

Veterinary Nurses for Companion Animals Act

(Act No. 50 of June 28, 2019)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to prescribe the qualifications of veterinary nurses for companion animals and to regulate their services to be operated properly, thereby contributing to making veterinary medical care for companion animals more popular and improved as well as to proper caring of companion animals.

(Definition)

Article 2 (1) The term "companion animals" as used in this Act means dogs, cats, and other animals specified by a Cabinet Order among the domesticated animals prescribed in Article 17 of the Veterinarians Act (Act No.186 of 1949).
(2) The term "veterinary nurses for companion animals" as used in this Act means a person who is licensed by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment and uses the title of veterinary nurses for companion animals to practice assistance in veterinary medical care (acts that are deemed to have little likelihood of causing health and hygiene hazards as part of veterinary care for companion animals (meaning veterinary care as provided in Article 17 of the Veterinarians Act) and are performed under the direction of a veterinarian. The same applies hereinafter) for companion animals that are suffered from illness or injury, and advice and other support for the welfare and proper care of companion animals for pet owners and other persons.

Chapter II Licensure

(License)

Article 3 A person who intends to become a veterinary nurse for companion animals must pass the national examination for veterinary nurses for companion animals (hereinafter referred to as the "examination") and acquire a license from the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment (except for Article 31, item (iii) hereinafter referred to as the "license").

(Disqualification)

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

- (i) a person who has been sentenced to a fine or severer punishment;
- (ii) a person who has committed a crime or engaged in misconduct in the practice of veterinary nurses for companion animals, in addition to a person falling under the preceding item;
- (iii) a person specified by the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment as being unable to properly practice the duties of veterinary nurses for companion animals due to a physical disability or mental disorder; or
- (iv) a person who is addicted to narcotics, cannabis, or opium.

(Veterinary Nurses for Companion Animals Directory)

Article 5 The Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment each maintains a directory of veterinary nurses for companion animals, in which the matters concerning the license are registered.

(Registration and Issuance of License)

Article 6 (1) Licensure is undertaken upon application by a person who has passed the examination and is registered in the directory of veterinary nurses for companion animals.

(2) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment issue a veterinary nurses for companion animals license certificate when the license has been granted.

(Hearing of Opinions)

Article 7 When the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment find that an applicant for a license falls under the category of a person listed in, item (iii) of Article 4, and decides not to grant a license pursuant to the provisions of the same Article, the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must notify the applicant to that effect in advance, and when requested, have an official designated by the Minister of Agriculture, Forestry and Fisheries and

the Minister of the Environment listen to their opinions.

(Correction of the Veterinary Nurses for Companion Animals Directory)

Article 8 If there has been any changes to the matters concerning the license registered in the veterinary nurses for companion animals directory, the veterinary nurse for companion animals must notify the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment of the change within thirty (30) days.

(Revocation of License)

Article 9 (1) When a veterinary nurse for companion animals has fallen under any of the items of Article 4, the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may revoke the license or order suspension of the use of the title of veterinary nurse for companion animals for a fixed period of time.

(2) A person whose license has been revoked pursuant to the provisions of the preceding paragraph may be regranted a license when the person no longer falls under any of the items that were the grounds for the revocation or when other subsequent circumstances make it appropriate to regrant the license. In this case, the provisions of Article 6 apply mutatis mutandis.

(Deletion of Registration)

Article 10 The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must delete the matters concerning the license registered in the veterinary nurses for companion animals directory, when the license loses its effect,

(License Re-issuance Fee)

Article 11 A person who wishes to have a veterinary nurses for companion animals license certificate reissued must pay to the State the fee specified by the Cabinet Order in consideration of the actual costs.

(Designation of Designated Registration Organization)

Article 12 (1) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may, pursuant to the provisions of the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment, make the designated organization (hereinafter referred to as a "designated registration organization") provide the services concerning the implementation, of the registration of veterinary nurses for companion animals (hereinafter referred to as the "registration services").

(2) Designation of a designated registration organization, pursuant to the

provisions of the Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment is made upon application by an organization intending to provide the registration services.

(3) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must not designate a designated registration organization unless no other organization has been designated under paragraph (1) and the application under the preceding paragraph is found to satisfy the following requirements:

(i) the plan for the implementation of the registration services regarding staff, facilities, methods of implementation of the registration services and other matters is appropriate for the proper and reliable implementation of the registration services; and

(ii) the applicant has the financial and technical basis necessary for the proper and reliable implementation of the plan for the implementation of the registration services set forth in the preceding item.

(4) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must not designate a designated registration organization if the application under paragraph (2) falls under any of the following items:

(i) the applicant is other than a general incorporated association or a general incorporated foundation;

(ii) the applicant is unlikely to be able to carry out the registration services fairly due to services engaged other than the registration services;

(iii) the applicant's designation has been revoked pursuant to the provisions of Article 23 and two years have not passed from the date of the revocation; or

(iv) any of the officers of the applicant falls under any of the following conditions:

(a) a person who has been sentenced to a punishment for violation of this Act and two years have not elapsed from the day the sentence was completed or the day on which the person became no longer subject to execution of the sentence; or

(b) a person who has been dismissed by an order pursuant to the provisions of paragraph (2) of the following Article and two years have not elapsed from the date of the dismissal.

(Appointment and Dismissal of Officers of the Designated Registration Organization)

Article 13 (1) The appointment and dismissal of the officers of the designated registration organization do not come into effect unless approved by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment.

(2) If an officer of the designated registration organization commits an act in

violation of this Act (including orders or dispositions based on this Act) or the rules of registration services provided in Article 15, paragraph (1), or commits an extremely inappropriate act in connection with the registration services, the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may order the designated registration organization to dismiss the officer.

(Approval of Business Plan)

- Article 14 (1) Each fiscal year, the designated registration organization must prepare a business plan and budget for revenue and expenditure, and must obtain the approval of the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment prior to the commencement of the fiscal year (without delay after the designation under Article 12, paragraph (1) is given, if the day on which the designation is given falls in the fiscal year in which the plan and budget are prepared). The same applies if any changes are to be made.
- (2) The designated registration organization must prepare and submit to the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment a business report and a statement of accounts for the fiscal year within three months after the end of each fiscal year.

(Operational Rules for Registration Services)

- Article 15 (1) The designated registration organization must, prior to the commencement of the registration services, provide the operational rules concerning the implementation of the registration services (hereinafter referred to as "the operational rules") and request the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment to approve them. The same applies if the operational rules are to be changed.
- (2) The matters that are to be provided for in the operational rules are prescribed by Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.
- (3) If the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment recognize that the operational rules approved under paragraph (1) have become inappropriate for the proper and reliable implementation of registration services, the Ministers may order the designated registration organization to change them accordingly.

(Application of Provisions)

- Article 16 (1) With respect to the application of the provisions of Article 5, Article 6, paragraph (2), (including as applied mutatis mutandis pursuant to Article 9, paragraph (2)), Article 8, Article 10, and Article 11, in the case where the designated registration organization provides the registration services,

"the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment each" in Article 5 is deemed to be replaced with "the designated registration organization," "the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment" and "a veterinary nurses for companion animals license certificate when the license has been granted" in Article 6, paragraph (2) is deemed to be replaced with "the designated registration organization" and "a veterinary nurses for companion animals license certificate to a person who has made a registration pursuant to the provisions of the preceding paragraph," respectively, the term "Minister of Agriculture, Forestry and Fisheries and Minister of the Environment" in Articles 8 and 10 is deemed to be replaced with "designated registration organization," and the terms "veterinary nurses for companion animals license certificate" and the term "the State" is deemed to be replaced with "designated registration organization" and "certificate of veterinary nurses for companion animals license certificate," respectively.

- (2) In the case where a designated registration organization provides registration services, a person who intends to apply for matters concerning a license registered in the veterinary nurses for companion animals registry or a person who intends to apply for replacement of a veterinary nurses for companion animals license certificate must pay to the designated registration organization a fee specified by a Cabinet Order in consideration of the actual costs.
- (3) Fees paid to the designated registration organization pursuant to Article 11 and the preceding paragraph as applied by replacing the terms and phrases pursuant to paragraph (1) are to be income of the designated registration organization.

(Duty of Confidentiality)

Article 17 (1) Officers or employees of a designated registration organization, or any person who has been in these positions, must not divulge any secret learned in connection with the registration services.

- (2) Officers or employees of the designated registration organization who are engaged in registration services are deemed as officials engaged in public service under laws and regulations with respect to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

(Keeping of Account Books)

Article 18 A designated registration organization must, pursuant to the provisions of the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment, keep and maintain books into which to make entries of the matters concerning registration services as specified by the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry

of the Environment.

(Supervisory Order)

Article 19 The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment, when deemed necessary to enforce this Act, may issue orders necessary for the supervision of registration services to the designated registration organization.

(Report)

Article 20 The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment, when deemed necessary to enforce this Act, may have the designated registration organization make reports as provided for in the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment to the extent necessary for such enforcement.

(On-site Inspection)

Article 21 (1) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment, when deemed necessary to enforce this Act, may, to the extent necessary, have their officials enter the office of the designated registration organization, inspect the books, documents, and other necessary items of the designated registration organization or ask any persons concerned questions.

(2) The official who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry an item of self-identification certificate and produce it to the persons concerned upon request.

(3) The authority provided in paragraph (1) must not be construed as being granted for criminal investigation.

(Suspension or Discontinuation of Registration Services)

Article 22 The designated registration organization must not suspend or discontinue the whole or part of the registration services without obtaining permission from the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment.

(Revocation of Designation)

Article 23 (1) In the event that a designated registration organization falls under any of the items of paragraph (4) of Article 12 (except item (iii)), the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must revoke the designation.

(2) In the event that a designated registration organization falls under any of the following items, the Minister of Agriculture, Forestry and Fisheries and the

Minister of the Environment may revoke the designation or order to suspend the whole or a part of the registration services for a specified period:

- (i) when the designated registration organization is found no longer conforming to any of the requirements set forth in the respective items of Article 12, paragraph (3);
- (ii) when the designated registration organization has violated any of the orders under Article 13, paragraph (2), Article 15, paragraph (3), or Article 19;
- (iii) when the designated registration organization has violated the provisions of Article 14 or the preceding Article;
- (iv) when the designated registration organization has provided the registration services not in accordance with the operational rules of registration services approved under Article 15, paragraph (1); or
- (v) when the registration organization has violated the conditions of paragraph (1) of the following Article.

(Conditions of Designation)

Article 24 (1) Designation, approval or permission pursuant to the provisions of Article 12, paragraph (1), Article 13, paragraph (1), Article 14, paragraph (1), Article 15, paragraph (1) or Article 22 may be subject to conditions and may be changed.

(2) The conditions set forth in the preceding paragraph must be limited to the minimum necessary to ensure the implementation of the matters pertaining to such designation, approval or license, and must not impose any unreasonable obligation on the party obtaining such designation, approval or license.

(Claim for Review of Dispositions Made by Designated Registration Organization)

Article 25 Any party who is dissatisfied with the disposition pertaining to the registration services or inaction thereof by the designated registration organization may claim for review to the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment. In this case, the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment are deemed to be the higher administrative agency of the designated registration organization with respect to the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47 and Article 49, paragraph (3) of the Administrative Appeal Act (Act No. 68 of 2006).

(Implementation of Registration Services by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment)

Article 26 (1) When the Minister of Agriculture, Forestry and Fisheries and the

Minister of the Environment designate a designated registration organization, the Ministers are not to provide the registration services.

(2) In the event that the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment deem it necessary in the event that the designated registration organization suspends the whole or part of the registration services with the permission under Article 22, that the designated registration organization is ordered to suspend the whole or part of the registration services pursuant to Article 23, paragraph (2), or that the designated registration organization has difficulty in providing the whole or part of the registration services due to natural disaster or other reasons, they are to provide the whole or part of the registration services themselves.

(Public Notice)

Article 27 The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment must publicly notify the following cases in the official gazette:

- (i) when the Ministers have made the designation pursuant to the provisions of Article 12, paragraph (1);
- (ii) when the Ministers have granted permission pursuant to the provisions of Article 22;
- (iii) when the Ministers have revoked the designation or order to suspend the whole or a part of the registration services pursuant to the provisions of Article 23; and
- (iv) when the Ministers decide to perform all or part of the registration services by itself pursuant to the provisions of paragraph (2) of the preceding Article, or when they decide not to perform all or part of the registration services that they have been performing by themselves.

(Delegation to the Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment)

Article 28 In addition to what is provided for in this Chapter, other necessary matters concerning license application, registration, correction and deletion of the veterinary nurses for companion animals directory, issuance, rewriting and reissuance of a veterinary nurses for companion animals license or veterinary nurses for companion animals license certificate, transfer of registration services in the event that the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment conduct all or part of the registration services pursuant to the provisions of Article 26, paragraph (2), and other necessary matters concerning licenses and designated registration agencies is provided for in the Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.

Chapter III Examination

(Testing)

Article 29 Examination covers the knowledge and skills necessary for veterinary nurses for companion animals.

(Examination Offerings)

Article 30 Examinations are offered by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment at least once a year.

(Qualifications to Take Examination)

Article 31 No person is eligible to take the examination unless falling under any of the following items:

- (i) a person who has graduated from a university under the School Education Act (Act No. 26 of 1947) after completing the subjects designated by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment;
- (ii) a person who has acquired the necessary knowledge and skills as a veterinary nurse for companion animals for three years or more at a training school for veterinary nurses for companion animals designated by the prefectural governor as conforming to the standards specified by the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment; or
- (iii) a person who has graduated from a school or a training facility for the practice provided for in paragraph (2) of Article 2 in a foreign country or who has obtained a licensure equivalent to the veterinary nurses for companion animals licenses of the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment in a foreign country and has been certified by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment as having knowledge and skills equivalent or superior to those listed in the preceding two items.

(Invalidity of Examination)

Article 32 (1) In the event of any dishonest act in connection with an examination, the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may suspend the examination or invalidate the examination for any person involved in such dishonest act.

(2) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may prohibit a person who has received a disposition pursuant to the provisions of the preceding paragraph from taking the examination for a

specified period.

(Examination Fee)

Article 33 (1) A person who intends to take the examination must pay to the State an examination fee in an amount specified by a Cabinet Order in consideration of the actual cost.

(2) The examination fee set forth in the preceding paragraph is not refundable even if the person who has paid the fee does not take the examination.

(Designation of Designated Examining Organization)

Article 34 (1) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment may, pursuant to the provisions of Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment, request persons designated by them (hereinafter referred to as "designated examining organization") to provide the services concerning the implementation of examination (hereinafter referred to as the "examination services").

(2) Designation of a designated examining organization is made upon application by a person who intends to provide examination services, pursuant to the provisions of the Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.

(Veterinary Nurses for Companion Animals Examiners for the Designated Examining Organization)

Article 35 (1) A designated examining organization must have veterinary nurses for companion animals examiners (referred to as "examiners" in the following paragraph and paragraph (3) and Article 13, paragraph (2) and Article 17 as applied mutatis mutandis by replacing the terms in the following Article and Article 38) prepare and grade examination questions.

(2) When a designated examining organization intends to appoint examiners, it must appoint them from among persons who meet the requirements specified by the Order of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.

(3) In the event that an examiner is appointed, the designated examining organization must notify the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment thereof as provided for in the Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment. The same applies when there is a change of the examiner.

Article 36 The examiners must maintain impartiality and must not be dishonest in preparing examination questions and in grading examination papers.

(Suspension of Examination)

Article 37 (1) When a designated examining organization administers the examination services, the designated examining organization may, in the event of any dishonest act in connection with the examination, suspend the person involved in such dishonest act from taking the examination.

(2) In addition to what is provided for in the preceding paragraph, with regard to the application of the provisions of Article 32 and Article 33, paragraph (1) in the case where a designated examining organization provides examination services, the term "suspension of the examination or the examination" in Article 32, paragraph (1) is deemed to be replaced with "the examination," the term "preceding paragraph" in the same Article, paragraph (2) is deemed to be replaced with "preceding paragraph or Article 37, paragraph (1)" and "the State" in Article 33, paragraph (1) is read as "the designated examining organization."

(3) Examination fees paid to the designated examining organization under Article 33, paragraph (1) as applied by replacing the terms and phrases pursuant to the preceding paragraph is the income of the designated examining organization.

(As applied mutatis mutandis)

Article 38 The provisions of Article 12, paragraphs (3) and (4), Articles 13 through 15, and Articles 17 through 27 apply mutatis mutandis to the designated examining organization. In this case, the term "registration services" in these provisions is deemed to be replaced with "examination services," the term "operational rules of registration services" is deemed to be replaced with "operational rules of examination services," the term "paragraph (1)" in Article 12, paragraph (3) is deemed to be replaced with "Article 34, paragraph (1)," the term "preceding paragraph" is deemed to be replaced with "Article 34, paragraph (2)," and the term "application under paragraph (2)" in Article 12, paragraph (4) is deemed to be replaced with "application under Article 34, paragraph (2)," the term "the officer" in Article 13, paragraph (2) is deemed to be replaced with "the officer (including the examiner)," in Article 14, paragraph (1), the term "Article 12, paragraph (1)" is deemed to be replaced with "Article 34, paragraph (1)," the term "the officer" in Article 17 is deemed to be replaced with "the officer (including the examiner)," and the term "or the preceding Article" in Article 23, paragraph (2), item (iii) is deemed to be replaced with "or the preceding Article or Article 35," and the term "Article 12, paragraph (1)" in Article 24, paragraph (1) and Article 27, item (i) is deemed to be replaced with "Article 34, paragraph (1)."

(Details of the Examination)

Article 39 In addition to what is provided for in this chapter, examination subjects, designation of a training school for veterinary nurses for companion animals pursuant to the provisions of Article 31, item (ii), examination procedures, succession of examination services, and other necessary matters concerning examinations and designated examination organization are specified by Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment

Chapter IV Services

(Practice)

Article 40 (1) Notwithstanding the provisions of Article 17 of the Veterinarians Act, a veterinary nurse for companion animals may engage in the practice of assisting in veterinary medical care.

(2) The provisions of the preceding paragraph do not apply to a person who has been ordered to suspend the use of the title of a veterinary nurse for companion animals pursuant to the provisions of Article 9, paragraph (1).

(Collaboration with Veterinarians)

Article 41 In performing their practices, veterinary nurses for companion animals must try to ensure appropriate veterinary medical care in close cooperation with veterinarians.

(Restrictions on the Use of Title)

Article 42 A person who is not a veterinary nurse for companion animals must not use the title "veterinary nurses for companion animals" or other similar and confusing titles.

(Transitional Measures)

Article 43 Where an order based on this Act is enacted, revised or repealed, the order may provide for necessary transitional measures (including transitional measures concerning penal provisions) to the extent deemed reasonably necessary in connection with the enactment, revision or repeal.

Chapter V Penal Provision

Article 44 Any person who, in violation of the provisions of Article 17, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 38), divulges any secret coming to his/her knowledge with regard to the registration or examination services is punished by imprisonment for not more

than one year or a fine of not more than 500,000 yen.

Article 45 In the event of violation of an order of suspension of registration services or examination services under Article 23, paragraph (2) (including the cases where it is applied mutatis mutandis pursuant to Article 38), the officers or employees of the designated registration organization or designated examining organization who have committed such violation is punished by imprisonment for not more than one year or a fine of not more than 500,000 yen.

Article 46 Any person who, in violation of the provisions of Article 36, has graded examination papers unfairly is punished by imprisonment for not more than one year or a fine of not more than 500,000 yen.

Article 47 In any of the following cases, the officers or employees of the designated registration organization or designated examining organization that have committed the violation are punished by a fine of not more than 300,000 yen:

- (i) in the case of failing to keep books, failing to make entries in books or making false entries in books, or failing to preserve books in violation of the provisions of Article 18 (including the cases where it is applied mutatis mutandis pursuant to Article 38);
- (ii) in the case of a report under Article 20 (including the cases where it is applied mutatis mutandis under Article 38) has not been made or a false report has been made;
- (iii) in the case where a person who refused, obstructed, or evaded entry or inspection pursuant to the provisions of Article 21, paragraph (1) (including the cases where it is applied mutatis mutandis pursuant to Article 38; hereinafter the same applies in this item), or has failed to make a statement or made a false statement in response to questions pursuant to the provisions of the same paragraph; or
- (iv) in the case where the organization has abolished the whole of the registration services or examination services without obtaining permission under Article 22 (including the cases where it is applied mutatis mutandis under Article 38).

Article 48 Any person who falls under any of the following items is punished by a fine of not more than 200,000 yen:

- (i) a person who has been ordered to suspend the use of the title of veterinary nurses for companion animals pursuant to the provisions of Article 9, paragraph (1) and who has used the title of veterinary nurses for companion

- animals during the period of said order of suspension; or
- (ii) a person who has, in violation of the provisions of Article 42, used the title of veterinary nurses for companion animals or a name confusingly similar thereto.

Supplementary Provisions [Extract]

(Effective date)

Article 1 This Act will be effective as of the date specified by Cabinet Order within a period not exceeding three years from the day of the promulgation. However, the provisions of Articles 34 through 36, Article 38 (excluding the portions applying mutatis mutandis the provisions of Articles 18 and 25), and Article 39, and the provisions of Articles 44, 45, and 47 (excluding item (i)) (limited to the part related to the designated examining organization), and the provisions of Articles 4, 5, 9, and 10 of the Supplementary Provisions will be effective as of the date specified by a Cabinet Order within a period not exceeding six months from the day of the promulgation.

(Exception to Examination Eligibility)

Article 2 Any person who falls under any of the following items may take the examination notwithstanding the provisions of Article 31:

- (i) a person who falls under any of the following conditions and have completed a course of training designated by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment by the day on which five years have elapsed from the effective date of this Act (hereinafter referred to as the "effective date"):
- (a) a person who graduated from an accredited university under the School Education Act prior to the effective date and has completed the courses designated by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment at the university;
 - (b) a person who entered an accredited university under the School Education Act prior to the effective date, completed the subjects designated by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment, and graduated on or after the effective date;
 - (c) A person who has completed gaining knowledge and skills necessary for the practices prescribed in Article 2, paragraph (2) (excluding veterinary medical care assistance) at a training facility designated by the prefectural governor prior to the effective date; or
 - (d) a person who is actually gaining knowledge and skills necessary for the practices prescribed in Article 2, paragraph (2) (excluding veterinary medical care assistance) as of the effective date of this Act at a training

facility designated by the prefectural governor, and has completed it on and after the effective date of this Act;

- (ii) a person who passed the preliminary examination for the National examination for Veterinary Nurses for Companion Animals (hereinafter referred to as the "preliminary examination").

(Preliminary Examination)

Article 3 (1) The Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment will offer a preliminary examination in order to judge whether a person who intends to take the examination has knowledge and skills equivalent to those listed in item (i) or (ii) of Article 31. The preliminary examination is held at least once a year for a period of five years from the effective date.

(2) No person may take the preliminary examination unless having been engaged in the practices provided in Article 2, paragraph (2) (excluding veterinary medical care assistance) for five years or more or a person who is recognized by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment as having equivalent or more experience and has completed the course of training designated by the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment.

(3) The provisions of Articles 32 and 33 apply *mutatis mutandis* to the preliminary examination.

Article 4 (1) In the event that the Minister of Agriculture, Forestry and Fisheries and the Minister of the Environment offer a preliminary examination pursuant to the provisions of paragraph (1) of the preceding Article and designates a designated examination organization pursuant to the provisions of Article 34, paragraph (1), the Ministers are to cause such designated examination organization to offer the services concerning implementation of the preliminary examination (referred to as "preliminary examination services" in the following paragraph and the following Article).

(2) With regard to the application of the provisions of Article 34, paragraph (2), Article 35, paragraph (1), Article 36, Article 37, Article 38, and Articles 44 through 47 in the case where a designated examining organization is requested to offer preliminary examination services pursuant to the preceding paragraph, the term "examination services" in Article 34, paragraph (2) is deemed to be replaced with "examination services and the preliminary examination services provided in Article 4, paragraph (1) of the Supplementary Provisions (hereinafter referred to as "preliminary examination services" in this Chapter and Chapter V)." The term "the examination" in Article 35, paragraph (1) is deemed to be replaced with "the examination and the preliminary examination

for the National Examination for Veterinary Nurses for Companion Animals (hereinafter referred to as the "preliminary examination" in this Chapter)."

The term "the examination" in Article 36 is deemed to be replaced with "the examination and the preliminary examination," the term "examination services" in Article 37, paragraph (1) is deemed to be replaced with "examination services and preliminary examination services," the term "examination services" in Article 37, paragraph (2) is deemed to be replaced with "examination services and preliminary examination services"; "the provisions of Article 33, paragraph (1)" is replaced with "the provisions of Article 33 (including cases where they are applied mutatis mutandis under Article 3, paragraph (3) of the Supplementary Provisions)"; the term "in Article 32, paragraph (1)" is replaced with "in the examination," in Article 32, paragraph (1), the phrase "in examinations or veterinary nurses for companion animals national examination preliminary examinations" (hereinafter referred to as this Article and the next Article 10 referred to as "preliminary examination")," and "the examination" is replaced with "the preceding paragraph or Article 37, paragraph (1)" is read as "Article 37, paragraph (1) applied by replacing the terms pursuant to the provisions of the preceding paragraph or Article 4, paragraph (2) of the Supplementary Provisions," in Article 33, paragraph (1)" is replaced with "examination" is replaced with "examination or preliminary examination," the term "examination" in Article 33, paragraph (1) is replaced with "examination or preliminary examination," the term "to be" is changed to "and the term "test" in paragraph (2) of the same Article is changed to "test or preliminary test," the term "the preceding paragraph" in paragraph (3) of the same Article is read as "the preceding paragraph applied by replacing the terms pursuant to the provisions of Article 4, paragraph (2) of the Supplementary Provisions," in Article 38, "these provisions" are replaced with "these provisions (excluding Article 12, paragraph (3), item (i))," and "examination affairs" are replaced with "examination affairs and "preliminary examination affairs" and "regulations on examination affairs" refer to "regulations on examination and preliminary examination affairs," and "paragraph (4) of the same Article" refers to "implementation of registration services" in item (i) of the same paragraph. "Implementation of examination affairs and preliminary examination affairs prescribed in Article 4, paragraph (1) of the Supplementary Provisions (hereinafter referred to as "preliminary examination affairs" in this Chapter)," "Registration services" means "examination affairs and preliminary examination affairs," "appropriateness of registration services" means "property of examination affairs and preliminary examination affairs," and "Article 35" means "property of Article 4, paragraph (2) of the Supplementary Provisions." Article 35 to be applied by replacing the terms according to the

provisions," and the term "Article 38" in Articles 44 and 45 is replaced with "Article 38 as applied pursuant to the provisions of Article 4, paragraph (2) of the Supplementary Provisions" and "Examination Affairs." It says "examination work and preliminary examination work," the term "Article 36" in Article 46 is read as "Article 36 as applied pursuant to the provisions of Article 4, paragraph (2) of the Supplementary Provisions." The term "Article 38" in Article 47, item (i) and item (iv) is replaced with "Article 38 as applied pursuant to the provisions of Article 4, paragraph (2) of the Supplementary Provisions." the term "examination work" in the same issue is read as "examination work and preliminary examination work."

Article 5 In addition to what is provided for in the preceding two Articles, the examination subjects and examination procedures for the preliminary examination, succession of the preliminary examination services, and other necessary matters concerning the preliminary examination and the designated examining organization to administer the preliminary examination affairs is specified by Orders of the Ministry of Agriculture, Forestry and Fisheries and the Ministry of the Environment.

(Transitional Measures Regarding Restrictions on the Use of the Title)

Article 6 The provisions of Article 42 will not apply to a person who is actually using the title of veterinary nurses for companion animals or any other similar or confusing titles for six months after the effective date of this Act.

(Special Provisions Concerning Offering of National Examinations and Preliminary Examinations)

Article 7 Notwithstanding the provisions of Article 30 and Article 3, paragraph (1) of the Supplementary Provisions, the national examination and the preliminary examination may not be held in the year in which the effective date belongs.