

# Working Environment Measurement Act

(Act No. 28 of May 1, 1975)

## Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is, in conjunction with the Industrial Safety and Health Act (Act No. 57 of 1972), by providing for necessary matters concerning the measurement of working environments as the qualification of working environment measurement experts, working environment measurement agencies, etc., to secure a proper working environment ,and maintain the health of workers in workplaces.

(Definitions)

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

- (i) "Employer" means the employer specified in Article 2, item (iii) of the Industrial Safety and Health Act.
- (ii) "Working Environment Measurement" means the working environment measurement specified in Article 2, item (iv) of the Industrial Safety and Health Act.
- (iii) "Designated Workplace" means the workplaces among the workplaces specified in Article 65, paragraph (1) of the Industrial Safety and Health Act that are provided for by Cabinet Order.
- (iv) "Working Environment Measurement Expert" means class-1 and class-2 working environment measurement experts.
- (v) "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 capacity of a Class-1 Working Environment Measurement Expert, Working Environment Measurement services at workplaces (Excluding Designated Workplaces. This same applies to the following item);
- (vi) "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 Ordinance of the Ministry of Health, Labour and Welfare) at Designated Workplaces and also performs, in the capacity of a Class-1 Working

Environment Measurement Expert, Working Environment Measurement services at workplaces.

(vii) "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.

(Implementation of Working Environment Measurement)

Article 3 (1) When the Employer, pursuant to the provisions of Article 65, paragraph (1) of the Industrial Safety and Health Act, performs Working Environment Measurements at a Designated Workplace, the Employer must, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, have an Working Environment Measurement Expert employed by the Employer conduct it.

(2) If incapable of performing the Working Environment Measurement provided in the preceding paragraph, the Employer must, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, entrust the Working Environment Measurement to a Working Environment Measurement Agency. Provided, however, that this does not apply if it is entrusted to an agency of the State or local public entities, or other agencies designated by the Minister of Health, Labour and Welfare.

Article 4 (1) The Working Environment Measurement Expert must, in conducting the Working Environment Measurements under Article 65, paragraph (1) of the Industrial Safety and Health Act, conduct it in accordance with the Working Environment Measurement Standards provided for in paragraph (2) of the same Article.

(2) The Working Environment Measurement Agency must, in conducting the Working Environment Measurement under Article 65, paragraph (1) of the Industrial Safety and Health Act at the request of others, conduct it in accordance with the Working Environment Measurement Standards provided for in paragraph (2) of the same Article.

## **Chapter II Working Environment Measurement Expert, etc.**

### **Section 1 Working Environment Measurement Expert**

(Qualification of Working Environment Measurement Expert)

Article 5 Those who have passed the working environment measurement expert examination (hereinafter referred to as "Examination") and have completed a training course conducted by a person registered with the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau

(hereinafter referred to as "Training Course"), and those who are considered to have same or more competence than that, and are specified by Ordinance of the Ministry of Health, Labour and Welfare, are qualified to become a Working Environment Measurement Experts.

(Disqualifying Provision)

Article 6 Those who fall under any of the following items may not become a Working Environment Measurement Expert:

- (i) an adult ward or a person under curatorship;
- (ii) a person whose registration was rescinded pursuant to the provisions of Article 12, paragraph (2), and for whom two years have not passed since the date of rescission;
- (iii) a person who, in violation of the provisions of this Act or the Industrial Safety and Health Act (including orders thereunder), has been sentenced to a fine or severer punishment and for whom two years have not passed since the date of the completion or discontinuation of said execution;

(Registration)

Article 7 In order to a person qualified to become a Working Environment Measurement Expert become a Working Environment Measurement Expert, the person, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, must have the following items registered in the working environment measurement expert list:

- (i) registration date and registration number;
- (ii) name and date of birth;
- (iii) class of Working Environment Measurement Expert;
- (iv) any other matters provided by the Ordinance of the Ministry of Health, Labour and Welfare;

(Working Environment Measurement Experts List)

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

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

(Procedure of Registration)

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

(2) When submitting the application form of the preceding paragraph, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, the applicant

must attach a photograph of the applicant to the documents proving the matters set forth in Article 7, items (ii) to (iv), and also present the passing certificate and the completion certificate set forth in Article 16 which the applicant has passed and completed (for persons who fall under the person specified by Ordinance of the Ministry of Health, Labour and Welfare as provided for in Article 5, substitute documents for said certificates).

- (3) If the Minister of Health, Labour and Welfare, when an application form is submitted pursuant to the provisions of paragraph (1), finds that the person intending be registered is able to become a Working Environment Measurement Expert, the minister must, without delay, register the person pursuant to Article 7, and if the minister finds that the person intending to be registered is not able to become a Working Environment Measurement Expert, the minister must reject the registration.
- (4) When the Minister of Health, Labour and Welfare rejects the registration pursuant to the provisions of the preceding paragraph, the minister must, without delay, indicate the reasons and notify said applicant of the same.

(Registration Certificate)

Article 10 When the Minister of Health, Labour and Welfare registers pursuant to Article 7, the minister issues a working environment measurement expert registration certificate with the items specified in Article 7.

(Prohibition of Transfer, etc., of Registration Certificate)

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

(Rescission of Registration, etc.)

Article 12 (1) The Minister of Health, Labour and Welfare, if a Working Environment Measurement Expert has fallen under Article 6, items (i) or (iii), or the decision of approval of the Examination is rescinded pursuant to the provisions of Article 17, must cancel the registration.

- (2) The Minister of Health, Labour and Welfare, if a Working Environment Measurement Expert has fallen under any of the following items, may cancel the registration, or fix a period of time and order the suspension of the Working Environment Measurement services at Designated Workplaces or the suspension of the use of the title:
- (i) when there is a wrongful act regarding the registration;
  - (ii) when there is a violation of the provisions of Article 4, paragraph (1), preceding Article, or Article 44, paragraph (4);
  - (iii) when there is an indication of false results regarding the performance of

- the Working Environment Measurement services;
- (iv) when there is a violation of the conditions set forth in Article 48, paragraph (1);
  - (v) beyond what is listed in the preceding items, when there is an expert wrongful regarding the service of Working Environment Measurement (including services conducted by a Working Environment Measurement Agency to which said Working Environment Measurement Expert was engaged).

(Deletion of Registration)

Article 13 The Minister of Health, Labour and Welfare must, when the registration ceases to be effective or the holder discontinues Working Environment Measurement services, delete the registration.

(Examination)

- Article 14 (1) The Examination is conducted by the Minister of Health, Labour and Welfare.
- (2) The Examination comprises the class-1 working environment measurement expert examination and the class-2 working environment measurement expert examination, and is conducted, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, by a written and oral examination or only a written examination.
  - (3) The Minister of Health, Labour and Welfare may, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, exempt those who have the qualification provided by the Ordinance 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.

(Qualifications to Take the Examination)

Article 15 If a person does not fall under any of the following items, said person may not take the Examination:

- (i) those who graduated completing the regular course of science from a university or a higher technical school under the School Education Act (Act No. 26 of 1947) (hereinafter referred to as "Graduate from a University, etc. after Completing a Regular Course of Science"), and have at least one year of work experience in industrial health service thereafter;
- (ii) those who graduated completing the regular course of science from a high school or a secondary education school under the School Education Act and have at least three years of work experience in industrial health service thereafter;
- (iii) those, as provided for by the Ordinance of the Ministry of Health, Labour

and Welfare, who are considered to have same or more competence than the persons set forth in the preceding two items.

(Training Course)

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

(Passing Certificate for Examination and Completion Certificate for Training Course)

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

(2) The Registered Training Institution provided for in Article 32, paragraph (3) issues completion certificate of training course to those who have completed the Training Course.

(Rescission of Passing the Examination)

Article 17 The Minister of Health, Labour and Welfare, if a person has taken or intended to take the Examination employing a wrongful method, may rescind the decision on the passing of said person or prohibit said person from taking the Examination.

(Restriction on Use of Title)

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) The Class-2 Working Environment Measurement Expert must not use the title "Class-1 Working Environment Measurement Expert."

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

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, Training Course and registration (including the working environment measurement expert registration certificate) are to be provided by Ordinance of the Ministry of Health, Labour and Welfare.

## **Section 2 Designated Testing Institution**

(Designation)

Article 20 (1) The Minister of Health, Labour and Welfare has a person designated by application conduct affairs related to the Examination

(hereinafter referred to as the "Examination Affairs").

- (2) The person who receives the designation provided in the preceding paragraph (hereinafter referred to as "designation" in this section) (hereinafter the person referred to as the "Designated Testing Institution") may exercise the authority of the Minister of Health, Labour and Welfare provided in Article 17 in connection with implementing Examination Affairs.
- (3) The Minister of Health, Labour and Welfare is not to implement Examination Affairs if the minister has entrusted said Examination Affairs to the Designated Testing Institution.

(Criteria for Designation, etc.)

Article 21 (1) When the Minister of Health, Labour and Welfare intends to make the designation, the minister must do it after examining whether the application for designation satisfies the conditions prescribed in the following items:

- (i) the implementation plan concerning Examination Affairs about staff, facilities, method of implementation of Examination Affairs and other matters is sufficient to properly and reliably implement the Examination Affairs;
  - (ii) the financial and technical basis is enough to properly and reliably conduct the plan concerning the implementation of Examination Affairs.
- (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:
- (i) if another person has already been designated;
  - (ii) if the applicant is other than a general incorporated association or a general incorporated foundation;
  - (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;
  - (iv) if the applicant is a person whose designation was rescinded pursuant to the provisions of Article 30, paragraph (1) and for whom two years have not passed since the date of rescission;
  - (v) if there is a person, among the officers of the applicant that falls under any of the following:
    - (a) a person who has violated the provisions of this Act or the Industrial Safety and Health Act (including orders thereunder), and has been sentenced to a fine or severer punishment and for whom two years have not passed since the date of the completion or discontinuation of the said execution;
    - (b) a person who was dismissed by orders pursuant to the provisions of Article 23, paragraph (2) and for whom two years have not passed since the day of the dismissal.

(Public Notice of Designation)

Article 22 (1) When the Minister of Health, Labour and Welfare makes the designation, the minister must publicly notify in the Official Gazette the name and the address of the Designated Testing Institution, the address of the office where Examination Affairs are implemented, and the date when it commences the Examination Affairs.

(2) When the Designated Testing Institution intends to change its name or address, or the address of the office where Examination Affairs are implemented, it must in advance notify the Minister of Health, Labour and Welfare the same.

(3) When there is notification set forth in the preceding paragraph, the Minister of Health, Labour and Welfare must publicly notify the same in the Official Gazette.

(Election and Dismissal of Officers)

Article 23 (1) Election and dismissal of the officers of the Designated Testing Institution does not become effective unless it is approved by the Minister of Health, Labour and Welfare.

(2) When an officer of the Designated Testing Institution violates this Act or the Industrial Safety and Health Act (including orders and dispositions thereunder) 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 Institution to dismiss the said officer.

(Examiner of Working Environment Measurement Expert)

Article 24 (1) When conducting Examination Affairs, the Designated Testing Institution 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 (hereinafter referred to as "Examiner").

(2) The Examiner must be selected from persons satisfying the conditions specified in the Ordinance of the Ministry of Health, Labour and Welfare concerning the knowledge about and experience in Working Environment Measurement.

(3) When the Designated Testing Institution selects an Examiner, it must notify the Minister of Health, Labour and Welfare the same within 15 days from the day of the selection. The same applies when there is a change thereof.

(4) If the Examiner violates this Act or the Industrial Safety and Health Act (including orders and the dispositions thereunder) 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 Institution to dismiss said Examiner.

- (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 day of the dismissal may not become an Examiner.

(Rules for Examination Affairs)

Article 25 (1) The Designated Testing Institution must establish rules concerning implementation of Examination Affairs (hereinafter in this Section referred to 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 thereof.

- (2) The Minister of Health, Labour and Welfare may order to change the rules for examination affairs, 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) The matters to be prescribed in the rules for examination affairs are specified by Ordinance of the Ministry of Health, Labour and Welfare.

(Approval of a Business Plan, etc.)

Article 26 (1) The Designated Testing Institution 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 in the business year to which the date of designation belongs). The same applies to any change thereof.

- (2) The Designated Testing Institution 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.

(Confidentiality Obligation, etc.)

Article 27 (1) An officer or an employee (including an Examiner) of the Designated Testing Institution, or persons who held such a post must not disclose any secret concerning the Examination Affairs that may have been learned.

- (2) An officer or an employee (including an Examiner) of the Designated Testing Institution 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,.

(Supervision Orders)

Article 28 The Minister of Health, Labour and Welfare may, when the minister finds it necessary to the enforcement of this Act, issue an order necessary for the supervision of Examination Affairs to the Designated Testing Institution.

(Suspension or Discontinuance of the Examination Affairs)

Article 29 (1) The Designated Testing Institution must neither discontinue the business related to Examination Affairs nor suspend the whole or part of it without the permission of the Minister of Health, Labour and Welfare.

(2) When the Minister of Health, Labour and Welfare gives the permission set forth in the preceding paragraph, the minister must publicly notify the same in the Official Gazette.

(Rescission of Designation, etc.)

Article 30 (1) The Minister of Health, Labour and Welfare may, if the Designation Testing Institution has fallen under any of the following items, rescind the designation or fix a period of time and order to suspend the whole or part of its business related to Examination Affairs:

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

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

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

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

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

(vi) if the institution violated the conditions set forth in Article 48, paragraph (1).

(2) When the Minister of Health, Labour and Welfare rescinds the designation pursuant to the provisions of the preceding paragraph, or orders to suspend the whole or part of the business related to Examination Affairs, the minister must publicly notify the same in the Official Gazette.

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

Article 31 (1) If the Minister of Health, Labour and Welfare, when the Designated Testing Institution suspends the whole or part of business related

to the Examination Affairs pursuant to the provisions of Article 29, paragraph (1), or when the minister 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 when it becomes difficult for the Designated Testing Institution to implement the Examination Affairs by grounds of a natural disaster or other causes, finds it necessary, the minister is to personally implement Examination Affairs.

- (2) When the Minister of Health, Labour and Welfare intends to personally implement the Examination Affairs pursuant to the provisions of the preceding paragraph or to discontinue the Examination Affairs which the minister is personally implementing pursuant to the provisions of the same paragraph, the minister must in advance publicly notify the same in the Official Gazette.
- (3) The succession of Examination Affairs and other necessary matters for the case, where the Minister of Health, Labour and Welfare personally implements 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 rescinds the designation pursuant to the provisions of paragraph (1) of the preceding Article, are to be provided by Ordinance of the Ministry of Health, Labour and Welfare.

### **Section 3 Registered Training Institutions**

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

- (2) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must register when the person who applied for registration pursuant to the provisions of the preceding paragraph satisfies all of the requirements set forth below:
  - (i) the applicant conducts the Training Courses listed in the upper column of Appended Table 2 or the training prescribed in Article 44, paragraph (1) by using the machinery, equipment and other facilities listed in the lower column of said table;
  - (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 training course or the subject of the training listed in the subjects column of said table conduct the Training Courses or the training prescribed in Article 44, paragraph (1), and the number of such persons at each establishment is equal to or more than 1;

- (iii) a person to manage affairs of the Training Courses or the training prescribed in Article 44, paragraph (1) has been placed.
- (3) The provisions of Article 46, paragraphs (2) and (4) of the Industrial Safety and Health Act apply mutatis mutandis to the registration under paragraph (1) above, and the provisions of Articles 47-2 through 49, Article 50, paragraphs (1), (2) and (4), Article 52, Article 52-2, Article 53 (excluding item (iv); the same applies hereafter in this paragraph), and the provisions of Article 53-2 apply mutatis mutandis to a person registered pursuant to the provisions of paragraph (1) above who conducts the Training Courses or training prescribed in Article 44, paragraph (1) (hereinafter referred to as the "Registered Training Institution"). In this case, the term "this Act or ordinances thereunder" in Article 46, paragraph (2), item (i) of the same Act is deemed to be replaced with "this Act or the Working Environment Measurement Act, or orders thereunder," the term "the registry book of the registered inspection at the time of manufacture, etc. agency" in paragraph (4) of the same Article is deemed to be replaced with "the registry of the Registered Training Institutions," the term "the group mentioned in paragraph (1)" in item (iv) of the same paragraph is deemed to be replaced with "the type of the Training Course prescribed in Article 5 of the Working Environment Measurement Act or training prescribed in Article 44, paragraph (1) of the same Act," the term "the Minister of Health, Labour and Welfare" in the provisions of Article 47-2, Article 48, paragraph (1), Article 49, Article 50, paragraph (4), and Articles 52 to 53 of the same Act is deemed to be replaced with "the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau," the term "of manufacturing inspection, etc." in Articles 48 and 49, and Article 50, paragraph (2) of the same Act is deemed to be replaced with "of the Training Course prescribed in Article 5 of the Working Environment Measurement Act or the training prescribed in Article 44, paragraph (1) of the same Act," the term "Article 123" in Article 50, paragraph (1) of the same Act is deemed to be replaced with "Article 57 of the Working Environment Measurement Act," the term "each item of Article 46, paragraph (3)" in Article 52 of the same Act is deemed to be replaced with "each item of Article 32, paragraph (2) of the Working Environment Measurement Act," the term "Article 47" in Article 52-2 of the same Act is deemed to be replaced with "Article 32, paragraph (6) or (7) of the Working Environment Measurement Act," the term "of manufacturing inspection, etc." in the same Article and Articles 53 and 53-2 of the same Act is deemed to be replaced with "the Training Course prescribed in Article 5 of the Working Environment Measurement Act or the training prescribed in Article 44, paragraph (1) of the same Act," the term ", for a fixed period not exceeding six months" in Article 53 of the same Act is deemed to be deleted, the term "Articles 47 to 49, Article 50, paragraph (1) or (4), or Article 103, paragraph

(2)" in item (ii) of the same Article is deemed to be replaced with "Articles 47-2 through 49, Article 50, paragraph (1) or (4) of this Act or Article 32, paragraph (6) or (7), or Article 43 of the Working Environment Measurement Act," and the term "each item of Article 50, paragraph (2), or each item of paragraph (3) of the same Article" in item (iii) of the same Article as "each item in Article 50, paragraph (2)."

- (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) The provisions of paragraph (2), and Article 46, paragraphs (2) and (4) of the Industrial Safety and Health Act apply mutatis mutandis to renewals prescribed in the preceding paragraph. In this case, the term "the registry book of the registered manufacturing inspection, etc. agencies" in item (iv) of said Article is deemed to be replaced with "the registry book of the registered training institution."
- (6) Unless there is just cause, a Registered Training Institution must prepare a plan for each business year regarding the implementation of Training Courses or the training prescribed in Article 44, paragraph (1) pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare, and conduct the Training Courses or the training prescribed in the same paragraph in accordance with said plan.
- (7) A Registered Training Institution must conduct the Training Courses or training prescribed in Article 44, paragraph (1) fairly and in accordance with the provisions of Article 19 or Article 44, paragraph (6).

#### **Section 4 Designated Registration Institutions**

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

- (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 (hereinafter referred to as "Designated Registration Institution.") conducting said registration affairs.
- (3) With regard to the application of the provisions of Article 8, paragraph (1) and Article 9, paragraph (1), when a Designated Registration Institution executes 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 Institution prescribed in Article 32-2, paragraph (2)."

(4) The provisions of Section 2 (except Articles 20 and 24) apply mutatis mutandis to the Designated Registration Institution. In this case, the term "Examination Affairs and" in Article 21, paragraph (1), item (i), is deemed to be replaced with "the business related to the execution of the registration prescribed in Article 7 (except the business related to the rescission of the registration and issuance of the order under the provisions of Article 12; hereinafter referred to as "Registration Affairs")and," the term "Examination Affairs about" as "Registration Affairs about"; 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 said 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 said paragraph as "Article 23, paragraph (2)."

### **Chapter III Working Environment Measurement Agency**

(Working Environment Measurement Agency)

- 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 items, as provided for by Ordinance of the Ministry of Health, Labour and Welfare;
- (i) registration date and registration number;
  - (ii) name and address, and, if the applicant is a juridical person, the name of the representative;
  - (iii) any other matters specified by Ordinance of the Ministry of Health, Labour and Welfare.
- (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 Ordinance of Ministry of Health, Labour and Welfare.

(Application, Mutatis Mutandis)

Article 34 (1) The provisions of Article 46, paragraph (2) of the Industrial Safety and Health Act apply mutatis mutandis to the registration set forth in

paragraph (1) of the preceding Article, and the provisions of Article 47, paragraphs (1) and (2), and Article 50, paragraph (4) and Article 54-5 apply mutatis mutandis to the Working Environment Measurement Agency. In this case, the term "this Act or ordinances thereunder" in Article 46, paragraph (2), item (i) of the same Act is deemed to be replaced with "this Act or the Working Environment Measurement Act, or orders thereunder," the term "Article 53" in item (ii) in said paragraph is deemed to be replaced with "Article 35-3 of the Working Environment Measurement Act," the term "preceding two items" in item (iii) of said paragraph is deemed to be replaced with "item (i)," the term "manufacturing inspection, etc." in Article 47, paragraph (1) of the same Act is deemed to be replaced with "Working Environment Measurement pursuant to the provisions of Article 3, paragraph (2) of the Working Environment Measurement Act," the term "manufacturing inspection, etc." in paragraph (2) of said Article is deemed to be replaced with "Working Environment Measurement in accordance with a request from other persons," the term "inspector" is deemed to be replaced with "the Working Environment Measurement Expert as provided for by the Ordinance of the Ministry of Health, Labour and Welfare," the term "profit-and-loss statement or a settlement of accounts statement and a business report for each business year pursuant to the provisions of paragraph (1) and submit them" in Article 50, paragraph (4) of the same Act is deemed to be replaced with "prepare a business report for the current business year and submit it," and the term "the items of Article 54-3, paragraph (2)" in Article 54-5, paragraph (1) of the same Act is deemed to be replaced with "each of the items of Article 46, paragraph (2) that apply mutatis mutandis in Article 34, paragraph (1) of the Working Environment Measurement Act."

(2) The provisions of Articles 8 to 10, Article 12, paragraph (2), Articles 13, and Article 19 apply mutatis mutandis to the Working Environment Measurement Agency. In this case, the term "the working environment measurement experts list" in Article 8 is deemed to be replaced with "the working environment measurement agencies list," the term "the Ministry of Health, Labour and Welfare" in paragraph (1) of the same Article is deemed to be replaced with "the Ministry of Health, Labour and Welfare or the Prefectural Labour 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 "to item (iv)" in Article 9, paragraph (1) is deemed to be replaced with "and item (iii)," the term "the Minister of Health, Labour and Welfare" in Article 9, paragraphs (1), (3), and (4), 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 Labour Bureau," the term "together with the documents testifying to Article 7, items (ii) to (iv), the applicant's photograph, and the

passing certificates and completion certificate of training course prescribed in Article 16 which the applicant has passed and completed (or documents serving as such certificates in the case of the applicant approved to satisfy the requirements of the Ordinance of the Ministry of Health, Labour and Welfare as provided for by Article 5)" in Article 9, paragraph (2) is deemed to be replaced with "together with documents testifying to Article 33, paragraph (1), items (ii) and (iii)," the term "the working environment measurement expert registration certificate" in Article 10 is deemed to be replaced with "the working environment measurement agency registration certificate," the term "suspend the Working Environment Measurement services at the Designated Workplaces or to stop using the title for a certain fixed period of time" in parts other than those enumerated in Article 12, paragraph (2) is deemed to be replaced with "suspend the whole or part of the Working Environment Measurement services," 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 Working Environment Measurement services (including the case where the expert participates in such measurement services as implemented by the Working Environment Measurement Agency)" in item (v) of the same paragraph is deemed to be replaced with "the Working Environment Measurement services," and the term "subjects of the Examination, application for registration and other required matters related to the Examination, Training Course and registration (including the working environment measurement expert registration certificate)" in Article 19 is deemed to be replaced with "application for registration or other required matters related to the registration (including the working environment measurement agency registration certificate)."

(Operational Rules)

- Article 34-2 (1) The Working Environment Measurement Agency must establish rules concerning the business related to Working Environment Measurement (hereinafter referred to as "operational rules" in this Article), and, without delay, notify it to the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau, pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare. The same applies to any change thereof.
- (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) The matters to be prescribed in the operational rules are specified by the Ordinance of the Ministry of Health, Labour and Welfare.



(Duty of Confidentiality, etc.)

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.

(Notification for Suspension or Abolition, etc., of Service)

Article 35-2 When a Working Environment Measurement Agency discontinues the business of Working Environment Measurement or suspend 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 the Ordinance 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.

(Rescission of Registration, etc.)

Article 35-3 (1) If a Working Environment Measurement Agency has fallen under Article 46, paragraph (2), item (i) or (iii) of the Industrial Safety and Health Act that applies mutatis mutandis in Article 34, paragraph (1), the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must rescind said registration.

(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 rescind said 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:

- (i) if a Working Environment Measurement Agency no longer satisfies the standards set forth in Article 33, paragraph (2);
- (ii) if a Working Environment Measurement Agency violates the provisions of the preceding Article or Article 47, paragraph (1) or (2), or Article 50, paragraph (4) of the Industrial Safety and Health Act applied mutatis mutandis in Article 34, paragraph (1);
- (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
- (iv) if a Working Environment Measurement Agency violates orders under the provisions of Article 34-2, paragraph (2).

(Japan Association for Working Environment Measurement)

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 providing 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, as well as to the progress and improvement of the service provided by Working Environment Measurement Experts and Working Environment Measurement Agencies of all the country, by conducting business concerning guidance and liaison for its members in a national basis.

(2) The Articles of incorporation prescribed in the preceding paragraph may not be changed.

(3) If a general incorporated association set forth in paragraph (1) (hereinafter referred to as the "Association") has been established, it must attach a copy of the certificate of registered matters and the Articles of incorporation and notify the same to the Minister of Health, Labour and Welfare within two weeks from the date on which the general incorporated association was established.

(4) The business of the Association is subject to the supervision of the Minister of Health, Labour and Welfare.

(5) Whenever the Minister of Health, Labour and Welfare finds it necessary to secure that the business of the Association is being properly conducted, the minister may either inspect the status of such business and assets of the Association or give the necessary orders to supervise said business.

(Restriction on the Use of Name)

Article 37 (1) A person who is not a Working Environment Measurement Agency must not use "Working Environment Measurement Agency" or any other similar titles.

(2) Persons other than those in the Association must not use "Japan Association for Working Environment Measurement" in their name.

#### **Chapter IV Miscellaneous Provisions**

(Chief of Labour Standards Office and Labour Standards Inspector)

Article 38 The Chief of the Labour Standards Office and the labour standards inspector, pursuant to the Ordinance of the Ministry of Health, Labour and Welfare, takes charge of the business concerning the enforcement of this Act.

(Authority of Labour Standards Inspectors)

Article 39 (1) The labour standards inspector may, when the inspector finds it necessary for enforcing this Act, enter into the workplace, and question persons

concerned, and inspect records, documents and other objects.

- (2) In the case referred to in the preceding paragraph, the labour standards inspector must carry a document proving the inspector's identity and show it to persons concerned.
- (3) The authority of spot inspection prescribed in the provisions of paragraph (1) must not be construed as being granted for the purpose of criminal investigation.

Article 40 In regard to the crime of violation of provisions of this Act, the labour standards inspector is authorized to execute the duty of a judicial police officer prescribed in the Code of Criminal Procedure (Act No. 131 of 1948).

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

- Article 41 (1) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau may, when the minister finds it necessary to ensure a proper operation of the business of the Working Environment Measurement Agency, Designated Testing Institution, Registered Training Institution or Designated Registration Institution, have their officials enter into the office, and question the people concerned and inspect records, documents and other objects related to the business, or take samples and other objects related to the business of the Working Environment Measurement Agency without compensation as long as it is within the limit necessary for the inspection.
- (2) The provisions of Article 39, paragraphs (2) and (3) apply mutatis mutandis to the spot inspection prescribed in the provisions of the preceding paragraph.

(Report, etc.)

- Article 42 (1) The Minister of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau, the Chief of the Labour Standards Office or the labour standards inspector may, when they find it necessary for enforcing this Act, have the Employer report necessary matters or order the Employer to appear in person, pursuant to the Ordinance of Ministry of Health, Labour and Welfare.
- (2) The Minister of Health, Labour and Welfare, the Director of the Prefectural Labour Bureau, or the Chief of the Labour Standards Office may, when they find it necessary for enforcing this Act, have the Working Environment Measurement Agency, Designated Testing Institution, Registered Training Institution or Designated Registration Institution, or Working Environment Measurement Expert report necessary matters as provided for by the Ordinance of Ministry of Health, Labour and Welfare.

(Preservation of Documents, etc.)

Article 43 Working Environment Measurement Agencies, Designated Testing Institutions, Registered Training Institutions or Designated Registration Institutions must, pursuant to the provisions of the Ordinance of Ministry of Health, Labour and Welfare, prepare and preserve books and documents related to the matters concerning Working Environment Measurement, the Examination, Training Course or the training set forth in paragraph (1) of the following Article or registration set forth in Article 7 as provided for by the Ordinance of Ministry of Health, Labour and Welfare.

(Instructions for Training)

- Article 44 (1) The Director of the Prefectural Labour Bureau may, when the director finds it necessary to secure a proper implementation of Working Environment Measurement, fix a period of time and instruct a Working Environment Measurement Expert to receive training provided by a person registered with the Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau (hereinafter referred to as "Training" below).
- (2) If a Working Environment Measurement Expert is employed by an Employer or a Working Environment Measurement Agency, the instruction set forth in the preceding paragraph is issued to said Employer or Working Environment Measurement Agency.
- (3) The Employer or the Working Environment Measurement Agency to which the instruction set forth in the preceding paragraph was issued must make said Working Environment Measurement Expert receive the Training within the period pertaining to said instructions.
- (4) The Working Environment Measurement Expert instructed to receive the Training pursuant to the provisions of paragraph (1) or (2) must receive the Training within the period pertaining to said instructions.
- (5) The Training is conducted on the subjects of training listed in Appended Table 4.
- (6) Beyond what is provided for in the precedent paragraphs, procedures for receiving the Training or other necessary matters related to the Training are specified by the Ordinance of the Ministry of Health, Labour and Welfare.

(Request for Administrative Review of Dispositions, etc. executed by Designated Testing Institution, etc.)

Article 45 With respect to a disposition or an inaction concerning Examination Affairs executed by a Designated Testing Institution or to Registration Affairs executed by a Designated Registration Institution, a request for administrative review under the Administrative Appeal Acts (Act No. 160 of 1962) may be made to the Minister of Health, Labour and Welfare.

Article 46 (Deleted)

(Assistance by the Government)

Article 47 The Government is to make efforts to provide materials and data, develop measurement methods, disseminate results, and offer other required assistance, in order to improve the quality of Working Environment Measurement Experts and ensure that the business of Working Environment Measurement Agencies and Registered Training Institutions are properly conducted.

(Conditions for Registration, etc.)

Article 48 (1) The registrations (except the registrations under the provisions of Article 5 or Article 44, paragraph (1); the same applies to the following paragraph), designations or permissions under the provisions of this Act may have conditions attached to, and may be altered.

(2) The conditions set forth in the preceding paragraph are limited to the minimum necessary for ensure the implementation of matters pertaining to said registration, designation or permission and must not impose any undue obligation on the person obtaining said registration, designation or permission.

(Fees)

Article 49 (1) The following persons must, as prescribed for by Cabinet Order, pay to the State (to the Designated Testing Institution in the case of one who intends to take the Examination conducted by Designated Testing Institution or request reissuance of the passing certificate from Designated Testing Institution, to the Designated Registration Institution in the case of one who intends to obtain registration conducted by Designated Registration Institution or request reissuance or renewal of the working environment measurement expert registration certificate from Designated Registration Institution) the fees provided, taking the actual cost into consideration, by Cabinet Order.

- (i) a person who intends to take the Examination;
- (ii) a person who intends to receive the renewal of the registration set forth in Article 5 or Article 44, paragraph (1);
- (iii) a person who intends to take a Training Course or Training (limited to these conducted by the Director of the Prefectural Labour Bureau);
- (iv) a person who intends to obtain the registration set forth in Article 7;
- (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;
- (vi) a person who intends to obtain reissuance of passing certificate or completion certificate of training course (limited to reissuance of completion

certificate of training courses conducted by the Director of the Prefectural Labour Bureau).

- (2) The fees paid to Designated Testing Institutions or Designated Registration Institutions pursuant to the provisions of the preceding paragraph become income for each institution.

(Public Notice)

Article 49-2 The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau must publicly notify any of the following events as provided for by the Ordinance of the Ministry of Health, Labour and Welfare:

- (i) if they registered pursuant to the provisions of Article 5 or Article 44, paragraph (1);
- (ii) if they received the notifications under the provisions of Article 47-2 or Article 49 of the Industrial Safety and Health Act applied mutatis mutandis by Article 32, paragraph (3);
- (iii) if they rescinded the registration or suspended the whole or part of the business related to the Training Course or Training under the provisions of Article 53 of the Industrial Safety and Health Act applied mutatis mutandis by Article 32, paragraph (3);
- (iv) when the Director of the Prefectural Labour Bureau personally conducts the business of Training Courses or Training pursuant to the provisions of Article 53-2 of the Industrial Safety and Health Act, applied mutatis mutandis by Article 32, paragraph (3), or stops conducting the business of Training Courses or Training that the director had been personally conducting.

(Transitional Measures)

Article 50 When an order is established, revised or discontinued pursuant to the provisions of this Act, necessary transitional measures (including transitional measures concerning penal provisions) may be provided by the said order within the scope deemed reasonably necessary for the establishment, revision or discontinuance.

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

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

## **Chapter V Penal Provisions**

Article 52 A person who has violated the provisions of Article 27, paragraph (1)

(including cases with application mutatis mutandis under Article 32-2, paragraph (4)) or Article 35 is punished by imprisonment with work for a term not exceeding one year or a fine not exceeding 1,000,000 yen.

Article 53 When there is a violation of an order to suspend the business under the provisions of Article 30, paragraph (1) (including the cases where applied mutatis mutandis pursuant to Article 32-2, paragraph (4)), Article 53 (except item (iv)) of the Industrial Safety and Health Act, applied mutatis mutandis by Article 32, paragraph (3), Article 12, paragraph (2) applied mutatis mutandis by Article 34, paragraph (2), or Article 35-3, paragraph (2), the officer or the staff of the Designated Testing Institution, the Registered Training Institution or the Designated Registration Institution, 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 perpetrated the violation, is punished by imprisonment with work for a term not exceeding one year or a fine not exceeding 1000,000 yen.

Article 54 A person who falls under any of the following items is punished by a fine not exceeding 500,000 yen:

- (i) a person who has violated the provisions of Articles 3, 18 or 37 or Article 44, paragraph (3);
- (ii) a person who has violated the order pursuant to the provisions of Article 12, paragraph (2);
- (iii) a person who has rejected, obstructed or evaded the entry and inspection under the provisions of Article 39, paragraph (1), or refused to answer or given false answers to the questions under the provisions of said paragraph;
- (iv) a person who has failed to make the report under the provisions of Article 42, paragraph (1), or has made a false report or refused to appear.

Article 55 When it falls under any of the following items, the officer or employee of the Designated Testing Institution, the Registered Training Institution or the Designated Registration Institution, 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 perpetrated the respective violation, is punished by a fine not exceeding 500,000 yen:

- (i) if the person has discontinued the whole of business related to Examination Affairs without obtaining the permission set forth in Article 29, paragraph (1);
- (ii) when the person does not make the notification under the provisions of

- Article 49 of the Industrial Safety and Health Act applied mutatis mutandis by Article 32, paragraph (3), or has made a false notification;
- (iii) when the person abolishes the whole of business related to Registration Affairs without obtaining the permission set forth in Article 29, paragraph (1) as applied mutatis mutandis pursuant to Article 32-2, paragraph (4);
  - (iv) when the person fails to notify pursuant to the provisions of Article 35-2, or makes a false notification, and the person abolishes the whole of business of the Working Environment Measurement;
  - (v) when the person rejects, obstructs or evades the entry, inspection or removal under the provisions of Article 41, paragraph (1) or refuses to answer or gives a false answer to questions under the provisions of said paragraph;
  - (vi) when the person does not make the report under Article 42, paragraph (2), or makes false report;
  - (vii) when the person does not prepare or keep the books or documents under Article 43, or makes a false record on books or documents set forth in the same Article.

Article 56 With regard to the business of a juridical person or an individual, if a representative of juridical person or an agent, an employee or any other worker of said juridical person or individual has committed the violation in Article 54, the offender is punished, and also said juridical person or individual is punished by the fine prescribed in the same Article.

Article 56-2 If it falls under the following items, the director, auditor or liquidator of the Association, who committed the violation, is punished by a non-penal fine not exceeding 500,000 yen:

- (i) if they fail to make the notification under the provisions of Article 36, paragraph (3), or makes a false notification;
- (ii) if they reject, obstruct or evade the inspection under the provisions of Article 36, paragraph (5) or violate an order under the provisions of the same paragraph.

Article 57 Any person who, in violation of the provisions of Article 50, paragraph (1) of the Industrial Safety and Health Act applied mutatis mutandis by Article 32, paragraph (3), has failed to keep the financial statements, etc., failed to record necessary items or made a false record of the financial statements, etc., or has refused without just cause the requests under the provisions of Article 50, paragraph (2) of the same Act applied mutatis mutandis by Article 32, paragraph (3), is punished by a non-criminal fine not exceeding 200,000 yen.



Appended Table 1 (Re: Art.15-2)

Training Course	Subjects of training course
Class-1 Working Environment Measurement Expert Training Course	(i) Practice of industrial health management (ii) Practice of designing and sampling to be made for working environments (iii) Practice of analyses (including analytical research; the same applies hereinafter) to be made for working environments of designated workplaces
Class-2 Working Environment Measurement Expert Training Course	(i) Practice of industrial health management (ii) Practice of designing and sampling to be made for working environments

Appended Table 2 (Re: Art. 32)

Training Course or Training	Machinery, equipment, and other facilities
Class-1 Working Environment Measurement Expert Training Course & Training	(i) Sampler, particle-size separator, relative concentration measuring instrument, and gas detector tube (ii) Any of the machinery, equipment, and other facilities listed as follows: (a) X-ray diffractometer, phase-contrast microscope, and crystalline silica content measuring instrument with gravimetric analysis (b) Radiological monitor and radiation spectrometer (c) Spectrophotometer, gas chromatograph, and atomic absorption photometer
Class-2 Working Environment Measurement Expert Training Course	Sampler, particle-size separator, relative concentration measuring instrument, and gas detector tube

Appended Table 3 (Re: Art. 33)

(i) Class I Working Environment Measurement Expert Training Course & Training

Subject	Conditions
Practice of industrial health management	(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. (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.
Practice of designing and sampling to be made for the	(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.

working environment	(ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.
Practice of analyses to be made on the working environment at the designated workplace	(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. (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.

(ii) Class II Working Environment Measurement Expert Training Course

Subject	Conditions
Practice of industrial health management	(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. (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.
Practice of designing and sampling to be made for the working environment	(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. (ii) A person possessing knowledge and experience equivalent to or superseding those of the person listed in the preceding item.

Appended Table 4 (Re: Art. 44)

- (i) Practice of industrial health management
- (ii) Practice of designing and sampling to be made for the working environment
- (iii) Practice of analyses to be made on the working environment of Designated Workplaces