

SCHOOL LUNCH ACT (ACT NO. 160 OF JUNE 3, 1954)

Latest amendment: Act No.46 of June 24, 2015

Chapter I General Provisions

(The Aim of This Act)

Article 1: In consideration of the fact that school lunch contributes to the development of sound body and mind of children and school children in particular, and that it plays an important role in cultivation and development of comprehension and good judgement of food choices for children and school children, the purpose of this act is to establish necessary requirements and guidance for provision of school lunch, and attempts to enhance nutritional education regarding school lunches.

(Objective of School Lunch)

Article 2 Regarding the provision of school lunch, in order to accomplish our education goals of all compulsory education schools, we must endeavor to accomplish the following targets:

- (i) to make the effort to ensure and improve health by proper ingestion of food.
- (ii) to increase the proper awareness of meals in daily life, foster an ability to make comprehensive judgments that allow for a healthy diet, and cultivate a desirable dietary pattern.
- (iii) to live a balanced school life and cultivate a positive social environment and a spirit of cooperation.
- (iv) to increase awareness of our diet being built upon the blessings of nature, and to nurture the spirit of respect for life, and a desire to contribute to environmental conservation.
- (v) to increase awareness of how one's diet is based on the contributions and actions of many people, and foster the value of respect for hard work.
- (vi) to increase awareness of the dietary culture of Japan and the excellent traditional dietary cultures from other areas.
- (vii) to teach understanding of production, distribution, and consumption of food.

(Definitions)

Article 3 The term “school lunch” as used in this Act, can be defined as a food service provided to children or students in all compulsory education schools, to accomplish any of the purposes listed in the preceding Article.

(2) The term “all compulsory education schools” as used in this Act can be defined as any elementary or junior high school, any unified compulsory education school, a course of study in the former part of a secondary educational school, an elementary or junior high school course at a school for special needs education, as prescribed in the School Education Act (Act No. 26 of 1947).

(Duty of Founder at All Compulsory Education Schools)

Article 4 Founders at all compulsory education schools must endeavor to provide school lunch at their respective institutions.

(Duty of the state and Local Governments)

Article 5 The state and each local government must endeavor to disseminate and accelerate sound development of the school lunch program.

(Facilities Necessary for Supplying School Lunch to Two or More Compulsory Education Schools)

Article 6 The founder at all compulsory education schools may set up necessary facilities (hereinafter referred to as “school lunch kitchens”) for providing school lunches to two or more compulsory education schools as a facility that enables the serving of school lunch at their institution.

(School Lunch Dietitian)

Article 7 Personnel (hereinafter referred to as “School Lunch Dietitians” in Article 10, paragraph (3)) who takes charge of professional matters related to nutrition in school lunch at all compulsory education schools or school lunch kitchens, must possess the license of Diet and Nutrition Teacher’s license prescribed in the Education Personnel Certification Act (Act No. 147 of 1949) Article 4, paragraph (2), or the dietitian’s license prescribed in the Dietitians Act (Act No. 245 of 1947) Article 2, paragraph (1), and must have the necessary knowledge and experience with respect to provision of school lunch.

(Implementation Standards of Provision of School Lunch)

Article 8 The Minister of Education, Culture, Sports, Science and Technology shall specify desirable standards (hereinafter referred to as “Implementation Standards for the provision of School Lunch” in the following paragraph) required for maintaining the necessary matters (excluding the statements listed in paragraph (1) of the following Article) in connection with nutritional requirements for the children or students, details of school lunch programs, and proper distribution of school lunch.

(2) The founder at all compulsory education schools that serve school lunch is to endeavor to

provide school lunch appropriately in light of Implementation Standards for the Provision of School Lunch.

(Standards for School Lunch Sanitation Management)

Article 9 The Minister of Education, Culture, Sports, Science and Technology shall specify desirable standards (hereinafter referred to as “Standards for School Lunch Sanitation Management” in the following Article) required for maintaining the necessary matters regarding the preparation and management of the facility and equipment for providing school lunch, sanitation management through cooking processes, and other proper Sanitation Management for school lunch.

(2) The founder at all compulsory education schools that serve school lunch must endeavor to maintain appropriate sanitation management according to the standards for school lunch sanitation management.

(3) When the principal at any of all of the compulsory education schools or the head of school lunch kitchens find that the operations of sanitation management are not appropriate according to the standards for school lunch sanitation management, it is to promptly take the necessary measures for improvement, or in the case that it is not possible to take the referenced measure, a proposal to the compulsory education school or the founder of school lunch kitchen may be made.

Chapter III Guidance on Diet by Making Use of School Lunch

Article 10 In order for children to foster appropriate knowledge and positive attitude towards the maintenance of a healthy diet, the diet and nutrition teacher is to give guidance on the relationship between the food they have at school lunch and the role it plays in ensuring and improving health. The teacher should provide personal guidance to children or students with special consideration for diet, and other practical guidance regarding diet by making use of school lunch. In this case, the principal of each school is to take measures regarding general planning associated with school lunch on diet guidance at all compulsory education schools, and to take other necessary measures to ensure the smooth and effective provision of guidance.

(2) When providing the guidance referred to in the first sentence of the preceding paragraph, the diet and nutrition teacher is to endeavor to utilize products from the area the school is in when making school lunch, and utilize their own originality and ingenuity in accordance with the actual conditions in the area, and to promote children’s or students’ understanding of the diet culture of the region, local food industry, and the nutritional benefits of local resources.

(3) Any nutritionist other than the diet and nutrition teacher is to endeavor to provide guidance in compliance with the first sentence of paragraph (1) together with the diet and nutrition teacher. In this case, the provisions outlined in the second sentence of said paragraph and the preceding paragraph shall apply mutatis mutandis.

Chapter IV Miscellaneous Provisions

(Liability for Expenses)

Article 11 Expenses for the facility and the equipment for providing school lunch and for the operation of school lunch, that has been specified by Cabinet Order shall be borne by the founder at all compulsory education schools.

(2) Expenses for school lunch (hereinafter referred to as “school lunch fees”) other than the expenses provided for in the previous paragraph shall be borne by the guardian prescribed in Article 16 of the School Education Act whose children or students are provided school lunch.

(National Government Subsidy)

Article 12 The national government may grant a subsidy to the founder of private compulsory education schools within the limits of the budget, pursuant to the provisions of the cabinet order, to cover part of the expenses required for the necessary facility or equipment to start school lunch.

(2) The national government may grant a subsidy to the founder to cover part of the expenses to the founder of public elementary schools, junior high schools, unified compulsory education schools or secondary educational schools, and the guardian prescribed in Article 16 of the School Education Act whose children or students’ are provided school lunch and persons requiring public assistance (excluding guardian cases with education assistance, prescribed in Article 13 in said Act, which assists with the school lunch fee for the student or child) prescribed in Article 6, paragraph (2), of Public Assistance Act (Act No. 144 of 1950) when granting a subsidy to cover part of the expenses required for school lunch, until otherwise provided for by law, within the limits of the budget, pursuant to the provisions of the cabinet order.

(Return of Subsidies, etc.)

Article 13 In the case when a person who has obtained an order for the receiving or granting of subsidies set forth in the preceding paragraph is made, The Minister of Education, Culture, Sports, Science and Technology may terminate the granting of the subsidy or force said person to reimburse the paid amount of subsidies pursuant to the provisions outlined in the preceding Article.

- (i) when the subsidies are used for any purpose other than the intended one.
- (ii) when it is decided an institution will not to be equipped with the facility or equipment specified in the subsidy within the business year following the ruling for the granting of subsidies without justifiable grounds.
- (iii) when the facility or equipment specified in the subsidies are used for any purpose other than the purpose of assistance, or when it has been disposed of without receiving the permission from The Minister of Education, Culture, Sports, Science and Technology, and done so without justifiable grounds.
- (iv) when the conditions for the grant of subsidies are violated.
- (v) when a person has by means of deception received or attempted to receive subsidies.

(Delegation to Cabinet Order)

Article 14 In addition to what is provided for in this Act, procedures and other matters required for the implementation of this Act shall be prescribed by Cabinet Order.