

Enforcement Ordinance of the Working Environment Measurement Law

(Ministry of Labour Ordinance No. 20 of August 1, 1975)

Latest Amendments:

Ministry of Health, Labour and Welfare Ordinance No. 212 of November 16, 2001

[In Japanese](#)

The Enforcement Ordinance of the Working Environment Measurement Law is hereby set forth as follows under the provisions of the Working Environment Measurement Law (Law No. 28 of 1975) and the Enforcement Order of the Working Environment Measurement Law (Cabinet Order No. 244 of 1975).

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Chapter I. General Provisions

(Workshops to be Designated by Ministry of Health, Labour and Welfare Ordinance under item 2 of Article 1 of the Cabinet Order)

Article 1. Workshops to be designated by the Ministry of Health, Labour and Welfare Ordinance under item 2 of [Article 1](#) of the Enforcement Order of the Working Environment Measurement Law (hereinafter referred to as "the Cabinet Order") shall be workshops as provided for in item 2 of [Article 53](#) of the Ordinance on Prevention of Ionizing Radiation Hazards (Ministry of Labour Ordinance No. 41 of 1972).

(Instruments to be Designated by Ministry of Health, Labour and Welfare Ordinance under Item 6 of Article 2 of the Law)

Article 2. Instruments to be designated by the Ministry of Health, Labour and Welfare Ordinance under item 6 of [Article 2](#) of the Working Environment Measurement Law (hereinafter referred to as "the Law") shall be those other than the instruments listed in the following items (hereinafter referred to as "simple measuring instruments"):

(1) Instruments which measure the concentration of gases or vapours by the detection tube method.

(2) Instruments which measure the weight of airborne particles, which are calibrated by comparing to the standard of instruments which measure airborne particles of approximately 10 micrometer or smaller in relative sedimentation diameter by the gravimetric method using a glass fiber filter (restricted only to that which has the capacity to collect 99.9 percent or more of 0.3 micrometer stearic acid particles).

(3) Other instruments to be designated by the Minister of Health, Labour and Welfare.

(Conducting of Working Environment Measurement)

Article 3. The employer shall, when he conducts under the provisions of [paragraph 1 of Article 65](#) of the Industrial Safety and Health Law (Law No. 57 of 1972) the working environment measurement as provided for in item 2 of Article 2 of the Law (hereinafter referred to as "working environment measurement") with regard to a designated workshop as provided for in item 3 of the same Article (hereinafter referred to as "designated workshop"), comply with the following provisions:

(1) The employer shall request the class-1 working environment measurement expert, as provided for in item 5 of Article 2 of the Law and registered with regard to the type of workshop listed in the [Attached Table](#) to which the said designated workshop belongs (hereinafter referred to as "class-1 working environment measurement expert") conduct analysis (including analytical research; the same shall apply hereinafter) using instruments other than simple measuring instruments.

(2) The employer shall request the working environment measurement expert, as provided for in item 4 of Article 2 of the Law (hereinafter referred to as "working environment measurement expert"), to conduct working environment measurements other than the analysis provided for in the preceding item.

2. The employer shall, when he is not able to conduct working environment measurement as provided for in [item 1 of Article 3 of the Law](#), entrust the said working environment measurement in compliance with the following provisions.

(1) The employer shall entrust analysis using instruments other than simple measuring instruments to a working environment measurement agency under the provisions of item 7 of

[Article 2 of the Law](#) and registered with regard to the type of workshop listed in the Attached Table to which the said designated workshop belongs (hereinafter referred to as "working environment measurement agency") or to an agency designated by the Minister of Health, Labour and Welfare under the proviso of [paragraph 2 of Article 3 of the Law](#) and designated with regard to the type of workshop listed in the Attached Table to which the said designated workshop belongs (hereinafter referred to as "designated measurement agency").

(2) The employer shall entrust working environment measurement other than the analysis as provided for in the preceding item to a working environment measurement agency or a designated measurement agency.

(Designated under the Provisions of Proviso of Paragraph 2 of Article 3 of the Law)

Article 4. A person who intends to obtain the designation under the provisions of proviso of [paragraph 2 of Article 3 of the Law](#) (hereinafter in this Article referred to as "designation") shall submit an application stating the type of workshop listed in the Attached Table in which he intends to conduct working environment measurement accompanied with business rules and other documents evidencing that he can conduct working environment measurement of workshops at the request of other people to the Minister of Health, Labour and Welfare through the Director General of the Prefectural Labour Bureau who has jurisdiction over the address of the said person.

2. The Minister of Health, Labour and Welfare shall, when he deems that the person who intends to be designated has the necessary capacity to conduct working environment measurements, so designate him by providing for the type of workshop listed in the Attached Table in which the said person may conduct working environment measurements.

Chapter II. Working Environment Measurement Experts, etc.

Section 1. Working Environment Measurement Experts

Sub-section 1. Qualification for Working Environment Measurement Experts, etc.

(Qualification for Working Environment Measurement Experts)

Article 5. The person to be provided for by the Ministry of Health, Labour and Welfare Ordinance under [Article 5 of the Law](#) shall be as follows:

(1) A person who is exempted from the entirety of the subjects of the working environment measurement expert test (hereinafter referred to as "test") under [Article 5 of the Law](#) and has completed the training course under the same Article (hereinafter referred to as "training course").

(2) A person who falls under the following a) or b) categories and is recognized by the Minister of Health, Labour and Welfare to have knowledge and ability of a high degree with regard to working environment measurements:

a) A person who has graduated after completing the regular course of science from a university or college (including a university accredited under the former University Order (Imperial Order No. 388 of 1918) the same shall apply in the following.) or from a technical college (including a college accredited under the former College Order (Imperial Order No. 61 of 1903) accredited under the School Education Law (Law No. 26 of 1947) and holds or held in the past the position of professor or assistant professor teaching subjects related to the measurement of the atmospheric environment or other environments at a university or technical college accredited under the School Education Law;

b) A person who graduated after completing the regular course of science from a university or a technical college accredited under the School Education Law and has the experience of having been engaged in the business of research related to the measurement of the atmospheric environment or other environments at a research institute of the State, local public body, juridical person established under Article 34 of the Civil Code (Law No. 89 of 1896) or similar body for 10 years or more (except a person listed in the preceding item).

(3) Any other person whom the Minister of Health, Labour and Welfare recognizes to have the same or higher knowledge and ability compared with the persons provided for in the preceding two items.

2. A person who intends to be recognized under item 2 of the preceding paragraph shall submit a written application, accompanied with documents evidencing that he falls under a) or b) of the same item, to the Minister of Health, Labour and Welfare.

3. Recognition under the provisions of items 2 or 3 of paragraph 1 shall be sanctioned by designating the classification of working environment measurement expert, and by the type of workshop listed in the Attached Table in which the said person may conduct working environment measurements, in the case where the classification of working environment measurement expert falls under class-1.

Article 5-2. Notwithstanding the provisions of paragraph 1 of the preceding paragraph, a person who has completed subjects designated as granting the knowledge and skills necessary to be a class-2 workplace environment measurement expert under item 6 of [Article 2 of the Law](#) by the Minister of Health, Labour and Welfare (called "subjects" in paragraph 3) at a university or technical college accredited under the School Education Law or a vocational training college or a vocational training university accredited under the Vocational Training Law (Law No. 64 of 1969) (called a "university, etc." below in this Article) and duly graduated (called a "class-2 workplace environment measurement expert" below in this Article) or has completed training shall be qualified to be a class-2 workplace environment measurement expert.

2. Approval of a university, etc., provided for in the preceding paragraph (called "approval" below in this Article) shall be conducted on the basis of standards laid down separately by the Minister of Health, Labour and Welfare.

3. A person who intends to set up a university, etc., and receive approval shall submit an application to the Minister of Health, Labour and Welfare containing the information in the items below. However, a university, etc., set up by the State, a local government body or the Employment Promotion Corporation may omit the information under items 3 and 10:

(1) The name and address of the university, etc., and its date of establishment.

(2) The name of the founder of the university, etc.

(3) The purpose for founding the university, etc.

(4) The name, content and method of completion of subjects, the number of lesson hours or the number of training hours and the name of the course or training course containing said subjects and date of its establishment.

(5) Information about the implementation of examinations (by subject).

(6) The fixed number of students or trainees (by course and training course).

(7) The names of teaching staff or vocational training instructors, their histories, the subject they are in charge of, and whether they are full-time or part-time.

(8) The area of the facility, a block plan and a ground plan.

(9) The types and numbers of apparatus, equipment, specimens and books needed for education or training.

(10) Method of maintenance and management.

(11) Other information for reference.

4. When there is an application under paragraph 3 and the university, etc., in said application complies with the standards provided for in paragraph 2, the Minister of Health, Labour and Welfare shall publish that fact in the Official Gazette.

5. When there has been any change in the information listed in items 1 through 10 of paragraph 3, a person who has set up a university, etc., that has received approval shall notify the Minister of Health, Labour and Welfare without delay of the content and date of such changes. However, this shall not apply where the omissions specified under the conditional clause of paragraph 3 are permitted.

6. The Minister of Health, Labour and Welfare shall cancel approval where it is deemed that a university, etc., no longer complies with the standards provided for in paragraph 2.

7. When the Minister of Health, Labour and Welfare has cancelled approval under the provisions of the preceding paragraph, it shall be published in the Official Gazette.

8. The Minister of Health, Labour and Welfare may request the founder of a university, etc., that has received approval to provide necessary information where it is deemed necessary.

(Items of Registration)

Article 6. Items to be designated by the Ministry of Health, Labour and Welfare Ordinance under item 4 of [Article 7 of the Law](#) shall be as follows:

(1) In the case of a person who has completed the class-1 training course as provided for in [Article 23](#), the type of workshop listed in the [Attached Table](#) which corresponds to the subjects the said person has taken among the subjects as provided for in items 3 to 7 inclusive of [paragraph 1 of Article 25](#).

(2) In the case of a person who is listed in item 2 or 3 of [paragraph 1 of Article 5](#) and is recognized by the Minister of Health, Labour and Welfare to fall under the class-1 working environment measurement expert by classification under paragraph 3 of the same Article, the type of workshop listed in the Attached Table in which the said person may conduct working environment measurement.

(Application for Registration)

Article 7. A person who intends to obtain registration under [Article 7 of the Law](#) (hereinafter in this Article referred to as "applicant") shall submit a Working Environment Measurement Expert Registration Application (Form No. 1) to the Minister of Health, Labour and Welfare through the Director General of the Prefectural Labour Bureau who has jurisdiction over the area where the applicant has his domicile.

2. The presentation under the provision of [paragraph 2 of Article 9 of the Law](#) of the certificate under paragraph 1 of [Article 16 of the Law](#) (hereinafter referred to as "certificate") and the certificate of completion of a training course under paragraph 2 of the same Article (hereinafter referred to as "certificate of completion of training course") (in the case of a person who falls under any of the items of [paragraph 1 of Article 5](#) or [paragraph 1 of Article 5-2](#), documents which substitute for these) shall be made to the Director General of the Prefectural Labour Bureau who has jurisdiction over the area where the applicant has his domicile.

(Certificate of Registration)

Article 8. The certificate of registration of working environment measurement expert under [Article 10 of the Law](#) (hereinafter in this Section and Section 4 referred to as "certificate of registration") shall follow Form No.2.

(Renewal of Certificate of Registration)

Article 9. A working environment measurement expert shall, when alteration takes place with regard to the matters as provided for in item 2 of [Article 7 of the Law](#), without delay submit a Renewal Application for a Certificate of Registration of a Working Environment Measurement Expert (Form No. 3) accompanied with certificate of registration and documents evidencing the reason of renewal, to the Minister of Health, Labour and Welfare through the Director General of the Prefectural Labour Bureau who has the jurisdiction over the area where the applicant has his domicile (hereinafter in this sub-section referred to as "the Director General of the competent Prefectural Labour Bureau") and obtain the renewal of the certificate of registration.

2. A working environment measurement expert shall, when he intends to alter the matters listed in item 3 of [Article 7 of the Law](#) or [Article 6](#), submit a Renewal Application for a Certificate of Registration of a Working Environment Measurement Expert accompanied with his certificate of registration, to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau and obtain the renewal of the certificate of registration.

3. In a case which falls under the provisions of the preceding paragraph, the working environment measurement expert shall present his certificate and the certificate of completion of training course, which evidence the reason of renewal (in the case of a person who falls under any of the items of [paragraph 1 of Article 5](#), substitute documents), to the Director General of the competent Prefectural Labour Bureau.

(Reissue of Certificate of Registration)

Article 10. A working environment measurement expert may, if his certificate of registration is damaged, destroyed or lost, submit a Reissue Application for the Certificate of Registration of a Working Environment Measurement Expert (Form No. 3) accompanied with the said damaged certificate of registration (in a case where the certificate of registration was destroyed or lost, documents stating the said fact) to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau and obtain the reissue of certificate of registration.

2. A person who has applied for a reissue of his certificate of registration under the provisions of the preceding paragraph, shall, if he finds the lost certificate of registration, return it immediately to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau.

(Cancellation of Registration, etc.)

Article 11. Cancellation of registration under the provisions of [paragraph 1 or 2 of Article 12 of the Law](#) or orders for suspension of the business of working environment measurement of a designated workshop, or suspension of the use of the appellation of working environment measurement expert under the provisions of the same paragraph shall be made in writing, giving the reasons.

(Report of the Discontinuation of Business, etc.)

Article 12. In a case where the working environment measurement expert discontinues his business, dies or comes to fall under item 1 or item 3 of [Article 6 of the Law](#), the said working environment measurement expert, his successor or his legal representative shall, without delay, report in writing to that effect to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau.

(Return of a Certificate of Registration)

Article 13. In a case where the registration of a working environment measurement expert has been cancelled or he has discontinued his business or died, the said working environment measurement expert, his successor or his legal representative shall, without delay, return the certificate of registration to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau.

(Application of Ordinance by Designated Registration Institution in Performing Its Registration Business)

Article 13-2. For the application of the provisions of [Articles 7, 9, 10](#) and the preceding Article by the designated registration institution provided for in [paragraph 2, Article 32-2 of the Law](#) (hereinafter referred to as "designated registration institution") in performing its registration business (hereinafter referred to as "registration business") provided for in paragraph 1 of the same article, the part of the provision of [paragraph 1 of Article 7](#) expressed as "to the Minister of Health, Labour and Welfare through the Director General of the Prefectural Labour Bureau who has jurisdiction over the area where the applicant has his domicile," the part of the provision of paragraph 2 of the said article expressed as "to the Director General of the Prefectural Labour Bureau who has jurisdiction over the area where the applicant has his domicile," the part of the provision of [paragraph 1 of Article 9](#) expressed as "to the Minister of Health, Labour and Welfare through the Director General of the Prefectural Labour Bureau who has the jurisdiction over the area where the applicant has his domicile (hereinafter in this sub-section referred to as "the Director General of the competent Prefectural Labour Bureau")," and the part of the provision of paragraph 2 of the said article, the part of the provision of [Article 10](#) and the part of provision of the preceding article which are commonly expressed as "to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau" and the part of the provision of paragraph 3, Article 9 expressed as "the Director General of the competent Prefectural Labour Bureau" shall all be amended to read "to the designated registration institution."

2. For the application of the provision of [Article 12](#) by the designated registration institution in performing its registration function, the part of the provision of the said article expressed as "to the Minister of Health, Labour and Welfare through the Director General of the competent Prefectural Labour Bureau" shall be amended to read "to the designated registration institution where the party concerned has discontinued the practice of the business or has died, and to the Minister of Health, Labour and Welfare through the Director General of the competent

Prefectural Labour Bureau where the party concerned has come to fall under item 1 or 3 of the said article."

Sub-section 2. Working Environment Measurement Expert Test

(Test)

Article 14. The class-1 working environment measurement expert test under [paragraph 2 of Article 14 of the Law](#) (hereinafter referred to as "class-1 test") and the class-2 working environment measurement expert test under the same paragraph (hereinafter referred to as "class-2 test") shall be conducted by written test only.

(Qualifications for Examination Candidates)

Article 15. A person to be designated by the Ministry of Health, Labour and Welfare Ordinance under item 3 of [Article 15 of the Law](#) shall be as follows:

(1) A person who has graduated after completing a course other than regular course of science from a university or senior high school accredited under the School Education Law and has the experience of having been engaged in the practice of industrial health for three years or more thereafter.

(2) A person who has graduated after completing course other than the regular course of science from a senior high school or a secondary education school accredited under the School Education Law (including middle schools accredited under the former Middle School Order (Imperial Order No. 36 of 1943), the same shall apply hereinafter) and has the experience of having been engaged in the practice of industrial health for five years or more thereafter.

(3) A person who has completed the instructor training (restricted to training in which the main subject of the specialized course to be studied during the said training is a scientific subject) of a long-term instructor training course (including the long-term instructor training course stipulated by the Enforcement Order of the Vocational Training Law (hereafter called the "Vocational Training Law Enforcement Order") before amendment in accordance with the Ministry of Health, Labour and Welfare Ordinance (Ministry of Health, Labour and Welfare Ordinance No. 23) which stipulates partial amendment of the Vocational Training Law Enforcement Order and the Enforcement Order of the Employment Insurance Law (Ministry of Health, Labour and Welfare Ordinance No. 23, 1985) at a vocational training college accredited under the Vocational Skills Development Law (includes vocational training colleges under the Vocational Skills Development Law before amendment by the Law for the Partial Revision of the Vocational Skills Development Law and the Employment Promotion Corporation Law (Law No. 45 of 1997) and technical colleges under the Vocational Skills Development Law before amendment by the Law for the Partial Revision of the Vocational Skills Development Law (Law No. 67 of 1992)), and has a minimum of one year's experience in the practice of industrial health thereafter.

(3-2) A person who has completed the advanced vocational training in the applied courses specified in Article 9 of the Enforcement Order of the Vocational Skills Development Law which are carried out in accordance with the stipulations of Attached Table 7 of the said Order (restricted to training in which the main subject of the specialized course to be studied during the said training is a scientific subject), and has a minimum of one year's experience in the practice of industrial health thereafter.

(4) A person who has completed the advanced vocational training in the specialized courses specified in Article 9 of the Enforcement Order of the Vocational Skills Development Law which are carried out in accordance with the stipulations of Attached Table 6 of the said Order (including the specialized courses of the vocational training carried out in accordance with the stipulations of Attached Table 3-2 of the Vocational Skills Development Law Enforcement Order before its amendment by the Ministry of Health, Labour and Welfare Ordinance for the partial revision of the Vocational Skills Development Law Enforcement Order (Ministry of Labour Ordinance No. 1 of 1993) (called the "former Skills Development Ordinance" in item 6 below), the specialist training courses in Attached Table 1 of the Vocational Skills Development Law Enforcement Order before its 1985 amendment, and the vocational training in special advanced training courses under paragraph 1 of Article 9 of the Vocational Training Law before amendment by the Law to Partially Revise the Vocational Training Law (Law No. 40 of 1978) (called the "former Vocational Training Law" below) (restricted to training in which the main subject of the specialized course to be studied during the said training is a scientific subject), and has a minimum of one year's experience in the practice of industrial health thereafter.

(5) A person who has completed the ordinary vocational training in the ordinary courses specified in Article 9 of the Vocational Skills Development Law Enforcement Order that are carried out in accordance with the stipulations in Attached Table 2 of the said Order (including ordinary courses for vocational training carried out in accordance with the stipulations of Attached Table 3 of the former Skills Development Ordinance, the ordinary training courses in Attached Table 1 of the Vocational Training Law Enforcement Order before amendment in 1985 and the advanced training courses in the vocational training in paragraph 1 of Article 9 of the former Vocational Training Law) (restricted to training in which the main subject of the specialized course to be studied is a scientific subject), and has a minimum of three years' experience in the practice of industrial health thereafter.

(6) A person who has completed the ordinary vocational training in the special courses provided for in paragraph 1 of Article 2 of the Supplementary Provisions of the Ministry of Labour Ordinance to partially revise the Vocational Training Law Enforcement Order (Ministry of Labour Ordinance No. 37 of 1978, called the "1978 Ministry of Labour amendment" in item 13 of Article 17) (restricted to training in which the main subject of the specialized course to be studied is a scientific subject), and has a minimum of four years' experience in the practice of industrial health thereafter.

(7) A person who has passed the class-1, class-2 or similar skill test of the trade skill test listed in the Attached Table of the Vocational Skill Development Law Enforcement Order (Cabinet Order 258 of 1969) (restricted to tests in which the said trade skill is mainly knowledge related to

science or engineering), and has a minimum of one year's experience in the practice of industrial health thereafter.

(8) A person who has a minimum of eight years' experience in the practice of industrial health.

(9) A person who falls under any of the items of Article 17.

(10) A person whom the Minister of Health, Labour and Welfare recognizes to have the same or higher ability as the persons listed in each of the preceding items.

(Subjects of the Test)

Article 16. The subjects of the class-1 test shall be the subjects as listed in items 1 to 4 inclusive and the subjects selected in advance by the candidate among the subjects as listed in items 5 to 9 inclusive (hereinafter referred to as "subjects concerning analytical technique"):

(1) Industrial health in general.

(2) Laws and ordinances related to industrial health.

(3) Design and sampling conducted in relation to the working environment.

(4) Outline of analysis conducted in relation to the working environment.

(5) Analytical technique conducted in relation to the working environment of the workshop in item 1 of the Attached Table.

(6) Analytical technique conducted in relation to the working environment of the workshop in item 2 of the Attached Table.

(7) Analytical technique conducted in relation to the working environment of the workshop in item 3 of the Attached Table.

(8) Analytical technique conducted in relation to the working environment of the workshop in item 4 of the Attached Table.

(9) Analytical technique conducted in relation to the working environment of the workshop in item 5 of the Attached Table.

2. The subjects of the class-2 test shall be the subjects listed in items 1 to 4 inclusive of the preceding paragraph.

(Exemptions from Test)

Article 17. Persons who have the qualifications as provided for by the Ministry of Health, Labour and Welfare Ordinance under [paragraph 3 of Article 14 of the Law](#) shall be the persons

listed in the following items. The said persons are exempt from the subjects as provided for in the corresponding items among the subject of the class-1 test and the class-2 test:

(1) A person who has obtained a license under Article 2 of the Medical Law (Law No. 201 of 1948) or Article 2 of the Dental Law (Law No. 202 of 1948): all subjects.

(2) A person who has graduated from a university, technical college, senior high school or a secondary education school accredited under the School Education Law and has obtained registration as an environment measurement expert (concentration related) as provided for in item 1 of Article 50 of the Enforcement Ordinance for the Measurement Law (Ministry of International Trade and Industry Ordinance No. 69 of 1993) under the provisions of paragraph 1 of Article 122 of the Measurement Law (Law No. 51 of 1992) (hereinafter referred to as "environment measurement expert (concentration-related)") and completed the training course concerning industrial health in general and the laws and ordinances related to industrial health designated by the Minister of Health, Labour and Welfare: all subjects except the analytical technique conducted in relation to the working environment of the workplaces in item 2 of the Attached Table.

(3) A person who has obtained registration as an environment measurement expert (concentration-related) under the provisions of paragraph 1 of Article 122 of the Measurement Law and who does not fall under the preceding item: subjects concerning design and sampling conducted in relation to the working environment, outline of analysis conducted in relation to the working environment, and subjects concerning analytical techniques (except the analytical technique conducted in relation to the working environment of workplaces in item 2 of the Attached Table).

(4) A radiotherapy engineer as provided for in paragraph 2 of Article 2 of the Radiotherapy Engineer and X-ray Therapy Engineer Law (Law No. 226 of 1951): all subjects except the subjects concerning analytical techniques (excluding the analytical technique conducted in relation to the working environment of workplaces in item 2 of the Attached Table).

(5) A consultant engineer who has obtained registration under paragraph 1 of Article 32 of the Consultant Engineer Law (Law No. 124 of 1957) (restricted only to a person who has obtained registration in relation to the chemical field, metal field or applied science field): outline of analysis conducted in relation to working environment.

(6) A consultant engineer who has obtained registration under paragraph 1 of Article 32 of the Consultant Engineer Law (restricted only to a person who has obtained registration in relation to the health engineering field) and has the experience of having been engaged in the practice of atmospheric environment measurement for three years or more: outline of analysis conducted in relation to the working environment and subjects concerning analytical technique (except analytical technique conducted in relation to the working environment of the workshop in item 2 of the Attached Table).

(7) A person who is appointed as a senior engineer in charge of nuclear fuel under the provisions of paragraph 1 of Article 22-2 or paragraph 1 of Article 51 of the Law concerning the Control of

Nuclear Raw Material, Nuclear Fuel Material and Reactors (Law No. 166 of 1957) or a person, who has the license of senior engineer in charge of nuclear fuel under paragraph 1 of Article 22-3 of the same Law and has the experience of having been engaged in the practice of measuring the concentration of radioactive substances for three years or more or a person who is appointed as a senior reactor engineer under the provisions of paragraph 1 of Article 40 of the same Law or a person who has the license of senior reactor engineer under paragraph 1 of Article 41 of the same Law and has the experience of having been engaged in the practice of measuring the concentration of radioactive substances for three years or more: all subjects except the subjects concerning analytical technique (except analytical technique conducted in relation to the working environment of the workshop in item 2 of the Attached Table).

(8) A person who is appointed as a senior engineer in charge of radioactive rays under the provision of paragraph 1 of Article 34 of the Law concerning the Prevention of Radioactive Ray Hazards caused by Radioactive Isotopes, etc. (Law No. 167 of 1957) and who has the license of the class-1 senior engineer in charge of radioactive rays under paragraph 1 of Article 35 of the same Law or a person who has the license of a class-1 senior engineer in charge of radioactive rays under the same paragraph and has the experience of having been engaged in the practice of measuring the concentration of radioactive substances for three years or more: all subjects except the subjects concerning analytical technique (except analytical technique conducted in relation to the working environment of the workshop in item 2 of the Attached Table.).

(9) A clinical technologist under the provision of paragraph 1 of Article 2 of the Law concerning Clinical Technologists, Health Laboratory Technicians, etc. (Law No. 76 of 1958) who has the experience of having been engaged in the practice of atmospheric environment measurements for three years or more: all subjects except subjects concerning analytical technique.

(10) A clinical technologist under the provision of paragraph 1 of Article 2 of the Law concerning Clinical Technologists, Health Laboratory Technicians, etc. who does not fall under the preceding item: industrial health in general and outline of analysis conducted in relation to the working environment.

(11) Health laboratory technicians as provided for in paragraph 2 of Article 2 of the Law concerning Clinical Technologists, Health Laboratory Technicians, etc.: industrial health in general.

(12) A person who has obtained a license under the provisions of Article 2 of the Pharmacist Law (Law No. 146 of 1960): all subjects

(13) A person who has completed the course in environmental chemistry specified in the column of Attached Table 6 of the Enforcement Order of the Vocational Skills Development Law out of the specialized courses in advanced vocational training stipulated in Article 9 of the Enforcement Order of the Vocational Skills Development Law (including the specialized courses specified in Article 9 of the former Skills Development Ordinance, the specialized training courses in Attached Table 1 of the Enforcement Order of the Vocational Training Law before the 1985 amendment, and, of the special advanced training courses for the educational training in paragraph 1 of Article 9 of the Enforcement Order of the Vocational Training Law before its

1985 amendment, the environmental chemistry training in the column of training courses of Attached Table 3-2 of the former Skill Development Ordinance and Attached Table 3-2 of the Enforcement Order of the Vocational Training Law prior to amendment by ministerial ordinance in 1985 and Attached Table 3-2 of the Enforcement Order of the Vocational Training Law prior to amendment by ministerial ordinance in 1978 (including the Attached Table of the Ministerial Ordinance Specifying the Standards concerning the Educational Training Included in Special Advanced Training Courses before abrogation by the provisions of Article 2 of the Supplementary Provisions to Attached Table 3-2 of the Enforcement Order of the Vocational Skills Development Law (Ministry of Health, Labour and Welfare Ordinance No. 17 of 1975) based on Article 2 of the Supplementary Provisions to the Ministerial Ordinance to Partially Amend the Enforcement Order of the Vocational Training Law (Ministry of Labour Ordinance No. 7 of 1976), and has passed the skill examination (including skill examinations under the provisions of paragraph 1 of Article 12 of the Vocational Training Law prior to amendment by the Law to Partially Amend the Vocational Training Law (Law No. 56 of 1985) provided for in paragraph 1 of Article 21 of the Vocational Skills Development Law (including cases where the provisions of Article 26-2 of the said Law apply): those subjects concerning the basic knowledge and skills of working environment analysis (not including those concerning the skills for analyzing the working environment designated in Table 1 and those concerning the skills for analyzing the working environment designated in Table 2).

(14) A person who has obtained a license as a vocational training instructor in relation to the type of occupation of chemical analysis course listed in the column of licensed vocations under Attached Table 11 of the Enforcement Order of Vocational Training Law under the provisions of paragraph 1 of Article 28 of the Vocational Training Law: industrial health in general and outline of analysis conducted in relation to the working environment.

(15) A person who has passed the trade skill test under paragraph 1 of Article 62 of the Vocational Training Law concerning the occupation of chemical analysis listed in the Attached Table 1 of the Enforcement Order of Vocational Training Law (Cabinet Order No. 258 of 1969): outline of analysis conducted in relation to the working environment.

(16) A person who has passed the pollution prevention supervisor examination (except one for a pollution prevention supervisor to be stationed at a noise generating facility or vibration generating facility) or the chief pollution prevention supervisor examination under the provisions of Article 8 of the Law concerning the Maintenance of Pollution Prevention Organization at a Specified Factory (Law No. 107 of 1971): outline of analysis conducted in relation to the working environment.

(17) A health officer who has been appointed under the provision of [paragraph 1 of Article 72 of the Industrial Safety and Health Law](#) with experience of having been engaged in the practice of industrial health for five years or more (three years or more for those that have been licensed as an industrial hygiene engineering-health supervisor) and completed training on industrial health in general and on laws and ordinances related to industrial health as designated by the Minister of Health, Labour and Welfare: industrial health in general and laws and ordinances related to industrial health.

(18) An industrial health consultant as provided for in [paragraph 2 of Article 81 of the Industrial Safety and Health Law](#): industrial health in general and laws and ordinances related to industrial health.

(19) A person who has the experience of having been engaged in the service of an expert officer in industrial health under [paragraph 1 of Article 93 of the Industrial Safety and Health Law](#) for five years or more and completed the training designated by the Director-General of the Labour Standards Bureau of the Ministry of Health, Labour and Welfare: all subjects except the subjects concerning analytical technique.

(20) A person who has the experience of having been engaged in the service of an expert officer in industrial health under [paragraph 1 of Article 93 of the Industrial Safety and Health Law](#) for three years or more: industrial health in general and laws and ordinances related to industrial health.

(21) A person who has the experience of having been engaged in the service of a labour standards inspector for seven years or more and completed the training designated by the Director-General of the Labour Standards Bureau of the Ministry of Health, Labour and Welfare: all subjects except the subjects concerning analytical technique.

(22) A person who has the experience of having been engaged in the service of labour standards inspector for three years or more: industrial health in general and laws and ordinances related to industrial health.

(23) A person who has previously passed the examination (including a person who has been recognized under the provisions of items 2 or 3 of paragraph 1 of Article 5 and a person who has been prescribed under the provisions of paragraph 1 of Article 2): all subjects except subjects concerning analytical technique.

(24) A person who has taken examinations in the subjects listed in items 1 through 4 of the preceding Article and attained a passing score in some subjects (limited to those taking examinations carried out within two years of the beginning of the month following the month in which the examination in the subject in which a passing score was attained was carried out): the subject in which said passing score was attained.

(Public Notice of the Date and Hour, etc., of Tests)

Article 18. The date, hour and place of the test and other necessary matters related to the conduct of the test shall be made public in advance in the Official Gazette.

(Procedure of Taking Test)

Article 19. An applicant for the test shall submit a Working Environment Measurement Expert Test Application (Form No. 5) accompanied with the documents listed below and a photograph to the person who conducts the test business as provided for in [paragraph 1 of Article 20 of the Law](#) (hereinafter referred to as "test business"):

(1) Document evidencing that the candidate falls under any of the items of [Article 15 of the Law](#).

(2) In a case of an applicant who intends to be exempted from part of the test, a document evidencing that the candidate falls under any of the items of [Article 17](#).

2. In a case where, in the preceding paragraph, the person who conducts the test business is the Minister of Health, Labour and Welfare, an applicant shall submit an application, the documents and a photograph through the Director General of the Prefectural Labour Bureau who has jurisdiction over the area in which the applicant has his domicile.

(Certificate)

Article 20. The certificate shall follow Form No. 6.

(Reissue of Certificate)

Article 21. A person who has passed the test may, if the certificate is damaged, destroyed or lost, submit a Working Environment Measurement Expert Certificate Reissue Application (Form No. 7) accompanied with the said damaged certificate (in a case where of the certificate was destroyed or lost, documents stating the said fact) to the person who conducts the test business and thus obtain its reissue.

2. Provisions of [paragraph 2 of Article 19](#) shall apply mutatis mutandis to presentation under the provisions of the preceding paragraph. In this case "preceding paragraph" in the same paragraph of the same Article shall be read as "[paragraph 1 of Article 21](#)."

(Details of Test)

Article 22. In addition to the provisions of the preceding eight articles, the scope of the subjects of the test, hours of the test and necessary details related to the conduct of the test shall be provided for by the Minister of Health, Labour and Welfare.

Sub-section 3. Training Course

(Training Courses)

Article 23. Training courses shall be classified into the class-1 working environment measurement expert training course (hereinafter referred to as "class-1 training course" and the class-2 working environment measurement expert training course (hereinafter referred to as "class-2 training course").

(Qualifications for the Training Course)

Article 24. A person who has passed the class-1 test or who is exempted from all subjects of the class-1 test may take the class-1 training course and the class-2 training course.

2. A person who has passed the class-2 test or who was exempted from all subjects of the class-2 test may take the class-2 training course.

(Subjects of the Training Course)

Article 25. The subjects of the class-1 training course shall be the subjects listed in items 1 and 2 and any subject listed in items 3 to 7 inclusive which corresponds to the subject concerning analytical technique which the person who intends to take the class-1 training course selected at the class-1 test which he passed or from which he was exempted at the class-1 test:

(1) Practice of industrial health management.

(2) Practice of design and sampling conducted in relation to the working environment.

(3) Practice of analytical techniques conducted in relation to the working environment of the workshop in item 1 in the Attached Table.

(4) Practice of analytical techniques conducted in relation to the working environment of the workshop in item 2 in the Attached Table.

(5) Practice of analytical techniques conducted in relation to the working environment of the workshop in item 3 in the Attached Table.

(6) Practice of analytical techniques conducted in relation to the working environment of the workshop in item 4 in the Attached Table.

(7) Practice of analytical techniques conducted in relation to the working environment of the workshop in item 5 in the Attached Table.

2. The subjects of the class-2 training course shall be the subjects listed in items 1 and 2 of the preceding paragraph.

(Exemption from the Training Course)

Article 26. A person who has completed the training course (including the person who was recognized under the provisions of items 2 or 3 or [paragraph 1 of Article 5](#) and a person who falls under the provisions of [paragraph 1 of Article 5-2](#)) shall be exempted from the subjects of the practice of industrial health management and the practice of design and sampling conducted in relation to the working environment among the subjects of the training course.

(Procedures of the Training Course)

Article 27. An applicant for the training course shall submit a Working Environment Measurement Expert Training Course Application (Form No. 8) accompanied with the documents listed below to the Director General of the Prefectural Labour Bureau conducting the

training course or designated training institution as provided for in [paragraph 2 of Article 32 of the Law](#) (hereinafter referred to as "designated training institution"):

- (1) Document evidencing qualifications for training course as provided for in [Article 24](#).
- (2) In the case of a person who intends to obtain a license as provided for in the preceding Article, documents evidencing that he falls under the same Article.

(Certificate of Completion of the Training Course)

Article 28. The certificate of completion of training course shall follow Form No.9.

(Reissue of the Certificate of Completion of the Training Course)

Article 29. A person who completed the training course may, if his certificate of completion of the training course is damaged, lost or destroyed, submit an Application for the Reissue of the Certificate of Completion of the Working Environment Measurement Expert Training Course (Form No. 10) accompanied with the said damaged certificate of completion of the training course (in case of loss or destruction of the certificate, a document stating that fact) to the Director General of the Prefectural Labour Bureau or the designated training instruction which issued the certificate of completion of the training course, or, if the designated training instruction has discontinued the business of the said training course (including the case where the said designation was cancelled), to the Director General of the competent Prefectural Labour Bureau, etc., as provided for in [Article 44](#)) and thus obtain its reissue.

(Details of Training Course)

Article 30. In addition to the provisions of the preceding seven Articles, the scope of the subjects of training courses, hours of training courses and other necessary details concerning the conduct of training courses shall be provided for by the Minister of Health, Labour and Welfare.

Section 2. Designated Testing Institutions

(Application for Designation)

Article 31. A person who intends to obtain the designation as provided for in [paragraph 1 of Article 20 of the Law](#) shall submit an application stating the following items to the Minister of Health, Labour and Welfare:

- (1) Appellation and address.
- (2) Appellation and site of the office in which he intends to conduct the test business.
- (3) Date on which he intends to commence the test business.

2. The application as provided for in the preceding paragraph shall be accompanied by the following documents:

(1) The articles of association or incorporation or foundation and certified copy of registration. Certified copy of the articles of incorporation or the articles of association and the register.

(2) List of property and balance sheet of the business year preceding the business year to which the date of application belongs.

(3) Business plans and estimates of revenue and expenditure for the business year to which the date of application belongs and the following business year.

(4) Document stating the full name and brief personal history of the officers.

(Notification of Alteration of Appellation of Designated Testing Institution, etc.)

Article 32. A designated testing institution under the provision of [paragraph 2 of Article 20 of the Law](#) (hereinafter referred to as "designated testing institution") which intends to submit notification under the provision of [paragraph 2 of Article 22 of the Law](#) shall submit a notification stating the following items to the Minister of Health, Labour and Welfare:

(1) Appellation or address of designated testing institution or site of office in which the test business is to be conducted after the alteration.

(2) Date on which it intends to make the alteration.

(3) Reason for the alteration.

2. The designated testing institution, shall, when it intends to establish or close the office in which the test business will be or is being conducted, submit a notification stating the following items to the Minister of Health, Labour and Welfare:

(1) Appellation and site of the office to be established or closed.

(2) Date on which test business is intended to be commenced or closed in the office to be established or closed.

(3) Reason for the establishment or closure.

3. The designated testing institution shall, when it alters the appellation of the office in which the test business was being conducted, submit without delay notification in writing indicating the appellation of the office after the alteration and the date of alteration to the Minister of Health, Labour and Welfare.

4. The Minister of Health, Labour and Welfare shall, when the notification under the preceding paragraph is submitted, make public the fact in the Official Gazette.

(Application for the Approval of Appointment and Release of Officers)

Article 33. The designated testing institution shall, when it intends to obtain the approval under [paragraph 1 of Article 23 of the Law](#), submit an application stating the following items to the Minister of Health, Labour and Welfare:

- (1) Full name and brief personal history of the officer related to the appointment or release.
- (2) Reason for the appointment or release.

(Qualification for Examiner)

Article 34. A person who has the qualifications to be designated by the Ministry of Health, Labour and Welfare Ordinance under [paragraph 2 of Article 24 of the Law](#) shall be a person who falls under any of the following items:

- (1) A person who holds or held in the past the position of professor or assistant professor in charge of hygiene or subject related to the measurement of atmospheric environment or other environments at a university accredited under the School Education Law.
- (2) A person who has graduated upon completing a regular course of science, from a university or a technical college accredited under the School Education Law and has the experience of having been engaged in the business of research related to the measurement of atmospheric environment or other environments for 10 years or more thereafter at a research institute of the State, local public body, juridical person established under Article 34 of the Civil Code or other similar body.
- (3) A person who has been recognized to have the same or higher level of knowledge and experience with regard to working environment measurement compared with the persons listed in the preceding two items.

(Notification of Appointment or Release of an Examiner)

Article 35. The designated testing institution which intends to submit notification as provided for in the first half of [paragraph 3 of Article 24 of the Law](#) shall submit notification, stating the full name of the working environment measurement expert examiner under paragraph 1 of the same Article (hereinafter referred to as "examiner"), his brief personal history, subjects of the test of which he is in charge and the reason for the appointment, to the Minister of Health, Labour and Welfare.

2. The designated testing institution shall, when an alteration of the full name of an examiner takes place, when the institution alters the subject of the test of which the examiner was in charge, or releases the examiner, submit notification to that effect within 15 days from the said date to the Minister of Health, Labour and Welfare.

(Application for Approval of Test Business Rules)

Article 36. The designated testing institution shall, when it intends to obtain approval under the first half of [paragraph 1 of Article 25 of the Law](#), submit an application in writing accompanied with the test business rules related to the said approval.

(Contents of Test Business Rules)

Article 37. Contents to be designated by test business rules under [paragraph 3 of Article 25 of the Law](#) shall be as follows:

- (1) Matters concerning the method of conducting the test.
- (2) Matters concerning the method of the receipt of fees.
- (3) Matters concerning the issue and reissue of certificates.
- (4) Matters concerning the maintaining of confidential information learned in relation to the test business.
- (5) Matters concerning the preservation of records and documents related to the test business.
- (6) Other matters necessary for the conducting of the test business.

(Application for Approval of Alteration of Test Business Rules)

Article 38. The designated testing institution shall, when it intends to obtain approval as provided for in the second half of [paragraph 1 of Article 25 of the Law](#), submit an application stating the following items to the Minister of Health, Labour and Welfare:

- (1) Matter to be altered.
- (2) Date of which the alteration is to be made.
- (3) Reason for the alteration.

(Report on Dismissal of a Dishonest Test Applicant)

Article 39. The designated testing institution shall, when it has exercised the authority of the Minister of Health, Labour and Welfare as provided for in [Article 17](#) of the Law under [paragraph 2 of Article 20 of the Law](#), submit without delay a report stating the following items to the Minister of Health, Labour and Welfare:

- (1) Content of disposal and the date of dismissal.
- (2) Full name, date of birth and address of the person dismissed.
- (3) Reason for the dismissal.

(Report on the Results of Test)

Article 40. The designated testing institution shall, when it has conducted a test, submit to the Minister of Health, Labour and Welfare within two months from the date of the administration of the said test a Test Result Report (Form No. 11) accompanied with a list of the successful applicants stating full names, dates of birth, addresses, numbers of certificates of the successful applicants, and the classification of the test, whether class-1 or class-2, which they passed as well as, in the case of those who have passed the class-1 test, the subjects concerning analytical technique which they selected.

(Preparation and Preservation of Records)

Article 41. The designated testing institution shall, when it has conducted a test, prepare and preserve, until it discontinues the business, records concerning the test business, records stating the full names, dates of birth, addresses, numbers of certificates of successful applicants, and the classification of the test, whether class-1 or class-2, which the applicants passed as well as, in the case of those who passed the class-1 test, the subjects concerning analytical technique which they selected.

(Application for the Permission to Suspend or Discontinue a Test Business)

Article 42. The designated testing institution shall, when it intends to obtain permission under [paragraph 1 of Article 29 of the Law](#), submit an application stating the following items to the Minister of Health, Labour and Welfare:

- (1) Scope of business concerning the test business which it intends to suspend or discontinue.
- (2) Date on which it intends to suspend or discontinue the whole or part of the business concerning the test business and, in case it intends to suspend the whole or part of the business concerning test business, the duration.
- (3) Reason for the intention to suspend or discontinue the whole or part of the business concerning the test business.

(Transfer of Test Business, etc.)

Article 43. The designated testing institution shall, in a case where it falls under the provisions of [paragraph 3 of Article 31 of the Law](#), conduct the following items:

- (1) Transfer of test business to the Minister of Health, Labour and Welfare.
- (2) Transfer of records and documents concerning test business to the Minister of Health, Labour and Welfare.
- (3) Other items the Minister of Health, Labour and Welfare deems to be necessary.

Section 3. Designated Training Institutions

(Application for Designation)

Article 44. A person who intends to obtain designation under [paragraph 1 of Article 32 of the Law](#) (hereinafter referred to in this Section as "designation"), shall submit a Designated Training Institution Designation Application (Form No. 12) accompanied by the documents listed below to the Director General of the Prefectural Labour Bureau who has the jurisdiction over the site in which the said person intends to conduct the training course related to the application or the training as provided for in [paragraph 1 of Article 44 of the Law](#) (hereinafter referred to as "training") (in a case where the sites in which it intends to conduct the training course or training extend over the territorial jurisdictions of two or more Prefectural Labour Bureaus, to the Minister of Health, Labour and Welfare; hereinafter in this Section referred to as "Director General of the competent Prefectural Labour Bureau, etc."):

- (1) Articles of association or incorporation or foundation and a certified copy of the registration.
- (2) List of property and balance sheet for the business year preceding the business year to which the date of application belongs.
- (3) Business plans and estimates of revenue and expenditure for the business year to which the date of application belongs and the following business year.
- (4) Document stating the following items:
 - a) Full name and brief personal history of officers and other persons who manage directly the training course or training.
 - b) Full name, and brief personal history of the lecturers of the training course or training concerning the application, and the subjects of the training course or training which they teach.
 - c) Types and numbers of machines, equipment, facilities, etc., to be used during the training course or training concerning the application, as well as their distinction as to ownership or lease.
 - d) In the case the person concerned is engaged in the business other than the business of training course or training, the kind and outline of the said business.

(Criteria Designation)

Article 45. The criteria to be provided for by the Ministry of Health, Labour and Welfare Ordinance under [paragraph 3 of Article 46 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 32 of the Law](#) shall be provided for as follows:

(1) It shall be the Japan Industrial Safety and Health Association, Industrial Accident Prevention Association, juridical person established under Article 34 of the Civil Code or other juridical person similar to the above.

(2) A person shall be posted who is directly engaged in the management of the training course or training.

(3) The number of lecturers of the training course or training who have the qualifications as provided for by the Minister of Health, Labour and Welfare shall be as many as or more than the number necessary for the business of the training course or training concerning the application.

(4) Machines, equipment, facilities, etc., necessary for the training course or training concerning the application shall be installed.

(5) The body concerned shall have the financial basis necessary for the fair and smooth conducting of the business of the training course or training.

(6) In a case where it is engaged in a business other than the training course or training, there should be no danger of the lack of fairness in the training course or training because of the conducting of the said business.

(7) The fair and smooth conducting of the training course or training concerning the application should not be damaged by the said designation.

(Application for the Approval of Business Rules)

Article 46. The designated training institution shall, when it intends to obtain approval under the first part of [paragraph 1 of Article 48 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 32 of the Law](#), submit a Designated Training Institution Business Rules Approval Application (Form No. 13) accompanied with the business rules concerning the said application to the Director General of the competent Prefectural Labour Bureau, etc.

(Contents of Business Rules)

Article 47. Items to be provided for in the business rules under [paragraph 2 of Article 48 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 32 of the Law](#) shall be as follows:

(1) Matters concerning the appointment and release of lecturers of the training course or training.

(2) Matters concerning the subjects, hours and methods of the training course or training;.

(3) Matters concerning the amount of the fees for the training course, etc., and their method of receipt.

(4) Matters concerning the issuance of certificates of completion of the training course or certificates of completion of training under [paragraph 3 of Article 69](#) (referred to as "certificate of completion of training" in [Article 49](#) and [50](#)).

(5) Matters concerning the preservation of records and documents related to the business of the training course or training.

(6) Other matters necessary for the business of the training course or training.

(Application for Approval of an Alteration in Business Rules)

Article 48. The designated training institution shall, when it intends to obtain the approval under the second half of [paragraph 1 of Article 48 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 32 of the Law](#), submit a Designated Training Institution Business Rules Alteration Approval Application (Form No. 14) to the Director General of the competent Prefectural Labour Bureau, etc.

(Report on the Results of the Training Course, etc.)

Article 49. The designated training institution shall, when it conducts a training course or training, submit a Training Course or Training Result Report (Form No. 15) accompanied with a list of the persons who have completed the training course or training which states the full names, dates of birth, addresses and numbers of certificates of completion of the training course or certificates of completion of training of the persons who completed the training course or training as well as the subjects of the training course or training which they completed, to the Director General of the competent Prefectural Labour Bureau, etc.

(Preparation and Preservation of Records)

Article 50. The designated training institution shall, when it has conducted a training course or training, prepare and preserve, until it discontinues the business of training courses or training, records stating the full names, dates of birth, addresses, dates of the completion, numbers of certificates of completion of the training courses or certificates of completion of training of the persons who completed the training courses or training as well as the subjects of the training course or training which they completed.

(Report of the Discontinuance of Business, etc.)

Article 51. The designated training institution shall, when it discontinues the business of the training courses or training, submit a report stating the said fact accompanied by a copy of the record as provided for in the preceding Article to the Director General of the competent Prefectural Labour Bureau, etc.

2. The designated training institution shall, when its designation is cancelled under the provisions of [paragraphs 1 or 2 of Article 53 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 32 of the Law](#), submit a copy of the record

under the preceding Article to the Director General of the competent Prefectural Labour Bureau, etc.

Section 4. Designated Registration Institutions

(Application for Designation)

Article 51-2. Those who wish to be designated according to the provision of [paragraph 1 of Article 32-2 of the Law](#) shall submit the application wherein the following matters are set forth to the Minister of Health, Labour and Welfare:

- (1) Name and address.
- (2) Name and address of the office where the business of the registration is to be performed.
- (3) Date of scheduled commencement of registration business.

2. The application set forth in the preceding paragraph shall accompany the following documents:

- (1) Certified copy of the articles of incorporation or the articles of association and the register.
- (2) Inventory of property and the balance sheet for the business year preceding to the business year wherein the day of the application is included.
- (3) Business programs and income and expenditure budget for the business year including the day of the application and the following business year.
- (4) List of the officers' names and brief personal histories.

(Delivery of Documents to the Designated Registration Institution)

Article 51-3. The Minister of Health, Labour and Welfare shall deliver to the designated registration institution the written notification of the names, dates of birth, addresses, certificate numbers and the category (class-1 or class-2) of the examination of those who have passed the examination, and the document describing the subjects concerning the analysis skill taken by those who have passed the class-1 examination, and the document describing the names, dates of birth, addresses, numbers of training course completion certificate and the subject of finished training course for those who have completed the training course.

(Notification to Designated Registration Institution)

Article 51-4. When the Minister of Health, Labour and Welfare has cancelled the registration of any registered working environment measurement expert under the provision of [Article 12 of the Law](#), the Minister of Health, Labour and Welfare shall notify the designated registration institution concerned to that effect.

(Matters Required to Be Noted in Registration)

Article 51-5. The matters to be noted in registration required by the registration business set forth in [paragraph 3, Article 25 of the Law](#), which is applicable with necessary modifications to the case set forth in [paragraph 4, Article 32-2 of the Law](#), shall be as follows:

- (1) Matters concerning the office hours for registration business and holidays.
- (2) Matters concerning the place of registration business.
- (3) Matters concerning the procedure of registration business.
- (4) Matters concerning the collection of registration fee.
- (5) Matters concerning the delivery, renewal and reissue of the registration certificate.
- (6) Matters concerning the protection of the confidential information acquired through the registration business.
- (7) Matters concerning the preservation of books, documents and the name list of the registered working environment measurement experts (provided for in [paragraph 1, Article 7 of the Law](#)) relating to the registration business.
- (8) Other matters necessary for the execution of the registration business.

(Report on Registration Status)

Article 51-6. The designated registration institution shall submit to the Minister of Health, Labour and Welfare the registration status report (Form 15-2) without delay for every quarter of each business year.

(Report on Illegal Registration)

Article 51-7. Should any illegal registration of the registered working environment measurement expert be detected, the designated registration institution concerned shall immediately submit to the Minister of Health, Labour and Welfare the report on the following matters:

- (1) The content of registration concerning the registered working environment measurement expert in question.
- (2) The content of illegality concerning the registration.

(Preparation and Preservation of Books)

Article 51-8. Where the category of the registered working environment measurement expert employed is class-1 registered working environment measurement expert, the designated registration institution shall prepare the books wherein the following matters are entered corresponding to the categories of the working places listed in the [Attached table](#) as the working places to which the working environment measurement is applicable and preserve the said books until it discontinues the registration business.

(1) Monthly number of cases of the registration, rejection of registration and cancellation of registration.

(2) Monthly number of cases of the renewal, reissue and return of the registration certificates.

(3) Monthly number of cases of the report to be made under [Article 12](#) (restricted to the cases of the registered working environment measurement experts who have discontinued their services or died) and the monthly numbers of the reports set forth in the preceding Article.

(4) Number of registered working environment measurement experts as of the end of each month.

(Application with Necessary Modifications)

Article 51-9. The provisions of [Articles 32, 33, 36, 38, 42](#) and [43](#) shall be applicable with the necessary modifications to the cases concerning the designated registration institution, providing that the part expressed as "[paragraph 2, Article 22 of the Law](#)" in [paragraph 1 of Article 32](#) shall be read as "[paragraph 2, Article 22 of the Law](#) applicable with necessary modifications to the case of [paragraph 4, Article 32-2 of the Law](#)"; the part expressed as "the designated testing institution (hereinafter referred to as "designated testing institution") provided for in [paragraph 2, Article 20 of the Law](#)" as "the designated registration institution (hereinafter referred to as "designated registration institution") provided for in [paragraph 2, Article 32-2 of the Law](#)"; the part expressed as "the test business" in item 1 of the said paragraph as "the registration business; (hereinafter referred to as "the registration business") provided for in [paragraph 1, Article 32-2 of the Law](#)" the part expressed as "the clerical work on testing" in paragraphs 2 and 3 of the said article, Articles 42 and 43 as "the clerical work for registration"; the part expressed as "[paragraph 1, Article 23 of the Law](#)" in Article 33 as "[paragraph 1, Article 23 of the Law](#) applicable with necessary modification to the case of [paragraph 4, Article 32-2](#)"; the part expressed as "the first half of [paragraph 1, Article 25 of the Law](#)" in Article 36 as "the first half of paragraph 1, Article 25 of the Law applicable with necessary modifications to the case of [paragraph 4, Article 32-2 of the Law](#)"; the part expressed as "the test business" as "the registration business"; the part expressed as "the second half of [paragraph 1, Article 25 of the Law](#)" in Article 38 as "the second half of [paragraph 1, Article 25 of the Law](#) applicable with necessary modifications to the case of [paragraph 4, Article 32-2 of the Law](#)"; the part expressed as "[paragraph 1, Article 29 of the Law](#)" in [Article 42](#) as "[paragraph 1, Article 29 of the Law](#) applicable with necessary modifications to the case of [paragraph 4, Article 32-2 of the Law](#)"; the part expressed as "[paragraph 3, Article 31 of the Law](#)" in [Article 43](#) as "[paragraph 3, Article 31 of the Law](#) applicable with necessary modifications to the case of [paragraph 4, Article 32-2 of the Law](#)"; and the part expressed as "the

documents" in item 2 of the said article as "the documents and the name list of the registered working environment measurement experts provided for in [Article 7 of the Law](#)."

Chapter III. Working Environment Measurement Agencies

(Registration Items)

Article 52. Matters to be provided for by the Ministry of Health, Labour and Welfare Ordinance under [item 3 of Article 33 of the Law](#) shall be the type of workshop listed in the [Attached Table](#) in which a person who intends to act as a working environment measurement agency may conduct working environment measurements.

(Application for Registration)

Article 53. A person who intends to obtain registration under [Article 33 of the Law](#) shall submit a Working Environment Measurement Agency Registration Application (Form No. 16) accompanied by documents evidencing the matters listed in item 2 of the same Article and the matters provided for in the preceding Article to the Director General of the Prefectural Labour Bureau who has jurisdiction over the site of his office (in case his offices extend over territorial jurisdictions of two or more Prefectural Labour Bureaus, to the Minister of Health, Labour and Welfare).

(Criteria for Registration)

Article 54. The criteria to be provided for by the Ministry of Health, Labour and Welfare Ordinance under [paragraph 3 of Article 46 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 1 of Article 34 of the Law](#) shall be as follows:

- (1) A class-1 environment measurement expert shall be deployed who has obtained the registration under [Article 7 of the Law](#) concerning the type of workshop listed in the [Attached Table](#) as provided for in [Article 52](#).
- (2) Instruments and equipment to be used for working environment measurement shall be in conformity with the criteria to be provided for by the Minister of Health, Labour and Welfare.
- (3) Possession of office necessary for the conducting of the business of working environment measurement.

(Certificate of Registration)

Article 55. A certificate of registration of the working environment measurement agency under [Article 10 of the Law](#) which shall apply mutatis mutandis in [paragraph 2 of Article 34 of the Law](#) shall follow Form No. 17 (hereinafter in this Chapter referred to as "certificate of registration").

(Renewal of Certificate of Registration)

Article 56. The working environment measurement agency shall, when alteration takes place concerning the matters mentioned in item 2 of [Article 33 of the Law](#) (except the case when the alternation takes place in accordance with the succession of position under the provisions of [paragraph 1 of Article 54-5 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in paragraph 1 of Article 34 of of the Law), without delay, submit a Renewal Application for a Certificate of Registration for a Working Environment Measurement Agency (Form No. 18) accompanied with the certificate and a document evidencing the reason for renewal to the Director General of the Prefectural Labour Bureau who has jurisdiction over the site of the office of the said work environment measurement agency (in case its offices extend over the jurisdictions of two or more Prefectural Labour Bureaus, to the Minister of Health, Labour and Welfare; hereinafter in this Chapter referred to as "Director General of the competent Prefectural Labour Bureau, etc.") and obtain renewal of certificate of registration.

2. The working environment measurement agency shall, when it intends to alter the matters provided for in [Article 52](#) (except the case when it intends to alter in accordance with the succession of position under the provisions of paragraph 1 of Article 54-5 of the Industrial Safety and Health Law which shall apply mutatis mutandis in paragraph 1 of Article 34 of the Law), submit a renewal application for a certificate of registration for a working environment measurement agency accompanied with the certificate of registration and a document evidencing the reason for renewal to the Director General of the competent Prefectural Labour Bureau, etc., and obtain renewal of the certificate of registration.

(Notification of Succssion of Position and Renewal of Certificate of Registration)

Article 56-2. A person who applies for notification under the [paragraph 2 of Article 54-5 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 1 of Article 34 of the Law](#) submits a notification of succession of position for working environment measurement agency and a renewal application for a certificate of registration (Form No. 3-2) together with a document evidencing the reason of succession to the Director General of the competent Prefectural Labour Bureau.

2. A person who has succeeded to the position of working environment measurement agency shall, when the items described in the registration certificate are chaged in accordance with the said succession, submit a notification of succession of position for working environment measurement agency and a renewal application for a certificate of registration together with a registration certificate to the Director General of the competent Prefectural Labour Bureau and obtain the renewal of the certificate of registration.

(Reissue of Certificate of Registration)

Article 57. The working environment measurement agency may, if the certificate of registration is damaged, destroyed or lost, submit a Reissue Application for Certificate of Registration of a Working Environment Measurement Agency (Form No. 18) accompanied with the said damaged certificate of registration (in a case where the certificate of registration was destroyed or lost, documents stating the said fact) to the Director General of the competent Prefectural Labour Bureau, etc., and obtain the reissue of certificate of registration.

2. The agency which has applied for the reissue of a certificate of registration under the provisions of the preceding paragraph shall, if it finds the lost certificate of registration, return it immediately to the Director General of the competent Prefectural Labour Bureau, etc.

(Application for the Approval of Business Rules)

Article 58. A working environment measurement agency shall, when it intends to obtain approval under the first part of [paragraph 1 of Article 34-2 of the Law](#), submit a Working Environment Measurement Agency Business Rules Approval Application (Form No. 20) accompanied with the business rules concerning the said application to the Director General of the competent Prefectural Labour Bureau, etc.

(Contents of Business Rules)

Article 59. Matters to be provided for by the business rules under [paragraph 3 of Article 34-2 of the Law](#) shall be as follows:

- (1) Type of workshop listed in the Attached Table in which the agency may conduct working environment measurements.
- (2) Matters concerning the amount of fees and their method of receipt.
- (3) Matters concerning the issuance of certificate of the result of measurement.
- (4) Matters concerning the preservation of records and documents related to the business of working environment measurement.
- (5) Other necessary matters concerning the business of working environment measurement.

(Application for the Change of Business Rules)

Article 60. A working environment measurement agency shall, when it intends to submit an application under the provisions of the second half of [paragraph 1 of Article 34-2 of the Law](#), submit a Working Environment Measurement Agency Business Rules Change Application (Form No. 21) to the Director General of the competent Prefectural Labour Bureau, etc.

(Conducting of Working Environment Measurement)

Article 61. The working environment measurement agency shall, when it conducts working environment measurements entrusted to it by the employer under the provisions of [paragraph 2 of Article 3](#), comply with the following provisions:

- (1) It shall have a class-1 working environment measurement expert, who has obtained registration concerning the type of workshop listed in the [Attached Table](#) to which the designated workshop of the said employer belongs, conduct analysis in which instruments other than simple measuring instruments are used.

(2) It shall have a working environment measurement expert conduct the working environment measurements other than the analysis as provided for in the preceding item.

(Preparation and Preservation of Documents)

Article 62. The working environment measurement agency shall, when it conducts working environment measurements, prepare documents, stating the appellation and site of the workshop in which the said working environment measurements were conducted, date of measurement, full name of the working environment measurement expert who conducted the said working environment measurements, measuring methods and result of measurements, and preserve these documents for three years.

2. The working environment measurement agency shall, in the case where it conducted analysis by using instruments and prepared charts and other materials in consequence of the said analysis, preserve the said materials accompanied with the document under the preceding paragraph.

(Application for the Permission for the Suspension and Discontinuance of Business)

Article 63. The working environment measurement agency shall, when it intends to obtain permission under the provision of first part of [Article 35-2 of the Law](#), submit an application stating the following matters to the Director General of the competent Prefectural Labour Bureau, etc.:

(1) Scope of business of working environment measurement it intends to suspend or discontinue.

(2) Date on which it intends to suspend or discontinue the whole or part of the business of working environment measurement and, in the case where it intends to suspend the whole or part of the business of working environment measurement, the duration.

(3) Reason for the intention to suspend or discontinue the whole or part of the business of working environment measurement.

(Notification for Resumption of Service)

Article 63-2. Any working environment measurement agency wishing to submit the notification conforming to the provision of the second half of [Article 35-2 of the Law](#) shall submit the notification wherein the following matters are set forth to the Director General of the competent Prefectural Labour Bureau:

(1) Scope of resumed working environment measurement service.

(2) Date on which the whole or part of the working environment measurement service was resumed.

(3) Reasons why the whole or part of the working environment measurement service was resumed.

(Cancellation of Registration, etc.)

Article 64. Cancellation of registration under [paragraphs 1 or 2 of Article 53 of the Industrial Safety and Health Law](#) which shall apply mutatis mutandis in [paragraph 1 of Article 34 of the Law](#) or the suspension order of the whole or part of the business of working environment measurement under the provisions of the same paragraph shall be made in writing, giving the reasons.

(Return of Certificate of Registration)

Article 65. The working environment measurement agency shall, when its registration is cancelled or when it discontinues the whole of the business as a working environment measurement agency, return immediately the certificate of registration to the Director General of the competent Prefectural Labour Bureau, etc.

Chapter IV. Miscellaneous Provisions

(Chief of Labour Standards Inspection Office and Labour Standards Inspector)

Article 66. The Chief of the Labour Standards Inspection Office shall, under the direction and superintendence of the Director General of the Prefectural Labour Bureau, be in charge of the service concerning the enforcement of the Law in addition to what is provided for by this Ministry of Health, Labour and Welfare Ordinance.

2. The Labour Standards Inspector shall, by order of his superior officer, be in charge of the spot inspection based on the Law, the function of judicial police official, and other service concerning the enforcement of the Law.

(Identification Card)

Article 67. The identification card under [paragraph 2 of Article 39 of the Law](#) shall follow Form No. 18 of the Enforcement Order of the Labour Standards Law (Ministry of Health and Welfare Ordinance No. 23 of 1947).

2. The identification card under [paragraph 2 of Article 39 of the Law](#) which shall apply mutatis mutandis in [paragraph 2 of the Article 41 of the Law](#) shall follow Form No. 21-2 of the Ordinance on Industrial Safety and Health (Ministry of Labour Ordinance No. 32 of 1972).

(Report, etc.)

Article 68. The Minister of Health, Labour and Welfare, the Director General of the Prefectural Labour Bureau, the Chief of the Labour Standards Inspection Office or the Labour Standards Inspector shall, in a case where he makes an employer submit a report on necessary

matters or orders appearance under the provision of [paragraph 1 of Article 42](#), notify the following matters:

- (1) Reason why he makes the employer submit report or orders appearance.
- (2) Matters he intends to hear in the case he orders for appearance.

(Training)

Article 69. The subjects of training shall be the subjects listed in each of the items in [paragraph 1 of Article 25](#) and the instruction of the Director General of the Prefectural Labour Bureau under the provisions of [paragraph 1 of Article 44 of the Law](#) shall be made by designating the subjects to be studied.

2. A person who intends to take the training shall submit a Working Environment Measurement Expert Training Application (Form No. 8) to the Director General of the Prefectural Labour Bureau or the designated training institution which conducts training.
3. The Director General of the Prefectural Labour Bureau or designated training institution which conducts training shall issue a certificate of completion of training under Form No. 22 to a person who has completed training.
4. [Article 29](#) shall apply mutatis mutandis to a person who completed training. In this case, "certificate of completion of the training course" in the same Article shall be read as "certificate of completion of training under paragraph 3 of Article 69," and "reissue application for certificate of completion of the training course of working environment measurement expert (Form No. 10)" in the same Article as "reissue application for certificate of completion of training of working environment measurement expert (Form No. 10)."
5. In addition to the provisions of the each of the preceding paragraphs, necessary details concerning the conducting of training shall be provided for by the Minister of Health, Labour and Welfare.

Article 70 through Article 73. Deleted

(Specified Subjects)

Article 74. Test subjects to be designated by the Ministry of Health, Labour and Welfare Ordinance under a) of item 1 of [Article 2 of the Cabinet Order](#) shall be the subjects mentioned in items 1 to 4 inclusive of [paragraph 1 of Article 16](#).

Attached Table 1

Type of workshops (related to Articles 3 to 6 inclusive, 51-8, 52, 54, 59 and 61)

- (1) Indoor workshops in which specified dusty work under item 3 of paragraph 1 of Article 2 of the Ordinance on prevention of Hazards due to Dust (Ministry of Labour Ordinance No. 18 of 1979) are conducted, or indoor workshops in which material listed in 4 of item 2 of the Attached Table 3 of the Enforcement Order of Industrial safety and Health Law (Cabinet order No. 318 of 1972) or material listed in item 4 of the Attached Table 1 of the Ordinance on prevention of Hazards due to Specified Chemical Substances (Ministry of Labour Ordinance No. 39 of 1972) is manufactured or handled.
- (2) Work rooms for handling radioactive substances mentioned in item 2 of Article 53 of the Ordinance on Prevention of Ionizing Radiation Hazards.
- (3) Indoor workshops in which specified chemical substances listed in items 1 or 2 of the Attached Table 3 of the Enforcement Order of Industrial Safety and Health Law (except material listed in 4 of the same item and in the following item) is manufactured or handled ,or in cases where operations of coke manufacturing are conducted on a coke oven or adjacent to coke oven, the workshop where the said operation is conducted.
- (4) Indoor workshops in which material listed in 6 of the item 1 of the Attached Table 3 of the Enforcement Order of Industrial Safety and Health law, material relating to 6 among those materials listed in 8 of the same item or material listed in 10, 11 13, 15, 21, 22 or 33 in the item 2 of the same Table or material listed in item 10, 11 13, 15, 21, 22 or 33 of the Attached Table 1 of the Ordinance on the Prevention of Hazards due to specified Chemical Substances is manufactured and handled, or indoor workshops in which lead work mentioned in items 1 to 8 inclusive, 10 or 16 of the Attached Table 4 of the Enforcement Order of Industrial Safety and Health Law (except operation conducted in an isolated room by remote control) are conducted.
- (5) Indoor workshops in which, work other than that which falls under paragraph 1 of Article 3 of the Ordinance on prevention of Organic Solvent Poisoning (Ministry of Labour Ordinance No. 36 of 1972) stipulated in the same paragraph among the organic solvent works as provided for in item 6 of paragraph 1 of the Article 1 of the same Ordinance related to the organic solvent listed in each of the items in paragraph 1 to 47 inclusive of the Attached Table 6-2 of the Enforcement Order of Industrial Safety and Health Law, is conducted.