

Standards Concerning the Facilities and Operation of Child Welfare Facilities

(Order of the Ministry of Health and Welfare No. 63 of December 29, 1948)

Chapter I General Provisions

(Purpose)

Article 1 (1) The standards specified by an Order of the Ministry of Health, Labour and Welfare set forth in paragraph (2) of Article 45 of the Child Welfare Act (Act No. 164 of 1947; hereinafter referred to as the "Act") (hereinafter referred to as the "Facility Operation Standards") are the standards pursuant to the provisions set forth in the following items according to the standards set forth in the respective items.

- (i) the standards to be complied with in establishing Prefectural Ordinances with regard to the particulars listed in Article 45, paragraph (2), item (i) of the Act, pursuant to the provisions of paragraph (1) of the Article: the standards pursuant to the provisions of the proviso to Article 8 (limited to the parts pertaining to officials directly engaged in the protection of inmates.), the standards pursuant to the provisions of Article 17, Article 21, Article 22, Article 22-2, paragraph (1), Article 27, Article 27-2, paragraph (1), Article 28, Article 30, paragraph (2), Article 33, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (1)) and paragraph (2), Article 38, Article 42, Article 42, paragraph (1), Article 43, Article 49, Article 58, Articles 63, Article 69, Article 73, Article 74, paragraph (1), Article 80, Article 81, paragraph (1), Article 82, Article 83, Article 88-3, Article 90, and Articles 94 through 97.
- (ii) the standards to be complied with in establishing Prefectural Ordinance concerning the particulars set forth in Article 45, paragraph (2), item (ii) of the Act, pursuant to the provisions of paragraph (1) of the Article: the standards pursuant to the provisions of the proviso to Article 8 (limited to the parts pertaining to the room of a person admitted to the facility and the equipment specific to each facility), Article 19, item (i) (limited to the part pertaining to sleeping rooms and observation rooms), item (ii) and item (iii), Article 20, item (i) (limited to the part pertaining to rooms exclusively for raising infants) and item (ii), Article 26, item (i) (limited to the part pertaining to mother and child rooms), item (ii) (limited to those with one or more mother and child rooms per household) and item (iii), Article 32, item (i) (limited to the part pertaining to infant rooms and crawling rooms) (including the cases where applied mutatis mutandis pursuant to Article 30,

- paragraph (1)), item (ii) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (1)), item (iii) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (1)), item (v) (limited to the part pertaining to nursery rooms and play rooms) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (1)) and item (vi) (limited to the part pertaining to nursery rooms and play rooms) (including the cases where applied mutatis mutandis pursuant to Article 30, paragraph (1)), Article 41, item (i) (limited to the part pertaining to a resident's room) (including the cases where applied mutatis mutandis pursuant to Article 79, paragraph (2)) and item (ii) (limited to the part pertaining to the area) (including the cases where applied mutatis mutandis pursuant to Article 79, paragraph (2)), Article 48, item (i) (limited to the part pertaining to a resident's room) and item (vii) (limited to the part pertaining to the area), Article 57, item (i) (limited to the part pertaining to sickrooms), Article 62, item (i) (limited to part pertaining to instruction and training rooms and play rooms), item (ii) (limited to the part pertaining to the area) and item (iii), Article 68, item (i) (limited to the part pertaining to sickrooms), Article 72, item (i) (limited to the part pertaining to resident's rooms) and item (ii) (limited to the part pertaining to the area), and Article 94, paragraph (1) of the Supplementary Provisions
- (iii) the standards to be complied with in establishing Prefectural Ordinance concerning the particulars set forth in Article 45, paragraph (2), item (iii) of the Act pursuant to the provisions of paragraph (1) of the same Article: the standards pursuant to the provisions of Articles 9 through 9-3, Article 11, Article 14-2, Article 15, Article 19, item (i) (limited to the part pertaining to kitchens), Article 26, item (ii) (limited to the part pertaining to cooking equipment), Article 32, item (i) (limited to the part pertaining to kitchens) (including the case where it is applied mutatis mutandis pursuant to Article 30, paragraph (1)) and item (v) (limited to the part pertaining to kitchens) (including the case where it is applied mutatis mutandis pursuant to Article 30, paragraph (1)), Article 32-2 (including the case where it is applied mutatis mutandis pursuant to Article 30, paragraph (1)), Article 35, Article 41, item (i) (limited to the part pertaining to kitchens) (including the case where it is applied mutatis mutandis pursuant to Article 79, paragraph (2)), Article 48, item (i) (limited to the part pertaining to kitchens), Article 57, item (i) (limited to the part pertaining to food service facilities), Article 62, item (i) (limited to the part pertaining to kitchens) and item (vi) (limited to the parts pertaining to kitchens), Article 68, item (i) (limited to the part pertaining to kitchens), and Article 72, item (i) (limited to the part pertaining to kitchens)
- (iv) the standards to be taken into consideration by a prefecture in establishing

a Prefectural Ordinance with regard to matters other than those listed in the items of Article 45, paragraph (2) of the Act pursuant to the provisions of paragraph (1) of the same Article: the standards specified by this ministerial order other than those specified in the preceding three items.

- (2) The Facility Operation Standards ensures that persons placed in a child welfare institution under the supervision of the prefectural governor are nurtured to be healthy in mind and body and adaptable to society under the guidance of well-informed and appropriately trained personnel (including the head of the child welfare institution; the same applies hereinafter) in a bright and sanitary environment.
- (3) The Minister of Health, Labour and Welfare is to make every effort to improve the Facility Operation Standards.

(Objective of Minimum Standards)

Article 2 The standards specified by Prefectural Ordinances pursuant to the provisions of paragraph (1) of Article 45 of the Act (hereinafter referred to as the "minimum standards") ensures that persons placed in child welfare institutions under the supervision of the prefectural governor are nurtured to be healthy in mind and body and adaptable to society in a bright and sanitary environment under the guidance of well-prepared and appropriately trained personnel.

(Improvement of Minimum Standards)

Article 3 (1) The prefectural governor is to comply with the requirements of the Prefectural Child Welfare Council (the Local Social Welfare Council prescribed in Article 7, paragraph (1) of the Social Welfare Act (Act No. 45 of 1951), as stipulated in Article 12, paragraph (1) of the Social Welfare Act (hereinafter referred to as the "local social welfare council" in this paragraph). For prefectures, the local social welfare council may listen to the opinions of the prefectural government and recommend child welfare facilities under its supervision improve their facilities and operations beyond the minimum standards.

- (2) Prefectures is to make every effort to improve the minimum standards.

(Minimum Standards and Child Welfare Facilities)

Article 4 (1) Child welfare facilities must constantly improve their facilities and operation beyond the minimum standards.

- (2) Child welfare facilities having or operating facilities beyond the minimum standards must not reduce their facilities or operations due to the minimum standards.

(General Principles of Child Welfare Facilities)

- Article 5 (1) Child welfare facilities must conduct their operations in full consideration of the human rights of the residents and respecting the personalities of each individual.
- (2) Child welfare facilities must endeavor to interact and cooperate with the local community and to properly explain the management of child welfare facilities to the custodians of children and to the local community.
- (3) Child welfare facilities must endeavor to evaluate its own management and to publicize the results thereof.
- (4) Child welfare facilities must have the facilities necessary to achieve the purpose of each facility as specified by the law.
- (5) The structural facilities of child welfare facilities must be provided with sufficient consideration for the health and hygiene of persons admitted and prevention of harm to such persons, including lighting and ventilation.

(Child Welfare Facilities and Emergency Disasters)

- Article 6 (1) Child welfare facilities must prepare fire extinguishers, emergency exits, and other equipment necessary for emergencies, and endeavor to establish concrete plans for emergencies, and provide constant attention and training.
- (2) Of the training set forth in the preceding paragraph, training on evacuation and fire suppression must be carried out at least once a month.

(General Requirements for Staff in Child Welfare Facilities)

- Article 7 Officials engaged in the protection of the residents in child welfare facilities must have a sound mind and body, be rich in humanity and ethics, be enthusiastic about child welfare services, and be trained in the theory and practice of child welfare services as much as possible.

(Improvement of Knowledge and Skills for Employees of Child Welfare Facilities)

- Article 7-2 (1) The officials of child welfare facilities must strive to improve themselves and endeavor to acquire, maintain and improve the knowledge and skills necessary for achieving the purpose of each facility provided for in the Act.
- (2) Child welfare facilities must ensure that employees have the opportunity to undergo training to improve their qualifications.

(Standards of Facilities and Staff When Establishing Other Social Welfare Facilities)

- Article 8 When a child welfare facility is established together with another

social welfare institution, a part of the facilities and employees of the relevant child welfare facility may be substituted for the facilities and employees of the social welfare institution established together, if necessary; provided, however, that this does not apply to the rooms of the residents, the facilities particular to each institution, and the employees directly engaged in the protection of the residents.

(Principle to Treat Residents Equally)

Article 9 Child welfare facilities must not discriminate against a person admitted to the facility on the basis of nationality, creed, social status or whether or not the person bears the expenses required for admission.

(Prohibition of Abuse)

Article 9-2 Employees of child welfare facilities must not engage in the activities listed in items of Article 33-10 of the Act or any other acts that have a harmful effect on the mind and body of any child who are in residence.

(Prohibition Against Abuse of the Authority in Relation to Disciplinary Action)

Article 9-3 When the head of the child welfare facilities disciplines a child in a facility (the term "child" as used in this Act means a child as prescribed in Article 33 -7 of the Act; the same applies hereinafter in this Article.) with parental authority pursuant to the main clause of Article 47, paragraph (1) of the Act, or takes any measures necessary for welfare of the child in connection with disciplinary action pursuant to the provisions of paragraph (3) of the same Article, the head of the child welfare facilities must not abuse the authority by inflicting physical pain or humiliating the child's personality.

(Hygiene Management)

Article 10 (1) With regard to equipment, tableware, etc. used by persons residing in a child welfare facility or drinking water, efforts must be made for hygiene management and necessary sanitary measures must be taken.

(2) Child welfare facilities must endeavor to take necessary measures to prevent infection or food poisoning from occurring or spreading.

(3) In child welfare facilities (excluding a midwifery facility, nursery center and child recreational facilities), the residents must be bathed or wiped appropriately so as to maintain cleanliness, while taking into consideration the wishes of the inmate.

(4) Child welfare facilities must be equipped with necessary medicines and other medical products which must be appropriately managed.

(Food)

- Article 11 (1) When providing meals to persons admitted in a child welfare facility (excluding midwifery facilities; hereinafter the same applies in this paragraph), the meals must be prepared by the method of cooking in that child welfare facility (including the method of cooking in the kitchen of another social welfare facility which also serves as the kitchen of the child welfare facility pursuant to the provisions of Article 8).
- (2) When a child welfare facility provides meals to residents, the menu must be as varied as much as possible and contain the nutritional requirements necessary for the sound development of the residents.
- (3) Beyond the provisions of the preceding paragraph, meals must be prepared in consideration of nutrition and the physical conditions and preferences of the residents with regard to the types of food and cooking methods.
- (4) Cooking must be carried out in accordance with a menu prepared in advance; provided, however, that this does not apply when cooking is done for a small number of children in a homely environment.
- (5) Child welfare facilities must endeavor to foster children's ability to eat as the basis of a healthy life.

(Medical Examinations for Staff and Residents)

- Article 12 (1) The head of the child welfare facility (excluding child recreational facilities and child and family support centers; hereinafter the same applies in this Article except in paragraph (4)) must provide those admitted to the facility with medical examinations at the time of admission, regular medical examinations at least twice a year, and occasional medical examinations in accordance with the medical examinations prescribed in the School Health and Safety Act (Act No. 56 of 1958).
- (2) Notwithstanding the provisions of the preceding paragraph, the head of the child welfare facility may not perform all or part of the health examinations listed in the same column if the medical examinations listed in the upper column of the following table are deemed to be equivalent to all or part of the medical examinations listed in the lower column of the same table. In this case, the head of each child welfare facility must be aware of the results of the medical examination listed in the column above.
- (3) The physician who has conducted the medical examination set forth in paragraph (1) must enter the necessary particulars as a result of the examination in the maternal and child health handbook or a table recording the health of the admitted person, and recommend the head of the child welfare facilities to take necessary procedures such as measures for admission, the midwifery care practice, the maternal and child aid practice or the daycare practice, or cancellation or suspension of the measures pursuant to the provisions of Article 24, paragraph (5) or (6) of the Act, as necessary.

- (4) In conducting medical examinations for officials of child welfare facilities, close attention must be paid particularly to those who prepare meals for the residents.

(Management of Money Paid as Benefits)

Article 12-2 When the establisher of an infant home, a foster home, a facility for the admission of children with disabilities, a child's psychological treatment facility and a children's self-reliance support facility receive payment of benefits (hereinafter referred to as "benefits" in this Article) specified by the Minister of Health, Labour and Welfare pertaining to the children who are admitted to the relevant facility, the money received as benefits must be managed in accordance with the following provisions:

- (i) separating the money pertaining to the relevant child and anything equivalent thereto (including revenues generated from the investment thereof; hereinafter referred to as "money pertaining to the child" in this Article) from other property;
- (ii) using money pertaining to children in accordance with the purpose of payment of benefits;
- (iii) preparing books that clarify the status of the income and expenditure of money pertaining to children.
- (iv) in the event that the child has left the place, promptly having the child acquire money pertaining to the relevant child.

(Regulations within Child Welfare Facilities)

Article 13 (1) A child welfare facility (excluding a nursery center) must establish rules for necessary particulars among the following particulars:

- (i) particulars concerning the residents' assistance;
 - (ii) other important particulars concerning the management of the facility.
- (2) A Nursery center must establish rules for important particulars concerning the operation of the facilities listed in the following items:
- (i) the purpose and operational policy of the facility;
 - (ii) the contents of the childcare to be provided;
 - (iii) the type of job, the number of employees, and the contents of their duties;
 - (iv) the days and times on which childcare services are provided and the days on which childcare services are not be provided;
 - (v) the type of expenses received from the custodian, the reason for requesting the payment, and the amount thereof;
 - (vi) the number of persons to be used for each category of infants, toddlers under three years of age, and toddlers over three years of age;
 - (vii) particulars concerning the commencement and termination of the use of the nursery center and points to be noted in using the nursery center;

- (viii) how to respond in an emergency;
- (ix) emergency disaster measures;
- (x) particulars concerning measures to prevent abuse;
- (xi) important particulars concerning the operation of the nursery center;

(Books Kept in Child Welfare Facilities)

Article 14 The child welfare facility must maintain books clarifying the status of officials, property, income and expenditure, and the resident's treatment.

(Confidentiality)

Article 14-2 (1) Employees of a child welfare facility must not divulge any confidential information of users or their families that they have come to know in the course of duties without justifiable grounds.

(2) The child welfare facility must take necessary measures so that a person who was formerly an employee does not divulge any confidential information of users or their families which may come to such person's knowledge in the course of duties without justifiable grounds.

(Response to Complaints)

Article 14-3 (1) A Child welfare facility must take necessary measures such as establishing a counter for receiving complaints in order to respond promptly and appropriately to complaints from the persons admitted to the facility for the assistance provided by the facility or their custodians, etc.

(2) Infant homes, foster homes, facilities for the admission of children with disabilities, child development support centers, child psychological treatment facilities and child self-reliance support facilities must have persons other than officials of the child welfare facilities concerned involved in the resolution of complaints as necessary measures set forth in the preceding paragraph.

(3) When child welfare facility receives guidance or advice from a prefecture or municipality pertaining to measures or measures pertaining to midwifery care, maternal and child protection, or childcare services, or measures pursuant to the provisions of Article 24, paragraph (5) or (6) of the Act, with regard to the assistance provided by the relevant prefecture or municipality, prefecture or municipality, the child welfare facility must make necessary improvements in accordance with the relevant guidance or advice.

(4) A child welfare facility must cooperate as much as possible with the investigation under Article 85, paragraph (1) of the Social Welfare Act to be conducted by the Committee on Operational Propriety prescribed in Article 83 of the same Act.

(Special Provisions for Large Cities)

- Article 14-4 (1) In the case of a designated city set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947) (hereinafter referred to as a "designated city"), the term "prefecture" in Article 1, paragraph (1) is replaced with "designated city" ; the term "prefectural governor" in paragraph (2) of the same Article is replaced with "mayor of the designated city" ; the term "prefecture" in Article 2 is replaced with "designated city" ; the term "prefectural governor" in paragraph (1) of Article 3 is replaced with "mayor of the designated city" ; the term "prefecture" in paragraph (2) of the same Article is replaced with "designated city".
- (2) In the case of a core city set forth in Article 252-22, paragraph (1) of the Local Autonomy Act (hereinafter referred to as a "core city"), the term "prefecture" in Article 1, paragraph (1) is replaced with "prefecture (or core city in the case of a midwifery facility, maternal and child living support facility, or nursery center (hereinafter referred to as a "specified child welfare facilities"))" ; the term "prefectural governor" in paragraph (2) of the same Article is replaced with "prefectural governor (or core city in the case of a specified child welfare facilities)" ; the term "prefecture" in Article 2 is replaced with "prefecture (or core city in the case of a specified child welfare facilities)" ; the term "prefectural governor" in Article 3, paragraph (1) is replaced with "prefectural governor (or core city in the case of a specified child welfare facilities)" ; the term "prefecture" in paragraph (2) of the same Article is replaced with "prefecture (or core city in the case of a specified child welfare facilities)" ; and the term "prefecture" in paragraph (2) of the same Article is replaced with "prefecture (or core city in the case of a specified child welfare facilities)".
- (3) In the case of a city with child guidance centers set forth in paragraph (1) of Article 59-4 of the Act (hereinafter referred to as a "city with child guidance centers"), the term "prefecture" in Article 1, paragraph (1) is replaced with "city with child guidance centers" ; the term "prefectural governor" in paragraph (2) of the same Article is replaced with "mayor of the city with child guidance centers" ; the term "prefectural governor" in Article 3, paragraph (1) is replaced with "mayor of the city with child guidance centers" ; the term "prefectural child welfare council prescribed in Article 8, paragraph (2) of the Act (or a local social welfare council prescribed in Article 7, paragraph (1) of the Social Welfare Act (Act No. 45 of 1951) (hereinafter referred to as a "local social welfare council "in this paragraph) in the case of a prefecture to the provisions of Article 12, paragraph (1) of the same Act, causes a local social welfare council prescribed in Article 7, paragraph (1) of the same Act (hereinafter referred to as a "local social welfare council "in this paragraph) to investigate and deliberate on affairs concerning child welfare" in Article 3, paragraph (1) is replaced with "council or other body with council system concerning child welfare prescribed in Article 8, paragraph (3) of the Act"; and

the term "prefecture" in paragraph (2) of the same article is replaced with "cities with child guidance centers".

Chapter II Midwifery Facility

(Type)

Article 15 (1) A midwifery facility is a type 1 midwifery facility and a type 2 midwifery facility.

(2) A type 1 midwifery facility means a midwifery facility that is a hospital or clinic under the Medical Care Act (Act No. 205 of 1948).

(3) A type 2 midwifery facility means a midwifery facility that is a birthing center under the Medical Care Act.

(Expectant and Nursing Mothers to Be Admitted)

Article 16 The midwifery facility may accommodate expectant or nursing mothers prescribed in Article 22, paragraph (1) of the Act, and if there is still room, other expectant or nursing mothers may be admitted.

(Staff of a Type 2 Midwifery Facility)

Article 17 (1) A type 2 midwifery facility must have one or more full-time or commissioned midwives in addition to the officials provided for in the Medical Care Act.

(2) A commissioned doctor of a type 2 midwifery facility must have considerable experience in obstetrics and gynecology.

(Type 2 Midwifery Facility and Abnormal Distribution)

Article 18 When a pregnant woman who has entered type 2 midwifery facility is likely to deliver an abnormal delivery requiring obstetric surgery, the head of type 2 midwifery facility must promptly arrange for her to be admitted to type 1 midwifery facility or other appropriate hospitals or clinics; provided, however, that this does not apply when emergency measures are required.

Chapter III Infant Homes

(Standards of Facilities)

Article 19 The standards for a facility for infant homes (excluding infant homes where less than 10 infants or toddlers are admitted (hereinafter referred to as "infants")) are as follows:

- (i) to provide a bedroom, observation room, examination room, hospital room, crawling room, consultation room, kitchen, bathroom, and lavatory.
- (ii) the area of a bedroom is 2.47 square meters or more per infant and toddler.

(iii) the area of the observation room is 1.65 square meters or more per infant.

Article 20 The standards for facilities at infant homes where less than 10 infants and toddlers are admitted are as follows:

- (i) to establish a dedicated room and a consultation room for taking care of infants.
- (ii) the area of a room exclusively for raising infants must be 9.91 square meters or more per room and 2.47 square meters or more per infant.

(Staff)

- Article 21 (1) Infant homes (excluding infant homes in which less than 10 infants and toddlers are admitted) must have physicians or commissioned physicians with considerable experience in pediatric medical care, nurses, individual support staff, specialized consultants for family support, dietitians, and cooks; provided, however, that cooking staff may not be assigned to facilities to which all cooking services are entrusted.
- (2) A family support specialist must be a certified social welfare worker or a certified psychiatric social worker, a person who has engaged in the care of infants at an infant home for five years or longer, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.
 - (3) A staff member in charge of psychotherapy must be assigned when performing psychotherapy for 10 or more infants and toddlers or their custodians who are deemed to be in need of psychotherapy.
 - (4) A member of staff in charge of psychotherapy must be a person who has graduated from a university (excluding a junior college) under the provisions of the School Education Act (Act No. 26 of 1947) after completing a department specialized in psychology or a course equivalent thereto, and who has the skills for individual and group psychotherapy, or a person who is recognized as having equivalent or superior abilities.
 - (5) The number of nurses is one or more per approximately 1.6 infants and toddlers under two years of age, one or more per approximately two toddlers over two years of age under three years of age, and one or more per approximately four toddlers over three years of age (or seven or more if the total number of nurses is less than seven).
 - (6) A nurse may be substituted by a nursery teacher (in the case of an infant home within the project implementation area prescribed in Article 12-5, paragraph (5) of the National Strategy Special Zone Act (Act No. 107 of 2013 ; hereinafter referred to as the "Special Zone Act"), a nursery teacher or a nursery teacher limited to the national strategy special zone pertaining to the relevant project implementation area; the same applies in the following paragraph and paragraph (2) of the following Article) or a child instructor

(meaning a person who provides life guidance for children ; the same applies hereinafter); provided, however, that in an infant home with ten infants and toddlers, two or more nurses are placed, and in the case where the number of infants and toddlers exceeds 10, one or more nurses are placed for every increase of approximately 10.

- (7) Beyond the nursery teachers prescribed in the preceding paragraph, one or more nursery teachers must be placed in facilities where 20 or less infants and toddlers are admitted.

Article 22 (1) An infant home for which less than 10 infants and toddlers are admitted must have a commissioned doctor, nurse, family support consultant, cook, or substitute person.

- (2) The number of nurses must be seven or more; provided, however, that a nursery teacher or child guidance teacher may be substituted for one of them.

(Qualifications of Head of Infant's Hospital)

Article 22-2 (1) The head of an infant home is a person who falls under any of the following items and who has received training in order to acquire the knowledge necessary for the operation of an infant home by a person designated by the Minister of Health, Labour and Welfare, who is of a noble character and have a high level of insight, and must have the ability to appropriately operate an infant home:

- (i) a physician who has relevant knowledge and experience concerning pediatric health
- (ii) a person who is qualified as a certified social worker;
- (iii) a person who has worked as an employee of an infant home for three years or longer;
- (iv) prefectural governors (in the case of designated cities, mayors of designated cities, and in the case of cities with child guidance centers, mayors of cities with child guidance centers ; hereinafter the same applies except in Article 27-2, paragraph (1), item (iv), Article 28, item (i), Article 38, paragraph (2), item (i), Article 43, item (i), Article 82, item (iii), Article 94 and Article 96) who are deemed to have abilities equivalent to or greater than those listed in the preceding items and for whom the total of the following periods is three years or more or who have completed the course designated by the Minister of Health, Labour and Welfare;
 - (a) in the case of a person who is qualified to be a child welfare officer as prescribed in Article 12-3, paragraph (2), item (vi) of the Act (hereinafter referred to as a "child welfare officer"), the period during which the relevant person has engaged in child welfare services (including affairs concerning child welfare in the internal organization of the national

- government, prefecture or municipality);
 - (b) in the case of a person who is qualified to be a social welfare officer, the period during which the person engaged in social welfare services;
 - (c) the period during which the person served as an employee of the social welfare facility (excluding the period falling under (a) or (b));
- (2) The head of an infant home must undergo training conducted by a person designated by the Minister of Health, Labour and Welfare to improve the quality of the infant home at least once every two years; provided, however, that this does not apply if there are unavoidable reasons.

(Child Care)

- Article 23 (1) Child care in an infant home must promote the sound development of the physical, mental and social nature of infants and toddlers, and contribute to the development of their character.
- (2) The contents of child care include nursing, meals, excretion, bathing, outdoor bathing, sleeping, playing and exercise which are necessary according to the age and stage of development of infants, ascertaining the state of health, medical examination prescribed in Article 12, paragraph (1) and preventive measures for infectious diseases, etc. which are taken as necessary.
- (3) Adjustment of the family environment in an infant home must be carried out in such a way that the parent-child relationship can be reconstructed, etc. in accordance with the family circumstances of infants.

(Observation of Infants)

Article 24 An infant home (excluding an infant home where less than 10 infants are admitted.) must allow an infant to enter an observation room for a period regarded as appropriate by a physician or a commissioned physician from the day on which the infant was admitted, and observe their mental and physical condition.

(Formulation of Self-reliance Support Plan)

Article 24-2 In order to achieve the purpose set forth in Article 23, paragraph (1), the head of an infant home must formulate a plan for supporting the independence of each infant in the facility, taking into consideration the infant's and their family circumstances, etc.

(Evaluation of the Quality of Services)

Article 24-3 An infant home must make a self-evaluation on the quality of its own duties prescribed in Article 37 of the Act and periodically undergo an evaluation by an outside party, and publicize the results thereof and constantly strive to improve them.

(Cooperation with Relevant Organizations)

Article 25 The head of an infant home must take charge of upbringing of infants and coordination of the family environment in close cooperation with child guidance centers and, when necessary, relevant organs such as child and family support centers, commissioned child welfare volunteers, health centers, and municipal health centers.

Chapter IV Maternal and Child Living Support Facilities

(Standards of Facilities)

Article 26 The standards of a maternal and child living support facility must be as follows:

- (i) a maternity room, a room where meetings, learning, etc. are held and a consultation room must be provided.
- (ii) a maternity room must be provided with cooking facilities, bathrooms, and lavatories, and one or more rooms per household.
- (iii) the area of a maternity room must be 30 square meters or more.
- (iv) If there is a need, a maternal and child living support facility which admit infants must be provided an equivalent facility to a nursery center due to the unavailability of a nearby nursery center or a children's recreational facility or other reasons.
- (v) a maternal and child living support facility accommodating less than 30 infants must have a recuperation room, and a maternal and child living support facility accommodating 30 infants or more must have a medical room and a recuperation room.

(Staff)

Article 27 (1) A maternal and child living support facility must have maternal and child support staff (meaning a person who provides maternal and child living support in a maternal and child living support facility; the same applies hereinafter), a commissioned doctor, an official who instructs juveniles, and a cook, or any other person who can act in their place.

(2) When providing psychotherapy to 10 or more mothers and children who are found to need to receive psychotherapy, an official in charge of psychotherapy must be assigned.

(3) A member of staff in charge of psychotherapy must be a person who has graduated from a university (excluding a junior college) under the provisions of the School Education Act after completing a department specialized in psychology or a course equivalent thereto, and who has the skills for individual and group psychotherapy, or a person who is recognized as having equivalent

or superior abilities.

- (4) In the case that it is deemed necessary to provide special support individually to a mother and child who have been subjected to spousal violence or the like, the government must establish an individual support staff.
- (5) The number of maternal and child support staff is to be two or more in a maternal and child living support facility accommodating ten households or more and less than 20 households and three or more in a maternal and child living support facility accommodating 20 households or more.
- (6) In a maternal and child living support facility accommodating 20 households or more of a mother and child, the number of staff members who provide guidance to juveniles are to be two or more.

(Qualifications of Heads of Maternal and Child Living Support Facilities)

Article 27-2 (1) The head of a maternal and child living support facility must be a person who falls under any of the following items and child living support facility and has received training to acquire necessary knowledge concerning the operation of the maternal and child living support facility conducted by a person designated by the Minister of Health, Labour and Welfare, has high moral character and insight, and has the ability to appropriately operate the maternal and child living support facility.

- (i) a physician who has relevant knowledge and experience concerning mental health or pediatric health;
 - (ii) a person who is qualified as a certified social worker;
 - (iii) a person who has worked for three years or longer as an employee of a maternal and child living support facility.
 - (iv) a person who is deemed by the prefectural governor (in the case of a designated city, the governor is to be the mayor of the designated city, and in the core city, the mayor of the core city) to have ability equivalent to or greater than that of persons listed in the preceding items for whom the total of the following periods is three years or more, or a person who has completed the course of a training course designated by the Minister of Health, Labour and Welfare.
 - (a) for a person who is qualified to become a child welfare officer, the period during which the person engaged in the child welfare services (including affairs concerning child welfare within the national, prefectural, or municipal organization.);
 - (b) in the case of a person who is qualified to be a social welfare officer, the period during which the person engaged in social welfare services;
 - (c) the period during which the person served as an employee of the social welfare facility (excluding the period falling under (a) or (b));
- (2) The head of a maternal and child living support facility must receive training

for improvement of their qualities at least once every two years from a person designated by the Minister of Health, Labour and Welfare; provided, however, that this does not apply when there are unavoidable reasons.

(Qualification of Maternal and Child Support Personnel)

Article 28 A maternal and child support staff must be a person who falls under any of the following items:

- (i) a person who has graduated from a school for training the personnel of the child welfare facilities or other training school designated by the prefectural governor (including those who have completed the first semester of a professional university under the provisions of the school education Act; the same applies in Article 38, paragraph (2), item (i) and Article 43, paragraph (1), item (i)).
- (ii) a person qualified as a nursery teacher (in the case of a maternal and child living support facility located in the project implementation area prescribed in Article 12, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area; the same applies in Article 30, paragraph (2));
- (iii) a person who is qualified as a certified social worker;
- (iv) a person qualified as a certified mental health worker;
- (v) a person who has graduated from a high school or secondary education school under the provisions of the School Education Act, a person who has been admitted to a university pursuant to the provisions of Article 90, paragraph (2) of the same Act, a person who has completed 12 years of school education under the ordinary course (including those who have completed an equivalent school education through a course other than the ordinary course.), or persons recognized by the minister of education, culture, sports, science and technology as having equivalent or higher qualifications, and who has been engaged in child welfare services for two years or more;

(Living Support)

Article 29 In a maternal and child living support facility, living support must be provided for the purpose of promoting self-reliance and with respect to their private lives, by providing consultation, advice and guidance concerning employment, family life and child rearing, as well as liaison and coordination with relevant organs, etc., in accordance with the status of each maternal and child's family life and employment, so as to achieve the rebuilding, etc. of parent-child relations and the stabilization of their lives after leaving the facility, while making use of the characteristics of a facility in which a mother and child are admitted together.

(Formulation of Self-Reliance Support Plan)

Article 29-2 The head of a maternal and child living support facility must formulate a plan to support the self-reliance of each mother and child living in the facility, in order to achieve the purpose set forth in the preceding Article, by taking into consideration the mother and child and their family circumstances, etc., and for each mother and child staying in the facility.

(Evaluation of the Quality of Services)

Article 29-3 A maternal and child living support facility must evaluate the quality of its services prescribed in Article 38 of the Act and periodically undergo evaluation by an outside person and publicize the results thereof to always seek improvement.

(Facilities Equivalent to Nursery Schools)

Article 30 (1) When an institution equivalent to a nursery center is established in a maternal and child living support facility pursuant to the provisions of Article 26, item (iv), the provisions concerning nursery centers (excluding Article 33, paragraph (2)) apply *mutatis mutandis*.

(2) The number of nursery teachers for facilities equivalent to nursery centers must be one or more nursery teacher for approximately 30 infants; provided, however, that there cannot be less than one person.

(Cooperation with Relevant Organizations)

Article 31 The head of a maternal and child living support facility must closely cooperate with welfare offices, maternal and child self-reliance support workers, schools for children to attend, child guidance centers, maternal and child welfare organizations, public employment security offices and, when necessary, relevant organizations such as child and family support centers and women's consultation centers, in undertaking the protection of mothers and children and living support.

Chapter V Nursery School

(Standards of Facilities)

Article 32 The standards for facilities of a nursery center are as follows;

- (i) a nursery center admitting infants or toddlers under two years of age must be provided with an infant room, or crawling room, medical room, kitchen and lavatory;
- (ii) the area of an infant room must be 1.65 square meters or more per infant or per toddler prescribed in the preceding item.

- (iii) the area of a crawling room must be 3.3 square meters or more per infant or per toddler under item (i).
- (iv) to provide an infant room or a crawling room with necessary equipment for daycare.
- (v) a nursery center accommodating toddlers of two years of age or older must be provided with a nursery room, playroom, playroom, outdoor playground (including a place that replaces the outdoor playground located in the vicinity of the nursery center; the same applies in the following item), kitchen and lavatory.
- (vi) the area of a nursery room or a play room must be 1.98 square meters or more per toddler as set forth in the preceding item, and the area of the outdoor playground must be 3.3 square meters or more per toddler as set forth in the preceding item.
- (vii) to equip a nursery room and a play room with necessary equipment for nursery care.
- (viii) buildings with infant rooms, crawling rooms, nursery rooms or play rooms (hereinafter referred to as "nursery rooms, etc.") on the second floor must satisfy the following requirements (a), (b) and (c), and buildings with nursery rooms, etc. on the third floor or more must satisfy the following requirements:
 - (a) that the building is a refractory building (refers to fire-proof buildings as prescribed in Article 2, item (ix) -2 of the Building Standards Act (Act No. 201 of 1950); the same applies hereinafter in this item.) or a semi-refractory building (quasi-fire-resistant buildings prescribed in item (ix)-3 of the same Article, excluding those falling under (b) of the same item.) (fireproof building for a building with a nursery room, etc. on the third floor or higher);
 - (b) in accordance with the floors listed in the left-hand column of the following table on which nursery rooms, etc. are located, one or more facilities or equipment listed in the right-hand column of the same table are provided for each of the categories listed in the middle column of the same table.

Floor	Category	Facilities or equipment
Second floor	Regular use	(1) Indoor stairs (2) Outdoor stairs

	For evacuation	<p>(1) Indoor stairs of the structure prescribed in the items of Article 123, paragraph (1) or the items of paragraph (3) of the same Article of the Order for Enforcement of the Building Standards Act (Cabinet Order No. 338 of 1950) (provided, however, that in the case referred to in paragraph (1) of the same Article, the structure of the relevant stairs is to be limited to the portion from the first floor to the second floor of the building, and the interior and the stairway are to be communicated through a balcony or adjoining rooms, and are to satisfy paragraph (3), items (iii), (iv), and (x) of the same Article.)</p> <p>(2) Balcony effective for evacuation</p> <p>(3) Semi-fireproof exterior slope or equivalent equipment prescribed in Article 2, item (vii) - 2 of the Building Standards Act</p> <p>(4) Outdoor stairs</p>
Third floor	Regular use	<p>(1) Indoor stairs with structures prescribed in the items of Article 123, paragraph (1) or the items of paragraph (3) of the order for enforcement of the building standards Act</p> <p>(2) Outdoor stairs</p>
	For evacuation	<p>(1) Indoor stairs of the structure prescribed in each item of Article 123, paragraph (1) or each item of paragraph (3) of the same Article of the order for enforcement of the Building Standards Act (provided, however, that in the case referred to in paragraph (1) of the same Article, the structure of the relevant stairs is to be limited to the part from the first floor to the third floor of the building, and the interior and the stairway are to be connected through a balcony or an attached room, and are to satisfy paragraph (3), items (iii), (iv), and (x) of the same Article).</p> <p>(2) Fireproof exterior slope or equivalent equipment prescribed in Article 2, item (vii) of the Building Standards Act</p> <p>(3) Outdoor stairs</p>
Fourth floor or higher	Regular use	<p>(1) Indoor stairs of structure prescribed in items of Article 123, paragraph (1) of the Cabinet Order for Enforcement of the Building Standards Law or items of paragraph (3) of the same Article</p> <p>(2) Outdoor stairs with the structures prescribed in the items of Article 123, paragraph (2) of the Order for Enforcement of the Building Standards Act</p>

For evacuation	<p>(1) Indoor stairs with the structure prescribed in the items of Article 123, paragraph (1) or the items of paragraph (3) of the same Article of the Order for Enforcement of the Building Standards Act (provided, however, that in the case set forth in paragraph (1) of the same Article, the structure of the relevant stairs is to be limited to the part from the first floor of the building to the floor where nursery rooms, etc. are provided, indoor and stairwells are to be connected through a balcony or an attached room (limited to those with the structure prescribed in paragraph (3), item (ii) of the same Article, except where the stairwells have the structure prescribed in the same item), and are to satisfy paragraph (3), items (iii), (iv), and (x) of the same Article);</p> <p>(2) Fire-resistant exterior ramps prescribed in Article 2, item (vii) of the Building Standards Act</p> <p>(3) Outdoor stairs with the structures prescribed in the items of Article 123, paragraph (4) of the Order for Enforcement of the Building Standards Act</p>
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- (c) the facilities and equipment listed in (b) must be provided at places where they are effective for evacuation and in a manner that the walking distance from each part of the nursery rooms, etc. to one of them is 30meters or less.
- (d) the portion of the nursery center other than the kitchen (excluding those that fall under any of the following requirements; the same applies in (d)) and the portion of the nursery center is divided by the floor or wall of a fireproof structure prescribed in Article 2, item (vii) of the Building Standards Act or by a specified fire prevention facility prescribed in Article 112, paragraph (1) of the Order for Enforcement of the Building Standards Act. In this case, dampers are provided effectively for fire prevention at a part where the air duct of the ventilation, heating or cooling equipment penetrates the relevant floor or wall or at a part adjacent thereto.
1. a sprinkler system and other similar systems of an automatic type are provided.
 2. an effective automatic fire extinguishing device is provided for each type of cooking utensil, and necessary measures are taken to prevent the fire from spreading outside the relevant kitchen.
- (e) the walls and ceilings of the nursery center facing the room is finished with non-combustible material.
- (f) a nursery room, etc. or any other place into which infants enter, leave or pass is furnished with equipment to prevent infants from falling.
- (g) an emergency warning device or emergency warning equipment and a fire

defense mechanism is provided.

- (h) flameproof treatment is applied to flammable items such as curtains, rugs, and fittings of the nursery school.

(Special Provisions on Standards for Facilities of Childcare Centers)

Article 32-2 A nursery center which satisfies the requirements listed in the following items, notwithstanding the provisions of Article 11, paragraph (1), may provide meals to toddlers three years of age or older at the relevant nursery center by cooking and carrying in meals outside the relevant nursery center. In this case, the relevant nursery center is provided with facilities having cooking functions such as heating and preservation for cooking, which are necessary to be provided at the relevant nursery center even if the relevant meal is provided by the relevant method.

- (i) the nursery center is responsible for providing meals to toddlers, and a system to enable the manager of the nursery center to exercise due care in such aspects as hygiene and nutrition as necessary for their duties and the contents of the contract with the trustee of cooking duties are secured.
- (ii) necessary consideration is given by a dietitian, such as by establishing a system under which the menu, etc. can be instructed from the viewpoint of nutrition by a dietitian at the relevant nursery center or other facility, health center, municipality, etc.
- (iii) the person entrusted with cooking services is a person who is fully aware of the purpose of the school lunch provided at the relevant nursery center and is capable of properly performing cooking services in terms of hygiene, nutrition, etc.
- (iv) being able to appropriately respond to the contents, frequency, and timing of meals for toddlers, including the provision of meals in accordance with the toddler's age, developmental stage, and health status, consideration for allergies, atopy, etc., and the provision of necessary nutrients.
- (v) from the viewpoint of promoting the sound growth of infants through meals, efforts are made to provide meals based on a shokuiku (food and nutrition education) plan that specifies the particulars to be considered concerning meals according to the growth and development process of infants.

(Staff)

Article 33 (1) A nursery center must have a nursery teacher (in the case of a nursery center located in the project implementation area prescribed in Article 12, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area; the same applies in the following paragraph.), a commissioned doctor and a cook; provided, however, that a facility to which all

cooking work is entrusted may have no cook.

- (2) The number of nursery teachers is approximately one or more for every three infants, one or more per six toddlers over one year of age and under three years of age, one or more for every 20 toddlers over three years of age and under four years of age and one or more for every 30 toddlers over four years of age; provided, however, that there may be no less than two persons per nursery school.

(Childcare Hours)

Article 34 Childcare hours in a nursery center is eight hours per day in principle, and is determined by the head of the nursery center in consideration of working hours of the custodians of infants in the region and other family conditions, etc.

(Content of Childcare)

Article 35 Childcare in a nursery center must characteristically involve integrated nursing and education, and the contents of such care is to follow the guidelines provided by the Minister of Health, Labour and Welfare.

(Contact with Custodians)

Article 36 The head of a nursery center must maintain close contact with the custodians of the infants in the facility at all times, and endeavor to obtain the understanding and cooperation of their guardians with regard to the content, etc. of daycare.

(Evaluation of Quality of Service)

Article 36-2 (1) A nursery center must evaluate the quality of its own operations prescribed in Article 39 of the Act and constantly strive to improve them.

- (2) A nursery center must periodically undergo an evaluation by an outside person, publicize the results thereof and constantly endeavor to improve them.

Article 36-3 Deleted

Chapter VI Child Welfare Institution

(Standards for Facilities)

Article 37 The standards for facilities of a child welfare institution must be as follows:

- (i) to provide an open space, playground equipment and a lavatory in an outdoor children's recreational facility such as a child amusement park, etc.
- (ii) to provide an assembly room, a play room, a library and a lavatory in an

indoor children's recreation facility such as a children's hall.

(Staff)

Article 38 (1) A children's recreational facility must have a person to guide children's play.

(2) A person who instructs children to play must be a person falling under any of the following items:

- (i) a person who has graduated from a school for training the personnel of a child welfare institution designated by the prefectural governor or any other training facility;
- (ii) a person qualified as a nursery teacher (with regard to a children's welfare institution located in the project implementation area prescribed in Article 12, paragraph (5), item (v) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area);
- (iii) a person qualified as a certified social worker
- (iv) a person who has graduated from a high school or a secondary education school pursuant to the provisions of the School Education Act, a person who has been admitted to a university pursuant to the provisions of Article 90, paragraph (2) of the same Act or a person who has completed 12 years of school education under ordinary courses (including those who have completed an equivalent school education through a course other than the ordinary course) or a person recognized by the Minister of Education, Culture, Sports, Science and Technology as having equivalent or superior qualifications, and has been engaged in child welfare services for two years or more.
- (v) a person who holds a teacher's license for a kindergarten, elementary school, junior high school, compulsory education school, senior high school or secondary education school provided for in the Education Personnel License Act (Act No. 147 of 1949).
- (vi) a person falling under any of the following, whom the establisher of a children's recreational facility (a prefectural governor in the case of a child welfare institution established by a person other than a local government) finds appropriate.
 - (a) a person who has graduated from a university under the provisions of the School Education Act after completing a department specialized in social welfare science, psychology, pedagogy, sociology, arts or physical education or any other course similar thereto (including a person who has completed the course in the first semester of a professional university under the provisions of the relevant Act).
 - (b) a person who has been admitted to a graduate school pursuant to the provisions of Article 102, paragraph (2) of the School Education Act as a

result of having acquired credits, with excellent results, from a department specialized in social welfare studies, psychology, pedagogy, sociology, arts or physical education or from an equivalent program in a university pursuant to the same Act.

(c) a person who has graduated from a graduate school under the provisions of the School Education Act after completing a graduate school majoring in social welfare studies, psychology, pedagogy, sociology, arts or physical education or any other course similar thereto.

(d) a person who has graduated from a university in a foreign country after completing a department specialized in social welfare studies, psychology, pedagogy, sociology, arts or physical education or any other course similar thereto.

(Particulars to Be Observed in Giving Guidance on Play)

Article 39 The guidance on play in child welfare institutions is given in order to enhance children's autonomy, sociality and creativity, and thereby promote sound upbringing activities in the region.

(Contact with Custodians)

Article 40 The head of a children's recreational facility must contact their custodians, as necessary, with regard to the health and activities of children.

Chapter VII Children's Home

(Standards for Facilities)

Article 41 The standards for facilities of a foster home are as follows:

- (i) to provide children's rooms, consultation rooms, kitchen, bathrooms and lavatories.
- (ii) the capacity of a child's room must be four or less and its area must be 4.95 square meters or more per person; provided, however, that the capacity of a room exclusively for infants must be six or less, and the area of 3.3 square meters per person.
- (iii) separate boy's and girl's rooms according to the age, etc. of children in the facility.
- (iv) separate boy's and girl's lavatories; provided, however, that this does not apply when the disposition is made with a small number of children as the subject.
- (v) a foster home admitting 30 children or more must be furnished with a medical room and recuperation room.
- (vi) provide necessary vocational guidance facilities (hereinafter referred to as "equipment necessary for vocational guidance") for the children in the facility

according to their age, aptitude, etc.

(Staff)

Article 42 (1) A foster home must have child guidance counselors, commissioned physicians, nursery teachers (or nursery teachers or nursery teachers limited to national strategic special zones pertaining to the project implementation area prescribed in Article 12-5, paragraph (5) of the Special Zone Act in a foster home located within the relevant project implementation area; the same applies in paragraph (6) and Article 46), individual support staff, family support specialist counselors, dietitians and cooks, and a nurse in a facility where infants are admitted; provided, however, that a dietitian may not be appointed for an institution accommodating 40 or fewer children, and a cook may not be appointed for an institution entrusting the whole of cooking services.

- (2) A family support professional counselor must be a person qualified as a certified social worker or mental health worker, a person engaged in guidance of children in a foster home for five years or more, or a person falling under any of the items of Article 13, paragraph (3) of the Act.
- (3) When psychotherapy is to be administered to 10 or more children who are found to be in need of psychotherapy, an official in charge of psychotherapy must be assigned.
- (4) A person in charge of psychotherapy must be a person who has graduated from a university (excluding junior colleges) under the provisions of the School Education Act after completing a department specialized in psychology or any other course similar thereto, and who is found to possess skills related to individual and group psychotherapy or abilities equivalent or superior thereto.
- (5) Vocational guidance must be provided with vocational guidance instructors when the vocational training facilities are installed.
- (6) The total number of child guidance instructors and nursery teachers must be approximately one or more for every 1.6 toddlers under two years of age, approximately one or more for every two toddlers two years of age or more and under three years of age, approximately one or more for every four toddlers three years of age or more, and approximately one or more for every 5.5 children; provided, however, that in the case of an institution accommodating 45 children or less, one or more is additionally admitted.
- (7) The number of nurses should be at least one for approximately 1.6 infants; provided, however, that there cannot be less than one person.

(Qualification of the Head of a Foster Home)

Article 42-2 (1) The head of a foster home must be a person who falls under any of the following items and has received training to acquire necessary

knowledge concerning the operation of the foster home conducted by a person designated by the Minister of Health, Labour and Welfare, and be of honorable character and well-informed character and have the ability to appropriately operate the foster home.

- (i) a physician with knowledge and experience concerning mental health or pediatric health;
 - (ii) a person qualified as a certified social worker;
 - (iii) a person who has worked for three years or longer as an employee of a foster home;
 - (iv) a person who is deemed by the prefectural governor to have ability equivalent to or greater than that of persons listed in the preceding items for whom the total of the following periods is three years or more, or a person who has completed the course of a training course designated by the Minister of Health, Labour and Welfare.
 - (a) in the case of a person qualified as a child welfare officer, the period during which the person engaged in child welfare services (including affairs concerning child welfare within the national, prefectural, or municipal organization.);
 - (b) for a person who is qualified to be a social welfare officer, the period during which the person has engaged in social welfare services.
 - (c) the period of service as an employee of a social welfare facility (excluding the period that falls under the period set forth in (a) or (b)).
- (2) The head of a foster home must receive training for improvement of competency conducted by a person designated by the Minister of Health, Labour and Welfare at least once every two years; provided, however, that this does not apply when there are unavoidable reasons.

(Qualification as a Child Guidance Center)

Article 43 (1) A child guidance advisor must be a person who falls under any of the following items:

- (i) a person who has graduated from a school for training the personnel of a child welfare institution designated by the prefectural governor or any other training facility.
- (ii) a person qualified as a certified social worker;
- (iii) a person qualified as a certified mental health worker;
- (iv) a person who has graduated from a university under the provisions of the School Education Act (excluding junior colleges; the same applies in the following item) by completing a department specialized in social welfare science, psychology, pedagogy or sociology or any other course similar thereto.
- (v) a person who has been admitted to a graduate school pursuant to the provisions of Article 102, paragraph (2) of the School Education Act, as a

- result of having acquired, with excellent results, the credits of subjects concerning social welfare science, psychology, pedagogy or sociology at a university prescribed by the same Act.
- (vi) a person who has graduated from a graduate school under the provisions of the School Education Act after completing a graduate school majoring in social welfare studies, psychology, pedagogy or sociology or any other course similar thereto.
 - (vii) a person who has graduated from a university in a foreign country by completing a department specialized in social welfare studies, psychology, pedagogy or sociology or any other course similar thereto.
 - (viii) a person who has graduated from a high school or a secondary education school pursuant to the provisions of the School Education Act, a person who has been admitted to a university pursuant to the provisions of Article 90, paragraph (2) of the same Act or a person who has completed 12 years of school education under regular courses (including those who have completed an equivalent school education through a course other than the regular course) or a person recognized by the Minister of Education, Culture, Sports, Science and Technology as having equivalent or superior qualifications, and has engaged in child welfare services for two years or more.
 - (ix) a person who holds a teacher's license for a kindergarten, elementary school, junior high school, compulsory education school, senior high school or secondary education school provided for in the Educational Personnel License Act, and whom the prefectural governor finds appropriate.
 - (x) a person who has engaged in child welfare services for three years or more and whom the prefectural governor finds appropriate.
- (2) The designation set forth in item (i) of the preceding paragraph must be made for a school or institution conforming to the educational content specified in the appended table of the Order for Enforcement of the Child Welfare Act (Order of the Minister of Health, Labour and Welfare No. 11 of 1948).

(Nursing Care)

Article 44 Nursing care in a foster home must be provided for the purpose of supporting the sound growth of the child both physically and mentally and the child's self-reliance by providing a stable living environment for the child and by fostering the child while providing them with life guidance, educational guidance, vocational guidance, and coordination with them in the family environment, as well as by providing them with vocational guidance.

(Life Guidance, Educational Guidance, Vocational Guidance and Adjustment of Family Environment)

Article 45 (1) Guidance on livelihood in a foster home must be provided while

respecting the autonomy of the child so as to establish basic lifestyle habits and cultivates rich humanity and society, and to enable the child to acquire the knowledge and experience necessary for leading an independent life in the future.

- (2) Educational guidance in a foster home must be provided through appropriate consultation, advice, provision of information and other support so that the child can learn in accordance with the aptitude, ability, etc.
- (3) Vocational guidance in a foster home must be provided through appropriate consultation, advice, provision of information, etc., and support such as practical training and training conducted as necessary so that the child may choose an occupation suited to the aptitude, ability, etc., as well as fostering basic abilities, attitude toward work.
- (4) Coordination of the family environment in a foster home must be implemented so as to facilitate the rebuilding, etc. of a parent-child relationship according to the child's family situation.

(Formulation of Self-Reliance Support Plan)

Article 45-2 In order to achieve the purpose set forth in Article 44, the head of a foster home must formulate a plan for supporting self-reliance of each child admitted in the facility, by taking into consideration the child and the family circumstances, etc.

(Evaluation of the Quality of Services)

Article 45-3 A foster home must conduct self-evaluation of the quality of the services provided in Article 41 of the Act and, at the same time, undergo periodic evaluation by an external party, publicize the results thereof, and constantly endeavor to improve them.

(Staff Who Live With Children)

Article 46 The head of a foster home must have at least one child guidance staff and a nursery teacher live together with the child.

(Cooperation With Relevant Organizations)

Article 47 The head of a foster home, in close coordination with the school to which the child attends and the child guidance center, and, when necessary, with child and family support centers, commissioned child welfare volunteers, public employment security offices and other relevant organizations, must provide guidance to the child and coordinate the family environment.

Chapter VIII Welfare Services Facilities for Children With Disabilities

(Standards for Facilities)

Article 48 The standards for facilities of a welfare services facility for children with disabilities must be as follows:

- (i) to provide children's living rooms, kitchen, bathrooms, lavatories, medical rooms and recuperation rooms; provided, however, that a medical office may not be established in an institution which admits less than 30 children and admits mainly children with intellectual disabilities, and a medical office and a recuperation room may not be established in an institution which admits less than 30 children and admits mainly visually impaired children or deaf children (hereinafter referred to as "blind or deaf children").
- (ii) a facility necessary for vocational guidance must be installed in a welfare services facility for children with disabilities which admits mainly children with an intellectual disability.
- (iii) a welfare services facility for children with disabilities which admits mainly visually impaired children must be provided with the following equipment:
 - (a) play rooms, training rooms, equipment necessary for vocational guidance, and equipment related to music;
 - (b) handrails for bathrooms and lavatories, and equipment to aid physical disabilities such as special displays
- (iv) a welfare facility for children with disabilities which mainly admits deaf children must be provided with play rooms, training rooms, and equipment necessary for vocational guidance, as well as equipment concerning visual images.
- (v) a welfare services facility for children with disabilities, which admits mainly children with orthopedic disabilities, must be provided with the following equipment.
 - (a) training rooms and outdoor training areas
 - (b) facilities to aid in the impairment of physical functions such as handrails, etc. for bathrooms and lavatories.
- (vi) in a welfare services facility for children with disabilities which admits mainly visually impaired children or a welfare services facility for children with disabilities which admits mainly children with orthopedic disabilities, the slopes of the stairs must be gentle.
- (vii) the capacity of a child's room must be four or less and its area must be 4.95 square meters or more per person; provided, however, that the capacity of a room exclusively for infants must be six or less, and the area of 3.3 square meters per person.
- (viii) separate boy's and girl's rooms according to the age, etc. of children in the facility.
- (ix) separate boy's and girl's lavatories.

(Staff)

- Article 49 (1) A welfare services facility for children with disabilities which admits mainly children with intellectual disabilities (excluding children with autism as the main symptom (hereinafter referred to as "autistic child"); the same applies in the following paragraph and paragraph (3))) must have a commissioned doctor, a child guidance advisor, a nursery teacher, (or a nursery teacher (in the case of a facility for children with disabilities (or a nursery teacher limited nursery teacher in the case where the welfare services facility for children with disabilities is located within the business implementation area prescribed in Article 12-5, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher restricted within the national strategic special zone pertaining to the relevant business implementation area; hereinafter the same applies in this Article), a dietitian, a cook and a child development support management supervisor (meaning a person designated by the Minister of Health, Labour and Welfare as a person who manages the provision of support for outpatient support for children with disabilities or support for facilities admission for children with disabilities; the same applies hereinafter); provided, however, that a dietitian may not be appointed for an institution accommodating 40 or fewer children, and a cook may not be appointed for an institution entrusting the whole of cooking services.
- (2) A commissioned doctor at a welfare services facility for children with disabilities which admits mainly children with intellectual disabilities must be a person who has considerable experience in psychiatry or pediatrics.
- (3) The total number of child guidance counselors and nursery teachers in a welfare services facility for children with disabilities which admits mainly children with intellectual disabilities must be not less than the number obtained by dividing the total number of children by 4.3; provided, however, that in the case of an institution which admits 30 children or less, one or more additional children must be admitted.
- (4) A welfare services facility for children with disabilities which mainly admits autistic children must have the officials prescribed in paragraph (1) as well as doctors and nursing staff (the term "public health nurse" means a public health nurse, midwife, nurse, or assistant nurse; the same applies hereinafter in this Article and Article 63); provided, however, that a dietitian may not be appointed for an institution accommodating 40 or fewer children, and a cook may not be appointed for an institution entrusting the whole of cooking services.
- (5) The provisions of paragraph (2) apply mutatis mutandis to a contract physician of a welfare services facility for children with disabilities designed to admit mainly autistic children.

- (6) The provisions of paragraph (3) apply *mutatis mutandis* to the total number of child guidance counselors and nursery teachers of a welfare services for children with disabilities that mainly admits autistic children.
- (7) The medical practitioner of a welfare services facility for children with disabilities designed to accommodate mainly autistic children must be a person who has considerable experience in psychiatric treatment of children.
- (8) The number of nursing staff of a welfare services facility for children with disabilities that mainly admits autistic children must be one or more per approximately 20 children.
- (9) The provisions of paragraph (1) apply *mutatis mutandis* to a welfare services for children with disabilities that admits mainly blind or deaf children.
- (10) A commissioned doctor at a welfare services facility for children with disabilities designed to admit mainly blind or deaf children must have considerable experience in ophthalmology or otolaryngology.
- (11) The total number of child guidance counselors and nursery teachers in a welfare services facility for children with disabilities where mainly blind or deaf children are admitted must be approximately one or more for every four infants and one or more for every five juveniles in total; provided, however, that in the case of an institution accommodating 35 children or less, one or more children must be additionally admitted.
- (12) A welfare services facility for children with disabilities which admits mainly children with orthopedic disabilities must have officials prescribed in paragraph (1) and nursing officials; provided, however, that a dietitian may not be appointed for an institution accommodating 40 or fewer children, and a cook may not be appointed for an institution entrusting the whole of cooking services.
- (13) The total number of child instructors and nursery teachers in a welfare services facility for children with disabilities which admits mainly children with orthopedic disabilities must be not less than the number obtained by dividing the total number of children by 3.5.
- (14) An official in charge of psychological guidance must be assigned when providing psychological guidance to five or more children for whom it is found necessary to provide psychological guidance, and a vocational instructor must be assigned when providing vocational guidance.
- (15) A person in charge of providing psychological counselling must be a person who has graduated from a university (excluding a junior college) under the provisions of the School Education Act after completing a department specialized in psychology or any other course similar thereto and who is deemed to have individual or group psychotherapy skills or abilities equivalent or superior thereto.

(Life Guidance and Educational Guidance)

Article 50 (1) Providing life guidance in a welfare services facility for children with disabilities must be provided so that the child can adapt themselves to society as much as possible after leaving the relevant welfare services facility for children with disabilities while on a daily basis.

(2) The provisions of Article 45, paragraph (2) apply *mutatis mutandis* to the educational guidance in a welfare services facility for children with disabilities.

(Particulars to Be Observed in Providing Vocational Guidance)

Article 51 (1) Vocational guidance at a welfare services facility for children with disabilities must be provided according to the aptitude of the child so that the child can live a sound social life as much as possible in the future.

(2) Beyond the provisions of the preceding paragraph, the provisions of Article 45, paragraph (3) apply *mutatis mutandis* to vocational guidance at a welfare services facility for children disabilities.

(Preparation of an Admission Support Plan)

Article 52 The head of a welfare services facility for children with disabilities must prepare a plan which takes into account the custodians of the child and the intentions of the child, the suitability of the child, the characteristics of the disability of the child and other circumstances, and provide children with facility admission support for children with disabilities based on the plan, and provide children with facility admission support for children with disabilities appropriately and effectively by conducting continuous evaluation of its effects and taking other measures.

(Staff Who Live With Children)

Article 53 The provisions of Article 46 apply *mutatis mutandis* to a welfare services facility for children with disabilities (excluding welfare services facility for children with disabilities where mainly blind or deaf children are admitted.).

(Communication with Custodians)

Article 54 The head of a welfare services facility for children with disabilities must explain the nature and abilities of the children to the custodians, and request cooperation of the schools to which the children attend and, where necessary, are always in close contact with child welfare officers or commissioned child welfare volunteers who handle the relevant children, in providing life guidance, educational guidance and vocational guidance for the children.

(Psychological and Psychiatric Examination)

Article 55 In a welfare services facility for children with disabilities which admits mainly children with intellectual disabilities, psychological and psychiatric diagnoses must be provided as needed in order to appropriately protect the admitted children; provided, however, that they must not conduct experiments harmful to the welfare of children.

(Medical Examination for Admitted Children)

Article 56 (1) In a welfare services facility for children with disabilities which admits mainly blind or deaf children, the medical examination conducted at the time of admission prescribed in Article 12, paragraph (1), the cause of visual impairment or deafness and the status of their dysfunction must be precisely diagnosed, and those who can be treated must be treated as much as possible.
(2) In a welfare services facility for children with disabilities which admits mainly children with orthopedic disabilities, in the medical examination at the time of admission prescribed in Article 12, paragraph (1), the cause of the orthopedic disability and its circumstances must be accurately diagnosed by orthopedic diagnosis, and consideration must be given to whether or not admission should be continued.

Chapter VIII-2 Medical Services Facilities for Children With Disabilities

(Standards for Facilities)

Article 57 The standards for facilities of a medical services facility for children with disabilities must be as follows:

- (i) a medical services facility for children with disabilities must have a training room and a bathroom, beyond the facilities necessary for a hospital prescribed by the Medical Care Act.
- (ii) a medical services facility for children with disabilities, which admits mainly autistic children, must be provided with a resting room.
- (iii) a medical services facility for children with disabilities, which admits mainly children with orthopedic disabilities, must be provided with an outdoor training facility, a cast room, equipment necessary for giving guidance on the work of special handicrafts, etc., and equipment for producing prosthetic devices; provided, however, that the equipment for producing prosthetic limbs need not be provided when there are other appropriate equipment.
- (iv) in a medical services facility for children with disabilities which mainly admit children with orthopedic disabilities, beyond making the slopes of the stairs gentle, it must be provided with facilities to assist the impairment of physical functions such as handrails of bathroom and lavatory.

(Staff)

- Article 58 (1) A medical services facility for children with disabilities mainly accommodating autistic children must appoint a child guidance counselors, a nursery teacher (in the case of a medical services facility for children with disabilities located in the project implementation area prescribed in Article 12, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area; the same applies in the following paragraph and paragraph (5)) and a child development support management supervisor, beyond employees necessary for a hospital prescribed in the Medical Care Act.
- (2) The total number of child guidance counselors and nursery teachers of a medical services facility for children with disabilities that mainly admit autistic children must be not less than the number obtained by dividing the total number of children by 6.7.
- (3) A medical services facility for children with disabilities which admit mainly children with orthopedic disabilities must have officials, physical or occupational therapists prescribed in paragraph (1).
- (4) The head of a medical services facility for children with disabilities which admit mainly children with orthopedic disabilities and a physician must be a physician with reasonable experience in medical treatment and education for persons with physical disabilities.
- (5) The total number of child guidance workers and nursery teachers in a medical services facility children with disabilities that primarily admits children with orthopedic disabilities must be one or more per approximately 10 infants and one or more per approximately 20 juveniles in total.
- (6) A medical services facility for children with disabilities that mainly admits children with severe physical and mental disabilities (meaning children with severe mental disabilities prescribed in Article 7, paragraph (2) of the Act; the same applies hereinafter) must have officials prescribed in paragraph (3) and officials in charge of psychological guidance.
- (7) The head of a medical services facility for children with disabilities mainly accommodating children with severe mental disabilities and a physician must be a physician with considerable experience in medical treatment at a department, pediatrics, surgery, orthopedics or rehabilitation where the name combined with nerves is used as the name of the medical department pursuant to the provisions of Article 3-2, paragraph (1), item (i), (c) and (d) 2. of the Order for Enforcement of the Medical Care Act (Cabinet Order No. 326 of 1948).

(Psychological and Psychiatric Examinations)

Article 59 The provisions of Article 55 apply mutatis mutandis to psychological

and psychiatric diagnoses at a medical services facility for children with disabilities that primarily admits autistic children.

(Medical Examination for Admitted Children)

Article 60 In a medical services facility for children with disabilities which mainly admit a child with orthopedic disabilities, in the medical examination at the time of admission prescribed in Article 12, paragraph (1), causes of the dysfunction of limbs and its circumstances must be precisely diagnosed by orthopedic diagnosis, and consideration must be given to whether or not to continue admission.

(Staff Who Live With Children)

Article 61 (1) The provisions of Articles 46, 50, 51 and 54 apply mutatis mutandis to officials who live together with children, life guidance, educational guidance and vocational guidance, and liaison with the custodians, etc. by the head of a medical services facility for children with disabilities in a medical services facility for children with disabilities (excluding facilities mainly accommodating children with severe physical and mental disabilities; hereinafter the same applies in this paragraph).

(2) The provisions of Article 52 apply mutatis mutandis to the preparation of a plan by the head of a medical services facility for children with disabilities.

Chapter VIII-3 Welfare Services Child Development Support Center

(Standards for Facilities)

Article 62 The standards for facilities of a welfare services child development support center must be as follows;

- (i) a welfare services child development support center (excluding welfare services child development support centers where children with severe physical and mental disabilities mainly attend; the same applies hereinafter in this item) must be provided with a guidance and training room, a play room, an outdoor play field (including places to replace outdoor playgrounds in the vicinity of welfare services child development support centers), a medical office, a consultation room, a kitchen, a lavatory and facilities and equipment necessary to provide child development support.
- (ii) the capacity of each guidance and training room of a welfare services child development support center (excluding welfare services child development support centers mainly for children with hearing loss and welfare services child development support centers mainly for children with severe physical and mental disabilities; the same applies in the following item) must be approximately ten children, and the area must be 2.47 square meters or more

per child.

- (iii) the area of a playroom of a welfare services child development support center must 1.65 square meters or more per child.
- (iv) a welfare services child development support center where mainly children with intellectual disabilities attend must be provided with a resting room.
- (v) a welfare services child development support center where mainly children with hearing loss attend, must have a hearing test room.
- (vi) a welfare type child development support center where children with severe physical and mental disabilities are mainly accommodated must be provided with a guidance and training room, a kitchen, a lavatory and necessary facilities and equipment for providing child development support.

(Staff)

- Article 63 (1) A welfare services child development support center (excluding welfare services child development support centers mainly for children with hearing loss and welfare services child development support centers mainly for children with severe physical and mental disabilities; the same applies in the following paragraph) must appoint a commissioned doctor, a child guidance advisor, a nursery teacher (in the case of a welfare services child development support center located in the project implementation area prescribed in Article 12-5, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area; the same applies hereinafter in this Article), a dietitian, a cook, and a child development support management officer, as well as an official in charge of functional training (The term "personnel" means personnel in charge of functional training necessary for engaging in daily life; the same applies hereinafter) in the case of conducting functional training necessary for performing daily activities; provided, however, that a dietitian may not be appointed for facilities where 40 or fewer children are to attend, and a cook may not be appointed for facilities where all cooking services are entrusted.
- (2) The total number of child guidance workers, nursery teachers and officials in charge of functional training at a welfare services child development support center must be not less than the number obtained by dividing the total number of children by four.
 - (3) A commissioned doctor at a welfare type child development support center who mainly has a child with an intellectual disability to commute there must have considerable experience in psychiatric or pediatric medical care.
 - (4) Welfare type child development support centers which mainly have children with hearing loss attend must have officials prescribed in paragraph (1) and a speech therapist; provided, however, that a dietitian may not be appointed for

facilities where 40 or fewer children are to attend, and a cook may not be appointed for facilities where all cooking services are entrusted.

- (5) A commissioned doctor of a welfare services child development support center who mainly has deaf children attend must have considerable experience in medical care in ophthalmology or otolaryngology.
- (6) The total number of child guidance workers, nursery teachers, speech-language-hearing therapists and officials in charge of functional training at a welfare services child development support center which mainly sends hearing-impaired children must be approximately equal to or more than the number obtained by dividing the number of children by four; provided, however, that the number of speech-language-hearing therapists must be four or more.
- (7) Welfare type child development support centers which mainly have children with severe physical and mental disabilities attend must have officials prescribed in paragraph (1) and nursing officials; provided, however, that a dietitian may not be appointed for facilities where 40 or fewer children are to attend, and a cook may not be appointed for facilities where all cooking services are entrusted.
- (8) A commissioned doctor at a welfare type child development support center who mainly has children with severe physical and mental disabilities attend must have considerable experience in the medical care, pediatrics, surgery, orthopedics or rehabilitation services provided in the department of internal medicine, psychiatry, or a name combined with nerves pursuant to the provisions of Article 3-2, paragraph (1), item (i), (c) and (d) 2. of the Order for Enforcement of the Medical Care Act.
- (9) The number of child guidance workers, nursery teachers, nursing staff and officials in charge of functional training at a welfare services child development support center which mainly has children with severe physical and mental disabilities attend, must be approximately equal to or more than the number obtained by dividing the number of children by four; provided, however, that the number of personnel in charge of functional training must be one or more.

(Life Guidance and Preparation of Plans)

Article 64 The provisions of Article 50, paragraph (1) and Article 52 apply mutatis mutandis to life guidance in a welfare services child development support center and preparation of a plan by the head of a welfare services child development support center.

(Communication with Custodians)

Article 65 The head of a welfare services child development support center must explain the nature and capabilities of the child to the custodians and seek

cooperation from a child welfare officer or a commissioned child welfare volunteer who handles the relevant child, with regard to life guidance for the child, in close liaison as necessary.

(Medical Examination for Admitted Children)

Article 66 Welfare services child development support centers which mainly have children with hearing loss attend, upon conducting a medical examination at the time of admission as prescribed in Article 12, paragraph (1), must accurately diagnose the cause of the hearing loss in particular and the status of their dysfunction, and provide as much treatment as possible to persons who can be treated.

(Psychological and Psychiatric Examination)

Article 67 The provisions of Article 55 apply mutatis mutandis to psychological and psychiatric examinations at a welfare services child development support center mainly for children with intellectual disabilities.

Chapter VIII-4 Medical Services Child Development Support Center

(Standards for Facilities)

Article 68 The standards for facilities of a medical services child development support center must be as follows:

- (i) beyond the facilities necessary as a clinic prescribed in the Medical Care Act, a guidance training room, an outdoor training ground, a consultation room and a kitchen must be provided.
- (ii) to make the slopes of the stairs gentle and provide facilities such as handrails for a bathroom and a lavatory, which assist in the physical functions of the persons impairments.

(Staff)

Article 69 Beyond an employee necessary for a clinic prescribed in the Medical Care Act, a medical services child development support center must appoint a child guidance center, a nursery teacher (In the case of a medical care type child development support center located in the project implementation area prescribed in Article 12, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area), a nurse, a physical therapist or occupational therapist, and a child development support management supervisor.

(Medical Examination for Admitted Children)

Article 70 In a medical services child development support center, in conducting the medical examination at the time of admission prescribed in Article 12, paragraph (1), the cause of the physical disability and its status must be precisely diagnosed by an orthopedic examination, and consideration must be given to whether or not the admission should be continued.

(Life Guidance)

Article 71 The provisions of Article 50, paragraph (1), Article 52 and Article 65 apply mutatis mutandis to life guidance in a medical services child development support center and the liaison and planning by the director of a medical services child development support center with the custodians, etc.

Chapter IX Child Psychotherapy Facility

(Standards for Facilities)

Article 72 The standards for facilities of a child psychological treatment facility must be as follows:

- (i) to provide children's living rooms, medical rooms, recuperation rooms, play rooms, observation rooms, psychological examination rooms, consultation rooms, work rooms, kitchen, bathrooms and lavatories;
- (ii) the capacity of a child's room must be four or less and its area must be 4.95 square meters or more per person;
- (iii) separate room for boys and girls;
- (iv) separate lavatories for boys and girls; provided, however, that this must not apply when the disposition is made with a small number of children as the subject.

(Staff)

Article 73 (1) A child psychological treatment facility must have a physician, official in charge of psychological treatment, child guidance center, nursery teacher (In the case of a child psychological treatment facility located in the project implementation area prescribed in Article 12 paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area; the same applies in paragraph (6)), nurse, individual support staff, family support specialist counselor, dietitian, and cook; provided, however, that a facility to which all cooking work is entrusted may have no cook.

(2) A physician must have a considerable amount of experience in psychiatric or pediatric medical care.

(3) A person in charge of psychotherapy must be a person who has graduated from a university (excluding junior colleges; hereinafter the same applies in

this paragraph)) under the provisions of the School Education Act after completing a department specialized in psychology or other course similar thereto, or a person who has been admitted to a graduate school pursuant to the provisions of Article 102, paragraph (2) of the same Act as a result of having acquired subject credits related to psychology with excellent results at a university under the provisions of the same Act, and must have individual and group psychotherapy skills and at least one year of experience in psychotherapy.

- (4) A family support professional counselor must be a person qualified as a certified social worker or a certified mental health worker, a person who has engaged in the guidance of children in a child psychological treatment facility for five years or more, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.
- (5) The number of personnel in charge of psychotherapy must be approximately one for every 10 children.
- (6) The total number of child guidance teachers and nursery teachers must be approximately one for every 4.5 children.

(Qualifications of the Heads of Child Psychological Care Institutions)

Article 74 (1) The head of a child psychological treatment facility must fall under any of the following items, be a person who has received training to acquire necessary knowledge concerning the operation of the child psychological treatment facility conducted by a person designated by the Minister of Health, Labour and Welfare, and be of a honorable character with deep insight having the ability to appropriately operate the child psychological treatment facility:

- (i) a physician with knowledge and experience concerning mental health or pediatric health;
- (ii) a person qualified as a certified social worker;
- (iii) a person who has worked for three years or longer as an employee of a child psychological treatment facility;
- (iv) a person who is deemed by the prefectural governor to have the ability equivalent to or greater than that of persons listed in the preceding items and for whom the total of the following period is three years or more, or a person who has completed a course of training sessions designated by the Minister of Health, Labour and Welfare.
 - (a) in the case of a person qualified to be a child welfare officer, period during which the person is engaged in child welfare services (including affairs concerning child welfare within the national, prefectural or municipal organization);
 - (b) the period during which the person has engaged in social welfare services,

- if the person is qualified to become a social welfare officer.
- (c) the period of service as an employee of a social welfare facility (excluding the period that falls under the period set forth in (a) or (b));
- (2) The head of a child psychological treatment facility must receive training for improvement of their qualifications from a person designated by the Minister of Health, Labour and Welfare at least once every two years; provided, however, that this does not apply when there are unavoidable reasons.

(Psychotherapy, Life Guidance and Adjustment of Family Environment)

Article 75 (1) Psychotherapy and life guidance in a child psychological treatment facility must be provided for with the purpose of restoring the child's ability to socially adjust and enable the child to live a sound social life after leaving the relevant child psychological treatment facility.

- (2) Coordination of the family environment in child psychological treatment facilities must be performed so as to explain the condition and ability of the child to custodians of the child and to facilitate reconstruction, etc. of the parent-child relationship according to the child's family situation.

(Formulation of Self-Reliance Support Plan)

Article 76 In order to achieve the purpose set forth in paragraph (1) of the preceding Article, the head of a child psychological treatment facility must formulate a plan for supporting the self-reliance of individual children admitted in the facility, while taking into consideration the circumstances of the children and their families, etc.

(Evaluation of the Quality of Services)

Article 76-2 A child psychological treatment facility must conduct self-evaluation of the quality of services provided in Article 43-5 of the Act and periodically undergo evaluation by an outside person and publicize the results thereof to constantly seek improvement.

(Staff Who Live With Children)

Article 77 The provisions of Article 46 apply mutatis mutandis to child psychological treatment institutions.

(Cooperation With Relevant Organizations)

Article 78 The head of a child psychological treatment facility must be engaged in guidance for children and coordination of the family environment in close cooperation with the school to which the child attends and the child guidance center as well as relevant organs such as a child and family support center, commissioned child welfare volunteers, health centers, and municipal health

centers as necessary.

Chapter X Children's Self-Reliance Support Facility

(Standards for Facilities)

Article 79 (1) The provisions of the School Education Act concerning the standards for establishing facilities for elementary schools, junior high schools or special support schools apply mutatis mutandis to the facilities for theoretical guidance of children's self-reliance support facilities; provided, however, that this must not apply to the case where no theory guidance is provided.

(2) The provisions of Article 41 (excluding the proviso to item (ii)) apply mutatis mutandis to equipment other than those prescribed in the preceding paragraph; provided, however, that the rooms for boys and girls must be kept separately.

(Staff)

Article 80 (1) A children's self-reliance support facility must employ child self-reliance support specialists (meaning a person who provides support for the self-reliance of children in a children's self-reliance support facility; the same applies hereinafter), child life support specialists (meaning a person who provides living support for children in a children's self-reliance support facility; the same applies hereinafter), commissioned physicians and physicians or commissioned physicians with considerable experience in psychiatric diagnosis and treatment, individual support staff, family support specialist counselors, dietitians and cooks; provided, however, that a dietitian may not be appointed for an institution accommodating 40 or fewer children, and a cook may not be appointed for an institution entrusting the whole cooking services.

(2) A family support professional counselor must be a person qualified as a certified social worker or a certified mental health worker, a person who has been engaged in the guidance of children in a children's self-reliance support facility for five years or more, or a person who falls under any of the items of Article 13, paragraph (3) of the Act.

(3) When psychotherapy is to be administered to 10 or more children who are found to be in need of psychotherapy, an official in charge of psychotherapy must be assigned.

(4) A person in charge of psychotherapy must be a person who has graduated from a university (excluding junior colleges; hereinafter the same applies in this paragraph) under the provisions of the School Education Act after completing a department specialized in psychology or other course similar thereto, or a person who has been admitted to a graduate school pursuant to

the provisions of Article 102, paragraph (2) of the same Act as a result of having acquired subject credits related to psychology with excellent results at a university under the provisions of the same Act, and must have individual and group psychotherapy skills and at least one year of experience in psychotherapy.

- (5) Vocational guidance must be provided by providing vocational guidance with the equipment for practical training.
- (6) The total number of children's self-reliance support specialists and child life support specialists must be approximately one or more for every 4.5 children.

(Qualification of the Head of a Children's Self-Reliance Support Facility)

Article 81 (1) The head of a children's self-reliance support facility must fall under any of the following items and undergo training to acquire necessary knowledge concerning the operation of child self-reliance support facilities conducted by human resources development centers prescribed in Article 622 of the Regulations on Organization of the Ministry of Health, Labour and Welfare (Order of the Ministry of Health, Labour and Welfare No. 1 of 2001) or training equivalent thereto, and be of honorable character and deep insight, and be capable of appropriately operating the child self-reliance support facility.

(i) a physician with knowledge and experience concerning mental health;

(ii) a person qualified as a certified social worker;

(iii) a person who used to be a child self-reliance support specialist, etc.: A person who has engaged in child self-reliance support services for five years or more (in the case of a person who has completed a course of training conducted by a human resources development center for acquisition of knowledge and skills necessary for a child self-reliance support specialist (hereinafter referred to as "training course"), three years or more).

(iv) a person who is deemed by the prefectural governor to have ability equivalent to or greater than that of persons listed in the preceding items and for whom the total of the following periods is five years or more (three years or more for a person who has completed the training course provided by the human resources development center):

(a) In the case of a person qualified to be a child welfare officer, period during which the person is engaged in child welfare services (including affairs concerning child welfare within the internal organization of the State, prefectures, designated cities, or cities with child guidance centers.);

(b) The period during which the person has engaged in social welfare services, if the person is qualified to become a social welfare officer;

(c) The period of service as an employee of a social welfare facility (excluding the period that falls under the period set forth in (a) or (b));

(2) The head of a children's self-reliance support facility must undergo training

for improvement of their competency conducted by a person designated by the Minister of Health, Labour and Welfare at least once every two years; provided, however, that this does not apply when there are unavoidable reasons.

(Qualification as a Child Self-Reliance Support Specialist)

Article 82 (1) A child self-reliance support specialist must fall under any of the following items:

- (i) a physician with knowledge and experience concerning mental health;
- (ii) a person qualified as a certified social worker;
- (iii) a person who has graduated from a school for training child self-reliance support specialists or other training facilities designated by the prefectural governor (including those who have completed the first semester of a professional university under the provisions of the School Education Act);
- (iv) a person who has graduated from a university (excluding junior colleges; the same applies hereinafter in this item) pursuant to the provisions of the School Education Act after completing a department specialized in social welfare studies, psychology, pedagogy or sociology or any other course similar thereto, or a person who has been admitted to a graduate school pursuant to the provisions of Article 102, paragraph (2) of the same Act as a result of having acquired subject credits related to social welfare studies, psychology, pedagogy or sociology with excellent results at a university pursuant to the provisions of the same Act, and has engaged in child self-reliance support services for one year or more, or a person who has spent two years or more in total in the period listed in paragraph (1), item(iv), (a) through (c) of the preceding Article.
- (v) a person who has graduated from a graduate school under the provisions of the School Education Act after completing a graduate school majoring in social welfare studies, psychology, pedagogy or sociology or any other course similar thereto and has been engaged in children's self-reliance support services for one year or more, or a person who has spent two years or more in total for the periods listed in paragraph (1), item(iv), (a) through (c) of the preceding Article.
- (vi) a person who graduated from a university in a foreign country after completing a department specialized in social welfare, psychology, pedagogy or sociology or any other course similar thereto, and has been engaged in children's self-reliance support services for one year or more, or the total of the periods listed in paragraph (1), item (iv), (a) through (c) of the preceding Article is two years or more.
- (vii) a person who has graduated from a high school or a secondary education school pursuant to the provisions of the School Education Act, a person who has been admitted to a university pursuant to the provisions of Article 90,

paragraph (2) of the same Act or a person who has completed 12 years of school education under ordinary courses (including those who have completed an equivalent school education through a course other than the ordinary course) or a person who has been engaged in a children's self-reliance support services for three years or longer and whom the Minister of Education, Culture, Sports, Science and Technology has recognized as having equivalent or higher qualifications, or a person who has engaged in a children's self-reliance support service for five years or more in total for the period listed in paragraph (1), item(iv), (a) through (c) of the preceding Article.

(viii) a person who holds a teacher's license of an elementary school, junior high school, compulsory education school, senior high school or secondary education school provided in the Education Personnel License Act and has engaged in children's self-reliance support services for one year or longer or has engaged in the duties as a teacher for two years or longer.

(2) The provisions of Article 43, paragraph (2) apply mutatis mutandis to the designation set forth in item (iii) of the preceding paragraph.

(Qualification as a Child Life Support Worker)

Article 83 A child life support worker must be a person falling under any of the following items:

(i) a person who is qualified as a nursery teacher (in the case of a children's self-reliance support facility located in the project implementation area prescribed in Article 12-5, paragraph (5) of the Special Zone Act, a nursery teacher or a nursery teacher limited to the national strategic special zone pertaining to the relevant project implementation area);

(ii) a person qualified as a certified social worker;

(iii) a person who has been engaged in children's self-reliance support services for three years or longer.

(Life Guidance, Vocational Guidance, Academic Guidance and Adjustment of Family Environment)

Article 84 (1) All life guidance and vocational guidance in children's self-reliance support facilities must be provided for the purpose of supporting children so that they can lead sound social lives as independent adults in accordance with their aptitudes and abilities.

(2) Courses of study under the provisions of the School Education Act apply mutatis mutandis to theory guidance; provided, however, that this does not apply to the case where no theory guidance is provided.

(3) The provisions of Article 45 (excluding paragraph (2)) apply mutatis mutandis to life guidance and vocational guidance and adjustment of the family

environment.

(Formulation of Self-reliance Support Plan)

Article 84-2 The head of a children's self-reliance support facility, in order to achieve the purpose set forth in paragraph (1) of the preceding Article, must formulate a plan for supporting the self-reliance of individual children admitted in the facility, while taking into consideration the circumstances of the children and their families, etc.

(Evaluation of the Quality of Services)

Article 84-3 A children's self-reliance support facility must conduct self-evaluation of the quality of services provided in Article 44 of the Act and periodically undergo evaluation by outside persons and publicize the results thereof to constantly seek improvement.

(Staff Who Live With Children)

Article 85 The head of a children's self-reliance support facility must have at least one of child self-reliance support specialists and child life support specialists live together with their child.

Article 86 Deleted

(Cooperation With Relevant Organizations)

Article 87 The head of a children's self-reliance support facility must be engaged in guidance for children and coordination of the family environment in close coordination with the school to which the child attends and the child guidance center as well as relevant organizations such as a child and family support center, commissioned child welfare volunteers and the public employment security offices as necessary.

(Psychological and Psychiatric Examinations)

Article 88 In a children's self-reliance support facility, psychological and psychiatric examinations and educational evaluations (only when academic instruction is provided) must be conducted as needed in order to support self-reliance of children admitted there.

Chapter XI Child and Family Support Center

(Standards for Facilities)

Article 88-2 A child and family support center must have a consultation room.

(Staff)

Article 88-3 (1) A child and family support center must have officials responsible for the services prescribed in Article 44, paragraph (1) of the Act (referred to as "support" in the following Article.).

(2) The official referred to in the preceding paragraph must fall under any of the items of Article 13, paragraph (3) of the Act.

(Particulars to Be Observed in Providing Support)

Article 88-4 (1) In providing support at a child and family support center, efforts must be made to understand the intentions of children, the custodians and others and to make efforts to be considerate.

(2) When a child and family support center coordinates and liaisons with child guidance centers, welfare offices, child welfare institutions, commissioned welfare volunteers, commissioned child welfare volunteers, maternal and child self-reliance support staff, maternal and child welfare organizations, public employment security offices, women's counselors, health centers, municipal health centers, mental health welfare centers, schools, etc., it must smoothly provide other support in a prompt and appropriate manner.

(3) A child and family support center must maintain close coordination with the facilities to which it is attached with and take necessary measures to facilitate its support.

Supplementary Provisions

(Date of Enforcement)

Article 89 This ministerial order comes into effect as of the date of promulgation.

(The Meaning of High Schools and Universities)

Article 90 (1) High schools under the provisions of the School Education Act as referred to in Article 28, item (v), Article 38, paragraph (2), item (iv), Article 43, item (viii), and Article 82, item (vii) include secondary schools under the provisions of the Secondary School Order.

(2) The universities referred to in Article 21, paragraph (4), Article 27, paragraph (3), Article 38, paragraph (2), item (vi), (a), Article 42, paragraph (4), Article 43, item (iv), Article 75, paragraph (3), Article 80, paragraph (4) and Article 82, item (iv) must include universities under the provisions of the University Order.

(Transitional Provisions)

Article 91 (1) A person who, at the time of the enforcement of this ministerial order, is actually engaged in the services of the head, dormitory, child welfare

officer, child guidance advisor, instructors in a child welfare institution may be engaged in the relevant services until December 31, 1952, notwithstanding the provisions of this ministerial order.

- (2) When it is difficult to comply with the provisions of this Order with regard to the number of facilities and employees of a child welfare institution actually existing upon the coming into force of this order due to the circumstances of land or other special reasons, the relevant child welfare institution may not be utilized until December 31, 1949; provided, however, that a child welfare institution established by a person other than the national or prefectural government must obtain approval from the prefectural governor.
- (3) A child welfare institution established by a person other than the State or prefecture in existence at the time of the enforcement of this ministerial order must be deemed to have obtained the approval set forth in the proviso of the preceding paragraph with regard to its equipment and the number of its officials for six months from the day of the enforcement of this ministerial order.

Article 92 (1) When there are circumstances that make it difficult for a nursery center in existence at the time of the enforcement of this ministerial order to meet the standards specified in Article 32, items (ii), (iii) and (vi), the prefectural governor must state the circumstances within six months after the enforcement of this ministerial order.

- (2) When the recommendation set forth in the preceding paragraph is made, the prefectural governor must hear the opinions of the Local Child Welfare Commission and, when they find that the recommendation has reasonable grounds, must transmit it to the Minister of Health, Labour and Welfare with their opinions attached.
- (3) If the minister of health and welfare receives the delivery set forth in the preceding paragraph, after hearing the opinions of the Central Child Welfare Commission and finds that there are reasonable grounds for the delivery, the minister may refrain from complying with the standards prescribed in Article 32 items (ii), (iii) and (vi), limited to a certain period.

Article 93 With regard to the application of this ministerial order, a person prescribed in Article 5 of the Supplementary Provisions of the Act to Partially Amend Child Welfare Act (Act No. 135 of 2001) must be deemed to be a nursery teacher for three years after the enforcement of the provisions listed in Article 1, item (iv) of the Supplementary Provisions of the relevant Act.

(Special Provisions on the Assignment of Staff to a Childcare Center)

Article 94 In view of the shortage of nursery centers, certified children's

nurseries (limited to those for which the confirmation set forth in Article 27, paragraph (1) of the Child and Child Care Support Act (Act No. 65 of 2012) has been obtained) or domestic nursery services, etc. sufficient to meet demand of nursery care, the provisions of the proviso of Article 33, paragraph (2) must not apply for the time being. In this case, when there is only one nursery teacher necessary pursuant to the provisions of the main clause of the same paragraph, a person who is found by the prefectural governor (in the case of a designated city, the mayor of the relevant designated city, and in the case of a core city, the mayor of the relevant core city) to have knowledge and experience equivalent to nursery teachers must be appointed beyond the relevant nursery teacher.

Article 95 In light of the circumstances set forth in the preceding Article, for the time being, with regard to the calculation of the number of nursery teachers prescribed in Article 33, paragraph (2), a person who holds an ordinary license (meaning an ordinary license as prescribed in Article 4, paragraph (2) of the Educational Personnel License Act) of a kindergarten or elementary school teacher or a nursing teacher may be deemed to be a nursery teacher.

Article 96 In light of the circumstances set forth in Article 94, until otherwise provided for by law, when the total number of nursery teachers required through opening hours at a nursery center which opens for more than eight hours per day exceeds the number of nursery teachers which must be established in accordance with the total number of usable capacity pertaining to the relevant nursery center, persons whom the prefectural governor (in the case of a designated city, the mayor of the relevant designated city, and in the case of a core city, the mayor of the relevant core city) finds to have knowledge and experience equivalent to nursery teachers may be deemed to be nursery teachers, to the extent of the number obtained by subtracting the number of nursery teachers required according to the total number of usable capacity from the total number of nursery teachers required through opening hours.

Article 97 When the provisions of the preceding two Articles apply, at least 2/3 of the number (meaning the amount calculated pursuant to Article 33, paragraph (2) if the provisions of the preceding two Articles do not apply) of nursery teachers (meaning a person registered pursuant to Article 18-18, paragraph (1) of the Act and excluding a person deemed to be a nursery teacher pursuant to the provisions of paragraph (2) of the Supplementary Provisions or the preceding two Articles of the ministerial order for partial revision of minimum standards for child welfare facilities (Order of the Ministry of Health, Labour and Welfare No. 51 of 1998)) must be appointed.

Supplementary Provisions [Order of the Ministry of Health, Labour and Welfare No. 17 of February 3, 2012] [Extract]

(Effective Date)

Article 1 This ministerial order comes into effect as of April 1, 2012.

(Transitional Measure)

Article 2 For the time being, with regard to a—facility for children with intellectually disabilities as prescribed in Article 42 of the Child Welfare Act prior to the revision by Article 5 of (hereinafter referred to as "Old Child Welfare Act") the Act on the Development of Relevant Acts to Support Community Life for Persons with Disabilities (Act No. 71 of 2010; hereinafter referred to as "maintenance law") or an institution for the blind or deaf children as prescribed in Article 43-2 of the old Child Welfare Act (excluding those used only by day-care centers) that is a facility for children with intellectually disabilities as prescribed in Article of the Child Welfare Act prior to the revision by Article 5 of the Act on the Development of Relevant Acts to Support Community Life for Persons with Disabilities, until a review of the measures for health and welfare of persons with disabilities existing at the time of the enforcement of the Ministerial Order Partially Amending Minimum Standards for Child Welfare Institutions (Order of the Ministry of Health, Labour and Welfare No. 71 of 2011) and which is deemed, pursuant to the provisions of Article 34, paragraph (1) of the Supplementary Provisions of the Development Act, to be an institution for children with disabilities as prescribed in Article 42 of the New Child Welfare Act (hereinafter referred to as "New Child Welfare Act") pursuant to Article 35, paragraph (3) or paragraph (4) of the New Child Welfare Act (excluding the cases where the structure of the building has been changed, such as extension or reconstruction, after the enforcement of the relevant Order), in the case of applying the provisions of Article 48, item (vii) of the Standards Concerning Facilities and Operation of Child Welfare Institutions revised by this Ministerial Order (hereinafter referred to as "New Standard"), the term "four persons." in the same item is replaced with "15 persons" and the term "To be of 4, 95 square meters or more; provided, however, that the capacity of a room exclusively for infants must be six persons or less, and the area must be 3.3 square meters or more per person." is replaced with (Order of the Ministry of Health, Labour and Welfare No. 71 of 2011).

Article 3 With regard to an institution for orthopedically impaired children prescribed in Article 43 -3 of the Old Child Welfare Act (excluding those used

only by day-care centers) which exists in existence at the time of the enforcement of this ministerial order and is deemed, pursuant to Article 34, paragraph (1) of the Supplementary Provisions of the Development Act, to be established as a facility for children with disabilities prescribed in Article 42 of the New Child Welfare Act pursuant to Article 35, paragraph (3) or paragraph (4) (excluding a building whose structure has been changed, such as an extension or reconstruction, after the enforcement of this ministerial order) of the New Child Welfare Act, the provisions of Article 48, items (vii) through (ix) of the New Standards do not apply for the time being.

Article 4 (1) With regard to the application of the provisions of Article 34, paragraph (2) of the New Child Welfare Act to a daycare institution for children with intellectually disabilities prescribed in Article 43 of the Old Child Welfare Act that exists in existence at the time of the enforcement of this ministerial order and is deemed, pursuant to the provisions of Article 35, paragraph (3) of the Supplementary Provisions of the Development Act, to be established as a child development support center prescribed in Article 43 of the New Child Welfare Act pursuant to Article 63, paragraph (2) of the New Child Welfare Act, "more than the number obtained by dividing approximately the number of children by four through" in paragraph of the same Article must be deemed to be replaced with "the total of the number obtained by dividing the number of babies and toddlers by four and the number of juveniles obtained by dividing the number of juveniles by 7.5".

(2) With regard to the application of Article 63, paragraph (6) of the New Standards to an institution for blind or deaf children prescribed in Article 43 -2 of the Former Child Welfare Act (limited to those used only by day-care centers.) which exists at the time of the enforcement of this ministerial order and is deemed, pursuant to the provisions of Article 34, paragraph (2) of the Supplementary Provisions of the Maintenance Act, to be established as a child development support center prescribed in Article 43 of the new child welfare Act pursuant to paragraph (3) or (4) of Article 35 of the New Child Welfare Act, "Language hearing therapists and" and "There are four speech-language-hearing therapists." in paragraph (6) of the same Article is replaced with "audience training staff (the term "personnel" means personnel in charge of auditory training; the same applies hereinafter), language training staff (the term "personnel" means personnel in charge of training in language functions; the same applies hereinafter), and "The number of personnel in charge of audibility training and the number of personnel in charge of language function training must be two each." respectively.

Supplementary Provisions [Order of the Ministry of Health, Labour and

Welfare No. 72 of March 31, 2020]

This ministerial order comes into effect as of April 1, 2020.