

Ordinance on Industrial Safety Consultants and Industrial Health Consultants

Ministry of Labour Ordinance No. 3 March 24, 1973

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[In Japanese](#)

Based on the regulations of paragraph 2, item 3 or paragraph 3, paragraph 4 (including the quasi case of paragraph 2 of Article 83) of Article 82, paragraph 1 of Article 84, paragraph 1 of Article 100, and paragraph 3 of Article 103 of the Industrial Safety and Health Law (Law No. 57, 1972) and to enforce the Law, the Ordinance on Industrial Safety Consultants and Industrial Health Consultants is stipulated as follows.

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Chapter I. Examination

Section 1. Industrial Safety Consultant Examination

(Classification of Examinations)

Article 1. Classifications to be provided by Ministry of Health, Labour and Welfare Ordinance on the basis of [paragraph 2 of Article 82 of the Industrial Safety and Health Law](#) (hereinafter referred to as the "Law," excluding paragraph 2 of Article 3 and paragraph 2 of Article 12) are as follows:

- (1) Machinery
- (2) Electricity
- (3) Chemical
- (4) Civil engineering
- (5) Construction.

(Qualifications of Candidacy for Examination)

Article 2. Candidates to be determined by the Ministry of Health, Labour and Welfare Ordinance on the basis of item 3 of [paragraph 3 of Article 82 of the Law](#), are as follows:

- (1) A person who graduated from a high school (including a junior high school accredited by the former Secondary School Order (Imperial Order No. 36, 1943) same hereinafter) or a secondary school accredited by the School Education Law (Law No.26, 1947) completing formal subjects of science and possesses experience in safety fields of 10 years or longer thereafter.
- (2) A person who passed the second examination (hereinafter referred to as "successful applicants of examination for consultant engineers") provided in paragraph 1 of Article 4 of the Consultant Engineer Law (Law No. 25, 1983)
- (3) A person who received a license for first class chief electric technicians (hereinafter referred to as "first class chief electric technician") defined in item 1 of paragraph 1 of Article 44 of Electric Utility Law (Law No. 170, 1964).
- (4) A person who passed the examination for first class civil engineering work managing technique (hereinafter referred to as "first class civil engineering work managing technician") defined in Article 27-3 of the Enforcement Order of the Contractors Law (Cabinet Order No. 273, 1956).
- (5) A person who passed the first class architect examination (hereinafter referred to as "successful applicants of the first class architect examination") defined in Article 12 of the Architect Law (Law No. 202, 1950).
- (6) A person who has engaged in his duty for at least 10 years as a safety officer defined in [paragraph 1 of Article 11 of the Law](#).
- (7) A person who completed the training course related to safety assigned by the Minister of Health, Labour and Welfare and who possesses experience in safety fields of 15 years or longer.
- (8) A person to be determined by the Minister of Health, Labour and Welfare in addition to persons listed in the preceding items.

(Written Examination)

Article 3. Written examination for the industrial safety consultant examination (hereinafter referred to as "examination" in this section) will take place regarding the subjects in the right column of the following table according to the classification of examinations in the left column of the same table.

Classification of Examinations	Subjects
Machinery	1. Industrial safety (general) 2. Related laws and ordinances on industrial safety.

	<ol style="list-style-type: none"> 3. Safety of machinery (regarding industrial safety in technical knowledge related to machinery; same hereinafter).
Electricity	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Related laws and ordinances on industrial safety. 3. Electric safety (regarding industrial safety in technical knowledge related to electricity; same hereinafter).
Chemical	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Related laws and ordinances on industrial safety. 3. Chemical safety (regarding industrial safety in technical knowledge related to chemicals; same hereinafter).
Civil engineering	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Related laws and ordinances on industrial safety. 3. Safety of civil engineering (regarding industrial safety in technical knowledge related to civil engineering; same hereinafter).
Construction	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Related laws and ordinances on industrial safety. 3. Safety of construction (regarding industrial safety in technical knowledge related to construction; same hereinafter).

2. Coverage of the subjects listed in the right column of the Table of the preceding paragraph is as shown in the following table.

Industrial safety (general)	Theory of safety management (including overall safety management). Safety engineering of materials. Reliability engineering. Transportation engineering. Human engineering. Safety psychology. Safety assessment at the time of designing or layout. Safety inspection. Safety education. Operation analysis and standing operational procedures. Strength calculation. Various types of examination methods related to safety. Safety devices. Personal protective equipment. Control of dangerous substances. Fire prevention. Investigation of industrial accidents and analysis of their causes. Outline of industrial health.
Related laws and ordinances on industrial	Subjects concerning industrial safety in the Industrial Safety and Health Law, and ordinances based on the said Law.

safety	
Safety of machinery	Motors. Power transmission apparatuses. Machine tools. Woodworking machines. Press machines and shears. Centrifugal machines. Grinders and mixers. Rolling mills. High speed rotators. Boilers, pressure vessels. Cranes and other transportation machines.
Electric safety	Electric apparatuses. High voltage equipment. Explosion-proof structures. Lightning arrestors. Electric leakage. Sparks. Static electricity. Induced current. Stray current. Arc welding. Electric construction work.
Chemical safety	Chemical processing. Reaction safety engineering. Explosion prevention engineering. Reactors. Distillation equipment. Extraction equipment. Burning equipment and fuels. Compressors. Storage tanks. Pipings. Gas welding equipment. Measuring and control.
Civil engineering	Soil mechanics. Structural mechanics. Scaffoldings. Construction machines. Concrete form shorings and other equipment for construction work. Open-cut excavation and other construction methods. Blasting. Prevention of cave-ins and landslides.
Safety of construction	Structural mechanics. Construction structure. Scaffoldings. Concrete form shorings and other equipment for construction work. Construction machines. Construction methods. Prevention of falls from elevation.

(Partial Exemption of Written Examination)

Article 4. A qualified person as defined by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 4 of Article 82](#) is one listed in the left column of the following table. For such persons, written examination concerning the subjects listed in the right column of the said table is exempted according to classification of the examinations listed in the middle column of the said table.

Qualified person	Classification of examination	Subject
Successful applicants of the consultant engineer examination who passed the second examination related to the machinery field, shipping field, aircraft and aerospace fields or metallurgy field	Machinery	Safety of machinery
Successful applicants of the consultant engineer examination who passed the second examination related to the electric and electronic fields.	Electricity	Electric safety

Successful applicants of the consultant engineer examination who passed the second examination related to the chemical field, or agricultural field with agricultural chemistry as a elective subject.	Chemistry	Chemical safety
Successful applicants of the consultant engineer examination who passed the second examination related to the natural resources or construction fields, the second examination related to the agricultural field with agricultural civil engineering as a selective subject or the forestry field with forestry civil engineering as a selective subject.	Civil engineering	Safety of civil engineering
Successful applicants of the consultant engineer examination who passed the second examination related to management engineering with factory management as a selective subject.	All categories	Industrial safety (general)
First class chief electric technician	Electricity	Electric safety
First class civil engineering work managing technician	Civil engineering	Safety of civil engineering
First class architect work managing technician	Construction	Safety of construction

2. Persons who possess qualification defined by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 4 of Article 82 of the Law](#) are determined by the Minister of Health, Labour and Welfare separately from among those who fall under item 8 of [Article 2](#). For such persons, the written examination is partially exempted according to provisions established by the Minister of Health, Labour and Welfare separately, in addition to ones listed in the left column of the table as provided in the preceding paragraph.

(Oral Examination)

Article 5. An oral examination is given to successful applicants of the written examination.

2. Subjects in the oral examination are defined as shown in the right column of the following table according to classification of examinations in the left column of the same table:

Classification of examination	Subject
Machinery	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Safety of machinery

Electricity	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Electric safety
Chemistry	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Chemical safety
Civil engineering	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Safety of civil engineering
Construction	<ol style="list-style-type: none"> 1. Industrial safety (general) 2. Safety of construction

3. The provision of [paragraph 2 of Article 3](#) shall be applied in the oral examination. In this case, description of "preceding paragraph" in the said paragraph is to be read as "[paragraph 2 of Article 5](#)".

(Execution of Examinations)

Article 6. An examination is given at least once every year.

2. Required items concerning the execution of examinations such as date, place, etc., shall be announced in the official gazette prior to examination.

(Application Procedures for an Examination)

Article 7. In a case where, the person who conducts the consultant test business prescribed in Article 83-2 is the Minister of Health, Labour and Welfare, those applying for the examination shall submit the Application for the Consultant Examination (Form No. 1) to the Minister of Health, Labour and Welfare via the Director General of the Prefectural Labour Bureau with jurisdiction over the applicant's location, in a case where, designated consultant examination institution set forth in Article 83-2 conducts the said business, applicants shall submit the application to the designated consultant examination institution.

(Issuance of Certificate)

Article 8. The Minister of Health, Labour and Welfare shall issue a Certificate of Passing Examination (Form No. 2) to the successful applicants and announce their names in the official gazette.

(Cancellation of Passing Examinations, etc.)

Article 9. The Minister of Health, Labour and Welfare can cancel the determination of passing examination or prohibit the taking of an examination by those who have taken or will take such examination by an unfair practice.

Section 2. Industrial Health Consultant Examination

(Classification of Examinations)

Article 10. Classifications are to be provided by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 2 of Article 82 of the Law](#), which is applied mutatis mutandis in [paragraph 2 of Article 83 of the Law](#), are as follows:

- (1) Health preservation
- (2) Industrial hygiene engineering
(Qualifications of Candidacy for examination)

Article 11. Applicants to be determined by the Ministry of Health, Labour and Welfare Ordinance based on item 3 of [paragraph 3 of Article 82 of the Law](#), which is applied mutatis mutandis in [paragraph 2 of Article 83 of the Law](#) are as follows:

- (1) A person who graduated from a high school or a secondary school accredited by the School Education Law completing formal subjects of science and who possesses experience in health fields of 10 years or longer.
- (2) A person who passed the national examination for medical practitioners (hereinafter referred to as "successful applicant of national examination for medical practitioners") provided in Article 9 of the Medical Law (Law No. 201, 1948).
- (3) A person who passed the national examination for dental practitioners (hereinafter referred to as "successful applicant of national examination for dental practitioners") provided in Article 9 of Dental law (Law No. 202, 1948).
- (4) A pharmacist.
- (5) A person who has engaged in work as a district nurse defined in Article 2 of District Nurse and Midwife Law (Law No. 203, 1948) for at least 10 years.
- (6) A successful applicant of the examination for consultant engineers.
- (7) A successful applicant of the first class architect examination.
- (8) A licensed industrial hygiene engineering-health officer among the health officers defined by [paragraph 1 of Article 12 of the Law](#), who has engaged in management concerning industrial hygiene engineering in the technical items related to health among the types of work listed in each item of [paragraph 1 of Article 10 of the Law](#) for at least 3 years.
- (9) A person who has engaged in his duty for at least 10 years as a health officer, defined by the provisions of [paragraph 1 of Article 10 of the Law](#).

(9-2) A person who has obtained registration under Article 7 of Working Environment Measurement Law (Law No. 28, 1975), and has been engaging in the work as a working environment measurement expert for at least 3 years.

(10) A person who has completed the training course assigned by the Minister of Health, Labour and Welfare and engaged in a job related to health for at least 15 years.

(11) A person determined by the Minister of Health, Labour and Welfare in addition to the persons listed in the preceding items.

(Written Examination)

Article 12. The written examination for the industrial health consultant examination (hereinafter referred to as "examination" in this Section) will be held concerning the subjects in the right column of the following table according to classification of examination in the left column of the same table:

Classification of examination	Subjects
Health preservation	<ol style="list-style-type: none"> 1. Industrial health (general) 2. Related laws and ordinances on industrial health. 3. Health preservation
Industrial hygiene engineering	<ol style="list-style-type: none"> 1. Industrial health (general) 2. Related laws and ordinances on industrial health. 3. Industrial hygiene engineering.

2. Coverage of the subjects listed in the right column of the table of preceding paragraph is as shown in the following table:

Industrial health (general)	Outline of industrial health. Outline of industrial physiology. Outline of management of the working environment. Outline of work management. Personal protective equipment related to industrial health. Industrial health education. Investigation of industrial accidents and analysis of their causes. Outline of safety management.
Related laws and ordinances on industrial health	Those items concerning industrial health in Industrial Safety and Health Law, Working Environment Measurement Law (Law No. 28, 1975), Pneumoconiosis Law (Law No. 30, 1960) and ordinances based on the preceding Laws.
Health preservation	Industrial physiology. Industrial psychology. Industrial health

	(including harmful object metabolism). Medical examination. Management methods for the working environment. Management of operating methods. Health maintenance and improvement measures. First aid.
Industrial hygiene engineering	Control techniques of working environments related to raw materials, gas, vapour, dust, radiation, temperature, humidity, illumination, supersonic waves, noise, vibration, etc.

(Partial Exemption of the Written Examination)

Article 13. Qualified persons defined by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 4 of Article 82 of the Law](#), which is applied mutatis mutandis in [paragraph 2 of Article 83 of the Law](#) are those in the left column in the following table. The written examination is exempted for those regarding subjects in the right column of the said table according to classifications of examinations listed in the middle column of the said table:

Qualified persons		Classification of examination	Subject
Successful applicant for the National Examination of Medical Practitioners or National Examination of Dental Practitioners	Person who completed the training course assigned by the Minister of Health, Labour and Welfare	Health preservation	All subjects
	Others	Health preservation	Industrial health (general) Health preservation
Pharmacist		Health preservation	Industrial health (general)
Person defined in item 5 of Article 11		Health preservation	Industrial health (general)
Successful applications for the consultant engineer examination, who passed the second examination concerning the industrial hygiene engineering field		Industrial hygiene engineering	Industrial hygiene engineering
Working environment measurement expert		Industrial hygiene engineering	Industrial hygiene engineering Industrial health (general) and related laws and ordinances on industrial health.

2. Qualified persons defined by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 4 of Article 82 of the Law](#), which is applied mutatis mutandis in [paragraph 2 of Article 83 of the Law](#) are those determined by the Minister of Health, Labour and Welfare separately from among those who fall under item 11 of [Article 11](#) in addition to ones listed in the left column of the table as provided in the preceding paragraph. To those persons, the written examination is exempted entirely or partially according to the provisions established by the Minister of Health, Labour and Welfare separately.

(Oral Examination)

Article 14. An oral examination is applied to those who passed the written examination and to those to whom the entire written examination is exempted under the provisions of the preceding Article.

2. Subjects of the oral examination are defined as those in the right column of the following table according to classification of examinations listed in the left column of the said table.

Classification of examination	Subjects
Health preservation	1. Industrial health (general) 2. Health management
Industrial hygiene engineering	1. Industrial health (general) 2. Industrial hygiene engineering

3. The provision of [paragraph 2 of Article 12](#) shall be applied mutatis mutandis in the oral examination. In this case, description of "preceding paragraph" in the said paragraph is to be read as "[paragraph 2 of Article 14](#)."

(Execution of Examinations)

Article 15. he provisions of [Articles 6](#) through [9](#) shall be applied mutatis mutandis in examinations. **Chapter II. Registration**

(Items to Be Registered)

Article 16. Items established by the Ministry of Health, Labour and Welfare Ordinance based on [paragraph 1 of Article 84 of the Law](#) are as follows:

(1) Date of birth.

(2) Classification and passing date of Industrial Safety Consultant Examination or Industrial Health Consultant Examination.

(3) Name of Office.

(Application for Registration, etc.)

Article 17. Applicants (hereinafter referred to as "applicants") for registration (hereinafter referred to as "registration") of [paragraph 1 of Article 84 of Law](#) should submit the Consultant Registration Application (Form No. 3) accompanied by the copy of the certificate of passing examination defined in [Article 8](#) (including the case being applied mutatis mutandis in [Article 15](#)) to the Minister of Health, Labour and Welfare:

2 The Minister of Health, Labour and Welfare shall register applicants when he admits that the said applicants are qualified as industrial safety consultants or industrial health consultants (hereinafter referred to as "consultants") and issues the Consultant Registration Certificate (Form No. 3-2, hereinafter referred to as "registration certificate") to the said applicants.

3 The Minister of Health, Labour and Welfare shall notify the said applicant of the reason when he decides that the said applicant is not qualified as a consultant.

(Amendments of Registration Items)

Article 18. When amendments occur to the registered items, the registered person shall submit the registration item amendment application (Form No. 4) to the Minister of Health, Labour and Welfare and receive the renewal of a registration certificate.

(Reissuance of a Registration Certificate)

Article 18-2. When the registration certificate is lost or damaged, the registered person can submit the registration certificate reissuance application (Form No. 4) to the Minister of Health, Labour and Welfare and receive reissuance of the registration certificate.

2. The person who applied for the reissuance of the registration certificate, shall return the certificate to the Minister of Health, Labour and Welfare without delay, if the lost registration certificate is found.

(Fee)

Article 18-3. The person who applies for the renewal or reissuance of the registration certificate under the provisions of [Article 18](#) or paragraph 1 of the preceding Article, shall pay the fee by attaching a revenue stamp equivalent to 2,450 yen on the registration item amendment application or registration certificate reissuance application.

2. The fee mentioned in the preceding paragraph will not be returned after it is paid.

(Report of Abolition of Business, etc.)

Article 19. When a consultant abolishes his business, dies or falls under any provision of items 1 to 3 of [paragraph 2 of Article 84 of the Law](#), the said consultant, his heir or legal proxy shall report to the Minister of Health, Labour and Welfare to that effect in writing without delay.

(Notification of Cancellation of Registration)

Article 20. When the Minister of Labour cancels the registration under the provision of [Article 85 of the Law](#), he shall notify the person for whom the said registration is cancelled to that effect in writing without delay.

(Return of Registration Certificates)

Article 20-2. When a registered person's registration is cancelled or dies, the said person, legal proxy or his heir shall return the registration certificate to the Minister of Health, Labour and Welfare without delay.

(Application of Ordinance by Designated Registration Institution in Performing Its Registration Business)

Article 20-3. For the application of the provisions of Articles 17,18, 18-2, 18-3, 19 and the preceding article by the designated registration institution provided for in paragraph 1 of [Article 85-2 of the Law](#) (hereinafter referred to as "designated registration institution") in performing its registration business (hereinafter referred to as "registration business") provided for in paragraph 1 of the same article, "the Minister of Health, Labour and welfare" in Articles 17, 18, 18-2 and the preceding paragraph shall be amended to read as "designated registration institution", "the Minister of Health, Labour and welfare shall notify the said applicant" in paragraph 3 of Article 17 as "in case of notifying the said applicant, the designated registration institution shall notify the Minister of Health, Labour and Welfare of this fact without delay", "by attaching the revenue stamp equivalent to 2,450 yen to the registration item amendment application or registration certificate reissuance application" in paragraph 1 of Article 18-3 of the Law as "by the provision of [paragraph 1 of Article 75-6](#) applied mutatis mutandis to [paragraph 3 of Article 85](#)", "the Minister of Health, Labour and Welfare" in Article 19 as "the consultant shall report to the designated registration institution when the said consultant abolished his business, or dies, and to the Minister of Health, Labour and welfare when the said consultant falls under any provisions of item 1 to 3 of paragraph 2 of Article 84"

Chapter III. Miscellaneous Provisions

(Report)

Article 21. The Minister of Health, Labour and Welfare, the Director General of the Prefectural Labour Bureau or the Chief of the Labour Standards Inspection Office shall notify the consultant of the following items under the provision of [paragraph 1 of Article 100 of the Law](#), when he wants to have him make a report on required items or to order him to appear before the office:

(1) Reasons to have one make a report or to order appearance.

(2) When requesting appearance, items to be heard.

(Booking)

Article 22. A consultant should prepare a book describing the following matters and keep it for three years from the day when such matters have been described:

(1) Name of client (its name, for juridical person) and address.

(2) Date of receipt of request.

(3) Items of diagnosis made.

(4) Amount of fee paid by the client.