

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

File No.:

Maj Norris

26-6076

Note
No.

From: Govt Sec

To: ESS

Date: 14 November 1951

1

1. Immediate introduction of the attached draft bill in the Diet
is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Dog Race Bill (No. 2)

F. R.

Very nice Bill # 2

GOVERNMENT SECTION
BUCK SLIP

11/14 1951

FROM: *D&P*

TO: _____ INITIAL _____ DATE _____

- _____ CHIEF.....
- _____ EX O.....
- _____ Special Assistant Nat'l Affairs.....
- Special Assistant Local Affairs..... *19*
- _____ Adm Div.....
- _____ Par & Pcl Div.....
- _____ Public Adm Div.....
- _____ Chief Clerk.....
- _____ File.....
- _____
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FOR:

- _____ INFORMATION
- _____ NECESSARY ACTION
- _____ ACTION (Prepare Reply)
- _____ APPROVAL
- _____ INITIAL
- COMMENT OR CONCUR
- _____ RETAIN
- _____ RETURN
- _____ FILE
- _____ BURN

ESS

House of Representatives

November 10, 1951.

The Dog Race Bill

(No. 2)

(Introduced by HARADA Yukimatsu (L))

(The Purpose of the Law)

Article 1. This law provides for rules of dog races by testing the ability of dogs with a view to promote the improvement of dogs and other animals, increased breeding and export, thereby rendering contribution to animal protection and local finance.

(Holding of Dog Races)

Article 2. Prefectures may hold dog races under this law with the resolution of prefectural assemblies.

2. Persons other than the prefectures that hold dog races in conformity to the rules of the preceding paragraph (hereinafter called promoters of dog races) shall not hold dog races by selling betting tickets or by other similar means.

(Commissioning the holding of dog race)

Article 3. The promoter of dog races may commission the dog Improvement Association established in respective prefectures, with the resolution of prefectural assemblies

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and also with the sanction of the Minister of Agriculture and Forestry.

(Prevention of cruel treatment of dogs)

Article 4. Dog races shall not be conducted in such a way as to maltreat the dogs entered in racing.

2. For a dog participating in the race, it shall be certified that the dog had, immediately before entrance, been examined by a veterinarian not in employment of the Government or a local public body and found healthy, free from any medical agent whatever and fit for participation.

(Animal racing course)

Article 5. Dog races shall be held in the Dog Racing Course registered in the Dog Improvement Club.

2. There shall be only one dog racing course in each prefecture. The prefecture designated by the Agriculture and Forestry Minister under the consideration of numbers of dogs entering in the races and of other circumstances may have two racing courses.

(Admission fees)

Article 6. The promoter of dog race, in holding such race, shall collect admission fees from the visitors.

(Winner tickets)

Article 7. The promoter of dog race may issue for sale betting tickets of the face value of ¥20 each.

2. The promoter of dog race may issue for sale tickets each representing five chances of betting mentioned in the preceding paragraph.

(Prohibition of transaction in betting tickets)

Article 8. In any of the following cases, no purchase or transaction shall be made in betting tickets.

- (1) Government officials concerned in dog race as well as officials of the Dog Improvement Club in every description of racing.
- (2) Prefectural employees concerned dog races in any race conducted by the prefecture.
- (3) Officers of the Dog Improvement Association, handlers as well as officers and other engaged in the operation of dog race in the race concerned.

(Dividends)

Article 9. The promoter of dog races shall make dividends ^{the} prorata to holder of winning tickets at the rate of not less than 75% of the proceeds of the sale of betting tickets, (After deducting the amount of rebate provided in Article 11 from the proceeds of the betting tickets. The same holds good in the cases hereafter mentioned).

2. In the absence of the betting on the winner, the amount not less than 75% of the proceeds of betting tickets shall be refunded prorata of holders of betting tickets.

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2. In the absence of the betting on the winner, the amount not less than 75% of the proceeds of betting tickets shall be refunded prorata of holders of betting tickets sh.

tickets, who betted on dogs other than winner dogs in the race.

3. The method of computing dividends to winners or holders of winning tickets pursuant to the rules of the two preceding paragraphs shall be provided for by Ministerial Order.

Article 10. In making dividends pursuant to the preceding Article, any fractions thereof shall be rounded off.

2. The amounts rounded off in fractions under the preceding paragraph shall form the income of the promoter of the dog race.

(Invalid tickets)

Article 11. Betting tickets after issued shall become invalid under any one of the following cases.

- (1) When there is no dog entered in the race, or when only one dog is left.
- (2) When the race is cancelled.
- (3) When there is not any winner dogs.

2. In case the dog indicated in the betting ticket sold or the combination of winning dogs under the forecasting system did not appear in the race, the betting on the dog or the combination shall be invalid. The same shall apply where in the forecasting betting system, only one of the dogs indicated in the betting ticket participated in the race.

3. In the case of the preceding two paragraphs, any person who holds the invalidated forecasting betting ticket may demand the promoter of the race the refund of the nominal amount of the ticket.

(Prescription of claim to dividend and refund)

Article 12. The claim to dividends in accordance with the provisions of Article 9 or the refund in accordance with the provisions of the preceding article shall lapse by prescription, if not exercised for 30 days.

(Dog to race)

Article 13. Any dog to participate in dog race shall be the one which has been trained by the handler specified in Article 14 and registered at the Dog Improvement Club.

2. The dog in the preceding paragraph shall not be allowed to participate in any dog race other than that conducted by the prefecture under whose jurisdiction lies the address of its keeper. However, this does not apply in the case the dog participates in the races whose kinds are designated by Ministerial Ordinance.

(Handler)

Article 14. No handlers other than those who have completed courses conducted by the Dog Improvement Club and registered at the said club shall train dogs which participate in a dog race, or take part in any dog race.

2. No handler who is not registered under the preceding paragraph shall use the name of handler.

(Income of the promoter of dog race)

Article 15. The promoter of dog race may receive any amount less than 25 per cent of the proceeds of betting tickets as his own income.

(Payment)

Article 16. The promoter of dog race shall pay to the National Treasury an amount corresponding to 3 per cent of the proceeds of betting tickets out of the amount which he received as his income in accordance with the provisions of the preceding article.

2. The Government shall outlay out of the amount paid in accordance with the provisions of the preceding paragraph necessary expenses for prevention of infectious diseases of dogs, promotion of health of other domestic animals, prevention of ill-treatment of animals, training of labor dogs, preservation of animals designated as protected natural objects by Article 69 (designation of protected natural objects) of the Law for Protection of Cultural Objects (Law No.214 of 1950), and registration of domestic animals.

3. Necessary matters concerning the application of the provisions of the preceding paragraph shall be provided for by Ministerial Order.

(Use of Income of promoters of dog race)

Article 17. The promoter of dog race shall pay, as the expenses necessary for putting into effect the matters mentioned in paragraph 2 of the preceding Article, an amount not less than equivalent to one-fourth of the balance of his income earned in accordance with the provisions of Article 15, after deducting the payment made in accordance with the provisions of paragraph 1 of the preceding Article and the expenses relative to the holding of the dog race,

2. Necessary matters concerning the expenses for the holding of a dog race shall be provided for by Cabinet Order.

Article 18. The Dog Improvement Association shall be a juridical person established in accordance with the provisions of Article 34 (establishment of non-profit corporation) of the Civil Code (Law No. 89 of 1896).

2. The Dog Improvement Association shall fulfil the conditions mentioned below:

- (1) The number of member shall not be less than the number determined by Ministerial Ordinance.
- (2) Each member shall possess one of the dogs whose kind and species are determined by Ministerial Ordinance, and the total

number of dogs of each kind possessed by the entire members shall exceed the number determined by Ministerial Ordinance for each kind.

(3) The association shall not have among its officers any persons who falls under any of the following items:

(a) A person who has been sentenced to fine or heavier punishment for a crime prescribed by this law, the Horse Race Law (Law No. 158 of 1948), the Cycle Race Law (Law No. 209 of 1948), the Small-type Automobile Race Law (Law No. 208 of 1950) or Chapter 23 (Crimes of Gambling and Lottery) Part 2 of the Penal Code (Law No. 45 of 1907).

(b) A person who was sentenced to imprisonment, or heavier punishment but has not passed two years after having served out his sentence or his sentence became impossible of execution.

(c) A person adjudged incompetent or quasi-incompetent.

3. No organization other than the Dog Improvement Association shall use in its title the letters "Dog Improvement Association" or similar letters.

4. Every Dog Improvement Association shall establish a Dog Improvement Club to execute, under its management, the construction of a dog racing course, registration

of the dogs to take part in the dog race and of the handlers of such dogs, adjustment of all matters concerning the running of dog races, opening of a course of training for aspirants to the job of handlers, training of the dogs to take part in dog races, and all other business indispensable for the improvement and breeding of such dogs.

5. The provisions of Para. 1, Para 2 (No.3) and Para. 3 will apply, mutatis mutandis, to any Dog Improvement Club. In this case, the words "Dog Improvement Association" in Para. 3 shall read "Dog Improvement Club."

(Control of dog racing course)

Article 19. The promoter of dog race shall take necessary measures for maintenance of order in the racing course, such as adjustment of visitors gallery, prevention of crimes and unfair dealings concerning the dog race, upholding of decency and sanitation in the racing course.

Article 20. The promoter of dog races may take the following steps, should he find it necessary in order to secure the fairness of the race or to maintain the order in the racing course:

- (1) Suspension of any dog from taking part in the race.

- (2) Issue of warning against the owner or handler of dog, or suspension of a handler from participating in the race.
- (3) Refusal of admission, or order against any visitor to withdraw from the racing course.

Article 21. The Minister of Agriculture and Forestry may, when he deems it necessary, send an official or officials concerned to the office in charge of the dog race, or to the racing course, and have necessary instructions given to the person who holds the dog race for maintenance of order in the racing course or for securing fair dealings of the race.

2. In the case stated in the preceding paragraph, the Minister of Agriculture and Forestry must order those officials to carry identification cards with them, so that they may be shown to the interested parties on request.

(Suspension of sales of betting tickets)

Article 22. The Minister of Agriculture and Forestry may, when the promoter of a dog race, or a Dog Improvement Association, or a Dog Improvement Club, has acted against this law, any ordinance issued by virtue of this law, or any disposal made thereunder, or when deems it necessary for the maintenance of order in the racing course or for securing the fair dealings of the race, issue an order against the promotor

of the race or the Dog Improvement Association or the Dog Improvement Club concerned suspending the sales of betting tickets, or order other necessary measures to be taken for the attainment of such purpose.

2. The Minister of Agriculture and Forestry, when any disposition is to be made in accordance with the provisions of the preceding paragraph, must hear the promoter of the dog race, the Dog Improvement Association or the Dog Improvement Club on the matters at a public hearing to be held prior to such disposition by notifying them of the time and place of such hearing. Under urgent circumstance, however, the public hearing may be held after the disposition.

(Cancellation of the permission to establish a corporation)

Article 23. The Minister of Agriculture and Forestry may, when a Dog Improvement Association, or Dog Improvement Club, falls under any one of the following cases, cancel his permission for establishment of a juridical person given under Article 34 of the Civil Code:

- (1) When a Dog Improvement Association or a Dog Improvement Club has come to lack the conditions enumerated in paragraph 2 of Article 18 (inclusive of cases to which Paragraph 5 of the same Article is applied. The same shall hold in the cases hereafter mentioned.) or where it has been found that the Dog Improvement Association or Dog Improvement Club had not fulfilled the conditions enumerated in Para. 2

of Article 18 at the time when its establishment was permitted.

- (2) Where a Dog Improvement Association or a Dog Improvement Club has acted against this law, or an order issued in accordance with this law, or any disposition made by virtue of the provisions of this law or ordinance.

2. The Minister of Agriculture and Forestry, when he wishes to cancel this permission for establishment of a juridical person under the preceding paragraph, shall hear such a Dog Improvement Association or a Dog Improvement Club at public hearing by duly notifying it of the time and place thereof.

(Notification, report, or examination)

Article 24. The Minister of Agriculture and Forestry may order any promoter of dog race to give a notice, or present a report concerning the race to be held, or closed, the accounts, and other matters of necessity, or may examine the books and other documents concerning the race.

(Registration fee)

Article 25. A Dog Improvement Club may collect such a registration fee as determined by Ministerial Order from the applicant for registration of a dog racing course, dog to take part in the dog race, or of any handler.

(Matters to be provided by Ministerial Order)

Article 26. Besides the matters provided for in this law, all matters concerning species and varieties of dogs to take part in dog race, frequency, duration and kinds of dog, race events and methods, standard for registration of racing course, dogs to take part in race and handlers of dogs and other details of registration, details of training courses to be given by the Dog Improvement Club to those who wish to be handlers and other matters necessary for the enforcement of this law shall be provided for by Ministerial Order.

(Penal Provisions)

Article 27. Any person who comes under any of the following items shall be subject to a penal servitude not exceeding one year or a fine not exceeding ¥50,000 or both of them.

- (1) Any person who violates the provision of Article 2, Paragraph 2 of this law.
- (2) Any person who gambles with indefinite large number of people betting valuable goods in connection with any dog race held this law.
- (3) Any person prohibited under Article 8 of this law, to buy or receive transfer of any betting ticket who has become a party to the act violating the provisions of the preceding item.

Article 28. Any person who comes under any of the following item shall be subject to a fine not exceeding ¥50,000.

- (1) Any person who has sold betting tickets to any one whom the seller could identify to have been prohibited to buy such under Article 8 of this law.
- (2) Any person who violates the provision of Article 8 of this law.
- (3) Any person who has become a party to an act mentioned in item 1 of the preceding Article.
- (4) Any person who has become a party to an act mentioned in paragraph 2 of the preceding Article except those stipulated in paragraph 3 of the preceding Article.

Article 29. Any officer of a Dog Improvement Association or Club, or any person who engages in the business of dog race or any handler related to such race who has received, demanded or promised any bribe in connection with his duty or race shall be subject to a penal servitude not exceeding three years.

2. Any person mentioned in the preceding item who has received, demand or promised a bribe in connection with his duty or race and thereby committed ~~in connection with his duty or race and thereby committed~~ iniquities or neglected his duties shall be subject to a penal servitude not exceeding five years.

3. The bribes received under circumstances mentioned in the preceding two items shall be confiscated. In case whole or part of the bribe cannot be confiscated, its price shall be collected as penalty.

Article 30. Any person who has offered or proposed or promised a bribe mentioned in paragraph 1 or 2 of the preceding Article shall be subject to penal servitude not exceeding three years.

Article 31. Any person who has violate the provision of Article 14, paragraph 2 or Article 18, paragraph 3 (inclusive of cases to which paragraph 5 of the same Article is applied) shall be subject to a fine not exceeding ¥10,000.

SUPPLEMENTARY PROVISIONS

1. This law shall come into force from the day of its promulgation.
2. The dogs imported from abroad (excluding those dogs which lived in the country at the time of the enforcement of this Law) shall not appear in the race for the time being.
3. The Ministry of Agriculture and Forestry Establishment Law (Law No. 153, 1949) shall be amended as follows:
following item shall be added to Paragraph 1, Article 11.
13. Matters pertaining to the practice of dog race.

HOUSE SEC. 5(E) AND 5(D) OR (E) INNOG # 115012
November 13, 1951.

Title of the Bill: The Dog Race Bill.
(Presented by HARADA Yukimatsu)

I hereby certify that none of the provisions of the above-mentioned Bill is in violation of any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, nor, except where so specified, conflicts with any other law.

Toshio Inoue

Chief, Legislative Bureau,
House of Representatives.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

No.:

Maj Norris

From: Govt Sec

To:

ESS

Date:

26 6076
25 January 1952

1. Immediate introduction of the attached draft bill in the Diet
is proposed by ~~House of Representatives~~

2. Your prompt comment is requested.

1 incl: Bill for Specifying Damages Prescribed
in Art 25-2 of Law Providing Temporary
Measures re: Leasehold Land & Leased
Buildings in Cities Damaged by War etc.

F. R.

AS
Wang

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

No.:

From: Govt Sec To: ESS Date: 24 January 1952
Maj Norris
26-6076

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives

2. Your prompt comment is requested.

1 incl: Bill for Specifying Damages Prescribed in Art 25-2 of Law Providing Temporary Measures re: Leasehold Land & Leased Buildings in Cities Damaged by War etc.

F. R.

From: ESS To: Govt Sec Date: 29 JAN 1952
W.K. Htter, 26-6155
WFM/WKP/JCG/WKE/sh
J. W. H.

2. There is no objection to the immediate introduction in the Diet of the attached draft Bill for Specifying Damages Prescribed in Art 25-2 of Law Providing Temporary Measures re: Leasehold Land and Leased Buildings in Cities Damaged by War etc.

1 Incl:
n/c

-----W. F. H.-----

House of Representatives

January 23, 1952.

Bill for Specifying the Damages Prescribed in Article 25-(2) of the Law Providing Temporary Measures concerning Leasehold Land and Leased Building in the Cities Damaged by War and the Area to which the Provision of the Same Article should apply. (Proposed by MATSUMOTO Ichiro and 4 others)

The damages prescribed in the provision of Article 25-(2) of the Law Providing Temporary Measures concerning Leasehold Land and Leased Building in the Cities Damaged by War (Law No.13 of 1946) shall be specified as stated in the upper column of the following list, and the area to which the provision of the same Article should apply concerning the damages stated in the same column shall be specified as stated in the lower column of the same list.

Damages	Area
The fires which broke out on December 16th, 1952 in the City of Matsuzaka, Miye Prefecture	The City of Matsuzaka in Miye Prefecture.

Supplementary Provision

This Law shall come into force as from the day of its promulgation.

CS: ESS
GS/WM.

Recd GS
1/24/52

January 23, 1952.

Title of the Bill: Bill for the Specifying the Damages Prescribed in Article 25-(2) of the Law Providing Temporary Measures concerning Leasehold Land and Leased Building in the Cities Damaged by War and the Area to which the Provision of the Same Article should apply.
(Presented by MATSUMOTO Ichiro and 4 others)

I hereby certify that none of the provisions of the above-mentioned Bill is in violation of any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, nor, except where so specified, conflicts with any other law.

Toshio Urie

Chief, Legislative Bureau,
House of Representatives.