

# こども基本法

## Basic Act on Children's Policy

(令和四年法律第七十七号)

(Act No. 77 of 2022)

目次

Table of Contents

第一章 総則（第一条—第八条）

Chapter I General Provisions (Articles 1 through 8)

第二章 基本的施策（第九条—第十六条）

Chapter II Basic Measures (Articles 9 through 16)

第三章 こども政策推進会議（第十七条—第二十条）

Chapter III Council for the Promotion of Child-Related Measures (Articles 17 through 20)

附則

Supplementary Provisions

第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、日本国憲法及び児童の権利に関する条約の精神にのっとり、次代の社会を担う全てのこどもが、生涯にわたる人格形成の基礎を築き、自立した個人としてひとしく健やかに成長することができ、心身の状況、置かれている環境等にかかわらず、その権利の擁護が図られ、将来にわたって幸福な生活を送ることができる社会の実現を目指して、社会全体としてこども施策に取り組むことができるよう、こども施策に関し、基本理念を定め、国の責務等を明らかにし、及びこども施策の基本となる事項を定めるとともに、こども政策推進会議を設置すること等により、こども施策を総合的に推進することを目的とする。

Article 1 The purpose of this Act, based on the spirit of the Constitution of Japan and the Convention on the Rights of the Child, aiming at realization of a society where all children and young people, who lead the society of the next generation, can build the foundations for the lifelong development of personality and equally thrive as independent individuals, where the rights of children and young people are protected regardless of physical and mental conditions, the environments surrounding them, etc., and where they can live happy lives into the future and to enable society as a whole to engage in child-related measures by establishing fundamental principles, clarifying the responsibilities of the national government, etc. and setting basic matters for child-related measures as well as establishing the Council for the Promotion of Child-Related Measures, to comprehensively promote these measures.

(定義)

(Definitions)

第二条 この法律において「こども」とは、心身の発達の過程にある者をいう。

Article 2 (1) The term "child" as used in this Act means a person who is in the process of physical and mental development.

2 この法律において「こども施策」とは、次に掲げる施策その他のこどもに関する施策及びこれと一体的に講ずべき施策をいう。

(2) The term "child-related measures" as used in this Act means the following measures and other measures for children, and measures that should be implemented in an integrated manner:

一 新生児期、乳幼児期、学童期及び思春期の各段階を経て、おとなになるまでの心身の発達の過程を通じて切れ目なく行われるこどもの健やかな成長に対する支援

(i) support for children's healthy growth that is provided continuously throughout the process of physical and mental development, through the newborn, infant, school age, and adolescent stages, until they become adults;

二 子育てに伴う喜びを実感できる社会の実現に資するため、就労、結婚、妊娠、出産、育児等の各段階に応じて行われる支援

(ii) support that is provided at each stage of life, including employment, marriage, pregnancy, childbirth, and childcare, etc. to help realize a society in which people can experience the joy associated with childcare;

三 家庭における養育環境その他のこどもの養育環境の整備

(iii) development of a child-rearing environment at home and other child-rearing environments.

(基本理念)

(Basic Principles)

第三条 こども施策は、次に掲げる事項を基本理念として行われなければならない。

Article 3 (1) Child-related measures must be implemented based on the following basic principles:

一 全てのこどもについて、個人として尊重され、その基本的人権が保障されるとともに、差別的取扱いを受けないようにすること。

(i) all children are respected as individuals, their fundamental human rights are guaranteed, and they are not treated in a discriminatory manner;

二 全てのこどもについて、適切に養育されること、その生活を保障されること、愛され保護されること、その健やかな成長及び発達並びにその自立が図られることその他の福祉に係る権利が等しく保障されるとともに、教育基本法（平成十八年法律第百二十号）の精神にのっとり教育を受ける機会が等しく与えられること。

(ii) all children are equally guaranteed the rights to be properly raised, to have their livelihood guaranteed, to be loved and protected, to have their healthy growth and development as well as their independence fostered, and to have other welfare-related rights guaranteed, and they are equally provided with opportunities to

receive an education in accordance with the spirit of the Basic Act on Education (Act No. 120 of 2006);

三 全てのこどもについて、その年齢及び発達程度に応じて、自己に直接関係する全ての事項に関して意見を表明する機会及び多様な社会的活動に参画する機会が確保されること。

(iii) all children are guaranteed opportunities to express their views on all matters that directly affect them and to participate in a variety of social activities, in accordance with their age and level of development;

四 全てのこどもについて、その年齢及び発達程度に応じて、その意見が尊重され、その最善の利益が優先して考慮されること。

(iv) all children have their views respected and their best interests are given priority consideration according to their age and level of development;

五 こどもの養育については、家庭を基本として行われ、父母その他の保護者が第一義的責任を有するとの認識の下、これらの者に対してこどもの養育に関し十分な支援を行うとともに、家庭での養育が困難なこどもにはできる限り家庭と同様の養育環境を確保することにより、こどもが心身ともに健やかに育成されるようにすること。

(v) regarding child-rearing, recognizing that children are basically raised in the home and that parents and other guardians have primary responsibility for child-rearing, sufficient support for child-rearing is to be provided to these caregivers, and for children for whom being brought up at home is difficult, a child-rearing environment equivalent to that at home is to be secured as much as possible, so that children are brought up in good mental and physical health;

六 家庭や子育てに夢を持ち、子育てに伴う喜びを実感できる社会環境を整備すること。

(vi) to develop a social environment in which one can dream about family and child-rearing and can experience the joy that comes with child-rearing.

(国の責務)

(Responsibilities of the National Government)

第四条 国は、前条の基本理念（以下単に「基本理念」という。）にのっとり、こども施策を総合的に策定し、及び実施する責務を有する。

Article 4 The national government is responsible for comprehensively formulating and implementing child-related measures in accordance with the basic principles referred to in the preceding Article (simply referred to below as the "basic principles").

(地方公共団体の責務)

(Responsibilities of Local Governments)

第五条 地方公共団体は、基本理念にのっとり、こども施策に関し、国及び他の地方公共団体との連携を図りつつ、その区域内におけるこどもの状況に応じた施策を策定し、及び実施する責務を有する。

Article 5 In accordance with the basic principles, local governments are responsible for formulating and implementing child-related measures according to the

circumstances of children within their areas, in coordination with the national government and other local governments.

(事業主の努力)

(Efforts of Employers)

第六条 事業主は、基本理念にのっとり、その雇用する労働者の職業生活及び家庭生活の充実が図られるよう、必要な雇用環境の整備に努めるものとする。

Article 6 In accordance with the basic principles, an employer is to endeavor to develop the necessary employment environment so that the working and family lives of workers employed are thereby enriched.

(国民の努力)

(Efforts by the People in Japan)

第七条 国民は、基本理念にのっとり、こども施策について関心と理解を深めるとともに、国又は地方公共団体が実施するこども施策に協力するよう努めるものとする。

Article 7 In accordance with the basic principles, people in Japan are to endeavor to deepen their interest and understanding of child-related measures and to cooperate with child-related measures implemented by the national government or local governments.

(年次報告)

(Annual Report)

第八条 政府は、毎年、国会に、我が国におけるこどもをめぐる状況及び政府が講じたこども施策の実施の状況に関する報告を提出するとともに、これを公表しなければならない。

Article 8 (1) Every year, the government must submit to the Diet a report on the situation surrounding children in Japan and the implementation status of child-related measures implemented by the government, and publicize the report.

2 前項の報告は、次に掲げる事項を含むものでなければならない。

(2) The report referred to in the preceding paragraph must include the following matters:

一 少子化社会対策基本法（平成十五年法律第百三十三号）第九条第一項に規定する少子化の状況及び少子化に対処するために講じた施策の概況

(i) the status of the declining birthrate and the outline of the measures taken to address the declining birthrate as prescribed in Article 9, paragraph (1) of the Basic Act for Measures to Cope with Society with Declining Birthrate (Act No. 133 of 2003);

二 子ども・若者育成支援推進法（平成二十一年法律第七十一号）第六条第一項に規定する我が国における子ども・若者の状況及び政府が講じた子ども・若者育成支援施策の実施の状況

(ii) the status of children and young people in Japan and the status of the implementation of development and support for children and young people measures taken by the government as prescribed in Article 6, paragraph (1) of the Act on Promotion of Development and Support for Children and Young People (Act No. 71 of 2009);

三 こどもの貧困の解消に向けた対策の推進に関する法律（平成二十五年法律第六十四号）第八条第一項に規定するこどもの貧困の状況及びこどもの貧困の解消に向けた対策の実施の状況

(iii) the status of child poverty and the status of the implementation of measures to resolve child poverty as prescribed in Article 8, paragraph (1) of the Act on the Promotion of Policy on Child Poverty (Act No. 64 of 2013).

## 第二章 基本的施策

### Chapter II Basic Measures

（こども施策に関する大綱）

(General Outlines Concerning Child-Related Measures)

第九条 政府は、こども施策を総合的に推進するため、こども施策に関する大綱（以下「こども大綱」という。）を定めなければならない。

Article 9 (1) The government must establish an outline concerning child-related measures (referred to below as the "General Principles for Child-Related Measures") to comprehensively promote child-related measures.

2 こども大綱は、次に掲げる事項について定めるものとする。

(2) The General Principles for Child-Related Measures is to provide for the following matters:

一 こども施策に関する基本的な方針

(i) basic policies concerning child-related measures;

二 こども施策に関する重要事項

(ii) important matters concerning child-related measures;

三 前二号に掲げるもののほか、こども施策を推進するために必要な事項

(iii) in addition to what is stated in the preceding two items, matters necessary to promote child-related measures.

3 こども大綱は、次に掲げる事項を含むものでなければならない。

(3) The General Principles for Child-Related Measures must include the following matters:

一 少子化社会対策基本法第七条第一項に規定する総合的かつ長期的な少子化に対処するための施策

(i) measures to address the declining birth rate in a comprehensive and long-term manner prescribed in Article 7, paragraph (1) of the Basic Act for Measures to Cope with Society with Declining Birthrate;

二 子ども・若者育成支援推進法第八条第二項各号に掲げる事項

(ii) the matters stated in the items of Article 8, paragraph (2) of the Act on Promotion of Development and Support for Children and Young People;

三 こどもの貧困の解消に向けた対策の推進に関する法律第九条第二項各号に掲げる事項

(iii) the matters stated in the items of Article 9, paragraph (2) of the Act on the Promotion of Policy on Child Poverty.

4 こども大綱に定めるこども施策については、原則として、当該こども施策の具体的な目標及びその達成の期間を定めるものとする。

(4) regarding the child-related measures specified in the General Principles for Child-Related Measures, the specific goals of the child-related measures and the period for their achievement are to be specified as a general rule.

5 内閣総理大臣は、こども大綱の案につき閣議の決定を求めなければならない。

(5) The Prime Minister must seek a cabinet decision on the draft of the General Principles for Child-Related Measures.

6 内閣総理大臣は、前項の規定による閣議の決定があったときは、遅滞なく、こども大綱を公表しなければならない。

(6) When a cabinet decision is made under the provisions of the preceding paragraph, the Prime Minister must publicize the General Principles for Child-Related Measures without delay.

7 前二項の規定は、こども大綱の変更について準用する。

(7) The provisions of the preceding two paragraphs apply mutatis mutandis to changes to the General Principles for Child-Related Measures .

(都道府県こども計画等)

(Prefectural Plan for Children and Municipal Plan for Children)

第十条 都道府県は、こども大綱を勘案して、当該都道府県におけるこども施策についての計画（以下この条において「都道府県こども計画」という。）を定めるよう努めるものとする。

Article 10 (1) Prefectural governments are to endeavor to establish plans concerning child-related measures in their own prefectures (referred to below as the "Prefectural Plan for Children" in this Article) by taking into consideration the General Principles for Child-Related Measures.

2 市町村は、こども大綱（都道府県こども計画が定められているときは、こども大綱及び都道府県こども計画）を勘案して、当該市町村におけるこども施策についての計画（以下この条において「市町村こども計画」という。）を定めるよう努めるものとする。

(2) Municipalities are to endeavor to establish plans for child-related measures in their own municipalities (referred to below as the "Municipal Plan for Children" in this Article) by taking into consideration the General Principles for Child-Related Measures (and also a Prefectural Plan for Children, if it has already been established).

3 都道府県又は市町村は、都道府県こども計画又は市町村こども計画を定め、又は変更したときは、遅滞なく、これを公表しなければならない。

(3) When a prefectural or municipal government has formulated, or changed a Prefectural Plan for Children or Municipal Plan for Children, they must be publicized without delay.

4 都道府県こども計画は、子ども・若者育成支援推進法第九条第一項に規定する都道府県子ども・若者計画、こどもの貧困の解消に向けた対策の推進に関する法律第十条

第一項に規定する都道府県計画その他法令の規定により都道府県が作成する計画であつてこども施策に関する事項を定めるものと一体のものとして作成することができる。

(4) A Prefectural Plan for Children may be prepared as an integrated part of a Prefectural Plan for Children and Young People prescribed in Article 9, paragraph (1) of the Act on Promotion of Development and Support for Children and Young People, a prefectural plan referred to in Article 10, paragraph (1) of the Act on the Promotion of Policy on Child Poverty, or any other plan formulated by a prefectural government pursuant to the provisions of laws and regulations and providing for matters concerning child-related measures.

5 市町村こども計画は、子ども・若者育成支援推進法第九条第二項に規定する市町村子ども・若者計画、こどもの貧困の解消に向けた対策の推進に関する法律第十条第二項に規定する市町村計画その他法令の規定により市町村が作成する計画であつてこども施策に関する事項を定めるものと一体のものとして作成することができる。

(5) A Municipal Plan for Children may be prepared as an integrated part of a Municipal Plan for Children and Young People prescribed in Article 9, paragraph (2) of the Act on Promotion of Development and Support for Children and Young People, a municipal plan under Article 10, paragraph (2) of the Act on the Promotion of Policy on Child Poverty, or any other plan formulated by municipalities pursuant to laws and regulations and providing for matters concerning child-related measures.

(こども施策に対するこども等の意見の反映)

(Reflecting the Views of Children in Child-Related Measures)

第十一条 国及び地方公共団体は、こども施策を策定し、実施し、及び評価するに当たっては、当該こども施策の対象となるこども又はこどもを養育する者その他の関係者の意見を反映させるために必要な措置を講ずるものとする。

Article 11 The national government and local governments are to take necessary measures to reflect the views of the children, or persons who take care of children, and other related persons subject to the child-related measures, when formulating, implementing, and evaluating the child-related measures.

(こども施策に係る支援の総合的かつ一体的な提供のための体制の整備等)

(Development of Systems for Comprehensive and Integrated Provision of Support Related to Child-Related Measures)

第十二条 国は、こども施策に係る支援が、支援を必要とする事由、支援を行う関係機関、支援の対象となる者の年齢又は居住する地域等にかかわらず、切れ目なく行われるようにするため、当該支援を総合的かつ一体的に行う体制の整備その他の必要な措置を講ずるものとする。

Article 12 The national government is to take necessary measures, such as the development of a system for providing support in a comprehensive and integrated manner, to ensure that the support related to child-related measures is provided continuously regardless of the reasons why the support is needed, the relevant bodies

that provide the support, the age of the person subject to the support or the region where the person resides, etc.

(関係者相互の有機的な連携の確保等)

(Ensuring Organic Coordination among Relevant Persons)

第十三条 国は、こども施策が適正かつ円滑に行われるよう、医療、保健、福祉、教育、療育等に関する業務を行う関係機関相互の有機的な連携の確保に努めなければならない。

Article 13 (1) The national government must endeavor to ensure organic coordination among relevant bodies that perform services related to medical care, health, welfare, education, medical treatment and education, etc., so that child-related measures are implemented appropriately and smoothly.

2 都道府県及び市町村は、こども施策が適正かつ円滑に行われるよう、前項に規定する業務を行う関係機関及び地域においてこどもに関する支援を行う民間団体相互の有機的な連携の確保に努めなければならない。

(2) The prefectural and municipal governments must endeavor to ensure organic coordination among the relevant bodies that perform the operations referred to in the preceding paragraph and the private organizations that provide support for children in the community so that child-related measures are implemented appropriately and smoothly.

3 都道府県又は市町村は、前項の有機的な連携の確保に資するため、こども施策に係る事務の実施に係る協議及び連絡調整を行うための協議会を組織することができる。

(3) The prefectural or municipal governments may organize councils to facilitate consultation, liaison and coordination related to the implementation of affairs related to child-related measures in order to ensure the organic coordination referred to in the preceding paragraph.

4 前項の協議会は、第二項の関係機関及び民間団体その他の都道府県又は市町村が必要と認める者をもって構成する。

(4) The Council referred to in the preceding paragraph is composed of the relevant bodies and private organizations referred to in paragraph (2) and other persons that the prefectural or municipal governments finds necessary.

第十四条 国は、前条第一項の有機的な連携の確保に資するため、個人情報 の適正な取扱いを確保しつつ、同項の関係機関が行うこどもに関する支援に資する情報の共有を促進するための情報通信技術の活用その他の必要な措置を講ずるものとする。

Article 14 (1) To contribute to ensuring the organic coordination stated in paragraph (1) of the preceding Article, the national government is to take necessary measures, including utilizing information and communications technology to promote the sharing of information that contributes to the support for children conducted by the relevant bodies stated in that paragraph, while ensuring the proper handling of personal information.

2 都道府県及び市町村は、前条第二項の有機的な連携の確保に資するため、個人情報の適正な取扱いを確保しつつ、同項の関係機関及び民間団体が行うこどもに関する支

援に資する情報の共有を促進するための情報通信技術の活用その他の必要な措置を講ずるよう努めるものとする。

(2) To contribute to ensuring the organic coordination referred to in paragraph (2) of the preceding Article, while ensuring the proper handling of personal information, the prefectural and municipal governments are to endeavor to take necessary measures, including utilizing information and communications technology to promote the sharing of information that contributes to the support for children conducted by the relevant bodies and private organizations referred to in that paragraph.

(この法律及び児童の権利に関する条約の趣旨及び内容についての周知)

(Dissemination of the Purport and Content of This Act and the Convention on the Rights of the Child)

第十五条 国は、この法律及び児童の権利に関する条約の趣旨及び内容について、広報活動等を通じて国民に周知を図り、その理解を得るよう努めるものとする。

Article 15 The national government is to endeavor to publicize the purport and content of this Act and the Convention on the Rights of the Child to the public through public relations activities, etc., and to gain their understanding.

(こども施策の充実及び財政上の措置等)

(Enhancement of Child-Related Measures and Financial Measures)

第十六条 政府は、こども大綱の定めるところにより、こども施策の幅広い展開その他のこども施策の一層の充実を図るとともに、その実施に必要な財政上の措置その他の措置を講ずるよう努めなければならない。

Article 16 Pursuant to the provisions of the General Principles for Child-Related Measures, the government must endeavor to further enhance the child-related measures, including wide-ranging development of child-related measures, and take financial and other measures necessary for their implementation.

### 第三章 こども政策推進会議

#### Chapter III Council for the Promotion of Child-Related Measures

(設置及び所掌事務等)

(Establishment and Affairs under Jurisdiction)

第十七条 こども家庭庁に、特別の機関として、こども政策推進会議（以下「会議」という。）を置く。

Article 17 (1) The Children and Families Agency is to establish a special body; the Council for the Promotion of Child-Related Measures (referred to below as the "Council").

2 会議は、次に掲げる事務をつかさどる。

(2) The Council takes charge of the following affairs:

一 こども大綱の案を作成すること。

(i) drafting the General Principles for Child-Related Measures;

二 前号に掲げるもののほか、こども施策に関する重要事項について審議し、及びこども施策の実施を推進すること。

(ii) in addition to what is stated in the preceding item, to deliberate on important matters concerning child-related measures and promote the implementation of child-related measures;

三 こども施策について必要な関係行政機関相互の調整をすること。

(iii) to coordinate among relevant administrative bodies regarding child-related measures;

四 前三号に掲げるもののほか、他の法令の規定により会議に属させられた事務

(iv) in addition to what is stated in the preceding three items, affairs that are assigned to the Council pursuant to the provisions of other laws and regulations.

3 会議は、前項の規定によりこども大綱の案を作成するに当たり、こども及びこどもを養育する者、学識経験者、地域においてこどもに関する支援を行う民間団体その他の関係者の意見を反映させるために必要な措置を講ずるものとする。

(3) When drafting the General Principles for Child-Related Measures pursuant to the provisions of the preceding paragraph, the Council is to take necessary measures to reflect the views of children and persons who takes care of children, person with relevant expertise, private organizations that provide support for children in the community, and other related persons.

(組織等)

(Organization)

第十八条 会議は、会長及び委員をもって組織する。

Article 18 (1) The Council is composed of a chairperson and council members.

2 会長は、内閣総理大臣をもって充てる。

(2) The Prime Minister serves as the chairperson.

3 委員は、次に掲げる者をもって充てる。

(3) The following persons serve as council members:

一 内閣府設置法（平成十一年法律第八十九号）第九条第一項に規定する特命担当大臣であつて、同項の規定により命を受けて同法第十一条の三に規定する事務を掌理するもの

(i) the Minister of State for Special Missions prescribed in Article 9, paragraph (1) of the Act for Establishment of the Cabinet Office (Act No. 89 of 1999) who administers the affairs prescribed in Article 11-3 of that Act as ordered pursuant to the provisions of Article 9, paragraph (1) of that Act;

二 会長及び前号に掲げる者以外の国務大臣のうちから、内閣総理大臣が指定する者

(ii) persons designated by the Prime Minister from among the Ministers of State other than the chairperson and the persons stated in the preceding item.

(資料提出の要求等)

(Request for Submission of Materials)

第十九条 会議は、その所掌事務を遂行するために必要があると認めるときは、関係行政機関の長に対し、資料の提出、意見の開陳、説明その他必要な協力を求めることができる。

Article 19 (1) If the Council finds it necessary to conduct the affairs under its jurisdiction, it may request the head of the relevant administrative bodies to submit materials, express opinions, give explanations, and provide other necessary cooperation.

2 会議は、その所掌事務を遂行するために特に必要があると認めるときは、前項に規定する者以外の者に対しても、必要な協力を依頼することができる。

(2) If the Council finds it particularly necessary to conduct the affairs under its jurisdiction, it may request necessary cooperation from persons other than those prescribed in the preceding paragraph.

(政令への委任)

(Delegation to Cabinet Order)

第二十条 前三条に定めるもののほか、会議の組織及び運営に関し必要な事項は、政令で定める。

Article 20 In addition to what is provided for in the preceding three Articles, necessary matters concerning the organization and operation of the Council are to be specified by Cabinet Order.

附 則 抄

**Supplementary Provisions Extract**

(施行期日)

(Effective Date)

第一条 この法律は、令和五年四月一日から施行する。

Article 1 This Act comes into effect on April 1, 2023.

(検討)

(Review)

第二条 国は、この法律の施行後五年を目途として、この法律の施行の状況及びこども施策の実施の状況を勘案し、こども施策が基本理念にのっとり実施されているかどうか等の観点からその実態を把握し及び公正かつ適切に評価する仕組みの整備その他の基本理念にのっとりこども施策の一層の推進のために必要な方策について検討を加え、その結果に基づき、法制上の措置その他の必要な措置を講ずるものとする。

Article 2 After approximately five years from the enforcement of this Act, the national government is to review necessary measures to further promote child-related measures that are in accordance with the basic principles, such as the development of a mechanism to understand the actual situation of child-related measures from the viewpoint of whether or not they are being implemented in accordance with the basic principles, and to evaluate them fairly and appropriately, by taking into account the status of enforcement of this Act and the status of implementation of child-related measures, and take legislative and other necessary measures based on the results of the review.

附 則 (令和六年六月二六日法律第六八号) 抄

Supplementary Provisions (Act No.68 of June 26, 2024) (Extract)

(施行期日)

(Effective Date)

第一条 この法律は、公布の日から起算して三月を超えない範囲内において政令で定める日から施行する。

Article 1 This Act comes into effect on the day specified by Cabinet Order within a period not exceeding three months from the date of promulgation.