

Industrial Safety and Health Act

(Act No. 57 of June 8, 1972)

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Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to ensure workers' safety and health in the workplace and to facilitate the creation of comfortable work environments, by advancing comprehensive and systematic measures related to industrial injury prevention, such as the taking of measures to establish standards for hazard prevention, clarifying accountability structures, and promoting autonomous

action with a view to preventing industrial injuries, in conjunction with the Labor Standards Act (Act No. 49 of 1947).

(Definitions)

Article 2 In this Act, the meanings of the terms set forth in the following items are as prescribed in those items:

- (i) "industrial injury" means a worker being injured, contracting a disease, or dying due to a construction, equipment, raw material, gas, vapor, dust, or the like that is connected with the worker's employment, or as a result of a worker's work activities or other duties;
- (ii) "worker" means a worker as prescribed in Article 9 of the Labor Standards Act (excluding a person who is employed at an undertaking or office at which only cohabitating relatives are employed, and excluding domestic servants);
- (iii) "employer" means a person that is engaged in an undertaking and that employs a worker or workers;
- (iii)-2 "chemical substance" means an element or a compound;
- (iv) "work environment monitoring" means designing a plan for monitoring, taking samplings of, and analyzing (including doing analytical research on) the air quality and other aspects of the work environment in order to assess the actual conditions of the work environment.

(Responsibilities of the Employer)

Article 3 (1) Not only must an employer comply with the minimum standards for preventing industrial injuries provided for in this Act, but it must also work to ensure the safety and health of workers in the workplace through the creation of a comfortable work environment and the improvement of working conditions. Furthermore, an employer must work to cooperate with government-implemented policies for preventing industrial injuries.

(2) A person that designs, manufactures, or imports the machinery, tools, or other equipment; that manufactures or imports raw materials; or that constructs or designs constructions; must endeavor, in designing, manufacturing, importing or constructing them, to contribute to preventing the occurrence of industrial injuries caused by their use.

(3) A person, such as a party ordering construction work, that contracts out a job to another person must take care that it does not attach conditions, regarding things such as construction techniques and the construction period, that could impede the safe and healthy performance of the work.

Article 4 In addition to observing the necessary particulars to prevent industrial injuries, a worker must also endeavor to cooperate with measures to prevent industrial injuries that the employer and related parties implement.

(Application of Provisions Related to Employers)

Article 5 (1) If two or more employers with business undertakings in the construction industry have been contracted to work together jointly on a job that is involved in those undertakings that will be carried out at one site, they must designate one person from among themselves as a representative and file a notification of this with the Director of the Prefectural Labour Bureau, pursuant to Order of the Ministry of Health, Labour and Welfare .

(2) If a notification under the provisions of the preceding paragraph has not been filed, the Director of the Prefectural Labour Bureau designates a representative.

(3) A change to the representative referred to in the preceding two paragraphs does not become valid unless a notification is filed with the Director of the Prefectural Labour Bureau.

(4) In a case as provided in paragraph (1), this Act is applied by deeming the relevant business undertakings to be the undertakings of the representative referred to in paragraph (1) or (2) alone, the representative alone to be the employer in those undertakings, and the workers engaged in the jobs involved in those undertakings to be workers employed solely by the representative.

Chapter II Industrial Injury Prevention Plan

(Formulation of an Industrial Injury Prevention Plan)

Article 6 After hearing the opinion of the Labor Policy Council, the Minister of Health, Labour and Welfare must formulate a plan prescribing the particulars of the main measures to prevent industrial injuries and providing for other material particulars concerning the prevention of industrial injuries (hereinafter referred to as the "Industrial Injury Prevention Plan").

(Changes)

Article 7 On finding it to be necessary to do so in consideration of the situation surrounding the occurrence of industrial injuries, the effect of measures to prevent industrial injuries, and other factors, the Minister of Health, Labour and Welfare must change the Industrial Injury Prevention Plan, after hearing the opinion of the Labor Policy Council.

(Publication)

Article 8 The Minister of Health, Labour and Welfare must make the Industrial Injury Prevention Plan public without delay after it is formulated. The same applies if the minister changes the plan.

(Recommendations)

Article 9 On finding it to be necessary to do so for the reliable and smooth implementation of the Industrial Injury Prevention Plan, the Minister of Health, Labour and Welfare may issue the necessary recommendations or requests regarding particulars that concern the prevention of industrial injuries to employers, employers' organizations, and other related parties.

Chapter III System for Safety and Health Management

(General Safety and Health Managers)

Article 10 (1) At each workplace of the scale specified by Cabinet Order, an employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must appoint a general safety and health manager and have that person direct the work of safety managers, health managers, and persons managing technical issues pursuant to the provisions of paragraph (2) of Article 25-2, as well as having that person engage in the overall management of the following operations:

- (i) handling measures to prevent the endangerment of workers and the impairment of workers' health;
 - (ii) handling the provision of education on the safety and health of workers;
 - (iii) handling the implementation of medical checkups and other measures to help maintain and improve workers' health;
 - (iv) handling investigations into the causes of industrial injuries and the strategy for preventing recurrence;
 - (v) the necessary operations for preventing industrial injuries that Order of the Ministry of Health, Labour and Welfare prescribes, beyond those set forth in each of the preceding items.
- (2) The position of general safety and health manager must be filled by the person in charge of overall management for implementing the undertaking at the relevant workplace.
- (3) On finding it to be necessary to do so in order to prevent an industrial injury, the Director of the Prefectural Labour Bureau may issue recommendations to an employer regarding the professional performance of a general safety and health manager.

(Safety Managers)

Article 11 (1) At each workplace of the business type and scale specified by Cabinet Order, an employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must appoint a safety manager from among persons holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare, and have the safety manager manage the technical issues related

to safety that are among the operations set forth in each item of paragraph (1) of the preceding Article (excluding operations that constitute the measures referred to in any of the items of paragraph (1) of the Article 25-2, if a person in charge of managing technical issues is appointed pursuant to the provisions of paragraph (2) of that Article).

(2) On finding it to be necessary to do so in order to prevent an industrial injury, the Chief of the Labour Standard Inspection Offices may order an employer to increase the number of safety managers or dismiss the current safety manager.

(Health Managers)

Article 12 (1) At each workplace of the scale specified by Cabinet Order, an employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must appoint a health manager for the category of operations at that workplace, from among persons licensed by the Director of the Prefectural Labour Bureau or otherwise holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare and have the health manager manage the technical issues related to health that are among the operations set forth in each item of paragraph (1) of Article 10 (excluding operations that constitute the measures set forth in any of the items of paragraph (1) of Article 25-2, if a person in charge of managing technical issues is appointed pursuant to the provisions of paragraph (2) of that Article).

(2) The provisions of paragraph (2) of the preceding Article apply *mutatis mutandis* to health managers.

(Safety and Health Advocates)

Article 12-2 At a workplace, other than one as referred to in paragraph (1) of Article 11 and paragraph (1) of the preceding Article, that is of the scale specified by Order of the Ministry of Health, Labour and Welfare, an employer must appoint a safety and health advocate (or a health advocate, for workplaces of a business type other than those specified by Cabinet Order as referred to in paragraph (1) of Article 11) and have that person take charge of the operations referred to in the items of paragraph (1) of Article 10 (excluding operations that constitute the measures referred to in any of the items of paragraph (1) of Article 25-2, if a person in charge of managing technical issues is appointed pursuant to the provisions of paragraph (2) of that Article; at a workplace of a business type other than those specific by Cabinet Order as referred to in Article 11, paragraph (1), this is limited to operations involving health).

(Industrial Physicians)

Article 13 (1) At each workplace of the scale specified by Cabinet Order, an

employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must appoint a medical doctor as an industrial physician and have that person provide healthcare to workers and undertake other duties specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "worker healthcare and related duties").

- (2) An industrial physician must be a person who meets the requirements specified by Order of the Ministry of Health, Labour and Welfare concerning the medical knowledge that a person needs to have in order to undertake worker healthcare and related duties.
- (3) An industrial physician must undertake the duties thereof in good faith based on having the medical knowledge needed to undertake worker healthcare and related duties.
- (4) An employer that has appointed an industrial physician must provide the industrial physician, pursuant to Order of the Ministry of Health, Labour and Welfare, with information on workers' working hours and other information provided by Order of the Ministry of Health, Labour and Welfare that the industrial physician needs in order to properly undertake worker healthcare and related duties.
- (5) On finding it to be necessary to do so in order to ensure the health of a worker, an industrial physician may issue the necessary recommendations regarding worker healthcare and related duties to the employer. In such a case, the employer must respect these recommendations.
- (6) Having received a recommendation referred to in the preceding paragraph, an employer must report the substance of the recommendation and other particulars prescribed by Order of the Ministry of Health, Labour and Welfare to the health committee or safety and health committee pursuant to Order of the Ministry of Health, Labour and Welfare.

Article 13-2 (1) An employer must endeavor to have a physician having the medical knowledge that a person needs to have in order to undertake worker healthcare and related duties or a person specified by Order of the Ministry of Health, Labour and Welfare undertake all or a part of the worker healthcare and related duties at a workplace other than one as referred to in paragraph (1) of the preceding Article.

- (2) The provisions of paragraph (4) of the preceding Article apply mutatis mutandis to an employer that has a person as prescribed in the preceding paragraph undertake all or a part of worker healthcare and related duties. In such a case, the phrase "must provide" in paragraph (4) of that Article is deemed to be replaced with "must endeavor to provide".

Article 13-3 To enable an industrial physician or a person as prescribed in

paragraph (1) of the preceding Article to properly implement worker healthcare and related duties, an employer must endeavor to take the necessary measures, such as developing the necessary framework for an industrial physician or a person as prescribed in that paragraph to respond properly to requests for health consultations from workers.

(Operations Supervisors)

Article 14 For work inside hyperbaric chambers and other work that makes it necessary to have in place controls for preventing industrial injuries, and that is specified by Cabinet Order, the employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must appoint an operations supervisor for the relevant work classification from among persons licensed by the Director of the Prefectural Labour Bureau and persons who have completed a skill training course conducted by a person registered by the Director of the Prefectural Labour Bureau, and have that person direct the employees engaged in the relevant work and undertake the other things that are specified by Order of the Ministry of Health, Labour and Welfare.

(General Safety and Health Supervisor)

Article 15 (1) An employer that has contracted out to a contractor a part of the job involved in a business undertaking it carries out at a single site (if there are two or more such contractors due to there being two or more contracts for work under which that part of the job involved in the undertaking is contracted out, this means the orderer under the earliest of those contracts; hereinafter referred to as the "principal employer"), and that has a business undertaking categorized as the construction industry or in any other industry specified by Cabinet Order (hereinafter referred to as a "specified undertaking") (hereinafter such an employer is referred to as a "specified principal employer") must appoint a general health and safety supervisor and have that person give directions to the principal safety and health manager, as well as having that person handle the overall management of the things referred to in the items of Article 30, paragraph (1), if both its workers and the workers of the contractor (and of all subcontractors, if the job involved in the undertaking of the principal employer is carried out based on multiple levels of contracts; hereinafter referred to as "related contractors") work at that site, in order to prevent industrial injuries from occurring as a result of those workers' work being carried out at the same site; provided, however, that this does not apply if the number of workers is less than the number specified by Cabinet Order.

(2) The position of general safety and health supervisor must be filled by the person in charge of overall management for implementing the undertaking at the relevant site.

- (3) In a case as referred to in paragraph (4) of Article 30, if the total number of workers as referred to in paragraph constitutes at least the number specified by Cabinet Order, the relevant designated employer must appoint a general safety and health supervisor in order to prevent industrial injuries from occurring as a result of those workers' work being carried out at the same site, must have that person direct the work of the principal safety and health manager, and must also have that person handle the overall management of the things referred to in the items of paragraph (1) of Article 30. In such a case, the provisions of paragraph (1) do not apply to the designated employer and to employers other than the designated employer.
- (4) Beyond as prescribed in paragraph (1) and the preceding paragraph, if a job as prescribed in paragraph (1) of Article 25-2 is carried out based on multiple levels of contracts, an employer appointing a general safety and health supervisor pursuant to paragraph (1) or the preceding paragraph, must have the general safety and health supervisor direct the work of persons in charge of managing technical issues pursuant to the provisions of paragraph (2) of Article 25-2 as they apply mutatis mutandis pursuant to paragraph (5) of Article 30-3, as well as having that person exercise overall control over the measures provided for in each item of paragraph (1) of Article 30.
- (5) The provisions of paragraph (3) of Article 10 apply mutatis mutandis to the execution of operations by the general safety and health supervisor. In such a case, the term "the employer" in that paragraph is deemed to be replaced with "the employer that has appointed the general safety and health supervisor".

(Principal Safety and Health Managers)

- Article 15-2 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, an employer that has appointed a general safety and health supervisor pursuant to the provisions of paragraph (1) or (3) of the preceding Article and that has a business undertaking categorized as the construction industry or in any other industry specified by Cabinet Order must appoint a principal safety and health manager from among persons holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare, and have that person manage the technical issues that are among the things set forth in the items of paragraph (1) of Article 30.
- (2) The provisions of paragraph (2) of Article 11 apply mutatis mutandis to the principal safety and health manager. In such a case, the term "the employer" in that paragraph is deemed to be replaced with "the employer that has appointed the principal safety and health manager".

(Office Safety and Health Managers)

- Article 15-3 (1) When the workers of a principal employer with a business

undertaking categorized as the construction industry and the workers of a related contractor carry out work at one site (excluding sites where the number of relevant workers is less than the number specified by Order of the Ministry of Health, Labour and Welfare and locations where a general safety and health supervisor must be appointed pursuant to the provisions of paragraphs (1) and (3) of Article 15), the principal employer must appoint a site safety and health manager from among persons holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare, for each workplace at which it has entered into a contract for work in association with the jobs being done at that site in order to prevent industrial injuries from occurring as a result of those workers' work being carried out at the same site, and have that person give guidance to the person who is in charge of the things referred to in the items of paragraph (1) of Article 30 and undertake the other things that are specified by Order of the Ministry of Health, Labour and Welfare at the site where workers are doing a job associated with the contract for work it has entered into at that workplace

- (2) In a case as referred to in paragraph (4) of Article 30, when the number of workers exceeds the number specified by Order of the Ministry of Health, Labour and Welfare for that paragraph (excluding when a general safety and health supervisor must be appointed pursuant to the provisions of paragraphs (1) and (3) of Article 15), a specified employer carrying out a job involved in an undertaking categorized as the construction industry must appoint a site safety and health manager from among persons holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare, for each workplace at which it has entered into a contract for work in association with the jobs being done at that site in order to prevent industrial injuries from occurring as a result of those workers' work being carried out at the same site, and have that person give guidance to the person who is in charge of the things referred to in the items of paragraph (1) of Article 30 and undertake the other things that are specified by Order of the Ministry of Health, Labour and Welfare at the site where workers are doing a job associated with the contract for work it has entered into at that workplace. In such a case, the provisions of the preceding paragraph do not apply to the specified employer or any other employer.

(Safety and Health Supervisors)

Article 16 (1) In a case as referred to in paragraph (1) or (3) of Article 15, a contractor that does not constitute an employer required to appoint a general safety and health supervisor pursuant to those provisions and that carries out the relevant job itself must appoint a safety and health supervisor and have that person communicate with the general safety and health supervisor and

undertake the other things that are specified by Order of the Ministry of Health, Labour and Welfare.

- (2) A contractor that has appointed a safety and health supervisor pursuant to the provisions of the preceding paragraph must inform the employer referred to in that paragraph of this without delay.

(Safety Committees)

Article 17 (1) At each workplace of the business type and scale specified by Cabinet Order, an employer must establish a safety committee in order to have it investigate and deliberate on the following particulars and submit its opinion to the employer:

- (i) things related to the strategy that is to form the basis for preventing the endangerment of workers;
- (ii) things related to the parts of the safety strategy that concern the causes of industrial injuries and measures to prevent recurrence;
- (iii) material particulars involved in preventing the endangerment of workers, beyond what is set forth in the preceding two items.

- (2) A safety committee is composed of the following persons; provided, however, that only one of the committee members constitutes a person as referred to in item (i) (hereinafter referred to as the "item (i) member"):

- (i) the general safety and health manager, or the person that the employer has designated from among persons other than the general safety and health manager who are in charge of comprehensively managing the implementation of the undertaking at the relevant workplace or from among equivalent persons;
- (ii) persons that the employer has designated from among safety managers;
- (iii) persons that the employer has designated from among the workers at the relevant workplace who have safety-related experience.

- (3) The item (i) member is to be the chairperson of the safety committee.

- (4) An employer must designate persons based on the recommendation of a trade union organized by a majority of workers at the relevant workplace, if any, or by a person representing a majority of workers, if there is no such trade union, to constitute half of the committee members other than the item (i) member.

- (5) The provisions of the preceding two paragraphs do not apply to the extent of any separate provisions in a collective agreement concluded with a trade union organized by a majority of the workers at the relevant workplace.

(Health Committees)

Article 18 (1) At each workplace of the scale specified by Cabinet Order, an employer must establish a health committee in order to have it investigate and deliberate on the following particulars and state its opinion to the employer:

- (i) things related to the strategy that is to form the basis for preventing the impairment of workers' health;
 - (ii) things related to the strategy that is to form the basis for helping to maintain and improve the health of workers;
 - (iii) things related to the parts of the causes of industrial injuries and the strategy to prevent recurrence that are related to health;
 - (iv) material particulars involved in preventing the impairment of the health of workers and in helping to maintain and improve workers' health, beyond what is set forth in the preceding three items.
- (2) A health committee is composed of the following persons; provided, however, that only one of the committee members constitutes a person as referred to in item (i):
- (i) the general safety and health manager, or the person that the employer designates from among persons other than the general safety and health manager who are in charge of comprehensively managing the implementation of the undertaking at the relevant workplace or from among equivalent persons;
 - (ii) persons that the employer has designated from among health managers;
 - (iii) persons that the employer has designated from among industrial physicians;
 - (iv) persons that the employer has designated from among workers at the relevant workplace who have health-related experience.
- (3) An employer may designate a worker at the relevant workplace who is an expert in work environment monitoring and is implementing the work environment monitoring, as a member of the health committee.
- (4) The provisions of paragraphs (3) through (5) of the preceding Article apply mutatis mutandis to the health committee. In such a case, the phrase "item (i) member" in paragraphs (3) and (4) of that Article is deemed to be replaced with "a member who is a person as referred to in item (i) of paragraph (2) of Article 18".

(Safety and Health Committees)

- Article 19 (1) If an employer is required to establish a safety committee and a health committee pursuant to the provisions of Article 17 and the preceding Article, it may set in place a safety and health committee instead of setting in place each of those separate committees.
- (2) A safety and health committee is composed of the following persons; provided, however, that only one of the committee members constitutes a person as referred to in item (i):
- (i) the general safety and health manager, or the person that the employer has designated from among persons other than the general safety and health

- manager who are in charge of comprehensively managing the implementation of the undertaking at the relevant workplace or from among equivalent persons;
- (ii) persons that the employer has designated from among safety managers and health managers;
 - (iii) persons that the employer has designated from among industrial physicians;
 - (iv) persons that the employer has designated from among the workers at the relevant workplace who have safety-related experience;
 - (v) persons that the employer has designated from among the workers at the relevant workplace who have health-related experience.
- (3) An employer may designate a worker at the relevant workplace who is an expert in work environment monitoring and is implementing the measurement of the work environment, as a member of the safety and health committee.
- (4) The provisions of paragraphs (3) through (5) of Article 17 apply mutatis mutandis to the safety and health committee. In such a case, the phrase "item (i) member" in paragraphs (3) and (4) of that Article is deemed to be replaced with "a member who is a person mentioned in item (i) of paragraph (2) of Article 19".

(Education of Safety Managers, etc.)

- Article 19-2 (1) In order to increase the level of safety and health in the workplace, an employer must endeavor to provide education and training or the chance of receiving education and training to safety managers, health managers, safety and health advocates, health advocates, and persons engaged in other operations for preventing industrial injuries, in order to improve these person's competencies relevant to the operations in which they are engaged.
- (2) The Minister of Health, Labour and Welfare is to release the necessary guidelines to ensure the appropriate and effective implementation of the education and training referred to in the preceding paragraph.
- (3) The Minister of Health, Labour and Welfare may provide the necessary guidance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(State Assistance)

- Article 19-3 The State is to endeavor to provide consultations, information, and other necessary support concerning worker healthcare and related duties in order to contribute to ensuring the health of workers at the workplace as provided in paragraph (1) of Article 13-2.

Chapter IV Measures to Prevent the Endangerment of Workers and

Impairment of Workers' Health

(Measures to Be Taken by Employers)

Article 20 An employer must take the necessary measures to prevent the following dangers:

- (i) dangers due to machinery, tools, or any other such equipment (hereinafter referred to as "machinery or other such equipment");
- (ii) dangers due to substances of an explosive nature, substances of a combustible nature, and substances of an inflammable nature;
- (iii) dangers due to electricity, heat, and other energy.

Article 21 (1) An employer must take the necessary measures to prevent dangers arising from work methods involved in operations such as excavation, quarrying, cargo handling, or logging.

(2) An employer must take the necessary measures to prevent dangers related to places from which workers could fall or when there are concerns about landslides.

Article 22 An employer must take the necessary measures to prevent the following health impairments:

- (i) health impairments due to things such as raw materials, gases, vapors, dusts, insufficient oxygen in the air, and pathogens;
- (ii) health impairments due to things such as radiation, high temperatures, low temperatures, ultrasonic waves, noises, vibration, abnormal atmospheric pressures;
- (iii) health impairments due to operations such as gauge monitoring, precision work, etc.;
- (iv) health impairments due to exhaust fumes, waste fluids, or solid wastes.

Article 23 As regards the constructions and other workspaces where workers are engaged in work, an employer must take the necessary measures for the maintenance of passages, floor and stair areas and the necessary measures for ventilation, lighting, illumination, heating, damp-proofing, rest, evacuation and sanitation, or other measures required to maintain the health, moral, order and lives of workers.

Article 24 An employer must take the necessary measures to prevent industrial injuries from arising out of the work activities of workers.

Article 25 If there is an imminent danger of an industrial injury occurring, an employer must immediately stop operations and take the necessary measures

to have the workers evacuate from the workspace.

Article 25-2 (1) An employer that carries out a job as specified by Cabinet Order involving in business undertaking categorized as the construction industry or in any other industry specified by Cabinet Order must take the following measures in order to prevent an industrial injury from occurring in the event that measures for rescuing and protecting workers are taken in association with the occurrence of something such as an explosion or fire:

(i) installation and management of the necessary machinery or other such equipment to rescue and protect workers;

(ii) training in the necessary things related to the rescue and protection of workers;

(iii) undertaking the necessary things related to the rescue and protection of workers in preparation for things such as an explosion or fire, beyond as set forth in the preceding two items.

(2) Pursuant to Order of the Ministry of Health, Labour and Welfare, an employer as prescribed in the preceding paragraph must appoint a person to manage technical issues from among persons holding the qualifications specified by Order of the Ministry of Health, Labour and Welfare, and have that person manage the technical issues that are among the measures referred to in that paragraph.

Article 26 Workers must observe the necessary rules in response to the measures taken under the provisions of Articles 20 through 25 and of paragraph (1) of the preceding Article that the employer takes.

Article 27 (1) The measures required to be taken by the employer pursuant to the provisions of Articles 20 through 25 and of paragraph (1) of Article 25-2, and the measures required to be observed by the workers pursuant to the provisions of the preceding Article are prescribed by Order of the Ministry of Health, Labour and Welfare.

(2) Consideration must be given, in preparing the Order of the Ministry of Health, Labour and Welfare referred to in the preceding paragraph, so as not to run counter to the purport of laws and regulations concerning the prevention of environmental pollution (meaning environmental pollution defined in paragraph (3) of Article 2 of the Basic Act for Environmental Pollution Control (Act No. 91 of 1993)) and other disasters involving the general public that are closely related to industrial injuries.

(Publication of Technical Guidelines)

Article 28 (1) The Minister of Health, Labour and Welfare is to release the

necessary technical guidelines for each industry and work operation to ensure the appropriate and effective implementation of the measures that the employer is required to take pursuant to the provisions of Articles 20 through 25 and of paragraph (1) of Article 25-2.

- (2) The Minister of Health, Labour and Welfare is to make special considerations for middle-aged and elderly workers in preparing the technical guidelines specified in the preceding paragraph.
- (3) The Minister of Health, Labour and Welfare is to release guidelines to enable employers that manufacture or handle the chemical substances as follows that are prescribed by the Minister of Health, Labour and Welfare to prevent the impairment of workers' health by those chemical substances:
 - (i) chemical substances related to recommendations under the provisions of paragraph (4) of Article 57-4 or instructions under the provisions of paragraph (1) of Article 57-5;
 - (ii) chemical substances other than those set forth in the preceding item, which could cause significant impairment of worker's health such as cancer.
- (4) Having released technical guidelines or guidelines for preventing the impairment of workers' health pursuant to the provisions of the paragraph (1) or the preceding paragraph, and on finding that it is necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those technical guidelines or guidelines for preventing the impairment of workers' health to employers and associations thereof.

(Assessments to Be Carried Out by Employers)

- Article 28-2 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must endeavor to assess things such as the potential for danger or harm from things such as constructions, equipment, raw materials, gases, vapor, and dust, and from work activities and other duties (excluding the things such as the potential for danger or harm due to substances specified by Cabinet Order pursuant to paragraph (1) of Article 57 and substance subject to notice prescribed in paragraph (1) of Article 57-2), and to take the necessary measures to prevent the endangerment of workers or the impairment of workers' health, in addition to taking the measures under the provisions of this Act or an order under this Act, based on the results of those investigations; provided, however, that for those of such investigations that are unrelated to chemical substances, preparations containing chemical substances, and other things that could endanger a worker or impair a worker's health, this is limited to an employer that is in the manufacturing industry or any other industry specified by Order of the Ministry of Health, Labour and Welfare.
- (2) The Minister of Health, Labour and Welfare is to release the necessary guidelines in connection with the measures in the preceding paragraph in

order to ensure their appropriate and effective implementation, beyond what is provided for in paragraphs (1) and (3) of the preceding Article.

- (3) The Minister of Health, Labour and Welfare may provide the necessary guidance and assistance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(Measures to Be Taken by Principal Employers)

Article 29 (1) A principal employer must give the necessary guidance so that related contractors and the workers of related contractors do not contravene the provisions of this Act or an order under this Act in connection with the relevant job.

- (2) On finding that a related contractor or the worker of a related contractor has violated the provisions of this Act or an order based on this Act in connection with the relevant job, the principal employer must give the instructions necessary to rectify this.

- (3) A related contractor or its worker that has been given instructions as referred to in the preceding paragraph must abide by those instructions.

Article 29-2 A principal employer with a business undertaking categorized as the construction industry must, when the workers of a related contractor are doing work on a job involved in that undertaking at a site specified by Order of the Ministry of Health, Labour and Welfare, such as a site where there is a risk of soil collapse, etc., or a site where there is a risk of machinery or other such equipment overturning, give technical guidance and take other necessary measures to ensure that the measures that the related contractor is to take in order to prevent dangers associated with that site are being taken appropriately..

(Measures to Be Taken by Specified Principal Employers)

Article 30 (1) In order to prevent industrial injuries from occurring as a result of work being carried out at the same site by workers of the principal employer and workers of related contractors, a specified principal employer must take the necessary measures concerning the following things:

- (i) establishing and running a consultative organization;
- (ii) liaising and coordinating between related work;
- (iii) inspecting the worksite;
- (iv) providing guidance and assistance for the education conducted by the related contractors for the workers' safety and health;
- (v) if it is a specified principal employer with an undertaking categorized as a business type specified by Order of the Ministry of Health, Labour and Welfare in which it is usual for the site where a job is carried out to differ

- from job to job preparing plans for work processes and plans for the arrangement of things such as machines and equipment at the worksite, as well as providing instructions on the measures that related contractors must take, based on this Act or an order hereunder, in connection with the work for which the relevant machines, equipment, or other things are used;
- (vi) anything that is necessary for preventing such industrial injuries, beyond as set forth in the preceding items.
- (2) If a original orderer (meaning an orderer that places an order without having been contracted for that job by any other orderer; the same applies hereinafter) of a job involved in a specified undertaking, other than a specified principal employer, has contracted out, to two or more contractors, a job involved in a specified undertaking which is being carried out at a single site, and the workers of the two or more contractors involved in that job will work at that site, that original orderer, pursuant to Order of the Ministry of Health, Labour and Welfare, must designate one person from among those of the contractors that constitute employers carrying out that job themselves, as the person that is to take the measures prescribed in the preceding paragraph. The same applies to a person that has been contracted to undertake all of the jobs involved in a specified undertaking being carried out at a single site, other than a specified principal employer, and that has contracted out those jobs to two or more contractors.
- (3) If a designation under the provisions of the preceding paragraph is not made, the Chief of the Labour Standard Inspection Offices makes the designation referred to in that paragraph.
- (4) When a designation as under the provisions of paragraph (2) or the preceding paragraph has been made, the designated employer must take the measures provided for in paragraph (1) for all workers engaged in work on the jobs at that site. In such a case, the provisions of paragraph (1) do not apply to the designated employer and employers other than the designated employer.

- Article 30-2 (1) The principal employer with a business undertaking (excluding specified undertakings) categorized as the manufacturing industry or in any other industry specified by Cabinet Order must take measures for liaison and coordination between related work and other necessary measures, in order to prevent industrial injuries from occurring as a result of work being carried out at the same site by its workers and the workers of related contractors.
- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the original orderer of a job involved in a business undertaking prescribed in the preceding paragraph. In this case, the term "the specified principal employer", "a job involved in a specified undertaking", "in the preceding paragraph", and "all of the jobs involved in a specified undertaking",

each in paragraph (2) of that Article, are deemed to be replaced with "the principal employer", "a job", "paragraph (1) of the following Article", and "all jobs", respectively.

- (3) If a designation under the provisions of paragraph (2) of the preceding Article as applied mutatis mutandis pursuant to the preceding paragraph is not made, the Chief of the Labour Standard Inspection Offices makes the designation referred to in that paragraph.
- (4) When a designation under the provisions of paragraph (2) of the preceding Article as applied mutatis mutandis to paragraph (2), or under the provisions of the preceding paragraph has been made, the designated employer must take the measures specified in paragraph (1) for all workers engaged in work on the jobs at that site. In such a case, the provisions of that paragraph do not apply to the designated employer and employers other than that designated employer.

Article 30-3 (1) If a job as prescribed in paragraph (1) of Article 25-2 is carried out based on multiple levels of contracts (other than in a case as referred to in paragraph (4)), the principal employer must take the measures set forth in each item of paragraph (1) of that Article for all workers working on that job at the relevant site; in this case, the provisions of that paragraph do not apply to the principal employer and employers other than the principal employer.

- (2) The provisions of paragraph (2) of the Article 30 apply mutatis mutandis to the original orderer of a job prescribed in paragraph (1) of Article 25-2. In such a case, the phrases "the specified principal employer", "a job involved in a specified undertaking", "the measures provided for in the preceding paragraph", and "all of the jobs involved in a specified undertaking", each in paragraph (2) of the Article 30, are deemed to be replaced with "the principal employer", "a job", "the measures provided for in each item of paragraph (1) of Article 25-2", and "all of the jobs", respectively.
- (3) If a designation under the provisions of paragraph (2) of Article 30 as applied mutatis mutandis pursuant to the preceding paragraph is not made, the Chief of the Labour Standard Inspection Offices makes the designation referred to in that paragraph.
- (4) When a designation under the provisions of paragraph (2) of the Article 30 as applied mutatis mutandis pursuant to paragraph (2) or under the preceding paragraph is made, the designated employer must take the measures set forth in the items of paragraph (1) of Article 25-2 for all workers engaged in work on the jobs at that site; in such a case, the provisions of that paragraph do not apply to the designated employer and employers other than the designated employer.
- (5) The provisions of paragraph (2) of Article 25-2 apply mutatis mutandis to the principal employer prescribed by paragraph (1) and to the designated employer

referred to in the preceding paragraph. In such a case, the provisions of paragraph (2) of that Article do not apply to the principal employer and the designated employer, and employers other than those employers.

(Measures to Be Taken by an Orderers)

Article 31 (1) An orderer that directly carries out a job involved in a specified undertaking must, when having workers employed by the contractor of this orderer (including the parties to all contracts for work subsequent to the one with that contractor, if the job is carried out based on multiple levels of contracts; the same applies in Article 31-4) use a construction, equipment, or raw material (hereinafter referred to as the "construction, equipment, or raw material") at the site where it carries out that job, take the necessary measures in respect of the relevant construction, equipment, or raw material to prevent industrial injuries among these workers.

(2) If there are two or more orderers required to take the measures under the preceding paragraph in respect of the same construction, equipment, or raw material, owing to the jobs involved in the relevant undertaking being carried out based on multiple levels of contracts, the provisions of the preceding paragraph do not apply to the orderers of the subsequent contracts.

Article 31-2 The orderer of work a job involving for works specified by Order of the Ministry of Health, Labour and Welfare, such as the alteration of equipment that is used to facilities for the manufactureing or handle aing of substance such as chemical substances, or a preparations containing a chemicals substance, or any other material, and that is specified by Cabinet Order, or of a job involving any other work as specified by Ordinance of Ministry of Health, Labour and Welfare, must take the necessary measures, concerning in respect of that substance, or materialsubstances to prevent workers of contractors of the work from an industrial accident among the workers of contractors involved in the relevant jobs.

Article 31-3 (1) When the workers of two or more employers who are carrying out jobs involved in business undertakings categorized as the construction industry are doing work at one site with machinery or other such equipment which is specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as "specified work" in this Article), an orderer that directly carries out a job associated with a specified undertaking or a person that has been contracted for all of the jobs, that contracts out a part of the jobs at that site must take the necessary measures to prevent industrial injuries among all of the workers engaged in the specified work at the worksite pursuant to Order of the Ministry of Health, Labour and Welfare.

(2) In a case as referred to in the preceding paragraph, if there is no person that, pursuant to the provisions of that paragraph, is required to take the measures prescribed in that paragraph, the principal employer with a business undertaking categorized as the construction industry that has contracted out all of the jobs associated with specified operation at that site to contractors or the employer specified pursuant to the provisions of paragraph (2) or (3) of Article 30 that is carrying out an undertaking categorized as the construction industry must give the necessary consideration for preventing industrial accidents among all of the workers who are engaged in the specified operation at the site, such as nominating a person to carry out the measures designated in the preceding paragraph.

(Prohibition of Illegal Instruction)

Article 31-4 If an orderer has caused a contractor to have its workers work at the instruction of the orderer in connection with the relevant job, the orderer must not give an instruction that would result in a violation of the provisions of this Act or an order issued under this Act.

(Measures to Be Taken by Contractors)

Article 32 (1) In a case as referred to in paragraph (1) or (4) of Article 30, a contractor that does not constitute an employer obliged to take the measures provided for in paragraph (1) of that Article, and that directly carries out the relevant job must take the necessary measures based on the measures that are taken pursuant to those provisions.

(2) In a case as referred to in paragraph (1) or (4) of Article 30-2, a contractor that does not constitute an employer obliged to take measures provided for in paragraph (1) of that Article, and that that directly carries out the job must take the necessary measures, based on the measures that are taken pursuant to those provisions.

(3) In a case as referred to in paragraph (1) or (4) of Article 30-3, a contractor that does not constitute an employer obliged to take measures in each item of paragraph (1) of Article 25-2, and that that directly carries out the job must take the necessary measures, based on the measures that are taken pursuant to the provisions of paragraph (1) or (4) of Article 30-3.

(4) In a case as referred to in paragraph (1) of Article 31, a contractor constituting the employer associated with the workers who are using the relevant construction, equipment, or raw material must take the necessary measures, based on the measures that are taken pursuant to the provisions of those paragraphs.

(5) In a case as referred to in Article 31-2, a contractor involved in a job as provided for in this Article must take the necessary measures, based on the

measures taken pursuant to the provisions of that Article.

- (6) In a case as referred to in paragraph (1) or (4) of Article 30, paragraph (1) or (4) of Article 30-2, paragraph (1) or (4) of Article 30-3, paragraph (1) of Article 31, or Article 31-2, workers must observe the necessary rules in accordance with the measures taken pursuant to these provisions or the provisions of each of the preceding paragraphs.
- (7) A contractor as referred to in paragraphs (1) through (5) and a worker as referred to in the preceding paragraph must follow the instructions given by the specified principal employer, etc., referred to in paragraph (1) of Article 31, the principal employer, etc., referred to in paragraph (1) of Article 31-2 or paragraph (1) of Article 30-3, the orderer referred to in paragraph (1) of Article 31 or Article 31-2, or the contractor referred to in paragraphs (1) through (5), for ensuring the implementation of the measures under the provisions of paragraph (1) or 4 of Article 30-3, or paragraph (1) of Article 31, or Article 31-2, or paragraphs (1) through (5).

(Measures to Be Taken by Lessors of Machinery and Other Such Equipment)

Article 33 (1) A person that leases out the machinery or other such equipment that is specified by Cabinet Order to another employer, and that is specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as a "lessor of machinery or other such equipment") must take the necessary measures to prevent industrial injuries due to leased machinery or other such equipment at the workplace of the employer renting that machinery or other such equipment.

- (2) A person that rents machinery or other such equipment from a lessor of machinery or other such equipment must take the necessary measures to prevent industrial injuries due to the operation of the machinery or other such equipment, if the operator of the machinery or other such equipment is not a worker employed thereby.
- (3) A worker that operates machinery or other such equipment as referred to in the preceding paragraph must observe the necessary rules in accordance with the measures that the person renting the machinery or other such equipment takes pursuant to the provisions of that paragraph.

(Measures to Be Taken by Building Lessors)

Article 34 A person that leases out a building that is as specified by Cabinet Order to other employers (hereinafter referred to as a "building lessor") must take the necessary measures to prevent industrial injuries due to the leased building in relation to operations of renting employers; provided, however, that this does not apply if all of the building is leased out to one employer.

(Labeling of Weight)

Article 35 A person seeking to forward a piece of cargo which weighs one ton or more must label the cargo with its weight in a way that is easy to see and not easily erasable; provided, however, that this does not apply if a person is forwarding unpackaged cargo the weight of which is clear at a glance.

(Delegation to Order of the Ministry of Health, Labour and Welfare)

Article 36 The measures to be taken pursuant to the provisions of paragraph (1) or (4) of Article 30, paragraph (1) or (4) of Article 30-2, paragraph (1) or (4) of Article 30-3, paragraph (1) of Article 31, Article 31-2, paragraphs (1) through (5) of Article 32, paragraph (1) or (2) of Article 33, or Article 34, by the parties mentioned in these provisions, and the matters to be observed pursuant to the provisions of paragraph (6) of Article 32 or paragraph (3) of Article 33 by the parties mentioned in these provisions are prescribed by Order of the Ministry of Health, Labour and Welfare.

**Chapter V Regulations on Machinery and Other Such Equipment,
Dangerous Substances, and Harmful Substances
Section 1 Regulations on Machinery or other such Equipment**

(Permission for Manufacturing)

Article 37 (1) A person seeking to manufacture machinery or other such equipment that is set forth in Appended Table 1 as necessitating particularly dangerous work operations, and also specified by Cabinet Order (hereinafter referred to as "specified machinery or other such equipment"), must obtain permission from the Director of the Prefectural Labour Bureau in advance, pursuant to Order of the Ministry of Health, Labour and Welfare.

(2) When a person has applied for the permission referred to in the preceding paragraph, the Director of the Prefectural Labour Bureau examines the application, and must not give the permission referred to in that paragraph unless the director finds that the construction of the specified machinery or other such equipment to which the application pertains complies with the standards provided for by the Minister of Health, Labour and Welfare.

(Post-Manufacturing Inspection)

Article 38 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, a person that has manufactured or imported specified machinery or other such equipment, a person seeking to install specified machinery or other such equipment which has not been installed for the period specified by Order of the Ministry of Health, Labour and Welfare, or a person seeking to reinstall or resume the use of specified machinery or other such equipment whose use has

been discontinued must undergo an inspection with respect to that specified machinery or other such equipment itself and the related particulars that are prescribed by Order of the Ministry of Health, Labour and Welfare; if the relevant specified machinery or other such equipment does not constitute specially specified machinery or other such equipment (meaning the specified machinery or other such equipment that is specified by Order of the Ministry of Health, Labour and Welfare; the same applies hereinafter), the person must undergo an inspection by the Director of the Prefectural Labour Bureau; if the relevant specified machinery or other such equipment does constitute specially specified machinery or other such equipment, the person must undergo an inspection by a person registered by the Minister of Health, Labour and Welfare (referred to in the following paragraph as a "registered agency for post-manufacturing inspections"); provided, however, that this does not apply if the person that manufactured the specified machinery or other such equipment in a foreign country has undergone an inspection under the provisions of the following paragraph for specified machinery or other such equipment that has been imported or the particulars related to it that are specified by Order of the Ministry of Health, Labour and Welfare (referred to as "machinery or other such equipment subject to import inspection" in the following paragraph).

- (2) Beyond as provided in the preceding paragraph, in a case set forth in one of the following items, pursuant to Order of the Ministry of Health, Labour and Welfare, a person that has manufactured specified machinery or other such equipment in a foreign country may itself undergo an inspection for machinery or other such equipment subject to import inspections; if the relevant machinery or other such equipment does not constitute specially specified machinery or other such equipment, the person may undergo an inspection by the Director of the Prefectural Labour Bureau; if the relevant specified machinery or other such equipment does constitute specially specified machinery or other such equipment, the person may undergo an inspection by a registered agency for post-manufacturing inspections::
 - (i) if the person seeks to export the specified machinery or other such equipment to Japan;
 - (ii) if the person that has imported the specified machinery or other such equipment is a person other than the person that has manufactured that specified machinery or other such equipment in a foreign country (in this item, such other persons are simply referred to as "other persons"), and the person that manufactured it does not wish to have inspections referred to in the preceding paragraph undertaken in respect of other persons.
- (3) A person that has installed specified machinery or other such equipment (excluding anything that is movable), a person that has changed any parts

provided for by Order of the Ministry of Health, Labour and Welfare of specified machinery or other such equipment, or a person that seeks to resume the use of specified machinery or other such equipment whose use has been discontinued, must undergo an inspection by the Chief of the Labour Standard Inspection Offices in respect of the specified machinery or other such equipment and the related particulars that are prescribed by Order of the Ministry of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare.

(Issuance of Inspection Certificate)

Article 39 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau or a registered agency for post-manufacturing inspections issues an inspection certificate for movable specified machinery or other such equipment that has passed an inspection as referred to in paragraph (1) or (2) of the preceding Article (hereinafter referred to as a "post-manufacturing inspection").

(2) Pursuant to Order of the Ministry of Health, Labour and Welfare, the Chief of the Labour Standard Inspection Offices issues an inspection certificate for specified machinery or other such equipment that has passed the inspection referred to in paragraph (3) of the preceding Article in connection with the installation of specified machinery or other such equipment.

(3) Pursuant to Order of the Ministry of Health, Labour and Welfare, the Chief of the Labour Standard Inspection Offices endorses the inspection certificate of specified machinery or other such equipment that has passed an inspection as referred to in paragraph (3) of the preceding Article in connection with the partial alteration or resumption of the use of specified machinery or other such equipment.

(Use Restrictions)

Article 40 (1) A person must not use specified machinery or other such equipment for which an inspection certificate provided for in paragraph (1) or (2) of the preceding Article (hereinafter referred to as an "inspection certificate") has not been issued (including specified machinery or other such equipment that must be inspected in connection with a partial alteration or resumption of use pursuant to the provisions of paragraph (3) of Article 38, but for which the inspection certificate has not been endorsed as provided for in paragraph (3) of the preceding Article).

(2) Specified machinery or other such equipment for which an inspection certificate has been issued must neither be transferred nor leased out unless accompanied by that certificate.

(Valid Term of Inspection Certificates)

Article 41 (1) The valid term of an inspection certificate (or, if the valid term of an inspection certificate is renewed pursuant to the provisions of the following paragraph, the valid term of the inspection certificate as renewed) is the period specified by Order of the Ministry of Health, Labour and Welfare in line with that kind of specified machinery or other such equipment.

(2) Pursuant to Order of the Ministry of Health, Labour and Welfare, a person seeking to renew the valid term of an inspection certificate must undergo a performance inspection by a person registered by the Minister of Health, Labour and Welfare (hereinafter referred to as a "registered agency for performance inspections") in respect of the specified machinery or other such equipment and the related particulars that are prescribed by Order of the Ministry of Health, Labour and Welfare.

(Restrictions on Transfer)

Article 42 Machinery or other such equipment that does not constitute specified machinery or other such equipment, but which is set forth in Appended Table 2 or otherwise necessitates dangerous or hazardous work operations, is used in a dangerous place, or is used to prevent the endangerment of a person or impairment of a person's health, and that is specified by Cabinet Order must not be transferred, leased out, or installed unless they fulfill the standards or safety device equipment requirements established by the Minister of Health, Labour and Welfare.

Article 43 Power-driven machinery or other such equipment without protective measures specified by Order of the Ministry of Health, Labour and Welfare on projecting parts of its moving parts, power transmission sections, or speed regulatory sections must neither be transferred nor be leased out, and must not be exhibited with a view to transferring it or leasing it out.

Article 43-2 If a person that has manufactured or imported machinery or other such equipment as referred to in in Article 42 has transferred or leased out machinery or other such equipment so manufactured or imported that falls under one of the following items, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may order that person to recall or improve the machinery or other such equipment, to provide the information specified by Order of the Ministry of Health, Labour and Welfare to persons using that machinery or other such equipment, or to otherwise take necessary measures to prevent an industrial injury due to the machinery's or other such equipment's being used:

(i) machinery or other such equipment to which a label as referred to in

paragraph (4) of the following Article or a label misleadingly similar thereto has been attached in violation of the provisions of paragraph (5) of that Article;

- (ii) machinery or other such equipment that has passed a type examination provided for in paragraph (3) of Article 44-2 but that does not conform to the standards or safety device equipment requirements specified by the Minister of Health, Labour and Welfare which are referred to in Article 42 (referred to as "standards or safety device equipment requirements" in item (iv));
- (iii) machinery or other such equipment to which a label as referred to in paragraph (5) of Article 44-2 or a label misleadingly similar thereto has been attached in violation of the provisions of paragraph (6) of that Article;
- (iv) machinery or other such equipment other than as referred to in paragraph (1) of Article 44-2 which does not conform to the standards or safety device equipment requirements.

(Individual Examinations)

Article 44 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, a person that manufactures or imports machinery or other such equipment as referred to in Article 42 (excluding machinery or other such equipment prescribed in paragraph (1) of the following Article) which is set forth in Appended Table 3 and specified by Cabinet Order must subject itself to examinations for that machinery or other such equipment that an agency registered by the Minister of Health, Labour and Welfare (hereinafter referred to as a "registered agency for individual examinations") undertakes on an individual basis.

(2) Notwithstanding the provisions of the preceding paragraph, if the person that has imported the machinery or other such equipment referred to in the preceding paragraph is a person other than the person manufacturing it in a foreign country (hereinafter referred to as a "foreign manufacturer" in this paragraph; a person other than the foreign manufacturer is referred to simply as "other persons" hereinafter in this paragraph), and the foreign manufacturer does not wish to have examinations as referred to in the preceding paragraph undertaken in respect of other persons, the foreign manufacturer, pursuant to Order of the Ministry of Health, Labour and Welfare, may itself undergo examinations for that machinery or other such equipment that a registered agency for individual examinations undertakes on an individual basis. Those provisions do not apply to a person importing machinery or other such equipment if the above individual examinations have been made.

(3) Having received an application from a person seeking to undergo an examination as referred to in the preceding two paragraphs (hereinafter

referred to as an "individual examination"), a registered agency for individual examinations must not give a passing result on the individual examination unless the machinery or other such equipment to which the application pertains is found to conform to the standards set by Order of the Ministry of Health, Labour and Welfare.

- (4) A person that has undergone individual examinations, pursuant to Order of the Ministry of Health, Labour and Welfare, must affix a label to the machinery or other such equipment that has passed the individual examination indicating it to have passed that individual examination.
- (5) It is prohibited to affix a label as referred to in the preceding paragraph or a label misleadingly similar thereto to machinery or other such equipment other than that which has passed an individual examination.
- (6) A person must not use machinery or other such equipment as referred to in paragraph (1) that does not have a label as referred to in paragraph (4) affixed to it.

(Type Examination)

- Article 44-2 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, a person that has manufactured or imported machinery or other such equipment which is set forth in Appended Table 4 and specified by Cabinet Order must undergo an examination regarding that machinery's or other equipment's type that a person registered by the Minister of Health, Labour and Welfare (hereinafter referred to as a "registered agency for type examinations") undertakes; provided, however, that this does not apply to any such machinery or other such equipment that has been imported and for which an examination as referred to in the following paragraph has been undertaken.
- (2) Beyond as prescribed in the preceding paragraph, in the following cases, pursuant to Order of the Ministry of Health, Labour and Welfare, a person that has manufactured machinery or other such equipment referred to in the first part of the preceding paragraph in a foreign country (hereinafter referred to as a "foreign manufacturer" in this paragraph and Article 44-4) may itself undergo an examination regarding that machinery's or other such equipment's type that a registered agency for type examinations undertakes:
 - (i) if the person seeks to export the machinery or other such equipment to Japan;
 - (ii) if the person that has imported the machinery or other such equipment is a person other than the foreign manufacturer (hereinafter such persons are referred to simply as "other persons"), and the foreign manufacturer does not wish to have examinations as referred to in the preceding paragraph undertaken for other persons.
 - (3) Having received an application from a person seeking to undergo an

examination as referred to in the preceding two paragraphs (hereinafter referred to as a "type examination"), a registered agency for type examinations must not give a passing result on the type examination unless it finds that the construction of the machinery or other such equipment and the equipment used for manufacturing and inspecting that machinery or other such equipment conforms to the standards specified by Order of the Ministry of Health, Labour and Welfare.

- (4) A registered agency for type examinations issues an applicant a type examination certificate for the type for which it has passed the type examination.
- (5) When a person that has undergone a type examination has manufactured in Japan or imported into Japan machinery or other such equipment of a type for which it has passed a type examination, that person, pursuant to Order of the Ministry of Health, Labour and Welfare, must affix a label indicating that it constitutes machinery or other such equipment of a type for which it has passed a type examination. The same applies to a person that has imported into Japan machinery or other such equipment of a type for which a type examination has been passed (but only one that is not itself the person that has undergone that type examination).
- (6) It is prohibited to affix a label as referred to in the preceding paragraph or a label misleadingly similar thereto to machinery or other such equipment other than that for which a person has passed a type examination.
- (7) A person must not use machinery or other such equipment as referred to in the main clause of paragraph (1) that does not have a label as referred to in paragraph (5) affixed to it.

(Valid Term of Type Examination Certificates)

Article 44-3 (1) The valid term of a type examination certificate (or, if the valid term of a type examination certificate is renewed pursuant to the provisions of the following paragraph, the valid term of the examination certificate as renewed) is the period specified by Order of the Ministry of Health, Labour and Welfare in line with the kind of machinery or other such equipment referred to in the main text of paragraph (1) of the preceding Article.

- (2) A person seeking a renewal of the valid term of a type examination certificate must undergo a type examination pursuant to Order of the Ministry of Health, Labour and Welfare.

(Invalidation of Type Examination Certificates)

Article 44-4 If machinery or other such equipment falls under any of the following items, the Minister of Health, Labour and Welfare may invalidate the type examination certificate associated with the machinery or other such

equipment referred to in that item (the type examination certificate issued to the foreign manufacturer, for item (ii)):

- (i) if the construction of machinery or other such equipment of the type for which the relevant person has passed a type examination, or equipment or other things for manufacturing and inspecting that machinery or other such equipment is found not to be in conformity with the standards specified by Order of the Ministry of Health, Labour and Welfare that are referred to in paragraph (3) of Article 44-2;
- (ii) a foreign manufacturer that has undergone a type examination has affixed a label as referred to in paragraph (5) of Article 44-2 or one that is misleadingly similar thereto to machinery or other such equipment imported into Japan which is other than the type of machinery or other such equipment for which that person has passed that type examination;
- (iii) If on finding it to be necessary to do so in order to ensure safety and health of the workers with regard to the construction of machinery or other such equipment of the type for which the relevant person has passed a type examination and equipment or other things for manufacturing and inspecting that machinery or other such equipment, the Minister has had the relevant officials enter the workplace of the person that has undergone the type examination or the place where the machinery or other such equipment or facilities or other things connected to the type examination are found to be located, question person concerned, and other article, but no statement or a false statement has been given in response to those questions or the inspection has been refused, hindered or avoided.

(Periodic Inspections)

Article 45 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must conduct inspections periodically and keep the records of the results on boilers and machinery or other such equipment that is specified by Cabinet Order.

- (2) If undertaking any inspection under the provisions of the preceding paragraph for machinery or other such equipment specified by Cabinet Order as referred to in that paragraph, that is specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as a "specified inspection"), an employer must have this implemented by a worker it employs who constitutes a person with the qualifications specified by Order of the Ministry of Health, Labour and Welfare or by a person registered as prescribed in Article 54-3, paragraph (1) to carry out specified inspections of the relevant machinery or other such equipment at the request of other persons (hereinafter referred to as a "registered inspection agency").
- (3) The Minister of Health, Labour and Welfare must release the necessary

guidelines for inspections to ensure the appropriate and effective implementation of inspections as referred to the provisions of paragraph (1).

- (4) Having released guidelines for inspections as referred to in the preceding paragraph, and on finding that it is necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those guidelines for inspections to employers, registered inspection agencies, and associations thereof.

(Registration of a Registered Post-Manufacturing Inspection Agencies)

Article 46 (1) The registration under the provisions of paragraph (1) of Article 38 (hereinafter in this Article, the following Article, paragraphs (1) and (2) of Article 53, and paragraph (1) of Article 53-2, referred to as a "registration") is made, pursuant to Order of the Ministry of Health, Labour and Welfare, for each classification prescribed by Order of the Ministry of Health, Labour and Welfare, at the application of a person seeking to conduct post-manufacturing inspections.

- (2) A person falling under any of the following items may not be registered:

- (i) a person that has been sentenced to a fine or heavier punishment for violating the provisions of this Act or an order under this Act, if two years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;
- (ii) a person whose registration has been rescinded pursuant to the provisions of paragraph (1) or (2) of Article 53, if two years have not passed since the date of the rescission;
- (iii) a corporation that has a person falling under one of the preceding two items as an officer engaged in its business operations.

- (3) The Minister of Health, Labour and Welfare must register a person that has applied for registration pursuant to the provisions of paragraph (1) (hereinafter referred to as the "registration applicant" in this paragraph), if the registration applicant satisfies all of the following requirements:

- (i) it would conduct post-manufacturing inspections using the instruments and other equipment referred to in Appended Table 5;
- (ii) the number of persons implementing post-manufacturing inspections (restricted only to those who have knowledge and experience which meet one of the requirements set forth in item (i) of Appended Table 6; hereinafter each such person is referred to as an "inspector") would be at least the figure shown in item (ii) of that Table;
- (iii) an inspector with knowledge and experience that meet one of the requirements set forth in Appended Table 7 would instruct the inspectors and supervise the post-manufacturing inspections;
- (iv) it does not fall under any of the following as a person that is controlled by

a person manufacturing or importing specially specified machinery or other such equipment (hereinafter referred to as a "manufacturer or importer" in this item):

- (a) if the registration applicant is a stock company, and the manufacturer or importer is its parent company (meaning a parent company as prescribed in paragraph (1) of Article 879 of Companies Act (Act No. 86 of 2005); and if that the applicant is a person that carries out post-manufacturing inspection at an office in foreign country, this includes anything equivalent to a parent company as under that Act in a that country.).
 - (b) the ratio of officers (for a membership company (meaning a membership company pursuant to paragraph (1) of Article 575 of the Companies Act), company members who execute the company business) or staff of the manufacturer or importer (including persons who have been officers or staff of the manufacturer or importer within the past two years) to officers of the registration applicant exceeds one half.
 - (c) the registration applicant (or an officer with the authority to represent it, if the applicant is a corporation) is an officer or employee of the manufacturer or importer (including persons who have been officers or employees of the manufacturer or importer within the past two years).
- (4) The relevant person is to make a registration by entering the following items in the register of the registered agency for post-manufacturing inspections:
- (i) date and number of registration;
 - (ii) name and address, and if it is a corporation, the name of its representative;
 - (iii) name and address of the office;
 - (iv) its category as referred to in paragraph (1).

(Renewal of Registrations)

Article 46-2 (1) If not renewed for every five- to ten- year period specified by Cabinet Order, a registration ceases to be effective upon the expiration of that period..

- (2) The provisions of paragraphs (2) through (4) apply mutatis mutandis to the renewal of a registration referred to in the preceding paragraph.

(Obligation to Conduct Post-Manufacturing Inspections)

Article 47 (1) If requested to conduct a post-manufacturing inspection, a registered agency for post-manufacturing inspections must conduct a post-manufacturing inspection without delay unless it has a legitimate reason not to do so.

- (2) In conducting post-manufacturing inspections, a registered agency for post-manufacturing inspections must have these implemented by inspectors.
- (3) The registered agency for post-manufacturing inspections must conduct

inspections fairly and in accordance with those of the standards referred to in paragraph (2) of Article 37 that concern the structures of specially specified machinery or other such equipment.

- (4) A registered agency for post-manufacturing inspections must take measures that Order of the Ministry of Health, Labour and Welfare prescribes as the necessary measures to prevent danger from arising from an inspection method in a post-manufacturing inspection.

(Notification of Alteration)

Article 47-2 A registered agency for post-manufacturing inspections that seeks to alter a particular referred to in item (ii) or (iii) of paragraph (4) of Article 46 must file a notification of the alteration with the Minister of Health, Labour and Welfare no later than two weeks prior to the date on which it seeks to make the alteration.

(Operational Rules)

Article 48 (1) A registered agency for post-manufacturing inspections must establish rules concerning the operations of post-manufacturing inspections, (hereinafter referred to as "operational rules"), and must file a notification of those operational rules with the Minister of Health, Labour and Welfare by two weeks prior to the day of the commencement of post-manufacturing inspection operations. The same applies if it seeks to alter them.

- (2) The operational rules must specify the means of implementing post-manufacturing inspections, the fees associated with post-manufacturing inspections, and other particulars prescribed in Order of the Ministry of Health, Labour and Welfare.

(Suspension and Discontinuance of Operations)

Article 49 Before suspending or discontinuing all or a part of its operations, a registered agency for post-manufacturing inspections, pursuant to Order of the Ministry of Health, Labour and Welfare, must first file a notification of this with the Minister of Health, Labour and Welfare.

(Provision and Inspection of Financial Statements)

Article 50 (1) Within three months after the end of each business year, a registered agency for post-manufacturing inspections must prepare an inventory of assets, a balance sheet and a profit-and-loss statement or an income and expenditure statement, and a business report for the business year (including electronic or magnetic records (meaning records used in computerized data processing that have been created electronically, magnetically, or by another means that cannot be perceived with

the human senses; the same applies hereinafter), if electronic or magnetic records are prepared instead of paper documents; referred to as "financial statements" in the following paragraph and in item (i) of Article 123), and must retain those financial statements for five years thereafter in its office.

(2) A person seeking to undergo a post-manufacturing inspection or any other interested person may make the following requests at any time during the office hours of a registered agency for post-manufacturing inspections; provided, however, that for a request as referred to in item (ii) or (iv), a person must pay the cost established by the agency:

(i) a request to inspect or copy the relevant document, if a financial statement has been prepared as a written document;

(ii) a request for a certified copy or extract of the document referred to in the previous item;

(iii) a request to inspect or copy something that has been made to show the information recorded in the relevant electronic or magnetic record by the means specified by Order of the Ministry of Health, Labour and Welfare, if a financial statement has been prepared as an electronic or magnetic record;

(iv) a request to be provided with the information recorded in an electronic or magnetic record as referred to in the previous item by an electronic or magnetic means that is specified by Order of the Ministry of Health, Labour and Welfare, or to be issued a written document giving that information.

(3) If a registered agency for post-manufacturing inspections has entered into an insurance contract to guarantee the money necessary to compensate for any damage (hereinafter referred to as a "non-life insurance policy") occurring in connection with an inspection, a person seeking to undergo a post-manufacturing inspection or any other interested person may make the following requests at any time during the office hours of the registered agency for post-manufacturing inspections; provided, however, that for a request as referred to in item (ii) or (iv), a person must pay the cost established by the agency:

(i) a request to inspect or copy the relevant document, if the documentation detailing the substance of the non-life insurance policy has been prepared as a written document;

(ii) a request for a certified copy or extract of the document referred to in the previous item;

(iii) a request to inspect or copy something that has been made to show the information recorded in the relevant electronic or magnetic record by the means specified by Order of the Ministry of Health, Labour and Welfare, if the document referred to in item (i) above has been prepared as an electronic or magnetic record;

(iv) a request to be provided with the information recorded in an electronic or

magnetic record as referred to in the previous item by an electronic or magnetic means that is specified by Order of the Ministry of Health, Labour and Welfare, or to be issued a written document giving that information.

(4) A registered agency for post-manufacturing inspections must submit a profit-and-loss statement or an income and expenditure statement, and a business report for each business year that are prepared pursuant to the provisions of paragraph (1) to the Minister of Health, Labour and Welfare within three months after the end of that business year.

(Notification of the Appointment or Dismissal of Inspectors)

Article 51 Having appointed or dismissed an inspector, a registered agency for post-manufacturing inspections must file a notification of this with the Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare and without delay.

(Conformity Order)

Article 52 On finding that a registered agency for post-manufacturing inspections (excluding a registered post-manufacturing inspection agency that carries out post-manufacturing inspections at offices in foreign countries (hereinafter referred to as the "foreign registered agency for post-manufacturing inspections")) has ceased to comply with the standards prescribed in any item of paragraph (3) of Article 46, the Minister of Health, Labour and Welfare may order the agency to take the necessary measures to conform to those standards.

(Order for Improvement)

Article 52-2 Having found that a registered agency for post-manufacturing inspections (excluding a foreign registered agency for post-manufacturing inspections) has violated the provisions of Article 47, the Minister of Health, Labour and Welfare may order the agency to carry out a post-manufacturing inspection, or to take the necessary measures to improve the inspection method or other business methods.

(Application Mutatis Mutandis)

Article 52-3 The provisions of the preceding two Articles apply mutatis mutandis to a foreign registered agency for post-manufacturing inspections. In such a case, the term "order" in the preceding two Articles is deemed to be replaced with "request".

(Cancellation of Registrations)

Article 53 (1) If a registered agency for post-manufacturing inspections

(excluding a foreign registered agency for post-manufacturing inspections) has come to fall under one of the following items, the Minister of Health, Labour and Welfare may rescind its registration or order the suspension of all or part of post-manufacturing inspection operations, for a fixed period not exceeding six months:

- (i) the agency has come to fall under item (i) or item (iii) of paragraph (2) of Article 46;
 - (ii) the agency has violated the provisions of Article 47 to 49, paragraph (1) of Article 50 or paragraph (2) of Article 103;
 - (iii) the agency has refused a request under the provisions of any item of paragraph (2), or any item in paragraph (3), of Article 50 without a legitimate reason for doing so;
 - (iv) the agency has failed to submit the notification under the provisions of Article 51 or submitted a false notification;
 - (v) the agency has violated an order under the provisions of Articles 52 or 52-2;
 - (vi) the agency has been registered by wrongful means.
- (2) If a foreign registered agency for post-manufacturing inspections has come to fall under any of the following items, the Minister of Health, Labour and Welfare may rescind its registration:
- (i) the agency falls under any of items (i) through (iv) of the preceding paragraph;
 - (ii) the agency has refused to comply with a request under the provisions of Article 52 or 52-2 as applied *mutatis mutandis* pursuant to the preceding Article;
 - (iii) the Minister of Health, Labour and Welfare has found it to fall under one of the two preceding items and has requested it to suspend all or part of its operations in post-manufacturing inspection for a specified period not exceeding six months, but it has not complied with that request;
 - (iv) the Minister of Health, Labour and Welfare, finding it to be necessary to do so in order to ensure the proper operation of a foreign registered agency for post-manufacturing inspections, has had relevant officials seek to enter the agency's office, question the persons concerned or inspect books, documents and other articles related to the operations, but the agency has refused, impeded, or hindered their entrance or inspection, or has refused to answer or given false answers to their questions;
 - (v) the Minister of Health, Labour and Welfare, finding it to be necessary to do so in order to enforce this Act, requests a foreign registered agency for post-manufacturing inspections to report the necessary particulars, but the agency has not made this report or has made a false report;
 - (vi) the agency fails to bear the expenses under the provisions of the following paragraph.

(3) The expenses required for the inspection pursuant to item (iv) of the preceding paragraph (limited to those which are specified by Cabinet Order) are borne by the foreign registered agency for post-manufacturing inspections that is subject to the inspection.

(Post-Manufacturing Inspections by the Director of the Prefectural Labour Bureau)

Article 53-2 (1) The Director of the Prefectural Labour Bureau may conduct all or a part of post-manufacturing inspection operations under the provisions of Article 49 if there is no person registered to do so; on having received a notification of the suspension or discontinuation of all or part of or the operations under the provisions of Article 49; on having revoked a registration or issued an order to suspend all or part of post-manufacturing inspection operations pursuant to paragraph (1) or (2) of the preceding Article; if it has become difficult for a registered agency for post-manufacturing inspections to carry out all or part of its post-manufacturing inspection operations due to a natural disaster; or on otherwise finding it to be necessary to do so.

(2) Order of the Ministry of Health, Labour and Welfare provides for the taking on of post-manufacturing inspection operations and other necessary particulars if the Director of the Prefectural Labour Bureau directly carries out all or part of post-manufacturing inspection operations pursuant to the provisions of the preceding paragraph.

(Registered Agency for Performance Inspections)

Article 53-3 The provisions of Article 46 and Article 46-2 apply mutatis mutandis to the registration in paragraph (2) of Article 41; the provisions from Article 47 through the preceding Article apply mutatis mutandis to a registered agency for performance inspections. In such a case, the terms set forth in the left-hand column of the following table that are used in the provisions set forth in the middle column of that table are deemed to be replaced with the terms set forth in the right-hand column of the table:

paragraph (1) of Article 46	paragraph (1) of Article 38	paragraph (2) of Article 41
	manufacturing inspection, etc.	performance inspection prescribed in paragraph (2) of Article 41 (hereinafter referred to as "regular inspection")

item (i) of paragraph (3) of Article 46	Appended Table 5	corresponding right column of Appended Table 8, in accordance with the kind of machines, etc., in the left column
	manufacturing inspection, etc.	performance inspection
item (ii) of paragraph (3) of Article 46	manufacturing inspection, etc.	corresponding performance inspection, in accordance with machines, etc., in the left column of Appended Table 9
	item (i) of Appended Table 6	middle column of Appended Table 9
	item (ii) of Appended Table 6	right column of Appended Table 9
item (iii) of paragraph (3) of Article 46	Appended Table 7	Appended Table 10
	manufacturing inspection, etc.	performance inspection
item (iv) of paragraph (3) of Article 46	manufacturer or importer of specially specified machines, etc.	manufacturer or importer of specified machines, etc., or one who performs as business the maintenance of specified machines, etc.
	manufacturing inspection, etc.	performance inspection
paragraph (4) of Article 46	registry book of the registered manufacturing inspection, etc., agency	registry book of the registered performance inspection agency
paragraph (1) and (2) of Article 47	manufacturing inspection, etc	performance inspection
paragraph (3) of Article 47	specially specified machines, etc.	specified machines, etc.
	manufacturing inspection, etc.	performance inspection
paragraph (4) of Article 47 and Article 48	manufacturing inspection, etc.	performance inspection
Article 49	manufacturing inspection, etc.	performance inspection
	in advance	no later than 30 days prior to the date of suspension or discontinuance
paragraph (2) and (3) of Article 50	manufacturing inspection, etc.	performance inspection
Articles 52 and 52-2	manufacturing inspection, etc.	performance inspection

	foreign registered manufacturing inspection, etc. agency	foreign registered performance inspection agency
Article 52-3	foreign registered manufacturing inspection, etc. agency	foreign registered performance inspection agency
paragraphs (1) and (2) of Article 53	foreign registered manufacturing inspection, etc. agency	foreign registered performance inspection agency
	manufacturing inspection, etc.	performance inspection
paragraph (3) of Article 53	foreign registered manufacturing inspection, etc. agency	foreign registered performance inspection agency
Preceding Article	Director of the Prefectural Labour Bureau	Chief of the Labour Standard Inspection Offices
	manufacturing inspection, etc.	performance inspection

(Registered Agency for Individual Examinations)

Article 54 The provisions of Articles 46 and 46-2 apply mutatis mutandis to a registration referred to in paragraph (1) of Article 44, and the provisions of Articles 47 through 53-2 apply mutatis mutandis to a registered agency for individual examinations. In such a case, the terms set forth in the left-hand column of the following table that are used in the provisions set forth in the middle column of that table are deemed to be replaced with the terms set forth in the right-hand column of the table.

paragraph (1) of Article 46	paragraph (1) of Article 38	paragraph (1) of Article 44
	manufacturing inspection, etc	individual examination
item (i) of paragraph (3) of Article 46	Appended Table 5	corresponding right column of Appended Table 11, in accordance with the kind of machines, etc., in the left column
	manufacturing inspection, etc.	individual examination

item (ii) of paragraph (3) of Article 46	manufacturing inspection, etc.	corresponding individual examination, in accordance with machines, etc., in the left column of Appended Table 12
	item (1) of Appended Table 6	middle column of Appended Table 12
	inspector	examiner
	item (2) of Appended Table 6	right column of Appended Table 12
item (iii) of paragraph (3) of Article 46	inspector	examiner
	Appended Table 7	Appended Table 13
	manufacturing inspection, etc	individual examination
item (iv) of paragraph (3) of Article 46	pecially specified machines, etc.	machines, etc., specified in paragraph (1) of Article 44 that are prescribed by Cabinet Order
	manufacturing inspection, etc	individual examination
paragraph (4) of Article 46	registry book of the registered manufacturing inspection, etc., agency	registry book of the registered individual examination agency
paragraph (1) of Article 47	manufacturing inspection, etc.	individual examination
paragraph (2) of Article 47	manufacturing inspection, etc.	individual examination
	inspector	examiner
paragraph (3) of Article 47	one of the standards relating to the structure of specially specified machines, etc. prescribed in paragraph (2) of Article 37	standard prescribed in paragraph (3) of Article 44
	manufacturing inspection, etc.	individual examination
paragraph (4) of Article 47	manufacturing inspection, etc.	standard prescribed in paragraph (3) of Article 44
	method of the inspection	individual examination
Article 48, Article 49 and paragraph (2) and (3) of Article 50	manufacturing inspection, etc	individual examination
Article 51	inspector	examiner

Articles 52, 52-2 and 53	manufacturing inspection, etc.	individual examination
	foreign registered manufacturing inspection, etc. agency	foreign registered individual examination agency
Article 52-3	foreign registered manufacturing inspection, etc. agency	foreign registered individual examination agency
paragraphs (1) and (2) of Article 53	foreign registered manufacturing inspection, etc. agency	foreign registered individual examination agency
	manufacturing inspection, etc.	individual examination
paragraph (3) of Article 53	foreign registered manufacturing inspection, etc. agency	foreign registered individual examination agency
Article 53-2	Director of the Prefectural Labour Bureau	Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau
	manufacturing inspection, etc.	individual examination

(Registered Agency for Type Examinations)

Article 54-2 The provisions of Articles 46 and 46-2 apply mutatis mutandis to a registration referred to in paragraph (1) of Article 44-2, and the provisions of Articles 47 through 53-2 apply mutatis mutandis to a registered agency for type examinations. In such a case, the terms set forth in the left-hand column of the following table that are used in the provisions set forth in the middle column of that table are deemed to be replaced with the terms set forth in the right-hand column of the table.

paragraph (1) of Article 46	paragraph (1) of Article 38	paragraph (1) of Article 44-2
	manufacturing inspection, etc.	type examination
item (i) of paragraph (3) of Article 46	Appended Table 5	corresponding right column of Appended Table 14, in accordance with the kind of machines, etc., in the left column
	manufacturing inspection, etc.	type examination
item (ii) of paragraph (3) of Article 46	manufacturing inspection, etc.	type examination

	item (1) of Appended Table 6	item (1) of Appended Table 15
	inspector	examiner
item (iii) of paragraph (3) of Article 46	inspector	examiner
	Appended Table 7	Appended Table 16
	manufacturing inspection, etc.	type examination
item (iv) of paragraph (3) of Article 46	pecially specified machines, etc.	machines, etc., specified in paragraph (1) of Article 44-2 that are prescribed by Cabinet Order
	manufacturing inspection, etc.	type examination
paragraph (4) of Article 46	registry book of the registered manufacturing inspection, etc., agency	registry book of the registered type examination agency
paragraph (1) of Article 47	manufacturing inspection, etc	type examination
paragraph (2) of Article 47	manufacturing inspection, etc.	type examination
	inspector	examiner
paragraph (3) of Article 47	one of the standards relating to the structure of specially specified machines, etc. specified in paragraph (2) of Article 37	standard prescribed in paragraph (3) of Article 44-2
	manufacturing inspection, etc.	type examination
paragraph (4) of Article 47	manufacturing inspection, etc.	type examination
	method of the inspection	method of the examination
Article 48, Article 49 and paragraph (2) and (3) of Article 50	manufacturing inspection, etc.	type examination
Article 51	inspector	examiner
Article 52, Article 52-2 and Article 53	manufacturing inspection, etc.	type examination
	foreign registered manufacturing inspection, etc.	foreign registered individual examination agency
Article 52-3	foreign registered manufacturing inspection, etc.	foreign registered individual examination agency

paragraphs (1) and (2) of Article 53	foreign registered manufacturing inspection, etc.	foreign registered individual examination agency
	manufacturing inspection, etc.	type examination
paragraph (3) of Article 53	foreign registered manufacturing inspection, etc.	foreign registered individual examination agency
Article 53-2	Director General of the Prefectural Labor Bureau	Minister of Health, Labour and Welfare
	manufacturing inspection, etc.	type examination

(Registered Inspection Agency)

Article 54-3 (1) A person seeking to become a registered inspection agency must, pursuant to Order of the Ministry of Health, Labour and Welfare, apply for the registration of its name, address, and other information prescribed by Order of the Ministry of Health, Labour and Welfare in the register of registered inspection agencies kept at the Ministry of Health, Labour and Welfare or the Prefectural Labour Bureau.

(2) A person falling under any of the following items may not be registered as referred to in the preceding paragraph:

(i) a person sentenced to a fine or heavier punishment for violating the provisions of paragraph (1) or (2) of Article 45 or an order under those provisions or for violating an order under the provisions of paragraph (2) of Article 54-6, if two years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

(ii) a person whose registration has been rescinded pursuant to provisions of paragraph (2) of Article 54-6, if two years have not passed since the date of the rescission;

(iii) a corporation that has a person falling under item (i) as an officer engaged in its business operations.

(3) A registration as referred to in paragraph (1) is made at the application of a person seeking to be a registered inspection agency.

(4) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must not effect the registration referred to in paragraph (1) unless the minister finds that an application as referred to in the preceding paragraph complies with the standards specified by Order of the Ministry of Health, Labour and Welfare.

(5) An employer or other related party may ask to inspect the register of registered inspection agencies.

Article 54-4 In conducting specified inspections in response to others' requests, a registered inspection agency must have these implemented by persons that possesses the qualifications specified by Order of the Ministry of Health, Labour and Welfare.

Article 54-5 (1) If a registered inspection agency transfers all of its business or if a registered inspection agency has become subject to a succession, merger, or company split (limited to one in which it allows another person to assume all of its business), the person acquiring all of the business, the successor (hereinafter in this paragraph, the person chosen as the successor to the business through the agreement of all parties when there are two or more successors), the corporation surviving the merger, the corporation incorporated as a result of the merger, or the person assuming all of its business as a result of the company split succeeds to the position of the registered inspection agency; provided, however, that this does not apply if the party succeeding to all of the business, successor, corporation surviving the merger, corporation incorporated as a result of the merger, or corporation assuming all of its business as a result of the company split falls under the provisions of the items of paragraph (2) of Article 54-3.

(2) A person that has succeeded to the position of a registered inspection agency pursuant to the provisions of the preceding paragraph must file a notification of this with the Minister of Health, Labour and Welfare or with the Director of the Prefectural Labour Bureau, pursuant to Order of the Ministry of Health, Labour and Welfare and without delay.

Article 54-6 (1) If a registered inspection agency has come to fall under item (i) or (iii) of paragraph (2) of Article 54-3, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must revoke its registration.

(2) If a registered inspection agency has come to fall under any of the following items, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may revoke its registration or order a full or partial suspension of specified inspection operations for a fixed period not exceeding six months:

- (i) it is found to have ceased to be in conformity with the standards referred to in paragraph (4) of Article 54-3;
- (ii) it has violated the provisions of Article 54-4;
- (iii) it has violated the conditions referred to in paragraph (1) of Article 110.

Section 2 Regulations on Dangerous Substances and Harmful Substances

(Prohibition on Manufacturing and Other Activities)

Article 55 It is prohibited to manufacture, import, transfer, provide, or use substances that cause significant impairments of workers' health, such as yellow phosphorus matches, benzidine, preparations containing benzidine, and that are specified by Cabinet Order; provided, however, that this does not apply if any of these is manufactured, imported or used for the sake of research or examination, and fall under the requirements specified by Cabinet Order.

(Permission for Manufacturing)

Article 56 (1) A person seeking to manufacture substances that could cause significant impairments of workers' health, such as dichlorobenzidine, preparations containing dichlorobenzidine, and that are specified by Cabinet Order must obtain permission in advance from the Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare.

(2) When a person has applied for the permission referred to in the preceding paragraph, the Minister of Health, Labour and Welfare examines that application, and must not give the permission referred to in that paragraph unless the minister finds that the manufacturing equipment, work methods, and the like comply with the standards established by the Minister of Health, Labour and Welfare.

(3) A person that has obtained the permission referred to in paragraph (1) (hereinafter referred to as a "manufacturer") must keep its manufacturing equipment in conformity with the standards referred to in the preceding paragraph.

(4) A manufacturer must manufacture the substances referred to in paragraph (1) using a work method that conforms to the standards referred to in paragraph (2).

(5) On finding that a manufacturer's manufacturing equipment or work methods do not comply with the standards referred to in paragraph (2), the Minister of Health, Labour and Welfare may order that the manufacturing equipment be repaired, reconstructed, or relocated so as to conform with those standards, or that the substances referred to in paragraph (1) be manufactured using a work method that conforms with those standards.

(6) The Minister of Health, Labour and Welfare may, if a manufacturer violates the provisions of this Act, an order under this Act or administrative dispositions under these provisions, revoke the permission referred to in paragraph (1).

(Labeling)

Article 57 (1) A person that transfers or provides explosives, pyrophorus, flammables, or any other substance that could put a worker in danger and are

specified by Cabinet Order; that transfers or provides benzene, preparations containing benzene, or other substances that could cause a worker's health to be impaired and are specified by Cabinet Order; or the substances referred to in paragraph (1) of the preceding Article, with putting them into a container or a package, must label the container or the package (or label the container, if the substances are put o a container and also packaged before being transferred or provided) with the following things, pursuant to Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply to containers or packages that are intended primarily for use by general consumers:

- (i) the following particulars:
 - (a) the name of the substance;
 - (b) its effects on the human body;
 - (c) precautions concerning storage or handling;
 - (d) particulars specified by Order of the Ministry of Health, Labour and Welfare, beyond what is set forth in (a) through (c).
 - (ii) the markings meant to draw the attention of workers handling those substances that are specified by the Minister of Health, Labour and Welfare.
- (2) A person that transfers or provides the substances specified by Cabinet Order that are referred to in the preceding paragraph, or the subsances referred to in paragraph (1) of the preceding Article, in a manner other than that which is prescribed in the preceding paragraph must deliver a document giving the particulars referred to in each item of that paragraph to the person to which the substances are transferred or provided, pursuant to Order of the Ministry of Health, Labour and Welfare.

(Delivery of Documents)

Article 57-2 (1) A person that transfers or provides a substance specified by Cabinet Order that could put a worker in danger or cause impairments of worker's health, or the substances referred to in the provisions of paragraph (1) of Article 56 (hereinafter in this Article and paragraph (1) of the following Article referred to as the "substance subject to notice"), must notify the person to which the substance subject to notice is to be transferred or provided of the following particulars (excluding the particulars prescribed in paragraph (2) of the preceding Article for a person prescribed in the provisions of that paragraph) through the delivery of a document or by any other means that is specified by Order of the Ministry of Health, Labour and Welfare; provided, however, that this does not apply to the transfer or provision of a substance subject to notice intended primarily for ordinary use by general consumers:

- (i) the name of the substance;
- (ii) the ingredients and their amounts;

- (iii) the physical and chemical properties;
 - (iv) its effects on the human body;
 - (v) precautions concerning storage or handling;
 - (vi) emergency measures to be taken if such incident as a spill occurs;
 - (vii) in addition to the matters set forth in the preceding each item, those specified by Order of the Ministry of Health, Labour and Welfare.
- (2) If it becomes necessary for a person transferring or providing a substance subject to notice to change something about which it has provided notice pursuant to the provisions of the preceding paragraph, the person must endeavor to promptly notify the other parties to which it has transferred or provided the relevant substance of all the things referred to in the items of that paragraph after the change, through the delivery of a document or by any other means specified by Order of the Ministry of Health, Labour and Welfare.
- (3) Beyond what is provided for in the two preceding paragraphs, Order of the Ministry of Health, Labour and Welfare provides for the necessary particulars in connection with notices as referred to in the two preceding paragraphs.

(Assessment for Substances Specified by Cabinet Order pursuant to paragraph (1) of Article 57 and Substances Subject to Notice)

- Article 57-3 (1) Pursuant to Order of the Ministry of Health, Labour and Welfare, an employer must assess the things such as the potential for danger or harm from the substances specified by Cabinet Order pursuant to paragraph (1) of Article 57 and from substances subject to notice.
- (2) An employer must endeavor to take the necessary measures to prevent the endangerment of workers and the impairment of workers' health, in addition to taking measures under the provisions of this Act or an order under this Act, based on the results of the investigations referred to in the preceding paragraph.
- (3) The Minister of Health, Labour and Welfare is to release the necessary guidelines in connection with the measures referred to in the preceding two paragraphs in order to ensure the appropriate and effective implementation thereof, beyond what is provided for in paragraphs (1) and (3) of Article 28.
- (4) The Minister of Health, Labour and Welfare may provide the necessary guidance and assistance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(Assessment of the potential for harm from Chemical Substances)

- Article 57-4 (1) To prevent the impairment of workers' health by chemical substances, an employer that seeks to manufacture or import a chemical substance other than a chemical substance that is specified by Cabinet Order as an existing chemical substance (including a chemical substance whose name

has been made public pursuant to the provisions of paragraph (3)) (such an other chemical substance is hereinafter in this Article referred to as a "new chemical substance"), must first undertake a assessment of the potential for harm as specified by Order of the Ministry of Health, Labour and Welfare (meaning an assessment of the influence of the new chemical substance on the health of workers hereinafter the same applies in this Article) and, pursuant to Order of the Ministry of Health, Labour and Welfare, file a notification of the name of the new chemical substance and the result of the assessment of the potential for harm and other particulars with the Minister of Health, Labour and Welfare; provided, however, that this does not apply if the situation falls under any of the following items or in a case provided by Cabinet Order:

- (i) pursuant to Order of the Ministry of Health, Labour and Welfare, the employer has received confirmation from the Minister of Health, Labour and Welfare in respect of the new chemical substance indicating that things such as the manufacturing or handling method that is being contemplated for the new chemical substance has been reviewed and it is not likely that the workers will be exposed to the new chemical substance;
 - (ii) pursuant to Order of the Ministry of Health, Labour and Welfare, the employer has received confirmation from the Minister of Health, Labour and Welfare in respect of the new chemical substance, indicating that, based on things such as findings that have already been made, the new chemical substance does not have the toxicity prescribed by Order of the Ministry of Health, Labour and Welfare;
 - (iii) the employer seeks to manufacture or import the new chemical substance for the sake of research or studies;
 - (iv) the new chemical substance would be imported primarily as a product for ordinary use by general consumers (this includes a product containing the new chemical substance), and in the case specified by Order of the Ministry of Health, Labour and Welfare.
- (2) An employer that has carried out a assessment of the potential for harm must promptly take the necessary measures based on the results of the investigation to prevent the impairment of workers' health by the relevant new chemical substance.
- (3) Having received a notification for a new chemical substance under the provisions of paragraph (1) (or having made a confirmation under the provisions of item (ii) of that paragraph), the Minister of Health, Labour and Welfare must make public the name of the new chemical substance pursuant to Order of the Ministry of Health, Labour and Welfare.
- (4) Having received a notification under the provisions of paragraph (1) and on finding, after hearing the opinions of persons with relevant knowledge and experience on the results of the toxicity assessment pursuant to Order of the

Ministry of Health, Labour and Welfare, that it is necessary to do so in order to prevent the impairment of workers' health by the chemical substance to which the notification pertains, the Minister of Health, Labour and Welfare may issue a recommendation to the employer filing the notification to establish or streamline facilities or equipment, make available personal protective equipment, or take other measures.

- (5) A person with relevant knowledge and experience who has been asked for an opinion on the results of an assessment of potential for harm pursuant to the provisions of the preceding paragraph must not divulge any secret learned in connection with the results of the toxicity assessment; provided, however, that this does not apply if the person is compelled to disclose this information for the purpose of preventing the impairment of workers' health.

Article 57-5 (1) On finding that it is necessary to do so in order to prevent the impairment of workers' health by a chemical substance that could give workers cancer or cause workers to sustain any other significant impairment to health, the Minister of Health, Labour and Welfare may, pursuant to Order of the Ministry of Health, Labour and Welfare, instruct employers that manufacture, import or use this chemical substance or other employers prescribed by Order of the Ministry of Health, Labour and Welfare to carry out the toxicity assessments specified by Cabinet Order (meaning assessment of the influence of that chemical substance on the impairment of workers' health) and to report the results.

- (2) The Minister of Health, Labour and Welfare is to give any instructions as under the provisions of the preceding paragraph in conformity with the standards established by the Minister of Health, Labour and Welfare, in consideration of things such as the technical level of the toxicity assessment of the chemical substance, the preparedness of the institution carrying out the investigation, and the investigative abilities of the employer concerned, in a comprehensive manner.
- (3) Before issuing the instructions under the provisions of paragraph (1), the Minister of Health, Labour and Welfare must first hear the opinions of persons with relevant knowledge and experience, pursuant to Order of the Ministry of Health, Labour and Welfare.
- (4) An employer that has carried out a toxicity assessment under the provisions of paragraph (1) must promptly take the necessary measures based on the results of that investigation to prevent impairment of workers' health by the relevant chemical substance.
- (5) A person with relevant knowledge and experience who has been asked for an opinion on the instructions under the provisions of paragraph (1) pursuant to the provisions of paragraph (3) must not divulge any secret learned in

connection with those instructions; provided, however, that this does not apply if the person is compelled to disclose this information for the purpose of preventing the impairment of workers' health.

(State Assistance, etc.)

Article 58 In order to contribute to the adequate implementation of a toxicity assessment under the provisions of the preceding two Articles, the State is to endeavor to streamline facilities that implement toxicity assessments for chemical substances, ensure the provision of information and other necessary assistance, and endeavor to carry out toxicity assessments by itself.

Chapter VI Measures at the Time of Hiring Workers

(Safety and Health Education)

Article 59 (1) Having begun to employ a new worker, the employer must educate that worker in safety or health as it relates to the operations in which the worker is to be engaged, pursuant to Order of the Ministry of Health, Labour and Welfare.

(2) The provisions of the preceding paragraph apply *mutatis mutandis* if the substance of the worker's work has changed.

(3) Before assigning a worker to dangerous or hazardous operations specified by Order of the Ministry of Health, Labour and Welfare, an employer must educate that worker in safety or health as it relates to the operations, pursuant to Order of the Ministry of Health, Labour and Welfare.

Article 60 If the type of industry at an employer's workplace falls under the category specified by Cabinet Order, the employer must conduct safety or health education regarding the following particulars, pursuant to Order of the Ministry of Health, Labour and Welfare, for foremen newly taking on that role and other persons newly taking on a role directly guiding or supervising workers in operations (except operations supervisors):

(i) things related to decisions on work methods and the assignment of workers;

(ii) things related to the method of guiding or supervising workers;

(iii) the necessary particulars for preventing industrial injuries that Order of the Ministry of Health, Labour and Welfare prescribes, beyond what is set forth in the preceding two items.

Article 60-2 (1) Beyond what is provided for in the preceding two Articles, an employer must endeavor to educate persons currently engaged in dangerous or hazardous work operations in safety or health as it relates to the operations in which they are engaged, in order to improve the level of safety and health at

the workplace.

- (2) The Minister of Health, Labour and Welfare is to release the necessary guidelines to ensure the appropriate and effective implementation of the education referred to in the preceding paragraph.
- (3) The Minister of Health, Labour and Welfare may provide the necessary guidance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(Restrictions on Work)

Article 61 (1) An employer must not assign a person to the operation of a crane or any other operations specified by Cabinet Order unless the person has obtained a license for those operations from the Director of the Prefectural Labour Bureau, has completed a skill training course for those operations conducted by a person registered by the Director of the Prefectural Labour Bureau, or has other qualifications specified by Order of the Ministry of Health, Labour and Welfare.

- (2) A person other than one that may engage in the relevant operations pursuant to the provisions of the preceding paragraph must not engage in those operations.
- (3) A person that may engage in the relevant operations pursuant to the provisions of paragraph (1) must, at the time of the engagement in these operations, carry the license for those operations or other document evidencing the person's qualifications.
- (4) If it is necessary to do so for workers who are to receive vocational training authorized under the provisions of paragraph (1), Article 24 of the Human Resources Development Act (Act No. 64 of 1969) (including as applied mutatis mutandis pursuant to paragraph (2), Article 27-2 of that Act), it is permissible, within the limits of that necessity, for alternate provisions to be made by Order of the Ministry of Health, Labour and Welfare as regards the provisions referred to in the preceding three paragraphs.

(Considerations Regarding Middle-Aged and Elderly Workers)

Article 62 For middle-aged, elderly, and other workers with regard to whom particular considerations need to be made in assigning work with a view to preventing industrial injuries, an employer must endeavor to arrange appropriate assignments for these persons based on their physical and mental conditions.

(State Assistance)

Article 63 In order to ensure the effective implementation of safety and health education by employers, the State is to endeavor to strengthen the necessary

policies and measures including those for the training of instructors and improvement of their quality, preparation and dissemination of training and educational methods, and the supply of educational materials.

Chapter VII Measures to Help Maintain and Improve Workers' Health

Article 64 Deleted

(Work Environment Monitoring)

Article 65 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must conduct the necessary work environment monitoring for indoor and other workspaces in which hazardous operations take place that are specified by Cabinet Order, and keep records of the results.

(2) An employer is to undertake the work environment monitoring under the provisions of the preceding paragraph in accordance with the standards for work environment monitoring established by the Minister of Health, Labour and Welfare.

(3) The Minister of Health, Labour and Welfare is to release the necessary guidelines for work environment monitoring to ensure the appropriate and effective implementation of work environment monitoring under the provisions of paragraph (1).

(4) Having released guidelines for work environment monitoring as referred to in the preceding paragraph, and on finding it to be necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those guidelines for work environment monitoring to employers, work environment monitoring agencies, and associations thereof.

(5) On finding it to be necessary to help maintain the health of workers by improving the work environment, the Director of the Prefectural Labour Bureau may, based on the opinion of a senior industrial health physician, instruct the employer to carry out work environment monitoring or take other necessary measures, pursuant to Order of the Ministry of Health, Labour and Welfare.

(Assessment of the Results of Working Environment Monitoring)

Article 65-2 (1) Based on an assessment of the results of work environment monitoring under the provisions of paragraph (1) or (5) of the preceding Article, on finding it to be necessary to do so in order to help maintain the health of workers, an employer must provide or streamline the necessary facilities or equipment, implement medical checkups, and take other appropriate measures, pursuant to Order of the Ministry of Health, Labour and Welfare.

(2) In conducting an assessment as referred to in the preceding paragraph, an

employer must follow the work environment assessment standards established by the Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare.

- (3) Having conducted an assessment of the results of work environment monitoring as under the provisions of the preceding paragraph, an employer must keep records of the results of that assessment pursuant to Order of the Ministry of Health, Labour and Welfare.

(Management of Work)

Article 65-3 An employer must endeavor to make considerations for the health of workers and properly manage their work.

(Restrictions on Working Hours)

Article 65-4 An employer must not have a worker who engages in underwater operations or any operations that could cause the worker's health to be impaired and that are specified by Order of the Ministry of Health, Labour and Welfare, engage in those operations in violation of the standards concerning working hours specified by Order of the Ministry of Health, Labour and Welfare.

(Medical Checkups)

Article 66 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have workers undergo medical checkups by a physician (excluding the medical checkups prescribed in the provisions of paragraph (1) of Article 66-10; hereinafter the same applies in this and the following Articles).

- (2) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must implement medical checkups by a physician regarding customized test items for workers engaged in hazardous work operations specified by Cabinet Order. The same applies for workers that the employer has ever had engage in hazardous work operations specified by Cabinet Order and who it currently employs.
- (3) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must implement medical checkups by a dentist for the workers engaged in the hazardous work operations specified by Cabinet Order.
- (4) On finding it to be necessary to do so in order to help maintain the health of workers, the Director of the Prefectural Labour Bureau may instruct employers on the basis of the opinions of a senior industrial health physician and pursuant to Order of the Ministry of Health, Labour and Welfare, to implement extra medical checkups or otherwise do as is necessary.
- (5) A worker must undergo a medical checkup that the employer implements pursuant to the provisions of the preceding paragraphs; provided, however,

that this does not apply if a worker who does not desire to undergo the medical checkup by the physician or dentist designated by the employer undergoes a medical checkup by another physician or dentist that is equivalent to the medical checkup under these provisions, and submits a document to the employer certifying the results.

(Submission of the Results of Self-Initiated Medical Checkups)

Article 66-2 A worker engaged in work between 10 p.m. and 5 a.m. (or 11 p.m. to 6 a.m. for the area or period designated by the Minister of Health, Labour and Welfare as required; hereinafter referred to as "night work") whose frequency of night work and other particulars fall under the requirements provided for by Order of the Ministry of Health, Labour and Welfare in consideration of helping to maintain the health of workers engaged in night work, may submit to the employer a document certifying the results of a medical checkup that the worker has undergone at the worker's own initiative (this excludes a medical checkup as referred to in the proviso of paragraph (5) of the preceding Article), pursuant to Order of the Ministry of Health, Labour and Welfare.

(Recording Medical Checkup Results)

Article 66-3 An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must record the results of medical checkups under the provisions of paragraphs (1) through (4) and the proviso in paragraph (5) of Article 66, and the preceding Article.

(Hearing Physicians' and Dentists' Opinions on the Results of Medical Checkups)

Article 66-4 An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must hear the opinions of a physician or dentist on the necessary measures to help maintain the health of workers based on the results of medical checkups under the provisions of paragraphs (1) through (4) of Article 66, proviso in paragraph (5) and Article 66-2 (limited to results regarding workers who have been diagnosed as showing abnormalities in the findings for the items in the medical checkups).

(Measures Following Medical Checkups)

Article 66-5 (1) On finding that it is necessary to do so in light of the opinion of a physician or dentist under the provisions of the preceding Article, an employer must take measures including changing the location of work, changing the work content, shortening the working hours, or reducing the frequency of night work, in accordance with the actual circumstances of the worker concerned, along with conducting appropriate measures including work environment

monitoring, providing or streamlining facilities or equipment, reporting the opinions of the physician or dentist to the Health Committee or the Safety and Health Committee, or the Committee for the Improvement of Establishing Working Hours, etc. (meaning the Committee for the Improvement of Establishing Working Hours, etc. provided for in Article 7 of the Act on Special Measures Concerning the Improvement of Establishing Working Hours, etc. (Act No. 90 of 2002); the same applies hereinafter).

- (2) The Minister of Health, Labour and Welfare is to release the necessary guidelines to ensure the appropriate and effective implementation of the measures that employers are required to take pursuant to the provisions of the preceding paragraph.
- (3) Having released guidelines as referred to in the preceding paragraph, and on finding that it is necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those guidelines to employers and associations thereof.

(Notifying Workers of Medical Checkup Results)

Article 66-6 An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must notify a worker who has undergone a medical checkup that the employer has implemented pursuant to the provisions of paragraphs (1) through (4) of Article 66 of the results of the medical checkup.

(Health Guidance)

- Article 66-7 (1) An employer must endeavor to provide health guidance by a physician or health nurse for workers who are found to be in particular need of efforts to help maintain their health as a result of a medical checkup under the provisions of paragraph (1) of Article 66 or a medical checkup under the proviso of paragraph (5) of that Article in connection therewith, or as a result of a medical checkup under the provisions of Article 66-2.
- (2) A worker is to endeavor to maintain their health by making use of the results of the medical checkup of which they have been notified pursuant to the provisions of the preceding Article and by making use of health guidance under to the provisions of the preceding paragraph.

(Face-to-Face Guidance)

Article 66-8 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have a worker whose working hours or other conditions fall under one of the requirements specified by Order of the Ministry of Health, Labour and Welfare in consideration of helping to maintain workers' health (excluding those prescribed in paragraph (1) of the following Article and in paragraph (1) of Article 66-8-4) undergo face-to-face guidance (meaning the

undertaking of the necessary guidance in a face-to-face setting, in accordance with a person's physical and mental condition as assessed through a medical interview or other means; the same applies hereinafter) by a physician.

- (2) A worker must undergo the face-to-face guidance provided by the employer pursuant to the provisions of the preceding paragraphs; provided, however, that this does not apply if a worker who does not desire to undergo the face-to-face guidance by the physician designated by the employer undergoes face-to-face guidance by another physician that is equivalent to the face-to-face guidance under the provisions of that paragraph and submits a document to the employer certifying the results.
- (3) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must record the results of the face-to-face guidance under the provisions of paragraph (1) and the proviso of the preceding paragraph.
- (4) An employer, based on the results of the face-to-face guidance provided for in paragraph (1) or the proviso of paragraph (1) or the proviso paragraph (2), must hear the opinions of a physician regarding necessary measures to help maintain the health of the worker pursuant to Order of the Ministry of Health, Labour and Welfare.
- (5) On finding that it is necessary to do so in light of the opinion of a physician under the provisions of the preceding paragraph, the employer must take measures including changing the location of work, changing the work content, shortening the working hours, reducing the frequency of night work in accordance with the actual circumstances of the worker concerned, along with conducting appropriate measures including reporting the opinion of the physician to the Health Committee, Safety and Health Committee or Committee for the Improvement of Establishing Working Hours, etc..

Article 66-8-2 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have a worker whose working hours exceed the working hours specified by Order of the Ministry of Health, Labour and Welfare in consideration of helping to maintain the health of the worker (but only those who engage in the work prescribed in paragraph (11) of Article 36 of the Labor Standards Act (excluding those who are prescribed in each paragraph of Article 41 and paragraph (1) of Article 66-8-4 of that Act)) undergo face-to-face guidance by a physician.

- (2) The provisions of paragraphs (2) through (5) of the preceding Article apply *mutatis mutandis* to employers and workers as referred to in the preceding paragraph. In such a case, the phrase "changing the work content" in paragraph (5) of that Article is deemed to be replaced with "changing the work assignment and granting paid leave (excluding paid leave prescribed in Article 39 of the Labor Standards Act)".

Article 66-8-3 In order to provide face-to-face guidance under the provisions of paragraph (1) of Article 66-8 or paragraph (1) of the preceding Article, an employer must assess the working hours of workers (excluding those who are prescribed in paragraph (1) of the following Article) pursuant to Order of the Ministry of Health, Labour and Welfare.

Article 66-8-4 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have a worker who works pursuant to the provisions of paragraph (1) of Article 41-2 of the Labor Standards Act and whose working hours subject to health management (meaning the working hours subject to health management prescribed in item (iii) of that paragraph) exceed the amount of time specified by Order of the Ministry of Health, Labour and Welfare in consideration of helping to maintain the health of the worker undergo face-to-face guidance by a physician.

(2) The provisions in paragraphs (2) through (5) of Article 66-8 apply mutatis mutandis to employers and workers as prescribed in the preceding paragraph. In such a case, the phrase "changing the location of work, changing the work content, shortening the working hours or reducing the frequency of night work" in paragraph (5) of that Article is deemed to be replaced with "considerations for changing the work assignment, granting paid leave (excluding paid leave prescribed in Article 39 of the Labor Standards Act), and shortening the working hours subject to health management (referring to the working hours subject to health management in paragraph (1) of Article 66-8-4)".

Article 66-9 An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must endeavor to take the necessary measures with respect to workers whose health requires consideration, other than the workers for whom the face-to-face guidance is provided pursuant to the provisions of paragraph (1) of Article 66-8, paragraph (1) of Article 66-8-2 or of paragraph (1) of the preceding Article.

(Examination for Assessing the Degree of Psychological Burden)

Article 66-10 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have workers undergo examinations by a person, such as a physician or health nurse, specified by Order of the Ministry of Health, Labour and Welfare (hereinafter referred to as a "physician or similar person" in this Article) to assess their degree of psychological burden.

(2) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must have the physician or similar person that has conducted the examination as referred to in the preceding paragraph notify the worker who

underwent that examination pursuant to that paragraph of the results thereof. In such a case, the physician or similar person must not provide the employer with the results of the examination without having first obtained the consent of the worker.

- (3) If a worker who has been notified as under the provisions of the preceding paragraph and whose degree of psychological burden meets the requirements specified by Order of the Ministry of Health, Labour and Welfare in consideration of helping maintaining the health of workers requests to receive face-to-face guidance by a physician, the employer, pursuant to Order of the Ministry of Health, Labour and Welfare must have the worker making the request undergo face-to-face guidance by a physician. In such a case, the employer must not subject the worker to disadvantageous treatment for having made that request.
- (4) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must keep the record of the results of the face-to-face guidance under the provisions of the preceding paragraph.
- (5) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must hear the opinion of a physician on the necessary measures to help maintain the health of a worker based on the result of face-to-face guidance under the provisions of paragraph (3).
- (6) On finding that it is necessary to do so in light of the opinion of a physician under the provisions of the preceding paragraph, an employer must take measures including changing the location of work, changing the work content, shortening the working hours, or reducing the frequency of night work, in accordance with the actual circumstances of the worker, along with conducting appropriate measures including reporting the opinion of the physician to the Health Committee, Safety and Health Committee or Committee for the Improvement of Establishing Working Hours, etc.
- (7) The Minister of Health, Labour and Welfare is to release the necessary guidelines to ensure the appropriate and effective implementation of the measures that employers are required to take pursuant to the provisions of the preceding paragraph.
- (8) Having released guidelines as referred to in the preceding paragraph, and on finding that it is necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those guidelines to employers and associations thereof.
- (9) The State is to endeavor to provide training courses for physicians concerning the effect of different degrees of psychological burden on the maintenance of a worker's health, in addition to taking measures including health counseling and other services for helping to maintain and improve the health of workers who use the results of examination of which they have been notified pursuant

to the provisions of paragraph (2).

(Notebooks of Personal Health Record)

Article 67 (1) For persons that meet the requirements specified by Order of the Ministry of Health, Labour and Welfare among those that have been engaged in work operations as specified by Cabinet Order that could give workers cancer or cause workers to sustain any other significant impairment to health, the Director of the Prefectural Labour Bureau is to issue a notebook of personal health record related to the relevant work operations at the time of their separation from employment or thereafter; provided, however, that this does not apply to those already in possession of a personal health record related to those work operations.

- (2) The Government, pursuant to Order of the Ministry of Health, Labour and Welfare, must take the necessary measures in connection with medical checkups for persons in possession of a notebook of personal health record.
- (3) A person to whom a notebook of personal health record has been issued must not transfer or lend that personal health record to others.
- (4) Order of the Ministry of Health, Labour and Welfare prescribes the forms for notebooks of personal health record and other necessary particulars regarding the notebook.

(Prohibiting Sick Workers from Working)

Article 68 An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must prohibit workers who have contracted communicable diseases and other diseases specified by Order of the Ministry of Health, Labour and Welfare from working.

(Prevention of Passive Smoking)

Article 68-2 An employer must endeavor to take the necessary measures in order to prevent passive smoking (meaning the inhalation of tobacco smoke exhaled by other people in the interior of a building or in any other similar environment; the same applies in paragraph (1) of Article 71), in line with the actual conditions of the employer and workplace.

(Health Education, etc.)

Article 69 (1) An employer must endeavor to continuously and systematically take the necessary measures to provide its workers with health education and health counseling and to otherwise help maintain and improve its workers' health.

- (2) A worker must endeavor to maintain and improve their health by making use of the measures taken by the employer as referred to in the preceding

paragraph.

(Making It Convenient for Workers to Engage in Physical Exercise)

Article 70 Beyond as provided for in the provisions of paragraph (1) of the preceding Article, an employer must endeavor to take the necessary measures to help maintain and improve workers' health, such as making it convenient for them to engage in physical exercise, recreational activities, and other activities.

(Publication of Guidelines to Help Maintain and Improve Health)

Article 70-2 (1) The Minister of Health, Labour and Welfare is to release the necessary guidelines in connection with the measures referred to in paragraph (1) of Article 69 that an employer is to take to help maintain and improve workers' health, in order to ensure their appropriate and effective implementation.

(2) The Minister of Health, Labour and Welfare may provide the necessary guidance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(Harmonization with Health Checkup Guidelines)

Article 70-3 The Order of the Ministry of Health, Labour and Welfare referred to in paragraph (1) of Article 66, the guidelines referred to in paragraph (2) of Article 66-5, the Order of the Ministry of Health, Labour and Welfare referred to in Article 66-6, and the guidelines referred to in paragraph (1) of the preceding Article must be in harmony with the Health Checkup Guidelines, etc. referred to in paragraph (1) of Article 9 of the Health Promotion Act (Act No. 103 of 2002).

(State Assistance)

Article 71 (1) In order to ensure the appropriate and effective implementation of measures to help maintain and improve workers' health, the State must endeavor to provide the necessary materials; facilitate the implementation of work environment monitoring and medical checkups; facilitate the setting up of installations that prevent passive smoking; facilitate the ensuring of instructors involved in health education in the workplace and the improvement of their quality; and extend other necessary assistance.

(2) The State is to give special consideration to small and medium-sized employers when providing the assistance referred to in the preceding paragraph.

Chapter VII-2 Measures for Creating a Comfortable Work Environment

(Measures to Be Taken by Employers)

Article 71-2 An employer must endeavor to create a comfortable work environment in order to improve the level of safety and health in the workplace by continuously and systematically taking measures as follows:

- (i) measures to manage the maintenance of a comfortable work environment;
- (ii) measures to improve work methods for work in which workers engage;
- (iii) providing and streamlining facilities and equipment for workers to recover from fatigue suffered in the course of their work;
- (iv) the necessary measures to create a comfortable work environment, beyond as set forth in the preceding three items.

(Publication of Guidelines for the Creation of a Comfortable Working Environment)

Article 71-3 (1) The Minister of Health, Labour and Welfare is to release the necessary guidelines in connection with the measures referred to in the preceding Article that employers are to take to create a comfortable work environment, in order to ensure their appropriate and effective implementation.

(2) The Minister of Health, Labour and Welfare may provide the necessary guidance to employers and associations thereof in accordance with the guidelines referred to in the preceding paragraph.

(State Assistance)

Article 71-4 In order to contribute to the appropriate and effective implementation of the measures to be taken by the employer to create a comfortable work environment, the State is to endeavor to take financial measures, offer technical advice, and provide information and other necessary assistance.

Chapter VIII Licensing; Related Matters

(Licensing)

Article 72 (1) A licensing authority undertakes the licensing referred to in paragraph (1) of Article 12, Article 14 or paragraph (1) of Article 61 (hereinafter referred to as granting a "license") by issuing a license document to a person that has passed the licensing examination provided for in paragraph (1) of Article 75 or to a person with the qualifications prescribed by Order of the Ministry of Health, Labour and Welfare.

(2) A licensing authority does not grant a license to a person falling under any of the following items:

- (i) a person whose license has been revoked pursuant to the provisions of paragraph (2) of Article 74 (excluding item (iii)) if one year has not passed

since the date of the revocation;

- (ii) a person specified by Order of the Ministry of Health, Labour and Welfare for that kind of license, beyond one set forth in the preceding item.
- (3) It is possible that a licensing authority will not grant a license as referred to in paragraph (1) of Article 61 to any person specified by Order of the Ministry of Health, Labour and Welfare as one that is unable to appropriately carry out the work to which the license pertains due to a mental disorder or physical disability.
- (4) Before deciding not to grant the license prescribed in paragraph (1) of Article 61 pursuant to the provisions of the preceding paragraph, the Director of the Prefectural Labour Bureau must notify the applicant of this in advance, and if so requested, must have an official that the Director of the Prefectural Labour Bureau designates hear the opinion of the applicant.

Article 73 (1) A licensing authority may set a valid period for a license.

- (2) When a person has applied to renew the valid period of a license, the Director of the Prefectural Labour Bureau must not renew the valid period of the license unless the licensee meets the qualifications specified by Order of the Ministry of Health, Labour and Welfare.

(Rescission of License)

Article 74 (1) If a person that has been licensed has come to fall under item (ii) of paragraph (2) of Article 72, the Director of the Prefectural Labour Bureau must revoke that person's license.

- (2) If a person that has been licensed has come to fall under one of the following items, the Director of the Prefectural Labour Bureau may revoke that person's license, or may suspend it for a fixed period (not exceeding six months in case falling under item (i), (ii), (iv) or (v)):

- (i) the person has caused a serious accident involving operations related to the license, intentionally or through gross negligence;
- (ii) the person has violated the provisions of this Act or an order under this Act in respect of operations related to the license;
- (iii) the license is as referred to in paragraph (1) of Article 61, and the person becomes a person as specified by Order of the Ministry of Health, Labour and Welfare provided for in paragraph (3) of Article 72;
- (iv) the person has violated the conditions referred to in paragraph (1) of Article 110;
- (v) when specified by Order of the Ministry of Health, Labour and Welfare for the relevant type of license, other than in a case as set forth in the preceding items.

- (3) Even a person that falls under item (iii) of the preceding paragraph whose

license has been revoked pursuant to the provisions of that paragraph may be granted a license again if the thing that was the reason for the revocation has ceased to apply to the person or if it has come to be found that granting that person a license again is appropriate in consideration of other subsequent circumstances.

(Delegation to Order of the Ministry of Health, Labour and Welfare)

Article 74-2 Beyond what is provided for in the preceding three Articles, Order of the Ministry of Health, Labour and Welfare prescribes the procedures for the issuance of license documents and other necessary particulars in connection with licensing.

(Licensing Examination)

Article 75 (1) The Director of the Prefectural Labour Bureau conducts licensing examinations for each classification prescribed by Order of the Ministry of Health, Labour and Welfare.

(2) The licensing examinations referred to in the preceding paragraph (hereinafter referred to as "licensing examinations") consist of a paper test and a skill test, or either one of these.

(3) The Director of the Prefectural Labour Bureau may, pursuant to Order of the Ministry of Health, Labour and Welfare, exempt a person that has completed the practical training conducted by a person registered by the Director of the Prefectural Labour Bureau, if it has not been one year since the date on which that person completed it; or a person in possession of the qualifications specified by Order of the Ministry of Health, Labour and Welfare; from all or part of the paper test or the skill test referred to in the preceding paragraph.

(4) The practical training referred to in the preceding paragraph (hereinafter referred to as "practical training") is conducted for each category set forth in Appended Table 17.

(5) Order of the Ministry of Health, Labour and Welfare prescribes the qualifications to sit for licensing examinations, the subjects on the examination, exam application procedures, enrollment procedures for practical training, and other necessary particulars regarding the implementation of licensing examinations.

(Designation of a Designated Examination Board)

Article 75-2 (1) The Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare, may have a person designated by the Minister of Health, Labour and Welfare (hereinafter referred to as the "designated examination board") undertake all or part of the administrative functions involved in implementing the licensing examination that the Director

of the Prefectural Labour Bureau undertakes pursuant to the provisions of paragraph (1) of the preceding Article (hereinafter referred to as "exam administration").

- (2) The designation under the provisions of the preceding paragraph (hereinafter referred to as a "designation" up to Article 75-12) is made at the application of a person seeking undertake exam administration.
- (3) If it has been decided, pursuant to the provisions of paragraph (1) that a designated examination board will undertake all or part of exam administration, the Director of the Prefectural Labour Bureau is not to undertake the exam administration in question.

(Criteria for Designation)

Article 75-3 (1) The Minister of Health, Labour and Welfare must not make a designation unless there is no other designated person and the Minister of Health, Labour and Welfare finds that an application referred to in paragraph (2) of the preceding Article conforms to each of the following items:

- (i) the plan relating to the implementation of exam administration with respect to staff, equipment, the method of implementing exam administration, and other particulars is suited to the proper and reliable implementation of exam administration;
 - (ii) the applicant's financial and technical basis is sufficient for the proper and reliable implementation of the plan for implementing exam administration referred to in the preceding item.
- (2) The Minister of Health, Labour and Welfare must not make a designation if an application as referred to in paragraph (2) of the preceding Article falls under any of the following items:
- (i) the applicant is a person other than a general incorporated association or general incorporated foundation;
 - (ii) the applicant is likely to be unable to fairly and properly implement exam administration due to businesses other than exam administration undertaken by the applicant;
 - (iii) the applicant has been subject to criminal sentencing for having violated the provisions of this Act or an order under this Act, and two years have not passed since the day on which that person finished serving the sentence or ceased to be subject to its enforcement;
 - (iv) the applicant's designation has been rescinded pursuant to the provisions of paragraph (1) of Article 75-11, and two years have not passed since the date of the rescission;
 - (v) one of the officers of the applicant falls under item (iii);
 - (vi) one of the officers of the applicant has been dismissed pursuant to an order under the provisions of paragraph (2) of the following Article, and two years

have not passed since the date of that dismissal.

(Appointment and Dismissal of Officers)

- Article 75-4 (1) The appointment and dismissal of the officers of the designated examination board who are engaged in exam administration does not become valid without the approval of the Minister of Health, Labour and Welfare.
- (2) If an officer of a designated examination board violates this Act (including the orders issued or dispositions taken thereunder) or the exam administration rules provided for in paragraph (1) of Article 75-6, or engages in extremely improper conduct in connection with exam administration, the Minister of Health, Labour and Welfare may order the designated examination board to dismiss that officer.

(Licensing Examiners)

- Article 75-5 (1) In undertaking exam administration, a designated examination board must have a licensing examiner undertake administrative functions involved in decisions as to whether persons have the necessary knowledge and capability to be licensed.
- (2) When appointing a licensing examiner, an examination board must appoint the licensing examiner from among those who satisfy the requirements specified by Order of the Ministry of Health, Labour and Welfare.
- (3) Having appointed a licensing examiner, a designated examination board, pursuant to Order of the Ministry of Health, Labour and Welfare, must file a notification of the appointment with the Minister of Health, Labour and Welfare. The same applies if there is a change among the licensing examiners.
- (4) If a licensing examiner violates this Act (including an order or disposition hereunder) or the exam administration rules provided for in paragraph (1) of the following Article, or engages in extremely improper conduct in connection with exam administration, the Minister of Health, Labour and Welfare may order the relevant designated examination board to dismiss the licensing examiner.

(Exam Administration Rules)

- Article 75-6 (1) A designated examination board must establish rules concerning the implementation of exam administration (hereinafter in this Article and Article 75-11, paragraph (2), item (iv) referred to as "exam administration rules"), and receive the approval of the Minister of Health, Labour and Welfare, before it begins exam administration. The same applies if it seeks to alter them.
- (2) Order of the Ministry of Health, Labour and Welfare prescribes the particulars that must be included in the exam administration rules.
- (3) On finding that exam administration rules approved under paragraph (1)

have become inappropriate for the proper and reliable implementation of exam administration, the Minister of Health, Labour and Welfare may order the designated examination board to alter them.

(Approval of Business Plans)

Article 75-7 (1) A designated examination board must prepare a business plan and working budget for each business year and receive the approval of the Minister of Health, Labour and Welfare before the commencement of that business year (or without delay after being designated, in the business year containing the day on which it was designated). The same applies if it seeks to alter them.

(2) Within three months after the end of each business year, a designated examination board must prepare and submit to the Minister of Health, Labour and Welfare a business report and the income and expenditure statement for that business year.

(Duty of Confidentiality)

Article 75-8 (1) It is prohibited for the officers and employees (including licensing examiners) of the designated examination board and all persons who have held such a position to divulge any secret which they have learned in the course of the implementation of exam administration.

(2) The officers and employees (including licensing examiners) of the designated examination board who are engaged in exam administration are deemed to be personnel engaged in public service pursuant to laws and regulations, as regards the application of the Penal Code (Act No. 45 of 1907) and other penal provisions.

(Supervision Orders)

Article 75-9 On finding it to be necessary to do so in order to bring this Act into effect, the Minister of Health, Labour and Welfare may give the necessary orders to the designated examination board for the supervision of its exam administration.

(Suspension and Discontinuation of Exam Administration)

Article 75-10 It is prohibited for a designated examination board to suspend or discontinue all or part of exam administration without obtaining the permission of the Minister of Health, Labour and Welfare.

(Rescission of Designation)

Article 75-11 (1) If a designated examination board has come to fall under item (iii) or item (v) of paragraph (2) of Article 75-3, the Minister of Health, Labour

and Welfare must rescind its designation.

- (2) If a designated examination board has come to fall under any of the following items, the Minister of Health, Labour and Welfare may revoke its designation or order a total or partial suspension of exam administration for a fixed period:
- (i) it falls under item (vi) of paragraph (2) of Article 75-3;
 - (ii) it has violated an order issued under the provisions of paragraph (2) of Article 75-4, paragraph (4) of Article 75-5, paragraph (3) of Article 75-6 or Article 75-9;
 - (iii) it has violated the provisions of paragraphs (1) through (3) of Article 75-5, Article 75-7 or the preceding Article;
 - (iv) it has conducted exam administration without conforming to the exam administration rules approved pursuant to the provisions of paragraph (1) of Article 75-6;
 - (v) it has violated the conditions referred to in paragraph (1) of Article 110.

(Implementation of Licensing Examinations by the Director of the Prefectural Labour Bureau)

Article 75-12 (1) If the designated examination board has suspended all or part of exam administration with permission from the Minister of Health, Labour and Welfare under the provisions of Article 75-10; if the Minister of Health, Labour and Welfare has ordered the designated examination board to suspend all or part of exam administration pursuant to the provisions of paragraph (2) of the preceding Article; or if the designated examination board has had trouble carrying out all or part of the exam administration due to a natural disaster or other such cause, on finding that it is necessary to do so, the Director of the Prefectural Labour Bureau is directly to take on all or part of exam administration.

- (2) Order of the Ministry of Health, Labour and Welfare provides for the undertaking of exam administration and other necessary particulars for if the Director of the Prefectural Labour Bureau directly carries out exam administration pursuant to the provisions of the preceding paragraph; the designated examination board discontinues all or part of its exam administration with the permission of the Minister of Health, Labour and Welfare under the provisions of Article 75-10; or the Minister of Health, Labour and Welfare rescinds the designation of the designated examination board pursuant to the provisions of the preceding Article.

(Skill Training Course)

Article 76 (1) A skill training course as referred to in Article 14 or paragraph (1) of Article 61 (hereinafter referred to as a "skill training course") consists of theoretical instructions or practical training for each classification set forth in

Appended Table 18.

- (2) A person providing a skill training course must issue a skill training course completion certificate, pursuant to Order of the Ministry of Health, Labour and Welfare, to persons who have completed that course.
- (3) Order of the Ministry of Health, Labour and Welfare prescribes the qualifications for receiving skill training, enrollment procedures, and other necessary particulars concerning the implementation of skill training courses.

(Registered Training Institutions)

- Article 77 (1) Registration under the provisions of Article 14, paragraph (1) of Article 61 or paragraph (3) of Article 75 (hereinafter referred to as the "registration" in this Article) must be made, pursuant to Order of the Ministry of Health, Labour and Welfare, for each classification prescribed by Order of the Ministry of Health, Labour and Welfare, at the application of a person that seeks to conduct the skill training course or the practical training.
- (2) The Director of the Prefectural Labour Bureau must register a person that has applied for registration pursuant to the provisions of the preceding paragraph (hereinafter referred to as the "registration applicant" in this paragraph) if the registration applicant satisfies all the following requirements:
 - (i) for a skill training course or practical training as set forth in the left-hand column of Appended Table 19, the registration applicant will conduct the skill training course or the practical training using instruments and other equipment shown in the corresponding right-hand column of the Table;
 - (ii) for a skill training course, the subjects set forth in each item of Appended Table 20 are covered by a trainer who has knowledge and experience that comply with one of the requirements shown in the corresponding right hand column of the Table, and there is at least one such trainer at each place of business; for practical training, the subjects set forth in the left-hand column of Appended Table 21 are covered by a trainer who has knowledge and experience that comply with one of the requirements shown in the corresponding right column of the Table, and there are at least two such trainers at each place of business;
 - (iii) there is a person who supervises the skill training course or the practical training (in case of the practical training, this supervisor must, in accordance with the practical training shown in the left-hand column of Appended Table 22, have knowledge and experience that comply with one of the requirements shown in the right-hand column of the Table);
 - (iv) for practical training, at least 95% of persons who have completed an equivalent training course conducted by the registration applicant in the period within six months before the date of application, and that have taken

the paper test or the practical test in the corresponding license examination, have passed the paper test or practical test.

(3) The provisions of paragraphs (2) and (4) of Article 46 apply mutatis mutandis to the registration referred to in paragraph (1) of that Article, and the provisions from Article 47-2 through Article 49, paragraphs (1), (2) and (4) of Article 50, Article 52, Article 52-2, paragraph (1) of Article 53 (except item (iv); hereinafter the same applies in this paragraph) and Article 53-2 apply mutatis mutandis to a person conducting a skill training course or training that has been registered as referred to in paragraph (1) of that Article (hereinafter referred to as a "registered training institution"). In such a case, the terms set forth in the left-hand column of the following table which are used in the provisions set forth in the middle column of the table are deemed to be replaced with the terms set forth in the right-hand column of the table.

paragraph (2) of Article 46, except each item	Registration	Registration prescribed in paragraph (1) of Article 77 (hereinafter referred to as "registration" in this Article, paragraph (1) of Article 53, and paragraph (1) of Article 53-2.)
paragraph (4) of Article 46	Registry book of the registered manufacturing inspection, etc., agency	Registry book of the registered training institution
Article 47-2	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
paragraph (1) of Article 48	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75
	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
paragraph (2) of Article 48	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75

Article 49	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75
	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
paragraph (1) of Article 50	Business report	Business report (business report if the registered training institution belongs to the state or local government/local public entity)
paragraph (2) of Article 50	Manufacturing inspection, etc..	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75
paragraph (4) of Article 50	Business report	Business report (business report if the registered training institution belongs to the state or local government/local public entity)
	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
Article 52	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
	Each item of paragraph (3) of Article 46	Each item of paragraph (2) of Article 77
Article 52-2	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
	Article 47	Paragraph (6) or (7) of Article 77
	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75

paragraph (1) of Article 53	Minister of Health, Labour and Welfare	Director General of the Prefectural Labor Bureau
	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61, or training prescribed in paragraph (3) of Article 75
item (ii) of paragraph (1) of Article 53	from Article 47 through Article 49, paragraph (1) or (4) of Article 50	from Article 47-2 through Article 49, paragraph (1) or (4) of Article 50, paragraph (6) or (7) of Article 77
item (iii) of paragraph (1) of Article 53	Each item of paragraph (2), or each item of paragraph (3), of Article 50	Each item of paragraph (2) of Article 50
Article 53-2	Manufacturing inspection, etc.	Skill training course prescribed in Article 14 or paragraph (1) of Article 61

- (4) If not renewed for every five- to ten- year period specified by Cabinet Order, a registration ceases to be effective upon the expiration of that period.
- (5) Provisions of paragraph (2) of this Article and paragraphs (2) and (4) of Article 46 apply mutatis mutandis to the renewal in the preceding paragraph. In such a case, the phrase "registration" in paragraph (2) of Article 46, is deemed to be replaced with "registration referred to in paragraph (1) of Article 77 (hereinafter the same applies in this Article)", and "register of the registered agency for post-manufacturing inspections" in paragraph (4) of Article 77 is deemed to be replaced with "register of the registered training institution".
- (6) Unless there is a justifiable reason for it not to do so, a registered training institution must prepare a plan for each business year for conducting skill training courses or training, pursuant to Order of the Ministry of Health, Labour and Welfare, and must conduct skill training courses or practical training based on the plan.
- (7) A registered training institution must conduct skill training courses or training fairly, and in accordance with paragraph (5) of Article 75 or paragraph (3) of the preceding Article.

Chapter IX Measures to Improve Workplace Safety and Health
Section 1 Special Safety and Health Improvement Plans; Safety and Health Improvement Plans

(Special Safety and Health Improvement Plans)

Article 78 (1) If something has occurred that is specified by Order of the Ministry of Health, Labour and Welfare as a serious industrial injury (hereinafter referred to as a "serious industrial injury" in this Article), and the Minister of Health, Labour and Welfare finds it to fall under a case specified by Order of the Ministry of Health, Labour and Welfare as one in which it is necessary to do so in order to prevent the recurrence of a serious industrial injury, the minister, pursuant to Order of the Ministry of Health, Labour and Welfare may instruct an employer that it must prepare a plan to improve the safety or health of its workplace (hereinafter referred to as a "special safety and health improvement plan") and submit it to the Minister of Health, Labour and Welfare.

(2) Before preparing a special safety and health improvement plan, an employer must hear the opinion of a labor union consisting of the majority of workers at the workplace, if there is any, or the person representing the majority of workers at the workplace, if there is no labor union consisting of the majority of workers.

(3) An employer as referred to in paragraph (1) and its workers must observe the special safety and health improvement plan.

(4) On finding that a special safety and health improvement plan is not adequate to prevent the recurrence of a serious industrial injury, the Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare, may instruct the employer to change the plan.

(5) If an employer that has been instructed as under the provisions of paragraph (1) or the preceding paragraph has failed to do as instructed or if an employer that has prepared a special safety and health improvement plan has failed to follow that plan; and the Minister of Health, Labour and Welfare finds that this is likely to cause a serious industrial injury, the minister may make recommendations to the employer to take the necessary measures to prevent a serious industrial injury.

(6) If an employer that has received a recommendation under the preceding paragraph has failed to follow this, the Minister of Health, Labour and Welfare may publicize this.

(Safety and Health Improvement Plans)

Article 79 (1) On finding that it is necessary to take comprehensive measures to improve equipment and other things at the workplace in order to prevent an industrial injury (excluding when the Minister of Health, Labour and Welfare has found the equipment and other things fall under the provisions of Order of the Ministry of Health, Labour and Welfare pursuant to the provisions of

paragraph (1) of the preceding Article), the Director of the Prefectural Labour Bureau may instruct the employer, pursuant to Order of the Ministry of Health, Labour and Welfare, to prepare an improvement plan concerning safety and health in the relevant workplace (hereinafter referred to as a "safety and health improvement plan").

- (2) The provisions of paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to safety and health improvement plans. In such a case, the phrase "paragraph (1)" in those paragraphs is deemed to be replaced with "paragraph (1) of the following Article".

(Safety and Health Consultation)

Article 80 (1) Having given the instructions under the provisions of paragraph (1) or (4) of Article 78 and on finding that professional advice is necessary, the Minister of Health, Labour and Welfare may recommend the employer to undergo a safety or health diagnosis by an industrial safety consultant or industrial health consultant, and further to hear the opinions of those professionals on the preparation or modification of the special safety and health improvement plan.

- (2) The provisions of the preceding paragraph apply mutatis mutandis if the Director of the Prefectural Labour Bureau gives instructions under paragraph (1) of the preceding Article. In such a case, the phrase "preparation or modification" in the preceding paragraph is deemed to be replaced with "preparation".

Section 2 Industrial Safety Consultants and Industrial Health Consultants

(Duties)

Article 81 (1) Industrial safety consultants are in the business of diagnosing safety in the workplace and giving guidance based on this in order to improve workers' level of the safety, using the title "industrial safety consultant", at the request of other persons, and for a fee.

- (2) Industrial health consultants are in the business of diagnosing health in the workplace and giving guidance based on this in order to improve the workers' level of the health, using the title "industrial health consultant", at the request of other persons, and for a fee.

(Industrial Safety Consultant Examination)

Article 82 (1) The Minister of Health, Labour and Welfare conducts the industrial safety consultant examinations.

- (2) Industrial safety consultant examinations are conducted by written

examinations and oral examinations in each category prescribed by Order of the Ministry of Health, Labour and Welfare.

- (3) No person other than one falling under any of the following items may take the industrial safety consultant examination:
- (i) a person who has graduated upon completion of a regular course of studies in a science program at a university (excluding a junior college) under the School Education Act (Act No. 26 of 1947) or a university under the previous University Order (Imperial Order No. 388 of 1918) or from a college under the former Technical College Order (Imperial Order No. 61 of 1903), and has at least five years' worth of practical experience in a safety-related capacity thereafter;
 - (ii) a person who has graduated upon completion of a regular course of studies in a science program at a junior college (including the first half of a program at a professional university of that Act (hereinafter referred to as "the first half of a program at a professional university")) or a technical college under the School Education Act (or a person who has completed the first half of a program at a professional university) and has at least seven years' worth of practical experience in a safety-related capacity thereafter;
 - (iii) a person found to have at least the same level of ability as a person set forth in the preceding two items, and that is as specified by Order of the Ministry of Health, Labour and Welfare;
- (4) The Minister of Health, Labour and Welfare may exempt a person who has the qualifications specified by Order of the Ministry of Health, Labour and Welfare from all or part of the written examination or the oral examination under paragraph (2).

(Industrial Health Consultant Examinations)

- Article 83 (1) The Minister of Health, Labour and Welfare conducts the industrial health consultant examinations.
- (2) The provisions of paragraphs (2) through (4) of the preceding Article apply mutatis mutandis to the industrial health consultant examination. In such a case, the phrase "safety" in items (i) and (ii) of paragraph (3) of that Article are deemed to be replaced with "health".

(Designated Consultant Examination Board)

- Article 83-2 The Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare, may have a person that the Minister of Health, Labour and Welfare designates (hereinafter referred to as the "designated consultant examination board") undertake all or part of the administrative functions involved in implementing industrial safety consultant examinations and industrial health consultant examinations (excluding

administrative functions involved in decisions on who passes the examinations; hereinafter referred to as the "administration of consultant exams").

(Mutatis Mutandis Application of Provisions Regarding the Designation of a Designated Consultant Examination Board)

Article 83-3 The provisions of paragraphs (2) and (3) of Article 75-2, and of Article 75-3 through Article 75-12 apply mutatis mutandis to exam administration of the designated consultant examination boards and administration of consultant exams provided for in the preceding Article. In such a case, the phrase "the Director of the Prefectural Labour Bureau" in paragraph (3) of Article 75-2 and Article 75-12 is deemed to be replaced with "the Minister of Health, Labour and Welfare"; "paragraph (1)" in paragraph (3) of Article 75-2 read as "Article 83-2"; "the exam administration rules provided for in paragraph (1) of Article 75-6" in paragraph (2) of Article 75-4 as "the procedure rules concerning the administration of consultant exams"; "decisions as to whether persons have the necessary knowledge and capability to be licensed" in paragraph (1) of Article 75-5 as "formulating and marking examination questions for industrial safety consultant examinations and industrial health consultant examinations"; "licensing examiner" in that Article and Article 75-8 as the "consultant examiner"; "the exam administration rules provided for in paragraph (1) of the following Article" in paragraph (4) of Article 75-5 as "the procedure rules concerning the administration of consultant exams"; "exam administration (hereinafter in this Article and Article 75-11, paragraph (2), item (iv) referred to as the 'exam administration rules')" in paragraph (1) of Article 75-6 as the "procedure rules"; "the exam administration rules" in paragraphs (2) and (3) of that Article and item (iv) of paragraph (2) of Article 75-11 as "the procedure rules relating to the administration of consultant exams".

(Registration)

Article 84 (1) A person who has passed the industrial safety consultant examination or the industrial health consultant examination may become an industrial safety consultant or an industrial health consultant, by having their full name, the location of their office, and other information specified by Order of the Ministry of Health, Labour and Welfare entered in the industrial safety consultant registry or the industrial health consultant registry prepared in the Ministry of Health, Labour and Welfare.

(2) A person falling under any of the following items may not be registered as referred to in the preceding paragraph:

- (i) an adult ward or a person under curatorship;
- (ii) a person that has been sentenced to a fine or heavier punishment for

violating the provisions of this Act or an order under this Act, if two years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

(iii) a person that has been sentenced to imprisonment without work or a heavier punishment for violating the provisions of a law or regulation other than this Act or an order hereunder, if two years have not passed since the day on which the person finished serving the sentence or ceased to be subject to its enforcement;

(iv) a person whose registration has been rescinded pursuant to the provisions of paragraph (2) of the following Article, if two years have not passed since the date of the rescission.

(Rescission of Registration)

Article 85 (1) If an industrial safety consultant or an industrial health consultant (hereinafter referred to as a "consultant") has come to fall under any of items (i) through (iii) of paragraph (2) of the preceding Article, the Minister of Health, Labour and Welfare must revoke the registration thereof.

(2) If a consultant violates the provisions of Article 86, the Minister of Health, Labour and Welfare may rescind its registration.

(Designated Registration Institution)

Article 85-2 (1) The Minister of Health, Labour and Welfare may have a person that the Minister of Health, Labour and Welfare designates (hereinafter referred to as a "designated registration institution") undertake the administrative functions involved in implementing the registration of consultants (other than administrative functions involved in rescinding registrations as under the provisions of the preceding Article; hereinafter referred to as "registration functions").

(2) To apply the provisions of Article 84, paragraph (1) when a designated registration institution carries out registration functions, the phrase "in the Ministry of Health, Labour and Welfare" in that paragraph is deemed to be replaced with "in the designated registration institution".

(Mutatis Mutandis Application for the Designation of Designated Registration Institution)

Article 85-3 The provisions of paragraph (2) and (3) of Article 75-2, Article 75-3, Article 75-4 and Articles 75-6 through 75-12 apply mutatis mutandis to the designated registration institution and the registration functions under the provisions of paragraph (1) of the preceding Article. In such a case, the phrase "the Director of the Prefectural Labour Bureau in paragraph (3) of Article 75-2 and Article 75-12 is deemed to be replaced with "the Minister of Health,

Labour and Welfare"; "paragraph (1)" in paragraph (3) of Article 75-2 is deemed to be replaced with "paragraph (1) of Article 85-2"; "the exam administration rules provided for in paragraph (1) of Article 75-6" in paragraph (2) of Article 75-4 is deemed to be replaced with "the procedure rules concerning the implementation of registration functions"; "rules (hereinafter in this Article and 75-11, paragraph (2), item (iv) referred to as the ' exam administration rules')" in paragraph (1) of Article 75-6 is deemed to be replaced with "procedure rules"; "the exam administration rules" in paragraph (2) and (3) of that Article and item (iv) of paragraph (2) of Article 75-11 is deemed to be replaced with "the procedure rules relating to the implementation of registration functions"; "an employee (including a licensing examiner)" in Article 75-8 is deemed to be replaced with "an employee"; "all or part of exam administration" in Article 75-10 is deemed to be replaced with "registration functions"; "all or part of exam administration" in paragraph (2) of Article 75-11 and Article 75-12 is deemed to be replaced with "registration functions".

(Duties)

- Article 86 (1) A consultant must not engage in conduct that could ruin a consultant's credibility or bring disgrace to consultants as a whole.
- (2) A consultant must not divulge or misappropriate any secret acquired in connection with the business. The same applies after the person has ceased to be a consultant.

(Japan Association of Safety and Health Consultants)

- Article 87 (1) A general incorporated association using the term "Japan Association of Safety and Health Consultants" in its title may be established, but only if it has provisions in its articles of incorporation which define consultants as its members, and it aims to undertake affairs involved in guidance of and liaison among consultants on a nationwide basis in order to contribute to the maintenance of the integrity of consultants and the progress and improvement of their services.
- (2) The provisions of the articles of incorporation that the preceding paragraph prescribes may not be changed.
- (3) A general incorporated association as referred to in paragraph (1) (hereinafter referred to as "the Association of Consultants") must file a notification with the Minister of Health, Labour and Welfare of its establishment, attaching copies of the certificate of registered information and articles of incorporation within two weeks from the date of its establishment.
- (4) The services of the Association of Consultants are under the supervision of the Minister of Health, Labour and Welfare.
- (5) Whenever the Minister of Health, Labour and Welfare finds that it is

necessary to do so in order to ensure the appropriate implementation of the services of the Association of Consultants, the minister may investigate those services and the financial status of the Association of Consultants, or issue the necessary orders to the Association of Consultants for the supervision of those services.

- (6) It is not permissible for a person other than the Association of Consultants use in its title the term "Japan Association of Safety and Health Consultants".

Chapter X Inspections; Related Matters

(Notification of Plans)

Article 88 (1) Before seeking to install or move machinery or other such equipment that necessitates dangerous or hazardous work operations is used in a dangerous place, or is used to prevent the endangerment of a person or impairment of a person's health, and that is specified by Order of the Ministry of Health, Labour and Welfare, or before seeking to alter the main structural part of such machinery or other such equipment, an employer must file a notification of the plan with the Chief of the Labour Standard Inspection Offices pursuant to Order of the Ministry of Health, Labour and Welfare, no later than 30 days prior to the date of commencement of that work; provided, however, that this does not apply to an employer that the Chief of the Labour Standard Inspection Offices certifies, pursuant to Order of the Ministry of Health, Labour and Welfare, as one that has taken the measures, such as the measure provided for in paragraph (1) of Article 28-2, specified by Order of the Ministry of Health, Labour and Welfare.

(2) When seeking to commence a large-scale job involved in a business undertaking categorized as the construction industry that could cause a serious industrial injury and that is specified by Order of the Ministry of Health, Labour and Welfare, an employer must file a notification of the plan with the Minister of Health, Labour and Welfare, as prescribed by Order of the Ministry of Health, Labour and Welfare, no later than 30 days prior to the date of commencement of the job.

(4) When drawing up the construction work plan specified by Order of the Ministry of Health, Labour and Welfare among the construction work requiring notification under the provisions of paragraph (1), a job plan specified by Order of the Ministry of Health, Labour and Welfare provided for in paragraph (2) or a job plan specified by Order of the Ministry of Health, Labour and Welfare among the jobs requiring the filing of a notification under the provisions of the preceding paragraph, an employer must have persons who have the qualifications specified by Order of the Ministry of Health, Labour and Welfare participate in the planning in order to prevent industrial injuries from arising

due to constructions, machineries or other such equipments relating to that construction work or that job.

- (5) In a case that a proposed job is to be carried out based on multiple levels of contracts, the provisions of the preceding three paragraphs (excluding the part concerning the notification under the provisions of paragraph (1) among the provisions of the preceding paragraphs) do not apply to employers other than the original orderer that directly carries out the job if there is such an original orderer, and they do not apply to employers other than the principal contractor if there is no original orderer directly carrying out the job.
- (6) If the Chief of the Labour Standard Inspection Offices, in respect of a notification under the provisions of paragraph (1) or (3) that has been filed therewith, or if the Minister of Health, Labour and Welfare, in respect of a notification under the provisions of paragraph (2) that has been filed therewith, finds that a particular to which the relevant notification pertains violates this Act or an order under this Act, the chief or minister with which the notification has been filed may issue an injunction against the employer that filed the notification to stop the employer from commencing the construction or job to which the notification pertains, or may order the employer filing the notification to alter the relevant plan.
- (7) Having issued an order under the provisions of the preceding paragraph (limited to an order issued to an employer that has filed a notification under the provisions of paragraph (2) or (3)), the Minister of Health, Labour and Welfare or the Chief of the Labour Standard Inspection Offices, on finding it to be necessary to do so, may issue the necessary recommendations or requests regarding particulars that concern the prevention of industrial injuries to the original orderer (other than an original orderer that directly carries out the job) of the job to which that order pertains..

(Investigation by the Minister of Health, Labour and Welfare)

Article 89 (1) The Minister of Health, Labour and Welfare may carry out an investigation for a plan of which the Chief of the Labour Standard Inspection Offices or the minister has received notification under the provisions of paragraphs (1) through (3) of the preceding Article (except in the following Article, hereinafter referred to as "notification") if it requires an advanced technical examination.

- (2) In carrying out an investigation as referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must hear the opinions of persons with relevant knowledge and experience pursuant to Order of the Ministry of Health, Labour and Welfare.
- (3) On finding it to be necessary as a result of an investigation as referred to in the preceding paragraph, the Minister of Health, Labour and Welfare may

make the necessary recommendations or requests to the employer that submitted the notification regarding particulars that concern the prevention of industrial injuries.

- (4) The Minister of Health, Labour and Welfare must hear the opinion of the employer that has submitted the relevant notification, in advance, in the making of a recommendation or request as referred to in the preceding paragraph.
- (5) A person with relevant knowledge and experience who has been asked for an opinion on the plan referred to in paragraph (1) pursuant to the provisions of paragraph (2) must not divulge any secret learned in connection with the plan.

(Investigation by the Director of the Prefectural Labour Bureau)

Article 89-2 (1) The Director of the Prefectural Labour Bureau may investigate a plan regarding which a notification under the provisions of paragraph (1) or (3) of Article 88 has been filed and which, in consideration of a construction, the machinery or other such equipment, the scale of the job, or any other particular, is specified by Order of the Ministry of Health, Labour and Welfare as fairly close to a plan requiring an advanced technical examination as referred to in paragraph (1) of preceding Article; provided, however, that such an investigation is not to be undertaken for any such plan that is specified by Order of the Ministry of Health, Labour and Welfare as one for which a technical examination of an equivalent level to such an investigation is found to have been undertaken

- (2) The provisions of paragraphs (2) through (5) of the preceding Article apply mutatis mutandis to the investigations provided for in the preceding paragraph.

(Chief of the Labour Standard Inspection Offices and labor standards inspector)

Article 90 The Chief of the Labour Standard Inspection Offices and the labor standards inspector is in charge of administrative functions related to the entry into effect of this Act, pursuant to Order of the Ministry of Health, Labour and Welfare.

(Authority of labor standards inspectors)

Article 91 (1) On finding it to be necessary to do so in order to bring this Act into effect, a labor standards inspector may enter a workplace, question persons concerned, inspect books, documents, and other articles, conduct work environment monitoring, and, within the limits of what is necessary for an inspection, collect without compensation samples of products, raw materials, and implements.

- (2) A labor standards inspector who is a physician may conduct medical

screenings on workers who seem to have contracted a disease referred to in Article 68.

- (3) In a case referred to in the preceding two paragraphs, the labor standards inspector must carry an identification card and show it to persons concerned.
- (4) The right to conduct on-site inspections under the provisions of paragraph (1) must not be interpreted as authorization for the purpose of a criminal investigation.

Article 92 The labor standards inspector is authorized to perform the duties of judicial police officers under the Code of Criminal Procedure (Act No. 131 of 1948) with regard to a crime that violates this Act.

(Senior Industrial Safety Specialists and Senior Industrial Health Specialists)

Article 93 (1) Senior industrial safety specialists and senior industrial health specialists are stationed in the Ministry of Health, Labour and Welfare, Prefectural Labour Bureaus and Labor Standards Offices.

- (2) In addition to being responsible for the safety-related administrative functions involved in permissions as referred to in Article 37, paragraph (1), special safety and health improvement plans, safety and health improvement plans, and notifications; and for investigations into the causes of industrial accidents and other administrative functions for which specialized knowledge is particularly needed, senior industrial safety specialists give guidance and assistance to employers, workers, and other relevant persons on the things that are necessary for preventing endangerment of workers..
- (3) In addition to being responsible for the health-related administrative functions involved in permissions as referred to in Article 56, paragraph (1), recommendations under the provisions of Article 57-4, paragraph (4), instructions under the provisions of Article 57-5, paragraph (1), specialized technical issues in respect of work environment monitoring under the provisions of Article 65, special safety and health improvement plans, safety and health improvement plans, and notifications; and for investigations into the causes of industrial accidents and other administrative functions for which specialized knowledge is particularly needed, senior industrial health specialists give guidance and assistance to employers, workers, and other relevant persons on the things that are necessary for preventing the impairment of workers' health and for helping to maintain and improve the health of workers.
- (4) Beyond what is provided for in the preceding three paragraphs, Order of the Ministry of Health, Labour and Welfare prescribes the necessary particulars concerning senior industrial safety specialists and senior industrial health specialists.

(Authority of Senior Industrial Safety Specialists and Senior Industrial Health Specialists)

Article 94 (1) On finding it to be necessary to do so in order to undertake a function under the provisions of paragraph (2) or (3) of the preceding Article, a senior industrial safety specialist or senior industrial health specialist may enter workplaces, question persons concerned, inspect books, documents, and other articles, conduct work environment monitoring, and, within the limits of what is necessary for an inspection, collect without compensation samples of the products, raw materials, and implements.

(2) The provisions of paragraphs (3) and (4) of Article 91 apply mutatis mutandis pursuant to respect to on-site inspections under the provisions of the preceding paragraph.

(Senior Industrial Health Physicians)

Article 95 (1) Senior industrial health physicians are stationed in the Prefectural Labour Bureaus.

(2) A senior industrial health physician participates in administrative functions involved in the instruction under the provisions of paragraph (5) of Article 65 or paragraph (4) of Article 66 and other administrative functions involving the health of workers.

(3) Senior industrial health physicians are appointed by the Minister of Health, Labour and Welfare from among physicians with knowledge and experience in industrial health.

(4) Senior industrial health physician is a non-regular employment position.

(Authority of the Minister of Health, Labour and Welfare)

Article 96 (1) On finding it to be necessary to do so in order to ensure safety and health of the workers with regard to the structure of machinery or other such equipment of the type for which the relevant person has passed a type examination and equipment used to manufacture and inspect that machinery or other such equipment, the Minister of Health, Labour and Welfare may have the relevant officials enter the workplace of the person that has undergone the type examination or the place where the machinery or other such equipment or facilities or other things connected to the type examination are found to be located, question persons concerned, and inspect machinery or other such equipment, facilities or other things, and other articles.

(2) On finding it to be necessary to do so in order to ensure the proper operation of the services of consultants, the Minister of Health, Labour and Welfare may have relevant officials enter the office of a consultant, question persons concerned, and inspect books and documents (including electronic and

magnetic records, if the relevant data are prepared, provided, and kept as electronic or magnetic records instead of the books or documents) related to the consultant's services.

- (3) On finding it to be necessary to do so in order to ensure the proper operation of the services of a registered agency for post-manufacturing inspections, registered agency for performance inspections, registered agency for individual examinations, registered agency for type examinations, registered inspection agency, designated examination board, registered training institution, designated consultant examination board, or designated registration institution (excluding a foreign registered agency for post-manufacturing inspections, foreign registered agency for performance inspections, foreign registered agency for individual examinations, or foreign registered agency for type examinations (referred to as "foreign registered agency for inspections or examinations" in item (i) of Article 123)) (hereinafter referred to as a "registered agency or other prescribed organization"), the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may have relevant officials enter its office, question the persons concerned, and inspect books, documents, and other articles related to its services.
- (4) On finding it to be necessary to do so in order to have a senior industrial health physician participate in the administrative functions under the provisions of paragraph (2) of the preceding Article, the Director of the Prefectural Labour Bureau may have the senior industrial health physician enter the workplace, question the persons concerned or inspect the record of work environment monitoring or medical checkup results and other articles.
- (5) The provisions of paragraphs (3) and (4) of Article 91 apply mutatis mutandis pursuant to respect to on-site inspections under the provisions of the preceding four paragraphs.

(Implementation of Investigations into Causes of Industrial Injuries by JOHAS)

- Article 96-2 (1) If an investigation will be undertaken into the causes of an industrial injury under the provisions of paragraph (2) or (3) of Article 93, and in light of the magnitude of the accident or any other such circumstances, the Minister of Health, Labour and Welfare finds that it is necessary to do so, the minister may have the Japan Organization of Occupational Health and Safety (hereinafter referred to as "JOHAS") undertake that investigation.
- (2) On finding that it is necessary to do so, the Minister of Health, Labour and Welfare may have JOHAS carry out an on-site inspection under the provisions of paragraph (1) of Article 94 (limited to one that is connected with an investigation as prescribed in the preceding paragraph).
 - (3) If having JOHAS carry out an on-site inspection pursuant to the provisions of

the preceding paragraph, the Minister of Health, Labour and Welfare is to indicate the location of the on-site inspection and other necessary particulars to JOHAS and instruct it that it must implement an on-site inspection.

(4) Having undertaken an on-site inspection in accordance with the instructions referred to in the preceding paragraph, JOHAS must report the result to the Minister of Health, Labour and Welfare.

(5) The provisions of paragraph (3) and (4) of Article 91 apply mutatis mutandis pursuant to respect to on-site inspections under the provisions of the preceding paragraph (2). In such a case, the phrase "labor standards inspector" in paragraph (3) of that Article is deemed to be replaced with "staff of the Japan Organization of Occupational Health and Safety".

(Giving Orders to JOHAS)

Article 96-3 On finding it to be necessary to do so in order to ensure the proper implementation of operations related to an investigation as prescribed in paragraph (1) of the preceding Article and an on-site inspection as prescribed in paragraph (2) of that Article, the Minister of Health, Labour and Welfare may give the necessary orders to JOHAS related to these operations.

(Reports by Workers)

Article 97 (1) If there is a factual circumstance in the workplace that violates the provisions of this Act or an order issued under this Act, a worker may report that factual circumstance to the Director of the Prefectural Labour Bureau or Chief of the Labour Standard Inspection Offices or to the labor standards inspector and request that appropriate action be taken to rectify it.

(2) An employer must not dismiss a worker or otherwise subject a worker to disadvantageous treatment for having a report as referred to in the preceding paragraph.

(Suspension of Use Orders)

Article 98 (1) If there is a factual circumstance that violates the provisions of Article 20 through Article 25, paragraph (1) of Article 25-2, paragraph (1) or (4) of Article 30-3, paragraph (1) of Article 31, Article 31-2, paragraph (1) of Article 33 or Article 34, the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may order the violating employer, orderer, lessor of machinery or other such equipment, or building lessor to stop all or part of its work, to stop or alter the use of all or part of a construction, equipment, or raw material, or to do any other thing that is necessary to prevent an industrial injury .

(2) The Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may order workers, contractors, and persons to

which buildings are leased to do the necessary things in connection with the things that are ordered pursuant to the provisions of the preceding paragraph.

- (3) The labor standards inspectors may, if there is an imminent danger to the workers in a case as referred to in the preceding two paragraphs, immediately exercise the powers of the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices under those paragraphs.
- (4) Having given an order under paragraph (1) regarding a job being undertaken based on a contract for work, and upon finding that it is necessary to do so, the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may issue a recommendation or demand to the orderer of the job (if the job is carried out based on multiple levels of contracts, this includes the parties to all contracts for work prior to that of the orderer of the job in question, but excludes the orderer that is subject to the order under paragraph (1)) regarding a thing that is needed in order to prevent an industrial injury, in connection with the factual circumstances constituting the relevant violation.

Article 99 (1) In a case other than the one prescribed in paragraph (1) of the preceding Article, if there is an imminent danger of the occurrence of an industrial injury and there is an urgent necessity to do so, the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may order the employer to temporarily stop all or part of the work or to temporarily stop the use of all or part of the construction, equipment, or raw material, or to take other temporary measures to the extent necessary to prevent an industrial injury .

- (2) The Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may order workers to do the necessary things in connection with the things ordered pursuant to the provisions of the preceding paragraph.

(Training Directives)

Article 99-2 (1) If an industrial injury has occurred, on finding that it is necessary to do so in order to prevent a recurrence, the Director of the Prefectural Labour Bureau may instruct the employer involved in the industrial injury to have the general safety and health manager or a safety manager, health manager, general safety and health supervisor, or other person engaged in work to prevent industrial injuries at the workplace where the aforementioned industrial injury has occurred (hereinafter referred to as "person engaged in work to prevent industrial injuries") take a training course provided by a person designated by the Director of the Prefectural Labour Bureau within a fixed period of time.

- (2) An employer that has been instructed as under the provisions of the

preceding paragraph must ensure that the person engaged in work to prevent industrial injuries take the training course referred to in that paragraph.

- (3) Beyond what is provided for in the preceding two paragraphs, Order of the Ministry of Health, Labour and Welfare prescribes training course subjects and other necessary particulars concerning the training course referred to in paragraph (1).

Article 99-3 (1) If a person that may be engaged in the operations under the provisions of paragraph (1) of Article 61 pursuant to the provisions of that paragraph violates the provisions of this Act or an order under this Act and causes an industrial injury in relation to those operations, and on finding it to be necessary to do so in order to prevent a recurrence, the Director of the Prefectural Labour Bureau may instruct the person to receive training provided by a person designated by the Director of the Prefectural Labour Bureau, within a fixed period of time.

- (2) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to the training in the preceding paragraph.

(Reports)

Article 100 (1) On finding it to be necessary to do so in order to bring this Act into effect, the Minister of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may, have employers, workers, lessors of machinery or other such equipment, building lessors, or consultants report the necessary particulars or order them to appear pursuant to Order of the Ministry of Health, Labour and Welfare.

- (2) On finding it to be necessary to do so in order to bring this Act into effect, the Minister of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau or the Chief of the Labour Standard Inspection Offices may have a registered agency or other prescribed organization report the necessary particulars, pursuant to Order of the Ministry of Health, Labour and Welfare.

- (3) On finding it to be necessary to do so in order to bring this Act into effect, the labor standards inspector may have employers or workers report the necessary particulars or order them to appear.

Chapter XI Miscellaneous Provisions

(Making Laws and Regulations Widely Known)

Article 101 (1) An employer must make known to workers an overview of this Act and of any order under this Act by means, such as displaying or posting this in conspicuous places throughout the workspace, specified by Order of the

Ministry of Health, Labour and Welfare .

- (2) Having appointed an industrial physician, an employer must make known to the workers information concerning the duties of the industrial physician at the workplace, such as the substance of the duties, that is specified by Order of the Ministry of Health, Labour and Welfare by means, such as displaying or posting this in conspicuous places throughout the workspace specified by Order of the Ministry of Health, Labour and Welfare.
- (3) The provisions in the preceding paragraph apply mutatis mutandis to the employer that has a person prescribed in paragraph (1) of Article 13-2 do all or part of worker healthcare and related duties. In such a case, the phrase "make known to" in the preceding paragraph is deemed to be replaced with "endeavor to make known to".
- (4) An employer must make the information of which it has been notified pursuant to Article 57-2, paragraphs (1) and (2) known to the workers handling a chemical, preparation containing a chemical, or other substance regarding which it has been notified of that information, by means, such as always displaying or posting the information in a conspicuous spot in each workspace where workers handle the substance, specified by Order of the Ministry of Health, Labour and Welfare.

(Obligations of Persons That Have Installed Facilities for the Gas Supply)

Article 102 A person that has installed a facilities for gas supply or any other facility specified by Cabinet Order must provide instructions on measures to be taken in order to prevent that workpiece from causing an industrial injury, if requested to provide instructions on this by an employer that is doing construction or carrying out any other job in the place where the workpiece is located or in the vicinity thereof.

(Preservation of Documents)

Article 103 (1) An employer, pursuant to Order of the Ministry of Health, Labour and Welfare, must keep the documents (excluding the records under the following paragraph and paragraph (3)) prepared under the provisions of this Act or an order under this Act.

(2) Pursuant to Order of the Ministry of Health, Labour and Welfare, a registered agency for post-manufacturing inspections, registered agency for performance inspections, registered agency for individual examinations, registered agency for type examinations, registered inspection agency, designated examination board, registered training institution, designated consultant examination board, or designated registration institution must prepare and keep records that contain information regarding post-manufacturing inspections, regular inspections, individual examinations, type examinations, specified inspections,

licensing examinations, skill training courses, practical training, industrial safety consultant examinations, industrial health consultant examinations, and consultant registrations as prescribed by Order of the Ministry of Health, Labour and Welfare.

- (3) Pursuant to Order of the Ministry of Health, Labour and Welfare, a consultant must prepare and keep records that contain the information prescribed by Order of the Ministry of Health, Labour and Welfare regarding the services thereof.

(Handling of Information on a Person's Physical and Mental Condition)

Article 104 (1) In collecting, preserving, or using information regarding the physical and mental conditions of workers in connection with its implementation of measures under the provisions of this Act or an order under this Act, an employer must collect information on the physical and mental conditions of workers within the necessary scope to ensure the health of the workers, and must preserve and use that information within the scope of the purpose of its collection; provided, however, that this does not apply if the employer has the consent of the individual concerned or if there are any other reasonable grounds.

- (2) An employer must take the necessary measures to manage information on the physical and mental conditions of workers in an appropriate manner.
- (3) The Minister of Health, Labour and Welfare is to release the necessary guidelines to ensure the appropriate and effective implementation of the measures that employers are to take pursuant to the provisions of the preceding two paragraphs.
- (4) Having released guidelines as referred to in the preceding paragraph, and on finding that it is necessary to do so, the Minister of Health, Labour and Welfare may provide the necessary guidance on those guidelines to employers and associations thereof.

(Confidentiality in Relation to Medical Checkups)

Article 105 A person who was engaged in the implementation of a medical checkup under the provisions of paragraph (1) of Article 65-2 and paragraphs (1) through (4) of Article 66, the face-to-face guidance under the provisions of paragraph (1) of Article 66-8, paragraph (1) of Article 66-8-2 and paragraph (1) of Article 66-8-4, the examination under paragraph (1) of Article 66-10, or the face-to-face guidance under the provisions of paragraph (3) of that Article, must not divulge any secret of the worker of which they have become aware in connection with the implementation thereof.

(State Assistance)

Article 106 (1) Beyond what is provided for in Article 19-3, paragraph (3) of Article 28-2, paragraph (4) of Article 57-3, Article 58, Article 63, paragraph (9) of Article 66, Article 71, and Article 71-4, the State must endeavor to take financial measures, give technical advice, and provide other necessary assistance with respect to activities undertaken by employers including the streamlining of safety and health facilities and the implementation of special safety and health improvement plans and safety and health improvement plans, in order to contribute to the prevention of industrial injuries.

(2) In granting the assistance referred to in the preceding paragraph, the State is to make special considerations for small and medium-sized enterprises.

(Assistance by the Minister of Health, Labour and Welfare)

Article 107 The Minister of Health, Labour and Welfare is to endeavor to provide materials and otherwise undertake the necessary support in order to improve the credentials of safety managers, health managers, safety and health advocates, health advocates, industrial physicians, consultants, and other persons engaged in operations to prevent industrial injuries, and in order to get workers to think more about industrial injuries prevention..

(Advancement of Research and Development)

Article 108 In order to promote science and technology's contribution to the prevention of industrial injuries, the Government is to endeavor to advance research and development, to make the outcomes thereof widespread, and to take other necessary measures.

(Epidemiological Surveys and Other Investigations)

Article 108-2 (1) On finding it to be necessary to do so in order to assess the correlation between things such as chemical substances to which employees are exposed or the work, and the diseases of workers, the Minister of Health, Labour and Welfare may undertake an epidemiological survey or any other investigation (hereinafter in this Article referred to as an "epidemiological survey or other investigation").

(2) The Minister of Health, Labour and Welfare may entrust a person that has expert knowledge concerning epidemiological surveys or other investigations with all or part of the affair involved in implementing an epidemiological survey or other investigation.

(3) On finding it to be necessary to do in connection with the implementation of an epidemiological survey or other investigation, the Minister of Health, Labour and Welfare or a person entrusted under the provisions of the preceding paragraph may question the employer, the workers and other persons concerned, or request them to report on the necessary particulars or

submit necessary documents.

- (4) The persons entrusted by the Minister of Health, Labour and Welfare pursuant to the provisions of paragraph (2) with engaging in affair for implementing epidemiological surveys and other investigations must not divulge any secretlearned in connection with the survey or investigation; provided, however, that this does not apply if they are compelled to disclose confidential information in order to prevent the impairment of workers' health.

(Collaboration with Local Governments)

Article 109 In advancing measures to prevent industrial injuries, the State must be respectful of the position of local governments, coordinate closely with them, and seek their understanding and cooperation.

(Conditions for Permission)

Article 110 (1) Conditions may be attached to a permission, license, designation, or registration (limited to registration under the provisions of paragraph (1) of Article 54-3 or paragraph (1) of Article 84; the same applies in the following paragraph) under the provisions of this Act, and they may be altered.

- (2) The conditions under the preceding paragraph are limited to those that are within the scope of what is minimally necessary for the reliable implementation of the thing to which the permission, license, designation, or registration pertains, and must not impose unjustifiable obligations on the person obtaining the permission, license, designation or registration.

(Request for Administrative Review)

Article 111 (1) It is not permissible to request the administrative review of a disposition regarding the results of an inspection as referred to in Article 38, or regarding the results of an examination, performance inspection, individual examination, or type examination.

- (2) A request for administrative review may be made to the Minister of Health, Labour and Welfare with respect to a disposition or inaction involving exam administration undertaken by the designated examination board, a disposition or inaction involving the administration of consultant exams undertaken by a designated consultant examination board, or a disposition or inaction involving the registration functions undertaken by a designated registration institution. In such a case, the Minister of Health, Labour and Welfare is deemed to be the higher administrative agency of the designated examination board, designated consultant examination board, or designated registration institution with respect to the application of the provisions of paragraphs (2) and (3) of Article 25, paragraphs (1) and (2) of Article 46, Article 47, paragraph (3) of Article 49 of the Administrative Appeal Act (Act No. 68 of 2014).

(Fees)

Article 112 (1) The following persons, pursuant to Cabinet Order, must pay fees to the State (or to a designated examination board, for a person seeking to take a licensing examination conducted by the designated examination board; to the designated consultant examination board, for a person seeking to take an industrial safety consultant examination or an industrial health consultant examination conducted by a designated consultant examination board; or to a designated registration institution, for a person seeking to be registered by a designated registration institution):

(i) a person seeking a license;

(i)-2 a person seeking to renew a registration under Article 14, paragraph (1) of Article 61 or paragraph (3) of Article 75;

(ii) a person seeking to take a skill training course (excluding one given by a registered training institution);

(iii) a person seeking the permission under paragraph (1) of Article 37;

(iv) a person seeking to undergo an inspection (excluding inspections conducted by the registered agency for post-manufacturing inspections) as referred to in Article 38;

(iv)-2 a person seeking registration or the renewal of a registration as referred to in paragraph (1) of Article 38, paragraph (2) of Article 41, paragraph (1) of Article 44 or paragraph (1) of Article 44-2;

(v) a person seeking reissuance or renewal of an inspection certificate (excluding inspections conducted by a registered agency for post-manufacturing inspections);

(vi) a person seeking to undergo a performance inspection (excluding one carried out by a registered agency for performance inspections);

(vii) a person seeking to undergo an individual examination (excluding one conducted by a registered agency for individual examinations);

(vii)-2 a person seeking to undergo a type examination (excluding one conducted by a registered agency for type examinations);

(viii) a person seeking the permission referred to in paragraph (1) of Article 56;

(ix) a person seeking the reissuance or renewal of a license document under paragraph (1) of Article 72;

(x) a person seeking the renewal of the valid term of a license document;

(xi) a person seeking to take a licensing examination;

(xii) a person seeking to take the industrial safety consultant examination or the industrial health consultant examination;

(xiii) a person seeking the registration referred to in paragraph (1) of Article 84.

(2) The fees paid to the designated examination board, designated consultant examination board, or designated registration institution pursuant to the

provisions of the preceding paragraph are, respectively, the revenue of the designated examination board, designated consultant examination board, or designated registration institution.

(Public Announcements)

- Article 112-2 (1) In the following cases, the Minister of Health, Labour and Welfare, pursuant to Order of the Ministry of Health, Labour and Welfare, must issue public notice indicating that such is the case in the official gazette:
- (i) when the minister has effected a registration under the provisions of paragraph (1) of Article 38, paragraph (2) of Article 41, paragraph (1) of Article 44, or paragraph (1) of Article 44-2;
 - (ii) if a type examination certificate has been invalidated pursuant to the provisions of Article 44-4;
 - (iii) when a notification as under Article 47-2 or Article 49 has been filed (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2);
 - (iv) if the minister has revoked a registration pursuant to the provisions of paragraph (1) of Article 53 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2), or ordered the suspension of all or part of the operations for manufacturing inspections, etc., the regular inspections, individual examinations, or type examinations;
 - (v) if the minister has revoked a registration pursuant to the provisions of paragraph (2) of Article 53 (including as applied mutatis mutandis pursuant to Articles 53-3 through 54-2);
 - (vi) if the Director of the Prefectural Labour Bureau, the Chief of the Labour Standard Inspection Offices, or the Minister of Health, Labour and Welfare has decided to directly carry out all or part of the operations for post-manufacturing inspections, performance inspections, individual examinations, type examinations, or skill training course pursuant to the provisions of 53-2 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2 and paragraph (3) of Article 77); or the Director of the Prefectural Labour Bureau, the Chief of the Labour Standard Inspection Offices, or the Minister of Health, Labour and Welfare has decided to no longer carry out all or part of the operations for post-manufacturing inspections, performance inspections, individual examinations, type examinations, or skill training that the director, chief, or minister has been directly carrying out;
 - (vii) when the minister has made a designation under the provisions of paragraph (1) of Article 75-2, Article 83-2 or paragraph (1) of Article 85-3;
 - (viii) when the minister has given permission as referred to in Article 75-10 (including as is applied mutatis mutandis pursuant to Article 83-3 and

- Article 85-3);
- (ix) if the minister has effected a cancellation under paragraph (1) of Article 75-11 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3);
 - (x) if the minister has revoked a designation or ordered a total or partial suspension of exam administration, administration of consultant exams, or registration functions pursuant to paragraph (2) of Article 75-11 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3);
 - (xi) if the Director of the Prefectural Labour Bureau or the Minister of Health, Labour and Welfare has decided to directly carry out all or part of exam administration, administration of consultant exams, or registration functions pursuant to the provisions of paragraph (1) of Article 75-12 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3; hereinafter the same applies in this item); or the Director of the Prefectural Labour Bureau or the Minister of Health, Labour and Welfare has decided to suspend the direct involvement in carrying out all or part of the exam administration, administration of consultant exams, or registration functions pursuant to those provisions.
- (2) In the following cases, the Director of the Prefectural Labour Bureau, pursuant to Order of the Ministry of Health, Labour and Welfare, must give public notice that such is the case:
- (i) the director has effected a registration under the provisions of Article 14, paragraph (1) of Article 61 or paragraph (3) of Article 75;
 - (ii) a notification under Article 47-2 or Article 49 as applied mutatis mutandis pursuant to paragraph (3) of Article 77 has been filed;
 - (iii) the director has revoked a registration or ordered the suspension of all or part of skill training course or practical training operations pursuant to the provisions of paragraph (1) of Article 53 as applied mutatis mutandis pursuant to paragraph (3) of Article 77.

(Transitional Measures)

Article 113 When an order is enacted, amended, or repealed pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be prescribed by that order within the scope judged to be reasonably necessary in connection with the enactment, amendment, or repeal.

(Special Provisions on Mines)

Article 114 (1) With regard to the maintenance of safety in mines (including healthy ventilation and rescue and protection at the time of a disaster; hereinafter the same applies in paragraph (1) of the following Article) under

the provisions of paragraphs (2) and (4) of Article 2 of the Mine Safety Act (Act No. 70 of 1949), "the Minister of Health, Labour and Welfare" and "the Labor Policy Council" in Chapter II are deemed to be replaced with "the Minister of Economy, Trade and Industry" and "the Central Mine Safety Council", respectively.

- (2) With regard to mines under the provisions of paragraphs (2) and (4) of Article 2 of the Mine Safety Act, the term "general safety and health manager" in Chapter III of that Act is deemed to be replaced with "general health manager" and the term "safety and health advocate" is deemed to be replaced with "health advocate".

(Exclusion from Application)

Article 115 (1) This Act (excluding the provisions of Chapter II) does not apply in respect of the maintenance of safety in mine under the provisions of paragraphs (2) and (4) of Article 2 of the Mine Safety Act.

- (2) This Act does not apply to mariners covered by the Mariners Act (Act No. 100 of 1947).

(Delegation to Order of the Ministry of Health, Labour and Welfare)

Article 115-2 Beyond what is provided for in this Act, Order of the Ministry of Health, Labour and Welfare prescribes the necessary particulars in connection with the implementation of the provisions of this Act.

Chapter XII Penal Provisions

Article 115-3 (1) If an officer or employee of a registered agency for post-manufacturing inspections, a registered agency for performance inspections, a registered agency for individual examinations, or a registered agency for type examinations (hereinafter referred to as a "specified agency" in this Article) that conducts post-manufacturing inspections, performance inspections, individual examinations, or type examinations (hereinafter referred to as the "specified operations" in this Article) accepts, solicits, or agrees to a bribe in connection with the duties thereof, that officer or employee is subject to imprisonment for a term not exceeding five years. If, in doing so, the person has committed an improper act or omitted a proper act, that person is subject to imprisonment for a term not exceeding seven years.

- (2) If a person who is attempting to become an officer or employee of a specified agency engaged in specified operations accedes to a request involving an official duty and accepts, solicits, or agrees to a bribe in connection with a duty to be assumed, that person is subject to imprisonment for a term not exceeding five years if that person becomes an officer or employee of the agency.

- (3) If a person who used to be an officer or employee of a specified agency engaged in specified operations has accepted, solicited, or agreed to a bribe in connection with that person's having acceded to a request involving an official duty while in service and engaged in improper conduct or failed to take a reasonable action in an official capacity, that person is subject to imprisonment for a term not exceeding five years.
- (4) In a case as referred to in the preceding three paragraphs, any bribe that the offender has accepted is confiscated. If all or part of this cannot be confiscated, an equivalent value is collected.

Article 115-4 (1) A person who has provided a bribe as prescribed in paragraphs (1) through (3) of the preceding Article or who has offered or agreed to do so is subject to imprisonment for a term not exceeding three years or to a fine not exceeding 2,500,000 yen.

(2) If a person who has committed a crime prescribed in the previous paragraph has self-denounced, the person may be given a reduced sentence or granted an absolute discharge.

Article 115-5 The crimes stated in paragraphs (1) through (3) of Article 115-3 are governed by Article 4 of the Penal Code.

Article 116 A person that has violated the provisions of Article 55 is subject to imprisonment for a term not exceeding three years or by a fine not exceeding three million yen.

Article 117 A person that has violated the provisions of paragraph (1) of Article 37, paragraph (1) of Article 44, paragraph (1) of Article 44-2, paragraph (1) of Article 56, paragraph (1) of Article 75-8 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3), or paragraph (2) of Article 86 is subject to imprisonment for a term not exceeding one year or to a fine not exceeding one million yen.

Article 118 If there has been a violation of an order to suspend operations under the provisions of paragraph (1) of Article 53 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2 and paragraph (3) of Article 77), paragraph (2) of Article 54-6 or paragraph (2) of Article 75-11 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3), the officer or the employee of the registered agency or other prescribed organization who has committed the violation is subject to imprisonment for a term not exceeding one year or by a fine not exceeding one million yen.

Article 119 A person falling under one of the following items is subject to imprisonment for a term not exceeding six months or to a fine not exceeding 500,000 yen:

- (i) a person that has violated the provisions of Article 14, Article 20 through Article 25, paragraph (1) of Article 25-2, paragraph (1) or (4) of Article 30-3, paragraph (1) of Article 31, Article 31-2, paragraph (1) or (2) of Article 33, Article 34, Article 35, paragraph (1) of Article 38, paragraph (1) of Article 40, Article 42, Article 43, paragraph (6) of Article 44, paragraph (7) of Article 44-2, paragraph (3) or (4) of Article 56, paragraph (5) of Article 57-4, paragraph (5) of Article 57-5, paragraph (3) of Article 59, paragraph (1) of Article 61, paragraph (1) of Article 65, Article 65-4, Article 68, paragraph (5) of Article 89 (including as applied mutatis mutandis pursuant to paragraph (2) of Article 89-2), paragraph (2) of Article 97, Article 105, or paragraph (4) of Article 108-2;
- (ii) a person that has violated an order under the provisions of Article 43-2, paragraph (5) of Article 56, paragraph (6) of Article 88, paragraph (1) of Article 98 or paragraph (1) of Article 99;
- (iii) a person that has failed to label under the provisions of paragraph (1) of Article 57, or who has falsely labeled or a person who has failed to deliver a document under the provisions of paragraph (2) of that Article or who has delivered false documents;
- (iv) a person who that violated Order of the Ministry of Health, Labour and Welfare under the provisions of paragraph (4) of Article 61.

Article 120 A person falling under one of the following items is subject to a fine not exceeding 500,000 yen:

- (i) a person that has violated the provisions of paragraph (1) of Article 10, paragraph (1) of Article 11, paragraph (1) of Article 12, paragraph (1) of Article 13, paragraph (1), (3) or (4) of Article 15, paragraph (1) of Article 15-2, paragraph (1) of Article 16, paragraph (1) of Article 17, paragraph (1) of Article 18, paragraph (2) of Article 25-2 (including as applied mutatis mutandis pursuant to paragraph (5) of Article 30-3), Article 26, paragraph (1) or (4) of Article 30, paragraph (1) or (4) of Article 30-2, paragraph (1) through paragraph (6) of Article 32, paragraph (3) of Article 33, paragraph (2) of Article 40, paragraph (5) of Article 44, paragraph (6) of Article 44-2, paragraph (1) or (2) of Article 45, paragraph (1) of Article 57-4, paragraph (1) of Article 59 (including as applied mutatis mutandis pursuant to paragraph (2) of that Article), paragraph (2) of Article 61, paragraphs (1) through (3) of Article 66, Article 66-3, Article 66-6, paragraph (1) of Article 66-8-2, paragraph (1) of Article 66-8-4, paragraph (6) of Article 87, paragraphs (1) through (4) of Article 88, paragraph (1) of Article 101 or paragraph (1) of

Article 103;

- (ii) a person that has violated an order or instruction under the provisions of paragraph (2) of Article 11 (including as applied mutatis mutandis pursuant to paragraph (2) of Article 12 and paragraph (2) of Article 15-2), paragraph (1) of Article 57-5, paragraph (5) of Article 65, paragraph (4) of Article 66, paragraph (2) of Article 98 or paragraph (2) of Article 99;
- (iii) a person that has failed to label under the provisions of paragraph (4) of Article 44 or paragraph (5) of Article 44-2, or that has falsely labeled;
- (iv) a person that has refused, impeded, or evaded the entrance, inspection, work environment monitoring, collection of samples or medical screenings under the provisions of paragraph (1) or (2) of Article 91, paragraph (1) of Article 94 or paragraph (1), (2) or (4) of Article 96 or a person that has refused to reply or made false statements to the questions under the provisions of that paragraphs;
- (v) a person that has failed to report under the provisions of paragraph (1) or (3) of Article 100 or made a false report, or that has failed to appear;
- (vi) a person that has failed to either prepare or keep records under paragraph (3) of Article 103, or that has made false entries in the records referred to in that paragraph.

Article 121 In circumstances falling under one of the following items, the officer or employee of a registered agency or other prescribed organization who has committed the relevant violation is subject to a fine not exceeding 500,000 yen:

- (i) if the person has failed to file a notification under Article 49 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2 and paragraph (3) of Article 77), or has filed a false notification;
- (ii) if the person has discontinued all of exam administration or administration of consultant exams or the registration functions without obtaining the permission under Article 75-10 (including as applied mutatis mutandis pursuant to Article 83-3 and Article 85-3);
- (iii) if the person has refused, impeded, or evaded an entry or inspection under the provisions of paragraph (3) of Article 96, refused to reply to questions under those provisions, or given false replies;
- (iv) if the person has failed to report as under the provisions of paragraph (2) of Article 100 or made a false report;
- (v) if the person has failed to prepare or keep records under paragraph (2) of Article 103, or has made false entries in the records referred to in that paragraph.

Article 122 If the representative of a corporation or the agent, employee, or other staff member of a corporation or individual commits a violation referred

to in Articles 116, 117, 119 or 120 in connection with the operations of the corporation or individual, in addition to the perpetrator being punished, the corporation or individual is subject to the fine referred to in the relevant Article.

Article 122-2 In circumstances falling under one of the following items, the director, auditor, or liquidator of the Association of Consultants who perpetrated the violation is subject to a fine not exceeding 500,000 yen:

- (i) if the person has failed to file notification under the provisions of paragraph (3) of Article 87, or has filed false notification;
- (ii) if the person has refused, impeded, or evaded an inspection under the provisions of paragraph (5) of Article 87, or has violated an order under the provisions of that paragraph.

Article 123 A person falling under one of the following items is subject to a civil fine not exceeding 200,000 yen:

- (i) a person that has failed to prepare financial statements, failed to record necessary items or made false records violating the provisions of paragraph (1) of Article 50 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2 and paragraph (3) of Article 77), or a person refusing a request prescribed in paragraph (2) of Article 50 (including as applied mutatis mutandis pursuant to Article 53-3 through Article 54-2 and paragraph (3) of Article 77) without a legitimate reason (excluding a foreign registered agency for inspections or examinations);
- (ii) the officer committing the violation in question, if JOHAS has violated an order under the provisions of Article 96-3.

Supplementary Provisions

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within a period not exceeding six months from the date of promulgation; provided that the provisions of Article 80 and Section II of Chapter IX come into effect as of April 1, 1973; the part of the provisions of Article 9 of the Supplementary Provisions that adds the words "and the Industrial Safety and Health Act" under the term the "Labor Standards Act" in the table of the Central Labor Standards Council prescribed in the amended provisions of paragraph (1) of Article 13 of the Act Establishing the Ministry of Labour (Act No. 162 of 1949) come into effect as of the day of the promulgation.

(Delegation to Cabinet Order)

Article 2 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in connection with the entry into effect of this Act.

(Transitional Measures for Penal Provisions)

Article 3 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

(Special Provisions concerning Examination to Assess the Degree of Psychological Burden)

Article 4 With respect to the application of the provisions of Article 66-10 to workplaces other than those under paragraph (1) of Article 13, "must offer" in the paragraph (1) of Article 66-10 is deemed to be replaced with "must endeavor to offer" until otherwise prescribed.

Supplementary Provisions [Act No. 28 of May 1, 1975] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day calculated as falling three months after the date of its promulgation; provided, however, that the provisions of Article 3 come into effect as of the day specified by Cabinet Order, within the scope of two years after the date of promulgation; and Article 4 and the part of Article 4 of the Supplementary Provisions that adds paragraph (4) to the amended provisions of Article 65 of the Industrial Safety and Health Act come into effect as of the day specified by Cabinet Order, within one year from the date of promulgation.

(Delegation to Cabinet Order)

Article 6 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in connection with the entry into effect of this Act.

Supplementary Provisions [Act No. 76 of July 1, 1977] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day calculated as falling six months after the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date set forth in each item:

(i) omitted;

(ii) the provisions of Article 1 (limited to the amended provisions which add three paragraphs to Article 45 of the Industrial Safety and Health Act

(limited to the parts relating to paragraph (2) of that Article); amending provisions which add three Articles after Article 57 of that Act, and amending provisions of paragraph (3) of Article 93 of that Act) come into effect as of the day specified by Cabinet Order within a period not exceeding two years from the date of its promulgation.

(Delegation to Cabinet Order)

Article 2 Beyond what is provided for in the following Article, Cabinet Order prescribes the necessary transitional measures in connection with the entry into effect of this Act.

(Transitional Measures for Penal Provisions)

Article 3 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

Supplementary Provisions [Act No. 78 of June 2, 1980]

(Effective Date)

Article 1 This Act comes into effect as of the day calculated as falling six months after the date of promulgation; provided, however, that the provisions set forth in the following items come into effect as of the date set forth in each item:

(i) amended provisions which add one paragraph next to paragraph (3) of Article 15 (limited to the parts relating to overall control for measures in each item of paragraph (1) of Article 25-2), amended provisions which add one article after Article 25 (limited to the parts relating to paragraph (1) of Article 25-2), amended provisions of Article 26, amended provisions of paragraph (1) of Article 27 and paragraph (1) of Article 28, amended provisions which add one article after Article 30 (limited to the parts relating to paragraph (1) through paragraph (4) of Article 30-2), amended provisions of Article 32, amended provisions of Article 36, amended provisions of Article 88 (limited to the parts relating to paragraph (5) of the amended Article 88), amended provisions of paragraph (1) of Article 98, amended provisions of item of Article 119, amended provisions of item (i) of Article 120, (limited to amendment of "paragraph (1) or (3) of Article 15" reading as "paragraph (1), (3) or (4) of Article 15" (concerning paragraph (4) of Article 15, limited to the parts relating to overall control for measures in each item of paragraph (1) of Article 25-2), amendment of "paragraph (1) through paragraph (3) of Article 32" reading as "paragraph (1) through paragraph (4) of Article 32", amendment of "Article 101" reading as "to paragraph (5), Article 101" (limited to the parts relating to paragraph (5) of amended Article 88)), provisions of paragraph (1) of the next Article, and provisions of paragraph

(3) of Article 3 of Supplementary Provisions: on a date specified by Cabinet Order within a period not exceeding one year from the date of promulgation;

(ii) amended provisions of paragraph (1) of Article 10, amended provisions of paragraph (1) of Article 11 and paragraph (1) of Article 12, amended provisions which add one paragraph next to paragraph (3) of Article 15 (excluding the parts relating to overall control for measures in each item of paragraph (1) of Article 25-2), amended provisions which add one article after Article 25 (limited to the parts relating to paragraph (2) of Article 25-2), amended provisions which add one article after Article 30 (limited to the parts relating to paragraph (5) of Article 30-2), amended provisions of item (i) of Article 120 (limited to amendment of "paragraph (1) or (3) of Article 15" reading as "paragraph (1), (3), or (4) of Article 15" (concerning paragraph (4) of Article 15, excluding the parts relating to overall control for measures in each item of paragraph (1) of Article 25-2), and the addition of "paragraph (2) of Article 25-2 (including as applied mutatis mutandis pursuant to paragraph (5) of Article 30-2)", under "paragraph (1) of Article 18"), and provisions of paragraph (2) of the next Article: on a date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

(Transitional Measures)

- Article 2 (1) The provisions of paragraph (1) of Article 25-2 and paragraphs (1) through paragraph (4) of Article 30-2 of the Industrial Safety and Health Act after its amendment (hereinafter referred to as the "new Act") do not apply to a job provided for in paragraph (1) of Article 25-2 that is commenced before the date prescribed by the provisions of item (i) of the preceding Article and that is scheduled to be completed within three months as calculated from that date.
- (2) The provisions of paragraph (2) of Article 25-2 of the new Act (including as applied mutatis mutandis pursuant to paragraph (5) of Article 30-2 of the new Act) do not apply to a job provided for in paragraph (1) of Article 25-2 that is commenced before the date prescribed by the provisions of item (ii) of the preceding Article and that is scheduled to be completed within three months as calculated from that date.

- Article 3 (1) Prior laws continue to govern an order suspending the commencement of a job or altering a plan to the employer that has submitted a notification pursuant to the provisions of paragraph (3) of Article 88 of the pre-amendment Industrial Safety and Health Act prior to the effective date of this Act (hereinafter referred to as the "effective date").
- (2) With regard to a notification of the plan for a job as prescribed by Order of the Ministry of Health, Labour and Welfare that is referred to in paragraph (3) of Article 88 of the new Act, which is scheduled to be commenced after the

passage of 14 to 30 days calculated from the effective date, "30 days" and "Minister of Health, Labour and Welfare" in that paragraph and "Minister of Health, Labour and Welfare" in paragraph (7) of that Article is deemed to be replaced with "14 days", and "the Minister of Labour", and "the Chief of the Labour Standard Inspection Offices", respectively.

(3) The provisions of paragraph (5) of Article 88 of the new Act do not apply to the preparation of a plan for a job as provided in that paragraph that is commenced within three months as calculated from the date fixed by item (i) of Article 1 of the Supplementary Provisions.

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act and to conduct that violates an order that prior laws continue to govern pursuant to the provisions of paragraph (1) of the preceding Article.

Supplementary Provisions [Act No. 57 of May 25, 1983] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within a period not exceeding three months from the date of promulgation.

Supplementary Provisions [Act No. 56 of June 8, 1985] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1985.

Supplementary Provisions [Act No. 37 of May 17, 1988] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1988; provided, however that the amended provisions adding one Article following Article 12, the amended provisions of paragraph (5) and (6) of Article 88, the amended provisions of Article 107, the amended provisions of paragraph (2) of Article 114, the provisions of Article 4 of the Supplementary Provisions, the amended provisions (limited to the part for amending, "Article 13" to "from to Article 13" and the part for adding "and Article 12-2 to under" paragraph (1) of Article 12) of paragraph (1), Act on Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) referred to in Article 5 of the Supplementary Provisions and the amended provisions of paragraph (2) of that Article come into effect as of April 1, 1989.

(Special Provisions on the Application of Article 19-2 of the New Act)

Article 2 In applying Article 19-2 (including cases applicable pursuant to the provisions of paragraph (1) of Article 45 of the Act on Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers) of the amended Industrial Safety and Health Act (hereinafter referred to as the "new Act") during the period from the effective date of this Act to March 31, 1989, the terms "health supervisor", "safety and health advocate", and "health advocate" in paragraph (1) of Article 19-2 are deemed to be replaced with by "health supervisor".

(Transitional Measures for Licenses)

Article 3 A license granted pursuant to the provisions of paragraph (1) of Article 72 of the Industrial Safety and Health Act before its amendment is deemed to have been granted pursuant to the provisions of paragraph (1) of Article 72 of the new Act.

(Transitional Measures for Notification of Plans)

Article 4 The provisions of paragraph (5) of Article 88 of the new Act to not apply to the preparation of a plan for the construction work specified by Order of the Ministry of Health, Labour and Welfare as prescribed in that paragraph which is commenced before July 1, 1989.

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

Supplementary Provisions [Act No. 55 of May 22, 1992] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1992; provided, however, that the provisions of Article 1 (limited to amendments of the index, Article 1, paragraph (1) of Article 3, amendments of Article 28 and Article 64, amendments adding a Chapter after Chapter VII, and the amendments of paragraph (1) of Article 106 of the Industrial Safety and Health Act), provisions of Article 2, and provisions from Articles 4 through 6 and Article 8 of the Supplementary Provisions (limited to the part changing "Article 6" for "Article 65" and the part adding, "Article 72-2" after "Article 68" of the amendment provisions in paragraph (3) of Article 45 of the Act on Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers and also limited to the part changing

"paragraph (5) of Article 28" for "paragraph (4) of Article 28" and the part adding, "paragraph (2) of Article 71-3, Article 71-4" after "paragraph (2) of Article 70-2" of the amendments provisions in paragraph (14) of that Article of that Act) come into effect as of July 1, 1992.

(Transitional Measures for the Partial Amendment of the Industrial Safety and Health Act)

Article 2 With respect to a plan regarding which there has been a notification as under the provisions of paragraph (1) (including when the provisions of paragraph (2) of that Article apply mutatis mutandis) or paragraph (4) of Article 88 of the Industrial Safety and Health Act before the effective date of this Act, the provisions of paragraph (1) of Article 89-2 of the amended Industrial Safety and Health Act (hereinafter referred to as the "new Act") do not apply.

Article 3 The provisions of Article 99-2 and Article 99-3 of the new Act apply to industrial injuries that occur on and after the effective date this Act comes into effect.

(Transitional Measures for Penal Provisions)

Article 6 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions prescribed in the proviso to Article 1 of the Supplementary Provisions).

Supplementary Provisions [Act No. 89 of November 12, 1993] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the effective date of the Administrative Procedure Act (Act No. 88 of 1993).

(Transitional Measures for Adverse Dispositions Subject to Consultation)

Article 2 If, prior to the entry into effect of this Act, a request for consultation or any other request has been filed based on laws and regulations with a council or with any other consultative organ to ask that it carry out proceedings equivalent to those for hearings or for granting a person the opportunity to explain or equivalent to any other proceedings to hear statements of opinion as prescribed in Article 13 of the Administrative Procedure Act, prior laws continue to govern the proceedings for adverse dispositions to which the request for consultation or other request pertains, notwithstanding the provisions of the relevant Acts amended by this Act.

(Transitional Measures for Penal Provisions)

Article 13 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

(Transitional Measures for Adjustment of Provisions on Hearings)

Article 14 Hearings, public hearings, or hearing panels (excluding those concerning adverse dispositions) implemented pursuant to the provisions of the relevant Acts before the entry into effect of this Act and procedures incidental thereto are deemed to have been implemented pursuant to the corresponding provisions of the relevant Acts amended by this Act.

(Delegation to Cabinet Order)

Article 15 Beyond what is provided for in Article 2 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in connection with the entry into effect of this Act.

Supplementary Provisions [Act No. 92 of November 19, 1993] [Extract]

This Act comes into effect as of the date of promulgation.

Supplementary Provisions [Act No. 97 of November 11, 1994] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date of promulgation; provided, however, that the provisions designated by the following sub-paragraphs come into effect as of the date specified in the respective sub-paragraphs:

(i) and (ii) omitted;

(iii) the provisions of Article 40: the date specified by Cabinet Order, within the scope of no more than two months from the date of promulgation;

(iv) omitted.

(Transitional Measures for Penal Provisions)

Article 20 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions set forth in the items of Article 1 of the Supplementary Provisions), and to conduct in which a person has engaged after the entry into effect of Article 1, Article 4, Article 8, Article 9, Article 13, Article 27, Article 28, and Article 30 in a situation that prior laws continue to govern pursuant to the provisions of Article 2, Article 4, paragraph (2) of Article 7, Article 8, Article 11, paragraph (2) of Article 12, Article 13, and paragraph (4) of Article

15 of the Supplementary Provisions.

(Delegation to Cabinet Order)

Article 21 Beyond what is provided for in the supplementary provisions, Article 2 to the preceding Article, Cabinet Order provides for any transitional measures that come to be necessary in connection with the entry into effect of this Act (including transitional measures concerning penal provisions).

Supplementary Provisions [Act No. 89 of June 19, 1996] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of October 1, 1996.

(Transitional Measures for Industrial Physician Requirements)

Article 2 Notwithstanding the provisions of paragraph (2) of Article 13 of the amended Industrial Safety and Health Act under the provisions of this Act, the employer may engage a physician other than one who meets the requirements specified that paragraph as an industrial physician during the period before September 30, 1998.

(Review)

Article 3 Five years after the entry into effect of this Act, the Government is to consider the implementation status of provisions as after their amendment by this Act, conduct a review of these provisions with a view to helping maintain and improve the health of workers, and, on finding it to be necessary to do so, take the needed measures based on the results of this examination.

Supplementary Provisions [Act No. 112 of September 30, 1998] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 1999.

Supplementary Provisions [Act No. 45 of May 21, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect from April 1, 2000; provided, however, that the provisions for amendments to the content of the Industrial Safety and Health Act in Article 1, the amended provisions of sub-paragraphs 1 and 2 of paragraph (2) of Article 54-3 and subparagraph (2) of paragraph (2) of Article 54-5 of that Act, the provisions amending that Article in Chapter V, Section 2 of that Act to Article 54-6, and the provisions providing for the addition of an

Article following Article 54-4 of that Act come into effect as of the date specified by Cabinet Order, within a period not exceeding six months calculated from the day of promulgation.

(Transitional Measures)

Article 2 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of the provisions prescribed in the proviso of the preceding Article.

(Review)

Article 3 Five years after the entry into effect of this Act, the Government is to consider the implementation status of the provisions of Article 57-2 and Article 101-2 after their amendment under Article 1, conduct a review of these provisions, and, on finding it to be necessary to do so, take the needed measures based on the results of this review.

Supplementary Provisions [Act No. 87 of July 16, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000; provided, however, the provisions set forth in the following items come into effect as of the date prescribed in each item:

(i) in Article 1, the amended provisions to add five articles, section names, two subsections and subsection names following Article 250 of the Local Autonomy Act (limited to the parts relating to paragraph (1) of Article 250-9 of this Act (limited to the parts relating to the agreement of both Houses)), in Article 40, the amended provisions in paragraphs (9) and (10) of Supplementary Provisions of the Natural Parks Act (limited to the parts relating to paragraph (10) of Supplementary Provisions of this Act), the provisions of Article 244 (excluding the parts relating to the amended provisions of Article 14-3 of the Agricultural Improvement and Promotion Act), the provisions of Article 472 (excluding the amended provisions of Article 6, Article 8 and Article 17 of the Act on Special Provisions on the Merger of Municipalities) and the provisions of Article 7, Article 10, Article 12, the proviso to Article 59, paragraphs (4) and (5) of Article 60, Article 73, Article 77, paragraphs (4) through (6) of Article 157, Article 160, Article 163, Article 164 and Article 202 of Supplementary Provisions: the date of promulgation.

(Administrative Functions of the National Government and Other Public Organizations)

Article 159 Beyond what is prescribed in each of the relevant Acts before their amendment by this Act, the administrative functions of the national government, other local governments, and other public entities that, before this Act comes into effect, the agency of a local government manages or performs pursuant to an Act or a Cabinet Order based on an Act (referred to as "administrative functions of the national government and other public entities" in Article 161 of Supplementary Provisions) are administrative functions that, after this Act comes into effect, the local government is to handle as its own pursuant to an Act or a Cabinet Order based on an Act.

(Transitional Measures for Dispositions and Applications)

Article 160 (1) To apply the relevant Acts after their amendment on or after the effective date of this Act, except for Article 2 of the Supplementary Provisions through the preceding Article and the provisions on transitional measures in the relevant Acts after their amendment (including orders thereunder), a disposition or any other such action regarding something such as permission that is taken, pursuant to the provisions of one of the relevant Acts before its amendment, before this Act comes into effect (for the provisions set forth in the items of Article 1 of the Supplementary Provisions, this means before those provisions come into effect; the same applies hereinafter in this Article and Article 163 of the Supplementary Provisions) (hereinafter referred to as a "disposition or other such action" in this Article) or an application or any other such action regarding something such as permission that is undertaken, pursuant to one of the relevant Acts before its amendment, by the time this Act comes into force, which involves an administrative function that will start to be carried out by a different person on the day on which this Act comes into effect, is deemed to be a disposition or other such action or an application or other such action that is taken or undertaken pursuant to the corresponding provisions of the relevant Act after its amendment.

(2) Beyond as otherwise provided for in this Act and Cabinet Order based hereupon, information that, before this Act comes into effect, a person must report to, file with, submit to, or otherwise process with the national government or a local government agency pursuant to the provisions of the relevant Acts before their amendment, but that has not been processed before the date on which this Act comes into effect is deemed to be information that a person must report to, file with, submit to, or otherwise process with the national government or the corresponding agency of the local government pursuant to the corresponding provisions of the relevant Acts after their amendment, but that has not been processed; and the provisions of the relevant Acts after their amendment by this Act apply.

(Transitional Measures for Appeal)

Article 161 (1) For an appeal under the Administrative Appeal Act against a disposition that has been undertaken, before the effective date and in connection with the administrative functions of the national government or another public organization, by an administrative agency (hereinafter referred to in this Article as an "issuing agency") that answered to a higher administrative agency as prescribed in that Act (hereafter in this Article referred to as the "higher administrative agency") before the effective date, the issuing agency is deemed to continue to answer to a higher administrative agency even after the effective date, and the provisions of the Administrative Appeal Act apply. In such a case, the agency deemed to be the higher administrative agency to which the issuing agency answers is that to which it answered before the effective date.

(2) In cases as referred to in the preceding paragraph, if the administrative agency that is deemed to be the higher administrative agency is a local government organ, the administrative functions to be handled by that organ pursuant to the provisions of the Administrative Appeal Act constitute item (i) statutorily entrusted functions as prescribed in item (i) of paragraph (9) of Article 2 of the new Local Autonomy Act.

(Transitional Measures for Fees)

Article 162 Beyond what is otherwise provided for in this Act and in Cabinet Orders based hereupon, prior laws continue to govern fees payable prior to the effective date pursuant to the provisions of the relevant Acts prior to their amendment by this Act (including orders issued thereunder) .

(Transitional Measures for Penal Provisions)

Article 163 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 164 Beyond what is prescribed in these Supplementary Provisions, Cabinet Order provides for any necessary transitional measures attendant on the entry into effect of this Act (including transitional measures concerning penal provisions).

(Review)

Article 250 With regard to item (i) statutory entrusted functions as provided in item (i) of paragraph (9) of Article 2 of the new Local Autonomy Act, establishment of new administrative functions is to be avoided to the greatest possible extent, and the administrative functions set forth in Appended Table 1

of the new Local Autonomy Act and administrative functions as specified by Cabinet Order based on the new Local Autonomy Act are to be reviewed from the viewpoint of their promotion of decentralization, and are to be amended as appropriate.

Article 251 To enable local governments to execute their administrative functions and services autonomously and independently, the Government, while taking into consideration trends in economic circumstances, etc., is to review means of enhancing and securing local tax revenues in accordance with the distribution of roles between the national and local governments, and is to take the necessary measures based on the result of that review.

Supplementary Provisions [Act No. 151 of December 8, 1999] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2000.

(Transitional Measures)

Article 3 With the exception of the following provisions, prior laws continue to govern the applicability of the provisions amended by this Act concerning persons with limited legal capacity and the curators thereof that prior laws continue to govern pursuant to the provisions of paragraph (3) of Article 3 of the Supplementary Provisions of the Act for Partial Revision of the Civil Code (Act No. 149 of 1999).

(i) to (xxv) omitted.

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

Supplementary Provisions [Act No. 160 of December 22, 1999] [Extract]

(Effective Date)

Article 1 This Act (other than Article 2 and Article 3) comes into effect as of January 6, 2001; provided, however, the provisions set forth in the following items come into effect as of the date described in each item:

(i) the provisions of Article 995 (limited to the amended provisions of Supplementary Provisions of the Act on the Regulation of Nuclear Source Material, Nuclear Fuel Material and Reactors), Article 1305, Article 1306, paragraph (2) of Article 1324, paragraph (2) of Article 1326 and Article 1344: the date of promulgation;

Supplementary Provisions [Act No. 91 of May 31, 2000] [Extract]

(Effective Date)

(1) This Act comes into effect as of the date on which the Act Partially Revising the Commercial Code (Act No. 90 of 2000) comes into effect.

Supplementary Provisions [Act No. 87 of June 29, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within a period not exceeding one month from the date of promulgation.

(Review)

Article 2 Approximately five years after the entry into effect of this Act, the Government is to review what the grounds for disqualification should be in each of the relevant Acts after their amendment by this Act as related to persons with disabilities, taking into account the status of the entry into effect of the provisions concerning those grounds for disqualification, and is to take the necessary measures based on the results of that review.

(Transitional Measures for Relicensing)

Article 3 If a person's license has been revoked based on a grounds for revocation of a license that is provided for in one of the relevant Acts prior to its amendment by this Act that is equivalent to a grounds for revocation that, pursuant to each of the relevant Acts as amended by this Act, allow for a person to be relicensed (hereinafter referred to as the "grounds for revocation of a license that allows relicensing" in this Article), the provisions concerning relicensing in each of the relevant Acts as amended by this Act apply by deeming the person to have had their license revoked on a grounds for revocation of a license that allows relicensing.

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

Supplementary Provisions [Act No. 153 of December 12, 2001] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within a period not exceeding six months from the date of promulgation.

(Transitional Measures for Dispositions and Procedure)

Article 42 Except as otherwise provided in the Supplementary Provisions a disposition, procedure, or other action that a person undertakes before the entry into effect of this Act pursuant to the provisions of one of the relevant Acts prior to its amendment (including orders issued thereunder; hereinafter the same applies in this Article) and with regard to which the relevant amended Act contains corresponding provisions, is deemed to be one that the person has undertaken pursuant to the relevant provisions of the amended Act,.

(Transitional Measures for Penal Provisions)

Article 43 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect this Act, and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to the provisions of these Supplementary Provisions.

(Delegation of Transitional Measures to Cabinet Order)

Article 44 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures connected with the entry into effect of this Act.

Supplementary Provisions [Act No. 103 of August 2, 2002] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order, within a period not exceeding nine months from the date of promulgation; provided, however, that the provisions of Article 9 and those of Articles 8 through 19 of the Supplementary Provisions come into effect as of the date specified by Cabinet Order within a period not exceeding two years from the date of promulgation.

Supplementary Provisions [Act No. 102 of July 2, 2003] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within the period prior to March 31, 2004; provided, however, that the provisions of Article 6 come into effect as of April 1, 2004, and the provisions of paragraph (1) of Article 2, paragraph (1) of Article 3, paragraph (1) of Article 4, paragraph (1) of Article 5 and paragraph (1) of Article 6 of Supplementary Provisions come into effect as of the date of promulgation.

(Transitional Measures for the Partial Amendment of Industrial Safety and Health Act)

- Article 5 (1) A person seeking to become registered under the provisions of Article 14, paragraph (1) of Article 38, paragraph (2) of Article 41, paragraph (1) of Article 44, paragraph (1) of Article 44-2, paragraph (1) of Article 61, or paragraph (3) of Article 75 of the Industrial Safety and Health Act after amendment based on this Act (hereinafter referred to as the "new Industrial Safety and Health Act") may make an application even before this Act comes into effect. The same applies to the notification of operational rules pursuant to paragraph (1) of Article 48 of the new Industrial Safety and Health Act (including when the provisions apply mutatis mutandis pursuant to Articles 53-3 through 54-2 and paragraph (3) of Article 77 of the new Industrial Safety and Health Act).
- (2) A person that has already been designated, as of the time this Act enters into effect, under the provisions of Article 14, item (i) of paragraph (1) of Article 38, paragraph (2) of Article 41, paragraph (1) of Article 44, paragraph (1) of Article 44-2, paragraph (1) of Article 61, or paragraph (3) of Article 75 of the Industrial Safety and Health Act before amendment based on this Act (hereinafter referred to as the "former Industrial Safety and Health Act") (hereinafter such a person is referred to as a "designated agency" in this Article) is deemed to have been registered pursuant to Article 14, paragraph (1) of Article 38, paragraph (2) of Article 41, paragraph (1) of Article 44, paragraph (1) of Article 44-2, paragraph (1) of Article 61, or paragraph (3) of Article 75 of the new Industrial Safety and Health Act, respectively.
- (3) Beyond as prescribed in the preceding paragraph, a disposition, procedure, or other action that a person undertakes pursuant to the provisions of the former Industrial Safety and Health Act (including orders based on that Act) before the entry into effect of this Act, and for which the new Industrial Safety and Health Act has corresponding provisions, is deemed to be a disposition, procedure, or other action that the person has undertaken pursuant to the corresponding provisions of the new Industrial Safety and Health Act.
- (4) Prior laws continue to govern a disposition regarding an application for a post-manufacturing inspection, individual examination, type examination, or performance inspection as specified in paragraph (1) of Article 39, paragraph (3) of Article 44, paragraph (3) of Article 44-2, or Article 53-2 of the former Industrial Safety and Health Act that has been filed before the entry into effect of this Act, in connection with which the relevant organization has not reached a disposition to pass or fail the applicant as of the time this Act enters into effect.
- (5) Prior laws continue to govern a skill training course or practical training for a person who has not completed such a training course as specified in paragraph

- (1) of Article 76 or paragraph (1) of Article 77 of the former Industrial Safety and Health Act as of the time this Act enters into effect.
- (6) An inspection certificate issued pursuant to the provisions of paragraph (1) of Article 39 of the former Industrial Safety and Health Act and a type examination certificate issued pursuant to the provisions of paragraph (4) of Article 44-2 of the former Industrial Safety and Health Act before the entry into effect of this Act are deemed to have been issued, respectively, pursuant to the provisions of paragraph (1) of Article 39 and paragraph (4) of Article 44-2 of the new Industrial Safety and Health Act.
- (7) A label affixed pursuant to the provisions of paragraph (4) of Article 44 or paragraph (5) of Article 44-2 of the former Industrial Safety and Health Act is deemed to be a label that was affixed pursuant to the provisions of paragraph (4) of Article 44 or paragraph (5) of Article 44-2 of the new Industrial Safety and Health Act.
- (8) If, as of the time this Act comes into effect, a disposition under the provisions of Article 53 of the former Industrial Safety and Health Act has not been issued against a designated agency that, before this Act comes into effect, has come to fall under either item (i) or item (iii) of paragraph (2) of Article 46 of the former Industrial Safety and Health Act (including as applied mutatis mutandis based on Article 53-2, Article 54, paragraph (2) of Article 54-2 and paragraph (2) of Article 77 of the former Industrial Safety and Health Act) or any item of paragraph (2) of Article 53 of the former Industrial Safety and Health Act (including as applied mutatis mutandis based on Article 53-2, Article 54, paragraph (2) of Article 54-2 and paragraph (2) of Article 77 of the former Industrial Safety and Health Act) and that constitutes a person deemed to have been registered pursuant to the provisions of paragraph (2), the person deemed to have been so registered is deemed to be a person falling under one of the items of Article 53 of the new Industrial Safety and Health Act (including as applied mutatis mutandis based on Articles 53-3 through 54-2 and paragraph (3) of Article 77 of the new Industrial Safety and Health Act), and the provisions of Article 53 of the new Industrial Safety and Health Act apply.

(Transitional Measures for the Application of Penal Provisions)

Article 7 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect this Act, and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to the provisions of these Supplementary Provisions.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 8 Beyond what is provided for in Article 2 through the preceding Article

of these Supplementary Provisions, Cabinet Order provides for any transitional measures that come to be necessary in connection with the entry into effect of this Act (including transitional measures concerning penal provisions).

(Review)

Article 9 Five years after this Act comes into effect, the Government on finding it to be necessary to do so in consideration of the implementation status of this Act, is to review the provisions of this Act and take the necessary measures based on the results of that review.

Supplementary Provisions [Act No. 150 of December 1, 2004] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2005.

(Transitional Measures for Penal Provisions)

Article 4 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act.

Supplementary Provisions [Act No. 21 of March 31, 2005] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2005.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 89 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures connected with the entry into effect of this Act.

Supplementary Provisions [Act No. 108 of November 2, 2005] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2006; provided, however, that the provisions set forth in the following items come into effect as of the date described in each item:

- (i) in Article 1, the amended provisions of the table of contents of the Industrial Safety and Health Act, the amended provisions of the title of Chapter V of that Act, the amended provisions of the title of Section 2 of Chapter V, the amended provisions of paragraph (1) of Article 57 of that Act, and the amended provisions of paragraph (1) of Article 57-2 of that Act: December 1, 2006;

(ii) in Article 4, the amended provisions to delete Article 2 of the Supplementary Provisions of the Act Concerning Temporary Measures for the Promotion of Shorter Working Hours and to delete the title and of Article 1 of the Supplementary Provisions of that Act, and the provisions of Article 12 of the Supplementary Provisions: the date of promulgation.

(Special Provisions concerning the Application of Article 66-8 of the New Industrial Safety and Health Act)

Article 2 With respect to the application of the provisions of Articles 66-8 and 66-9 of the Industrial Safety and Health Act after amendment under the provisions of Article 1 (hereinafter referred to as the "new Industrial Safety and Health Act") for the period between the effective date of this Act (hereinafter referred to as the "effective date") and March 31, 2008, the phrase "the employer must" in paragraph (1) of Article 66-8 and Article 66-9 of the new Industrial Safety and Health Act is deemed to be replaced with "the employer must, if the scale of the workplace corresponds to the scale specified by Cabinet Order as prescribed in paragraph (1) of Article 13".

(Transitional Measures for the Partial Amendment of Industrial Safety and Health Act)

Article 3 Prior laws continue to govern a skill training course or practical training for a person who started to take, but has not completed such a training course, as provided in paragraph (4) of Article 75 or paragraph (1) of Article 76 of the Industrial Safety and Health Act before its amendment under the provisions of Article 1, as of the effective date.

(Transitional Measures for the Application of Penal Provisions)

Article 11 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions set forth in item (i) of Article 1 of the Supplementary Provisions), and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to the provisions of these Supplementary Provisions.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 12 Beyond what is provided for in Article 2 through the preceding Article of these Supplementary Provisions, Cabinet Order provides for any transitional measures that come to be necessary in connection with the entry into effect of this Act (including transitional measures concerning penal provisions).

(Review)

Article 13 Five years after this Act comes into effect, the Government is to review the provisions of the new Act in consideration of the implementation status of the new Industrial Safety and Health Act, and on finding it to be necessary to do so, is to take the necessary measures based on the results of that review.

Supplementary Provisions [Act No. 10 of March 31, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2006.

(Transitional Measures for Penal Provisions)

Article 211 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions set forth in the items of Article 1 of the Supplementary Provisions; hereinafter the same applies in this Article), and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to these Supplementary Provisions.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 212 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures connected with the entry into effect of this Act.

Supplementary Provisions [Act No. 25 of March 31, 2006] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2006; provided, however, that the provisions of paragraph (2) and (3) of Article 9 and Article 12 of the Supplementary Provisions come into effect as of the date of promulgation.

(Transitional Measures for Penal Provisions)

Article 11 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the effective date.

(Delegation of Authority to Cabinet Order)

Article 12 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures in connection with the entry into effect of this Act.

Supplementary Provisions [Act No. 74 of June 24, 2011] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the day calculated as falling twenty days after the date of promulgation.

Supplementary Provisions [Act No. 69 of June 13, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the effective date of the Administrative Appeal Act (Act No. 68 of 2014).

(Principles of Transitional Measures)

Article 5 Except as otherwise provided in these Supplementary Provisions, prior laws continue to govern an appeal against a disposition or other action that an administrative agency undertakes before this Act comes into effect, and to govern an appeal against an administrative agency's inaction regarding an application that has been filed as of the time that this Act comes into effect.

(Transitional Measures for Litigation)

Article 6 (1) Prior laws continue to govern the filing of a lawsuit with regard to a matter about which it is decided, pursuant to the relevant Act before its amendment by this Act, that a lawsuit may not be filed until after an administrative agency's decision, determination, or other action on an appeal, and which a person files, without having brought the relevant appeal, after the end of the timeframe before this Act comes into effect during which such an appeal was required have been brought (if it is decided that such an appeal cannot be brought until after an administrative agency's decision, determination, or other action on another appeal, this includes any lawsuit that a person files, without having brought that other appeal, after the end of the timeframe before this Act comes into effect during which such an appeal is required to have been brought).

(2) Prior laws continue to govern the filing of a lawsuit to overturn a disposition or other action against which an objection has been lodged pursuant to the relevant Act before its amendment by this Act (including any provisions of the relevant Act that, pursuant to the preceding Article, continue to be governed by prior laws), if it is decided, pursuant to the relevant Act after its amendment by this Act, that a lawsuit to overturn that disposition or other action may not be filed until after a determination has been reached on a request for review.

(3) Prior laws continue to govern a lawsuit filed before this Act comes into force to overturn an administrative agency's decision, determination, or other action

on an appeal.

(Transitional Measures for Penal Provisions)

Article 9 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act, and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to Article 5 and the two preceding Articles of these Supplementary Provisions.

(Delegation of Authority for Other Transitional Measures to Cabinet Order)

Article 10 Beyond what is provided for in Article 5 through the preceding Article of the Supplementary Provisions, Cabinet Order provides for the necessary transitional measures connected with the entry into effect of this Act (including transitional measures concerning penal provisions).

Supplementary Provisions [Act No. 82 of June 25, 2014] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of the date specified by Cabinet Order within the scope not exceeding one year from the date of promulgation; provided, however, the provisions set forth in the following items come into effect as of the date described in each item:

- (i) the provisions of Article 6 of Supplementary Provisions: the date of promulgation;
- (ii) the amended provisions of Article 88, paragraph (1) of Article 89, paragraph (1) of Article 89 and item (ii) of Article 119, the amended provisions of item (i) of Article 120 (excluding "paragraph (1) of Article 57-3" replaced with "paragraph (1) of Article 57-4"), amended provisions of Appended Table 2, Appended Table 4 and Appended Table 14 and the provisions of the following article through Article 5 of Supplementary Provisions (limited to the parts of "the penal provisions" instead of "the provisions pertaining to penal provisions" in the amended provisions of paragraph (3) of Article 45, and "paragraph (6) of Article 88" instead of "paragraph (7) of Article 88" of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985; hereinafter referred to as "the Worker Dispatching Act")): the date specified by Cabinet Order, within the scope of no more than six months from the date of promulgation;
- (iii) the amended provisions of paragraph (1) of Article 66, the amended provisions in which an article was added next to Article 66-9, the amended provisions of Article 104 and paragraph (1) of Article 106 (limited to the

parts in which "paragraph (9) of Article 66-10" was added following "Article 63"), the amended provisions include the deletion of Article 2 through Article 24 of Supplementary Provisions, renumbering of Article 25 through Article 2 of Supplementary Provisions, and renumbering of Article 3 through Article 26 of Supplementary Provisions, and amended provisions by adding one article to Supplementary Provisions: the date specified by Cabinet Order ,within the scope of no more than one year and six months from the date of promulgation;

(iv) the amended amendments of item (i) of paragraph (3) of Article 28, paragraph (1) of Article 28-2, item (i) of paragraph (1) of Article 57 and paragraph (1) of Article 57-2, deletion of Article 58, renumber of Article 57-5 in Section 2 of Chapter V to Article 58 and Article 57-4 to Article 57-5, deletion of the heading prior to Article 57-3, renumbering of this article through Article 57-4, the amended provisions to add a heading prior to that Article, the amended provisions to add one article next to Article 57-2, the amended provisions of paragraph (3) of Article 93 (excluding the parts in which, "special safety and health improvement plan" added under the "specialized technical issues"), the amended provisions of paragraph (1) of Article 106 (limited to the amendment from "Article 57-5" to "paragraph (4) of Article 57-3, Article 58"), the amended provisions of item (i) of Article 119, the amended provisions of item (i) of Article 120 (limited to the amendment from "paragraph (3) of Article 57-3" to "paragraph (1) of Article 57-4"), the amended provisions of item (ii) of that Article and provisions of Article 9 of Supplementary Provisions (limited to amendment from "Article 57-5" to "Article 58" in the amended provisions of paragraph (3) of Article 45): the date specified by Cabinet Order, within the scope of no more than two years from the date of promulgation.

(Transitional Measures for Restriction of Transfer)

Article 2 The provisions of Article 42 of the amended Industrial Safety and Health Act do not apply to machinery or other such equipment referred to in item (xvi) of Appended Table 2 of that Act that has been manufactured or imported before the effective date of the provisions referred to in item (ii) of the preceding Article (hereinafter referred to as "the partial effective date").

(Transitional Measures for Type Examinations)

Article 3 It is not required for a person to undergo the type examination under paragraph (1) of Article 44-2 of the amended Industrial Safety and Health Act for machinery or other such equipment referred to in item (xiii) of Appended Table 4 of that Act that has been manufactured or imported before the partial effective date.

(Transitional Measures for Notification of Plans)

Article 4 Prior laws continue to govern the effect of the provisions of paragraph (7) of Article 88 of the Industrial Safety and Health Act in relation to a plan submitted by an employer before the partial effective date pursuant to the pre-amendment provisions of that Article, and the validity of the suspension of commencement of the construction or order for modifying the plan submitted by the Chief of the Labour Standard Inspection Offices before the partial effective date (limited to the submission under the provisions of paragraph (1) of that Article).

(Transitional Measures for Penal Provisions)

Article 5 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions set forth in items (ii) through (iv) of Article 1 of Supplementary Provisions; hereinafter the same applies in this Article), to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to these Supplementary Provisions, and to conduct that violates the pre-amendment provisions of paragraph (1) of Article 88 of the Industrial Safety and Health Act (limited to conduct in which a person has engaged, after the partial effective date, in connection with construction that has been commenced before the final day in the twenty-nine-day period beginning on the partial effective day without a notification having been filed as prescribed in that paragraph).

(Delegation to Cabinet Order)

Article 6 Beyond as provided for in Article 2 through the preceding Article of the Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures connected with the entry into effect of this Act.

(Review)

Article 7 Five years after this Act comes into effect, the Government is to review the implementation status of the amended Industrial Safety and Health Act, and on finding that it is necessary to do so, is to take the necessary measures based on the results of that review.

Supplementary Provisions [Act No. 17 of May 7, 2015] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, of 2016.

Supplementary Provisions [Act No. 41 of March 1, 2017] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2019; provided, however, that the provisions of the following Article and Article 48 of Supplementary Provisions come into effect as of the effective date.

(Delegation to Cabinet Order)

Article 48 Beyond what is provided for in these Supplementary Provisions, Cabinet Order prescribes the necessary transitional measures connected with the entry into effect of this Act.

Supplementary Provisions [Act No. 71 of July 6, 2018] [Extract]

(Effective Date)

Article 1 This Act comes into effect as of April 1, 2019; provided, however, the provisions set forth in the following items come into effect as of the date described in each item:

(i) the provisions of Article 3, the provisions of paragraph (2) of Article 7, paragraph (2) of Article 8, Article 14 and Article 15 of Supplementary Provisions, the amended provisions of Appended Table 1 of the Act on Public Consultants on Social and Labour Insurance (Act No. 89 of 1968) under Article 18 of Supplementary Provisions, the amended provisions of Article 28 and paragraph (3) of Article 38 of the Act on Stabilization of Employment of Elderly Persons (Act No. 68 of 1971) under Article 19 of Supplementary Provisions, the amended provisions of paragraph (2) of Article 30 of the Act for Improvement of Employment of Construction Workers (Act No. 33 of 1976) under Article 20 of Supplementary Provisions, the provisions of Article 27 of Supplementary Provisions, the amended provisions of item (lii) of paragraph (1) of Article 4 of Act Establishing the Ministry of Health, Labour and Welfare (Act No. 97 of 1999) under Article 28 of Supplementary Provisions and the amended provisions of item (iv) of paragraph (1) of Article 9 of that Act (limited to the part adding "the Act on Comprehensive Promotion of Labor Policies, Stability of Employment of Workers and Enhancement of Occupational Life" under "(Act No. 46 of 1998)"), and the provisions of Article 30 of Supplementary Provisions: the date of promulgation.

(Transitional Measures for Face-to-Face Guidance)

Article 5 Notwithstanding the provisions of paragraph (1) of Article 66-8-2 of the Industrial Safety and Health Act as amended under the provisions of Article 4

(hereinafter referred to as "the new Industrial Safety and Health Act"), an employer need not provide the face-to-face guidance under the provisions of that paragraph to a worker to whom the agreement to apply previous provisions pursuant to the provisions of Article 2 of Supplementary Provisions (including as applied following a deemed replacement of terms pursuant to the provisions of paragraph (1) of Article 3 of Supplementary Provisions) is applied. In such a case, the phrase "the workers (those who are prescribed in paragraph (1) of the following Article and" is deemed to be replaced with "the workers (" for the application of the provisions of paragraph (1) of Article 66-8 of the new Industrial Safety and Health Act.

(Review)

Article 12 (1)

(3) In addition to the particulars prescribed in the preceding two paragraphs, about five years after the entry into effect of this Act, the Government is to review the implementation status of provisions of the laws amended by this Act (hereinafter referred to as "the amended Acts"), in consideration of the state of entry into effect of the amended Acts and from the perspective of promoting discussions between the workers and employers in view of work-life balance, improvement of working conditions, ensuring well-balanced treatment of workers in various employment and working patterns, and enhancement of the occupational lives of workers, and on finding it to be necessary to do so, is to take the needed measures based on the results of that review.

(Transitional Measures for Penal Provisions)

Article 29 Prior laws continue to govern the applicability of penal provisions to conduct in which a person has engaged before the entry into effect of this Act (or of the provisions set forth in the item (iii) of Article 1 of the Supplementary Provisions), and to conduct in which a person has engaged after the entry into effect of this Act in a situation that prior laws continue to govern pursuant to the provisions of these Supplementary Provisions or in a situation for which prior laws remain in effect pursuant to the provisions of these Supplementary Provisions.

(Delegation to Cabinet Order)

Article 30 Beyond what is prescribed in these Supplementary Provisions, Cabinet Order provides for any necessary transitional measures attendant on the entry into effect of this Act (including transitional measures concerning penal provisions).

Appended Table 1 (Related to Article 37)

- (i) Boiler
- (ii) Class-1 pressure vessels (meaning pressure vessels as prescribed by Cabinet Order; the same applies hereinafter)
- (iii) Cranes
- (iv) Mobile cranes
- (v) Derricks
- (vi) Elevators
- (vii) Construction lifts
- (viii) Gondolas

Appended Table 2 (Related to Article 42)

- (i) Rolling mills for kneading rubber, rubber compounds, or synthetic resin; and emergency stopping devices for such rolling mills.
- (ii) Class-2 pressure vessels (meaning pressure vessels other than class-1 pressure vessels, which are specified by Cabinet Order; the same applies in the following table)
- (iii) Small-sized boilers
- (iv) Small-sized pressure vessels (meaning class-1 pressure vessels as specified by Cabinet Order; the same applies in the following table)
- (v) Safety devices for press machines and shearing machines
- (vi) Explosion-proof electrical instruments
- (vii) Overload preventive devices for cranes and mobile cranes
- (viii) Dust respirators
- (ix) Gas masks
- (x) Woodworking circular saws and devices on these to prevent kickback and teeth contact
- (xi) Powered press machines
- (xii) Automatic electric shock prevention devices for AC arc-welding equipment
- (xiii) Insulating protective equipment
- (xiv) Insulating equipment
- (xv) Safety helmets
- (xvi) Powered air-purifying respirators

Appended Table 3 (Related to Article 44)

- (i) Emergency stopping devices with electrical braking mechanisms on rolling mills for kneading rubber, rubber compounds, or synthetic resin
- (ii) Class-2 pressure vessels
- (iii) Small-sized boilers
- (iv) Small-sized pressure vessels

Appended Table 4 (Related to Article 44-2)

- (i) Emergency stopping devices with non-electric braking mechanisms on rolling mills for kneading rubber, rubber compounds, or synthetic resin
- (ii) Safety devices for press machines and shearing machines
- (iii) Explosion-proof electrical instruments
- (iv) Overload preventive devices for cranes and mobile cranes
- (v) Dust respirators
- (vi) Gas masks
- (vii) Movable devices to prevent contact for the teeth of woodworking circular saws
- (viii) Powered press machines with mechanisms to prevent danger due to sliding
- (ix) Automatic electrical shock prevention devices for AC arc-welding equipment
- (x) Insulating protective equipment
- (xi) Insulating equipment
- (xii) Safety helmets
- (xiii) Powered air-purifying respirators

Appended Table 5 (Related to Article 46)

- (i) Ultrasonic thickness gauges
- (ii) Ultrasonic flaw detectors
- (iii) Fiber scopes
- (iv) Strain gauges
- (v) Film viewers
- (vi) Densitometers

Appended Table 6 (Related to Article 46)

I.Requirements

1.A person who has graduated with a focus on an academic discipline related to engineering from a university or college of technology under the School Education Act (including a person who has completed the first half of a program at a professional university with a focus on such an academic discipline; hereinafter referred to as a "university or college of technology graduate with a specialization related to engineering"), and has also completed a training course falling under all of the following, whose theoretical training portion is at least 160 hours in duration and in which there are at least 10 practice inspections:

- (i) . The theoretical training portion covers the following subjects:
 - (a) The structure of specially specified machinery or other such equipment;
 - (b) Materials and their testing methods;
 - (c) Processing and testing methods;

- (d) Accessories;
- (e) Applicable laws and regulations, strength calculation methods and inspection standards.
 - (ii) . The course is conducted by a registered agency for post-manufacturing inspections.

2. A person who has graduated with a focus on an academic discipline related to engineering from a high school or secondary school under the School Education Act (hereinafter referred to as a "high-school or secondary-school graduate with a specialization related to engineering"), and has also completed a training course falling under 1. and 2., above, whose theoretical training portion is at least 210 hours in duration, and in which there are at least 15 practice inspections.

3. A person with knowledge and experience of at least the same level as a person as set forth above (i) or (ii).

II Numbers

Number of cases of post-manufacturing inspection per year divided by 800 (rounded up to the nearest whole number, if applicable)

Appended Table 7 (Related to Article 46)

- (i) A university or college of technology graduate with a specialization related to engineering who has 10 years or more of experience involved in researching, designing, manufacturing, or inspecting specially specified machinery or other such equipment, or in post-manufacturing inspections of specially specified machinery or other such equipment
- (ii) A high-school or secondary-school graduate with a specialization related to engineering who has 15 years or more experience involved in researching, designing, manufacturing, or inspecting specially specified machinery or other such equipment, or in post-manufacturing inspections of specially specified machinery or other such equipment
- (iii) A person with knowledge and experience of at least the same level as a person as set forth in the preceding two items.

Appended Table 8 (Related to Article 53-3)

Machines or other such equipment	Instruments and other equipment
Machines or other such equipment set forth in Appended Table 1, item (i) and (ii)	Ultrasonic thickness gauge, ultrasonic flaw detector and fiber scope

Machines or other such equipment set forth in Appended Table 1, item (iii)	Ultrasonic thickness gauge, ultrasonic flaw detector, insulation resistance tester, electric tester, level gauge, distance measurement device and magnetic flaw detector for wire rope
Machines or other such equipment set forth in Appended Table 1, item (iv)	Ultrasonic thickness gauge, ultrasonic flaw detector, level gauge, distance measurement device and magnetic flaw detector for wire rope
Machines or other such equipment set forth in Appended Table 1, item (v)	Ultrasonic thickness gauge, ultrasonic flaw detector, electric tester, distance measurement device and magnetic flaw detector for wire rope
Machines or other such equipment set forth in Appended Table 1, item (vi)	Ultrasonic thickness gauge, ultrasonic flaw detector, insulation resistance tester, electric tester, level gauge, tachometer and magnetic flaw detector for wire rope
Machines or other such equipment set forth in Appended Table 1, item (viii)	Ultrasonic thickness gauge, ultrasonic flaw detector, insulation resistance tester, electric tester and magnetic flaw detector for wire rope

Appended Table 9 (Refer to Article 53-3)

Machines or other such equipment	Requirements	Required number of inspectors
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<p>Machines or other such equipment set forth in item (i) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering, a person must have seven years or more of experience in designing, manufacturing or installing machines or other such equipment for which a performance inspection is to be conducted or two years or more of experience in inspecting the relevant machines or other such equipment (hereinafter referred to as a "person with limited experience" in this table); and must have completed a training course that covered all of the items listed below (this training course is limited to that related to the relevant machines or other such equipment; hereinafter referred to as the "specified training" in this table) and that included 40 hours or more of theoretical training portion and ten or more practice inspections.</p> <p>(i) Theoretical training portion shall cover the following subjects.</p> <p>(a) Structure, construction, installation and materials of the relevant machines or other such equipment</p> <p>(b) Auxiliary equipment and accessories</p> <p>(c) Operation, cleaning and damage</p> <p>(d) Applicable laws and regulations, strength calculation methods and inspection standards</p> <p>(ii) Training shall be provided by a registered performance inspection agency</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 200 or more practice inspections.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>
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	<p>(3) Among high-school or secondary-school graduates with a specialization related to engineering, a person must have ten years or more of experience in designing, manufacturing or installing machines or other such equipment for which a performance inspection is to be conducted or five years or more of experience in inspecting the relevant machines or other such equipment (hereinafter referred to as a "person with extensive experience" in this table); and must have completed a training course prescribed in item (1).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 400 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (ii) and (iii) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 100 or more practice inspections.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

	<p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 200 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (4) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 40 or more practice inspections.</p> <p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

	<p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 80 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (5) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 30 or more practice inspections.</p> <p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 60 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

<p>Machines or other such equipment set forth in item (6) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 20 or more practice inspections.</p> <p>(3) Among graduates of an engineering-related high school, etc. high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 40 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>
<p>Machines or other such equipment set forth in item (iv) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

	<p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 40 or more practice inspections.</p> <p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 80 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (v) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are whose with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Amonguniversity or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 30 or more practice inspections.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

	<p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 60 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (vi) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 20 or more practice inspections.</p> <p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

	<p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 40 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
<p>Machines or other such equipment set forth in item (viii) of Appended Table 1</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering who are those with limited experience, a person must have completed a specified training course that included 40 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 10 or more practice inspections.</p> <p>(3) Among high-school or secondary-school graduates with a specialization related to engineering who are those with extensive experience, a person must have completed a training course prescribed in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 20 or more practice inspections.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	<p>The number shall be calculated by dividing the annual number of performance inspections by 800 (any fraction shall be rounded up)</p>

Appended Table 10 (Related to Article 53-3)

- (i) university or college of technology graduate with a specialization related to engineering who has 10 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the performance inspection, or involved in performance inspection services connected with that machinery or other such equipment
- (ii) A high-school or secondary-school graduate with a specialization related to engineering who has 15 years or more of experience involved in the researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the performance inspection, or involved in performance inspection services connected with that machinery or other such equipment
- (iii) A person with knowledge and experience of at least the same level as a person as set forth in the preceding two items.

Appended Table 11 (Related to Article 54)

Machines or other such equipment	Instruments and other equipment
Machines or other such equipment set forth in Appended Table 1, item (i)	Insulation resistance tester, withstand voltage testing device, tachometer and material testing machine
Machines or other such equipment set forth in Appended Table 1, item (ii) through (iv)	Ultrasonic thickness gauge, ultrasonic flaw detector, fiber scope, strain gauge, film viewer and densitometer

Appended Table 12 (Refer to Article 54)

Machines or other such equipment	Requirements	Required number of inspectors
Machines or other such equipment set forth in item (i) of Appended Table 3	(1) A person must be a university or college of technology graduate with a specialization related to engineering and must have two years or more of experience in work related to research, designing, manufacturing or inspection of machines or other such equipment for which an individual examination is to be conducted.	The number shall be calculated by dividing the annual number of individual examinations by 120 (any fraction shall be rounded up)

	<p>(2) A person must be a high-school or secondary-school graduate with a specialization related to engineering and must have five years or more of experience in work related to researching, designing, manufacturing or inspection of machines or other such equipment for which an individual examination is to be conducted.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>	
<p>Machines or other such equipment set forth in items (ii) through (iv) of Appended Table 3</p>	<p>(1) Among university or college of technology graduates with a specialization related to engineering, a person must have three years or more of experience in designing, manufacturing or installing machines or other such equipment for which an individual examination is to be conducted or one year or more of experience in inspecting the relevant machines or other such equipment (hereinafter referred to as a "person with limited experience" in this table); and must have completed a training course that covered all of the items listed below (this training course is limited to that related to the relevant machines or other such equipment; hereinafter referred to as the "specified training course" in this table) and that included 40 hours or more of theoretical training portion and 20 or more practice examinations.</p> <p>(i) Theoretical training portion shall cover the following subjects.</p> <p>(a) Structure, construction, installation and materials of the relevant machines or other such equipment</p> <p>(b) Auxiliary equipment and accessories</p> <p>(c) Operation, cleaning and damage</p> <p>(d) Applicable laws and regulations, strength calculation methods and inspection standards</p> <p>(ii) Training shall be provided by registered individual examination agency.</p> <p>(2) Among university or college of technology graduates with a specialization related to engineering who are other than those with limited experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 200 or more practice examinations.</p>	<p>The number shall be calculated by dividing the annual number of individual examinations by 2,400 (any fraction shall be rounded up)</p>

	<p>(3) Among high-school or secondary-school graduates with a specialization related to engineering, a person must have five years or more of experience in designing, manufacturing or installing machines or other such equipment for which an individual examination is to be conducted or three years or more of experience in inspecting the relevant machines or other such equipment (hereinafter referred to as a "person with extensive experience" in this table); and must have completed a training course set forth in item (i).</p> <p>(4) Among high-school or secondary-school graduates with a specialization related to engineering who are other than those with extensive experience, a person must have completed a specified training course that included 80 hours or more of theoretical training portion and 40 or more practice examinations.</p> <p>(5) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding four items.</p>	
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Appended Table 13 (Related to Article 54)

- (i) A university or college of technology graduate with a specialization related to engineering who has 10 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment subject to the individual examination, or involved in individual examination services connected with that machinery or other such equipment
- (ii) A high-school or secondary-school graduate with a specialization related to engineering who has 15 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the individual examination, or involved in individual examination services connected with that machinery or other such equipment
- (iii) A person with knowledge and experience of at least the same level as a person as set forth in the preceding two items.

Appended Table 14 (Refer to Article 54-2)

Machines or other such equipment	Instruments and other equipment
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Machines or other such equipment set forth in item (i) of Appended Table 4	Insulation resistance tester, withstand voltage testing device, tachometer and material testing machine
Machines or other such equipment set forth in item (ii) of Appended Table 4	Operation testing machine, hardness testing machine, oscilloscope, infrared night-vision device, insulation resistance tester, and withstand voltage testing device
Machines or other such equipment set forth in item (iii) of Appended Table 4	Withstand voltage testing device, electrical measuring instrument, thermostatic bath, temperature testing device, steel-ball drop testing device, water resistance testing device, impact testing machine, ingress protection rating device, explosion testing device, gas concentration measuring instrument, hydrostatic pressure testing device, constraint testing device, airtightness testing device, internal pressure testing device, spark-ignition testing device, combustion test device, and dust resistance testing device
Machines or other such equipment set forth in item (iv) of Appended Table 4	Material testing machine, water resistance testing device, impact testing machine, and vibration testing device
Machines or other such equipment set forth in item (v) of Appended Table 4	Material testing machine, gas concentration measuring instrument, air-flow resistance testing device, dust collection efficiency measuring device, dead space testing device, and airtightness testing device for exhaust air valve
Machines or other such equipment set forth in item (vi) of Appended Table 4	Material testing machine, gas concentration measuring instrument, air-flow resistance testing device, dust collection efficiency measuring device, dead space testing device, airtightness testing device for exhaust air valve, neutralizing capacity testing device, facepiece airtightness testing device, and inhalation canister airtightness testing device
Machines or other such equipment set forth in item (vii) of Appended Table 4	Operation testing machine and hardness testing machine
Machines or other such equipment set forth in item (viii) of Appended Table 4	Oscilloscope, infrared night-vision device, insulation resistance tester, withstand voltage testing device, tachometer, material testing machine, emergency stop time measuring device, and vibration testing device
Machines or other such equipment set forth in item (ix) of Appended Table 4	Operation testing machine, insulation resistance tester, withstand voltage testing device, temperature testing device, and delay time measuring device

Machines or other such equipment set forth in items (x) and (xi) of Appended Table 4	Withstand voltage testing device, material testing machine, and electrical measuring instrument
Machines or other such equipment set forth in item (xii) of Appended Table 4	Thermostatic bath and impact testing machine
Machines or other such equipment in item (xiii) of Appended Table 4	Material testing machine, gas concentration measuring instrument, internal pressure testing device, air-flow resistance testing device, dust collection efficiency measuring device, airtightness testing device for exhaust air valve, leak rate test apparatus, minimum required airflow test apparatus, nominal operating time test apparatus and noise meter

Appended Table 15 (Related to Article 54-2)

(i) Requirements

(i) A university or college of technology graduate with a specialization related to engineering who has 2 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the type examination

(ii) A high-school or secondary-school graduate with a specialization related to engineering who has 5 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the type examination

(iii) A person with knowledge and experience of at least the same level as a person as set forth in above (i) or (ii).

2. Numbers

2 for each office

Appended Table 16 (Related to Article 54-2)

(i) A university or college of technology graduate with a specialization related to engineering who has 10 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment subject to the type examination, or involved in type examination services connected with that machinery or other such equipment

(ii) A high-school or secondary-school graduate with a specialization related to engineering who has 5 years or more of experience involved in researching, designing, manufacturing, or inspecting the machinery or other such equipment that is subject to the type examination, or involved in type examination services connected with that machinery or other such equipment

(iii) A person with knowledge and experience of at least the same level as a

person as set forth in the preceding two items

Appended Table 17 (Related to Article 17)

- (i) Practical training for operation of ship lifting appliances
- (ii) Practical training for operation of cranes
- (iii) Practical training for operation of mobile cranes

Appended Table 18 (Related to Article 76)

- (i) Skill training course for woodworking machine operations supervisors
- (ii) Skill training course for press machine operations supervisors
- (iii) Skill training course for industrial dryer operations supervisors
- (iv) Skill training course for concrete blasting operations supervisors
- (v) Skill training course for excavating natural ground and shoring operations supervisors
- (vi) Skill training course for tunnel excavation, etc. operations supervisors
- (vii) Skill training course for operations tunnel lining, etc. operations supervisors
- (viii) Skill training course for concrete form shoring assembly, etc. operations supervisors
- (ix) Skill training course for scaffolding assembly, etc. operations supervisors
- (x) Skill training course for operations supervisors for the assembly, etc. of the steel frames of buildings, etc.
- (xi) Skill training course for steel bridge installation, etc. operations supervisors
- (xii) Skill training course for concrete structure demolition, etc. operations supervisors
- (xiii) Skill training course for concrete bridge installation, etc. operations supervisors
- (xiv) Skill training course for quarrying excavation operations supervisors
- (xv) Skill training course for cargo stacking operations supervisors
- (xvi) Skill training course for stevedoring operations supervisors
- (xvii) Skill training course for wooden building erection, etc. operations supervisors
- (xviii) Skill training course for operations supervisors for the use of class-1 pressure vessels related to chemical facilities
- (xix) Skill training course for operations supervisors for the use of ordinary class-1 pressure vessels
- (xx) Skill training course for operations supervisors for specified chemical substances and tetra-alkyl lead, etc.
- (xxi) Skill training course for lead danger operations supervisors
- (xxii) Skill training course for organic solvents operations supervisors

- (xxiii) Skill training course for asbestos operations supervisors
- (xxiv) Skill training course for oxygen deficient danger operations supervisors
- (xxv) Skill training course for operations supervisors of dangerous work in oxygen-deficient air or involving hydrogen sulfide
- (xxvi) Skill training course for operation of floor-operated cranes
- (xxvii) Skill training course for operation of light duty mobile cranes
- (xxviii) Skill training course for gas welding
- (xxix) Skill training course for forklift operation
- (xxx) Skill training course for operation of shovel loaders, etc.
- (xxxi) Skill training course for operation of vehicle-type construction machines (for leveling ground, transport, loading and excavating)
- (xxxii) Skill training course for operation of vehicle-type construction machine (for demolition)
- (xxxiii) Skill training course for operation of vehicle-type construction machine (for foundation work)
- (xxxiv) Skill training course for operation of rough-terrain vehicle
- (xxxv) Skill training course for operation of vehicle for work at height
- (xxxvi) Skill training course for slinging operations
- (xxxvii) Skill training course for boiler operations

Appended Table 19 (Related to Article 77)

Skill training or practical training	Instruments, other equipment and facilities
Skill training course for oxygen deficient danger operations supervisors	Revival apparatus and oxygen concentration meter
Skill training course for operations supervisors of dangerous work in oxygen-deficient air or involving hydrogen sulfide	Revival apparatus, oxygen concentration meter, hydrogen sulfide concentration meter
Skill training course for operation of floor-operated crane	Floor-operated crane
Skill training course for operation of light duty mobile crane	Light duty mobile crane
Skill training course for gas welding	Gas welding equipment
Skill training course for forklift operation	Forklift, pallet and the facility where a forklift can be operated

Skill training course for operation of shovel loader, etc.	Shovel loader, etc. (referring shovel loader and fork loader, hereinafter the same.), and the facility where the shovel loader, etc. can be operated)
Skill training course for operation of vehicle type construction machine (for leveling ground, transport, loading and excavating)	Vehicle type construction machine (for leveling ground, transport, loading and excavating) and facility where the vehicle can be operated.
Skill training course for vehicle type construction machine (for demolition)	Vehicle type construction machine (for demolition) and facility where the vehicle can be operated
Skill training course for vehicle type construction machine (for foundation work)	Vehicle type construction machine (for foundation work) and facility where the vehicle can be operated.
Skill training course for rough-terrain vehicle	Rough-terrain vehicle and facility where the vehicle can be operated.
Skill training course for vehicle for work at height	Vehicle for work at height
Skill training course for slinging operation	Crane, mobile crane, derrick or ship lifting appliance on deck, cargo and slinging equipment
Practical training for operation of ship lifting appliance	Ship lifting appliance
Practical training for operation of crane	Overhead traveling crane, simulator and facility where the overhead traveling crane can be operated.
Practical training for operation of mobile crane	Mobile crane, simulator and facility where the mobile crane can be operated.

Appended Table 20 (Refer to Article 77)

(i) Skill training courses for woodworking machine and press machine operations supervisors

Training subject	Qualifications

Theoretical instruction	<p>Knowledge of the types, structure and functions of work-related machines and their safety devices</p> <p>Knowledge of the maintenance and inspection of work-related machines and their safety devices</p>	<p>(1) A person must be a graduate of a university or technical college accredited under the School Education Act (hereinafter referred to as a "university, etc.") who completed a mechanical engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same) and, after graduation, must have two years or more of experience in designing, manufacturing, inspecting or operating machines related to the relevant work.</p> <p>(2) A person must be a graduate of a high school or secondary school accredited under the School Education Act (hereinafter referred to as a "high school, etc.") who completed a mechanical engineering course and, after graduation, must have five years or more of experience in designing, manufacturing, inspecting or operating machines related to the relevant work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of work methods	<p>(1) A person must be a graduate of a university, etc. (including a person who has completed the first half of a program at a professional university; hereinafter the same) and, after graduation, must have one year or more of experience in operating machines related to the relevant work.</p> <p>(2) A person must be a graduate of a high school, etc. and, after graduation, must have three years or more of experience in operating machines related to the relevant work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

(ii) Skill training course for industrial dryer operations supervisors

Training subject	Qualifications	
Theoretical instruction	<p>Knowledge of the structure and operation of industrial dryers and their accessory facilities</p> <p>Knowledge of the inspection, maintenance and emergency measures of industrial dryers and their accessory facilities</p>	<p>(1) A person must be a graduate of a university, etc. who completed an engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same) and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or operating industrial dryers.</p> <p>(2) A person must be a graduate of a high school, etc. who completed an engineering course and, after graduation, must have five years or more of experience in designing, manufacturing, inspecting or operating industrial dryers.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons specified set forth in the preceding two items.</p>
	Knowledge of the management of drying operations by industrial dryers	<p>(1) A person must be a graduate of a university, etc. who completed an engineering or chemistry course (including a person who has completed the course in the first semester of half of a program at a professional university; hereinafter the same) and, after graduation, must have three years or more of experience in operating industrial dryers.</p> <p>(2) A person must be a graduate of a high school, etc. who completed an engineering or chemistry course and, after graduation, must have five years or more of experience in operating industrial dryers.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

(iii) Skill training course for concrete blasting operations supervisors

Training subject	Qualifications	
Theoretical instruction	Knowledge of explosives Knowledge of the operation of concrete breakers	(1) A person must be a graduate of a university, etc. who completed an industrial chemistry, mining or civil engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same) and, after graduation, must have one year or more of experience in handling explosives. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Knowledge of blasting methods using concrete breakers Knowledge to educate workers	(1) A person must be a graduate of a university, etc. who completed an industrial chemistry, mining or civil engineering course and, after graduation, must have two years or more of experience in blasting using concrete breakers. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(iv) Skill training course for excavating natural ground and shoring operations supervisors; skill training course for tunnel excavation, etc. operations supervisors; skill training course for tunnel lining, etc. operations supervisors; skill training course for concrete form shoring assembly, etc. operations supervisors; skill training course for scaffolding assembly, etc. operations supervisors; skill training course for operations supervisors for the assembly, etc. of the steel frames of buildings, etc.; skill training course for steel bridges installation, etc. operations supervisors; skill training course for concrete structures demolition, etc. operations supervisors; and skill training course for concrete bridge installation, etc. operations supervisors

Training subject	Qualifications

Theoretical instruction	Knowledge of work methods	<p>(1) A person must be a graduate of a university, etc. who completed a civil engineering, architecture or mining course (an architecture course shall be excluded for the skill training courses for operations chiefs of tunnel excavation, etc. and tunnel lining, and a shipbuilding course shall be included for the skill training course for operations chief of assembling, etc. of scaffolding; hereinafter referred to as the "specified courses" in this table); and, after graduation, must have three years or more of experience in construction work (construction work for the skill training courses for operations chiefs of tunnel excavation, etc. and tunnel lining shall be limited to tunnel construction; that for the skill training course for operations chief of assembling, etc. of scaffolding shall include shipbuilding; and that for the skill training course for operations chiefs of demolition, etc. of concrete structures shall be limited to demolition, etc. of concrete structures; hereinafter referred to as the "specified work" in this table).</p> <p>(2) A person must be a graduate of a high school, etc. who completed a specified course and, after graduation, must have five years or more of experience in specified work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	<p>Knowledge of construction facilities, machines, tools and work environment</p> <p>Knowledge to educate workers</p>	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in specified work or safety guidance related to specified work.</p> <p>(2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in specified work or safety guidance related to specified work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in safety service.</p>

	(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
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(v) Skill training course for quarrying excavation operations supervisors

Training subject		Qualifications
Theoretical instruction	Knowledge of the types of rocks and excavating methods for rock quarrying	(1) A person must be a graduate of a university, etc. who completed a mining or civil engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same) and, after graduation, must have three years or more of experience in quarrying work. (2) A person must be a graduate of a high school, etc. who completed a mining or civil engineering course and, after graduation, must have five years or more of experience in quarrying work. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
	Knowledge of facilities, machines, tools and work environment Knowledge to educate workers	(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in quarrying work or safety guidance related to quarrying industry. (2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in quarrying work or safety guidance related to quarrying industry. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in safety service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(vi) Skill training course for cargo stacking, etc. operations supervisors

Training subject	Qualifications	
Theoretical instruction	<p>Knowledge of stacks of cargo (a collection of cargo piled up in a warehouse, shed or cargo depot; hereinafter the same)</p> <p>Knowledge of manual work of making or breaking stacks of cargo</p>	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in making or breaking stacks of cargo.</p> <p>(2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in making or breaking stacks of cargo.</p> <p>(3) A person must have completed the skill training course for operations chiefs of stacking cargo and, after completion, must have three years or more of experience in making or breaking stacks of cargo.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
	Knowledge of mechanical cargo handling for making or breaking stacks of cargo	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in making or breaking stacks of cargo.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have five years or more of experience in making or breaking stacks of cargo.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

(vii) Skill training course for stevedoring operations supervisors

Training subject	Qualifications
Theoretical instruction	<p>Knowledge necessary for work direction</p> <p>(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in safety management service related to stevedoring. (2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in safety management service related to stevedoring. (3) A person must have ten years or more of experience in safety management service related to stevedoring. (4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
	<p>Knowledge of the structure and operating methods of ship facilities and cargo handling machines</p> <p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in stevedoring. (2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have five years or more of experience in stevedoring. (3) A person must have knowledge and experience equivalent to or greater than that of persons specified set forth in the preceding two items.</p>
	<p>Knowledge of sling work and the giving of signals</p> <p>(1) A person must be a graduate of a university, etc. who completed a dynamics course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same) and, after graduation, must have two years or more of experience in slinging work. (2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have four years or more of experience in slinging work. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>

Knowledge of cargo handling methods	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in stevedoring.</p> <p>(2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in stevedoring.</p> <p>(3) A person must have five years or more of experience in supervising or directing stevedores.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

(viii) Skill training course for wooden building erection, etc. operations supervisors

Training subject	Qualifications	
Theoretical instruction	Knowledge of work for wooden buildings such as building construction members and mounting roof backings	<p>(1) A person must be a graduate of a university, etc. who completed an architecture course (including a person who has completed the the course in the first half of a program at a professional university) and, after graduation, must have three years or more of experience in the erection, etc. of wooden buildings.</p> <p>(2) A person must be a graduate of a high school, etc. who completed an architecture course and, after graduation, must have five years or more of experience in the erection, etc. of wooden buildings.</p> <p>(3) A person must have ten years or more of experience in the erection, etc. of wooden buildings and, during that period, must have three years or more of experience in serving as a foreman for the relevant work or otherwise had been in a position that directly instructs or supervises workers engaged in the relevant work.</p>

		(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.
	Knowledge of construction facilities, machines, tools and work environment Knowledge to educate workers	(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in the erection, etc. of wooden buildings or safety guidance related to the relevant work. (2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in the erection, etc. of wooden buildings or safety guidance related to the relevant work. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have three years or more of experience in safety service (2) A person must be a graduate of a high school, etc. and, after graduation, must have five years or more of experience in safety service. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.

(ix) Skill training course for operations supervisors for the use of Class-1 pressure vessels related to chemical facilities

Training subject		Qualifications
Theoretical instruction	Knowledge of the structure of Class-1 pressure vessels	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering or chemical engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same in this table) and, after graduation, must have five years or more of experience in designing, manufacturing, inspecting or handling boilers or Class-1 pressure vessels. (2) A person must have eight years or more of experience in designing, manufacturing or inspecting boilers or Class-1 pressure vessels.

	(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
Knowledge of the handling of Class-1 pressure vessels	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering or chemical engineering course and, after graduation, must have five years or more of experience in handling Class-1 pressure vessels related to chemical facilities. (2) A person must have knowledge and experience equivalent to or greater than that of persons specified set forth in the preceding item.
Knowledge of dangerous substances and chemical reactions	(1) A person must be a graduate of a university, etc. who completed an industrial chemistry course (including a person who has completed the course in the first half of a program at a professional university) and, after graduation, must have six years or more of experience in work related to dangerous substances. (2) A person must be a graduate of a high school, etc. who completed an industrial chemistry course and, after graduation, must have eight years or more of experience in work related to dangerous substances. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in managing Class-1 pressure vessels related to chemical facilities. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(x) Skill training course for operations supervisors for the use of handling ordinary Class-1 pressure vessels

Training subject	Qualifications
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Theoretical instruction	Knowledge of the structure of Class-1 pressure vessels (except for those related to chemical facilities)	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have two years or more of experience in designing, manufacturing, inspecting or handling boilers or Class-1 pressure vessels. (2) A person must have five years or more of experience in designing, manufacturing or inspecting boilers or Class-1 pressure vessels. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
	Knowledge of the handling of Class-1 pressure vessels (except for those related to chemical facilities)	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have two years or more of experience in handling Class-1 pressure vessels. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in managing boilers or Class-1 pressure vessels. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(xi) Skill training courses for operations supervisors for specified chemical substances and tetra-alkyl lead, etc.; lead operations supervisors; organic solvents operations supervisors; and asbestos operations supervisors

Training subject	Qualifications
Theoretical instruction	<p>Knowledge of health impairments and their preventive measures</p> <p>(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course and, after graduation, must have two years or more of experience in research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

Knowledge of work environment improvement methods	(1) A person must be a graduate of a university, etc. who completed an engineering course and, after graduation, must have two years or more of experience in engineering research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Knowledge of protective equipment	(1) A person must be a graduate of a university, etc. who completed an engineering course and, after graduation, must have two years or more of experience in research or practical work related to protective equipment. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in industrial health service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(xii) Skill training course for oxygen deficient danger operations supervisors

Training subject	Qualifications
Theoretical instruction Knowledge of anoxia and emergency resuscitation	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course and, after graduation, must have two years or more of experience in research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Knowledge of causes and preventive measures of occurrence of oxygen deficiency	(1) A person must be a graduate of a university, etc. who completed a science or engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same applies) and, after graduation, must have two years or more of experience in engineering research or practical work related to industrial health.

		(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Knowledge of protective equipment	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course or a graduate of a university, etc. who completed an engineering course and, after graduation, must have two years or more of experience in research or practical work related to protective equipment. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in industrial health service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Practical training	Emergency resuscitation methods	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course and, after graduation, must have two years or more of experience in research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Oxygen concentration measurement method	(1) A person must be a graduate of a university, etc. who completed a science or engineering course and, after graduation, must have one year or more of experience in practical work related to environmental measurement. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

(xiii) Skill training course for operations supervisors of dangerous work in oxygen-deficient air or involving hydrogen sulfide

Training subject	Qualifications
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Theoretical instruction	Knowledge of anoxia, hydrogen sulfide poisoning and emergency resuscitation	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course and, after graduation, must have two years or more of experience in research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Knowledge of causes of occurrence of oxygen deficiency and hydrogen sulfide, and preventive measures	(1) A person must be a graduate of a university, etc. who completed a science or engineering course and, after graduation, must have two years or more of experience in engineering research or practical work relating to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Knowledge of protective equipment	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course or a graduate of a university, etc. who completed an engineering course and, after graduation, must have two years or more of experience in research or practical work relating to protective equipment. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in industrial health service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Practical training	Emergency resuscitation methods	(1) A person must be a graduate of a university accredited under the School Education Act who completed a medical course and, after graduation, must have two years or more of experience in research or practical work related to industrial health. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

Oxygen and hydrogen sulfide concentration measurement methods	<p>(1) A person must be a graduate of a university, etc. who completed a science or engineering course and, after graduation, must have one year or more of experience in practical work related to environmental measurements.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
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(xiv) Skill training course for the operation of floor-operated cranes

Training subject	Qualifications
Theoretical instruction	<p>Knowledge of floor-operated cranes</p> <p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	<p>Knowledge of motors and electricity</p> <p>(1) A person must be a graduate of a university, etc. who completed an electrical engineering or mechanical engineering course (including a person who has completed the course in the first half of a program at a professional university).</p> <p>(2) A person must be a graduate of a high school, etc. who completed an electrical engineering or mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>

	Knowledge of dynamics necessary for the operation of floor-operated cranes	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in operating cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	<p>Operation of floor-operated cranes</p> <p>Giving signals for the operation of floor-operated cranes</p>	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating floor-operated cranes.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating floor-operated cranes.</p> <p>(3) A person must have completed the skill training course for the operation of floor-operated cranes and, after completion, must have five years or more of experience in operating floor-operated cranes.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>

(xv) Skill training course for the operation of light duty mobile cranes

Training subject	Qualifications
Theoretical instruction	<p>Knowledge of light duty mobile cranes</p> <p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p>

		<p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining mobile cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of motors and electricity	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining mobile cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of dynamics necessary for the operation of light duty mobile cranes	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in operating mobile cranes.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	Operation of light duty mobile cranes	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating mobile cranes.</p>
	Giving signals for the operation of light duty mobile cranes	<p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating mobile cranes.</p>

		<p>(3) A person must have completed the skill training course for the operation of light duty mobile cranes and, after completion, must have five years or more of experience in operating light duty mobile cranes.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
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(xvi) Skill training course for gas welding

Training subject		Qualifications
Theoretical instruction	Knowledge of the structure and operating methods of equipment used for gas welding	<p>(1) A person must be a graduate of a university, etc. who completed an engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed an engineering course and, after graduation, must have three years or more of experience in gas welding.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of inflammable gases and oxygen used for gas welding	<p>(1) A person must be a graduate of a university, etc. who completed a chemistry course (including a person who has completed the course in the first half of a program at a professional university).</p> <p>(2) A person must be a graduate of a high school, etc. who completed a chemistry course and, after graduation, must have three years or more of experience in gas welding.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p>
Practical training	Handling of equipment used for gas welding	<p>(1) A person must be a graduate of a university, etc. who completed an engineering course and, after graduation, must have one year or more of experience in gas welding.</p>

		<p>(2) A person must be a graduate of a high school, etc. who completed an engineering course and, after graduation, must have three years or more of experience in gas welding.</p> <p>(3) A person must have completed the skill training course on gas welding and must have five years or more of experience in gas welding</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
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(xvii) Skill training courses for the operation of forklifts and shovel loaders, etc.

Training subject		Qualifications
Theoretical instruction	Knowledge of the structure and operating methods of driving systems	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining automotive vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of the structure and operating methods of cargo handling devices	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining forklifts or shovel loaders, etc.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of dynamics necessary for the operation of related devices	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course.</p>

		<p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in operating forklifts or shovel loaders, etc.</p> <p>3. A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	<p>Driving operation</p> <p>Cargo handling operation</p>	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating forklifts or shovel loaders, etc.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating forklifts or shovel loaders, etc.</p> <p>(3) A person must have completed the skill training courses for the operation of forklifts or shovel loaders, etc. and, after completion, must have five years or more of experience in operating forklifts or shovel loaders, etc.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>

(xviii) Skill training course for the operation of vehicle-type construction machines for leveling ground, transport, loading and excavating, and skill training course for the operation of vehicle-type construction machines for demolition.

Training subject		Qualifications
Theoretical instruction	Knowledge of the structure and operating methods of driving systems	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.

	<p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining automotive vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
Knowledge of the structure and operation of work-related devices, and work methods	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining vehicle-type construction machines for ground leveling ground, transport, loading and excavating, or for demolition.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
Knowledge of general matters necessary for the operation of machines	<p>(1) A person must be a graduate of a university, etc. who completed a civil engineering course (including a person who has completed the course in the first half of a program at a professional university; hereinafter the same applies).</p> <p>(2) A person must be a graduate of a high school, etc. who completed a civil engineering course and, after graduation, must have three years or more of experience in operating vehicle-type construction machines for leveling ground, transport, loading and excavating, or for demolition.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

Practical training	Driving operation Operation of devices for work	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating vehicle-type construction machines for leveling ground, transport, loading and excavating, or for demolition.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating vehicle-type construction machines for leveling ground, transport, loading and excavating, or for demolition.</p> <p>(3) A person must have completed the skill training course for the operation of vehicle-type construction machines for leveling ground, transport, loading and excavating, or those for demolition and, after completion, must have five years or more of experience in operating vehicle-type construction machines for leveling ground, transport, loading and excavating, or for demolition.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
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(xix) Skill training course for the operation of vehicle-type construction machines for foundation work

Training subject	Qualifications	
Theoretical instruction	Knowledge of the structure and operating methods of driving systems	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining automotive vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>

	<p>Knowledge of the structure and operation of work-related devices, and work methods</p>	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining vehicle-type construction machines for foundation work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	<p>Knowledge of general matters necessary for the operation of machines</p>	<p>(1) A person must be a graduate of a university, etc. who completed a civil engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a civil engineering course and, after graduation, must have three years or more of experience in operating vehicle-type construction machines for foundation work.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	<p>Applicable laws and regulations</p>	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	<p>Driving operation</p> <p>Operation of devices for work and giving signals</p>	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating vehicle-type construction machines for foundation work.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating vehicle-type construction machines (for foundation work).</p>

		<p>(3) A person must have completed the skill training course for the operation of vehicle-type construction machines for foundation work and, after completion, must have five years or more of experience in operating vehicle-type construction machines for foundation work.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
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(xx) Skill training course for the operation of rough terrain vehicles

Training subject		Qualifications
Theoretical instruction	Knowledge of the structure and operating methods of driving systems	<p>(1) A person must be a graduate from a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate from a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining automotive vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of the transportation of loads	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating rough terrain vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of dynamics necessary for the operation of vehicles	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in operating rough-terrain vehicle.</p>

		(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.
	Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.
Practical training	Driving operation Load transportation	(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating rough-terrain vehicles. (2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating rough-terrain vehicles. (3) A person must have completed the skill training course for the operation of rough-terrain vehicles and, after completion, must have five years or more of experience in operating rough-terrain vehicles. (4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items

(xxi) Skill training course for the operation of vehicle for work at a height

Training subject	Qualifications
Theoretical instruction	Knowledge of the structure and operating methods of work-related devices (1) A person must be a graduate of a university, etc. who completed a mechanical engineering course. (2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining vehicles for work at a height. (3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.

	Knowledge of motors	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or maintaining automotive vehicles.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of general matters necessary for the operation of vehicles	<p>(1) A person must be a graduate of a university, etc. who completed dynamics and electricity courses (including a person who has completed the course in the first half of a program at a professional university).</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in operating vehicles for work at a height.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	Operation of devices for work	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have one year or more of experience in operating vehicles for work at a height.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in operating vehicles for work at a height.</p> <p>(3) A person must have completed the skill training course for the operation of vehicles for work at a height and, after completion, must have five years or more of experience in operating vehicles for work at a height.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>

(xxii) Skill training course for slinging operations

Training subject		Qualifications
Theoretical instruction	Knowledge of cranes, mobile cranes, derricks and ship lifting appliance (hereinafter referred to as the "cranes, etc.")	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a mechanical engineering course and, after graduation, must have five years or more of experience in designing, manufacturing or inspecting cranes, etc.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Knowledge of dynamics necessary for sling work using cranes, etc.	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have three years or more of experience in sling work using cranes, etc.</p> <p>(3) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding two items.</p>
	Sling methods using cranes, etc.	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course and, after graduation, must have two years or more of experience in sling work using cranes, etc.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have five years or more of experience in sling work using cranes, etc.</p>

		<p>(3) A person must have completed the skill training course for sling work and must have ten years or more of experience in sling work using cranes, etc.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>
	Applicable laws and regulations	<p>(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>
Practical training	<p>Sling work using cranes, etc.</p> <p>Giving signals for the operation of cranes, etc.</p>	<p>(1) A person must be a graduate of a university, etc. who completed a dynamics course and, after graduation, must have two years or more of experience in sling work using cranes, etc.</p> <p>(2) A person must be a graduate of a high school, etc. who completed a dynamics course and, after graduation, must have five years or more of experience in sling work using cranes, etc.</p> <p>(3) A person must have completed the skill training course for sling work and must have ten years or more of experience in sling work using cranes, etc.</p> <p>(4) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding three items.</p>

(xxiii) Skill training course for boiler operation

Training subject	Qualifications	
Theoretical instruction	<p>Knowledge of the structure of boilers</p> <p>Knowledge of the operation of boilers</p>	<p>(1) A person must be a graduate of a university, etc. who completed a mechanical engineering course and, after graduation, must have three years or more of experience in designing, manufacturing, inspecting or operating boilers.</p> <p>(2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.</p>

Knowledge of ignition and combustion Knowledge of inspection and emergency measures	
Applicable laws and regulations	(1) A person must be a graduate of a university, etc. and, after graduation, must have one year or more of experience in safety service. (2) A person must have knowledge and experience equivalent to or greater than that of persons set forth in the preceding item.

Appended Table 21 (related to Article 77)

Practical training	Conditions
Practical training for operation of ship lifting appliance	(1) A person who possesses the license concerning practical training for operation of ship lifting appliance and has 5 years of experiences involved in operation of ship lifting appliance (2) A person who has the knowledge and experience equivalent to or greater than those set forth in preceding item.
Practical training for operation of crane Practical training for operation of mobile crane	(1) A person who possesses the license concerning practical training for operation of crane or mobile crane, and has 8 years of experience involved in operation of crane, mobile crane or derrick. (2) A person who has the knowledge and experience equivalent to or greater than those set forth in the preceding item.

Appended Table 22 (Related to Article 77)

Practical training	Conditions
Practical training for operation of ship lifting appliance Practical training for operation of crane Practical training for operation of mobile crane	(1) A person who had been in the position as the one who manages or supervise the lifting operation of ship lifting appliance, crane or mobile crane for 5 years or more. (2) A person who has knowledge and experience equivalent to or greater than those set forth in the preceding item