

(Referenced Provisions)

Note: This English translation is provided solely for reference and assistance in understanding the Act. It is not an official translation and has no legal authority. In the event of any discrepancy, the original Japanese text shall prevail.

Act on Measures to Prevent Sexual Violence against Children by School Establishers and Operators of Private Educational and Childcare Businesses, etc. (Act No. 69 of 2024) (Extract)

(Definitions)

Article 2 (Omitted)

Paragraph 7

For the purposes of this Act, the term **“Specified Sexual Offense”** means any of the following offenses:

1. Offenses under Articles 176, 177, 179 through 182, Article 241, paragraph (1) or (3), or Article 243 (limited to the portion concerning the offense referred to in paragraph (3) of Article 241) of the Penal Code (Act No. 45 of 1907).
 2. The offense set forth in Article 4 of the Act on Prevention and Punishment of Robbery, Theft and Other Related Crimes (Act No. 9 of 1930), limited to conduct constituting the offense prescribed in Article 241, paragraph (1) of the Penal Code.
 3. The offense set forth in Article 60, paragraph (1) of the Child Welfare Act.
 4. Offenses prescribed in Articles 4 through 8 of the Act on Punishment of Activities Relating to Child Prostitution and Child Pornography, and the Protection of Children (Act No. 52 of 1999).
 5. Offenses prescribed in Articles 2 through 6 of the Act on Punishment of Recording Sexual Images and Related Acts and on Deletion of Electronic Records Containing Such Images Recorded in Seized Materials (Act No. 67 of 2023).
 6. Offenses prescribed by prefectural ordinances and designated by Cabinet Order as punishing any of the following acts:
 - (a) Improperly touching a part of another person's body;
 - (b) Without justifiable reason, viewing, photographing, directing a camera or other device toward, or installing such device for the purpose of photographing underwear or the body normally concealed by clothing;
 - (c) Engaging in indecent speech or conduct without justification (excluding the conduct described in (a) or (b));
 - (d) Engaging in sexual intercourse with a child or committing an indecent act against a child.
-

Paragraph 8

For the purposes of this Act, a **“Person Falling Under the Category of a Person with a Specified Sexual Offense Record”** means a person who falls under any of the following categories:

1. A person convicted of a Specified Sexual Offense and sentenced to imprisonment (excluding a person whose entire sentence was suspended, unless such suspension was revoked), where 20 years have not elapsed since the completion of the sentence or since the sentence otherwise ceased to be enforceable.

2. A person convicted of a Specified Sexual Offense whose sentence was entirely suspended, where 10 years have not elapsed since the judgment became final and binding.
 3. A person convicted of a Specified Sexual Offense and sentenced to a fine, where 10 years have not elapsed since completion of payment of the fine or since the fine otherwise ceased to be enforceable.
-

Supplementary Provisions

(Application of This Act to Offenses Prescribed in the Former Penal Code)

Article 2

For the purpose of applying Article 2, paragraph (7) (limited to item (i)), the following offenses shall be deemed to be the offenses listed in that item:

1. Offenses under Article 178-2, Article 181, paragraph (3), or Article 241 of the Penal Code before amendment by the Act Partially Amending the Penal Code (Act No. 72 of 2017), including attempts thereof.
2. Offenses under Articles 176 through 178 of the Penal Code before amendment by the Act Partially Amending the Penal Code and the Code of Criminal Procedure (Act No. 66 of 2023), including attempts thereof.

2 For the purpose of applying Article 2, paragraph (7) (limited to item (ii)), the offense prescribed in Article 4 of the Act on Prevention and Punishment of Robbery, Theft and Other Related Crimes before amendment pursuant to Article 3 of the Supplementary Provisions of the 2017 amendment (limited to conduct constituting the former offense under the first sentence of Article 241 of the Penal Code, including attempts thereof) shall be deemed to be the offense listed in that item. (Application of This Act to Judgments Imposing Imprisonment)

Article 3

For the purpose of applying Article 2, paragraph (8) (limited to items (i) and (ii)) and Article 34, paragraph (2) (limited to item (i) and item (ii), sub-items (b) and (h)), a judgment imposing imprisonment, or a suspended sentence of imprisonment in full, under Article 12 of the Penal Code prior to amendment by the Act Partially Amending the Penal Code and Other Acts (Act No. 67 of 2022), shall be deemed to be a judgment imposing detention imprisonment (custodial sentence) or a fully suspended custodial sentence.

Note: The offenses referred to in Article 2, paragraph (7), item (vi) are offenses prescribed, or formerly prescribed, in the ordinances listed in Article 2 and paragraph (2) of the Supplementary Provisions of the Order for Enforcement of the Act on Measures to Prevent Sexual Violence against Children by School Establishers and Operators of Private Educational and Childcare Businesses, etc. (Cabinet Order No. 440 of 2025), including so-called nuisance prevention ordinances and youth protection ordinances enacted by prefectures, which punish any of the acts described in items (a) through (d) above.