

作業環境測定法

Working Environment Measurement Act

(昭和五十年五月一日法律第二十八号)
(Act No. 28 of May 1, 1975)

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第一章 総則

Chapter I General Provisions

(目的)

(Purpose)

第一条 この法律は、労働安全衛生法（昭和四十七年法律第五十七号）と相まって、作業環境の測定に関し作業環境測定士の資格及び作業環境測定機関等について必要な事項を定めることにより、適正な作業環境及び労働者の作業の安全かつ衛生的な遂行を確保し、もつて職場における労働者の健康を保持することを目的とする。

Article 1 The purpose of this Act, in conjunction with the Industrial Safety and Health Act (Act No. 57 of 1972), is to ensure a proper working environment and the safe and sanitary performance of work by workers by providing necessary matters concerning the qualifications of working environment measurement experts and working environment measurement agencies, etc. on the measurement of the working environment, thereby maintaining the health of workers in the workplace.

(定義)

(Definitions)

第二条 この法律において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

Article 2 For the purpose of this Act, the terms listed in the following items have the meaning stated in the respective items:

一 事業者 労働安全衛生法第二条第三号に規定する事業者をいう。

(i) "Employer" means the employer specified in Article 2, item (iii) of the Industrial Safety and Health Act;

二 作業環境測定 労働安全衛生法第二条第四号に規定する作業環境測定をいう。

(ii) "Working Environment Measurement" means the working environment measurement specified in Article 2, item (iv) of the Industrial Safety and Health Act;

三 個人ばく露測定 作業環境測定のうち、作業環境における労働者の有害な因子へのばく露の程度を把握するために行うものをいう。

(iii) the term "individual exposure measurement" means work environment measurement conducted to assess the degree of exposure of workers to harmful factors in the work environment;

四 指定作業場 労働安全衛生法第六十五条第一項の作業場のうち政令で定めるもの及び同法第六十五条の三第一項から第三項までの規定により作業環境測定を行う作業場のうち政令で定めるものをいう。

(iv) the term "designated workplace" means a workplace specified by Cabinet Order among those referred to in Article 65, paragraph (1) of the Industrial Safety and Health Act, and a workplace specified by Cabinet Order among those carrying out working environment assessment pursuant to the provisions of Article 65-3, paragraphs (1) through (3) of that Act;

五 作業環境測定士 第一種作業環境測定士及び第二種作業環境測定士をいう。

(v) "working environment measurement expert" means Class-1 and Class-2 working environment measurement experts.

六 第一種作業環境測定士 厚生労働大臣の登録を受け、指定作業場について作業環境測定の業務を行うほか、第一種作業環境測定士の名称を用いて事業場（指定作業場を除く。次号において同じ。）における作業環境測定の業務を行う者をいう。

(vi) "class-1 working environment measurement expert" means the person

registered with the Minister of Health, Labour and Welfare, who performs working environment measurement services at designated workplaces and also performs, in the title of a class-1 working environment measurement expert, working environment measurement services at workplaces

(Excluding designated workplaces; the same applies in the following item);

七 第二種作業環境測定士 厚生労働大臣の登録を受け、指定作業場について作業環境測定の業務（厚生労働省令で定める機器を用いて行う分析（解析を含む。）の業務を除く。以下この号において同じ。）を行うほか、第二種作業環境測定士の名称を用いて事業場における作業環境測定の業務を行う者をいう。

(vii) "Class-2 Working Environment Measurement Expert" means the person registered with the Minister of Health, Labour and Welfare, who performs working environment measurement services (excluding analysis (including detailed analysis) services using the instruments and apparatuses specified by Order of the Ministry of Health, Labour and Welfare) at designated workplaces and also performs, in the title of a class-2 working environment measurement expert, working environment measurement services at workplaces.

八 作業環境測定機関 厚生労働大臣又は都道府県労働局長の登録を受け、他人の求めに応じて、事業場における作業環境測定を行うことを業とする者をいう。

(viii) "working environment measurement agency" means the person registered with the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau, whose business is to conduct working environment measurements in workplaces at the request of others.

（作業環境測定の実施）

（Implementation of Working Environment Measurement）

第三条 事業者は、労働安全衛生法第六十五条第一項又は第六十五条の三第一項から第三項までの規定により、指定作業場について作業環境測定を行うときは、厚生労働省令で定めるところにより、その使用する作業環境測定士にこれを実施させなければならない。

Article 3 (1) When an employer carries out working environment measurement at a designated workplace pursuant to the provisions of Article 65, paragraph (1) or Article 65-3, paragraphs (1) through (3) of the Industrial Safety and Health Act, the employer must have the working environment measurement expert employed by the employer carry out the measurement, as provided for by Order of the Ministry of Health, Labour and Welfare.

2 事業者は、前項の規定による作業環境測定を行うことができないときは、厚生労働省令で定めるところにより、当該作業環境測定を作業環境測定機関に委託しなければならない。ただし、国又は地方公共団体の機関その他の機関で、厚生労働大臣が指定するものに委託するときは、この限りでない。

(2) If incapable of performing the working environment measurement under the

provisions of the preceding paragraph, the employer must entrust the working environment measurement to a working environment measurement agency, pursuant to Order of the Ministry of Health, Labour and Welfare. Provided, however, that this does not apply if it is entrusted to an agency of the national government or local governments, or other agencies designated by the Minister of Health, Labour and Welfare.

第四条 作業環境測定士は、労働安全衛生法第六十五条第一項又は第六十五条の三第一項から第三項までの規定による作業環境測定を実施するときは、同法第六十五条第二項の作業環境測定基準に従つてこれを実施しなければならない。

Article 4 (1) In implementing the working environment measurement under the provisions of Article 65, paragraph (1) or Article 65-3, paragraphs (1) through (3) of the Industrial Safety and Health Act, the working environment measurement expert must implement it in accordance with the working environment measurement standards referred to in Article 65, paragraph (2) of that Act.

2 作業環境測定機関は、他人の求めに応じて労働安全衛生法第六十五条第一項又は第六十五条の三第一項から第三項までの規定による作業環境測定を行うときは、同法第六十五条第二項の作業環境測定基準に従つてこれを行わなければならない。

(2) When a working environment measurement agency carries out working environment measurement pursuant to the provisions of Article 65, paragraph (1) or Article 65-3, paragraphs (1) through (3) of the Industrial Safety and Health Act at the request of other persons, it must do so in accordance with the working environment measurement standards referred to in Article 65, paragraph (2) of that Act.

3 作業環境測定士は、個人ばく露測定のうちサンプリング又は分析の業務であつて厚生労働省令で定めるものを行う場合には、厚生労働省令で定める者に補助させることができる。

(3) When a working environment measurement expert carries out the sampling or analytical work specified by Order of the Ministry of Health, Labour and Welfare among the personal exposure measurements, the working environment measurement expert may have a person specified by Order of the Ministry of Health, Labour and Welfare assist.

第二章 作業環境測定士等

Chapter II Working Environment Measurement Expert, etc.

第一節 作業環境測定士

Section 1 Working Environment Measurement Expert

(作業環境測定士の資格)

(Qualification of Working Environment Measurement Expert)

第五条 作業環境測定士試験（以下「試験」という。）に合格し、かつ、厚生労働大臣又は都道府県労働局長の登録を受けた者が行う講習（以下「講習」という。）を修了した者であつて厚生労働省令で定める労働衛生に関する実務に従事した経験を有するもの、その他これと同等以上の能力を有すると認められる者であつて厚生労働省令で定めるものは、作業環境測定士となる資格を有する。

Article 5 A person who has passed the Working Environment Measurement Expert Examination (referred to below as the "Examination") and has completed the training provided by a person registered by the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau (referred to below as the "lectures"), and has the experience of being engaged in the practice of industrial health specified by Order of the Ministry of Health, Labour and Welfare, or a person who is found to have abilities equivalent or superior to those qualifications and is specified by Order of the Ministry of Health, Labour and Welfare, is qualified to become a working environment measurement expert.

（欠格条項）

（Disqualification Provision）

第六条 次の各号のいずれかに該当する者は、作業環境測定士となることができない。

Article 6 Those who fall under any of the following items may not become a working environment measurement expert:

一 心身の故障により作業環境測定士の業務を適正に行うことができない者として厚生労働省令で定めるもの

(i) a person specified by Order of the Ministry of Health, Labour and Welfare as being unable to properly perform the services of a working environment measurement expert due to a mental or physical disorder;

二 第十二条第二項の規定により登録を取り消され、その取消しの日から起算して二年を経過しない者

(ii) a person whose registration was revoked pursuant to the provisions of Article 12, paragraph (2), and for whom two years have not passed since the date of revocation;

三 この法律又は労働安全衛生法（これらに基づく命令を含む。）の規定に違反して、罰金以上の刑に処せられ、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

(iii) a person who, in violation of the provisions of this Act or the Industrial Safety and Health Act (including orders based on the Acts), has been sentenced to a fine or severer punishment and for whom two years have not passed since the date on which they have finished serving the sentence or ceased to be subject to the sentence..

（登録）

(Registration)

第七条 作業環境測定士となる資格を有する者が作業環境測定士となるには、厚生労働省令で定めるところにより、作業環境測定士名簿に、次の事項について登録を受けなければならない。

Article 7 In order for a person that has the qualification to become a working environment measurement expert to become a working environment measurement expert, the person, pursuant to the Order of the Ministry of Health, Labour and Welfare, must have the following items registered in the working environment measurement experts list:

- 一 登録年月日及び登録番号
(i) registration date and registration number;
- 二 氏名及び生年月日
(ii) name and date of birth;
- 三 作業環境測定士の種別
(iii) class of working environment measurement expert;
- 四 その他厚生労働省令で定める事項
(iv) any other matters provided by Order of the Ministry of Health, Labour and Welfare;

(作業環境測定士名簿)

(Working Environment Measurement Experts List)

第八条 作業環境測定士名簿は、厚生労働省に備える。

Article 8 (1) The working environment measurement experts list is kept at the Ministry of Health, Labour and Welfare.

2 事業者その他の関係者は、作業環境測定士名簿の閲覧を求めることができる。

(2) The Employer or other related persons may request to view the working environment measurement experts list.

(登録の手続)

(Procedure of Registration)

第九条 第七条の登録を受けようとする者は、同条第二号から第四号までに掲げる事項を記載した申請書を厚生労働大臣に提出しなければならない。

Article 9 (1) Those who intend to obtain registration under Article 7 must submit an application form indicating the items listed in items (ii) through (iv) of that Article to the Minister of Health, Labour and Welfare.

2 前項の申請書には、厚生労働省令で定めるところにより、第七条第二号から第四号までに掲げる事項を証する書面その他の厚生労働省令で定める書類を添付しなければならない。

(2) The written application referred to in the preceding paragraph must be accompanied by documents evidencing the matters stated in Article 7, items (ii) through (iv) and other documents specified by Order of the Ministry of

Health, Labour and Welfare, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣は、第一項の規定により申請書の提出があつた場合において、登録を受けようとする者が作業環境測定士となることができる者であると認めたときは、遅滞なく、第七条の登録を行い、登録を受けようとする者が作業環境測定士となることができない者であると認めたときは、登録を拒否しなければならない。

(3) When an application form is submitted pursuant to the provisions of paragraph (1), if the Minister of Health, Labour and Welfare finds that the person who intends to be registered is able to become a working environment measurement expert, the Minister must register the person pursuant to Article 7, without delay, and if the Minister finds that the person who intends to be registered is not able to become a working environment measurement expert, the Minister must reject the registration.

4 厚生労働大臣は、前項の規定により登録を拒否するときは、遅滞なく、理由を示してその旨を当該申請者に通知しなければならない。

(4) When the Minister of Health, Labour and Welfare rejects the registration pursuant to the provisions of the preceding paragraph, the Minister must notify the applicant to that effect by giving the reason without delay.

(登録証)

(Registration Certificate)

第十条 厚生労働大臣は、第七条の登録を行つたときは、申請者に、同条に規定する事項を記載した作業環境測定士登録証を交付する。

Article 10 When the Minister of Health, Labour and Welfare conducts registration pursuant to Article 7, the Minister issues a working environment measurement expert registration certificate stating the matters specified in Article 7.

(登録証の譲渡等の禁止)

(Prohibition of Transfer of Registration Certificate)

第十一条 作業環境測定士は、作業環境測定士登録証を他人に譲渡し、又は貸与してはならない。

Article 11 The working environment measurement expert must not transfer or lend the working environment measurement expert registration certificate to other persons.

(登録の取消し等)

(Revocation of Registration)

第十二条 厚生労働大臣は、作業環境測定士が第六条第一号若しくは第三号に該当するに至つたとき、又は第十七条の規定により試験の合格の決定を取り消されたときは、その登録を取り消さなければならない。

Article 12 (1) If a working environment measurement expert has fallen under Article 6, items (i) or (iii), or the decision of approval of the Examination is revoked pursuant to the provisions of Article 17, The Minister of Health, Labour and Welfare, must revoke the registration.

2 厚生労働大臣は、作業環境測定士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、又は期間を定めて指定作業場についての作業環境測定の業務の停止若しくはその名称の使用の停止を命ずることができる。

(2) If a working environment measurement expert has fallen under any of the following items, the Minister of Health, Labour and Welfare may revoke the registration, or order, for the specified period, the suspension of the working environment measurement services at designated workplaces or the suspension of the use of the title:

一 登録に関し不正の行為があつたとき。

(i) when there is a wrongful act regarding the registration;

二 第四条第一項、前条又は第四十四条第四項の規定に違反したとき。

(ii) when there is a violation of the provisions of Article 4, paragraph (1), preceding Article, or Article 44, paragraph (4);

三 作業環境測定の実施に関し、虚偽の測定結果を表示したとき。

(iii) when there is an indication of false results regarding the performance of the working environment measurement services;

四 第四十八条第一項の条件に違反したとき。

(iv) when there is a violation of the conditions referred to in Article 48, paragraph (1);

五 前各号に掲げるもののほか、作業環境測定の業務（当該作業環境測定士が作業環境測定機関の行う作業環境測定の業務に従事する場合における当該業務を含む。）に関し不正の行為があつたとき。

(v) beyond what is listed in the preceding items, when there is a wrongful act regarding the service of working environment measurement (including services conducted by a working environment measurement agency in which the working environment measurement expert was engaged).

(登録の消除)

(Deletion of Registration)

第十三条 厚生労働大臣は、登録がその効力を失つたとき、又は作業環境測定士が作業環境測定の業務を廃止したときは、その登録を消除しなければならない。

Article 13 When the registration ceases to be effective or a working environment measurement expert discontinues working environment measurement services, the Minister of Health, Labour and Welfare must delete the registration.

(試験)

(Examination)

第十四条 試験は、厚生労働大臣が行う。

Article 14 (1) The Examination is conducted by the Minister of Health, Labour and Welfare.

- 2 試験は、第一種作業環境測定士試験及び第二種作業環境測定士試験とし、厚生労働省令で定めるところにより、筆記試験及び口述試験又は筆記試験のみによつて行う。
- (2) The Examination comprises the Class-1 working environment measurement expert examination and the Class-2 working environment measurement expert examination, and pursuant to Order of the Ministry of Health, Labour and Welfare, the examination is conducted by a written and oral examination or only a written examination.
- 3 厚生労働大臣は、厚生労働省令で定めるところにより、厚生労働省令で定める資格を有する者に対し、前項の筆記試験又は口述試験の全部又は一部を免除することができる。
- (3) Pursuant to Order of the Ministry of Health, Labour and Welfare, the Minister of Health, Labour and Welfare may exempt those who have the qualification provided by Order of the Ministry of Health, Labour and Welfare from the whole or part of the written examination or the oral examination under the preceding paragraph.

(受験資格)

(Qualifications to Take the Examination)

第十五条 次の各号のいずれかに該当する者でなければ、試験を受けることができない。

Article 15 If a person does not fall under any of the following items, said person may not take the 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理科系統の正規の課程を修めて卒業した者（当該課程を修めて同法による専門職大学の前期課程を修了した者を含む。以下「理科系統大学等卒業者」という。）
 - (i) a person who has graduated from a university or college of technology under the School Education Act (Act No. 26 of 1947) after completing a regular course in science (including a person who has completed the course and completed the first semester course of a professional university under that Act; referred to below as a "university, etc. graduate with a specialization related to science");
- 二 学校教育法による高等学校又は中等教育学校において理科系統の正規の学科を修めて卒業した者
 - (ii) a person who has completed and graduated from a regular science course of a high school or a secondary education school under the School Education Act;
- 三 前二号に掲げる者と同等以上の能力を有すると認められる者で、厚生労働省令で定めるもの
 - (iii) those provided for by Order of the Ministry of Health, Labour and Welfare

who are considered to have the same or more competence than the persons stated in the preceding two items.

(講習)

(Lectures)

第十五条の二 講習は、別表第一の上欄に掲げる区分ごとに、同表の下欄に掲げる講習科目によつて行う。

Article 15-2 The lectures are conducted on the training course subjects listed in the lower column of Appended Table 1 for each of the segments listed in the upper column of the table.

(合格証及び講習修了証)

(Passing Certificate for Examination and Completion Certificate for Lectures)

第十六条 厚生労働大臣は、試験に合格した者に対し、合格証を交付する。

Article 16 (1) The Minister of Health, Labour and Welfare issues the passing certificate to those who have passed the Examination.

2 第三十二条第三項に規定する登録講習機関は、講習を修了した者に対し、講習修了証を交付する。

(2) The registered lectures agency provided for in Article 32, paragraph (3) issues the completion certificate of the training course to those who have completed the lectures.

(合格の取消し等)

(Revocation of Passing the Examination)

第十七条 厚生労働大臣は、不正の手段によつて試験を受け、又は受けようとした者に対しては、その合格の決定を取り消し、又はその試験を受けることを禁止することができる。

Article 17 If a person has taken or intended to take the Examination employing a wrongful method, the Minister of Health, Labour and Welfare may revoke the decision concerning the passing of the person or prohibit the person from taking the Examination.

(名称の使用制限)

(Restriction on Use of Title)

第十八条 作業環境測定士でない者は、その名称中に作業環境測定士という文字を用いてはならない。

Article 18 (1) Those who are not a working environment measurement expert must not use the term "working environment measurement expert" in their titles.

2 第二種作業環境測定士は、第一種作業環境測定士という名称を用いてはならない。

(2) The Class-2 Working Environment Measurement Expert must not use the

title "Class-1 Working Environment Measurement Expert."

(厚生労働省令への委任)

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

第十九条 この節に定めるものほか、試験の科目、登録の申請その他試験、講習及び登録（作業環境測定士登録証を含む。）について必要な事項は、厚生労働省令で定める。

Article 19 Beyond what is provided for in this Section, subjects of the examination, application for registration and other necessary matters related to the examination, lectures and registration (including the working environment measurement expert registration certificate) are to be provided by Order of the Ministry of Health, Labour and Welfare.

第二節 指定試験機関

Section 2 Designated Testing Agency

(指定)

(Designation)

第二十条 厚生労働大臣は、申請により指定する者に、試験の実施に関する事務（以下「試験事務」という。）を行わせる。

Article 20 (1) The Minister of Health, Labour and Welfare has a person designated based on application conduct affairs related to the Examination (referred to below as "examination affairs").

2 前項の規定による指定（以下この節において「指定」という。）を受けた者（以下「指定試験機関」という。）は、試験事務の実施に関し第十七条に規定する厚生労働大臣の職権を行うことができる。

(2) The person who receives the designation provided in the preceding paragraph (referred to below as "designation" in this section) (the person is referred to below as the "designated testing agency") may exercise the authority of the Minister of Health, Labour and Welfare provided in Article 17 in connection with implementing examination affairs.

3 厚生労働大臣は、指定試験機関に試験事務を行わせるときは、当該試験事務を行わないものとする。

(3) The Minister of Health, Labour and Welfare is not to implement examination affairs if the Minister has entrusted the examination affairs to the designated testing agency.

(指定の基準)

(Criteria for Designation)

第二十一条 厚生労働大臣は、指定をしようとするときは、指定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 21 (1) When the Minister of Health, Labour and Welfare intends to make the designation, the Minister must do so after examining whether the application for designation satisfies the conditions prescribed in the following items:

一 職員、設備、試験事務の実施の方法その他の事項についての試験事務の実施に関する計画が試験事務の適正かつ確実な実施に適合したものであること。

(i) the implementation plan concerning examination affairs regarding staff, facilities, method of implementation of examination affairs and other matters is sufficient to properly and reliably implement the examination affairs;

二 経理的及び技術的な基礎が試験事務の実施に関する計画の適正かつ確実な実施に足るものであること。

(ii) the financial and technical basis is sufficient to properly and reliably conduct the plan concerning the implementation of examination affairs.

2 厚生労働大臣は、指定の申請が次の各号のいずれかに該当するときは、指定をしてはならない。

(2) The Minister of Health, Labour and Welfare must not make any designation if the application for designation falls under any of the following items:

一 他に指定した者があること。

(i) if another person has already been designated;

二 申請者が、一般社団法人又は一般財団法人以外の者であること。

(ii) if the applicant is other than a general incorporated association or a general incorporated foundation;

三 試験事務以外の申請者の行う業務により申請者が試験事務を公正に実施することができないおそれがあること。

(iii) if the applicant is likely to be unable to fairly conduct examination affairs due to a business conducted by the applicant other than examination affairs;

四 申請者が第三十条第一項の規定により指定を取り消され、その取消しの日から起算して二年を経過しない者であること。

(iv) if the applicant is a person whose designation was revoked pursuant to the provisions of Article 30, paragraph (1) and for whom two years have not passed since the date of revocation;

五 申請者の役員のうちに、次のいずれかに該当する者があること。

(v) if there is a person among the officers of the applicant that falls under any of the following:

イ この法律又は労働安全衛生法（これらに基づく命令を含む。）の規定に違反して、罰金以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなった日から起算して二年を経過しない者

(a) a person who has violated the provisions of this Act or the Industrial Safety and Health Act (including orders under the Acts), and has been sentenced to a fine or severer punishment and for whom two years have not passed since the date on which they have finished serving the sentence

or ceased to be subject to the sentence.;

ロ 第二十三条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 orders under the provisions of Article 23, paragraph (2) and for whom two years have not passed since the date of the dismissal.

(指定の公示等)

(Public Notice of Designation)

第二十二条 厚生労働大臣は、指定をしたときは、厚生労働省令で定めるところにより、指定試験機関の名称及び住所、試験事務を行う事務所の所在地並びに試験事務の開始の日を公示しなければならない。

Article 22 (1) When the Minister of Health, Labour and Welfare has made the designation, the Minister must publicly notify the name and address of the designated examining body, the location of the office where the examination affairs are to be conducted, and the date of commencement of the examination affairs, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 指定試験機関は、その名称若しくは住所又は試験事務を行う事務所の所在地を変更しようとするときは、あらかじめ、その旨を厚生労働大臣に届け出なければならない。

(2) When the designated testing agency intends to change its name or address, or the address of the office where examination affairs are implemented, it must notify in advance the Minister of Health, Labour and Welfare to that effect.

3 厚生労働大臣は、前項の届出があつたときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(3) Having received a notification referred to in the preceding paragraph, the Minister of Health, Labour and Welfare must issue public notice of this pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(役員の選任及び解任)

(Election and Dismissal of Officers)

第二十三条 指定試験機関の役員の選任及び解任は、厚生労働大臣の認可を受けなければ、その効力を生じない。

Article 23 (1) Appointment and dismissal of the officers of the designated testing agency does not become effective unless it is approved by the Minister of Health, Labour and Welfare.

2 厚生労働大臣は、指定試験機関の役員が、この法律若しくは労働安全衛生法（これらに基づく命令又は処分を含む。）若しくは第二十五条第一項に規定する試験事務規程に違反する行為をしたとき、又は試験事務に関し著しく不適当な行為をしたときは、その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 the designated testing agency violates this Act or the Industrial Safety and Health Act (including orders and dispositions under the Acts) or the rules of the examination affairs prescribed in Article 25, paragraph (1), or commits an extremely inappropriate act concerning the examination affairs, the Minister of Health, Labour and Welfare may order the designated testing agency to dismiss the officer.

(作業環境測定士試験員)

(Examiner of Working Environment Measurement Expert)

第二十四条 指定試験機関は、試験事務を行う場合において、作業環境測定士として必要な知識及び能力を有するかどうかの判定に関する事務については、作業環境測定士試験員（以下「試験員」という。）に行わせなければならない。

Article 24 (1) When conducting examination affairs, the designated testing agency must assign the task of judging whether the applicant has the knowledge and capability required for a working environment measurement expert or not to an examiner of working environment measurement experts (referred to below as "examiner").

2 試験員は、作業環境測定に関する知識及び経験に関する厚生労働省令で定める要件を備える者のうちから、選任しなければならない。

(2) The examiner must be appointed from persons satisfying the conditions specified in Order of the Ministry of Health, Labour and Welfare concerning the knowledge and experience regarding working environment measurement.

3 指定試験機関は、試験員を選任したときは、その日から十五日以内に、厚生労働大臣にその旨を届け出なければならない。これを変更したときも、同様とする。

(3) When the designated testing agency appoints an examiner, it must notify the Minister of Health, Labour and Welfare to that effect within 15 days from the day of the selection. The same applies when there is a change in the appointment.

4 厚生労働大臣は、試験員が、この法律若しくは労働安全衛生法（これらに基づく命令又は処分を含む。）若しくは次条第一項に規定する試験事務規程に違反する行為をしたとき、又は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、その試験員の解任を命ずることができる。

(4) If the examiner violates this Act or the Industrial Safety and Health Act (including orders and the dispositions based on the Acts) or the rules for examination affairs prescribed in paragraph (1) of the following Article, or commits an extremely inappropriate act concerning examination affairs, the Minister of Health, Labour and Welfare may order the designated testing agency to dismiss said examiner.

5 前項の規定による命令により試験員の職を解任され、解任の日から起算して二年を経過しない者は、試験員となることができない。

(5) A person who was dismissed from the post of examiner by an order under the

provisions of the preceding paragraph and for whom two years have not passed since the date of the dismissal may not become an examiner.

(試験事務規程)

(Rules for Examination Affairs)

第二十五条 指定試験機関は、試験事務の開始前に、試験事務の実施に関する規程（以下この節において「試験事務規程」という。）を定め、厚生労働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 25 (1) The designated testing agency must establish rules concerning implementation of examination affairs (referred to below in this Section as the "rules for examination affairs"), and receive the approval of the Minister of Health, Labour and Welfare, before it starts the examination affairs. The same applies to any change in the rules.

2 厚生労働大臣は、前項の認可をした試験事務規程が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、その試験事務規程を変更すべきことを命ずることができる。

(2) The Minister of Health, Labour and Welfare may order that the rules for examination affairs be changed, when the Minister finds that the rules for examination affairs approved under the preceding paragraph have become inappropriate to properly and reliably implement examination affairs.

3 試験事務規程で定めるべき事項は、厚生労働省令で定める。

(3) The matters to be prescribed in the rules for examination affairs are specified by Order of the Ministry of Health, Labour and Welfare.

(事業計画の認可等)

(Approval of a Business Plan)

第二十六条 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（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）、厚生労働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 26 (1) The designated testing agency must prepare a business plan and an income and expenditure budget for each business year, and receive the approval of the Minister of Health, Labour and Welfare before the commencement of the business year (or, without delay, after designation received in the business year to which the date of designation belongs). The same applies to any change in the plan or budget.

2 指定試験機関は、毎事業年度経過後三月以内に、その事業年度の事業報告書及び収支決算書を作成し、厚生労働大臣に提出しなければならない。

(2) The designated testing agency must, within three months after the end of each business year, prepare a business report and a settlement of accounts statement for each business year, and submit them to the Minister of Health,

Labour and Welfare.

(秘密保持義務等)

(Confidentiality Obligation)

第二十七条 指定試験機関の役員若しくは職員（試験員を含む。）又はこれらの職にあつた者は、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 27 (1) An officer or an employee (including an examiner) of the designated testing agency or persons who held such a post must not disclose any secret concerning the examination affairs that may have been learned.

2 試験事務に従事する指定試験機関の役員及び職員（試験員を含む。）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) An officer or an employee (including an examiner) of the designated testing agency who is engaged in examination affairs, with regard to the application of the Penal Code (Act No. 45 of 1907) and other penal provisions, is deemed an official engaged in public service, pursuant to the laws and regulations,.

(監督命令)

(Supervision Orders)

第二十八条 厚生労働大臣は、この法律を施行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、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 28 The Minister of Health, Labour and Welfare may, when the Minister finds it necessary for the enforcement of this Act, issue an order necessary for the supervision of examination affairs to the designated testing agency.

(試験事務の休廃止)

(Suspension or Discontinuance of the Examination Affairs)

第二十九条 指定試験機関は、厚生労働大臣の許可を受けなければ、試験事務に関する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 29 (1) The designated testing agency must not suspend or discontinue the business related to examination affairs in whole or in part, unless the permission of the Minister of Health, Labour and Welfare is obtained.

2 厚生労働大臣は、前項の許可をしたときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(2) If the Minister of Health, Labour and Welfare grants the permission referred to in the preceding paragraph, the Minister must issue public notice of this pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(指定の取消し等)

(Revocation of Designation)

第三十条 厚生労働大臣は、指定試験機関が次の各号のいずれかに該当するときは、その指定を取り消し、又は期間を定めて試験事務に関する業務の全部若しくは一部の停止を命ずることができる。

Article 30 (1) If the designated testing agency has fallen under any of the following items, the Minister of Health, Labour and Welfare may order to revoke the designation, or to suspend, for a specified period of time, the whole or part of its business related to examination affairs:

一 指定に関し不正の行為があつたとき。

(i) if the agency conducted a wrongful act concerning the designation;

二 この節の規定に違反したとき。

(ii) if the agency violated the provisions of this Section;

三 第二十一条第二項第五号に該当するに至つたとき。

(iii) if the agency has fallen under Article 21, paragraph (2), item (v);

四 第二十三条第二項、第二十四条第四項、第二十五条第二項又は第二十八条の規定による命令に違反したとき。

(iv) if the agency violated orders pursuant to the provisions of Article 23, paragraph (2), Article 24, paragraph (4), Article 25, paragraph (2), or Article 28;

五 第二十五条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試験事務を行つたとき。

(v) if the agency conducted examination affairs without following the rules for examination affairs approved pursuant to the provisions of Article 25, paragraph (1);

六 第四十八条第一項の条件に違反したとき。

(vi) if the agency violated the conditions referred to in Article 48, paragraph (1).

2 厚生労働大臣は、前項の規定により指定を取り消し、又は試験事務に関する業務の全部若しくは一部の停止を命じたときは、厚生労働省令で定めるところにより、その旨を公示しなければならない。

(2) If the Minister of Health, Labour and Welfare revokes the designation pursuant to the provisions of the preceding paragraph or orders the suspension of all or part of the business related to examination affairs, the Minister must give public notice to that effect as provided for by Order of the Ministry of Health, Labour and Welfare.

(厚生労働大臣による試験事務の実施)

(Implementation of Examination Affairs by the Minister of Health, Labour and Welfare)

第三十一条 厚生労働大臣は、指定試験機関が第二十九条第一項の規定により試験事務に関する業務の全部若しくは一部を休止したとき、前条第一項の規定により指定試験機関に対し試験事務に関する業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試験事務を実施することが困難となつた場合にお

いて必要があると認めるときは、試験事務を自ら行うものとする。

Article 31 (1) If the designated testing agency suspends the whole or part of business related to the examination affairs pursuant to the provisions of Article 29, paragraph (1), if the Minister of Health, Labour and Welfare orders the designated testing institution to suspend the whole or part of business related to examination affairs pursuant to the provisions of paragraph (1) of the preceding Article, or if it becomes difficult for the designated testing agency to implement the examination affairs by grounds of a natural disaster or other causes, when the Minister finds it necessary, the Minister is to on its initiative implement examination affairs.

2 厚生労働大臣は、前項の規定により試験事務を自ら行うものとし、又は同項の規定により自ら行っている試験事務を行わないものとするときは、厚生労働省令で定めるところにより、あらかじめ、その旨を公示しなければならない。

(2) If the Minister of Health, Labour and Welfare personally administers the examination processes pursuant to the provisions of the preceding paragraph, or ceases to administer the examination processes that the Minister is on its initiative administering pursuant to the provisions of that paragraph, the Minister must issue public notice of this in advance, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

3 厚生労働大臣が、第一項の規定により試験事務を自ら行うものとし、第二十九条第一項の規定により試験事務に関する業務の廃止を許可し、又は前条第一項の規定により指定を取り消した場合における試験事務の引継ぎその他の必要な事項は、厚生労働省令で定める。

(3) The succession of examination affairs and other necessary matters in the case where the Minister of Health, Labour and Welfare on its initiative administer examination affairs pursuant to the provisions of paragraph (1), where the Minister permits discontinuance of the business related to examination affairs pursuant to the provisions of Article 29, paragraph (1), or where the Minister revokes the designation pursuant to the provisions of paragraph (1) of the preceding Article, are to be provided by Order of the Ministry of Health, Labour and Welfare.

第三節 登録講習機関

Section 3 Registered Lectures Agency

第三十二条 第五条又は第四十四条第一項の規定による登録は、厚生労働省令で定めるところにより、講習又は同項に規定する研修を行おうとする者の申請により行う。

Article 32 (1) The registrations under the provisions of Article 5 or Article 44, paragraph (1) are made by application of the person who intends to conduct the lectures or training courses prescribed in that paragraph, as provided for by Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣又は都道府県労働局長は、前項の規定により登録を申請した者が次に掲げる要件のすべてに適合しているときは、登録をしなければならない。

(2) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must register the person who applied for registration pursuant to the provisions of the preceding paragraph if the person satisfies all of the requirements stated below;

一 別表第二の上欄に掲げる講習又は第四十四条第一項に規定する研修を同表の下欄に掲げる機械器具その他の設備を用いて行うものであること。

(i) the applicant conducts the lectures listed in the upper column of Appended Table 2 or the training courses prescribed in Article 44, paragraph (1) by using the machinery, equipment and other facilities listed in the lower column of said table;

二 別表第三各号の表の科目の欄に掲げる講習科目又は研修科目に応じ、それぞれ同表の条件の欄に掲げる条件のいずれかに適合する知識経験を有する者が講習又は第四十四条第一項に規定する研修を実施し、その人数が事業所ごとに一名以上であること。

(ii) persons who have the knowledge and experience to satisfy any of the conditions listed in the conditions column of Appended Table 3 according to the subject of the lectures or the subject of the training courses listed in the subjects column of the table conduct the lectures or the training courses prescribed in Article 44, paragraph (1), and the number of these persons at each establishment is equal to or more than one

三 講習又は第四十四条第一項に規定する研修の業務を管理する者が置かれていること。

(iii) a person to manage affairs of the lectures or the training courses prescribed in Article 44, paragraph (1) has been placed.

3 労働安全衛生法第四十六条第二項及び第四項の規定は第一項の登録について、同法第四十七条の二から第四十九条まで、第五十条第一項、第二項及び第四項、第五十二条、第五十二条の二、第五十三条第一項（第四号を除く。以下この項において同じ。）並びに第五十三条の二の規定は第一項の登録を受けて講習又は第四十四条第一項に規定する研修を行う者（以下「登録講習機関」という。）について準用する。この場合において、同法第四十六条第二項第一号中「この法律又はこれに基づく命令」とあるのは「この法律若しくは作業環境測定法又はこれらに基づく命令」と、同条第四項中「登録設計審査等機関登録簿」とあるのは「登録講習機関登録簿」と、同項第四号中「第一項の区分」とあるのは「作業環境測定法第五条に規定する講習又は同法第四十四条第一項に規定する研修の種類」と、同法第四十七条の二、第四十八条第一項、第四十九条、第五十条第四項、第五十二条、第五十二条の二及び第五十三条第一項の規定中「厚生労働大臣」とあるのは「厚生労働大臣又は都道府県労働局長」と、同法第四十八条、第四十九条及び第五十条第二項中「設計審査等」とあるのは「作業環境測定法第五条に規定する講習又は同法第四十四条第一項に規定する研修」と、同法第五十条第一項中「第百二十三条」とあるのは「作業環境測定法第五十七条」と、

同法第五十二条中「第四十六条第三項各号のいずれか」とあるのは「作業環境測定法第三十二条第二項各号のいずれか」と、同法第五十二条の二中「第四十七条」とあるのは「作業環境測定法第三十二条第六項若しくは第七項」と、同条並びに同法第五十三条第一項及び第五十三条の二中「設計審査等」とあるのは「作業環境測定法第五条に規定する講習若しくは同法第四十四条第一項に規定する研修」と、同項中「又は六月を超えない範囲内で」とあるのは「又は」と、同項第二号中「第四十七条から第四十九条まで、第五十条第一項若しくは第四項又は第百三条第二項」とあるのは「第四十七条の二から第四十九条まで、第五十条第一項若しくは第四項又は作業環境測定法第三十二条第六項若しくは第七項若しくは第四十三条」と、同項第三号中「第五十条第二項各号又は第三項各号」とあるのは「第五十条第二項各号」と読み替えるものとする。

(3) The provisions of Article 46, paragraphs (2) and (4) of the Industrial Safety and Health Act apply mutatis mutandis to the registration referred to in paragraph (1), and the provisions of Articles 47-2 through 49, Article 50, paragraphs (1), (2) and (4), Article 52, Article 52-2, Article 53, paragraph (1) (excluding item (iv); the same applies below in this paragraph), and Article 53-2 of that Act apply mutatis mutandis to the person who conducts the lectures or the training courses prescribed in Article 44, paragraph (1) (referred to below as the "registered training agency") with the registration referred to in paragraph (1). In this case, the term "this Act or an order based on this Act" in Article 46, paragraph (2), item (i) of that Act is deemed to be replaced with "this Act, the Working Environment Measurement Act, or an order based on these," the term "the registry book of the registered manufacturing inspection, etc. agencies" in paragraph (4) of that Article is deemed to be replaced with "the registry book of registered lectures agencies," the term "the classification referred to in paragraph (1)" in item (iv) of that paragraph is deemed to be replaced with "the lectures prescribed in Article 5 of the Working Environment Measurement Act or the type of training prescribed in Article 44, paragraph 1 of that Act," the term "Minister of Health, Labour and Welfare" in the provisions of Article 47-2, Article 48, paragraph (1), Article 49, Article 50, paragraph (4), Article 52, Article 52-2 and Article 53, paragraph (1) of that Act is deemed to be replaced with "Minister of Health, Labour and Welfare or Director of the Prefectural Labour Bureau," the term "conformity assessment" in Article 48, Article 49 and Article 50, paragraph (2) in that Act is deemed to be replaced with "lectures specified in Article 5 of the Working Environment Measurement Act or training courses specified in Article 44, paragraph (1) of the Act," the term "Article 123" in Article 52 of the Act is deemed to be replaced with "Article 57 of the Working Environment Measurement Act," the term "any of the items in Article 46, paragraph (3)" in Article 52 of that Act is deemed to be replaced with "any of the items in Article 32, paragraph (2) of the Working Environment Measurement Act," the term "Article 47" in Article 52-2

of that Act is deemed to be replaced with "Article 32, paragraphs (6) or (7) of the Working Environment Measurement Act," the term "conformity assessment" in that Article and Article 53, paragraph (1) and Article 53-2 of that Act is deemed to be replaced with "lectures specified in Article 5 of the Working Environment Measurement Act or training courses specified in Article 44, paragraph (1) of the Act," the term "for a period of up to 6 months" in that paragraph is deemed to be replaced with "or," the term "from Article 47 through Article 49, Article 50, paragraphs (1) or (4), or Article 32, paragraphs (6) or (7) or Article 43 of the Working Environment Measurement Act," the term "the items of Article 50, paragraphs (2) or (3)" is deemed to be replaced with "the items of Article 50, paragraph (2)."

4 登録は、五年以上十年以内において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って、その効力を失う。

(4) A registration expires by lapse of time, unless it is renewed within every period of five to ten years specified by Cabinet Order.

5 第二項並びに労働安全衛生法第四十六条第二項及び第四項の規定は、前項の更新について準用する。この場合において、同条第四項中「登録設計審査等機関登録簿」とあるのは、「登録講習機関登録簿」と読み替えるものとする。

(5) The provisions of paragraph (2) and the provisions of Article 46, paragraphs (2) and (4) of the Industrial Safety and Health Act apply mutatis mutandis to the renewal stated in the preceding paragraph. In this case, the term "the registry book of the registered manufacturing inspection, etc. agencies" in paragraph (4) of that Article is deemed to be replaced with "the registry book of registered lectures agencies."

6 登録講習機関は、正当な理由がある場合を除き、毎事業年度、厚生労働省令で定めるところにより、講習又は第四十四条第一項に規定する研修の実施に関する計画を作成し、これに基づいて講習又は同項に規定する研修を実施しなければならない。

(6) Unless there is just cause, a registered training agency must prepare a plan for each business year regarding the implementation of training courses or the lectures prescribed in Article 44, paragraph (1) pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare, and conduct the lectures or the training courses prescribed in that paragraph based on the plan.

7 登録講習機関は、公正に、かつ、第十九条又は第四十四条第六項の規定に従つて講習又は同条第一項に規定する研修を行わなければならない。

(7) A registered lectures agency must conduct the lectures or training courses prescribed in Article 44, paragraph (1) fairly and in accordance with the provisions of Article 19 or Article 44, paragraph (6).

第四節 指定登録機関

Section 4 Designated Registration Agency

第三十二条の二 厚生労働大臣は、申請により指定する者に、第七条の登録の実施に関する事務（第十二条の規定による登録の取消し及び命令に関する事務を除く。以下の条、第四十五条及び第五十五条において「登録事務」という。）を行わせる。

Article 32-2 (1) The Minister of Health, Labour and Welfare has a person designated based on application conduct affairs related to the implementation of registration referred to in Article 7 (Except affairs related to orders and revocation of the registration under the provisions of Article 12. Referred to below as "registration affairs" in this Article, Article 45 and Article 55).

2 厚生労働大臣は、前項の規定による指定を受けた者（以下「指定登録機関」という。）に登録事務を行わせるときは、当該登録事務を行わないものとする。

(2) The Minister of Health, Labour and Welfare is not to conduct registration affairs when the Minister has a person designated pursuant to the provisions of the preceding paragraph (referred to below as "designated registration agency.") conducting the registration affairs.

3 指定登録機関が登録事務を行う場合における第八条第一項及び第九条第一項の規定の適用については、第八条第一項中「厚生労働省」とあり、及び第九条第一項中「厚生労働大臣」とあるのは、「第三十二条の二第二項に規定する指定登録機関」とする。

(3) Regarding the application of the provisions of Article 8, paragraph (1) and Article 9, paragraph (1), when a designated registration agency conducts registration affairs, the terms "the Ministry of Health, Labour and Welfare" in Article 8, paragraph (1) and "the Minister of Health, Labour and Welfare" in Article 9, paragraph (1) are both replaced by "the designated registration agency prescribed in Article 32-2, paragraph (2)."

4 第二節（第二十条及び第二十四条を除く。）の規定は、指定登録機関に関して準用する。この場合において、第二十一条第一項第一号中「、試験事務」とあるのは「、第七条の登録の実施に関する事務（第十二条の規定による登録の取消し及び命令に関する事務を除く。以下「登録事務」という。）」と、「についての試験事務」とあるのは「についての登録事務」と、「試験事務の適正」とあるのは「登録事務の適正」と、同条第一項第二号及び第二項第三号、第二十二条第一項及び第二項、第二十三条第二項、第二十五条第一項及び第二項、第二十七条、第二十八条、第二十九条第一項、第三十条並びに第三十一条中「試験事務」とあるのは「登録事務」と、第二十三条第二項、第二十五条及び第三十条第一項第五号中「試験事務規程」とあるのは「登録事務規程」と、第二十七条中「職員（試験員を含む。）」とあるのは「職員」と、第三十条第一項第二号中「この節」とあるのは「この節（第二十条及び第二十四条を除く。）」と、同項第四号中「第二十三条第二項、第二十四条第四項」とあるのは「第二十三条第二項」と読み替えるものとする。

(4) The provisions of Section 2 (except Articles 20 and 24) apply mutatis mutandis to the designated registration agency. In this case, the term ", examination affairs" in Article 21, paragraph (1), item (i), is deemed to be replaced with "the business related to the conduct of the registration prescribed in Article 7 (except the business related to the revocation of the

registration and issuance of the order under the provisions of Article 12; referred to below as "registration affairs") and, "the term "examination affairs about" as "registration affairs concerning"; the term "properly and reliably implement the examination affairs" as "properly and reliably implement the registration affairs"; the term "examination affairs" in paragraph (1), item (ii), and paragraph (2), item (iii) of the Article, Article 22, paragraphs (1) and (2), Article 23, paragraph (2), Article 25, paragraphs (1) and (2), Article 27, Article 28, Article 29, paragraph (1), Article 30 and Article 31 as "registration affairs"; the term "rules of the examination affairs" in Article 23, paragraph (2), Article 25 and Article 30, paragraph (1), item (v) as "rules of the registration affairs"; the term "employee (including an Examiner)" in Article 27 as "employee"; the term "this Section" in Article 30, paragraph (1), item (ii) as "this Section (except Articles 20 and 24)"; and the term "Article 23, paragraph (2), and Article 24, paragraph (4)" in item (iv) of the paragraph as "Article 23, paragraph (2)."

第三章 作業環境測定機関

Chapter III Working Environment Measurement Agency

(作業環境測定機関)

(Working Environment Measurement Agency)

第三十三条 作業環境測定機関になろうとする者は、厚生労働省令で定めるところにより、作業環境測定機関名簿に、次の事項について登録を受けなければならない。

Article 33 (1) Any person intending to become a working environment measurement agency must be registered in the working environment measurement agencies list concerning the following matters, as provided for by Order of the Ministry of Health, Labour and Welfare;

一 登録年月日及び登録番号

(i) registration date and registration number;

二 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

(ii) name and address, and, if the applicant is a corporation, the name of the representative;

三 その他厚生労働省令で定める事項

(iii) any other matters specified by Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣又は都道府県労働局長は、作業環境測定機関の登録の申請が厚生労働省令で定める基準に適合していると認めるときでなければ、登録をしてはならない。

(2) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must not register unless the application for registration of working environment measurement agency satisfies the standard specified by the Order of Ministry of Health, Labour and Welfare.

(準用)

(Application, *Mutatis Mutandis*)

第三十四条 労働安全衛生法第四十六条第二項の規定は前条第一項の登録について、同法第四十七条第一項及び第二項、第五十条第四項並びに第五十四条の五の規定は作業環境測定機関について準用する。この場合において、同法第四十六条第二項第一号中「この法律又はこれに基づく命令」とあるのは「この法律若しくは作業環境測定法又はこれらに基づく命令」と、同項第二号中「第五十三条第一項又は第二項」とあるのは「作業環境測定法第三十五条の三」と、同項第三号中「前二号のいずれか」とあるのは「第一号」と、同法第四十七条第一項中「設計審査等を」とあるのは「作業環境測定法第三条第二項の規定による作業環境測定を」と、同条第二項中「設計審査を行うときは審査員にこれを実施させ、製造時等検査を」とあるのは「他人の求めに応じて作業環境測定を」と、「検査員」とあるのは「厚生労働省令で定めるところにより、作業環境測定士」と、同法第五十条第四項中「第一項の規定により作成した損益計算書又は収支決算書及び事業報告書を」とあるのは「その事業年度の事業報告書を作成し、」と、同法第五十四条の五第一項中「第五十四条の三第二項各号」とあるのは「作業環境測定法第三十四条第一項において読み替えて準用する第四十六条第二項各号」と読み替えるものとする。

Article 34 (1) The provisions of Article 46, paragraph (2) of the Industrial Safety and Health Act apply *mutatis mutandis* to the registration referred to in paragraph (1) of the preceding Article, and the provisions of Article 47, paragraphs (1) and (2), Article 50, paragraph (4), and Article 54-5 of that Act apply *mutatis mutandis* to the working environment measurement agency. In this case, the term "this Act or an order based on this Act" in Article 46, paragraph (2), item (i) of the same Act is deemed to be replaced with "this Act, the working environment measurement Act, or an order based on these Acts," the term "Article 53, paragraph (1) or (2)" in item (ii) of the same paragraph is deemed to be replaced with "Article 35-3 of the Working Environment Measurement Act," the term "any of the preceding two items" in item (iii) of that paragraph is deemed to be replaced with "item (i)," the term "conformity assessment" in Article 47, paragraph (1) of that Act is deemed to be replaced with "working environment measurement under the provisions of Article 3, paragraph (2) of the Working Environment Measurement Act," the term "when conducting a conformity assessment, have an examiner conduct it and conduct a manufacturing inspection, etc," in paragraph (2) of that Article is deemed to be replaced with "work environment measurement at the request of others," the term "inspector" in the same paragraph is deemed to be replaced with "working environment measurement expert as specified by Order of the Ministry of Health, Labour and Welfare," the term "the profit and loss statement or the statement of accounts and the business report prepared pursuant to the provisions of paragraph (1)" in Article 50, paragraph (4) of that

Act is deemed to be replaced with "prepare a business report for the business year," and the term "the items of Article 54-3, paragraph (2)" in Article 54-5, paragraph (1) is deemed to be replaced with "the provisions of the items of Article 46, paragraph (2) as applied mutatis mutandis pursuant to Article 34, paragraph (1) of the Working Environment Measurement Act following the deemed replacement of terms."

2 第八条から第十条まで、第十二条第二項、第十三条及び第十九条の規定は、作業環境測定機関に関して準用する。この場合において、第八条中「作業環境測定士名簿」とあるのは「作業環境測定機関名簿」と、同条第一項中「厚生労働省」とあるのは「厚生労働省又は都道府県労働局」と、第九条第一項及び第三項並びに第十条中「第七条」とあるのは「第三十三条第一項」と、第九条第一項中「から第四号まで」とあるのは「及び第三号」と、同条第一項、第三項及び第四項、第十条、第十二条第二項並びに第十三条中「厚生労働大臣」とあるのは「厚生労働大臣又は都道府県労働局長」と、第九条第二項中「第七条第二号から第四号までに掲げる事項を証する書面その他の厚生労働省令で定める書類」とあるのは「第三十三条第一項第二号及び第三号に掲げる事項を証する書面」と、第十条中「作業環境測定士登録証」とあるのは「作業環境測定機関登録証」と、第十二条第二項各号列記以外の部分中「指定作業場についての作業環境測定の業務の停止若しくはその名称の使用の停止」とあるのは「作業環境測定の業務の全部若しくは一部の停止」と、同項第二号中「第四条第一項、前条又は第四十四条第四項」とあるのは「第四条第二項」と、同項第五号中「作業環境測定の業務（当該作業環境測定士が作業環境測定機関の行う作業環境測定の業務に従事する場合における当該業務を含む。）」とあるのは「作業環境測定の業務」と、第十九条中「この節に定めるものほか、試験の科目、登録の申請その他試験、講習及び登録（作業環境測定士登録証を含む。）について必要な事項」とあるのは「登録の申請その他登録（作業環境測定機関登録証を含む。）について必要な事項」と読み替えるものとする。

(2) The provisions of Articles 8 through 10, Article 12, paragraph (2), Article 13 and Article 19 apply mutatis mutandis to the working environment measurement agency. In this case, the term "the list of working environment measurement experts" in Article 8 is deemed to be replaced with "the list of working environment measurement agencies", the term "the Ministry of Health, Labour and Welfare" in paragraph (1) of that Article is deemed to be replaced with "the Ministry of Health, Labour and Welfare or the Prefectural Labor Bureau", the term "Article 7" in Article 9, paragraphs (1) and (3) and Article 10 is deemed to be replaced with "Article 33, paragraph (1)", the term "through (iv)" in Article 9, paragraph (1) is deemed to be replaced with "and (iii)", the term "the Minister of Health, Labour and Welfare" in paragraphs (1), (3) and (4) of that Article, Article 10, Article 12, paragraph (2) and Article 13 is deemed to be replaced with "the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau", the term "documents certifying the matters stated in Article 7, items (ii) through (iv) and other documents

specified by Order of the Ministry of Health, Labour and Welfare" in Article 9, paragraph (2) is deemed to be replaced with "documents certifying the matters stated in Article 33, paragraph (1), items (ii) and (iii)", the term " Working Environment Measurement Expert Registration Certificate" in Article 10 is deemed to be replaced with " Working Environment Measurement Agency Registration Certificate", the term "suspension of the business of working environment measurement at designated workplaces or suspension of the use of their appellation" in the parts other than those listed in the items of Article 12, paragraph (2) is deemed to be replaced with "suspension of the whole or part of the business of working environment measurement", the term "Article 4, paragraph (1), the preceding Article or Article 44, paragraph (4)" in item (ii) of the same paragraph is deemed to be replaced with "Article 4, paragraph (2)", the term "the business of working environment measurement (including the business when the working environment measurement expert engages in the business of working environment measurement conducted by a working environment measurement agency)" in item (v) of the same paragraph is deemed to be replaced with "the business of working environment measurement," the term "Beyond what is provided for in this Section, the examination subjects, the application for the registration, and other necessary matters concerning the examination, lectures and registration (including the Working Environment Measurement Expert Registration Certificate)," are deemed to be replaced with "the application for registration and other necessary matters concerning the registration (including the Working Environment Measurement Agency Registration Certificate.)"

(業務規程)

(Operational Rules)

第三十四条の二 作業環境測定機関は、作業環境測定の業務に関する規程（以下この条において「業務規程」という。）を定め、遅滞なく、厚生労働省令で定めるところにより、厚生労働大臣又は都道府県労働局長に届け出なければならない。これを変更したときも、同様とする。

Article 34-2 (1) The working environment measurement Agency must establish rules concerning the business related to working environment measurement (referred to below as "operational rules" in this Article), and, without delay, notify them to the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies to any change to the rules.

2 厚生労働大臣又は都道府県労働局長は、前項の規定による届出のあつた業務規程が作業環境測定の公正な実施上不適当と認めるときは、その業務規程を変更すべきことを命ずることができる。

(2) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may order to change the operational rules, if they find that the operational rules notified pursuant to the preceding paragraph are inappropriate to fairly implement working environment measurements.

3 業務規程で定めるべき事項は、厚生労働省令で定める。

(3) The matters to be prescribed in the operational rules are specified by Order of the Ministry of Health, Labour and Welfare.

(秘密保持義務等)

(Duty of Confidentiality)

第三十五条 作業環境測定機関の役員若しくは職員（作業環境測定機関である作業環境測定士を含む。）又はこれらの職にあつた者は、作業環境測定の業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 35 An officer and an employee (including working environment measurement experts who are working environment measurement agencies) of a working environment measurement agency and persons who held such a post must not disclose or misappropriate any secret concerning the working environment measurement service that may have been learned.

(業務の休廃止等の届出)

(Notification for Suspension or Abolition of Service)

第三十五条の二 作業環境測定機関は、作業環境測定の業務の全部又は一部を休止し、又は廃止したときは、遅滞なく、厚生労働省令で定めるところにより、厚生労働大臣又は都道府県労働局長に届け出なければならない。現に休止している作業環境測定の業務の全部又は一部を再開したときも、同様とする。

Article 35-2 When a working environment measurement agency discontinues the business of working environment measurement or suspends the whole or part of it, the agency must, without delay, notify the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare. The same applies when resuming the whole or part of the business of working environment measurement that has been suspended.

(登録の取消し等)

(Revocation of Registration)

第三十五条の三 厚生労働大臣又は都道府県労働局長は、作業環境測定機関が第三十四条第一項において準用する労働安全衛生法第四十六条第二項第一号又は第三号に該当するに至ったときは、その登録を取り消さなければならない。

Article 35-3 (1) If a working environment measurement agency has fallen under the provisions of Article 46, paragraph (2), item (i) or (iii) of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to Article 34,

paragraph (1), the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must revoke the registration.

2 厚生労働大臣又は都道府県労働局長は、作業環境測定機関が次の各号のいずれかに該当するに至つたときは、その登録を取り消し、又は期間を定めて作業環境測定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) If a working environment measurement agency has fallen under any of the following items, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may either revoke the agency's registration or fix a period of time and order it to suspend the whole or part of its business of working environment measurement:

一 第三十三条第二項の基準に適合しなくなつたと認められるとき。

(i) if a working environment measurement agency no longer satisfies the standards referred to in Article 33, paragraph (2);

二 前条又は第三十四条第一項において準用する労働安全衛生法第四十七条第一項若しくは第二項若しくは第五十条第四項の規定に違反したとき。

(ii) if a working environment measurement agency violates the provisions of Article 47, paragraph (1) or (2), or Article 50, as applied mutatis mutandis pursuant to the preceding Article or Article 34, paragraph (1) of the Industrial Safety and Health Act, ;

三 第三十四条の二第一項の規定による届出をした業務規程によらないで作業環境測定を行つたとき。

(iii) if a working environment measurement agency has conducted working environment measurement without following the operational rules notified pursuant to the provisions of Article 34-2, paragraph (1); or

四 第三十四条の二第二項の規定による命令に違反したとき。

(iv) if a working environment measurement agency violates orders under the provisions of Article 34-2, paragraph (2).

(日本作業環境測定協会)

(Japan Association for Working Environment Measurement)

第三十六条 その名称中に日本作業環境測定協会という文字を用いる一般社団法人は、作業環境測定士及び作業環境測定機関を社員とする旨の定款の定めがあり、かつ、全国の作業環境測定士の品位の保持並びに作業環境測定士及び作業環境測定機関の業務の進歩改善に資するため、社員の指導及び連絡に関する事務を全国的に行うこと目的とするものに限り、設立することができる。

Article 36 (1) A general incorporated association whose official title includes the term "Japan Association for Working Environment Measurement" may only be established if it has articles of incorporation prescribing working environment measurement experts and working environment measurement agencies as its members, and if the purpose of the association is to contribute to maintain the quality of working environment measurement experts, and to contribute to the

progress and improvement of the service provided by working environment measurement experts and working environment measurement agencies nationwide, by conducting business concerning guidance and liaison for its members on a nationwide basis.

- 2 前項に規定する定款の定めは、これを変更することができない。
- (2) The designation of the articles of incorporation prescribed in the preceding paragraph may not be changed.
- 3 第一項の一般社団法人（以下「協会」という。）は、成立したときは、成立の日から二週間以内に、登記事項証明書及び定款の写しを添えて、その旨を厚生労働大臣に届け出なければならない。
- (3) When the general incorporated association referred to in paragraph (1) (referred to below as an "association") is incorporated, it must notify the Minister of Health, Labour and Welfare to that effect within two weeks from the date of incorporation, by attaching copies of the certificate of registered information and the articles of incorporation.
- 4 協会の業務は、厚生労働大臣の監督に属する。
- (4) The business of an association is subject to the supervision of the Minister of Health, Labour and Welfare.
- 5 厚生労働大臣は、協会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、いつでも、当該業務及び協会の財産の状況を検査し、又は協会に対し、当該業務に関し監督上必要な命令をすることができる。
- (5) Whenever the Minister of Health, Labour and Welfare finds it to be necessary for ensuring the proper implementation of the services of an association, the Minister may inspect the status of those services and the property of the association, or may issue an order to the association as necessary for the supervision of those services.

（名称の使用制限）

（Restriction on Use of Name）

第三十七条 作業環境測定機関でない者は、作業環境測定機関又はこれに類似する名称を用いてはならない。

Article 37 (1) A person who is not a working environment measurement agency must not use the name of "working environment measurement agency" or any other similar title.

- 2 協会以外の者は、その名称中に日本作業環境測定協会という文字を用いてはならない。
- (2) A person other than an association must not use the characters "Japan Association for Working Environment Measurement."

第四章 雜則

Chapter IV Miscellaneous Provisions

(労働基準監督署長及び労働基準監督官)

(Directors of Labor Standards Offices and Labor Standards Inspectors)

第三十八条 労働基準監督署長及び労働基準監督官は、厚生労働省令で定めるところにより、この法律の施行に関する事務をつかさどる。

Article 38 The directors of labor standards offices and labor standards inspectors take charge of affairs concerning the enforcement of this Act pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(労働基準監督官の権限)

(Authority of Labor Standards Inspectors)

第三十九条 労働基準監督官は、この法律を施行するため必要があると認めるときは、事業場に立ち入り、関係者に質問し、又は帳簿、書類その他の物件を検査することができる。

Article 39 (1) On finding it to be necessary to do so in order to bring this Act into effect, a labor standards inspector may enter a workplace, question related persons, and inspect items such as books and documents.

2 前項の場合において、労働基準監督官は、その身分を示す証票を携帯し、関係者に提示しなければならない。

(2) In the case referred to in the preceding paragraph, a labor standards inspector must carry identification and present it to the related persons.

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 under the provisions of paragraph (1) must not be construed as being granted for the purpose of a criminal investigation.

第四十条 労働基準監督官は、この法律の規定に違反する罪について、刑事訴訟法（昭和二十三年法律第百三十一号）の規定による司法警察員の職務を行う。

Article 40 A labor standards inspector performs the duties of a judicial police officer under the provisions of the Code of Criminal Procedure (Act No. 131 of 1948) with regard to a crime of violating the provisions of this Act.

(厚生労働大臣等の権限)

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

第四十一条 厚生労働大臣又は都道府県労働局長は、作業環境測定機関、指定試験機関、登録講習機関又は指定登録機関の業務の適正な運営を確保するため必要があると認めるときは、その職員をしてこれらの事務所に立ち入り、関係者に質問し、その業務に関係のある帳簿、書類その他の物件を検査し、又は検査に必要な限度において無償で作業環境測定機関の業務に関係のある試料その他の物件を収去させることができる。

Article 41 (1) The Minister of Health, Labour and Welfare or the Director of the

Prefectural Labour Bureau may, when they find it necessary for securing the proper operation of the business of the working environment measurement agency, the designated testing agency, the registered training agency or the designated registration agency, have their employees enter the offices, question the related persons, inspect the books, documents and other objects related to the business, or remove samples and other objects related to the business of the working environment measurement agency without compensation within the limit necessary for the inspection.

2 第三十九条第二項及び第三項の規定は、前項の規定による立入検査について準用する。

(2) The provisions of Article 39, paragraphs (2) and (3) apply mutatis mutandis to the on-site inspection under the provisions of the preceding paragraph.

(報告等)

(Reports)

第四十二条 厚生労働大臣、都道府県労働局長、労働基準監督署長又は労働基準監督官は、この法律を施行するため必要があると認めるときは、厚生労働省令で定めるところにより、事業者に対し、必要な事項を報告させ、又は出頭を命ずることができる。

Article 42 (1) On finding it to be necessary to do so for enforcing this Act, the Minister of Health, Labour and Welfare, the Director of the Prefectural Labor Bureau, the Director of the Labor Standards Office, or a labor standards inspector may have an employer report the necessary matters or order an employer to appear, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

2 厚生労働大臣、都道府県労働局長又は労働基準監督署長は、この法律を施行するため必要があると認めるときは、厚生労働省令で定めるところにより、作業環境測定機関、指定試験機関、登録講習機関若しくは指定登録機関又は作業環境測定士に対し、必要な事項を報告させることができる。

(2) The Minister of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau, or the Chief of the Labour Standard Inspection Offices may, when they find it necessary for the enforcement of this Act, have the working environment measurement agency, designated testing agency, registered training agency, designated registered agency, or working environment measurement expert report necessary matters, pursuant to the provisions of Order of the Ministry of Health, Labour and Welfare.

(書類の保存)

(Preservation of Documents)

第四十三条 作業環境測定機関、指定試験機関、登録講習機関又は指定登録機関は、厚生労働省令で定めるところにより、作業環境測定、試験、講習若しくは次条第一項の研修又は第七条の登録に関する事項で、厚生労働省令で定めるものを記載した帳簿及

び書類を備え、これを保存しなければならない。

Article 43 The working environment measurement agency, the designated testing agency, the registered training agency or the designated registration agency must, as provided for by Order of the Ministry of Health, Labour and Welfare, prepare and keep the books and documents describing the matters related to the working environment measurement, the examination, the lectures or the training course referred to in paragraph (1) of the following Article, or the registration referred to in Article 7 which are specified by Order of the Ministry of Health, Labour and Welfare.

(研修の指示)

(Instructions for Training)

第四十四条 都道府県労働局長は、作業環境測定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、作業環境測定士に対し、期間を定めて、厚生労働大臣又は都道府県労働局長の登録を受けた者が行う研修（以下「研修」という。）を受けるよう指示することができる。

Article 44 (1) The Director of the Prefectural Labour Bureau may, when they find it necessary to ensure the proper implementation of working environment measurements, instruct a working environment measurement expert to take a training course provided by the Minister of Health, Labour and Welfare or a person registered by the Director of the Prefectural Labour Bureau (referred to below as "training course") for a specified period.

2 作業環境測定士が事業者又は作業環境測定機関に使用されているときは、前項の指示は、当該事業者又は作業環境測定機関に対して行うものとする。

(2) When a working environment measurement expert is employed by an employer or a working environment measurement agency, the instruction referred to in the preceding paragraph is to be given to the employer or the working environment measurement agency.

3 前項の指示を受けた事業者又は作業環境測定機関は、当該指示に係る期間内に、当該作業環境測定士に研修を受けさせなければならない。

(3) The employer or the working environment measurement agency that has received the instruction referred to in the preceding paragraph must have the working environment measurement expert take the training course within the period related to the instruction.

4 第一項又は第二項の規定により研修を受けるよう指示された作業環境測定士は、当該指示に係る期間内に、研修を受けなければならない。

(4) A working environment measurement expert who has been instructed to take the training course pursuant to the provisions of paragraph (1) or (2) must take the training course within the period related to the instruction.

5 研修は、別表第四に掲げる研修科目によつて行う。

(5) The training course is conducted on the subjects of training listed in

Appended Table 4.

6 前各項に定めるもののほか、受講手続その他研修について必要な事項は、厚生労働省令で定める。

(6) Beyond what is provided for in the preceding paragraphs, the procedures for participating in the training course and other necessary matters concerning the training course are provided for by Order of the Ministry of Health, Labour and Welfare.

(指定試験機関等がした処分等に係る審査請求)

(Request for Examination Related to Dispositions Made by a Designated Examining Body)

第四十五条 指定試験機関が行う試験事務又は指定登録機関が行う登録事務に係る処分又はその不作為については、厚生労働大臣に対し審査請求をすることができる。この場合において、厚生労働大臣は、行政不服審査法（平成二十六年法律第六十八号）第二十五条第二項及び第三項、第四十六条第一項及び第二項、第四十七条並びに第四十九条第三項の規定の適用については、指定試験機関又は指定登録機関の上級行政庁とみなす。

Article 45 A request for administrative review may be made to the Minister of Health, Labour and Welfare with regard to a disposition or inaction related to the examination affairs conducted by a designated examining agency or the registration affairs conducted by a designated registration agency. In this case, with regard to the application of the provisions of Article 25, paragraphs (2) and (3), Article 46, paragraphs (1) and (2), Article 47, and Article 49, paragraph (3) of the Administrative Appeal Act (Act No. 68 of 2014), the Minister of Health, Labour and Welfare is deemed to be the higher administrative agency of the designated examining agency or the designated registration agency.

第四十六条 削除

Article 46 Deleted

(政府の援助)

(Government Assistance)

第四十七条 政府は、作業環境測定士の資質の向上並びに作業環境測定機関及び登録講習機関の業務の適正化を図るため、資料の提供、測定手法の開発及びその成果の普及その他必要な援助を行うように努めるものとする。

Article 47 To improve the quality of working environment measurement experts and ensure the proper operation of working environment measurement agencies and registered lectures agencies, the government is to endeavor to provide materials, develop measurement methods, disseminate the results, and provide other necessary assistance.

(登録等の条件)

(Conditions for Registration)

第四十八条 この法律の規定による登録（第五条又は第四十四条第一項の規定による登録を除く。次項において同じ。）、指定又は許可には、条件を付け、及びこれを変更することができる。

Article 48 (1) Conditions may be attached to registration (excluding registration under the provisions of Article 5 or Article 44, paragraph (1); the same applies in the following paragraph), designation, or permission under the provisions of this Act, and the conditions may be changed.

2 前項の条件は、当該登録、指定又は許可に係る事項の確実な実施を図るため必要な最小限度のものに限り、かつ、当該登録、指定又は許可を受ける者に不当な義務を課すこととなるものであつてはならない。

(2) The conditions referred to in the preceding paragraph are limited to the minimum necessary for ensuring the implementation of the matters concerning the registration, designation, or permission, and must not impose any unreasonable obligation on the person who is to obtain the registration, designation, or permission.

(手数料)

(Fees)

第四十九条 次の者は、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（指定試験機関の行う試験を受けようとする者又は指定試験機関から合格証の再交付を受けようとする者にあつては指定試験機関、指定登録機関の行う登録を受けようとする者又は指定登録機関から作業環境測定士登録証の再交付若しくは書換えを受けようとする者にあつては指定登録機関）に納付しなければならない。

Article 49 (1) Pursuant to the provisions of Cabinet Order, the following persons must pay a fee in the amount specified by Cabinet Order in consideration of the actual cost to the national government (to the designated testing institution in the case of a person who intends to take the examination conducted by the designated testing agency or to obtain re-issuance of the certificate of passing from the designated testing agency, or to the designated registration agency in the case of a person who intends to obtain the registration conducted by the designated registration agency or to obtain re-issuance or renewal of the working environment measurement expert registration certificate from the designated registration agency):

一 試験を受けようとする者

(i) a person who intends to take the examination;

二 第五条又は第四十四条第一項の登録の更新を受けようとする者

(ii) a person that seeks to renew the registration referred to in Article 5 or Article 44, paragraph (1);

三 講習又は研修（都道府県労働局長が行う講習又は研修に限る。）を受けようとする者

(iii) a person who intends to receive a lecture or take a training course (limited to the lecture or training course conducted by the Director of the Prefectural Labour Bureau);

四 第七条の登録を受けようとする者

(iv) a person who intends to obtain registration under Article 7;

五 作業環境測定士登録証又は作業環境測定機関登録証の再交付又は書換えを受けようとする者

(v) a person who intends to obtain reissuance or renewal of the working environment measurement expert registration certificate or the working environment measurement agency registration certificate;

六 合格証又は講習修了証の再交付（都道府県労働局長が行う講習修了証の再交付に限る。）を受けようとする者

(vi) a person who intends to obtain reissuance of a certificate of passing or completion certificate of a lecture(limited to reissuance of completion certificate of a lecture by the Director of the Prefectural Labour Bureau).

2 前項の規定により指定試験機関又は指定登録機関に納められた手数料は、それぞれ、指定試験機関又は指定登録機関の収入とする。

(2) The fees paid to the designated examining agency or the designated registration agency pursuant to the provisions of the preceding paragraph are the income of the designated examining body or the designated registration agency, respectively.

（公示）

（Public Notice）

第四十九条の二 厚生労働大臣又は都道府県労働局長は、次の場合には、厚生労働省令で定めるところにより、その旨を公示しなければならない。

Article 49-2 The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must give public notice to that effect as provided for by Order of the Ministry of Health, Labour and Welfare in the following cases:

一 第五条又は第四十四条第一項の規定による登録をしたとき。

(i) when the Minister has made a registration under the provisions of Article 5 or Article 44, paragraph (1);

二 第三十二条第三項において準用する労働安全衛生法第四十七条の二又は第四十九条の規定による届出があつたとき。

(ii) when a notification under the provisions of Article 47-2 or Article 49 of the Industrial Safety and Health Act, as applied mutatis mutandis pursuant to Article 32, paragraph (3), has been made;

三 第三十二条第三項において準用する労働安全衛生法第五十三条第一項の規定によ

り登録を取り消し、又は講習若しくは研修の業務の全部若しくは一部の停止を命じたとき。

(iii) when the Minister has ordered to revoke the registration or ordered to suspend in whole or in part of the business of lectures or training courses pursuant to the provisions of Article 53, paragraph (1) of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to Article 32, paragraph (3);

四 第三十二条第三項において準用する労働安全衛生法第五十三条の二の規定により都道府県労働局長が講習若しくは研修の業務を自ら行うものとするとき、又は自ら行っていた講習若しくは研修の業務を行わないものとするとき。

(iv) when the Director of the Prefectural Labour Bureau has decided to on its initiative conduct the business of lectures or training courses pursuant to the provisions of Article 53-2 of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to Article 32, paragraph (3), or when the Director of the Prefectural Labour Bureau has decided not to conduct the business of lectures or training courses that the Director of the Prefectural Labour Bureau had been on its initiative conducting.

(経過措置)

(Transitional measures)

第五十条 この法律の規定に基づき命令を制定し、又は改廃するときは、その命令で、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 50 When enacting, revising or abolishing an order pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be specified by the order to the extent considered reasonably necessary for the enactment, revision or abolition.

(厚生労働省令への委任)

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

第五十一条 この法律に定めるもののほか、この法律の施行に関する必要な事項は、厚生労働省令で定める。

Article 51 Beyond what is provided for in this Act, necessary matters concerning the enforcement of this Act are prescribed by Order of the Ministry of Health, Labour and Welfare.

第五章 罰則

Chapter V Penal Provisions

第五十二条 第二十七条第一項（第三十二条の二第四項において準用する場合を含む。）又は第三十五条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 52 A person who has violated the provisions of Article 27, paragraph (1) (including as applied mutatis mutandis pursuant to Article 32-2, paragraph (4)) or Article 35 is punished by imprisonment for not more than one year or a fine of not more than one million yen.

第五十三条 第三十条第一項（第三十二条の二第四項において準用する場合を含む。）、第三十二条第三項において準用する労働安全衛生法第五十三条第一項（第四号を除く。）、第三十四条第二項において準用する第十二条第二項又は第三十五条の三第二項の規定による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指定試験機関、登録講習機関若しくは指定登録機関の役員若しくは職員又は作業環境測定機関の役員若しくは職員（作業環境測定機関である作業環境測定士を含む。）は、一年以下の拘禁刑又は百万円以下の罰金に処する。

Article 53 In the event of violation of the order of suspension of business under the provisions of Article 30, paragraph (1) (including as applied mutatis mutandis pursuant to Article 32-2, paragraph (4)), Article 53, paragraph (1) (excluding item (iv)) of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to Article 32, paragraph (3), Article 12, paragraph (2) as applied mutatis mutandis pursuant to Article 34, paragraph (2), or Article 35-3, paragraph (2), the officer or employee of the designated testing agency, registered training institution or designated registration agency, or the officer or employee of the working environment measurement agency (including the working environment measurement expert who is a working environment measurement agency) who has committed the violation is punished by imprisonment for not more than one year or a fine of not more than one million yen.

第五十四条 次の各号のいずれかに該当する者は、五十万円以下の罰金に処する。

Article 54 A person who falls under any of the following items is punished by a fine of not more than 500000 yen:

- 一 第三条、第十八条、第三十七条又は第四十四条第三項の規定に違反した者
 - (i) a person who has violated the provisions of Article 3, Article 18, Article 37, or Article 44, paragraph (3);
 - 二 第十二条第二項の規定による命令に違反した者
 - (ii) a person who has violated an order under the provisions of Article 12, paragraph (2);
 - 三 第三十九条第一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、又は質問に対して陳述をせず、若しくは虚偽の陳述をした者
 - (iii) a person who has refused, obstructed, or evaded the entry or inspection under the provisions of Article 39, paragraph (1), or who has failed to make a statement or made a false statement in response to a question under the

provisions of that paragraph;

四 第四十二条第一項の規定による報告をせず、若しくは虚偽の報告をし、又は出頭しなかつた者

(iv) a person who has failed to make a report under the provisions of Article 42, paragraph (1), who has made a false report, or who has failed to appear.

第五十五条 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指定試験機関、登録講習機関若しくは指定登録機関の役員若しくは職員又は作業環境測定機関の役員若しくは職員（作業環境測定機関である作業環境測定士を含む。）は、五十万円以下の罰金に処する。

Article 55 When falling under any of the following items, the officer or employee of the designated testing agency, registered training agency or designated registration agency, or the officer or employee of the working environment measurement agency (including the working environment measurement expert who is a working environment measurement agency) who has committed the violation is punished by a fine of not more than 500000 yen:

一 第二十九条第一項の許可を受けないで試験事務に関する業務の全部を廃止したとき。

(i) when the person has abolished the whole of the business related to examination affairs without obtaining permission referred to in Article 29, paragraph (1);

二 第三十二条第三項において準用する労働安全衛生法第四十九条の規定による届出をせず、又は虚偽の届出をしたとき。

(ii) when the person has failed to make a notification under the provisions of Article 49 of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to Article 32, paragraph (3), or has given a false notification;

三 第三十二条の二第四項において準用する第二十九条第一項の許可を受けないで登録事務に関する業務の全部を廃止したとき。

(iii) when the person has discontinued the whole of the businesses related to registration affairs without obtaining the permission referred to in Article 29, paragraph (1), as applied mutatis mutandis pursuant to Article 32-2, paragraph (4);

四 作業環境測定の業務の全部を廃止した場合において、第三十五条の二の規定による届出をせず、又は虚偽の届出をしたとき。

(iv) when the person has discontinued the whole of the business of working environment measurement, and has failed to make a notification under the provisions of Article 35-2 or has made a false notification;

五 第四十一条第一項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、又は質問に対して陳述をせず、若しくは虚偽の陳述をしたとき。

(v) when the person has refused, obstructed, or evaded an entry, inspection, or

removal under the provisions of Article 41, paragraph (1), or failed to make a statement or made a false statement in response to a question under the provisions of that paragraph;

六 第四十二条第二項の規定による報告をせず、又は虚偽の報告をしたとき。

(vi) when the person has failed to make a report under the provisions of Article 42, paragraph (2) or has made a false report;

七 第四十三条の規定による帳簿若しくは書類の備付け若しくは保存をせず、又は同条の帳簿若しくは書類に虚偽の記載をしたとき。

(vii) when the person has failed to keep or preserve books or documents under the provisions of Article 43, or has made a false entry in the books or documents stated in that Article.

第五十六条 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て、第五十四条の違反行為をしたときは、行為者を罰するほか、その法人又は人に対しても、同条の罰金刑を科する。

Article 56 If the representative of a corporation or the agent, employee, or other worker of a corporation or individual commits a violation referred to in Article 54 in connection with the business of the corporation or individual, in addition to the offender being subject to punishment, the fine referred to in that Article is also imposed on the corporation or individual.

第五十六条の二 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協会の理事、監事又は清算人は、五十万円以下の過料に処する。

Article 56-2 When falling under any of the following items, the director, auditor, or liquidator of an association who has committed the violation is punished by a civil fine of not more than 500,000 yen:

一 第三十六条第三項の規定による届出をせず、又は虚偽の届出をしたとき。

(i) if the person has failed to make a notification under the provisions of Article 36, paragraph (3) or has made a false notification;

二 第三十六条第五項の規定による検査を拒み、妨げ、若しくは忌避し、又は同項の規定による命令に違反したとき。

(ii) if the person has refused, obstructed, or evaded an inspection under the provisions of Article 36, paragraph (5), or has violated an order under the provisions of that paragraph.

第五十七条 第三十二条第三項において準用する労働安全衛生法第五十条第一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第三十二条第三項において準用する同法第五十条第二項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 57 A person who has, in violation of Article 50, paragraph (1) of the Industrial Safety and Health Act as applied mutatis mutandis pursuant to

Article 32, paragraph (3), failed to keep financial statements, etc., failed to state the necessary matters in the financial statements, etc., or made false statements, or refused the request made under Article 50, paragraph (2) of that Act as applied mutatis mutandis pursuant to Article 32, paragraph (3), without justifiable grounds, is punished by a civil fine of not more than 200000 yen.

別表第一（第十五条の二関係）

Appended Table 1 (Related to Article 15-2)

講習 Training Course	講習科目 Subjects of training course
第一種作業環境測定士講習 Class-1 Working Environment Measurement Expert Training Course	<p>一 労働衛生管理の実務 (i) Practice of industrial health management</p> <p>二 作業環境について行うデザイン及びサンプリングの実務 (ii) Practice of designing and sampling to be made for working environments</p> <p>三 指定作業場の作業環境について行う分析（解析を含む。以下同じ。）の実務 (iii) Practice of analyses (including analytical research; the same applies hereinafter) to be made for working environments of designated workplaces</p>
第二種作業環境測定士講習 Class-2 Working Environment Measurement Expert Training Course	<p>一 労働衛生管理の実務 (i) Practice of industrial health management</p> <p>二 作業環境について行うデザイン及びサンプリングの実務 (ii) Practice of designing and sampling to be made for working environments</p>

別表第二（第三十二条関係）

Appended Table 2 (Related to Article 32)

講習又は研修 Training Course or Training	機械器具その他の設備 Machinery, equipment, and other facilities
第一種作業環境測定士講習 研修 Class-1 Working Environment Measurement Expert Training Course & Training	<p>一 試料採取器、分粒装置、相対濃度測定器及び検知管式ガス測定器 (i) Sampler, particle-size separator, relative concentration measuring instrument, and gas detector tube</p> <p>二 次のいずれかに掲げる機械器具その他の設備 (ii) Any of the machinery, equipment, and other facilities listed as follows:</p>

	<p>(一) エックス線回折装置、位相差顕微鏡及び重量分析法による結晶質シリカ含有率測定器 (a) X-ray diffractometer, phase-contrast microscope, and crystalline silica content measuring instrument with gravimetric analysis</p> <p>(二) 放射能測定器及び放射線スペクトロメータ (b) Radiological monitor and radiation spectrometer</p> <p>(三) 分光光度計、ガスクロマトグラフ及び原子吸光光度計 (c) Spectrophotometer, gas chromatograph, and atomic absorption photometer</p>
第二種作業環境測定士講習 Class-2 Working Environment Measurement Expert Training Course	試料採取器、分粒装置、相対濃度測定器及び検知管式ガス測定器 Sampler, particle-size separator, relative concentration measuring instrument, and gas detector tube

別表第三（第三十二条関係）

Appended Table 3 (Related to Article 32)

一 第一種作業環境測定士講習及び研修

科目 Subject	条件 Conditions
労働衛生管理の実務 Practice of industrial health management	<p>一 理科系統大学等卒業者で、その後三年以上労働衛生の実務に従事した経験を有するものであること。 (i) Graduate from a University, etc. after Completing a Regular Course of Science who has at least three years of experience thereafter in the practice of industrial health management.</p> <p>二 前号に掲げる者と同等以上の知識経験を有する者であること。 (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.</p>
作業環境について行うデザイン及びサンプリングの実務 Practice of designing and sampling to be made for the working environment	<p>一 理科系統大学等卒業者で、その後五年以上作業環境測定の実務に従事した経験を有するものであること。 (i) Graduate from a University, etc. after Completing a Regular Course of Science who has at least five years of experience thereafter in the practice of working environment measurement.</p> <p>二 前号に掲げる者と同等以上の知識経験を有する者であること。 (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.</p>

指定作業場の作業環境について行う分析の実務 Practice of analyses to be made on the working environment at the designated workplace	一 理科系大学等卒業者で、その後五年以上指定作業場の作業環境測定の実務に従事した経験を有するものであること。 (i) Graduate from a University, etc. after Completing a Regular Course of Science who has at least five years of experience thereafter in the practice of working environment measurement at the designated workplace. 二 前号に掲げる者と同等以上の知識経験を有する者であること。 (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.
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二 第二種作業環境測定士講習

科目 Subject	条件 Conditions
労働衛生管理の実務 Practice of industrial health management	一 理科系大学等卒業者で、その後三年以上労働衛生の実務に従事した経験を有すること。 (i) Graduate from a University, etc. after Completing a Regular Course of Science who later has at least three years of experience thereafter in the practice of industrial health management. 二 前号に掲げる者と同等以上の知識経験を有する者であること。 (ii) A person possessing knowledge and experience equivalent to or exceeding those of the person listed in the preceding item.
作業環境について行うデザイン及びサンプリングの実務 Practice of designing and sampling to be conducted made for the working environment	一 理科系大学等卒業者で、その後五年以上作業環境測定の実務に従事した経験を有すること。 (i) Graduate from a University, etc. after Completing a Regular Course of Science who later has at least five years of experience thereafter in the practice of working environment measurement. 二 前号に掲げる者と同等以上の知識経験を有する者であること。 (ii) A person possessing knowledge and experience equivalent to or exceeding those of the person listed in the preceding item.

別表第四（第四十四条関係）

Appended Table 4 (Related to Article 44)

一 労働衛生管理の実務

(i) the practice of industrial health management;

二 作業環境について行うデザイン及びサンプリングの実務

(ii) the practice of designing and sampling the working environment;

三 指定作業場の作業環境について行う分析の実務

(iii) the practice of analyses conducted on the working environments of
designated workplaces.