GHQ/SCAP Records(RG 331)
Description of contents

(1) Box no. 2207

(2) Folder title/number : (11)
Agriculture & Forestry Ministry Bills
12th Diet

(3) Date : Oct. 1951, Nov. 1951

(4) Subject :

Classification	Type of record
611	z

(5) Item description and comment :

(6) Reproduction : (Yes) No

(7) Film no. Sheet no.

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
26-6076

From: Govt Sec To: ESS Date: 23 November 1951

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

2. Your prompt comment is requested.

1 incl: Amendments to Cocoon and Raw Silk Price Stabilization Bill

F. R.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheets)

File No.: Subject:

Note No.	From:	To:	Date:

WFM/ RMH/eb
23 November 1951

From: ESS To: Gov Sec

1. There is no objection to the immediate introduction in the Diet of the attached draft Bill.

1 Incl
n/c W.F.M.

FEC AGO Form No 37a
(13 Dec 49)

2410—FEC Printing Plant—4/50—50M

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
26-6076

From: Govt Sec To: NRS Date: 23 November 1951

1. Immediate introduction of the attached draft amendment in the Diet is proposed by House of Councillors

2. Your prompt comment is requested.

1 incl: Amendments to Cocoon and Raw Silk Price Stabilisation Bill

F. R.

Ag + For

Miss D C Goodwin - 26-6217
MRD/DCG/mhk

2 From: NR To: GS Date: 24 NOV 1951

NR has no objection to the proposed Amendments to Cocoon and Raw Silk Price Stabilization Bill.

1 Incl
n/c

- H. B. D. - - - - - - - - - -

HOUSE OF COUNCILLORS

November 22nd, 1951.

Proposed Amendments to the Cocoon and Raw Silk Price Stabilization Bill

Proposers: Kohei KOBAYASHI (Soc. 2nd Lob.)
and other three members.

The Cocoon and Raw Silk Price Stabilization Bill shall be partially amended as follows:

In Article 3 paragraph 1, "taking into consideration the market price of raw silk, the production cost of cocoons, the cost necessary for the production and sales of raw silk, the price of principal fibers and commodity prices and other economic situation." shall be amended to "making the standard thereof the amount acquired by adding the amount of the cost necessary for production and sale of raw silk to the amount of production cost of cocoon, taking into consideration the price of principal fibers and commodity prices and other economic situations.",

In Article 9, "export of raw silk" shall be amended to "export of raw silk (including the processed articles of raw silk)", and "the same raw silk" shall be amended to "the same raw silk (including the processed articles of the same raw silk)".

In Article 17, "the preceding Article" shall be amended to "the preceding two Articles", "the same Article" shall be amended to "the respective Article", and Article 17 shall be moved down to Article 19.

CS
NRS
ESS
GS/WSM

Recd G S
11/23/51

In

In Article 16 item (1), "Article 12" shall be amended to "Article 13"; in item (2) of the same Article, "Article 13 paragraph 1" shall be amended to "Article 14 paragraph 1", and the same Article shall be moved down to Article 18. Next to the title above the same Article, the following one Article shall be added:

Article 17. A person who has either made a contract, or paid or received the equivalent in violation of provisions of the Cabinet Order based on the provision of Article 10 paragraph 1 shall be subject to a penal servitude not exceeding one year or a fine not exceeding 100,000 yen or both.

2. As to the application of the provision of the preceding paragraph to an act which has been committed until the time of amendment, abolition or invalidation of the Cabinet Order under the same paragraph, it shall conform to the regulations that have been in force before the above-mentioned amendment, abolition or invalidation.

In Article 15 paragraph 2, "the officers of the administrative agencies concerned and the" shall be amended to "sericulturists and silk-reeling manufacturers and other", and the same Article shall be moved down to Article 16.

Article 10 shall be moved down to Article 11 and Article 11 to Article 14 inclusive shall be moved down in order by one article.

Next to Article 9, the following one Article shall be added:

(Prohibition of Contracts, etc. Exceeding Prohibition Price)

Article 10. The Government may, in cases where there is abnormal advance of raw silk price or marked danger thereof owing to cornering and other acts for the purpose of unfair profits,

if

if it deems it necessary in order to prevent the abnormal advance, prohibit by the Cabinet Order contracts, or payments or receipts of the equivalent, at a price exceeding a certain fixed price (hereinafter referred to as "prohibition price") in regard to the transactions of the raw silk as provided in Article 7.

2. The prohibition price shall be, as to the standard raw silk, the amount not less than the ceiling price thereof, and as to the other raw silk, the amount equal to the prohibition price of the standard raw silk plus or minus certain allowances provided by the Cabinet Order.

HOUSE OF COUNCILLORS

Thurs. Nov. 22, 1951

Title

The Proposed Amendments to the Cocoon and Raw Silk Price Stabilization Bill

I hereby certify that above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

Kenichi Okuno

Kenichi Okuno
Director, Legislative Bureau,
House of Councillors

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.	
1	From: Govt Sec To: ESS Date: 8 November 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Cocoon & Raw Silk Price Stabilization Bill F. R.
2	From: ESS To: Govt Sec WFM/RWH/eb Date: 9 Nov 51 1. ESS has no objection to introduction of Bill referencedin Para 1 of CN above. 1 Incl n/c W.F.M.

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: NRS	Date: 8 November 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Cocoon and Raw Silk Price Stabilization Bill		

F. R.

D C Goodwin - 26-6217
HBD/ST/DCG/mhk
Date: 10 NOV 1951

2

From: NR To: GS

NR has no objection to the proposed Cocoon and Raw Silk Price Stabilization Bill.

1 Incl
n/c

- H. B. D. - - - - - - - - - - - -

Cocoon + Raw Silk Prices

FOM 41

GOVERNMENT SECTION
BUCK SLIP

11/8 1951

FROM: P+P

TO:	INITIAL	DATE
___	CHIEF.....	....
___	EX O.....	.....
___	Special Assistant Nat'l Affairs.....	.....
___	Special Assistant Local Affairs.....	.....
___	Adm Div.....	.....
___	Par & Pol 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

OK Wendy.

cy NRS, ESE

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

~~Nov. 8,1951~~

1. Number: POM No. 41.

2. Title: The Cocoon and Raw Silk Price Stabilization Bill

3. Office in Charge: Ministry of Agridulture & Forestry

4. Date of Cabinet Approval: Nov. 7

5. SCAP Section concerned: Mr. Randal,
Finance Section, ESS.

6. Remark (Reference):

See : attached Paper.

7. GS Reviewers:

Received by GS

Date 11/8/51

CS:
NRS
ESS
CS/WM

(1) Copies of excerpts of following laws are attached herewith.

1. The Raw Silk Industry Law (Law No.57 of 1945).
2. The Raw Silk Reeling Law (Law No.29 of 1932)

(2). The Written Certificate of the Administrative Management Agency is attached herewith.

No. 161

Date: November 7th, 1951

Title of draft Law
~~Cabinet Order~~

The Cocoon and Raw Silk Price Stabilization Bill

The above draft Law
~~Cabinet Order~~ has been reviewed and approved by the Administrative Management Agency.

Katsuhiko Onogi

Katsuhiko ONOGI,
Deputy Director,
Administrative Management Agency.

FOMNO.41

THE COCOON AND RAW SILK PRICE STABILIZATION BILL

The Cocoon and Raw Silk Price Stabilization Bill

(Object)

Article 1. The object of this Law is to prevent the abnormal fluctuations of the cocoon and the raw silk prices in order to try to increase the raw silk export and to stabilize the management of raw silk industry.

(Sales and Purchases of Raw Silk)

Article 2. In order to achieve the object as mentioned in the preceding Article, the Government will sell raw silk in its possession at the ceiling price in compliance with the applications or buy raw silk at the floor price within the limit of the budget.

(Ceiling and Floor Prices)

Article 3. The ceiling and the floor prices mentioned in the preceding Article as to the standard raw silk (meaning the raw silk with the kind, size and grade as provided in Cabinet Order; hereinafter the same) shall be determined by the Minister of Agriculture and Forestry, in accordance with the provisions of Cabinet Order, taking into consideration the market price of raw silk, the production cost of cocoons, the cost necessary for the production and sales of raw silk, the price of principal fibers and commodity prices and other economic situations.

2. The ceiling and the floor prices mentioned in the preceding Article as to raw silk other than the standard raw silk shall be the amount equal to the above-mentioned ceiling and floor prices plus or minus certain allowances calculated in accordance with the provision of Cabinet Order.

Article 4. The ceiling and the floor prices of the standard raw silk shall be determined every March (in April or May in cases where it is especially necessary to do so in view of commodity prices and other economic conditions) and shall apply from June,1 of the year to May,31 of next year.

Article 5. The ceiling and the floor prices of the standard raw silk may be revised, if it is especially necessary to do so, in cases where a remarkable change has been brought about in commodity prices or other economic situation or where there is a probability that such change might arise.

Article 6. In cases where the Minister of Agriculture and Forestry has determined or revised the ceiling and the floor prices of the standard raw silk in accordance with the provisions of Article 4 or 5, he must notify the same without delay.

(Kind, etc. of Raw Silk to be Purchased)

Article 7. The raw silk to be purchased by the Government in accordance with the provision of Article 2 shall be restricted to raw silk that has been determined to be the raw silk with the kind, size and quality designated by Ministrial Ordinance as the result of the tests based on the provision of Article 16 paragraph 1 of the Raw Silk Industry Law (Law No. 57 of 1940).

(Cases where Applications for Purchases or Sales Are Not Accepted)

Article 8. The Government may not accept an application for purchases or sales provided in Article 2 in cases where it falls under one of the following items:

(1) In cases where the applications for the purchases or the sales are not made in blocks of a lot provided by Ministrial Ordinance;

(2) In cases where the raw silk applied for the purchases is one that has passed more than 6 months after the completion of the tests mentioned in the preceding Article;

(3) In cases where the application for the purchase is deemed to be made for the purpose of unfair profits by means of cornering, etc.

(Conditional Sales To Secure Export)

Article 9. In cases where it is especially necessary to secure the export of raw silk, the Government may, when it sells raw silk in accordance with the provision of Article 2, attach a condition that the same raw silk shall be exported or other conditions.

(Special Measures For Maintenance of Cocoon Prices)

Article 10. The Government will, in cases where it deems that the abnormal fall in cocoon prices cannot be prevented even by the purchases of raw silk under the provision of Article 2, take necessary measures to prevent the abnormal decline in the cocoon prices.

(Storage, etc. of Raw Silk in Possession of Government)

Article 11. The Government may store, process, sell for clearance or sell for new uses or markets the raw silk in possession of it.

2. The sales price mentioned in the preceding paragraph shall be determined by the Minister of Agriculture and Forestry on the basis of the current price.

(Report of Raw Silk Transactions)

Article 12. A person who has a place of business within the boundaries of the city of Yokohama, Kobe or Osaka and is engaged in raw silk transactions as an intermediary or an agency (hereinafter referred to as "raw silk dealer") must, in cases where he sells, or intermediates the sales of, raw silk the delivery of which is made in one of the above mentioned boundaries based on a consignment from a person who has been licensed pursuant to the provision of Article 2 of the Raw Silk Reeling Industry Law (Law No. 29 of 1932) (hereinafter referred to as "raw silk reeler"), or in cases where he has purchased raw silk the delivery of which is made within the above boundaries from a raw silk reeler who has not a place of business within the boundaries (the cases where he has purchased through an intermediary or an agency of other raw silk dealer shall be excepted), submit a report on the following matters to the Minister of Agriculture and Forestry:

(1) Kind of Transaction;

(2) Number and date of issuance of the test certificate which certifies that the raw silk transacted has finished the tests according to the provision of Article 14 of the Raw Silk Industry Law;

(3) Kind, size, grade, number of bales, weight in "kin" and name of the producer, of the raw silk transacted;

(4) Price per bale and the total amount of the transaction;

(5) Date when the transaction is concluded;

(6) Date when the raw silk is delivered;

(7) Name or trade name of the reporter;

(8) Name or trade name of the other party to the transaction;

(9) Name or trade name of the consignor in the case of a transaction as an intermediary or an agency.

2. In cases where a raw silk reeler who has a place of business within the boundaries provided in the preceding paragraph sells raw silk the delivery of which is made within the above boundaries (the cases where he sells through an intermediary or an agency of a raw silk dealer shall be excepted), he must submit a report on the matter mentioned in each item of the preceding paragraph to the Minister of Agriculture and Forestry.

3. The provisions of the preceding two paragraphs shall not be applied in cases where the sales or the purchases are made as transactions in a commodity exchange that has been established based on the Commodity Exchange Law (Law No. 239 of 1950).

4. The report mentioned in paragraph 1 or 2 must be submitted by the noon of the next day of the day mentioned below (when it falls on a public holiday or a Sunday, the day after it):

(1) In the case of a spot transaction, the day when the contract of transaction has been concluded;

(2) In the case of a fixed price forward contract, the day when the raw silk is delivered;

(3) In the case of an open price forward contract and transactions other than that of each of the preceding items, the day when the transaction price is determined.

(Survey concerning Cocoon and Raw Silk)

Article 13. In cases where the Minister of Agriculture and Forestry deems it necessary in order to make the survey of the production costs of cocoons and raw silk, the demand and supply situation and other necessary subjects in regard to the stabilization of cocoon and raw silk price, he may, in accordance with the provision of Ministrial Ordinance, make a person who is engaged in the production of cocoons or raw silk or in the transaction of raw silk or who is an intermediary or an agency of the transaction, submit a report on necessary matters.

2. The Minister of Agriculture and Forestry may, in cases where it is necessary to conduct the survey of the production cost of raw silk, make his officer enter a raw silk reeler's place of business, storehouse, etc. and inspect books and other subjects related to the business operations.

3. An officer who enters and inspects in accordance with the provision of the preceding paragraph must carry a certificate identifying his status and, in cases where he is demanded for it by an interested person, must present it for identification.

4. The power of entrance and inspection under the provision of paragraph 2 shall not be construed to be permitted for a criminal investigation.

(Establishment of Cocoon and Raw Silk Price Stabilization Council and Subjects in Charge thereof)

Article 14. The Cocoon and Raw Silk Price Stablization Council (hereinafter referred to as "the Council") shall be established within the Ministry of Agriculture and Forestry.

2. The Council shall deliberate and discuss the important subjects in regard to the stabilization of cocoon and raw silk prices in answer to the consultations of the Minister of Agriculture and Forestry.

3. The Council may submit an opinion on the important matters in regard to the stabilization of cocoon and raw silk prices to the administrative agencies concerned.

(Organization, Operations, etc. of the Council)

Article 15. The Council shall comprise the Minister of Agriculture and Forestry and Council members not exceeding 20.

2. The Council members shall be appointed by the Minister of Agriculture and Forestry from among the officers of the administrative agencies concerned and the men of knowledge and experience in regard to the raw silk industry.

3. The Council shall have one chairman and the Minister of Agriculture and Forestry shall fill the position.

4. The chairman shall preside the activities of the Council and represent it.

5. In cases where the chairman is absent, a person designated by him in advance shall act in his place.

6. The Council members shall be non-permanent.

7. Necessary matters besides those provided in the preceding paragraphs regarding the organization and operation of the Council shall be provided in the Cabinet Order.

Article 16. A person who falls under any of the following items shall be subject to a fine not exceeding 50,000 yen.

(1) A person who has not submitted a report in accordance with the provision of paragraph 1 or 2 of Article 12 or has made a false report thereof.

(2) A person who has not submitted a report provided in Article 13 paragraph 1 or has made a false report thereof, or who has refused, disturbed or evaded the inspection pursuant to the provision of paragraph 2 of the same Article.

Article 17. In cases where a representative of a juridical person or an agency, an employee or other employed person of a juridical person or a person violates any of the preceding Article in regard to the business activities of the juridical person or the person, the violater shall be punished and at the same time, the juridical person or the person shall be subject to a fine based on the same Article. However, this shall not apply in cases where the juridical person or the person has proved that the same has exerted appropriated notices and supervision over the business operations in order to prevent such violation by the representative, employee or other employed person of the juridical person or the person.

Supplementary Provisions:

1. This Law shall come into force after the expiration of 15 days computing from the date of its promulgation. However, the provisions of Article 2 shall be put into force from the date provided by the Cabinet Order not exceeding 60 days from the date of its promulgation.

2. The ceiling and the floor prices of the standard raw silk to be applied for the period from the date when the provision of Article 2 comes into force to May 31, 1952 must be determined until the date when the provision of Article 2 comes into force irrespective of the provision of Article 4.

3. The Ministry of Agriculture and Forestry Establishment Law (Law No. 153 of 1949) shall be partially amended as follows:

Next to Article 4 item (42), the following one item shall be added:

(42) - 2) To buy, sell, store or process raw silk;

Next to Article 12 item (4), the following one item shall be added:

(4) - 2) Matters related to the purchases and sales of raw silk for the purpose of the cocoon and raw silk price stabilization.

In the list of Article 34 paragraph 1,

"Horseshoers Examination Committee	To take charge of matters related" to horseshoers examination under the Horseshoers Law (Law No. 89 of 1940).
shall be amended as	
"Horseshoers Examination Committee	To take charge of matters related" to horseshoers examination under the Horseshoers Law (Law No. 89 of 1940).
Cocoon and Raw Silk Price Stabilization Council	To discuss and deliberate on matters assigned to its powers by the Cocoon and Raw Silk Price Stabilization Law (Law No._____ of 1951).

Justification

Whereas it is necessary to try to increase the raw silk export and to stabilize the management of raw silk industry and thus to contribute to the sound development of the raw silk industry by stabilizing the prices of cocoon and raw silk, this draft is hereby presented.

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. 1

From: Govt Sec To: ESS Date: 13 November 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Bill for Special Measures for
Adjustment of Small Type Trawler
Fisheries

F. R.

W. K. Ritter 26-6155
WFM/MMR/JCG/WKR/alk

From: ESS To: Govt Sec Date: 17 NOV 1951

2 There is no objection to the immediate introduction in the Diet of the attached draft Bill for Special Measures for the Adjustment of Small Type Trawler Fisheries.

1 Incl
n/c

W. F. M.

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.	
1	From: Govt Sec To: NRS Date: 13 November 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Special Measures for Adjustment of Small Type Trawler Fisheries F. R. 6229
2	From: NRS To: Govt Sec William C. Neville, 26-6218 Date: 14 November 1951 NRS recommends favorable clearance of subject legislation. 1 Incl n/c H.B.D.

Agri - for.

Small type trawler
Fishers

GOVERNMENT SECTION
BUCK SLIP

11/13 1951

FROM:

TO:		INITIAL	DATE
___	CHIEF		
___	EX O		
✓	Special Assistant Nat'l Affairs		
___	Special Assistant Local Affairs		
___	Adm Div		
___	Par & Pol 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

NRS, ESS

OK
WEmph.

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Nov. 13, 1951

1. Number: FOM No. 65

2. Title: Bill for Special Measures for the Adjustment of Small Type Trawler Fisheries

3. Office in Charge: Ministry of Agriculture & Forestry

4. Date of Cabinet Approval: Nov. 9, 1951

5. SCAP Section concerned: Mr. Neville,
Chief of Fisheries Div. NRS.

6. Remark (Reference): Fisheries Law (Law No.267 of 1949) O.G. Extra 143, dated Dec. 15, 1949 as amended by (Law No.101 of 1950) No. Extra 27, dated Apr. 15, 1950 (Law No. 110 of 1950) No. Extra 32, dated Apr. 25, 1950 (Law No. 171 of 1950) No. Extra 48, dated May 10, 1950 (Law No. 225 of 1950) No. Extra 93, dated July 31, 1950.

7. GS Reviewers:

Received by QS

Date 11/13/51

QS:
NRS
ESS
GS/WDM

FOMNO.65

Bill for Special Measures for the Adjustment of Small Type Trawler Fisheries

(Purpose)

Article 1. The purpose of this Law is to prevent the exhaustion of aquatic resources and establish the order in coastal fishing grounds through reduction of the number of the vessels being used for small type trawler fisheries not later than March 31, 1956.

(Definition)

Article 2. "Small type trawler fisheries" as used in this Law shall mean the small type trawler fisheries as prescribed in Article 66-(2) paragraph 2 of the Fisheries Law (Law No.267 of 1949) and include those fisheries which are deemed to be small type trawler fisheries in accordance with the provision of paragraph 3 of the Supplementary Provisions of the Law for Partial Amendments to the Fisheries Law (Law No.___ of 1951).

(Restriction on Term of License)

Article 3. The term of any license to be granted by the governor of To, Do, Fu or prefecture not later than March 31, 1956 in accordance with the provision of Article 66-(2) shall not be more than one year.

(Determination of Maximum Limits)

Article 4. The Minister of Agriculture and Forestry shall, within three months after the enforcement of this Law and upon hearing the opinion of the Central Fisheries Adjustment Commission, determine the maximum limits of the number, total gross tonnage and total horse-power of the vessels usable for small type trawler fisheries as of April 1, 1956.

2 The Minister of Agriculture and Forestry may, when he deems it necessary to do so for adjustment of the fisheries, alter the maximum limits determined in accordance with the provision of the preceding paragraph upon hearing the opinion of the Central Fisheries Adjustment Commission.

3 In cases where the Minister of Agriculture and Forestry has determined or altered the maximum limits in accordance with the provisions of the preceding two paragraphs, he shall give public notice thereof.

(Determination of Number, etc. of Vessels to be Reduced)

Article 5. The Minister of Agriculture and Forestry shall, upon hearing the opinion of the governor of To, Do, Fu or prefecture and the Central Fisheries Adjustment Commission, determine the number, total gross tonnage and total horse-power of the vessels of each To, Do, Fu or prefecture operating small type trawler fisheries which are to be reduced in each fiscal year from 1952 to 1955 so as to make the number, total gross tonnage and total horse-power of the vessels usable for small type trawler fisheries fixed within the maximum limits as prescribed in the preceding Article not later than March 31, 1956, and give public notice thereof; and at the same time he shall give instructions therefor to the governor of To, Do, Fu or prefecture.

2 The determination mentioned in the preceding paragraph shall be made prior to the opening of the fiscal year concerned (not later than June 30, 1952, in the 1952 fiscal year).

3 The Minister of Agriculture and Forestry may, when he deems it necessary to do so for adjustment of the fisheries, increase or decrease the number, total gross tonnage or total horse-power of the vessels determined in accordance with the provision of paragraph 1, upon hearing the opinion of the governor of To, Do, Fu or prefecture and the Central Fisheries Adjustment Commission. In this case, he shall give public notice thereof and at the same time give instructions therefor to the governor of To, Do, Fu or prefecture.

(Designation of Vessels to be Reduced)

Article 6. In cases where the governor of To, Do, Fu or prefecture has received any instruction as prescribed in paragraph 1 of the preceding Article or any instruction to the effect that the number of vessels to be reduced in accordance with the provision of paragraph 3 of the same Article should be increased, he shall, within six months from the day of such instruction effected and in compliance with it, designate, in consideration of the following matters, the vessels to be reduced in that fiscal year out of the vessels being used for small type trawler fisheries operated with the license as prescribed in Article 66-(2) of the Fisheries Law and give public notice thereof, and at the same time he shall notify the owners of the

(Determination of Number, etc. of Vessels to be Reduced)

Article 5. The Minister of Agriculture and Forestry shall, upon hearing the opinion of the governor of To, Do, Fu or prefecture and the Central Fisheries Adjustment Commission, determine the number, total gross tonnage and total horse-power of the vessels of each To, Do, Fu or prefecture operating small type trawler fisheries which are to be reduced in each fiscal year from 1952 to 1955 so as to make the number, total gross tonnage and total horse-power of the vessels usable for small type trawler fisheries fixed within the maximum limits as prescribed in the preceding Article not later than March 31, 1956, and give public notice thereof; and at the same time he shall give instructions therefor to the governor of To, Do, Fu or prefecture.

2 The determination mentioned in the preceding paragraph shall be made prior to the opening of the fiscal year concerned (not later than June 30, 1952, in the 1952 fiscal year).

3 The Minister of Agriculture and Forestry may, when he deems it necessary to do so for adjustment of the fisheries, increase or decrease the number, total gross tonnage or total horse-power of the vessels determined in accordance with the provision of paragraph 1, upon hearing the opinion of the governor of To, Do, Fu or prefecture and the Central Fisheries Adjustment Commission. In this case, he shall give public notice thereof and at the same time give instructions therefor to the governor of To, Do, Fu or prefecture.

(Designation of Vessels to be Reduced)

Article 6. In cases where the governor of To, Do, Fu or prefecture has received any instruction as prescribed in paragraph 1 of the preceding Article or any instruction to the effect that the number of vessels to be reduced in accordance with the provision of paragraph 3 of the same Article should be increased, he shall, within six months from the day of such instruction effected and in compliance with it, designate, in consideration of the following matters, the vessels to be reduced in that fiscal year out of the vessels being used for small type trawler fisheries operated with the license as prescribed in Article 66-(2) of the Fisheries Law and give public notice thereof, and at the same time he shall notify the owners of the

vessels thereof (in case the persons operating small type trawler fisheries by means of the vessels are not their owners, the owners as well as the persons.):

(1) Whether the person operating small type trawler fisheries by means of the vessel desires to give up the fisheries by the same vessel or not;

(2) Whether the person operating small type trawler fisheries has violated laws and orders concerning the fisheries or not;

(3) The degree of dependency of the livelihood of the person operating small type trawler fisheries by means of the vessel upon the fisheries;

(4) The number of the vessels being used for the fisheries by the person operating small type trawler fisheries by means of the vessel;

(5) The degree of the concerted action of the person operating small type trawler fisheries by means of the vessel with other fisheries being operated in the waters where he operates the fisheries and the degree of his consideration upon an all-round exploitation of the waters.

2 In cases where the governor of To, Do, Fu or prefecture intends to designate the vessels to be reduced in accordance with the provision of the preceding paragraph, he shall hear in advance the opinion of the united sea-area fisheries adjustment commission as prescribed in Article 65 paragraph 7 of the Fisheries Law and the fishermen's cooperative association or the federation of fishermen's cooperative associations concerned.

3 In cases where the governor of To, Do, Fu or prefecture has received the instruction to the effect that the number of vessels to be reduced in accordance with the provision of paragraph 3 of the preceding Article should be decreased or in the case of other necessity, he may, upon hearing the opinion of the united sea-area fisheries adjustment commission and the fishermen's cooperative association or the federation of fishermen's cooperative associations as prescribed in the preceding paragraph, cancel the designation of the vessels to be reduced under the provision of paragraph 1. In this case, the provision of paragraph 1 shall apply mutatis mutandis.

4 In cases where the united sea-area fisheries adjustment commission intends to express its opinion in accordance with the provision of paragraph 2 or the preceding

paragraph, it shall, giving in advance public notice of the date and place, have a public hearing and hear the opinion of the persons concerned.

(Filing of Protest)

Article 7. In cases where any person who has received the notice as prescribed in paragraph 1 of the preceding Article is not satisfied with the designation stated in the notice, he may file with the governor of To, Do, Fu or prefecture a protest against it. However, this shall not apply in cases where twenty days have elasped after the day of the public notice given in accordance with the provision of the same paragraph.

2 In cases where the governor of To, Do, Fu or prefecture has been filed with any protest mentioned in the preceding paragraph, he shall give a decision therefor within one month after the expiration of the period of filing of the protest mentioned in the same paragraph.

(Prohibition of Granting License for Vessels to be Reduced)

Article 8. In cases where any application for the license of small type trawler fisheries as prescribed in Article 66-(2) of the Fisheries Law has been made for the vessels designated as ones to be reduced under the provision of Article 6 paragraph 1. the governor of To, Do, Fu or prefecture shall not grant any license therefor.

(Granting of Subsidies)

Article 9. The Government may, within the limits of the budgetary appropriations and in accordance with what may be determined by Cabinet Order, grant subsidies to the owners of the vessels designated as ones to be reduced under the provision of Article 6 paragraph 1 or the persons who have been operating small type trawler fisheries by means of the vessels, for the purpose of facilitating that they may use those vessels for other types of fisheries or for industries other than fishing industry.

Supplementary Provisions:

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

Reason

In order to prevent the exhaustion of aquatic resources and to establish the order in coastal fishing grounds through reduction of the number of the vessels being used for small type trawler fisheries, it is necessary to provide for the standards of the reduction, etc.

This is the reason why this Bill is brought before the Diet.

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: 8 November 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Abolition of Orders under Ministry of Agriculture & Forestry Based on Imperial Ordinance concerning Order to be Issued in Consequence of Acceptance of Potsdam Declaration F. R.		
2.	O1O(8 Nov 51)ESS/FIN		W.K.Etter, 26-6155 WFM/JCG/WKE/al
	From: ESS	To: Govt Sec	Date: 14 NOV 1951

There is no objection to the immediate introduction in the Diet of the attached draft Bill for Abolition of Orders under Ministry of Agriculture and Forestry Based on Imperial Ordinance concerning Order to be Issued in Consequence of Acceptance of Postsdam Declaration.

1 Incl
n/c

for W. F. M.

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.		
1	From: Govt Sec	To: NRS Date: 8 November 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry.

2. Your prompt comment is requested.

1 Incl
Bill for Abolition of Orders under
Ministry of Agriculture & Forestry
Based on Imperial Ordinance concerning
Order to be Issued in Consequence of
Acceptance of Potsdam Declaration

F. R. (HB) 6137

Mr. William C. Neville
26,6218

2	From: NRS	To: Govt Sec Date: 8 NOV 1

NR has no adverse comments on subject legislation and recommends its clearance by this headquarters.

1 Incl
n/c

H.B.D.

FOM 42

GOVERNMENT SECTION
BUCK SLIP

11/8 1951

FROM: RHP

TO: INITIAL DATE

___	CHIEF	....
___	EX O	.....
___	✓ Special Assistant Nat'l Affairs	.....
___	Special Assistant Local Affairs	.....
___	Adm Div	.....
___	Par & Pol 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

NRS
ESS

FOMND.42

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Nov. 8, 1951

1. Number: FOM No. 42

2. Title: Bill for Abolition of Orders under the Ministry o of Agriculture and Forestry based on the Imperial Ordinance concerning the Orders to be Issued in Consequence of Acceptance of the Potsdam Declaration

3. Office in Charge:
Ministry of Agriculture & Forestry

4. Date of Cabinet Approval:
Nov. 6, 1951

5. SCAP Section concerned:
Mr. W.C. Neville, Chief of Fisheries Div. NRS.

6. Remark (Reference):
(1)--(Imperial Ordinance No. 529 of 1946)
---Official Gazette No. 183, dated Nov. 7, 1946.
(2)--(Cabinet Order No. 306 of 1949)
---Official Gazette No. 1013, dated Aug. 15, 1949.
(3)--(Cabinet Order No. 384 of 1949)
---Official Gazette No. Extra 138, dated Dec. 7, 1949

7. GS Reviewers:

Received by GS

Date 11/8/51

CS. NRS
ESS
GS/WM.

FOMNO.43

Law No. .....

Bill for Abolition of Orders under the Ministry of Agriculture and Forestry based on the Imperial Ordinance concerning the Orders to Be Issued in Consequence of Acceptance of the Potsdam Declaration.

The orders as listed below shall be abolished:

Imperial Ordinance concerning Special Instances of Punishments relating to Fisheries Law (Imperial Ordinance No. 529 of 1946);

Cabinet Order for Restrictions on Operation Area of Fishing Boat (Cabinet Order No. 306 of 1949);

Cabinet Order for the Food Maintenance Temporary Measures (Cabinet Order No. 384 of 1949).

Supplementary Provisions:

1. This Law shall come into force as from the date of the first coming into effect of the Peace Treaty with Japan.
2. The application of the penal provisions to the acts as done prior to the enforcement of this Law shall still follow the former examples.

Reason:

With the coming into effect of the Peace Treaty with Japan, it is deemed necessary to abolish the Imperial Ordinance concerning Special Instances of Punishments relating to the Fisheries Law established under the Imperial Ordinance concerning the Orders to Be Issued in Consequence of the Acceptance of the Potsdam Declaration, etc.

This is the reason for submitting to the Diet of this Bill.

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: NRS	Date: 30 October 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Law for Reconstruction and Rehabilitation of Agricultural or Fisheries Co-operative Associations		

F. R.

P & P

S Takahashi - 26-6217
KGS/HBD/ST/mhk
Date: 1 NOV

2 From: MR To: GS

MR has no objections to the Bill for Partial Amendments to Law for Reconstruction and Rehabilitation of Agricultural or Fisheries Cooperative Associations.

1 Incl
n/c

- H. G. S. - - - - - - - - - - -

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: 30 October 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Law for Reconstruction & Rehabilitation of Agricultural or Fisheries Co-operative Associations

F. R.

d & p

Ag + For.
R+R of Ag Corp

WFL/EMR/KPS/PJZ/my
P. Zeller 26,8515

9 NOV 1951

From: ESS To: Govt Sec

2 ESS has no objection to the immediate introduction of the attached draft bill in the Diet.

1 Incl
n/c

- W. F. M. - - - - - - - - - - - - - - - - - -

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

October 30, 1951

1. Number: POM No. 24

2. Title: Bill for Partial Amendments to the Law for Reconstruction and Rehabilitation of Agricultural and Fisheries Cooperative Associations

3. Office in Charge: Ministry of Agriculture and Forestry

4. Date of Cabinet Approval: October 26, 1951

5. SCAP Section concerned:

Mr. Takahashi, Agric. Div. NRS.

6. Remark (Reference):

1. Law for Reconstruction and Rehabilitation of Agricultural or Fisheries Cooperative Associations (Law No. 140 of 1951) as amended by (Law No. 231 of 1951) . See official gazettes dated Apr. 7, No. 1508, and dated June 11, No. 1561
2. Excerpt from Corporation Tax Law as annexed herewith.

7. GS Reviewers:

Received by GS

Date 10/30/51.

CS: NRS
ESS
CS/WM

GOVERNMENT SECTION
BUCK SLIP

10/30 1951

FROM: S/P

TO:	INITIAL	DATE
___	CHIEF.....	.....
___	EX O.....	.....
✓	Special Assistant Nat'l Affairs.....	.....
___	Special Assistant Local Affairs.....	.....
___	Adm Div.....	.....
___	Par & Pol Div.....	.....
___	Public Adm Div.....	.....
___	Chief Clerk.....	.....
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FOR:

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✓ COMMENT OR CONCUR
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OK
WGS
w/ suggested changes

cy NRS, ESS

FOMN0.24

Bill for Partial Amendments to the Law for Reconstruction and Rehabilitation of Agricultural or Fisheries Co-operative Associations

The Law for Recontruction and Rehabilitation of Agricultural or Fisheries Co-operative Associations (law No.140 of 1951) shall be partially amended as follows:

In Article 11, "each year" shall be amended as "each fiscal year", and the following one paragraph shall be added to the same Article:

2. As for the encouragement loan for increasing capital, out of the encouragement loans which shall be delivered in ~~every~~ each fiscal year in accordance with the provision of the preceding paragraph, it may be loaned partially in sum in the next fiscal year.

In Article 12 item (2) , "or Article 18 paragraph 1 (including the case where the same applies mutatis mutandis in paragraph 3 of the same Article)" shall be added next to "Article 3", and in item (3), "or Article 18 paragraph 4" shall be added next to "Article 9 paragraph 1."

Article 18 paragraph 2 shall be made paragraph 5, and in paragraph 1 of the same Article, "by the end of the business year during which the day of expiry five years from the designated day falls" shall be amended as "in the period under paragraph 2", and the same paragraph shall be made paragraph 4, and the following three paragraph shall be added to the same Article as paragraph 1, paragraph 2 and paragraph 3:

In case an agricultural or fisheries co-operative association making reconstruction and rehabilitation in accordance with the provision of Article 3 paragraph 1 has dissolved as a result of amalgamation, if the agricultural or fisheries co-operative association which comes into existence or which continues in existence in consequence of such amalgamation wants to make reconstruction and rehabilitation, such co-operative association shall draw up a reconstruction and rehabilitation plan on the basis of the balance sheet to be made as of the day on which the registration of such amalgamation was made. In this case, the provision of Article 3 paragraph 3 shall apply mutatis mutandis.

2. The reconstruction and rehabilitation under the provision of the preceding paragraph shall be made so as to accomplish the purposes prescribed in Article 4 by the end of the business year during which the day of expiry five years from the designated day falls.

3. In case the agricultural or fisheries co-operative association making reconstruction and rehabilitation in accordance with the provision of paragraph 1 has dissolved again as a result of amalgamation, the provision of the preceding two paragraphs shall apply mutatis mutandis to the agricultural or fisheries co-operative association which comes into existence or which continues in existence in consequence of such amalgamation.

Article 20 and Article 21 shall be made respectively Artilce 23 and Article 24, and the following three Articles shall be added next to Article 19:

(Special Exceptions to Corporation Tax Law)

Articles 20. Those deficits (including such deficits of an agricultural or fisheries co-operative association dissolved as a result of amalgamation, which are succeeded by the agricultural or fisheties co-operative association which comes into existence or which continues in existence in consequence of such amalgamation as its deficits) of an agricultural or fisheries co-operative association making reconstruction and rehabilitation in accordance with the provision of Article 3 paragraph 1 (in case the agricultural or fisheries cooperative association has dissolved as a result of amalgamation on or before the end of the business year including December 31, 1951, the agricultural or fisheries cooperative association which comes into existence or which continues in existence in consequence of such amalgamation and which makes reconstruction and rehabilitation in accordance with the provision of Article 18 paragraph 1; the same in the next Article and Article 22), which occurred in each business year during the period from the

first day of the business year beginning on or after January 1, 1950 to the end of the business year including December 31, 1951 (hereinafter referred to as "base business year") shall be included in the deficits in the calculation of the incomes which are specified in Article 9 paragraph 1 of the Corporation Tax Law (Law No.28 of 1947) in the base business year and in each of the business years which, following the base business year, end within five years after the last day of the business year during which such deficits occurred; provided that this shall be limited to the case where the blue return (meaning the return specified in Article 25 paragraph 1 of the Corporation Tax Law; hereinafter the same) is submitted in the base business year and continually submitted henceforth.

2. The amount of the deficits which may be included in the deficits of each business year in accordance with the provision of the preceding pragraph in the calculation of the incomes specified in Article 9 paragraph 1 of the Corporation Tax Law shall be limited to the amount of such deficits not deducted from the gross profits under the same paragraph in the calculation of the incomes under the same paragraph in each of the business years after the business year during which such deficits occurred.

3. In case the deficits which shall be included in the deficits in accordance with the provisions of the preceding two paragraphs in the calculation of the incomes under Article 9 paragraph 1 of the Corporation Tax Law are also those which shall be included in the deficits according to the provision of paragraph 5 of the same Article, the provision of the same paragraph shall not apply to such deficits.

Article 21. In case the business year when an agricultural or fisheries cooperative association making reconstruction and rehabilitation in accordance with the provisions of Article 3 paragraph 1 is to submit its blue return for the first time it the base business year, the written application of the agricultural or fisheries co-operative association concerned, which is to be submitted in accordance with the provisions of Article 25 paragraph 3 of the Corporation Tax Law, may be submitted even after the time limit specified in the same paragraph by December 31, 1951.

2. In case the provisions of Article 25 paragraph 6 of the Corporation Tax Law shall apply to an agricultural or fisheries co-operative association with its base business year ending on December 31, 1951 and which is under the application of the provisions of the preceding paragraph, "the end of the business year concerned" in the same paragraph shall read "the day when forty days have elapsed from the ending day of the base business year".

Article 22. In case an agricultural or fisheries cooperative association making reconstruction and rehabilitation in accordance with the provision of Article 3 paragraph 1 has dissolved as a result of amalgamation on and after the first day of the business year following the base business year, if the agricultural or fisheries co-operative association which comes into existence or which continues in existence in consequence of such amalgamation makes reconstruction and rehabilitation in accordance with the provisions of Article 18 paragraph 1 (including the case where the same applies mutatis mutandis in paragraph 3 of the same Article), the deficits under Article 20 paragraph 1 of the agricultural or fisheries co-operative association dissolved as a result of amalgamation and having submitted the blue return in each business year during the period from the base business year to the business year immediately before the business year including the day of dissolution (in case the agricultural or fisheries co-operative association dissolved as a result of the amalgamation has dissolved without submitting the blue return of the business year just before the business year including the day of dissolution, such business year just before the business year including the day of dissolution shall be excluded) which have been succeeded as the deficits by the agricultural or fisheries co-operative association which comes into existence or which continues in existence in consequence of such amalgamation, shall be included

in the deficits in the calculation of the incomes under Article 9 paragraph 1 of the Corporation Tax Law in the initial business year beginning after the amalgamation or the business year including the day of amalgamation and in each of the business years beginning after the end of the business year and ending within five years after the end of the business year during which such dificits occurred.

2. The provision of the preceding paragraph shall apply only in case the agricultural or fisheries co-operative association which comes into existence or which continues in existence in consequence of such amalgamation has submitted the blue return concerned with the business year including the day of dissolution of the agricultural or fisheries co-operative association dissolved as a result of such amalgamation (the business year including the day of dissolution and the business year just before the said business year, in case the agricultural or fisheries co-operative association dissolved as a result of such amalgamation has dissolved without submitting the blue return concerned with the business year just before the business year including the day of dissolution).

3. The provisions of the proviso of Article 20 paragraph 1 and paragraph 2 of the same Article shall apply mutatis mutandis to the case of paragraph 1.

In this case, "the base business year" in the proviso of paragraph 1 of the same Article shall read "the initial business year beginning after the amalgamation or the business year including the day of amalgamation."

The numbering of the paragraph 1 of the Supplementary Provisions shall be deleted, and paragraph 2 of the Supplementary Provisions shall be deleted.

Supplementary Provisions:

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

Reasons

In order to make it easy for an agricultural or fisheries co-operative associations in the course of reconstruction and rehabilitation to make up its deficits and to put those associations on sound management as soon as possible, it is deemed essential, with Government financial investment and other aids, to set up special exceptions in levying corporation tax on those associations to the deduction of the deficits carried forward.

This is the reason for submitting to Diet of this bill.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

CHECK SHEET

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Morris
26-5075

Note No.	
1	From: Govt Sec To: ESS Date: 29 October 1951 1. Immediate introduction of the attached draft bill amendment in the Diet is proposed by House of Representatives. 2. Your prompt comment is requested. 1 Incl Proposed Amend to Bill for Partial Amends to Fisheries Law F. R.
2	Mr. Ritter, 26-6155 WFM/EMR/joc/mc/alk From: ESS To: Govt Sec Date: 2 NOV 1951 There is no objection to the introduction in the Diet of the attached draft Bill for Partial Amendments to Fisheries Law. 1 Incl n/c W. F. M.

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

Note No.		
1	From: Govt Sec	To: NRS Date: 29 October 1951

1. Immediate introduction of the attached draft amendment in the Diet is proposed by

2. Your prompt comment is requested.

1 Incl
Proposed Amend to Bill for
Partial Amends to Fisheries Law

F. R.

Maj Norris
26-5076

2	From: NRS	To: Govt Sec

Noted. No comment.

William C. Neville
26-6218 Date: 30 OCT 1951

1 Incl
n/c

H.B.D.

GOVERNMENT SECTION
BUCK SLIP

10/29 1951

FROM: P&P

TO:	INITIAL	DATE
___ CHIEF		
___ EX O		
___ Special Assistant Nat'l Affairs		
___ Special Assistant Local Affairs		
___ Adm Div		
___ Par & Pol Div		
___ Public Adm Div		
___ Chief Clerk		
___ File		
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FOR:

___ INFORMATION
___ NECESSARY ACTION
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___ INITIAL
✓ COMMENT OR CONCUR
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OK
Went.

Copy

cy ESS, NRS

House of Representatives

Oct. 26, 1951.

Proposed Amendment to the Bill for Partial Amendments to the Fisheries Law.

(Proposed by Zenpachiro Kawamura)

The Bill for Partial Amendments to the Fisheries Law shall be partially amended as follows:

In paragraph 4 of Article 66-(2), "the Central Fisheries Adjustment Council" shall be amended to read: "the governor of To, Do, Fu or prefecture concerned and the Central Fisheries Adjustment Council."

Paragraph 3 of the Supplementary Provisions shall be made paragraph 4 thereof, re-numbering the succeeding paragraphs accordingly, and the undermentioned paragraph shall be added next to paragraph 2:

3. Such fisheries as are operated in a sea area as designated by the competent Minister with a self-propelled vessel, which measures not less than 15 tons gross but less than the tonnage as prescribed by the said Minister, by employing a drag net in accordance with the fishing method as prescribed by the said Minister, shall be regarded as small type trawler fisheries until March 31, 1954.

CS: ESS
NRS
CS/WDM

Rec'd CS 10/29/51

October 26, 1951.

Title of the Bill: Proposed Amendment to the Bill for Partial Amendments to the Fisheries Law.
(Proposed by KAWAMURA Zempachiro)

I hereby certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provisions of this Bill, except those providing for exceptions, does not contradict any other law.

Toshio Irie

Chief, Legislative Bureau
House of Representatives.

10:55 A.M.
19 October 1951

Chuck,
Mr. Etter, ESS called and said the Bill for amendments to Fisheries Law is clear as far as they are concerned. Their checksheet will follow.

rg

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

Maj Morris
26-6076

Note No.	
1	From: Govt Sec To: NRS Date: 15 October 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Fisheries Law F. R.
2	W. F. Ritter, 26-6155 WFR/[illegible]/JFG/WKE/alk From: NRS To: Govt Sec Date: 23 OCT 1951 There is no objection to the immediate introduction of the attached draft bill for Partial Amendment to the Fisheries Law in the Diet. 1 Incl n/c - W. F. R. - - - - - - - - - - -

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

Note No.	From: Govt Sec To: NRS Date: 15 October 1951 — Maj Morris 26-8076
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by Agriculture & Forestry Ministry. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Fisheries Law
	F. R.

P & P

2

From: NR

TO: Govt Sec

W. C. Neville,26-6218
Date: 16 OCT 1951

Noted. No comment.

1 Incl
n/c

HBD

GOVERNMENT SECTION
BUCK SLIP

10/15 1951

FROM: P+P

TO:		INITIAL	DATE
___	CHIEF		
___	EX O		
✓	Special Assistant Nat'l Affairs		
___	Special Assistant Local Affairs		
___	Adm Div		
___	Par & Pol 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

No objection
Refer to NRS
w/enc.
CPM

Bill

Submitted to GS for Clearance
through Legislative Affairs Section,
Liaison Bureau, Ministry of Foreign Affairs
(Tel. 57-6010)

Oct. ~~16~~ 15, 1951

1. Number: FOM No. 3

2. Title: Bill for Partial Amendments to the Fisheries Law

3. Office in Charge: Ministry of Agriculture & Forestry

4. Date of Cabinet Approval: Oct. 9, 1951

5. SCAP Section concerned: Mr, Neville, Chief of Fishery Division N. R. S.

6. Remark (Reference): Law No.267 of 1949: Official Gazette dated Dec. 15, Extra No.142.

7. GS Reviewers:

Received by GS

Date 10/15/51

GS: NRS
ESS
GS/MONAGAN

ESS-
MRS
MONAGHAN

FOMNO.3

Bill for Partial Amendments to the Fisheries Law

The Fisheries Law (Law No.267 of 1949) shall be partially amended as follows:

Next to Article 66, the following one Article shall be added:

(Prohibition of Unlicensed Medium Type Surrounding-net Fisheries, etc.)

Article 66-(2). Any medium type surrounding-net fisheries, small type trawler fisheries or drag net fisheries by boat in the Seto Inland Sea must not be operated unless the license of the governor of To, Do, Fu or prefecture for each vessel is granted.

2 "Medium type surrounding-net fisheries" shall mean such fisheries as operated by means of surrounding-nets on board a ship of over 5 gross tons and under 60 gross tons (excluding the fisheries for which the license of the competent Minister is needed under the Ministerial Ordinance as prescribed in Article 65 paragraph 1); "small type trawler fisheries" shall mean such fisheries as operated by means of bottom drag nets on board a powered ship of under 15 gross tons equipped with screw propellers; and "drag net fisheries by boat in the Seto Inland Sea" shall mean such fisheries as operated by means of boat drag nets on board a powered ship of over 5 gross tons equipped with screw propellers in the Seto Inland Sea (this means the waters as specified in Article 109 paragraph 2).

3 The competent Minister may, when he deems it necessary to do so for the purpose of fisheries adjustment, determine the maximum limit of the total number, total tonnage or total horsepower of the vessels in each of To, Do, Fu and prefectures for which the license mentioned in paragraph 1 may be granted; or he may designate sea-areas and determine the maximum limit of the gross tonnage or horsepower of vessels operating in such sea-areas, for which the license mentioned in the same paragraph may be granted.

4 In case the competent Minister intends to determine the maximum limit in accordance with the provision of the preceding paragraph, he must hear the opinion of the Central Fisheries Adjustment Council therefor.

5 The governor of To, Do, Fu or prefecture must not grant the license mentioned in paragraph 1 for any vessel exceeding the maximum limit determined in accordance with the provision of paragraph 3.

In Article 138, item (6) shall be made item (7); and the following one item shall be added as item (6):

(6) Any person who has acted in violation of the provision of Article 66-(2) paragraph 1;

Supplementary Provisions:

1 The date of enforcement of this Law shall, within the period not exceeding three months reckoning from the day of its promulgation, be determined by Cabinet Order for each of the parts relating to the medium type surrounding-net fisheries, small type trawler fisheries and drag net fisheries by boat in the Seto Inland Sea in its provisions.

2 Any license of surrounding-net fisheries (excluding those fisheries for which the license of the competent Minister is needed under the Ministerial Ordinance as prescribed in Article 65 paragraph 1 of the Fisheries Law) which has been granted by the governor of To, Do, Fu or prefectural regulations issued in accordance with the provision of Article 65 paragraph 1 of the same Law for vessels of over 5 gross tons and under 60 gross tons and is actually effective at the time of enforcement of the part relating to the medium type surrounding-net fisheries in the provision of Article 66-(2) of the same Law shall be deemed to have been granted under the provision of the same Article, for one year following its enforcement (with regard to the license whose validity expires before the elapse of such period, until the day of the expiration).

3 Any license of smaller trawler fisheries which has been granted by the governor of To, Do, Fu or prefecture in accordance with the provision of Article 26-(2) of the Regulations for Smaller Trawler Fisheries (Ministry of Agriculture and Forestry Ordinance No.20 of 1934) for vessels of under 15 gross tons equipped with screw propellers and is actually effective at the time of enforcement of the part relating to the small

type trawler fisheries in the provision of Article 66-(2) of the Fisheries Law shall be deemed to have been granted under the provision of the same Article, for one year following its enforcement (with regard to the license whose validity expires before the elapse of such period, until the day of the expiration).

4 With regard to the smaller trawler fisheries operated by vessels of under 15 gross tons, having actually the license from the Minister of Agriculture and Forestry under the provision of Article 1-(2) of the Regulations for Smaller Trawler Fisheries at the time of enforcement of the part relating to the smaller type trawler fisheries in the provision of Article 66-(2) of the Fisheries Law, the provision of Article 66-(2) paragraph 1 of the same Law shall not apply for one year following the enforcement of the part relating to the small type trawler fisheries in the provision of the same Article.

5 Any license of drag net fisheries by boat which has been granted by the governor of Fu or prefecture under the provisions of the Fu or prefectural regulations issued in accordance with the provision of Article 65 paragraph 1 of the Fisheries Law for vessels of over 5 gross tons equipped with screw propellers, having a part of the Seto Inland Sea as their operation area, and is actually effective at the time of enforcement of the part relating to the drag net fisheries by boat in the Seto Inland Sea in the provision of Article 66-(2) of the same Law shall be deemed to have been granted under the provision of the same Article, for one year following its enforcement (with regard to the license whose validity expires before the elapse of such period, until the day of the expiration).

Reason

In order to readjust medium type surrounding-net fisheries, small type trawler fisheries and drag-net fisheries by boat in the Seto Inland Sea and thereby to accomplish a smoother enforcement of the Fisheries Reform, it is necessary to make partial amendments to the Fisheries Law.

This is the reason why this Bill is submitted to the Diet.