

○東京都障害児通所給付費等不服審査会条例

○ Tokyo Metropolitan Government Ordinance on the Examination Board for  
Dissatisfaction with Expenses Required for Payments of Outpatient Benefits for  
Children with Disabilities

平成二四年三月三〇日

March 30, 2012

条例第五九号

Ordinance No. 59

改正 平成二五年三月二九日条例第五九号

Amendments Ordinance No. 59 of March 29, 2013

平成二七年一二月二四日条例第一四六号

Ordinance No. 146 of December 24, 2015

東京都障害児通所給付費等不服審査会条例を公布する。

The Tokyo Metropolitan Government Ordinance on the Examination Board for  
Dissatisfaction with Expenses Required for Payments of Outpatient Benefits for Children  
with Disabilities is hereby promulgated.

東京都障害児通所給付費等不服審査会条例

Tokyo Metropolitan Government Ordinance on the Examination Board for  
Dissatisfaction with Expenses Required for Payments of Outpatient Benefits for  
Children with Disabilities

(設置)

(Establishment)

第一条 児童福祉法(昭和二十二年法律第百六十四号。以下「法」という。)第五十六条の  
五の五第二項及び同項において準用する障害者の日常生活及び社会生活を総合的に支援  
するための法律(平成十七年法律第百二十三号。以下「障害者総合支援法」という。)第  
九十八条第一項の規定に基づき、法第五十六条の五の五第一項の審査請求の事件を取り  
扱わせるため、知事の附属機関として、東京都障害児通所給付費等不服審査会(以下「審  
査会」という。)を置く。

Article 1 Pursuant to the provision of Article 56-5-5, paragraph (2) of the Child  
Welfare Act (Act No. 164 of 1947; hereinafter referred to as the "Act") and the same  
paragraph with the provisions of Article 98, paragraph (1) of the Act on Providing  
Comprehensive Support for the Daily Life and Life in Society of Persons with Disabilities  
(Act No. 123 of 2005; hereinafter referred to as the "Act on Comprehensive Support for  
Persons with Disabilities") applied mutatis mutandis, the Tokyo Metropolitan Government  
Examination Board for Dissatisfaction with Expenses Required for Payments of  
Outpatient Benefits for Children with Disabilities (hereinafter referred to as the

"Examination Board") shall be established as an organization attached to the Governor to handle the cases of requests for administrative review set forth in Article 56-5-5, paragraph (1) of the Act.

(平二五条例五九・一部改正)

(Partially amended by Ordinance No. 59 of 2013)

(定数)

(Fixed Number of Members)

第二条 法第五十六条の五の五第二項において準用する障害者総合支援法第九十八条第二項に規定する審査会の委員の定数は、五十人以内で知事が定める。

Article 2 (1) The fixed number of the members of the Examination Board prescribed in paragraph (2) of Article 98 of the Act for the Comprehensive Support of Persons with Disabilities as applied mutatis mutandis in paragraph (2) of Article 56-5-5 of the Act shall be 50 or less and be prescribed by the Governor.

2 審査会は、委員のうちから法第五十六条の五の五第二項において準用する障害者総合支援法第百条第一項に規定する会長(以下「会長」という。)が指名する五人をもって構成する合議体で審査請求の事件を取り扱う。

(2) The Examination Board shall handle the cases of request for administrative review by a council consisting of five persons nominated by the Chairperson prescribed in Article 100, paragraph (1) of the Act for the Comprehensive Support of Persons with Disabilities (hereinafter referred to as "Chairperson"), which is applied mutatis mutandis in paragraph (2) of Article 56-5-5 of the Act, from among its members.

(平二五条例五九・一部改正)

(Partially amended by Ordinance No. 59 of 2013)

(委員)

(Board Members)

第三条 知事は、委員が心身の故障のために職務の執行ができないと認める場合又は委員に職務上の義務違反その他委員たるに適しない非行があると認める場合には、その委員を罷免することができる。

Article 3 (1) The Governor may dismiss a board member if the Governor finds that the member is unable to perform duties due to mental or physical disorder, or if the member has violated his/her duties in the course of duties or committed other misconduct that renders the member unfit to serve as a board member.

2 委員は、職務上知り得た秘密を漏らしてはならない。その職を退いた後も同様とする。

(2) A board member shall not divulge any secrets learned in the course of the board member's duties. The same applies to any person after the person has retired from office.

3 委員は、在任中、政党その他の政治団体の役員となり、又は積極的に政治運動をしてはならない。

(3) While in office, a board member must not be an officer of a political party or other political organization, or actively engage in political campaigning.

(平二七条例一四六・追加)

(Added by Ordinance No. 146 of 2015)

(庶務)

(General Affairs)

第四条 審査会の庶務は、福祉保健局において処理する。

Article 4 General affairs of the Examination Board shall be handled by the Welfare and Public Health Bureau.

(平二七条例一四六・旧第三条繰下)

(Former Article 3 moved down by Ordinance No. 146 of 2015)

(委任)

(Delegation)

第五条 法令及びこの条例に定めるもののほか、審査会の運営に関し必要な事項は、会長が審査会に諮って定める。

Article 5 Matters necessary for the operation of the Examination Board, in addition to those provided by laws and regulations and this ordinance, shall be determined by the Chairperson in consultation with the Examination Board.

(平二七条例一四六・旧第四条繰下)

(Former Article 4 moved down by Ordinance No. 146 of 2015)

附 則

Supplementary Provisions

1 この条例は、平成二十四年四月一日から施行する。

(1) This ordinance comes into effect as of April 1, 2012.

2 この条例の施行の日以後最初に開かれる審査会は、知事が招集する。

(2) The first Examination Board to meet after the date on which this ordinance comes into effect shall be called by the Governor.

附 則(平成二五年条例第五九号)

Supplementary Provisions (Ordinance No. 59 of 2013)

この条例は、平成二十五年四月一日から施行する。

This ordinance comes into effect as of April 1, 2013.

附 則(平成二七年条例第一四六号)

Supplementary Provisions (Ordinance No. 146 of 2015)

この条例は、行政不服審査法(平成二十六年法律第六十八号)の施行の日から施行する。

This ordinance comes into effect as of the date on which the Act for Enforcement of the Administrative Complaint Review Act (Act No. 68 of 2014) comes into effect.

(施行の日＝平成二八年四月一日)

(Date on which the Act comes into effect = April 1, 2016)