

児童虐待の防止等に関する法律 Child Abuse Prevention and Treatment Act

(平成十二年五月二十四日法律第八十二号)

(Act No. 82 of May 24, 2000)

(目的)

(Purpose)

第一条 この法律は、児童虐待が児童の人権を著しく侵害し、その心身の成長及び人格の形成に重大な影響を与えるとともに、我が国における将来の世代の育成にも懸念を及ぼすことにかんがみ、児童に対する虐待の禁止、児童虐待の予防及び早期発見その他の児童虐待の防止に関する国及び地方公共団体の責務、児童虐待を受けた児童の保護及び自立の支援のための措置等を定めることにより、児童虐待の防止等に関する施策を促進し、もって児童の権利利益の擁護に資することを目的とする。

Article 1 The purpose of this Act is to promote measures concerning prevention, etc. of child abuse by determining the responsibilities of the national and local governments concerning prevention of child abuse, such as the prohibition of child abuse, precaution against and early detection of child abuse, and the measures and other particulars for protection of children who have suffered child abuse and support of their self-reliance, taking into account the serious violation of human rights of children resulting from child abuse, the significant impact of child abuse on the mental and physical development of children and their character formation and the adverse effect of child abuse on the nurturing of future generations of Japan, whereby contributing to the protection of rights and interests of children.

(児童虐待の定義)

(Definition of Child Abuse)

第二条 この法律において、「児童虐待」とは、保護者（親権を行う者、未成年後見人その他の者で、児童を現に監護するものをいう。以下同じ。）がその監護する児童（十八歳に満たない者をいう。以下同じ。）について行う次に掲げる行為をいう。

Article 2 The term "child abuse" as used in this Act means the following acts committed by a custodian (meaning a person who exercises parental authority, a custodian of a minor or other person who is currently engaged in the custody of a child; hereinafter the same applies) against a child (meaning a person who is under 18 years of age; hereinafter the same applies) under their custody:

一 児童の身体に外傷が生じ、又は生じるおそれのある暴行を加えること。

(i) assaulting the child in a manner that will cause or is likely to cause external injury to the child's body;

二 児童にわいせつな行為をすること又は児童をしてわいせつな行為をさせること。

(ii) engaging in indecent acts against the child or cause the child to engage in indecent acts;

三 児童の心身の正常な発達を妨げるような著しい減食又は長時間の放置、保護者以外の同居人による前二号又は次号に掲げる行為と同様の行為の放置その他の保護者としての監護を著しく怠ること。

(iii) substantially reducing the amount of food for the child or abandon and neglect the child for a long time period in a manner that may interfere with normal development of the child mentally or physically, or leave a person living together other than the custodian to commit any act that is equivalent to those listed in the preceding two items or the following item, or otherwise materially fail to perform the duty of custody as a custodian; or

四 児童に対する著しい暴言又は著しく拒絶的な対応、児童が同居する家庭における配偶者に対する暴力（配偶者（婚姻の届出をしていないが、事実上婚姻関係と同様の事情にある者を含む。）の身体に対する不法な攻撃であって生命又は身体に危害を及ぼすもの及びこれに準ずる心身に有害な影響を及ぼす言動をいう。第十六条において同じ。）その他の児童に著しい心理的外傷を与える言動を行うこと。

(iv) using significantly violent language or take an extreme attitude of rejection against the child, use violence upon one's spouse in a family in which the child is living together (meaning illegal attacks on the body of the spouse (including those who have not registered their marriage but are in a similar situation to that of a marriage) that threaten the spouse's life or body, as well as the words and behaviors equivalent to the relevant attacks which would have harmful effect on the spouse mentally or physically), or otherwise speak or behave in a manner that would be significantly traumatic to the child.

（児童に対する虐待の禁止）

(Prohibition of Child Abuse)

第三条 何人も、児童に対し、虐待をしてはならない。

Article 3 No person is to abuse a child

（国及び地方公共団体の責務等）

(Responsibilities of National and Local Governments)

第四条 国及び地方公共団体は、児童虐待の予防及び早期発見、迅速かつ適切な児童虐待を受けた児童の保護及び自立の支援（児童虐待を受けた後十八歳となった者に対する自立の支援を含む。第三項及び次条第二項において同じ。）並びに児童虐待を行った保護者に対する親子の再統合の促進への配慮その他の児童虐待を受けた児童が家庭（家庭における養育環境と同様の養育環境及び良好な家庭的環境を含む。）で生活するために必要な配慮をした適切な指導及び支援を行うため、関係省庁相互間又は関係地方公共団体相互間、市町村、児童相談所、福祉事務所、配偶者からの暴力の防止及び被害者の保護等に関する法律（平成十三年法律第三十一号）第三条第一項に規定す

る配偶者暴力相談支援センター（次条第一項において単に「配偶者暴力相談支援センター」という。）、学校及び医療機関の間その他関係機関及び民間団体の間の連携の強化、民間団体の支援、医療の提供体制の整備その他児童虐待の防止等のために必要な体制の整備に努めなければならない。

Article 4 (1) The national and local governments must endeavor to develop systems necessary for the prevention, etc. of child abuse, such as for strengthening collaboration among the relevant ministries and government agencies, or the relevant local governments, municipalities, child guidance centers, welfare offices, spousal violence counseling and support centers (Act No. 31 of 2001) as prescribed in Article 3, paragraph (1) of the Act on the Prevention of Spousal Violence and the Protection of Victims (hereinafter referred to simply as the "spousal violence counseling and support centers" in paragraph (1) of the following Article), schools and medical institutions, other relevant organs and private bodies, providing support to the private bodies, developing the system for providing medical care and the like, in order to facilitate precaution against and early detection of child abuse, prompt and appropriate protection of children who have suffered child abuse and support of their self-reliance (including self-reliance support for persons who have become 18 years of age after suffering child abuse; the same applies in paragraph (3) and paragraph (2) of the following Article), and to provide appropriate guidance and support to custodians who have committed child abuse by taking into account the promotion of reunion of the parent and child and other particulars necessary for the abused children to live in a home (including a nurturing environment similar to a home-rearing environment and a good and nurturing home environment).

2 国及び地方公共団体は、児童相談所等関係機関の職員及び学校の教職員、児童福祉施設の職員、医師、歯科医師、保健師、助産師、看護師、弁護士その他児童の福祉に職務上関係のある者が児童虐待を早期に発見し、その他児童虐待の防止に寄与することができるよう、研修等必要な措置を講ずるものとする。

(2) The national and local governments are to take necessary measures such as providing training in order to promote early detection of child abuse by officials of child guidance centers and other relevant organs, teachers and other staff workers of schools, officials of child welfare institutions, medical practitioners, dental practitioners, public health nurses, midwives, clinical nurses, attorneys-at-law and other persons involved in child welfare in the course of their duties, and otherwise to contribute to the prevention of child abuse.

3 国及び地方公共団体は、児童虐待を受けた児童の保護及び自立の支援を専門的知識に基づき適切に行うことができるよう、児童相談所等関係機関の職員、学校の教職員、児童福祉施設の職員その他児童虐待を受けた児童の保護及び自立の支援の職務に携わる者の人材の確保及び資質の向上を図るため、研修等必要な措置を講ずるものとする。

(3) The national and local governments are to take necessary measures such as

providing training for maintaining human resources of officials of child guidance centers and other relevant organs, teachers and other staff workers of schools, officials of child welfare institutions and other persons engaged in the duties of protecting abused children and supporting their self-reliance, and for helping them improve their qualifications, in order to conduct the protection of children who have suffered child abuse and the support of their self-reliance properly based on expert knowledge.

4 国及び地方公共団体は、児童虐待の防止に資するため、児童の人権、児童虐待が児童に及ぼす影響、児童虐待に係る通告義務等について必要な広報その他の啓発活動に努めなければならない。

(4) The national and local governments, for facilitating the prevention of child abuse, must endeavor to conduct necessary public relations and other enlightenment activities regarding human rights of children, effect of child abuse on children, obligation of the notification of child abuse and the like.

5 国及び地方公共団体は、児童虐待を受けた児童がその心身に著しく重大な被害を受けた事例の分析を行うとともに、児童虐待の予防及び早期発見のための方策、児童虐待を受けた児童のケア並びに児童虐待を行った保護者の指導及び支援のあり方、学校の教職員及び児童福祉施設の職員が児童虐待の防止に果たすべき役割その他児童虐待の防止等のために必要な事項についての調査研究及び検証を行うものとする。

(5) The national and local governments are to conduct an analysis of child abuse cases in which the abused children suffered significant mental or physical damage, while conducting research and study as well as observation of necessary particulars for prevention, etc. of child abuse, such as the measures for precaution against and early detection of child abuse, what the care of children who have suffered child abuse and the guidance and support for custodians who committed child abuse should be like, and the roles and functions of teachers and other staff workers of schools and officials of child welfare institutions in the prevention of child abuse.

6 児童相談所の所長は、児童虐待を受けた児童が住所又は居所を当該児童相談所の管轄区域外に移転する場合においては、当該児童の家庭環境その他の環境の変化による影響に鑑み、当該児童及び当該児童虐待を行った保護者について、その移転の前後において指導、助言その他の必要な支援が切れ目なく行われるよう、移転先の住所又は居所を管轄する児童相談所の所長に対し、速やかに必要な情報の提供を行うものとする。この場合において、当該情報の提供を受けた児童相談所長は、児童福祉法（昭和二十二年法律第百六十四号）第二十五条の二第一項に規定する要保護児童対策地域協議会が速やかに当該情報の交換を行うことができるための措置その他の緊密な連携を図るために必要な措置を講ずるものとする。

(6) If a child who has suffered child abuse relocates the domicile or residence of the child outside the jurisdiction of the child guidance center, the director of the child guidance center must promptly provide necessary information to the director of the child guidance center which has jurisdiction over the location of

the domicile or residence of the child to ensure that the child and the custodian who committed child abuse continue to receive guidance, advice and other necessary support before and after the relocation, taking into account the impact of changes in the child's family environment and other environments. In this case, the director of the child guidance center who received the information is to take measures necessary to enable Children Requiring Aid as prescribed in Article 25-2, paragraph (1) of the Child Welfare Act (Act No.164 of 1947) to promptly exchange the information, and is to take other extended assistance for close collaboration.

7 児童の親権を行う者は、児童を心身ともに健やかに育成することについて第一義的責任を有するものであって、親権を行うに当たっては、できる限り児童の利益を尊重するよう努めなければならない。

(7) A person who exercises parental authority over the person's child is primarily responsible for nurturing the child in good physical and mental health, and must endeavor to respect the interests of the child as much as possible in exercising parental authority.

8 何人も、児童の健全な成長のために、家庭（家庭における養育環境と同様の養育環境及び良好な家庭的環境を含む。）及び近隣社会の連帯が求められていることに留意しなければならない。

(8) Persons must pay attention to the need for collaboration among homes (including a nurturing environment similar to a home-rearing environment and a good and nurturing home environment) and neighboring societies for sound development of children.

（児童虐待の早期発見等）

(Early Detection of Child Abuse)

第五条 学校、児童福祉施設、病院、都道府県警察、婦人相談所、教育委員会、配偶者暴力相談支援センターその他児童の福祉に業務上関係のある団体及び学校の教職員、児童福祉施設の職員、医師、歯科医師、保健師、助産師、看護師、弁護士、警察官、婦人相談員その他児童の福祉に職務上関係のある者は、児童虐待を発見しやすい立場にあることを自覚し、児童虐待の早期発見に努めなければならない。

Article 5 (1) Teachers, officials and other staff workers of schools, child welfare institutions, hospitals, prefectural police, public women's counseling centers, education committees, spousal violence counseling and support centers and other bodies involved in child welfare in the course of their operations, and officials of child welfare institutions, medical practitioners, dental practitioners, public health nurses, midwives, clinical nurses, attorneys-at-law, police, women's consultants and other persons involved in child welfare in the course of their duties, must endeavor to detect child abuse at an early stage, acknowledging that they are in a position to easily detect child abuse.

2 前項に規定する者は、児童虐待の予防その他の児童虐待の防止並びに児童虐待を受

けた児童の保護及び自立の支援に関する国及び地方公共団体の施策に協力するよう努めなければならない。

(2) A person prescribed in the preceding paragraph must endeavor to cooperate with the precautions against child abuse and other measures for preventing child abuse, as well as the measures concerning protection of children who have suffered child abuse and support of their self-reliance, taken by the national and local governments.

3 第一項に規定する者は、正当な理由がなく、その職務に関して知り得た児童虐待を受けたと思われる児童に関する秘密を漏らしてはならない。

(3) The person prescribed in paragraph (1) must not divulge any secrets of children suspected of being abused obtained in their duties, without justifiable grounds.

4 前項の規定その他の守秘義務に関する法律の規定は、第二項の規定による国及び地方公共団体の施策に協力するよう努める義務の遵守を妨げるものと解釈してはならない。

(4) The provisions set forth in the preceding paragraph and the provisions set forth in any other Acts providing for confidentiality obligations must not be construed to preclude a person who endeavors to seek cooperation with the measures of the national and local governments pursuant to the provisions of paragraph (2).

5 学校及び児童福祉施設は、児童及び保護者に対して、児童虐待の防止のための教育又は啓発に努めなければならない。

(5) Schools and child welfare institutions must endeavor to educate and enlighten children and custodians for the prevention of child abuse.

(児童虐待に係る通告)

(Notification of Child Abuse)

第六条 児童虐待を受けたと思われる児童を発見した者は、速やかに、これを市町村、都道府県の設置する福祉事務所若しくは児童相談所又は児童委員を介して市町村、都道府県の設置する福祉事務所若しくは児童相談所に通告しなければならない。

Article 6 (1) A person who has detected a child who appears to have suffered child abuse must promptly give notification to the municipality or the welfare office or child guidance center established by the prefecture, or to the municipality or such welfare office or child guidance center through a commissioned child welfare volunteer.

2 前項の規定による通告は、児童福祉法第二十五条第一項の規定による通告とみなして、同法の規定を適用する。

(2) The notification given pursuant to the provisions of the preceding paragraph is deemed to be a notification given pursuant to the provisions of Article 25, paragraph (1) of the Child Welfare Act, and the provisions of the same Act applies.

3 刑法（明治四十年法律第四十五号）の秘密漏示罪の規定その他の守秘義務に関する法律の規定は、第一項の規定による通告をする義務の遵守を妨げるものと解釈してはならない。

(3) The provisions concerning the crime of unlawful disclosure of confidential information set forth in the Penal Code (Act No. 45 of 1907) and the provisions in any other Act providing for confidentiality obligations must not be construed to preclude a person from complying with the obligation of notification prescribed by paragraph (1).

第七条 市町村、都道府県の設置する福祉事務所又は児童相談所が前条第一項の規定による通告を受けた場合においては、当該通告を受けた市町村、都道府県の設置する福祉事務所又は児童相談所の所長、所員その他の職員及び当該通告を仲介した児童委員は、その職務上知り得た事項であつて当該通告をした者を特定させるものを漏らしてはならない。

Article 7 When a municipality or a welfare office or child guidance center established by a prefecture receives a notification pursuant to the provisions of paragraph (1) of the preceding Article, the director, employees and other officials of the municipality or the welfare office or child guidance center established by a prefecture, and the commissioned child welfare volunteer who mediated the relevant notification, must not divulge any information that comes to their knowledge in the course of their duties and that may identify the person who made the relevant notification.

（通告又は送致を受けた場合の措置）

(Measures Taken upon Receipt of Notification or Referral)

第八条 市町村又は都道府県の設置する福祉事務所が第六条第一項の規定による通告を受けたときは、市町村又は福祉事務所の長は、必要に応じ近隣住民、学校の教職員、児童福祉施設の職員その他の者の協力を得つつ、当該児童との面会その他の当該児童の安全の確認を行うための措置を講ずるとともに、必要に応じ次に掲げる措置を採るものとする。

Article 8 (1) When a municipality or a welfare office established by a prefecture receives a notification pursuant to the provisions of Article 6, paragraph (1) the mayor of the municipality or the director of the welfare office is to take measures to confirm safety of the relevant child, such as an interview with the child, while obtaining cooperation of the residents of neighboring communities, teachers and other staff workers of their school, officials of child welfare institutions and other persons as necessary, and are to take the measures listed in the following as necessary:

一 児童福祉法第二十五条の七第一項第一号若しくは第二項第一号又は第二十五条の八第一号の規定により当該児童を児童相談所に送致すること。

(i) referring the child to a child guidance center pursuant to the provisions of

- Article 25-7, paragraph (1), item (i), or Article 25-7, paragraph (2), item (i) of the Child Welfare Act or Article 25-8, item (i) of the same Act; or
- 二 当該児童のうち次条第一項の規定による出頭の求め及び調査若しくは質問、第九条第一項の規定による立入り及び調査若しくは質問又は児童福祉法第三十三条第一項若しくは第二項の規定による一時保護の実施が適当であると認めるものを都道府県知事又は児童相談所長へ通知すること。
- (ii) notifying the prefectural governor or the director of the child guidance center of the relevant child for whom it would be appropriate to make a request for appearance and conduct investigations or questioning pursuant to the provisions of paragraph (1) of the following Article, or conduct an entry and investigations or questioning pursuant to the provisions of Article 9, paragraph (1) or take temporary custody pursuant to the provisions of Article 33, paragraph (1) or (2) of the Child Welfare Act.
- 2 児童相談所が第六条第一項の規定による通告又は児童福祉法第二十五条の七第一項第一号若しくは第二項第一号若しくは第二十五条の八第一号の規定による送致を受けたときは、児童相談所長は、必要に応じ近隣住民、学校の教職員、児童福祉施設の職員その他の者の協力を得つつ、当該児童との面会その他の当該児童の安全の確認を行うための措置を講ずるとともに、必要に応じ次に掲げる措置を採るものとする。
- (2) When a child guidance center receives a notification pursuant to the provisions of Article 6, paragraph (1) or a referral pursuant to the provisions of Article 25-7, paragraph (1), item (i) or paragraph (2), item (i) or Article 25-8, item (i) of the Child Welfare Act, the director of the child guidance center is to take measures to confirm safety of the child, such as meeting with the child, while obtaining cooperation of the residents of neighboring communities, teachers and other staff workers of the child's school, officials of child welfare institutions and other persons as necessary, and are to take the measures listed in the following as necessary.
- 一 児童福祉法第三十三条第一項の規定により当該児童の一時保護を行い、又は適当な者に委託して、当該一時保護を行わせること。
- (i) taking temporary custody of the child or delegate the temporary custody to an appropriate person, in accordance with the provisions of Article 33, paragraph (1) of the Child Welfare Act;
- 二 児童福祉法第二十六条第一項第三号の規定により当該児童のうち第六条第一項の規定による通告を受けたものを市町村に送致すること。
- (ii) referring the child who received notification pursuant to the provisions of Article 6, paragraph (1) to the municipality, in accordance with the provisions of Article 26, paragraph (1), item (iii) of the Child Welfare Act;
- 三 当該児童のうち児童福祉法第二十五条の八第三号に規定する保育の利用等（以下この号において「保育の利用等」という。）が適当であると認めるものをその保育の利用等に係る都道府県又は市町村の長へ報告し、又は通知すること。
- (iii) reporting or notifying the child for whom it would be appropriate to use the

childcare service as prescribed in Article 25-8, item (iii) of the Child Welfare Act (hereinafter referred to as "use of childcare service" in this item) to the head of the prefecture or municipality related to the use of the childcare service; or

四 当該児童のうち児童福祉法第六条の三第二項に規定する放課後児童健全育成事業、同条第三項に規定する子育て短期支援事業、同条第五項に規定する養育支援訪問事業、同条第六項に規定する地域子育て支援拠点事業、同条第十四項に規定する子育て援助活動支援事業、子ども・子育て支援法（平成二十四年法律第六十五号）第五十九条第一号に掲げる事業その他市町村が実施する児童の健全な育成に資する事業の実施が適当であると認めるものをその事業の実施に係る市町村の長へ通知すること。

(iv) notifying the child for whom it would be appropriate to provide after-school child sound upbringing services as prescribed in Article 6-3, paragraph (2) of the Child Welfare Act, short-term child care support services as prescribed in paragraph (3) of the same Article, house-call services to support childrearing as prescribed in paragraph (5) of the same Article, local childrearing support center services as prescribed in paragraph (6) of the same Article, childrearing assistance activity support services as prescribed in paragraph (14) of the same Article, other services provided by a municipality that contributes to the sound upbringing of children or services listed in Article 59, item (i) of the Child and Child Care Support Act (Act No. 65 of 2012) to the head of the municipality concerned with the provision of the services.

3 前二項の児童の安全の確認を行うための措置、市町村若しくは児童相談所への送致又は一時保護を行う者は、速やかにこれを行うものとする。

(3) The person who takes the measures to confirm safety of the child, refers the child to a municipality or a child guidance center or takes temporary custody of the child set forth in the preceding two paragraphs is to do so in a prompt manner.

(出頭要求等)

(Request for Appearance)

第八条の二 都道府県知事は、児童虐待が行われているおそれがあると認めるときは、当該児童の保護者に対し、当該児童を同伴して出頭することを求め、児童委員又は児童の福祉に関する事務に従事する職員をして、必要な調査又は質問をさせることができる。この場合においては、その身分を証明する証票を携帯させ、関係者の請求があったときは、これを提示させなければならない。

Article 8-2 (1) When a prefectural governor finds a possibility of ongoing child abuse, they may request the custodian of the relevant child to make an appearance with the child, and cause a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children to conduct necessary investigations or questioning. In this case, the prefectural governor

must require the child welfare volunteer or the official to carry their identification and to produce it at the request of the relevant person.

2 都道府県知事は、前項の規定により当該児童の保護者の出頭を求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、当該保護者に対し、出頭を求める理由となった事実の内容、出頭を求める日時及び場所、同伴すべき児童の氏名その他必要な事項を記載した書面により告知しなければならない。

(2) When the prefectural governor intends to request appearance of the custodian of the child pursuant to the provisions of the preceding paragraph, the prefectural governor must give notification to the custodian in writing describing the particulars of the fact which constitutes the ground for requesting the appearance, the date, time and place of the requested appearance, the name of the child with whom the custodian is to make appearance and other necessary particulars, as specified by an Order of the Ministry of Health, Labour and Welfare.

3 都道府県知事は、第一項の保護者が同項の規定による出頭の求めに応じない場合は、次条第一項の規定による児童委員又は児童の福祉に関する事務に従事する職員の立入り及び調査又は質問その他の必要な措置を講ずるものとする。

(3) If the custodian set forth in paragraph (1) fails to follow the request for appearance made pursuant to the provisions of the same paragraph, the prefectural governor is to take necessary measures such as an entry and investigations or questioning by a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children pursuant to the provisions of paragraph (1) of the following Article.

(立入調査等)

(On-Site Investigations)

第九条 都道府県知事は、児童虐待が行われているおそれがあると認めるときは、児童委員又は児童の福祉に関する事務に従事する職員をして、児童の住所又は居所に立ち入り、必要な調査又は質問をさせることができる。この場合においては、その身分を証明する証票を携帯させ、関係者の請求があったときは、これを提示させなければならない。

Article 9 (1) When a prefectural governor finds a possibility of ongoing child abuse, they may have a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children to enter the domicile or residence of the child and conduct necessary investigations or questioning. In this case, the prefectural governor must require the commissioned child welfare volunteer or the official to carry their identification and to produce it at the request of the relevant person.

2 前項の規定による児童委員又は児童の福祉に関する事務に従事する職員の立入り及び調査又は質問は、児童福祉法第二十九条の規定による児童委員又は児童の福祉に関する事務に従事する職員の立入り及び調査又は質問とみなして、同法第六十一条の五

の規定を適用する。

- (2) The entry and investigations or questioning conducted by a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children pursuant to the provisions of the preceding paragraph is deemed to be an entry and investigations or questioning conducted by a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children pursuant to the provisions of Article 29 of the Child Welfare Act, and the provisions of Article 61-5 of the same Act apply.

(再出頭要求等)

(Request for Re-Appearance)

第九条の二 都道府県知事は、第八条の二第一項の保護者又は前条第一項の児童の保護者が正当な理由なく同項の規定による児童委員又は児童の福祉に関する事務に従事する職員の立入り又は調査を拒み、妨げ、又は忌避した場合において、児童虐待が行われているおそれがあると認めるときは、当該保護者に対し、当該児童を同伴して出頭することを求め、児童委員又は児童の福祉に関する事務に従事する職員をして、必要な調査又は質問をさせることができる。この場合においては、その身分を証明する証票を携帯させ、関係者の請求があったときは、これを提示させなければならない。

Article 9-2 (1) When a prefectural governor finds a possibility of ongoing child abuse in cases where the custodian set forth in Article 8-2, paragraph (1) or the custodian of the child set forth in paragraph (1) of the preceding Article has refused, obstructed or evaded the entry or investigations by a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children pursuant to the provisions of the same paragraph without justifiable grounds, the prefectural governor may request the relevant custodian to make an appearance with the child, and have the commissioned child welfare volunteer or the official engaged in the affairs concerning welfare of children to conduct necessary investigations or questioning. In this case, the prefectural governor must require the child welfare volunteer or the official to carry their identification and to produce it at the request of the relevant person.

2 第八条の二第二項の規定は、前項の規定による出頭の求めについて準用する。

- (2) The provisions of Article 8-2, paragraph (2) apply mutatis mutandis to the request for appearance made pursuant to the provisions of the preceding paragraph.

(臨検、捜索等)

(Inspection, Search)

第九条の三 都道府県知事は、第八条の二第一項の保護者又は第九条第一項の児童の保護者が正当な理由なく同項の規定による児童委員又は児童の福祉に関する事務に従事する職員の立入り又は調査を拒み、妨げ、又は忌避した場合において、児童虐待が行われている疑いがあるときは、当該児童の安全の確認を行い、又はその安全を確保す

るため、児童の福祉に関する事務に従事する職員をして、当該児童の住所又は居所の所在地を管轄する地方裁判所、家庭裁判所又は簡易裁判所の裁判官があらかじめ発する許可状により、当該児童の住所若しくは居所に臨検させ、又は当該児童を捜索させることができる。

Article 9-3 (1) If a prefectural governor finds a possibility of ongoing child abuse in cases where the custodian set forth in Article 8-2, paragraph (1) or the custodian of the child set forth in Article 9, paragraph (1) has refused, obstructed or evaded the entry or investigations by a commissioned child welfare volunteer or an official engaged in the affairs concerning welfare of children pursuant to the provisions of the same paragraph without justifiable grounds, the prefectural governor may have an official engaged in the affairs concerning welfare of children to inspect the domicile or residence of the child or search for the child, for ensuring that safety of the child is confirmed and secured, with a permit issued in advance by a judge of a district court, family court or summary court which has jurisdiction over the location of the domicile or residence of the child.

2 都道府県知事は、前項の規定による臨検又は捜索をさせるときは、児童の福祉に関する事務に従事する職員をして、必要な調査又は質問をさせることができる。

(2) When the prefectural governor has the inspection or search to be conducted pursuant to the provisions of the preceding paragraph, the prefectural governor may have an official engaged in the affairs concerning welfare of children to conduct necessary investigations or questioning.

3 都道府県知事は、第一項の許可状（以下「許可状」という。）を請求する場合には、児童虐待が行われている疑いがあると認められる資料、臨検させようとする住所又は居所に当該児童が現在すると認められる資料及び当該児童の保護者が第九条第一項の規定による立入り又は調査を拒み、妨げ、又は忌避したことを証する資料を提出しなければならない。

(3) When a prefectural governor makes a request for the permit set forth in paragraph (1) (hereinafter referred to as the "permit"), the prefectural governor must submit the materials to prove the suspicion of ongoing child abuse, materials to prove that the child is in the domicile or residence to be inspected, and materials to prove the fact that the custodian of the child has refused, obstructed or evaded the entry or investigations pursuant to the provisions of Article 9, paragraph (1).

4 前項の請求があった場合においては、地方裁判所、家庭裁判所又は簡易裁判所の裁判官は、臨検すべき場所又は捜索すべき児童の氏名並びに有効期間、その期間経過後は執行に着手することができずこれを返還しなければならない旨、交付の年月日及び裁判所名を記載し、自己の記名押印した許可状を都道府県知事に交付しなければならない。

(4) If a request set forth in the preceding paragraph is made, the judge of the district court, family court or summary court must issue the permit to the

prefectural governor with the judge's name and seal affixed and the following information written: the site to be inspected or the name of the child to be searched and the valid period of the permit, and the description to the effect that the inspection or search may not be initiated and the permit must be returned after the expiration of the valid period, and the date of issuance of the permit and the name of the court.

5 都道府県知事は、許可状を児童の福祉に関する事務に従事する職員に交付して、第一項の規定による臨検又は搜索をさせるものとする。

(5) The prefectural governor is to deliver the permit to an official engaged in the affairs concerning welfare of children to have the official conduct the inspection or search pursuant to the provisions of paragraph (1).

6 第一項の規定による臨検又は搜索に係る制度は、児童虐待が保護者がその監護する児童に対して行うものであるために他人から認知されること及び児童がその被害から自ら逃れることが困難である等の特別の事情から児童の生命又は身体に重大な危険を生じさせるおそれがあることにかんがみ特に設けられたものであることを十分に踏まえた上で、適切に運用されなければならない。

(6) The system for the inspection or search pursuant to the provisions of paragraph (1) must be operated properly by giving sufficient consideration to the fact that relevant system has been established specifically taking into account the risk of child abuse which may cause significant danger of life or body of the child due to special circumstances, such as the fact that child abuse is hardly acknowledged by others and the child can hardly escape from suffering on their own because child abuse is committed by the custodian against the child under the custodian's custody.

(臨検又は搜索の夜間執行の制限)

(Restriction on Night Inspection or Search)

第九条の四 前条第一項の規定による臨検又は搜索は、許可状に夜間でもすることができる旨の記載がなければ、日没から日の出までの間には、してはならない。

Article 9-4 (1) No inspection or search pursuant to the provisions of paragraph (1) of the preceding Article may be conducted during the period from sunset to sunrise unless it is specified in the permit that the permit may be executed at night.

2 日没前に開始した前条第一項の規定による臨検又は搜索は、必要があると認めるときは、日没後まで継続することができる。

(2) An inspection or search conducted pursuant to the provisions of paragraph (1) of the preceding Article which has been started before sunset may, when it is found necessary, be continued after sunset.

(許可状の提示)

(Presentation of Permit)

第九条の五 第九条の三第一項の規定による臨検又は搜索の許可状は、これらの処分を受ける者に提示しなければならない。

Article 9-5 The permit for the inspection or search issued pursuant to the provisions of Article 9-3, paragraph (1) must be presented to the person who is subject to that disposition.

(身分の証明)

(Certification of Status)

第九条の六 児童の福祉に関する事務に従事する職員は、第九条の三第一項の規定による臨検若しくは搜索又は同条第二項の規定による調査若しくは質問（以下「臨検等」という。）をするときは、その身分を示す証票を携帯し、関係者の請求があったときは、これを提示しなければならない。

Article 9-6 When an official engaged in the affairs concerning welfare of children conducts the inspection or search pursuant to the provisions of Article 9-3, paragraph (1) or the investigations or questioning pursuant to the provisions of paragraph (2) of the same Article (hereinafter referred to as the "inspection, etc."), the official must carry their identification and produce it at the request of the relevant person.

(臨検又は搜索に際しての必要な処分)

(Necessary Dispositions upon Inspection or Search)

第九条の七 児童の福祉に関する事務に従事する職員は、第九条の三第一項の規定による臨検又は搜索をするに当たって必要があるときは、錠をはずし、その他必要な処分をすることができる。

Article 9-7 An official engaged in the affairs concerning welfare of children, when it is necessary for conducting the inspection or search pursuant to the provisions of Article 9-3, paragraph (1) may remove the lock or take other necessary dispositions.

(臨検等をする間の出入りの禁止)

(Prohibition of Entrance and Leaving During Inspection)

第九条の八 児童の福祉に関する事務に従事する職員は、臨検等をする間は、何人に対しても、許可を受けずにその場所に入出入りすることを禁止することができる。

Article 9-8 An official engaged in the affairs concerning welfare of children may prohibit any person from entering or leaving the site without permission while the inspection, etc. is conducted.

(責任者等の立会い)

(Attendance of Responsible Persons)

第九条の九 児童の福祉に関する事務に従事する職員は、第九条の三第一項の規定による臨検又は搜索をするときは、当該児童の住所若しくは居所の所有者若しくは管理者

(これらの者の代表者、代理人その他これらの者に代わるべき者を含む。)又は同居の親族で成年に達した者を立ち合わせなければならない。

Article 9-9 (1) When an official engaged in the affairs concerning welfare of children conducts an inspection or search pursuant to the provisions of Article 9-3, paragraph (1) the official must have the owner or manager of the domicile or residence of the relevant child (including the representative, agent or other person acting on their behalf) or a relative who has attained the age of majority and lives together to attend the relevant inspection or search.

2 前項の場合において、同項に規定する者を立ち合わせることができないときは、その隣人で成年に達した者又はその地の地方公共団体の職員を立ち合わせなければならない。

(2) In the case of the preceding paragraph, if the official is unable to have a person prescribed in the same paragraph to attend their inspection or search, the official must have a neighbor who has attained the age of majority or an official of the local government be present.

(警察署長に対する援助要請等)

(Request for Assistance from the Chief of Police)

第十条 児童相談所長は、第八条第二項の児童の安全の確認を行おうとする場合、又は同項第一号の一時保護を行おうとし、若しくは行わせようとする場合において、これらの職務の執行に際し必要があると認めるときは、当該児童の住所又は居所の所在地を管轄する警察署長に対し援助を求めることができる。都道府県知事が、第九条第一項の規定による立入り及び調査若しくは質問をさせ、又は臨検等をさせようとする場合についても、同様とする。

Article 10 (1) When a director of child guidance center intends to confirm the safety of the child set forth in the provisions of Article 8, paragraph (2), take temporary custody of the child set forth in item (i) of the same paragraph or have another person take the temporary custody of the child, and finds it necessary in performing those duties, the director of child guidance center may ask the chief of police having jurisdiction over the location of the domicile or residence of the relevant child for assistance. The same applies where a prefectural governor intends to have the entry and investigations or questioning to be conducted or cause the inspection, etc. to be conducted pursuant to the provisions of Article 9, paragraph (1).

2 児童相談所長又は都道府県知事は、児童の安全の確認及び安全の確保に万全を期する観点から、必要に応じ迅速かつ適切に、前項の規定により警察署長に対し援助を求めなければならない。

(2) The director of a child guidance center or the prefectural governor must request assistance from the chief of police pursuant to the provisions of the preceding paragraph as quickly and appropriately as necessary from the viewpoint of confirming the safety of the child and ensuring their safety.

3 警察署長は、第一項の規定による援助の求めを受けた場合において、児童の生命又は身体の安全を確認し、又は確保するため必要と認めるときは、速やかに、所属の警察官に、同項の職務の執行を援助するために必要な警察官職務執行法（昭和二十三年法律第百三十六号）その他の法令の定めるところによる措置を講じさせるよう努めなければならない。

(3) When the chief of police receives a request for assistance pursuant to the provisions of paragraph (1) and finds it necessary to confirm or secure the life or physical safety of the child, the chief of police must endeavor to have a police official belonging to the relevant police station to take measures provided for in the Police Duties Execution Act (Act No. 136 of 1948) and other laws and regulations which are necessary for assisting the performance of the duties set forth in the same paragraph.

(調書)

(Record)

第十条の二 児童の福祉に関する事務に従事する職員は、第九条の三第一項の規定による臨検又は捜索をしたときは、これらの処分をした年月日及びその結果を記載した調書を作成し、立会人に示し、当該立会人とともにこれに署名押印しなければならない。ただし、立会人が署名押印をせず、又は署名押印することができないときは、その旨を付記すれば足りる。

Article 10-2 When an official engaged in the affairs concerning welfare of children has conducted an inspection or search pursuant to the provisions of Article 9-3, paragraph (1) produce a record describing the date on which such disposition was made and the result thereof, the officer must present the same to the witness who attended the disposition, and sign and seal the with the witness; provided, however, that if the observer fails to, or is unable to, sign and seal the record, it would be sufficient to make a supplementary note to that effect.

(都道府県知事への報告)

(Report to the Prefectural Governor)

第十条の三 児童の福祉に関する事務に従事する職員は、臨検等を終えたときは、その結果を都道府県知事に報告しなければならない。

Article 10-3 When an official engaged in the affairs concerning welfare of children has completed the inspection, etc., the official must report the result thereof to the prefectural governor.

(行政手続法の適用除外)

(Exclusion from Application of the Administrative Procedure Act)

第十条の四 臨検等に係る処分については、行政手続法（平成五年法律第八十八号）第三章の規定は、適用しない。

Article 10-4 The provisions of Chapter III of the Administrative Procedure Act (Act No. 88 of 1993) do not apply with regard to the dispositions for the inspection, etc.

(審査請求の制限)

(Request for Examination)

第十条の五 臨検等に係る処分については、審査請求をすることができない。

Article 10-5 No request for examination may be made against a disposition for the inspection, etc.

(行政事件訴訟の制限)

(Restriction on Administrative Case Litigation)

第十条の六 臨検等に係る処分については、行政事件訴訟法（昭和三十七年法律第三百十九号）第三十七条の四の規定による差止めの訴えを提起することができない。

Article 10-6 No action for an injunctive order may be filed against a disposition for the inspection, etc. pursuant to the provisions of Article 37-4 of the Administrative Case Litigation Act (Act No. 139 of 1962).

(児童虐待を行った保護者に対する指導等)

(Guidance for a Custodian Who Has Committed Child Abuse)

第十一条 都道府県知事又は児童相談所長は、児童虐待を行った保護者について児童福祉法第二十七条第一項第二号又は第二十六条第一項第二号の規定により指導を行う場合は、当該保護者について、児童虐待の再発を防止するため、医学的又は心理学的知見に基づく指導を行うよう努めるものとする。

Article 11 (1) When a prefectural governor or a director of child guidance center provides guidance to a custodian who has committed child abuse pursuant to the provisions of Article 27, paragraph (1), item (ii) or Article 26, paragraph (1), item (ii) of the Child Welfare Act, the prefectural governor or the director of child guidance center is to endeavor to provide guidance based on medical or psychological knowledge to the custodian in order to prevent the recurrence of child abuse.

2 児童虐待を行った保護者について児童福祉法第二十七条第一項第二号の規定により行われる指導は、親子の再統合への配慮その他の児童虐待を受けた児童が家庭（家庭における養育環境と同様の養育環境及び良好な家庭的環境を含む。）で生活するために必要な配慮の下に適切に行われなければならない。

(2) Guidance to be given under Article 27, paragraph (1), item (ii) of the Child Welfare Act to a custodian who has committed child abuse must be properly given by taking into account the reunion of parent and child and other particulars necessary for the abused child to live in a home (including a nurturing environment similar to a home-rearing environment and a good and nurturing home environment).

3 児童虐待を行った保護者について児童福祉法第二十七条第一項第二号の措置が採られた場合においては、当該保護者は、同号の指導を受けなければならない。

(3) If the measures set forth in Article 27, paragraph (1), item (ii) of the Child Welfare Act are taken against a custodian who has committed child abuse, the custodian must receive guidance set forth in the same item.

4 前項の場合において保護者が同項の指導を受けないときは、都道府県知事は、当該保護者に対し、同項の指導を受けるよう勧告することができる。

(4) If, in the case of the preceding paragraph, the custodian fails to receive guidance set forth in the same paragraph, the prefectural governor may recommend the custodian to receive guidance set forth in the same paragraph.

5 都道府県知事は、前項の規定による勧告を受けた保護者が当該勧告に従わない場合において必要があると認めるときは、児童福祉法第三十三条第二項の規定により児童相談所長をして児童虐待を受けた児童の一時保護を行わせ、又は適当な者に当該一時保護を行うことを委託させ、同法第二十七条第一項第三号又は第二十八条第一項の規定による措置を採る等の必要な措置を講ずるものとする。

(5) When the prefectural governor finds it necessary where the custodian who has received recommendation pursuant to the provisions of the preceding paragraph fails to follow the recommendation, the prefectural governor is to have the director of child guidance center to take temporary custody of the child who has suffered child abuse pursuant to the provisions of Article 33, paragraph (2) of the Child Welfare Act or to delegate the temporary custody to an appropriate person and take necessary measures such as the measures pursuant to the provisions of Article 27, paragraph (1), item (iii) or Article 28 paragraph (1) of the same Act.

6 児童相談所長は、第四項の規定による勧告を受けた保護者が当該勧告に従わず、その監護する児童に対し親権を行わせることが著しく当該児童の福祉を害する場合には、必要に応じて、適切に、児童福祉法第三十三条の七の規定による請求を行うものとする。

(6) If the custodian who has received recommendation pursuant to the provisions of paragraph (4) fails to follow the recommendation, and the welfare of the child under the child's custody is materially harmed by the exercise of parental authority by the custodian, the director of child guidance center is to make a request pursuant to the provisions of Article 33-7 of the Child Welfare Act properly as necessary.

7 都道府県は、保護者への指導（第二項の指導及び児童虐待を行った保護者に対する児童福祉法第十一条第一項第二号ニの規定による指導をいう。以下この項において同じ。）を効果的に行うため、同法第十三条第五項に規定する指導教育担当児童福祉司に同項に規定する指導及び教育のほか保護者への指導を行う者に対する専門的技術に関する指導及び教育を行わせるとともに、第八条の二第一項の規定による調査若しくは質問、第九条第一項の規定による立入り及び調査若しくは質問、第九条の二第一項の規定による調査若しくは質問、第九条の三第一項の規定による臨検若しくは搜索又

は同条第二項の規定による調査若しくは質問をした児童の福祉に関する事務に従事する職員並びに同法第三十三条第一項又は第二項の規定による児童の一時保護を行った児童福祉司以外の者に当該児童に係る保護者への指導を行わせることその他の必要な措置を講じなければならない。

(7) To effectively provide guidance to a custodian (guidance set forth in paragraph (2) and guidance pursuant to the provisions of Article 11, paragraph (1), item (ii), (d) of the Child Welfare Act for custodians who have committed child abuse; the same applies hereinafter in this paragraph), a prefecture must have a child welfare officer in charge of instruction and education as prescribed in Article 13, paragraph (5) of the same Act to provide guidance and education as prescribed in the same paragraph and guidance and education on specialized skills for the person who provides guidance to a custodian; have the child welfare officer in charge of instruction and education to conduct investigations or questioning pursuant to the provisions of Article 8-2, paragraph (1), an entry and investigations or questioning pursuant to the provisions of Article 9, paragraph (1), investigations or questioning pursuant to the provisions of Article 9-2, paragraph (1) or inspection or search pursuant to the provisions of Article 9-3, paragraph (1); or have an official engaged in the affairs concerning welfare of children who conducted investigations or questioning pursuant to the provisions of paragraph (2) of the same Article and a person other than the child welfare officer who took temporary custody of the child pursuant to the provisions of Article 33, paragraph (1) or paragraph (2) of the same Act to provide guidance to a custodian of the child; and take other necessary measures.

(面会等の制限等)

(Restriction on Visitation and Other Acts)

第十二条 児童虐待を受けた児童について児童福祉法第二十七条第一項第三号の措置

(以下「施設入所等の措置」という。)が採られ、又は同法第三十三条第一項若しくは第二項の規定による一時保護が行われた場合において、児童虐待の防止及び児童虐待を受けた児童の保護のため必要があると認めるときは、児童相談所長及び当該児童について施設入所等の措置が採られている場合における当該施設入所等の措置に係る同号に規定する施設の長は、厚生労働省令で定めるところにより、当該児童虐待を行った保護者について、次に掲げる行為の全部又は一部を制限することができる。

Article 12 (1) If the measures prescribed by Article 27, paragraph (1), item (iii) of the Child Welfare Act (hereinafter referred to as the "measures for residential care, etc.") are taken for a child who has suffered child abuse or temporary custody is taken for such child pursuant to the provisions of Article 33, paragraph (1) or (2) of the same Act, when it is found necessary for preventing child abuse and for protecting the child who has suffered child abuse, the director of child guidance center and in the case of the measures for

residential care, etc. being taken for the child, the head of the institution prescribed in the same item into which the measures for residential care, etc. are taken may, as specified by an Order of the Ministry of Health, Labour and Welfare, restrict the whole or part of the following acts by the custodian who committed the child abuse:

一 当該児童との面会

(i) visitation with the child; and

二 当該児童との通信

(ii) communication with the child.

2 前項の施設の長は、同項の規定による制限を行った場合又は行わなくなった場合は、その旨を児童相談所長に通知するものとする。

(2) When the head of the institution set forth in the preceding paragraph imposes the restriction pursuant to the provisions of the same paragraph or ceases to impose such restriction, the head is to give notice to the director of a child guidance center to that effect.

3 児童虐待を受けた児童について施設入所等の措置（児童福祉法第二十八条の規定によるものに限る。）が採られ、又は同法第三十三条第一項若しくは第二項の規定による一時保護が行われた場合において、当該児童虐待を行った保護者に対し当該児童の住所又は居所を明らかにしたとすれば、当該保護者が当該児童を連れ戻すおそれがある等再び児童虐待が行われるおそれがあり、又は当該児童の保護に支障をきたすと認めるときは、児童相談所長は、当該保護者に対し、当該児童の住所又は居所を明らかにしないものとする。

(3) If the measures for residential care, etc. (limited to those taken pursuant to the provisions of Article 28 of the Child Welfare Act) are taken for a child who has suffered child abuse or temporary custody is taken for such child pursuant to the provisions of Article 33, paragraph (1) or (2) of the same Act, when there is a possibility of repeated child abuse, such as the possibility of the child taken back by the custodian, or when it is found that the protection of the child would be disturbed if the domicile or resident of the child is identified to the custodian who has abused the child, the director of child guidance center is not to identify the domicile or residence of the child.

第十二条の二 児童虐待を受けた児童について施設入所等の措置（児童福祉法第二十八条の規定によるものを除く。以下この項において同じ。）が採られた場合において、当該児童虐待を行った保護者に当該児童を引き渡した場合には再び児童虐待が行われるおそれがあると認められるにもかかわらず、当該保護者が当該児童の引渡しを求め、当該保護者が前条第一項の規定による制限に従わないことその他の事情から当該児童について当該施設入所等の措置を採ることが当該保護者の意に反し、これを継続することが困難であると認めるときは、児童相談所長は、次項の報告を行うに至るまで、同法第三十三条第一項の規定により当該児童の一時保護を行い、又は適当な者に委託して、当該一時保護を行わせることができる。

Article 12-2 (1) If measures for residential care, etc. (excluding those taken pursuant to the provisions of Article 28 of the Child Welfare Act; the same applies in this paragraph) are taken for a child who has suffered child abuse, when the measures are against the will of the relevant custodian and it is found difficult to continue the measures on the ground of the circumstances such as the custodian demands delivery of the child or fails to observe the restriction as prescribed in paragraph (1) of the preceding Article, even though it is found that repeated child abuse is likely once the child is delivered to the custodian who committed the child abuse, the director of child guidance center may take temporary custody of the child or delegate the temporary custody to an appropriate person pursuant to the provisions of Article 33, paragraph (1) of the same Act until the director of child guidance center makes the report as prescribed in the following paragraph.

2 児童相談所長は、前項の一時保護を行った、又は行わせた場合には、速やかに、児童福祉法第二十六条第一項第一号の規定に基づき、同法第二十八条の規定による施設入所等の措置を要する旨を都道府県知事に報告しなければならない。

(2) If a director of a child guidance center takes temporary custody or has other person take temporary custody of the child as prescribed in the preceding paragraph, the director of child guidance center must promptly report to the prefectural governor to the effect that the measures for residential care, etc. as prescribed in Article 28 of the Child Welfare Act are necessary in accordance with the provisions of Article 26, paragraph (1), item (i) of the same Act.

第十二条の三 児童相談所長は、児童福祉法第三十三条第一項の規定により、児童虐待を受けた児童について一時保護を行っている、又は適当な者に委託して、一時保護を行わせている場合（前条第一項の一時保護を行っている、又は行わせている場合を除く。）において、当該児童について施設入所等の措置を要すると認めるときであって、当該児童虐待を行った保護者に当該児童を引き渡した場合には再び児童虐待が行われるおそれがあると認められるにもかかわらず、当該保護者が当該児童の引渡しを求め、当該保護者が第十二条第一項の規定による制限に従わないことその他の事情から当該児童について施設入所等の措置を採ることが当該保護者の意に反すると認めるときは、速やかに、同法第二十六条第一項第一号の規定に基づき、同法第二十八条の規定による施設入所等の措置を要する旨を都道府県知事に報告しなければならない。

Article 12-3 If a director of a child guidance center takes temporary custody of a child who has suffered child abuse or delegate the temporary custody of the child to an appropriate person pursuant to the provisions of Article 33, paragraph (1) of the Child Welfare Act (excluding the cases where temporary custody is taken or taken by a delegated person under paragraph (1) of the preceding Article) and it is found that the measures for residential care, etc. are necessary for the child, when it is found that the measures are against the will of the relevant custodian on the ground of the circumstances such as the

custodian demanding delivery of the child or fails to observe the restriction as prescribed in paragraph (1) of Article 12, even though it is found that repeated child abuse is likely once the child is returned to the custodian who committed the child abuse, the director of child guidance center must promptly report to the prefectural governor to the effect that the measures for residential care, etc. as prescribed in Article 28 of the Child Welfare Act are necessary in accordance with the provisions of Article 26, paragraph (1), item (i) of the same Act.

第十二条の四 都道府県知事又は児童相談所長は、児童虐待を受けた児童について施設入所等の措置が採られ、又は児童福祉法第三十三条第一項若しくは第二項の規定による一時保護が行われ、かつ、第十二条第一項の規定により、当該児童虐待を行った保護者について、同項各号に掲げる行為の全部が制限されている場合において、児童虐待の防止及び児童虐待を受けた児童の保護のため特に必要があると認めるときは、厚生労働省令で定めるところにより、六月を超えない期間を定めて、当該保護者に対し、当該児童の住所若しくは居所、就学する学校その他の場所において当該児童の身边につきまとい、又は当該児童の住所若しくは居所、就学する学校その他その通常所在する場所（通学路その他の当該児童が日常生活又は社会生活を営むために通常移動する経路を含む。）の付近をはいかいしてはならないことを命ずることができる。

Article 12-4 (1) When a prefectural governor or a director of child guidance center specifically finds it necessary for preventing child abuse and protecting a child who has suffered child abuse in cases where the measures for residential care, etc. have been taken or temporary custody pursuant to the provisions of Article 33, paragraph (1) or paragraph (2) of the Child Welfare Act has been taken for the child who has suffered child abuse and the custodian who has abused the child is restricted from being engaged in all acts listed in each item of Article 12, paragraph (1) pursuant to the provisions of the same paragraph, the prefectural governor or the director of child guidance center may, as specified by Order of the Ministry of Health, Labour and Welfare, order the custodian to refrain from constantly approaching the child at the domicile or residence of the child, the school the child attends or any other place, or from loitering in the vicinity of the domicile or residence of the child, the school the child attends or any other place normally frequented by the child (including the school commuting roads and other routes the child normally uses for living the child's daily or social life) by specifying the period not exceeding six months.

2 都道府県知事又は児童相談所長は、前項に規定する場合において、引き続き児童虐待の防止及び児童虐待を受けた児童の保護のため特に必要があると認めるときは、六月を超えない期間を定めて、同項の規定による命令に係る期間を更新することができる。

(2) In the case prescribed in the preceding paragraph, if the prefectural governor or the director of child guidance center specifically finds it necessary for

continuously preventing child abuse and protecting the child who has suffered child abuse, the prefectural governor or the director of a child guidance center may renew the valid period of an order which has been issued pursuant to the provisions of the same paragraph by specifying the period not exceeding six months.

3 都道府県知事又は児童相談所長は、第一項の規定による命令をしようとするとき（前項の規定により第一項の規定による命令に係る期間を更新しようとするときを含む。）は、行政手続法第十三条第一項の規定による意見陳述のための手続の区分にかかわらず、聴聞を行わなければならない。

(3) When the prefectural governor or the director of a child guidance center intends to issue an order pursuant to the provisions of paragraph (1) (including the cases of intending to renew the valid period of an order issued under paragraph (1) pursuant to the provisions of the preceding paragraph), the prefectural governor or the director of child guidance center must hold a hearing irrespective of the categories of procedures for hearing statement of opinions pursuant to the provisions of Article 13, paragraph (1) of the Administrative Procedure Act.

4 第一項の規定による命令をするとき（第二項の規定により第一項の規定による命令に係る期間を更新するときを含む。）は、厚生労働省令で定める事項を記載した命令書を交付しなければならない。

(4) When issuing an order pursuant to the provisions of paragraph (1) (including the cases of renewing the valid period of an order issued under paragraph (1) pursuant to the provisions of paragraph (2)), a written order describing the particulars specified by an Order of the Ministry of Health, Labour and Welfare must be delivered.

5 第一項の規定による命令が発せられた後に施設入所等の措置が解除され、停止され、若しくは他の措置に変更された場合、児童福祉法第三十三条第一項若しくは第二項の規定による一時保護が解除された場合又は第十二条第一項の規定による制限の全部若しくは一部が行われなくなった場合は、当該命令は、その効力を失う。同法第二十八条第三項の規定により引き続き施設入所等の措置が採られ、又は同法第三十三条第六項の規定により引き続き一時保護が行われている場合において、第一項の規定による命令が発せられたときであって、当該命令に係る期間が経過する前に同法第二十八条第二項の規定による当該施設入所等の措置の期間の更新に係る承認の申立てに対する審判又は同法第三十三条第五項本文の規定による引き続いての一時保護に係る承認の申立てに対する審判が確定したときも、同様とする。

(5) When the measures for residential care, etc. taken are canceled, suspended or changed to other measures, the temporary custody pursuant to the provisions of Article 33, paragraph (1) or paragraph (2) of the Child Welfare Act is canceled, or the restrictions imposed pursuant to the provisions of paragraph (1) of Article 12 ceases to be imposed, in whole or part, after an order is issued pursuant to the provisions of paragraph (1), the relevant order is to lose its

effect. The same applies when an order is issued pursuant to the provisions of paragraph (1) if the measures for residential care, etc. are continuously taken pursuant to the provisions of Article 28, paragraph (3) of the same Act or the temporary custody pursuant to the provisions of Article 33, paragraph (6) of the same Act is continuously taken and the determination on an application for approval pertaining to the renewal of the valid period for the measures filed pursuant to the provisions of paragraph (2) of the same Article or the determination on an application for approval pertaining to the continued temporary custody pursuant to the provisions of the main clause of Article 33, paragraph (5) of the same Act becomes final and binding prior to the lapse of the valid period of the order.

6 都道府県知事又は児童相談所長は、第一項の規定による命令をした場合において、その必要がなくなつたと認めるときは、厚生労働省令で定めるところにより、その命令を取り消さなければならない。

(6) When a prefectural governor or a director of child guidance center issues an order pursuant to the provisions of paragraph (1) and finds that the order is no longer necessary, the prefectural governor or the director of child guidance center must rescind the order as specified by Order of the Ministry of Health, Labour and Welfare.

(施設入所等の措置の解除等)

(Cancellation of Measures for Residential Care)

第十三条 都道府県知事は、児童虐待を受けた児童について施設入所等の措置が採られ、及び当該児童の保護者について児童福祉法第二十七条第一項第二号の措置が採られた場合において、当該児童について採られた施設入所等の措置を解除しようとするときは、当該児童の保護者について同号の指導を行うこととされた児童福祉司等の意見を聴くとともに、当該児童の保護者に対し採られた当該指導の効果、当該児童に対し再び児童虐待が行われることを予防するために採られる措置について見込まれる効果、当該児童の家庭環境その他厚生労働省令で定める事項を勘案しなければならない。

Article 13 (1) When a prefectural governor intends to cancel the measures for residential care, etc. taken for a child who has suffered child abuse in case where the measures for residential care, etc. have been taken for the child and also the measures prescribed in Article 27, paragraph (1), item (ii) of the Child Welfare Act have been taken for the custodian of the child, the prefectural governor must hear opinions of the child welfare officer or another person who is supposed to give guidance to the custodian of the child as prescribed in the same item, while taking into account the effect of the guidance given to the custodian, the expected effect of the precautionary measures taken against repeated abuse of the child, the child's home environment, and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

2 都道府県知事は、児童虐待を受けた児童について施設入所等の措置が採られ、又は

児童福祉法第三十三条第二項の規定による一時保護が行われた場合において、当該児童について採られた施設入所等の措置又は行われた一時保護を解除するときは、当該児童の保護者に対し、親子の再統合の促進その他の児童虐待を受けた児童が家庭で生活することを支援するために必要な助言を行うことができる。

- (2) When a prefectural governor intends to cancel the measures for residential care, etc. taken for a child who has suffered child abuse or the temporary custody taken in case where the measures for residential care, etc. have been taken for the child or the temporary custody of the child pursuant to the provisions of Article 33, paragraph (2) of the Child Welfare Act has been taken, the prefectural governor may provide the custodian of the child advice necessary to promote reunion of parent and child and other support necessary for the abused children to live in a home.
- 3 都道府県知事は、前項の助言に係る事務の全部又は一部を厚生労働省令で定める者に委託することができる。
- (3) A prefectural governor may delegate all or part of the affairs related to the advice set forth in the preceding paragraph to a person specified by Order of the Ministry of Health, Labour and Welfare.
- 4 前項の規定により行われる助言に係る事務に従事する者又は従事していた者は、正当な理由がなく、その事務に関して知り得た秘密を漏らしてはならない。
- (4) A person who is engaged in or was engaged in the affairs related to the advice provided pursuant to the provisions of the preceding paragraph must not divulge secrets obtained in connection with the affairs without justifiable grounds.

(施設入所等の措置の解除時の安全確認等)

(Safety Confirmation When Measures for Residential Care Are Canceled)

第十三条の二 都道府県は、児童虐待を受けた児童について施設入所等の措置が採られ、又は児童福祉法第三十三条第二項の規定による一時保護が行われた場合において、当該児童について採られた施設入所等の措置若しくは行われた一時保護を解除するとき又は当該児童が一時的に帰宅するときは、必要と認める期間、市町村、児童福祉施設その他の関係機関との緊密な連携を図りつつ、当該児童の家庭を継続的に訪問することにより当該児童の安全の確認を行うとともに、当該児童の保護者からの相談に応じ、当該児童の養育に関する指導、助言その他の必要な支援を行うものとする。

Article 13-2 When a prefectural governor intends to cancel the measures for residential care, etc. taken for a child who has suffered child abuse or the temporary custody taken in case where the measures for residential care, etc. have been taken for the child or the temporary custody of the child pursuant to the provisions of Article 33, paragraph (2) of the Child Welfare Act has been taken, or when the child returns home temporarily, the prefectural governor, for the period deemed necessary, may confirm the safety of the child by continuously visiting the child's home while maintaining close cooperation with

municipalities, child welfare institutions and other related organizations and provide guidance, advice and other necessary support regarding the care of the child in response to consultation request from the custodian of the child.

(児童虐待を受けた児童等に対する支援)

(Support of Children Who Have Suffered Child Abuse)

第十三条の三 市町村は、子ども・子育て支援法第二十七条第一項に規定する特定教育・保育施設（次項において「特定教育・保育施設」という。）又は同法第四十三条第二項に規定する特定地域型保育事業（次項において「特定地域型保育事業」という。）の利用について、同法第四十二条第一項若しくは第五十四条第一項の規定により相談、助言若しくはあつせん若しくは要請を行う場合又は児童福祉法第二十四条第三項の規定により調整若しくは要請を行う場合には、児童虐待の防止に寄与するため、特別の支援を要する家庭の福祉に配慮をしなければならない。

Article 13-3 (1) When a municipality provides consultation, advice, mediation or make a request in accordance with the provisions of Article 42, paragraph (1) or Article 54, paragraph (1) of the same Act or make adjustment or a request in accordance with the provisions of Article 24, paragraph (3) of the Child Welfare Act, for the use of the specific education and childcare facilities (referred to as the "specific education and childcare facilities" in the following paragraph) as prescribed in Article 27, paragraph (1) of the Child and Child Care Support Act or the specific area childcare service (referred to as the "specific area childcare service" in the following paragraph) as prescribed in Article 43, paragraph (2) of the same Act, the municipality must take into account the welfare of families in need of special support, for contributing to the prevention of child abuse.

2 特定教育・保育施設の設置者又は子ども・子育て支援法第二十九条第一項に規定する特定地域型保育事業者は、同法第三十三条第二項又は第四十五条第二項の規定により当該特定教育・保育施設を利用する児童（同法第十九条第一項第二号又は第三号に該当する児童に限る。以下この項において同じ。）又は当該特定地域型保育事業者に係る特定地域型保育事業を利用する児童を選考するときは、児童虐待の防止に寄与するため、特別の支援を要する家庭の福祉に配慮をしなければならない。

(2) When a founder of the specific education and childcare facilities or a provider of the specific area childcare service as prescribed in Article 29, paragraph (1) of the Child and Child Care Support Act selects a child who will use the specific education and childcare facilities pursuant to the provisions of Article 33, paragraph (2) or Article 45, paragraph (2) of the same Act (limited to a child who falls under Article 19, paragraph (1), item (ii) or item (iii) of the same Act; the same applies hereinafter in this paragraph) or a child who will use the specific area childcare service provided by the provider of the specific area childcare service, the founder of the specific education and childcare facilities or the provider of the specific area childcare service must take into

account the welfare of families in need of special support, for contributing to the prevention of child abuse.

3 国及び地方公共団体は、児童虐待を受けた児童がその年齢及び能力に応じ十分な教育が受けられるようにするため、教育の内容及び方法の改善及び充実を図る等必要な施策を講じなければならない。

(3) The national and local governments must take extended assistance such as improvement and enrichment of contents and methods of education, in order to allow children who have suffered child abuse to receive sufficient education suitable to their age and capabilities.

4 国及び地方公共団体は、居住の場所の確保、進学又は就業の支援その他の児童虐待を受けた者の自立の支援のための施策を講じなければならない。

(4) The national and local governments must take measures to support self-reliance of persons who have suffered child abuse, such as securing their residential place, supporting their education at higher-level schools or employment and the like.

(資料又は情報の提供)

(Provision of Materials or Information)

第十三条の四 地方公共団体の機関及び病院、診療所、児童福祉施設、学校その他児童の医療、福祉又は教育に関係する機関（地方公共団体の機関を除く。）並びに医師、歯科医師、保健師、助産師、看護師、児童福祉施設の職員、学校の教職員その他児童の医療、福祉又は教育に関連する職務に従事する者は、市町村長、都道府県の設置する福祉事務所の長又は児童相談所長から児童虐待に係る児童又はその保護者の心身の状況、これらの者の置かれている環境その他児童虐待の防止等に係る当該児童、その保護者その他の関係者に関する資料又は情報の提供を求められたときは、当該資料又は情報について、当該市町村長、都道府県の設置する福祉事務所の長又は児童相談所長が児童虐待の防止等に関する事務又は業務の遂行に必要な限度で利用し、かつ、利用することに相当の理由があるときは、これを提供することができる。ただし、当該資料又は情報を提供することによって、当該資料又は情報に係る児童、その保護者その他の関係者又は第三者の権利利益を不当に侵害するおそれがあると認められるときは、この限りでない。

Article 13-4 When it is required by a mayor of municipality, director of a welfare office established by a prefecture or director of child guidance center to provide materials or information on the mental or physical condition and surroundings of an abused child or the child's custodian, and other materials or information related to the abused child, the child's custodian and other relevant persons pertaining to prevention, etc. of child abuse, a local government organ and hospitals, clinics, child welfare institutions, schools and other institutions related to medical care, welfare or education for children (excluding institutions of local public governments), and, medical practitioners, dental practitioners, public health nurses, midwives, clinical nurses, officials of child

welfare institutions, teachers and other staff workers of schools and persons engaged in other duties related to medical care, welfare or education for children may provide the materials or information, as long as the mayor of municipality, director of a welfare office established by a prefecture or director of child guidance center uses the same within the scope necessary to conduct the affairs or services related to prevention, etc. of child abuse and there is any reasonable ground for the use; provided, however, that this does not apply to cases where the provision of the materials or information is found to be likely to violate the rights and interests of the child, the child's custodian or other relevant persons or any third party in an unreasonable manner.

(都道府県児童福祉審議会等への報告)

(Report to Prefectural Child Welfare Council)

第十三条の五 都道府県知事は、児童福祉法第八条第二項に規定する都道府県児童福祉審議会（同条第一項ただし書に規定する都道府県にあつては、地方社会福祉審議会）に、第九条第一項の規定による立入り及び調査又は質問、臨検等並びに児童虐待を受けた児童に行われた同法第三十三条第一項又は第二項の規定による一時保護の実施状況、児童の心身に著しく重大な被害を及ぼした児童虐待の事例その他の厚生労働省令で定める事項を報告しなければならない。

Article 13-5 A prefectural governor must report, to the prefectural child welfare council as prescribed in Article 8, paragraph (2) of the Child Welfare Act (or the Local Social Welfare Council, in the case of a prefecture as prescribed in the proviso to paragraph (1) of the same Article), the state of implementation of the entry and investigations or questioning made pursuant to the provisions of Article 9, paragraph (1), inspection, etc. and temporary custody of children who have suffered child abuse pursuant to the provisions of Article 33, paragraph (1) or paragraph (2) of the Child Welfare Act, child abuse cases which caused significant mental or physical damage to the children and other particulars specified by Order of the Ministry of Health, Labour and Welfare.

(親権の行使に関する配慮等)

(Consideration of Exercise of Parental Authority)

第十四条 児童の親権を行う者は、児童のしつけに際して、体罰を加えることその他民法（明治二十九年法律第八十九号）第八百二十条の規定による監護及び教育に必要な範囲を超える行為により当該児童を懲戒してはならず、当該児童の親権の適切な行使に配慮しなければならない。

Article 14 (1) A person who exercises parental authority over the person's child must not discipline the child by imposing corporal punishment or any other act exceeding the scope necessary for custody and education pursuant to the provisions of Article 820 of the Civil Code (Act No. 89 of 1896) and must give due consideration to appropriate exercise of the authority in disciplining the

child.

2 児童の親権を行う者は、児童虐待に係る暴行罪、傷害罪その他の犯罪について、当該児童の親権を行う者であることを理由として、その責めを免れることはない。

(2) No person who exercises parental authority over their child is exempt from punishment for assault, bodily injury or other criminal offence related to child abuse on the ground that the person is the one who exercises parental authority over the child.

(親権の喪失の制度の適切な運用)

(Proper Operation of System for Loss of Parental Authority)

第十五条 民法に規定する親権の喪失の制度は、児童虐待の防止及び児童虐待を受けた児童の保護の観点からも、適切に運用されなければならない。

Article 15 The system for the loss of parental authority provided for in the Civil Code must be properly operated from the viewpoint of preventing child abuse and protecting children who have suffered child abuse.

(延長者等の特例)

(Special Provisions for a Person Requiring Extended Assistance)

第十六条 児童福祉法第三十一条第四項に規定する延長者（以下この条において「延長者」という。）、延長者の親権を行う者、未成年後見人その他の者で、延長者を現に監護する者（以下この項において「延長者の監護者」という。）及び延長者の監護者がその監護する延長者について行う次に掲げる行為（以下この項において「延長者虐待」という。）については、延長者を児童と、延長者の監護者を保護者と、延長者虐待を児童虐待と、同法第三十一条第二項から第四項までの規定による措置を同法第二十七条第一項第一号から第三号まで又は第二項の規定による措置とみなして、第十一条第一項から第四項まで及び第六項、第十二条の四並びに第十三条第一項の規定を適用する。

Article 16 (1) With respect to the following actions to be taken against a person requiring extended assistance under custody by a person who has actual custody of the person requiring extended assistance (hereinafter referred to as "a person who has custody of a person requiring extended assistance" in this paragraph) and a person who has custody requiring extended assistance from among a person requiring extended assistance as prescribed in Article 31, paragraph (4) of the Child Welfare Act (hereinafter referred to as "a person requiring extended assistance" in this Article), a person who exercises parental authority over a person requiring extended assistance, a custodian of a minor or other person (hereinafter referred to as the "abuse of a person requiring extended assistance" in this paragraph), the provisions of Article 11, paragraphs (1) through (4) and paragraph (6), Article 12-4 and Article 13, paragraph (1) is applied by deeming a person requiring extended assistance to be a child, a person who has custody of a person requiring extended assistance

to be a custodian, abuse of a person requiring extended assistance pursuant to the provisions of Article 31, paragraphs (2) through (4) of the same Act to be measures pursuant to provisions of Article 27, paragraph (1), items (i) through (iii) or paragraph (2) of the same Act.

一 延長者の身体に外傷が生じ、又は生じるおそれのある暴行を加えること。

(i) assaulting a person requiring extended assistance in a manner that will cause or is likely to cause external injury on the body of the person requiring extended assistance;

二 延長者にわいせつな行為をすること又は延長者をしてわいせつな行為をさせること。

(ii) engaging in indecent acts against the person requiring extended assistance or cause the person requiring extended assistance to engage in indecent acts;

三 延長者の心身の正常な発達を妨げるような著しい減食又は長時間の放置、延長者の監護者以外の同居人による前二号又は次号に掲げる行為と同様の行為の放置その他の延長者の監護者としての監護を著しく怠ること。

(iii) substantially reducing the amount of food for a person who requiring extended assistance or abandoning and neglecting a person requiring extended assistance for a long time period in a manner that may interfere with normal mental and physical development of a person requiring extended assistance, or leaving a person living together other than the custodian to commit any act that is equivalent to those listed in the preceding two items or the following item, or otherwise materially fail to perform the duty of custody as a custodian; or

四 延長者に対する著しい暴言又は著しく拒絶的な対応、延長者が同居する家庭における配偶者に対する暴力その他の延長者に著しい心理的外傷を与える言動を行うこと。

(iv) using significantly violent language or taking an extreme attitude of rejection against a person requiring extended assistance, using violence upon one's spouse in a family in which the person requiring extended assistance is living together, or otherwise speaking or behaving in a manner that would be significantly traumatic to a person requiring extended assistance.

2 延長者又は児童福祉法第三十三条第十項に規定する保護延長者（以下この項において「延長者等」という。）、延長者等の親権を行う者、未成年後見人その他の者で、延長者等を現に監護する者（以下この項において「延長者等の監護者」という。）及び延長者等の監護者がその監護する延長者等について行う次に掲げる行為（以下この項において「延長者等虐待」という。）については、延長者等を児童と、延長者等の監護者を保護者と、延長者等虐待を児童虐待と、同法第三十一条第二項から第四項までの規定による措置を同法第二十七条第一項第一号から第三号まで又は第二項の規定による措置と、同法第三十三条第八項から第十一項までの規定による一時保護を同条第一項又は第二項の規定による一時保護とみなして、第十一条第五項、第十二条から第十二条の三まで、第十三条第二項から第四項まで、第十三条の二、第十三条の四及

び第十三条の五の規定を適用する。

(2) With respect to the following actions to be taken against a person requiring extended assistance under custody by a person who has actual custody of the person requiring extended assistance (hereinafter referred to as "a person who has custody of a person requiring extended assistance, etc." in this paragraph) and a person who has custody requiring extended assistance, etc. from among a person requiring extended assistance, a person requiring custody as prescribed in Article 33, paragraph (10) of the Child Welfare Act (hereinafter referred to as "a person requiring extended assistance, etc." in this paragraph), a person who exercises parental authority over a person requiring extended assistance, etc., a custodian of a minor or other person (hereinafter referred to as the "abuse of a person requiring extended assistance, etc." in this paragraph), the provisions of Article 11, paragraph (5), Article 12-1 through 12-3, Article 13, paragraphs (2) through (4), Article 13-2, Article 13-4 and Article 13-5 is applied by deeming a person requiring extended assistance, etc. to be a child, a person, etc. who has custody of a person requiring extended assistance, etc. to be a custodian, abuse of a person requiring extended assistance, etc. to be child abuse, measures pursuant to the provisions of Article 31, paragraphs (2) through (4) of the same Act to be measures pursuant to provisions of Article 27, paragraph (1), items (i) through (iii) or paragraph (2) of the same Act and temporary custody pursuant to the provisions of Article 33, paragraphs (8) through (11) of the same Act to be temporary custody pursuant to the provisions of paragraph (1) or paragraph (2) of the same Article.

一 延長者等の身体に外傷が生じ、又は生じるおそれのある暴行を加えること。

(i) assaulting a person requiring extended assistance, etc. in a manner that will cause or is likely to cause external injury on the body of the person requiring extended assistance, etc.;

二 延長者等にわいせつな行為をすること又は延長者等をしてわいせつな行為をさせること。

(ii) engaging in indecent acts against the person requiring extended assistance, etc. or cause the person requiring extended assistance, etc. to engage in indecent acts;

三 延長者等の心身の正常な発達を妨げるような著しい減食又は長時間の放置、延長者等の監護者以外の同居人による前二号又は次号に掲げる行為と同様の行為の放置その他の延長者等の監護者としての監護を著しく怠ること。

(iii) substantially reducing the amount of food for the person requiring extended assistance, etc. or abandoning and neglecting the person requiring extended assistance, etc. for a long time period in a manner that may interfere with normal mental or physical development of the person requiring extended assistance, etc., or leave a person living together other than the custodian to commit any act that is equivalent to those listed in the

preceding two items or the following item, or otherwise materially fail to perform the duty of custody as a custodian; or

四 延長者等に対する著しい暴言又は著しく拒絶的な対応、延長者等が同居する家庭における配偶者に対する暴力その他の延長者等に著しい心理的外傷を与える言動を行うこと。

(iv) using significantly violent language or taking an extreme attitude of rejection against the person requiring extended assistance, etc., use violence upon one's spouse in a family in which the person requiring extended assistance, etc. is living together, or otherwise speak or behave in a manner that would be significantly traumatic to the person requiring extended assistance, etc.

(大都市等の特例)

(Special Provisions for Large Cities)

第十七条 この法律中都道府県が処理することとされている事務で政令で定めるものは、地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市（以下「指定都市」という。）及び同法第二百五十二条の二十二第一項の中核市（以下「中核市」という。）並びに児童福祉法第五十九条の四第一項に規定する児童相談所設置市においては、政令で定めるところにより、指定都市若しくは中核市又は児童相談所設置市（以下「指定都市等」という。）が処理するものとする。この場合においては、この法律中都道府県に関する規定は、指定都市等に関する規定として指定都市等に適用があるものとする。

Article 17 In a designated city prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as the "designated city") and a core city prescribed in Article 252-22, paragraph (1) of the same Act (hereinafter referred to as the "core city"), and in a city with child guidance center prescribed in Article 59-4, paragraph (1) of the Child Welfare Act, the administrative affairs which a prefecture is supposed to process in this Act and which are prescribed in Cabinet Order are processed, pursuant to the provisions of Cabinet Order, by the designated city, the core city or the city with a child guidance center (hereinafter referred to as the "designated city, etc."), respectively. In this case, the provisions concerning a prefecture in this Act is deemed to apply to the designated city, etc. as if they were the provisions concerned with the designated city, etc.

(罰則)

(Penal Provisions)

第十八条 第十二条の四第一項（第十六条第一項の規定によりみなして適用する場合を含む。以下この条において同じ。）の規定による命令（第十二条の四第二項（第十六条第一項の規定によりみなして適用する場合を含む。）の規定により第十二条の四第一項の規定による命令に係る期間が更新された場合における当該命令を含む。）に違

反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 18 A person who has violated the provisions of Article 12-4, paragraph (1) (including where it is deemed to be applied pursuant to the provisions of Article 16, paragraph (1); the same applies hereinafter in this Article) (including the order where the valid period of an order issued under Article 12-4, paragraph (1) has been renewed pursuant to the provisions of Article 12-4, paragraph (2) (including the cases where it is deemed to be applied pursuant to the provisions of Article 16, paragraph (1)) is sentenced to imprisonment for not more than one year or a fine of not more than one million yen.

第十九条 第十三条第四項（第十六条第二項の規定によりみなして適用する場合を含む。）の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

Article 19 A person who has violated the provisions of Article 13-4, paragraph (1) (including where it is deemed to be applied pursuant to the provisions of Article 16, paragraph (2)) is sentenced to imprisonment for not more than one year or a fine of not more than five hundred thousand yen.

附 則

Supplementary Provisions

（施行期日）

(Effective Date)

第一条 この法律は、公布の日から起算して六月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect as of the day specified by a Cabinet Order within a period not to exceed six months from the date of promulgation.

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〔平成二八年四月一日〕から施行する。

Article 1 This Act comes into effect as of the date of enforcement of the Administrative Complaint Review Act (Act No. 68 of 2014).

（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 Prior laws continue to govern appeals filed against dispositions or other acts that administrative authorities have undertaken prior to the enforcement of this Act or against inactions by administrative authorities pertaining to applications that have been filed prior to the enforcement of this Act, unless otherwise provided for in these Supplementary Provisions.

(訴訟に関する経過措置)

(Transitional Measures Concerning Proceedings)

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 with regard to particulars for which an action may be filed only after a determination, decision or any other act is made by an administrative agency in relation to an administrative appeal pursuant to the provisions of laws amended by the provisions of this Act and for which the statutes of limitation for filing an action has expired before this Act comes into effect while no administrative appeal has been entered (if this administrative appeal may be entered only after a determination, decision or any other act is made by an administrative agency in relation to another administrative appeal, including particulars for which the statute of limitations for filing an action has expired before this Act comes into effect while no other administrative appeal has been entered).

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 the filing of an action for revocation of a disposition or any other act against which an objection has been filed pursuant to the provisions of laws prior to amendment by the provisions of this Act (including cases where prior laws continue to govern pursuant to the provisions of the preceding Article) and for which an action for revocation may be filed only after a determination on an appeal for review is made pursuant to the provisions of laws as 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 for revocation of a determination, decision or any other act made by an administrative agency in relation to an administrative appeal, where the action has been filed before this Act comes into effect.

(罰則に関する経過措置)

(Transitional Measure Concerning 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 application of penal provisions to acts committed prior to the enforcement of this Act and to acts committed after the enforcement of this Act in cases where Article 5 and the two preceding Articles of these Supplementary Provisions stipulate that prior laws continue to 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 the provisions of Article 5 through the preceding Article of these Supplementary Provisions, any transitional measures necessary for enforcing this Act (including transitional measures relating to penal provisions) are specified by Cabinet Order.

附 則 〔平成二十八年六月三日法律第六十三号〕〔抄〕

Supplementary Provisions [Act No. 63 of June 3, 2016 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成二十九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 as of April 1, 2017; provided, however, that the provisions listed in each of the following items come into effect as of the date specified in each item.

一 第一条のうち児童福祉法の目次の改正規定、同法第一条の改正規定、同法第二条に第一項及び第二項として二項を加える改正規定、同法第一章中第六節を第七節とし、第五節を第六節とする改正規定、同章第四節を同章第五節とする改正規定、同法第十条第一項の改正規定、同法第十一条第一項に一号を加える改正規定、同章第三節を同章第四節とする改正規定、同章第二節を同章第三節とする改正規定、同法第六条の三第四項の改正規定、同法第一章中第一節を第二節とし、同節の前に一節

を加える改正規定、同法第二十三条第一項、第二十六条第一項第二号、第二十七条第一項第二号、第三十三条第一項及び第二項、第三十三条の二第一項及び第二項、第三十三条の二の二第一項並びに第三十三条の三第一項の改正規定、同法第二章第六節中第三十三条の九の次に一条を加える改正規定並びに同法第三十三条の十、第三十三条の十四第二項及び第五十六条第四項の改正規定、第四条中母子及び父子並びに寡婦福祉法第三条の二第一項の改正規定、第五条中母子保健法第五条第二項の改正規定並びに第六条中児童虐待の防止等に関する法律第四条第一項及び第七項、第八条第二項、第十条第一項、第十一条第一項及び第四項、第十二条の二、第十二条の三、第十四条第一項並びに第十五条の改正規定並びに附則第四条、第八条及び第十七条の規定並びに附則第二十一条中国戦略特別区域法（平成二十五年法律第百七号）第十二条の四第一項及び第八項の改正規定（同条第一項及び第八項中「第一章第六節」を「第一章第七節」に改める部分に限る。） 公布の日

- (i) the provisions amending the Table of Contents of the Child Welfare Act in Article 1, the provisions amending Article 1 of the same Act, the provisions adding two paragraphs as paragraphs (1) and (2) to Article 2 of the same Act, the provisions amending Section 6 to Section 7 and Section 5 to Section 6 in Chapter 1 of the same Act, the provisions amending Section 4 of the same chapter to Section 5 of the same chapter, the provisions amending Article 10, paragraph (1) of the same Act, the provisions adding one item to Article 11, paragraph (1) of the same Act, the provisions changing Section 3 of the same Chapter to Section 4 of the same chapter, the provisions amending Section 2 of the same Chapter to Section 3 of the same Chapter, the provisions amending Article 6-3, paragraph (4) of the same Act, the provisions amending Section 1 in Chapter 1 of the same Act to Section 2 and adding one section before the same Section, the provisions amending Article 23, paragraph (1), Article 26, paragraph (1), item (ii), Article 27, paragraph (1), item (ii), Article 33, paragraph (1) and paragraph (2), Article 33-2, paragraph (1) and paragraph (2), Article 33-2-2, paragraph (1) and Article 33-3, paragraph (1) of the same Act, the provisions adding one Article after Article 33-9 in Section 6 in Chapter 2 of the same Act and the provisions amending Article 33-10, Article 33-14, paragraph (2) and Article 56, paragraph (4) of the same Act, the provisions amending Article 3-2, paragraph (1) of the Single Mother and Widow Welfare Act in Article 4, and the provisions amending Article 5, paragraph (2) of the Maternal and Child Health Act in Article 5 and the provisions amending Article 4, paragraph (1) and paragraph (7), Article 8, paragraph (2), Article 10, paragraph (1), Article 11, paragraph (1) and paragraph (4), Article 12-2, Article 12-3, Article 14, paragraph (1) and Article 15 of the Child Abuse Treatment and Prevention Act in Article 6 and the provisions amending Article 4, Article 8 and Article 17 of the Supplementary Provisions and provisions amending Article 12-4, paragraphs (1) and paragraph (8) of the National Strategic Special Zone Act

(Act No. 107 of 2013) in Article 21 of the Supplementary Provisions (limited to the part amending "Section 6 in Chapter 1" in paragraph (1) and paragraph (8) of the same Article to "Section 7 in Chapter 1"): the date of promulgation;

二 第一条の規定（前号に掲げる改正規定を除く。）、第三条の規定（売春防止法第三十五条第四項を削る改正規定を除く。）及び第六条の規定（同号に掲げる改正規定を除く。）並びに附則第九条の規定、附則第十八条中子ども・子育て支援法（平成二十四年法律第六十五号）附則第六条第二項の改正規定及び附則第二十一条の規定（前号に掲げる改正規定を除く。） 平成二十八年十月一日

(ii) the provisions amending Article 1 (excluding the amended provisions listed in the previous item), Article 3 (excluding the amended provisions that eliminate Article 35, paragraph (4) of the Anti-Prostitution Act) and Article 6 (excluding the amended provisions listed in the same item), and, the provisions amending Article 9 of the Supplementary Provisions, Article 6, paragraph (2) of the Supplementary Provisions of the Child and Child Care Support Act (Act No. 65 of 2012) in Article 18 of the Supplementary Provisions and the provisions of Article 21 of the Supplementary Provisions (excluding the amended provisions listed in the previous item): October 1, 2016;

(罰則に関する経過措置)

(Transitional Measure on Penal Provisions)

第七条 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 7 Prior laws continue to govern the applicability of penal provisions to any acts committed prior to the enforcement of this Act.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 8 Beyond what is provided for in this Supplementary Provisions, transitional measures (including transitional measures concerning penal provisions) necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔平成二十九年六月二十一日法律第六十九号〕 〔抄〕

Supplementary Provisions [Act No. 69 of June 21, 2017 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。ただし、附則第三条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of the date specified by Cabinet Order within a period not exceeding one year from the date of promulgation; provided, however, that the provisions of Article 3 of the Supplementary Provisions comes into effect as of the date of promulgation.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第三条 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 3 Beyond what is provided for in this Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討)

(Review)

第四条 政府は、この法律の施行後三年を目途として、児童相談所の体制の整備の状況、家庭裁判所の関与の下での児童福祉法第六条の三第八項に規定する要保護児童を適切に保護するために都道府県及び児童相談所が採る措置の実施状況その他のこの法律による改正後のそれぞれの法律の施行の状況等を勘案し、この法律による改正後のそれぞれ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 After approximately three years from the enforcement of this Act, the government is to review the provisions of each Act after its amendment by this Act taking into account such as the status of the child guidance center system, the implementation status of measures taken by prefectures and child guidance centers to properly take custody of the child requiring assistance as prescribed in Article 6-3, paragraph (8) of the Child Welfare Act with the involvement of the family court and the enforcement status of relevant Acts after their amendment by this Act and take necessary measures based on the results.

附 則 〔平成三十年六月二十日法律第五十九号〕 〔抄〕

Supplementary Provisions [Act No. 59 of June 20, 2018 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、平成三十四年四月一日から施行する。ただし、附則第二十六条の規定は、公布の日から施行する。

Article 1 This Act comes into effect as of April 1, 2018; provided, however, that

the provisions of Article 26 of the Supplementary Provisions comes into effect as of the date of promulgation.

(政令への委任)

(Delegation to Cabinet Order)

第二十六条 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 26 Beyond what is provided for in this Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

附 則 〔令和元年六月二十六日法律第四十六号〕〔抄〕

Supplementary Provisions [Act No. 46 of June 26, 2019 Extract] [Extract]

(施行期日)

(Effective Date)

第一条 この法律は、令和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 as of April 1, 2020; provided, however, that the provisions listed in each of the following items comes into effect as of the date specified in each item.

一 附則第四条、第七条第一項及び第八条の規定 公布の日

(i) provisions of Article 4, Article 7, paragraph (1) and Article 8 of the Supplementary Provisions: the date of promulgation;

二・三 〔略〕

(ii), (iii) [Omitted]

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第四条 前二条に規定するもののほか、この法律の施行に伴い必要な経過措置は、政令で定める。

Article 4 Beyond what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act are specified by Cabinet Order.

(検討等)

(Review)

第七条

Article 7 (1)

2～8 〔略〕

(ii) - (viii) [Omitted]

9 政府は、この法律の施行後五年を目途として、この法律による改正後の児童福祉法及び児童虐待の防止等に関する法律の規定の施行の状況を勘案し、児童虐待の予防及び早期発見のための方策、児童虐待を受けた児童の保護及び自立の支援並びに保護者に対する指導及び支援の在り方その他の児童虐待の防止等に関する施策の在り方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。

(9) After approximately five years from the enforcement of this Act, the government is to review the measures for precaution against and early detection of child abuse and what the protection of children who have suffered child abuse and support of their self-reliance and the guidance and support for custodian taking into account the status of enforcement of the provisions of the Child Welfare Act and the Child Abuse Prevention and Treatment Act after their amendment by this Act and take necessary measures based on the results.

附 則 〔令和二年六月十日法律第四十一号〕 〔抄〕

Supplementary Provisions [Act No. 41 of June 10, 2020 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経過した日から施行する。〔後略〕

Article 1 This Act comes into effect as of the date when three months have passed from the date of promulgation. [Further provisions omitted]