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## 技術士法（昭和五十八年法律第二十五号） Professional Engineer Act (Act No. 25 of 1983)

### 第一章 通則 Chapter I General Provisions

#### 第一条（目的）

##### Article 1 (Purpose)

この法律は、技術士等の資格を定め、その業務の適正を図り、もつて科学技術の向上と国民経済の発展に資することを目的とする。

The purpose of this Act is to specify qualification of professional engineer etc., and to ensure the appropriateness of the business, so as to contribute to the improvement of science and technology and development of the national economy.

#### 第二条（定義）

##### Article 2 (Definition)

1 この法律において「技術士」とは、第三十二条第一項の登録を受け、技術士の名称を用いて、科学技術（人文科学のみに係るものを除く。以下同じ。）に関する高等の専門的応用能力を必要とする事項についての計画、研究、設計、分析、試験、評価又はこれらに関する指導の業務（他の法律においてその業務を行うことが制限されている業務を除く。）を行う者をいう。

(1) "Professional engineer" in this Act means a person who has obtained a registration under Article 32 (1) and conducts business (excluding business conduct which is restricted by any other Act) on matters of planning, research, design, analysis, testing, evaluation or guidance thereof, which require advanced and

adaptive expertise in science and technology (excluding matters relating only to cultural science. This shall also apply hereinafter) using the name of professional engineer.

2 この法律において「技術士補」とは、技術士となるのに必要な技能を修習するため、第三十二条第二項の登録を受け、技術士補の名称を用いて、前項に規定する業務について技術士を補助する者をいう。

(2) "Associate professional engineer" in this Act means a person who obtained a registration under Article 32 (2) and assists a professional engineer with respect to the business prescribed in the preceding paragraph using the name of the associate professional engineer in order to acquire necessary skill to become a professional engineer.

### 第三条 (欠格条項)

#### Article 3 (Disqualification provisions)

次のいずれかに該当する者は、技術士又は技術士補となることができない。

Any person who falls under any of the following provisions may not become a professional engineer or an associate professional engineer.

一 成年被後見人又は被保佐人

(i) Any adult ward or person under curatorship.

二 禁錮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

(ii) Any person who has been sentenced to imprisonment without work or severer punishment and has not yet passed two years from the date of completion of the execution of such punishment or the date on which such execution has been remitted.

三 公務員で、懲戒免職の処分を受け、その処分を受けた日から起算して二年を経過しない者

(iii) Any public officer who has been dismissed from public officer by disciplinary action and has not yet passed two years from the date of such punishment.

四 第五十七条第一項又は第二項の規定に違反して、罰金の刑に処せられ、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

(iv) Any person who has been sentenced to a fine in violation of the provisions of Article 57 (1) or (2) and has not yet passed two years from the date of completion of the execution of such punishment or from the date on which such execution has been remitted.

五 第三十六条第一項第二号又は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

(v) Any person who has been subjected to rescission of his/her registration pursuant to the provisions of Article 36 (1) (ii) or (2) and has not yet passed two years from the date of the rescission.

六 弁理士法（平成十二年法律第四十九号）第三十二条第三号の規定により業務の禁止の処分を受けた者、測量法（昭和二十四年法律第百八十八号）第五十二条第二号の規定により登録を削除された者、建築士法（昭和二十五年法律第二百二号）第十条第一項の規定により免許を取り消された者又は土地家屋調査士法（昭和二十五年法律第二百二十八号）第四十二条第三号の規定により業務の禁止の処分を受けた者で、これらの処分を受けた日から起算して二年を経過しないもの

(vi) Any person who has been subjected to prohibition of business pursuant to the provision of Article 32 (3) of the Patent Attorney Act (Act No. 49 of 2000), or who has been subjected to deletion of his/her registration pursuant to the provision of Article 52 (ii) of the Survey Act (Act No. 188 of 1949), or who has been subjected to rescission of his/her license pursuant to the provision of Article 10 (1) of the Kenchikushi Act for Architects & Building Engineers (Act No. 202 of 1950), or who has been subjected to a disposition of prohibition from engaging in business pursuant to the provision of Article 13 (1) (iii) of the Land and House Investigator Act (Act No. 228 of 1950), and who has not yet passed two years from the date of such a disposition.

## 第二章 技術士試験

### Chapter II Professional Engineer Examination

#### 第四条 （技術士試験の種類）

##### Article 4 (Stages of professional engineer examinations)

1 技術士試験は、これを分けて第一次試験及び第二次試験とし、文部科学省令で定める技術の部門（以下「技術部門」という。）ごとに行う。

(1) The professional engineer examinations shall be divided so as to be the first stage examination and the second stage examination, and these examinations shall be held according to each technical discipline specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology (hereinafter referred to as "technical discipline").

2 第一次試験に合格した者は、技術士補となる資格を有する。

(2) A person who has passed the first stage examination is qualified to become an associate professional engineer.

3 第二次試験に合格した者は、技術士となる資格を有する。

(3) A person who has passed the second stage examination is qualified to become a professional engineer.

#### 第五条 （第一次試験）

##### Article 5 (The first stage examination)

1 第一次試験は、技術士となるのに必要な科学技術全般にわたる基礎的学識及び第四章の規定の遵守に関する適性並びに技術士補となるのに必要な技術部門についての専

門的学識を有するかどうかを判定することをもつてその目的とする。

- (1) The purpose of the first stage examination shall be to judge whether or not a person has the necessary fundamental knowledge covering throughout science and technology to become a professional engineer, the aptitude to observe the provisions of Chapter IV, and the necessary expert knowledge on the matter of the technical discipline to become an associate professional engineer.
- 2 文部科学省令で定める資格を有する者に対しては、文部科学省令で定めるところにより、第一次試験の一部を免除することができる。
- (2) A person who has the qualification specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology may be exempted from a part of the first stage examination pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

#### 第六条 (第二次試験)

##### Article 6 (The second stage examination)

- 1 第二次試験は、技術士となるのに必要な技術部門についての専門的学識及び高等の専門的応用能力を有するかどうかを判定することをもつてその目的とする。
- (1) The purpose of the second stage examination shall be to judge whether or not a person has the necessary expert knowledge and advanced expertise for specific technical discipline to become a professional engineer.
- 2 次のいずれかに該当する者は、第二次試験を受けることができる。
- (2) A person who falls under any of the following provisions may take the second stage examination.
  - 一 技術士補として技術士を補助したことがある者で、その補助した期間が文部科学省令で定める期間を超えるもの
    - (i) A person, as an associate professional engineer, who has assisted a professional engineer for a period longer than that specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.
  - 二 前号に掲げる者のほか、科学技術に関する専門的応用能力を必要とする事項についての計画、研究、設計、分析、試験、評価又はこれらに関する指導の業務を行う者の監督（文部科学省令で定める要件に該当する内容のものに限る。）の下に当該業務に従事した者で、その従事した期間が文部科学省令で定める期間を超えるもの（技術士補となる資格を有するものに限る。）
    - (ii) In addition to those provided for in the preceding item, a person (limited to a person who has the qualification to become an associate professional engineer) who has engaged, for a period longer than that specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, in business on matters of planning, research, design, analysis, testing, evaluation, or guidance thereof, which requires advanced and adaptive expertise in science and technology, under supervision by a person (limited to a person who falls under

requirement specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology) who conducts the business stipulated herein.

三 前二号に掲げる者のほか、前号に規定する業務に従事した者で、その従事した期間が文部科学省令で定める期間を超えるもの（技術士補となる資格を有するものに限る。）

(iii) In addition to those provided for in the previous two items, a person (restricted to a person who has the qualification to become an associate professional engineer) who has engaged in business on the matters prescribed in the preceding item for a period longer than that specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology,

3 既に一定の技術部門について技術士となる資格を有する者であつて当該技術部門以外の技術部門につき第二次試験を受けようとするものに対しては、文部科学省令で定めるところにより、第二次試験の一部を免除することができる。

(3) A person who is qualified to become a professional engineer for specific technical discipline and who intends to take the second stage examination for a technical discipline, which is other than the said specific technical discipline, may be exempted from a part of the second stage examination pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

#### **第七条** （技術士試験の執行）

##### **Article 7** (Conducting professional engineer examinations)

技術士試験は、毎年一回以上、文部科学大臣が行う。

The Minister of Education, Culture, Sports, Science and Technology shall conduct the professional engineer examinations one or more times per year.

#### **第八条** （合格証書）

##### **Article 8** (Certificate of passing)

技術士試験の第一次試験又は第二次試験（第十条第一項において「各試験」という。）に合格した者には、それぞれ当該試験に合格したことを証する証書を授与する。

A person who has passed either the first stage professional engineer examination or the second stage professional engineer examination (referred to as "each examination" in Article 10 (1)) is given a certificate of success in the corresponding examination.

#### **第九条** （合格の取消し等）

##### **Article 9** (Rescission of passing, etc.)

1 文部科学大臣は、不正の手段によつて技術士試験を受け、又は受けようとした者に対しては、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。

(1) The Minister of Education, Culture, Sports, Science and Technology may rescind

the decision of passage or prohibit taking of the professional engineer examination for a person who has taken or attempted to take it by illicit means.

- 2 文部科学大臣は、前項の規定による処分を受けた者に対し、二年以内の期間を定めて技術士試験を受けることができないものとすることができる。
- (2) The Minister of Education, Culture, Sports, Science and Technology may prohibit a person who has been subjected to a disposition under the preceding paragraph from taking the professional engineer examination for a period of up to two years.

#### **第十条** (受験手数料)

##### **Article 10** (Examination fee)

- 1 技術士試験の各試験を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の受験手数料を国（次条第一項に規定する指定試験機関が同項に規定する試験事務を行う技術士試験の各試験を受けようとする者にあつては、指定試験機関）に納付しなければならない。
- (1) A person who intends to take each stage of professional engineer examinations shall, as provided by Cabinet Order, pay an examination fee to the State (or to the designated examining agency, for a person who intends to take each examination of the professional engineer examinations for which the designated examining agency prescribed in the next Article paragraph (1) conducts the examination works prescribed in the same paragraph) in an amount provided by Cabinet Order with consideration of actual cost.
- 2 前項の規定により同項に規定する指定試験機関に納められた受験手数料は、指定試験機関の収入とする。
- (2) The examination fee paid to the designated examining agency provided by the provision of the preceding paragraph shall be an income to the designated examining agency pursuant to the same paragraph.
- 3 第一項の受験手数料は、これを納付した者が技術士試験を受けない場合においても、返還しない。
- (3) The examination fee under paragraph (1) shall not be refunded even if the payer does not take the professional engineer examinations.

#### **第十一条** (指定試験機関の指定)

##### **Article 11** (Designation of the designated examining agency)

- 1 文部科学大臣は、文部科学省令で定めるところにより、その指定する者（以下「指定試験機関」という。）に、技術士試験の実施に関する事務（以下「試験事務」という。）を行わせることができる。
- (1) The Minister of Education, Culture, Sports, Science and Technology may, pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, make the designated agency (hereinafter referred to as "designated examining agency") conduct the examination works with respect

to implementation of the professional engineer examinations (hereinafter referred to as "examination works").

2 指定試験機関の指定は、文部科学省令で定めるところにより、試験事務を行おうとする者の申請により行う。

(2) Designation of the designated examining agency, pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, shall be made when an application is filed by a agency intends to conduct the examination works.

3 文部科学大臣は、他に指定を受けた者がなく、かつ、前項の申請が次の要件を満たしていると認めるときでなければ、指定試験機関の指定をしてはならない。

(3) The Minister of Education, Culture, Sports, Science and Technology shall not designate the designated examining agency unless there is no other agency which obtained the designation and the said application under the preceding paragraph is recognized as satisfying the following requirement.

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のために適切なものであること。

(i) The plans for implementation of the examination works with respect to employees, equipment, method for implementation of the examination works and other matters are appropriate for proper and certain implementation of the examination works.

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

(ii) Accounting and technical foundations, which are necessary for proper and certain implementation of the plan for implementation of the examination works under the preceding item, is provided.

4 文部科学大臣は、第二項の申請が次のいずれかに該当するときは、指定試験機関の指定をしてはならない。

(4) The Minister of Education, Culture, Sports, Science and Technology shall not designate the designated examining agency in the case where the application under paragraph (2) falls under any of the following.

一 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。

(i) The applicant agency is one other than a general incorporated association or a general incorporated foundation.

二 申請者が、その行う試験事務以外の業務により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。

(ii) The applicant agency is likely to be unable to conduct the examination works fairly due to its other business.

三 申請者が、第二十四条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。

(iii) The applicant agency has been rescinded the designation pursuant to the

provision of Article 24 and has not yet passed two years from the date of rescission.

四 申請者の役員のうち、次のいずれかに該当する者があること。

(iv) Any of the officers of the applicant agency falls under any of the following conditions.

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

(a) A person who has been sentenced to punishment in violation of this Act and has not yet passed two years from the date of completion of the execution or from the date on which such execution has been remitted.

ロ 次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 has been dismissed by the order pursuant to the provision of the next Article (2) and has not yet passed two years from the date of such dismissal.

## 第十二条 (指定試験機関の役員を選任及び解任)

**Article 12** (Appointment and dismissal of officers in the designated examining agency)

1 指定試験機関の役員を選任及び解任は、文部科学大臣の認可を受けなければ、その効力を生じない。

(1) The appointment and dismissal of officers in the designated examining agency shall not come into effect unless approval by the Minister of Education, Culture, Sports, Science and Technology is given.

2 文部科学大臣は、指定試験機関の役員が、この法律（この法律に基づく命令又は処分を含む。）若しくは第十四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、当該役員解任を命ずることができる。

(2) The Minister of Education, Culture, Sports, Science and Technology may order the dismissal of an officer of the designated examining agency when the officer has acted in violation of this Act (including orders and punishments based on this Act) or the rules of the examination works provided in Article 14 (1), or has acted extremely inappropriately with respect to the examination works.

## 第十三条 (事業計画の認可等)

**Article 13** (Approval of business plan, etc.)

1 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、文部科学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。

(1) The designated examining agency shall prepare year-on-year a business plan and



a budget for income and expenditure, and shall obtain approval by the Minister of Education, Culture, Sports, Science and Technology prior to the each start of business year. The same shall apply to the case where the designated examining agency intends to make change on these.

- 2 指定試験機関は、毎事業年度の経過後三月以内に、その事業年度の事業報告書及び収支決算書を作成し、文部科学大臣に提出しなければならない。
- (2) The designated examining agency shall prepare a business report and a settlement of income and expenditure for the business year within three months of the end of the business year, and shall submit those to the Minister of Education, Culture, Sports, Science and Technology.

#### 第十四条 (試験事務規程)

##### Article 14 (Rules of administration on examination works)

- 1 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「試験事務規程」という。）を定め、文部科学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。
- (1) The designated examining agency shall provide rules with respect to implementation of the examination works (hereinafter referred to as "rules of examination works") and obtain approval by the Minister of Education, Culture, Sports, Science and Technology prior to commencing the examination works. The same shall apply to the case where the designated examining agency intends to make change thereon.
- 2 試験事務規程で定めるべき事項は、文部科学省令で定める。
- (2) The matters to be provided in the rules of examination works shall be specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.
- 3 文部科学大臣は、第一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相当となつたと認めるときは、指定試験機関に対し、試験事務規程の変更を命ずることができる。
- (3) The Minister of Education, Culture, Sports, Science and Technology may order the designated examining agency to change the rules of examination works, when he/she finds the approved rules of examination works under paragraph (1) are inappropriate for proper and certain implementation of the examination works.

#### 第十五条 (指定試験機関の技術士試験委員)

##### Article 15 (Professional engineer examiner in designated examining agency)

- 1 指定試験機関は、技術士試験の問題の作成及び採点を技術士試験委員（次項、第四項及び第五項並びに次条及び第十八条第一項において「試験委員」という。）に行わせなければならない。
- (1) The designated examining agency shall make the professional engineer examiner (referred to as "examiner" in the next paragraph, paragraph (4) and (5), and the

next Article, and Article 18 (1)) prepare the examination questions and grade examination papers for the professional engineer examinations.

2 試験委員は、技術士試験の執行ごとに、文部科学大臣が選定した技術士試験委員候補者のうちから、指定試験機関が選任する。

(2) The examiner shall be appointed by the designated examining agency for each execution of the professional engineer examinations from among the examiner candidates who have been selected by the Minister of Education, Culture, Sports, Science and Technology.

3 文部科学大臣は、技術士試験の執行ごとに、技術士試験の執行について必要な学識経験のある者のうちから、科学技術・学術審議会の推薦に基づき技術士試験委員候補者を選定する。

(3) The Minister of Education, Culture, Sports, Science and Technology shall select, for each execution of the professional engineer examination, the examiner candidates from among persons with relevant knowledge and experience necessary for execution of the professional engineer examinations, based on recommendation by the Council for Science and Technology.

4 試験委員の選任及び解任は、文部科学大臣の認可を受けなければ、その効力を生じない。

(4) The appointment and dismissal of the examiner shall not come into effect without obtaining approval by the Minister of Education, Culture, Sports, Science and Technology.

5 第十二条第二項の規定は、試験委員の解任について準用する。

(5) The provision of Article 12 (2) shall apply mutatis mutandis to the dismissal of the examiner.

#### **第十六条** (不正行為の禁止)

##### **Article 16** (Prohibition of unfair acts)

試験委員は、技術士試験の問題の作成及び採点について、厳正を保持し不正の行為のないようにしなければならない。

The examiner shall maintain a strict attitude and shall not act unfairly in preparing examination questions and in grading examination papers.

#### **第十七条** (受験の禁止等)

##### **Article 17** (Prohibition of taking the examination, etc.)

1 指定試験機関が試験事務を行う場合においては、指定試験機関は、不正の手段によつて技術士試験を受けようとした者に対しては、その試験を受けることを禁止することができる。

(1) In the case where the designated examining agency conducts the examination works, the designated examining agency may prohibit a person who has attempted to take the professional engineer examinations by illicit means from taking the

examination.

2 前項に定めるもののほか、指定試験機関が試験事務を行う場合における第九条の規定の適用については、同条第一項中「不正の手段によつて技術士試験を受け、又は受けようとした者に対しては、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」とあるのは「不正の手段によつて技術士試験を受けた者に対しては、合格の決定を取り消すこと」と、同条第二項中「前項」とあるのは「前項又は第十七条第一項」とする。

(2) In addition to the preceding paragraph, with respect to application of the provision of Article 9 in the case where the designated examining agency conducts the examination works, "rescind the decision of passage or prohibit taking of the professional engineer examination for a person who has taken or attempted to take it by illicit means" in the same Article (1) shall be deemed to replace with "rescind the decision of passage of the professional engineer examination for a person who has taken it by illicit means", and "the preceding paragraph" of the same Article (2) shall be deemed to replace with "the preceding paragraph or Article 17 (1)".

#### 第十八条 (秘密保持義務等)

##### Article 18 (Obligation of secrecy, etc.)

1 指定試験機関の役員若しくは職員（試験委員を含む。次項において同じ。）又はこれらの職にあつた者は、試験事務に関して知り得た秘密を漏らしてはならない。

(1) Officers or employees of the designated examining agency (including the examiners. The same shall be applied in the next paragraph) or persons who have taken such positions in the past shall not divulge secret information gained through the examination works.

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

(2) Officers or employees who are engaging in the examination works of the designated examining agency shall be deemed to be officials engaging in public service by the Acts with respect to the application of the Penal Code (Act No. 45 of 1907) or other penal provisions.

#### 第十九条 (帳簿の備付け等)

##### Article 19 (Keeping books, etc.)

指定試験機関は、文部科学省令で定めるところにより、試験事務に関する事項で文部科学省令で定めるものを記載した帳簿を備え、これを保存しなければならない。

The designated examining agency shall keep and preserve, pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, books recording the matters with respect to the examination works which are specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

## 第二十条 (監督命令)

### Article 20 (Supervisory orders)

文部科学大臣は、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。

The Minister of Education, Culture, Sports, Science, and Technology may, when he/she finds a necessity for enforcement of this Act, give the designated examining agency a supervisory order which is necessary to supervise the examination works.

## 第二十一条 (報告)

### Article 21 (Reports)

文部科学大臣は、この法律を施行するため必要があると認めるときは、その必要な限度で、文部科学省令で定めるところにより、指定試験機関に対し、報告をさせることができる。

The Minister of Education, Culture, Sports, Science and Technology may, when he/she finds a necessity for enforcement of this Act, to the limit of its necessity, make the designated examining agency report to him/her pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

## 第二十二条 (立入検査)

### Article 22 (On-site inspection)

1 文部科学大臣は、この法律を施行するため必要があると認めるときは、その必要な限度で、その職員に、指定試験機関の事務所に立ち入り、指定試験機関の帳簿、書類その他必要な物件を検査させ、又は関係者に質問させることができる。

(1) The Ministry of Education, Culture, Sports, Science and Technology may, when he/she finds a necessity for enforcement of this Act, to the limit of its necessity, make his/her official enter into the office of the designated examining agency and inspect books, documents, and other necessary materials of the said designated examining agency, or ask questions to the person concerned.

2 前項の規定により立入検査を行う職員は、その身分を示す証明書を携帯し、かつ、関係者の請求があるときは、これを提示しなければならない。

(2) The said official who conducts the on-site inspection pursuant to the provision of the preceding paragraph shall carry an identification card and produce it to the people concerned when requested.

3 第一項に規定する権限は、犯罪捜査のために認められたものと解してはならない。

(3) The authority provided in paragraph (1) shall not be construed as being approved for a criminal investigation.

## 第二十三条 (試験事務の休廃止)

### Article 23 (Suspension or abolition of examination works)

指定試験機関は、文部科学大臣の許可を受けなければ、試験事務の全部又は一部を休止し、又は廃止してはならない。

The designated examining agency shall not suspend or abolish whole or part of the examination works without obtaining permission by the Minister of Education, Culture, Sports, Science and Technology.

#### 第二十四条 (指定の取消し等)

##### **Article 24** (Rescission of designation, etc.)

1 文部科学大臣は、指定試験機関が第十一条第四項各号（第三号を除く。以下この項において同じ。）の一に該当するに至つたときは、その指定を取り消さなければならない。この場合において、同条第四項各号中「申請者」とあるのは、「指定試験機関」とする。

(1) The Minister of Education, Culture, Sports, Science and Technology shall rescind the designation of the designated examining agency when the designated examining agency falls under any of the provisions of each item in Article 11 (4) (except item (iii). hereinafter the same shall apply in this paragraph). In this case, "applicant agency" in each item of the said Article (4) shall be deemed to be replaced with "designated examining agency".

2 文部科学大臣は、指定試験機関が次のいずれかに該当するに至つたときは、その指定を取り消し、又は二年以内の期間を定めて試験事務の全部若しくは一部の停止を命ずることができる。

(2) The Minister of Education, Culture, Sports, Science and Technology may rescind the designation of the designated examining agency or order to suspend whole or a part of the examination works by specifying a period within two years.

一 第十一条第三項各号の要件を満たさなくなつたと認められるとき。

(i) When the designated examining agency is found to be not satisfying any conditions of Article 11 (3).

二 第十二条第二項（第十五条第五項において準用する場合を含む。）、第十四条第三項又は第二十条の規定による命令に違反したとき。

(ii) When the designated examining agency has violated the order pursuant to the provision of Article 12 (2) (including the cases where it is applied mutatis mutandis pursuant to Article 15 (5)), Article 14 (3), or Article 20.

三 第十三条、第十五条第一項若しくは第二項又は前条の規定に違反したとき。

(iii) When the designated examining agency has violated the provisions of Article 13, Article 15 (1) or (2), or the preceding Article.

四 第十四条第一項の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。

(iv) When the designated examining agency has conducted the examination works without complying to the rules of examination works which were approved under Article 14 (1).

五 次条第一項の条件に違反したとき。

- (v) When the designated examining agency has violated the condition of the next Article (1).

**第二十五条** (指定等の条件)

**Article 25** (Conditions for designation, etc.)

- 1 この章の規定による指定、認可又は許可には、条件を付し、及びこれを変更することができる。
- (1) The designation, approval or permission pursuant to the provisions in this Chapter may be set condition thereon and the condition may be changed.
- 2 前項の条件は、当該指定、認可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、当該指定、認可又は許可を受ける者に不当な義務を課することとなるものであつてはならない。
- (2) The conditions under the preceding paragraph shall be within its minimum necessity for attempting certain implementation of matters with respect to the said designation, approval or permission, and shall not impose unreasonable obligations on those who are subject to the said designation, approval or permission.

**第二十六条** (聴聞の方法の特例)

**Article 26** (Special provisions for hearing)

- 1 第二十四条の規定による処分に係る聴聞の期日における審理は、公開により行わなければならない。
- (1) The proceeding on the date of a hearing with respect to the disposition pursuant to the provisions of Article 24 shall be open to the public.
- 2 前項の聴聞の主宰者は、行政手続法（平成五年法律第八十八号）第十七条第一項の規定により当該処分に係る利害関係人が当該聴聞に関する手続に参加することを求めたときは、これを許可しなければならない。
- (2) The chairperson of the hearing under the preceding paragraph shall permit a request for participation in the proceeding of the said hearing made by interested parties related to the said disposition pursuant to the provision of the Administrative Procedure Act (Act No. 88 of 1993) Article 17 (1).

**第二十七条** (指定試験機関がした処分等に係る不服申立て)

**Article 27** (Appeal against the disposition, etc. conducted by the designated examining agency)

指定試験機関が行う試験事務に係る処分又はその不作為について不服がある者は、文部科学大臣に対し、行政不服審査法（昭和三十七年法律第百六十号）による審査請求をすることができる。

A person who is dissatisfied with the disposition or inaction with respect to the examination works conducted by the designated examining agency, may apply examination to the Minister of Education, Culture, Sports, Science and Technology

pursuant to the Administrative Appeal Act (Act No. 160 of 1962).

**第二十八条** (文部科学大臣による試験事務の実施等)

**Article 28** (Implementation of examination works, etc. by the Minister of Education, Culture, Sports, Science and Technology)

- 1 文部科学大臣は、指定試験機関の指定をしたときは、試験事務を行わないものとする。
- (1) The Minister of Education, Culture, Sports, Science and Technology shall not conduct the examination works when he/she has designated a designated examining agency.
- 2 文部科学大臣は、指定試験機関が第二十三条の規定による許可を受けて試験事務の全部若しくは一部を休止したとき、第二十四条第二項の規定により指定試験機関に対し試験事務の全部若しくは一部の停止を命じたとき、又は指定試験機関が天災その他の事由により試験事務の全部若しくは一部を実施することが困難となった場合において必要があると認めるときは、試験事務の全部又は一部を自ら行うものとする。
- (2) The Minister of Education, Culture, Sports, Science and Technology shall conduct whole or part of the examination works by him/herself, when the designated examining agency suspends whole or part of the examination works by obtaining permission pursuant to the provision of Article 23, or when he/she ordered the designated examining agency to suspend whole or part of the examination works pursuant to the provision of Article 24 (2), or when he/she finds necessity to conduct whole or part of the examination works by him/herself in case that the designated examining agency faces difficulties to conduct whole or part of the examination works due to a natural disaster or other reasons.

**第二十九条**

**Article 29**

- 1 文部科学大臣が自ら試験事務の全部又は一部を行う場合には、技術士試験委員（次項から第五項までにおいて「試験委員」という。）に、技術士試験の問題の作成及び採点を行わせる。
- (1) In cases when the Minister of Education, Culture, Sports, Science and Technology conducts whole or part of the examination works by him/herself, he/she shall make the professional engineer examiner (hereinafter referred to as "examiner" from the next paragraph to paragraph (5)) prepare the examination questions and grade examination papers for the professional engineer examinations.
- 2 試験委員の定数は、政令で定める。
- (2) The fixed number of examiners shall be specified by Cabinet Order.
- 3 試験委員は、技術士試験の執行ごとに、技術士試験の執行について必要な学識経験のある者のうちから、科学技術・学術審議会の推薦に基づき、文部科学大臣が任命する。

(3) The examiner shall be appointed by the Minister of Education, Culture, Sports, Science and Technology from among the persons with relevant knowledge and experience necessary for execution of the professional engineer examinations, based on recommendation by the Council for Science and Technology.

4 試験委員は、非常勤とする。

(4) The examiner shall work part-time.

5 第十六条の規定は、試験委員について準用する。

(5) The provision of Article 16 shall apply mutatis mutandis to the examiner.

### 第三十条 (公示)

#### Article 30 (Public notice)

文部科学大臣は、次の場合には、その旨を官報に公示しなければならない。

The Minister of Education, Culture, Sports, Science and Technology shall make a public notice in the Official Gazette in the following cases.

一 第十一条第一項の規定による指定をしたとき。

(i) When he/she has made the designation pursuant to the provision of Article 11 (1).

二 第二十三条の規定による許可をしたとき。

(ii) When he/she has given permission pursuant to the provision of Article 23.

三 第二十四条の規定により指定を取り消し、又は試験事務の全部若しくは一部の停止を命じたとき。

(iii) When he/she has rescinded the designation or has ordered to suspend whole or part of the examination works pursuant to the provision of Article 24.

四 第二十八条第二項の規定により試験事務の全部若しくは一部を自ら行うこととするとき、又は自ら行っていた試験事務の全部若しくは一部を行わないこととするとき。

(iv) When he/she conducts whole or part of the examination works pursuant to the provision of Article 28 (2), or when he/she does not to conduct whole or part of the examination works which he/she has conducted by him/herself.

### 第三十一条 (技術士試験の細目等)

#### Article 31 (Details of professional engineer examinations, etc.)

この章に定めるもののほか、試験科目、受験手続、試験事務の引継ぎその他技術士試験及び指定試験機関に関し必要な事項は、文部科学省令で定める。

In addition to the subjects so specified in this Chapter, the examination subjects, the examination procedures, succession of the examination works, other necessary matters for the professional engineer examinations and the designated examining agency shall be specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.



## 第二章の二 技術士等の資格に関する特例

### Chapter II-2 Special Provision Concerning Qualification of Professional Engineer, etc.

#### 第三十一条の二

##### Article 31-2

1 技術士と同等以上の科学技術に関する外国の資格のうち文部科学省令で定めるものを有する者であつて、我が国においていずれかの技術部門について我が国の法令に基づき技術士の業務を行うのに必要な相当の知識及び能力を有すると文部科学大臣が認めたものは、第四条第三項の規定にかかわらず、技術士となる資格を有する。

(1) A person who has a foreign qualification in science and technology, which is equivalent or more than a professional engineer (Japan) and the qualification is certified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, and who is recognized by the Ministry of Education, Culture, Sports, Science and Technology to have considerable knowledge and ability to conduct business in Japan regarding any professional engineer technical disciplines based on Japanese laws and regulations, shall be qualified to become a professional engineer notwithstanding the provision of Article 4 (3).

2 大学その他の教育機関における課程であつて科学技術に関するもののうちその修了が第一次試験の合格と同等であるものとして文部科学大臣が指定したものを修了した者は、第四条第二項の規定にかかわらず、技術士補となる資格を有する。

(2) A person, who has completed a course on science and technology in university or other educational institution, and the said completion of the course is recognized by the Minister of Education, Culture, Sports, Science and Technology as being equivalent to the success in the first stage of professional engineer examination shall be qualified to become an associate professional engineer notwithstanding the provision of Article 4 (2).

## 第三章 技術士等の登録

### Chapter III Registration of Professional Engineer, etc.

#### 第三十二条 (登録)

##### Article 32 (Registration)

1 技術士となる資格を有する者が技術士となるには、技術士登録簿に、氏名、生年月日、事務所の名称及び所在地、合格した第二次試験の技術部門（前条第一項の規定により技術士となる資格を有する者にあつては、同項の規定による認定において文部科学大臣が指定した技術部門）の名称その他文部科学省令で定める事項の登録を受けなければならない。

(1) If a person who has qualified to become a professional engineer intends to become a professional engineer, he/she shall obtain a registration in the professional

engineer' s registry with name, date of birth, office' s name and address, name of the technical discipline passed in the second stage examination (in the case of a person having qualification to become a professional engineer pursuant to the provision of preceding Article paragraph (1), name of the technical discipline which is recognized by the Minister of Education, Culture, Sports, Science and Technology pursuant to the provision of the said paragraph) and other particulars specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

2 技術士補となる資格を有する者が技術士補となるには、その補助しようとする技術士（合格した第一次試験の技術部門（前条第二項の規定により技術士補となる資格を有する者にあつては、同項の課程に対応するものとして文部科学大臣が指定した技術部門。以下この項において同じ。）と同一の技術部門の登録を受けている技術士に限る。）を定め、技術士補登録簿に、氏名、生年月日、合格した第一次試験の技術部門の名称、その補助しようとする技術士の氏名、当該技術士の事務所の名称及び所在地その他文部科学省令で定める事項の登録を受けなければならない。

(2) If a person who has qualified to become an associate professional engineer intends to become an associate professional engineer, he/she shall appoint a professional engineer to assist (whose technical discipline shall be the same as that of the first stage examination in which he/she passed (or the same technical discipline recognized by the Minister of Education, Culture, Sports, Science and Technology for a person having qualification to become an associate professional engineer pursuant to the provision of preceding Article paragraph (2). hereinafter the same shall apply in this paragraph)) and shall obtain a registration in the associate professional engineer' s registry with name, date of birth, name of the technical discipline passed in the first stage examination, name of the professional engineer to assist, office' s name and address of the said professional engineer and other particulars specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

3 技術士補が第一項の規定による技術士の登録を受けたときは、技術士補の登録は、その効力を失う。

(3) When an associate professional engineer obtained a registration as a professional engineer pursuant to the provision in the paragraph (1), his/her registration as an associate professional engineer shall become invalid.

### 第三十三条 （技術士登録簿及び技術士補登録簿）

**Article 33** (Professional engineer' s registry and associate professional engineer' s registry)

技術士登録簿及び技術士補登録簿は、文部科学省に備える。

The professional engineer' s register and the associate professional engineer' s register shall be kept in the Ministry of Education, Culture, Sports, Science and

Technology.

**第三十四条** (技術士登録証及び技術士補登録証)

**Article 34** (Certificate of registration for professional engineers and associate professional engineers)

1 文部科学大臣は、技術士又は技術士補の登録をしたときは、申請者にそれぞれ技術士登録証又は技術士補登録証（以下「登録証」と総称する。）を交付する。

(1) The Minister of Education, Culture, Sports, Science and Technology, when he/she registered a professional engineer or an associate professional engineer, shall issue respectively a certificate of registration for professional engineer or a certificate of registration for associate professional engineer (hereinafter collectively referred to as "certificate of registration") to the applicant.

2 登録証には、次の事項を記載しなければならない。

(2) The following matters shall be shown on the certificate of registration.

一 登録の年月日及び登録番号

(i) Date of registration and number of registration

二 氏名

(ii) Name

三 生年月日

(iii) Date of birth

四 登録した技術部門の名称

(iv) Name of the registered technical discipline

**第三十五条** (登録事項の変更の届出等)

**Article 35** (Notification of changes on registration matters, etc.)

1 技術士又は技術士補は、登録を受けた事項に変更があつたときは、遅滞なく、その旨を文部科学大臣に届け出なければならない。

(1) A professional engineer or an associate professional engineer, when his/her registered matters change, shall notify the Minister of Education, Culture, Sports, Science and Technology without delay.

2 技術士又は技術士補は、前項の規定による届出をする場合において、登録証に記載された事項に変更があつたときは、当該届出に登録証を添えて提出し、その訂正を受けなければならない。

(2) A professional engineer or an associate professional engineer, when notifying pursuant to the provision of the preceding paragraph and if there has been a change in the matters shown on the certificate of registration, he/she shall submit the notification together with the certificate of registration to make the certificate corrected.

**第三十六条** (登録の取消し等)

### **Article 36 (Rescission of registration, etc.)**

- 1 文部科学大臣は、技術士又は技術士補が次のいずれかに該当する場合には、その登録を取り消さなければならない。
  - (1) The Minister of Education, Culture, Sports, Science and Technology shall rescind the registration in cases when a professional engineer or an associate professional engineer falls under any of the following.
    - 一 第三条各号（第五号を除く。）の一に該当するに至つた場合
      - (i) In cases when the engineer has come to fall under any item of Article 3 (excluding item (v)).
      - 二 虚偽又は不正の事実に基づいて登録を受けた場合
        - (ii) In cases when the engineer has obtained registration based on false or unfair facts.
        - 三 第三十一条の二第一項の規定により技術士となる資格を有する者が外国において同項に規定する資格を失つた場合
          - (iii) In cases when a person who has qualified as a professional engineer pursuant to the provision of Article 31-2 (1) lost the qualification provided in the said paragraph in a foreign state.
  - 2 文部科学大臣は、技術士又は技術士補が次章の規定に違反した場合には、その登録を取り消し、又は二年以内の期間を定めて技術士若しくは技術士補の名称の使用の停止を命ずることができる。
    - (2) In cases when a professional engineer or an associate professional engineer has violated the provisions in the next Chapter, the Minister of Education, Culture, Sports, Science and Technology may rescind the registration of the professional engineer or the associate professional engineer, or may order the suspension of use of the name of the professional engineer or the associate professional engineer specifying a period not exceeding two years.

### **第三十七条**

#### **Article 37**

- 1 文部科学大臣は、技術士又は技術士補が虚偽若しくは不正の事実に基づいて登録を受け、又は次章の規定に違反したと思料するときは、職権をもつて、必要な調査をすることができる。
  - (1) The Minister of Education, Culture, Sports, Science and Technology may, when considering whether a professional engineer or an associate professional engineer has obtained his/her registration based on false or unfair fact or has violated the provisions of the next Chapter, conduct necessary investigation by authority.
- 2 文部科学大臣は、前条第一項第二号又は第二項の規定による技術士又は技術士補の登録の取消し又は名称の使用の停止の命令をする場合においては、聴聞又は弁明の機会の付与を行つた後、科学技術・学術審議会の意見を聴いてするものとする。
  - (2) The Minister of Education, Culture, Sports, Science and Technology shall, when

orders to rescind the registration or to suspend the use of the name of professional engineer or associate professional engineer pursuant to the provision of the preceding Article paragraph (1) (ii) or paragraph (2), take the said action in consideration of opinion from the Council for Science and Technology after giving an opportunity for hearing or explanation to the said engineer.

3 文部科学大臣は、第一項の規定により事件について必要な調査をするため、その職員に、次のことを行わせることができる。

(3) The Minister of Education, Culture, Sports, Science and Technology may make his/her official take the following actions to conduct necessary investigation on the case pursuant to the provision of paragraph (1).

一 事件関係人若しくは参考人に出頭を命じて審問し、又はこれらの者から意見若しくは報告を徴すること。

(i) To order the person concerned with a case or a witness to appear for inquiry or ask for an opinion or a report from them.

二 鑑定人に出頭を命じて鑑定させること。

(ii) To order an expert witness to appear to request an opinion.

三 帳簿、書類その他の物件の所有者に対し、当該物件を提出させること。

(iii) To make the owners of books, documents, and other materials, produce the said materials.

4 前項の規定により出頭を命ぜられた参考人又は鑑定人は、政令で定めるところにより、旅費、日当その他の費用を請求することができる。

(4) The witness or the expert witness, who was ordered to appear under the provision of the preceding paragraph, may, as provided by Cabinet Order, claim payment for travel expenses, daily allowance, and other expenses.

### 第三十八条 (登録の消除)

#### Article 38 (Deletion of registration)

文部科学大臣は、技術士又は技術士補の登録がその効力を失ったときは、その登録を消除しなければならない。

The Minister of Education, Culture, Sports, Science and Technology shall delete the registration of a professional engineer or an associate professional engineer when the registration becomes invalid.

### 第三十九条 (登録免許税及び登録手数料)

#### Article 39 (Registration license tax and registration fee)

1 第三十二条第一項の規定により技術士の登録を受けようとする者及び同条第二項の規定により技術士補の登録を受けようとする者は、登録免許税法（昭和四十二年法律第三十五号）の定めるところにより登録免許税を納付しなければならない。

(1) A person who intends to obtain the registration as a professional engineer pursuant to the provision of Article 32 (1), or a person who intends to obtain the

registration as an associate professional engineer pursuant to the provision of the same Article (2), shall pay the registration license tax pursuant to the provision of the Registration and License Tax Act (Act No. 35 of 1967).

2 第三十二条第一項の規定により技術士の登録を受けようとする者、同条第二項の規定により技術士補の登録を受けようとする者、第三十五条第二項の規定により登録証の訂正を受けようとする者及び登録証の再交付を受けようとする者は、政令で定めるところにより、実費を勘案して政令で定める額の登録手数料を国（次条第一項に規定する指定登録機関が同項に規定する登録事務を行う場合にあつては、指定登録機関）に、それぞれ納付しなければならない。

(2) A person who intends to obtain the registration as a professional engineer pursuant to the provision of Article 32 (1), a person who intends to obtain the registration as an associate professional engineer pursuant to the provision of the same Article (2), or a person who intends to make his/her certificate of registration, or a person who intends to obtain the reissue of his/her certificate of registration pursuant to the provision of Article 35 (2) shall, as provided by Cabinet Order, pay the registration fee, in the amount specified by Cabinet Order in consideration of the actual cost to the State (or to the designated registration agency, in the case where the designated registration agency prescribed in the next Article (1) conducts the registration works prescribed in the same paragraph).

3 前項（技術士の登録を受けようとする者及び技術士補の登録を受けようとする者に係る部分に限る。）の規定は、文部科学大臣が次条第一項に規定する登録事務を行う場合については、適用しない。

(3) The provision of the preceding paragraph (limited to a portion pertaining to a person who intends to obtain the registration as a professional engineer and a person who intends to obtain the registration as an associate professional engineer) shall not be applied to cases in which the Minister of Education, Culture, Sports, Science and Technology conducts the registration works provided in the next Article (1).

4 第二項の規定により次条第一項に規定する指定登録機関に納められた登録手数料は、指定登録機関の収入とする。

(4) The registration fee paid in pursuant to the provision of paragraph (2) to the designated registration agency which is provided in the next Article (1) shall be an income for the designated registration agency.

#### 第四十条 （指定登録機関の指定等）

##### Article 40 (Designation of designated registration agency, etc.)

1 文部科学大臣は、文部科学省令で定めるところにより、その指定する者（以下「指定登録機関」という。）に、技術士及び技術士補の登録の実施に関する事務（以下「登録事務」という。）を行わせることができる。

(1) The Minister of Education, Culture, Sports, Science and Technology may,

pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, make the designated agency (hereinafter referred to as "designated registration agency") conduct the works with respect to implementation of the registration of professional engineer and associated professional engineer (hereinafter referred to as "registration works").

2 指定登録機関の指定は、文部科学省令で定めるところにより、登録事務を行おうとする者の申請により行う。

(2) Designation of a designated registration agency, pursuant to the provision of Ordinance of the Ministry of Education, Culture, Sports, Science and Technology, shall be made when an application is filed by an agency intends to conduct the registration works.

#### 第四十一条

##### Article 41

指定登録機関が登録事務を行う場合における第三十三条、第三十四条第一項、第三十五条第一項及び第三十八条の規定の適用については、これらの規定中「文部科学省」とあり、及び「文部科学大臣」とあるのは、「指定登録機関」とする。

With respect to application of the provisions of Article 33, Article 34 (1), Article 35 (1) and Article 38 in the case where the designated registration agency conducts the registration works, "Ministry of Education, Culture, Sports, Science and Technology" and "Minister of Education, Culture, Sports, Science and Technology" shall be deemed to be replaced with "designated registration agency".

#### 第四十二条 (準用)

##### Article 42 (Mutatis Mutandis Application)

第十一条第三項及び第四項、第十二条から第十四条まで、第十八条から第二十八条まで並びに第三十条の規定は、指定登録機関について準用する。この場合において、これらの規定中「指定試験機関」とあるのは「指定登録機関」と、「試験事務」とあるのは「登録事務」と、「試験事務規程」とあるのは「登録事務規程」と、第十一条第三項中「前項」とあり、及び同条第四項中「第二項」とあるのは「第四十条第二項」と、第十八条第一項中「職員（試験委員を含む。次項において同じ。）」とあるのは「職員」と、第二十四条第二項第二号中「第十二条第二項（第十五条第五項において準用する場合を含む。）」とあるのは「第十二条第二項」と、同項第三号中「、第十五条第一項若しくは第二項又は前条」とあるのは「又は前条」と、第二十五条第一項中「この章」とあるのは「第十二条第一項、第十三条第一項、第十四条第一項、第二十三条又は第四十条第一項」と、第三十条第一号中「第十一条第一項」とあるのは「第四十条第一項」と読み替えるものとする。

The provisions of Article 11 (3) and (4), from Article 12 to Article 14, from Article 18 to Article 28, and Article 30 shall apply mutatis mutandis to the designated registration agency. In this case, the term "designated examination agency" in these

provisions shall be deemed to be replaced with "designated registration agency", the term "examination works" in these provisions shall be deemed to be replaced with "registration works", the term "rules of examination works" in these provisions shall be deemed to be replaced with "rules of registration works", the term "the preceding paragraph" in Article 11 (3) and "paragraph (2)" in the same Article (4) shall be deemed to be replaced with "Article 40 (2)", the term "employees (including the examiner. The same shall be applied in the next paragraph)" in Article 18 (1) shall be deemed to be replaced with "employees", the term "Article 12 (2) (including the cases where it is applied mutatis mutandis pursuant to Article 15 (5))" in Article 24 (2) (ii) shall be deemed to be replaced with "Article 12 (2)", the term ", Article 15 (1) or (2), or the preceding Article" in the same paragraph (iii) shall be deemed to be replaced with "or the preceding Article", the term "this Chapter" in Article 25 (1) shall be deemed to be replaced with "Article 12 (1), Article 13 (1), Article 14 (1), Article 23 or Article 40 (1)", and the term "Article 11 (1)" in Article 30 (i) shall be deemed to be replaced with "Article 40 (1)".

#### **第四十三条** (登録の細目等)

##### **Article 43** (Details of registration, etc.)

この章に定めるもののほか、登録及び登録の消除の手續、登録証の再交付及び返納、登録事務の引継ぎその他技術士及び技術士補の登録並びに指定登録機関に関し必要な事項は、文部科学省令で定める。

In addition to the subjects specified in this Chapter, procedures for registration, deletion of registration, reissue and return of certificate of registration, succession of registration works and other necessary matters for registration of professional engineers and associate professional engineers and also for designated registration agency, shall be specified by Ordinance of the Ministry of Education, Culture, Sports, Science and Technology.

#### **第四章 技術士等の義務**

##### **Chapter IV Obligation of Professional Engineer, etc.**

#### **第四十四条** (信用失墜行為の禁止)

##### **Article 44** (Prohibition of dishonorable conduct)

技術士又は技術士補は、技術士若しくは技術士補の信用を傷つけ、又は技術士及び技術士補全体の不名誉となるような行為をしてはならない。

Any professional engineer or associate professional engineer shall avoid conduct that discredits professional engineers or associate professional engineers, nor professional engineers and associate professional engineers as a whole.

#### **第四十五条** (技術士等の秘密保持義務)



**Article 45** (Obligation of secrecy by professional engineers or associate professional engineers)

技術士又は技術士補は、正当の理由がなく、そ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。技術士又は技術士補でなくなつた後においても、同様とする。

Any professional engineer or associate professional engineer shall not divulge or misappropriate without justifiable grounds the confidential information that came to his/her knowledge with their business. The same shall also apply after he/she has been relieved of professional engineer or associate professional engineer status.

**第四十五条の二** (技術士等の公益確保の責務)

**Article 45-2** (Responsibility of professional engineers or associate professional engineers for public interest)

技術士又は技術士補は、その業務を行うに当たつては、公共の安全、環境の保全その他の公益を害することのないよう努めなければならない。

Any professional engineer or associate professional engineer shall endeavor not to harm public interest such as public safety, environment preservation, and the like, upon conducting his/her business.

**第四十六条** (技術士の名称表示の場合の義務)

**Article 46** (Obligation to indicate name for professional engineers)

技術士は、その業務に関して技術士の名称を表示するときは、その登録を受けた技術部門を明示してするものとし、登録を受けていない技術部門を表示してはならない。

When a professional engineer indicates the name of a professional engineer with regard to his/her business, he/she shall clearly indicate the technical discipline in which he/she obtained registration, and shall not indicate any name in which he/she has not obtained registration.

**第四十七条** (技術士補の業務の制限等)

**Article 47** (Limitation of business for associate professional engineers)

1 技術士補は、第二条第一項に規定する業務について技術士を補助する場合を除くほか、技術士補の名称を表示して当該業務を行つてはならない。

(1) Except for the case where an associate professional engineer assists a professional engineer for the business pursuant to the provision Article 2 (1), he/she shall not conduct the said business indicating the name of the associate professional engineer.

2 前条の規定は、技術士補がその補助する技術士の業務に関してする技術士補の名称の表示について準用する。

(2) The provision of the preceding Article shall apply mutatis mutandis to indication of the name of the associate professional engineer with regard to the business of the professional engineer which the associate professional engineer assists.

**第四十七条の二** （技術士の資質向上の責務）

**Article 47-2** (Responsibility to improve the capability of professional engineers)

技術士は、常に、その業務に関して有する知識及び技能の水準を向上させ、その他その資質の向上を図るよう努めなければならない。

Professional engineers shall at all times endeavor to improve their level of knowledge and skill with regard to his/her business, and endeavor to do self-improvement.

**第五章 削除**  
**Chapter V Deletion**

**第四十八条 削除**  
**Article 48 Deletion.**

**第四十九条 削除**  
**Article 49 Deletion.**

**第五十条 削除**  
**Article 50 Deletion.**

**第五十一条 削除**  
**Article 51 Deletion.**

**第五十二条 削除**  
**Article 52 Deletion.**

**第五十三条 削除**  
**Article 53 Deletion.**

**第六章 日本技術士会**  
**Chapter VI Institution of Professional Engineers, Japan**

**第五十四条** （設立）  
**Article 54** (Incorporation)

1 その名称中に日本技術士会という文字を使用する一般社団法人は、技術士を社員とする旨の定款の定めがあり、かつ、全国の技術士の品位の保持、資質の向上及び業務の進歩改善に資するため、技術士の研修並びに社員の指導及び連絡に関する事務を全国的に行うことを目的とするものに限り、設立することができる。

(1) The general incorporated association which uses such words as "Institution of

Professional Engineers, Japan" in its name may be established, limited to the case that association is prescribed by articles of incorporation that stipulates its member shall be professional engineers, and the purpose of the association is to nationally-administrate matters relating to train professional engineers, give guidance and liaise with members, in order to contribute to maintain dignity, improvement of qualification and quality and upgrading business activities for nationwide professional engineers.

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 provision of articles of incorporation prescribed in the preceding paragraph may not be changed.

#### **第五十五条** (成立の届出)

##### **Article 55** (Notification of incorporation)

前条の一般社団法人（以下「技術士会」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、文部科学大臣に届け出なければならない。

The general incorporated association of the preceding Article (hereinafter referred to as "Institution of Professional Engineers, Japan"), once incorporated, shall provide notice of incorporation to the Minister of Education, Culture, Sports, Science and Technology within two weeks from the date of incorporation, together with the registration certificate and a copy of its articles incorporation.

#### **第五十五条の二** (技術士会の業務の監督)

##### **Article 55-2** (Supervision of business of the Institution of Professional Engineers, Japan)

1 技術士会の業務は、文部科学大臣の監督に属する。

(1) Business of the Institution of Professional Engineers, Japan shall be under supervision of the Minister of Education, Culture, Sports, Science and Technology.

2 文部科学大臣は、技術士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、当該業務及び技術士会の財産の状況を検査し、又は技術士会に対し、当該業務に関し監督上必要な命令をすることができる。

(2) The Minister of Education, Culture, Sports, Science and Technology may, when he/she finds necessity for securing proper implementation of the business of the Institution of Professional Engineers, Japan, anytime inspect the said business and properties of the Institution of Professional Engineers, Japan or give necessary order for the supervision of said business.

### **第七章 雑則**

#### **Chapter VII Miscellaneous Provisions**

**第五十六条** （業務に対する報酬）

**Article 56** (Reward to business)

技術士の業務に対する報酬は、公正かつ妥当なものでなければならない。

A reward to a business of a professional engineer shall be fair and proper.

**第五十七条** （名称の使用の制限）

**Article 57** (Restriction on use of the name)

1 技術士でない者は、技術士又はこれに類似する名称を使用してはならない。

(1) Any person who is not a professional engineer shall not use the name "professional engineer" or similar thereto.

2 技術士補でない者は、技術士補又はこれに類似する名称を使用してはならない。

(2) Any person who is not an associate professional engineer shall not use the name "associate professional engineer" or similar thereto.

**第五十八条** （経過措置）

**Article 58** (Transitional measure)

この法律の規定に基づき命令を制定し、又は改廃する場合においては、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。

In case of enacting, revising or abolishing an order pursuant to the provisions of this Act, necessary transitional measure (including transitional measures for the penal provisions) may be specified by the said order within the scope being interpreted as reasonably necessary along with the said enactment, revision or abolition.

**第八章 罰則**

**Chapter VIII Penal Provisions**

**第五十九条**

**Article 59**

1 第四十五条の規定に違反した者は、一年以下の懲役又は五十万円以下の罰金に処する。

(1) Any person who has violated the provision of Article 45 shall be punishable by imprisonment with work for a term not more than one year or by a fine of not more than 500,000 yen.

2 前項の罪は、告訴がなければ公訴を提起することができない。

(2) The crime set forth in the preceding paragraph shall be prosecuted only upon complaint.

**第六十条**

## Article 60

第十八条第一項（第四十二条において準用する場合を含む。）の規定に違反した者は、一年以下の懲役又は三十万円以下の罰金に処する。

Any person who has violated the provision in Article 18 (1) (including the cases where it is applied mutatis mutandis pursuant to Article 42) shall be punishable by imprisonment with work for a term not more than one year or by a fine of not more than 300,000 yen.

## 第六十一条

### Article 61

第二十四条第二項（第四十二条において準用する場合を含む。）の規定による試験事務又は登録事務の停止の命令に違反したときは、その違反行為をした指定試験機関又は指定登録機関の役員又は職員は、一年以下の懲役又は三十万円以下の罰金に処する。

Any officer or employee of the designated examining agency or the designated registration agency who has violated an order of suspension of the examination works or registration works pursuant to the provision in Article 24 (2) (including the cases where it is applied mutatis mutandis pursuant to Article 42) shall be punishable by imprisonment with work for a term not more than one year or by a fine of not more than 300,000 yen.

## 第六十二条

### Article 62

次の各号の一に該当する者は、三十万円以下の罰金に処する。

Any person who falls under one of following items shall be punishable by a fine of not more than 300,000 yen.

一 第十六条（第二十九条第五項において準用する場合を含む。）の規定に違反して、不正の採点をした者

(i) Any person who has unfairly graded on the professional engineer examinations in violation of the provision of Article 16 (including the cases where it is applied mutatis mutandis pursuant to Article 29 (5)).

二 第三十六条第二項の規定により技術士又は技術士補の名称の使用の停止を命ぜられた者で、当該停止を命ぜられた期間中に、技術士又は技術士補の名称を使用したもの

(ii) Any person who has been ordered to suspend the use of the name of professional engineer or the name of associate professional engineer pursuant to the provision of Article 36 (2) and has used the name of professional engineer or associate professional engineer during the period when the said order was effective.

三 第五十七条第一項又は第二項の規定に違反した者

(iii) Any person who has violated the provision of Article 57 (1) or (2).

## 第六十三条

### Article 63

次の各号の一に該当するときは、その違反行為をした指定試験機関又は指定登録機関の役員又は職員は、二十万円以下の罰金に処する。

Any officer or employee of the designated examining agency or the designated registration agency who falls under one of the following provisions by acting the said violation shall be punishable by a fine of not more than 200,000 yen.

一 第十九条（第四十二条において準用する場合を含む。）の規定に違反して帳簿を備えず、帳簿に記載せず、若しくは帳簿に虚偽の記載をし、又は帳簿を保存しなかつたとき。

(i) When any officer or employee did not prepare the book, or did not write in the book, or wrote false record, or did not keep the book in violation of the provision of Article 19 (including the cases where it is applied mutatis mutandis pursuant to Article 42).

二 第二十一条（第四十二条において準用する場合を含む。）の規定による報告をせず、又は虚偽の報告をしたとき。

(ii) When any officer or employee did not report or gave false report in violation of the provision of Article 21 (including the cases where it is applied mutatis mutandis pursuant to Article 42).

三 第二十二条（第四十二条において準用する場合を含む。）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とき。

(iii) When any officer or employee refused, or disturbed, or recused the entry or inspection pursuant to the provision of Article 22 (including the cases where it is applied mutatis mutandis pursuant to Article 42), or did not give statement to the question, or gave false statement.

四 第二十三条（第四十二条において準用する場合を含む。）の許可を受けずに試験事務又は登録事務の全部を廃止したとき。

(iv) When any officer or employee abolished all of the examination works or the registration works without obtaining the permission pursuant to the provision of Article 23 (including the cases where it is applied mutatis mutandis pursuant to Article 42).

## 第六十四条

### Article 64

技術士会の理事、監事又は清算人は、次の各号のいずれかに該当する場合には、五十万円以下の過料に処する。

Any director, inspector or liquidator of the Institution of Professional Engineers, Japan who falls under one of the following items shall be punishable by a non-penal

fine of not more than 500,000 yen.

一 第五十五条の規定に違反して、成立の届出をせず、又は虚偽の届出をしたとき。

(i) When any director, secretary or liquidator did not notify incorporation or made a false notification in violation of the provision of Article 55.

二 第五十五条の二第二項の規定による文部科学大臣の検査を拒み、妨げ、若しくは忌避し、又は同項の規定による文部科学大臣の監督上の命令に違反したとき。

(ii) When any director, secretary or liquidator refused, disturbed or challenged the inspection by the Minister of Education, Culture, Sports, Science and Technology pursuant to the provision of Article 55-2 (2), or violated the order of supervision by the Minister, pursuant to the said paragraph.