisions [Act No. 78 of July 25, 2018 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成三十二年四月一日から施行する。ただし、次の各号に掲げる規定は、当該各号に定める日から施行する。

Article 1 This Act comes into effect on April 1, 2020; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 附則第七条の規定 公布の日

(i) the provisions of Article 7 of the Supplementary Provisions: the date of promulgation;

二 第一条及び附則第十一条の規定 公布の日から起算して六月を超えない範囲内において政令で定める日

(ii) the provisions of Article 1, and Article 11 of the Supplementary Provisions: the date prescribed by Cabinet Order within a period not exceeding six months from the date of promulgation;

三 第二条並びに附則第五条第一項及び第六条の規定 公布の日から起算して一年六月を超えない範囲内において政令で定める日

(iii) the provisions of Article 2, and Article 5, paragraph (1) and Article 6: the date prescribed by Cabinet Order within a period not exceeding one year and six months from the date of promulgation.

(既存特定飲食提供施設に関する特例)

(Special Provisions on Existing Specified Eating and Drinking Facilities)

第二条 既存特定飲食提供施設についてのこの法律の施行の日から受動喫煙（第三条の規定による改正後の健康増進法（以下「新法」という。）第二十八条第三号に規定する受動喫煙をいう。附則第五条第一項を除き、以下同じ。）の防止に関する国民の意識及び既存特定飲食提供施設における受動喫煙を防止するための取組の状況を勘案し別に法律で定める日までの間における新法第二十九条第一項第二号、第三十三条及び第三十四条の規定の適用については、次の表の上欄に掲げる新法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 2 (1) To apply the provisions of Article 29, paragraph (1), item (ii), Article 33 and Article 34 of the new Act to existing specified eating and drinking facilities during the period from the effective date of this Act to the date specified separately by law in consideration of awareness about the prevention of passive smoking (meaning passive smoking as provided in Article 28, item (iii) of the Health Promotion Act as amended pursuant to the provisions of Article 3 (hereinafter referred to as the "new Act"); hereinafter the same applies except for in Article 5, paragraph (1) of these Supplementary Provisions) and the status of efforts to prevent passive smoking in existing specified eating and drinking facilities, the terms and phrases set forth in the middle column of the table below in the provisions of the new Act set forth in the left-hand column of the same table are replaced with those set forth in the right-hand column of that table.

第二十九条第一項第二号イ 及び第三十三条の見出し Article 29, paragraph (1), item (ii), (a), and the title of Article 33	喫煙専用室 smoking room	喫煙可能室 room where smoking is allowed
第三十三条第一項 Article 33, paragraph (1)	一部 part	全部又は一部 all or a part
	専ら喫煙 that is exclusively for people to smoke in	喫煙 that people may smoke in
第三十三条第二項 Article 33, paragraph (2)	を専ら喫煙 as an area that is exclusively for people to smoke in	を喫煙 as an area that people may smoke in
	この節 this Section	この条及び次条第一項 this Article and paragraph (1) of the following Article
	喫煙専用室標識 smoking room sign	喫煙可能室標識 smoking allowed sign
第三十三条第二項第一号 Article 33, paragraph (2), item (i)	専ら喫煙 that is exclusively for people to smoke in	喫煙 that people may smoke in
第三十三条第三項 Article 33, paragraph (3)	喫煙専用室標識を smoking room sign	喫煙可能室標識を smoking allowed sign
	この節 this Section	この条及び次条第一項 this Article and paragraph (1) of the following Article

	喫煙専用室設置施設等標識 sign indicating that the facility has a smoking room	喫煙可能室設置施設標識 sign indicating that the facility has a room where smoking is allowed
第三十三条第三項第一号 Article 33, paragraph (3), item (i)	喫煙専用室 (has a smoking room (喫煙可能室 (has a room where smoking is allowed (
	喫煙専用室標識 smoking room sign	喫煙可能室標識 smoking allowed sign
第三十三条第四項 Article 33, paragraph (4)	喫煙専用室が smoking room	喫煙可能室が room where smoking is allowed
	この節 this Section	この条及び次条 this Article and the following Article
	喫煙専用室設置施設等 facility that has a smoking room	喫煙可能室設置施設 facility that has a room where smoking is allowed
	喫煙専用室の of the smoking room	喫煙可能室の of the room where smoking is allowed
第三十三条第五項 Article 33, paragraph (5)	喫煙専用室設置施設等 facility that has a smoking room	喫煙可能室設置施設 facility that has a room where smoking is allowed
	喫煙専用室に the smoking rooms	喫煙可能室に the room where smoking is allowed
第三十三条第六項 Article 33, paragraph (6)	喫煙専用室設置施設等 facility that has a smoking room	喫煙可能室設置施設 facility that has a room where smoking is allowed
	喫煙専用室の constituting a smoking room	喫煙可能室の constituting a room where smoking is allowed
	専ら喫煙 that is exclusively for people to smoke in	喫煙 that people may smoke in
	喫煙専用室に at the smoking room	喫煙可能室に at the room where smoking is allowed
	喫煙専用室標識 smoking room sign	喫煙可能室標識 smoking allowed sign

第三十三条第七項 Article 33, paragraph (7)	喫煙専用室設置施設等の facility that has smoking rooms	喫煙可能室設置施設の facility that has rooms where smoking is allowed
	喫煙専用室の constituting smoking rooms	喫煙可能室の constituting rooms where smoking is allowed
	専ら喫煙 that are exclusively for people to smoke in	喫煙 that people may smoke in
	喫煙専用室設置施設等に at the facility	喫煙可能室設置施設に at the facility
	喫煙専用室設置施設等標 識 signs indicating that the facility has smoking rooms	喫煙可能室設置施設標識 signs indicating that the facility has rooms where smoking is allowed
第三十四条の見出し Title of Article 34	喫煙専用室設置施設等 Facility That Has a Smoking Room	喫煙可能室設置施設 Facilities Provided with Smoking Allowed Rooms Facility That Has a Room Where Smoking Is Allowed
第三十四条第一項 Article 34, paragraph (1)	喫煙専用室設置施設等の in a facility that has a smoking room	喫煙可能室設置施設の in a facility that has a room where smoking is allowed
	喫煙専用室の of a smoking room	喫煙可能室の of a room where smoking is allowed
	喫煙専用室に at the smoking room	喫煙可能室に at the room where smoking is allowed
	喫煙専用室標識 smoking room sign	喫煙可能室標識 smoking allowed sign
	喫煙専用室設置施設等に at the facility	喫煙可能室設置施設に at the facility
	喫煙専用室設置施設等標 識 sign indicating that the facility has a smoking room	喫煙可能室設置施設標識 sign indicating that the facility has a room where smoking is allowed
	喫煙専用室が smoking room	喫煙可能室が room where smoking is allowed

第三十四条第二項及び第三項 Article 34, paragraphs (2) and (3)	喫煙専用室設置施設等 facility that has a smoking room	喫煙可能室設置施設 facility that has a room where smoking is allowed
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2 前項の「既存特定飲食提供施設」とは、この法律の施行の際現に存する第二種施設（新法第二十八条第六号に規定する第二種施設をいう。）のうち、飲食店、喫茶店その他設備を設けて客に飲食をさせる営業が行われる施設（次の各号に掲げるいずれかの会社により営まれるもの又は当該施設の客席の部分の床面積が百平方メートルを超えるものを除く。）をいう。

(2) The term "existing specified eating and drinking facility" referred to in the preceding paragraph means a type II facility (meaning a type II facility as provided in Article 28, item (vi) of the new Act) that is in existence as of the time this Act comes into effect, in which a restaurant, coffee shop, or other facility has been set up and business is taking place that allows customers to eat and drink (excluding a facility operated by either of the companies set forth in the following items or a facility with a floor area more than 100 square meters in the customer seating area):

一 大規模会社（資本金の額又は出資の総額が五千万円を超える会社をいう。次号において同じ。）

(i) a large company (meaning a company whose amount of stated capital or total amount of contributions is more than 50,000,000 yen; the same applies in the following item);

二 資本金の額又は出資の総額が五千万円以下の会社のうち、次に掲げるもの

(ii) a company as follows whose amount of stated capital or total amount of contributions is 50,000,000 yen or less:

イ 一の大規模会社が発行済株式又は出資の総数又は総額の二分の一以上を有する会社

(a) a company in which a single large company holds at least one half of the total number of issued shares or total amount of contributions;

ロ 大規模会社が発行済株式又は出資の総数又は総額の三分の二以上を有する会社（イに掲げるものを除く。）

(b) a company in which large companies hold at least two thirds of the total number of issued shares or total amount of contributions (other than a company as set forth in (a)).

3 喫煙可能室設置施設（第一項の規定により読み替えられた新法第三十三条第四項に規定する喫煙可能室設置施設をいう。以下この条及び附則第四条第二項第三号において同じ。）の管理権原者（新法第二十六条に規定する管理権原者をいう。次条第一項及び附則第四条において同じ。）は、前項に規定する既存特定飲食提供施設に該当することを証明する書類として厚生労働省令で定めるものを備え、これを保存しなければならない。

(3) The managing authority (meaning the managing authority provided in Article 26 of the new Act; the same applies in paragraph (1) of the following Article and Article 4 of these Supplementary Provisions) of a facility with a room where smoking is allowed (meaning a facility with a room where smoking is allowed as provided in Article 33, paragraph (4) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1); hereinafter the same applies in this Article and Article 4, paragraph (2), item (iii) of these Supplementary Provisions) must prepare and keep documents prescribed by Order of the Ministry of Health, Labour and Welfare as documents proving that the facility falls under the category of an existing specified eating and drinking facility provided for in the preceding paragraph.

4 喫煙可能室設置施設の管理権原者等（新法第三十条第一項に規定する管理権原者等をいう。次項並びに次条第二項及び第三項において同じ。）は、当該喫煙可能室設置施設の営業について広告又は宣伝をするときは、厚生労働省令で定めるところにより、当該喫煙可能室設置施設が喫煙可能室設置施設である旨を明らかにしなければならない。

(4) When the managing authority or manager (meaning the managing authority or manager provided for in Article 30, paragraph (1) of the new Act; the same applies in the following paragraph and paragraphs (2) and (3) of the following Article) of a facility with a room where smoking is allowed advertises or promotes the business of that facility, it must make it clear that the facility is a facility with a room where smoking is allowed, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

5 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。次条第三項において同じ。）は、この条の規定の施行に必要な限度において、喫煙可能室設置施設の管理権原者等に対し、当該喫煙可能室設置施設の状況その他必要な事項に関し報告をさせ、又はその職員に、喫煙可能室設置施設に立ち入り、当該喫煙可能室設置施設の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

(5) To the extent that is necessary to bring the provisions of this Article into effect, the prefectural governor (or the mayor of the city or the ward, for a city that has a health center or for a special ward; the same applies in paragraph (3) of the following paragraph) may have the managing authority or manager of a facility with a room where smoking is allowed report on the conditions of the facility and other necessary particulars, and may have a prefectural official enter the facility to inspect the status of the facility or books, documents, and other articles, or have such an official question the relevant persons.

6 前項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(6) An official conducting an on-site inspection or questioning pursuant to the provisions of the preceding paragraph must carry identification and present it

to the relevant persons.

7 第五項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(7) The authority under the provisions of paragraph (5) must not be construed as having been granted for the purpose of a criminal investigation.

8 次の各号のいずれかに該当する者は、二十万円以下の過料に処する。

(8) A person falling under either of the following items is subject to a civil fine of not more than 200,000 yen:

一 第三項の規定による書類を備え付けず、又は保存しなかった者

(i) a person that fails to prepare or keep documents under the provisions of paragraph (3);

二 第五項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者

(ii) a person that fails to make a report under the provisions of paragraph (5) or makes a false report; that refuses, hinders, or evades an inspection under the provisions of that paragraph; or that fails to answer questions under the provisions of that paragraph or gives false answers to the questions.

(指定たばこ専用喫煙室に関する経過措置)

(Transitional Measures for Smoking Rooms Exclusively for Designated Tobacco)

第三条 新法第三十三条第一項に規定する第二種施設等（以下この項並びに次条第一項第一号及び第四号において「第二種施設等」という。）の管理権原者が当該第二種施設等の屋内又は内部の場所の一部の場所を指定たばこ（新法第二十八条第一号に規定するたばこ（以下この項において「たばこ」という。）のうち、当該たばこから発生した煙（蒸気を含む。）が他人の健康を損なうおそれがあることが明らかでないたばことして厚生労働大臣が指定するものをいう。以下この項において同じ。）のみの喫煙（新法第二十八条第二号に規定する喫煙をいう。）をすることができる場所として定めようとする場合における当該第二種施設等についての新法第二十九条第一項、第三十三条及び第三十四条の規定の適用については、この法律の公布の際における指定たばこによる受動喫煙が人の健康に及ぼす影響に関する科学的知見に鑑み、当分の間、次の表の上欄に掲げる新法の規定中同表の中欄に掲げる字句は、それぞれ同表の下欄に掲げる字句とする。

Article 3 (1) To apply the provisions of Article 29, paragraph (1), Article 33 and Article 34 of the new Act to a type II facility or equivalent place provided for in Article 33, paragraph (1) of the new Act (hereinafter referred to as "type II facility or equivalent place" in this paragraph and paragraph (1), items (i) and (iv) of the following Article) if the managing authority of that type II facility or equivalent place seeks to designate an area that constitutes part of an indoor or interior space of the type II facility or equivalent place as an area where

people may smoke (meaning to smoke as provided in Article 28, item (ii) of the new Act) only designated tobacco (meaning tobacco as provided in Article 28, item (i) of the new Act (hereinafter referred to as "tobacco" in this paragraph) that the Minister of Health, Labour and Welfare designates as tobacco generating smoke (or vapor) whose potential harm to other persons' health is unclear; hereinafter the same applies in this paragraph), until otherwise provided by law, the terms and phrases set forth in the center column of the table below in the provisions of the new Act set forth in the left-hand column of that table are replaced by those set forth in the right-hand column of the table, in consideration of the scientific knowledge at the time of promulgation of this Act concerning the human health effects of passive smoking involving designated tobacco.

<p>第二十九条第一項第二号イ及び第五号並びに第三十三条の見出し Article 29, paragraph (1), item (ii), (a), and item (v), and the title of Article 33</p>	<p>喫煙専用室 smoking room</p>	<p>指定たばこ専用喫煙室 smoking room for designated tobacco</p>
<p>第三十三条第一項 Article 33, paragraph (1)</p>	<p>たばこ tobacco</p>	<p>指定たばこ（たばこのうち、当該たばこから発生した煙が他人の健康を損なうおそれがあることが明らかでないたばことして厚生労働大臣が指定するものをいう。以下この項において同じ。） designated tobacco (that the Minister of Health, Labour and Welfare designates as tobacco generating smoke (or vapor) whose potential harm to other persons' health is unclear; hereinafter the same applies in this paragraph)</p>
	<p>専ら喫煙 area that is exclusively for people to smoke in</p>	<p>喫煙（指定たばこのみの喫煙をいう。以下この条において同じ。） area that people may smoke in (meaning smoking designated tobacco only; hereinafter the same applies in this Article)</p>

第三十三条第二項 Article 33, paragraph (2)	を専ら喫煙 as an area that is exclusively for people to smoke in	を喫煙 as an area that people may smoke in
	この節 this Section	この条及び次条第一項 this Article and paragraph (1) of the following Article
	喫煙専用室標識 smoking room sign	指定たばこ専用喫煙室標識 designated tobacco smoking room sign
第三十三条第二項第一 号 Article 33, paragraph (2), item (i)	専ら喫煙 area that is exclusively for people to smoke in	喫煙 area that people may smoke in
第三十三条第三項 Article 33, paragraph (3)	喫煙専用室標識を smoking room sign	指定たばこ専用喫煙室標識を designated tobacco smoking room sign
	この節 this Section	この条及び次条第一項 this Article and paragraph (1) of the following Article
	喫煙専用室設置施設等 標識 sign indicating that the facility has a smoking room	指定たばこ専用喫煙室設置施設 等標識 sign indicating that the facility has a smoking room for designated tobacco
第三十三条第三項第一 号 Article 33, paragraph (3), item (i)	喫煙専用室 () has a smoking room ()	指定たばこ専用喫煙室 () has a smoking room for designated tobacco ()
	喫煙専用室標識 smoking room sign	指定たばこ専用喫煙室標識 designated tobacco smoking room sign
第三十三条第四項 Article 33, paragraph (4)	喫煙専用室が smoking room	指定たばこ専用喫煙室が smoking room for designated tobacco
	この節 this Section	この条及び次条 this Article and the following Article
	喫煙専用室設置施設等 facility that has a smoking room	指定たばこ専用喫煙室設置施設 等 facility that has a smoking room for designated tobacco
	喫煙専用室の of the smoking room	指定たばこ専用喫煙室の of the smoking room for designated tobacco

第三十三条第五項 Article 33, paragraph (5)	喫煙専用室設置施設等 facility that has a smoking room	指定たばこ専用喫煙室設置施設 等 facility that has a smoking room for designated tobacco
	喫煙専用室に the smoking room	指定たばこ専用喫煙室に the smoking room for designated tobacco
第三十三条第六項 Article 33, paragraph (6)	喫煙専用室設置施設等 facility that has a smoking room	指定たばこ専用喫煙室設置施設 等 facility that has a smoking room for designated tobacco
	喫煙専用室の constituting a smoking room	指定たばこ専用喫煙室の constituting a smoking room for designated tobacco
	専ら喫煙 that is exclusively for people to smoke in	喫煙 that people may smoke in
	喫煙専用室に at the smoking room	指定たばこ専用喫煙室に at the smoking room for designated tobacco
	喫煙専用室標識 smoking room sign	指定たばこ専用喫煙室標識 designated tobacco smoking room sign
第三十三条第七項 Article 33, paragraph (7)	喫煙専用室設置施設等 の facility that has smoking rooms	指定たばこ専用喫煙室設置施設 等の facility that has smoking rooms for designated tobacco
	喫煙専用室の constituting smoking rooms	指定たばこ専用喫煙室の constituting smoking rooms for designated tobacco
	専ら喫煙 exclusively for people to smoke in	喫煙 for people to smoke in
	喫煙専用室設置施設等 に at the facility	指定たばこ専用喫煙室設置施設 等に at the facility
	喫煙専用室設置施設等 標識 signs indicating that the facility has smoking rooms	指定たばこ専用喫煙室設置施設 等標識 signs indicating that the facility has smoking rooms for designated tobacco
第三十四条の見出し Title of Article 34	喫煙専用室設置施設等 Facility That Has a Smoking Room	指定たばこ専用喫煙室設置施設 等 Facility That Has a Smoking Room for Designated Tobacco

第三十四条第一項 Article 34, paragraph (1)	喫煙専用室設置施設等 の in a facility that has a smoking room	指定たばこ専用喫煙室設置施設 等の in a facility that has a smoking room for designated tobacco
	喫煙専用室の of a smoking room	指定たばこ専用喫煙室の of a smoking room for designated tobacco
	喫煙専用室に at the smoking room	指定たばこ専用喫煙室に at the smoking room for designated tobacco
	喫煙専用室標識 smoking room sign	指定たばこ専用喫煙室標識 designated tobacco smoking room sign
	喫煙専用室設置施設等 に at the facility	指定たばこ専用喫煙室設置施設 等に at the facility
	喫煙専用室設置施設等 標識 sign indicating that the facility has a smoking room	指定たばこ専用喫煙室設置施設 等標識 sign indicating that the facility has a smoking room for designated tobacco
	喫煙専用室が smoking room	指定たばこ専用喫煙室が smoking room for designated tobacco
第三十四条第二項及び 第三項 Article 34, paragraphs (2) and (3)	喫煙専用室設置施設等 facility that has a smoking room	指定たばこ専用喫煙室設置施設 等 facility that has a smoking room for designated tobacco

2 指定たばこ専用喫煙室設置施設等（前項の規定により読み替えられた新法第三十三条第四項に規定する指定たばこ専用喫煙室設置施設等をいう。以下この条及び次条第二項第四号において同じ。）の管理権原者等は、当該指定たばこ専用喫煙室設置施設等の営業について広告又は宣伝をするときは、厚生労働省令で定めるところにより、当該指定たばこ専用喫煙室設置施設等が指定たばこ専用喫煙室設置施設等である旨を明らかにしなければならない。

(2) When the managing authority or manager of a facility that has a smoking room for designated tobacco (meaning a facility that has a smoking room for designated tobacco provided in Article 33, paragraph (4) of the new Act following a deemed replacement of terms pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this Article and paragraph (2), item (iv) of the following Article) advertises or promotes the business of that facility, it must make it clear that the facility is a facility that has a smoking room for designated tobacco, pursuant to the provisions of Order

of the Ministry of Health, Labour and Welfare.

3 都道府県知事は、この条の規定の施行に必要な限度において、指定たばこ専用喫煙室設置施設等の管理権原者等に対し、当該指定たばこ専用喫煙室設置施設等の状況その他必要な事項に関し報告をさせ、又はその職員に、指定たばこ専用喫煙室設置施設等に立ち入り、当該指定たばこ専用喫煙室設置施設等の状況若しくは帳簿、書類その他の物件を検査させ、若しくは関係者に質問させることができる。

(3) To the extent that is necessary to bring the provisions of this Article into effect, the prefectural governor may have the managing authority or manager of a facility that has a smoking room for designated tobacco report on the status of the facility and other necessary matters, and may have a prefectural official enter a facility that has a smoking room for designated tobacco to inspect the status of the facility and the books, documents, and other articles, or have such an official question the relevant persons.

4 前項の規定により立入検査又は質問をする職員は、その身分を示す証明書を携帯し、関係者に提示しなければならない。

(4) An official conducting an on-site inspection or questioning pursuant to the provisions of the preceding paragraph must carry identification and present it to the relevant persons.

5 第三項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(5) The authority under the provisions of paragraph (3) must not be construed as having been granted for the purpose of a criminal investigation.

6 第三項の規定による報告をせず、若しくは虚偽の報告をし、又は同項の規定による検査を拒み、妨げ、若しくは忌避し、若しくは同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をした者は、二十万円以下の過料に処する。

(6) A person that fails to make a report under the provisions of paragraph (3) or makes a false report; that refuses, hinders, or evades an inspection under the provisions of that paragraph; or that fails to answer questions under the provisions of that paragraph or gives false answers to those questions is subject to a civil fine of not more than 200,000 yen.

(標識の使用制限に関する経過措置)

(Transitional Measures Related to Restrictions on the Use of Signs)

第四条 何人も、新法第三十七条第一項の規定にかかわらず、次に掲げる場合を除き、新法第二十七条第一項に規定する特定施設等（次条第二項において「特定施設等」という。）において新法第三十三条第二項に規定する喫煙専用室標識（以下この条において「喫煙専用室標識」という。）、新法第三十三条第三項に規定する喫煙専用室設置施設等標識（以下この条において「喫煙専用室設置施設等標識」という。）、新法第三十五条第二項に規定する喫煙目的室標識（以下この条において「喫煙目的室標識」という。）、新法第三十五条第三項に規定する喫煙目的室設置施設標識（以下この条において「喫煙目的室設置施設標識」という。）、附則第二条第一項の規定によ

り読み替えられた新法第三十三条第二項に規定する喫煙可能室標識（以下この条において「喫煙可能室標識」という。）、附則第二条第一項の規定により読み替えられた新法第三十三条第三項に規定する喫煙可能室設置施設標識（以下この条において「喫煙可能室設置施設標識」という。）、前条第一項の規定により読み替えられた新法第三十三条第二項に規定する指定たばこ専用喫煙室標識（以下この条において「指定たばこ専用喫煙室標識」という。）若しくは前条第一項の規定により読み替えられた新法第三十三条第三項に規定する指定たばこ専用喫煙室設置施設等標識（以下この条において「指定たばこ専用喫煙室設置施設等標識」という。）（以下この条において「喫煙専用室標識等」と総称する。）又は喫煙専用室標識等に類似する標識を掲示してはならない。

Article 4 (1) Notwithstanding the provisions of Article 37, paragraph (1) of the new Act, it is prohibited for any person to post in a specified facility or equivalent place provided for in Article 27, paragraph (1) of the new Act (hereinafter referred to as a "specified facility or equivalent place" in paragraph (2) of the following Article) a smoking room sign as provided in Article 33, paragraph (2) of the new Act (hereinafter referred to as a "smoking room sign" in this Article), sign indicating that the facility has a smoking room as provided in Article 33, paragraph (3) of the new Act (hereinafter referred to as a "sign indicating that the facility has a smoking room" in this Article), smoking lounge sign as provided in Article 35, paragraph (2) of the new Act (hereinafter referred to as a "smoking lounge sign" in this Article), sign indicating that the facility has a smoking lounge as provided in Article 35, paragraph (3) of the new Act (hereinafter referred to as a "sign indicating that the facility has a smoking lounge" in this Article), smoking allowed sign as provided in Article 33, paragraph (2) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions (herein after referred to as a "smoking allowed sign" in this Article), sign indicating that the facility has a room where smoking is allowed as provided in Article 33, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions (hereinafter referred to as a "sign indicating that the facility has a room where smoking is allowed" in this Article), designated tobacco smoking room sign as provided in Article 33, paragraph (2) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article (hereinafter referred to as a "designated tobacco smoking room sign" in this Article), or sign indicating that the facility has a smoking room for designated tobacco as provided in Article 33, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article (hereinafter referred to as a "sign indicating that the facility has a smoking room for designated tobacco" in this Article) (hereinafter any

one of these signs is referred to as a "smoking sign" in this Article) or signs similar to a smoking sign, except in the following cases:

一 第二種施設等の管理権原者が新法第三十三条第二項の規定により喫煙専用室標識を掲示する場合又は同条第三項の規定により喫煙専用室設置施設等標識を掲示する場合

(i) when the managing authority of a type II facility or equivalent place posts a smoking room sign pursuant to the provisions of Article 33, paragraph (2) of the new Act or a sign indicating that the facility has a smoking room pursuant to the provisions of paragraph (3) of that Article;

二 新法第二十八条第七号に規定する喫煙目的施設の管理権原者が新法第三十五条第二項の規定により喫煙目的室標識を掲示する場合又は同条第三項の規定により喫煙目的室設置施設標識を掲示する場合

(ii) when the managing authority of a facility for smokers as provided in Article 28, item (vii) of the new Act posts a smoking lounge sign pursuant to the provisions of Article 35, paragraph (2) of the new Act or a sign indicating that the facility has a smoking lounge pursuant to the provisions of paragraph (3) of that Article;

三 附則第二条第二項に規定する既存特定飲食提供施設の管理権原者が同条第一項の規定により読み替えられた新法第三十三条第二項の規定により喫煙可能室標識を掲示する場合又は附則第二条第一項の規定により読み替えられた新法第三十三条第三項の規定により喫煙可能室設置施設標識を掲示する場合

(iii) when the managing authority of an existing specified eating and drinking facility as provided in Article 2, paragraph (2) of these Supplementary Provisions posts a smoking allowed sign pursuant to the provisions of Article 33, paragraph (2) of the new Act following a deemed replacement of terms pursuant to Article 2, paragraph (1) of these Supplementary Provisions or a sign indicating that the facility has a room where smoking is allowed pursuant to the provisions of Article 33, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions;

四 第二種施設等の管理権原者が前条第一項の規定により読み替えられた新法第三十三条第二項の規定により指定たばこ専用喫煙室標識を掲示する場合又は前条第一項の規定により読み替えられた新法第三十三条第三項の規定により指定たばこ専用喫煙室設置施設等標識を掲示する場合

(iv) when the managing authority of a type II facility or equivalent place posts a designated tobacco smoking room sign pursuant to the provisions of Article 33, paragraph (2) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article or a sign indicating that the facility that has a smoking room for designated tobacco pursuant to the provisions of Article 33, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of

paragraph (1) of the preceding Article.

- 2 何人も、新法第三十七条第二項の規定にかかわらず、次に掲げる場合を除き、喫煙専用室標識等を除去し、又は汚損その他喫煙専用室標識等の識別を困難にする行為をしてはならない。

(2) Notwithstanding the provisions of Article 37, paragraph (2) of the new Act, it is prohibited for any person to remove or deface a smoking sign or otherwise make it difficult to identify such a sign, except in the following cases:

一 新法第三十三条第四項に規定する喫煙専用室設置施設等の管理権原者が同条第六項の規定により喫煙専用室標識を除去する場合、同条第七項の規定により喫煙専用室設置施設等標識を除去する場合又は新法第三十四条第一項の規定による勧告若しくは同条第三項の規定に基づく命令に係る措置として喫煙専用室標識及び喫煙専用室設置施設等標識を除去する場合

(i) if the managing authority of a facility that has a smoking room as provided in Article 33, paragraph (4) of the new Act removes a smoking room sign pursuant to the provisions of paragraph (6) of that Article or a sign indicating that the facility has a smoking room pursuant to the provisions of paragraph (7) of that Article, or removes a smoking room sign and a sign indicating that the facility has a smoking room as measures associated with a recommendation under the provisions of Article 34, paragraph (1) of the new Act or as measures based on an order under the provisions of paragraph (3) of that Article;

二 新法第三十五条第四項に規定する喫煙目的室設置施設の管理権原者が同条第九項の規定により喫煙目的室標識を除去する場合、同条第十項の規定により喫煙目的室設置施設標識を除去する場合又は新法第三十六条第一項若しくは第二項の規定による勧告若しくは同条第四項の規定に基づく命令に係る措置として喫煙目的室標識及び喫煙目的室設置施設標識を除去する場合

(ii) if the managing authority of a facility that has a smoking lounge as provided in Article 35, paragraph (4) of the new Act removes a smoking lounge sign pursuant to the provisions of paragraph (9) of that Article or a sign indicating that the facility has a smoking lounge pursuant to the provisions of paragraph (10) of that Article, or removes a smoking lounge sign and a sign indicating that the facility has a smoking lounge as measures associated with a recommendation under the provisions of Article 36, paragraph (1) or (2) of the new Act or as measures based on an order under the provisions of paragraph (4) of that Article;

三 喫煙可能室設置施設の管理権原者が附則第二条第一項の規定により読み替えられた新法第三十三条第六項の規定により喫煙可能室標識を除去する場合、附則第二条第一項の規定により読み替えられた新法第三十三条第七項の規定により喫煙可能室設置施設標識を除去する場合又は附則第二条第一項の規定により読み替えられた新法第三十四条第一項の規定による勧告若しくは附則第二条第一項の規定により読み替えられた新法第三十四条第三項の規定に基づく命令に係る措置として喫煙可能室

標識及び喫煙可能室設置施設標識を除去する場合

(iii) if the managing authority of a facility with a room where smoking is allowed removes a smoking allowed sign pursuant to the provisions of Article 33, paragraph (6) following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions or a sign indicating that the facility has a room where smoking is allowed pursuant to the provisions of Article 33, paragraph (7) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions, or removes a smoking allowed sign and a sign indicating that the facility has a room where smoking is allowed as measures associated with a recommendation under the provisions of Article 34, paragraph (1) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions or as measures based on an order under the provisions of Article 34, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of Article 2, paragraph (1) of these Supplementary Provisions;

四 指定たばこ専用喫煙室設置施設等の管理権原者が前条第一項の規定により読み替えられた新法第三十三条第六項の規定により指定たばこ専用喫煙室標識を除去する場合、前条第一項の規定により読み替えられた新法第三十三条第七項の規定により指定たばこ専用喫煙室設置施設等標識を除去する場合又は前条第一項の規定により読み替えられた新法第三十四条第一項の規定による勧告若しくは前条第一項の規定により読み替えられた新法第三十四条第三項の規定に基づく命令に係る措置として指定たばこ専用喫煙室標識及び指定たばこ専用喫煙室設置施設等標識を除去する場合

(iv) if the managing authority of a facility that has a smoking room for designated tobacco removes a designated tobacco smoking room sign pursuant to the provisions of Article 33, paragraph (6) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article or a sign indicating that the facility has a smoking room for designated tobacco pursuant to the provisions of Article 33, paragraph (7) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article, or removes a designated tobacco smoking room sign and a sign indicating that the facility has a smoking room for designated tobacco as measures associated with a recommendation under the provisions of Article 34, paragraph (1) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article or as measures based on an order under the provisions of Article 34, paragraph (3) of the new Act following a deemed replacement of terms pursuant to the provisions of paragraph (1) of the preceding Article.

3 前二項の規定に違反した者は、五十万円以下の過料に処する。

(3) A person violating the positions of the preceding two paragraphs is subject to a civil fine of not more than 500,000 yen.

(特定施設等において現に業務に従事する者を使用する者の責務)

(Responsibilities of the Person Employing Persons Engaging in Operations at a Specified Facility or Equivalent Place)

第五条 第二条の規定による改正後の健康増進法第二十五条の四第四号に規定する特定施設において附則第一条第三号に掲げる規定の施行の際現に業務に従事する者を使用する者は、当該業務に従事する者の望まない受動喫煙（第二条の規定による改正後の健康増進法第二十五条の四第三号に規定する受動喫煙をいう。）を防止するため、当該使用する者又は当該特定施設の実情に応じ適切な措置をとるよう努めなければならない。

Article 5 (1) A person employing persons who, at the time the provisions set forth in Article 1, item (iii) of these Supplementary Provisions come into effect, are engaging in operations at a specified facility as provided in Article 25-4, item (iv) of the Health Promotion Act as amended by the provisions of Article 2, must endeavor to take appropriate measures tailored to the actual conditions of the person employing those persons or of the specified facility, in order to prevent the persons engaging in those operations from having unwanted exposure to passive smoke (meaning exposure to passive smoke as provided in Article 25-4, item (iii) of the Health Promotion Act as amended by the provisions of Article 2).

2 特定施設等（新法第二十八条第五号に規定する第一種施設を除く。）においてこの法律の施行の際現に業務に従事する者を使用する者は、当該業務に従事する者の望まない受動喫煙を防止するため、当該使用する者又は当該特定施設等の実情に応じ適切な措置をとるよう努めなければならない。

(2) A person employing persons who, at the time this Act comes into effect, are engaging in operations at a specified facility or equivalent place (other than a type I facility as provided in Article 28, item (v) of the new Act) must endeavor to take appropriate measures tailored to the actual conditions of the person employing those persons or of the specified facility or equivalent place, in order to prevent the persons engaging in those operations from having unwanted exposure to passive smoke.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第六条 この法律（附則第一条第三号に掲げる規定にあつては、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 6 Prior laws continue to govern the applicability of penal provisions to actions a person takes before this Act comes into effect (or for the provisions

set forth in Article 1, item (iii) of these Supplementary Provisions, before the relevant provisions come into effect).

(政令への委任)

(Delegation to Cabinet Order)

第七条 附則第二条から前条までに規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 7 Beyond what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

(検討)

(Reviews)

第八条 政府は、この法律の施行後五年を経過した場合において、この法律の規定による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて必要な措置を講ずるものとする。

Article 8 Once five years have passed since this Act's entry into effect, the government is to review the extent to which the provisions amended by the provisions of this Act have entered into effect, and is to take the necessary measures based on the result of its review, if it finds this to be necessary.

附 則 〔令和元年六月七日法律第二十六号〕〔抄〕

Supplementary Provisions [Act No. 26 of June 7, 2019 Extract] [Extract]

(施行期日)

(Effective Date)

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

Article 1 This Act comes into effect on the date of promulgation; provided, however, that the provisions set forth in the following items come into effect on the dates specified respectively in those items:

一 第一条及び第三条の規定並びに附則第六条（別表第一健康増進法（平成十四年法律第百三号）の項の改正規定に限る。）及び第八条の規定 公布の日から起算して三月を経過した日

(i) the provisions of Article 1 and Article 3, and the provisions of Article 6 (limited to the provisions that amend the Appended Table 1 of the Health Promotion Act (Act No. 103 of 2002)) and Article 8 of the Supplementary Provisions: the day that falls three months after the date of promulgation;

(政令への委任)

(Delegation to Cabinet Order)

第四条 前二条に規定するもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 4 Beyond what is provided for in the preceding two Articles, Cabinet Order prescribes the necessary transitional measures related to this Act's entry into effect (including transitional measures for penal provisions).

(健康増進法の一部を改正する法律の一部改正)

(Partial Amendment of the Act Partially Amending the Health Promotion Act)

第八条 健康増進法の一部を改正する法律（平成三十年法律第七十八号）の一部を次のように改正する。

Article 8 The Act Partially Amending the Health Promotion Act (Act No. 78 of 2018) is partially amended as follows:

第三条のうち、健康増進法第三十四条の改正規定中「「第二十六条第二項」を「第四十三条第二項」に、」を削り、同法第二十九条第二項の改正規定中「の」を「」を」に改め、「の」に、「第二十七条第一項」を「第六十一条第一項」及び「、「前条第一号中「第二十六条第六項」とあるのは「次条第二項において準用する第二十六条第六項」と」を削り」を削る。

In the provisions of Article 3 that amend Article 34 of the Health Promotion Act, the phrase "change Article 26, paragraph (2) to Article 43, paragraph (2)" is deleted, and in those provisions that amend Article 29, paragraph (2) of that Act, the word "to" is amended to "of," and the phrases "change Article 27, paragraph (1) to Article 61, paragraph (1)" and "delete the phrase 'change Article 26, paragraph (6) in item (i) of the preceding Article to Article 26, paragraph (6) as applied mutatis mutandis pursuant to paragraph (2) of the following Article'" are deleted.

附則第九条のうち地方自治法別表第一健康増進法（平成十四年法律第百三号）の項の改正規定中「第二十六条第二項及び」及び「第四十三条第二項及び」を削る。

In the provisions of Article 9 of the Supplementary Provisions that amend the paragraph on the Health Promotion Act (Act No. 103 of 2002) of the Appended Table 1 of the Local Autonomy Act, the phrases "Article 26, paragraph (2) and" and "Article 43, paragraph (2) and" are deleted.

別表（第四十六条関係）

Appended Table (related to Article 46)

<p>一 遠心分離機 1. Centrifuge separator</p>	<p>次の各号のいずれかに該当すること。 The person must fall under any of the following items:</p>	<p>中欄の第一号から第三号までのいずれかに該当する者三名及び同欄の第四号から第六号までのいずれかに該当する者三名 Three persons falling under any of items (i) through (iii) of the middle column, and three persons falling under any of items (iv) to (vi) of that column</p>
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二 純水製造装置
2. Water purifying
apparatus

一 学校教育法（昭和二十二年法律第二十六号）に基づく大学（短期大学を除く。）、旧大学令（大正七年勅令第三百八十八号）に基づく大学又は旧専門学校令（明治三十六年勅令第六十一号）に基づく専門学校において医学、歯学、薬学、獣医学、畜産学、水産学、農芸化学若しくは応用化学の課程又はこれらに相当する課程を修めて卒業した後、一年以上理化学的検査の業務に従事した経験を有する者であること。

(i) a person who has graduated from a university (excluding a junior college) under the School Education Act (Act No. 26 of 1947), a university under the former University Order (Imperial Order No. 388 of 1918), or a vocational training school under the former Vocational Training School Order (Imperial Order No. 61 of 1903) after completing a course in medical science, dentistry, pharmacy, veterinary medicine, animal science, fisheries science, agricultural chemistry or applied chemistry, or a course equivalent thereto, and has experience of being engaged in services for physicochemical inspections for at least one year;

三 超低温槽
3. Deep freezer

二 学校教育法に基づく短期大学（同法に基づく専門職大学の前期課程を含む。）又は高等専門学校において工業化学の課程又はこれに相当する課程を修めて卒業した後（同法に基づく専門職大学の前期課程にあっては、修了した後）、三年以上理化学的検査の業務に従事した経験を有する者であること。

(ii) a person who has graduated from a junior college under the School Education Act (including the first semester of a professional university under that Act, and in this case, a person who has completed that semester) or a college of technology under that Act after completing a course in industrial chemistry or a course equivalent thereto, and has experience of being engaged in services for physicochemical inspections for at least three years;

四 ホモジナイザー
4. Homogenizer

三 前二号に掲げる者と同等以上の知識経験を有する者であること。

(iii) a person who has knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items;

五 ガスクロマトグラフ

5. Gas chromatograph

四 学校教育法に基づく大学（短期大学を除く。）、旧大学令に基づく大学又は旧専門学校令に基づく専門学校において医学、歯学、薬学、獣医学、畜産学、水産学、農芸化学若しくは生物学の課程又はこれらに相当する課程を修めて卒業した後、一年以上細菌学的検査の業務に従事した経験を有する者であること。

(iv) a person who has graduated from a university (excluding a junior college) under the School Education Act, a university under the former University Order or a vocational training school under the former Vocational Training School Order after completing a course in medical science, dentistry, pharmacy, veterinary medicine, animal science, fisheries science, agricultural chemistry or biology, or a course equivalent thereto, and has experience of being engaged in services for bacteriological inspections for at least one year;

<p>六 原子吸光分光光度計</p>	<p>五 学校教育法に基づく短期大学（同法に基づく専門職大学の前期課程を含む。）又は高等専門学校において生物学の課程又はこれに相当する課程を修めて卒業した後（同法に基づく専門職大学の前期課程にあつては、修了した後）、三年以上細菌学的検査の業務に従事した経験を有する者であること。</p>
<p>6. Atomic absorption photometer</p>	<p>(v) a person who has graduated from a junior college under the School Education Act (including the first semester of a professional university under that Act, and in this case, a person who has completed that semester) or a college of technology under that Act after completing a course in biology or a course equivalent thereto, and has experience of being engaged in services for bacteriological inspections for at least three years; or</p>
<p>七 高速液体クロマトグラフ</p>	<p>六 前二号に掲げる者と同等以上の知識経験を有する者であること。</p>
<p>7. High performance liquid chromatograph</p>	<p>(vi) a person who has knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items;</p>
<p>八 乾熱滅菌器</p>	
<p>8. Dry heat sterilizer</p>	
<p>九 光学顕微鏡</p>	
<p>9. Optical microscope</p>	
<p>十 高压滅菌器</p>	
<p>10. Autoclave</p>	
<p>十一 ふ卵器</p>	
<p>11. Incubator</p>	