Annex

PLAN FOR REDUCTION IN NUMBER OF FORMER CAREER OFFICERS

Classification	National Gov. Demob. Agencies		Prefectural Assistance Sections		Former Navy Officers Under Jurisdiction of Transport. Ministry(V)
	Former Army Off. (I)	Former Navy Offic. (II)	Former Army Off. (III)	Former Navy Off. (IV)	
Number of Present Person.	437	154	460	128	92
5% of present personnel, monthly reduc.	22	8 - 7	23	7 - 6	5 - 4
Number of Personnel as of end of June '48	415	146	437	121	87
" July '48	393	138	414	115	82
" Aug. "	371	131	391	108	78
" Sept. "	349	123	368	102	73
" Oct. "	327	115	345	95	68
" Nov. "	305	108	322	89	64
" Dec. "	283	100	299	82	59
" Jan. '49	261	92	276	76	54
" Feb. "	239	85	253	69	50
" Mar. "	218	77	230	64	46

Remarks: 1. The number of personnel at the end of each month given above shows the maximum of retention approved. Depending on later circumstances, therefore, reduction may take place faster than is shown in this schedule.

2. Plan for reduction (including names of officers) for each month will be prepared and submitted thirty days before it is carried out.

22 July 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Administration of SCAPIN 550 re Former Career Army and Navy Officers and Former Kempei Tai in the Government Service

Subject matter to be found under same reference file in Statistics and Review Branch.

22 July 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Administration of SCAPIN 550 re Former Career Army and Navy Officers and Former Kempei Tai in the Government Service

Subject matter to be found under same reference file in Statistics and Review Branch.

FOR : Brigadier General Courtney Whitney,
Chief of Government Section, G.H.Q.

FROM: Director General of Cabinet Secretariat

July 19, 1948

July 19, 1948

1. Excepting those who were approved to remain in office until further notice and whose list was submitted to G.H.Q. as of May 8 as well as 23 former regular Navy officers assigned to the vessels attached to the Central Meteorological observatory under the Transportation Ministry and 3 former regular Navy officers on board the Shiga-maru, U.S. Army transport ship, registered at the Moji Railway Bureau, any person falling under 2 - 5, II, Annex 1 to Cabinet and Home Ministry Ordinance No. 1 of 1947 as well as any KEMPEI is not comprised in all the employees of all the main offices of each Ministry(Government Office)(6 Ministries of Foreign Affairs, Commerce-Industry, Welfare, Labor and Construction, and in the case of Economic Stabilization Board and Fair Trade Commission, related divisions and local agencies included) irrespective of appellation and status.

2. Number and classification of the former regualr officers of the Army or Navy retired by virtue of Prime Minister's Instruction No. 254 dated June 14, 1948 issued on the basis of the instruction by the responsible officer of the G.H.Q. are as follows:

Former regular officers of the Army	60 persons
Former regular officers of the Navy	16
KEMPEIS	~~23~~ 25
Total	~~99~~ 101

N.O.

N.O.

T. Tomabechi

TOMABECHI Gizo
Director General of
Cabinet Secretariat.

Among the entire personnel of the Ministry of Foreign Affairs, as of February 1, 1948, and since, there is, under whatever title and with whatever status, none who falls under the criteria 2 to 5, II, Appendix I to the Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1947, or who is a former Military Policeman (Kempei).

K. Teraoka

(Kohei Teraoka),

Chief, Personnel Section,
Foreign Minister's Secretarist.

July 14, 1948.

MINISTRY OF EDUCATION, JAPAN.
(MOMBU-SHO)

To Chief of Inspection Section, Prime Minister's Office

July 15, 1948.

1. There are no persons who fall under the categories described in Appendix No. 1, 2, 2-5 of Cabinet & Ministry for Home Affairs Ordinance No. 1 of 1947, or M.P. in office without distinction of the name or the position since 30 June 1948, among the members of Education Ministry and the institutions under the direct jurisdiction of Education Ministry.

2. The number and the kinds of regular army and navy officials and M.P., who have been dismissed in accordance with SOSHI Note No. 254 dated 14 June 1948.

Former Regular Army Official----------	31
Former Regular Navy Official----------	10
M.P. ----------	8
Total----------	49

SEKIGUCHI, Takakatsu

Sekiguchi Takakatsu

Chief of Secretary Section
Education Minister's Secretariat

July 15, 1948

1) Among the whole personnel of this Headquaters, Ministry of Finance, none is holding and post therein, since July 15, 1948, irrespective of its title or status who is a person coming within the purview of the category described in Section 2-5, Paragraph B of Appendix 1 to the Cabinet and Home Ministry Ordinance No.1 of 1947, and or a former "Kempeisi (Military Police)

2) Number and category of military service of the former regular Military or Naval commissionel officer and "Kempei", Military Police, who were removed from their offices in compliance with the notification " so shi" No. 254 date June 14, 1948, are as follows.

former regular military commissionel officer	:	None
" Naval	:	None
former Kempei (military police)	:	None
Total	:	None

(signature) T. Otsuki

TAKASHI, OTSUKI

Chief of Secretary Section of Minister's Secretariate of Ministry of Finance.

1. Since June. 25, 1948, none coming under the category stated in the items from 2 to 5 of the paragraph No. 2 in the annexed list attached to the Cabinet and Home Ministry Ordinance No. 2, 1948 nor any gendarme has been in office, regardless of the title and status, in the National Office of Labour Ministry.

July. 15, 1948.

M. Nakanishi
Chief of Secretariat
Section, Labour Ministrial
Secretariat.

1. There has been no official in the main office, subdivisions and independent organizations of the Ministry of Commerce and Industry and in any kind of occupation and rank since 9th July, 1948, who falls under the standard prescribed in the item 2-5 of paragraph 2, attached List of the Cabinet and Ministry of Home Affairs Ordinance No.1 of 1947 and who was previously on duty in the Japanese Military Police.

2. Kind and number of the ex-regular officers of the Japanese army and navy and the ex-staffs of the Japanese Military Police who were relieved of their offices in accordance with the Circular Notice So-shi No. 254 dated on June 14, 1948 are as follows.

Ex-Regular Army Officer	23
Ex-Regular Navy Officer	6
Ex-Staff of the Military Police	15
Total	44

17. July, 1948

For the Ministry

S. Inouye

S. INOUE

Chief, Secretariate Section,

Ministers Secretariate.

Commerce & Industry

Agriculture Secretariate No.432

15 July, 1948.

To: INVESTIGATION CHIEF OF PRIME MINISTER'S OFFICE

From: Chief of Secretary Section
Agriculture and Forestry Ministerial Office.

Subject: Concerning measures after the purge of former "kenpei" and professional army and navy officers.

Reference is made to your inquiry, dated 13 July, 1948, (Soshi No. 294).

This is to notify that no official, staff, or employee whatever his official position or title may be, of this Ministry, falls under Cabinet Instruction and Home Ministry Ordinance No. 1 Attached Table 1, Item 2, 2-5 and no former "kempei" is being employed.

Furthermore, it is notified that local branches of the Ministry and each Kodan are now being investigated in connection with the matter.

K. Matsutoya

July 15, 1948

Neither those who come under provisions of Item 2 to 5 of Paragraph 2 of Annexed List No.1 of the Cabinet Order and Ministry of Home Affairs Ordinance No.1 of 1947, nor those who were military police have been in office in the Ministry of Welfare, regardless to titles or ranks, since June 26, 1948, excluding those who have been approved to hold the present offices unitil further instruction, are listed on the personnel-roll tendered in on May 8, 1948.

Yoshisuke Kasai
Vice-Minister of Welfare.

Jin 1-1193

Date : July 15, 1948

From : SHIMOYAMA Sadanori,
Vice Minister of Transportation

To : TOMABECHI Gizo, General-Director
of the Cabinet Secretariat

Subject: Measures taken following the Removal from Public Offices of Ex-Regular Officers of the Army and Navy and Military Police

In answer to your inquiry by SOSHI No.294 under date of July 13th regarding the above subject, I hereby certify that on and after June 14, 1948, there remains, in the personnel of Ministry proper (excluding regional Divisions and Bureuas), of whatever denomination or status, no person coming under the criteria mentioned in 2-5 as well as military police in II of Appendix I to the Cabinet and Ministry for Home Affairs Ordinance No.1 of 1947, except those mentioned in 1-3 of separate sheet whose retention in office has been approved until further notice.

Further, ex-regular officers of the Army or Navy as well as military police who have been removed as the result of notification SOSHI No.254 dated June 14, 1948 are not included in the Ministry proper (excluding regional Divisions or Bureaus).

July 15, 1948 Vice-Minister of Transportation

S. Shimoyama

(Sadanori Shimoyama)

Separate Sheet No. 1

Ex-regular officers of the Army and Navy whose retention in office has been approved by SOSHI No.138 dated April 2 of 1948.

1.	Ex-Captain of Navy	YAMAMOTO Rokuro Temporary Employee of Hydrographical Dep't. (Now Maritime Safety Board.)
2.	Ex-Commander of Navy	INAMI Takao do. (do.)

Separate Sheet No. 2

Ex-Naval Officers of Navy whose retention in office has been approved by SCSHI No.274 dated June 25, 1948.

1.	Ex-Lieutenant commander of Navy	IWATA Haruhiko Captain of Shiga Maru, a transport of U.S. Army
2.	Ex-Lieutenant of Navy	ADACHI Yoshitsugu Second Officer of the Shiga Maru
3.	Ex-Second Sub-lieutenant	TAKAMIYA Yoshikuni do.

Separate Sheet No. 3

Ex-regular officers of Navy whose retention in office has been approved orally by G.H.Q.

Captain of CMO Weathership IKUNA, engaging in fixed weather observation Employee (Ex-captain of Navy)	TERASHIMA Masayoshi
Navigator of CMO Weathership IKUNA, engaging in fixed weather observation Employee (Ex-lieutenant of Navy)	FUJIKAWA Kenji
Chief Engineer of CMO Weathership IKUNA, engaging in fixed weather observation Employee (Ex-lieutenant of Navy)	YAMANE Motoi
Engineer of CMO Weathership IKUNA, engaging in fixed weather observation Employee (Ex-Second Sub-lieutenant)	SHIRAHAMA Tamotsu
Navigator of CMO Weathership IKUNA, engaging in fixed weather observation Employee (Ex-Second Sub-lieutenant)	ONO Giichi
Captain of CMO weathership CHIKUBU, engaging in fixed weather observation Employee (Ex-commander of Navy)	YAMANA Hiroo
Chief engineer of CMO Weathership CHIKUBU, engaging in fixed weather observation Employee (Ex-Lieutenant Commander)	TSUCHIYA Taro
Navigator of CMO Weathership CHIKUBU, engaging in fixed weather observation Employee (Ex-Lieutenant of Navy)	UTSUNOMIYA Michiharu
Navigator of CMO Weathership CHIKUBU, engaging in fixed weather observation Employee (Ex-Lieutenant of Navy)	SHIRAKAWA Kiyoshi
Engineer of CMO Weathership CHIKUBU, engaging in fixed weather observation Employee (Ex-Lieutenant of Navy)	SAITO Toshimitsu

DRAFT

22 July 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Administration of SCAPIN 550 re Former Career Army and Navy Officers and Former Kempei Tai in the Government Service

A. DEMOBILIZATION AND REPATRIATION

1. The employment of career military and naval personnel in the demobilization and repatriation machinery of the Japanese Government has since the issuance of SCAPIN 550 been under the operational supervision of G-2, COMNAVFE, and Government Section as the principal responsible SCAP agencies.

2. In July 1947, in order to provide closer check on the demobilization and repatriation structure the Japanese Government was instructed to submit individual applications for retention of all former career military and naval personnel for whom retention was deemed essential.

3. SCAPIN 1791, dated 4 October 1947, directed the Japanese Government "to undertake a complete and comprehensive study and survey of the organization, personnel, functions, and operating procedures of all boards, bureaus, and agencies of the Japanese Government now engaged in or charged with responsibility for demobilization, repatriation, investigation, or research of matters pertaining to the war or personnel serving in the Japanese armed forces or in any manner connected with former Japanese military organizations and to submit not later than 1 January 1948 to the Supreme Commander for the Allied Powers for approval, a detailed plan for the effective ultimate elimination of separate demobilization agencies and the efficient and gradual absorption of all necessary remaining functions and operations connected with demobilization and demilitarization into the permanent administrative structure of the

Japanese Government. Implementation of such plan shall in no event be undertaken until the Supreme Commander for the Allied Powers has given final written approval but such plan will be so devised as to initiate such elimination and absorption within four months after the date of submission. Such plan will insure the continued efficient execution of existing directives and instructions of the Supreme Commander for the Allied Powers relating to demobilization and demilitarization. Such plan will provide for the control of the policies of agencies thereafter engaged in demilitarization and demobilization by persons not subject to the provisions of SCAPIN 550 and will insure the speedy elimination of remaining ex-military officers subject to SCAPIN 550, approval for whose retention has not been specifically granted in each individual case by the Supreme Commander for the Allied Powers."

4a. After several authorized postponements the Japanese Government submitted a reorganization and reduction plan on 4 May 1948. This plan was approved by SCAP on 14 May 1948 and Memorandum for Japanese Government (SCAPIN-A) directed the Japanese Government "to take all steps necessary to put the plan into effect by 31 May 48".

b. According to Memo for the Record, subject: Demobilization, dated 21 May 48 Mr. Hussey of Government Section informed the CLCO that this plan had been approved and of the effective date.

c. SCAPIN-A and complete reorganization and reduction plan of the Japanese Government are to be found under Tab A of the Memo for the Record cited in b above.

5a. Attached as Tab A hereto is a composite chart of the numbers of former career army and navy officers in the demobilization and repatriation organizations as of 31 May 48, the numbers of persons to be dismissed

monthly, and the personnel levels from June 48 thru Mar 49.

b. Also included in this file are name lists of the former career army and navy officers in the demobilization and repatriation agencies on 1 June 48 (Tab B).

c. Monthly lists of persons dismissed from such agencies will be filed under Tab C as received and deletions will be noted on original lists (Tab B) as effected.

6. It has been agreed that as part of the over-all reorganization and reduction plan that at the end of March 1949, at which time the numbers of career army and navy officers in these agencies will have been reduced to fifty percent of the June 1, 1948 totals, further consideration of the demobilization and repatriation machinery of the Japanese Government will be undertaken.

B. OTHER GOVERNMENT SERVICE

1a. Radio W 97791 from JCOS dated 18 Mar 48, item 13 clarifies policy with regard to employment of former career military and naval officers and gendarmerie in government service as follows:

> "For the purpose of prevention of the revival of Japanese militarism, persons who have at one time fallen within any of the following categories should not be nominated or employed in the government service, public office, or educational institutions except as they may be necessary in performing duties essential to the demobilization of repatriated military and Naval personnel.
>
> "a. Generals, admirals, and all other senior officers and all career officers of the Army, Navy, and gendarmerie;
>
> "b. Other officers of the Army, Navy and gendarmerie, including members of the reserve, if their employment would

harm the cause of peace and security;

"c. Officials of ex-officers; and other military associations and of bodies closely associated with the Armed Forces.

"The Supreme Commander for the Allied Powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism."

b. The Japanese Government was informally notified that this policy was to be immediately applied to all agencies of the Government both on the national and local levels, and to include official and non-official positions. They were further instructed that these removals were to be accomplished by 30 April 1948, and that certifications would be required from all responsible organizations in the Japanese governmental structure that these instructions had been carried out.

2a. Over the signature of TOMABECHI, Gizo, Chief Cabinet Secretary, a certificate was received from the Japanese Government on 19 July 48 to the effect that no former career army or navy officers or former Kempei Tai are in the employe of the Japanese Government on the national level, in either official or unofficial capacity, except those engaged in demobilization or repatriation or in positions connected with operations of the Allied Forces and whose retentions have been recommended by SCAP sections concerned.

b. Certificates from the responsible officials of central government ministries and agencies were submitted on the same day in support of covering certificate mentioned in a. above.

c. Certificates from the prefectural governors covering the local level status of the same subject are expected to be submitted to Government Section by the end of May.

d. Above certificates are found under Tab D.

3. Certain individuals or groups of individuals, of specialist categories (i.e., meteorologists, etc. employed by the 43rd Weather Wing) have been recommended for retention on the operational level, and a memorandum covering such exceptional retention requests is being prepared for consideration by the Chief of Staff.

~~Recommended~~

Col Kades
9/7

July 9 , 1948

FOR : Major Napier, Government Section, G.H.Q.

SUBJECT: Concerning the cases of violation of the Imperial Ordinance No. 1 of 1947 which are now under examination in the Tokyo District Public Prosecutor's Office, The Tokyo Higher Public Prosecutors and the Highest Public Prosecutor's Office.

With reference to the subject, we have hereby the pleasure of submitting to you the following report.

Masumi Takahashi

~~Director of~~ Special Examining Bureau,
Attorney-General's Office.

Please return to
Maj. Napier

I. Cases under examination in the Tokyo District Public Prosecutor's Office.

OFFENDER	OUTLINE OF OFFENCE	ESSENTIAL POINT OF DISPOSITION
Tetsuji TATE (Tokyo Metropolis)	In his career stated in his Questionnaire submitted when he stood as a candidate for the Governor in April, 1947, he omitted to state the important matter as he had been Deputy President of Dai Nippon Kei-bo Kyo Kwai and also to state his movements and facts of his writings and lectures.	The case is now under examination in the Tokyo District Public Prosecutor's Office.
Yoshinari KAWAI (Tokyo Metropolis)	In respect to the foregoing Questionnaire of Tetsuji TATE, he certified as the superior official.	Ditto
Hitoshi ASHIDA (Tokyo Metropolis)	In the statements of his Questionnaire submitted when he stood as a candidate for a Representative, he omitted to state his actions for the period when he had been the president of Japan Times Office.	Ditto
Tetsu KATAYAMA (Tokyo Metropolis)	In the statement of his Questionnaire submitted when he stood as a candidate for a Representative, he omitted the fact that he had once written for the Chuō Kōron.	Ditto

Investigation unnecessary. This is just quite work.
EMK

OFFENDER	OUTLINE OF OFFENCE	ESSENTIAL POINT OF DISPOSITION
Senshichiro OZAWA (Fukushima Prefecture)	In his Questionnaire submitted when he stood as a candidate for a Representative in April, 1947, he did not state the fact that he was condemned to five years' imprisonment with hard labour for a criminal offence in 1939.	The case is now under examination in the Tokyo District Public Prosecutor's Office.
Sanehiko YAMAMOTO (Tokyo Metropolis)	Though he retired from the post of the president of Kaizo Sha as a man applicable to the Memorandum he has since made his own son; Toshita, the responsible man for the management of the office, and he has frequented the office participating in the compilation of the publications and also in the personnel affairs and accounts of the office.	Informed to the Public Prosecutor-General from the Director of Special Examining Bureau on May 18, 1948 and the case is now under examination in the Tokyo District Public Prosecutor's Office.
Toshisada SUZUKI (Tokyo Metropolis)	He retired from the post of the president of Nippon Hyoron Sha as a man applicable to the Memorandum. But he has since connected with the executive members of the staff of the office and interfered directly or indirectly to the business management and sale.	Informed to the Public Prosecutor-General from the Director of Special Examining Bureau on May 18, 1948 and the case is now under examination in the Tokyo District Public Prosecutor's Office. (He was later released from the designation.)

OFFENDER	OUTLINE OF OFFENCE	ESSENTIAL POINT OF DISPOSITION
Shin-ichi OHASHI (Tokyo Metropolis)	He retired from the post of the president of Hakubun Kwan as a man applicable to the Memorandum. But he has later organized the office and established some small companies to publish all the magazines formerly issued by the office. And he has made his wife, daughters, and mistress manage these companies respectively, and also established Tokyo Kogyo Kwaisha, the agency for the sale of all the magazines, in the premises of his house. Here he has been participating not only in the sale of magazines but also in the compilation of them.	Informed to the Public Prosecutor-General from the Director of Special Examining Bureau on May 26, 1948 and the case is now under examination in the District Public Prosecutor's Office.
Tomejiro OKUBO (Tokyo Metropolis)	He has been prohibited to make any political activities as a man applicable to the Memorandum. Nevertheless, he has continued to engage in such secret manoeuvres. as using his influence and persueding.	Informed to the Public Prosecutor-General from the Director of Special Examining Bureau on June 18, 1948, and the case is now under examination in the Tokyo District Public Prosecutor's Office.

OFFENDER	OUTLINE OF OFFENSE	ESSENTIAL POINT OF DISPOSITION
Sawaji TANAKA (Tokyo Metropolis)	After having been designated as a man applicable to the Memorandum, he wrote some essays and contributed them to the quasi-organ paper "Yosei Jihyo" of Rikken Yosei Kwai in which he had once taken up the post of the president. Furthermore, he was compiling and publishing in his name the magazine "Sogo Seikwatsu".	Informed to the Public Prosecutor-General from the Director of Special Examining Bureau on June 23, 1948, and the case is now under examination in the Tokyo District Public Prosecutor's Office

2. Cases under examination in the Tokyo Higher Public Prosecutor's Office.

Kenji TAKEDA (Nagano Prefecture)	In his Questionnaire submitted in February, 1947, he stated necessary matters concealing the fact that he had once been in the post of Chief of the Manhood Band of Imperial Society of Shinano-mura, Nagano Prefecture.	On July 4, 1948, he was sentenced to six months' imprisonment with hard labour. But he appealed to the higher court, and the case is now under examination in the Tokyo Higher Court.

3. Furthermore, there are no cases under examination in the Supreme Court.

Report on the Decisions Delivered to
TANAKA Takuji and ISHIKAWA Kanichi,
Suspects of Violation of the Ordinance
No. 1 of 1947.

The decisions to the above-mentioned suspects has been made as follows:

1. TANAKA,Takuji.

(1) Date of decision, September 7,1948.

(2) Court delivered decision. The Tokyo District Court.

(3) Sentence, Penalty servitude for 8 months.
(Penalty demanded by public-procurator: penalty servitude for 1 year and 6 months.)

(4) Appeal, To the abve-mentioned decision, the suspect appealed on September , and public-procurator appealed on September 11.

2. ISHIKAWA,Kanichi.

(1) Date of decision, September 6,1948.

(2) Court delivered decision, ~~Saijo Branch office of~~ the Matsu-yama District Court.

(3) Sentence, Confinement for 2 months.
(Penalty demanded by public-procurator: Penal servitude for 4 months.)

(4) Appeal, To the above-mentioned decision, both the suspect and public-procurator forfeited the rights of appeal,and then ,September 13, the Public-procurator directed execution of the sentence.

(5) Remarks: The Mastuyama Military Government expressed no objection to the above-mentioned decision.

Attorney-General's Office Ordinance

No.42

July 1, 1948.

In accordance with the provisions of Article 15-(3) of Imperial Ordinance No.1 of the twenty-second year of Showa (1947), the following provisions shall hereby be specified for notification, etc. of persons who fall under the Memorandum in accordance with the provisions of Imperial Ordinance No.1 of the twenty-second year of Showa (1947):

Attorney-General

SUZUKI Yoshio

Concerning Notification, etc. of persons who fall under the Memorandum in accordance with the provisions of the Imperial Ordinance No.1 of 1947

Article 1. Any person who has been designated as falling under the Memorandum in accordance with the provisions of Imperial Ordinance No.1 of 1947 (including the provisions of Imperial Ordinance No.109 of 1946 as amended thereby). (including any person who is, in accordance with the provisions of Article 5-(4)

68

of Imperial Ordinance No.101 of 1946, regarded as designated as a person falling under the Memorandum in accordance of Imperial Ordinance No.1 of 1947, hereinafter called the person who falls under the Memorandum) shall submit by August 31, 1948, three written notifications according to the Form No.1 mentioned in the annex to the mayor of a city (including the head of a special ward, hereinafter the same) or the headman of a town or village, where he has his residence.

Article 2. Any person who is designated as falling under the Memorandum after the enforcement of the present Ordinance shall submit written notifications in accordance with the provisions of the preceding Article within 30 days from the day of the designation.

Article 3. When any change has occured to any item of the notification specified in the provision of the two preceding Articles, the person who falls under the Memorandum shall submit three written notifications of change according to the Form No.2 mentioned in the annex, within ten days, to the mayor of a city or the headman of a town or village where he has his residence.

When a change has occured to the item of residence in the notification, the person who falls under the Memorandum shall submit written notifications of change as mentioned in the preceding paragraph to the mayor of the city or the headman of the town or village where he has newly taken his residence.

Article 4. The mayor of a city or the headman of a town or village who has received written notifications in accordance with the provisions of the three preceding Articles, shall immediately forward one of them to the prefectural governor and the other two copies to the Attorney-General through the prefectural governor.

Supplementary Provision:

The present Ordinance shall come into force as from the day of its promulgation.

(F O R M I)

* No.	* Item under which the person falls:

NOTIFICATION MADE UNDER ATTORNEY-GENERAL'S ORDER ORDINANCE NO. 42 OF 1950

Date:

TO: Attorney-General

Name:	Date of Birth:
Permanent Address:	Occupation:
Present Address: (Tel. No.)	(The occupation was entered into on:)
Position for which you were screened:	Name of the Committee which has made the Designation:
Kind of Designation made: Final Action; Termination of the provisional desingation; or rejection of protest with counter-evidence	Date of Designation:
Reason for falling under the Memorandum:	Public Office resigned from:
Date of Resignation:	Name of the Office where you served until the Resignation:

I hereby certify that the above statement is correct.

(Seal)

Signed _____

Directions:

1. In the section of "present address", the location of office, if any, should also be entered.

2. In the section of "occupation", all occupations and positions (including positions in various organizations) which are now being held should be so concretely stated as would be sufficient enought to illustrate their substantial nature.

3. In the section of "Kind of designation made", such parts should be crossed out as are unnecessary in showing the classification which was applied to you at the time of designation or when you were finally determined to fall under the Memorandum.

4. In the section of "date of designation", the date on which you were designated as falling under the Memorandum should be entered; in the case of a person who underwent a provisional designation, the date on which his protest with counter-evidences was rejected or on which the term allowed for protest expired is to be written.

5. In the section of "public office resigned from", there should be stated the position or positions in public service from which you have been removed as falling under the Memorandum, including the position in connection with which you were designated as falling under the Memorandum, after your retirement therefrom and the public office from which you were

barred specifically, and in any of the latter two cases, a description thereon must additionally be made.

6. In the section of "Name of the office where you served.....", the name and location of the governmental or other public office, the company or other organization where you had held the position you resigned owing to the designation, should be entered.

7. The parts marked * need not be filled in by the person making the notification.

(FORM II)

Date:

TO: Attorney-General

* Serial Number	

Items Changed	Present	Former	Date of Changes	Remarks
Name				
Permanent Domicile				
Present Address				
Occupation				

Ground for purge		Date of decision of purge	
Public office wherefrom excluded and Date of retirement		Office when retired	

I hereby notify as above.

(Seal)

Signed: _____

Note: (1) The column marked * need not be filled in by the person making the notification.

(2) Each column shall be filled in even when there is no change, and if there is no matter to be entered in a column, the statement to that effect.

Supplementary Provisions:

This Ordinance shall come into force as from June 1, 1949.

※

一連番号	氏名（ふりがな）	本籍地	現住所	審査を受けた職	指定別	該当事由	退職年月日
			（電話　）		本指定・仮指定 異議申立棄却 異議申立期間満了		

昭和二十三年法務廳令第四十二号による届出書

※

生年月日	職業	審査を受けた委員会別	該当決定年月日	退職公職	退職当時の勤務先
明治 大正 昭和　年　月　日生	（　年　月　日就職）		昭和　年　月　日		

※項該当

右届出します。

昭和　年　月　日

氏名

法務総裁　殖田俊吉殿

※

A
B

【裏面注意】

法務総裁　殖田俊吉殿

右届出します。

昭和　年　月　日

氏名

指定別	該当事由	退職年月日
本指定・仮指定異議申立棄却 異議申立期間満了		

該当決定年月日	退職公職	退職当時の勤務先
昭和　年　月　日		

記載上の注意

(一) 現住所欄には、事務所等のあるときは、その位置も併記すること。

(二) 職業欄には、現に就いている一切の職業並びに地位（各種團体等における地位を含む。）について、その職務内容が明かとなる程度に、具体的にこれを記載すること。

(三) 指定別欄は、指定を受け又は該当と決定された際の指定の区別により、関係のない部分は抹消すること。

(四) 該当決定年月日欄には、覚書該当者としての指定を受けた年月日を記載するものとし、仮指定を受けた者にあつては、異議申立棄却又は異議申立期間満了の年月日を記載すること。

(五) 退職公職欄には、覚書該当者として退職した公職を記載するものとし、公職に在つた者が退職後、又は公職に就こうとした者が、就職前、当該公職について覚書該当者としての指定を受けたときは、それぞれの公職を記載し、且つその旨附記すること。

(六) 退職当時の勤務先欄には、退職公職の属する官公署若しくは会社その他の團体名及びその所在地を記載すること。

(七) ※欄は届出者において記載するに及ばない。

この届出書は三通を覚書該当者としての指定があつた日から三十日以内に、住所地の市区町村役場に提出して下さい。

この届出書を提出せず、又は虚偽若しくは事実をかくした届出をしたときは、三年以下の懲役若

を失う。

第六條（第一項）覚書該当者は、公選による公職については、その候補者となることができない。

第十條　覚書該当者の三親等内の親族及び配偶者は、覚書該当者の指定があつた日から十年間は、覚書該当者が覚書該当者として退職した公職（公職に在つた者が退職後、又、主要公職に就こうとした者が就職前、当該公職について覚書該当者としての指定を受けたときは、それ〳〵その職）に就くことができない。又、その覚書該当者の支配力を行つてはならない。

前項の規定は、公選による公職については、これを適用しない。

第十一條（第一項）公職に在る者は、その職務の執行又は政治上の活動に関し覚書該当者の指示若しくは勧奨を受けその他覚書該当者と意見を通じ、又は覚書該当者から利益を受け、覚書該当者に代つてその支配の継続を実現するような行爲をしてはならない。

第十二條　覚書該当者は、公職に在る者に対し、その職務の執行又は政治上の活動に関し指示若しくは勧奨をしその他公職に在る者と意思を通じ、又はこれに利益を供與し、公職に在る者をして覚書該当者に代つてその支配の継続を実現するような行爲をさせてはならない。

第十三條　覚書該当者は第二條の規定に基き、公職に指定された職で昭和十二年七月七日以後において最後に占めたるものを退き若くは失つた当時の勤務先たる官公署若しくは会社その他の團体の執務の場所若しくはその覚書該当者としての指定を受ける理由となつた地位の属した官公署若しくは会社その他の團体の執務の場所又はこれらと同一の建物内に在る場所で当該官公署若しくは團体の管理に属する場所に出入し、又は自己の住居若しくは事務所を設けてはならない。但し、日常の生活のため必要がある場合その他正当の事由がある場合において出入するのは、この限りでない。

第十四條　覚書該当者で公職以外の新聞社、雑誌社その他の出版社、放送機関、映畫製作会社、演劇興業会社その他すべての報道機関の役職員の職に在るものは遅滞なくその職を退かなければならない。

覚書該当者は、あらたに前項に掲げる職に就いてはならない。

第十四條の二　内閣総理大臣の定める覚書該当者で内閣総理大臣の定める特定の会社又は金融機関の承継團体たる会社又は金融機関の公職以外の役職員の職にあるものは、遅滞なくその職を退かなければならない。

前項の覚書該当者はあらたに同項に掲げる職に就いてはならない。

第十五條（第一項）覚書該当者は、公選による公職の候補者の推薦届出（候補者の届出又は推薦届出に関する通牒を含む。）又は選挙運動その他の政治上の活動をしてはならない。

（第五項）覚書該当者は選挙権の行使に必要な場合を除く外、すべての選挙管理委員会の事務所に出入してはならない。

(四) 該当決定年月日欄には、覚書該当者としての指定を受けた年月日を記載するものとし、仮指定を受けた者にあつては、異議申立棄却又は異議申立期間満了の年月日を記載すること。

(五) 退職公職欄には、覚書該当者として退職した公職を記載するものとし、公職に在つた者が退職後、又は公職に就こうとした者が、就職前、当該公職について覚書該当者としての指定を受けたときは、それぞれの公職を記載し、且つその旨附記すること。

(六) 退職当時の勤務先欄には、退職公職の属する官公署若しくは会社その他の団体名及びその所在地を記載すること。

(七) ※欄は届出者において記載するに及ばない。

この届出書は三通を覚書該当者としての指定があつた日から三十日以内に、住所地の市区町村役場に提出して下さい。

この届出書を提出せず、又は虚偽若しくは事実をかくした届出をしたときは、三年以下の懲役若しくは禁錮又は一万五千円以下の罰金に処せられます。

昭和二十二年勅令第一號抜萃

第三條（第三項）覚書該当者は、主要公職たると普通公職たるとを問わず、あらたにすべての公職に就くことができない。

第五條（第一項）公私の恩給、年金その他の手当又は利益を現に受ける者又は受ける資格のある者が覚書該当者として退職し、又は、その職を失つたときは、その者はその覚書該当者としての指定を受けた時からその権利又は資格を失う。

第十三條　覚書該当者は第二條の規定に基き、公職に指定された職で昭和十二年七月七日以後において最後に占めたるものを退き若くは失つた当時の勤務先たる官公署若しくは会社その他の団体の執務の場所若しくはその覚書該当者としての指定を受ける理由となつた地位の属した官公署若しくは会社その他の団体の執務の場所又はこれらと同一の建物内に在る場所で当該官公署若しくは団体の管理に属する場所に出入し、又は自己の住居若しくは事務所を設けてはならない。但し、日常の生活のため必要がある場合その他正当の事由がある場合において出入するのは、この限りでない。

第十四條　覚書該当者で公職以外の新聞社、雑誌社その他の出版社、放送機関、映畫製作会社、演劇興業会社その他すべての報導機関の役職員の職に在るものは遅滞なくその職を退かなければならない。

覚書該当者は、あらたに前項に掲げる職に就いてはならない。

第十四條の二　内閣総理大臣の定める覚書該当者で内閣総理大臣の定める特定の会社又は金融機関の承継団体たる会社又は金融機関の公職以外の役職員の職にあるものは、遅滞なくその職を退かなければならない。

前項の覚書該当者はあらたに同項に掲げる職に就いてはならない。

第十五條（第一項）覚書該当者は、公選による公職の候補者の推薦届出（候補者の届出又は推薦届出に関する連署を含む。）又は選挙運動その他の政治上の活動をしてはならない。

（第五項）覚書該当者は選挙権の行使に必要な場合を除く外、すべての選挙管理委員会の事務所に出入してはならない。

第十五條の二（第一項）法務総裁は覚書該当者がこの勅令の條項を遵守しているかどうかを確かめるため、その動静を観察するものとする。

第十五條の三　覚書該当者は、命令の定めるところにより、氏名、生年月日、本籍地その他の事項を住所地の市町村長（特別区の区長を含む。）を経て法務総裁に届け出なければならない。

第十六條（第一項抜萃）左の各号の一に該当する者は、これを三年以下の懲役若しくは禁錮又は一万五千円以下の罰金に処する。

六　第十一條第一項又は第十二條乃至第十四條の二の規定に違反した者。

七　第十五條第一項、第四項又は第五項の規定に違反した者。

八　第十五條の三の規定による届出をなさず、又は虚偽の届出若しくは事実をかくした届出をした者

昭和二十三年法務廳令第十二號による變更届出書

※

一連番号	変更事項	ふりがな 氏名	現住所	職業
変更年月日	昭和 年 月 日	昭和 年 月 日	昭和 年 月 日	昭和 年 月 日
備考				

右届出いたします

昭和　年　月　日

法務総裁　殿

氏名

印

◎記載上の注意

(一)(二)(三)

変更の生じた事項についてのみ記載すること。

備考欄には、それぞれ前氏名前住所又は前職業を記載すること。

※欄は、届出者において記載するに及ばない。

Banned
Unknown ordinance
Received Kikaku
15 July 48

ORDINANCE FILED

Attorney-General's Office Ordinance No. 42

July 1 , 1948.

In accordance with the provisions of Article 16-3 of Imperial Ordinance No. 1 of the twenty-second year of Showa (1947), the following provisions shall hereby be specified for notification, etc. of persons who fall under the Memorandum in accordance with the provisions of Imperial Ordinance No. 1 of the twenty-second year of Showa (1947).

Attorney-General

SUZUKI Yoshio

Concerning Notification, etc. of persons who fall under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947.

Article 1. Any person who has been designated as falling under the Memorandum in accordance with the provisions of Imperial Ordinance No. 1 of 1947 (including the provisions of Imperial Ordinance No. 109 of 1946 as amended thereby), (including any person who is, in accordance with the provisions of Article 5-4 of Imperial Ordinance No. 1 of 1946, regarded as designated as a person falling under the Memorandum in accordance of Imperial Ordinance No. 1 of 1947, hereafter called the person who falls under the Memorandum) shall submit by August 31, 1948, three written notifications according to the form No. 1 mentioned in the annex to the mayor of a city (including the head of a special ward, hereinafter the same) or the headman of a town or village, there he has his residence.

Article 2. Any person who is designated as falling under the Memorandum after the enforcement of the present Ordinance shall submit written notifications in accordance with the previsions of the preceding Article within 30 days from the day of the designation.

Article 3. When any change has occured to any item of the notification specified in the provisions of the two preceding Article, the person who falls under the Memorandum shall submit three written notifications of change according to the Form No. 2 mentioned in the annex, within ten days, to the mayor of a city or the headman of a town or village where he has his residence.

When a change has occured to the item of residence in the notification, the person who falls under the Memorandum shall submit written notifications of change as mentioned in the preceding paragraph to the mayor of the city or the headman of the town or village where he has newly taken his residence.

Article 4. The mayor of a city or the headman of a town or village who has received written notifications in accordance with the provisions of the three preceding Articles, shall immediately forward one of them to the prefectural governor and the other two to the Attorney-General through the prefectural governor.

Supplementary Provisions

The present Ordinance shall come into force as from the day of its promulgation.

Directions:

1. In the section of "present address", the location of office, if any, should also be entered.
2. In the section of "occupation", all occupations and positions (including positions in various organizations) which are now being held should be so concretely stated as would be sufficient enough to illustrate their substantial natures.
3. In the section of "Kind of designation made", such parts should be crossed out as are unnecessary in showing the classification which was applied to you at the time of designation or when you were finally determined to fall under the Memorandum.
4. In the section of "date of designation", the date on which you were designated as falling under the Memorandum should be entered; in the case of a person who underwent a provisional designation, the date on which his protest with counter-evidences was rejected or on which the term allowed for protest expired is to be written.
5. In the section of "public office resigned from", there should be stated the position or positions in public service from which you have been removed as falling under the Memorandum, including the position in connection with which you were designated as falling under the Memorandum, after your retirement therefrom and the public office from which you were barred specifically, and in any of the latter two cases, a description thereon must additionally be made.
6. In the section of "Name of the office where you served...", the name and location of the governmental or other public office, the company or other organization where you had held the position you resigned owing to the designation, should be entered.
7. The parts marked * need not be filled in by the person making the notification.

(FORM I)

* No.	* Item under Which the Person Falls:

NOTIFICATION MADE UNDER ATTORNEY-GENERAL'S

OFFICE ORDINANCE NO. OF 1948

TO: Attorney-General

Date:

Name:	Date of Birth:
Permanent Address:	Occupation:
Present Address: (Tel. No.)	(The occupation was entered into on:)
Position for Which you Were Screened:	Name of the Committee Which has Made the Designation:
Kind of Designation Made: Final Action; Termination of the period of provisional designation; or rejection of protest with counter-evidence	Date of Designation:
Reason for Falling under the Memorandum:	Public Office Resigned from:
Date of Resignation:	Name of the Office Where you Served until the Resignation:

I hereby certify that the above statement is correct.

Signed

_____

(FORM II)

* No.

NOTIFICATION OF CHANGE, MADE UNDER ATTORNEY-GENERAL'S OFFICE ORDINANCE NO. OF 1948.

Date:

TO: Attorney-General

Present Status	Date of Change	Remarks
Name		
Present Address		
Occupation		

I hereby certify that the above statement is correct.

Signed

_____

Directions:

1. Fill in only such sections where entries as to change are actually needed.
2. In the section of "remarks", your former name, address or occupation should be entered.
3. The part marked * need not be filled in by the person making the notification.

SMB
Folder

DRAFT

TO : Each Prefectural Governor.

FROM : Director of Special Examining Bureau,
Attorney-General's Office.
Director of Labour Administration Bureau,
Labour Ministry.

SUBJECT : Regarding Removal and Exclusion from office of Trade Unions.

Concerning the subject matter, despite the prohibition clauses of Article 1 and Article 1-II of the Welfare, Transportation and Home Affairs Ministries Ordinance No. 1 of 1946, it seems that some of those falling under the above-mentioned provisions still remain in office as officers of trade unions and so you are cordially requested to take a strict measure for the immediate removal of such offenders from office, to whom the penal regulation of (Article 5) of this Ordinance might be applied.

In this connection, it must be understood that the scope of officer shall include all staff personnel except common union members.

Received GRAD
17 June 48

Prime Minister's Office ~~Notification~~ Ordinance No. 32

June 23, 1948

Part of the Ordinance concerning the Enforcement of Imperial Ordinance No. 1 of 1947 (Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1947) shall be amended as follows:

Prime Minister
ASHIDA, Hitoshi

Next to Article 2 shall be added the following one Paragraph:

Of the notifications of the public service to be made in accordance with the provisions of the Proviso to the preceding paragraph, those to the organizations and their branches mentioned in Categories 8 and 10 of Appendix II shall, under the direction of the Prime Minister, be made by the Governor of To, Do, Fu, or Ken.

In Article 10, next to "new financial institution" shall be added "or financial institution to which the business or insurance policy has been transferred in accordance with the provisions of Article 26 paragraph 2 of the same Law."

Law."

OK'd
by Major Napier
18 June 48

67

In Category 8 of Appendix II, "Bengoshi Kai (Lawyers' Society, including those of national and prefectural level, the term "prefecture" including here and hereafter To, Do, Fu and Ken)" shall read "Bengoshi Kai (Lawyers' Society).

In Category 10 of the same Appendix II "next to "Minshu To (Democrats Party)" shall be added "Minshu Jiyu To (Democratic Liberals Party)" and next to Seikai Heiwa To .....Tokyo To (World Pacific Party .....Tokyo To) shall be added "Shakai Kakushin To (Social Reformist Party)"

Supplementary Provisions:

The present ~~Cabinet~~ Ordinance shall come into force as from the day of its promulgation.

The Ordinance concerning the Cities where Municipal Public Office Qualifications Examination Committee is established (Cabinet Ordinance No. 1 of 1947) and the Ordinance releting to the Enforcement of the Imperial Ordinance concerning the Appeal for Cancellation of the Designation of a person as Falling under the Momorandum (Cabinet Ordinance No. 16 of 1947) shall be deleted.

Received OKADA
14 June 48

Prime Minister's Office Notification No.

June , 1948

Part of the Ordinance concerning the Enforcement of Imperial Ordinance No. 1 of 1947 (Cabinet and Ministry of Home Affairs Ordinance No. 1 of 1947) shall be amended as follows:

Prime Minister
ASHIDA, Hitoshi

Next to Article 2 shall be added the following one Paragraph:

Of the notifications of the public service to be made in accordance with the provisions of the Proviso to the preceding paragraph, those to the organizations and their branches mentioned in Categories 8 and 10 of Appendix II shall, under the direction of the Prime Minister, be made by the Governor of To, Do, Fu, or Ken.

In Article 10, next to "new financial institution" shall be added "or financial institution to which the business or insurance policy has been transferred in accordance with the provisions of Article 26 paragraph 2 of the same Law."

To be added to Ordinance

NOT USED - see final Prime Ministers' Office Ordinance No 32 23 June 48

In Category 8 of Appendix II, "Bengoshi Kai (Lawyers' Society, including those of national and prefectural level, the term "prefecture" including here and hereafter To, Do, Fu and Ken)" shall read "Bengoshi Kai (Lawyers' Society).

In Category 10 of the same Appendix II "Nippon Jiyu To (Japan Liberals Party)" shall read "Minshu Jiyu To (Democratic Liberals Party)."

Supplementary Provisions:

The present Cabinet Ordinance shall come into force as from the day of its promulgation.

The Ordinance concerning the Cities where Municipal Public Office Qualifications Examination Committee is established (Cabinet Ordinance No. 1 of 1947) and the Ordinance relating to the Enforcement of the Imperial Ordinance concerning the Appeal for Cancellation of the Designation of a Person as Falling under the Memorandum (Cabinet Ordinance No. 16 of 1947) shall be deleted.

THE CONSTITUTION OF JAPAN

CABINET SECRETARIAT

I rejoice that the foundation for the construction of a new Japan has been laid according to the will of the Japanese people, and hereby sanction and promulgate the amendments of the Imperial Japanese Constitution effected following the consultation with the Privy Council and the decision of the Imperial Diet made in accordance with Article 73 of the said Constitution.

Signed: HIROHITO, Seal of the Emperor

This third day of the eleventh month of the twenty-first year of Showa (November 3, 1946)

Countersigned :

Prime Minister and concurrently Minister for Foreign Affairs	YOSHIDA Shigeru
Minister of State	Baron SHIDEHARA Kijuro
Minister of Justice	KIMURA Tokutaro
Minister for Home Affairs	OMURA Seiichi
Minister of Education	TANAKA Kotaro
Minister of Agriculture and Forestry	WADA Hiroo
Minister of State	SAITO Takao
Minister of Communications	HITOTSUMATSU Sadayoshi
Minister of Commerce and Industry	HOSHIJIMA Niro
Minister of Welfare	KAWAI Yoshinari
Minister of State	UEHARA Etsujiro
Minister of Transportation	HIRATSUKA Tsunejiro
Minister of Finance	ISHIBASHI Tanzan
Minister of State	KANAMORI Tokujiro
Minister of State	ZEN Keinosuke

The Constitution of Japan

We, the Japanese people, acting through our duly elected representatives in the National Diet, determined that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited with the horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. This is a universal principle of mankind upon which this Constitution is founded. We reject and revoke all constitutions, laws, ordinances, and rescripts in conflict herewith.

We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.

We believe that no nation is responsible to itself alone, but that laws of political morality are universal; and that obedience to such laws is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations.

We, the Japanese people, pledge our national honor to accomplish these high ideals and purposes with all our resources.

CHAPTER I. THE EMPEROR

Article 1. The Emperor shall be the symbol of the State and of the unity of the people, deriving his position from the will of the people with whom resides sovereign power.

Article 2. The Imperial Throne shall be dynastic and succeeded to in accordance with the Imperial House Law passed by the Diet.

Article 3. The advice and approval of the Cabinet shall be required for all acts of the Emperor in matters of state, and the Cabinet shall be responsible therefor.

Article 4. The Emperor shall perform only such acts in matters of state as are provided for in this Constitution and he shall not have powers related to government.

The Emperor may delegate the performance of his acts in matters of state as may be provided by law.

Article 5. When, in accordance with the Imperial House Law, a Regency is established, the Regent shall perform his acts in matters of state in the Emperor's name. In this case, paragraph one of the preceding article will be applicable.

Article 6. The Emperor shall appoint the Prime Minister as designated by the Diet.

The Emperor shall appoint the Chief Judge of the Supreme Court as designated by the Cabinet.

Article 7. The Emperor, with the advice and approval of the Cabinet, shall perform the following acts in matters of state on behalf of the people :

Promulgation of amendments of the constitution, laws, cabinet orders and treaties.

Convocation of the Diet.

Dissolution of the House of Representatives.

Proclamation of general election of members of the Diet.

Attestation of the appointment and dismissal of Ministers of State and other officials as provided for by law, and of full powers and credentials of Ambassadors and Ministers.

Attestation of general and special amnesty, commutation of punishment, reprieve, and restoration of rights.

Awarding of honors.

Attestation of instruments of ratification and other diplomatic documents as provided for by law.

Receiving foreign ambassadors and ministers.

Performance of ceremonial functions.

Article 8. No property can be given to, or received by, the Imperial House, nor can any gifts be made therefrom, without the authorization of the Diet.

CHAPTER II. RENUNCIATION OF WAR

Article 9. Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.

CHAPTER III. RIGHTS AND DUTIES OF THE PEOPLE

Article 10. The conditions necessary for being a Japanese national shall be determined by law.

Article 11. The people shall not be prevented from enjoying any of the fundamental human rights. These fundamental human rights guaranteed to the people by this Constitution shall be conferred upon the people of this and future generations as eternal and inviolate rights.

Article 12. The freedoms and rights guaranteed to the people by this Constitution shall be maintained by the constant endeavor of the people, who shall refrain from any abuse of these freedoms and rights and shall always be responsible for utilizing them for the public welfare.

Article 13. All of the people shall be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare, be the supreme consideration in legislation and in other governmental affairs.

Article 14. All of the people are equal under the law and there shall be no discrimination in political, economic or social relations because of race, creed, sex, social status or family origin.

Peers and peerage shall not be recognized.

No privilege shall accompany any award of honor, decoration or any distinction, nor shall any such award be valid beyond the lifetime of the individual who now holds or hereafter may receive it.

Article 15. The people have the inalienable right to choose their public officials and to dismiss them.

All public officials are servants of the whole community and not of any group thereof.

Universal adult suffrage is guaranteed with regard to the election of public officials.

In all elections, secrecy of the ballot shall not be violated. A voter shall not be answerable, publicly or privately, for the choice he has made.

Article 16. Every person shall have the right of peaceful petition for the redress of damage, for the removal of public officials, for the enactment, repeal or amendment of laws, ordinances or regulations and for other matters; nor shall any person be in any way discriminated against for sponsoring such a petition.

Article 17. Every person may sue for redress as provided by law from the State or a public entity, in case he has suffered damage through illegal act of any public official.

Article 18. No person shall be held in bondage of any kind. Involuntary servitude, except as punishment for crime, is prohibited.

Article 19. Freedom of thought and conscience shall not be violated.

Article 20. Freedom of religion is guaranteed to all. No religious organization shall receive any privileges from the State, nor exercise any political authority.

No person shall be compelled to take part in any religious act, celebration, rite or practice.

The State and its organs shall refrain from religious education or any other religious activity.

Article 21. Freedom of assembly and association as well as speech, press and all other forms of expression are guaranteed.

No censorship shall be maintained, nor shall the secrecy of any means of communication be violated.

Article 22. Every person shall have freedom to choose and change his residence and to choose his occupation to the extent that it does not interfere with the public welfare.

Freedom of all persons to move to a foreign country and to divest themselves of their nationality shall be inviolate.

Article 23. Academic freedom is guaranteed.

Article 24. Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual cooperation with the equal rights of husband and wife as a basis.

With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

Article 25. All people shall have the right to maintain the minimum standards of wholesome and cultured living.

In all spheres of life, the State shall use its endeavors for the promotion and extension of social welfare and security, and of public health.

Article 26. All people shall have the right to receive an equal education correspondent to their ability, as provided by law.

All people shall be obligated to have all boys and girls under their protection receive ordinary education as provided for by law. Such compulsory education shall be free.

Article 27. All people shall have the right and the obligation to work.

Standards for wages, hours, rest and other working conditions shall be fixed by law.

Children shall not be exploited.

Article 28. The right of workers to organize and to bargain and act collectively is guaranteed.

Article 29. The right to own or to hold property is inviolable.

Property rights shall be defined by law, in conformity with the public welfare.

Private property may be taken for public use upon just compensation therefor.

Article 30. The people shall be liable to taxation as provided by law.

Article 31. No person shall be deprived of life or liberty, nor shall any other criminal penalty be imposed, except according to procedure established by law.

Article 32. No person shall be denied the right of access to the courts.

Article 33. No person shall be apprehended except upon warrant issued by a competent judicial officer which specifies the offense with which the person is charged, unless he is apprehended, the offense being committed.

Article 34. No person shall be arrested or detained without being at once informed of the charges against him or without the immediate privilege of counsel; nor shall he be detained without adequate cause; and upon demand of any person such cause must be immediately shown in open court in his presence and the presence of his counsel.

Article 35. The right of all persons to be secure in their homes, papers and effects against entries, searches and seizures shall not be impaired except upon warrant issued for adequate cause and particularly describing the place to be searched and things to be seized, or except as provided by Article 33.

Each search or seizure shall be made upon separate warrant issued by a competent judicial officer.

Article 36. The infliction of torture by any public officer and cruel punishments are absolutely forbidden.

Article 37. In all criminal cases the accused shall enjoy the right to a speedy and public trial by an impartial tribunal.

He shall be permitted full opportunity to examine all witnesses, and he shall have the right of compulsory process for obtaining witnesses on his behalf at public expense.

At all times the accused shall have the assistance of competent counsel who shall, if the accused is unable to secure the same by his own efforts, be assigned to his use by the State.

Article 38. No person shall be compelled to testify against himself.

Confession made under compulsion, torture or threat, or after prolonged arrest or detention shall not be admitted in evidence.

No person shall be convicted or punished in cases where the only proof against him is his own confession.

Article 39. No person shall be held criminally liable for an act which was lawful at the time it was committed, or of which he has been acquitted, nor shall he be placed in double jeopardy.

Article 40. Any person, in case he is acquitted after he has been arrested or detained, may sue the State for redress as provided by law.

CHAPTER IV. THE DIET

Article 41. The Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State.

Article 42. The Diet shall consist of two Houses, namely the House of Representatives and the House of Councillors.

Article 43. Both Houses shall consist of elected members, representative of all the people.

The number of the members of each House shall be fixed by law.

Article 44. The qualifications of members of both Houses and their electors shall be fixed by law. However, there shall be no discrimination because of race, creed, sex, social status, family origin, education, property or income.

Article 45. The term of office of members of the House of Representatives shall be four years. However, the term shall be terminated before the full term is up in case the House of Representatives is dissolved.

Article 46. The term of office of members of the House of Councillors shall be six years, and election for half the members shall take place every three years.

Article 47. Electoral districts, method of voting and other matters pertaining to the method of election of members of both Houses shall be fixed by law.

Article 48. No person shall be permitted to be a member of both Houses simultaneously.

Article 49. Members of both Houses shall receive appropriate annual payment from the national treasury in accordance with law.

Article 50. Except in cases provided by law, members of both Houses shall be exempt from apprehension while the Diet is in session, and any members apprehended before the opening of the session shall be freed during the term of the session upon demand of the House.

Article 51. Members of both Houses shall not be held liable outside the House for speeches, debates or votes cast inside the House.

Article 52. An ordinary session of the Diet shall be convoked once per year.

Article 53. The Cabinet may determine to convoke extraordinary sessions of the Diet. When a quarter or more of the total members of

CHAPTER IV. THE DIET

Article 41. The Diet shall be the highest organ of state power, and shall be the sole law-making organ of the State.

Article 42. The Diet shall consist of two Houses, namely the House of Representatives and the House of Councillors.

Article 43. Both Houses shall consist of elected members, representative of all the people.

The number of the members of each House shall be fixed by law.

Article 44. The qualifications of members of both Houses and their electors shall be fixed by law. However, there shall be no discrimination because of race, creed, sex, social status, family origin, education, property or income.

Article 45. The term of office of members of the House of Representatives shall be four years. However, the term shall be terminated before the full term is up in case the House of Representatives is dissolved.

Article 46. The term of office of members of the House of Councillors shall be six years, and election for half the members shall take place every three years.

Article 47. Electoral districts, method of voting and other matters pertaining to the method of election of members of both Houses shall be fixed by law.

Article 48. No person shall be permitted to be a member of both Houses simultaneously.

Article 49. Members of both Houses shall receive appropriate annual payment from the national treasury in accordance with law.

Article 50. Except in cases provided by law, members of both Houses shall be exempt from apprehension while the Diet is in session, and any members apprehended before the opening of the session shall be freed during the term of the session upon demand of the House.

Article 51. Members of both Houses shall not be held liable outside the House for speeches, debates or votes cast inside the House.

Article 52. An ordinary session of the Diet shall be convoked once per year.

Article 53. The Cabinet may determine to convoke extraordinary sessions of the Diet. When a quarter or more of the total members of

either House makes the demand, the Cabinet must determine on such convocation.

Article 54. When the House of Representatives is dissolved, there must be a general election of members of the House of Representatives within forty (40) days from the date of dissolution, and the Diet must be convoked within thirty (30) days from the date of the election.

When the House of Representatives is dissolved, the House of Councillors is closed at the same time. However, the Cabinet may in time of national emergency convoke the House of Councillors in emergency session.

Measures taken at such session as mentioned in the proviso of the preceding paragraph shall be provisional and shall become null and void unless agreed to by the House of Representatives within a period of ten (10) days after the opening of the next session of the Diet.

Article 55. Each House shall judge disputes related to qualifications of its members. However, in order to deny a seat to any member, it is necessary to pass a resolution by a majority of two-thirds or more of the members present.

Article 56. Business cannot be transacted in either House unless one-third or more of total membership is present.

All matters shall be decided, in each House, by a majority of those present, except as elsewhere provided in the Constitution, and in case of a tie, the presiding officer shall decide the issue.

Article 57. Deliberation in each House shall be public. However, a secret meeting may be held where a majority of two-thirds or more of those members present passes a resolution therefor.

Each House shall keep a record of proceedings. This record shall be published and given general circulation, excepting such parts of proceedings of secret session as may be deemed to require secrecy.

Upon demand of one-fifth or more of the members present, votes of the members on any matter shall be recorded in the minutes.

Article 58. Each House shall select its own president and other officials.

Each House shall establish its rules pertaining to meetings, proceedings and internal discipline, and may punish members for disorderly conduct. However, in order to expel a member, a majority of two-thirds or more

of those members present must pass a resolution thereon.

Article 59. A bill becomes a law on passage by both Houses, except as otherwise provided by the Constitution.

A bill which is passed by the House of Representatives, and upon which the House of Councillors makes a decision different from that of the House of Representatives, becomes a law when passed a second time by the House of Representatives by a majority of two-thirds or more of the members present.

The provision of the preceding paragraph does not preclude the House of Representatives from calling for the meeting of a joint committee of both Houses, provided for by law.

Failure by the House of Councillors to take final action within sixty (60) days after receipt of a bill passed by the House of Representatives, time in recess excepted, may be determined by the House of Representatives to constitute a rejection of the said bill by the House of Councillors.

Article 60. The budget must first be submitted to the House of Representatives.

Upon consideration of the budget, when the House of Councillors makes a decision different from that of the House of Representatives, and when no agreement can be reached even through a joint committee of both Houses, provided for by law, or in the case of failure by the House of Councillors to take final action within thirty (30) days, the period of recess excluded, after the receipt of the budget passed by the House of Representatives, the decision of the House of Representatives shall be the decision of the Diet.

Article 61. The second paragraph of the preceding article applies also to the Diet approval required for the conclusion of treaties.

Article 62. Each House may conduct investigations in relation to government, and may demand the presence and testimony of witnesses, and the production of records.

Article 63. The Prime Minister and other Ministers of State may, at any time, appear in either House for the purpose of speaking on bills, regardless of whether they are members of the House or not. They must appear when their presence is required in order to give answers or explanations.

Article 64. The Diet shall set up an impeachment court from among

the members of both Houses for the purpose of trying those judges against whom removal proceedings have been instituted.

Matters relating to impeachment shall be provided by law.

CHAPTER V. THE CABINET

Article 65. Executive power shall be vested in the Cabinet.

Article 66. The Cabinet shall consist of the Prime Minister, who shall be its head, and other Ministers of State, as provided for by law.

The Prime Minister and other Ministers of State must be civilians.

The Cabinet, in the exercise of executive power, shall be collectively responsible to the Diet.

Article 67. The Prime Minister shall be designated from among the members of the Diet by a resolution of the Diet. This designation shall precede all other business.

If the House of Representatives and the House of Councillors disagree and if no agreement can be reached even through a joint committee of both Houses, provided for by law, or the House of Councillors fails to make designation within ten (10) days, exclusive of the period of recess, after the House of Representatives has made designation, the decision of the House of Representatives shall be the decision of the Diet.

Article 68. The Prime Minister shall appoint the Ministers of State. However, a majority of their number must be chosen from among the members of the Diet.

The Prime Minister may remove the Ministers of State as he chooses.

Article 69. If the House of Representatives passes a non-confidence resolution, or rejects a confidence resolution, the Cabinet shall resign en masse, unless the House of Representatives is dissolved within ten (10) days.

Article 70. When there is a vacancy in the post of Prime Minister, or upon the first convocation of the Diet after a general election of members of the House of Representatives, the Cabinet shall resign en masse.

Article 71. In the cases mentioned in the two preceding articles, the Cabinet shall continue its functions until the time when a new Prime Minister is appointed.

Article 72. The Prime Minister, representing the Cabinet, submits

bills, reports on general national affairs and foreign relations to the Diet and exercises control and supervision over various administrative branches.

Article 73. The Cabinet, in addition to other general administrative functions, shall perform the following functions:

Administer the law faithfully; conduct affairs of state.

Manage foreign affairs.

Conclude treaties. However, it shall obtain prior or, depending on circumstances, subsequent approval of the Diet.

Administer the civil service, in accordance with standards established by law.

Prepare the budget, and present it to the Diet.

Enact cabinet orders in order to execute the provisions of this Constitution and of the law. However, it cannot include penal provisions in such cabinet orders unless authorized by such law.

Decide on general amnesty, special amnesty, commutation of punishment, reprieve, and restoration of rights.

Article 74. All laws and cabinet orders shall be signed by the competent Minister of State and countersigned by the Prime Minister.

Article 75. The Ministers of State, during their tenure of office, shall not be subject to legal action without the consent of the Prime Minister. However, the right to take that action is not impaired hereby.

CHAPTER VI. JUDICIARY

Article 76. The whole judicial power is vested in a Supreme Court and in such inferior courts as are established by law.

No extraordinary tribunal shall be established, nor shall any organ or agency of the Executive be given final judicial power.

All judges shall be independent in the exercise of their conscience and shall be bound only by this Constitution and the laws.

Article 77. The Supreme Court is vested with the rule-making power under which it determines the rules of procedure and of practice, and of matters relating to attorneys, the internal discipline of the courts and the administration of judicial affairs.

Public procurators shall be subject to the rule-making power of the Supreme Court.

The Supreme Court may delegate the power to make rules for inferior courts to such courts.

Article 78. Judges shall not be removed except by public impeachment unless judicially declared mentally or physically imcompetent to perform official duties. No disciplinary action against judges shall be administered by any executive organ or agency.

Article 79. The Supreme Court shall consist of a Chief Judge and such number of judges as may be determined by law; all such judges excepting the Chief Judge shall be appointed by the Cabinet.

The appointment of the judges of the Supreme Court shall be reviewed by the people at the first general election of members of the House of Representatives following their appointment, and shall be reviewed again at the first general election of members of the House of Representatives after a lapse of ten (10) years, and in the same manner thereafter.

In cases mentioned in the foregoing paragraph, when the majority of the voters favors the dismissal of a judge, he shall be dismissed.

Matters pertaining to review shall be prescribed by law.

The judges of the Supreme Court shall be retired upon the attainment of the age as fixed by law.

All such judges shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

Article 80. The judges of the inferior courts shall be appointed by the Cabinet from a list of persons nominated by the Supreme Court. All such judges shall hold office for a term of ten (10) years with privilege of reappointment, provided that they shall be retired upon the attainment of the age as fixed by law.

The judges of the inferior courts shall receive, at regular stated intervals, adequate compensation which shall not be decreased during their terms of office.

Article 81. The Supreme Court is the court of last resort with power to determine the constitutionality of any law, order, regulation or official act.

Article 82. Trials shall be conducted and judgment declared publicly.

Where a court unanimously determines publicity to be dangerous to public order or morals, a trial may be conducted privately, but trials of political offenses, offenses involving the press or cases wherein the rights

of people as guaranteed in Chapter III of this Constitution are in question shall always be conducted publicly.

CHAPTER VII. FINANCE

Article 83. The power to administer national finances shall be exercised as the Diet shall determine.

Article 84. No new taxes shall be imposed or existing ones modified except by law or under such conditions as law may prescribe.

Article 85. No money shall be expended, nor shall the State obligate itself, except as authorized by the Diet.

Article 86. The Cabinet shall prepare and submit to the Diet for its consideration and decision a budget for each fiscal year.

Article 87. In order to provide for unforeseen deficiencies in the budget, a reserve fund may be authorized by the Diet to be expended upon the responsibility of the Cabinet.

The Cabinet must get subsequent approval of the Diet for all payments from the reserve fund.

Article 88. All property of the Imperial Household shall belong to the State. All expenses of the Imperial Household shall be appropriated by the Diet in the budget.

Article 89. No public money or other property shall be expended or appropriated for the use, benefit or maintenance of any religious institution or association, or for any charitable, educational or benevolent enterprises not under the control of public authority.

Article 90. Final accounts of the expenditures and revenues of the State shall be audited annually by a Board of Audit and submitted by the Cabinet to the Diet, together with the statement of audit, during the fiscal year immediately following the period covered.

The organization and competency of the Board of Audit shall be determined by law.

Article 91. At regular intervals and at least annually the Cabinet shall report to the Diet and the people on the state of national finances.

CHAPTER VIII. LOCAL SELF-GOVERNMENT

Article 92. Regulations concerning organization and operations of local public entities shall be fixed by law in accordance with the principle of local autonomy.

Article 93. The local public entities shall establish assemblies as their deliberative organs, in accordance with law.

The chief executive officers of all local public entities, the members of their assemblies, and such other local officials as may be determined by law shall be elected by direct popular vote within their several communities.

Article 94. Local public entities shall have the right to manage their property, affairs and administration and to enact their own regulations within law.

Article 95. A special law, applicable only to one local public entity, cannot be enacted by the Diet without the consent of the majority of the voters of the local public entity concerned, obtained in accordance with law.

CHAPTER IX. AMENDMENTS

Article 96. Amendments to this Constitution shall be initiated by the Diet, through a concurring vote of two-thirds or more of all the members of each House and shall thereupon be submitted to the people for ratification, which shall require the affirmative vote of a majority of all votes cast thereon, at a special referendum or at such election as the Diet shall specify.

Amendments when so ratified shall immediately be promulgated by the Emperor in the name of the people, as an integral part of this Constitution.

CHAPTER X. SUPREME LAW

Article 97. The fundamental human rights by this Constitution guaranteed to the people of Japan are fruits of the age-old struggle of man to be free; they have survived the many exacting tests for durability and are conferred upon this and future generations in trust, to be held for all time inviolate.

Article 98. This Constitution shall be the supreme law of the nation and no law, ordinance, imperial rescript or other act of government, or part thereof, contrary to the provisions hereof, shall have legal force or validity.

The treaties concluded by Japan and established laws of nations shall be faithfully observed.

Article 99. The Emperor or the Regent as well as Ministers of State, members of the Diet, judges, and all other public officials have the obligation to respect and uphold this Constitution.

CHAPTER XI. SUPPLEMENTARY PROVISIONS

Article 100. This Constitution shall be enforced as from the day when the period of six months will have elapsed counting from the day of its promulgation.

The enactment of laws necessary for the enforcement of this Constitution, the election of members of the House of Councillors and the procedure for the convocation of the Diet and other preparatory procedures necessary for the enforcement of this Constitution may be executed before the day prescribed in the preceding paragraph.

Article 101. If the House of Councillors is not constituted before the effective date of this Constitution, the House of Representatives shall function as the Diet until such time as the House of Councillors shall be constituted.

Article 102. The term of office for half the members of the House of Councillors serving in the first term under this Constitution shall be three years. Members falling under this category shall be determined in accordance with law.

Article 103. The Ministers of State, members of the House of Representatives and judges in office on the effective date of this Constitution, and all other public officials who occupy positions corresponding to such positions as are recognized by this Constitution shall not forfeit their positions automatically on account of the enforcement of this Constitution unless otherwise specified by law. When, however, successors are elected or appointed under the provisions of this Constitution, they shall forfeit their positions as a matter of course.

19 Jun 48

Subject relating to the Enforcement of the Cabinet Order concerning the Temporary Measure for Special Exemption from Designation of Persons as falling under the Memorandum in accordance with the Provisions prescribed in Imperial Ordinance No. 1 of 1947 (Draft of Prime Minister's Office Ordinance)

Article I. In the application for special exemption shall, accompanied with accessary documents (relevant documents for evidence) bestated the following matters and it shall be signed and sealed by the person who is desirous to make an application.

1. Name, date of birth, address and occupation of applicant;
2. Reason of application;
3. Date on which the applicant was designated as falling under the Memorandum;
4. Person who made designation as falling under the Memorandum;
5. Whether or not statement of objection has been made under Article 7-(3) of the Imperial Ordinance concerning the exclusion, Retirement, etc., from Public Offices (Imperial Ordinance No. 1 of 1947); whether or not appeal has been made under the Imperial Ordinance concerning the Petition for Cancellation of the Designation of the Applicable under the Memorandum in accordance with the Provisions of Imperial Ordinance No. 1 of 1947.

Article II. Any person who files the application prescribed in the preceeding Article shall submit its two copies together with it (including the copies of accessary documents).

Supplementary Provision:

The present Ordinance shall come into force as from the day of its promulgation.

EA 23

Draft 1

(May 11, 1948)

Draft of Cabinet Order concerning the Temporary Measure for Special Exempting from Designation of Persons as falling under the Memorandum, in accordance with the Provisions of the Imperial Ordinance relating to the Exclusion, Retirement, etc., from Public Offices (Imp. Ord. No.1, 1947), pursuant to the Subjext concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration (Imp. Ord. No.542, 19 1945)

Article I. Any person who has been designated as a person falling under the Memorandum in accordance with the provisions of the Imperial Ordinance relating to the Exclusion, Retirement, etc., from Public Offices (Imp. Ord. No.1 of 1947; hereinafter called Ordinance No.1) may, in case he deems there exists gross injustice in his designation, file, for the time being, as application for special exemption of his designation, with the Prime Minister within of the day of his designation.

Article II. Any person who intends to obtain special exemption from designation in pursuance of the provisions of the preceding Article, shall submit an application to the Prime Minister, stating clearly reasons for justification of his case together with relevant documents for evidence.

Article III. Validity of designation as a person falling under the Memorandum shall not be affected by filing of the application for special exemption prescribed in Article I.

Article IV. The special exemption from designation as a person falling under the Memorandum shall be effected by notification of the Prime Minister to the applicant and shall be published in the Official Gazette.

In case the special exemption from designation is made to a person falling under the Memorandum, the designation shall lose its validity as from the day of its special exemption. In this case, the provisions of Article V paragraph 1 of Ordinance No.1 shall be deemed not having applied.

Article V. Any person who has submitted the statement of reasons for application for special exemption or documents for evidence prescribed in Article II above containing false entry or entry lacking in full and complete disclosure shall be liable to a penal servitude not exceeding three years or to a fine not exceeding 15,000 Yen.

Supplementary Provisions

The present Cabinet Order shall come into force as from the day of its promulgation.

With regard to those who were designated as a person falling under the Memorandum (including persons who were designated as a person falling under the Memorandum in accordance with the provisions of the Imperial Ordinance No.109 of 1946) prior to the enforcement of the present Cabinet Order the period prescribed in Article I shall be within computing from the day of promulgation of the present Cabinet Order.

With regard to those who come under the proceding paragraph, and who wtay outside of Japan on the day of promulgation of the present Cabinet Order the period prescribe in Article I shall be within of the day of their landing in Japan.

Draft 2

(May 11, 1948)

Draft of Cabinet Order concerning the Temporary Measure for Special Exemption from Designation of Persons as falling under the Memorandum, in accordance with the Privisions of the Imperial Ordinance relating to the Exclusion, Retirement, etc., from Public Offices (Imperial Ordinance No.1 of 1947), pursuant to the Subject concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration (Imperial Ordinance No.542 of 1945)

Article I. Any person who has been designated as a person falling under the Memorandum in accordance with the provisions of the Imeprial Ordinance relating to the Exclusion, retirement, etc., from Public Offices (Imperial Ordinance No. 1 of 1947; hereinafter called Ordinance No.1) or the Imperial Ordinance relating to the Exclusion, Removal, Retirement, etc., from public offices (Imperial Ordinance No.109 of 1946) may, in case he deems there exists gross injustice ~~has been done~~ in his designation, file an application for special exemption of his designation, with the Prime Minister.

The application for special exemption in accordance with the preceding paragraph shall be filed by 1948 and no application arriving at the Prime Minister's Office thereafter shall be accepted.

Article II. Any person who intends to obtain special exemption from designation in pursuance of the provisions of the preceding Article, shall submit an application to the Prime Minister, stating clearly reasons for justification of his case together with relevant documents for evidence.

Article III. Validity of designation as a person falling under the Memorandum shall not be affected by filing of the application for special exemption prescribed in Article I.

Article IV. The special exemption from designation as a person falling under the Memorandum shall be effected by notification of the Prime Minister to the applicant and shall be published in the Official Gazette.

In case the special exemption from designation is made to a person falling under the Memorandum, the designation shall lose its validity as from the day of its special exemption. In this case, the provisions of Article V paragraph 1 of Ordinance No.1 shall be deemed not having applied.

Article V. Any person who has submitted the statement of reasons for application for special exemption or documents for evidence prescribed in Article II above containing false entry or entry lacking in full and complete disclosure shall be liable to a penal servitude not exceeding three years or to fine not exceeding 15,000 yen.

Supplementary Provisions.

The present Cabinet Order shall come into force as from the day of its promulgation.

MAJOR NAPIER'S ORDINANCE
P. LE

16 June 46

Supreme Court

A draft of a Rule concerning the special treatment of the trial of a criminal case, etc., involving violations of the Imperial Ordinance relating to the exclusion, retirement, etc., in respect to public offices, and the Imperial Ordinance relating to the abolition of certain political parties, associations, societies and other organizations.

Article 1. The present Rule is aimed at expediting the trial of criminal cases involving violations of the Imperial Ordinance relating to the exclusion, retirement, etc., in respect to public offices, and the Imperial Ordinance relating to the abolition of certain political parties, associations, societies and other organizations, under the Orders to be issued in consequence of the acceptance of the Potsdam Declaration (Imperial Ordinance No. 542, 1945) (henceforth, referred to as these cases).

Article 2. The Court shall conduct the trial of these cases prior to all other cases, regardless of order of the cases.

Article 3. In the Court of First Instance or the Court of "Kōso" Appeal, the date of the first session of public trial, shall be appointed at a time within ten days of the day of instituting a public action or receipt of a record of proceedings transferred.

101

13

An appointment of the first session of public trial in the Court of "Jokoku" Appeal shall be made within five days of the day of receipt of a record of proceedings transferred.

Article 4. The date of the session of public trial shall not be changed.

Article 5. Where there are unavoidable circumstances, the provisions of the two preceding articles shall not apply. In this case, the inferior court concerned forthwith inform the Supreme Court thereof.

Article 6. If the trial of these cases is not finished at the date of the first session of public trial, they shall be heard at trial sessions sat as far in succession as possible.

Article 7. The trial proceedings shall not, even where a motion to challenge is filed, be suspended, provided, that the collegiate body of which the challenged judge or judges are its member or members, or a single judge of the District Court or a judge of the Summary Court who has been challenged, deems there are grounds for the motion.

Article 8. The Presiding Judge, where the questionings or statements of the parties concerned in the case are repetitions of questionings or statements already made, or where they concern matters not connected with the case, or otherwise where they are not appropriate, shall limit them as far as possible.

Article 9. Where a "Kōso" appeal or "Jokoku" appeal has been filed, the original court shall take steps to forward the record of proceedings and exhibits (only in case of "Kōso" appeal), within five days of the day of the filing.

On receipt of the record of proceedings and exhibits the public procurator shall take steps to forward them within two days of the day of receipt thereof.

Where there are unavoidable circumstances, the provisions of the two preceding paragraphs shall not apply. In this case, the original court shall forthwith inform the Supreme Court of the circumstances under which the provision of Paragraph 1 could not be observed.

Article 10. The provisions of Articles 2 to 8, inclusive where these cases are tried jointly with other cases, and the preceding Article, where these cases were tried jointly with other cases, shall apply mutatis mutandis.

Supplementary Provision.

The present Rule shall come into force from July 1, 1948.

MEMORANDUM FOR COLONEL KADES

4 June 1948

SUBJECT: PURGE SURVEILLANCE CABINET ORDER

1. Japanese Government has submitted proposed Cabinet Order implementing observation of purgees by Attorney-General's Office and requiring information from purgees through Mayor, Headman, Ward Head, as to residence and business, etc., and providing penalty for failure to comply.

It looks OK to me and necessary if surveillance of purgees is to be a continuing project of any effectiveness. I suggest that it be enacted without comment on our part.

INUKAI, Ken

2. INUKAI, Ken is presumed by the Japanese Government to have been rejected in his plea for reinstatement and YOSHIDA proposes that his name be included in the Gazette Publication of 7 June as a person whose purge will not be rescinded. We, however, [redacted] still have not had from the Chinese Mission an answer to your check note of 27 April 1948. The Japanese Government wonders what to do about INUKAI, Ken and prefers to publish him as a person whose purge will stand. A decision on this matter is necessary today, else his name will appear in the Gazette.

MR. POLLARD OF CAD

3. I received your note that this representative of the reactionary would call for some information from me. I have not heard from him. Do you suggest any action?

PURGE STATISTICS

4. Attached herewith are purge statistics in form of Memo for Chief, Government Section, to supercede the meretricious report prepared a month or so ago in the same form. This report, like the first one, is deceitful and gaudily showey on certain particulars.

5. Also attached are two reports of final statistics in summary of the economic purge. These are broken down into considerable detail and are self-explanatory. If you don't want them, please let Ruth give them back to me.

6. All or any of these will be mimeographed upon your approval and suggestion as to numbers needed.

7. TAKAMATSU - Royal Prince: TAKAMATSU, purgee except for blood privilege, is continuing a great many activities. He is, among other things, President of DOBO ENGO KAI, of the National Invention Association, and of some fifteen other nationally important organizations, including the popular Tradition Society. He is obnoxiously active and actually operates in these positions. This embarrasses the enforcement agencies of the Japanese Government and is good propaganda fuel for the people who are observing our apparent retrogression..I think the Japanese Government would on its own initiative be glad to ask him to resign some of those positions which are principal public office, within the definitions contained in the Purge Directive. I do not feel that we should object to such action.

CAREER MILITARY PERSONNEL IN THE GOVERNMENT SERVICE

8. Career Military are prohibited Government Service employment (Exception: Repatriation and Demobilization) by a number of directives, including JCOS W 97791 - 18 March 1948. Government Service is defined by Paragraph 4, SCAPIN 550, to mean all actual or quasi-positions with any branch of the Government or of a Government-controlled agency. Career military personnel are still employed. The Japanese argue that Koin and Yoin, who are non-civil service employees and have jobs and work as watchmen, railroad ticket clerks, Food Kodan clerks, etc., and are not in the civil service, cannot be considered as Government employees because they are paid from maintenance funds. You probably have some difficulty in understanding this last statement, and so do I. Therefore, I have told the Japanese Government that by 1 July they will release the 350-700career-commissioned officers now so employed. I understand that someone may approach you on this matter, asking for an exception, and since JCOS reference above states that there may be no exception, except in the case of one whose record shows that he was an opponent of Japanese expansionism, I wanted to advise you of the manner in which this problem is being held.

9. I still have your can of five gallons of gasoline in the back of my car.

JACK R. NAPIER

all approved
by ed Kades
by June 1st Same about
+ See Sawa Sabo & Koji + takamatsu
Sabo not to be advised be out.

11 May 1948

CABINET ORDER NO. 87

The following amendments shall partially be made to the Imperial Ordinance No. 101 of the twenty-first year of Showa (1946).

Article 5-3. Any person who had the connection after May 11, 1948, as specified in the following heads, regardless of the length of period, with the head office or the branch office of the metropolis, district, urban or rural prefecture (including the jurisdiction of chief of the district branch office), city, town or village of any organizations which have come under the organizations mentioned in the provisions of Article 7 (the organizations dissolved in accordance with the provisions of Article 2 (including those to be designated by the Attorney-General in accordance with the provisions of Article 4, Head 1, (a), or any organizations whose objects or activities as come under any of the heads of Article 1, para. 1, and which are dissolved by the order of the Supreme Commander for the Allied Powers or by the Government), shall be removed from public office as similar kind of the persons applicable to the Memorandum of the Imperial Ordinance No. 1 of the twenty-second year of Showa (1947) (concerning the removal and exclusion of undesirable personnel).

1. Founder, Officer or Director.

2. Holder of important office.

3. Compiler of all publications or the organ magazine or paper.

4. Voluntary contributor of a large sum of money.

With reference to the scope of the organizations in the preceding paragraph and officers and staff members, the Attorney-General shall specify it and announce it publicly in the Official Gazette.

Article 5-4. Any person coming under the provisions of the preceding Article shall be regarded at the time of the designation under the provisions of paragraph 2 of the preceding Article, as one designated to be applicable to the

Memorandum in accordance with the Imperial Ordinance No. 1 of the twenty-second year of Showa (1947), and the said Ordinance shall all apply with the necessary modification to the person concerned.

Article 5-5. Any person who has been regarded as designated to be applicable to the Memorandum in accordance with the provisions of the preceding Article and who is actually in public service as mentioned in the Imperial Ordinance No. 1 of the twenty-second year of Showa (1947), shall retire therefrom in accordance with the provisions of Article 3 of the said Ordinance which shall apply with the necessary modification in accordance with the provisions of the preceding Article.

Article 7-2. Any person who comes under the provisions of Article 5-3 and who does not take proceedings of retirement from office against the provisions of Article 5-5 or takes up any public service concealing the designation shall be liable to penal servitude or imprisonment for a term not exceeding ten years or, in view of the attendant circumstances, to a fine not exceeding 75,000 yen.

Supplementary Provisions.

The present Order shall come into force as from the eleventh day of the fifth month of the twenty-third year of Showa (1948).

ATTORNEY-GENERAL'S OFFICE NOTIFICATION NO. 19

June 2, 1948

The following organization shall be designated in accordance with Article 4, No. I, (a) (of the Imperial Ordinance No. 101 of (1946) concerning the prohibition of the organization of political parties and associations and others in pursurance of the Imperial Ordinance No. 542 of 1945 concerning the orders to be issued in consequence of the acceptance of the Potsdam Declaration and the provisions of paragraph 2 of the supplementary provision (the Cabinet Order No. 328 of December 30, 1947) (of the same Ordinance)

Attorney-General

SUZUKI Yoshio

Senzaisha Kosei Kwai

ATTORNEY-GENERAL'S OFFICE NOTIFICATION NO. 20

June 2, 1948

The following organization shall be designated in accordance with Article 2 and Article 4, No. I (a) (of the Imperial Ordinance No. 101 of 1946) concerning the prohibition of the organization of political parties and associations and others in pursurance of the Imperial Ordinance No. 542 of 1945 concerning the orders to be issued in consequence of the acceptance of the Potsdam Declaration.

Attorney-General

SUZUKI Yoshio

Asakusa Kosei Ryo

20 April 1948

DUTIES AND RESPONSIBILITIES OF THE SPECIAL INVESTIGATION BUREAU OF THE ATTORNEY-GENERAL'S OFFICE

1. Surveillance of Activities of Purgees:

a. Investigates whether or not a person who has been designated as a purgee has been succeeded within a period of ten (10) years fromthe day of his designation by any other person who is a relative within the third degree by blood, marriage or adoption. (Violations of Article X of Imperial Ordinance #1 of 1947)

b. Investigates whether any purgee has established or maintains in connection with his handling of official affairs or political activities the continuity of his influence by any means. (Violations of Article XI)

c. Investigates whether any purgee is trying to continue his influence by giving instruction, advice or compensation with any person who desires to continue the influence of the former. (Violations of Article XII)

d. Investigates whether any purgee is making entry or is trying to retain or set up his dwelling or office in the place of the business of the govemment entity, company or other organization from which he was removed or the place in the same premises which is under the management of such an organization. (Violations of Article XIII)

e. Investigates whether any purgee holds any position in any company producing mass communication media. (Violations of Article XIV)

f. Determines whether any person who files candidacy for an elective post in the public service or engages in any form of political activity has a certificate of eligibility to prove that such a person is not a purgee. (Violations of Article XV)

g. In case it has sufficient evidence of violation of any of the above articles make such information available to the Public Procurator's Office for the purpose of prosecution.

2. Investigation of Organizations Falling Under Imperial Ordinance No. 101:

a. Determines that any organization engaging in any form of political activity has filed a notification of membership, officers and financial contributors, etc. as proscribed in Imperial Ordinance #101.

b. Determines that such organization does not violate any of the provisions of Imperial Ordinance #101, and if it does, takes steps to dissolve such organization.

c. Investigates old and possibly dissolved organizations which because of their platform and their activities should be listed as dissolved under the terms of Imperial Ordinance #101.

d. Determines that any person who was an officer, director or influential member of or financial contributor or editor of the magazine of that organization, and who at present holds any position listed as principal public office, is removed from such principal office as defined in Imperial Ordinance #101 of 1947.

e. Determines that any of the above individuals in case they violate the above provision of Imperial Ordinance #101 is brought to trial by the Public Procurator's Office.

Prime Minister's Office Ordinance No.20

April 2, 1948

Part of the Cabinet and Ministry for Home Affairs Ordinance No.1 of 1947 (The Order concerning the Enforcement of the Imperial relating to the exclusion removal, retirement and others from public office) shall be amended as follows..

Prime Minister.

ASHIDA Hitoshi

In Speech and Press Organizations falling under G Category of the Memorandum of the APPENDIX, (p) of Remark V, 4 of APPENDIX I, item VII, "243 Rikken Yosei-Kai (Constitutional Justice Guardians Party)" shall read "234 Yosei Jihyo-sha (Justice Guardians Current Review Co.)"

Supplementary Provision.

The present Ordinance shall come into force as from the day of its promulgation.

CONTROL OF JAPANESE MILITARY ACTIVITY

RESTRICTED

Paragraph No. 13 of FEC 017/21, as finally approved by the FEC, on 30 March 1948, reads as follows:

"For the purpose of prevention of the revival of Japanese militarism persons who have at one time fallen without any of the following categories should not be nominated or employed in the Government service, public office, or educational institutions except as they may be necessary in performing duties essential to the demobilization of repatriated military and naval personnel.

a. Generals, admirals, and all other senior officers and all career officers of the Army, Navy and Gendarmerie.

b. Other officers of the Army, Navy and Gendarmerie, including members of the reserve, if their employment would harm the cause of peace and security; and

c. Officials of ex-officers' and other military and paramilitary associations and of bodies closely associated with the Armed Forces.

"The Supreme Commander for the Allied Powers may authorize the nomination or employment of a person coming within categories a and c if his record shows that he has been an opponent of Japanese expansionism and totalitarianism."

Imperial Ordinance No.65 of 1947.

Promulgated on March 1, 1947.

Abolished by Cabinet Order No.62,

March 27, 1948.

Article I. Any person who has been designated as falling under the memorandum in accordance with the provisions of Imperial Ordinance No.109 of 1946 or of Imperial Ordinance No.1 of 1947, and as a consequence thereof removed or barred from appointment or election to a position in the pu lic service may, in the event he feels that an error has been made in his case, file an appeal for a rescission of designation to the Prime Minister.

The Prime Minister, upon acceptance of the appeal prescribed in the preceding paragraph, may, on the basis of the findings and recommendations of the Public Office Qualifications Appeal Board, rescind the designation.

Article II. Any person who intends to appeal in pursuance of the provisions of paragraph 1 of the preceding Article shall submit a letter of appeal to the Prime

Minister, stating clearly reasons for justification of his case and together with relevant documents for evidence.

In case the appelant has been designated as falling under the Memorandum by the Prefectural Governor, the letter of appeal prescribed in the preceding paragraph shall be submitted through the Prefectural Governor. In this case, upon acceptance of documents pertaining to the appeal, the Prefectural Governor concerned shall forward them immediately, together with statement of his opinion and the questionaire of the appellant, to the Prime Minister.

The Prime Minister, upon acceptance of documents pertaining to the appeal, shall forward them immediately, together with a statement of his opinion (concerning the case prescribed in the preceding paragraph, the statement of the Prefectural Governor) and the questionnaire of the appellant, to the Public Office Qualifications Appeal Board.

Article III. The appeal prescribed in Article I, paragraph 1 above shall be filed within three months from the day of designation as falling under the Memorandum.

Validity of designation as falling under the Memorandum shall not be affected by filing of the appeal prescribed in Article I, paragraph 1 above.

Article IV. The rescision of designation as falling under the Memorandum shall be effected by notification of the Prime Minister to the appellant.

In case the designation be rescinded, the designation shall lose its validity from the day of its rescission. In this case, the provisions of Article V, paragraph 1 of the Imperial Ordinance No.1 of 1947 (including corresponding provisions of Imperial Ordinance No.109 of 1946 replaced by the former Imperial Ordinance) shall be deemed as not having been applied.

Article V. The Prime Minister, when he effects the rescission or takes other necessary actions on the basis of consequence of examination by the Public Office Qualifications Appeal Board, shall publish them immediately.

Article VI. Any person who has submitted the statement of reasons or documents perscribed in Article II above containing false entry or entry lacking full and

and complete disclosure shall be liable to the penal servitude of not more than three years or to a fine of not more than 15,000. Any person who has been requsted to present materials or an explanation of facts to do so or who submits materials containing false information or lacking full and complete disclosune of facts on relevant or material matters shall be likewise liable to the same punishment.

Supplementary Rule.

The present Imperial Ordinance shall come into force on the day of its promulgation.

The period prescribed in the Article III. paragraph 1 above shall with persons who have been designated as falling under the Memorandum prior to the issuance of this Imperial Ordinance, be three months from the date of its promulgation.

I hereby promulgate the Cabinet Order concerning the Abolition of the Public Office Qualifications Examination Committee and the Public Office Qualifications Appeal Board, under Imperial Ordinance No.542 of 1945 pursuant to the Orders to be issued in consequence of the Acceptance of Potsdam Declaration.

Signed: HIROHITO, Seal of the Emperor

This twenty-seventh day of the third month of the twenty-third year of Showa (March 27, 1948)

Prime Minister

ASHIDA Hitoshi

Cabinet Order No.62

Article 1. The Public Office Qualifications Examination Committee and the Public Office Qualifications Appeal Board shall be abolished after May 10, 1948, the designation of persons who fall under the provisions of the Memorandum in accordance with Imperial Ordinance No.1 of 1947 (Imperial Ordinance concerning Removal and Exclusion of Undesirable Persons from Public Service having been completed except for inadvertencies.

After the abolition of the two committees as prescribed in the preceding paragraph, the affairs as related to the Public Office Qualifications Appeal Board shall be handled by the Prime Minister and the affairs as related to the Public Office Qualifications Examination Committee shall be handled by the Prime Minister or Prefectural Governor in

accordance with the classification of public office provided in Article 4, Paragraph 1 of Imperial Ordinance No. 1 of 1947.

Article 2. The letter of appeal under Imperial Ordinance No.65 of 1947 (Imperial Ordinance conerning Petition for Cancellation of Disignation) shall be filed by April 15, 1948 and no letter of appeal arriving at the Prime Minister's Office thereafter shall be accepted.

Supplementary Provisions:

Article 3. This Cabinet Order shall come into force as from April 15, 1948.

Article 4. Regulations governing the Organization of Public Office Qualifications Examination Committee and Regulations governing the Organization of Public Office Qualifications Appeal Board shall be abolished after May 10, 1948.

Article 5. Imperial Ordinance No.65 of 1947 concerning the petition for cancellation of the Designation shall be abolished after May 10, 1948; provided that the penal provisions shall apply as heretofore to the offence committed prior to its abolition.

CABINET ORDER 62 March 27, 1948

Cabinet Order Concerning Abolition of Public Office Qualifications Examination Committee and Public Office Qualifications Appeal Board.

Article 1. The Public Office Qualifications Examination Committee and the Public Office Qualifications Appeal Board shall be abolished after 10 May 1948, the designation of persons who fall under the provisions of the Memorandum in accordance with the Imperial Ordinance No. 1 of 1947 (Imperial Ordinance Concerning Removal and Exclusion from Public Service of Undesirable Personnel) having been completed except for inadvertencies.

After the abolition of the two committees as prescribed in the preceding paragraph, the affairs as related to the Public Office Qualifications Appeal Board shall be handled by the Prime Minister and the affairs as related to the Public Office Qualifications Examination Committee shall be handled by the Prime Minister or Prefectural Governor in the Imperial Ordinance No. 1 of 1947, Article IV, paragraph 1.

Article II. The letter of appeal under the Imperial Ordinance No. 65 of 1947 (Imperial Ordinance Concerning Petition for Cancellation of Designation) shall be filed by 15 April 1948 and no letter of appeal arriving at the Prime Minister's Office thereafter shall be accepted.

Supplementary Provisions.

Article III. This Cabinet Order shall come into effect as from 15 April 1948.

Article IV. The Imperial Ordinance concerning Organization of Public Office Qualifications Examination Committee and the Imperial Ordinance concerning Organization of Public Office Qualifications Appeal Board shall be abolished after 10 May 1948.

Article V. The Imperial Ordinance No. 65 of 1947 concerning the petition for cancellation of the Designation shall be abolished after 10 May 1948 provided that the penal provisions shall be applied as heretofore to the offence committed prior to its abolition.

Cab. Order No. 87 Rec. 17 Apr 48

Draft Cabinet Order for Partial Amendment

To Imperial Ordinance No. 101 of 1946

26, March, 1948.

Article V-III. Any person who has at any time:

1. Been a founder, officer or director of; or
2. Occupied any post of authority in; or
3. Been an editor of any publication or organ of; or
4. Made substantial voluntary contributions to;

The Headquarters or the Metropolitan, Do, Fu, Ken, Gun (Including area under jurisdiction of head of the Prefectural office), city, ward, town, or village branch of any organization falling, as from 11 May, under the purview of the provisions of Article VII (namely, the organizations dissolved in accordance with Article II, including those designated by the Attorney-General in accordance with Article IV, Item I-(a), or any other organization whose purpose, or the effect of whose activities is included in those enumerated in Article I, paragraph 1 and which has been dissolved by the order of the Supreme Commander for the Allied Powers or of the Government) shall, as from 11 May 48 be removed, or excluded, from public office as in the case of a person who falls under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947 (Imperial Ordinance Concerning Removal and Exclusion from Public Service of Undesirable Personnel).

//

The organization mentioned in the preceding paragraph and the scope of officials, personnel, editors and contributors mentioned in Items I to 4 of the preceding Paragraph shall be designated by the Attorney-General and published in the Official Gazette.

Article V-IV. Any person falling under the provisions of the preceding Article shall, at the time of the designation under Paragraph 2 of the preceding Article, be regarded as designated as a person falling under the Memorandum in accordance with the Imperial Ordinance No. 1 of 1947, and the same Ordinance shall, in all cases, be applicable to such person.

Article V-V. Any person who is regarded as designated as a person falling under the ~~Memorandum~~ in accordance with the provisions of the preceding Article, and who is holding any public office as prescribed in the Imperial Ordinance No. 1 of 1947, shall leave such office as provided in the Imperial Ordinance No. 1, 4 January 1947, Article III, ~~Paragraph 1, 2, 3, 4 and 6.~~

Article VII-II. Any person falling under the provisions of Article V-III, who does not take steps for his resignation in contravention with the provisions of Article V-V or who, concealing the fact of his falling thereunder, assumes a public office, shall be liable to penal servitude or imprisonment for not more than ten years, provided that under extenuating circumstances, a fine not exceeding 75,000 yen may be imposed.

Supplementary Provision:

This Cabinet Order shall come into effect as from 1st May 1948.

Draft Cabinet Order for Partial Amendment

To Imperial Ordinance No. 101 of 1946

26, March, 1948.

Article V-III. Any person who has at any time:

1. Been a founder, officer or director of; or
2. Occupied any post of authority in; or
3. Been an editor of any publication or organ of; or
4. Made substantial voluntary contributions to;

The Headquarters or the Metropolitan, Do, Fu, Ken, Gun (Including area under jurisdiction of head of the Prefectural office), city, ward, town, or village branch of any organization falling, as from 11 May, under the purview of the provisions of Article VII (namely, the organizations dissolved in accordance with Article II, including those designated by the Attorney-General in accordance with Article IV, Item I-(a), or any other organization whose purpose, or the effect of whose activities is included in those enumerated in Article I, paragraph 1 and which has been dissolved by the order of the Supreme Commander for the Allied Powers or of the Government) shall be removed, or excluded, from public office as in the case of a person who falls under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947 (Imperial Ordinance Concerning Removal and Exclusion from Public Service of Undesirable Personnel).

The organization mentioned in the preceding paragraph and the scope of officials, personnel, editors and contributors mentioned in Items I to 4 of the preceding Paragraph shall be designated by the Attorney-General and published in the Official Gazette.

Article V-IV. Any person falling under the provisions of the preceding Article shall, at the time of the designation under Paragraph 2 of the preceding Article, be regarded as designated as a person falling under the Memorandum in accordance with the Imperial Ordinance No. 1 of 1947, and the same Ordinance shall, in all cases, be applicable to such person.

Article V-V. Any person who is regarded as designated as a person falling under the Memorandum in accordance with the provisions of the preceding Article, and who is holding any public office as prescribed in the Imperial Ordinance No. 1 of 1947, shall leave such office as provided in the Imperial Ordinance No. 1, 4 January 1947, Article III, ~~Paragraph 1, 2, 3, 4 and 5.~~

Article VII-II. Any person falling under the provisions of Article V-III, who does not take steps for his resignation in contravention with the provisions of Article V-V or who, concealing the fact of his falling thereunder, assumes a public office, shall be liable to penal servitude or imprisonment for not more than ten years, provided that under extenuating circumstances, a fine not exceeding 75,000 yen may be imposed.

Supplementary Provision:

This Cabinet Order shall come into effect as from 1 May 1948.

(From the Yomiuri Issued on March 26, 1946)

Purge Organs to Be Abolished
Business Completed by May 10.

In the expectation that the business of Government organs concerned with purge affairs will be completed by May 10, the Government decided in an extraordinary Cabinet meeting on 25 inst. to abolish all its organs related to the business, including the Public Office Qualifications Examination Committee, the Appeal Committee, etc. and published on the same day an official announcement connected therewith. The Cabinet Order necessary for the measure will be issued within a week. The condition of the said business disposed of by March 20, 1946 by the aforesaid two Committees respectively is as follows :

1. Public Office Qualifications Examination Committee. (Central office)

A. Number of cases handled :

About 180,000.

B. Number of persons designated to be purged, including casds of provisional designation :

About 121,000.

(Local offices)

A. Number of cases handled :

About 745,000

B. Number of persons designated to be purged, including cases of provisional designation :

About 77,000

(Total) A : About 920,000

B : About 198,000

Cases now remaining not yet disposed are only those under provisional designation relating to writers as well as organizations and military men coming under category "C" and those relating to persons in political and financial circles, the inquiry into which has been under contemplation from before.

2. Public Office Qualifications Appeal Committee.

Of the total cases accepted aggregating approximately 800 (among which some 250 relate to appeals made, after the expiration of the term allowed for making protest to provisional designation, chiefly by former officers of the army and navy and persons concerned with the former BUTOKU KAI), those that have so far been disposed of are 150 cases which include 14 releases, 57 unreleased and 8 cases in which applications were rejected.

Among those whose appeals are now under examination are found a considerable number of persons belonging to the political or financial field. All of them are expected to undergo some decision by the date of May 10.

Government Announcement.

In order to perfectly execute the program relating to the removal of such persons as fall under the Memorandum from public office, the Government has made all possible exertions to secure the justness of qualification examining covering a vast range of social fields, by establishing the Public Office Qualifications Examination Committee and the Appeal Committee in response to the enlargement of the scope of appliance of the Purge Ordinance that was effected in January the year before last. Under such system, an all-round examination of public office qualifications covering the various fields of politics, economy, the press, etc. was enforced from last spring and the work was virtually accomplished by the end of last year. And in affirmation of the prospect that the proceedings related to the provisional designation of those who have not held any public offices and whose past activities coming under the Memorandum were so far "latent" being not clearly known, will be brought to completion

by May 10 with the publication of concerned cases relating to persons of the writing field, the Government has now decided to abolish the central and local machinery of the aforesaid Committees as of the same date. However, in consideration of any unexpected omissions which may be found afterward, it has been arranged that for those who are going to take a public office hereafter the inquiry of their qualifications will be effected by the Prime Minister or the Governor of the To, Do, Fu or Ken. With respect to the Appeal Committee, it will take up only such applications as have reached the Prime Minister's Office not later than April 15. Nevertheless, when any serious injustice has occurred in relation to the business of purgee designation the person concerned is to be allowed even hereafter to make an appeal thereon to the Prime Minister. As to matters relating to so-called ultra-nationalistic organizations and the like, they will be put after this under the control of the Attorney-General.