

Medical Practitioners' Act

(Act No. 201 of July 30, 1948)

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Chapter I General Provisions

Article 1 Medical practitioners are to contribute to the improvement and promotion of public health through the administration of medical care and health guidance, and thereby ensure the healthy lives of the citizens.

Chapter II Licensing

Article 2 A person who seeks to become a medical practitioner must pass the national examination for medical practitioners and receive a license from the Minister of Health, Labour and Welfare.

Article 3 A license is not granted to a minor, an adult ward, or a person under curatorship.

Article 4 It is possible that a license will not be granted to person who falls under any of the following items:

- (i) a person specified by Order of the Ministry of Health, Labour and Welfare as a person who cannot properly engage in the practices of a medical practitioner due to a mental or physical impairment;
- (ii) a person who is addicted to narcotics, cannabis, or opium;
- (iii) a person who has been sentenced to a fine or severer punishment; or
- (iv) in addition to a person who falls under the preceding item, a person who has committed a crime or performed a wrongful act in connection with medical practice.

Article 5 A register of medical practitioners is to be prepared at the Ministry of

Health, Labour and Welfare, in which the date of registration, matters regarding dispositions pursuant to the provisions of Article 7, paragraph (1) and paragraph (2), and other matters in relation to the medical practitioner's license are to be registered.

Article 6 (1) Licensing is carried out by registration of the license in the register of medical practitioners upon application by a person who has passed the national examination for medical practitioners.

(2) The Minister of Health, Labour and Welfare delivers a certificate of the medical practitioner's license when the Minister has granted a license.

(3) A medical practitioner must notify their name, address (and the address of the place the person engages in medical practice), and any other matters specified by Order of the Ministry of Health, Labour and Welfare as of December 31 of every second year as specified by Order of the Ministry of Health, Labour and Welfare, to the Minister of Health, Labour and Welfare through the prefectural governor for the residential location, by January 15 of the following year.

Article 6-2 When the Minister of Health, Labour and Welfare finds that a person who has applied for a medical practitioner's license falls under Article 4, item (i) and decides not to grant the person a license pursuant to the provisions of the same Article, the Minister must notify the applicant to that effect in advance, and must have an official designated by the Minister of Health, Labour and Welfare hear the opinion of the applicant when so requested by the applicant.

Article 7 (1) When a medical practitioner comes to fall under Article 3, the Minister of Health, Labour and Welfare revokes their license.

(2) When a medical practitioner comes to fall under any item of Article 4 or has acted in a way that damages their respectability as a medical practitioner, the Minister of Health, Labour and Welfare may render the following dispositions:

(i) admonition;

(ii) suspension from medical practice for up to three years; or

(iii) revocation of license.

(3) A person who has been rendered a disposition of revocation pursuant to the provisions of the preceding two paragraphs (excluding persons who have been rendered a disposition of revocation pursuant to the provisions of the preceding paragraph as a person who falls under Article 4, item (iii) or item (iv) or who has acted in a way that damages their respectability as a medical practitioner, for whom five years have not elapsed since the date of disposition) may be granted a new license when the person no longer falls under the circumstances

which led to the revocation or when it is found appropriate to grant a new license due to subsequent circumstances. In this case, the provisions of Article 6, paragraph (1) and paragraph (2) apply mutatis mutandis.

- (4) In rendering a disposition as provided for in the preceding three paragraphs, the Minister of Health, Labour and Welfare must hear the opinions of the Medical Ethics Council in advance.
- (5) When the Minister of Health, Labour and Welfare seeks to render a disposition to revoke a license pursuant to the provisions of paragraph (1) or paragraph (2), the Minister may request that the prefectural governor hear the opinions of the person subject to the disposition, and the hearing of opinions may be substituted for the hearing of opinions by the Minister of Health, Labour and Welfare.
- (6) The provisions of Chapter III, Section 2 (excluding Article 25, Article 26, and Article 28) of the Administrative Procedure Act (Act No. 88 of 1993) apply mutatis mutandis to the case in which hearing of opinions is conducted by a prefectural governor pursuant to the preceding paragraph. In this case, the term "hearing" in Section 2 is deemed to be replaced with "hearing of opinions," the term "administrative agency" in Article 15, paragraph (1) with "prefectural governor," the terms "administrative agency," "the administrative agency," and "the administrative agency's" in Article 15, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22, paragraph (3)) with "prefectural governor," "the prefectural governor," and "the prefectural governor's" respectively, the term "administrative agency" in Article 16, paragraph (4) and Article 18, paragraph (1) and paragraph (3) with "prefectural governor," the phrase "an official designated by the administrative agencies or other such persons provided for by Cabinet Order" in Article 19, paragraph (1) with "an official designated by the prefectural governor," the term "administrative agency" in Article 20, paragraph (1), paragraph (2), and paragraph (4) with "prefecture," and the term "administrative agency" in Article 20, paragraph (6), Article 24, paragraph (3), and Article 27, paragraph (1) with "prefectural governor."
- (7) When documents proving the facts leading to the relevant disposition or other documents necessary for conducting a hearing of opinions is requested by a prefectural governor, the Minister of Health, Labour and Welfare must promptly send the documents to the prefectural governor.
- (8) In conducting a hearing of opinions pursuant to the provisions of paragraph (5), when the prefectural governor has received a record as set forth in Article 24, paragraph (1) of the same Act and a written report as set forth in Article 24, paragraph (3) of the same Act, the governor must, pursuant to the provisions of Article 24, paragraph (3) of the Administrative Procedure Act as applied mutatis mutandis pursuant to paragraph (6) following the deemed replacement

of terms, keep the record and the written report, draw up a written opinion stating their opinion concerning the decision on the disposition, and submit this to the Minister of Health, Labour and Welfare along with a copy of the record and the written report.

- (9) When the Minister of Health, Labour and Welfare finds it necessary in light of the circumstances that arose after the conclusion of hearing of opinions, the Minister may request the prefectural governor to return the written report submitted pursuant to the provisions of the preceding paragraph and order the presiding official to resume the hearing of opinions. The provisions of the main text of Article 22, paragraph (2), and paragraph (3) of the Administrative Procedure Act apply *mutatis mutandis* to this case.
- (10) In making a decision on the disposition, the Minister of Health, Labour and Welfare must carefully consider the details of the written opinion and copies of the record and written report submitted pursuant to the provisions of paragraph (8).
- (11) When the Minister of Health, Labour and Welfare seeks to order the suspension of medical practice pursuant to the provisions of paragraph (2), the Minister may request the prefectural governor to hear the explanation of the person subject to the disposition, and may substitute the hearing of explanation for the Minister's grant of an opportunity for explanation.
- (12) In conducting an explanation hearing pursuant to the provisions of the preceding paragraph, the prefectural governor must notify the person subject to the disposition of the following matters in writing, within a reasonable period of time prior to the date of the explanation hearing:
 - (i) that the disposition is to be held based on the provisions of paragraph (2) and its details;
 - (ii) the facts leading to the disposition; and
 - (iii) the time and place of the explanation hearing.
- (13) In addition to the case referred to in paragraph (11), the Minister of Health, Labour and Welfare may have a member of the Medical Ethics Council hear the explanation of the person subject to the disposition, in lieu of the Minister's grant of an opportunity for explanation. In this case, the term "preceding paragraph" in the preceding paragraph is deemed to be replaced with "following paragraph," the term "prefectural governor" is deemed to be replaced with "Minister of Health, Labour and Welfare," and the provisions of the same paragraph apply.
- (14) A person who has received a notice as set forth in paragraph (12) (including cases where the deemed replacement of terms are applied pursuant to the provisions of the second sentence of the preceding paragraph) may have an agent appear and submit documentary evidence or articles of evidence.
- (15) When an explanation hearing has been conducted pursuant to the provisions

of paragraph (11) or the first sentence of paragraph (13), the prefectural governor or a member of the Medical Ethics Council must prepare and keep a hearing report, draw up a written report stating their opinion on the decision of the disposition, and submit this to the Minister of Health, Labour and Welfare.

- (16) When a prefectural governor is to conduct a hearing of opinions or an explanation hearing pursuant to the provisions of paragraph (5) or paragraph (11), the Minister of Health, Labour and Welfare must notify the governor of the following matters in advance:
- (i) the name and address of the person subject to the disposition;
 - (ii) the details of the disposition and the provisions on which it is based; and
 - (iii) the facts leading to the disposition.
- (17) Both the notice under Article 15, paragraph (1) of the Administrative Procedure Act as applied mutatis mutandis pursuant to the provisions of paragraph (6) following the deemed replacement of terms in which a hearing of opinions is conducted pursuant to the provisions of paragraph (5), and the notice under paragraph (12) in which an explanation hearing is conducted pursuant to the provisions of paragraph (11), must be based on the details notified pursuant to the provisions of the preceding paragraph.
- (18) The provisions of Chapter III of the Administrative Procedure Act (excluding Article 12 and Article 14) do not apply to the disposition when the prefectural governor conducts a hearing of opinions or an explanation hearing pursuant to the provisions of paragraph (5) or paragraph (11), or when a member of the Medical Ethics Council conducts an explanation hearing pursuant to the provisions of the first sentence of paragraph (13).

Article 7-2 (1) The Minister of Health, Labour and Welfare may order a medical practitioner who has been rendered a disposition set forth in paragraph (2), item (i) or item (ii) of the preceding Article, or a person who seeks to receive a new license pursuant to the provisions of paragraph (3) of the same Article to undergo the training on maintenance of ethics as a medical practitioner or the training on the knowledge and skills that should be possessed as a medical practitioner that is specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "reeducation training").

- (2) Upon application by a person who has completed the reeducation training pursuant to the provisions of the preceding paragraph, the Minister of Health, Labour and Welfare registers the fact that the person has completed the reeducation training in the register of medical practitioners.
- (3) When the Minister of Health, Labour and Welfare has made a registration as set forth in the preceding paragraph, the Minister delivers a registration certificate for completion of reeducation training.

- (4) A person seeking to be registered as set forth in paragraph (2) or a person seeking to be issued a replacement or redelivery of the registration certificate for completion of reeducation training must pay the amount of fees that is specified by Cabinet Order in consideration of the actual costs.
- (5) The provisions of Article 7, paragraphs (11) through (18) (excluding paragraph (13)) apply mutatis mutandis to the case in which the Minister of Health, Labour and Welfare seeks to render an order pursuant to the provisions of paragraph (1). In this case, the necessary technical replacement of terms is specified by Cabinet Order.

Article 7-3 (1) When the Minister of Health, Labour and Welfare finds that it is necessary to investigate whether a disposition should be made regarding a medical practitioner pursuant to the provisions of Article 7, paragraph (2), the Minister may seek the opinions of and collect reports from persons who are connected with the case, or witnesses, order the owners of medical records and other objects to submit them, and have the relevant officials enter the hospital or any other location that is connected with the case and inspect the medical records and other objects.

- (2) An official seeking to carry out entry and inspection pursuant to the provisions of the preceding paragraph must carry an identification card and produce it when requested to do so by the persons concerned.
- (3) The authority for entry and inspection pursuant to paragraph (1) must not be construed as being approved for the purposes of criminal investigation.

Article 8 Beyond what is provided for in this Chapter, necessary matters related to application for license, registration, correction, and cancellation in the register of medical practitioners, the delivery, replacement, redelivery, return, and submission of license certificates, and notification of address are specified by Cabinet Order, and necessary matters related to the implementation of reeducation training as set forth in Article 7-2, paragraph (1), registration in the register of medical practitioners as set forth in paragraph (2) of the same Article, and the delivery, replacement, and redelivery of the registration certificate for completion of reeducation training as set forth in paragraph (3) are specified by Order of the Ministry of Health, Labour and Welfare.

Chapter III Examinations

Article 9 The national examination for medical practitioners tests the requisite knowledge and skills related to medical science and public health in clinical practices that a person should possess as a medical practitioner.

Article 10 (1) The national examination for medical practitioners and the national preliminary examination for medical practitioners are to be given by the Minister of Health, Labour and Welfare at least once every year.

(2) The Minister of Health, Labour and Welfare must hear the opinions of the Medical Ethics Council in advance when seeking to specify the subjects, implementation, or method of determining successful examinees of the national examination for medical practitioners or the national preliminary examination for medical practitioners.

Article 11 A person who does not fall under any of the following items may not take the national examination for medical practitioners:

- (i) a person who has graduated from a university under the School Education Act (Act No. 26 of 1947) by completing a regular course in medical science (hereinafter simply referred to as "university");
- (ii) a person who has passed the national preliminary examination for medical practitioners, and who has subsequently undergone practical training related to medical care or public health for one year or more; or
- (iii) a person who has graduated from a medical school in a foreign state, or who has acquired a medical practitioner's license in a foreign state, who possesses at least the same level of knowledge and skills as the persons set forth in the preceding two items and whom the Minister of Health, Labour and Welfare has approved as eligible to take the national examination for medical practitioners.

Article 12 A person who has graduated from a medical school in a foreign state or who has acquired a medical practitioner's license in a foreign state may take the national preliminary examination for medical practitioners if the person does not fall under item (iii) of the preceding Article and has been approved as eligible by the Minister of Health, Labour and Welfare.

Article 13 and Article 14 Deleted

Article 15 When there has been any wrongful act in connection with the national examination for medical practitioners or the national preliminary examination for medical practitioners, the person involved in the wrongful act may be stopped from taking the examination, or may have the examination invalidated. In this case, the person may be barred from taking the examination within a specified period.

Article 16 Beyond what is provided for in this Chapter, the subjects for examination, examination procedures, and other necessary matters related to

examinations, as well as necessary matters related to practical training, are specified by Order of the Ministry of Health, Labour and Welfare.

Chapter III-2 Clinical Training

Article 16-2 (1) A medical practitioner who seeks to engage in medical practice must undergo clinical training for a period of two years or more at a university hospital with a medical science course or at a hospital designated by the Minister of Health, Labour and Welfare.

(2) When the Minister of Health, Labour and Welfare subsequently finds that it is inappropriate for the hospital the Minister designated pursuant to the provisions of the preceding paragraph to conduct clinical training, the Minister may revoke the designation.

(3) When the Minister of Health, Labour and Welfare seeks to designate a hospital pursuant to paragraph (1) or revoke the designation under the preceding paragraph, the Minister must hear the opinions of the Medical Ethics Council in advance.

(4) In applying the provisions of paragraph (1), a hospital in a foreign state that is found to be appropriate by the Minister of Health, Labour and Welfare is deemed to be a hospital designated by the Minister of Health, Labour and Welfare pursuant to paragraph (1).

Article 16-3 A medical practitioner who is undergoing clinical training must devote themselves to the clinical training and endeavor to improve their qualities.

Article 16-4 (1) Upon application by a person who has completed the clinical training pursuant to the provisions of the Article 16-2, paragraph (1), the Minister of Health, Labour and Welfare must register the fact that the person has completed clinical training in the register of medical practitioners.

(2) When the Minister of Health, Labour and Welfare has made a registration as set forth in the preceding paragraph, the Minister delivers a registration certificate for completion of clinical training.

Article 16-5 A person seeking to be registered as set forth in paragraph (1) of the preceding Article or a person seeking to be issued a replacement or redelivery of the registration certificate for completion of clinical training must pay the amount of fees that is specified by Cabinet Order in consideration of the actual costs.

Article 16-6 Beyond what is provided for in this Chapter, necessary matters

related to designation as set forth in Article 16-2, paragraph (1), registration in the register of medical practitioners as set forth in Article 16-4, paragraph (1), delivery, replacement, and redelivery of registration certificate for completion of clinical training as set forth in Article 16-4, paragraph (2) are specified by Cabinet Order.

Chapter IV Medical Practices

Article 17 No person except a medical practitioner may engage in medical practice.

Article 18 No person except a medical practitioner may use the title of medical practitioner or a title that may be confused with this.

Article 19 (1) No medical practitioner who engages in medical practice may refuse any request for medical examination or treatment without legitimate grounds.

(2) No medical practitioner who has performed an examination or fact examination, or who was in attendance at a birth may refuse a request for a medical certificate, certificate of post mortem examination, birth certificate, or certificate of stillbirth without legitimate grounds.

Article 20 No medical practitioner may provide medical treatment or issue a medical certificate or prescription without personally performing a medical examination, nor issue a birth certificate or certificate of stillbirth without personally being in attendance at the birth, nor issue a certificate of post mortem examination without personally performing the fact examination; provided, however, that this does not apply to a death certificate that has been issued where a patient undergoing medical care has died within 24 hours of the medical examination.

Article 21 When a medical practitioner finds any abnormality during the fact examination of a corpse or stillborn baby from a pregnancy that had entered its fourth month or beyond, the medical practitioner must notify the competent police station within 24 hours.

Article 22 If a medical practitioner finds it necessary to dispense and administer medicine as a part of a patient's treatment, the medical practitioner must issue a prescription to the patient or a person caring for the patient; provided, however, that this does not apply when the patient or a person caring for the patient states that it is not necessary to issue a prescription, or in any of the

following cases:

- (i) when a suggestive effect is expected and issuing a prescription is likely to hinder this from being achieved;
- (ii) when issuing a prescription is likely to cause anxiety to the patient about their medical care or prognosis, and may complicate the treatment of the illness;
- (iii) when medicines are administered in response to changes in symptoms over short periods of time;
- (iv) when the diagnosis or method of treatment has not been decided;
- (v) when medicine is administered as an emergency measure necessary for treatment;
- (vi) when there is no person other than the patient who requires rest, to whom the medicines can be delivered;
- (vii) when stimulants are to be administered; or
- (viii) when medicine is administered aboard a vessel with no pharmacist on board.

Article 23 When a medical practitioner has provided medical care, the medical practitioner must give guidance to the person in question or to their custodian on the method of treatment and other matters necessary to improve their health.

Article 24 (1) When a medical practitioner has provided medical care, the medical practitioner must enter the matters related to that medical care in a medical record without delay.

(2) Medical records as set forth in the preceding paragraph must be kept for a period of five years by the administrator of the hospital or clinic where medical care was provided by a medical practitioner works at that hospital or clinic, and by the medical practitioner themselves for medical records related to other medical care.

Article 24-2 (1) Where there is a risk of causing serious harm to public health, and the Minister of Health, Labour and Welfare finds it especially necessary to do so in order to prevent the harm, the Minister may give necessary instructions to medical practitioners regarding medical treatment or health guidance.

(2) The Minister of Health, Labour and Welfare must hear the opinions of the Medical Ethics Council in advance before giving instructions pursuant to the provisions of the preceding paragraph.

Chapter V - Medical Practitioners' Examiner

Article 25 and Article 26 Deleted

Article 27 (1) A medical practitioners' examiner is to be assigned at the Ministry of Health, Labour and Welfare to administer affairs related to the national examination for medical practitioners and the national preliminary examination for medical practitioners.

(2) Necessary matters related to the medical practitioners' examiner are specified by Cabinet Order.

Article 28 and Article 29 Deleted

Article 30 The medical practitioners' examiner and other persons in charge of affairs related to the national examination for medical practitioners and the national preliminary examination for medical practitioners must preserve impartiality and not act unfairly in implementing those affairs.

Chapter V-2 Miscellaneous Provisions

Article 30-2 The Minister of Health, Labour and Welfare is to publicize the names of medical practitioners and other matters specified by Cabinet Order, to enable persons receiving medical treatment and the citizens to confirm the qualifications of medical practitioners and to choose adequate medical treatment.

Article 30-3 The affairs to be administered by the prefectures pursuant to provisions of Article 6, paragraph (3), Article 7, paragraph (5), the first sentence of Article 7, paragraph (9), and Article 7, paragraph (11) and paragraph (12) (including as applied mutatis mutandis pursuant to Article 7-2, paragraph (5)), Article 15, paragraph (1) and paragraph (3) of the Administrative Procedure Act as applied mutatis mutandis pursuant to Article 7, paragraph (6) (including as applied mutatis mutandis to Article 22, paragraph (3) of the same Act), Article 16, paragraph (4), Article 18, paragraph (1) and paragraph (3), Article 19, paragraph (1), and Article 15, paragraph (3) of the Administrative Procedure Act as applied mutatis mutandis to Article 22, paragraph (3) of the same Act, as applied mutatis mutandis to Article 20, paragraph (6), Article 24, paragraph (3), and the second sentence of Article 7, paragraph (9) are to be Type I statutory entrusted functions prescribed in the provisions of Article 2, paragraph (9), item (i) of the Local Autonomy Act (Act No. 67 of 1947).

Chapter VI Penal Provisions

Article 31 (1) A person who falls under any of the following items is punished by imprisonment with work for not more than three years, a fine of not more than one million yen, or both:

- (i) a person who has violated the provisions of Article 17; or
- (ii) a person who has received a medical practitioner's license based on a false or wrongful fact.

(2) When a person who has committed the crime set forth in item (i) of the preceding paragraph has used the title of medical practitioner or a similar title, the person is punished by imprisonment with work for not more than three years, a fine of not more than two million yen, or both.

Article 32 A person who has been ordered to suspend medical practice pursuant to the provisions of Article 7, paragraph (2) and who has engaged in medical practice during the period of suspension is punished by imprisonment with work for not more than one year, a fine of not more than five hundred thousand yen, or both.

Article 33 A person who has violated the provisions of Article 30 and has divulged examination questions in advance either intentionally or through gross negligence, or who has intentionally and wrongfully scored examinations is punished by imprisonment with work for not more than one year or a fine of not more than five hundred thousand yen.

Article 33-2 A person who falls under any of the following items is punished by a fine of not more than five hundred thousand yen:

- (i) a person who has violated the provisions of Article 6, paragraph (3), Article 18, Articles 20 through 22, or Article 24;
- (ii) a person who has failed to receive reeducation training in violation of an order pursuant to the provisions of Article 7-2, paragraph (1); or
- (iii) a person who has failed to make a statement or report, who has made a false statement or report, who has failed to submit objects, or who has refused, obstructed, or evaded inspections, pursuant to the provisions of Article 7-3, paragraph (1).

Article 33-3 When the representative of a corporation, or an agent, employee or other worker of a corporation or individual violates the provisions of item (iii) of the preceding Article with regard to the practices of the corporation or individual, not only the offender, but also the corporation or individual is punished by the fine prescribed in that Article.

Supplementary Provisions [Extract]

Article 34 This Act comes into force as of the date specified by Cabinet Order within a period not exceeding 90 days from the date of its promulgation.

Article 35 The Medical Care Act (Act No. 70 of 1942; hereinafter referred to as the "former Act") is hereby repealed.

Article 36 (1) A person who has received a medical practitioner's license under the former Act or the Medical Practitioners' Act (Act No. 47 of 1906; hereinafter referred to as the "former Medical Practitioners' Act") is deemed to have received a medical license under this Act. The same applies to a person who acquired a medical license prior to the enforcement of the former Medical Practitioners' Act.

(2) With regard to the medical practices of persons who acquired a medical license prior to the enforcement of the former Medical Practitioners' Act, prior laws continue to govern.

(3) With regard to medical licenses and examinations of Japanese nationals who received medical licenses from the Governor General of Korea, the Governor General of Taiwan, the Governor of the Karafuto Agency, the Governor of the South Pacific Mandate, the Ambassador Plenipotentiary to Manchukuo, or Manchukuo before August 15, 1945, prior laws may continue to govern for a period of five years from the date on which this Act comes into effect.

(4) In addition to persons prescribed in the preceding paragraph, with regard to medical licenses received and examinations taken by Japanese nationals who received a medical license or a medical practitioner's license in a foreign country in accordance with the law of that country, or who received a medical practitioner's license through the consulate of the Republic of China (including Manchuria and Mongolia) before August 15, 1945, prior laws may continue to govern until December 31, 1955.

Article 37 Registration in a register of medical practitioners made under the former Act or the former Medical Practitioners' Act is deemed to be registration in a register of medical practitioners under this Act.

Article 38 Dispositions regarding the revocation of a medical license or suspension of a medical practice made under the former Act or the former Medical Practitioners' Act are deemed to have been made pursuant to the corresponding provisions of this Act. In this case, with regard to the period of suspension, prior laws continue to govern.

Article 40 With regard to punishment on persons who have violated the former Act, the former Medical Practitioners' Act, orders issued based on these, or dispositions made based on those orders, the provisions of the former Act and the former Medical Practitioners' Act remain applicable.

Article 41 A person who falls under the provisions of paragraph (2) of the Supplementary Provisions of the Imperial Ordinance to Partially Revise the Order for Enforcement of the Medical Care Act (Imperial Ordinance No. 402 of 1946) may receive a medical license, notwithstanding the provisions of Article 2.

Article 42 A person who falls under the provisions of paragraph (2) of the Supplementary Provisions of the Imperial Ordinance to Partially Revise the Order for Enforcement of the Medical Care Act (Imperial Ordinance No. 137 of 1947) may take the national examination for medical practitioners, notwithstanding the provisions of Article 11.

Article 43 A university as provided for in the University Ordinance (Imperial Ordinance No. 388 of 1918) or a vocational college as provided for in the Vocational Training School Ordinance (Imperial Ordinance No. 61 of 1903) that is recognized as the continuation of a university or vocational college pursuant to the provisions of Article 3 of the Supplementary Provisions of the School Education Act (Act No. 26 of 1947) is deemed to be a university under Article 11, item (i) of this Act.

Article 44 (1) Until otherwise provided for by law, the national government may, within the scope of its budget, provide a part of the fund to be allocated to the necessary expenses, where a prefecture is carrying out the relevant training itself, or may provide a part of the fund to be allocated to the expenses that the prefecture is subsidizing for the establisher, where the establisher of the hospital carrying out the training is other than the prefecture, as an interest-free loan for the development of facilities under Article 2, paragraph (1), item (ii) of the Act on Special Measures Concerning the Promotion of Social Infrastructure Development through the Use of Proceeds from the Sale of Stock of Nippon Telegraph and Telephone Corporation (Act No. 86 of 1987) that, among the facilities that belong to a hospital provided for in Article 16-2, paragraph (1), are required for carrying out clinical training.

(2) The term of repayment for loans provided by the national government under the preceding paragraph is to be a term specified by Cabinet Order not exceeding five years (including any grace period not exceeding two years).

- (3) Beyond what is provided for in the preceding paragraph, the method of repayment, advance repayment, and other necessary matters concerning repayment of loans under the provisions of paragraph (1), are specified by Cabinet Order.
- (4) The national government is to, when it has provided a loan to a prefecture pursuant to the provisions of paragraph (1), subsidize an amount equivalent to the amount of loan for the development of facilities subject to the loan, and is to do so at the time of the loan's repayment, by delivering an amount of money equivalent to the amount of loan repaid.
- (5) With regard to the application of the provisions of the preceding paragraph when a prefecture has repaid an interest-free loan under paragraph (1) ahead of the due date for repayment determined pursuant to paragraph (2) and paragraph (3) (excluding cases specified by Cabinet Order), the repayment is deemed to have been made on the due date for repayment.