

Outline of the Act Establishing the Children and Families Agency (Act No. 75 of 2022)

Purpose

This Act establishes the Children and Families Agency, positioning it as an external organ of the Cabinet Office; the Children and Families Agency is charged with handling functions related to increasing the welfare and improving the health of children (meaning people in the process of physical and mental development; the same applies hereinafter) and their families, providing other such support for children's healthy growth and for parenting, and advocating for children, based on the importance of the family's role in child-rearing and on the principle of making considerations that give due weight to the views of the child in accordance with the child's age and maturity, and that prioritize children's best interests, in order to bring about a society in which children can all grow up healthy as independent individuals; the Agency is also charged with assisting in the Cabinet functions associated with the Cabinet's specific essential policies that are relevant to the above-mentioned duties, and the Act provides for the particulars of the functions under the Agency's jurisdiction and for the particulars of its organization.

Outline

1. The Act establishes the Children and Families Agency, positioning it as an external organ of the Cabinet

2. The head of the Children and Families Agency is called the Administrator of the Children and Families Agency

3. Functions under the jurisdiction of the Children and Families Agency

(1) Assigned administrative functions (functions that the Agency implements itself)

- Planning, drafting, and promoting basic policies to ensure an environment for the healthy growth of children under school age and to support the parenting of children under school age.
- Functions related to Child and Child-rearing Support Benefits and other necessary support for children and those who raise them
- Functions related to childcare
- Arranging for a parenting support system
- Ensuring appropriate places in the community for children to play and live
- Promoting the welfare of children, families with children, expectant and nursing women, and other mothers
- Planning, drafting, and promoting basic policies related to the development of safe and secure living environments for children
- Improving children's health
- Preventing child abuse
- Establishing local systems for bullying prevention, such as those which allow people to consult with related organizations, etc.
- Child advocacy (other than anything falling under another Ministry's jurisdiction)
- Formulating and promoting the General Principles for Child-Related Measures) and other functions

(2) Functions handled to support the Cabinet (functions related to essential Cabinet policies)

- Planning, drafting, and integration of the policies involved in the basic policies that are meant to bring about a society in which children can all grow up healthy as independent individuals
- Planning, drafting, and integration of the policies involved in the basic policies that aim to overcome the declining birthrate, including arrangements for a social environment that allows people to feel hopeful about getting married, having children, and raising them
- Planning, drafting, and integration of the policies involved in child and youth development and support

4. Requests to submit materials and provide other cooperation

- If the Administrator of the Children and Families Agency finds it necessary to do so in order to carry out the affairs under the jurisdiction of the Children and Families Agency, the Administrator may ask the heads of relevant administrative organs to submit materials, give explanations, or provide any other such needed cooperation.

5. Deliberative councils and extraordinary organs

- By establishing the Child and Families Council and other councils in the Children and Families Agency to deliberate on important matters of child-related policy and other relevant issues, the Act transfers the relevant councils and their functions from the Cabinet Office and the Ministry of Health, Labour and Welfare to the Agency, and also makes the Council for the Promotion of Child-Related Measures, chaired by the Prime Minister, the extraordinary organ that is placed within the Child and Families Agency pursuant to the provisions of the Basic Act on Children's Policy.

6. Effective date

- April 1, 2023
- Approximately five years after this Act enters into force, the Government is to review what the best modality is for the structures and frameworks that are meant to allow it to comprehensively and effectively implement measures for providing high-quality education and childcare for children under school age and other such support for children's healthy growth and for parenting in light of the implementation status of the measures in question; and if the Government finds it to be necessary to do so, it is to take the necessary measures based on the results of its review.

子ども家庭庁設置法（令和4年法律第75号）の概要

趣旨

子ども（心身の発達の過程にある者をいう。以下同じ。）が自立した個人としてひとしく健やかに成長することのできる社会の実現に向け、子育てにおける家庭の役割の重要性を踏まえつつ、子どもの年齢及び発達の程度に応じ、その意見を尊重し、その最善の利益を優先して考慮することを基本とし、子ども及び子どものある家庭の福祉の増進及び保健の向上その他の子どもの健やかな成長及び子どものある家庭における子育てに対する支援並びに子どもの権利利益の擁護に関する事務を行うとともに、当該任務に関連する特定の内閣の重要政策に関する内閣の事務を助けることを任務とする子ども家庭庁を、内閣府の外局として設置することとし、その所掌事務及び組織に関する事項を定める。

概要

1. 内閣府の外局として、子ども家庭庁を設置

2. 子ども家庭庁の長は、子ども家庭庁長官とする

3. 子ども家庭庁の所掌事務

(1) 分担管理事務（自ら実施する事務）

- ・小学校就学前の子どもの健やかな成長のための環境の確保及び小学校就学前の子どものある家庭における子育て支援に関する基本的な政策の企画及び立案並びに推進
- ・子ども・子育て支援給付その他の子ども及び子どもを養育している者に必要な支援
- ・子どもの保育及び養護
- ・子どものある家庭における子育ての支援体制の整備
- ・地域における子どもの適切な遊び及び生活の場の確保
- ・子ども、子どものある家庭及び妊産婦その他母性の福祉の増進
- ・子どもの安全で安心な生活環境の整備に関する基本的な政策の企画及び立案並びに推進
- ・子どもの保健の向上
- ・子どもの虐待の防止
- ・いじめの防止等に関する相談の体制など地域における体制の整備
- ・子どもの権利利益の擁護（他省の所掌に属するものを除く）
- ・子ども大綱の策定及び推進

等

(2) 内閣補助事務（内閣の重要政策に関する事務）

- ・子どもが自立した個人としてひとしく健やかに成長することのできる社会の実現のための基本的な政策に関する事項等の企画及び立案並びに総合調整
- ・結婚、出産又は育児に希望を持つことができる社会環境の整備等少子化の克服に向けた基本的な政策に関する事項の企画及び立案並びに総合調整
- ・子ども・若者育成支援に関する事項の企画及び立案並びに総合調整

4. 資料の提出要求等

- ・子ども家庭庁長官は、子ども家庭庁の所掌事務を遂行するため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、説明その他の必要な協力を求めることができることとする

5. 審議会等及び特別の機関

- ・子ども家庭庁に、子ども政策に関する重要事項等を審議する子ども家庭審議会等を設置し、内閣府及び厚生労働省から関係審議会等の機能を移管するとともに、子ども基本法の定めるところにより子ども家庭庁に置かれる特別の機関は、内閣総理大臣を会長とする子ども政策推進会議とする。

6. 施行期日等

- ・令和5年4月1日
- ・政府は、この法律の施行後5年を目途として、小学校就学前の子どもに対する質の高い教育及び保育の提供その他の子どもの健やかな成長及び子どものある家庭における子育てに対する支援に関する施策の実施の状況を勘案し、これらの施策を総合的かつ効果的に実施するための組織及び体制の在り方について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする