

Pneumoconiosis Law

Law No. 30 of March 31, 1960

Latest Amendments:

Law No. 102 of July 16, 1999

[In Japanese](#)

The Pneumoconiosis Law shall be promulgated as follows.

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Supplementary Provisions

(The contents shall be amended as follows by Law No. 102 of 1999 to take effect from the date of enforcement of the Law to partially revise the Cabinet Law (Law No. 88 of 1999)).

Chapter I. General Provisions

(Purpose of this Law)

Article 1. This Law aims at contributing to the maintenance of workers' health as well as the promotion of their welfare by proper preventive means, supervision of health and any other necessary measures against pneumoconiosis.

(Definitions)

Article 2.(Amended) In this Law, the terms listed in the follows items shall be defined as set forth in each corresponding item:

- (1) The term "pneumoconiosis" shall be defined as diseases consisting mainly of fibrotic changes in the lungs due to inhalation of dust.
 - (2) The term "complications" shall be defined as diseases recognized as closely related to pneumoconiosis according to the progress of pneumoconiosis such as pulmonary tuberculosis complicated by pneumoconiosis.
 - (3) The term "dusty work" shall be defined as a type of work recognized as threatening the workers engaged in the work concerned may suffer from pneumoconiosis.
 - (4) The term "worker" shall be defined as a worker (excluding the workplaces employing cohabiting family member only or those members working at the said workplace, and employees for domestic chores) as defined in [Article 9](#) of the Labour Standards Law (Law No. 49 of 1947).
 - (5) The term "employer" shall be defined as an employer as defined in [Article 2](#), item 3, of the Industrial Safety and Health Law (Law No. 57 of 1972), who operates an undertaking involving dusty work.
2. The scope of complications shall be provided for by Ministry of Health, Labour and Welfare Ordinance.
 3. The scope of dusty work shall be provided for by Ministry of Health, Labour and Welfare Ordinance.

(Medical Examination on Pneumoconiosis)

Article 3. Medical examination on pneumoconiosis under the provisions of this Law shall be conducted in the following manner:

- (1) Examination of the occupational history related to dusty work and examination of radiographic appearances (by a radiograph taken of the whole chest by the directradiography; hereinafter the same.).
 - (2) Clinical examination of the chest, and pulmonary function test, based on the method as provided for by Ministry of Health, Labour and Welfare Ordinance.
 - (3) Detailed tuberculosis examination based on the method as provided for by Ministry of Health, Labour and Welfare Ordinance and other examination as provided for by Ministry of Health, Labour and Welfare Ordinance.
2. The examination and test referred to in item 2 of the preceding paragraph shall be conducted with respect to persons other than those whose cases have been diagnosed as not affected by pneumoconiosis as the result of examination referred to in item 1 of the said paragraph. Persons with radiograph appearances of large opacities spreading over one-third or more of a lung (limited to opacities due to pneumoconiosis; the same applies to the following paragraph and

Article) and other persons provided for by Ministry of Health, Labour and Welfare Ordinance shall be excluded from the pulmonary function test.

3. The detailed tuberculosis examination referred to in item 3 of paragraph 1 shall be conducted with respect to persons whose cases as the result of examination (excluding the pulmonary function test) referred to in items 1 and 2 of the said paragraph have been diagnosed as having contracted pulmonary tuberculosis or as suspected of contraction, among those whose cases have been diagnosed as affected by pneumoconiosis; and examination, referred to in item 3 of the said paragraph, provided for by Ministry of Health, Labour and Welfare Ordinance shall be conducted with respect to persons whose cases as the result of examination and test referred to in items 1 and 2 of the said paragraph have been diagnosed as suspected of a complication of a disease other than pulmonary tuberculosis (limited to those who have been deemed requiring examination, referred to in item 3 of the said paragraph, provided for by Ministry of Health, Labour and Welfare Ordinance), among those whose cases have been diagnosed as affected by pneumoconiosis, provided that persons whose radiographic appearances are deemed containing large opacities spreading over one-third or more of a lung shall be excluded.

(Radiographic Appearances and Classification for Supervision of Pneumoconiosis)

Article 4. Radiographic appearances of pneumoconiosis shall be classified into the four categories of Categories I to IV as specified in the right column of the following table:

Category	Radiographic appearances
I	Those which are deemed containing a small number of granular or irregular opacities due to pneumoconiosis in both lung fields and no large opacities.
II	Those which are deemed containing a large number of granular or irregular opacities due to pneumoconiosis in both lung fields and no large opacities.
III	Those which are deemed containing a very large number of granular or irregular opacities due to pneumoconiosis in both lung fields and no large opacities.
IV	RThose which are deemed containing large opacities.

2. In compliance with the provisions of this Law, workers now engaged, and persons who used to be workers engaged, in dusty work shall be subject to supervision of health, based on the result of medical examination on pneumoconiosis, by being classified for supervision of health into the four groups of No. I to IV as shown in the right column of the following table:

Classification for supervision of pneumoconiosis	Result of medical examination on pneumoconiosis
No. I	Persons deemed not affected by pneumoconiosis.
No II	Persons whose radiographic appearances are found to correspond to Category I and a considerable degree of pulmonary dysfunction due to pneumoconiosis is not found.

No III	A	persons whose radiographic appearances are found to correspond to Category II and a considerable degree of pulmonary dysfunction due to pneumoconiosis is not found.
	B	Persons whose radiographic appearances are found to correspond to Category III or IV (limited to those containing large opacities smaller than one-third of a lung field) and a considerable degree of pulmonary dysfunction due to pneumoconiosis is not found.
No IV		(1) Person whose radiographic appearances are found to correspond to Category IV (limited to those containing large opacities larger than one-third of a lung field) (2) Persons whose radiographic appearances are found to correspond to Category I, II, III or IV (limited to those containing large opacities smaller than one-third of a lung field) and a considerable degree of pulmonary dysfunction due to pneumoconiosis is found.

(Prevention)

Article 5. With respect to the prevention of pneumoconiosis, the employer and the workers engaged in dusty work, while complying with the provisions of the Industrial Safety and Health Law and the Mine Safety Law (Law No. 70 of 1949), shall in addition endeavour to take proper measures for preventing and, controlling the emission of dust, using personal protective equipment, etc.

(Education)

Article 6. The employer, while complying with the provisions of the Industrial Safety and Health Law and the Mine Safety Law, shall provide the workers regularly engaged in dusty work with education necessary for the prevention of pneumoconiosis and supervision of health.

Chapter II. Supervision of Health

Section 1. Execution of Medical Examination on Pneumoconiosis

(Medical Examination at the Time of Engagement)

Article 7. The employer shall conduct medical examination on pneumoconiosis for the workers who have been newly assigned to be regularly engaged in dusty work at the time of their engagement (excluding the workers who underwent medical examination on pneumoconiosis one year or less prior to the day of engagement in the work concerned and whose classification for supervision of pneumoconiosis has been decided as No. II or III-A, and other workers provided for by Ministry of Health, Labour and Welfare Ordinance). In this case, part of the medical examination on pneumoconiosis concerned may be omitted, as provided for by Ministry of Labor Ordinance.

(Periodical Medical Examination)

Article 8. The employer shall periodically conduct medical examinations on pneumoconiosis for the workers listed below in each item, once within the period listed in each corresponding item:

(1) Workers regularly engaged in dusty work (excluding the persons listed in the next item) : 3 years

(2) Workers regularly engaged in dusty work and classified as No. II or No. III for supervision of pneumoconiosis :1 year

(3) Workers who have been regularly engaged in dusty work and who are actually regularly engaged in work other than dusty work and are classified as No. II for supervision of pneumoconiosis (excluding the workers provided for by Ministry of Health, Labour and Welfare Ordinance) : 3 years

(4) Workers who have been regularly engaged in dusty work and who are actually regularly engaged in work other than dusty work, and are classified as No. III for supervision of pneumoconiosis (excluding the workers provided for by Ministry of Health, Labour and Welfare Ordinance) :1 year

2. The provisions of the latter part of the preceding Article shall apply mutatis mutandis to the case where medical examination on pneumoconiosis under the provisions of the preceding paragraph is conducted.

(Non-periodical Medical Examination)

Article 9. In cases listed in each of the follows items, the employer shall, without delay, conduct medical examinations on pneumoconiosis for the workers concerned:

(1) When workers regularly engaged in dusty work (excluding workers whose classification for supervision of pneumoconiosis has been decided as No. II, No. III or No. IV) have been diagnosed as affected by pneumoconiosis or as suspected of contraction of pneumoconiosis after the medical examination referred to in [Article 66, paragraph 1 or 2, of the Industrial Safety and Health Law](#).

(2) When workers, who have suspended from work for medical treatment due to complications for more than one year, have been diagnosed by the physician as a case in which suspension from work for medical treatment is no longer required.

(3) In addition to the cases listed in the preceding two items, in the cases provided for by Ministry of Health, Labour and Welfare Ordinance.

2. The provisions of the latter part of [Article 7](#) shall apply mutatis mutandis to the case where medical examination on pneumoconiosis under the provisions of the preceding paragraph is conducted.

(Medical Examination at the Time of Separation from Employment)

Article 9-2. The employer shall, in the request at the time of separation from employment by a worker listed in each of the following items and who has been employed for a period of time longer than that provided for by Ministry of Health, Labour and Welfare Ordinance till the date of separation concerned, conduct medical examination on pneumoconiosis for the worker, provided that this rule shall not apply to the case where the period from the date at which the worker concerned underwent the last medical examination on pneumoconiosis until the date of separation concerned is less than the period of time listed, for each group of workers listed in each of the following items in each corresponding item:

- (1) Workers regularly engaged in dusty work (excluding the persons listed in the following item) : 1 and a half years
- (2) Workers regularly engaged in dusty work and classified as No. II or No. III for supervision of pneumoconiosis : 6 months
- (3) Workers who have been regularly engaged in dusty work and who are actually regularly engaged in work other than dusty work and are classified as No. II or No. III for supervision of pneumoconiosis (excluding the workers provided for by Ministry of Health, Labour and Welfare Ordinance) : 6 months

2. The provisions of the latter part of [Article 7](#) shall apply mutatis mutandis to the case where medical examination on pneumoconiosis under the provisions of the preceding paragraph is conducted.

(Relation to Medical Examination Provided for by the Industrial Safety and Health Law)

Article 10. The employer may, where he has conducted a medical examination on pneumoconiosis, omit, within the limit of examination already conducted, the medical examination referred to in [Article 66, paragraph 1 or 2 of the Industrial Safety and Health Law](#).

(Workers' Obligation to Undergo Medical Examination on Pneumoconiosis)

Article 11. The workers concerned shall, except for justifiable reasons, undergo pneumoconiosis examination conducted by the employer under the provisions of [Article 7](#) to [9](#) inclusive, provided that this rule shall not apply to the case where a worker, who does not wish to undergo medical examination on pneumoconiosis by the physician designated by the employer, undergoes medical examination on pneumoconiosis by another physician and submits to the employer his radiograph and a written statement certifying the result of medical examination on pneumoconiosis and other documents provided for by Ministry of Health, Labour and Welfare Ordinance.

Section 2. Decision about the Classification of the Workers Concerned for Supervision of Pneumoconiosis, etc.

(Submission of Radiograph, etc., by Employer)

Article 12. When the employer has conducted a medical examination on pneumoconiosis under the provisions of [Article 7](#) through [Article 9-2](#) or when a radiograph and a written statement certifying the result of a medical examination on pneumoconiosis and other documents have been submitted to him under the proviso of the preceding Article, the employer shall submit the said radiograph and written statement certifying the result of the medical examination on pneumoconiosis and other documents provided for by Ministry of Health, Labour and Welfare Ordinance concerning a worker who has been diagnosed as affected by pneumoconiosis to the Director General of the Prefectural Labor Bureau without delay, as provided for by Ministry of Health, Labour and Welfare Ordinance.

(Procedure for Determining Classification of the Worker Concerned for Supervision of Pneumoconiosis, etc.)

Article 13. A worker who has been diagnosed as not affected by pneumoconiosis after the medical examination on pneumoconiosis under the provisions of [Article 7](#) to [9-2](#) inclusive or of the proviso to [Article 11](#), shall be classified as No. 1 for supervision of pneumoconiosis.

2. When a radiograph, a written document certifying the results of a medical examination on pneumoconiosis and other documents stipulated by Ministry of Health, Labour and Welfare Ordinance have been submitted to the Director General of the Prefectural Labour Bureau under the provisions of the preceding Article, the Director General of the Prefectural Labour Bureau shall determine the classification for supervision of pneumoconiosis for the said worker based on the documents submitted and the diagnosis or examination of the Prefectural Pneumoconiosis Examination Physician.

3. The Director General of the Prefectural Labour Bureau may, when deemed necessary for the determination covered in the preceding paragraph by the Prefectural Pneumoconiosis Examination Physician, order the employer to take a radiograph or to carry out an examination or test with the scope of the stipulations of Ministry of Health, Labour and Welfare Ordinance and designate the date or method thereof, or to submit specified material.

4. When he has taken a radiograph or carried out an examination or test in compliance with the order provided for in the preceding paragraph, the employer shall, without delay, submit the said radiograph or a written statement of the results of an examination or test or other specified material relating to the said examination or test to the Director General of the Prefectural Labour Bureau.

5. The provisions of the principal clause of [Article 11](#) shall apply mutatis mutandis to the case where a radiograph is taken or examination or test is carried out in compliance with the order under the provisions of paragraph 3.

(Notification)

Article 14. When he has made the decision referred to in paragraph 2 of the preceding Article, the Director General of the Prefectural Labour Bureau shall, as provided for by Ministry of Health, Labour and Welfare Ordinance, notify the said employer of the content of the decision and without delay return to him the radiograph and other materials submitted under the provisions of [Article 12](#) or paragraph 3 or 4 of the preceding Article.

2. On receipt of the notice under the provisions of the preceding paragraph, the employer shall, without delay and as provided for by Ministry of Health, Labour and Welfare Ordinance, notify the worker concerned (including the person who used to be a worker as provided for by Ministry of Health, Labour and Welfare Ordinance) of his classification for supervision of pneumoconiosis about which the decision has been made and the matters to which attention should be paid by him.

3. When he has given the notice under the provision of the preceding paragraph, the employer shall, as provided for by Ministry of Health, Labour and Welfare Ordinance, prepare a document with the contents to the effect and keep it for the period of 3 years.

(Application at Will)

Article 15. A worker who is regularly engaged in dusty work, or a person who was formerly a worker regularly engaged in dusty work may, at any time, undergo a medical examination on pneumoconiosis and apply for a determination of classification for supervision of pneumoconiosis to the Director General of the Prefectural Labour Bureau as provided for by Ministry of Health, Labour and Welfare Ordinance.

2. An application under the provisions of the preceding paragraph shall be filed with a radiograph and written statement certifying the result of medical examination on pneumoconiosis and other documents provided for by Ministry of Health, Labour and Welfare Ordinance.

3. The provisions of [Article 13, paragraphs 2](#) to 4 inclusive, and paragraph 1 of the preceding Article shall apply mutatis mutandis to the case where an application was filed under the provisions of paragraph 1. In this case, "the preceding Article" in [Article 13, paragraph 2](#) shall be read as "[Article 15, paragraph 2](#)," "the employer" in paragraphs 3 and 4 of the same Article as "the applicant," and "the employer concerned" and "[Article 12](#) or paragraph 3 or 4 of the preceding Article" in paragraph 1 of the preceding Article as "the applicant and the employer who employs the applicant" and "paragraph 3 or 4 of the preceding Article or paragraph 2 of the following Article," respectively.

Article 16. The employer may, at any time, conduct a medical examination on pneumoconiosis for a worker regularly engaged in dusty work or a person who was formerly a worker regularly engaged in dusty work and apply for a determination about classification for supervision of pneumoconiosis to the Director General of the Prefectural Labour Bureau, as provided for by Ministry of Health, Labour and Welfare Ordinance.

2. The provisions of paragraph 2 of the preceding Article shall apply mutatis mutandis to an application under the provisions of the preceding paragraph, and the provisions of [Article 13](#),

[paragraph 2](#) to 4 inclusive, and [Article 14](#) to the case where an application under the provisions of the preceding paragraph has been filed. In this case, "the preceding Article" in [Article 13, paragraph 2](#), shall be read as "[Article 15, paragraph 2](#), applied mutatis mutandis under the provisions of [Article 16, paragraph 2](#)," and "[Article 12](#) or paragraph 3 or 4 of the preceding Article" in [Article 14](#), paragraph 1, as "paragraph 3 or 4 of the preceding Article and the provisions of paragraph 2 of the following Article applied mutatis mutandis under the provisions of [Article 16, paragraph 2](#)."

(Order for the Submission of a Radiograph, etc.)

Article 16-2. The Director General of the Prefectural Labour Bureau may, when he deems it necessary to determine about the proper classification for supervision of pneumoconiosis, of a worker regularly engaged in dusty work or a person who was formerly a worker regularly engaged in dusty work, order the employer to submit a radiograph, a written statement certifying the result of a medical examination on pneumoconiosis and other documents provided for by Ministry of Health, Labour and Welfare Ordinance (referred to as "radiograph, etc." in the following paragraph), as provided for by Ministry of Health, Labour and Welfare Ordinance.

2. provisions of [Article 13, paragraphs 2](#) to 4 inclusive, and [Article 14](#) shall apply mutatis mutandis to the case where a radiograph, etc., are submitted under the provisions of the preceding paragraph, In this case "[Article 12](#) or paragraph 3 or 4 of the preceding Article" shall be read as "paragraph 3 or 4 of the preceding Article or [paragraph 1 of Article 16-2](#)."

(Making and Keeping of a Record, etc.)

Article 17. The employer shall, as provided for by Ministry of Labor Ordinance, make a record of medical examinations on pneumoconiosis he has conducted and a record of medical examinations on pneumoconiosis under the provisions of the provision to [Article 11](#).

2. The employer shall, as provided for by Ministry of Health, Labour and Welfare Ordinance, keep the records referred to in the preceding paragraph and a radiograph for medical examination on pneumoconiosis for the period of 7 years.

(Raising of an Objection)

Article 18. In the appeal form for examination in the case of an appeal for examination of a determination referred to in [Article 13, paragraph 2](#) (including the case where the same provisions are applied mutatis mutandis in [Article 15, paragraph 3](#), [Article 16, paragraph 2](#), and [Article 16-2, paragraph 2](#)) shall be written the matters provided for by Ministry of Health, Labour and Welfare Ordinance, in addition to the matters provided for in [Article 15](#) of the Law for the Examination of Objections against Administrative Acts (Law No. 160 of 1962).

2. The appeal form for examination referred to in the preceding paragraph shall, as provided for by Ministry of Health, Labour and Welfare Ordinance, be accompanied by the radiograph and other materials related to the decision concerned and an evidence.

Article 19. An adjudgement on an appeal for examination referred to in paragraph 1 of the preceding Article shall be given based on the diagnosis or examination by the Central Pneumoconiosis Examination Physician.

2. When he is to give an adjudgement to cancel the decision concerned regarding an appeal for examination referred to in paragraph 1 of the preceding Article, the Minister of Health, Labour and Welfare shall in adjudgement determine the classification of the worker or of the person who was formerly a worker, for supervision of pneumoconiosis.

3. The provisions of [paragraphs 3 and 4 of Article 13](#) shall apply mutatis mutandis where an appeal for an examination referred to in paragraph 1 of the preceding Article has been made. In such case, "the Director General of the Prefectural Labour Bureau" shall be read "the Minister of Health, Labour and Welfare," "the Prefectural Pneumoconiosis Examination Physician" as "the Central Pneumoconiosis Examination Physician," "the determination covered in the previous paragraph" as "an adjudgement" and "the employer" as "the claimant."

4. The Minister of Health, Labour and Welfare shall, when he has given an adjudgement, return the radiograph and other materials submitted under the provisions of paragraph 2 of the preceding Article or the provisions of [Article 13, paragraph 3](#) or 4, applied mutatis mutandis in the preceding paragraph, to the person who submitted them.

5. When he has given an adjudgement, the Minister of Health, Labour and Welfare shall, in addition to complying with the provisions of Article 42, paragraph 4 of the Law for the Examination of Objections against Administrative Acts, send a copy of the written adjudgement to those interested provided for by Ministry of Health, Labour and Welfare Ordinance.

(Relation between an Appeal for Examination and a Lawsuit)

Article 20. A lawsuit for the cancellation of an action provided for in [Article 18, paragraph 1](#), shall not be instituted until an adjudgement on an appeal for examination of the action concerned has been given.

Section 3. Measures for Supervision of Health

(Responsibilities of the Employer)

Article 20-2. The employer shall, when it is deemed necessary for maintaining the health of a worker as the result of medical examination on pneumoconiosis, endeavour to take care so as to enable the worker concerned to receive proper health guidance as well as to take an appropriate measure for his work, paying due regard to his actual conditions.

(Measures for Reducing the Degree of Exposure to Dust)

Article 20-3. The employer shall, for a worker classified as No. II or No. III-A for supervision of pneumoconiosis, endeavour to take appropriate measures, such as a change of his place of

work and a reduction in working hours for dusty work, for the purpose of reducing the degree of exposure to dust.

(Change of Work)

Article 21. The Director General of the Prefectural Labour Bureau may, when a worker classified as No. III-A for supervision of pneumoconiosis is actually regularly engaged in dusty work, issue advice to the employer to the effect that the worker should be regularly engaged in work other than dusty work.

2. The employer shall, when he has been given advice under the provisions of the preceding paragraph or when a worker classified as No. III-B for supervision of pneumoconiosis is actually regularly engaged in dusty work, endeavour to take steps to regularly engage the worker concerned in work other than dusty work.

3. The employer shall, when he has taken steps to regularly engage a worker in work other than dusty work under the provisions of the preceding paragraph, notify the Director General of the Prefectural Labour Bureau of that fact as provided for by Ministry of Health, Labour and Welfare Ordinance.

4. Where a worker classified as No. III-B for supervision of pneumoconiosis is actually regularly engaged in dusty work, the Director General of the Prefectural Labour Bureau may, when deemed for maintaining the health of the worker concerned based on the opinion of the Prefectural Pneumoconiosis Examination Physician, give the employer instructions to the effect that the person should be regularly engaged in work other than dusty work, as provided for by Ministry of Health, Labour and Welfare Ordinance.

(Change of Work Allowance)

Article 22. The employer shall, when workers listed in each of the following items have ceased to be regularly engaged in dusty work (excluding the case where workers have been separated from employment due to the expiration of the period of a labour contract and other cases provided for by Ministry of Health, Labour and Welfare Ordinance), within seven days from that day, pay them a change-of-work allowance of the amount equivalent to the average wage provided for in Article 12 of the Labour Standards Law multiplied by the number of days listed in each of the following items for each group of workers listed in each corresponding item, provided that, when the Minister of Health, Labour and Welfare deems it necessary, special provisions concerning the amount of a change of work allowance may be provided by Ministry of Health, Labour and Welfare Ordinance:

(1) Workers in respect of whom advice has been given under the provisions of paragraph 1 of the preceding Article, or workers classified as No. III-B for supervision of pneumoconiosis (excluding workers listed in the following item) : 30 days' amount

(2) Workers in respect of whom instructions have been given under the provisions of paragraph 4 of the preceding Article : 60 days' amount

(Education and Training for Change of Work)

Article 22-2. The employer shall, when necessary for regularly engaging a worker classified as No. III for supervision of pneumoconiosis in work other than dusty work, endeavour to give him education and training for a change of work.

(Medical Treatment)

Article 23. The persons whose classification for supervision of pneumoconiosis has been decided as No. IV and the persons deemed suffering from complications shall be those for whom medical treatment is necessary.

Chapter III. Deleted

Article 24 through 31. (Amended) Deleted

Chapter IV. Assistance by the Government, etc.

(Technical Assistance, etc.)

Article 32. The Government shall endeavor to give the employer necessary technical assistance concerning measures for the prevention of pneumoconiosis and supervision of health for pneumoconiosis including measurement of dust, the prevention and suppression of the emission of dust, and medical examination on pneumoconiosis.

2. The Government shall endeavor to improve facilities necessary for making technical researches on the prevention of pneumoconiosis and for giving technical assistance referred to in the preceding paragraph.

(Engineering Consultant for the Control of the Emission of Dust)

Article 33. An Engineering Consultant for the Control of the Emission of Dust may be employed in the Prefectural Labour Bureau and Mine Safety Inspection Department to give the technical assistance necessary for measures taken by the employer for the prevention of pneumoconiosis.

2. The Minister of Health, Labour and Welfare or the Minister of Economy, Trade and Industry shall appoint Engineering Consultants for the Control of the Emission of Dust from among experts with academic standing in industrial hygiene. 3. The Engineering Consultant for the Control of the Emission of Dusts shall be in a part-time service.

3. The Engineering Consultant for the Control of the Emission of Dusts shall be in a part-time service.

(Job Placement and Vocational Training)

Article 34. The Government shall, when a worker classified as No. III for supervision of pneumoconiosis cannot be regularly engaged in work other than dusty work in the workplace concerned, endeavor to take appropriate measures concerning job placement and vocational training for the worker.

(Employment Facilities, etc.)

Article 35. The Government shall, for promoting the security of the living of the persons who have been workers contracting pneumoconiosis, endeavor to take appropriate measures for improving facilities for providing employment opportunities and facilities for the recovery of the ability to work and for others.

Chapter V. Miscellaneous Provisions

(Dissemination of the Law and Ordinances)

Article 35-2. The employer shall inform the workers of the gist of this Law and ordinances thereunder by means of usually displaying or posting it in conspicuous places throughout the workshop where dusty work is performed and by other means.

(Maintaining Confidentiality concerning Medical Examination on Pneumoconiosis)

Article 35-3. Those who have been engaged in the business of execution of medical examination on pneumoconiosis under [Articles 7](#) to [9-2](#) inclusive and [Article 16, paragraph 1](#), shall not reveal workers' confidential information, including their mental and physical defects, which they have learned in connection with the said execution.

(Prohibition of Public Imposts)

Article 36. Tax and other public imposts shall not be levied on a change of work allowance as a tax basis.

(Prohibition of Transfer, etc.)

Article 37. The right to receive a change of work allowance shall not be transferred, given as a security or attached.

(Prescription)

Article 38. The right to receive a change of work allowance shall become extinctive by prescription after the lapse of two years.

(Pneumoconiosis Examination Physician)

Article 39. The Central Pneumoconiosis Examination Physician shall be employed in the Ministry of Health, Labour and Welfare, and the Prefecture Pneumoconiosis Examination Physician in the Prefectural Labour Bureau.

2. The Central Pneumoconiosis Examination Physician shall make diagnosis or examination of pneumoconiosis under the provisions of this Law and conduct businesses related thereto.

3. The Prefectural Pneumoconiosis Examination Physician shall, in addition to making diagnosis or examination under the provisions of this Law, and conducting businesses related thereto, take part in businesses related to the instructions under the provisions of [Article 21. Paragraph 4.](#)

4. The Central Pneumoconiosis Examination Physician and the Prefectural Pneumoconiosis Examination Physician (hereinafter referred to as "the Pneumoconiosis Examination Physician" in this Article and the next Article) shall be appointed by the Minister of Health, Labour and Welfare from among physicians having a sufficient knowledge of and experience in pneumoconiosis.

5. The Pneumoconiosis Examination Physician may be in a part-time service.

(Authority of the Pneumoconiosis Examination Physician)

Article 40. The Pneumoconiosis Examination Physician is, where it is necessary for performing duties under the provisions of paragraph 2 or 3 of the preceding Article, within the limits necessary, authorized to enter the workplace where dusty work is performed, question workers or other persons, and examine radiograph, medical records and other articles.

2. The Pneumoconiosis Examination Physician who makes a site inspection under the provisions of the preceding paragraph shall carry with him an identification card certifying his status and present it to the persons concerned.

3. The authority to make a site inspection under the provisions of paragraph 1 shall not be interpreted as being recognized for criminal investigation.

(Chief of the Labour Standards Inspection Office and Labour Standards Inspectors)

Article 41. The Chief of the Labour Standards Inspection Office and Labour Standards Inspectors shall, as provided for by Ministry of Health, Labour and Welfare Ordinance, take charge of the businesses concerning the enforcement of this Law.

(Authority of the Labour Standards Inspectors)

Article 42. The Labour Standards Inspector is, within the limits necessary to enforce this Law, authorized to enter the workplace where dusty work is performed, question the persons concerned, inspect records and documents, or measure or analyze dust.

2. The Labour Standards Inspector who makes a site inspection under the provisions of the preceding paragraph shall carry with him an identification card certifying his status and present it to the persons concerned.

3. The authority to make a site inspection under the provisions of paragraph 1 shall not be interpreted as being recognized for criminal investigation.

Article 43. With respect to the crime of violation of the provisions of this Law, the Labour Standards Inspector is authorized to perform the duties of a judicial police officer under the provisions of the Criminal Procedure Law (Law No. 131 of 1948).

(Complaint by Workers)

Article 43-2. Where any violations in fact of the provisions of this Law or an ordinance thereon exist in a workplace, the workers may complain to the Director General of the Prefectural Labour Bureau, the Chief of the Labour Standards Inspection Office or the Labour Standards Inspector and request that appropriate action is taken for rectification.

2. The employer shall not dismiss or treat disadvantageously a worker who has complained of the fact under the preceding paragraph by reason of his having done so.

(Report)

Article 44. The Minister of Health, Labour and Welfare, the Director General of the Prefectural Labour Bureau and the Chief of the Labour Standards Inspection Office may, within the limits necessary to attain the purpose of this Law, as provided for by Ministry of Health, Labour and Welfare Ordinance, make the employer report on matters pertaining to the prevention of pneumoconiosis and supervision of health for pneumoconiosis.

(Interim Measures)

Article 44-2. When an order or ordinance is enacted, amended or abrogated under the provisions of this Law, necessary interim measures (including the interim measures concerning penal provisions) may be provided for by the said order or ordinance within the scope deemed reasonably necessary in connection with the enactment, amendment or abrogation. **Chapter VI. Penal Provisions**

Article 45. A person who comes under any one of the following items shall be punished with a fine not exceeding 300,000 yen:

(1) A person who has violated the provisions of [Article 6](#), [Article 7](#), [Article 8, paragraph 1](#), [Article 9, paragraph 1](#), [Article 12](#), [Article 13, paragraph 4](#) (including the case where the same provisions are applied mutatis mutandis in [Article 16-2, paragraph 2](#)), [Article 14, paragraph 2](#) (including the case where the same provisions are applied mutatis mutandis in [Article 16, paragraph 2](#), and [Article 16-2, paragraph 2](#)), [Article 14, paragraph 3](#) (including the case where the same provisions are applied mutatis mutandis in [Article 16, paragraph 2](#), and [Article 16-2, paragraph 2](#)), [Article 17](#), [Article 22](#), [Article 35-2](#), [Article 35-3](#) or [Article 43-2, paragraph 2](#).

(2) A person who has violated the order or instruction under the provisions of [Article 13, paragraph 3](#) (including the case where the same provisions are applied mutatis mutandis in [Article 16-2, paragraph 2](#)), [Article 16-2, paragraph 1](#), or [Article 21, paragraph 4](#).

(3) A person who has made a mendacious statement in reply to the question raised, or who has refused, impeded or evaded the inspection, under the provisions of [Article 40, paragraph 1](#).

(4) A person who has made a mendacious statement in reply to the question raised, or who has refused, impeded or evaded the inspection, measurement or analysis, under the provisions of [Article 42, paragraph 1](#).

(5) A person who has failed to submit reports, or made mendacious reports, under the provisions of [Article 44](#).

Article 46. In case a representative of a juridical person, or an agent or any other employee of a worker engaged in any capacity by a juridical person has perpetrated, in respect of the business of the said juridical person or the said person a violation stated in the preceding Article, the punishment stated in the same Article shall be imposed on the said juridical person or the said person in addition to the perpetrator.