

消防法

Fire Service Act

(昭和二十三年七月二十四日法律第百八十六号)
(Act No. 186 of July 24, 1948)

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第一章 総則

Chapter I General Provisions

第一条 この法律は、火災を予防し、警戒し及び鎮圧し、国民の生命、身体及び財産を火災から保護するとともに、火災又は地震等の災害に因る被害を軽減し、もつて安寧

秩序を保持し、社会公共の福祉の増進に資することを目的とする。

Article 1 The purpose of this Act is to prevent, guard against, and suppress fires in order to protect the lives, bodies and property of citizens from fires, and to reduce the damage arising from fires or disasters such as earthquakes, thereby maintaining peace and order and contributing to the promotion of social and public welfare.

第二条 この法律の用語は左の例による。

Article 2 (1) In this Act, the meanings of the terms listed in the following paragraphs are as prescribed respectively in those paragraphs.

2 防火対象物とは、山林又は舟車、船きよ若しくはふ頭に繋留された船舶、建築物その他の工作物若しくはこれらに属する物をいう。

(2) The term "property under fire prevention measures" means a forest, or a vessel or vehicle, a ship moored at a dock or a pier, a building or other structure or property belonging thereto.

3 消防対象物とは、山林又は舟車、船きよ若しくはふ頭に繋留された船舶、建築物その他の工作物又は物件をいう。

(3) The term "property under fire defense measures" means a forest, or a vessel and vehicle, a ship moored at a dock or a pier, a building or other structure or any other object.

4 関係者とは、防火対象物又は消防対象物の所有者、管理者又は占有者をいう。

(4) The term "person concerned" means the owner, manager or possessor of a property under fire prevention measures or a property under fire defense measures.

5 関係のある場所とは、防火対象物又は消防対象物のある場所をいう。

(5) The term "place concerned" means the place where a property under fire prevention measures or a property under fire defense measures is located.

6 舟車とは、船舶安全法（昭和八年法律第十一号）第二条第一項の規定を適用しない船舶、端舟、はしけ、被曳船その他の舟及び車両をいう。

(6) The term "vessel and vehicle" means a ship, cutter, lighter, tugboat or other vessel to which the provisions of Article 2, paragraph (1) of the Ship Safety Act (Act No. 11 of 1933) do not apply, and a vehicle.

7 危険物とは、別表第一の品名欄に掲げる物品で、同表に定める区分に応じ同表の性質欄に掲げる性状を有するものをいう。

(7) The term "hazardous materials" means the materials listed in the Names of Items column of Appended Table 1, which have the properties listed in the Nature column of that table according to the Categories specified in that table.

8 消防隊とは、消防器具を装備した消防吏員若しくは消防団員の一隊又は消防組織法（昭和二十二年法律第二百二十六号）第三十条第三項の規定による都道府県の航空消防隊をいう。

(8) The term "firefighting team" means a unit of firefighters or fire corps

volunteers equipped with firefighting equipment or a prefectural aviation firefighting team under the provisions of Article 30, paragraph (30) of the Fire Defense Organization Act (Act No. 226 of 1947).

9 救急業務とは、災害により生じた事故若しくは屋外若しくは公衆の出入する場所において生じた事故（以下この項において「災害による事故等」という。）又は政令で定める場合における災害による事故等に準ずる事故その他の事由で政令で定めるものによる傷病者のうち、医療機関その他の場所へ緊急に搬送する必要があるものを、救急隊によつて、医療機関（厚生労働省令で定める医療機関をいう。）その他の場所に搬送すること（傷病者が医師の管理下に置かれるまでの間において、緊急やむを得ないものとして、応急の手当を行うことを含む。）をいう。

(9) The term "ambulance services" means the services for transporting a person who has suffered an injury or contracted a disease as a result of an accident that occurred due to a disaster or an accident that occurred in the open air or at a place with public access (hereinafter referred to as an "accident due to a disaster, etc." in this paragraph) or as a result of an accident equivalent to an accident due to a disaster, etc. or another cause specified by Cabinet Order that occurred in cases specified by Cabinet Order, and who needs to be transported urgently to a medical institution or any other place, by means of an ambulance team, to a medical institution (meaning a medical institution specified by Order of the Ministry of Health, Labor and Welfare) or any other place (including the services for providing a person who has suffered an injury or contracted a disease with first-aid treatment, as an urgent and unavoidable measure, until that person is placed under the care of a doctor).

第二章 火災の予防

Chapter II Prevention of Fire

第三条 消防長（消防本部を置かない市町村においては、市町村長。第六章及び第三十五条の三の二を除き、以下同じ。）、消防署長その他の消防吏員は、屋外において火災の予防に危険であると認める行為者又は火災の予防に危険であると認める物件若しくは消火、避難その他の消防の活動に支障になると認める物件の所有者、管理者若しくは占有者で権原を有する者に対して、次に掲げる必要な措置をとるべきことを命ずることができる。

Article 3 (1) A fire chief (in the case of a municipality which has no fire defense headquarters, its mayor; the same applies hereinafter, except in Chapter VI and Article 35-3-2), fire station chief or other firefighter may order a person who is committing an act in the open air that is found to be dangerous from a fire prevention perspective, or the owner, manager or possessor, who holds title, of an object in the open air that is found to be dangerous from a fire prevention perspective or an object in the open air that is found to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities, to take

the following necessary measures:

一 火遊び、喫煙、たき火、火を使用する設備若しくは器具（物件に限る。）又はその使用に際し火災の発生のおそれのある設備若しくは器具（物件に限る。）の使用その他これらに類する行為の禁止、停止若しくは制限又はこれらの行為を行う場合の消火準備

(i) prohibit, suspend or restrict an act of playing with fire, smoking a cigarette, making a bonfire, using equipment or a tool (excluding those falling under the category of structure) that uses fire or equipment or a tool (excluding those falling under the category of structure) that is likely to pose a fire risk when used or any other act equivalent to those acts, or in case of doing those activities, make preparations for fire extinguishing activities;

二 残火、取灰又は火粉の始末

(ii) treat embers, ashes or sparks appropriately;

三 危険物又は放置され、若しくはみだりに存置された燃焼のおそれのある物件の除去その他の処理

(iii) remove or otherwise treat hazardous materials or a flammable object that is left unattended or retained without due cause; and

四 放置され、又はみだりに存置された物件（前号の物件を除く。）の整理又は除去

(iv) put in order or remove an object that is left unattended or retained without due cause (excluding the object set forth in the preceding item)

2 消防長又は消防署長は、火災の予防に危険であると認める物件又は消火、避難その他の消防の活動に支障になると認める物件の所有者、管理者又は占有者で権原を有するものを確知することができないため、これらの者に対し、前項の規定による必要な措置をとるべきことを命ずることができないときは、それらの者の負担において、当該消防職員（消防本部を置かない市町村においては、消防団員。第四項（第五条第二項及び第五条の三第五項において準用する場合を含む。）及び第五条の三第二項において同じ。）に、当該物件について前項第三号又は第四号に掲げる措置をとらせることができる。この場合において、物件を除去させたときは、消防長又は消防署長は、当該物件を保管しなければならない。

(2) When a fire chief or fire station chief is unable to ascertain the owner, manager or possessor, who holds title, of an object that is found to be dangerous from a fire prevention perspective or an object that is found to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities, and therefore unable to order those persons to take any necessary measures under the provisions of the preceding paragraph, the fire chief or fire station chief may have their fire defense personnel (in the case of a municipality which has no fire defense headquarters, a fire corps volunteer; the same applies in paragraph (4) (including as applied mutatis mutandis pursuant to Article 5, paragraph (2) and Article 5-3, paragraph (5)) and Article 5-3, paragraph (2)) take the measures listed in item (iii) or item (iv) of the preceding paragraph with regard to that object, at the expense of that person.

In this case, if the fire chief or fire station chief has had the object removed, the chief or fire station chief must retain that object.

3 災害対策基本法（昭和三十六年法律第二百二十三号）第六十四条第三項から第六項までの規定は、前項の規定により消防長又は消防署長が物件を保管した場合について準用する。この場合において、これらの規定中「市町村長」とあるのは「消防長又は消防署長」と、「工作物等」とあるのは「物件」と、「統轄する」とあるのは「属する」と読み替えるものとする。

(3) The provisions of Article 64, paragraph (3) through paragraph (6) of the Basic Act on Disaster Management (Act No. 223 of 1961) apply mutatis mutandis where a fire chief or fire station chief retains an object pursuant to the provisions of the preceding paragraph. In this case, in these provisions, the term "municipal mayor" is deemed to be replaced with "fire chief or fire station chief," the term "structure, etc." is deemed to be replaced with "object," and the phrase "the municipality which is under the control and jurisdiction of the municipal mayor" is deemed to be replaced with "the municipality to which the fire chief or fire station chief belongs."

4 消防長又は消防署長は、第一項の規定により必要な措置を命じた場合において、その措置を命ぜられた者がその措置を履行しないとき、履行しても十分でないとき、又はその措置の履行について期限が付されている場合にあっては履行しても当該期限までに完了する見込みがないときは、行政代執行法（昭和二十三年法律第四十三号）の定めるところに従い、当該消防職員又は第三者にその措置をとらせることができる。

(4) Where a fire chief or fire station chief has ordered that any necessary measures should be taken pursuant to the provisions of paragraph (1), if the person ordered to take the measures does not implement the measures at all or does not implement them fully, or if the measures should be implemented by a certain time limit but the implementation thereof is not expected to be completed by the time limit, the fire chief or fire station chief may, as provided for in the Act on Substitute Execution by Administration (Act No. 43 of 1948), have their fire defense personnel or a third party take those measures.

第四条 消防長又は消防署長は、火災予防のために必要があるときは、関係者に対して資料の提出を命じ、若しくは報告を求め、又は当該消防職員（消防本部を置かない市町村においては、当該市町村の消防事務に従事する職員又は常勤の消防団員。第五条の三第二項を除き、以下同じ。）にあらゆる仕事場、工場若しくは公衆の出入する場所その他の関係のある場所に立ち入って、消防対象物の位置、構造、設備及び管理の状況を検査させ、若しくは関係のある者に質問させることができる。ただし、個人の住居は、関係者の承諾を得た場合又は火災発生のおそれが著しく大であるため、特に緊急の必要がある場合でなければ、立ち入らせてはならない。

Article 4 (1) A fire chief or fire station chief, when it is necessary for fire prevention, may order a person concerned to submit information materials or request a person concerned to make reports, or have their fire defense

personnel (in the case of a municipality which has no fire defense headquarters, an official engaged in the fire service affairs of the municipality or a full-time fire corps volunteer of the municipality; the same applies hereinafter, except in Article 5-3, paragraph (2)) enter any place of work, factory or place with public access or any other place concerned, and inspect the position, structure equipment or the status of the management of the property under fire defense measures or ask questions of any related person; provided, however, that the fire chief or fire station chief must not have their fire defense personnel enter an individual's residence unless the person concerned gives consent or there is a particularly urgent necessity for that entry due to an extremely high fire risk.

2 消防職員は、前項の規定により関係のある場所に立ち入る場合においては、市町村長の定める証票を携帯し、関係のある者の請求があるときは、これを示さなければならない。

(2) When entering any place concerned pursuant to the provisions of the preceding paragraph, fire defense personnel must carry their identification cards as specified by the municipal mayor, and present them when requested to do so by any related person.

3 消防職員は、第一項の規定により関係のある場所に立ち入る場合においては、関係者の業務をみだりに妨害してはならない。

(3) When entering any place concerned pursuant to the provisions of paragraph (1), fire defense personnel must not interfere with the business of a person concerned without due cause.

4 消防職員は、第一項の規定により関係のある場所に立ち入って検査又は質問を行った場合に知り得た関係者の秘密をみだりに他に漏らしてはならない。

(4) Fire defense personnel may not divulge, without due cause, any secret regarding a person concerned that they have come to know in the course of entering any place concerned and conducting an inspection or carrying out questioning pursuant to the provisions of paragraph (1).

第四条の二 消防長又は消防署長は、火災予防のため特に必要があるときは、消防対象物及び期日又は期間を指定して、当該管轄区域内の消防団員（消防本部を置かない市町村においては、非常勤の消防団員に限る。）に前条第一項の立入及び検査又は質問をさせることができる。

Article 4-2 (1) A fire chief or fire station chief, when it is particularly necessary for fire prevention, may specify a property under fire defense measures and a date or period and have a fire corps volunteer within their jurisdictional district (in the case of a municipality which has no fire defense headquarters, limited to a part-time fire corps volunteer) enter the property and conduct an inspection or carry out questioning as set forth in paragraph (1) of the preceding Article on that date or during that period.

2 前条第一項ただし書及び第二項から第四項までの規定は、前項の場合にこれを準用

する。

- (2) The provisions of the proviso to paragraph (1) of the preceding Article and paragraph (2) through paragraph (4) of that Article apply mutatis mutandis in the case referred to in the preceding paragraph.

第五条 消防長又は消防署長は、防火対象物の位置、構造、設備又は管理の状況について、火災の予防に危険であると認める場合、消火、避難その他の消防の活動に支障になると認める場合、火災が発生したならば人命に危険であると認める場合その他火災の予防上必要があると認める場合には、権原を有する関係者（特に緊急の必要があると認める場合においては、関係者及び工事の請負人又は現場管理者）に対し、当該防火対象物の改修、移転、除去、工事の停止又は中止その他の必要な措置をなすべきことを命ずることができる。ただし、建築物その他の工作物で、それが他の法令により建築、増築、改築又は移築の許可又は認可を受け、その後事情の変更していないものについては、この限りでない。

Article 5 (1) Where a fire chief or fire station chief finds the position, structure, equipment or the status of the management of a property under fire prevention measures to be dangerous from a fire prevention perspective, finds it to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities, or finds that it will endanger human life once a fire occurs, or finds other necessities arising from a fire prevention perspective, the fire chief or fire station chief may order the person concerned who holds title (in cases where it is found that there is a particularly urgent necessity, the person concerned and the contractor of a construction work or site manager) to improve, relocate or remove that property under fire prevention measures or suspend or stop the construction work thereof or take any other necessary measures; provided, however, that this does not apply to a building or other structure for which permission or authorization for the construction, extension, reconstruction, or relocation and reconstruction has been granted under other laws and regulations and where there has been no change in the circumstances thereafter.

2 第三条第四項の規定は、前項の規定により必要な措置を命じた場合について準用する。

- (2) The provisions of Article 3, paragraph (4) apply mutatis mutandis where a fire chief or fire station chief has ordered any necessary measures pursuant to the provisions of the preceding paragraph.

3 消防長又は消防署長は、第一項の規定による命令をした場合においては、標識の設置その他総務省令で定める方法により、その旨を公示しなければならない。

- (3) Where a fire chief or fire station chief has issued an order under the provisions of paragraph (1), the fire chief or fire station chief must give public notice to that effect by posting a sign or by another method specified by Order of the Ministry of Internal Affairs and Communications.

4 前項の標識は、第一項の規定による命令に係る防火対象物又は当該防火対象物のある場所に設置することができる。この場合においては、同項の規定による命令に係る防火対象物又は当該防火対象物のある場所の所有者、管理者又は占有者は、当該標識の設置を拒み、又は妨げてはならない。

(4) The sign set forth in the preceding paragraph may be posted at the property under fire prevention measures for which an order is issued under the provisions of paragraph (1) or at the place where that property under fire prevention measures is located. In this case, the owner, manager or possessor of the property under fire prevention measures for which an order is issued under the provisions of that paragraph or the place where that property under fire prevention measures is located may not refuse or obstruct the posting of the sign.

第五条の二 消防長又は消防署長は、防火対象物の位置、構造、設備又は管理の状況について次のいずれかに該当する場合には、権原を有する関係者に対し、当該防火対象物の使用の禁止、停止又は制限を命ずることができる。

Article 5-2 (1) Where the position, structure, equipment or the status of the management of a property under fire prevention measures fall under any of the following cases, a fire chief or fire station chief may order the person concerned who holds title to prohibit, suspend or restrict the use of the property under fire prevention measures:

一 前条第一項、次条第一項、第八条第三項若しくは第四項、第八条の二第三項、第八条の二の五第三項又は第十七条の四第一項若しくは第二項の規定により必要な措置が命ぜられたにもかかわらず、その措置が履行されず、履行されても十分でなく、又はその措置の履行について期限が付されている場合にあつては履行されても当該期限までに完了する見込みがないため、引き続き、火災の予防に危険であると認める場合、消火、避難その他の消防の活動に支障になると認める場合又は火災が発生したならば人命に危険であると認める場合

(i) where the necessary measures ordered under the provisions of paragraph (1) of the preceding Article, paragraph (1) of the following Article, Article 8, paragraph (3) or paragraph (4), Article 8-2, paragraph (3), Article 8-2-5, paragraph (3) or Article 17-4, paragraph (1) or paragraph (2) have not been implemented at all or have not been fully implemented, or those measures should be implemented by a certain time limit but the implementation thereof is not expected to be completed by that time limit, and for these reasons, the fire chief or fire station chief still finds the position, structure, equipment or the status of the management of the property under fire prevention measures to be dangerous from a fire prevention perspective, finds it to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities, or finds that it will endanger human life once a fire occurs; or

二 前条第一項、次条第一項、第八条第三項若しくは第四項、第八条の二第三項、第八条の二の五第三項又は第十七条の四第一項若しくは第二項の規定による命令によつては、火災の予防の危険、消火、避難その他の消防の活動の支障又は火災が発生した場合における人命の危険を除去することができないと認める場合

(ii) where the fire chief or fire station chief finds it impossible, when only issuing the order under the provisions of paragraph (1) of the preceding Article, paragraph (1) of the following Article, Article 8, paragraph (3) or paragraph (4), Article 8-2, paragraph (3), Article 8-2-5, paragraph (3) or Article 17-4, paragraph (1) or paragraph (2), to eliminate the danger from a fire prevention perspective, hindrance to fire extinguishing activities, evacuation and other fire defense activities or danger to human life once a fire occurs.

2 前条第三項及び第四項の規定は、前項の規定による命令について準用する。

(2) The provisions of paragraph (3) and paragraph (4) of the preceding Article apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第五条の三 消防長、消防署長その他の消防吏員は、防火対象物において火災の予防に危険であると認める行為者又は火災の予防に危険であると認める物件若しくは消火、避難その他の消防の活動に支障になると認める物件の所有者、管理者若しくは占有者で権原を有する者（特に緊急の必要があると認める場合においては、当該物件の所有者、管理者若しくは占有者又は当該防火対象物の関係者。次項において同じ。）に対して、第三条第一項各号に掲げる必要な措置をとるべきことを命ずることができる。

Article 5-3 (1) A fire chief, fire station chief or other firefighter may order a person who is committing an act that is found to be dangerous from a fire prevention perspective within a property under fire prevention measures, or the owner, manager or possessor, who holds title, of an object that is found to be dangerous from a fire prevention perspective within a property under fire prevention measures or of an object that is found to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities within a property under fire prevention measures (in cases where it is found that there is a particularly urgent necessity, the owner, manager or possessor of that object or the person concerned with that property under fire prevention measures; the same applies in the following paragraph), to take the necessary measures listed in the items of Article 3, paragraph (1).

2 消防長又は消防署長は、火災の予防に危険であると認める物件又は消火、避難その他の消防の活動に支障になると認める物件の所有者、管理者又は占有者で権原を有するものを確知することができないため、これらの者に対し、前項の規定による必要な措置をとるべきことを命ずることができないときは、それらの者の負担において、当該消防職員に、当該物件について第三条第一項第三号又は第四号に掲げる措置をとらせることができる。この場合においては、相当の期限を定めて、その措置を行うべき

旨及びその期限までにその措置を行わないときは、当該消防職員がその措置を行うべき旨をあらかじめ公告しなければならない。ただし、緊急の必要があると認めるときはこの限りでない。

(2) When a fire chief or fire station chief is unable to ascertain the owner, manager or possessor, who holds title, of an object that is found to be dangerous from a fire prevention perspective or an object that is found to be likely to hinder fire extinguishing activities, evacuation and other fire defense activities, and therefore unable to order these persons to take any necessary measures under the provisions of the preceding paragraph, the fire chief or fire station chief may have their fire defense personnel take the measures listed in Article 3, paragraph (1), item (iii) or item (iv) with regard to that object, at the expense of that person. In this case, the fire and fire station chief, in advance, must set a reasonable time limit and give public notice to the effect that those measures should be implemented by that time limit and that if the measures have not been implemented by that time limit, their fire defense personnel will implement the measures; provided, however, that this does not apply when it is found that there is an urgent necessity.

3 消防長又は消防署長は、前項の規定による措置をとつた場合において、物件を除去させたときは、当該物件を保管しなければならない。

(3) If a fire chief or fire station chief has taken any measures under the provisions of the preceding paragraph and has had the object removed, the fire chief or fire station chief must retain that object.

4 災害対策基本法第六十四条第三項から第六項までの規定は、前項の規定により消防長又は消防署長が物件を保管した場合について準用する。この場合において、これらの規定中「市町村長」とあるのは「消防長又は消防署長」と、「工作物等」とあるのは「物件」と、「統轄する」とあるのは「属する」と読み替えるものとする。

(4) The provisions of Article 64, paragraph (3) through paragraph (6) of the Basic Act on Disaster Management apply mutatis mutandis where a fire chief or fire station chief retains an object pursuant to the provisions of the preceding paragraph. In this case, in these provisions, the term "municipal mayor" is deemed to be replaced with "fire chief or fire station chief," the term "structure, etc." is deemed to be replaced with "object," and the phrase "the municipality which is under the control and jurisdiction of the municipal mayor" is deemed to be replaced with "the municipality to which the fire chief or fire station chief belongs."

5 第三条第四項の規定は第一項の規定により必要な措置を命じた場合について、第五条第三項及び第四項の規定は第一項の規定による命令について、それぞれ準用する。

(5) The provisions of Article 3, paragraph (4) apply mutatis mutandis where a fire chief or fire station chief has ordered any necessary measures pursuant to the provisions of paragraph (1), and the provisions of Article 5, paragraph (3) and paragraph (4) apply mutatis mutandis to an order under the provisions of

paragraph (1).

第五条の四 第五条第一項、第五条の二第一項又は前条第一項の規定による命令についての審査請求又は異議申立てに関する行政不服審査法（昭和三十七年法律第百六十号）第十四条第一項本文又は第四十五条の期間は、当該命令を受けた日の翌日から起算して三十日以内とする。

Article 5-4 The period set forth in the main clause of Article 14, paragraph (1) of the Administrative Complaint Review Act (Act No. 160 of 1962) or Article 45 of that Act with regard to a request for administrative review of or a filing of an objection to an order issued under the provisions of Article 5, paragraph (1), Article 5-2, paragraph (1), or paragraph (1) of the preceding Article is within 30 days from the day following the day on which the order was issued.

第六条 第五条第一項、第五条の二第一項又は第五条の三第一項の規定による命令又はその命令についての不服申立てに対する裁決若しくは決定の取消しの訴えは、その命令又は裁決若しくは決定を受けた日から三十日を経過したときは、提起することができない。ただし、正当な理由があるときは、この限りでない。

Article 6 (1) An action for the revocation of an order issued under the provisions of Article 5, paragraph (1), Article 5-2, paragraph (1) or Article 5-3, paragraph (1) or for the revocation of an administrative determination or decision concerning an appeal against that order may not be filed after 30 days have elapsed from the day on which the order or the determination or decision was issued or made; provided, however that this does not apply where there are reasonable grounds for failing to meet that time limit.

2 第五条第一項又は第五条の二第一項の規定による命令を取り消す旨の判決があつた場合においては、当該命令によつて生じた損失に対しては、時価によりこれを補償するものとする。

(2) Where a judgment is made to revoke an order issued under the provisions of Article 5, paragraph (1) or Article 5-2, paragraph (1), any loss arising from that order is to be compensated for at the market value.

3 第五条第一項又は第五条の二第一項に規定する防火対象物の位置、構造、設備又は管理の状況がこの法律若しくはこの法律に基づく命令又はその他の法令に違反していないときは、前項の規定にかかわらず、それぞれ第五条第一項又は第五条の二第一項の規定による命令によつて生じた損失に対しては、時価によりこれを補償するものとする。

(3) If the position, structure, equipment or the status of the management of a property under fire prevention measures prescribed in Article 5, paragraph (1) or Article 5-2, paragraph (1) is not in violation of this Act or any order under this Act or of other laws and regulations, any loss arising from an order issued under the provisions of Article 5, paragraph (1) or Article 5-2, paragraph (1), notwithstanding the provisions of the preceding paragraph, is to be

compensated for at market value.

4 前二項の規定による補償に要する費用は、当該市町村の負担とする。

(4) Costs required for paying compensation under the provisions of the preceding two paragraphs are borne by the municipality concerned.

第七条 建築物の新築、増築、改築、移転、修繕、模様替、用途の変更若しくは使用について許可、認可若しくは確認をする権限を有する行政庁若しくはその委任を受けた者又は建築基準法（昭和二十五年法律第二百一号）第六条の二第一項（同法第八十七条第一項において準用する場合を含む。以下この項において同じ。）の規定による確認を行う指定確認検査機関（同法第七十七条の二十一第一項に規定する指定確認検査機関をいう。以下この条において同じ。）は、当該許可、認可若しくは確認又は同法第六条の二第一項の規定による確認に係る建築物の工事施工地又は所在地を管轄する消防長又は消防署長の同意を得なければ、当該許可、認可若しくは確認又は同項の規定による確認をすることができない。ただし、確認（同項の規定による確認を含む。）に係る建築物が都市計画法（昭和四十三年法律第百号）第八条第一項第五号に掲げる防火地域及び準防火地域以外の区域内における住宅（長屋、共同住宅その他政令で定める住宅を除く。）である場合又は建築主事が建築基準法第八十七条の二において準用する同法第六条第一項の規定による確認をする場合においては、この限りでない。

Article 7 (1) An administrative authority which has the power to grant permission, authorization or confirmation for the new construction, extension, reconstruction, relocation, repair or remodeling of a building, for a change of intended purpose of a building or for use of a building, or a person delegated thereby, or a designated confirmation and inspection body which makes a confirmation under the provisions of Article 6-2, paragraph (1) of the Building Standards Act (Act No. 201 of 1950) (including as applied mutatis mutandis pursuant to Article 87, paragraph (1); hereinafter the same applies in this paragraph) (meaning a designated confirmation and inspection body prescribed in Article 77-21, paragraph (1) of that Act; hereinafter the same applies in this Article) may not grant that permission, authorization or confirmation or make a confirmation under the provisions of Article 6-2, paragraph (1) of that Act, respectively, without the consent of the fire chief or fire station chief who has jurisdiction over the construction site or location of the building for which that permission, authorization or confirmation or a confirmation under the provisions of Article 6-2, paragraph (1) of that Act is sought; provided, however, that this does not apply where the building for which a confirmation (including a confirmation under the provisions of Article 6-2, paragraph (1) of that Act) is sought is a residence (excluding a row house, apartment house and any other residence specified by Cabinet Order) within areas other than primary fire protection districts or secondary fire protection districts listed in Article 8, paragraph (1), item (v) of the City Planning Act (Act No. 100 of 1968) or where

a building official makes a confirmation under the provisions of Article 6, paragraph (1) of the Building Standards Act as applied mutatis mutandis pursuant to Article 87-2 of that Act.

2 消防長又は消防署長は、前項の規定によつて同意を求められた場合において、当該建築物の計画が法律又はこれに基づく命令若しくは条例の規定（建築基準法第六条第四項又は第六条の二第一項（同法第八十七条第一項の規定によりこれらの規定を準用する場合を含む。）の規定により建築主事又は指定確認検査機関が同法第六条の三第一項第一号若しくは第二号に掲げる建築物の建築、大規模の修繕（同法第二条第十四号の大規模の修繕をいう。）、大規模の模様替（同法第二条第十五号の大規模の模様替をいう。）若しくは用途の変更又は同項第三号に掲げる建築物の建築について確認する場合において同意を求められたときは、同項の規定により読み替えて適用される同法第六条第一項の政令で定める建築基準法令の規定を除く。）で建築物の防火に関するものに違反しないものであるときは、同法第六条第一項第四号に係る場合にあつては、同意を求められた日から三日以内に、その他の場合にあつては、同意を求められた日から七日以内に同意を与えて、その旨を当該行政庁若しくはその委任を受けた者又は指定確認検査機関に通知しなければならない。この場合において、消防長又は消防署長は、同意することができない事由があると認めるときは、これらの期限内に、その事由を当該行政庁若しくはその委任を受けた者又は指定確認検査機関に通知しなければならない。

(2) Where a fire chief or fire station chief is requested to give consent pursuant to the provisions of the preceding paragraph, if the plan for the building is not in violation of the provisions of any Acts or any order or prefectural/municipal ordinance thereunder (if a fire chief or fire station chief is requested to give consent in cases where a building official or designated confirmation and inspection body makes a confirmation pursuant to the provisions of Article 6, paragraph (4) or Article 6-2, paragraph (1) of the Building Standards Act (including cases where these provisions are applied mutatis mutandis pursuant to Article 87, paragraph (1) of that Act) for the construction, major repair (meaning a major repair as set forth in Article 2, item (xiv) of that Act), major remodeling (meaning major remodeling as set forth in Article 2, item (xv) of that Act) of a building set forth in Article 6-3, paragraph (1), item (i) or item (ii) of that Act or for a change of intended purpose of that building, or makes a confirmation for the construction of a building as set forth in Article 6-3, paragraph (1), item (iii) of that Act, the provisions of the laws and regulations concerning the building standards specified by Cabinet Order as set forth in Article 6, paragraph (1) of that Act as applied by replacing the relevant terms and phrases pursuant to the provisions of Article 6-3, paragraph (1) of that Act are excluded), the fire chief or fire station chief must give consent within three days from the day on which the fire chief or fire station chief was requested to give consent in the case falling under Article 6, paragraph (1), item (iv) of that Act or within seven days from the day on which the fire chief or fire station

chief was requested to give consent in other cases, and must give notice to the administrative authority or person delegated thereby or the designated confirmation and inspection body to that effect. In this case, the fire chief or fire station chief, when the fire chief or fire station chief finds any grounds on which the fire chief or fire station chief cannot give consent, must give notice to the administrative authority or person delegated thereby or the designated confirmation and inspection body to that effect by that time limit.

3 建築基準法第六十八条の二十第一項（同法第六十八条の二十三第二項において準用する場合を含む。）の規定は、消防長又は消防署長が第一項の規定によつて同意を求められた場合に行う審査について準用する。

(3) The provisions of Article 68-20, paragraph (1) of the Building Standards Act (including as applied mutatis mutandis pursuant to Article 68-23, paragraph (2) of that Act) apply mutatis mutandis to the examination to be conducted by a fire chief or fire station chief when the fire chief or fire station chief is requested to give consent pursuant to the provisions of paragraph (1).

第八条 学校、病院、工場、事業場、興行場、百貨店（これに準ずるものとして政令で定める大規模な小売店舗を含む。以下同じ。）、複合用途防火対象物（防火対象物で政令で定める二以上の用途に供されるものをいう。以下同じ。）その他多数の者が出入し、勤務し、又は居住する防火対象物で政令で定めるものの管理について権原を有する者は、政令で定める資格を有する者のうちから防火管理者を定め、当該防火対象物について消防計画の作成、当該消防計画に基づく消火、通報及び避難の訓練の実施、消防の用に供する設備、消防用水又は消火活動上必要な施設の点検及び整備、火気の使用又は取扱いに関する監督、避難又は防火上必要な構造及び設備の維持管理並びに収容人員の管理その他防火管理上必要な業務を行なわせなければならない。

Article 8 (1) A person who holds the title to manage a school, hospital, factory, workplace, entertainment facility, department store (including a large-scale retail store specified by Cabinet Order as being equivalent thereto; the same applies hereinafter), a multi-purpose property under fire prevention measures (meaning a property under fire prevention measures used for two or more intended purposes specified by Cabinet Order; the same applies hereinafter), or any other property under fire prevention measures to which a number of people have access or in which a number of people work or reside and which is specified by Cabinet Order, must appoint a fire prevention manager from among qualified persons specified by Cabinet Order, and have that fire prevention manager prepare a fire defense plan, conduct drills for fire extinguishing activities, reporting and evacuation, inspect and improve the equipment used for fire defense, water supply for fire defense or facilities necessary for fire extinguishing activities, supervise the use or handling of fire, maintain and manage the structure and equipment necessary for evacuation or fire prevention, manage the capacity of the property at the appropriate level,

and perform any other operations necessary for fire prevention management according to the fire defense plan with regard to that property under fire prevention measures.

2 前項の権原を有する者は、同項の規定により防火管理者を定めたときは、遅滞なくその旨を所轄消防長又は消防署長に届け出なければならない。これを解任したときも、同様とする。

(2) A person who holds the title set forth in the preceding paragraph, when that person has appointed a fire prevention manager pursuant to the provisions of that paragraph, must notify the competent fire chief or fire station chief to that effect without delay. The same applies when that person has dismissed the fire prevention manager.

3 消防長又は消防署長は、第一項の防火管理者が定められていないと認める場合には、同項の権原を有する者に対し、同項の規定により防火管理者を定めるべきことを命ずることができる。

(3) If a fire chief or fire station chief finds that a fire prevention manager set forth in paragraph (1) has not been appointed, they may order the person who holds the title set forth in that paragraph to appoint a fire prevention manager pursuant to the provisions of that paragraph.

4 消防長又は消防署長は、第一項の規定により同項の防火対象物について同項の防火管理者の行うべき防火管理上必要な業務が法令の規定又は同項の消防計画に従って行われていないと認める場合には、同項の権原を有する者に対し、当該業務が当該法令の規定又は消防計画に従って行われるように必要な措置を講ずべきことを命ずることができる。

(4) Where a fire chief or fire station chief finds that the operations necessary for fire prevention management that should be performed pursuant to the provisions of paragraph (1) with regard to a property under fire prevention measures as set forth in that paragraph by a fire prevention manager as set forth in that paragraph have not been performed in accordance with the provisions of laws and regulations or a fire defense plan as set forth in that paragraph, they may order the person who holds the title set forth in that paragraph to take the necessary measures so as to ensure that those operations are performed in accordance with the provisions of laws and regulations or a fire defense plan.

5 第五条第三項及び第四項の規定は、前二項の規定による命令について準用する。

(5) The provisions of Article 5, paragraph (3) and paragraph (4) apply mutatis mutandis to an order under the provisions of the preceding two paragraphs.

第八条の二 高層建築物（高さ三十一メートルを超える建築物をいう。第八条の三第一項において同じ。）その他政令で定める防火対象物で、その管理について権原が分かっているもの又は地下街（地下の工作物内に設けられた店舗、事務所その他これらに類する施設で、連続して地下道に面して設けられたものと当該地下道とを合わせたも

のをいう。以下同じ。)でその管理について権原が分かれているもののうち消防長若しくは消防署長が指定するものの管理について権原を有する者は、これらの防火対象物について、消防計画の作成その他の防火管理上必要な業務に関する事項で総務省令で定めるものを、協議して、定めておかなければならない。

Article 8-2 (1) With regard to a high-rise building (meaning a building with a height of 31 meters or more; the same applies in Article 8-3, paragraph (1)) or other property under fire prevention measures specified by Cabinet Order, which is subject to management under separate titles, or an underground mall (meaning a combination of an underground passage and a set of stores, offices and other similar facilities established within an underground structure which stand in a row facing that underground passage; the same applies hereinafter), which is subject to management under separate titles, if that property is designated by a fire chief or fire station chief, those persons who hold the titles, through consultation, must prepare a fire defense plan and specify other matters concerning the operations necessary for fire prevention management, which are specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の権原を有する者は、同項の総務省令で定める事項を定めたときは、遅滞なく、その旨を所轄消防長又は消防署長に届け出なければならない。当該事項を変更したときも、同様とする。

(2) The persons who hold the titles set forth in the preceding paragraph, when they have specified the matters which are specified by Order of the Ministry of Internal Affairs and Communications, must notify the competent fire chief or fire station chief to that effect without delay. The same applies when they have made any changes to those matters.

3 消防長又は消防署長は、第一項の総務省令で定める事項が定められていないと認める場合には、同項の権原を有する者に対し、同項の規定により当該事項を定めるべきことを命ずることができる。

(3) If a fire chief or fire station chief finds that the matters specified by Order of the Ministry of Internal Affairs and Communications set forth in paragraph (1) have not been specified, they may order the persons who hold the titles set forth in that paragraph to specify those matters pursuant to the provisions of that paragraph.

4 第五条第三項及び第四項の規定は、前項の規定による命令について準用する。

(4) The provisions of Article 5, paragraph (3) and paragraph (4) apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第八条の二の二 第八条第一項の防火対象物のうち火災の予防上必要があるものとして政令で定めるものの管理について権原を有する者は、総務省令で定めるところにより、定期的に、防火対象物における火災の予防に関する専門的知識を有する者で総務省令で定める資格を有するもの（次項、次条第一項及び第三十六条第三項において「防火対

象物点検資格者」という。)に、当該防火対象物における防火管理上必要な業務、消防の用に供する設備、消防用水又は消火活動上必要な施設の設置及び維持その他火災の予防上必要な事項(次項、次条第一項及び第三十六条第三項において「点検対象事項」という。)がこの法律又はこの法律に基づく命令に規定する事項に関し総務省令で定める基準(次項、次条第一項及び第三十六条第三項において「点検基準」という。)に適合しているかどうかを点検させ、その結果を消防長又は消防署長に報告しなければならない。ただし、第十七条の三の三の規定による点検及び報告の対象となる事項については、この限りでない。

Article 8-2-2 (1) A person who holds the title to manage a property under fire prevention measures as set forth in Article 8, paragraph (1) specified by Cabinet Order as one for which inspection is necessary from a fire prevention perspective, as provided for by Order of the Ministry of Internal Affairs and Communications, must have a person who has expert knowledge on the prevention of fire within a property under fire prevention measures and has a qualification specified by Order of the Ministry of Internal Affairs and Communications (hereinafter referred to as a "qualified inspector of property under fire prevention measures" in the following paragraph, paragraph (1) of the following Article and Article 36, paragraph (3)) inspect, periodically, whether or not the operations necessary for fire prevention management within the property under fire prevention measures, the installation and maintenance of equipment used for fire defense, supply of water for fire defense or facilities necessary for fire extinguishing activities and other matters necessary for the prevention of fire (referred to as the "matters subject to inspection" in the following paragraph, paragraph (1) of the following Article and Article 36, paragraph (3)) conform to the standards specified by Order of the Ministry of Internal Affairs and Communications regarding the matters provided for in this Act or any order under this Act (referred to as the "inspection standards" in the following paragraph, paragraph (1) of the following Article and Article 36, paragraph (3)), and have that person report the inspection results to a fire chief or fire station chief; provided, however, that this does not apply to the matters subject to the inspection and reporting under the provisions of Article 17-3-3.

2 前項の規定による点検(その管理について権原が分かれている防火対象物にあつては、当該防火対象物全体(次条第一項の規定による認定を受けた部分を除く。)についての前項の規定による点検)の結果、防火対象物点検資格者により点検対象事項が点検基準に適合していると認められた防火対象物には、総務省令で定めるところにより、点検を行つた日その他総務省令で定める事項を記載した表示を付することができる。

(2) Where the matters subject to inspection pertaining to a property under fire prevention measures, as a result of an inspection under the provisions of the preceding paragraph (in the case of a property under fire prevention measures

which is subject to management under separate titles, an inspection under the provisions of the preceding paragraph covering the whole of the property under fire prevention measures (excluding the part for which a certification is granted under the provisions of paragraph (1) of the following Article)), are judged by a qualified inspector of a property under fire prevention measures to conform to the inspection standards, a label stating the date of inspection and other matters specified by Order of the Ministry of Internal Affairs and Communications may be affixed to that property, as provided for by Order of the Ministry of Internal Affairs and Communications.

3 何人も、防火対象物に、前項に規定する場合を除くほか同項の表示を付してはならず、又は同項の表示と紛らわしい表示を付してはならない。

(3) Except in the case prescribed in the preceding paragraph, it is prohibited for any person to affix a label set forth in that paragraph or any label confusingly similar to a label set forth in that paragraph to any property under fire prevention measures.

4 消防長又は消防署長は、防火対象物で第二項の規定によらないで同項の表示が付されているもの又は同項の表示と紛らわしい表示が付されているものについて、当該防火対象物の関係者で権原を有する者に対し、当該表示を除去し、又はこれに消印を付すべきことを命ずることができる。

(4) Upon finding any property under fire prevention measures to which a label set forth in paragraph (2) is affixed without complying with the provisions of paragraph (2) or to which a label confusingly similar to a label set forth in that paragraph is affixed, a fire chief or fire station chief may order the person concerned who holds title in that property under fire prevention measures to remove that label or affix a cancellation mark thereon.

5 第一項の規定は、次条第一項の認定を受けた防火対象物については、適用しない。

(5) The provisions of paragraph (1) do not apply to a property under fire prevention measures for which the certification set forth in paragraph (1) of the following Article is granted.

第八条の二の三 消防長又は消防署長は、前条第一項の防火対象物であつて次の要件を満たしているものを、当該防火対象物の管理について権原を有する者の申請により、同項の規定の適用につき特例を設けるべき防火対象物として認定することができる。

Article 8-2-3 (1) A fire chief or fire station chief may certify a property under fire prevention measures set forth in paragraph (1) of the preceding Article which satisfies the following requirements, as a property under fire prevention measures for which special provisions should be established with regard to the application of the provisions of that paragraph, upon an application from the person who holds the title to manage the property under fire prevention measures:

一 申請者が当該防火対象物の管理を開始した時から三年が経過していること。

(i) three years have passed since the applicant commenced the management of the property under fire prevention measures;

二 当該防火対象物について、次のいずれにも該当しないこと。

(ii) the property under fire prevention measures does not fall under any of the following:

イ 過去三年以内において第五条第一項、第五条の二第一項、第五条の三第一項、第八条第三項若しくは第四項、第八条の二の五第三項又は第十七条の四第一項若しくは第二項の規定による命令（当該防火対象物の位置、構造、設備又は管理の状況がこの法律若しくはこの法律に基づく命令又はその他の法令に違反している場合に限る。）がされたことがあり、又はされるべき事由が現にあること。

(a) an order under the provisions of Article 5, paragraph (1), Article 5-2, paragraph (1), Article 5-3, paragraph (1), Article 8, paragraph (3) or paragraph (4), Article 8-2-5, paragraph (3) or Article 17-4, paragraph (1) or paragraph (2) has been issued within the past three years (limited to cases where the position, structure, equipment or the status of the management of the property under fire prevention measures is in violation of this Act or any order under this Act or of other laws and regulations), or the grounds for that order currently exist;

ロ 過去三年以内において第六項の規定による取消しを受けたことがあり、又は受けるべき事由が現にあること。

(b) the certification has been rescinded under the provisions of paragraph (6) within the past three years, or the grounds for that rescission currently exist;

ハ 過去三年以内において前条第一項の規定にかかわらず同項の規定による点検若しくは報告がされなかつたことがあり、又は同項の報告について虚偽の報告がされたことがあること。

(c) no inspection or reporting under the provisions of paragraph (1) of the preceding Article has been conducted within the past three years, or a false report has been made in the reporting set forth in that paragraph, notwithstanding the provisions of that paragraph; or

ニ 過去三年以内において前条第一項の規定による点検の結果、防火対象物点検資格者により点検対象事項が点検基準に適合していないと認められたことがあること。

(d) as a result of the inspection under the provisions of paragraph (1) of the preceding Article, the matters subject to inspection pertaining to the property under fire prevention measures have been judged by a qualified inspector of property under fire prevention measures to fail to conform to the inspection standards within the past three years; or

三 前号に定めるもののほか、当該防火対象物について、この法律又はこの法律に基づく命令の遵守の状況が優良なものとして総務省令で定める基準に適合するものであると認められること。

- (iii) in addition to what is specified in the preceding item, the property under fire prevention measures is judged to conform to the standards specified by Ordinance of the Ministry of Internal Affairs and Communications as proving excellent compliance with this Act or any order under this Act.
- 2 申請者は、総務省令で定めるところにより、申請書に前項の規定による認定を受けようとする防火対象物の所在地その他総務省令で定める事項を記載した書類を添えて、消防長又は消防署長に申請し、検査を受けなければならない。
- (2) An applicant, as provided for by Order of the Ministry of Internal Affairs and Communications, must apply to a fire chief or fire station chief by attaching, to a written application, a document stating the location of the property under fire prevention measures for which a certification under the provisions of the preceding paragraph is sought and other matters specified by Order of the Ministry of Internal Affairs and Communications, and undergo an inspection.
- 3 消防長又は消防署長は、第一項の規定による認定をしたとき、又は認定をしないことを決定したときは、総務省令で定めるところにより、その旨を申請者に通知しなければならない。
- (3) When a fire chief or fire station chief has granted a certification under the provisions of paragraph (1) or decided not to grant that certification, they, as provided for by Order of the Ministry of Internal Affairs and Communications, must give notice to the applicant to that effect.
- 4 第一項の規定による認定を受けた防火対象物について、次のいずれかに該当することとなつたときは、当該認定は、その効力を失う。
- (4) When a property under fire prevention measures for which a certification under the provisions of paragraph (1) was granted has come to fall under any of the following, the certification ceases to be effective:
- 一 当該認定を受けてから三年が経過したとき（当該認定を受けてから三年が経過する前に当該防火対象物について第二項の規定による申請がされている場合にあっては、前項の規定による通知があつたとき。）。
- (i) when three years have passed since the certification was granted (in cases where an application under the provisions of paragraph (2) has been filed with regard to the property under fire prevention measures before three years have passed since the certification was granted, the certification ceases to be effective when the notice under the preceding paragraph has been given); or
- 二 当該防火対象物の管理について権原を有する者に変更があつたとき。
- (ii) when there has been a change of the person holding the title to manage the property under fire prevention measures.
- 5 第一項の規定による認定を受けた防火対象物について、当該防火対象物の管理について権原を有する者に変更があつたときは、当該変更前の権原を有する者は、総務省令で定めるところにより、その旨を消防長又は消防署長に届け出なければならない。
- (5) When there has been a change of the person holding the title to manage the

property under fire prevention measures for which a certification under the provisions of paragraph (1) was granted, the person who initially held the title, as provided for by Order of the Ministry of Internal Affairs and Communications, must notify a fire chief or fire station chief to that effect.

6 消防長又は消防署長は、第一項の規定による認定を受けた防火対象物について、次のいずれかに該当するときは、当該認定を取り消さなければならない。

(6) When a property under fire prevention measures for which a certification under the provisions of paragraph (1) was granted falls under any of the following, the fire chief or fire station chief must rescind the certification:

一 偽りその他不正な手段により当該認定を受けたことが判明したとき。

(i) when it is found that the certification was granted by deception or other wrongful means;

二 第五条第一項、第五条の二第一項、第五条の三第一項、第八条第三項若しくは第四項、第八条の二の五第三項又は第十七条の四第一項若しくは第二項の規定による命令（当該防火対象物の位置、構造、設備又は管理の状況がこの法律若しくはこの法律に基づく命令又はその他の法令に違反している場合に限る。）がされたとき。

(ii) when an order under the provisions of Article 5, paragraph (1), Article 5-2, paragraph (1), Article 5-3, paragraph (1), Article 8, paragraph (3) or paragraph (4), Article 8-2-5, paragraph (3) or Article 17-4, paragraph (1) or paragraph (2) is issued (limited to cases where the position, structure equipment or the status of the management of the property under fire prevention measures is in violation of this Act or any order under this Act or of other laws and regulations); or

三 第一項第三号に該当しなくなつたとき。

(iii) when the property under fire prevention measures ceases to fall under paragraph (1), item (iii).

7 第一項の規定による認定を受けた防火対象物（当該防火対象物の管理について権原が分かれているものにあつては、当該防火対象物全体が同項の規定による認定を受けたものに限る。）には、総務省令で定めるところにより、同項の規定による認定を受けた日その他総務省令で定める事項を記載した表示を付することができる。

(7) With regard to a property under fire prevention measures for which a certification under the provisions of paragraph (1) was granted (in the case of a property under fire prevention measures which is subject to management under separate titles, limited to that property under fire prevention measures where a certification under the provisions of that paragraph was granted for the property as a whole), a label stating the date of certification and other matters specified by Order of the Ministry of Internal Affairs and Communications may be affixed to that property, as provided for by Order of the Ministry of Internal Affairs and Communications.

8 前条第三項及び第四項の規定は、前項の表示について準用する。

(8) The provisions of paragraph (3) and paragraph (4) of the preceding Article

apply mutatis mutandis to a label set forth in the preceding paragraph.

第八条の二の四 学校、病院、工場、事業場、興行場、百貨店、旅館、飲食店、地下街、複合用途防火対象物その他の防火対象物で政令で定めるものの管理について権原を有する者は、当該防火対象物の廊下、階段、避難口その他の避難上必要な施設について避難の支障になる物件が放置され、又はみだりに存置されないように管理し、かつ、防火戸についてその閉鎖の支障になる物件が放置され、又はみだりに存置されないように管理しなければならない。

Article 8-2-4 A person who holds the title to manage a school, hospital, factory, workplace, entertainment facility, department store, hotel, restaurant, underground mall, multi-purpose property under fire prevention measures or any other property under fire prevention measures specified by Cabinet Order must manage the corridors, staircases, escape exits and other facilities necessary for evacuation within the property under fire prevention measures so as to avoid any object that is likely to hinder evacuation from being left unaddressed or retained without due cause around these facilities, and must also manage the fire doors within that property so as to avoid any object that is likely to hinder the closing of the doors from being left unaddressed or retained without due cause in front of the doors.

第八条の二の五 第八条第一項の防火対象物のうち多数の者が出入するものであり、かつ、大規模なものとして政令で定めるものの管理について権原を有する者は、政令で定めるところにより、当該防火対象物に自衛消防組織を置かなければならない。

Article 8-2-5 (1) A person who has the title to manage a property under fire prevention measures set forth in Article 8, paragraph (1), to which a number of people have access and which is specified by Cabinet Order as a large-scale property, must set up a fire defense organization for self-protection within the property under fire prevention measures, as provided for by Cabinet Order.

2 前項の権原を有する者は、同項の規定により自衛消防組織を置いたときは、遅滞なく自衛消防組織の要員の現況その他総務省令で定める事項を所轄消防長又は消防署長に届け出なければならない。当該事項を変更したときも、同様とする。

(2) When the person who holds the title set forth in the preceding paragraph has set up a fire defense organization for self-protection pursuant to the provisions of that paragraph, they must notify the competent fire chief or fire station chief of the current status of the staff of the fire defense organization for self-protection and other matters specified by Order of the Ministry of Internal Affairs and Communications without delay. The same applies when the person has made any changes to those matters.

3 消防長又は消防署長は、第一項の自衛消防組織が置かれていないと認める場合には、同項の権原を有する者に対し、同項の規定により自衛消防組織を置くべきことを命ずることができる。

(3) If a fire chief or fire station chief finds that a fire defense organization for self-protection as set forth in paragraph (1) has not been set up, they may order the person who has the title set forth in that paragraph to set up a fire defense organization for self-protection pursuant to the provisions of that paragraph.

4 第五条第三項及び第四項の規定は、前項の規定による命令について準用する。

(4) The provisions of Article 5, paragraph (3) and paragraph (4) apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第八条の三 高層建築物若しくは地下街又は劇場、キャバレー、旅館、病院その他の政令で定める防火対象物において使用する防火対象物品（どん帳、カーテン、展示用合板その他これらに類する物品で政令で定めるものをいう。以下同じ。）は、政令で定める基準以上の防火性能を有するものでなければならない。

Article 8-3 (1) Goods under the flame retardancy requirement to be used in a high-rise building or an underground mall or a theater, cabaret, hotel, hospital or any other property under fire prevention measures specified by Cabinet Order (meaning stage curtains and other curtains, plywood for display and other similar goods specified by Cabinet Order; the same applies hereinafter) must be flame retardant to a level which satisfies or exceeds the standards specified by Cabinet Order.

2 防火対象物品又はその材料で前項の防火性能を有するもの（以下この条において「防火物品」という。）には、総務省令で定めるところにより、同項の防火性能を有するものである旨の表示を附することができる。

(2) With regard to goods under the flame retardancy requirement or materials thereof which are flame retardant as set forth in the preceding paragraph (hereinafter referred to as "flame retardant goods" in this Article), a label stating that the respective goods are flame retardant as set forth in that paragraph may be affixed to the goods, as provided for by Order of the Ministry of Internal Affairs and Communications.

3 何人も、防火対象物品又はその材料に、前項の規定により表示を附する場合及び工業標準化法（昭和二十四年法律第百八十五号）その他政令で定める法律の規定により防火対象物品又はその材料の防火性能に関する表示で総務省令で定めるもの（以下この条において「指定表示」という。）を附する場合を除くほか、同項の表示又はこれと紛らわしい表示を附してはならない。

(3) Except in cases when affixing a label pursuant to the provisions of the preceding paragraph and when affixing a label relating to the flame retardancy of goods under the flame retardancy requirement or materials thereof, which is specified by Order of the Ministry of Internal Affairs and Communications, pursuant to the provisions of the Industrial Standardization Act (Act No. 185 of 1949) or other Acts specified by Cabinet Order (that label is hereinafter referred to as a "designated label" in this Article), it is prohibited for any

person to affix a label set forth in that paragraph or any confusingly similar label to goods under the flame retardancy requirement or materials thereof.

4 防炎対象物品又はその材料は、第二項の表示又は指定表示が附されているものでなければ、防炎物品として販売し、又は販売のために陳列してはならない。

(4) No goods under the flame retardancy requirement or materials thereof must be sold or displayed for sale as flame retardant goods unless a label set forth in paragraph (2) or a designated label is affixed to them.

5 第一項の防火対象物の関係者は、当該防火対象物において使用する防炎対象物品について、当該防炎対象物品若しくはその材料に同項の防炎性能を与えるための処理をさせ、又は第二項の表示若しくは指定表示が附されている生地その他の材料からカーテンその他の防炎対象物品を作製させたときは、総務省令で定めるところにより、その旨を明らかにしておかなければならない。

(5) When the person concerned with the property under fire prevention measures set forth in paragraph (1) has had a third party treat goods under the flame retardancy requirement, which are to be used within that property under fire prevention measures, so that those goods under the flame retardancy requirement or materials thereof will be flame retardant as set forth in that paragraph, or has had a third party make curtains or other goods under the flame retardancy requirement by using cloth or other materials to which a label set forth in paragraph (2) or a designated label is affixed, that person must clearly indicate that fact as provided for by Order of the Ministry of Internal Affairs and Communications.

第九条 かまど、風呂場その他火を使用する設備又はその使用に際し、火災の発生のおそれのある設備の位置、構造及び管理、こんろ、こたつその他火を使用する器具又はその使用に際し、火災の発生のおそれのある器具の取扱いその他火の使用に関し火災の予防のために必要な事項は、政令で定める基準に従い市町村条例でこれを定める。

Article 9 The matters necessary for prevention of fire with regard to the position, structure and management of fixed cooking stoves, bath heaters and other equipment which uses fire or equipment which might pose a fire risk when used, the handling of kitchen ranges, kotatsu [a heater consisting of a low table with a heat source underneath, covered with a heavy blanket] and other appliances which use fire or appliances which might pose a fire risk when used, and other cases of the use of fire are specified by municipal ordinance in accordance with the standards specified by Cabinet Order.

第九条の二 住宅の用途に供される防火対象物（その一部が住宅の用途以外の用途に供される防火対象物にあつては、住宅の用途以外の用途に供される部分を除く。以下この条において「住宅」という。）の関係者は、次項の規定による住宅用防災機器（住宅における火災の予防に資する機械器具又は設備であつて政令で定めるものをいう。以下この条において同じ。）の設置及び維持に関する基準に従つて、住宅用防災機器

を設置し、及び維持しなければならない。

Article 9-2 (1) A person concerned with a property under fire prevention measures to be used for a residential purpose (in the case of a property under fire prevention measures which is partially used for purposes other than a residential purpose, excluding the part to be used for those purposes other than a residential purpose; hereinafter referred to as a "residence" in this Article) must install and maintain a disaster prevention device for a residence (meaning a machine, tool or equipment useful for the prevention of fire in a residence, which is specified by Cabinet Order; hereinafter the same applies in this Article) in accordance with the standards for installation and maintenance of disaster prevention devices for residences under the provisions of the following paragraph.

2 住宅用防災機器の設置及び維持に関する基準その他住宅における火災の予防のために必要な事項は、政令で定める基準に従い市町村条例で定める。

(2) The standards for the installation and maintenance of disaster prevention devices for residences and other matters necessary for prevention of fire at a residence are specified by municipal ordinance in accordance with the standards specified by Cabinet Order.

第九条の三 圧縮アセチレンガス、液化石油ガスその他の火災予防又は消火活動に重大な支障を生ずるおそれのある物質で政令で定めるものを貯蔵し、又は取り扱う者は、あらかじめ、その旨を所轄消防長又は消防署長に届け出なければならない。ただし、船舶、自動車、航空機、鉄道又は軌道により貯蔵し、又は取り扱う場合その他政令で定める場合は、この限りでない。

Article 9-3 (1) A person who stores or handles compressed acetylene gas, liquefied petroleum gas or any other substance which is likely to seriously hinder fire prevention or fire extinguishing activities and is specified by Cabinet Order must notify the competent fire chief or fire station chief to that effect in advance; provided, however, that this does not apply in cases where that substance is stored or handled by means of a ship, automobile, aircraft, railway or tramway or in other cases specified by Cabinet Order.

2 前項の規定は、同項の貯蔵又は取扱いを廃止する場合について準用する。

(2) The provisions of the preceding paragraph apply mutatis mutandis where the storage or handling set forth in that paragraph is discontinued.

第九条の四 危険物についてその危険性を勘案して政令で定める数量（以下「指定数量」という。）未満の危険物及びわら製品、木毛その他の物品で火災が発生した場合にその拡大が速やかであり、又は消火の活動が著しく困難となるものとして政令で定めるもの（以下「指定可燃物」という。）その他指定可燃物に類する物品の貯蔵及び取扱いの技術上の基準は、市町村条例でこれを定める。

Article 9-4 (1) The technical standards for the storage and handling of hazardous

materials less than the quantity designated by Cabinet Order by taking into consideration the dangerousness of the hazardous materials (hereinafter referred to as the "designated quantity"), and of straw products, wood-wool and other goods designated by Cabinet Order as goods which will, once having caught fire, lead to the quick spread of the fire or make it extremely difficult to carry out fire extinguishing activities; (hereinafter referred to as "designated flammable goods") or other goods similar to designated flammable goods, are specified by municipal ordinance.

2 指定数量未満の危険物及び指定可燃物その他指定可燃物に類する物品を貯蔵し、又は取り扱う場所の位置、構造及び設備の技術上の基準（第十七条第一項の消防用設備等の技術上の基準を除く。）は、市町村条例で定める。

(2) The technical standards for the position, structure and equipment of facilities where hazardous materials less than the designated quantity, designated flammable goods or other goods similar to designated flammable goods are stored or handled (excluding the technical standards for fire defense equipment, etc. set forth in Article 17, paragraph (1)) are specified by municipal ordinance.

第三章 危険物

Chapter III Hazardous Materials

第十条 指定数量以上の危険物は、貯蔵所（車両に固定されたタンクにおいて危険物を貯蔵し、又は取り扱う貯蔵所（以下「移動タンク貯蔵所」という。）を含む。以下同じ。）以外の場所でこれを貯蔵し、又は製造所、貯蔵所及び取扱所以外の場所でこれを取り扱ってはならない。ただし、所轄消防長又は消防署長の承認を受けて指定数量以上の危険物を、十日以内の期間、仮に貯蔵し、又は取り扱う場合は、この限りでない。

Article 10 (1) Hazardous materials of the designated quantity or a larger quantity must not be stored at facilities other than a storage facility (including a storage facility for storing or handling hazardous materials by means of a tank mounted on a vehicle (hereinafter referred to as a "mobile tank storage facility"); the same applies hereinafter), nor must they be handled at facilities other than a manufacturing facility, storage facility and handling facility; provided, however, that this does not apply where the designated quantity or a larger quantity of hazardous materials are stored or handled temporarily for not more than ten days with the approval of the competent fire chief or fire station chief.

2 別表第一に掲げる品名（第十一条の四第一項において単に「品名」という。）又は指定数量を異にする二以上の危険物を同一の場所で貯蔵し、又は取り扱う場合において、当該貯蔵又は取扱いに係るそれぞれの危険物の数量を当該危険物の指定数量で除し、その商の和が一以上となるときは、当該場所は、指定数量以上の危険物を貯蔵し、又は取り扱っているものとみなす。

(2) When storing or handling, at the same facility, two or more types of hazardous materials which are categorized by different material names as listed in Appended Table 1 (simply referred to as "names of materials" in Article 11-4, paragraph (1)) or for which different quantities are designated, if the sum of the quotients obtained by dividing the quantities of these types of hazardous materials stored or handled at that facility by the designated quantities for respective types of hazardous materials equals or exceeds one, that facility is deemed to be storing or handling the designated quantity or a larger quantity of hazardous materials.

3 製造所、貯蔵所又は取扱所においてする危険物の貯蔵又は取扱は、政令で定める技術上の基準に従ってこれをしなければならない。

(3) The storage or handling of hazardous materials to be conducted at a manufacturing facility, storage facility or handling facility must be conducted in accordance with the technical standards specified by Cabinet Order.

4 製造所、貯蔵所及び取扱所の位置、構造及び設備の技術上の基準は、政令でこれを定める。

(4) The technical standards for the position, structure and equipment of a manufacturing facility, storage facility and handling facility must be specified by Cabinet Order.

第十一条 製造所、貯蔵所又は取扱所を設置しようとする者は、政令で定めるところにより、製造所、貯蔵所又は取扱所ごとに、次の各号に掲げる製造所、貯蔵所又は取扱所の区分に応じ、当該各号に定める者の許可を受けなければならない。製造所、貯蔵所又は取扱所の位置、構造又は設備を変更しようとする者も、同様とする。

Article 11 (1) A person who intends to establish a manufacturing facility, storage facility or handling facility, as provided for by Cabinet Order, obtain permission for each manufacturing facility, must storage facility or handling facility from the person specified in each of the following items according to the categories of manufacturing facility, storage facility or handling facility listed in the respective items. The same applies to a person who intends to change the position, structure or equipment of a manufacturing facility, storage facility or handling facility:

一 消防本部及び消防署を置く市町村（次号及び第三号において「消防本部等所在市町村」という。）の区域に設置される製造所、貯蔵所又は取扱所（配管によつて危険物の移送の取扱いを行うもので政令で定めるもの（以下「移送取扱所」という。）を除く。） 当該市町村長

(i) a manufacturing facility, storage facility or handling facility (excluding a facility for handling transfer of hazardous materials through piping, as specified by Cabinet Order (hereinafter referred to as a "handling facility for transfer")) to be established in the area of a municipality which has fire defense headquarters and a fire station(s) (referred to as a "municipality

- with fire defense headquarters, etc." in the following item and item (iii): a mayor of that municipality;
- 二 消防本部等所在市町村以外の市町村の区域に設置される製造所、貯蔵所又は取扱所（移送取扱所を除く。） 当該区域を管轄する都道府県知事
- (ii) a manufacturing facility, storage facility or handling facility (excluding a handling facility for transfer) to be established in the area of a municipality other than a municipality with fire defense headquarters, etc.: a prefectural governor who has jurisdiction over that area;
- 三 一の消防本部等所在市町村の区域のみに設置される移送取扱所 当該市町村長
- (iii) a handling facility for transfer to be established in the area of a single municipality with fire defense headquarters, etc.: a mayor of that municipality; or
- 四 前号の移送取扱所以外の移送取扱所 当該移送取扱所が設置される区域を管轄する都道府県知事（二以上の都道府県の区域にわたって設置されるものについては、総務大臣）
- (iv) a handling facility for transfer other than the one set forth in the preceding item: a prefectural governor who has jurisdiction over the area where the handling facility for transfer is to be established (or the Minister of Internal Affairs and Communications in cases where the handling facility for transfer is to be established over the areas of two or more prefectures).
- 2 前項各号に掲げる製造所、貯蔵所又は取扱所の区分に応じ当該各号に定める市町村長、都道府県知事又は総務大臣（以下この章及び次章において「市町村長等」という。）は、同項の規定による許可の申請があつた場合において、その製造所、貯蔵所又は取扱所の位置、構造及び設備が前条第四項の技術上の基準に適合し、かつ、当該製造所、貯蔵所又は取扱所においてする危険物の貯蔵又は取扱いが公共の安全の維持又は災害の発生の防止に支障を及ぼすおそれがないものであるときは、許可を与えなければならない。
- (2) The municipal mayor, prefectural governor or Minister of Internal Affairs and Communications specified in each of the items of the preceding paragraph according to the categories of manufacturing facility, storage facility or handling facility listed in the respective items (hereinafter referred to as the "municipal mayor, etc." in this Chapter and the following Chapter), upon application for permission under the provisions of that paragraph, must grant permission if the position, structure and equipment of the manufacturing facility, storage facility or handling facility conform to the technical standards set forth in paragraph (4) of the preceding Article and the storage or handling of hazardous materials to be conducted at the manufacturing facility, storage facility or handling facility is unlikely to hinder the maintenance of public safety or the prevention of the occurrence of disasters.
- 3 総務大臣は、移送取扱所について第一項第四号の規定による許可をしようとするときは、その旨を関係都道府県知事に通知しなければならない。この場合においては、

関係都道府県知事は、当該許可に関し、総務大臣に対し、意見を申し出ることができる。

(3) When the Minister of Internal Affairs and Communications intends to grant permission under the provisions of paragraph (1), item (iv) with regard to a handling facility for transfer, the Minister must give notice to the relevant prefectural governors to that effect. In this case, those relevant prefectural governors may state their opinions to the Minister concerning the permission.

4 関係市町村長は、移送取扱所についての第一項第四号の規定による許可に関し、当該都道府県知事又は総務大臣に対し、意見を申し出ることができる。

(4) With regard to the permission under the provisions of paragraph (1), item (iv) for a handling facility for transfer, the relevant municipal mayors may state their opinions to the prefectural governor or the Minister of Internal Affairs and Communications.

5 第一項の規定による許可を受けた者は、製造所、貯蔵所若しくは取扱所を設置したとき又は製造所、貯蔵所若しくは取扱所の位置、構造若しくは設備を変更したときは、当該製造所、貯蔵所又は取扱所につき市町村長等が行う完成検査を受け、これらが前条第四項の技術上の基準に適合していると認められた後でなければ、これを使用してはならない。ただし、製造所、貯蔵所又は取扱所の位置、構造又は設備を変更する場合において、当該製造所、貯蔵所又は取扱所のうち当該変更の工事に係る部分以外の部分の全部又は一部について市町村長等の承認を受けたときは、完成検査を受ける前においても、仮に、当該承認を受けた部分を使用することができる。

(5) When a person who obtained permission under the provisions of paragraph (1) has established a manufacturing facility, storage facility or handling facility or changed the position, structure or equipment of a manufacturing facility, storage facility or handling facility, that person must not use the manufacturing facility, storage facility or handling facility until after the respective facility has undergone a completion inspection conducted by the municipal mayor, etc. and is judged to conform to the technical standards set forth in paragraph (4) of the preceding Article; provided, however, that in cases where that person changes the position, structure or equipment of a manufacturing facility, storage facility or handling facility, if that person has obtained approval from the municipal mayor, etc., in whole or in part, for the manufacturing facility, storage facility or handling facility other than the part pertaining to the construction work for making the change, that person may provisionally use the approved part even before undergoing a completion inspection.

6 製造所、貯蔵所又は取扱所の譲渡又は引渡があつたときは、譲受人又は引渡を受けた者は、第一項の規定による許可を受けた者の地位を承継する。この場合において、同項の規定による許可を受けた者の地位を承継した者は、遅滞なくその旨を市町村長等に届け出なければならない。

(6) In the event of an assignment or transfer of a manufacturing facility, storage

facility or handling facility, the assignee or transferee succeeds to the status of the person who obtained permission under the provisions of paragraph (1). In this case, the person who has succeeded to the status of the person who obtained permission under the provisions of that paragraph must notify the municipal mayor, etc. to that effect without delay.

7 市町村長等は、政令で定める製造所、貯蔵所又は取扱所について第一項の規定による許可（同項後段の規定による許可で総務省令で定める軽易な事項に係るものを除く。）をしたときは、政令で定めるところにより、その旨を国家公安委員会若しくは都道府県公安委員会又は海上保安庁長官に通報しなければならない。

(7) When a municipal mayor, etc. has granted permission under the provisions of paragraph (1) (excluding permission to be granted under the provisions of the second sentence of that paragraph for minor matters specified by Order of the Ministry of Internal Affairs and Communications) for a manufacturing facility, storage facility or handling facility specified by Cabinet Order, that municipal mayor, etc., as provided for by Cabinet Order, must report to the National Public Safety Commission or the prefectural public safety commission or the Commandant of the Japan Coast Guard to that effect.

第十一条の二 政令で定める製造所、貯蔵所若しくは取扱所の設置又はその位置、構造若しくは設備の変更について前条第一項の規定による許可を受けた者は、当該許可に係る工事で政令で定めるものについては、同条第五項の完成検査を受ける前において、政令で定める工事の工程ごとに、当該製造所、貯蔵所又は取扱所に係る構造及び設備に関する事項で政令で定めるもの（以下この条及び次条において「特定事項」という。）が第十条第四項の技術上の基準に適合しているかどうかについて、市町村長等が行う検査を受けなければならない。

Article 11-2 (1) A person who has obtained permission under the provisions of paragraph (1) of the preceding Article for the establishment of a manufacturing facility, storage facility or handing facility specified by Cabinet Order or for a change to the position, structure or equipment thereof, with regard to the construction work specified by Cabinet Order for which the permission has been granted, must undergo an inspection conducted by a municipal mayor, etc. for each construction process specified by Cabinet Order, in terms of whether or not the matters concerning the structure or equipment of that manufacturing facility, storage facility or handling facility, as specified by Cabinet Order (hereinafter referred to as the "specified matters" in this Article and the following Article), conform to the technical standards set forth in Article 10, paragraph (4), before undergoing a completion inspection as set forth in paragraph (5) of the preceding Article.

2 前項に規定する者は、同項の検査において特定事項が第十条第四項の技術上の基準に適合していると認められた後でなければ、当該特定事項に係る製造所、貯蔵所若しくは取扱所の設置又はその位置、構造若しくは設備の変更の工事について、前条第五

項の完成検査を受けることができない。

- (2) Until after the specified matters are judged to conform to the technical standards set forth in Article 10, paragraph (4) in the inspection set forth in the preceding paragraph, the person prescribed in the preceding paragraph may not undergo a completion inspection as set forth in paragraph (5) of the preceding Article with regard to the construction work for establishing the manufacturing facility, storage facility or handling facility pertaining to those specified matters or for changing the position, structure or equipment thereof.
- 3 第一項に規定する者は、同項の検査において第十条第四項の技術上の基準に適合していると認められた特定事項に係る製造所、貯蔵所若しくは取扱所の設置又はその位置、構造若しくは設備の変更の工事につき、前条第五項の完成検査を受けるときは、当該特定事項については、同項の完成検査を受けることを要しない。
- (3) When the person prescribed in paragraph (1) undergoes a completion inspection as set forth in paragraph (5) of the preceding Article with regard to the construction work for establishing the manufacturing facility, storage facility or handling facility pertaining to the specified matters which have been judged in the inspection set forth in paragraph (1) to conform to the technical standards set forth in Article 10, paragraph (4) or for changing the position, structure or equipment thereof, that person is not required to undergo a completion inspection as set forth in paragraph (5) of the preceding Article with regard to those specified matters.

第十一条の三 市町村長等は、次の各号に掲げる場合には、当該各号に掲げる事項を危険物保安技術協会（第十四条の三第三項において「協会」という。）に委託することができる。

Article 11-3 In the cases listed in the following items, a municipal mayor, etc. may entrust the matters specified in the respective items to the Hazardous Materials Safety Techniques Association (Kikenbutsu Hoangijutsu Kyokai, KHK) (referred to as the "Association" in Article 14-3, paragraph (3)):

一 第十一条第二項の場合において、同条第一項の規定による許可の申請に係る貯蔵所が政令で定める屋外タンク貯蔵所（屋外にあるタンクにおいて危険物を貯蔵し、又は取り扱う貯蔵所をいう。以下同じ。）であるとき。当該屋外タンク貯蔵所に係る構造及び設備に関する事項で政令で定めるものが第十条第四項の技術上の基準に適合するかどうかの審査

(i) in the case referred to in Article 11, paragraph (2), where the storage facility for which an application for permission is filed under the provisions of paragraph (1) of that Article is an outdoor tank storage facility (meaning a storage facility which stores or handles hazardous materials by means of a tank situated outdoors; the same applies hereinafter) specified by Cabinet Order: an examination in terms of whether or not the matters concerning the structure or equipment of the outdoor tank storage facility, as specified by

Cabinet Order, conform to the technical standards set forth in Article 10, paragraph (4); and

二 前条第一項の場合において、同項の貯蔵所が政令で定める屋外タンク貯蔵所であるとき。当該屋外タンク貯蔵所に係る特定事項のうち政令で定めるものが第十条第四項の技術上の基準に適合するかどうかの審査

(ii) in the case referred to in paragraph (1) of the preceding Article, where the storage facility set forth in that paragraph is an outdoor tank storage facility as specified by Cabinet Order: an examination in terms of whether or not the specified matters pertaining to the outdoor tank storage facility which are specified by Cabinet Order conform to the technical standards set forth in Article 10, paragraph (4).

第十一条の四 製造所、貯蔵所又は取扱所の位置、構造又は設備を変更しないで、当該製造所、貯蔵所又は取扱所において貯蔵し、又は取り扱う危険物の品名、数量又は指定数量の倍数（当該製造所、貯蔵所又は取扱所において貯蔵し、又は取り扱う危険物の数量を当該危険物の指定数量で除して得た値（品名又は指定数量を異にする二以上の危険物を貯蔵し、又は取り扱う場合には、当該貯蔵又は取扱いに係るそれぞれの危険物の数量を当該危険物の指定数量で除して得た値の和）をいう。）を変更しようとする者は、変更しようとする日の十日前までに、その旨を市町村長等に届け出なければならない。

Article 11-4 (1) A person who intends, without changing the position, structure or equipment of a manufacturing facility, storage facility or handling facility, to change the name, quantity or multiple of the designated quantity of the hazardous materials stored or handled at the manufacturing facility, storage facility or handling facility (the multiple of the designated quantity means the value obtained by dividing the quantity of the hazardous materials stored or handled at the manufacturing facility, storage facility or handling facility by the designated quantity of those hazardous materials (in cases when storing or handling two or more types of hazardous materials which are categorized by different names of materials or for which different designated quantities are designated, the sum of the values obtained by dividing the quantities of these types of hazardous materials stored or handled by the designated quantities of the respective types of hazardous materials)), must notify the municipal mayor, etc. to that effect no later than ten days prior to the day on which the change is scheduled.

2 前項の場合において、別表第一の品名欄に掲げる物品のうち同表第一類の項第十一号、第二類の項第八号、第三類の項第十二号、第五類の項第十一号又は第六類の項第五号の危険物は、当該物品に含有されている当該品名欄の物品が異なるときは、それぞれ異なる品名の危険物とみなす。

(2) In the case referred to in the preceding paragraph, among the hazardous materials listed in the Name of Materials column of Appended Table 1, those

which are referred to in Type 1, item (xi), Type 2, item (viii), Type 3, item (xii), Type 5, item (xi), or Type 6, item (v) of that table are deemed to be hazardous materials that have different names if those materials contain several types of materials that have different names as set forth in the Name of Materials column.

3 第十一条第七項の規定は、同項に規定する製造所、貯蔵所又は取扱所につき第一項の届出があつた場合について準用する。

(3) The provisions of Article 11, paragraph (7) apply mutatis mutandis where a notification under paragraph (1) is made with regard to a manufacturing facility, storage facility or handling facility as prescribed in Article 11, paragraph (7).

第十一条の五 市町村長等は、製造所、貯蔵所（移動タンク貯蔵所を除く。）又は取扱所においてする危険物の貯蔵又は取扱いが第十条第三項の規定に違反しているとき認めるときは、当該製造所、貯蔵所又は取扱所の所有者、管理者又は占有者に対し、同項の技術上の基準に従つて危険物を貯蔵し、又は取り扱うべきことを命ずることができる。

Article 11-5 (1) When a municipal mayor, etc. finds that the storage or handling of hazardous materials conducted at a manufacturing facility, storage facility (excluding a mobile tank storage facility) or handling facility is in violation of the provisions of Article 10, paragraph (3), that municipal mayor, etc. may order the owner, manager or possessor of the manufacturing facility, storage facility or handling facility to store or handle hazardous materials in accordance with the technical standards set forth in that paragraph.

2 市町村長（消防本部及び消防署を置く市町村以外の市町村の区域においては、当該区域を管轄する都道府県知事とする。次項及び第四項において同じ。）は、その管轄する区域にある移動タンク貯蔵所について、前項の規定の例により、第十条第三項の技術上の基準に従つて危険物を貯蔵し、又は取り扱うべきことを命ずることができる。

(2) A municipal mayor (in the area of a municipality other than a municipality which has fire defense headquarters and a fire station(s), the prefectural governor who has jurisdiction over that area; the same applies in the following paragraph and paragraph (4)) may, in the same manner as that prescribed in the preceding paragraph, order that the storage or handling of hazardous materials at a mobile tank storage facility located in the area under that mayor's jurisdiction should be conducted in accordance with the technical standards set forth in Article 10, paragraph (3).

3 市町村長は、前項の規定による命令をしたときは、当該命令に係る移動タンク貯蔵所につき第十一条第一項の規定による許可をした市町村長等に対し、総務省令で定めるところにより、速やかに、その旨を通知しなければならない。

(3) When a municipal mayor has issued an order under the provisions of the preceding paragraph, that municipal mayor must promptly give notice to that

effect, as provided for by Order of the Ministry of Internal Affairs and Communications, to the municipal mayor, etc. who granted permission under the provisions of Article 11, paragraph (1) for the mobile tank storage facility to which the order has been issued.

4 市町村長等又は市町村長は、それぞれ第一項又は第二項の規定による命令をした場合においては、標識の設置その他総務省令で定める方法により、その旨を公示しなければならない。

(4) Where a municipal mayor, etc. or municipal mayor has issued an order under the provisions of paragraph (1) or paragraph (2) respectively, that municipal mayor, etc. or municipal mayor must give public notice to that effect by posting a sign or by other methods specified by Order of the Ministry of Internal Affairs and Communications.

5 前項の標識は、第一項又は第二項の規定による命令に係る製造所、貯蔵所又は取扱所に設置することができる。この場合においては、第一項又は第二項の規定による命令に係る製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、当該標識の設置を拒み、又は妨げてはならない。

(5) The sign set forth in the preceding paragraph may be posted at the manufacturing facility, storage facility or handling facility for which an order is issued under the provisions of paragraph (1) or paragraph (2). In this case, the owner, manager or possessor of the manufacturing facility, storage facility or handling facility for which an order is issued under the provisions of paragraph (1) or paragraph (2) must not refuse or obstruct posting of the sign.

第十二条 製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、製造所、貯蔵所又は取扱所の位置、構造及び設備が第十条第四項の技術上の基準に適合するように維持しなければならない。

Article 12 (1) The owner, manager or possessor of a manufacturing facility, storage facility or handling facility must maintain the manufacturing facility, storage facility or handling facility so that the position, structure and equipment of the facility conform to the technical standards set forth in Article 10, paragraph (4).

2 市町村長等は、製造所、貯蔵所又は取扱所の位置、構造及び設備が第十条第四項の技術上の基準に適合していないと認めるときは、製造所、貯蔵所又は取扱所の所有者、管理者又は占有者で権原を有する者に対し、同項の技術上の基準に適合するように、これらを修理し、改造し、又は移転すべきことを命ずることができる。

(2) When a municipal mayor, etc. finds that the position, structure and equipment of a manufacturing facility, storage facility or handling facility fail to conform to the technical standards set forth in Article 10, paragraph (4), that municipal mayor, etc. may order the owner, manager or possessor of the manufacturing facility, storage facility or handling facility who holds title to repair, modify or relocate the facility so as to conform to the technical

standards set forth in that paragraph.

3 前条第四項及び第五項の規定は、前項の規定による命令について準用する。

(3) The provisions of paragraph (4) and paragraph (5) of the preceding Article apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第十二条の二 市町村長等は、製造所、貯蔵所又は取扱所の所有者、管理者又は占有者が次の各号の一に該当するときは、当該製造所、貯蔵所又は取扱所について、第十一条第一項の許可を取り消し、又は期間を定めてその使用の停止を命ずることができる。

Article 12-2 (1) When the owner, manager or possessor of a manufacturing facility, storage facility or handling facility falls under any of the following items, a municipal mayor, etc. may rescind the permission granted under Article 11, paragraph (1) for the manufacturing facility, storage facility or handling facility or specify a time period and order the suspension of the use of the facility for that period:

一 第十一条第一項後段の規定による許可を受けないで、製造所、貯蔵所又は取扱所の位置、構造又は設備を変更したとき。

(i) where the owner, manager or possessor has changed the position, structure or equipment of the manufacturing facility, storage facility or handling facility without obtaining permission under the provisions of the second sentence of Article 11, paragraph (1);

二 第十一条第五項の規定に違反して、製造所、貯蔵所又は取扱所を使用したとき。

(ii) where the owner, manager or possessor has used the manufacturing facility, storage facility or handling facility in violation of the provisions of Article 11, paragraph (5);

三 前条第二項の規定による命令に違反したとき。

(iii) where the owner, manager or possessor has violated an order under the provisions of paragraph (2) of the preceding Article;

四 第十四条の三第一項又は第二項の規定に違反したとき。

(iv) where the owner, manager or possessor has violated the provisions of Article 14-3, paragraph (1) or paragraph (2); or

五 第十四条の三の二の規定に違反したとき。

(v) where the owner, manager or possessor has violated the provisions of Article 14-3-2.

2 市町村長等は、製造所、貯蔵所又は取扱所の所有者、管理者又は占有者が次の各号の一に該当するときは、当該製造所、貯蔵所又は取扱所について、期間を定めてその使用の停止を命ずることができる。

(2) When the owner, manager or possessor of a manufacturing facility, storage facility or handling facility falls under any of the following items, a municipal mayor, etc. may specify a time period and order the suspension of the use of the manufacturing facility, storage facility or handling facility for that period:

一 第十一条の五第一項又は第二項の規定による命令に違反したとき。

(i) where the owner, manager or possessor has violated an order under the provisions of Article 11-5, paragraph (1) or paragraph (2);

二 第十二条の七第一項の規定に違反したとき。

(ii) where the owner, manager or possessor has violated the provisions of Article 12-7, paragraph (1);

三 第十三条第一項の規定に違反したとき。

(iii) where the owner, manager or possessor has violated the provisions of Article 13, paragraph (1); or

四 第十三条の二十四第一項の規定による命令に違反したとき。

(iv) where the owner, manager or possessor has violated an order under the provisions of Article 13-24, paragraph (1).

3 第十一条の五第四項及び第五項の規定は、前二項の規定による命令について準用する。

(3) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of the preceding two paragraphs.

第十二条の三 市町村長等は、公共の安全の維持又は災害の発生の防止のため緊急の必要があると認めるときは、製造所、貯蔵所又は取扱所の所有者、管理者又は占有者に対し、当該製造所、貯蔵所若しくは取扱所の使用を一時停止すべきことを命じ、又はその使用を制限することができる。

Article 12-3 (1) When a municipal mayor, etc. finds that it is urgently necessary in order to maintain public safety or prevent the occurrence of disasters, that municipal mayor, etc. may order the owner, manager or possessor of a manufacturing facility, storage facility or handling facility to suspend temporarily the use of the manufacturing facility, storage facility or handling facility or may restrict the use of the facility.

2 第十一条の五第四項及び第五項の規定は、前項の規定による命令について準用する。

(2) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第十二条の四 関係市町村長は、第十一条第一項第四号の規定による都道府県知事又は総務大臣（以下この条において「知事等」という。）の許可に係る移送取扱所の設置若しくは維持又は当該移送取扱所における危険物の取扱いに関し災害が発生するおそれがあると認めるときは、当該知事等に対し、必要な措置を講ずべきことを要請することができる。

Article 12-4 (1) When the relevant municipal mayor finds that there is a risk of a disaster occurring in relation to the establishment or maintenance of a handling facility for transfer for which permission has been granted under the provisions of Article 11, paragraph (1), item (iv) by a prefectural governor or the Minister of Internal Affairs and Communications (hereinafter referred to

as "prefectural governor, etc." in this Article) or the handling of hazardous materials at that handling facility for transfer, that relevant municipal mayor may request that prefectural governor, etc. to take necessary measures.

2 知事等は、前条第一項の要請があつたときは、必要な調査を行い、その結果必要があると認めるときは、第十一条の五第一項、第十二条第二項又は前条の規定による措置その他必要な措置を講じなければならない。

(2) The prefectural governor, etc., at the request set forth in paragraph (1) of the preceding Article, must conduct the necessary investigation, and must take the measures specified under the provisions of Article 11-5, paragraph (1), Article 12, paragraph (2) or the preceding Article or any other necessary measures if that prefectural governor, etc. finds it necessary based on the investigation results.

3 知事等は、前項の措置を講じたときは、速やかに、その旨を関係市町村長に通知しなければならない。

(3) When the prefectural governor, etc. has taken the measures set forth in the preceding paragraph, that prefectural governor, etc. must promptly give notice to the relevant municipal mayors to that effect.

第十二条の五 政令で定める移送取扱所の所有者、管理者又は占有者は、当該取扱所について危険物の流出その他の事故が発生し、危険な状態となつた場合において講ずべき応急の措置について、あらかじめ、関係市町村長と協議しておかなければならない。

Article 12-5 The owner, manager or possessor of a handling facility for transfer specified by Cabinet Order must consult with the relevant municipal mayor(s) in advance with regard to the emergency measures to be taken in the event that an outflow of hazardous materials or any other accident occurs and causes a dangerous situation at that handling facility.

第十二条の六 製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、当該製造所、貯蔵所又は取扱所の用途を廃止したときは、遅滞なくその旨を市町村長等に届け出なければならない。

Article 12-6 When the owner, manager or possessor of a manufacturing facility, storage facility or handling facility has discontinued the use of the manufacturing facility, storage facility or handling facility for its intended purpose, that owner, manager or possessor must notify the municipal mayor, etc. to that effect without delay.

第十二条の七 同一事業所において政令で定める製造所、貯蔵所又は取扱所を所有し、管理し、又は占有する者で、政令で定める数量以上の危険物を貯蔵し、又は取り扱うものは、政令で定めるところにより、危険物保安統括管理者を定め、当該事業所における危険物の保安に関する業務を統括管理させなければならない。

Article 12-7 (1) A person who owns, manages or possesses, at the same place of

business, manufacturing facilities, storage facilities or handling facilities as specified by Cabinet Order and who stores or handles hazardous materials of the quantity specified by Cabinet Order or a larger quantity, as provided for by Cabinet Order, must appoint a hazardous materials safety supervising manager and have that hazardous materials safety supervising manager supervise and manage the operations for ensuring the safety of hazardous materials at that place of business.

2 製造所、貯蔵所又は取扱所を所有し、管理し、又は占有する者は、前項の規定により危険物保安統括管理者を定めたときは、遅滞なくその旨を市町村長等に届け出なければならない。これを解任したときも、同様とする。

(2) When a person who owns, manages or possesses manufacturing facilities, storage facilities or handling facilities has appointed a hazardous materials safety supervising manager pursuant to the provisions of the preceding paragraph, that person must notify the municipal mayor, etc. to that effect without delay. The same applies when that person has dismissed the hazardous materials safety supervising manager.

第十三条 政令で定める製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、甲種危険物取扱者（甲種危険物取扱者免状の交付を受けている者をいう。以下同じ。）又は乙種危険物取扱者（乙種危険物取扱者免状の交付を受けている者をいう。以下同じ。）で、六月以上危険物取扱いの実務経験を有するもののうちから危険物保安監督者を定め、総務省令で定めるところにより、その者が取り扱うことができる危険物の取扱作業に関して保安の監督をさせなければならない。

Article 13 (1) The owner, manager or possessor of a manufacturing facility, storage facility or handling facility specified by Cabinet Order must appoint a hazardous materials security superintendent from among Class A hazardous materials engineers (meaning persons who have obtained a Class A hazardous materials engineer's license; the same applies hereinafter) or Class B hazardous materials engineers (meaning persons who have obtained a Class B hazardous materials engineer's license; the same applies hereinafter) who have had work experience in handling hazardous materials for at least six months, and have that hazardous materials security superintendent supervise the safety of the handling of the hazardous materials that the hazardous materials security superintendent is qualified to handle, as provided for by Order of the Ministry of Internal Affairs and Communications.

2 製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、前項の規定により危険物保安監督者を定めたときは、遅滞なくその旨を市町村長等に届け出なければならない。これを解任したときも、同様とする。

(2) When the owner, manager or possessor of a manufacturing facility, storage facility or handling facility has appointed a hazardous materials security superintendent pursuant to the provisions of the preceding paragraph, that

owner, manager or possessor must notify the municipal mayor, etc. to that effect without delay. The same applies when that owner, manager or possessor has dismissed the hazardous materials security superintendent.

3 製造所、貯蔵所及び取扱所においては、危険物取扱者（危険物取扱者免状の交付を受けている者をいう。以下同じ。）以外の者は、甲種危険物取扱者又は乙種危険物取扱者が立ち会わなければ、危険物を取り扱ってはならない。

(3) At a manufacturing facility, storage facility or handling facility, a person other than a hazardous materials engineer (meaning a person who has obtained a hazardous materials engineer's license; the same applies hereinafter) must not handle hazardous materials without the attendance of a Class A hazardous materials engineer or Class B hazardous materials engineer.

第十三条の二 危険物取扱者免状の種類は、甲種危険物取扱者免状、乙種危険物取扱者免状及び丙種危険物取扱者免状とする。

Article 13-2 (1) The types of hazardous materials engineer's license are a Class A hazardous materials engineer's license, Class B hazardous materials engineer's license, and Class C hazardous materials engineer's license.

2 危険物取扱者が取り扱うことができる危険物及び甲種危険物取扱者又は乙種危険物取扱者がその取扱作業に関して立ち会うことができる危険物の種類は、前項に規定する危険物取扱者免状の種類に応じて総務省令で定める。

(2) The types of hazardous materials that a hazardous materials engineer is qualified to handle and of hazardous materials which a Class A hazardous materials engineer or a Class B hazardous materials engineer is qualified to observe the handling of are specified by Order of the Ministry of Internal Affairs and Communications according to the types of hazardous materials engineer's licenses prescribed in the preceding paragraph.

3 危険物取扱者免状は、危険物取扱者試験に合格した者に対し、都道府県知事が交付する。

(3) A hazardous materials engineer's license is issued by a prefectural governor to a person who has passed a hazardous materials engineer's qualification examination.

4 都道府県知事は、左の各号の一に該当する者に対しては、危険物取扱者免状の交付を行わないことができる。

(4) A prefectural governor may choose not to issue a hazardous materials engineer's license to a person who falls under any of the following items:

一 次項の規定により危険物取扱者免状の返納を命ぜられ、その日から起算して一年を経過しない者

(i) a person who was ordered to return a hazardous materials engineer's license pursuant to the provisions of the following paragraph, where a period of one year has not elapsed from the day on which that person was thus ordered; or

二 この法律又はこの法律に基く命令の規定に違反して罰金以上の刑に処せられた者

で、その執行を終り、又は執行を受けることがなくなつた日から起算して二年を経過しないもの

(ii) a person who was sentenced to a fine or severer punishment for violating the provisions of this Act or orders under this Act, where a period of two years has not elapsed from the day on which the execution of the sentence was completed or that person became free from the execution of the sentence.

5 危険物取扱者がこの法律又はこの法律に基づく命令の規定に違反しているときは、危険物取扱者免状を交付した都道府県知事は、当該危険物取扱者免状の返納を命ずることができる。

(5) If a hazardous materials engineer is in violation of the provisions of this Act or orders under this Act, the prefectural governor who has issued a hazardous materials engineer's license to that hazardous materials engineer may order that hazardous materials engineer to return the hazardous materials engineer's license.

6 都道府県知事は、その管轄する区域において、他の都道府県知事から危険物取扱者免状の交付を受けている危険物取扱者がこの法律又はこの法律に基づく命令の規定に違反していると認めるときは、その旨を当該他の都道府県知事に通知しなければならない。

(6) When a prefectural governor finds, within the area under that prefectural governor's jurisdiction, that any hazardous materials engineer who has obtained a hazardous materials engineer's license from another prefectural governor is in violation of the provisions of this Act or orders under this Act, the prefectural governor finding it must give notice to that other prefectural governor to that effect.

7 前各項に規定するもののほか、危険物取扱者免状の書換、再交付その他危険物取扱者免状に関し必要な事項は、政令で定める。

(7) In addition to what is prescribed in each of the preceding paragraphs, the revision or reissuance of a hazardous materials engineer's license and any other necessary matters concerning a hazardous materials engineer's license is prescribed by Cabinet Order.

第十三条の三 危険物取扱者試験は、危険物の取扱作業の保安に関して必要な知識及び技能について行う。

Article 13-3 (1) A hazardous materials engineer's qualification examination is conducted to assess the knowledge and skills necessary for ensuring the safety of the handling of hazardous materials.

2 危険物取扱者試験の種類は、甲種危険物取扱者試験、乙種危険物取扱者試験及び丙種危険物取扱者試験とする。

(2) The types of hazardous materials engineer's qualification examination are a Class A hazardous materials engineer's qualification examination, Class B hazardous materials engineer's qualification examination, and Class C

hazardous materials engineer's qualification examination.

3 危険物取扱者試験は、前項に規定する危険物取扱者試験の種類ごとに、毎年一回以上、都道府県知事が行なう。

(3) A hazardous materials engineer's qualification examination is conducted by a prefectural governor at least once a year for each type of hazardous materials engineer's qualification examination prescribed in the preceding paragraph.

4 次の各号のいずれかに該当する者は、甲種危険物取扱者試験を受けることができる。

(4) A person who falls under any of the following items may take a Class A hazardous materials engineer's qualification examination:

一 学校教育法（昭和二十二年法律第二十六号）による大学又は高等専門学校において化学に関する学科又は課程を修めて卒業した者その他その者に準ずるものとして総務省令で定める者

(i) a person who has graduated from a university or college of technology under the School Education Act (Act No. 26 of 1947) by completing a major or course in chemistry or a person specified by Order of the Ministry of Internal Affairs and Communications as being equivalent to that person; or

二 乙種危険物取扱者免状の交付を受けた後二年以上危険物取扱の実務経験を有する者

(ii) a person who has had work experience in handling hazardous materials for at least two years after obtaining a Class B hazardous materials engineer's license.

5 前各項に規定するもののほか、危険物取扱者試験の試験科目、受験手続その他試験の実施細目は、総務省令で定める。

(5) In addition to what is prescribed in each of the preceding paragraphs, the subjects of a hazardous materials engineer's qualification examination, procedure for taking the qualification examination and other details concerning the implementation of the qualification examination are specified by Order of the Ministry of Internal Affairs and Communications.

第十三条の四 都道府県は、危険物取扱者試験の問題の作成、採点その他の事務を行わせるため、条例で、危険物取扱者試験委員を置くことができる。

Article 13-4 (1) A prefecture may, by prefectural ordinance, appoint examiners for a hazardous materials engineer's qualification examination in order to have them prepare questions for a hazardous materials engineer's qualification examination, mark examination papers and conduct other relevant affairs.

2 前項の危険物取扱者試験委員の組織、任期その他危険物取扱者試験委員に関し必要な事項は、当該都道府県の条例で定める。

(2) The organization and the term of office of examiners for a hazardous materials engineer's qualification examination as prescribed in the preceding paragraph, and other necessary matters concerning examiners for a hazardous materials engineer's qualification examination are prescribed by that

prefectural ordinance.

第十三条の五 都道府県知事は、総務大臣の指定する者に、危険物取扱者試験の実施に関する事務（以下この章において「危険物取扱者試験事務」という。）を行わせることができる。

Article 13-5 (1) A prefectural governor may entrust a person designated by the Minister of Internal Affairs and Communications to conduct the affairs concerning the implementation of a hazardous materials engineer's qualification examination (hereinafter referred to as the "hazardous materials engineer's qualification examination affairs" in this Chapter).

2 前項の規定による指定は、危険物取扱者試験事務を行おうとする者の申請により行う。

(2) The designation under the provisions of the preceding paragraph is made upon an application from a person who intends to conduct the hazardous materials engineer's qualification examination affairs.

3 都道府県知事は、第一項の規定により総務大臣の指定する者に危険物取扱者試験事務を行わせるときは、危険物取扱者試験事務を行わないものとする。

(3) When a prefectural governor has a person designated by the Minister of Internal Affairs and Communications conduct the hazardous materials engineer's qualification examination affairs pursuant to the provisions of paragraph (1), that prefectural governor is not to conduct the hazardous materials engineer's qualification examination affairs.

第十三条の六 総務大臣は、前条第二項の規定による申請が次の要件を満たしていると認めるときでなければ、同条第一項の規定による指定をしてはならない。

Article 13-6 (1) The Minister of Internal Affairs and Communications must not make a designation under the provisions of paragraph (1) of the preceding Article unless the Minister finds that the application filed under the provisions of paragraph (2) of that Article satisfies the following requirements:

一 職員、設備、危険物取扱者試験事務の実施の方法その他の事項についての危険物取扱者試験事務の実施に関する計画が危険物取扱者試験事務の適正かつ確実な実施のために適切なものであること。

(i) the applicant's plan for the implementation of the hazardous materials engineer's qualification examination affairs, which covers personnel, equipment, the method of conducting the hazardous materials engineer's qualification examination affairs and other matters, is appropriate for proper and reliable implementation of the hazardous materials engineer's qualification examination affairs;

二 前号の危険物取扱者試験事務の実施に関する計画の適正かつ確実な実施に必要な経理的及び技術的な基礎を有するものであること。

(ii) the applicant has the financial and technical basis necessary for properly

and reliably implementing the plan for the implementation of the hazardous materials engineer's qualification examination affairs set forth in the preceding item; and

三 申請者が、危険物取扱者試験事務以外の業務を行っている場合には、その業務を行うことによつて危険物取扱者試験事務が不公正になるおそれがないこと。

(iii) where the applicant is engaged in a business other than conducting the hazardous materials engineer's qualification examination affairs, it is unlikely that the applicant will conduct the hazardous materials engineer's qualification examination affairs unfairly due to carrying out that other business.

2 総務大臣は、前条第二項の規定による申請をした者が、次のいずれかに該当するときは、同条第一項の規定による指定をしてはならない。

(2) The Minister of Internal Affairs and Communications must not make a designation under the provisions of paragraph (1) of the preceding Article if the person who has filed an application under the provisions of paragraph (2) of that Article falls under any of the following:

一 一般社団法人又は一般財団法人以外の者であること。

(i) the person is neither a general incorporated association nor a general incorporated foundation;

二 この法律に違反して、刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して二年を経過しない者であること。

(ii) the person was sentenced to a punishment for violating this Act, where a period of two years has not elapsed from the day on which the execution of the sentence was completed or that person became free from the execution of the sentence;

三 第十三条の十八第一項又は第二項の規定により指定を取り消され、その取消の日から起算して二年を経過しない者であること。

(iii) the person's designation was rescinded pursuant to the provisions of Article 13-18, paragraph (1) or paragraph (2), where a period of two years has not elapsed from the date of the rescission; or

四 その役員の中に、次のいずれかに該当する者があること。

(iv) any of the officers of the person falls under any of the following:

イ 第二号に該当する者

(a) a person who falls under item (ii); or

ロ 第十三条の九第二項の規定による命令により解任され、その解任の日から起算して二年を経過しない者

(b) a person who was dismissed by an order under the provisions of Article 13-9, paragraph (2), where a period of two years has not elapsed from the date of the dismissal.

第十三条の七 総務大臣は、第十三条の五第一項の規定による指定をしたときは、当該

指定を受けた者の名称及び主たる事務所の所在地並びに当該指定をした日を公示しなければならない。

Article 13-7 (1) When the Minister of Internal Affairs and Communications has made a designation under the provisions of Article 13-5, paragraph (1), the Minister must give public notice of the name of the person designated and the location of the principal office thereof as well as the date of the designation.

2 第十三条の五第一項の規定による指定を受けた者（以下この章において「指定試験機関」という。）は、その名称又は主たる事務所の所在地を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) When a person designated under the provisions of Article 13-5, paragraph (1) (hereinafter referred to as a "designated examining body" in this Chapter) intends to change its name or the location of its principal office, the person must notify the Minister of Internal Affairs and Communications to that effect no later than two weeks prior to the day on which the change is scheduled.

3 総務大臣は、前項の規定による届出があつたときは、その旨を公示しなければならない。

(3) When a notification is made under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must give public notice to that effect.

第十三条の八 第十三条の五第一項の規定により指定試験機関にその危険物取扱者試験事務を行わせることとした都道府県知事（以下「委任都道府県知事」という。）は、その旨を総務大臣に報告するとともに、当該指定試験機関の名称、主たる事務所の所在地及び当該危険物取扱者試験事務を取り扱う事務所の所在地並びに当該指定試験機関に危険物取扱者試験事務を行わせることとした日を公示しなければならない。

Article 13-8 (1) A prefectural governor who has decided to entrust a designated examining body to conduct their hazardous materials engineer's qualification examination affairs pursuant to the provisions of Article 13-5, paragraph (1) (hereinafter referred to as an "entrusting prefectural governor") must report to the Minister of Internal Affairs and Communications to that effect and give public notice of the name of the designated examining body, the location of its principal office and the location of its office where the hazardous materials engineer's qualification examination affairs are to be handled, as well as the date on which that prefectural governor came to entrust the designated examining body to conduct the hazardous materials engineer's qualification examination affairs.

2 指定試験機関は、その名称、主たる事務所の所在地又は危険物取扱者試験事務を取り扱う事務所の所在地を変更しようとするときは、委任都道府県知事（危険物取扱者試験事務を取り扱う事務所の所在地については、関係委任都道府県知事）に、変更しようとする日の二週間前までに、その旨を届け出なければならない。

(2) When a designated examining body intends to change its name, the location of

its principal office or the location of its office where the hazardous materials engineer's qualification examination affairs are handled, it must notify the entrusting prefectural governor (in the case of the location of the office where the hazardous materials engineer's qualification examination affairs are handled, the relevant entrusting prefectural governor) no later than two weeks prior to the day on which the change is scheduled.

3 委任都道府県知事は、前項の規定による届出があつたときは、その旨を公示しなければならない。

(3) When a notification is made under the provisions of the preceding paragraph, the entrusting prefectural governor must give public notice to that effect.

第十三条の九 指定試験機関の役員の選任及び解任は、総務大臣の認可を受けなければ、その効力を生じない。

Article 13-9 (1) The appointment and dismissal of an officer of a designated examining body does not become effective unless authorized by the Minister of Internal Affairs and Communications.

2 総務大臣は、指定試験機関の役員が、この法律（この法律に基づく命令又は処分を含む。）若しくは第十三条の十二第一項の試験事務規程に違反する行為をしたとき、又は危険物取扱者試験事務に関し著しく不適当な行為をしたときは、指定試験機関に対し、その役員を解任すべきことを命ずることができる。

(2) When an officer of a designated examining body has committed an act in violation of this Act (including orders or dispositions under this Act) or the qualification examination affairs rules set forth in Article 13-12, paragraph (1) or committed an extremely inappropriate act concerning the hazardous materials engineer's qualification examination affairs, the Minister of Internal Affairs and Communications may order the designated examining body to dismiss that officer.

第十三条の十 指定試験機関は、総務省令で定める要件を備える者のうちから危険物取扱者試験委員を選任し、試験の問題の作成及び採点を行わせなければならない。

Article 13-10 (1) A designated examining body must appoint examiners for a hazardous materials engineer's qualification examination from among those persons who satisfy the requirements specified by Order of the Ministry of Internal Affairs and Communications, and have them prepare questions for the qualification examination and mark examination papers.

2 指定試験機関は、前項の危険物取扱者試験委員を選任し、又は解任したときは、遅滞なくその旨を総務大臣に届け出なければならない。

(2) When a designated examining body has appointed or dismissed an examiner for a hazardous materials engineer's qualification examination as set forth in the preceding paragraph, it must notify the Minister of Internal Affairs and Communications to that effect without delay.

3 前条第二項の規定は、第一項の危険物取扱者試験委員の解任について準用する。

(3) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to the dismissal of an examiner for a hazardous materials engineer's qualification examination as set forth in paragraph (1).

第十三条の十一 指定試験機関の役員若しくは職員（前条第一項の危険物取扱者試験委員を含む。次項において同じ。）又はこれらの職にあつた者は、危険物取扱者試験事務に関して知り得た秘密を漏らしてはならない。

Article 13-11 (1) Persons who are officers or employees of a designated examining body (including examiners for a hazardous materials engineer's qualification examination as set forth in paragraph (1) of the preceding Article; the same applies in the following paragraph) or those who have held these posts must not divulge any secrets that they have come to know in connection with the hazardous materials engineer's qualification examination affairs.

2 危険物取扱者試験事務に従事する指定試験機関の役員及び職員は、刑法（明治四十年法律第四十五号）その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) With regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, officers and employees of a designated examining body who are engaged in the hazardous materials engineer's qualification examination affairs are deemed to be personnel engaged in public service under laws and regulations.

第十三条の十二 指定試験機関は、総務省令で定める危険物取扱者試験事務の実施に関する事項について試験事務規程を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 13-12 (1) A designated examining body must establish qualification examination affairs rules with regard to the affairs concerning the implementation of the hazardous materials engineer's qualification examination affairs specified by Order of the Ministry of Internal Affairs and Communications, and obtain authorization from the Minister of Internal Affairs and Communications. The same applies when a designated examining body intends to revise the rules.

2 指定試験機関は、前項後段の規定により試験事務規程を変更しようとするときは、委任都道府県知事の意見を聴かなければならない。

(2) A designated examining body must hear opinions from the entrusting prefectural governor when it intends to revise its qualification examination affairs rules pursuant to the provisions of the second sentence of the preceding paragraph.

3 総務大臣は、第一項の規定により認可をした試験事務規程が危険物取扱者試験事務の適正かつ確実な実施上不適当となつたと認めるときは、指定試験機関に対し、これ

を変更すべきことを命ずることができる。

- (3) When the Minister of Internal Affairs and Communications finds that the qualification examination affairs rules for which the Minister granted authorization under the provisions of paragraph (1) have become inappropriate for proper and reliable implementation of the hazardous materials engineer's qualification examination affairs, the Minister may order the designated examining body to revise the rules.

第十三条の十三 指定試験機関は、毎事業年度、事業計画及び収支予算を作成し、当該事業年度の開始前に（第十三条の五第一項の規定による指定を受けた日の属する事業年度にあつては、その指定を受けた後遅滞なく）、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 13-13 (1) A designated examining body must prepare a business plan and an income and expenditure budget for each business year, and obtain authorization from the Minister of Internal Affairs and Communications prior to the commencement of the business year (or without delay after obtaining a designation under the provisions of Article 13-5, paragraph (1) in the case of the business year containing the date of the designation). The same applies when the designated examining body intends to revise the plan and budget.

2 指定試験機関は、事業計画及び収支予算を作成し、又は変更しようとするときは、委任都道府県知事の意見を聴かななければならない。

(2) A designated examining body must hear opinions from the entrusting prefectural governor when it intends to prepare or revise a business plan and an income and expenditure budget.

3 指定試験機関は、毎事業年度、事業報告書及び収支決算書を作成し、当該事業年度の終了後三月以内に、総務大臣及び委任都道府県知事に提出しなければならない。

(3) A designated examining body must prepare a business report and a statement of income and expenditure for each business year, and submit them to the Minister of Internal Affairs and Communications and the entrusting prefectural governor within three months after the end of the business year.

第十三条の十四 指定試験機関は、総務省令で定めるところにより、危険物取扱者試験事務に関する事項で総務省令で定めるものを記載した帳簿を備え、保存しなければならない。

Article 13-14 A designated examining body, as provided for by Order of the Ministry of Internal Affairs and Communications, must keep books stating the matters concerning the hazardous materials engineer's qualification examination affairs specified by Order of the Ministry of Internal Affairs and Communications, and preserve those books.

第十三条の十五 総務大臣は、危険物取扱者試験事務の適正な実施を確保するため必要

があると認めるときは、指定試験機関に対し、危険物取扱者試験事務に関し監督上必要な命令をすることができる。

Article 13-15 (1) When the Minister of Internal Affairs and Communications finds it necessary in order to ensure proper implementation of the hazardous materials engineer's qualification examination affairs, the Minister may issue an order necessary for the supervision of the hazardous materials engineer's qualification examination affairs to a designated examining body.

2 委任都道府県知事は、その行わせることとした危険物取扱者試験事務の適正な実施を確保するため必要があると認めるときは、指定試験機関に対し、当該危険物取扱者試験事務の適正な実施のために必要な措置をとるべきことを指示することができる。

(2) When an entrusting prefectural governor finds it necessary in order to ensure the proper implementation of the hazardous materials engineer's qualification examination affairs that that entrusting prefectural governor has entrusted to a designated examining body, that entrusting prefectural governor may instruct the designated examining body to take the necessary measures for proper implementation of the hazardous materials engineer's qualification examination affairs.

第十三条の十六 総務大臣は、危険物取扱者試験事務の適正な実施を確保するため必要があると認めるときは、指定試験機関に対し、危険物取扱者試験事務の状況に関し必要な報告を求め、又はその職員に、指定試験機関の事務所に立ち入り、危険物取扱者試験事務の状況若しくは設備、帳簿、書類その他の物件を検査させることができる。

Article 13-16 (1) When the Minister of Internal Affairs and Communications finds it necessary in order to ensure proper implementation of the hazardous materials engineer's qualification examination affairs, the Minister may request a designated examining body to make necessary reports on the status of the hazardous materials engineer's qualification examination affairs or have their official enter the designated examining body's office and inspect the status of the hazardous materials engineer's qualification examination affairs or its equipment, books, documents and other objects.

2 委任都道府県知事は、その行わせることとした危険物取扱者試験事務の適正な実施を確保するため必要があると認めるときは、指定試験機関に対し、当該危険物取扱者試験事務の状況に関し必要な報告を求め、又はその職員に、当該危険物取扱者試験事務を取り扱う指定試験機関の事務所に立ち入り、当該危険物取扱者試験事務の状況若しくは設備、帳簿、書類その他の物件を検査させることができる。

(2) When an entrusting prefectural governor finds it necessary in order to ensure proper implementation of the hazardous materials engineer's qualification examination affairs that that entrusting prefectural governor has entrusted to a designated examining body, that entrusting prefectural governor may request the designated examining body to make necessary reports on the status of the hazardous materials engineer's qualification examination affairs or have

thier official enter the designated examining body's office where the hazardous materials engineer's qualification examination affairs are handled and inspect the status of the hazardous materials engineer's qualification examination affairs or its equipment, books, documents and other objects.

3 前二項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係人の請求があつたときは、これを提示しなければならない。

(3) An official who conducts an on-site inspection under the provisions of the preceding two paragraphs must carry their identification card and present it when requested to do so by any relevant person.

4 第一項又は第二項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(4) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) or paragraph (2) must not be construed to be vested for the purpose of crime investigation.

第十三条の十七 指定試験機関は、総務大臣の許可を受けなければ、危険物取扱者試験事務の全部又は一部を休止し、又は廃止してはならない。

Article 13-17 (1) A designated examining body must not suspend or abolish the whole or part of the hazardous materials engineer's qualification examination affairs, without the permission of the Minister of Internal Affairs and Communications.

2 総務大臣は、指定試験機関の危険物取扱者試験事務の全部又は一部の休止又は廃止により危険物取扱者試験事務の適正かつ確実な実施が損なわれるおそれがないと認めるときでなければ、前項の規定による許可をしてはならない。

(2) The Minister of Internal Affairs and Communications must not grant permission under the provisions of the preceding paragraph unless the Minister finds that it is unlikely that proper and reliable implementation of the hazardous materials engineer's qualification examination affairs will be damaged when the designated examining body suspends or abolishes the whole or part of the hazardous materials engineer's qualification examination affairs.

3 総務大臣は、第一項の規定による許可をしようとするときは、関係委任都道府県知事の意見を聴かなければならない。

(3) The Minister of Internal Affairs and Communications must hear opinions from the relevant entrusting prefectural governor when the Minister intends to grant permission under the provisions of paragraph (1).

4 総務大臣は、第一項の規定による許可をしたときは、その旨を、関係委任都道府県知事に通知するとともに、公示しなければならない。

(4) When the Minister of Internal Affairs and Communications has granted permission under the provisions of paragraph (1), the Minister must give notice to the relevant entrusting prefectural governor and also give public notice to that effect.

第十三条の十八 総務大臣は、指定試験機関が第十三条の六第二項各号（第三号を除く。）のいずれかに該当するに至つたときは、その指定を取り消さなければならない。

Article 13-18 (1) When a designated examining body has come to fall under any of the items of Article 13-6, paragraph (2) (excluding item (iii)), the Minister of Internal Affairs and Communications must rescind its designation.

2 総務大臣は、指定試験機関が次のいずれかに該当するときは、その指定を取り消し、又は期間を定めて危険物取扱者試験事務の全部若しくは一部の停止を命ずることができる。

(2) When a designated examining body falls under any of the following, the Minister of Internal Affairs and Communications must rescind its designation or specify a time period and order it to suspend the whole or part of the hazardous materials engineer's qualification examination affairs:

一 第十三条の六第一項各号の要件を満たさなくなつたと認められるとき。

(i) when the designated examining body is found to no longer satisfy the requirements set forth in the items of Article 13-6, paragraph (1);

二 第十三条の十第一項、第十三条の十三第一項若しくは第三項、第十三条の十四又は前条第一項の規定に違反したとき。

(ii) when the designated examining body has violated the provisions of Article 13-10, paragraph (1), Article 13-13, paragraph (1) or paragraph (3), Article 13-14, or paragraph (1) of the preceding Article;

三 第十三条の九第二項（第十三条の十第三項において準用する場合を含む。）、第十三条の十二第三項又は第十三条の十五第一項の規定による命令に違反したとき。

(iii) when the designated examining body has violated an order under the provisions of Article 13-9, paragraph (2) (including as applied mutatis mutandis pursuant to Article 13-10, paragraph (3)), Article 13-12, paragraph (3) or Article 13-15, paragraph (1);

四 第十三条の十二第一項の規定により認可を受けた試験事務規程によらないで危険物取扱者試験事務を行つたとき。

(iv) when the designated examining body has conducted the hazardous materials engineer's qualification examination affairs not complying with the qualification examination affairs rules authorized under the provisions of Article 13-12, paragraph (1); or

五 不正な手段により第十三条の五第一項の規定による指定を受けたとき。

(v) when the designated examining body has obtained a designation under the provisions of Article 13-5, paragraph (1) by wrongful means.

3 総務大臣は、前二項の規定により指定を取り消し、又は前項の規定により危険物取扱者試験事務の全部若しくは一部の停止を命じたときは、その旨を、関係委任都道府県知事に通知するとともに、公示しなければならない。

(3) When the Minister of Internal Affairs and Communications has rescinded a designation pursuant to the provisions of the preceding two paragraphs or

ordered the suspension of the whole or part of the hazardous materials engineer's qualification examination affairs pursuant to the provisions of the preceding paragraph, the Minister must give notice to the relevant entrusting prefectural governor and also give public notice to that effect.

第十三条の十九 委任都道府県知事は、指定試験機関に危険物取扱者試験事務を行わせないこととするときは、その三月前までに、その旨を指定試験機関に通知しなければならない。

Article 13-19 (1) When an entrusting prefectural governor intends to terminate the entrustment of the hazardous materials engineer's qualification examination affairs to a designated examining body, that entrusting prefectural governor must give notice to the designated examining body to that effect no later than three months prior to the termination.

2 委任都道府県知事は、指定試験機関に危険物取扱者試験事務を行わせないこととしたときは、その旨を、総務大臣に報告するとともに、公示しなければならない。

(2) When an entrusting prefectural governor has terminated the entrustment of the hazardous materials engineer's qualification examination affairs to a designated examining body, that entrusting prefectural governor must report to the Minister of Internal Affairs and Communications and give public notice to that effect.

第十三条の二十 委任都道府県知事は、指定試験機関が第十三条の十七第一項の規定により危険物取扱者試験事務の全部若しくは一部を休止したとき、総務大臣が第十三条の十八第二項の規定により指定試験機関に対し危険物取扱者試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により危険物取扱者試験事務の全部若しくは一部を実施することが困難となつた場合において総務大臣が必要があると認めるときは、第十三条の五第三項の規定にかかわらず、当該危険物取扱者試験事務の全部又は一部を行うものとする。

Article 13-20 (1) Notwithstanding the provisions of Article 13-5, paragraph (3), an entrusting prefectural governor is to conduct the whole or part of the hazardous materials engineer's qualification examination affairs in cases where the designated examining body has suspended the whole or part of the hazardous materials engineer's qualification examination affairs under the provisions of Article 13-17, paragraph (1), where the Minister of Internal Affairs and Communications has ordered the designated examining body to suspend the whole or part of the hazardous materials engineer's qualification examination affairs pursuant to the provisions of Article 13-18, paragraph (2), or where the Minister of Internal Affairs and Communications finds it necessary on the grounds that it has become difficult for the designated examining body to conduct the whole or part of the hazardous materials engineer's qualification examination affairs due to a natural disaster or for

other reasons.

2 総務大臣は、委任都道府県知事が前項の規定により危険物取扱者試験事務を行うこととなる時、又は委任都道府県知事が同項の規定により危険物取扱者試験事務を行うこととなる事由がなくなつたときは、速やかにその旨を当該委任都道府県知事に通知しなければならない。

(2) When an entrusting prefectural governor is required to conduct the hazardous materials engineer's qualification examination affairs pursuant to the provisions of the preceding paragraph or when the grounds for requiring an entrusting prefectural governor to conduct the hazardous materials engineer's qualification examination affairs pursuant to the provisions of that paragraph have ceased to exist, the Minister of Internal Affairs and Communications must promptly notify that entrusting prefectural governor to that effect.

3 委任都道府県知事は、前項の規定による通知を受けたときは、その旨を公示しなければならない。

(3) When an entrusting prefectural governor has received notice under the examining body provisions of the preceding paragraph, that entrusting prefectural governor must give public notice to that effect.

第十三条の二十一 前条第一項の規定により委任都道府県知事が危険物取扱者試験事務を行うこととなつた場合、総務大臣が第十三条の十七第一項の規定により危険物取扱者試験事務の廃止を許可し、若しくは第十三条の十八第一項若しくは第二項の規定により指定を取り消した場合又は委任都道府県知事が指定試験機関に危険物取扱者試験事務を行わせないこととした場合における危険物取扱者試験事務の引継ぎその他の必要な事項は、総務省令で定める。

Article 13-21 The succession of the hazardous materials engineer's qualification examination affairs and other necessary matters concerning the cases where an entrusting prefectural governor is required to conduct the hazardous materials engineer's qualification examination affairs pursuant to the provisions of paragraph (1) of the preceding Article, where the Minister of Internal Affairs and Communications has permitted the abolition of the hazardous materials engineer's qualification examination affairs pursuant to the provisions of Article 13-17, paragraph (1) or rescinded the designation pursuant to the provisions of Article 13-18, paragraph (1) or paragraph (2) or where an entrusting prefectural governor has terminated the entrustment of the hazardous materials engineer's qualification examination affairs to a designated examining body, are prescribed by Order of the Ministry of Internal Affairs and Communications.

第十三条の二十二 指定試験機関が行う危険物取扱者試験事務に係る処分又はその不作為については、総務大臣に対し、行政不服審査法による審査請求をすることができる。

Article 13-22 A request for administrative review under the Administrative

Complaint Review Act may be filed with the Minister of Internal Affairs and Communications against a disposition made by a designated examining body or its inaction with regard to the hazardous materials engineer's qualification examination affairs.

第十三条の二十三 製造所、貯蔵所又は取扱所において危険物の取扱作業に従事する危険物取扱者は、総務省令で定めるところにより、都道府県知事（総務大臣が指定する市町村長その他の機関を含む。）が行なう危険物の取扱作業の保安に関する講習を受けなければならない。

Article 13-23 A hazardous materials engineer who is engaged in the handling of hazardous materials at a manufacturing facility, storage facility or handling facility, as provided for by Order of the Ministry of Internal Affairs and Communications, must take training sessions which are provided by a prefectural governor concerning the safety of the handling of hazardous materials (including a municipal mayor or other organ designated by the Minister of Internal Affairs and Communications).

第十三条の二十四 市町村長等は、危険物保安統括管理者若しくは危険物保安監督者がこの法律若しくはこの法律に基づく命令の規定に違反したとき、又はこれらの者にその業務を行わせることが公共の安全の維持若しくは災害の発生の防止に支障を及ぼすおそれがあると認めるときは、第十二条の七第一項又は第十三条第一項に規定する製造所、貯蔵所又は取扱所の所有者、管理者又は占有者に対し、危険物保安統括管理者又は危険物保安監督者の解任を命ずることができる。

Article 13-24 (1) A municipal mayor, etc. may order the owner, manager or possessor of a manufacturing facility, storage facility or handling facility prescribed in Article 12-7, paragraph (1) or Article 13, paragraph (1) to dismiss the hazardous materials safety supervising manager or hazardous materials security superintendent when the hazardous materials safety supervising manager or hazardous materials security superintendent has violated the provisions of this Act or of any order under this Act or when the municipal mayor, etc. finds that if those persons were to perform the duties assigned thereto, it is likely to hinder the maintenance of public safety or the prevention of the occurrence of disasters.

2 第十一条の五第四項及び第五項の規定は、前項の規定による命令について準用する。

(2) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of the preceding paragraph.

第十四条 政令で定める製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、危険物施設保安員を定め、総務省令で定めるところにより、当該製造所、貯蔵所又は取扱所の構造及び設備に係る保安のための業務を行わせなければならない。

Article 14 The owner, manager or possessor of a manufacturing facility, storage

facility or handling facility specified by Cabinet Order, as provided for by Order of the Ministry of Internal Affairs and Communications, must appoint a hazardous materials facility safety officer and have that officer perform the operations for ensuring the safety of the structure and equipment of the manufacturing facility, storage facility or handling facility.

第十四条の二 政令で定める製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、当該製造所、貯蔵所又は取扱所の火災を予防するため、総務省令で定める事項について予防規程を定め、市町村長等の認可を受けなければならない。これを変更するときも、同様とする。

Article 14-2 (1) The owner, manager or possessor of a manufacturing facility, storage facility or handling facility specified by Cabinet Order, in order to prevent a fire within the manufacturing facility, storage facility or handling facility, must establish fire prevention rules concerning the matters specified by Order of the Ministry of Internal Affairs and Communications and obtain authorization from a municipal mayor, etc. The same applies when revising these rules.

2 市町村長等は、予防規程が、第十条第三項の技術上の基準に適合していないときその他火災の予防のために適当でないとき認めるときは、前項の認可をしてはならない。

(2) A municipal mayor, etc. must not grant the authorization set forth in the preceding paragraph when the fire prevention rules do not conform to the technical standards set forth in Article 10, paragraph (3) or when that municipal mayor finds that those rules are inappropriate for the prevention of fire for other reasons.

3 市町村長等は、火災の予防のため必要があるときは、予防規程の変更を命ずることができる。

(3) A municipal mayor, etc. may order the revision of the fire prevention rules when it is necessary for prevention of fire.

4 第一項に規定する製造所、貯蔵所又は取扱所の所有者、管理者又は占有者及びその従業者は、予防規程を守らなければならない。

(4) The owner, manager or possessor of a manufacturing facility, storage facility or handling facility prescribed in paragraph (1) and the employees thereof must observe the fire prevention rules.

5 第十一条の五第四項及び第五項の規定は、第三項の規定による命令について準用する。

(5) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of paragraph (3).

第十四条の三 政令で定める屋外タンク貯蔵所又は移送取扱所の所有者、管理者又は占有者は、政令で定める時期ごとに、当該屋外タンク貯蔵所又は移送取扱所に係る構造及び設備に関する事項で政令で定めるものが第十条第四項の技術上の基準に従って維

持されているかどうかについて、市町村長等が行う保安に関する検査を受けなければならない。

- Article 14-3 (1) The owner, manager or possessor of an outdoor tank storage facility or handling facility for transfer specified by Cabinet Order, at an interval specified by Cabinet Order, must undergo a safety inspection conducted by a municipal mayor, etc. in terms of whether or not the matters concerning the structure and equipment of that outdoor tank storage facility or handling facility for transfer, as specified by Cabinet Order, are maintained in accordance with the technical standards set forth in Article 10, paragraph (4).
- 2 政令で定める屋外タンク貯蔵所の所有者、管理者又は占有者は、当該屋外タンク貯蔵所について、不等沈下その他の政令で定める事由が生じた場合には、当該屋外タンク貯蔵所に係る構造及び設備に関する事項で政令で定めるものが第十条第四項の技術上の基準に従って維持されているかどうかについて、市町村長等が行う保安に関する検査を受けなければならない。
- (2) The owner, manager or possessor of an outdoor tank storage facility specified by Cabinet Order, if an uneven settlement or any other event specified by Cabinet Order occurs to the outdoor tank storage facility, must undergo a safety inspection conducted by a municipal mayor, etc. in terms of whether or not the matters concerning the structure and equipment of the outdoor tank storage facility, as specified by Cabinet Order, are maintained in accordance with the technical standards set forth in Article 10, paragraph (4).
- 3 第一項（屋外タンク貯蔵所に係る部分に限る。）又は前項の場合には、市町村長等は、これらの規定に規定する屋外タンク貯蔵所に係る構造及び設備に関する事項で政令で定めるものが第十条第四項の技術上の基準に従って維持されているかどうかの審査を協会に委託することができる。
- (3) In the case referred to in paragraph (1) (limited to the part pertaining to an outdoor tank storage facility) or the preceding paragraph, a municipal mayor, etc. may entrust the Association to examine whether or not the matters concerning the structure and equipment of the outdoor tank storage facility, which are specified by Cabinet Order and prescribed in these provisions, are maintained in accordance with the technical standards set forth in Article 10, paragraph (4).

第十四条の三の二 政令で定める製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、これらの製造所、貯蔵所又は取扱所について、総務省令で定めるところにより、定期に点検し、その点検記録を作成し、これを保存しなければならない。

Article 14-3-2 The owner, manager or possessor of a manufacturing facility, storage facility or handling facility specified by Cabinet Order, as provided for by Order of the Ministry of Internal Affairs and Communications, must inspect that manufacturing facility, storage facility or handling facility periodically, and prepare and preserve inspection records.

第十四条の四 同一事業所において政令で定める製造所、貯蔵所又は取扱所を所有し、管理し、又は占有する者で政令で定める数量以上の危険物を貯蔵し、又は取り扱うものは、政令で定めるところにより、当該事業所に自衛消防組織を置かなければならない。

Article 14-4 A person who owns, manages or possesses, at the same place of business, manufacturing facilities, storage facilities or handling facilities specified by Cabinet Order and who stores or handles hazardous materials of the quantity specified by Cabinet Order or a larger quantity, as provided for by Cabinet Order, must set up a fire defense force for self-protection within that place of business.

第十五条 常時映画を上映する建築物その他の工作物に設けられた映写室で緩燃性でない映画を映写するものは、政令で定める技術上の基準に従い、構造及び設備を具備しなければならない。

Article 15 A projection room, which is set up within a building or other structure where films are regularly shown and which is used to project films other than slow-burning films, must have a structure and equipment in accordance with the technical standards specified by Cabinet Order.

第十六条 危険物の運搬は、その容器、積載方法及び運搬方法について政令で定める技術上の基準に従ってこれをしなければならない。

Article 16 The transportation of hazardous materials must be conducted in accordance with the technical standards specified by Cabinet Order with regard to the container, loading method and method of transport.

第十六条の二 移動タンク貯蔵所による危険物の移送は、当該危険物を取り扱うことができる危険物取扱者を乗車させてこれをしなければならない。

Article 16-2 (1) The conveyance of hazardous materials by means of a mobile tank storage facility must be conducted with a hazardous materials engineer who is qualified to handle those hazardous materials riding on the mobile tank.

2 前項の危険物取扱者は、移動タンク貯蔵所による危険物の移送に関し政令で定める基準を遵守し、かつ、当該危険物の保安の確保について細心の注意を払わなければならない。

(2) The hazardous materials engineer set forth in the preceding paragraph must observe the standards specified by Cabinet Order concerning the conveyance of hazardous materials by means of a mobile tank storage facility and pay the closest attention to ensure the safety of the hazardous materials.

3 危険物取扱者は、第一項の規定により危険物の移送をする移動タンク貯蔵所に乗車しているときは、危険物取扱者免状を携帯していなければならない。

(3) A hazardous materials engineer must carry their hazardous materials

engineer's license while riding on a mobile tank storage facility which is in the course of conveyance of the hazardous materials pursuant to the provisions of paragraph (1).

第十六条の三 製造所、貯蔵所又は取扱所の所有者、管理者又は占有者は、当該製造所、貯蔵所又は取扱所について、危険物の流出その他の事故が発生したときは、直ちに、引き続き危険物の流出及び拡散の防止、流出した危険物の除去その他災害の発生の防止のための応急の措置を講じなければならない。

Article 16-3 (1) The owner, manager or possessor of a manufacturing facility, storage facility or handling facility, in the event that an outflow of hazardous materials or any other accident has occurred at that manufacturing facility, must storage facility or handling facility, immediately take emergency measures to prevent the subsequent outflow and spread of hazardous materials, remove the hazardous materials that have flowed out and prevent the occurrence of any other disaster.

2 前項の事態を発見した者は、直ちに、その旨を消防署、市町村長の指定した場所、警察署又は海上警備救難機関に通報しなければならない。

(2) A person who has found a situation as set forth in the preceding paragraph must immediately report to a fire station, a place designated by a municipal mayor, police station or maritime security and rescue organization to that effect.

3 市町村長等は、製造所、貯蔵所（移動タンク貯蔵所を除く。）又は取扱所の所有者、管理者又は占有者が第一項の応急の措置を講じていないと認めるときは、これらの者に対し、同項の応急の措置を講ずべきことを命ずることができる。

(3) When a municipal mayor, etc. finds that the owner, manager or possessor of a manufacturing facility, storage facility (excluding a mobile tank storage facility) or handling facility has not taken the emergency measures set forth in paragraph (1), that municipal mayor, etc. may order those persons to take the emergency measures set forth in that paragraph.

4 市町村長（消防本部及び消防署を置く市町村以外の市町村の区域においては、当該区域を管轄する都道府県知事とする。次項及び第六項において準用する第十一条の五第四項において同じ。）は、その管轄する区域にある移動タンク貯蔵所について、前項の規定の例により、第一項の応急の措置を講ずべきことを命ずることができる。

(4) A municipal mayor (in the area of a municipality other than a municipality which has fire defense headquarters and a fire station(s), the prefectural governor who has jurisdiction over that area; the same applies in the following paragraph, and Article 11-5, paragraph (4) as applied mutatis mutandis pursuant to paragraph (6)) may order, in the same manner as that prescribed in the preceding paragraph, that the emergency measures set forth in paragraph (1) should be taken at a mobile tank storage facility located in the area under that municipal mayor's jurisdiction.

5 市町村長等又は市町村長は、それぞれ第三項又は前項の規定により応急の措置を命じた場合において、その措置を命ぜられた者がその措置を履行しないとき、履行しても十分でないとき、又はその措置の履行について期限が付されている場合にあつては履行しても当該期限までに完了する見込みがないときは、行政代執行法の定めるところに従い、当該消防事務に従事する職員又は第三者にその措置をとらせることができる。

(5) Where a municipal mayor, etc. or municipal mayor has ordered emergency measures pursuant to the provisions of paragraph (3) or the preceding paragraph respectively, if the person ordered to take those measures does not implement the measures at all or does not implement them fully, or if the measures should be performed by a certain time limit but the implementation thereof is not expected to be completed by that time limit, the municipal mayor, etc. or municipal mayor may, as provided for in the Act on Substitute Execution by Administration, have their official engaged in the fire service affairs or a third party take those measures.

6 第十一条の五第四項及び第五項の規定は、第三項又は第四項の規定による命令について準用する。

(6) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of paragraph (3) or paragraph (4).

第十六条の三の二 市町村長等は、製造所、貯蔵所又は取扱所において発生した危険物の流出その他の事故（火災を除く。以下この条において同じ。）であつて火災が発生するおそれのあつたものについて、当該事故の原因を調査することができる。

Article 16-3-2 (1) In the event of the occurrence of an outflow of hazardous materials or any other accident (excluding a fire; hereinafter the same applies in this Article) at a manufacturing facility, storage facility or handling facility that could have caused a fire, a municipal mayor, etc. may investigate the cause of that accident.

2 市町村長等は、前項の調査のため必要があるときは、当該事故が発生した製造所、貯蔵所若しくは取扱所その他当該事故の発生と密接な関係を有すると認められる場所の所有者、管理者若しくは占有者に対して必要な資料の提出を命じ、若しくは報告を求め、又は当該消防事務に従事する職員に、これらの場所に立ち入り、所在する危険物の状況若しくは当該製造所、貯蔵所若しくは取扱所その他の当該事故に関係のある工作物若しくは物件を検査させ、若しくは関係のある者に質問させることができる。

(2) A municipal mayor, etc., when it is necessary for the investigation set forth in the preceding paragraph, may order the owner, manager or possessor of the manufacturing facility, storage facility or handling facility where the accident has occurred or of any other facility which is found to be closely related to the occurrence of the accident, to submit the necessary information materials or request those persons to make reports, or may have thier official engaged in the fire service affairs enter thsoe facilities, and inspect the status of the

hazardous materials located there or the manufacturing facility, storage facility or handling facility or any other structure or object that is related to the accident, or ask questions of any related person.

3 第四条第一項ただし書及び第二項から第四項までの規定は、前項の場合について準用する。

(3) The provisions of the proviso to Article 4, paragraph (1), and paragraph (2) to paragraph (4) apply mutatis mutandis to the case referred to in the preceding paragraph.

4 消防庁長官は、第一項の規定により調査をする市町村長等（総務大臣を除く。）から求めがあつた場合には、同項の調査をすることができる。この場合においては、前二項の規定を準用する。

(4) The Commissioner of the Fire and Disaster Management Agency, at the request of a municipal mayor, etc. (excluding the Minister of Internal Affairs and Communications) who conducts an investigation pursuant to the provisions of paragraph (1), may conduct an investigation set forth in that paragraph. In this case, the provisions of the preceding two paragraphs apply mutatis mutandis.

第十六条の四 総務大臣が行う移送取扱所の設置若しくは変更の許可、完成検査（第十一条第五項ただし書の承認を含む。）又は保安に関する検査を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の手数料を、国に納めなければならない。

Article 16-4 (1) A person who intends to obtain permission for the establishment of or a change to a handling facility for transfer from the Minister of Internal Affairs and Communications, or to undergo a completion inspection (including obtaining the approval set forth in the proviso to Article 11, paragraph (5)) or a safety inspection, as provided for by Cabinet Order, must pay to the State the amount of fees which is specified by Cabinet Order in consideration of the actual costs.

2 第十三条の二十三の規定により総務大臣が指定する機関で市町村長以外のもの（以下この条において「指定講習機関」という。）が行う危険物の取扱作業の保安に関する講習を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の手数料を当該指定講習機関に納めなければならない。

(2) A person who intends to take training sessions concerning the safety of the handling of hazardous materials, which are provided by an agency designated by the Minister of Internal Affairs and Communications other than a municipal mayor (hereinafter referred to as a "designated training agency" in this Article) pursuant to the provisions of Article 13-23, must pay to the designated training agency the amount of fees which is specified by Cabinet Order in consideration of the actual costs, as provided for by Cabinet Order.

3 前項の規定により指定講習機関に納められた手数料は、当該指定講習機関の収入と

する。

(3) The fees paid to a designated training agency pursuant to the provisions of the preceding paragraph are the income of that designated training agency.

4 都道府県は、地方自治法（昭和二十二年法律第六十七号）第二百二十七条の規定に基づき危険物取扱者試験に係る手数料を徴収する場合には、第十三条の五第一項の規定により指定試験機関が行う危険物取扱者試験を受けようとする者に、条例で定めるところにより、当該手数料を当該指定試験機関へ納めさせ、その収入とすることができる。

(4) Where a prefecture collects fees for a hazardous materials engineer's qualification examination under the provisions of Article 227 of the Local Autonomy Act (Act No. 67 of 1947), it may have persons who intend to take the hazardous materials engineer's qualification examination conducted by a designated examining body pursuant to the provisions of Article 13-5, paragraph (1), pay those fees to the designated examining body, thereby treating those fees as the designated training agency's income, as provided for by prefectural ordinance.

第十六条の五 市町村長等は、第十六条の三の二第一項及び第二項に定めるもののほか、危険物の貯蔵又は取扱いに伴う火災の防止のため必要があると認めるときは、指定数量以上の危険物を貯蔵し、若しくは取り扱っていると認められるすべての場所（以下この項において「貯蔵所等」という。）の所有者、管理者若しくは占有者に対して資料の提出を命じ、若しくは報告を求め、又は当該消防事務に従事する職員に、貯蔵所等に立ち入り、これらの場所の位置、構造若しくは設備及び危険物の貯蔵若しくは取扱いについて検査させ、関係のある者に質問させ、若しくは試験のため必要な最少限度の数量に限り危険物若しくは危険物であることの疑いのある物を収去させることができる。

Article 16-5 (1) In addition to the cases specified in Article 16-3-2, paragraph (1) and paragraph (2), when a municipal mayor, etc. finds it necessary for prevention of fire involving storage or handling of hazardous materials, that municipal mayor, etc. may order the owner, manager or possessor of every facility that is found to be storing or handling the designated quantity or a larger quantity of hazardous materials (hereinafter referred to as a "storage facility, etc." in this paragraph), to submit information materials or request those persons to make reports, or may have that municipal mayor's, etc. official engaged in the fire service affairs enter the storage facility, etc., and inspect the position, structure or equipment of the facility and the storage or handling of hazardous materials conducted there, ask questions of any related person or take away hazardous materials or other materials suspected of being hazardous materials, limited to the maximum quantity required for testing.

2 消防吏員又は警察官は、危険物の移送に伴う火災の防止のため特に必要があると認める場合には、走行中の移動タンク貯蔵所を停止させ、当該移動タンク貯蔵所に乗車

している危険物取扱者に対し、危険物取扱者免状の提示を求めることができる。この場合において、消防吏員及び警察官がその職務を行なうに際しては、互いに密接な連絡をとるものとする。

(2) When a firefighter or a police official finds it particularly necessary for prevention of fire involving conveyance of hazardous materials, that firefighter or police official may stop a mobile tank storage facility while in transit and request the hazardous materials engineer who is riding on that mobile tank storage facility to present their hazardous materials engineer's license. In this case, the firefighter and the police official are to maintain close contact with each other when performing their duties.

3 第四条第二項から第四項までの規定は、前二項の場合にこれを準用する。

(3) The provisions of Article 4, paragraph (2) through paragraph (4) apply mutatis mutandis to the cases referred to in the preceding two paragraphs.

第十六条の六 市町村長等は、第十条第一項ただし書の承認又は第十一条第一項前段の規定による許可を受けずに指定数量以上の危険物を貯蔵し、又は取り扱っている者に対して、当該貯蔵又は取扱いに係る危険物の除去その他危険物による災害防止のための必要な措置をとるべきことを命ずることができる。

Article 16-6 (1) A municipal mayor, etc. may order a person who stores or handles the designated quantity or a larger quantity of hazardous materials without obtaining the approval set forth in the proviso to Article 10, paragraph (1) or the permission under the provisions of the first sentence of Article 11, paragraph (1), to remove the hazardous materials thus stored or handled and take other necessary measures to prevent disasters caused by the hazardous materials.

2 第十一条の五第四項及び第五項の規定は前項の規定による命令について、第十六条の三第五項の規定は前項の規定による必要な措置を命じた場合について、それぞれ準用する。

(2) The provisions of Article 11-5, paragraph (4) and paragraph (5) apply mutatis mutandis to an order under the provisions of the preceding paragraph, and the provisions of Article 16-3, paragraph (5) apply mutatis mutandis to the case where the necessary measures are ordered under the provisions of the preceding paragraph.

第十六条の七 消防本部若しくは消防署の設置若しくは廃止又は市町村の廃置分合若しくは境界変更があつたことにより、新たに消防本部及び消防署が置かれることとなつた市町村若しくは消防本部及び消防署が置かれないこととなつた市町村の区域又は当該廃置分合若しくは境界変更に係る市町村の区域に係る第十一条、第十一条の二、第十一条の四、第十一条の五第一項及び第二項、第十二条第二項、第十二条の二から第十二条の四まで、第十二条の六、第十二条の七第二項、第十三条第二項、第十四条の二第一項及び第三項、第十四条の三、第十六条の三第三項及び第四項並びに前条の規

定による権限を有する行政庁に変更があつた場合における変更前の行政庁がした許可その他の処分又は受理した届出の効力その他この章の規定の適用に係る特例については、政令で定める。

Article 16-7 Where the establishment or abolition of fire defense headquarters or a fire station or the abolition, creation, division or merger of or boundary change to a municipality has caused a municipality to have fire defense headquarters and a fire station(s) or to no longer have fire defense headquarters and a fire station(s) or caused a municipality to be involved in the abolition, creation, division or merger or boundary change, and this has led to the change of the administrative agency which has authority over the area of the municipality under the provisions of Article 11; Article 11-2; Article 11-4; Article 11-5, paragraph (1) and paragraph (2); Article 12, paragraph (2); Article 12-2 to Article 12-4; Article 12-6; Article 12-7, paragraph (2); Article 13, paragraph (2); Article 14-2, paragraph (1) and paragraph (3); Article 14-3; Article 16-3, paragraph (3) and paragraph (4); and the preceding Article; the effect of the permission or other disposition granted or made by the initial administrative agency or of the notification received by the initial administrative agency, and the special provisions for the application of the provisions of this Chapter are prescribed by Cabinet Order.

第十六条の八 この章に規定する総務大臣の権限に属する事務の一部は、政令で定めるところにより、都道府県知事又は市町村長が行うこととすることができる。

Article 16-8 Part of the affairs under the authority of the Minister of Internal Affairs and Communications as prescribed in this Chapter may be conducted by prefectural governors or municipal mayors, as provided for by Cabinet Order.

第十六条の八の二 総務大臣は、公共の安全の維持又は災害の発生の防止のため緊急の必要があると認めるときは、政令で定めるところにより、都道府県知事又は市町村長に対し、この章又は前条の規定に基づく政令の規定により都道府県知事又は市町村長が行うこととされる事務のうち政令で定めるものの処理について指示することができる。

Article 16-8-2 When the Minister of Internal Affairs and Communications finds it urgently necessary in order to maintain public safety or prevent the occurrence of disasters, the Minister, as provided for by Cabinet Order, may give instructions to prefectural governors or municipal mayors as to how to administer the affairs which are to be conducted by prefectural governors or municipal mayors pursuant to the provisions of this Chapter or the Cabinet Order issued under the provisions of the preceding Article and which are specified by Cabinet Order.

第十六条の九 この章の規定は、航空機、船舶、鉄道又は軌道による危険物の貯蔵、取扱い又は運搬には、これを適用しない。

Article 16-9 The provisions of this Chapter do not apply to the storage, handling or transportation of hazardous materials by means of an aircraft, ship, railway or tramway.

第三章の二 危険物保安技術協会

Chapter III-2 Hazardous Materials Safety Techniques Association (KHK)

第一節 総則

Section 1 General Provisions

第十六条の十 危険物保安技術協会は、第十一条の三又は第十四条の三第三項の規定による市町村長等の委託に基づく屋外タンク貯蔵所に係る審査を行い、あわせて危険物又は指定可燃物（以下この章において「危険物等」という。）の貯蔵、取扱い又は運搬（航空機、船舶、鉄道又は軌道によるものを除く。以下この章において同じ。）の安全に関する試験、調査及び技術援助等を行い、もつて危険物等の貯蔵、取扱い又は運搬に関する保安の確保を図ることを目的とする。

Article 16-10 The purpose of the Hazardous Materials Safety Techniques Association (Kikenbutsu Hoangijutsu Kyokai, KHK) is to conduct the examination of an outdoor tank storage facility as entrusted by a municipal mayor, etc. under the provisions of Article 11-3 or Article 14-3, paragraph (3) and to conduct tests and an investigation and provide technical assistance, etc. concerning the safety of storage, handling or transportation (excluding those operations by means of an aircraft, ship, railway or tramway; hereinafter the same applies in this Chapter) of hazardous materials or designated flammable goods (hereinafter referred to as "hazardous materials, etc." in this Chapter), thereby ensuring the safety of storage, handling or transportation of hazardous materials, etc.

第十六条の十一 危険物保安技術協会（以下この章において「協会」という。）は、法人とする。

Article 16-11 The Hazardous Materials Safety Techniques Association (hereinafter referred to as the "Association" in this Chapter) is a juridical person.

第十六条の十二 協会は、一を限り、設立されるものとする。

Article 16-12 Only one Association is to be formed (under this Act).

第十六条の十三 協会は、その名称中に危険物保安技術協会という文字を用いなければならない。

Article 16-13 (1) The Association must use in its name the characters

representing the term "hazardous materials safety techniques association."

2 協会でない者は、その名称中に危険物保安技術協会という文字を用いてはならない。

(2) No person other than the Association must use in its name the characters representing the term "hazardous materials safety techniques association."

第十六条の十四 協会は、政令で定めるところにより、登記しなければならない。

Article 16-14 (1) The Association must complete registration as provided for by Cabinet Order.

2 前項の規定により登記しなければならない事項は、登記の後でなければ、これをもって第三者に対抗することができない。

(2) The matters that the Association must register under the provisions of the preceding paragraph may not be duly asserted against a third party until after they have been registered.

第十六条の十五 一般社団法人及び一般財団法人に関する法律（平成十八年法律第四十八号）第四条及び第七十八条の規定は、協会について準用する。

Article 16-15 The provisions of Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations (Act No. 48 of 2006) apply mutatis mutandis to the Association.

第二節 設立

Section 2 Formation

第十六条の十六 協会を設立するには、都道府県知事の全国的連合組織の推薦する都道府県知事、市長の全国的連合組織の推薦する市長、町村長の全国的連合組織の推薦する町村長及び危険物等の貯蔵、取扱い又は運搬に関する保安について学識経験を有する者十五人以上が発起人となることを必要とする。

Article 16-16 In order to form the Association, 15 or more persons, consisting of a prefectural governor(s) recommended by a nationwide federation of prefectural governors, city mayor(s) recommended by a nationwide federation of city mayors, town/village mayor(s) recommended by a nationwide federation of town/village mayors, and persons with the relevant expertise in the safety of storage, handling or transportation of hazardous materials, etc., are required to become its founders.

第十六条の十七 発起人は、定款及び事業計画書を総務大臣に提出して、設立の認可を申請しなければならない。

Article 16-17 (1) The founders must apply for authorization for the formation of the Association by submitting the articles of incorporation and a business plan to the Minister of Internal Affairs and Communications.

2 協会の設立当初の役員は、定款で定めなければならない。

(2) The officers of the Association at the time of its formation must be specified by the articles of incorporation.

3 第一項の事業計画書に記載すべき事項は、総務省令で定める。

(3) The matters to be stated in the business plan set forth in paragraph (1) are to be specified by Order of the Ministry of Internal Affairs and Communications.

第十六条の十八 総務大臣は、設立の認可をしようとするときは、前条第一項の規定による認可の申請が次の各号に適合するかどうかを審査して、これをしなければならない。

Article 16-18 When the Minister of Internal Affairs and Communications intends to grant authorization for the formation of the Association, the Minister, before granting that authorization, must examine whether or not the application for authorization filed under the provisions of paragraph (1) of the preceding Article conforms to the following items:

一 設立の手續並びに定款及び事業計画書の内容が法令の規定に適合するものであること。

(i) the applicant's formation procedure as well as the contents of its articles of incorporation and business plan conform to the provisions of laws and regulations;

二 定款又は事業計画書に虚偽の記載がないこと。

(ii) no false statement is included in the applicant's articles of incorporation or business plan;

三 職員、業務の方法その他の事項についての業務の実施に関する計画が適正なものであり、かつ、その計画を確実に遂行するに足りる経理的及び技術的な基礎を有すると認められること。

(iii) the applicant's plan for the implementation of the operations, which covers personnel, operational procedures and other matters, is appropriate, and the applicant is found to have a sufficient financial and technical basis for carrying out the plan reliably; and

四 前号に定めるもののほか、事業の運営が健全に行われ、危険物等の貯蔵、取扱い又は運搬に関する保安の確保に資することが確実であると認められること。

(iv) in addition to what is specified in the preceding item, the applicant is expected to achieve sound business management and surely contribute to ensuring the safety of storage, handling or transportation of hazardous materials, etc.

第十六条の十九 削除

Article 16-19 Deleted

第十六条の二十 第十六条の十八の規定による設立の認可があつたときは、発起人は、遅滞なく、その事務を理事長となるべき者に引き継がなければならない。

Article 16-20 Having obtained authorization for the formation of the Association under the provisions of Article 16-18, the founders must without delay transfer their affairs to the person who is to become the president.

第十六条の二十一 理事長となるべき者は、前条の規定による事務の引継ぎを受けたときは、遅滞なく、政令で定めるところにより、設立の登記をしなければならない。

Article 16-21 (1) If the person who is to become the president has succeeded to the affairs under the provisions of the preceding Article, that person must complete a registration of the formation of the Association without delay, as provided for by Cabinet Order.

2 協会は、設立の登記をすることによつて成立する。

(2) The Association is validly established upon the completion of a registration of the formation of the Association.

第三節 管理

Section 3 Management

第十六条の二十二 協会の定款には、次の事項を記載しなければならない。

Article 16-22 (1) The articles of incorporation of the Association must specify the following matters:

一 目的

(i) the purpose;

二 名称

(ii) the name;

三 事務所の所在地

(iii) the location of its office;

四 役員の数、任期、選任の方法その他の役員に関する事項

(iv) the number, term of office and appointment method of officers and other matters concerning officers;

五 評議員会に関する事項

(v) the matters concerning the board of councilors;

六 業務及びその執行に関する事項

(vi) the matters concerning the operations and execution thereof;

七 財務及び会計に関する事項

(vii) the matters concerning the finance and accounting;

八 定款の変更に関する事項

(viii) the matters concerning the amendment of the articles of incorporation;
and

九 公告の方法

(ix) the method of giving public notice.

2 協会の定款の変更は、総務大臣の認可を受けなければ、その効力を生じない。

(2) The amendment of the articles of incorporation of the Association does not be effective unless authorized by the Minister of Internal Affairs and Communications.

第十六条の二十三 協会に、役員として、理事長、理事及び監事を置く。

Article 16-23 The Association has a president, directors and auditors as its officers.

第十六条の二十四 理事長は、協会を代表し、その業務を総理する。

Article 16-24 (1) The president represents the Association and presides over its operations.

2 理事は、定款で定めるところにより、理事長を補佐して協会の業務を掌理し、理事長に事故があるときはその職務を代理し、理事長が欠員のときはその職務を行う。

(2) The directors, as provided for in the articles of incorporation, administer the operations of the Association while assisting the president, perform the duties of the president in the directors' place when the president is unable to carry out its duties, and perform the duties of the president when the post is vacant.

3 監事は、協会の業務を監査する。

(3) The auditors audit the operations of the Association.

4 監事は、監査の結果に基づき、必要があると認めるときは、理事長又は総務大臣に意見を提出することができる。

(4) The auditors may submit their opinions to the president or to the Minister of Internal Affairs and Communications when they find it necessary based on the audit results.

第十六条の二十五 役員を選任及び解任は、総務大臣の認可を受けなければ、その効力を生じない。

Article 16-25 The appointment and dismissal of an officer is not effective unless authorized by the Minister of Internal Affairs and Communications.

第十六条の二十六 次の各号の一に該当する者は、役員となることができない。

Article 16-26 A person who falls under any of the following items may not become an officer:

一 政府又は地方公共団体の職員（非常勤の者を除く。）

(i) an employee of the national government or a local government (excluding a part-time employee);

二 製造所、貯蔵所若しくは取扱所の所有者、管理者若しくは占有者若しくは製造所、貯蔵所若しくは取扱所の工事の請負を業とする者又はこれらの者が法人であるときはその役員（いかなる名称によるかを問わず、これと同等以上の職権又は支配力を有する者を含む。）

(ii) the owner, manager or possessor of a manufacturing facility, storage

facility or handling facility or a person engaged in the business of conducting a construction work under contract for a manufacturing facility, storage facility or handling facility, or in cases where any of those persons is a juridical person, its officer (including a person who has the same or a greater level of authority or control than an officer, irrespective of its title); or
三 前号に掲げる事業者の団体の役員（いかなる名称によるかを問わず、これと同等以上の職権又は支配力を有する者を含む。）
(iii) an officer of an association of business operators as listed in the preceding item (including a person who has the same or a greater level of authority or control than an officer, irrespective of its title).

第十六条の二十七 協会は、役員が前条各号の一に該当するに至ったときは、その役員を解任しなければならない。

Article 16-27 When an officer has come to fall under any of the items of the preceding Article, the Association must dismiss that officer.

第十六条の二十八 総務大臣は、役員が、この法律（この法律に基づく命令又は処分を含む。）、定款、業務方法書若しくは第十六条の三十七第一項に規定する審査事務規程に違反する行為をしたとき、又は協会の業務に関し著しく不適当な行為をしたときは、協会に対し、期間を指定して、その役員を解任すべきことを命ずることができる。

Article 16-28 (1) When an officer has committed an act in violation of this Act (including any orders or dispositions under this Act), the articles of incorporation, the operational method statement, or the facility examination affairs rules prescribed in Article 16-37, paragraph (1), or committed a highly inappropriate act in connection with the operations of the Association, the Minister of Internal Affairs and Communications may specify a period and order the Association to dismiss that officer within that period.

2 総務大臣は、役員が第十六条の二十六各号の一に該当するに至った場合において協会がその役員を解任しないとき、又は協会が前項の規定による命令に従わなかつたときは、当該役員を解任することができる。

(2) Where an officer has come to fall under any of the items of Article 16-26, if the Association does not dismiss that officer or the Association does not comply with the order issued under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications may dismiss that officer.

第十六条の二十九 役員は、営利を目的とする団体の役員となり、又は自ら営利事業に従事してはならない。ただし、総務大臣の承認を受けたときは、この限りでない。

Article 16-29 An officer must not become an officer of any profit-oriented association or engage themselves in any profit-making business; provided, however, that this does not apply when that officer has obtained approval to do so from the Minister of Internal Affairs and Communications.

第十六条の三十 協会と理事長との利益が相反する事項については、理事長は、代表権を有しない。この場合には、監事が協会を代表する。

Article 16-30 The president does not have the authority of representation with regard to any matters whereby the interests of the Association and those of the president conflict with each other. In this case, an auditor represents the Association.

第十六条の三十の二 協会に、その運営に関する重要事項を審議する機関として、評議員会を置く。

Article 16-30-2 (1) The Association has a board of councilors as its organization in charge of deliberating important matters concerning its administration.

2 評議員会は、評議員十人以内で組織する。

(2) The board of councilors consists of not more than ten councilors.

3 評議員は、都道府県知事の全国的連合組織の推薦する者、市長の全国的連合組織の推薦する者、町村長の全国的連合組織の推薦する者及び危険物等の貯蔵、取扱い又は運搬に関する保安について学識経験を有する者のうちから、総務大臣の認可を受けて、理事長が任命する。

(3) The councilors are appointed by the president, with the authorization of the Minister of Internal Affairs and Communications, from among persons recommended by a nationwide federation of prefectural governors, those recommended by a nationwide federation of city mayors, those recommended by a nationwide federation of town/village mayors, and those with the relevant expertise in the safety of storage, handling or transportation of hazardous materials, etc.

第十六条の三十一 協会の職員は、理事長が任命する。

Article 16-31 Employees of the Association are appointed by the president.

第十六条の三十二 協会の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 16-32 Officers or employees of the Association or persons who have held those posts must not divulge or misappropriate any secret that they have come to know in the course of performing their duties.

第十六条の三十三 協会の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

Article 16-33 With regard to the application of the Penal Code and other penal provisions, officers and employees of the Association are deemed to be personnel engaged in public service under laws and regulations.

第四節 業務

Section 4 Operations

第十六条の三十四 協会は、第十六条の十の目的を達成するため、次の業務を行う。

Article 16-34 (1) In order to achieve the purpose set forth in Article 16-10, the Association conducts the following operations:

一 第十一条の三又は第十四条の三第三項の規定による市町村長等の委託に基づく屋外タンク貯蔵所に係る審査を行うこと。

(i) conducting an examination of an outdoor tank storage facility as entrusted by a municipal mayor, etc. under the provisions of Article 11-3 or Article 14-3, paragraph (3);

二 危険物等の貯蔵、取扱い又は運搬の安全に関する試験、調査、技術援助並びに情報の収集及び提供を行うこと。

(ii) conducting tests and an investigation, and providing technical assistance as well as collecting and providing information with regard to the safety of storage, handling or transportation of hazardous materials, etc.;

三 危険物等の貯蔵、取扱い又は運搬の安全に関する教育を行うこと。

(iii) providing education on the safety of storage, handling or transportation of hazardous materials, etc.;

四 前三号に掲げる業務に附帯する業務を行うこと。

(iv) conducting operations incidental to those listed in the preceding three items; and

五 前各号に掲げるもののほか、第十六条の十の目的を達成するために必要な業務を行うこと。

(v) in addition to what is listed in each of the preceding items, conducting other operations necessary for achieving the purpose set forth in Article 16-10.

2 協会は、前項第五号に掲げる業務を行おうとするときは、総務大臣の認可を受けなければならない。

(2) The Association must obtain authorization from the Minister of Internal Affairs and Communications when it intends to conduct the operations listed in item (v) of the preceding paragraph.

3 協会は、第一項の業務を行うほか、当該業務の円滑な遂行に支障のない範囲において、総務大臣の認可を受けて、危険物等の貯蔵、取扱い又は運搬の安全に関する業務を行うために有する機械設備又は技術を活用して行う審査、試験等の業務その他協会が行うことが適切であると認められる業務を行うことができる。

(3) In addition to conducting the operations set forth in paragraph (1), the Association may, to the extent that it will not hinder the smooth execution of those operations, conduct an examination, tests or the like by using the machinery and equipment or technology that it owns for the purpose of conducting the operations concerning the safety of storage, handling or transportation of hazardous materials, etc., and conduct other operations

where it is found appropriate for the Association to do so, with the authorization of the Minister of Internal Affairs and Communications.

第十六条の三十五 協会は、業務の開始前に、業務方法書を作成し、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 16-35 (1) The Association, before commencing the operations, must prepare a operational method statement and obtain authorization from the Minister of Internal Affairs and Communications. The same applies when it intends to revise the statement.

2 前項の業務方法書に記載すべき事項は、総務省令で定める。

(2) The matters to be included in the statement of operational procedures set forth in the preceding paragraph are specified by Order of the Ministry of Internal Affairs and Communications.

第十六条の三十六 協会は、市町村長等から第十一条の三又は第十四条の三第三項の規定による屋外タンク貯蔵所に係る審査の委託に係る契約の申込みがあつたときは、正当な理由がなければ、これを拒んではならない。

Article 16-36 (1) Upon receiving an application from a municipal mayor, etc. for a contract for the entrustment of an examination of an outdoor tank storage facility under the provisions of Article 11-3 or Article 14-3, paragraph (3), the Association must not refuse it unless there are reasonable grounds to do so.

2 協会は、前項の契約が成立したときは、遅滞なく、当該契約に係る同項の審査を行わなければならない。

(2) When the contract set forth in the preceding paragraph is validly established, the Association must conduct the examination set forth in that paragraph under that contract without delay.

第十六条の三十七 協会は、第十六条の三十四第一項第一号に掲げる業務（以下「審査事務」という。）の開始前に、審査事務の実施に関する規程（以下「審査事務規程」という。）を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 16-37 (1) The Association, before commencing the operations listed in Article 16-34, paragraph (1), item (i) (hereinafter referred to as the "facility examination affairs"), must establish rules concerning the implementation of the facility examination affairs (hereinafter referred to as the "facility examination affairs rules"), and obtain authorization from the Minister of Internal Affairs and Communications. The same applies when it intends to revise the rules.

2 総務大臣は、前項の認可をした審査事務規程が、審査事務の適正かつ確実な実施上不適當となつたと認めるときは、協会に対し、その審査事務規程を変更すべきことを命ずることができる。

- (2) When the Minister of Internal Affairs and Communications finds that the facility examination affairs rules for which the Minister has granted authorization under the provisions of the preceding paragraph have become inappropriate for proper and reliable implementation of the facility examination affairs, the Minister may order the Association to revise the rules.
- 3 審査事務規程で定めるべき事項は、総務省令で定める。
- (3) The matters to be prescribed in the facility examination affairs rules are specified by Order of the Ministry of Internal Affairs and Communications.

第十六条の三十八 協会は、審査事務を行うときは、政令で定める資格を有する者に実施させなければならない。

Article 16-38 (1) When the Association conducts the facility examination affairs, it must have a qualified person as specified by Cabinet Order implement the affairs.

2 審査事務を実施する者（以下「検査員」という。）は、誠実にその職務を行わなければならない。

(2) A person in charge of implementing the facility examination affairs (hereinafter referred to as an "inspector") must perform that person's duties sincerely.

3 総務大臣は、検査員がこの法律若しくはこの法律に基づく命令若しくは審査事務規程に違反したとき、又はその者にその職務を行わせることが審査事務の適正な実施に支障を及ぼすおそれがあると認めるときは、協会に対し、検査員の解任を命ずることができる。

(3) The Minister of Internal Affairs and Communications may order the Association to dismiss an inspector when the inspector has committed an act in violation of this Act or any order under this Act or the facility examination affairs rules, or when the minister finds that where the inspector were to perform the duties assigned thereto, it is likely to hinder the proper implementation of the facility examination affairs.

第十六条の三十九 国及び地方公共団体は、協会の業務の円滑な運営が図られるように、適当と認める人的及び技術的援助について必要な配慮を加えるものとする。

Article 16-39 The national government and local governments, in order to ensure the smooth administration of the operations of the Association, are to give necessary consideration to providing the Association with the personnel and technical assistance that they find to be appropriate.

第五節 財務及び会計

Section 5 Finance and Accounting

第十六条の四十 協会の事業年度は、毎年四月一日に始まり、翌年三月三十一日に終わ

る。

Article 16-40 The business year of the Association commences on April 1 of each year and end on March 31 in the following year.

第十六条の四十一 協会は、毎事業年度、予算及び事業計画を作成し、当該事業年度の開始前に、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 16-41 The Association must prepare a budget and business plan for each business year, and obtain authorization from the Minister of Internal Affairs and Communications prior to the commencement of that business year. The same applies when the Association intends to revise the budget and business plan.

第十六条の四十二 協会は、毎事業年度、財産目録、貸借対照表及び損益計算書（次項において「財務諸表」という。）を作成し、当該事業年度の終了後三月以内に総務大臣に提出しなければならない。

Article 16-42 (1) The Association must prepare an inventory of assets, balance sheet and profit and loss statement (referred to as "financial statements" in the following paragraph) for each business year, and submit them to the Minister of Internal Affairs and Communications within three months after the end of the business year.

2 協会は、前項の規定により財務諸表を総務大臣に提出するときは、これに当該事業年度の事業報告書及び予算の区分に従い作成した決算報告書並びに財務諸表及び決算報告書に関する監事の意見書を添付しなければならない。

(2) When the Association submits financial statements to the Minister of Internal Affairs and Communications pursuant to the provisions of the preceding paragraph, it must attach the business report of the business year and the statement of accounts prepared according to the budgetary categories as well as the auditors' written opinions regarding the financial statements and statement of accounts.

第十六条の四十三 削除

Article 16-43 Deleted

第十六条の四十四 削除

Article 16-44 Deleted

第十六条の四十五 削除

Article 16-45 Deleted

第十六条の四十六 この法律に規定するもののほか、協会の財務及び会計に関し必要な

事項は、総務省令で定める。

Article 16-46 Beyond what is provided for in this Act, the necessary matters concerning the finance and accounting of the Association are prescribed by Order of the Ministry of Internal Affairs and Communications.

第六節 監督

Section 6 Supervision

第十六条の四十七 総務大臣は、この章の規定を施行するため必要があると認めるときは、協会に対し、その業務に関し監督上必要な命令をすることができる。

Article 16-47 If the Minister of Internal Affairs and Communications finds it necessary in order to enforce the provisions of this Chapter, the Minister may issue to the Association an order necessary for the supervision of its operations.

第十六条の四十八 総務大臣は、この章の規定を施行するため必要があると認めるときは、協会に対しその業務に関し報告をさせ、又はその職員に協会の事務所その他の事業所に立ち入り、業務の状況若しくは帳簿、書類その他の必要な物件を検査させることができる。

Article 16-48 (1) If the Minister of Internal Affairs and Communications finds it necessary in order to enforce the provisions of this Chapter, the Minister may have the Association make reports on its operations, or have their official enter the Association's office or other place of business and inspect the status of the operations or its books, documents and any other necessary objects.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係のある者に提示しなければならない。

(2) An officer who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry their identification card and present it to any relevant person.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be deemed to be vested for the purpose of crime investigation.

第七節 解散

Section 7 Dissolution

第十六条の四十九 協会の解散については、別に法律で定める。

Article 16-49 The dissolution of the Association is separately prescribed by an Act.

第四章 消防の設備等

Chapter IV Fire Defense Equipment, etc.

第十七条 学校、病院、工場、事業場、興行場、百貨店、旅館、飲食店、地下街、複合用途防火対象物その他の防火対象物で政令で定めるものの関係者は、政令で定める消防の用に供する設備、消防用水及び消火活動上必要な施設（以下「消防用設備等」という。）について消火、避難その他の消防の活動のために必要とされる性能を有するように、政令で定める技術上の基準に従つて、設置し、及び維持しなければならない。

Article 17 (1) A person concerned with a school, hospital, factory, workplace, entertainment facility, department store, hotel, restaurant, underground mall, multi-purpose property under fire prevention measures or any other property under fire prevention measures specified by Cabinet Order must install and maintain equipment used for fire defense, a water supply for fire defense, and facilities necessary for fire extinguishing activities (hereinafter referred to as "fire defense equipment, etc.") specified by Cabinet Order, in accordance with the technical standards specified by Cabinet Order so that the equipment, etc. will perform as required for fire extinguishing activities, evacuation and other fire defense activities.

2 市町村は、その地方の気候又は風土の特殊性により、前項の消防用設備等の技術上の基準に関する政令又はこれに基づく命令の規定のみによつては防火の目的を十分に達し難いと認めるときは、条例で、同項の消防用設備等の技術上の基準に関して、当該政令又はこれに基づく命令の規定と異なる規定を設けることができる。

(2) When a municipality finds it difficult, due to the peculiarity of the weather or climate of the region, to achieve the purpose of fire prevention sufficiently when only enforcing the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in the preceding paragraph or of an order issued thereunder, it may establish, by municipal ordinance, different provisions from those of the Cabinet Order or of the order issued thereunder with regard to the technical standards for fire defense equipment, etc. set forth in that paragraph.

3 第一項の防火対象物の関係者が、同項の政令若しくはこれに基づく命令又は前項の規定に基づく条例で定める技術上の基準に従つて設置し、及び維持しなければならない消防用設備等に代えて、特殊の消防用設備等その他の設備等（以下「特殊消防用設備等」という。）であつて、当該消防用設備等と同等以上の性能を有し、かつ、当該関係者が総務省令で定めるところにより作成する特殊消防用設備等の設置及び維持に関する計画（以下「設備等設置維持計画」という。）に従つて設置し、及び維持するものとして、総務大臣の認定を受けたものを用いる場合には、当該消防用設備等（それに代えて当該認定を受けた特殊消防用設備等が用いられるものに限る。）については、前二項の規定は、適用しない。

(3) Where a person concerned with a property under fire prevention measures set forth in paragraph (1) uses, in lieu of fire defense equipment, etc. that should

be installed and maintained in accordance with the technical standards specified by the Cabinet Order set forth in that paragraph or order issued thereunder or a municipal ordinance under the provisions of the preceding paragraph, special fire defense equipment, etc. or any other equipment, etc. (hereinafter referred to as "special fire defense equipment, etc.") certified by the Minister of Internal Affairs and Communications as equipment, etc. which performs to an equal or higher level than that of the fire defense equipment, etc. and is to be installed and maintained according to a plan for the installation and maintenance of special fire defense equipment, etc. (hereinafter referred to as an "equipment installation and maintenance plan") to be prepared by the person concerned as provided for by Order of the Ministry of Internal Affairs and Communications, the provisions of the preceding two paragraphs do not apply to the fire defense equipment, etc. (limited to those substituted by the certified special fire defense equipment, etc.).

第十七条の二 前条第三項の認定を受けようとする者は、あらかじめ、日本消防検定協会（以下この章において「協会」という。）又は法人であつて総務大臣の登録を受けたものが行う性能評価（設備等設置維持計画に従つて設置し、及び維持する場合における特殊消防用設備等の性能に関する評価をいう。以下この条及び第十七条の二の四において同じ。）を受けなければならない。

- Article 17-2 (1) A person who intends to obtain the certification set forth in paragraph (3) of the preceding Article must, in advance, undergo a performance evaluation (meaning an evaluation of the performance of the special fire defense equipment, etc. to be installed and maintained according to an equipment installation and maintenance plan; hereinafter the same applies in this Article and Article 17-2-4) conducted by the Japan Fire Equipment Inspection Institute (hereinafter referred to as the "Institute") or a juridical person registered by the Minister of Internal Affairs and Communications.
- 2 性能評価を受けようとする者は、総務省令で定めるところにより、申請書に設備等設置維持計画その他総務省令で定める書類を添えて、協会又は前項の規定による登録を受けた法人に申請しなければならない。
- (2) A person who intends to undergo a performance evaluation must, as provided for by Order of the Ministry of Internal Affairs and Communications, apply to the Institute or a juridical person registered under the provisions of the preceding paragraph by attaching, to a written application, an equipment installation and maintenance plan and any other document specified by Order of the Minister of Internal Affairs and Communications.
- 3 協会又は第一項の規定による登録を受けた法人は、前項の申請があつたときは、総務省令で定めるところにより、当該申請に係る性能評価を行い、その性能評価の結果（次条第一項及び第二項において「評価結果」という。）を前項の申請をした者に通

知しなければならない。

- (3) Upon receiving the application set forth in the preceding paragraph, the Institute or a juridical person registered under the provisions of paragraph (1) must, as provided for by Order of the Ministry of Internal Affairs and Communications, conduct a performance evaluation for which the application has been filed, and give notice of the result of the performance evaluation (referred to as the "evaluation result" in paragraph (1) and paragraph (2) of the following Article) to the person who has filed the application set forth in the preceding paragraph.

第十七条の二の二 前条第三項（第十七条の二の四第三項において準用する場合を含む。）の評価結果の通知を受けた者が第十七条第三項の認定を受けようとするときは、総務省令で定めるところにより、申請書に設備等設置維持計画及び当該評価結果を記載した書面を添えて、総務大臣に申請しなければならない。

Article 17-2-2 (1) When a person who has received a notice of the evaluation result set forth in paragraph (3) of the preceding Article (including as applied mutatis mutandis pursuant to Article 17-2-4, paragraph (3)) intends to obtain the certification set forth in Article 17, paragraph (3), that person must, as provided for by Order of the Ministry of Internal Affairs and Communications, apply to the Minister of Internal Affairs and Communications by attaching, to a written application, an equipment installation and maintenance plan and a document stating the evaluation result.

- 2 総務大臣は、前項の申請があつたときは、同項の設備等設置維持計画及び評価結果を記載した書面により、当該申請に係る設備等設置維持計画に従つて設置し、及び維持する場合における特殊消防用設備等が第十七条第一項の政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例で定める技術上の基準に従つて設置し、及び維持しなければならない消防用設備等と同等以上の性能を有しているかどうかを審査し、当該性能を有していると認められるときは、同条第三項の規定による認定をしなければならない。

- (2) Upon receiving the application set forth in the preceding paragraph, the Minister of Internal Affairs and Communications must examine, while referring to the equipment installation and maintenance plan and the document stating the evaluation result as set forth in that paragraph, whether or not the special fire defense equipment, etc. to be installed and maintained according to the equipment installation and maintenance plan pertaining to the application performs to an equal or higher level than that of the fire defense equipment, etc. that should be installed and maintained in accordance with the technical standards specified by Cabinet Order as set forth in Article 17, paragraph (1) or order issued thereunder or a municipal ordinance under the provisions of paragraph (2) of that Article, and if the Minister judges the special fire defense equipment, etc. to have that performance, the Minister

must grant the certification under the provisions of paragraph (3) of that Article.

3 総務大臣は、前項の規定により認定をしようとするときは、その旨を関係消防長又は関係消防署長に通知しなければならない。この場合において、関係消防長又は関係消防署長は、当該認定に関し、総務大臣に対し、意見を申し出ることができる。

(3) When the Minister of Internal Affairs and Communications intends to grant the certification pursuant to the provisions of the preceding paragraph, the Minister must give notice to the relevant fire chief(s) or relevant fire station chief(s) to that effect. In this case, the relevant fire chief(s) or relevant fire station chief(s) may state their opinions to the Minister of Internal Affairs and Communications concerning the certification.

第十七条の二の三 総務大臣は、第十七条第三項の規定による認定を受けた特殊消防用設備等について、次の各号のいずれかに該当するときは、当該認定の効力を失わせることができる。

Article 17-2-3 (1) When special fire defense equipment, etc. for which a certification under the provisions of Article 17, paragraph (3) was granted falls under any of the following, the Minister of Internal Affairs and Communications may invalidate the certification:

一 偽りその他不正な手段により当該認定又は次項の承認を受けたことが判明したとき。

(i) when it is found that the certification or approval set forth in the following paragraph was granted by deception or other wrongful means; or

二 設備等設置維持計画に従って設置され、又は維持されていないと認めるとき。

(ii) when the minister finds that the special fire defense equipment, etc. is not installed or maintained according to the equipment installation and maintenance plan.

2 第十七条第三項の規定による認定を受けた者は、当該認定に係る特殊消防用設備等又は設備等設置維持計画を変更しようとするときは、総務大臣の承認を受けなければならない。ただし、総務省令で定める軽微な変更については、この限りでない。

(2) When a person who has obtained a certification under the provisions of Article 17, paragraph (3) intends to make a change to the special fire defense equipment, etc. or equipment installation and maintenance plan which pertains to the certification, that person must obtain approval from the Minister of Internal Affairs and Communications; provided, however, that this does not apply to a minor change specified by Order of the Ministry of Internal Affairs and Communications.

3 前二条の規定は、前項の規定により総務大臣が承認する場合について準用する。

(3) The provisions of the preceding two Articles apply mutatis mutandis where the Minister of Internal Affairs and Communications grants approval pursuant to the provisions of the preceding paragraph.

4 第十七条第三項の規定による認定を受けた者は、第二項ただし書の総務省令で定める軽微な変更をしたときは、総務省令で定めるところにより、その旨を消防長又は消防署長に届け出なければならない。

(4) When a person who has obtained a certification under the provisions of Article 17, paragraph (3) has made a minor change specified by Order of the Ministry of Internal Affairs and Communications as set forth in the proviso to paragraph (2), that person must, as provided for by Order of the Ministry of Internal Affairs and Communications, notify a fire chief or fire station chief to that effect.

第十七条の二の四 総務大臣は、協会又は第十七条の二第一項の規定による登録を受けた法人が、性能評価を行う機能の全部又は一部を喪失したことにより、当該性能評価に関する業務を行うことが困難となった場合において、特別の必要があると認めるときは、第十七条第三項の認定を受けようとする者の申請に基づき当該性能評価を行うことができる。

Article 17-2-4 (1) Where the Institute or a juridical person registered under the provisions of Article 17-2, paragraph (1) is no longer, in whole or in part, capable of conducting a performance evaluation and it has become difficult for the Institute or juridical person to conduct the operations for that performance evaluation, the Minister of Internal Affairs and Communications may conduct the performance evaluation based on an application from a person who intends to obtain the certification set forth in Article 17, paragraph (3), when the Minister finds it particularly necessary.

2 総務大臣は、前項の規定により性能評価の全部又は一部を自ら行う場合は、あらかじめ、当該性能評価を行う期間を公示しなければならない。

(2) Where the Minister of Internal Affairs and Communications conducts the whole or part of a performance evaluation themselves pursuant to the provisions of the preceding paragraph, the Minister must, in advance, give public notice of the period during which the Minister will conduct the performance evaluation.

3 第十七条の二第二項及び第三項の規定は、第一項の規定により総務大臣が性能評価を行う場合について準用する。

(3) The provisions of Article 17-2, paragraph (2) and paragraph (3) apply *mutatis mutandis* where the Minister of Internal Affairs and Communications conducts a performance evaluation pursuant to the provisions of paragraph (1).

4 第一項の規定により総務大臣の行う性能評価を受けようとする者は、実費を勘案して政令で定める額の手数料を国に納付しなければならない。

(4) A person who intends to undergo a performance evaluation conducted by the Minister of Internal Affairs and Communications pursuant to the provisions of paragraph (1) must pay the amount of fees which is specified by Cabinet Order in consideration of the actual costs to the State.

第十七条の二の五 第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定の施行又は適用の際、現に存する同条第一項の防火対象物における消防用設備等（消火器、避難器具その他政令で定めるものを除く。以下この条及び次条において同じ。）又は現に新築、増築、改築、移転、修繕若しくは模様替えの工事中の同条同項の防火対象物に係る消防用設備等がこれらの規定に適合しないときは、当該消防用設備等については、当該規定は、適用しない。この場合においては、当該消防用設備等の技術上の基準に関する従前の規定を適用する。

Article 17-2-5 (1) If any fire defense equipment, etc. (excluding a fire extinguisher, escape equipment and any other equipment specified by Cabinet Order; hereinafter the same applies in this Article and the following Article) installed in a property under fire prevention measures as set forth in Article 17, paragraph (1) which exists at the time of the enforcement or application of the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article, or any fire defense equipment, etc. to be installed in a property under fire prevention measures set forth in paragraph (2) of that Article which is under work for new construction or an extension, reconstruction, relocation, repair or remodeling at the time of the enforcement or application of these provisions, fails to conform to these provisions, these provisions do not apply to the fire defense equipment, etc. In this case, the provisions then in force concerning the technical standards for the fire defense equipment, etc. apply thereto.

2 前項の規定は、消防用設備等で次の各号のいずれかに該当するものについては、適用しない。

(2) The provisions of the preceding paragraph do not apply to fire defense equipment, etc. which falls under any of the following items:

一 第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例を改正する法令による改正（当該政令若しくは命令又は条例を廃止すると同時に新たにこれに相当する政令若しくは命令又は条例を制定することを含む。）後の当該政令若しくは命令又は条例の規定の適用の際、当該規定に相当する従前の規定に適合していないことにより同条第一項の規定に違反している同条同項の防火対象物における消防用設備等

(i) fire defense equipment, etc. installed in a property under fire prevention measures as set forth in Article 17, paragraph (1) which is, at the time of the enforcement or application of the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of municipal ordinance under the provisions of paragraph (2) of

that Article as amended by any laws and regulations for the amendment to the Cabinet Order or order issued thereunder or municipal ordinance (including cases where the Cabinet Order or order issued thereunder or municipal ordinance is repealed and a new equivalent Cabinet Order or order issued thereunder or municipal ordinance is established simultaneously), in violation of the provisions of paragraph (1) of that Article due to the failure to conform to the provisions then in force equivalent to those provisions as amended;

二 工事の着手が第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定の施行又は適用の後である政令で定める増築、改築又は大規模の修繕若しくは模様替えに係る同条第一項の防火対象物における消防用設備等

(ii) fire defense equipment, etc. installed in a property under fire prevention measures as set forth in Article 17, paragraph (1) for which construction work for an extension, reconstruction, or major repair or remodeling is commenced after the time of the enforcement or application of the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article;

三 第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定に適合するに至った同条第一項の防火対象物における消防用設備等

(iii) fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) which now conforms to the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article; or

四 前三号に掲げるもののほか、第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定の施行又は適用の際、現に存する百貨店、旅館、病院、地下街、複合用途防火対象物（政令で定めるものに限る。）その他同条第一項の防火対象物で多数の者が出入するものとして政令で定めるもの（以下「特定防火対象物」という。）における消防用設備等又は現に新築、増築、改築、移転、修繕若しくは模様替えの工事中の特定防火対象物に係る消防用設備等

(iv) beyond what is listed in the preceding three items, fire defense equipment, etc. installed in a department store, hotel, hospital, underground mall, multi-purpose property under fire prevention measures (limited to those specified by Cabinet Order) or any other property under fire prevention measures set forth in Article 17, paragraph (1) specified by Cabinet Order as a property to

which a number of people have access (hereinafter referred to as a "specified property under fire prevention measures"), which exists at the time of the enforcement or application of the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article, or fire defense equipment, etc. to be installed in a specified property under fire prevention measures which is under work for new construction or an extension, reconstruction, relocation, repair or remodeling at the time of the enforcement or application of those provisions.

第十七条の三 前条に規定する場合のほか、第十七条第一項の防火対象物の用途が変更されたことにより、当該用途が変更された後の当該防火対象物における消防用設備等がこれに係る同条同項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定に適合しないこととなるときは、当該消防用設備等については、当該規定は、適用しない。この場合においては、当該用途が変更される前の当該防火対象物における消防用設備等の技術上の基準に関する規定を適用する。

Article 17-3 (1) Beyond the cases prescribed in the preceding Article, if there has been any change to the intended purpose of a property under fire prevention measures set forth in Article 17, paragraph (1) and the fire defense equipment, etc. installed in the property under fire prevention measures after the change to the intended purpose now fails to conform to either the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article, both of which pertain to the fire defense equipment, etc., those provisions do not apply. In this case, the technical standards for fire defense equipment, etc. installed in the property under fire prevention measures prior to the change to the intended purpose apply.

2 前項の規定は、消防用設備等で次の各号の一に該当するものについては、適用しない。

(2) The provisions of the preceding paragraph do not apply to fire defense equipment, etc. which falls under any of the following items:

一 第十七条第一項の防火対象物の用途が変更された際、当該用途が変更される前の当該防火対象物における消防用設備等に係る同条同項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定に適合していないことにより同条第一項の規定に違反している当該防火対象物における消防用設備等

(i) fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) which is, at the time when

there has been a change to the property under fire prevention measures, in violation of the provisions of paragraph (1) of that Article due to the failure to conform to either the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of the Article, both of which pertain to the fire defense equipment, etc. installed in the property under fire prevention measures prior to the change to the intended purpose;

二 工事の着手が第十七条第一項の防火対象物の用途の変更の後である政令で定める増築、改築又は大規模の修繕若しくは模様替えに係る当該防火対象物における消防用設備等

(ii) fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) for which construction work for an extension, reconstruction, or major repair or remodeling as prescribed in the Cabinet Order is commenced after the time when there has been a change to the intended purpose of the property under fire prevention measures;

三 第十七条第一項の消防用設備等の技術上の基準に関する政令若しくはこれに基づく命令又は同条第二項の規定に基づく条例の規定に適合するに至った同条第一項の防火対象物における消防用設備等

(iii) fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) which now conforms to the provisions of the Cabinet Order concerning the technical standards for fire defense equipment, etc. set forth in paragraph (1) of that Article or of an order issued thereunder or the provisions of the municipal ordinance under the provisions of paragraph (2) of that Article; or

四 前三号に掲げるもののほか、第十七条第一項の防火対象物の用途が変更され、その変更後の用途が特定防火対象物の用途である場合における当該特定防火対象物における消防用設備等

(iv) beyond what is set forth in the preceding three items, fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) where there has been a change to the intended purpose, and where the new intended purpose after that change is an intended purpose of a specified property under fire prevention measures.

第十七条の三の二 第十七条第一項の防火対象物のうち特定防火対象物その他の政令で定めるものの関係者は、同項の政令若しくはこれに基づく命令若しくは同条第二項の規定に基づく条例で定める技術上の基準（第十七条の二の五第一項前段又は前条第一項前段に規定する場合には、それぞれ第十七条の二の五第一項後段又は前条第一項後段の規定により適用されることとなる技術上の基準とする。以下「設備等技術基準」

という。)又は設備等設置維持計画に従つて設置しなければならない消防用設備等又は特殊消防用設備等(政令で定めるものを除く。)を設置したときは、総務省令で定めるところにより、その旨を消防長又は消防署長に届け出て、検査を受けなければならない。

Article 17-3-2 When a person concerned with a property under fire prevention measures set forth in Article 17, paragraph (1), which is categorized as a specified property under fire prevention measures or as otherwise specified by Cabinet Order, has installed fire defense equipment, etc. or special fire defense equipment, etc. (excluding those specified by Cabinet Order) which should be installed in accordance with the technical standards specified by the Cabinet Order set forth in that paragraph or an order issued thereunder or a municipal ordinance under the provisions of paragraph (2) of that Article (in the cases prescribed in the first sentence of Article 17-2-5, paragraph (1) or the first sentence of paragraph (1) of the preceding Article, the technical standards to be applied pursuant to the provisions of the second sentence of Article 17-2-5, paragraph (1) or the second sentence of paragraph (1) of the preceding Article, respectively; hereinafter referred to as the "technical standards for the equipment") or an equipment installation and maintenance plan, that person must, as provided for by Order of the Ministry of Internal Affairs and Communications, notify the fire chief or fire station chief to that effect and undergo an inspection.

第十七条の三の三 第十七条第一項の防火対象物(政令で定めるものを除く。)の関係者は、当該防火対象物における消防用設備等又は特殊消防用設備等(第八条の二の二第一項の防火対象物にあつては、消防用設備等又は特殊消防用設備等の機能)について、総務省令で定めるところにより、定期的に、当該防火対象物のうち政令で定めるものにあつては消防設備士免状の交付を受けている者又は総務省令で定める資格を有する者に点検させ、その他のものにあつては自ら点検し、その結果を消防長又は消防署長に報告しなければならない。

Article 17-3-3 A person concerned with a property under fire prevention measures set forth in Article 17, paragraph (1) (excluding those specified by Cabinet Order) must, as provided for by Order of the Ministry of Internal Affairs and Communications, periodically, have a person who has obtained a fire defense equipment officer's license or another qualified person specified by Order of the Ministry of Internal Affairs and Communications inspect the fire defense equipment, etc. or special fire defense equipment, etc. installed in the property under fire prevention measures (in the case of a property under fire prevention measures set forth in Article 8-2-2, paragraph (1), the function of the fire defense equipment, etc. or special fire defense equipment, etc.) in the case of the property under fire prevention measures specified by Cabinet Order, or inspect the equipment, etc. themselves in the case of another property under

fire prevention measures, and report the inspection results to a fire chief or fire station chief.

第十七条の四 消防長又は消防署長は、第十七条第一項の防火対象物における消防用設備等が設備等技術基準に従って設置され、又は維持されていないと認めるときは、当該防火対象物の関係者で権原を有するものに対し、当該設備等技術基準に従ってこれを設置すべきこと、又はその維持のため必要な措置をなすべきことを命ずることができる。

Article 17-4 (1) When a fire chief or fire station chief finds that fire defense equipment, etc. installed in a property under fire prevention measures set forth in Article 17, paragraph (1) is not installed or maintained in accordance with technical standards for the equipment, that fire chief or fire station chief may order the person concerned with the property under fire prevention measures, who holds title, to install the fire defense equipment, etc. in accordance with the technical standards for the equipment or take the necessary measures for the maintenance thereof.

2 消防長又は消防署長は、第十七条第一項の防火対象物における同条第三項の規定による認定を受けた特殊消防用設備等が設備等設置維持計画に従って設置され、又は維持されていないと認めるときは、当該防火対象物の関係者で権原を有するものに対し、当該設備等設置維持計画に従ってこれを設置すべきこと、又はその維持のため必要な措置をなすべきことを命ずることができる。

(2) When a fire chief or fire station chief finds that special fire defense equipment, etc. which is installed in a property under fire prevention measures set forth in Article 17, paragraph (1) and for which a certification has been granted under the provisions of paragraph (3) of that Article is not installed or maintained in accordance with an equipment installation and maintenance plan, that fire chief or fire station chief may order the person concerned with the property under fire prevention measures, who holds title, to install the special fire defense equipment, etc. in accordance with the technical standards for the equipment or take the necessary measures for the maintenance thereof.

3 第五条第三項及び第四項の規定は、前二項の規定による命令について準用する。

(3) The provisions of Article 5, paragraph (3) and paragraph (4) apply mutatis mutandis to an order under the provisions of the preceding two paragraphs.

第十七条の五 消防設備士免状の交付を受けていない者は、次に掲げる消防用設備等又は特殊消防用設備等の工事（設置に係るものに限る。）又は整備のうち、政令で定めるものを行ってはならない。

Article 17-5 A person who has not obtained a fire defense equipment officer's license must not engage in construction work (limited to installation work) or improvement work as specified by Cabinet Order with regard to the following fire defense equipment, etc. or special fire defense equipment, etc.:

一 第十条第四項の技術上の基準又は設備等技術基準に従って設置しなければならない消防用設備等

(i) fire defense equipment, etc. that must be installed in accordance with the technical standards set forth in Article 10, paragraph (4) or technical standards for the equipment; and

二 設備等設置維持計画に従って設置しなければならない特殊消防用設備等

(ii) special fire defense equipment, etc. that must be installed according to an equipment installation and maintenance plan.

第十七条の六 消防設備士免状の種類は、甲種消防設備士免状及び乙種消防設備士免状とする。

Article 17-6 (1) The types of fire defense equipment officer's license are a Class A fire defense equipment officer's license and Class B fire defense equipment officer's license.

2 甲種消防設備士免状の交付を受けている者（以下「甲種消防設備士」という。）が行うことができる工事又は整備の種類及び乙種消防設備士免状の交付を受けている者（以下「乙種消防設備士」という。）が行うことができる整備の種類は、これらの消防設備士免状の種類に応じて総務省令で定める。

(2) The types of construction work or improvement work that a person who has obtained a Class A fire defense equipment officer's license (hereinafter referred to as a "Class A fire defense equipment officer") is qualified to engage in and the types of improvement work that a person who has obtained a Class B fire defense equipment office's license (hereinafter referred to as a "Class B fire defense equipment officer") is qualified to engage in are specified by Order of the Ministry of Internal Affairs and Communications according to the types of these fire defense equipment officer's licenses.

第十七条の七 消防設備士免状は、消防設備士試験に合格した者に対し、都道府県知事が交付する。

Article 17-7 (1) A fire defense equipment officer's license is issued by a prefectural governor to a person who has passed a fire defense equipment officer's qualification examination.

2 第十三条の二第四項から第七項までの規定は、消防設備士免状について準用する。

(2) The provisions of Article 13-2, paragraph (4) through paragraph (7) apply mutatis mutandis to a fire defense equipment officer's license.

第十七条の八 消防設備士試験は、消防用設備等又は特殊消防用設備等（以下この章において「工事整備対象設備等」という。）の設置及び維持に関して必要な知識及び技能について行う。

Article 17-8 (1) A fire defense equipment officer's qualification examination are conducted to assess the knowledge and skills necessary for ensuring the

installation and maintenance of fire defense equipment, etc. or special fire defense equipment, etc. (hereinafter referred to as "equipment, etc. subject to construction or improvement work" in this Chapter).

- 2 消防設備士試験の種類は、甲種消防設備士試験及び乙種消防設備士試験とする。
- (2) The types of fire defense equipment officer's qualification examination are a Class A fire defense equipment officer's qualification examination and Class B fire defense equipment officer's qualification examination.
- 3 消防設備士試験は、前項に規定する消防設備士試験の種類ごとに、毎年一回以上、都道府県知事が行う。
- (3) A fire defense equipment officer's qualification examination is conducted by a prefectural governor at least once a year for each type of fire defense equipment officer's qualification examination prescribed in the preceding paragraph.
- 4 次の各号のいずれかに該当する者でなければ、甲種消防設備士試験を受けることができない。
- (4) No person other than one who falls under any of the following items may not take a Class A fire defense equipment officer's qualification examination:
 - 一 学校教育法による大学、高等専門学校、高等学校又は中等教育学校において機械、電気、工業化学、土木又は建築に関する学科又は課程を修めて卒業した者
 - (i) a person who has graduated from a university, college of technology, high school or secondary educational school under the School Education Act by completing a major or course in machinery, electricity, industrial chemistry, civil engineering or architecture;
 - 二 乙種消防設備士免状の交付を受けた後二年以上工事整備対象設備等の整備（第十七条の五の規定に基づく政令で定めるものに限る。）の経験を有する者
 - (ii) a person who has had experience in engaging in improvement work for equipment, etc. subject to construction or improvement work (limited to those specified by Cabinet Order under the provisions of Article 17-5) for at least two years after obtaining a Class B fire defense equipment officer's license; or
 - 三 前二号に掲げる者に準ずるものとして総務省令で定める者
 - (iii) a person specified by Order of the Ministry of Internal Affairs and Communications as being equivalent to those persons listed in the preceding two items.
- 5 前各項に定めるもののほか、消防設備士試験の試験科目、受験手続その他試験の実施細目は、総務省令で定める。
- (5) Beyond what is prescribed in each of the preceding paragraphs, the subjects of a fire defense equipment officer's qualification examination, procedure for taking the qualification examination and other details concerning the implementation of the qualification examination are specified by Order of the Ministry of Internal Affairs and Communications.

第十七条の九 都道府県知事は、総務大臣の指定する者に、消防設備士試験の実施に関する事務を行わせることができる。

Article 17-9 (1) A prefectural governor may entrust a person designated by the Minister of Internal Affairs and Communications to conduct the affairs concerning the implementation of a fire defense equipment officer's qualification examination.

2 前項の規定による指定は、消防設備士試験の実施に関する事務を行おうとする者の申請により行う。

(2) The designation under the provisions of the preceding paragraph is made upon an application from a person who intends to conduct the affairs concerning the implementation of a fire defense equipment officer's qualification examination.

3 都道府県知事は、第一項の規定により総務大臣の指定する者に消防設備士試験の実施に関する事務を行わせるときは、消防設備士試験の実施に関する事務を行わないものとする。

(3) When a prefectural governor has a person designated by the Minister of Internal Affairs and Communications conduct the affairs concerning the implementation of a fire defense equipment officer's qualification examination pursuant to the provisions of paragraph (1), the prefectural governor is not to conduct the affairs concerning the implementation of a fire defense equipment officer's qualification examination.

4 第十三条の六の規定は第一項の規定による指定について、第十三条の七、第十三条の九から第十三条の十八まで及び第十三条の二十二の規定は同項の規定による指定を受けた者について、第十三条の八、第十三条の十九及び第十三条の二十の規定は同項の規定により総務大臣の指定する者にその消防設備士試験の実施に関する事務を行わせることとした都道府県知事について、第十三条の二十一の規定は消防設備士試験の実施に関する事務の引継ぎその他の必要な事項について、準用する。この場合において、これらの規定中「危険物取扱者試験事務」とあるのは「消防設備士試験の実施に関する事務」と、第十三条の六中「前条第二項」とあるのは「第十七条の九第二項」と、第十三条の七第一項及び第二項並びに第十三条の八第一項中「第十三条の五第一項」とあるのは「第十七条の九第一項」と、第十三条の十及び第十三条の十一第一項中「危険物取扱者試験委員」とあるのは「消防設備士試験委員」と、第十三条の十三第一項及び第十三条の十八第二項第五号中「第十三条の五第一項」とあるのは「第十七条の九第一項」と、第十三条の二十第一項中「第十三条の五第三項」とあるのは「第十七条の九第三項」と読み替えるものとする。

(4) The provisions of Article 13-6 apply mutatis mutandis to the designation under the provisions of paragraph (1), the provisions of Article 13-7, Article 13-9 through Article 13-18, and Article 13-22 apply mutatis mutandis to the person designated under the provisions of that paragraph, the provisions of Article 13-8, Article 13-19, and Article 13-20 apply mutatis mutandis to the

prefectural governor who has decided to entrust a person designated by the Minister of Internal Affairs and Communications to conduct the affairs concerning the implementation of a fire defense equipment officer's qualification examination pursuant to the provisions of that paragraph, and the provisions of Article 13-21 apply mutatis mutandis to the takeover of the affairs concerning the implementation of a fire defense equipment officer's qualification examination and other necessary matters. In this case, in these provisions, the phrase "hazardous materials engineer's qualification examination affairs" is deemed to be replaced with "the affairs concerning the implementation of a fire defense equipment officer's qualification examination"; in Article 13-6, the phrase "paragraph (2) of the preceding Article" is deemed to be replaced with "Article 17-9, paragraph (2)"; in Article 13-7, paragraph (1) and paragraph (2) and Article 13-8, paragraph (1), the phrase "Article 13-5, paragraph (1)" is deemed to be replaced with "Article 17-9, paragraph (1)"; in Article 13-10 and Article 13-11, paragraph (1), the phrase "examiner(s) for a hazardous materials engineer's qualification examination" is deemed to be replaced with "examiner(s) for a fire defense equipment officer's qualification examination"; in Article 13-13, paragraph (1) and Article 13-18, paragraph (2), item (v), the phrase "Article 13-5, paragraph (1)" is deemed to be replaced with "Article 17-9, paragraph (1)"; and in Article 13-20, paragraph (1), the phrase "Article 13-5, paragraph (3)" is deemed to be replaced with "Article 17-9, paragraph (3)."

第十七条の十 消防設備士は、総務省令で定めるところにより、都道府県知事（総務大臣が指定する市町村長その他の機関を含む。）が行う工事整備対象設備等の工事又は整備に関する講習を受けなければならない。

Article 17-10 A fire defense equipment officer must, as provided for by Ordier of the Ministry of Internal Affairs and Communications, take training sessions concerning the construction work or improvement work for equipment, etc. subject to construction or improvement work, which is provided by a prefectural governor (including a municipal mayor or another organ designated by the Minister of Internal Affairs and Communications).

第十七条の十一 前条の規定により総務大臣が指定する機関で市町村長以外のもの（以下この条において「指定講習機関」という。）が行う工事整備対象設備等の工事又は整備に関する講習を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の手数料を当該指定講習機関に納めなければならない。

Article 17-11 (1) A person who intends to take training sessions concerning the construction work or improvement work for equipment, etc. subject to construction or improvement work, which is provided by an organ designated by the Minister of Internal Affairs and Communications other than a municipal

mayor pursuant to the provisions of the preceding paragraph (hereinafter referred to as a "designated training agency" in this Article), must pay the amount of fees which is specified by Cabinet Order in consideration of the actual costs to the designated training agency, as provided for by Cabinet Order.

2 前項の規定により指定講習機関に納められた手数料は、当該指定講習機関の収入とする。

(2) The fees paid to a designated training agency pursuant to the provisions of the preceding paragraph are the income of the designated training agency.

3 都道府県は、地方自治法第二百二十七条の規定に基づき消防設備士試験に係る手数料を徴収する場合には、第十七条の九第一項の規定による指定を受けた者（以下この項において「指定試験機関」という。）が行う消防設備士試験を受けようとする者に、条例で定めるところにより、当該手数料を当該指定試験機関へ納めさせ、その収入とすることができる。

(3) Where a prefecture collects fees for a fire defense equipment officer's qualification examination under the provisions of Article 227 of the Local Autonomy Act, it may have a person who intends to take the fire defense equipment officer's qualification examination conducted by a person designated under the provisions of Article 17-9, paragraph (1) (hereinafter referred to as a "designated examining body" in this paragraph), pay the fees to the designated examining body, thereby treating the fees as the designated examining body's income, as provided for by prefectural ordinance.

第十七条の十二 消防設備士は、その業務を誠実にやり、工事整備対象設備等の質の向上に努めなければならない。

Article 17-12 A fire defense equipment officer must conduct the duties assigned thereto sincerely, and strive to improve the quality of the equipment, etc. subject to construction or improvement work.

第十七条の十三 消防設備士は、その業務に従事するときは、消防設備士免状を携帯していなければならない。

Article 17-13 If a fire defense equipment officer engages in the duties assigned thereto, that fire defense equipment officer must carry their fire defense equipment officer's license.

第十七条の十四 甲種消防設備士は、第十七条の五の規定に基づく政令で定める工事をしようとするときは、その工事に着手しようとする日の十日前までに、総務省令で定めるところにより、工事整備対象設備等の種類、工事の場所その他必要な事項を消防長又は消防署長に届け出なければならない。

Article 17-14 When a Class A fire defense equipment officer intends to conduct construction work specified by Cabinet Order under the provisions of Article

17-5, that Class A fire defense equipment officer must, as provided for by Order of the Ministry of Internal Affairs and Communications, notify a fire chief or fire station chief of the type of the equipment, etc. subject to construction or improvement work, the site of the construction work and other necessary matters no later than ten days prior to the day on which the construction work is to be commenced.

第十八条 何人も、みだりに火災報知機、消火栓、消防の用に供する貯水施設又は消防の用に供する望楼若しくは警鐘台を使用し、損壊し、撤去し、又はその正当な使用を妨げてはならない。

Article 18 (1) It is prohibited for any person to use, damage or remove or interfere with the legitimate use of a fire alarm system, fire hydrant, water storage facility used for fire defense or watchtower or alarm bell tower used for fire defense without due cause.

2 何人も、みだりに総務省令で定める消防信号又はこれに類似する信号を使用してはならない。

(2) It is prohibited for any person to use a fire defense signal specified by Order of the Ministry of Internal Affairs and Communications or any signal similar thereto without due cause.

第十九条 削除

Article 19 Deleted

第二十条 消防に必要な水利の基準は、消防庁がこれを勧告する。

Article 20 (1) The standards for water sources necessary for fire defense are recommended by the Fire and Disaster Management Agency.

2 消防に必要な水利施設は、当該市町村がこれを設置し、維持し及び管理するものとする。但し、水道については、当該水道の管理者が、これを設置し、維持し及び管理するものとする。

(2) Water facilities necessary for fire defense are to be installed, maintained and managed by each municipality; provided, however, that the waterworks are to be established, maintained and management by the manager of the waterworks.

第二十一条 消防長又は消防署長は、池、泉水、井戸、水そうその他消防の用に供し得る水利についてその所有者、管理者又は占有者の承諾を得て、これを消防水利に指定して、常時使用可能の状態に置くことができる。

Article 21 (1) A fire chief or fire station chief may designate a pond, fountain, water well, water tank or any other water sources available for fire defense as water sources for fire defense, and keep them ready to use at all times, with the consent of the owner, manager or possessor thereof.

2 消防長又は消防署長は、前項の規定により指定をした消防水利には、総務省令で定

めるところにより、標識を掲げなければならない。

(2) A fire chief or fire station chief must, as provided for by Order of the Ministry of Internal Affairs and Communications, post a sign for the water sources for fire defense designated under the provisions of the preceding paragraph.

3 第一項の水利を変更し、撤去し、又は使用不能の状態に置こうとする者は、予め所轄消防長又は消防署長に届け出なければならない。

(3) A person who intends to make a change to or remove the water sources set forth in paragraph (1) or keep them in an unusable condition must notify the competent fire chief or fire station chief in advance.

第四章の二 消防の用に供する機械器具等の検定等

Chapter IV-2 Inspection, etc. of Machine or Tool, etc. Used for Fire Defense

第一節 検定対象機械器具等の検定

Section 1 Inspection of Machine or Tool, etc. Subject to Inspection

第二十一条の二 消防の用に供する機械器具若しくは設備、消火薬剤又は防火塗料、防火液その他の防火薬品（以下「消防の用に供する機械器具等」という。）のうち、一定の形状、構造、材質、成分及び性能（以下「形状等」という。）を有しないときは火災の予防若しくは警戒、消火又は人命の救助等のために重大な支障を生ずるおそれのあるものであり、かつ、その使用状況からみて当該形状等を有することについてあらかじめ検査を受ける必要があると認められるものであつて、政令で定めるもの（以下「検定対象機械器具等」という。）については、この節に定めるところにより検定をするものとする。

Article 21-2 (1) With regard to a machine, tool or equipment, fire extinguishing agent or fireproof paint, fireproofing solution or any other fireproofing agent (hereinafter referred to as a "machine or tool, etc. used for fire defense"), which is likely to seriously hinder any act of preventing or guarding against fire, fire extinguishing activities or rescuing human life, etc. if it does not have a certain shape, structure, materials, ingredients and performance (hereinafter referred to as a "shape, etc.") and is found, in light of the status of the use thereof, to be required to undergo an inspection before its use in terms of whether or not it has the shape, etc. and which is specified by Cabinet Order (hereinafter referred to as a "machine or tool, etc. subject to inspection"), an inspection is to be conducted as provided for in this Section.

2 この節において「型式承認」とは、検定対象機械器具等の型式に係る形状等が総務省令で定める検定対象機械器具等に係る技術上の規格に適合している旨の承認をいう。

(2) The term "model approval" as used in this Section means approval to the effect that the shape, etc. of the model of a machine or tool, etc. subject to inspection conforms to the technical specifications for the machine or tool, etc. subject to inspection specified by Order of the Ministry of Internal Affairs and Communications.

3 この節において「個別検定」とは、個々の検定対象機械器具等の形状等が型式承認を受けた検定対象機械器具等の型式に係る形状等と同一であるかどうかについて行う検定をいう。

(3) The term "lot inspection" as used in this Section means an inspection in terms of whether or not the shape, etc. of each individual machine or tool, etc. subject to inspection is identical to the shape, etc. of the model of the machine or tool, etc. subject to inspection for which model approval has been granted.

4 検定対象機械器具等は、第二十一条の九第一項（第二十一条の十一第三項において準用する場合を含む。以下この項において同じ。）の規定による表示が付されているものでなければ、販売し、又は販売の目的で陳列してはならず、また、検定対象機械器具等のうち消防の用に供する機械器具又は設備は、第二十一条の九第一項の規定による表示が付されているものでなければ、その設置、変更又は修理の請負に係る工事に使用してはならない。

(4) No machine or tool, etc. subject to inspection must be sold or displayed for sale unless a label as set forth in Article 21-9, paragraph (1) (including as applied mutatis mutandis pursuant to Article 21-11, paragraph (3); hereinafter the same applies in this paragraph) is affixed to it, and no machine or tool, etc. subject to inspection which is a machine or tool or equipment used for fire defense must be used for construction work under contract for the installation, change or repair thereof unless a label as set forth in Article 21-9, paragraph (1) is affixed to it.

第二十一条の三 型式承認を受けようとする者は、あらかじめ、日本消防検定協会（以下この節において「協会」という。）又は法人であつて総務大臣の登録を受けたものが行う検定対象機械器具等についての試験を受けなければならない。

Article 21-3 (1) A person who intends to obtain model approval must, in advance, undergo a test for a machine or tool, etc. subject to inspection conducted by the Japan Fire Equipment Inspection Institute (hereinafter referred to as the "Institute" in this Section) or a juridical person registered by the Minister of Internal Affairs and Communications.

2 前項の試験を受けようとする者は、総務省令で定めるところにより、申請書に総務省令で定める検定対象機械器具等の見本及び書類を添えて、協会又は同項の規定による登録を受けた法人に申請しなければならない。

(2) A person who intends to undergo a test set forth in the preceding paragraph must, as provided for by Order of the Ministry of Internal Affairs and Communications, apply to the Institute or a juridical person registered under the provisions of that paragraph by attaching, to a written application, a sample of a machine or tool, etc. subject to inspection and documents as specified by Order of the Ministry of Internal Affairs and Communications.

3 協会又は第一項の規定による登録を受けた法人は、前項の申請があつたときは、総務省令で定めるところにより、前条第二項に規定する技術上の規格に基づき、当該申

請に係る検定対象機械器具等についての試験を行い、その試験結果に意見を付してこれを前項の申請をした者に通知しなければならない。

- (3) Upon receiving the application set forth in the preceding paragraph, the Institute or a juridical person registered under the provisions of paragraph (1) must, as provided for by Order of the Ministry of Internal Affairs and Communications, conduct a test of a machine or tool, etc. subject to inspection for which the application has been filed, based on the technical specifications prescribed in paragraph (2) of the preceding Article, and give notice of the test result to the person who has filed the application set forth in the preceding paragraph, with its opinions on that result attached thereto.

第二十一条の四 前条第三項（第二十一条の十一第三項において準用する場合を含む。）の試験結果の通知を受けた者が型式承認を受けようとするときは、総務省令で定めるところにより、申請書に当該試験結果及び意見を記載した書面を添えて、総務大臣に申請しなければならない。

Article 21-4 (1) When a person who has received a notice of the test result set forth in paragraph (3) of the preceding Article (including as applied mutatis mutandis pursuant to Article 21-11, paragraph (3)) intends to obtain model approval, that person must, as provided for by Order of the Ministry of Internal Affairs and Communications, apply to the Minister of Internal Affairs and Communications by attaching, to a written application, a document stating the test result and their opinions on the result.

2 総務大臣は、前項の申請があつたときは、同項の試験結果及び意見を記載した書面により、当該申請に係る検定対象機械器具等の型式に係る形状等が第二十一条の二第二項に規定する技術上の規格に適合しているかどうかを審査し、当該形状等が同項に規定する技術上の規格に適合しているときは、当該型式について型式承認をしなければならない。

(2) Upon receiving the application set forth in the preceding paragraph, the Minister of Internal Affairs and Communications must examine, while referring to the document stating the test result and the applicant's opinions set forth in that paragraph, whether or not the shape, etc. of the model of the machine or tool, etc. subject to inspection for which the application has been filed conforms to the technical specifications prescribed in Article 21-2, paragraph (2), and if the Minister judges the shape, etc. to conform to the technical specifications prescribed in that paragraph, the Minister must grant model approval for that model.

3 総務大臣は、前項の規定により型式承認をしたときは、その旨を第一項の申請をした者に通知するとともに、公示しなければならない。

(3) When the Minister of Internal Affairs and Communications has granted model approval pursuant to the provisions of the preceding paragraph, the Minister must give notice to the person who has filed the application set forth

in paragraph (1) and also give public notice to that effect.

第二十一条の五 総務大臣は、第二十一条の二第二項に規定する技術上の規格が変更され、既に型式承認を受けた検定対象機械器具等の型式に係る形状等が当該変更後の同項に規定する技術上の規格に適合しないと認めるときは、当該型式承認の効力を失わせ、又は一定の期間が経過した後に当該型式承認の効力が失われることとするものとする。

Article 21-5 (1) If there has been any revision to the technical specifications prescribed in Article 21-2, paragraph (2) and the shape, etc. of a machine or tool, etc. subject to inspection for which model approval has already been granted is now found to fail to conform to the revised technical specifications prescribed in that paragraph, the Minister of Internal Affairs and Communications is to invalidate the model approval or decide to invalidate the model approval after the expiration of a certain period.

2 総務大臣は、前項の規定により、型式承認の効力を失わせたとき、又は一定の期間が経過した後に型式承認の効力が失われることとしたときは、その旨を公示するとともに、当該型式承認を受けた者に通知しなければならない。

(2) When the Minister of Internal Affairs and Communications has, pursuant to the provisions of the preceding paragraph, invalidated the model approval or decided to invalidate the model approval after the expiration of a certain period, the Minister must give public notice and also give notice to the person who obtained the model approval to that effect.

3 第一項の規定による処分は、前項の規定による公示によりその効力を生ずる。

(3) The disposition made under the provisions of paragraph (1) becomes effective when public notice thereof is given pursuant to the provisions of the preceding paragraph.

第二十一条の六 総務大臣は、型式承認を受けた者が次の各号のいずれかに該当するときは、当該型式承認の効力を失わせることができる。

Article 21-6 (1) When a person who has obtained model approval falls under any of the following items, the Minister of Internal Affairs and Communications may invalidate the model approval:

一 不正の手段により当該型式承認を受けたとき。

(i) when the person has obtained the model approval by wrongful means; or

二 正当な理由がなく、当該型式承認を受けた検定対象機械器具等に係る個別検定の申請を、当該型式承認をした旨の通知を受けた日から二年以内にしないとき、又は引き続き二年以上しないとき。

(ii) when the person, without reasonable grounds, has not filed an application for a lot inspection of the machine or tool, etc. subject to inspection for which the model approval was granted within two years after the day on which the person received a notice of the model approval, or does not file the

application for two consecutive years or more.

2 前条第二項の規定は前項の規定により型式承認の効力を失わせたときについて、同条第三項の規定は前項の規定による処分等の効力の発生について準用する。

(2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis where the model approval has been invalidated pursuant to the provisions of the preceding paragraph, and the provisions of paragraph (3) of that Article apply mutatis mutandis to the coming into effect of the disposition under the provisions of the preceding paragraph.

第二十一条の七 第二十一条の四第二項の規定により型式承認を受けた者が当該型式承認に係る検定対象機械器具等に係る個別検定を受けようとするときは、総務省令で定めるところにより、協会又は第二十一条の三第一項の規定による登録を受けた法人のうち当該型式承認に係る検定対象機械器具等についての試験を行ったものに申請しなければならない。

Article 21-7 When a person who has obtained model approval pursuant to the provisions of Article 21-4, paragraph (2) intends to undergo a lot inspection of the machine or tool, etc. subject to inspection for which the model approval has been granted, the person must, as provided for by Order of the Ministry of Internal Affairs and Communications, apply to the Institute or a juridical person registered under the provisions of Article 21-3, paragraph (1) which has conducted the test of the machine or tool, etc. subject to inspection through which the model approval has been granted.

第二十一条の八 協会又は第二十一条の三第一項の規定による登録を受けた法人は、前条の申請があつたときは、当該申請に係る検定対象機械器具等について個別検定を行い、当該申請に係る検定対象機械器具等の形状等が第二十一条の四第二項の規定により型式承認を受けた検定対象機械器具等の型式に係る形状等と同一であるときは、当該申請に係る検定対象機械器具等を、個別検定に合格したものとしなければならない。

Article 21-8 Upon receiving the application set forth in the preceding Article, the Institute or a juridical person registered under the provisions of Article 21-3, paragraph (1) must conduct a lot inspection of the machine or tool, etc. subject to inspection for which the application has been filed, and if the shape, etc. of the machine or tool, etc. subject to inspection for which the application has been filed is identical to the shape, etc. of the model of the machine or tool, etc. subject to inspection for which model approval has been granted under the provisions of Article 21-4, paragraph (2), the Institute or juridical person must have the machine or tool, etc. subject to inspection for which the application has been filed pass the lot inspection.

第二十一条の九 協会又は第二十一条の三第一項の規定による登録を受けた法人は、前条の規定により個別検定に合格した検定対象機械器具等に、総務省令で定めるところ

により、当該検定対象機械器具等の型式は第二十一条の四第二項の規定により型式承認を受けたものであり、かつ、当該検定対象機械器具等は前条の規定により個別検定に合格したものである旨の表示を付さなければならない。

Article 21-9 (1) The Institute or a juridical person registered under the provisions of Article 21-3, paragraph (1) must, as provided for by Order of the Ministry of Internal Affairs and Communications, affix a label to the machine or tool, etc. subject to inspection that has passed a lot inspection under the provisions of the preceding Article, in order to indicate that the model of the machine or tool, etc. subject to inspection has been granted model approval under the provisions of Article 21-4, paragraph (2) and that the machine or tool, etc. subject to inspection has passed a lot inspection under the provisions of the preceding Article.

2 何人も、消防の用に供する機械器具等に、前項に規定する場合を除くほか同項の表示を付してはならず、又は同項の表示と紛らわしい表示を付してはならない。

(2) Except in the case prescribed in the preceding paragraph, it is prohibited for any person to affix a label set forth in that paragraph or any label confusingly similar to a label set forth in that paragraph to any machine or tool, etc. used for fire defense.

第二十一条の十 型式承認の効力が第二十一条の五第一項の規定による型式承認の効力を失わせる処分、同項に規定する期間の経過又は第二十一条の六第一項の規定による処分により失われたときは、当該型式承認に係る検定対象機械器具等に係る協会又は第二十一条の三第一項の規定による登録を受けた法人の既に行つた個別検定の合格の効力は、失われるものとする。

Article 21-10 When the model approval has lost its effect due to a disposition to invalidate the model approval under the provisions of Article 21-5, paragraph (1) or the expiration of the period set forth in that paragraph or due to a disposition under the provisions of Article 21-6, paragraph (1), the decision already made by the Institute or juridical person registered under the provisions of Article 21-3, paragraph (1) to have the machine or tool, etc. subject to inspection for which the model approval has been granted pass a lot inspection is to lose its effect.

第二十一条の十一 総務大臣は、協会又は第二十一条の三第一項の規定による登録を受けた法人が、検定対象機械器具等についての試験又は個別検定を行う機能の全部又は一部を喪失したことにより、当該試験又は個別検定に関する業務を行うことが困難となつた場合において、特別の必要があると認めるときは、型式承認を受けようとする者の申請に基づき検定対象機械器具等についての試験を行い、又は型式承認を受けた者で個別検定を受けようとするものの申請に基づき検定対象機械器具等の個別検定を行うことができる。

Article 21-11 (1) Where the Institute or a juridical person registered under the

provisions of Article 21-3, paragraph (1) is no longer, in whole or in part, capable of conducting a test or lot inspection of a machine or tool, etc. subject to inspection and it has become difficult for the Institute or juridical person to conduct the operations for that test or lot inspection, and the Minister of Internal Affairs and Communications finds it particularly necessary, the Minister may conduct the test of a machine or tool, etc. subject to inspection based on an application from a person who intends to obtain model approval, or conduct a lot inspection of a machine or tool, etc. subject to inspection based on an application from a person who has obtained model approval and intends to undergo a lot inspection.

2 総務大臣は、前項の規定により試験又は個別検定を行う場合は、あらかじめ、当該試験又は個別検定を行う検定対象機械器具等の種類及び当該試験又は個別検定を行う期間を公示しなければならない。

(2) Where the Minister of Internal Affairs and Communications conducts a test or lot inspection pursuant to the provisions of the preceding paragraph, the Minister must, in advance, give public notice of the type of machine or tool, etc. subject to inspection for which the Minister will conduct the test or lot inspection, and the period during which the Minister will conduct the test and lot inspection

3 第二十一条の三第二項及び第三項の規定は第一項の規定により総務大臣が試験を行う場合に、第二十一条の七、第二十一条の八及び第二十一条の九の規定は同項の規定により総務大臣が検定対象機械器具等の個別検定を行う場合に、前条の規定は同項の規定により総務大臣が行った個別検定の合格の効力について準用する。

(3) The provisions of Article 21-3, paragraph (2) and paragraph (3) apply *mutatis mutandis* where the Minister of Internal Affairs and Communications conducts a test pursuant to the provisions of paragraph (1), the provisions of Article 21-7, Article 21-8 and Article 21-9 apply *mutatis mutandis* where the Minister of Internal Affairs and Communications conducts a lot inspection of a machine or tool, etc. subject to inspection pursuant to the provisions of that paragraph, and the provisions of the preceding Article apply *mutatis mutandis* to the validity of the passing of a lot inspection decided on by the Minister of Internal Affairs and Communications.

4 協会は、第二項の規定により公示された期間中は、同項の規定により公示された種類の検定対象機械器具等については、試験を行い、又は個別検定をすることができない。

(4) During the period specified in public notice under the provisions of paragraph (2), the Institute may not conduct a test or lot inspection of the type of the machine or tool, etc. subject to inspection which is designated by public notice under the provisions of that paragraph.

第二十一条の十二 総務大臣は、第二十一条の九第一項（前条第三項において準用する

場合を含む。以下この条において同じ。)の規定による表示が付されている検定対象機械器具等で第二十一条の十(前条第三項において準用する場合を含む。)の規定によりその個別検定の合格の効力が失われたもの又は消防の用に供する機械器具等で第二十一条の九第一項の規定によらないで同項の表示が付されているもの若しくは同項の表示と紛らわしい表示が付されているもののうち、消防の用に供する機械器具等の販売を業とする者又は消防の用に供する機械器具若しくは設備の設置、変更若しくは修理の請負に係る工事を業とする者(以下「販売業者等」という。)の事務所、事業所又は倉庫にあるものについて、その職員に当該表示を除去させ、又はこれに消印を付させることができる。

Article 21-12 Upon finding any machine or tool, etc. subject to inspection to which a label is affixed under the provisions of Article 21-9, paragraph (1) (including as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article; hereinafter the same applies in this Article) and where the passing of a lot inspection has lost its effect under the provisions of Article 21-10 (including as applied mutatis mutandis pursuant to paragraph (3) of the preceding Article), or any machine or tool, etc. used for fire defense to which a label as set forth in Article 21-9, paragraph (1) is affixed without complying with the provisions of that paragraph or to which a label confusingly similar to a label as set forth in that paragraph is affixed, if that machine or tool, etc. is located in the office, place of business or warehouse of a person engaged in the business of selling a machine or tool, etc. used for fire defense or person engaged in the business of conducting construction work under contract for the installation, change or repair of a machine or tool or equipment used for fire defense (hereinafter referred to as a "seller, etc."), the Minister of Internal Affairs and Communications may have their official remove that label or affix a cancellation mark thereon.

第二十一条の十三 総務大臣は、前条に規定する権限を行使するために必要な限度において、販売業者等に対してその業務に関し報告をさせ、又はその職員に販売業者等の事務所、事業所若しくは倉庫に立ち入り、消防の用に供する機械器具等、帳簿、書類その他の物件を検査させ、若しくは関係のある者に質問させることができる。

Article 21-13 (1) The Minister of Internal Affairs and Communications may, to the extent necessary for exercising the authority prescribed in the preceding Article, have a seller, etc. make reports on the business thereof, or have their official enter the office, place of business or warehouse of a seller, etc. and inspect the status of the machine or tool, etc. used for fire defense, books, documents and any other objects or ask questions of any related person.

2 前項の職員は、同項の規定により立ち入る場合においては、その身分を示す証明書を関係のある者に提示しなければならない。

(2) When an officer set forth in the preceding paragraph enters the place under the provisions of the preceding paragraph, that officer must carry thier

identification card and present it to any relevant person.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be construed to be vested for the purpose of crime investigation.

第二十一条の十四 削除

Article 21-14 Deleted

第二十一条の十五 第二十一条の十一第一項の規定により総務大臣の行う試験又は個別検定を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の手数料を納付しなければならない。

Article 21-15 (1) A person who intends to undergo a test or lot inspection conducted by the Minister of Internal Affairs and Communications pursuant to the provisions of Article 21-11, paragraph (1) must, as provided for by Cabinet Order, pay the amount of fees which is specified by Cabinet Order in consideration of the actual costs.

2 前項の手数料は、総務大臣の行う試験又は個別検定に係るものについては国庫の収入とする。

(2) The fees set forth in the preceding paragraph, which pertain to a test or lot inspection conducted by the Minister of Internal Affairs and Communications, are the revenue for the national treasury.

第二十一条の十六 協会又は第二十一条の三第一項の規定による登録を受けた法人の行う個別検定に関する処分に不服がある者は、総務大臣に対して行政不服審査法による審査請求をすることができる。

Article 21-16 A request for an administrative review under the Administrative Complaint Reivew Act may be filed with the Minister of Internal Affairs and Communications against a disposition on a lot inspection made by the Institute or a juridical person registered under the provisions of Article 21-3, paragraph (1).

第二節 自主表示対象機械器具等の表示等

Section 2 Labeling, etc. for Machine or Tool, etc. Subject to Self-Labeling

第二十一条の十六の二 検定対象機械器具等以外の消防の用に供する機械器具等のうち、一定の形状等を有しないときは火災の予防若しくは警戒、消火又は人命の救助等のために重大な支障を生ずるおそれのあるものであつて、政令で定めるもの（以下「自主表示対象機械器具等」という。）は、次条第一項の規定による表示が付されているものでなければ、販売し、又は販売の目的で陳列してはならず、また、自主表示対象機

械器具等のうち消防の用に供する機械器具又は設備は、同項の規定による表示が付されているものでなければ、その設置、変更又は修理の請負に係る工事に使用してはならない。

Article 21-16-2 No machine or tool, etc. used for fire defense, other than a machine or tool, etc. subject to inspection, which is likely to seriously hinder the prevention of or guard against fire, fire extinguishing activities or rescue of human life, etc. if it does not have a certain shape, etc. and which is specified by Cabinet Order (hereinafter referred to as a "machine or tool, etc. subject to self-labeling"), must be sold or displayed for sale unless a label set forth in paragraph (1) of the following Article is affixed to it, and no machine or tool, etc. subject to self-labeling which is a machine or tool or equipment used for fire defense must be used for construction work under contract for the installation, change or repair thereof unless a label set forth in that paragraph is affixed to it.

第二十一条の十六の三 自主表示対象機械器具等の製造又は輸入を業とする者は、当該自主表示対象機械器具等でその形状等が総務省令で定める自主表示対象機械器具等に係る技術上の規格に適合するものに、総務省令で定めるところにより、当該技術上の規格に適合するものである旨の表示を付することができる。

Article 21-16-3 (1) A person engaged in the business of manufacturing or importing a machine or tool, etc. subject to self-labeling may, as provided for by Order of the Ministry of Internal Affairs and Communications, affix a label to the machine or tool, etc. subject to self-labeling whose shape, etc. conforms to the technical specifications for the machine or tool, etc. subject to self-labeling which are specified by Order of the Ministry of Internal Affairs and Communications, in order to indicate that the machine or tool, etc. conforms to those technical specifications.

2 何人も、消防の用に供する機械器具等に、前項に規定する場合を除くほか同項の表示を付してはならず、又は同項の表示と紛らわしい表示を付してはならない。

(2) Except in the case prescribed in the preceding paragraph, no person must affix a label set forth in that paragraph or any label confusingly similar to a label set forth in that paragraph to any machine or tool, etc. used for fire defense.

第二十一条の十六の四 自主表示対象機械器具等の製造又は輸入を業とする者は、当該自主表示対象機械器具等に前条第一項の表示を付そうとするときは、あらかじめ、総務省令で定めるところにより、次に掲げる事項を総務大臣に届け出なければならない。

Article 21-16-4 (1) When a person engaged in the business of manufacturing or importing a machine or tool, etc. subject to self-labeling intends to affix a label set forth in paragraph (1) of the preceding Article to the machine or tool, etc. subject to self-labeling, that person must, in advance, notify the Minister of

Internal Affairs and Communications of the following matters, as provided for by Order of the Ministry of Internal Affairs and Communications:

一 氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

(i) their name and address, and if the person is a juridical person, the name of its representative; and

二 当該自主表示対象機械器具等の種類その他の総務省令で定める事項

(ii) the type of the machine or tool, etc. subject to self-labeling and other matters specified by Order of the Ministry of Internal Affairs and Communications.

2 前項の規定による届出を行つた者は、同項各号に掲げる事項に変更があつたとき、又は自主表示対象機械器具等の製造若しくは輸入の事業を廃止したときは、遅滞なく、その旨を、総務省令で定めるところにより、総務大臣に届け出なければならない。

(2) A person who has made a notification under the provisions of the preceding paragraph must, when there has been a change to any of the matters listed in the items of that paragraph or when that person has abolished the business of manufacturing or importing a machine or tool, etc. subject to self-labeling, notify the Minister of Internal Affairs and Communications to that effect without delay, as provided for by Order of the Ministry of Internal Affairs and Communications.

第二十一条の十六の五 総務大臣は、消防の用に供する機械器具等で第二十一条の十六の三第一項の規定によらないで同項の表示が付されているもの又は同項の表示と紛らわしい表示が付されているもののうち、販売業者等の事務所、事業所又は倉庫にあるものについて、当該販売業者等に対し、当該表示を除去し、又はこれに消印を付すべきことを命ずることができる。

Article 21-16-5 Upon finding any machine or tool, etc. used for fire defense to which a label set forth in Article 21-16-3, paragraph (1) is affixed without complying with the provisions of that paragraph or to which a label confusingly similar to a label set forth in that paragraph is affixed, if the machine or tool, etc. is located in the office, place of business or warehouse of a seller, etc., the Minister of Internal Affairs and Communications may order the seller, etc. to remove the label or affix a cancellation mark thereon.

第二十一条の十六の六 総務大臣は、前条に規定する権限を行使するために必要な限度において、販売業者等に対してその業務に関し報告をさせ、又はその職員に販売業者等の事務所、事業所若しくは倉庫に立ち入り、消防の用に供する機械器具等、帳簿、書類その他の物件を検査させ、若しくは関係のある者に質問させることができる。

Article 21-16-6 (1) The Minister of Internal Affairs and Communications may, to the extent necessary for exercising the authority prescribed in the preceding Article, have a seller, etc. make reports on the business thereof, or have their official enter the office, place of business or warehouse of a seller, etc. and

inspect the status of the machine or tool, etc. used for fire defense, books, documents and any other objects or ask questions of any related person.

2 前項の職員は、同項の規定により立ち入る場合においては、その身分を示す証明書を関係のある者に提示しなければならない。

(2) When an officer set forth in the preceding paragraph enters the place under the provisions of the preceding paragraph, that officer must carry their identification card and present it to any relevant person.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be construed to be vested for the purpose of crime investigation.

第四章の三 日本消防検定協会等

Chapter IV-3 Japan Fire Equipment Inspection Institute, etc.

第一節 日本消防検定協会

Section 1 Japan Fire Equipment Inspection Institute

第一款 総則

Subsection 1 General Provisions

第二十一条の十七 日本消防検定協会は、検定対象機械器具等についての試験及び個別検定、特殊消防用設備等の性能に関する評価並びに消防の用に供する機械器具等に関する研究、調査及び試験等を行い、もつて火災その他の災害による被害の軽減に資することを目的とする。

Article 21-17 The purpose of the Japan Fire Equipment Inspection Institute is to conduct a test and lot inspection of a machine or tool, etc. subject to inspection, an evaluation of the performance of special fire defense equipment, etc., and research, investigations, tests or the like concerning a machine or tool, etc. used for fire defense, thereby contributing to the mitigation of damage arising from fires and other disasters.

第二十一条の十八 日本消防検定協会（以下この節において「協会」という。）は、法人とする。

Article 21-18 The Japan Fire Equipment Inspection Institute (hereinafter referred to as the "Institute" in this Section) is a juridical person.

第二十一条の十九 協会は、主たる事務所を東京都に置く。

Article 21-19 (1) The Institute has its principal office in Tokyo.

2 協会は、必要な地に従たる事務所を置くことができる。

(2) The Institute may have its secondary offices in other places as necessary.

第二十一条の二十 協会の定款には、次の事項を記載しなければならない。

Article 21-20 (1) The articles of incorporation of the Institute must specify the following matters:

一 目的

(i) the purpose;

二 名称

(ii) the name;

三 事務所の所在地

(iii) the location of each office;

四 役員の定数、任期、選任の方法その他の役員に関する事項

(iv) the number, term of office and appointment method of officers and other matters concerning officers;

五 評議員会に関する事項

(v) the matters concerning the board of councilors;

六 業務及びその執行に関する事項

(vi) the matters concerning the operations and execution thereof;

七 財務及び会計に関する事項

(vii) the matters concerning the finance and accounting;

八 定款の変更に関する事項

(viii) the matters concerning the amendment of the articles of incorporation;
and

九 公告の方法

(ix) the method of giving public notice.

2 協会の定款の作成又は変更は、総務大臣の認可を受けなければ、その効力を生じない。

(2) The amendment of the articles of incorporation of the Institute does not become effective unless authorized by the Minister of Internal Affairs and Communications.

第二十一条の二十一 協会は、政令で定めるところにより、登記しなければならない。

Article 21-21 (1) The Institute must complete registration as provided for by Cabinet Order.

2 前項の規定により登記しなければならない事項は、登記の後でなければ、これをもって第三者に対抗することができない。

(2) The matters that must be registered under the provisions of the preceding paragraph may not be duly asserted against a third party until after they have been registered.

第二十一条の二十二 協会でない者は、日本消防検定協会という名称を用いてはならない。

Article 21-22 No person other than the Institute must use the name "Japan Fire

Equipment Inspection Institute."

第二十一条の二十三 一般社団法人及び一般財団法人に関する法律第四条及び第七十八条の規定は、協会について準用する。

Article 21-23 The provisions of Article 4 and Article 78 of the Act on General Incorporated Associations and General Incorporated Foundations apply mutatis mutandis to the Institute.

第二款 役員等

Subsection 2 Officers, etc.

第二十一条の二十四 協会に、役員として、理事長、理事及び監事を置く。

Article 21-24 The Institute has a president, directors and auditors as its officers.

第二十一条の二十五 理事長は、協会を代表し、その業務を総理する。

Article 21-25 (1) The president represents the Institute and presides over its operations.

2 理事は、理事長の定めるところにより、理事長を補佐して協会の業務を掌理し、理事長に事故があるときはその職務を代理し、理事長が欠員のときはその職務を行なう。

(2) The directors, as provided for by the president, administers the operations of the Institute while assisting the president, performs the duties of the president in the directors' place when the president is unable to carry out its duties, and perform the duties of the president when the post is vacant.

3 監事は、協会の業務を監査する。

(3) The auditors audit the operations of the Institute.

4 監事は、監査の結果に基づき、必要があると認めるときは、理事長又は総務大臣に意見を提出することができる。

(4) The auditors may submit their opinions to the president or to the Minister of Internal Affairs and Communications when they find it necessary based on the audit results.

第二十一条の二十六 役員を選任及び解任は、総務大臣の認可を受けなければ、その効力を生じない。

Article 21-26 The appointment and dismissal of an officer does not become effective unless authorized by the Minister of Internal Affairs and Communications.

第二十一条の二十七 次の各号の一に該当する者は、役員となることができない。

Article 21-27 A person who falls under any of the following items may not become an officer:

一 政府又は地方公共団体の職員（非常勤の者を除く。）

(i) an employee of the national government or a local government (excluding a part-time employee);

二 販売業者等又はこれらの者が法人であるときはその役員（いかなる名称によるかを問わず、これと同等以上の職権又は支配力を有する者を含む。）

(ii) a seller, etc., or in cases where a seller, etc. is a juridical person, its officer (including a person who has the same or a greater level of authority or control than an officer, irrespective of its title); or

三 販売業者等の団体の役員（いかなる名称によるかを問わず、これと同等以上の職権又は支配力を有する者を含む。）

(iii) an officer of an association of sellers, etc. (including a person who has the same or a greater level of authority or control than an officer, irrespective of its title).

第二十一条の二十八 協会は、役員が前条各号の一に該当するに至つたときは、その役員を解任しなければならない。

Article 21-28 When an officer has come to fall under any of the items of the preceding Article, the Institute must dismiss that officer.

第二十一条の二十九 総務大臣は、役員が、この法律（この法律に基づく命令又は処分を含む。）、定款若しくは業務方法書に違反する行為をしたとき、又は協会の業務に関し著しく不適当な行為をしたときは、協会に対し、期間を指定して、その役員を解任すべきことを命ずることができる。

Article 21-29 (1) When an officer has committed an act in violation of this Act (including orders or dispositions under this Act), the articles of incorporation or an operational method statement, or committed a highly inappropriate act in connection with the operations of the Institute, the Minister of Internal Affairs and Communications may specify a period and order the Institute to dismiss that officer within that period.

2 総務大臣は、役員が第二十一条の二十七各号の一に該当するに至つた場合において協会がその役員を解任しないとき、又は協会が前項の規定による命令に従わなかつたときは、当該役員を解任することができる。

(2) Where an officer has come to fall under any of the items of Article 21-27, if the Institute does not dismiss the officer or the Institute does not comply with the order issued under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications may dismiss the officer.

第二十一条の三十 役員は、営利を目的とする団体の役員となり、又は自ら営利事業に従事してはならない。ただし、非常勤の役員にあつては、総務大臣の承認を受けたときは、この限りでない。

Article 21-30 An officer must not become an officer of any profit-oriented association or engage themselves in any business for profit; provided, however,

that this does not apply to a part-time officer who has obtained approval to do so from the Minister of Internal Affairs and Communications.

第二十一条の三十一 協会と理事長との利益が相反する事項については、理事長は、代表権を有しない。この場合には、監事が協会を代表する。

Article 21-31 The president does not have the right to represent the Institute with regard to any matters whereby the interests of the Institute and the interests of the president conflict with each other. In this case, an auditor represents the Institute.

第二十一条の三十二 理事長は、理事又は協会の職員のうちから、協会の従たる事務所の業務に関し一切の裁判上又は裁判外の行為をする権限を有する代理人を選任することができる。

Article 21-32 The president may appoint an agent, from among the directors or employees of the Institute, who has the authority to act in or out of court on behalf of the Institute with regard to the operations conducted at the Institute's secondary offices.

第二十一条の三十二の二 協会に、その運営に関する重要事項を審議する機関として、評議員会を置く。

Article 21-32-2 (1) The Institute has a board of councilors as its organ in charge of deliberating important matters concerning its administration.

2 評議員会は、評議員十人以内で組織する。

(2) The board of councilors consist of not more than ten councilors.

3 評議員は、協会の業務の適正な運営に必要な学識経験を有する者の中から、総務大臣の認可を受けて、理事長が任命する。

(3) The councilors are appointed by the president, with the authorization of the Minister of Internal Affairs and Communications, from among persons with the relevant expertise necessary for the proper administration of the operations of the Institute.

第二十一条の三十三 協会の職員は、理事長が任命する。

Article 21-33 Employees of the Institute are appointed by the president.

第二十一条の三十四 協会の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密をもらし、又は盗用してはならない。

Article 21-34 Officers or employees of the Institute or persons who have held those posts must not divulge or misappropriate any secret that they have come to know in the course of performing their duties.

第二十一条の三十五 協会の役員及び職員は、刑法その他の罰則の適用については、法

令により公務に従事する職員とみなす。

Article 21-35 With regard to the application of the Penal Code and other penal provisions, officers and employees of the Institute are deemed to be personnel engaged in public service under laws and regulations.

第三款 業務

Subsection 3 Operations

第二十一条の三十六 協会は、第二十一条の十七の目的を達成するため、次の業務を行う。

Article 21-36 (1) In order to achieve the purpose set forth in Article 21-17, the Institute conducts the following operations:

一 第二十一条の三の規定により検定対象機械器具等についての試験を行うこと。

(i) conducting a test of a machine or tool, etc. subject to inspection pursuant to the provisions of Article 21-3;

二 第二十一条の八の規定により個別検定を行うこと。

(ii) conducting a lot inspection pursuant to the provisions of Article 21-8;

三 第十七条の二第一項の規定により特殊消防用設備等の性能に関する評価を行うこと。

(iii) conducting an evaluation of the performance of special fire defense equipment, etc. pursuant to the provisions of Article 17-2, paragraph (1);

四 検定対象機械器具等に関する技術的な事項について総務大臣に意見を申し出ること。

(iv) stating opinions to the Minister of Internal Affairs and Communications with regard to the technical matters concerning a machine or tool, etc. subject to inspection;

五 消防の用に供する機械器具等に関する研究、調査及び試験を行うこと。

(v) conducting research, investigations and tests concerning a machine or tool, etc. used for fire defense;

六 消防の用に供する機械器具等の鑑定を行うこと。

(vi) conducting an appraisal of a machine or tool, etc. used for fire defense;

七 前各号に掲げる業務に附帯する業務を行うこと。

(vii) conducting operations incidental to those listed in the preceding items; and

八 前各号に掲げるもののほか、第二十一条の十七の目的を達成するために必要な業務を行うこと。

(viii) beyond what is set forth in each of the preceding items, conducting other operations necessary for achieving the purpose set forth in Article 21-17.

2 協会は、前項第八号に掲げる業務を行おうとするときは、総務大臣の認可を受けなければならない。

(2) The Institute must obtain authorization from the Minister of Internal Affairs

and Communications when it intends to conduct the operations listed in item (viii) of the preceding paragraph.

3 協会は、第一項の業務を行うほか、当該業務の円滑な遂行に支障のない範囲において、総務大臣の認可を受けて、同項の業務を行うために有する機械設備又は技術を活用して行う研究、調査、試験等の業務その他協会が行うことが適切であると認められる業務を行うことができる。

(3) In addition to conducting the operations set forth in paragraph (1), the Institute may, to the extent that it will not hinder the smooth execution of those operations, conduct research, investigations, tests or the like by using the machinery and equipment or technology that it owns for the purpose of conducting the operations set forth in that paragraph, and conduct other operations where it is found appropriate for the Institute to do so, with the authorization of the Minister of Internal Affairs and Communications.

第二十一条の三十七 協会は、業務の開始の際、業務方法書を作成し、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 21-37 (1) The Institute must, upon commencing the operations, prepare a statement of operational procedures and obtain authorization from the Minister of Internal Affairs and Communications. The same applies when it intends to revise the statement.

2 前項の業務方法書に記載すべき事項は、総務省令で定める。

(2) The matters to be included in the operational method statement set forth in the preceding paragraph are specified by Order of the Ministry of Internal Affairs and Communications.

第四款 財務及び会計

Subsection 4 Finance and Accounting

第二十一条の三十八 協会の事業年度は、毎年四月一日に始まり、翌年三月三十一日に終わる。

Article 21-38 The business year of the Institute commences on April 1 of each year and end on March 31 of the following year.

第二十一条の三十九 協会は、毎事業年度、予算及び事業計画を作成し、当該事業年度の開始前に、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 21-39 The Institute must prepare a budget and business plan for each business year, and obtain authorization from the Minister of Internal Affairs and Communications prior to the commencement of the business year. The same applies when the Association intends to revise the budget and business plan.

第二十一条の四十 協会は、毎事業年度、財産目録、貸借対照表及び損益計算書（次項において「財務諸表」という。）を作成し、当該事業年度の終了後三月以内に総務大臣に提出しなければならない。

Article 21-40 (1) The Institute must prepare an inventory of assets, a balance sheet and profit and loss statement (referred to as "financial statements" in the following paragraph) for each business year, and submit them to the Minister of Internal Affairs and Communications within three months after the end of the business year.

2 協会は、前項の規定により財務諸表を総務大臣に提出するときは、これに当該事業年度の事業報告書及び予算の区分に従い作成した決算報告書を添え、並びに財務諸表及び決算報告書に関する監事の意見をつけなければならない。

(2) When the Institute submits financial statements to the Minister of Internal Affairs and Communications pursuant to the provisions of the preceding paragraph, it must attach the business report of the business year and the statement of accounts prepared according to the budgetary categories as well as the auditors' written opinions regarding the financial statements and statement of accounts.

第二十一条の四十一 この法律に規定するもののほか、協会の財務及び会計に関し必要な事項は、総務省令で定める。

Article 21-41 Beyond what is provided for in this Act, the necessary matters concerning the finance and accounting of the Institute are prescribed by Order of the Ministry of Internal Affairs and Communications.

第五款 監督

Subsection 5 Supervision

第二十一条の四十二 協会は、総務大臣が監督する。

Article 21-42 (1) The Institute is supervised by the Minister of Internal Affairs and Communications.

2 総務大臣は、この章の規定を施行するため必要があると認めるときは、協会に対して、その業務に関し監督上必要な命令をすることができる。

(2) When the Minister of Internal Affairs and Communications finds it necessary in order to enforce the provisions of this Chapter, that Minister may issue to the Institute an order necessary for the supervision of its operations.

第二十一条の四十三 総務大臣は、この章の規定を施行するため必要があると認めるときは、協会に対してその業務に関し報告をさせ、又はその職員に協会の事務所その他の事業所に立ち入り、業務の状況若しくは帳簿、書類その他の必要な物件を検査させることができる。

Article 21-43 (1) When the Minister of Internal Affairs and Communications finds it necessary in order to enforce the provisions of this Chapter, that Minister may have the Institute make reports on its operations, or have their official enter the Institute's office or other place of business and inspect the status of the operations or its books, documents and any other necessary objects.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係のある者に提示しなければならない。

(2) An officer who conducts an on-site inspection under the provisions of the preceding paragraph must carry their identification card and present it to any relevant person.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be construed to be vested for the purpose of crime investigation.

第六款 雑則

Subsection 6 Miscellaneous Provisions

第二十一条の四十四 協会の解散については、別に法律で定める。

Article 21-44 The dissolution of the Institute is provided for separately by an Act.

第二節 登録検定機関

Section 2 Registered Inspection Body

第二十一条の四十五 第十七条の二第一項又は第二十一条の三第一項の規定による登録（以下この節において単に「登録」という。）は、次に掲げる業務の区分ごとに、特殊消防用設備等の性能に関する評価並びに検定対象機械器具等についての試験及び個別検定（以下この節において「検定等」という。）を行おうとする法人の申請により行う。

Article 21-45 A registration under the provisions of Article 17-2, paragraph (1) or Article 21-3, paragraph (1) (hereinafter simply referred to as a "registration" in this Section) is made upon application from a juridical person which intends to conduct an evaluation of the performance of special fire defense equipment, etc. and a test and lot inspection of a machine or tool, etc. subject to inspection (hereinafter referred to as an "inspection, etc." in this Section), for each category of operation listed in the following:

一 特殊消防用設備等の性能に関する評価を行う業務

(i) conducting an evaluation of the performance of special fire defense equipment, etc.;

- 二 消火に係る検定対象機械器具等についての試験及び個別検定を行う業務
(ii) conducting a test and lot inspection of a machine or tool, etc. subject to inspection which is intended for fire extinguishing;
- 三 火災の感知及び警報に係る検定対象機械器具等（前号に掲げるものを除く。）についての試験及び個別検定を行う業務
(iii) conducting a test and lot inspection of a machine or tool, etc. subject to inspection which is intended for fire detection and alarms (excluding those listed in the preceding item); and
- 四 人命の救助に係る検定対象機械器具等その他の検定対象機械器具等（前二号に掲げるものを除く。）についての試験及び個別検定を行う業務
(iv) conducting a test and lot inspection of a machine or tool, etc. subject to inspection which is intended for the rescue of human life and any other machine or tool, etc. subject to inspection (excluding those listed in the preceding two items).

第二十一条の四十六 総務大臣は、前条の規定により登録を申請した者（以下この項において「登録申請者」という。）が次の要件を満たしているときは、登録をしなければならない。この場合において、登録に関して必要な手続は、総務省令で定める。

Article 21-46 (1) The Minister of Internal Affairs and Communications must register a person who has applied for registration under the provisions of the preceding Article (hereinafter referred to as an "applicant for registration") if the applicant satisfies the following requirements. In this case, the necessary registration procedure is specified by Order of the Ministry of Internal Affairs and Communications:

- 一 別表第二の上欄に掲げる業務の区分に応じ、それぞれ同表の下欄に掲げる条件に適合する者を有していること。
(i) the applicant for registration has personnel who conform to the conditions specified in the right-hand column of Appended Table 2 according to the categories of operations listed in the left-hand column of that table;
- 二 別表第三の上欄に掲げる業務の区分に応じ、それぞれ同表の下欄に掲げる機械器具その他の設備を保有していること。
(ii) the applicant for registration holds the machine or tool and other equipment specified in the right-hand column of Appended Table 3 according to the categories of operations listed in the left-hand column of that table;
- 三 登録申請者が、第十七条の二第一項の規定により性能評価を受けなければならないこととされる特殊消防用設備等又は第二十一条の三第一項の規定により試験を受けなければならないこととされる検定対象機械器具等を設計し、製造し、加工し、又は販売し、若しくは販売の目的で陳列する事業者（以下この号及び第二十一条の五十二第三項において「事業者」という。）に支配されているものとして次のいずれかに該当するものでないこと。
(iii) the registration applicant, as a person controlled by a business operator

engaged in designing, manufacturing, processing or selling or displaying for sale special fire defense equipment, etc. which must undergo a performance evaluation under the provisions of Article 17-2, paragraph (1) or machine or tool, etc. subject to inspection which must undergo a test under the provisions of Article 21-3, paragraph (1) (hereinafter referred to as a "business operator" in this item and Article 21-52, paragraph (3)), falls under none of the following:

イ 登録申請者が株式会社である場合にあつては、事業者がその親法人（会社法（平成十七年法律第八十六号）第八百七十九条第一項に規定する親法人をいう。）であること。

(a) where the registration applicant is a stock company, the business operator is the company's parent juridical person (meaning a parent juridical person prescribed in Article 879, paragraph (1) of the Companies Act (Act No. 86 of 2005));

ロ 登録申請者の役員（持分会社（会社法第五百七十五条第一項に規定する持分会社をいう。）にあつては、業務を執行する社員）に占める事業者の役員又は職員（過去二年間に当該事業者の役員又は職員であつた者を含む。）の割合が二分の一を超えていること。

(b) more than half of the officers (in the case of a membership company (meaning a membership company prescribed in Article 575, paragraph (1) of the Companies Act), the members executing the business) of the registration applicant are officers or employees of the business operator (including persons who have been officers or employees of the business operator in the past two years); or

ハ 登録申請者の代表権を有する役員が、事業者の役員又は職員（過去二年間に当該事業者の役員又は職員であつた者を含む。）であること。

(c) the representative officer of the registration applicant is an officer or employee of the business operator (including a person who has been an officer or employee of the business operator in the past two years); and

四 検定等の業務を適正に行うために必要なものとして、次に掲げる基準に適合するものであること。

(iv) the applicant for registration conforms to the following standards as required for properly conducting the operations of an inspection, etc.:

イ 検定等の業務を行う部門に前条各号に掲げる業務の区分ごとにそれぞれ専任の管理者を置くこと。

(a) full-time managers are assigned to the departments in charge of conducting the operations of an inspection, etc. for the respective categories of operations listed in the items of the preceding Article;

ロ 検定等の業務の管理及び精度の確保に関する文書が作成されていること。

(b) documents have been prepared for managing the operations of an inspection, etc. and ensuring the accuracy thereof; and

ハ ロに掲げる文書に記載されたところに従い検定等の業務の管理及び精度の確保を行う専任の部門を置くこと。

(c) a specialized department in charge of managing the operations of an inspection, etc. and ensuring the accuracy thereof is established as stated in the documents listed in (b).

2 総務大臣は、前条の規定による申請をした法人が次の各号のいずれかに該当するときは、登録をしてはならない。

(2) The Minister of Internal Affairs and Communications must not register a juridical person which has filed an application under the provisions of the preceding Article if the juridical person falls under any of the following items:

一 その法人又はその業務を行う役員がこの法律又はこの法律に基づく命令に違反して、刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して二年を経過しない法人であること。

(i) the juridical person or its officer executing the business was sentenced to punishment for violating this Act or any order under this Act, where a period of two years has not elapsed from the day on which the execution of the sentence was completed or that person or officer became free from the execution of the sentence;

二 第二十一条の五十七第一項又は第二項の規定により登録を取り消され、その取消の日から起算して二年を経過しない法人であること。

(ii) the juridical person's registration was rescinded pursuant to the provisions of Article 21-57, paragraph (1) or paragraph (2), where a period of two years has not elapsed from the date of the rescission; or

三 第二十一条の五十七第一項又は第二項の規定による登録の取消の日前三十日以内にその取消しに係る法人の業務を行う役員であつた者でその取消の日から二年を経過しないものがその業務を行う役員となつている法人であること。

(iii) in the case of the juridical person whose registration was rescinded under the provisions of Article 21-57, paragraph (1) or paragraph (2), a person who had been the juridical person's officer executing the business within 30 days prior to the date of the rescission currently serves as an officer executing the business, where a period of two years has not elapsed from the date of the rescission.

3 登録は、登録検定機関登録簿に次に掲げる事項を記載してするものとする。

(3) A registration is to be made by making an entry of the following matters in the registry of a registered inspection body:

一 登録年月日及び登録番号

(i) the date of registration and the registration number;

二 登録を受けた法人の名称、代表者の氏名及び主たる事務所の所在地

(ii) the name of the registered juridical person, the name of its representative, and the location of its principal office;

三 登録を受けた業務の区分

(iii) the category of operation registered; and

四 検定等を行う事務所の所在地

(iv) the location of the office where an inspection, etc. is to be conducted.

第二十一条の四十七 登録は、三年を下らない政令で定める期間ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

Article 21-47 (1) A registration, unless it is renewed at an interval of not less than three years as specified by Cabinet Order, ceases to be effective upon the expiration of that period.

2 登録の更新を受けようとする法人は、政令で定めるところにより、実費を勘案して政令で定める額の手数料を、国に納付しなければならない。

(2) A juridical person which intends to renew its registration must, as provided for by Cabinet Order, pay the amount of fees which is specified by Cabinet Order in consideration of the actual costs to the State.

3 前二条の規定は、第一項の登録の更新について準用する。

(3) The provisions of the preceding two Articles apply mutatis mutandis to the renewal of a registration set forth in paragraph (1).

第二十一条の四十八 総務大臣は、登録をしたときは、第二十一条の四十六第三項各号に掲げる事項を公示しなければならない。

Article 21-48 (1) If the Minister of Internal Affairs and Communications has made a registration, that Minister must give public notice of the matters listed in the items of Article 21-46, paragraph (3).

2 登録を受けた法人（以下「登録検定機関」という。）は、第二十一条の四十六第三項第二号及び第四号に掲げる事項を変更しようとするときは、変更しようとする日の二週間前までに、その旨を総務大臣に届け出なければならない。

(2) When a registered juridical person (hereinafter referred to as a "registered inspection body") intends to make a change to any of the matters listed in Article 21-46, paragraph (3), item (ii) and item (iv), it must notify the Minister of Internal Affairs and Communications to that effect no later than two weeks prior to the day on which the change is scheduled.

3 総務大臣は、前項の規定による届出があつたときは、その旨を公示しなければならない。

(3) When a notification is made under the provisions of the preceding paragraph, the Minister of Internal Affairs and Communications must give public notice to that effect.

第二十一条の四十九 登録検定機関は、検定等を行うべきことを求められたときは、正当な理由がある場合を除き、遅滞なく、検定等を行わなければならない。

Article 21-49 (1) If a registered inspection body is requested to conduct an inspection, etc., it must conduct an inspection, etc. without delay unless it has

reasonable grounds not to do as requested.

2 登録検定機関は、公正に、かつ、総務省令で定める技術上の基準に適合する方法により検定等を行わなければならない。

(2) A registered inspection body must conduct an inspection, etc. fairly and through a procedure that conforms to the technical standards specified by Order of the Ministry of Internal Affairs and Communications.

第二十一条の五十 登録検定機関の役員若しくは職員又はこれらの職にあつた者は、その職務に関して知り得た秘密を漏らし、又は盗用してはならない。

Article 21-50 (1) Officers or employees of a registered inspection body or persons who have held those posts must not divulge or misappropriate any secret that they have come to know in the course of performing their duties.

2 検定等の業務に従事する登録検定機関の役員及び職員は、刑法その他の罰則の適用については、法令により公務に従事する職員とみなす。

(2) With regard to the application of the Penal Code and other penal provisions, officers and employees of a registered inspection body who are engaged in conducting the operations of an inspection, etc. are deemed to be personnel engaged in public service under laws and regulations.

第二十一条の五十一 登録検定機関は、検定等の実施方法、検定等に関する料金その他の総務省令で定める検定等の業務の実施に関する事項について業務規程を定め、総務大臣の認可を受けなければならない。これを変更しようとするときも、同様とする。

Article 21-51 (1) A registered inspection body must establish operational rules with regard to the procedure of conducting an inspection, etc., the fees for an inspection, etc. and other matters concerning the implementation of the operations of an inspection, etc. which are specified by Order of the Ministry of Internal Affairs and Communications, and obtain authorization from the Minister of Internal Affairs and Communications. The same applies when a designated examining body intends to revise the rules.

2 総務大臣は、前項の規定により認可をした業務規程が検定等の業務の適正かつ確実な実施上不適当となつたと認めるときは、登録検定機関に対し、これを変更すべきことを命ずることができる。

(2) When the Minister of Internal Affairs and Communications finds that the operational rules for which that Minister granted authorization under the provisions of the preceding paragraph has become inappropriate for proper and reliable implementation of the operations of an inspection, etc., that Minister may order the registered inspection body to revise the rules.

第二十一条の五十二 登録検定機関は、毎事業年度、事業計画及び収支予算を作成し、当該事業年度の開始前に（登録を受けた日の属する事業年度にあつては、その登録を受けた後遅滞なく）、総務大臣の認可を受けなければならない。これを変更しようと

するときも、同様とする。

Article 21-52 (1) A registered inspection body must prepare a business plan and an income and expenditure budget for each business year, and obtain authorization from the Minister of Internal Affairs and Communications prior to the commencement of the business year (or without delay after obtaining a registration in the case of the business year containing the date of the registration). The same applies when the registered inspection body intends to revise the plan and budget.

2 登録検定機関は、毎事業年度経過後三月以内に、その事業年度の財産目録、貸借対照表及び損益計算書又は収支計算書並びに事業報告書（その作成に代えて電磁的記録（電子的方式、磁気的方式その他の人の知覚によつては認識することができない方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。以下この条において同じ。）の作成がされている場合における当該電磁的記録を含む。次項及び第四十六条の三において「財務諸表等」という。）を作成し、総務大臣に提出するとともに、五年間事務所に備えて置かなければならない。

(2) A registered inspection body must prepare an inventory of assets, balance sheet, profit and loss statement or statement of income and expenditure and business report (in cases where those documents are prepared in the form of an electronic and magnetic record (meaning a record made in an electronic form, a magnetic form, or any other form not recognizable to human perception, which is used in information processing by computers; hereinafter the same applies in this Article), including that electronic and magnetic record; referred to as "financial statements, etc." in the following paragraph and Article 46-3), and must submit those documents to the Minister of Internal Affairs and Communications and keep them at its office for five years.

3 事業者その他の利害関係人は、登録検定機関の業務時間内は、いつでも、次に掲げる請求をすることができる。ただし、第二号又は第四号の請求をするには、登録検定機関の定めた費用を支払わなければならない。

(3) A business operator and any other interested person may make the following requests at any time during the business hours of a registered inspection body; provided, however, that when making a request set forth in item (ii) or item (iv), the requester must pay the amount of expenses specified by the registered inspection body:

一 財務諸表等が書面をもつて作成されているときは、当該書面の閲覧又は謄写の請求

(i) where financial statements, etc. are prepared in the form of documents, a request for inspection or copying of those documents;

二 前号の書面の謄本又は抄本の請求

(ii) a request for a transcript or extract of the documents set forth in the preceding item;

三 財務諸表等が電磁的記録をもつて作成されているときは、当該電磁的記録に記録

された事項を総務省令で定める方法により表示したものの閲覧又は謄写の請求
(iii) where financial statements, etc. are prepared in the form of an electronic and magnetic record, a request for the inspection or copying of the matters recorded in the electronic and magnetic record which are indicated by a method specified by Order of the Ministry of Internal Affairs and Communications; and

四 前号の電磁的記録に記録された事項を電磁的方法であつて総務省令で定めるものにより提供することの請求又は当該事項を記載した書面の交付の請求

(iv) a request for the provision of the matters recorded in an electronic and magnetic record set forth in the preceding item by electronic and magnetic means specified by Order of the Ministry of Internal Affairs and Communications, or for the offer of a document stating those matters.

第二十一条の五十三 登録検定機関は、総務省令で定めるところにより、検定等の業務に関する事項で総務省令で定めるものを記載した帳簿を備え、保存しなければならない。

Article 21-53 A registered inspection body must, as provided for by Order of the Ministry of Internal Affairs and Communications, keep books stating the matters concerning the operations of an inspection, etc. which are specified by Order of the Ministry of Internal Affairs and Communications, and preserve those books.

第二十一条の五十四 総務大臣は、登録検定機関が第二十一条の四十六第一項各号のいずれかに適合しなくなつたと認めるときは、当該登録検定機関に対し、これらの規定に適合するため必要な措置をとるべきことを命ずることができる。

Article 21-54 (1) When the Minister of Internal Affairs and Communications finds that a registered inspection body no longer conforms to any of the items of Article 21-46, paragraph (1), that Minister may order the registered inspection body to take the necessary measures to ensure compliance with these provisions.

2 総務大臣は、登録検定機関が第二十一条の四十九の規定に違反していると認めるときは、当該登録検定機関に対し、検定等を行うべきこと又は当該検定等の方法その他の業務の方法の改善に関し必要な措置をとるべきことを命ずることができる。

(2) When the Minister of Internal Affairs and Communications finds that a registered inspection body is in violation of the provisions of Article 21-49, that Minister may order the registered inspection body to conduct an inspection, etc. or take the necessary measures concerning the improvement of the procedure of conducting an inspection, etc. and other operational procedures.

第二十一条の五十五 総務大臣は、検定等の業務の適正な実施を確保するため必要があると認めるときは、登録検定機関に対し、検定等の業務に関し必要な報告を求め、又

はその職員に、登録検定機関の事務所に立ち入り、検定等の業務の状況若しくは設備、帳簿、書類その他の必要な物件を検査させることができる。

Article 21-55 (1) When the Minister of Internal Affairs and Communications finds it necessary in order to ensure the proper implementation of the operations of an inspection, etc., that Minister may request a registered inspection body to make necessary reports on the status of the operations of an inspection, etc., or have their official enter the registered inspection body's office and inspect the status of the operations of an inspection, etc. or its equipment, books, documents and other necessary objects.

2 前項の規定により立入検査をする職員は、その身分を示す証明書を携帯し、関係のある者に提示しなければならない。

(2) An officer who conducts an on-site inspection pursuant to the provisions of the preceding paragraph must carry their identification card and present it to any relevant person.

3 第一項の規定による立入検査の権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority to conduct an on-site inspection pursuant to the provisions of paragraph (1) must not be construed to be vested for the purpose of crime investigation.

第二十一条の五十六 登録検定機関は、総務大臣の許可を受けなければ、検定等の業務の全部又は一部を休止し、又は廃止してはならない。

Article 21-56 (1) A registered inspection body must not suspend or abolish the whole or part of the operations of an inspection, etc., without the permission of the Minister of Internal Affairs and Communications.

2 総務大臣は、前項の許可をしたときは、その旨を公示しなければならない。

(2) When the Minister of Internal Affairs and Communications has granted permission under the provisions of the preceding paragraph, that Minister must give public notice to that effect.

第二十一条の五十七 総務大臣は、登録検定機関が第二十一条の四十六第二項第一号又は第三号に該当するに至つたときは、その登録を取り消さなければならない。

Article 21-57 (1) When a registered inspection body has come to fall under Article 21-46, paragraph (2), item (i) or item (iii), the Minister of Internal Affairs and Communications must rescind its registration.

2 総務大臣は、登録検定機関が次の各号のいずれかに該当するときは、その登録を取り消し、又は期間を定めて検定等の業務の全部若しくは一部の停止を命ずることができる。

(2) When a registered inspection body falls under any of the following items, the Minister of Internal Affairs and Communications may rescind its registration or specify a period and order it to suspend the whole or part of the operations

of an inspection, etc.:

一 第十七条の二から第十七条の二の四まで、前章第一節又はこの節の規定に違反したとき。

(i) when the registered inspection body has violated the provisions of Article 17-2 to Article 17-2-4, Section 1 of the preceding Chapter, or this Section;

二 第二十一条の四十六第一項各号の要件を満たさなくなつたと認められるとき。

(ii) when the registered inspection body is found to no longer satisfy the requirements set forth in the items of Article 21-46, paragraph (1);

三 第二十一条の五十一第二項又は第二十一条の五十四の規定による命令に違反したとき。

(iii) when the registered inspection body has violated an order issued under the provisions of Article 21-51, paragraph (2) or Article 21-54;

四 第二十一条の五十一第一項の規定により認可を受けた業務規程によらないで検定等の業務を行つたとき。

(iv) when the registered inspection body has conducted the operations of an inspection, etc. not complying with the operational rules authorized under the provisions of Article 21-51, paragraph (1); or

五 正当な理由がないのに第二十一条の五十二第三項各号の規定による請求を拒んだとき。

(v) when the registered inspection body has refused a request made under the provisions of the items of Article 21-52, paragraph (3), without reasonable grounds ; or

六 不正な手段により登録を受けたとき。

(vi) when the registered inspection body has obtained a registration by wrongful means

3 総務大臣は、前二項の規定により登録を取り消し、又は前項の規定により検定等の業務の全部若しくは一部の停止を命じたときは、その旨を公示しなければならない。

(3) When the Minister of Internal Affairs and Communications has rescinded a registration pursuant to the provisions of the preceding two paragraphs or ordered the suspension of the whole or part of the operations of an inspection, etc. pursuant to the provisions of the preceding paragraph, that Minister must give public notice to that effect.

第五章 火災の警戒

Chapter V Guarding against Fire

第二十二条 気象庁長官、管区气象台長、沖縄气象台長、地方气象台長又は測候所長は、気象の状況が火災の予防上危険であると認めるときは、その状況を直ちにその地を管轄する都道府県知事に通報しなければならない。

Article 22 (1) When the Director-General of the Meteorological Agency, the Director of a District Meteorological Observatory, the Director of the Okinawa

Meteorological Observatory, the Director of a Local Meteorological Observatory or the head of a Weather Station finds the meteorological conditions in a certain area to be dangerous from a fire prevention perspective, they must immediately report that condition to the prefectural governor who has jurisdiction over that area.

2 都道府県知事は、前項の通報を受けたときは、直ちにこれを市町村長に通報しなければならない。

(2) Upon receiving a report of the meteorological conditions set forth in the preceding paragraph, the prefectural governor must immediately report the same to the municipal mayors.

3 市町村長は、前項の通報を受けたとき又は気象の状況が火災の予防上危険であると認めるときは、火災に関する警報を発することができる。

(3) A municipal mayor may issue a fire alarm when the municipality has received a report set forth in the preceding paragraph or finds the meteorological conditions to be dangerous from a fire prevention perspective.

4 前項の規定による警報が発せられたときは、警報が解除されるまでの間、その市町村の区域内に在る者は、市町村条例で定める火の使用の制限に従わなければならない。

(4) When an alarm has been issued under the provisions of the preceding paragraph, those persons within the area of the municipality must obey the restrictions on the use of fire as specified by municipal ordinance until the alarm is called off.

第二十三条 市町村長は、火災の警戒上特に必要があると認めるときは、期間を限つて、一定区域内におけるたき火又は喫煙の制限をすることができる。

Article 23 If a municipal mayor finds it particularly necessary for guarding against a fire, that municipal mayor may restrict an act of making a bonfire or smoking a cigarette within a certain area for a limited period.

第二十三条の二 ガス、火薬又は危険物の漏えい、飛散、流出等の事故が発生した場合において、当該事故により火災が発生するおそれが著しく大であり、かつ、火災が発生したならば人命又は財産に著しい被害を与えるおそれがあると認められるときは、消防長又は消防署長は、火災警戒区域を設定して、その区域内における火気の使用を禁止し、又は総務省令で定める者以外の者に対してその区域からの退去を命じ、若しくはその区域への出入を禁止し、若しくは制限することができる。

Article 23-2 (1) In the event of the occurrence of a leakage, scattering or outflow of gas, explosives or hazardous materials, or any other accident, if it is found that there is a high fire risk due to that accident and if once a fire occurs, it is likely to seriously harm human life or property, a fire chief or fire station chief may set a fire risk cautionary area and prohibit the use of fire within that area or order persons other than those specified by Order of the Ministry of Internal Affairs and Communications to leave that area or prohibit or restrict those

persons from accessing that area.

- 2 前項の場合において、消防長若しくは消防署長又はこれらの者から委任を受けて同項の職権を行なう消防吏員若しくは消防団員が現場にいないとき又は消防長若しくは消防署長から要求があつたときは、警察署長は、同項の職権を行なうことができる。この場合において、警察署長が当該職権を行なつたときは、警察署長は、直ちにその旨を消防長又は消防署長に通知しなければならない。

- (2) In the case referred to in the preceding paragraph, a police chief may exercise the authority set forth in the preceding paragraph when no fire chief or fire station chief or no firefighter or fire corps volunteer delegated by a fire chief or fire station chief to exercise the authority set forth in that paragraph is available at the scene of the accident, or when the police chief is required to do so by a fire chief or fire station chief. In this case, when the police chief has exercised that authority, that police chief must immediately give notice to the fire chief or fire station chief to that effect.

第六章 消火の活動

Chapter VI Fire Extinguishing Activities

第二十四条 火災を発見した者は、遅滞なくこれを消防署又は市町村長の指定した場所に通報しなければならない。

Article 24 (1) A person who has found a fire must report it to a fire station or a place designated by a municipal mayor without delay.

- 2 すべての人は、前項の通報が最も迅速に到達するように協力しなければならない。

(2) Every person must cooperate with the reporting set forth in the preceding paragraph so that the report will reach its destination as fast as possible.

第二十五条 火災が発生したときは、当該消防対象物の関係者その他総務省令で定める者は、消防隊が火災の現場に到着するまで消火若しくは延焼の防止又は人命の救助を行わなければならない。

Article 25 (1) In the event of the occurrence of a fire, the person concerned with the property under fire defense measures or any other person specified by Order of the Ministry of Internal Affairs and Communications must carry out the activities for extinguishing the fire or preventing the spread of the fire or rescuing human life until a firefighting team arrives at the scene of the fire.

- 2 前項の場合においては、火災の現場附近に在る者は、前項に掲げる者の行う消火若しくは延焼の防止又は人命の救助に協力しなければならない。

(2) In the case referred to in the preceding paragraph, a person who is near the scene of the fire must cooperate with the activities carried out by the persons listed in the preceding paragraph in extinguishing the fire or preventing the spread of the fire or in rescuing human life.

- 3 火災の現場においては、消防吏員又は消防団員は、当該消防対象物の関係者その他

総務省令で定める者に対して、当該消防対象物の構造、救助を要する者の存否その他消火若しくは延焼の防止又は人命の救助のため必要な事項につき情報の提供を求めることができる。

- (3) At the scene of a fire, a firefighter or fire corps volunteer may request the person concerned with the property under fire defense measures or any other person specified by Order of the Ministry of Internal Affairs and Communications to provide information on the structure of the property under fire defense measures, the existence of any person who needs to be rescued, and other matters necessary for the activities for extinguishing the fire or preventing the spread of the fire or for rescuing human life.

第二十六条 消防車が火災の現場に赴くときは、車馬及び歩行者はこれに道路を譲らなければならない。

Article 26 (1) When a fire engine is traveling to the scene of a fire, any vehicles, horses and pedestrians on the road must make way for the fire engine.

2 消防車の優先通行については、道路交通法（昭和三十五年法律第百五号）第四十条、第四十一条の二第一項及び第二項並びに第七十五条の六第二項の定めるところによる。

(2) The right of way of a fire engine is governed by the provisions of Article 40, Article 41-2, paragraph (1) and paragraph (2) and Article 75-6, paragraph (2) of the Road Traffic Act (Act No. 105 of 1960).

3 消防車は、火災の現場に出動するとき及び訓練のため特に必要がある場合において一般に公告したときに限り、サイレンを用いることができる。

(3) A fire engine may use a siren when it is mobilized to go to the scene of a fire and when the use of a siren is particularly necessary for drills and it has been publicly announced.

4 消防車は、消防署等に引き返す途中その他の場合には、鐘又は警笛を用い、一般交通規則に従わなければならない。

(4) A fire engine, when returning to a fire station, etc., or in other cases, must use a bell or alarm whistle and observe the general traffic rules.

第二十七条 消防隊は、火災の現場に到着するために緊急の必要があるときは、一般交通の用に供しない通路若しくは公共の用に供しない空地及び水面を通行することができる。

Article 27 A firefighting team, when there is an urgent necessity in order to arrive at the scene of a fire, may pass down a route unavailable to general traffic or through vacant land or over a water surface unavailable for public use.

第二十八条 火災の現場においては、消防吏員又は消防団員は、消防警戒区域を設定して、総務省令で定める者以外の者に対してその区域からの退去を命じ、又はその区域への出入を禁止し若しくは制限することができる。

Article 28 (1) At the scene of a fire, a firefighter or fire corps volunteer may set a fire defense cautionary area and order persons other than those specified by Order of the Ministry of Internal Affairs and Communications to leave that area or prohibit or restrict those persons from accessing that area.

2 消防吏員又は消防団員が火災の現場にいないとき又は消防吏員又は消防団員の要求があつたときは、警察官は、前項に規定する消防吏員又は消防団員の職権を行うことができる。

(2) A police official may exercise the authority of a firefighter or fire corps volunteer as prescribed in the preceding paragraph when no firefighter or fire corps volunteer is available at the scene of a fire, or when the police official is required to do so by a firefighter or fire corps volunteer.

3 火災現場の上席消防員の指揮により消防警戒区域を設定する場合には、現場に在る警察官は、これに援助を与える義務がある。

(3) When a fire defense cautionary area has been set as directed by the senior person in charge of the fire service at the scene of a fire, a police official who is at the scene is obliged to support the measure.

第二十九条 消防吏員又は消防団員は、消火若しくは延焼の防止又は人命の救助のために必要があるときは、火災が発生せんとし、又は発生した消防対象物及びこれらのものの在る土地を使用し、処分し又はその使用を制限することができる。

Article 29 (1) When it is necessary in order to carry out the activities for extinguishing a fire or preventing the spread of a fire or rescuing human life, a firefighter or fire corps volunteer may use, dispose of or restrict the use of the property under fire defense measures in which a fire is about to occur or has occurred and the land on which that property is located.

2 消防長若しくは消防署長又は消防本部を置かない市町村においては消防団の長は、火勢、気象の状況その他周囲の事情から合理的に判断して延焼防止のためやむを得ないと認めるときは、延焼の虞がある消防対象物及びこれらのものの在る土地を使用し、処分し又はその使用を制限することができる。

(2) When a fire chief or fire station chief, or a fire corps chief of a municipality which has no fire defense headquarters has made a reasonable judgment from the force of the fire, meteorological conditions and other surrounding circumstances, and finds it unavoidable for the prevention of the spread of the fire, they may use, dispose of or restrict the use of the property under fire defense measures which is threatened by the spreading fire and the land on which that property is located.

3 消防長若しくは消防署長又は消防本部を置かない市町村においては消防団の長は、消火若しくは延焼の防止又は人命の救助のために緊急の必要があるときは、前二項に規定する消防対象物及び土地以外の消防対象物及び土地を使用し、処分し又はその使用を制限することができる。この場合においては、そのために損害を受けた者からその損失の補償の要求があるときは、時価により、その損失を補償するものとする。

(3) A fire chief or fire station chief, or a fire corps chief of a municipality which has no fire defense headquarters, when there is an urgent necessity for the activities of extinguishing a fire or preventing the spread of a fire or rescuing human life, may use, dispose of or restrict the use of a property under fire defense measures and land other than the property under fire defense measures and land prescribed in the preceding two paragraphs. In this case, when a person who has suffered any loss from those measures claims compensation for that loss, the loss is to be compensated for at market value.

4 前項の規定による補償に要する費用は、当該市町村の負担とする。

(4) Costs required for paying compensation under the provisions of the preceding paragraph are borne by the municipality concerned.

5 消防吏員又は消防団員は緊急の必要があるときは、火災の現場附近に在る者を消火若しくは延焼の防止又は人命の救助その他の消防作業に従事させることができる。

(5) A firefighter or fire corps volunteer, when it is urgently necessary, may engage a person who is near the scene of a fire to carry out the activities of extinguishing the fire or preventing the spread of the fire or rescuing human life and other firefighting activities.

第三十条 火災の現場に対する給水を維持するために緊急の必要があるときは、消防長若しくは消防署長又は消防本部を置かない市町村においては消防団の長は、水利を使用し又は用水路の水門、樋門若しくは水道の制水弁の開閉を行うことができる。

Article 30 (1) When it is urgently necessary in order to maintain a water supply at the scene of a fire, a fire chief or fire station chief, or a fire corps chief of a municipality which has no fire defense headquarters may use water sources or open or close an irrigation channel gate, sluice gate, or sluice valve of a waterworks.

2 消防長若しくは消防署長又は消防本部を置かない市町村においては消防団の長は、火災の際の水利の使用及び管理について当該水利の所有者、管理者又は占有者と予め協定することができる。

(2) A fire chief or fire station chief, or a fire corps chief of a municipality which has no fire defense headquarters may conclude an agreement with the owner, manager or possessor of water sources, in advance, with regard to the use and management of the water sources in the event of a fire.

第三十条の二 第二十五条第三項、第二十八条第一項及び第二項並びに第二十九条第一項及び第五項の規定は、消防組織法第三十条第一項の規定により都道府県が市町村の消防を支援する場合について準用する。この場合において、これらの規定中「消防吏員又は消防団員」とあるのは、「消防吏員若しくは消防団員又は航空消防隊に属する都道府県の職員」と読み替えるものとする。

Article 30-2 The provisions of Article 25, paragraph (3), Article 28, paragraph (1) and paragraph (2), and Article 29, paragraph (1) and paragraph (5) apply

mutatis mutandis where a prefecture supports the fire services of a municipality pursuant to the provisions of Article 30, paragraph (1) of the Fire Defense Organization Act. In this case, the phrase "firefighter or fire corps volunteer" in these provisions is deemed to be replaced with "firefighter or fire corps volunteer or a prefectural official belonging to an aviation firefighting team."

第七章 火災の調査

Chapter VII Investigation of Fire

第三十一条 消防長又は消防署長は、消火活動をなすとともに火災の原因並びに火災及び消火のために受けた損害の調査に着手しなければならない。

Article 31 A fire chief or fire station chief must, when carrying out fire extinguishing activities, commence an investigation into the cause of the fire, the damage arising from the fire and the execution of the fire extinguishing activities.

第三十二条 消防長又は消防署長は、前条の規定により調査をするため必要があるときは、関係のある者に対して質問をすることができる。

Article 32 (1) A fire chief or fire station chief may, when it is necessary in order to conduct an investigation pursuant to the provisions of the preceding Article, ask questions of any related person.

2 消防長又は消防署長は、前条の調査について、関係のある官公署に対し必要な事項の通報を求めることができる。

(2) A fire chief or fire station chief may request any relevant public agency to report the necessary matters concerning the investigation set forth in the preceding Article.

第三十三条 消防長又は消防署長及び関係保険会社の認めた代理者は、火災の原因及び損害の程度を決定するために火災により破損され又は破壊された財産を調査することができる。

Article 33 A fire chief or fire station chief, and an agent authorized by any relevant insurance company may investigate the property damaged or destroyed by a fire in order to determine the cause of the fire and the degree of the damage arising therefrom.

第三十四条 消防長又は消防署長は、前条の規定により調査をするために必要があるときは、関係者に対して必要な資料の提出を命じ、若しくは報告を求め、又は当該消防職員に関係のある場所に立ち入って、火災により破損され又は破壊された財産の状況を検査させることができる。

Article 34 (1) A fire chief or fire station chief, when it is necessary in order to

conduct an investigation pursuant to the provisions of the preceding Article, may order a person concerned to submit the necessary information materials or request that person to make reports, or have their fire defense personnel enter any place concerned and inspect the status of the property damaged or destroyed by the fire.

2 第四条第一項ただし書及び第二項から第四項までの規定は、前項の場合にこれを準用する。

(2) The provisions of the proviso to Article 4, paragraph (1), and paragraph (2) to paragraph (4) of that Article apply mutatis mutandis to the case referred to in the preceding paragraph.

第三十五条 放火又は失火の疑いのあるときは、その火災の原因の調査の主たる責任及び権限は、消防長又は消防署長にあるものとする。

Article 35 (1) When there is a suspicion that a fire has been caused by arson or by negligence, the principal responsibility and authority for the investigation of the cause of the fire is to be vested in a fire chief or fire station chief.

2 消防長又は消防署長は、放火又は失火の犯罪があると認めるときは、直ちにこれを所轄警察署に通報するとともに必要な証拠を集めてその保全につとめ、消防庁において放火又は失火の犯罪捜査の協力の勧告を行うときは、これに従わなければならない。

(2) When a fire chief or fire station chief finds that the crime of arson or crime of causing a fire due to negligence has been committed, the fire chief or fire station chief must immediately report it to the competent police station, and collect and preserve the necessary evidence, and must observe any recommendation made by the Fire and Disaster Management Agency for cooperation in the investigation of the crime of arson or causing a fire by negligence.

第三十五条の二 消防長又は消防署長は、警察官が放火又は失火の犯罪の被疑者を逮捕し又は証拠物を押収したときは、事件が検察官に送致されるまでは、前条第一項の調査をするため、その被疑者に対し質問をし又はその証拠物につき調査をすることができる。

Article 35-2 (1) When a police official has arrested a suspect for the crime of arson or causing a fire due to negligence or seized any article of evidence of that crime, a fire chief or fire station chief may ask questions of the suspect or investigate the article of evidence in order to conduct an investigation as set forth in paragraph (1) of the preceding Article, until the case is referred to a public prosecutor.

2 前項の質問又は調査は、警察官の捜査に支障を来すこととなつてはならない。

(2) The questioning or investigation set forth in the preceding paragraph does not hinder an investigation conducted by a police official.

第三十五条の三 消防本部を置かない市町村の区域にあつては、当該区域を管轄する都道府県知事は、当該市町村長から求めがあつた場合及び特に必要があると認めた場合に限り、第三十一条又は第三十三条の規定による火災の原因の調査をすることができる。

Article 35-3 (1) In the area of a municipality which has no fire defense headquarters, the prefectural governor who has jurisdiction over that area may investigate the cause of a fire under the provisions of Article 31 or Article 33 only when that prefectural governor is requested to do so by the municipal mayor and when prefectural governor finds it particularly necessary to do so.

2 第三十二条及び第三十四条から前条までの規定は、前項の場合について準用する。この場合において、第三十四条第一項中「当該消防職員」とあるのは「当該都道府県の消防事務に従事する職員」と、第三十五条第一項中「消防長又は消防署長」とあるのは「市町村長のほか、都道府県知事」と読み替えるものとする。

(2) The provisions of Article 32 and Article 34 to the preceding Article apply mutatis mutandis to the case referred to in the preceding paragraph. In this case, the term "their fire defense personnel" in Article 34, paragraph (1) is deemed to be replaced with "their official engaged in the fire service affairs of the prefecture," and the phrase "a fire chief or fire station chief" in Article 35, paragraph (1) is deemed to be replaced with "not only a municipal mayor but also a prefectural governor."

第三十五条の三の二 消防庁長官は、消防長又は前条第一項の規定に基づき火災の原因の調査をする都道府県知事から求めがあつた場合及び特に必要があると認めた場合に限り、第三十一条又は第三十三条の規定による火災の原因の調査をすることができる。

Article 35-3-2 (1) The Commissioner of the Fire and Disaster Management Agency may investigate the cause of a fire under the provisions of Article 31 or Article 33 only when that Commissioner is requested to do so by a fire chief or a prefectural governor who investigates the cause of a fire under the provisions of paragraph (1) of the preceding Article and when that Commissioner finds it particularly necessary to do so.

2 第三十二条、第三十四条、第三十五条第一項及び第二項（勧告に係る部分を除く。）並びに第三十五条の二の規定は、前項の場合について準用する。この場合において、第三十四条第一項中「当該消防職員」とあるのは「消防庁の職員」と、第三十五条第一項中「消防長又は消防署長」とあるのは「消防本部を置く市町村の区域にあつては、消防長又は消防署長のほか、消防庁長官に、当該区域以外の区域であつて第三十五条の三第一項の規定により都道府県知事が火災の原因の調査を行う場合にあつては、市町村長及び都道府県知事のほか、消防庁長官に、当該区域以外の区域であつて同項の規定にかかわらず都道府県知事が火災の原因の調査を行わない場合にあつては、市町村長のほか、消防庁長官」と読み替えるものとする。

(2) The provisions of Article 32, Article 34, Article 35, paragraph (1) and paragraph (2) (limited to the part pertaining to a recommendation) and Article

35-2 apply mutatis mutandis to the case referred to in the preceding paragraph. In this case, the phrase "their fire defense personnel" in Article 34, paragraph (1) is deemed to be replaced with "an official of the Fire and Disaster Management Agency," the phrase "a fire chief or fire station chief" in Article 35, paragraph (1) is deemed to be replaced with "not only a fire chief or fire station chief but also the Commissioner of the Fire and Disaster Management Agency in the case of a fire occurring within the area of a municipality which has fire defense headquarters; not only a municipal mayor and a prefectural governor but also the Commissioner of the Fire and Disaster Management Agency in the case of a fire occurring within an area other than that area, where the prefectural governor investigates the cause of a fire under the provisions of Article 35-3, paragraph (1); not only to a municipal mayor but also the Commissioner of the Fire and Disaster Management Agency in the case of a fire occurring within an area other than that area, where the prefectural governor does not investigate the cause of a fire notwithstanding the provisions of that paragraph."

第三十五条の四 本章の規定は、警察官が犯罪（放火及び失火の犯罪を含む。）を捜査し、被疑者（放火及び失火の犯罪の被疑者を含む。）を逮捕する責任を免れしめない。

Article 35-4 (1) The provisions of this Chapter do not relieve a police official from the responsibility of investigating a crime (including the crimes of arson and causing a fire due to negligence) and arresting a suspect (including a person suspected of the crimes of arson and causing a fire by negligence).

2 放火及び失火絶滅の共同目的のために消防吏員及び警察官は、互に協力しなければならない。

(2) Firefighters and police officials must cooperate with each other in order to achieve their common purpose of eradicating arson and fires caused due to negligence.

第七章の二 救急業務

Chapter VII-2 Ambulance Services

第三十五条の五 削除

Article 35-5 Deleted

第三十五条の六 都道府県知事は、救急業務を行なっていない市町村の区域に係る道路の区間で交通事故の発生が頻繁であると認められるものについて当該交通事故により必要とされる救急業務を、関係市町村の意見をきいて、救急業務を行なっている他の市町村に実施するよう要請することができる。この場合において、その要請を受けた市町村は、当該要請に係る救急業務を行なうことができる。

Article 35-6 (1) Where a prefectural governor finds that traffic accidents

frequently occur on a certain section of a road within the area of a municipality which does not provide ambulance services, that prefectural governor may request another municipality which provides ambulance services to provide the ambulance services required for those traffic accidents, after hearing opinions from the relevant municipalities. In this case, the requested municipality may provide ambulance services as requested.

2 都道府県は、救急業務を行なっていない市町村の区域に係る高速自動車国道又は一般国道のうち交通事故により必要とされる救急業務が特に必要な区間として政令で定める区間（前項の要請により救急業務が行なわれている道路の区間を除く。）について、当該救急業務を行なっていない市町村の意見をきいて、当該救急業務を行なうものとする。この場合において、当該救急業務に従事する職員は、地方公務員法（昭和二十五年法律第二百六十一号）の適用については、消防職員とする。

(2) With regard to a certain section of a national expressway or national highway within the area of a municipality which does not provide ambulance services, if that section is specified as a section where it is particularly necessary to provide ambulance services required for traffic accidents (excluding the section of a road where ambulance services are provided as requested under the provisions of the preceding paragraph), a prefecture must provide those ambulance services, after hearing opinions from the municipality which does not provide the ambulance services. In this case, with regard to the application of the Local Public Service Act (Act No. 261 of 1950), an official engaged in the provision of ambulance services is treated as fire defense personnel.

第三十五条の七 救急隊員は、緊急の必要があるときは、第二条第九項に規定する傷病者の発生した現場付近に在る者に対し、救急業務に協力することを求めることができる。

Article 35-7 (1) An ambulance team member, when it is urgently necessary, may request a person who is near the scene where a person suffering an injury or contracting a disease as prescribed in Article 2, paragraph (9) is found, to cooperate with the ambulance services.

2 救急隊員は、救急業務の実施に際しては、常に警察官と密接な連絡をとるものとする。

(2) An ambulance team member is to keep close contact with a police official when providing ambulance services.

第三十五条の八 第二十七条の規定は、救急隊について準用する。この場合において、「火災の現場に到着する」とあるのは、「救急業務を実施する」と読み替えるものとする。

Article 35-8 (1) The provisions of Article 27 apply mutatis mutandis to an ambulance team. In this case, the phrase "arrive at the scene of a fire" is deemed to be replaced with "provide ambulance services."

2 消防組織法第三十九条の規定は、第三十五条の六第二項の規定により都道府県が救急業務を行う場合について準用する。この場合において、同法第三十九条中「市町村」とあるのは「市町村及び都道府県」と、「消防」とあるのは「救急業務」と、「市町村長」とあるのは「市町村長及び都道府県知事」と読み替えるものとする。

(2) The provisions of Article 39 of the Fire Defense Organization Act apply mutatis mutandis where a prefecture provides ambulance services pursuant to the provisions of Article 35-6, paragraph (2). In this case, in Article 39 of that Act, the term "municipality" is deemed to be replaced with "municipality and prefecture," the term "fire defense" is deemed to be replaced with "ambulance services," and the term "municipal mayor" is deemed to be replaced with "municipal mayor and prefectural governor."

第三十五条の九 この章に規定するもののほか、救急隊の編成及び装備の基準その他救急業務の処理に関し必要な事項は、政令で定める。

Article 35-9 In addition to what is prescribed in this Chapter, the standards for the organization and equipment of an ambulance team and other necessary matters concerning the handling of ambulance services are prescribed by Cabinet Order.

第八章 雑則

Chapter VIII Miscellaneous Provisions

第三十五条の十 総務大臣、都道府県知事、市町村長、消防長又は消防署長は、法律に特別の定めがあるものを除くほか、この法律の規定に基づく事務に関し、関係のある官公署に対し、照会し、又は協力を求めることができる。

Article 35-10 The Minister of Internal Affairs and Communications, prefectural governors, municipal mayors, fire chiefs or fire station chiefs may make inquiries to or ask for cooperation from the relevant public agencies with regard to the affairs under the provisions of this Act, except for those otherwise provided for by other Acts.

第三十六条 第八条から第八条の二の三までの規定は、火災以外の災害で政令で定めるものによる被害の軽減のため特に必要がある建築物その他の工作物として政令で定めるものについて準用する。この場合において、第八条第一項から第四項までの規定中「防火管理者」とあるのは「防災管理者」と、同条第一項中、「政令」とあるのは、「火災その他の災害の被害の軽減に関する知識を有する者で政令」と、「消火、通報及び避難の訓練の実施、消防の用に供する設備、消防用水又は消火活動上必要な施設の点検及び整備、火気の使用又は取扱いに関する監督、避難又は防火上必要な構造及び設備の維持管理並びに収容人員の管理その他防火管理上」とあるのは「避難の訓練の実施その他防災管理上」と、同条第四項、第八条の二第一項及び第八条の二の二第一項中「防火管理上」とあるのは「防災管理上」と、同項中「火災の予防に」とある

のは「火災以外の災害で政令で定めるものによる被害の軽減に」と、「消防の用に供する設備、消防用水又は消火活動上必要な施設の設置及び維持その他火災の予防上」とあるのは「その他火災以外の災害で政令で定めるものによる被害の軽減のために」と、同項、同条第二項及び第八条の二の三第一項第二号ニ中「防火対象物点検資格者」とあるのは「防災管理点検資格者」と、同号イ及び同条第六項第二号中「又は第十七条の四第一項若しくは第二項」とあるのは、「第十七条の四第一項若しくは第二項又は第三十六条第一項において準用する第八条三項若しくは第四項」と読み替えるものとする。

Article 36 (1) The provisions of Article 8 through Article 8-2-3 apply mutatis mutandis to a building or another structure specified by Cabinet Order as one for which the respective measures set forth in these provisions are particularly necessary in order to mitigate any damage arising from disasters, other than fires, specified by Cabinet Order. In this case: in Article 8, paragraph (1) through paragraph (4), the term "fire prevention manager" is deemed to be replaced with "disaster prevention manager"; in Article 8, paragraph (1), the phrase "qualified persons specified by Cabinet Order" is deemed to be replaced with "qualified persons who have knowledge of the mitigation of the damage arising from fires and other disasters and who are specified by Cabinet Order," and the phrase "conduct drills for fire extinguishing activities, reporting and evacuation, inspect and improve the equipment used for fire defense, water supply for fire defense or facilities necessary for fire extinguishing activities, supervise the use or handling of fire, maintain and manage the structure and equipment necessary for evacuation or fire prevention, manage the capacity of the property at the appropriate level, and perform any other operations necessary for fire prevention management" is deemed to be replaced with "conduct drills for evacuation and perform any other operations necessary for disaster prevention management"; in Article 8, paragraph (4), Article 8-2, paragraph (1) and Article 8-2-2, paragraph (1), the phrase "for fire prevention management" is deemed to be replaced with "for disaster prevention management"; in Article 8-2-2, paragraph (1), the phrase "on the prevention of fire" is deemed to be replaced with "on the mitigation of the damage arising from disasters, other than fires, specified by Cabinet Order," and the phrase "the installation and maintenance of equipment used for fire defense, water supply for fire defense or facilities necessary for fire extinguishing activities and other matters necessary for prevention of fire" is deemed to be replaced with "and other matters necessary for the mitigation of the damage arising from disasters, other than fires, specified by Cabinet Order"; in Article 8-2-2, paragraph (1) and paragraph (2) and Article 8-2-3, paragraph (1), item (ii), (d), the term "qualified inspector of property under fire prevention measures" is deemed to be replaced with "qualified inspector for disaster prevention management"; in Article 8-2-3, paragraph (1), item (ii), (a), and paragraph (6),

item (ii) of that Article, the phrase "or Article 17-4, paragraph (1) or paragraph (2)" is deemed to be replaced with ", Article 17-4, paragraph (1) or paragraph (2), or Article 8, paragraph (3) or paragraph (4) as applied mutatis mutandis pursuant to Article 36, paragraph (1)."

2 前項の建築物その他の工作物のうち第八条第一項の防火対象物であるものにあつては、当該建築物その他の工作物の管理について権原を有する者は、同項の規定にかかわらず、前項において読み替えて準用する同条第一項の防災管理者に、同項の防火管理者の行うべき防火管理上必要な業務を行わせなければならない。

(2) With regard to a building or another structure as set forth in the preceding paragraph which falls within the scope of a property under fire prevention measures as set forth in Article 8, paragraph (1), the person who holds title to manage the building or other structure must, notwithstanding the provisions of Article 8, paragraph (1), have a fire prevention manager as set forth in paragraph (1) of that Article as applied mutatis mutandis by replacing the relevant term under the preceding paragraph, perform the operations necessary for fire prevention management that must be performed by a fire prevention manager as set forth in paragraph (1) of that Article.

3 第一項の建築物その他の工作物のうち第八条の二の二第一項の防火対象物であるものにあつては、同条第二項及び第一項において準用する同条第二項の規定にかかわらず、同条第一項の規定による点検と併せて第一項において準用する同条第一項の規定による点検（その管理について権原が分かれている建築物その他の工作物にあつては、当該建築物その他の工作物全体（第八条の二の三第一項又は第一項において準用する同条第一項の規定による認定を受けた部分を除く。）についての第八条の二の二第一項の規定による点検と併せて第一項において準用する同条第一項の規定による点検）が行われ、その結果、防火対象物点検資格者及び防災管理点検資格者により点検対象事項がいずれの点検基準にも適合していると認められた場合に限り、総務省令で定めるところにより、点検を行つた日その他総務省令で定める事項を記載した表示を付することができる。

(3) With regard to a building or another structure as set forth in paragraph (1) which falls within the scope of a property under fire prevention measures as set forth in Article 8-2-2, paragraph (1), notwithstanding the provisions of Article 8-2-2, paragraph (2) or those provisions as applied mutatis mutandis pursuant to paragraph (1), only where both an inspection under the provisions of Article 8-2-2, paragraph (1) and an inspection under the provisions of Article 8-2-2, paragraph (1) as applied mutatis mutandis pursuant to paragraph (1) (in the case of a building or another structure which is subject to management under separate titles, both an inspection under the provisions of Article 8-2-2, paragraph (1) and an inspection under the provisions of Article 8-2-2, paragraph (1) as applied mutatis mutandis pursuant to paragraph (1), covering the whole of the building or other structure (excluding the part for which a certification is granted under the provisions of Article 8-2-3, paragraph (1) and

under those provisions as applied mutatis mutandis pursuant to paragraph (1))) are conducted, and as a result of those inspections, the matters subject to inspection pertaining to the building or other structure are judged by a qualified inspector of a property under fire prevention measures and a qualified inspector for disaster prevention management to conform to the inspection standards for both inspections, a label stating the date of inspection and other matters specified by Order of the Ministry of Internal Affairs and Communications may be affixed to that building or other structure, as provided for by Order of the Ministry of Internal Affairs and Communications.

4 第一項の建築物その他の工作物のうち第八条の二の二第一項の防火対象物であるものにあつては、第八条の二の三第七項及び第一項において準用する同条第七項の規定にかかわらず、同条第一項の規定による認定と併せて第一項において準用する同条第一項の規定による認定を受けた場合（当該建築物その他工作物の管理について権原が分かれているものにあつては、当該建築物その他の工作物全体が同項の規定による認定と併せて第一項において準用する同条第一項の規定による認定を受けた場合に限る。）に限り、総務省令で定めるところにより、当該認定を受けた日その他総務省令で定める事項を記載した表示を付することができる。

(4) With regard to a building or another structure as set forth in paragraph (1) which falls within the scope of a property under fire prevention measures as set forth in Article 8-2-2, paragraph (1), notwithstanding the provisions of Article 8-2-3, paragraph (7) or those provisions as applied mutatis mutandis pursuant to paragraph (1), only where both a certification under the provisions of Article 8-2-3, paragraph (1) and a certification under the provisions of Article 8-2-3, paragraph (1) as applied mutatis mutandis pursuant to paragraph (1) (in the case of a building or another structure which is subject to management under separate titles, limited to cases where both a certification under the provisions of Article 8-2-3, paragraph (1) and a certification under the provisions of Article 8-2-3, paragraph (1) as applied mutatis mutandis pursuant to paragraph (1) were granted for the building or other structure as a whole), a label stating the date of certification and other matters specified by Order of the Ministry of Internal Affairs and Communications may be affixed to that building or other structure, as provided for by Order of the Ministry of Internal Affairs and Communications.

5 第八条の二の二第三項及び第四項の規定は、前二項の表示について準用する。

(5) The provisions of Article 8-2-2, paragraph (3) and paragraph (4) apply mutatis mutandis to the label set forth in the preceding two paragraphs.

6 第一項の建築物その他の工作物に第八条の二の五第一項の自衛消防組織が置かれている場合には、当該自衛消防組織は、火災その他の災害の被害の軽減のために必要な業務を行うものとする。

(6) Where a fire defense organization for self-protection as set forth in Article 8-2-5, paragraph (1) has been set up for a building or another structure as set

forth in paragraph (1), the fire defense organization for self-protection is to perform the operations necessary for mitigating any damage arising from fires or other disasters.

7 第十八条第二項、第二十二條及び第二十四條から第二十九條まで並びに第三十條の二において準用する第二十五條第三項、第二十八條第一項及び第二項並びに第二十九條第一項及び第五項の規定は、水災を除く他の災害について準用する。

(7) The provisions of Article 18, paragraph (2), Article 22, and Article 24 through Article 29, and the provisions of Article 25, paragraph (3), Article 28, paragraph (1) and paragraph (2) and Article 29, paragraph (1) and paragraph (5) which are applied mutatis mutandis pursuant to Article 30-2 apply mutatis mutandis to disasters other than flood disasters.

第三十六條の二 市町村は、人口その他の条件を考慮して総務省令で定める基準に従い、この法律の規定による人命の救助を行うため必要な特別の救助器具を装備した消防隊を配置するものとする。

Article 36-2 Municipalities, in accordance with the standards which are specified by Order of the Ministry of Internal Affairs and Communications while taking into consideration the population and other conditions, are to deploy firefighting teams equipped with special rescue equipment necessary for the rescue of human life under the provisions of this Act.

第三十六條の二の二 第二十七條及び第三十條の規定は、大規模地震対策特別措置法（昭和五十三年法律第七十三号）第二条第十三号の警戒宣言が発せられた場合に準用する。この場合において、第二十七條中「火災の現場」とあるのは「大規模地震対策特別措置法第二条第三号の地震予知情報に係る地震が発生したならば人命又は財産に被害（水災による被害を除く。）が生ずるおそれが著しく大であると認められる場所」と、第三十條第一項中「火災の現場」とあるのは「大規模地震対策特別措置法第二条第三号の地震予知情報に係る地震が発生したならば火災が発生するおそれが著しく大であると認められる場所」と読み替えるものとする。

Article 36-2-2 The provisions of Article 27 and Article 30 apply mutatis mutandis where a warning declaration is issued as set forth in Article 2, item (xiii) of the Act on Special Measures Concerning Large Earthquakes (Act No. 73 of 1978). In this case, the phrase "the scene of a fire" in Article 27 is deemed to be replaced with "a place where there seems to be a high risk of damage (excluding damage due to flood disasters) occurring to human life or property in the event of the occurrence of an earthquake indicated in earthquake prediction information as set forth in Article 2, item (iii) of the Special Measures Concerning Large Earthquakes," and the phrase "the scene of a fire" in Article 30, paragraph (1) is deemed to be replaced with "a place where there seems to be a high fire risk in the event of the occurrence of an earthquake indicated in earthquake prediction information as set forth in Article 2, item

(iii) of the Special Measures Concerning Large Earthquakes."

第三十六条の三 第二十五条第二項（第三十六条第七項において準用する場合を含む。）又は第二十九条第五項（第三十条の二及び第三十六条第七項において準用する場合を含む。）の規定により、消火若しくは延焼の防止若しくは人命の救助その他の消防作業に従事した者又は第三十五条の七第一項の規定により市町村が行う救急業務に協力した者が、そのため死亡し、負傷し、若しくは疾病にかかり又は障害の状態となつた場合においては、市町村は、政令で定める基準に従い条例の定めるところにより、その者又はその者の遺族がこれらの原因によつて受ける損害を補償しなければならない。

Article 36-3 (1) Where a person who has been engaged in carrying out the activities for extinguishing a fire or preventing the spread of a fire or to rescue human life and other firefighting activities pursuant to the provisions of Article 25, paragraph (2) (including as applied mutatis mutandis pursuant to Article 36, paragraph (7)) or Article 29, paragraph (5) (including as applied mutatis mutandis pursuant to Article 30-2 and Article 36, paragraph (7)) or a person who has cooperated with the ambulance services provided by a municipality pursuant to the provisions of Article 35-7, paragraph (1), has died, suffered an injury or contracted a disease, or become disabled, the municipality, as provided for by municipal ordinance in accordance with the standards specified by Cabinet Order, must compensate for any damage suffered by that person or that person's surviving family due to that engagement or cooperation.

2 消防対象物が構造上区分された数個の部分で独立して住居、店舗、事務所又は倉庫その他建物としての用途に供することができるもの（以下この条において「専有部分」という。）がある建築物その他の工作物であり、かつ、専有部分において火災が発生した場合であつて、第二十五条第一項の規定により、消火若しくは延焼の防止又は人命の救助に従事した者のうち、次に掲げる者以外の者が、そのため死亡し、負傷し、若しくは疾病にかかり又は障害の状態となつたときも、前項と同様とする。

(2) In the case of a property under fire defense measures that exists as a building or another structure consisting of structurally divided portions which can be used independently as residences, stores, offices or warehouses or any other buildings (hereinafter referred to as "proprietary elements" in this Article), if a fire has occurred at one of those proprietary elements and a person engaged in carrying out the activities for extinguishing the fire or preventing the spread of the fire or to rescue human life under the provisions of Article 25, paragraph (1), except for those listed in the following, has died, suffered an injury or contracted a disease, or become disabled due to that engagement, the provisions of the preceding paragraph also apply to that person:

一 火災が発生した専有部分の各部分の所有者、管理者、占有者その他の総務省令で定める者

(i) the owner, manager or possessor of the proprietary element where the fire

has occurred or any other related person as specified by Order of the Ministry of Internal Affairs and Communications; and

二 火災が発生した専有部分の各部分及び当該各部分以外の部分を、一の者が、総務省令で定めるところにより、住居、店舗、事務所又は倉庫その他建物としての用途に一体として供している場合には、これらの用途に一体として供されている専有部分の各部分の所有者、管理者、占有者その他の総務省令で定める者（前号に掲げる者を除く。）

(ii) where a person, as provided for by Order of the Ministry of Internal Affairs and Communications, uses the proprietary element where the fire has occurred and other proprietary element(s) all together for the intended purpose of using them as residences, stores, offices or warehouses or any other buildings, the owner, manager or possessor of each of those proprietary elements used all together for the intended purpose, or any other related person as specified by Order of the Ministry of Internal Affairs and Communications (excluding those listed in the preceding item).

3 第一項の規定は、都道府県が行う救急業務に協力した者について準用する。

(3) The provisions of paragraph (1) apply mutatis mutandis to a person who has cooperated with the ambulance services provided by a prefecture.

第三十六条の四 この法律の規定に基づき政令又は総務省令を制定し、又は改廃する場合においては、それぞれ、政令又は総務省令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

Article 36-4 Where a Cabinet Order or Order of the Ministry of Internal Affairs and Communications is established, amended or abolished under the provisions of this Act, the necessary transitional measures (including transitional measures concerning penal provisions) may be provided for by Cabinet Order or Order of the Ministry of Internal Affairs and Communications, respectively, to the extent considered reasonably necessary upon the establishment, amendment or abolishment.

第三十七条 特別区の存する区域においては、この法律中市町村、市町村長又は市町村条例とあるのは、夫々これを都、都知事又は都条例と読み替えるものとする。

Article 37 In areas where there are special wards, the terms "municipality", "municipal mayor" or "municipal ordinance" as used in the provisions of this Act are deemed to be replaced with "the metropolis", "metropolitan governor" or "metropolitan ordinance", respectively.

第九章 罰則

Chapter IX Penal Provisions

第三十八条 第十八条第一項の規定に違反して、みだりに消防の用に供する望楼又は警鐘台を損壊し、又は撤去した者は、これを七年以下の懲役に処する。

Article 38 A person who has, in violation of the provisions of Article 18, paragraph (1), damaged or removed a watchtower or alarm bell tower used for fire defense without due cause is punished by imprisonment with work for not more than seven years.

第三十九条 第十八条第一項の規定に違反して、みだりに火災報知機、消火栓又は消防の用に供する貯水施設を損壊し、又は撤去した者は、これを五年以下の懲役に処する。

Article 39 A person who has, in violation of the provisions of Article 18, paragraph (1), damaged or removed a fire alarm system, fire hydrant or water storage facility used for fire defense without due cause is punished by imprisonment with work for not more than five years.

第三十九条の二 製造所、貯蔵所又は取扱所から危険物を漏出させ、流出させ、放出させ、又は飛散させて火災の危険を生じさせた者は、三年以下の懲役又は三百万円以下の罰金に処する。ただし、公共の危険が生じなかつたときは、これを罰しない。

Article 39-2 (1) A person who has caused hazardous materials to leak, flow out, emit or scatter from a manufacturing facility, storage facility or handling facility, thereby causing a fire risk, is punished by imprisonment with work for not more than three years or a fine of not more than three million yen; provided, however, that no punishment is imposed if that person has not caused a danger to the public.

2 前項の罪を犯し、よつて人を死傷させた者は、七年以下の懲役又は五百万円以下の罰金に処する。

(2) A person who has committed the crime set forth in the preceding paragraph, thereby causing the death of or an injury to another, is punished by imprisonment with work for not more than seven years or a fine of not more than five million yen.

第三十九条の二の二 第五条の二第一項の規定による命令に違反した者は、三年以下の懲役又は三百万円以下の罰金に処する。

Article 39-2-2 (1) A person who has violated an order issued under the provisions of Article 5-2, paragraph (1) is punished by imprisonment with work for not more than three years or a fine of not more than three million yen.

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed the crime set forth in the preceding paragraph, in light of that person's circumstances.

第三十九条の三 業務上必要な注意を怠り、製造所、貯蔵所又は取扱所から危険物を漏

出させ、流出させ、放出させ、又は飛散させて火災の危険を生じさせた者は、二年以下の懲役若しくは禁錮又は二百万円以下の罰金に処する。ただし、公共の危険が生じなかつたときは、これを罰しない。

Article 39-3 (1) A person who has, due to that person's failure to take the due care required in the pursuit of social activities, caused hazardous materials to leak, flow out, emit or scatter from a manufacturing facility, storage facility or handling facility, thereby causing a fire risk, is punished by imprisonment with or without work for not more than two years or a fine of not more than two million yen; provided, however, that no punishment is imposed if that person has not caused a danger to the public.

2 前項の罪を犯し、よつて人を死傷させた者は、五年以下の懲役若しくは禁錮又は三百万円以下の罰金に処する。

(2) A person who has committed the crime set forth in the preceding paragraph, thereby causing the death of or an injury to another, is punished by imprisonment with or without work for not more than five years or a fine of not more than three million yen.

第三十九条の三の二 第五条第一項の規定による命令に違反した者は、二年以下の懲役又は二百万円以下の罰金に処する。

Article 39-3-2 (1) A person who has violated an order issued under the provisions of Article 5, paragraph (1) is punished by imprisonment with work for not more than two years or a fine of not more than two million yen.

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed the crime set forth in the preceding paragraph, in light of that person's circumstances.

第四十条 次のいずれかに該当する者は、二年以下の懲役又は百万円以下の罰金に処する。

Article 40 (1) A person who falls under any of the following is punished by imprisonment with work for not more than two years or a fine of not more than one million yen:

一 第二十六条第一項の規定による消防車の通過を故意に妨害した者

(i) a person who has intentionally obstructed a fire engine passing under the provisions of Article 26, paragraph (1);

二 消防団員が消火活動又は水災を除く他の災害の警戒防御及び救護に従事するに当たり、その行為を妨害した者

(ii) a person who has obstructed a fire corps volunteer carrying out fire extinguishing activities or activities to guard and protect against disasters other than flood disasters and provide aid; or

三 第二十五条（第三十六条において準用する場合を含む。）又は第二十九条第五項

(第三十条の二及び第三十六条第七項において準用する場合を含む。)の規定により消火若しくは延焼の防止又は人命の救助に従事する者に対し、その行為を妨害した者

(iii) a person who has obstructed another person engaged in carrying out the activities for extinguishing a fire or preventing the spread of a fire or to rescue human life under the provisions of Article 25 (including as applied mutatis mutandis pursuant to Article 36) or Article 29, paragraph (5) (including as applied mutatis mutandis pursuant to Article 30-2 and Article 36, paragraph (7)).

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。ただし、刑法に正条がある場合にはこれを適用しない。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed any of the crimes set forth in the preceding paragraph, in light of that person's circumstances; provided, however, this does not apply if that crime constitutes any crime stipulated in the Penal Code.

3 第一項の罪を犯し、よつて人を死傷に至らしめた者は、この法律又は刑法により、重きに従つて処断する。

(3) A person who has committed the crime set forth in paragraph (1), thereby causing the death of or an injury to another, is dealt with by an applicable punishment under this Act or that under the Penal Code, whichever is severer.

第四十一条 次のいずれかに該当する者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41 (1) A person who falls under any of the following is punished by imprisonment with work for not more than one year or a fine of not more than one million yen:

一 第五条の三第一項の規定による命令に違反した者

(i) a person who has violated an order issued under the provisions of Article 5-3, paragraph (1);

二 第八条第四項 (第三十六条第一項において準用する場合を含む。)の規定による命令に違反した者

(ii) a person who has violated an order issued under the provisions of Article 8, paragraph (4) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1));

三 第十条第一項の規定に違反した者

(iii) a person who has violated the provisions of Article 10, paragraph (1);

四 第十五条の規定に違反した者

(iv) a person who has violated the provisions of Article 15; or

五 第十七条の四第一項又は第二項の規定による命令に違反して消防用設備等又は特殊消防用設備等を設置しなかつた者

(v) a person who has, in violation of an order issued under the provisions of

Article 17-4, paragraph (1) or paragraph (2), failed to install fire defense equipment, etc. or special fire defense equipment, etc.

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed any of the crimes set forth in the preceding paragraph, in light of that person's circumstances.

第四十一条の二 第十三条の十一第一項（第十七条の九第四項において準用する場合を含む。）の規定に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41-2 A person who has violated the provisions of Article 13-11, paragraph (1) (including as applied mutatis mutandis pursuant to Article 17-9, paragraph (4)) is punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

第四十一条の三 第十三条の十八第二項（第十七条の九第四項において準用する場合を含む。）の規定による危険物取扱者試験又は消防設備士試験の実施に関する事務の停止の命令に違反したときは、その違反行為をした第十三条の五第一項又は第十七条の九第一項の規定による指定を受けた者の役員又は職員は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41-3 Where an officer(s) or employee(s) of a person designated under the provisions of Article 13-5, paragraph (1) or Article 17-9, paragraph (1) has violated an order of suspension of the affairs concerning the implementation of a hazardous materials engineer's qualification examination or a fire defense equipment officer's qualification examination, which is issued under the provisions of Article 13-18, paragraph (2) (including as applied mutatis mutandis pursuant to Article 17-9, paragraph (4)), they are punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

第四十一条の四 第十六条の三十二又は第二十一条の三十四の規定に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41-4 A person who has violated the provisions of Article 16-32 or Article 21-34 is punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

第四十一条の五 第二十一条の五十第一項の規定に違反した者は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41-5 A person who has violated the provisions of Article 21-50, paragraph (1) is punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

第四十一条の六 第二十一条の五十七第二項の規定による特殊消防用設備等の性能に関する評価並びに検定対象機械器具等についての試験及び個別検定の業務の停止の命令に違反したときは、その違反行為をした第十七条の二第一項又は第二十一条の三第一項の規定による登録を受けた法人の役員又は職員は、一年以下の懲役又は百万円以下の罰金に処する。

Article 41-6 Where an officer(s) or employee(s) of a person registered under the provisions of Article 17-2, paragraph (1) or Article 21-3, paragraph (1) has violated an order of suspension of the operations of an evaluation of the performance of special fire defense equipment, etc., and a test and lot inspection of a machine or tool, etc. subject to inspection, which is issued under the provisions of Article 21-57, paragraph (2), they are punished by imprisonment with work for not more than one year or a fine of not more than one million yen.

第四十二条 次のいずれかに該当する者は、六月以下の懲役又は五十万円以下の罰金に処する。

Article 42 (1) A person who falls under any of the following is punished by imprisonment with work for not more than six months or a fine of not more than 500,000 yen:

一 第八条第三項（第三十六条第一項において準用する場合を含む。）の規定による命令に違反した者

(i) a person who has violated an order issued under the provisions of Article 8, paragraph (3) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1));

二 第十一条第一項の規定に違反した者

(ii) a person who has violated the provisions of Article 11, paragraph (1);

三 第十一条第五項の規定に違反した者

(iii) a person who has violated the provisions of Article 11, paragraph (5);

四 第十二条の二第一項又は第二項の規定による命令に違反した者

(iv) a person who has violated an order issued under the provisions of Article 12-2, paragraph (1) and paragraph (2);

五 第十二条の三第一項の規定による命令又は処分に違反した者

(v) a person who has violated an order or disposition issued or made under the provisions of Article 12-3, paragraph (1);

六 第十三条第一項の規定に違反して危険物保安監督者を定めなくて事業を行つた者

(vi) a person who has, in violation of the provisions of Article 13, paragraph (1), conducted the business without appointing a hazardous materials security superintendent;

七 第十三条第三項の規定に違反した者

(vii) a person who has violated the provisions of Article 13, paragraph (3);

八 第十四条の二第一項の規定に違反して危険物を貯蔵し、若しくは取り扱つた者又

- は同条第三項の規定による命令に違反した者
- (viii) a person who has stored or handled hazardous materials in violation of the provisions of Article 14-2, paragraph (1), or has violated an order issued under the provisions of paragraph (3) of that Article;
- 九 第十六条の三第三項又は第四項の規定による命令に違反した者
- (ix) a person who has violated an order issued under the provisions of Article 16-3, paragraph (3) or paragraph (4);
- 十 第十七条の五の規定に違反した者
- (x) a person who has violated the provisions of Article 17-5; or
- 十一 第二十五条第三項（第三十条の二及び第三十六条第七項において準用する場合を含む。）の規定による情報の提供を求められて、正当な理由がなく情報の提供をせず、又は虚偽の情報を提供した者
- (xi) a person who has, when requested to provide information under the provisions of Article 25, paragraph (3) (including as applied mutatis mutandis pursuant to Article 30-2 and Article 36, paragraph (7)), failed to provide information without reasonable grounds or provided false information.

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed any of the crimes set forth in the preceding paragraph, in light of that person's circumstances.

第四十三条 次のいずれかに該当する者は、三月以下の懲役又は三十万円以下の罰金に処する。

Article 43 (1) A person who falls under any of the following is punished by imprisonment with work for not more than three months or a fine of not more than 300,000 yen:

一 第十条第三項の規定に違反した者

(i) a person who has violated the provisions of Article 10, paragraph (3);

二 第十六条の規定に違反した者

(ii) a person who has violated the provisions of Article 16; or

三 第十六条の二第一項の規定に違反した者

(iii) a person who has violated the provisions of Article 16-2, paragraph (1).

2 前項の罪を犯した者に対しては、情状により懲役及び罰金を併科することができる。

(2) Both imprisonment with work and a fine may be imposed cumulatively on a person who has committed any of the crimes set forth in the preceding paragraph, in light of that person's circumstances.

第四十三条の二 次のいずれかに該当するときは、その違反行為をした第十三条の五第一項又は第十七条の九第一項の規定による指定を受けた者の役員又は職員は、三十万円以下の罰金に処する。

Article 43-2 When an officer(s) or employee(s) of a person designated under the provisions of Article 13-5, paragraph (1) or Article 17-9, paragraph (1) has committed a violation which falls under any of the following, they are punished by a fine of not more than 300,000 yen:

一 第十三条の十四（第十七条の九第四項において準用する場合を含む。）の規定に違反して帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(i) where they have, in violation of the provisions of Article 13-14 (including as applied mutatis mutandis pursuant to Article 17-9, paragraph (4)), failed to keep books or make any entry in the books, made false entries in the books, or failed to preserve the books;

二 第十三条の十六第一項又は第二項（第十七条の九第四項において準用する場合を含む。）の規定による報告を求められて、報告をせず、若しくは虚偽の報告をし、又はこれらの規定による立入り若しくは検査を拒み、妨げ、若しくは忌避したとき。

(ii) where they have, when requested to make reports under the provisions of Article 13-16, paragraph (1) or paragraph (2) (including as applied mutatis mutandis pursuant to Article 17-9, paragraph (4)), failed to make the reports or made false reports, or has refused, obstructed or avoided an entry or inspection under these provisions; or

三 第十三条の十七第一項（第十七条の九第四項において準用する場合を含む。）の規定による許可を受けないで、危険物取扱者試験又は消防設備士試験の実施に関する事務の全部を廃止したとき。

(iii) where they have, without obtaining permission under the provisions of Article 13-17, paragraph (1) (including as applied mutatis mutandis pursuant to Article 17-9, paragraph (4)), abolished the whole of the affairs concerning the implementation of a hazardous materials engineer's qualification examination or fire defense equipment officer's qualification examination.

第四十三条の三 第十六条の四十八第一項若しくは第二十一条の四十三第一項の規定による報告を求められて、報告をせず、若しくは虚偽の報告をし、又はこれらの規定による立入り若しくは検査を拒み、妨げ、若しくは忌避した場合には、その違反行為をした危険物保安技術協会又は日本消防検定協会の役員又は職員は、三十万円以下の罰金に処する。

Article 43-3 Where an officer(s) or employee(s) of the Hazardous Materials Safety Techniques Association (KHK) or the Japan Fire Equipment Inspection Institute has, when requested to make reports under the provisions of Article 16-48, paragraph (1) or Article 21-43, paragraph (1), failed to make the reports or made false reports, or has refused, obstructed or avoided an entry or inspection under these provisions, they are punished by a fine of not more than 300,000 yen.

第四十三条の四 第二十一条の二第四項又は第二十一条の十六の二の規定に違反した者は、三十万円以下の罰金に処する。

Article 43-4 A person who has violated the provisions of Article 21-2, paragraph (4) or Article 21-16-2 is punished by a fine of not more than 300,000 yen.

第四十三条の五 次の各号のいずれかに該当するときは、その違反行為をした第十七条の二第一項又は第二十一条の三第一項の規定による登録を受けた法人の役員又は職員は、三十万円以下の罰金に処する。

Article 43-5 Where an officer(s) or employee(s) of a juridical person registered under the provisions of Article 17-2, paragraph (1) or Article 21-3, paragraph (1) has committed a violation which falls under any of the following, they are punished by a fine of not more than 300,000 yen.

一 第二十一条の五十三の規定に違反して帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(i) where they have, in violation of the provisions of Article 21-53, failed to keep books or make any entry in the books, made false entries in the books, or failed to preserve the books;

二 第二十一条の五十五第一項の規定による報告を求められて、報告をせず、若しくは虚偽の報告をし、又は同項の規定による立入り若しくは検査を拒み、妨げ、若しくは忌避したとき。

(ii) where they have, when requested to make reports under the provisions of Article 21-55, paragraph (1), failed make the reports or made false reports, or has refused, obstructed or avoided an entry or inspection under the provisions of that paragraph; or

三 第二十一条の五十六第一項の規定による許可を受けないで、特殊消防用設備等の性能に関する評価並びに検定対象機械器具等についての試験及び個別検定の業務の全部を廃止したとき。

(iii) where they have, without obtaining permission under the provisions of Article 21-56, paragraph (1), abolished the whole of the operations of an evaluation of the performance of special fire defense equipment, etc., and a test and lot inspection of a machine or tool, etc. subject to inspection.

第四十四条 次のいずれかに該当する者は、三十万円以下の罰金又は拘留に処する。

Article 44 A person who falls under any of the following is punished by a fine of not more than 300,000 yen or misdemeanor imprisonment without work:

一 第三条第一項の規定による命令に従わなかつた者

(i) a person who has disobeyed an order issued under the provisions of Article 3, paragraph (1);

二 第四条第一項、第十六条の三の二第二項（同条第四項において準用する場合を含む。）、第十六条の五第一項若しくは第三十四条第一項（第三十五条の三第二項又

は第三十五条の三の二第二項において準用する場合を含む。)の規定による資料の提出若しくは報告を求められて、資料の提出をせず、虚偽の資料を提出し、報告をせず、若しくは虚偽の報告をし、又はこれらの規定による立入り、検査若しくは収去を拒み、妨げ、若しくは忌避した者

(ii) a person who has, when requested to provide information materials or make reports under the provisions of Article 4, paragraph (1), Article 16-3-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 16-3-2, paragraph (4)), Article 16-5, paragraph (1) or Article 34, paragraph (1) (including as applied mutatis mutandis pursuant to Article 35-3, paragraph (2) or Article 35-3-2, paragraph (2)), failed to provide information materials or make reports or provided false information materials or made false reports, or has refused, obstructed or avoided an entry, inspection or taking away of articles under these provisions;

三 第八条の二の二第三項（第八条の二の三第八項（第三十六条第一項において準用する場合を含む。）並びに第三十六条第一項及び第五項において準用する場合を含む。）、第八条の三第三項、第二十一条の九第二項（第二十一条の十一第三項において準用する場合を含む。）又は第二十一条の十六の三第二項の規定に違反した者

(iii) a person who has violated the provisions of Article 8-2-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 8-2-3, paragraph (8) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1)) and Article 36, paragraph (1) and paragraph (5)), Article 8-3, paragraph (3), Article 21-9, paragraph (2) (including as applied mutatis mutandis pursuant to Article 21-11, paragraph (3)) or Article 21-16-3, paragraph (2);

四 第十四条の三第一項若しくは第二項又は第十七条の三の二の規定による検査を拒み、妨げ、又は忌避した者

(iv) a person who has refused, obstructed or avoided an inspection under the provisions of Article 14-3, paragraph (1) or paragraph (2) or Article 17-3-2;

五 第十四条の三の二の規定による点検記録を作成せず、虚偽の点検記録を作成し、又は点検記録を保存しなかつた者

(v) a person who has failed to prepare inspection records under the provisions of Article 14-3-2 or prepared false inspection records, or failed to preserve inspection records;

六 第十六条の二第三項の規定に違反した者

(vi) a person who has violated the provisions of Article 16-2, paragraph (3);

七 第十六条の五第二項の規定による消防吏員又は警察官の停止に従わず、又は提示の要求を拒んだ者

(vii) a person who has disobeyed a call to stop from a firefighter or police official or refused to present that person's hazardous materials engineer's license;

八 第八条第二項（第三十六条第一項において準用する場合を含む。）、第九条の三第一項（同条第二項において準用する場合を含む。）、第十一条第六項、第十一条

の四第一項、第十二条の六、第十二条の七第二項、第十三条第二項、第十七条の三の二又は第十七条の十四の規定による届出を怠つた者

(viii) a person who has failed to make a notification under the provisions of Article 8, paragraph (2) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1)), Article 9-3, paragraph (1) (including as applied mutatis mutandis pursuant to Article 9-3, paragraph (2)), Article 11, paragraph (6), Article 11-4, paragraph (1), Article 12-6, Article 12-7, paragraph (2), Article 13, paragraph (2), Article 17-3-2, or Article 17-14;

九 第十三条の二第五項（第十七条の七第二項において準用する場合を含む。）の規定による命令に違反した者

(ix) a person who has violated an order issued under the provisions of Article 13-2, paragraph (5) (including as applied mutatis mutandis pursuant to Article 17-7, paragraph (2));

十 正当な理由がなく消防署、第十六条の三第二項の規定により市町村長の指定した場所、警察署又は海上警備救難機関に同条第一項の事態の発生について虚偽の通報をした者

(x) a person who has, without reasonable grounds, made a false report of the occurrence of the situation set forth in Article 16-3, paragraph (1) to a fire station, place designated by a municipal mayor under the provisions of paragraph (2) of that Article, police station or maritime security and rescue organ;

十一 第八条の二の二第一項（第三十六条第一項において準用する場合を含む。）又は第十七条の三の三の規定による報告をせず、又は虚偽の報告をした者

(xi) a person who has failed to make the reports under the provisions of Article 8-2-2, paragraph (1) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1)) or Article 17-3-3 or made false reports;

十二 第十七条の四第一項又は第二項の規定による命令に違反して消防用設備等又は特殊消防用設備等の維持のため必要な措置をしなかつた者

(xii) a person who has, in violation of an order issued under the provisions of Article 17-4, paragraph (1) or paragraph (2), failed to take any necessary measures for the maintenance of fire defense equipment, etc. or special fire defense equipment, etc.;

十三 第十八条第一項の規定に違反し、みだりに火災報知機、消火栓、消防の用に供する貯水施設又は消防の用に供する望楼若しくは警鐘台を使用し、又はその正当な使用を妨げた者

(xiii) a person who has, in violation of the provisions of Article 18, paragraph (1), used or interfered with the legitimate use of a fire alarm system, fire hydrant, water storage facility used for fire defense or watchtower or alarm bell tower used for fire defense without due cause;

十四 第十八条第二項の規定に違反した者

(xiv) a person who has violated the provisions of Article 18, paragraph (2);

十五 第二十一条第三項の規定による届出をしないで消防水利を使用不能の状態に置いた者

(xv) a person who has kept water sources in an unusable condition, without making a notification under the provisions of Article 21, paragraph (3);

十六 第二十一条の十三第一項又は第二十一条の十六の六第一項の規定による報告を求められて、報告をせず、若しくは虚偽の報告をし、又はこれらの規定による立入り若しくは検査を拒み、妨げ、若しくは忌避した者

(xvi) a person who has, when requested to make reports under the provisions of Article 21-13, paragraph (1) or Article 21-16-6, paragraph (1), failed to make the reports or made false reports, or has refused, obstructed or avoided an entry or inspection under these provisions;

十七 第八条の二の二第四項（第八条の二の三第八項（第三十六条第一項において準用する場合を含む。）並びに第三十六条第一項及び第五項において準用する場合を含む。）及び第二十一条の十六の五の規定による命令に違反した者

(xvii) a person who has violated an order issued under the provisions of Article 8-2-2, paragraph (4) (including as applied mutatis mutandis pursuant to Article 8-2-3, paragraph (8) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1)) and Article 36, paragraph (1) and paragraph (5)) and Article 21-16-5;

十八 第二十二条第四項又は第二十三条の規定による制限に違反した者

(xviii) a person who has violated the restrictions specified under the provisions of Article 22, paragraph (4) or Article 23;

十九 第二十三条の二の規定による火気の使用の禁止、退去の命令又は出入の禁止若しくは制限に従わなかつた者

(xix) a person who has disobeyed a prohibition of the use of fire, an order to leave or a prohibition or restriction of access issued under the provisions of Article 23-2;

二十 正当な理由がなく消防署又は第二十四条（第三十六条第七項において準用する場合を含む。）の規定による市町村長の指定した場所に火災発生の虚偽の通報又は第二条第九項の傷病者に係る虚偽の通報をした者

(xx) a person who has, without reasonable grounds, made a false report of the occurrence of a fire or made a false report of a person suffering an injury or contracting a disease as set forth in Article 2, paragraph (9), to a fire station or a place designated by a municipal mayor under the provisions of Article 24 (including as applied mutatis mutandis pursuant to Article 36, paragraph (7));

二十一 第二十八条第一項又は第二項（第三十条の二及び第三十六条第七項において準用する場合を含む。）の規定による退去の命令又は出入の禁止若しくは制限に従わなかつた者

(xxi) a person who has disobeyed an order to leave or a prohibition or restriction of access issued under the provisions of Article 28, paragraph (1)

or paragraph (2) (including as applied mutatis mutandis pursuant to Article 30-2 and Article 36, paragraph (7)); or

二十二 第三十三条の規定による火災後の被害状況の調査を拒んだ者

(xxii) a person who has refused an investigation of the damage after a fire under the provisions of Article 33.

第四十五条 法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関し、次の各号に掲げる規定の違反行為をしたときは、行為者を罰するほか、その法人に対して当該各号に定める罰金刑を、その人に対して各本条の罰金刑を科する。

Article 45 When the representative of a juridical person, or an agent, employee or any other worker of a juridical person or individual, in connection with the business of the juridical person or individual, has violated any of the provisions listed in the following items, not only the offender is punished but also the juridical person is punished by the fine set forth in each of those items and the individual is punished by the fine prescribed in the respective Articles mentioned therein:

一 第三十九条の二の二第一項又は第三十九条の三の二第一項 一億円以下の罰金刑
(i) Article 39-2-2, paragraph (1) or Article 39-3-2, paragraph (1): a fine of not more than 100 million yen;

二 第四十一条第一項第三号又は第五号 三千万円以下の罰金刑
(ii) Article 41, paragraph (1), item (iii) or item (v): a fine of not more than 30 million yen;

三 第三十九条の二第一項若しくは第二項、第三十九条の三第一項若しくは第二項、第四十一条第一項（同項第三号及び第五号を除く。）、第四十二条第一項（同項第七号及び第十号を除く。）、第四十三条第一項、第四十三条の四又は前条第一号、第三号、第十一号の三若しくは第十二号 各本条の罰金刑

(iii) Article 39-2, paragraph (1) or paragraph (2), Article 39-3, paragraph (1) or paragraph (2), Article 41, paragraph (1) (excluding item (iii) and item (v) of that paragraph), Article 42, paragraph (1) (excluding item (vii) and item (x) of that paragraph), Article 43, paragraph (1), Article 43-4, or item (i), item (iii), item (xi)-3 or item (xii) of the preceding Article: the fine prescribed in the respective Articles mentioned herein.

第四十六条 第九条の四の規定に基づく条例には、これに違反した者に対し、三十万円以下の罰金に処する旨の規定を設けることができる。

Article 46 A municipal ordinance under the provisions of Article 9-4 may set forth a provisions that a person who has violated the ordinance is punished by a fine of not more than 300,000 yen.

第四十六条の二 次の各号の一に該当する場合には、その違反行為をした危険物保安技

術協会又は日本消防検定協会の役員又は職員は、二十万円以下の過料に処する。

Article 46-2 Where an officer(s) or employee(s) of the Hazardous Materials Safety Techniques Association (KHK) or the Japan Fire Equipment Inspection Institute has committed a violation which falls under any of the following, they are punished by a civil fine of not more than 200,000 yen:

一 この法律により総務大臣の認可又は承認を受けなければならない場合において、その認可又は承認を受けなかつたとき。

(i) where they have not obtained authorization or approval from the Minister of Internal Affairs and Communications under this Act in cases where that authorization or approval is required;

二 第十六条の十四第一項又は第二十一条の二十一第一項の政令の規定に違反して登記することを怠つたとき。

(ii) where they have failed to complete a registration in violation of the provisions of a Cabinet Order as set forth in Article 16-14, paragraph (1) or Article 21-21, paragraph (1);

三 第十六条の三十四第一項及び第三項又は第二十一条の三十六第一項及び第三項に規定する業務以外の業務を行つたとき。

(iii) where they have conducted any operations other than those prescribed in Article 16-34, paragraph (1) and paragraph (3) or Article 21-36, paragraph (1) and paragraph (3); or

四 第十六条の四十七又は第二十一条の四十二第二項の規定による総務大臣の命令に違反したとき。

(iv) where they have violated an order issued by the Minister of Internal Affairs and Communications under the provisions of Article 16-47 or Article 21-42, paragraph (2).

第四十六条の三 第二十一条の五十二第二項の規定に違反して財務諸表等を備えて置かず、財務諸表等に記載すべき事項を記載せず、若しくは虚偽の記載をし、又は正当な理由がないのに同条第三項各号の規定による請求を拒んだ者は、二十万円以下の過料に処する。

Article 46-3 A person who has, in violation of the provisions of Article 21-52, paragraph (2), failed to keep financial statements, etc. or state matters that should be stated in financial statements, etc. or made false statements, or has refused a request made under the provisions of the items of paragraph (3) of that Article without reasonable grounds, is punished by a civil fine of not more than 200,000 yen.

第四十六条の四 第十六条の十三第二項又は第二十一条の二十二の規定に違反した者は、十万円以下の過料に処する。

Article 46-4 A person who has violated the provisions of Article 16-13, paragraph (2) or Article 21-22 is punished by a civil fine of not more than 100,000 yen.

第四十六条の五 第八条の二の三第五項（第三十六条第一項において準用する場合を含む。）、第十七条の二の三第四項又は第二十一条の十六の四第一項若しくは第二項の規定による届出を怠つた者は、五万円以下の過料に処する。

Article 46-5 A person who has failed to make a notification under the provisions of Article 8-2-3, paragraph (5) (including as applied mutatis mutandis pursuant to Article 36, paragraph (1)), Article 17-2-3, paragraph (4) or Article 21-16-4, paragraph (1) or paragraph (2) is punished by a civil fine of not more than 50,000 yen.

第十二章 罰則に関する経過措置及び政令への委任

Chapter XII Transitional Measures on Penal Provisions and Delegation to Cabinet Order

（罰則に関する経過措置）

（Transitional Measures on Penal Provisions）

第五百二十七条 施行日前にした行為及びこの法律の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 527 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after this Act comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of this Act, the provisions then in force remain applicable.

（政令への委任）

（Delegation to Cabinet Order）

第五百二十八条 この法律に定めるもののほか、この法律の規定による法律の廃止又は改正に伴い必要な経過措置は、政令で定める。

Article 528 Beyond what is provided for in this Act, the transitional measures necessary in relation to repeal or amendment of the Act by this Act are specified by a Cabinet Order.

附 則

Supplementary Provisions

第四十七条 この法律は、昭和二十三年八月一日から、これを施行する。

Article 47 This Act comes into effect as from August 1, 1948.

第四十八条 この法律により許可を受け、又は届出をなさなければならない事項で、この法律施行前に警視庁令又は都道府県令により許可又は認可を受け、又は届出をなし、

その後事情の変更しないものについては、これをこの法律により当該許可又は認可を受け、又は当該届出をなしたものとみなす。

Article 48 With regard to any matter subject to permission or notification under this Act, in cases where, under an Order of the Metropolitan Police Department or a Prefectural Order, any person obtained permission or authorization or filed a notification before this Act comes into effect, and where there has been no change in the relevant circumstance thereafter, it is deemed that the permission or authorization was granted or that the notification was filed pursuant to the provisions of this Act.

第四十九条 消防法及び消防組織法の一部を改正する法律（昭和六十一年法律第二十二号）の施行後においては、日本消防検定協会については、総務省設置法（平成十一年法律第九十一号）第四条第十五号の規定並びに同条第十九号及び第二十一号の規定（同条第十九号ニに掲げる業務に関する事務に係る部分を除く。）は、適用しない。

Article 49 After the Act for Partial Amendment of the Fire Service Act and the Fire Defense Organization Act (Act No. 20 of 1986) comes into effect, the provisions of Article 4, items (xv), (xix) and (xxi) of the Act on Establishment of the Ministry of Internal Affairs and Communications (Act No. 91 of 1999) (excluding the parts pertaining to the affairs related to the business listed in item (xix), sub-item (d) of that Article) do not apply to the Japan Fire Equipment Inspection Institute.

附 則 〔昭和二十五年五月十七日法律第百八十六号〕 〔抄〕

Supplementary Provisions [Act No. 186 of May 17, 1950] [Extract]

2 この法律施行前にした行為に対する罰則の適用については、なお従前の例による。
(2) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 〔昭和三十四年四月一日法律第八十六号〕 〔抄〕

Supplementary Provisions [Act No. 86 of April 1, 1959] [Extract]

2 この法律の施行の際、この法律による改正前の第三章の規定に基く市町村条例によりなされている許可の申請、届出その他の手続又は同章の規定に基く市町村条例によりなされた許可その他の処分は、それぞれこの法律による改正後の相当規定に基いてなされた手続又は処分とみなす。

(2) An application for permission, notification or any other procedure that, as of the time when this Act comes into effect, has been made pursuant to the municipal ordinances as prescribed in the provisions of Chapter III prior to amendment by this Act, or permission or any other disposition that, as of the time of enforcement of this Act, has been rendered pursuant to the Municipal

Ordinances as prescribed in the provisions of that Chapter is respectively deemed as procedure or disposition taken or rendered pursuant to the corresponding provisions amended by this Act.

- 7 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。
- (7) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 〔昭和三十五年六月三十日法律第百十三号〕 〔抄〕

Supplementary Provisions [Act No. 113 of June 30, 1960] [Extract]

(経過規定)

(Provisions on Transitional Measures)

第三条 この法律の施行の際現にこの法律による改正前のそれぞれの法律の規定により内閣総理大臣若しくは自治庁長官がし、又は国家消防本部においてした許可、認可その他これらに準ずる処分は、この法律による改正後のそれぞれの法律の相当規定に基づいて、自治大臣がし、又は消防庁においてした許可、認可その他これらに準ずる処分とみなす。

Article 3 (1) Permission, authorization or any other disposition equivalent thereto that, at the time when this Act comes into effect, has been rendered by the Prime Minister, the Director-General of the Agency of Home Affairs or the National Fire Defense Headquarters pursuant to the respective laws prior to amendment by this Act is deemed to be permission, authorization or any other disposition equivalent thereto that has been rendered by the Minister of Home Affairs or the Fire and Disaster Management Agency pursuant to the corresponding provisions of the respective laws amended by this Act.

2 この法律の施行の際現にこの法律による改正前のそれぞれの法律の規定により内閣総理大臣若しくは自治庁長官又は国家消防本部に対してした許可、認可その他これらに準ずる処分の申請、届出その他の行為は、この法律による改正後のそれぞれの法律の相当規定に基づいて、自治大臣又は消防庁に対してした許可、認可その他これらに準ずる処分の申請、届出その他の行為とみなす。

(2) An application for permission, authorization or any other disposition equivalent thereto or notification or any other act that, at the time when this Act comes into effect, has been filed with or taken against the Prime Minister, the Director-General of the Agency of Home Affairs or the National Fire Defense Headquarters pursuant to the respective laws prior to amendment by this Act is deemed to be the application for permission, authorization or any other disposition equivalent thereto or notification or any other act that has been filed with or taken against the Minister of Home Affairs or the Fire and Disaster Management Agency pursuant to the corresponding provisions of the respective laws amended by this Act.

第四条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 〔昭和三十七年五月十六日法律第百四十号〕 〔抄〕

Supplementary Provisions [Act No. 140 of May 16, 1962] [Extract]

3 この法律の施行の際現に係属している訴訟については、当該訴訟を提起することができない旨を定めるこの法律による改正後の規定にかかわらず、なお従前の例による。

(3) With regard to lawsuits actually pending at the time of the enforcement of this Act, the provisions then in force remain applicable, notwithstanding the provisions amended by this Act to the effect that the lawsuits may not be filed.

4 この法律の施行の際現に係属している訴訟の管轄については、当該管轄を専属管轄とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。

(4) With regard to jurisdiction over lawsuits actually pending at the time of the enforcement of this Act, the provisions then in force remain applicable, notwithstanding the provisions amended by this Act to the effect that the jurisdiction is the exclusive jurisdiction.

5 この法律の施行の際現にこの法律による改正前の規定による出訴期間が進行している処分又は裁決に関する訴訟の出訴期間については、なお従前の例による。ただし、この法律による改正後の規定による出訴期間がこの法律による改正前の規定による出訴期間より短い場合に限る。

(5) With regard to the statute of limitations for filing an action concerning a disposition or administrative determination, for which the statute of limitations for filing an action under the provisions prior to amendment by this Act has actually progressed at the time of the enforcement of this Act, the provisions then in force remain applicable; provided, however, this is limited to the cases where the statute of limitations for filing an action under the provisions amended by this Act is shorter than that under the provisions prior to amendment by this Act.

6 この法律の施行前にされた処分又は裁決に関する当事者訴訟で、この法律による改正により出訴期間が定められることとなつたものについての出訴期間は、この法律の施行の日から起算する。

(6) The statute of limitations for filing a public law related action concerning a disposition imposed or a administrative determination made prior to the date on which this Act comes into effect, for which the statute of limitations has come to be set due to the amendment by this Act, is counted from the date on which this Act comes into effect.

7 この法律の施行の際現に係属している処分又は裁決の取消しの訴えについては、当

該法律関係の当事者の一方を被告とする旨のこの法律による改正後の規定にかかわらず、なお従前の例による。ただし、裁判所は、原告の申立てにより、決定をもって、当該訴訟を当事者訴訟に変更することを許すことができる。

(7) With regard to actions for revocation of a disposition or administrative determination that are actually pending at the time of the enforcement of this Act, the provisions then in force remain applicable, notwithstanding the provisions amended by this Act to the effect that one party to the legal relationship is the defendant; provided, however, that the court may, upon the plaintiff's application, permit to change the action into a public law related action by its ruling.

8 前項ただし書の場合には、行政事件訴訟法第十八条後段及び第二十一条第二項から第五項までの規定を準用する。

(8) The provisions of the second sentence of Article 18, and Article 21, paragraphs (2) through (5) of the Administrative Case Litigation Act apply mutatis mutandis to the cases referred to in the proviso to the preceding paragraph.

附 則 [昭和三十七年九月十五日法律第百六十一号] [抄]

Supplementary Provisions [Act No. 161 of September 15, 1962] [Extract]

2 この法律による改正後の規定は、この附則に特別の定めがある場合を除き、この法律の施行前にされた行政庁の処分、この法律の施行前にされた申請に係る行政庁の不作為その他この法律の施行前に生じた事項についても適用する。ただし、この法律による改正前の規定によつて生じた効力を妨げない。

(2) The provisions mended by this Act also apply to the dispositions taken by an administrative authority before this Act comes into effect, the inaction by an administrative agency pertaining to an application filed before this Act comes into effect or other matters that have arisen before this Act comes into effect, except as otherwise provided for in these Supplementary Provisions; provided, however, that those provisions do not preclude the effect that has arisen pursuant to the provisions prior to amendment by this Act.

3 この法律の施行前に提起された訴願、審査の請求、異議の申立てその他の不服申立て（以下「訴願等」という。）については、この法律の施行後も、なお従前の例による。この法律の施行前にされた訴願等の裁決、決定その他の処分（以下「裁決等」という。）又はこの法律の施行前に提起された訴願等につきこの法律の施行後にされる裁決等にさらに不服がある場合の訴願等についても、同様とする。

(3) With regard to a petition, application for examination, objection or other appeals (hereinafter referred to as the "Petitions, etc.") filed before this Act comes into effect, the provisions then in force remain applicable even after this Act comes into effect. The same applies to the Petitions, etc. filed in the case of further dissatisfaction with administrative determination, decision or other

dispositions on the Petitions, etc. (hereinafter referred to as the "Administrative Determinations, etc."), that have been made before this Act comes into effect, or the Administrative Determinations, etc. made after this Act comes into effect with regard to the Petitions, etc. filed before this Act comes into effect.

4 前項に規定する訴願等で、この法律の施行後は行政不服審査法による不服申立てをすることができることとなる処分に係るものは、同法以外の法律の適用については、行政不服審査法による不服申立てとみなす。

(4) The Petitions, etc. prescribed in the preceding paragraph that relate to a disposition on which an appeal may be filed pursuant to the Administrative Complaint Review Act after this Act comes into effect are deemed to be appeals pursuant to the Administrative Appeal Act with regard to the application of the Acts other than that Act.

5 第三項の規定によりこの法律の施行後にされる審査の請求、異議の申立てその他の不服申立ての裁決等については、行政不服審査法による不服申立てをすることができない。

(5) No appeal under the Administrative Complaint Review Act may be entered against the Administrative Determinations, etc. on an application for examination, an objection or other appeals filed after this Act comes into effect pursuant to the provisions of paragraph (3).

6 この法律の施行前にされた行政庁の処分で、この法律による改正前の規定により訴願等を行うことができるものとされ、かつ、その提起期間が定められていなかったものについて、行政不服審査法による不服申立てを行うことができる期間は、この法律の施行の日から起算する。

(6) With regard to a disposition imposed by an administrative authority before this Act comes into effect, on which the Petitions, etc. may be filed pursuant to the provisions prior to amendment by this Act and for which the statute of limitations has not been set, the statute of limitations for filing an appeal under the Administrative Complaint Review Act is counted from the day when this Act comes into effect.

8 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(8) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

9 前八項に定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

(9) Beyond what is provided for in the preceding eight paragraphs, transitional measures necessary for the enforcement of this Act are specified by a Cabinet Order.

附 則 〔昭和三十八年四月十五日法律第八十八号〕 〔抄〕

Supplementary Provisions [Act No. 88 of April 15, 1963] [Extract]

(経過規定)

(Provisions on Transitional Measures)

第七条 第十九条等の改正規定の施行の際、改正前の消防法（以下「旧法」という。）第十九条第一項の規定により勧告されている規格は、改正後の消防法（以下「新法」という。）第二十一条の二第二項に規定する技術上の規格とみなす。

Article 7 (1) The specifications recommended pursuant to the provisions of Article 19, paragraph (1) of the Fire Service Act prior to amendment (hereinafter referred to as the "former Act") as of the time when the amending provisions of Article 19, etc. come into effect are deemed as the technical specifications set forth in Article 21-2, paragraph (2) of the amended Fire Service Act (hereinafter referred to as the "new Act").

2 第十九条等の改正規定の施行の際、旧法第十九条及びこれに基づく命令の規定によりなされている処分又は申請その他の手続は、それぞれ新法の相当規定に基づいてなされた処分又は申請その他の手続とみなす。

(2) A disposition, application or any other procedure having been made or taken pursuant to the provisions of Article 19 of the former Act and an order based thereon as of the time of enforcement of the amending provisions of Article 19, etc. is deemed as a disposition, application or any other procedure respectively made or taken pursuant to the corresponding provisions of the new Act.

第十一条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 11 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 [昭和三十八年四月十五日法律第九十号] [抄]

Supplementary Provisions [Act No. 90 of April 15, 1963] [Extract]

3 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(3) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 [昭和四十年五月十四日法律第六十五号] [抄]

Supplementary Provisions [Act No. 65 of May 14, 1965] [Extract]

5 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(5) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 〔昭和四十二年七月二十五日法律第八十号〕 〔抄〕
Supplementary Provisions [Act No. 80 of July 25, 1967] [Extract]

(経過規定)

(Provisions on Transitional Measures)

2 この法律の施行の際、現に改正後の第九条の二第一項に規定する物質を貯蔵し、又は取り扱っている者に対する同項の規定の適用については、同項中「あらかじめ」とあるのは、「昭和四十三年四月一日から三十日以内に」とする。

(2) With regard to the application of the provisions of Article 9-2, paragraph (1) after the amendment to a person who, at the time of the enforcement of this Act, stores or handles the materials specified in that paragraph, the term "in advance" in that paragraph is deemed to be replaced with "within thirty days from April 1, 1968."

附 則 〔昭和四十六年六月一日法律第九十七号〕 〔抄〕
Supplementary Provisions [Act No. 97 of June 1, 1971] [Extract]

(経過措置)

(Transitional Measures)

2 この法律の施行の日（別表の改正規定にあつては、当該改正規定の施行の日。以下「施行日」という。）前に改正前の消防法（以下「旧法」という。）の規定に基づいてされている許可の申請、届出その他の手続又は旧法の規定に基づいてされた許可その他の処分は、別段の定めがあるものを除き、改正後の消防法（以下「新法」という。）の相当規定に基づいてされた手続又は処分とみなす。

(1) Unless otherwise provided for, an application for permission, notification or any other procedure made or taken before the date on which this Act comes into effect (with regard to the amending provisions of the appended tables, before the date on which these amending provisions come in to effect; hereinafter referred to as the "effective date") pursuant to the provisions of the Fire Service Act prior to amendment (hereinafter referred to as the "former Act"), or permission or any other disposition rendered under the former Act before the effective date is deemed as the procedures or disposition taken or rendered under the corresponding provisions of the amended Fire Service Act (hereinafter referred to as the "new Act").

5 この法律の施行の際現に旧法第十三条の二第三項の規定により甲種危険物取扱主任者免状又は乙種危険物取扱主任者免状の交付を受けている者は、それぞれ新法第十三条の二第三項の規定により甲種危険物取扱者免状又は乙種危険物取扱者免状の交付を受けている者とみなす。

(5) A person who, at the time of the enforcement of this Act, has been granted a Class A hazardous materials specialist license or a Class B hazardous materials specialist license pursuant to the provisions of Article 13-2,

paragraph (3) of the former Act is respectively deemed to have been granted a Class A hazardous materials engineer's license or a Class B hazardous materials engineer's license under Article 13-2, paragraph (3) of the new Act.

6 この法律の施行の際現に旧法第十三条の三第二項に規定する甲種危険物取扱主任者試験又は乙種危険物取扱主任者試験に合格している者は、それぞれ新法第十三条の三第二項に規定する甲種危険物取扱者試験又は乙種危険物取扱者試験に合格した者とみなす。

(6) A person who, as of the time of enforcement of this Act, has passed a Class A hazardous materials specialist qualification examination or a Class B hazardous materials specialist qualification examination under Article 13-3, paragraph (2) of the former Act is respectively deemed to have passed a Class A hazardous materials engineer's qualification examination or Class B hazardous materials engineer's qualification examination under Article 13-3, paragraph (2) of the new Act.

8 施行日前にした行為に対する罰則の適用については、なお従前の例による。

(8) With regard to the application of penal provisions to acts committed prior to the effective date, the provisions then in force remain applicable.

附 則 〔昭和四十九年六月一日法律第六十四号〕 〔抄〕

Supplementary Provisions [Act No. 64 of June 1, 1974] [Extract]

2 改正前の消防法（以下「旧法」という。）の規定により、配管によつて危険物の移送の取扱いを行う取扱所のうち改正後の消防法（以下「新法」という。）第十一条第一項第四号に掲げる移送取扱所に該当するものについて市町村長がした許可その他の処分又は受理した届出は、新法の相当規定に基づいて都道府県知事又は自治大臣がした許可その他の処分又は受理した届出とみなす。

(2) Permission or any other disposition rendered by, or a notification received by, a municipal mayor pursuant to the provisions of the Fire Service Act prior to amendment (hereinafter referred to as the "former Act") in relation to a facility for handling the conveyance of hazardous materials through piping, which falls under the handling facility for transfer specified in Article 11, paragraph (1), item (iv) of the amended Fire Service Act (hereinafter referred to as the "new Act"), is deemed as permission or any other disposition rendered by, or a notification received by, the prefectural governor or the Minister of Home Affairs pursuant to the provisions of the corresponding provisions of the new Act.

3 旧法第十四条の二第一項の規定による認可を受けた予防規程は、新法第十四条の二第一項の規定による認可を受けた予防規程とみなす。

(3) The fire prevention rules authorized under Article 14-2, paragraph (1) of the former Act are deemed as the fire prevention rules authorized under Article 14-2, paragraph (1) of the new Act.

4 昭和五十二年四月一日（新法第十七条の二第二項第四号に規定する特定防火対象物（以下この項において「特定防火対象物」という。）で百貨店、地下街及び複合用途防火対象物以外のものにあつては、昭和五十四年四月一日。以下「一部施行日」という。）において現に存する特定防火対象物又は現に新築、増築、改築、移転、修繕若しくは模様替えの工事中の特定防火対象物に係る消防用設備等で、一部施行日の前日において旧法第十七条の二第一項又は第十七条の三第一項の規定の適用を受けていたものについては、一部施行日以後、新法第十七条の二第一項又は第十七条の三第一項の規定は、適用しない。

(4) With regard to both fire defense equipment, etc. installed in a specified property under fire prevention measures that exists as of April 1, 1977 (with regard to the specified property under fire prevention measures set forth in Article 17-2, paragraph (2), item (iv) of the new Act (hereinafter referred to as the "specified property under fire prevention measures" in this paragraph) other than a department store, underground mall and multi-purpose property under fire prevention measures, April 1, 1979; hereinafter referred to as the "Date of Partial Enforcement") and fire defense equipment, etc. to be installed in a specified property under fire prevention measures that is under construction work for new construction, extension, reconstruction, relocation, repair or remodeling and that exists as of the Date of Partial Enforcement, for which the provisions of Article 17-2, paragraph (1) or Article 17-3, paragraph (1) of the former Act was applicable as of the date immediately preceding the Date of Partial Enforcement, the provisions of Article 17-2, paragraph (1) or Article 17-3, paragraph (1) do not apply after the Date of Partial Enforcement.

6 国及び地方公共団体は、附則第四項の規定により、一部施行日以後新法第十七条の二第一項又は第十七条の三第一項の規定の適用を受けないこととなる消防用設備等に係る防火対象物の関係者が新法第十七条の規定による技術上の基準に適合させるために行う当該消防用設備等の設置に係る工事又は整備について、必要な資金のあつせん、技術的な助言その他の措置を講ずるよう努めるものとする。

(6) When a person concerned with a property under fire prevention measures installs fire defense equipment, etc. that, after the Date of Partial Enforcement, is to be excluded from application of Article 17-2, paragraph (1) or Article 17-3, paragraph (1) of the new Act pursuant to the provisions of paragraph (4) of the Supplementary Provisions performs construction or improvement work for the establishment of the fire defense equipment, etc. so as to ensure conformity with the technical standards set forth in Article 17 of the new Act, the state and local government endeavors to make necessary funding arrangements, provide technical advice or take any other measures.

7 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

(7) With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 〔昭和五十一年五月二十九日法律第三十七号〕 〔抄〕
Supplementary Provisions [Act No. 37 of May 29, 1976] [Extract]

(経過措置)

(Transitional Measures)

第二条 この法律による改正後の消防法（以下「新法」という。）第十一条の二及び第十一条の三の規定は、前条ただし書に定める日（以下「一部施行日」という。）以後に、新法第十一条第一項の規定による許可の申請があつた製造所、貯蔵所若しくは取扱所の設置又はその位置、構造若しくは設備の変更について適用する。

Article 2 The provisions of Article 11-2 and Article 11-3 of the Fire Service Act amended by this Act (hereinafter referred to as the "new Act") apply to the establishment of a manufacturing facility, storage facility or handling facility or change of position, structure or equipment thereof for which, after the date specified in the proviso to the preceding Article (hereinafter referred to as the "Date of Partial Enforcement"), an application for permission under Article 11, paragraph (1) of the new Act was filed.

第三条 新法第十六条の七の規定は、一部施行日以後に、消防本部若しくは消防署の設置若しくは廃止又は市町村の廃置分合若しくは境界変更があつた場合について適用し、一部施行日前に、消防本部若しくは消防署の設置若しくは廃止又は市町村の廃置分合若しくは境界変更があつた場合については、なお従前の例による。

Article 3 The provisions of Article 16-7 of the new Act apply to the cases where, after the Date of Partial Enforcement, any fire defense headquarters or fire station has been established or abolished or any abolition, establishment, split, consolidation or boundary changes of municipalities has taken place, and the provisions then in force remain applicable to the cases where, prior to the Date of Partial Enforcement, any fire defense headquarters or fire station has been established or abolished or any abolition, establishment, split, consolidation or boundary changes of municipalities had taken place.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十二条 この法律の施行前にした行為及びこの法律の施行後に消防法第十一条第一項又は石油コンビナート等災害防止法第五条第一項若しくは第七条第一項の規定に違反してされたこれらの規定に規定する設置、新設又は変更で当該設置、新設又は変更のための工事がこの法律の施行前に開始されたものに対する罰則の適用については、なお従前の例による。

Article 12 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, and the establishment, new construction or change set forth in Article 11, paragraph (1) of the Fire Service Act or Article 5, paragraph (1) or Article 7, paragraph (1) of the Act on the Prevention

of Disaster in Petroleum Industrial Complexes and Other Petroleum Facilities effected in violation of any of these provisions after this Act comes into effect and the work for which was commenced prior to the time when this Act comes into effect, the provisions then in force remain applicable.

附 則 〔昭和五十七年七月二十三日法律第六十九号〕 〔抄〕

Supplementary Provisions [Act No. 69 of July 23, 1982] [Extract]

(経過措置)

(Transitional Measures)

9 この法律（附則第一項第四号及び第五号に掲げる規定については、当該各規定）の施行前にした行為並びに附則第三項第一号の規定により従前の例によることとされる届出に係るこの法律の施行後にした行為及び同項第二号の規定により従前の例によることとされるトランプ類税に係るこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

(9) With regard to the application of penal provisions to acts committed before this Act comes into effect (with regard to the provisions listed in item (iv) or (v) of paragraph (1) of the Supplementary Provisions, before the respective provisions come into effect), as well as the acts committed after the enforcement of this Act pertaining to the notifications for which the provisions then in force remain applicable pursuant to the provisions of item (i), paragraph (3) of the Supplementary Provisions and the acts committed after the enforcement of this Act pertaining to the playing cards tax for which the provisions then in force remain applicable pursuant to the provisions of item (ii) of that paragraph, the provisions then in force remain applicable.

附 則 〔昭和五十八年十二月十日法律第八十三号〕 〔抄〕

Supplementary Provisions [Act No. 83 of December 10, 1983] [Extract]

(その他の処分、申請等に係る経過措置)

(Transitional Measures Concerning Other Dispositions, Applications)

第十四条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び第十六条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 14 With regard to the application of respective amended Acts after the date on which this Act comes into effect, permissions given and other dispositions imposed or other acts committed pursuant to the provisions of respective laws prior to the amendment before the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, before the enforcement of the relevant provisions; hereinafter the same applies in this and Article 16) (hereinafter referred to as the "Dispositions and Other Acts" in this Article), or applications for permission, etc. filed or other acts committed pursuant to the provisions of respective Acts prior to the amendment at the time of the enforcement of this Act (hereinafter referred to as the "Applications and Other Acts" in this Article), for which the administrative matters are to be conducted by a different person on the date on which this Act comes into effect, are deemed to be the Dispositions and Other Acts or the Applications and Other Acts committed pursuant to the corresponding provisions of the respective amended laws, except those prescribed in the provisions of Articles 2 to preceding Article inclusive of the Supplementary Provisions or in the provisions concerning transitional measures in the respective amended laws (including orders based thereon).

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十六条 この法律の施行前にした行為及び附則第三条、第五条第五項、第八条第二項、第九条又は第十条の規定により従前の例によることとされる場合における第十七条、第二十二條、第三十六條、第三十七條又は第三十九條の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 16 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after the any of the provisions of Article 17, Article 22, Article 36, Article 37 or Article 39 of the Supplementary Provisions comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of Article 3, Article 5, paragraph (5), Article 8, paragraph (2), Article 9 or Article 10, the provisions then in force remain applicable.

附 則 〔昭和六十年十二月二十四日法律第百二号〕 〔抄〕

Supplementary Provisions [Act No. 102 of December 24, 1985] [Extract]

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第八条 この法律（附則第一条各号に掲げる規定については、当該各規定）の施行前にした行為及び附則第四条の規定により従前の例によることとされる場合における第十

一条の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。
Article 8 With regard to the application of penal provisions to acts committed before the enforcement of this Act (with regard to the provisions listed in items of Article 1 of the Supplementary Provisions, before enforcement of the relevant provisions), and acts committed after the provisions of Article 11 comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of Article 4 of the Supplementary Provisions, the provisions then in force remain applicable.

附 則 [昭和六十一年四月十五日法律第二十号] [抄]
Supplementary Provisions [Act No. 20 of April 15, 1986] [Extract]

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 7 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

附 則 [昭和六十一年十二月二十六日法律第百九号] [抄]
Supplementary Provisions [Act No. 109 of December 26, 1986] [Extract]

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第八条 この法律の施行前にした行為及び附則第二条第一項の規定により従前の例によることとされる場合における第四条の規定の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 8 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after the any of the provisions of Article 4 comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions, the provisions then in force remain applicable.

附 則 [昭和六十三年五月二十四日法律第五十五号] [抄]
Supplementary Provisions [Act No. 55 of May 24, 1988] [Extract]

(経過措置)

(Transitional Measures)

第二条 この法律の施行の日（第十三条の三の改正規定にあつては昭和六十四年四月一

日、第二条第七項、第十条第二項、第十一条の四及び別表の改正規定にあつては一部施行日)前に改正前の消防法(以下「旧法」という。)の規定に基づいてされている許可の申請、届出その他の手続又は旧法の規定に基づいてされた許可その他の処分は、別段の定めがあるものを除き、改正後の消防法(以下「新法」という。)の相当規定に基づいてされた手続又は処分とみなす。

Article 2 Unless otherwise provided for, an application for permission, notification or any other procedure that, prior to the date on which this Act comes into effect (with regard to the amending provisions of Article 13-3, prior to April 1, 1989; and with regard to the amending provisions of Article 2, paragraph (7), Article 10, paragraph (2), Article 11-4 and the appended tables, prior to the Date of Partial Enforcement), has been made or taken pursuant to the provisions of the Fire Service Act prior to the amendment (hereinafter referred to as the "former Act"), or permission or any other disposition that, as of that date, has been rendered or taken pursuant to the provisions of the former Act, is respectively deemed as procedure or disposition taken or made pursuant to the corresponding provisions of the Fire Service Act after amendment (hereinafter referred to as the "new Act").

第八条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 8 Beyond what is provided for in Article 2 to the preceding Article of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by a Cabinet Order.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第九条 この法律の施行前にした行為及びこの法律の附則においてなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 9 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after this Act comes into effect in the case where the provisions then in force remain applicable pursuant to these Supplementary Provisions, the provisions then in force remain applicable.

附 則 〔平成五年十一月十二日法律第八十九号〕 〔抄〕

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

(諮問等がされた不利益処分に関する経過措置)

(Transitional Measures related to Adverse Dispositions on which a Consultation Was Filed)

第二条 この法律の施行前に法令に基づき審議会その他の合議制の機関に対し行政手続法第十三条に規定する聴聞又は弁明の機会の付与の手続その他の意見陳述のための手続に相当する手続を執るべきことの諮問その他の求めがされた場合においては、当該諮問その他の求めに係る不利益処分の手続に関しては、この法律による改正後の関係法律の規定にかかわらず、なお従前の例による。

Article 2 Where, before this Act comes into effect, a consultation or other request was filed with a council or other organization adopting a council system to the effect that procedures of hearing or grant of opportunity for explanation prescribed in Article 13 of the Administrative Procedure Act, or other procedures equivalent to the procedures of statement of opinions are taken, with regard to the procedures for adverse dispositions pertaining to the consultation or request, the provisions then in force remain applicable, notwithstanding the provisions of relevant Acts amended by this Act.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 13 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(聴聞に関する規定の整理に伴う経過措置)

(Transitional Measures Accompanying Arrangement of Provisions on Hearings)

第十四条 この法律の施行前に法律の規定により行われた聴聞、聴問若しくは聴聞会（不利益処分に係るものを除く。）又はこれらのための手続は、この法律による改正後の関係法律の相当規定により行われたものとみなす。

Article 14 Hearings or hearing meetings held pursuant to the provisions of an Act prior to the enforcement of this Act (excluding those pertaining to adverse dispositions) or procedures thereof are deemed to have been conducted pursuant to the corresponding provisions of the relevant law amended by this Act.

(政令への委任)

(Delegation to Cabinet Order)

第十五条 附則第二条から前条までに定めるもののほか、この法律の施行に関して必要な経過措置は、政令で定める。

Article 15 In addition to what is provided for in Article 2 through the preceding Article of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act are specified by a Cabinet Order.

附 則 〔平成六年六月二十二日法律第三十七号〕 〔抄〕

Supplementary Provisions [Act No. 37 of June 22, 1994] [Extract]

(経過措置)

(Transitional Measures)

第二条 平成七年四月一日前に、改正前の消防法（以下この条において「旧法」という。）第十三条の三第四項第一号の規定に基づいて都道府県知事が認定した者（都道府県知事が旧法第十三条の五第一項の規定に基づき自治大臣の指定する者に危険物取扱者試験の実施に関する事務を行わせている場合にあつては、当該自治大臣の指定する者が認定した者）は当該認定に係る試験については中央省庁等改革関係法施行法（平成十一年法律第百六十号）による改正後の消防法（以下この条において「新法」という。）第十三条の三第四項第一号の総務省令で定める者と、旧法第十七条の八第四項第三号の規定に基づいて都道府県知事が認定した者（都道府県知事が旧法第十七条の九第一項の規定に基づき自治大臣の指定する者に消防設備士試験の実施に関する事務を行わせている場合にあつては、当該自治大臣の指定する者が認定した者）は当該認定に係る試験については新法第十七条の八第四項第三号に掲げる者とそれぞれみなす。

Article 2 A person who, before April 1, 1995, was certified by a prefectural governor pursuant to the provisions of Article 13-3, paragraph (4), item (i) of the Fire Service Act prior to amendment (hereinafter referred to as the "former Act" in this Article) (or, a person who was certified by a person designated by the Minister of Home Affairs, in cases where the prefectural governor has entrusted a person designated by the Minister of Home Affairs pursuant to the provisions of Article 13-5, paragraph (1) of the former Act to conduct the affairs related to the implementation of a hazardous materials engineer's qualification examination) is deemed to be a person specified by an Order of the Ministry of Internal Affairs and Communications set forth in Article 13-3, paragraph (4), item (i) of the Fire Service Act amended by the Act for Enforcement of Acts Related to the Central Government Reform (Act No. 160 of 1999) (hereinafter referred to as the "new Act" in this Article) in relation to the examination for that certification; and a person who, before April 1, 1995, was certified by a prefectural governor pursuant to the provisions of Article 17-8, paragraph (4), item (iii) of the former Act (or, a person who was certified by a person designated by the Minister of Home Affairs, in cases where the prefectural governor has entrusted a person designated by the Minister of Home Affairs pursuant to the provisions of Article 17-9, paragraph (1) of the former Act to conduct the affairs related to the implementation of a fire defense equipment officer's qualification examination) is deemed to be a person specified in Article 17-8, paragraph (4), item (iii) of the new Act in relation to the examination for that certification.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三条 附則第一条第一号に掲げる規定の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to acts committed prior to the enforcement of the provisions listed in Article 1, item (i) of the Supplementary Provisions, the provisions then in force remain applicable.

附 則 〔平成十一年七月十六日法律第八十七号〕〔抄〕

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

(国等の事務)

(Affairs of the State, etc.)

第百五十九条 この法律による改正前のそれぞれの法律に規定するもののほか、この法律の施行前において、地方公共団体の機関が法律又はこれに基づく政令により管理し又は執行する国、他の地方公共団体その他公共団体の事務（附則第百六十一条において「国等の事務」という。）は、この法律の施行後は、地方公共団体が法律又はこれに基づく政令により当該地方公共団体の事務として処理するものとする。

Article 159 Beyond what is provided for in the respective laws prior to amendment by this Act, affairs that are managed or performed, prior to the enforcement of this Act, by an organ of a local public entity on behalf of the State, other local public entity or other public bodies pursuant to laws or a Cabinet Order enacted thereunder (hereinafter referred to as "Affairs of the State, etc." in Article 161 of the Supplementary Provisions), after the enforcement of this Act, are to be handled by the local public entity as its own affairs pursuant to laws or a Cabinet Order based thereon.

(処分、申請等に関する経過措置)

(Transitional Measures on Disposition, Application)

第百六十条 この法律（附則第一条各号に掲げる規定については、当該各規定。以下この条及び附則第百六十三条において同じ。）の施行前に改正前のそれぞれの法律の規定によりされた許可等の処分その他の行為（以下この条において「処分等の行為」という。）又はこの法律の施行の際現に改正前のそれぞれの法律の規定によりされている許可等の申請その他の行為（以下この条において「申請等の行為」という。）で、この法律の施行の日においてこれらの行為に係る行政事務を行うべき者が異なることとなるものは、附則第二条から前条までの規定又は改正後のそれぞれの法律（これに基づく命令を含む。）の経過措置に関する規定に定めるものを除き、この法律の施行の日以後における改正後のそれぞれの法律の適用については、改正後のそれぞれの法律の相当規定によりされた処分等の行為又は申請等の行為とみなす。

Article 160 (1) With regard to the application of respective amended laws after the date on which this Act comes into effect, permissions given and other

dispositions imposed or other acts committed pursuant to the provisions of respective laws prior to the amendment before the enforcement of this Act (with regard to the provisions listed in the items of Article 1 of the Supplementary Provisions, before the enforcement of the relevant provisions; hereinafter the same applies in this and Article 163 of the Supplementary Provisions) (hereinafter referred to as the "Dispositions and Other Acts" in this Article), or applications for permission, etc. filed or other acts committed pursuant to the provisions of respective Acts prior to the amendment at the time of the enforcement of this Act (hereinafter referred to as the "Applications and Other Acts" in this Article), for which the administrative affairs are to be conducted by a different person on the date on which this Act comes into effect, are deemed to be the Dispositions and Other Acts or the Applications and Other Acts committed pursuant to the corresponding provisions of the respective amended laws, except those prescribed in the provisions of Articles 2 through preceding Article of the Supplementary Provisions or in the provisions concerning transitional measures in the respective amended laws (including orders based thereon).

2 この法律の施行前に改正前のそれぞれの法律の規定により国又は地方公共団体の機関に対し報告、届出、提出その他の手続をしなければならない事項で、この法律の施行の日前にその手続がされていないものについては、この法律及びこれに基づく政令に別段の定めがあるもののほか、これを、改正後のそれぞれの法律の相当規定により国又は地方公共団体の相当の機関に対して報告、届出、提出その他の手続をしなければならない事項についてその手続がされていないものとみなして、この法律による改正後のそれぞれの法律の規定を適用する。

(2) With regard to matters for which reports, notification, submission or other procedures must be conducted before the organs of the State or local public entities, prior to the enforcement of this Act, pursuant to the provisions of respective laws prior to the amendment, if these procedures have not yet been conducted by the date on which this Act comes into effect, the provisions of the respective laws amended by this Act apply to those procedures, except those otherwise provided by this Act or a Cabinet Order based thereon, on the assumption that reports, notification, submission or other procedures have not yet been conducted with respect to matters for which those procedures must be conducted before the organs of the State or local public entities pursuant to the relevant provisions of the respective amended laws.

(不服申立てに関する経過措置)

(Transitional Measures Concerning Appeal)

第百六十一条 施行日前にされた国等の事務に係る処分であつて、当該処分をした行政庁（以下この条において「処分庁」という。）に施行日前に行政不服審査法に規定する上級行政庁（以下この条において「上級行政庁」という。）があつたものについて

の同法による不服申立てについては、施行日以後においても、当該処分庁に引き続き上級行政庁があるものとみなして、行政不服審査法の規定を適用する。この場合において、当該処分庁の上級行政庁とみなされる行政庁は、施行日前に当該処分庁の上級行政庁であった行政庁とする。

Article 161 (1) With respect to dispositions pertaining to Affairs of the State, etc. made prior to the Date of Enforcement by the administrative authorities (hereinafter referred to as the "Administrative Authorities Having Made the Dispositions" in this Article) that have been subordinated, prior to the Date of Enforcement, to higher administrative authorities prescribed in the Administrative Complaint Review Act (hereinafter referred to as the "Higher Administrative Authorities" in this Article), the Administrative Complaint Review Act apply to appeals filed against those dispositions pursuant to that Act, on the assumption that the Administrative Authorities Having Made the Dispositions are still subordinate to the Higher Administrative Authorities after the date of enforcement. In this case, the administrative authorities that are deemed to be Higher Administrative Authorities of the Administrative Authorities Having Made the Dispositions are the administrative agencies to which the Administrative Authorities Having Made the Dispositions have been subordinated prior to the date of enforcement.

2 前項の場合において、上級行政庁とみなされる行政庁が地方公共団体の機関であるときは、当該機関が行政不服審査法の規定により処理することとされる事務は、新地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

(2) In the case referred to in the preceding paragraph, where the administrative authorities that are deemed to be Higher Administrative Authorities are organs of local public entities, the functions to be handled by the organs pursuant to the provisions of the Administrative Complaint Review Act are Item 1 Statutory Entrusted Functions prescribed in Article 2, paragraph (9), item (i) of the new Local Autonomy Act.

(手数料に関する経過措置)

(Transitional Measures Concerning Fees)

第百六十二条 施行日前においてこの法律による改正前のそれぞれの法律（これに基づく命令を含む。）の規定により納付すべきであった手数料については、この法律及びこれに基づく政令に別段の定めがあるもののほか、なお従前の例による。

Article 162 With regard to fees payable prior to the Date of Enforcement pursuant to the provisions of the respective laws prior to amendment by this Act (including orders issued thereon), except those otherwise provided by this Act and a Cabinet Order enacted thereunder, the provisions then in force remain applicable.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第百六十三条 この法律の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 163 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第百六十四条 この附則に規定するもののほか、この法律の施行に伴い必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 164 (1) Beyond what is provided for in these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures on penal provisions) are specified by a Cabinet Order.

2 附則第十八条、第五十一条及び第百八十四条の規定の適用に関して必要な事項は、政令で定める。

(2) Any necessary matters concerning the application of the provisions of Article 18, Article 51, and Article 184 of the Supplementary Provisions are specified by a Cabinet Order.

附 則 [平成十一年十二月二十二日法律第百六十号] [抄]

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

(処分、申請等に関する経過措置)

(Transitional Measures for Dispositions, Applications)

第千三百一条 中央省庁等改革関係法及びこの法律（以下「改革関係法等」と総称する。）の施行前に法令の規定により従前の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関がした免許、許可、認可、承認、指定その他の処分又は通知その他の行為とみなす。

Article 1301 (1) Unless other provided for in the laws and regulations, licenses, permissions, authorizations, approvals, designations, other dispositions or notices or other acts which, before the enforcement of the Act for Enforcement of the Reform-Related Acts including Central Government Ministries and Agencies and this Act (hereinafter collectively referred to as the "reform-related Acts etc."), has been effected by the previous national organs pursuant to the provisions of laws and regulations are, after the enforcement of the reform-related Acts, etc., deemed to be licenses, permissions, authorizations, approvals, designations, other dispositions or notice or other acts effected by the corresponding national organ pursuant to the corresponding provisions of

the laws and regulations after the enforcement of the reform-related Acts.

2 改革関係法等の施行の際現に法令の規定により従前の国の機関に対してされている申請、届出その他の行為は、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の相当規定に基づいて、相当の国の機関に対してされた申請、届出その他の行為とみなす。

(2) Unless otherwise provided for in the laws and regulations, applications, notifications or other acts which, as of the time of enforcement of the reform-related Acts, etc., which has been committed before the previous national organ pursuant to the provisions of the laws and regulations are, after the enforcement of the reform-related Acts, etc., deemed to be applications, notifications or other acts committed before the corresponding national organ pursuant to the corresponding provisions of the laws and regulations after the enforcement of the reform-related Act, etc.

3 改革関係法等の施行前に法令の規定により従前の国の機関に対し報告、届出、提出その他の手続をしなければならないとされている事項で、改革関係法等の施行の日前にその手続がされていないものについては、法令に別段の定めがあるもののほか、改革関係法等の施行後は、これを、改革関係法等の施行後の法令の相当規定により相当の国の機関に対して報告、届出、提出その他の手続をしなければならないとされた事項についてその手続がされていないものとみなして、改革関係法等の施行後の法令の規定を適用する。

(3) Unless otherwise provided for in the laws and regulations, with regard to matters concerning which reporting, notification, submission or any other procedures, prior to the time of the enforcement of the reform-related Act, etc., must be committed before the previous national organ pursuant to the provisions of the laws and regulations, if these procedures have not yet been conducted prior to the day on which the reform-related Acts, etc. come into effect, the provisions of the laws and regulations after the enforcement of the reform-related Acts, etc. apply to those procedures, after the enforcement of the reform-related Acts, etc., by deeming that reporting, notification, submission or any other procedures have not yet been committed with respect to the matters for which those procedures must be committed before the corresponding national organ pursuant to the corresponding provisions of the laws and regulations after the enforcement of the reform-related Acts, etc.

(従前の例による処分等に関する経過措置)

(Transitional Measures for Dispositions pursuant to the Provisions then in Force)

第千三百二条 なお従前の例によることとする法令の規定により、従前の国の機関がすべき免許、許可、認可、承認、指定その他の処分若しくは通知その他の行為又は従前の国の機関に対してすべき申請、届出その他の行為については、法令に別段の定めがあるもののほか、改革関係法等の施行後は、改革関係法等の施行後の法令の規定に基

づくその任務及び所掌事務の区分に応じ、それぞれ、相当の国の機関がすべきものとし、又は相当の国の機関に対してすべきものとする。

Article 1302 Unless otherwise provided for in the laws and regulations, licenses, permissions, authorizations, approvals, designations, other dispositions or notices or other acts which should be effected by the previous national organs or applications, notifications or any other acts to be committed before the previous national organs pursuant to the provisions of the laws and regulations to which the provisions then in force should remain applicable are, after the enforcement of the reform-related Acts, etc., effected by the corresponding national organ or be committed before the corresponding national organ respectively, based on a classification of duties and functions under the jurisdiction based on the laws and regulations after the enforcement of the reform-related Acts, etc.

(罰則に関する経過措置)

(Transitional Measures for Penal Provisions)

第千三百三条 改革関係法等の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 1303 With regard to the application of penal provisions to acts committed prior to the enforcement of the reform-related Acts, etc., the provisions then in force remain applicable.

(守秘義務に関する経過措置)

(Transitional Measures on Confidentiality Obligation)

第千三百七条

Article 1307 (1)

4 改革関係法等の施行後は、改革関係法等の施行前の消防法第三十五条の三の二第二項において準用する同法第三十四条第二項において準用する同法第四条第六項に規定する従前の消防庁の職員に係る検査又は質問を行った場合に知り得た関係者の秘密は、改革関係法等の施行後の同項に規定する消防庁の職員に係る検査又は質問を行った場合に知り得た関係者の秘密とみなして、同項の規定を適用する。

(4) After the enforcement of the reform-related Acts, etc., the secrecy of the person concerned which the officials of the former Fire and Disaster Management Agency come to know in the course of inspection or questioning set forth in Article 4, paragraph (6) of the Fire Service Act prior to the enforcement of the reform-related Acts, etc. as applied mutatis mutandis pursuant to Article 34, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 35-3-2, paragraph (2) of that Act is deemed as secrecy of the person concerned which the officials of the Fire and Disaster Management Agency come to know in the course of inspection or questioning set forth in Article 4, paragraph (6) of that Act after the enforcement of the reform-related

Act, etc., and the provisions of that paragraph apply.

5 略

(5) (Omitted)

(政令への委任)

(Delegation to Cabinet Order)

第千三百四十四条 第七十一条から第七十六条まで及び第千三百一条から前条まで並びに中央省庁等改革関係法に定めるもののほか、改革関係法等の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 1344 Beyond what is provided for in Article 71 through Article 76 and Article 1301 through the preceding Article, and in the Act for Enforcement of the Reform-Related Acts including Central Government Ministries and Agencies, transitional measures necessary for the enforcement of the reform-related Acts, etc. (including transitional measures on penal provisions) are specified by a Cabinet Order.

附 則 〔平成十三年七月四日法律第九十八号〕 〔抄〕

Supplementary Provisions [Act No. 98 of July 4, 2001] [Extract]

(経過措置)

(Transitional Measures)

第二条 この法律（前条各号に掲げる規定については、当該各規定。以下この条及び附則第七条において同じ。）の施行前に改正前の消防法（以下「旧法」という。）の規定によりされた許可その他の処分又はこの法律の施行の際現に旧法の規定によりされている許可の申請、届出その他の手続は、別段の定めがあるものを除き、改正後の消防法（以下「新法」という。）の相当規定によりされた処分又は手続とみなす。

Article 2 Unless otherwise provided for, permission granted or any other disposition rendered before the enforcement of this Act (with regard to the provisions listed in the items of the preceding Article, before the enforcement of the relevant provisions; hereinafter the same applies in this Article and Article 7 of the Supplementary Provisions) pursuant to the provisions of the Fire Service Act prior to the amendment (hereinafter referred to as the "former Act"), or an application for permission, notification or any other procedure having been made or filed pursuant to the provisions of the former Act as of the time of enforcement of this Act is deemed as the disposition or procedure rendered or made under the corresponding provisions of the Fire Service Act after amendmenet (hereinafter referred to as the "new Act").

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第七条 この法律の施行前にした行為及びこの附則の規定によりなお従前の例によるこ

ととされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 7 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after this Act comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八条 附則第二条から前条までに定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 8 Beyond what is provided for in Article 2 through the preceding Article of these Supplementary Provisions, transitional measures necessary for the enforcement of this Act (including transitional measures on penal provisions) are specified by a Cabinet Order.

附 則 〔平成十四年四月二十六日法律第三十号〕 〔抄〕

Supplementary Provisions [Act No. 30 of April 26, 2002] [Extract]

(経過措置)

(Transitional Measures)

第二条 この法律の施行前にされた改正前の消防法第五条の規定による命令については、なお従前の例による。

Article 2 With regard to an order issued before the enforcement of this Act under Article 5 of the Fire Service Act prior to the amendment, the provisions then in force remain applicable.

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第四条 この法律（附則第一条ただし書に規定する規定については、当該規定）の施行前にした行為及びこの附則の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 4 With regard to the application of penal provisions to acts committed before the enforcement of this Act (with regard to the provisions specified in the proviso to Article 1 of these Supplementary Provisions, before the enforcement of those provisions), and acts committed after this Act comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of these Supplementary Provisions, the provisions then in force remain applicable.

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第五条 前三条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 5 Beyond what is provided for in preceding three Articles, transitional measures necessary for the enforcement of this Act (including transitional measures on penal provisions) are specified by a Cabinet Order.

附 則 〔平成十五年六月十八日法律第八十四号〕〔抄〕

Supplementary Provisions [Act No. 84 of June 18, 2003] [Extract]

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三条 この法律（附則第一条各号に掲げる規定については、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions listed in items of Article 1 of the Supplementary Provisions, prior to the enforcement of the relevant provisions), the provisions then in force remain applicable.

(経過措置の政令への委任)

(Delegation of Transitional Measures to Cabinet Order)

第四条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 4 Beyond what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act (including transitional measures on penal provisions) are specified by a Cabinet Order.

附 則 〔平成十六年六月二日法律第六十五号〕〔抄〕

Supplementary Provisions [Act No. 65 of June 2, 2004] [Extract]

(住宅用防災機器に関する経過措置)

(Transitional Measures on Disaster Prevention Device for Residence)

第二条 前条第二号に掲げる規定の施行の際、現に存する改正後の消防法第九条の二第一項に規定する住宅（以下この条において「住宅」という。）における同項に規定する住宅用防災機器（以下この条において「住宅用防災機器」という。）又は現に新築、増築、改築、移転、修繕若しくは模様替えの工事中の住宅に係る住宅用防災機器が同条第二項の規定による住宅用防災機器の設置及び維持に関する基準に適合しないときは、当該住宅用防災機器については、市町村（特別区の存する区域においては、都）の条例で定める日までの間、同条第一項の規定は、適用しない。

Article 2 With regard to disaster prevention devices for residences specified in

Article 9-2, paragraph (1) of the Fire Service Act after amendment that, as of the time of enforcement of the provisions listed in item (ii) of the preceding Article, have already been installed in a residence specified in that paragraph (hereinafter referred to as the "residence" in this Article) (the devices are hereinafter referred to as the "disaster prevention devices for residences" in this Article) or those disaster prevention devices for residences to be installed in a residence that, as of that time, is under work for new construction, extension, reconstruction, relocation, repair or remodeling, which do not conform to the standards for the installation and maintenance of disaster prevention devices for residences as prescribed in paragraph (2) of that Article, the provisions of paragraph (1) of that Article do not apply to those disaster prevention devices for residences for the period until the date to be specified by the ordinances of the municipalities (in the case of a region where special wards have been established, the ordinances of the Tokyo Metropolitan Government).

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三条 この法律（附則第一条各号に掲げる規定については、当該規定）の施行前にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to acts committed prior to the enforcement of this Act (with regard to the provisions listed in items of Article 1 of the Supplementary Provisions, prior to the enforcement of the relevant provisions), the provisions then in force remain applicable.

(経過措置の政令への委任)

(Delegation of Transitional Measures to Cabinet Order)

第四条 前二条に定めるもののほか、この法律の施行に関し必要な経過措置（罰則に関する経過措置を含む。）は、政令で定める。

Article 4 In addition to what is provided for in the preceding two Articles, transitional measures necessary for the enforcement of this Act (including transitional measures on penal provisions) are specified by a Cabinet Order.

附 則 〔平成十七年三月三十一日法律第二十一号〕〔抄〕

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

(その他の経過措置の政令への委任)

(Delegation of Other Transitional Measures to Cabinet Order)

第八十九条 この附則に規定するもののほか、この法律の施行に関し必要な経過措置は、政令で定める。

Article 89 Beyond what is provided for in these Supplementary Provisions,

transitional measures necessary for the enforcement of this Act are specified by a Cabinet Order.

附 則 〔平成十七年七月二十六日法律第八十七号〕 〔抄〕
Supplementary Provisions [Act No. 87 of July 26, 2005] [Extract]

附 則 〔平成十八年六月二日法律第五十号〕 〔抄〕
Supplementary Provisions [Act No. 50 of June 2, 2006] [Extract]

(罰則に関する経過措置)

(Transitional Measures on Penal Provisions)

第四百五十七条 施行日前にした行為及びこの法律の規定によりなお従前の例によることとされる場合における施行日以後にした行為に対する罰則の適用については、なお従前の例による。

Article 457 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after this Act comes into effect in the case where the provisions then in force remain applicable pursuant to the provisions of this Act, the provisions then in force remain applicable.

(政令への委任)

(Delegation to Cabinet Order)

第四百五十八条 この法律に定めるもののほか、この法律の規定による法律の廃止又は改正に伴い必要な経過措置は、政令で定める。

Article 458 Beyond what is provided for in this Act, the transitional measures necessary in relation to repeal or amendmenmt of the Act by this Act are specified by a Cabinet Order.

附 則 〔平成十九年六月二十二日法律第九十三号〕 〔抄〕
Supplementary Provisions [Act No. 93 of June 22, 2007] [Extract]

(経過措置の政令への委任)

(Delegation of Transitional Measures to Cabinet Order)

第二条 この法律の施行に関し必要な経過措置は、政令で定める。

Article 2 Transitional measures necessary for the enforcement of this Act are specified by a Cabinet Order.

(検討)

(Review)

第三条 政府は、この法律の施行後五年を経過した場合において、この法律の施行の状

況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 3 When five years have passed since after this Act comes into effect, the government is to review the status of enforcement of this Act, and, when it finds it necessary, is to take necessary measures based on the findings of the review.

(大規模地震対策特別措置法等の一部改正)

(Partial Amendment of Act on Special Measures Concerning Countermeasures for Large-Scale Earthquakes)

第四条 次に掲げる法律の規定中「第八条の二第一項」の下に「(これらの規定を同法第三十六条第一項において準用する場合を含む。)」を加える。

Article 4 After the term "Article 8-2, paragraph (1)" in the provisions of the following Acts, the term "(including the cases where these provisions are applied mutatis mutandis pursuant to Article 36, paragraph (1) of that Act)".

一 大規模地震対策特別措置法 (昭和五十三年法律第七十三号) 第八条第一項第一号

(i) the Act on Special Measures Concerning Countermeasures for Large-Scale Earthquakes (Act No. 73 of 1978): Article 8, paragraph (1), item (i)

二 東南海・南海地震に係る地震防災対策の推進に関する特別措置法 (平成十四年法律第九十二号) 第八条第一項第一号

(ii) the Act on Special Measures concerning Advancement of Countermeasures against Disasters of Tonankai and Nankai Earthquakes (Act No. 92 of 2002): Article 8, paragraph (1), item (i)

三 日本海溝・千島海溝周辺海溝型地震に係る地震防災対策の推進に関する特別措置法 (平成十六年法律第二十七号) 第八条第一項第一号

(iii) the Act on Special Measures concerning Advancement of Countermeasures against Earthquake Disaster in Relation to Subduction Zone Earthquake Around Japan Trench and Chishima Trench (Act No. 27 of 2004): Article 8, paragraph (1), item (i)

附 則 [平成二十年五月二十八日法律第四十一号] [抄]

Supplementary Provisions [Act No. 41 of May 28, 2008] [Extract]

(罰則に関する経過措置)

(Transitional Measures Concerning Penal Provisions)

第三条 この法律の施行前にした行為及び前条の規定によりなお従前の例によることとされる場合におけるこの法律の施行後にした行為に対する罰則の適用については、なお従前の例による。

Article 3 With regard to the application of penal provisions to acts committed before this Act comes into effect, and acts committed after this Act comes into

effect in the case where the provisions then in force remain applicable pursuant to the provisions of the preceding Article, the provisions then in force remain applicable.

(検討)

(Review)

第四条 政府は、この法律の施行後五年を経過した場合において、第一条の規定による改正後の規定の施行の状況について検討を加え、必要があると認めるときは、その結果に基づいて所要の措置を講ずるものとする。

Article 4 When five years have passed since after this Act comes into effect, the government is to review the status of enforcement of the provisions amended by Article 1, and, when it finds it necessary, is to take necessary measures based on the findings of the review.

別表第一（第二条、第十条、第十一条の四関係）

Appended Table 1 (Re: Article 2, Article 10 and Article 11-4)

類別 Category	性質 Nature	品名 Item
第一類 Category I	酸化性固体 oxidizing solids	一 塩素酸塩類 (i) chlorates 二 過塩素酸塩類 (ii) perchlorates 三 無機過酸化物 (iii) inorganic peroxides 四 亜塩素酸塩類 (iv) chlorites 五 臭素酸塩類 (v) bromates 六 硝酸塩類 (vi) nitrates 七 よう素酸塩類 (vii) iodates 八 過マンガン酸塩類 (viii) permanganates 九 重クロム酸塩類 (ix) dichromates 十 その他のもので政令で定めるもの (x) other substances specified by a Cabinet Order 十一 前各号に掲げるもののいずれかを含有するもの (xi) substances containing any of those listed in the preceding items

<p>第二類 Category II</p>	<p>可燃性固体 combustible solids</p>	<p>一 硫化りん (i) phosphorus sulfide</p> <p>二 赤りん (ii) red phosphorus</p> <p>三 硫黄 (iii) sulfur</p> <p>四 鉄粉 (iv) iron powder</p> <p>五 金属粉 (v) metal powders</p> <p>六 マグネシウム (vi) magnesium</p> <p>七 その他のもので政令で定めるもの (vii) other substances specified by a Cabinet Order</p> <p>八 前各号に掲げるもののいずれかを含有するもの (viii) substances containing any of those listed in the preceding items</p> <p>九 引火性固体 (ix) inflammable solids</p>
<p>第三類 Category III</p>	<p>自然発火性物質及び禁水性物質 spontaneously combustible substances and water-reactive substances</p>	<p>一 カリウム (i) potassium</p> <p>二 ナトリウム (ii) sodium</p> <p>三 アルキルアルミニウム (iii) alkyl aluminiums</p> <p>四 アルキルリチウム (iv) alkyl lithiums</p> <p>五 黄りん (v) yellow phosphorus</p> <p>六 アルカリ金属（カリウム及びナトリウムを除く。）及びアルカリ土類金属 (vi) alkali metal (excluding potassium and sodium) and alkaline-earth metal</p> <p>七 有機金属化合物（アルキルアルミニウム及びアルキルリチウムを除く。） (vii) organometallic compounds (excluding alkyl aluminiums and alkyl lithiums)</p> <p>八 金属の水素化物 (viii) metal hydrides</p>

		<p>九 金属のりん化物 (ix) metal phosphides</p> <p>十 カルシウム又はアルミニウムの炭化物 (x) carbide of calcium or carbide of aluminum</p> <p>十一 その他のもので政令で定めるもの (xi) other substances specified by a Cabinet Order</p> <p>十二 前各号に掲げるもののいずれかを含有するもの (xii) substances containing any of those listed in the preceding items</p>
<p>第四類 Category IV</p>	<p>引火性液体 inflammable liquids</p>	<p>一 特殊引火物 (i) special inflammable materials</p> <p>二 第一石油類 (ii) class I petroleums</p> <p>三 アルコール類 (iii) alcohols</p> <p>四 第二石油類 (iv) class II petroleums</p> <p>五 第三石油類 (v) class III petroleums</p> <p>六 第四石油類 (vi) class IV petroleums</p> <p>七 動植物油類 (vii) oil extracted from plants and animals</p>
<p>第五類 Category V</p>	<p>自己反応性物質 self-reactive substances</p>	<p>一 有機過酸化物 (i) organic peroxides</p> <p>二 硝酸エステル類 (ii) nitric esters</p> <p>三 ニトロ化合物 (iii) nitro compounds</p> <p>四 ニトロソ化合物 (iv) nitroso compounds</p> <p>五 アゾ化合物 (v) azo compounds</p> <p>六 ジアゾ化合物 (vi) diazo compounds</p> <p>七 ヒドラジンの誘導体 (vii) hydrazine derivatives</p> <p>八 ヒドロキシルアミン (viii) hydroxylamine</p> <p>九 ヒドロキシルアミン塩類 (ix) hydroxylamine salts</p> <p>十 その他のもので政令で定めるもの (x) other substances specified by a Cabinet Order</p>

		十一 前各号に掲げるもののいずれかを含有するもの (xi) substances containing any of those listed in the preceding items
第六類 Category VI	酸化性液体 oxidizing liquids	一 過塩素酸 (i) perchloric acid 二 過酸化水素 (ii) hydrogen peroxide 三 硝酸 (iii) nitric acid 四 その他のもので政令で定めるもの (iv) other substances specified by a Cabinet Order 五 前各号に掲げるもののいずれかを含有するもの (v) substances containing any of those listed in the preceding items

備考

Remarks

一 酸化性固体とは、固体（液体（一気圧において、温度二〇度で液状であるもの又は温度二〇度を超え四〇度以下の間において液状となるものをいう。以下同じ。）又は気体（一気圧において、温度二〇度で気体状であるものをいう。）以外のものをいう。以下同じ。）であつて、酸化力の潜在的な危険性を判断するための政令で定める試験において政令で定める性状を示すもの又は衝撃に対する感受性を判断するための政令で定める試験において政令で定める性状を示すものであることをいう。

(i) the term "oxidizing solids" means solids (meaning substances other than liquids (meaning substances forming liquids at a temperature of 20 degrees and at one atmospheric pressure, or substances liquefied at a temperature exceeding 20 degrees but not higher than 40 degrees and at one atmospheric pressure; the same applies hereinafter) or gas (meaning substances forming gasses at a temperature of 20 degrees and at one atmospheric pressure); the same applies hereinafter), that, as a result of an examination for determining the potential risk of oxidation conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order, or that, as a result of an examination for determining the sensitivity against impact conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order.

二 可燃性固体とは、固体であつて、火災による着火の危険性を判断するための政令で定める試験において政令で定める性状を示すもの又は引火の危険性を判断するための政令で定める試験において引火性を示すものであることをいう。

(ii) the term "combustible solids" means solids that, as a result of an

- examination for determining the risk of ignition by fire conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order, or that, as a result of an examination for determining the risk of inflammability pursuant to a Cabinet Order, demonstrate inflammability.
- 三 鉄粉とは、鉄の粉をいい、粒度等を勘案して総務省令で定めるものを除く。
- (iii) the term "iron powder" means iron powders excluding those specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration the particle size and other factors.
- 四 硫化りん、赤りん、硫黄及び鉄粉は、備考第二号に規定する性状を示すものとみなす。
- (iv) phosphorus sulfide, red phosphorus, sulfur and iron powder is deemed to demonstrate the nature specified in item (ii) of these Remarks.
- 五 金属粉とは、アルカリ金属、アルカリ土類金属、鉄及びマグネシウム以外の金属の粉をいい、粒度等を勘案して総務省令で定めるものを除く。
- (v) the term "metal powders" means powders of metals excluding alkali metal, alkaline-earth metal, iron and magnesium, and also excluding those specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration the particle size and other factors.
- 六 マグネシウム及び第二類の項第八号の物品のうちマグネシウムを含有するものにあつては、形状等を勘案して総務省令で定めるものを除く。
- (vi) with regard to magnesium and the substances listed in item (viii) of the row of Category II containing magnesium, those specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration the form and other factors are excluded.
- 七 引火性固体とは、固形アルコールその他一気圧において引火点が四〇度未満のものをいう。
- (vii) the term "inflammable solids" means solid alcohol and any other solid whose flash point is lower than 40 degrees at one atmospheric pressure.
- 八 自然発火性物質及び禁水性物質とは、固体又は液体であつて、空気中での発火の危険性を判断するための政令で定める試験において政令で定める性状を示すもの又は水と接触して発火し、若しくは可燃性ガスを発生する危険性を判断するための政令で定める試験において政令で定める性状を示すものであることをいう。
- (viii) the term "spontaneously combustible substances and water-reactive substances" means solids or liquids that, as a result of an examination for determining the risk of ignition in air conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order, or that, as a result of an examination for determining the risk of ignition or generating combustible gas upon contact with water, demonstrate the nature specified by a Cabinet Order.
- 九 カリウム、ナトリウム、アルキルアルミニウム、アルキルリチウム及び黄りん

は、前号に規定する性状を示すものとみなす。

(ix) potassium, sodium, alkyl aluminums, alkyl lithiums and yellow phosphorus is deemed to demonstrate the nature specified in the preceding item.

十 引火性液体とは、液体（第三石油類、第四石油類及び動植物油類にあつては、一気圧において、温度二〇度で液状であるものに限る。）であつて、引火の危険性を判断するための政令で定める試験において引火性を示すものであることをいう。

(x) the term "inflammable liquids" means liquids (with regard to the Class III petroleum, the Class IV petroleum and oil extracted from plants and animals, limited to those forming liquids at a temperature of 20 degrees and at one atmospheric pressure) that, as a result of an examination for determining the risk of inflammability conducted pursuant to a Cabinet Order, demonstrate inflammability.

十一 特殊引火物とは、ジエチルエーテル、二硫化炭素その他一気圧において、発火点が一〇〇度以下のもの又は引火点が零下二〇度以下で沸点が四〇度以下のものをいう。

(xi) the term "special inflammable materials" means diethyl ether, carbon disulfide or any other liquid whose ignition point is 100 degrees or lower at one atmospheric pressure, or, whose flash point is minus 20 degrees or lower and boiling point is 40 degrees or lower at one atmospheric pressure.

十二 第一石油類とは、アセトン、ガソリンその他一気圧において引火点が二一度未満のものをいう。

(xii) the term "Class I petroleum" means acetone, gasoline and any other liquid whose flash point is lower than 21 degree at one atmospheric pressure.

十三 アルコール類とは、一分子を構成する炭素の原子の数が一個から三個までの飽和一価アルコール（変性アルコールを含む。）をいい、組成等を勘案して総務省令で定めるものを除く。

(xiii) the term "alcohol" means saturated monovalent alcohol whose molecules are composed of between one and three carbon atoms (including alcohol denat), excluding those specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration its composition and other factors.

十四 第二石油類とは、灯油、軽油その他一気圧において引火点が二一度以上七〇度未満のものをいい、塗料類その他の物品であつて、組成等を勘案して総務省令で定めるものを除く。

(xiv) the term "Class II petroleum" means heating oil, gas oil and other liquid whose flash point is 21 degrees or higher but lower than 70 degrees at one atmospheric pressure, excluding paint or other materials specified by an Order of the Ministry of Internal Affairs and Communications by

taking into consideration the composition and other factors.

十五 第三石油類とは、重油、クレオソート油その他一気圧において引火点が七〇度以上二〇〇度未満のものをいい、塗料類その他の物品であつて、組成を勘案して総務省令で定めるものを除く。

(xv) the term "Class III petroleums" means heavy fuel oil, creosote oil and other liquid whose flash point is 70 degrees or higher but lower than 200 degrees at one atmospheric pressure, excluding paint or other materials specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration the composition.

十六 第四石油類とは、ギヤー油、シリンダー油その他一気圧において引火点が二〇〇度以上二五〇度未満のものをいい、塗料類その他の物品であつて、組成を勘案して総務省令で定めるものを除く。

(xvi) the term "Class IV petroleums" means gear oil, cylinder oil and other liquid whose flash point is 200 degrees or higher but lower than 250 degrees at one atmospheric pressure, excluding paint or other materials specified by an Order of the Ministry of Internal Affairs and Communications by taking into consideration the composition.

十七 動植物油類とは、動物の脂肉等又は植物の種子若しくは果肉から抽出したものであつて、一気圧において引火点が二五〇度未満のものをいい、総務省令で定めるところにより貯蔵保管されているものを除く。

(xvii) the term "oil extracted from animals and plants" means oil extracted from the grease, meat, etc. of animals or the seeds or pulp of plants, whose flash point is lower than 250 degrees at one atmospheric pressure, excluding those stored and retained pursuant to the provisions of an Order of the Ministry of Internal Affairs and Communications.

十八 自己反応性物質とは、固体又は液体であつて、爆発の危険性を判断するための政令で定める試験において政令で定める性状を示すもの又は加熱分解の激しさを判断するための政令で定める試験において政令で定める性状を示すものであることをいう。

(xviii) the term "self-reactive substances" means solids or liquids, that, as a result of an examination for determining the risk of explosion conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order, or that, as a result of an examination for determining the extent of thermolysis conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order.

十九 第五類の項第十一号の物品にあつては、有機過酸化物を含有するもののうち不活性の固体を含有するもので、総務省令で定めるものを除く。

(xix) with regard to the substances listed in item (xi) of the row of Category V, those containing organic peroxides and also containing an inactive solid as specified by an Order of the Ministry of Internal Affairs and Communications are excluded.

二十 酸化性液体とは、液体であつて、酸化力の潜在的な危険性を判断するための政令で定める試験において政令で定める性状を示すものであることをいう。

(xx) the term "oxidizing liquids" means liquids that, as a result of an examination for determining the potential risk of oxidation conducted pursuant to a Cabinet Order, demonstrate the nature specified by a Cabinet Order.

二十一 この表の性質欄に掲げる性状の二以上を有する物品の属する品名は、総務省令で定める。

(xxi) with regard to any substance having two or more natures listed in the column of the Nature in this Appended Table, the Item that covers those substances are specified by an Order of the Ministry of Internal Affairs and Communications.

別表第二（第二十一条の四十六関係）

Appended Table 2 (Re: Article 21-46)

<p>第二十一条の四十五第一号の業務 Operation specified in Article 21-45, item (i)</p>	<p>一 学校教育法による大学若しくは高等専門学校において機械工学、電気工学若しくは工業化学に関する学科若しくは課程を修めて卒業した者又はこれと同等以上の学力を有する者 (i) a person who has graduated from a university or college of technology under the School Education Act by completing a major or course in mechanical engineering, electrical engineering or industrial chemistry, or a person who has scholastic ability equivalent or superior to such person.</p> <p>二 消防設備士の資格を有する者 (ii) a person qualified as a fire defense equipment officer.</p> <p>三 建築士法（昭和二十五年法律第二百二号）第二条第二項に規定する一級建築士の資格を有する者 (iii) a person qualified as a first class architect under Article 2, paragraph (2) of the Architects and Building Engineers Act (Act No. 202 of 1950).</p> <p>四 火災予防に係る審査又は検査に三年以上の実務経験を有する者 (iv) a person with at least three years' practical experience in examination or inspection related to fire prevention.</p>
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<p>第二十一条の四十五第二号から第四号までの業務 Operations specified in Article 21-45, item (ii) through (iv)</p>	<p>学校教育法による大学若しくは高等専門学校において機械工学、電気工学若しくは工業化学に関する学科若しくは課程を修めて卒業した者又はこれと同等以上の学力を有する者 a person who has graduated from a university or college of technology under the School Education Act by completing a major or course in mechanical engineering, electrical engineering or industrial chemistry, or a person who has scholastic ability equivalent or superior to such person.</p>
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別表第三（第二十一条の四十六関係）

Appended Table 3 (Re: Article 21-46)

<p>第二十一条の四十五第一号の業務 Operation specified in Article 21-45, item (i)</p>	<p>一 木材クリブ乾燥設備 (i) wood crib drying device 二 熱分布測定装置 (ii) heat distribution measuring device 三 煙濃度分布測定装置 (iii) smoke density distribution measuring device 四 気流分布測定装置 (iv) aerial current distribution measuring device 五 一酸化炭素濃度分布測定装置 (v) carbon monoxide concentration distribution measuring device 六 ロードセル (vi) load cell 七 排煙浄化設備 (vii) smoke exhaust and purification device</p>
<p>第二十一条の四十五第二号の業務 Operation specified in Article 21-45, item (ii)</p>	<p>一 木材クリブ乾燥設備 (i) wood crib drying device 二 閉鎖型スプリンクラーヘッド感度試験装置 (ii) enclosed-type sprinkler head sensitivity testing device 三 散水分布測定装置 (iii) water sprinkling distribution measuring device 四 耐圧試験機 (iv) pressure testing machine 五 高圧大容量試験ポンプ (v) high pressure and large volume testing pump 六 泡消火薬剤発泡装置 (vi) fire-extinguishing foam generator</p>

	<p>七 ガスクロマトグラフ (vii) gas chromatograph</p> <p>八 耐候性試験機 (viii) antiweatherability testing machine</p> <p>九 排煙浄化設備 (ix) smoke exhaust and purification device</p>
<p>第二十一条の四十五第三号 の業務 Operation specified in Article 21-45, item (iii)</p>	<p>一 感知器感度試験装置 (i) sensor sensitivity testing device</p> <p>二 スペクトルアナライザ (ii) spectrum analyzer</p> <p>三 繰返し試験機 (iii) iteration testing machine</p> <p>四 周囲温度試験機 (iv) ambient temperature testing machine</p> <p>五 衝撃電圧試験機 (v) shock voltage testing machine</p> <p>六 振動試験機 (vi) vibration testing machine</p> <p>七 衝撃試験機 (vii) impact testing machine</p> <p>八 腐食試験機 (viii) etching testing machine</p> <p>九 湿度試験機 (ix) humidity testing machine</p> <p>十 粉じん試験機 (x) dust testing machine</p>
<p>第二十一条の四十五第四号 の業務 Operation specified in Article 21-45, item (iv)</p>	<p>一 引張り強度試験装置 (i) intensity testing device</p> <p>二 圧縮強度試験装置 (ii) compressive strength testing device</p> <p>三 塩水噴霧試験機 (iii) neutral salt spray testing machine</p>