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CABINET ORDER

English Translation of the Japanese

ENFORCEMENT REGULATIONS OF THE HEALTH INSURANCE LAW

(As established by Cabinet Order No. 243, June 1926, and amended by Cabinet orders in 1927, 1929, 1934, 1938, 1940, 1941, 1942, 1944, 1945, 1946, June 1947, and August 1948).

25 February 1949

Social Security Division

PHW GHQ SCAP

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ENFORCEMENT REGULATIONS OF THE HEALTH INSURANCE LAW

(As established by Cabinet Order No. 243, June 1926 and amended by Cabinet Order in August 1948).

Chapter I. General Rules. Deleted 1/

Article 1 through 8. Deleted.

Chapter II. The Insured Person. Deleted.

Articles 9 through 10-2. Deleted.

Chapter III. Health Insurance Societies & Health Insurance Federations.

Section 1. Formation of a Society.

Article 11. When the employers who desire to form a Health Insurance Society seek to obtain the consent of those insured, as provided in Article 29 of the Health Insurance Law, the employers must inform the insured employees subject to Article 29 of the Health Insurance Law and must also inform the employees to be insured as provided by Article 30 of the Health Insurance Law, of the following matters:

1. The number of and the type of employment of those who are to become member of the Society.

2. The proposed organization of the Society.

3. The proposed contribution rates.

4. The proposed insurance benefits.

5. The proposed plan of operations.

Article 12. In the Society's articles the following matters shall be provided:

1. The title or name of the Society.

2. The location of the Society's office.

3. The name and location of each working place where the Society is to be in effect.

1/ Chapters I, II, IV, and V were incorporated in their entirety in the basic Law, in July 1948.

4. The method of publication to be used by the Society.

5. Other important matters concerning the Society.

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Article 13. The Society shall use the phrase "Health Insurance Society" in its title or name.

An organization that is not a Health Insurance Society shall not use the phrase "Health Insurance Society" in its title or name.

Article 14. The employer and employee contribution rates to be applied and an estimate of the income and expense of the Society for the first year of its operation shall be made by the employers seeking to form the Society and shall be submitted to the Welfare Minister for approval.

Article 15. When the Welfare Minister approves the formation of a Society he shall publish the following information:

1. The title or name of the Society.

2. The location of the office of the Society.

3. The name and location of the working place where the Society shall be in effect.

4. The date of approval.

When the competent authority 1/ approves a change in a Society's articles with respect to items 1 or 2 mentioned above, he shall make such change public.

Article 16. When the approval for forming a Society is obtained the employers of the Society shall publish without delay the articles of the Society.

Article 17. When the approval for forming a Society is obtained the employers shall convene the council of the Society without delay and shall report the status of the formation of the Society, the contribution rates to be used, the estimate of the income and expense for the first year of operation, and other important matters.

Article 18. After the Society is formed and until the directors of the Society take over their official duties the employers shall exercise the duties of the directors.

Section 2. The Council of the Society

1/ See Article 73.

Article 19. A Health Insurance Society shall form a Society Council.

The Society Council shall consist of a chairman and councillors.

Article 20. A Society council shall have a fixed even number of councillors. One-half of the councillors shall be appointed by the employers from the employers, their deputies, or employees, and one-half shall be elected by a mutual vote of the Society members from the insured members.

Article 21. When councillors assume their duties, or when they resign or die, the event shall be made public without delay.

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Article 22. Deleted.

Article 23. When a Society member questions the validity of the election of councillors or the vote of councillors who participated in the election he shall be permitted to file a protest with the directors of the Society within 7 days from the date of the publication specified in Article 21.

When a protest in files the directors shall submit it within 20 days to the council for a decision and when such decision is made it shall be published without delay.

When a protesting member is not satisfied with the decision made by the council he may appeal to the competent authority within 30 days from the day of the council's decision. In such case the Health Insurance Society shall be regarded as an authorized government office 1/ provide by the Appeal Law.

Councillors shall not lose their right to attend the council meetings and to participate in council discussions while the decision mentioned in the second paragraph of this article is being made or while the decision on the appeal as mentioned in the preceding paragraph is being made.

Article 24. In addition to the provisions of these enforcement regulations, matters of the Society concerning the fixed number, qualification, term of office, and election of councillors shall be governed by the provisions of the articles prescribed by the Society.

Article 25. Matters of the Society upon which a Society council must make decisions shall be as follows:

1. The preparation of estimates of income and expense.

2. The preparation of reports on operations and the settlement of accounts.

3. The assumption of obligations besides those provided in the estimates of income and expense, and the giving up of Society rights.

4. The methods to be employed in controlling reserve funds.

5. The disposal of a reserve fund or other important property.

6. The negotiation of a loan for the Society.

7. A change in the articles of the Society.

8. The contribution rates to be used.

9. The institution and settlement of appeals and law-suits.

10. Other important matters of the Society.

1/ The Welfare Minister or the prefectural governor.

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Article 26. The Society council shall be able to inspect documents concerning the business of the Society, demand reports from its directors, examine the management of the business and the execution of decisions, and examine receipts and expenses.

The Society council shall be able to appoint committee composed of councillors and require them to handle council matters.

Article 27. The Society council shall be convened by the directors.

When more than one-third of the fixed number of councillors request the convening of the council for the purpose of handling matters which are subject to council action, the directors shall convene the council within seven days.

The convening of the council shall be made at least three days before the opening day of sessions except when matters are urgent and demand that the sessions start immediately.

The Society shall be able to prescribe further rules with respect to the period mentioned for convening the council.

When the council is in session and urgent matters arise the directors shall be able to submit such matters to the council immediately.

The sessions of the council shall be opened and closed by the directors.

Article 28. The chairman of the concil shall be appointed by the directors and he shall preside over the council meetings and maintain order in the council room.

Article 29. When less than half of the fixed number of councillors are present, the council sessions shall not be opened; however, when the number is less than one-half because of the exclusions provided in Article 32 this rule shall not apply.

Article 30. The decisions of the Society's council shall be made by a majority vote of the councillors present, and in case of a tie vote, the decision shall be made by the chairman.

Article 31. Any changes made in the articles of a Society must be approved by more than three-fourths of the councillors present.

Article 32. The chairman and councillors shall not be permitted to participate in proceedings of the council that concern their own personal affairs; however, when such persons obtain the consent of the council they shall be able to participate.

Article 33. Each councillor shall attend the council sessions and vote. However, when a councillor is not able to attend the council because of illness or unavoidable circumstances he shall be able to vote by proxy through an

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entrusted councillor as provided in the articles of the Society. In such event the absent councillor shall be regarded as having been present at the council.

Article 34. Members of the Society shall be able to hear council sessions except when a special session, as provided in the Society's articles, precludes the members' attendance.

Article 35. A councillor shall be able to receive from the Society his travelling fees required to carry out his duties.

When a councillor who is insured is denied emplument from his customary employment because of his service as a councillor, he shall be able to obtain the said compensation from the Society.

The travelling fees mentioned in the first paragraph and the value and method of payment of the above mentioned compensation shall depend on what the articles of the Society provide.

Section 3. Officials of a Society.

Article 36. A Society shall have directors.

The fixed number of directors shall be even. One-half the number shall be elected by a mutual vote of the councillors who were appointed by the employers, and one-half shall be elected by a mutual vote of the councillors who were elected by the insured members.

One of the directors shall be the chief director and he shall be elected by the directors who were elected from the councillors appointed by the employers.

Article 37. The chief director shall represent the Society. When the chief director is not available because of unusual circumstances another director shall take his place in accordance with the articles of the Society.

Article 38. The affairs of the Society shall be decided by a majority vote of the directors, except in a case covered by the articles of theSociety. In case of a tie vote, the decision shall be made by the chief director.

Article 39. When a Society council fails to organize or form 1/ , does not decide the matters it should decide, or its is very difficult to convene, the directors of the Society shall be empowered under the direction of the competent authority to dispose of the matters which the council should decide.

Article 40. The directors of a Society shall be able to decide arbitrarily the matters of the Society that are urgent and demand immediate attention and which arise when there is not time to convene the council of the Society or when the council fails to form 2/, or if the matter to be decided is insignificant.

Article 41. When directors dispose of matters in agreement with the provisions of the preceding two articles, they shall report the action to the council at the next session of the Society's council.

1/ and 2/ Applicable after the initial formation of the council and the election of the directors by the councillors.

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Article 41-2. When a change of articles of the Society is approved the directors shall without delay make the change public.

Article 42. The directors shall provide the office of the Society with articles, an inventory of property, reports of business operations, a ledger of the Society's members, and records of the council.

When members of the Society request an inspection of the above mentioned documents, the directors shall not be able to refuse the inspection without good cause.

Article 43. The provisions of Article 21, 24, and 35, applying to councillors shall with equal force be anplicable to the directors and chief director of a Society.

Section 4. Financial Affairs of a Society

Article 44. The fiscal year of a Society shall be the same as that of the Government.

Article 45. A Society shall make an estimate of income and expense each fiscal year and shall obtain the approval of the estimate by the competent authority. When an estimate is corrected or changed, approval of such correction or change must be obtained from competent authority.

The amount of money specified in each major section of an estimate shall not be diverted to another section.

The amount of money specified in each article of a section of an estimate may be diverted to another article of the same section by decision of the Society council.

Article 46. A Society shall be able to negotiate long term expenditures through decision of its council;

Article 47. A Society shall provide an emergency fund to cover expenditures in excess of estimates.

The use of the emergency fund shall be limited by the articles of the Society.

Article 48. A Society shall receive its revenue until May 31 of the next fiscal year and pay its expenditures until April 15 of the next fiscal year before closing its revenue and expenditure accounts for a fiscal year.

Article 49. A Society that desires to change its contribution rates must obtain the approval of the competent authority before making such change.

Article 50. A Society shall accumulate, as a reserve fund, money which corresponds to 5 per cent of the average annual sum (in case the surplus for the year does not reach 5 per cent, then the total surplus for the year) of the

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past three years cost required to grant benefits (in case the past years are less than three, then the total of such past years).

The reserve fund within the scope mentioned above, shall not be used unless there is a defiriency in the funds required for insurance benefits.

Article 51. Deleted.

Article 52. The methods to be used in controlling the reserve fund and other properties shall be prescribed in the articles of the Society.

Article 53. In the event the Society runs short of cash money for expenses, it shall be able to borrow temporarily the cash belonging to the reserve fund or obtain a temporary loan from others.

The money received according to the preceding provision as a temporary loan shall be repaid to the reserve fund or other creditor within the same fiscal year.

Article 54. When a Society obtains a long term loan, the method of application, the fixed interest rates, and the method of redemption shall be decided and approved by competent authority, and any change in the said matters shall be decided and approved by competent authority.

Article 55. When the Society proposes a disposition of its important properties it shall obtain the approval for such action from the competent authority.

Section 5. Division, Combination, and Dissolution of a Society.

Article 56. The combination or division of a Society shall require the consent of a majority of three-fourths of the concillors and the approval of the Welfare Minister.

When any changein the articles of a Society is required, such shall be made in accordance with the provisions of the preceding paragraph.

Article 57. A division of a Society shall not be made of a part of a working place when such part is within the working place where the Society is in force.

Article 58. When a division of a Society is to be made the number of insured membersof the Society which is to continue to exist after the division or the number of members of the Society which comes into existence because of the division, shall not be less than three hundred.

Article 59. The articles, contribution rates, and the estimates of income and expense for the first fiscal year of the Society which comes into existence because of a combination shall be settled by the councillors elected by each Society and shall require the approval of the Welfare Minister.

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Article 60. The articles, contribution rates, and the estimates of income and expense for the first fiscal year of the Society which comes into existence because of a division shall be settled by the employers who are members of the Society and shall require the approval of the Welfare Minister.

Article 61. A Society which continues to exist after a combination, or a Society which comes into existence because of a combination, shall take over the assets and liabilities of the Society which discontinues becauses of the combination.

A Society which is formed by a division or which remains after a division shall take over or retain its respective part of the assets and liabilities of the Society in which the division was made.

The limits of the assets and liabilities which shall be taken over by reasons of the preceding provision shall be decided concurrently with the decision of the division and shall require the approval of the Welfare Minister.

Article 62. When the Welfare Minister approves the combination or division of a Society,, he shall make public the following matters concerning the Society which comes into existence or discontinues because of the combination or the division and the Society which continues to exist after the combination or division.

1. The title or name of the Society.

2. The locality of the office of the Society.

3. The name and location of the place where the Society is established.

4. The date of approval.

Article 63. The provisions of Articles 16 through 18 shall be applied mutatis mutandis to the Society which comes into existence through a combination or division.

When the directors of a Society which is combined or divided are members of the Society which came into existence because of the combination or division, they shall exercise the duties of the employers as prescribed in the preceding paragraph.

Article 64. The dissolution of a Society shall be decided by the council of the Society and shall require the consent of three-fourths of the fixed number of councillors and the approval of the Welfare Minister.

Article 65. Although a Society may have no insured members it will not be dissolved if the absence of insured members is temporary.

Article 66. When a Society is dissolved the Welfare Minister shall make public the dissolution according to the example stated in Article 62.

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Article 67. When the number of working places of a Society is increased or decreased the consent of the employers who are to be included or eliminated and the consent of half or more of the insured or insurable employees shall be required.

When the working places which are to be included or eliminated are two or more in number, the consent of the insured and insurable above prescribed shall be required for each working place.

The insured prescribed in the preceding two paragraphs shall be those to be insured in case the application for the approval of the change of articles concerning the including of the working places is made concurrently with the application for the approval prescribed in Article 14, paragraph 1, of the Health Insurance Law.

Article 68. The provisions of Article 57 shall be applied with necessary modifications concurrently with the preceding article.

Article 69. When a working place is to be eliminated, the number of insured members remaining in the Society shall not be less than three hundred.

Article 70. When a Society is subject to receive the consent prescribed in Article 67, the persons who are to receive or lose membership in the Society because of the inclusion or the elimination of a working place in which they are employed shall be advised as follows: those to receive membership shall be notified of the matters stated in each item of Article 11, and those to lose membership shall be notified of the reasons for the elimination of their working place.

Section 6. Supervision of the Society.

Article 71. Competent authorities shall be able to order the dissolution of a Society's council.

When a Society's council dissolves an election of new councillors shall be made within one month.

Article 72. Those persons who are released from their offices under the provisions of Article 39 of the Health Insurance Law shall not be able to be officials of a Society for two years.

Article 73. The "competent authority" as prescribed in Article 15, paragraph 2; Article 23, paragraph 3; Article 39; Article 45, paragraphl; Article 49, 54 and 55; and Article 71, paragraph 1, shall be the Welfare Minister in case of the approval concerning the combination or division of a Society or in case the Society covers two or more prefectures; and in other cases it shall be the prefectural governor who has authority over the locality where the chief office of the Society is located.

Section 7. Federation of Health Insurance Societies.

Article 73-2. In the articles of a Federation of Health Insurance Societies (hereinafter referred to as "Federation") the following matters shall be stated:

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1. The purpose and plan of the Federation.
2. The title or name of the Federation.
3. The location of the office of the Federation.
4. Matters concerning joining or withdrawing from the Federation.
5. Matters concerning assets and liabilities.
6. The method of notification to be employed.
7. Other important matters concerning the Federation.

Article 73-2. A Federation shall use the phrase "Federation of Health InsuranceSocieties" in its title or name.

An organization which is not a Federation of Health Insurance Societies shall not use the phrase "Federation of Health Insurance Societies" in its title or name.

Article 73-4. An estimate of the income and expense for the first fiscal year of the Federation shall be decided by the Societies which are to establish the Federation and it shall be approved by the Welfare Minister.

Application for approval as provided in the preceding paragraph shall be made concurrently with the application for approval of formation of the Federation.

Article 73-5. The cost required to establish a Federation shall be borne by the Federation.

Article 73-6. A Federation shall have general meetings and a president, vice-president, and directors.

General meetings shall be held by a chairman 1/ and general meeting members.

The general meeting members shall be elected by a mutual vote of the chief directors of the Societies forming the Federation. However, members of a general meeting who make decisions concerning the dissolution of the Federation according to the provisions of Article 64, applied with necessary modifications, or by the provisions of Article 73-9, shall be appointed by the chief directors of the Societies forming the Federation.

The president of the Federation shall be elected by a mutual vote of the directors of the Federation.

Besides those matters which are provided in these regulations, the matters pertaining to the organization and powers of the general meeting; the fixed number, qualification, term and election of members of the meeting; the fixed number, qualification, term, election, and powers of the president, vice-president, and directors of the Federation shall be decided by articles of the Federation.

1/ No provision is made for the election or appointment of the Chairman other than the general provision for handling "other matters" as stipulated in Article 73-6, paragraph 5.

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Article 73-7. A Federation shall be regarded as existent within the scope of the object of liquidation, even if it dissolves.

Article 73-8. When a Federation dissolves, the Federation directors shall become the liquidators.

In the event there are no directors available to serve as liquidators, according to the preceding provision, the Welfare Minister shall appoint liquidators. When liquidators fail or cannot perform their duties, the Welfare Minister shall appoint liquidators.

Liquidators shall represent the Federation and have powers to exercise every action required to effect liquidation.

With respect to the method employed in liquidation and disposal of Federation properties, the liquidators shall obtain the approval of the Welfare Minister.

When the Welfare Minister considers it necessary he shall be able to order a change in the method of liquidation and disposal of properties, or he may release the liquidators from their offices.

Article 73-9. The provisions of Articles 15; 16; 21; 25 through 33; 37 through 42; 44 through 48; 54; 55; 64; 71; paragraph 1; and 72 shall be applied with necessary modifications to Federations; however, the employers referred to in Article 16 shall be changed to directors, and the competent authorities mentioned in Articles 39; 45, paragraph 1; 54; 55; and 71, paragraph 1, shall be changed to Welfare Minister.

Article 73-10. The provisions of Article 21 shall be applied with necessary modifications to the president, vice-president, and directors of a Federation.

Article 73-11. In addition to the matters provided in these regulations, other necessary matters concerning the Federation shall be decided by Ministerial Ordinance.

Chapter IV. Insurance Benefits. Deleted. 1/

Article 74 through 89. Deleted.

Chapter V. Liability. Deleted. 1

Article 90 through 101-2. Deleted.

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1/ Chapters IV and V were incorporated in their entirety in the basic Law in July 1948.

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RECEIVED 11 MAY 1949

Draft Amending a Part of the Welfare

Pension Insurance Law and the Others

Article 1. A part of the "Welfare Pension Insurance Law" (Law No. 60 of 1941) shall be amended as follows:

In Article 2, paragraphs 1 through 4 shall be repealed.

In Article 3, paragraph 1, the proviso shall be amended as follows:

"provided, however, that this definition shall not include such earnings as may be received at extraordinary intervals or less regularly than every three months."

In Article 5, paragraph 2, "administrative office" shall be amended as "prefectural governor", and to such Article, such paragraph, the following proviso shall be added:

"provided, however, that when an insured person is a member of a Health Insurance Society which prescribes, in accordance with Article 2, paragraph 3, of the Health Insurance Law, provisions for the evaluation of remuneration in kind, the cash value of his remuneration in kind shall be fixed in accordance with such provisions."

In Article 4, paragraph 2 shall be amended as follows:

"The amount of standard remuneration of an insured person shall be determined on the basis of the monthly amount of the insured person's remuneration in accordance with the classes prescribed in the following

"provided, however, that this definition shall not include such earnings as may be received at extraordinary intervals or less regularly than every three months."

In Article 3, paragraph 2, "administrative office" shall be amended as "prefectural governor", and to such Article, such paragraph, the following proviso shall be added:

"provided, however, that when an insured person is a member of a Health Insurance Society which prescribes, in accordance with Article 2, paragraph 3, of the Health Insurance Law, provisions for the evaluation of remuneration in kind, the cash value of his remuneration in kind shall be fixed in accordance with such provisions."

In Article 4, paragraph 2 shall be amended as follows:

"The amount of standard remuneration of an insured person shall be determined on the basis of the monthly amount of the insured person's remuneration in accordance with the classes prescribed in the following table:

Classification of Standard Remuneration	Monthly Standard Remuneration	Monthly Value of Remuneration
1st class	¥ 2,000	Less than ¥ 2,250
2nd "	¥ 2,500	¥ 2,250 or over, but less than ¥ 2,750
3rd "	¥ 3,000	¥ 2,750 " " ¥ 3,250
4th "	¥ 3,500	¥ 3,250 " " ¥ 3,750
5th "	¥ 4,000	¥ 3,750 " " ¥ 4,250
6th "	¥ 4,500	¥ 4,250 " " ¥ 4,750
7th "	¥ 5,000	¥ 4,750 " " ¥ 5,500
8th "	¥ 6,000	¥ 5,500 " " ¥ 6,500
9th "	¥ 7,000	¥ 6,500 " " ¥ 7,500
10th "	¥ 8,000	¥ 7,500 "

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[illegible] 4, paragraph 4 shall be amended as below, and in such Article, [illegible]graph 7, "paragraph 6" shall amended as "paragraph 3", and in such Article, paragraphs 1 and 5 shall be repealed:

"When the standard remuneration of an insured person is to be changed to another class from that being used because the monthly remuneration of the said insured has been increased or decreased, the standard remuneration of said insured shall be revised as of the beginning of the following month; however, if the date of change in the remuneration of said insured was the first day of the month, the revision of the standard remuneration of the insured shall be effective from the beginning of the same month."

To Article 4-2, paragraph 2, the following proviso shall be added:

"provided, however, that when an insured person is a member of a Health Insurance Society, the amount of his monthly remuneration shall be calculated according to the method of calculating remuneration prescribed in the article of the Society in accordance with Article 3-2, paragraph 3, of the Health Insurance Law."

Article 11 shall be amended as follows:

"Article 11. In the case of non-payment of contributions prescribed in this Law, the administrative office shall designate the time limit for payment and make demand for payment.

"When a demand for payment is necessary, in accordance with the preceding paragraph, the administrative office shall issue a demand letter to the employer who is under obligation to pay.

"When an employer who is under obligation to pay is a person on whom a demand for payment shall be served in accordance with Article 11 of the Health Insurance Law, the demand letter prescribed in the preceding para-

first day of the month, the revision of the standard remuneration of the insured shall be effective from the beginning of the same month."

To Article 4-2, paragraph 2, the following proviso shall be added:

"provided, however, that when an insured person is a member of a Health Insurance Society, the amount of his monthly remuneration shall be calculated according to the method of calculating remuneration prescribed in the article of the Society in accordance with Article 3-2, paragraph 3, of the Health Insurance Law."

Article 11 shall be amended as follows:

"Article 11. In the case of non-payment of contributions prescribed in this Law, the administrative office shall designate the time limit for payment and make demand for payment.

"When a demand for payment is necessary, in accordance with the preceding paragraph, the administrative office shall issue a demand letter to the employer who is under obligation to pay.

"When an employer who is under obligation to pay is a person on whom a demand for payment shall be served in accordance with Article 11 of the Health Insurance Law, the demand letter prescribed in the preceding paragraph may be replaced by a statement to that effect in the demand letter prescribed in such Article.

"When the administrative office issues a demand letter, 10 yen shall be charged as the demand fee; provided, however, that the demand fee shall not be charged when the demand letter is replaced by the statement as prescribed in the preceding paragraph.

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"When a demand letter prescribed in paragraph 2 is issued, a penalty on the amount due shall be assessed for the number of days from the day after the date when payment was due to the day before the full payment of charges or the attachment of property at a rate of 20 sen per day for each 100 yen charged. If, however, the delinquent case comes under any of the following, or if extenuating circumstahces regarding arrearage are recognized, this rule shall not apply:

1. The assessed amount in a demand notice is less than 1,000 yen.
2. The time of payment is advanced and collection is made.
3. The demand notice or demand letter for payment is made by the method as used in sending an official notice because the address and domicile of one who is under obligation to pay is not within Japanese territory or his address and domicile are not clear.

"If there is a fraction of less than 1,000 yen in the amount of contributions charged, delinquency fees shall be calculated disregarding such fraction.

"When the contribution and delinquency fee are fully paid within the term fixed in the demand letter, or when the total counted by the preceding two paragraphs is less than 10 yen, the penalties shall not be collected. If there is a fraction of less than 10 yen in the amount of the delinquency fee, such fraction shall not be collected."

Article 11-2 shall be amended as follows:

"Article 11-2. When employers who receive demands for payment as prescribed in the preceding Article fail to pay their contributions and other assessments prescribed in this Law in the designated time, the administrative

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not apply:

1. The assessed amount in a demand notice is less than 1,000 yen.
2. The time of payment is advanced and collection is made.
3. The demand notice or demand letter for payment is made by the method as used in sending an official notice because the address and domicile of one who is under obligation to pay is not within Japanese territory or his address and domicile are not clear.

"If there is a fraction of less than 1,000 yen in the amount of contributions charged, delinquency fees shall be calculated disregarding such fraction.

"When the contribution and delinquency fee are fully paid within the term fixed in the demand letter, or when the total counted by the preceding two paragraphs is less than 10 yen, the penalties shall not be collected. If there is a fraction of less than 10 yen in the amount of the delinquency fee, such fraction shall not be collected."

Article 11-2 shall be amended as follows:

"Article 11-2. When employers who receive demands for payment as prescribed in the preceding Article fail to pay their contributions and other assessments prescribed in this Law in the designated time, the administrative office may take further action according to the process for the collection of taxes in arrears or may demand such action of the city, town, or village (as used throughout this Law includes "ward" in such areas of Tokyo Metropolis where wards exist and in such cities as were designated according to the provisions of Article 156, paragraph 2, of the Local Autonomy Law) where the defaulters live or their property lies.

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"When the administrative office demands action of a city, town, or village in accordance with the preceding paragraph, the city, town, or village shall make the disposition in accordance with the taxation procedure of the city, town, or village. When the city, town, or village concerned makes the collection for the administrative office, the city, town or village shall receive four percent of the amount collected."

Next to Article 26-6, the following two Articles shall be added:

"Article 26-7. In case there are two or more survivors of the same priority entitled to insurance benefits in accordance with the preceding five Articles, such benefits shall be granted in equal parts according to the number of such survivors.

"Article 26-8. When one of the survivors of the same priority entitled to a survivor's or surviving child's pension loses his right to such pension and there are still two or more persons of the same priority, such survivor's or suviving child's pension shall be granted in equal parts according to the number of such survivors."

Article 37-2 shall be amended as follows:

"Article 37-2. In addition to the amount prescribed in either paragraph of the preceding Article, the sum of 2,400 yen shall be granted on behalf of the spouse and each child under sixteen years of age of a person qualified for an invalidity pension on account of his disability coming within the first class of disability stipulated in Sparate Table No. 1, such spouse or child having been supported by such person at the time he became disabled; provided that this additional sum shall be granted on behalf of such children regardless of age when the child has been incapacitated for work continuously since the date upon which such person became disabled.

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CORRECTION

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HAS BEEN REPHOTOGRAPHED
TO ASSURE LEGIBILITY

"When the administrative office demands action of a city, town, or village in accordance with the preceding paragraph, the city, town, or village shall make the disposition in accordance with the taxation procedure of the city, town, or village. When the city, town, or village concerned makes the collection for the administrative office, the city, town or village shall receive four percent of the amount collected."

Next to Article 26-6, the following two Articles shall be added:

"Article 26-7. In case there are two or more survivors of the same priority entitled to insurance benefits in accordance with the preceding five Articles, such benefits shall be granted in equal parts according to the number of such survivors.

"Article 26-8. When one of the survivors of the same priority entitled to a survivor's or surviving child's pension loses his right to such pension and there are still two or more persons of the same priority, such survivor's or suviving child's pension shall be granted in equal parts according to the number of such survivors."

Article 37-2 shall be amended as follows:

"Article 37-2. In addition to the amount prescribed in either paragraph of the preceding Article, the sum of 2,400 yen shall be granted on behalf of the spouse and each child under sixteen years of age of a person qualified for an invalidity pension on account of his disability coming within the first class of disability stipulated in Sparate Table No. 1, such spouse or child having been supported by such person at the time he became disabled; provided that this additional sum shall be granted on behalf of such children regardless of age when the child has been incapacitated for work continuously since the date upon which such person became disabled.

"The provisions of Article 26, paragraph 2, shall be applicable

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shall receive four percent of the amount collected."

Next to Article 26-6, the following two Articles shall be added:

"Article 26-7. In case there are two or more survivors of the same priority entitled to insurance benefits in accordance with the preceding five Articles, such benefits shall be granted in equal parts according to the number of such survivors.

"Article 26-8. When one of the survivors of the same priority entitled to a survivor's or surviving child's pension loses his right to such pension and there are still two or more persons of the same priority, such survivor's or suviving child's pension shall be granted in equal parts according to the number of such survivors."

Article 37-2 shall be amended as follows:

"Article 37-2. In addition to the amount prescribed in either paragraph of the preceding Article, the sum of 2,400 yen shall be granted on behalf of the spouse and each child under sixteen years of age of a person qualified for an invalidity pension on account of his disability coming within the first class of disability stipulated in Sparate Table No. 1, such spouse or child having been supported by such person at the time he became disabled; provided that this additional sum shall be granted on behalf of such children regardless of age when the child has been incapacitated for work continuously since the date upon which such person became disabled.

"The provisions of Article 26, paragraph 2, shall be applicable to a child who was a fetus at the time when a person qualified for an invalidity pension became disabled."

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Next to Article 46-2, the following one paragraph shall be added:

"The provisions of Article 26-8 shall be applicable when a suspended survivor's pension is paid to persons of the same priority in accordance with the preceding paragraph."

To Article 58, the following three paragraphs shall be added:

"The amount of contributions for each month of the term of coverage calculated in accordance with Article 24, paragraph 1 or 2, or Article 25-2 shall be calculated by multiplying the insured person's monthly standard remuneration by the contribution rate.

"The amount of contributions for the month in which the insured persons prescribed in the provisions of Article 22 qualified as insured shall be calculated in accordance with the preceding paragraph.

"The contribution rates shall be as follows:

1. 12.3 percent for an insured miner;
2. 9.4 percent for a male insured person other than an insured miner;
3. 5.5 percent for a female insured person;
4. 7.8 percent for the insured prescribed in Article 20."

Article 58-2 shall be repealed.

"Chapter VI" shall be amended as "Chapter VII" and "Chapter V" as "Chapter VI", and next to Article 61, the following one chapter shall be added:

Chapter V

"Welfare Pension Insurance Advisory Council

"Article 61-2. The Welfare Pension Insurance Advisory Council (hereinafter referred to as the "Council") shall be established in the Ministry

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in accordance with Article 24, paragraph 1 or 2, or Article 25-2 shall be calculated by multiplying the insured person's monthly standard remuneration by the contribution rate.

"The amount of contributions for the month in which the insured persons prescribed in the provisions of Article 22 qualified as insured shall be calculated in accordance with the preceding paragraph.

"The contribution rates shall be as follows:

1. 12.3 percent for an insured miner;
2. 9.4 percent for a male insured person other than an insured miner;
3. 5.5 percent for a female insured person;
4. 7.8 percent for the insured prescribed in Article 20."

Article 58-2 shall be repealed.

"Chapter VI" shall be amended as "Chapter VII" and "Chapter V" as "Chapter VI", and next to Article 61, the following one chapter shall be added:

Chapter V

"Welfare Pension Insurance Advisory Council

"Article 61-2. The Welfare Pension Insurance Advisory Council (hereinafter referred to as the "Council") shall be established in the Ministry of Welfare and shall study and advise relative to the administration and operation of Welfare Pension Insurance.

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"Article 61-3. The Council shall investigate, deliberate and make written recommendations relative to the administration and operation of Welfare Pension Insurance as requested by the Welfare Minister, and shall have the right to make such written recommendations on its own initiative to the Welfare Minister and other Ministers concerned.

"The Welfare Minister shall request the opinion of the Council before acting upon matters involving planning, legislation, or major administrative policy concerning Welfare Pension Insurance.

"Article 61-4. The Council shall consist of six members representing the insured, six members representing the employers and six members representing the public interest.

"Each member shall be appointed by the Welfare Minister.

"Article 61-5. The members' term of office shall be two years, and one-half of the members shall be appointed annually.

"A term of office for a member appointed to fill a vacancy shall be for the remainder of the term of his predecessor.

"Article 61-6. There shall be a chairman of the Council elected by the members from among those members who represent the public interest.

"The chairman shall preside over the meetings and shall represent the Council.

"In case of the chairman's absence, an acting chairman who is elected in the manner prescribed in paragraph 1, shall substitute for the office.

"Article 61-7. The Welfare Minister shall produce such data and information concerning Welfare Pension Insurance as the Council may request.

"Article 61-8. The Council shall convene as often as necessary, and at least once every three months unless good cause is shown.

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"The Welfare Minister shall request the opinion of the Council before acting upon matters involving planning, legislation, or major administrative policy concerning Welfare Pension Insurance.

"Article 81-4. The Council shall consist of six members representing the insured, six members representing the employers and six members representing the public interest.

"Each member shall be appointed by the Welfare Minister.

"Article 61-5. The members' term of office shall be two years, and one-half of the members shall be appointed annually.

"A term of office for a member appointed to fill a vacancy shall be for the remainder of the term of his predecessor.

"Article 61-6. There shall be a chairman of the Council elected by the members from among those members who represent the public interest.

"The chairman shall preside over the meetings and shall represent the Council.

"In case of the chairman's absence, an acting chairman who is elected in the manner prescribed in paragraph 1, shall substitute for the office.

"Article 61-7. The Welfare Minister shall produce such data and information concerning Welfare Pension Insurance as the Council may request.

"Article 81-8. The Council shall convene as often as necessary, and at least once every three months unless good cause is shown.

"Article 61-9. The Council shall convene at the direction of the chairman.

"When requested by the Welfare Minister or by one-third or more of the members, the Council shall be convened within two weeks of such request.

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"Article 61-10. Within sixty days after the close of each fiscal year, the Council shall submit a written report to the Welfare Minister concerning its activities and findings and a summary of its recommendations during the fiscal year concerned.

"Article 61-11. There shall be secretaries, not exceeding eight, for the Council and such secretaries shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare and men of learning and experience.

"The secretaries shall be at the service of the members of the Council whenever requested by such members for the purpose of rendering technical advice and administrative aid.

"Article 61-12. There shall be clerks, not exceeding five, for the Council and such clerks shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare.

"The clerks shall perform clerical duties under the supervision of their superiors."

In Article 63, "Article 11" shall be amended as "Article 11-2".

"Article 65-15" shall be amended as "Article 65-17", and next to Article 65-14, the following two articles shall be added:

"Article 65-15. There shall be secretaries, not exceeding six, for the Welfare Pension Insurance Appeals Board and such secretaries shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare.

"The secretaries shall be at the service of the members of the Welfare Pension Insurance Appeals Board whenever requested by such members for the purpose of rendering technical advice and administrative aid.

"Article 65-16. There shall be clerks, not exceeding five, for the Welfare Pension Insurance Appeals Board and such clerks shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare

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"Article 61-10. Within sixty days after the close of each fiscal year, the Council shall submit a written report to the Welfare Minister concerning its activities and findings and a summary of its recommendations during the fiscal year concerned.

"Article 61-11. There shall be secretaries, not exceeding eight, for the Council and such secretaries shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare and men of learning and experience.

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"Article 65-15. There shall be secretaries, not exceeding six, for the Welfare Pension Insurance Appeals Board and such secretaries shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare.

"The secretaries shall be at the service of the members of the Welfare Pension Insurance Appeals Board whenever requested by such members for the purpose of rendering technical advice and administrative aid.

"Article 65-16. There shall be clerks, not exceeding five, for the Welfare Pension Insurance Appeals Board and such clerks shall be appointed by the Welfare Minister from the staff of the

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In Article 63, "Article 11" shall be amended as "Article 11-2".

"Article 65-15" shall be amended as "Article 65-17", and next to Article 65-14, the following two articles shall be added:

"Article 65-15. There shall be secretaries, not exceeding six, for the Welfare Pension Insurance Appeals Board and such secretaries shall be appointed by the Welfare Minister from the staff of the Ministry of Welfare.

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"The clerks shall perform clerical duties under the supervision of their superiors."

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In Article 67, "If an employer comes within any of the following items," shall be amended as "If an employer who employs the insured comes within any of the following items without good reason," and "a fine of not more than 10,000 yen" as "imprisonment for a period of not more than 6 months or a fine of not more than 30,000 yen," and in such Article, item 1, "to submit" shall be amended as "to present," and to such Article, the following one item shall be added:

"3. In case of failing to pay, by the time designated in the demand letter, the contributions prescribed in the principal part of Article 60."

In Article 68, "an employer" shall be amended as "a person described in the preceding Article", and "comes within any of the following items, he shall be subject to a fine of not more than 5,000 yen" shall be amended as "comes within any of the following items without good reason, he shall be subject to imprisonment for a period of not more than 6 months or a fine of not more than 10,000 yen," and in such Article, item 1, "refusing to attend a hearing" shall be amended as "refusing to attend a hearing, or refusing to undergo medical examinations by licensed doctor,"

Article 2. A part of the "Law Amending a Part of the Welfare Pension Insurance Law and the Others" (Law No. 127 of 1948) shall be amended as follows:

In Article 5 of the Supplementary Rules, paragraph 2 shall be amended as follows:

"In addition to the amount prescribed in the preceding paragraph, the sum of 2,400 yen shall be granted on behalf of the spouse and each child under sixteen years of age of a person qualified for an invalidity pension on account of his disability coming within the first class of disability stipulated in Separate Table No. 1 of the Welfare Pension Insurance Law (Imperial Ordinance No. 1,250 of 1941)

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be amended as "to present," and to such Article, the following one item shall be added:

"3. In case of failing to pay, by the time designated in the demand letter, the contributions prescribed in the principal part of Article 60."

In Article 68, "an employer" shall be amended as "a person described in the preceding Article", and "comes within any of the following items, he shall be subject to a fine of not more than 5,000 yen" shall be amended as "comes within any of the following items without good reason, he shall be subject to imprisonment for a period of not more than 6 months or a fine of not more than 10,000 yen," and in such Article, item 1, "refusing to attend a hearing" shall be amended as "refusing to attend a hearing, or refusing to undergo medical examinations by licensed doctor,"

Article 2. A part of the "Law Amending a Part of the Welfare Pension Insurance Law and the Others" (Law No. 127 of 1948) shall be amended as follows:

In Article 5 of the Supplementary Rules, paragraph 2 shall be amended as follows:

"In addition to the amount prescribed in the preceding paragraph, the sum of 2,400 yen shall be granted on behalf of the spouse and each child under sixteen years of age of a person qualified for an invalidity pension on account of his disability coming within the first class of disability stipulated in Separate Table No. 1 of the Welfare Pension Insurance Law (Imperial Ordinance No. 1,250 of 1941), or within the first three classes stipulated in Separate Table No. 1 of the Imperial Ordinance Amending a Part of the Enforcement Ordinance

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of the Laborer's Pension Insurance Law (Imperial Ordinance No. 363 of 1944), such spouse or child having been supported by such person at the time he became disabled: provided that this additional sum shall be granted on behalf of such children regardless of age when the child has been incapacitated for work continuously since the date upon which such person became disabled."

To Article 5 of the Supplementary Rules, the following one paragraph shall be added:

"The provisions of Article 26, paragraph 2, shall be applicable to a child who was fetus at the time when a person qualified for an invalidity pension became disabled."

Article 11 of the Supplementary Rules shall be amended as follows:

"Article 11. Regardless of Article 58, paragraph 4, the contribution rates prescribed therein shall, for the time being, be 3.5 percent for the insured described in item 1, 3.0 percent for the insured described in item 2, and 3.0 percent for the insured described in item 3."

Supplementary Rules

1. This Law shall come into force as of May 1st, 1949.

2. A person who has qualified as insured prior to the date of the enforcement of this Law and continues to be qualified as insured to such date, for the purposes of the amendments to Article 4 shall be regarded as having qualified as insured on such date and his standard remuneration shall be determined accordingly.

3. With respect to the delinquency fees chargeable on the contributions for which demand letters were issued prior to the date of the enforcement of this Law, the provisions of the Articles of the Welfare Pension Insurance Law

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tinuously since the date upon which such person became disabled."

To Article 5 of the Supplementary Rules, the following one paragraph shall be added:

"The provisions of Article 26, paragraph 2, shall be applicable to a child who was fetus at the time when a person qualified for an invalidity pension became disabled."

Article 11 of the Supplementary Rules shall be amended as follows:

"Article 11. Regardless of Article 58, paragraph 4, the contribution rates prescribed therein shall, for the time being, be 3.5 percent for the insured described in item 1, 3.0 percent for the insured described in item 2, and 3.0 percent for the insured described in item 3."

Supplementary Rules

1. This Law shall come into force as of May 1st, 1949.

2. A person who has qualified as insured prior to the date of the enforcement of this Law and continues to be qualified as insured to such date, for the purposes of the amendments to Article 4 shall be regarded as having qualified as insured on such date and his standard remuneration shall be determined accordingly.

3. With respect to the delinquency fees chargeable on the contributions for which demand letters were issued prior to the date of the enforcement of this Law, the provisions of the Articles of the Welfare Pension Insurance Law and of the Enforcement Regulation prior to these revisions shall continue to be applicable.

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4. Regardless of the provisions of Article 37, paragraph 1, and Articles 4 and 5 of the Supplementary Rules of the Law Amending a Part of the Health Insurance Law and the Others (Law No. 45 of 1947), the amount of an invalidity pension granted to a person qualified for such pension on the date of the enforcement of this Law (except an invalidity pension, the amount of which has been increased in accordance with the provisions of Article 5, paragraph 1, or Article 8 of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others (Law No. 127 of 1948)) and which is calculated upon the table of standard remuneration effective prior to the date of the enforcement of the Law Amending a Part of the Welfare Pension Insurance Law and the Orthers, shall be an amount equal to 5 times the former amount of such pension.

5. The provisions of Article 5, paragraphs 2 and 3, of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others shall be applicable with respect to the preceding paragraph.

6. The provisions of paragraph 4 shall be applicable to the calculation of the amount of an invalidity pension which is to be granted to a person becoming qualified for such pension on and after the day following the enforcement of this Law and which is to be calculated upon the standard remuneration effective prior to the date of the enforcement of the Law Amending a Part of the Welfare Pension Insurance Law and the Others, except an invalidity pension the amount of which has been increased in accordance with the provisions of Article 8 of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others.

7. The provisions of Article 5, paragraphs 2 and 3, of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the

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enforcement of this Law (except an invalidity pension, the amount of which has been increased in accordance with the provisions of Article 5, paragraph 1, or Article 8 of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others (Law No. 127 of 1948)) and which is calculated upon the table of standard remuneration effective prior to the date of the enforcement of the Law Amending a Part of the Welfare Pension Insurance Law and the Orthers, shall be an amount equal to 5 times the former amount of such pension.

5. The provisions of Article 5, paragraphs 2 and 3, of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others shall be applicable with respect to the preceding paragraph.

6. The provisions of paragraph 4 shall be applicable to the calculation of the amount of an invalidity pension which is to be granted to a person becoming qualified for such pension on and after the day following the enforcement of this Law and which is to be calculated upon the standard remuneration effective prior to the date of the enforcement of the Law Amending a Part of the Welfare Pension Insurance Law and the Others, except an invalidity pension the amount of which has been increased in accordance with the provisions of Article 8 of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others.

7. The provisions of Article 5, paragraphs 2 and 3, of the Supplementary Rules of the Law Amending a Part of the Welfare Pension Insurance Law and the Others shall be applicable with respect to the preceding paragraph.

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8. Any person who is a member, secretary or clerk of the Welfare Pension Insurance Committee at the time of the enforcement of this Law, shall be considered to be appointed as a member, secretary or clerk, respectively, of the Welfare Pension Insurance Advisory Council.

9. The tenure of such members of the Council shall be computed as of the dates on which they were appointed or commissioned as members of the Welfare Pension Insurance Committee.

10. The provisions of Article 57, paragraph 1, of the Welfare Pension Insurance Law shall not be applicable to such portion of the amount of an invalidity pension as will be increased in accordance with paragraphs 4 and 6.

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9. The tenure of such members of the Council shall be computed as of the dates on which they were appointed or commissioned as members of the Welfare Pension Insurance Committee.

10. The provisions of Article 57, paragraph 1, of the Welfare Pension Insurance Law shall not be applicable to such portion of the amount of an invalidity pension as will be increased in accordance with paragraphs 4 and 6.

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Draft Amending a Part of the Welfare Pension Insurance Law is Proposed for the following reason:

1. To cope with the latest change in social and economic situations, the amount of an invalidity pension shall be increased, and classification of standard remuneration of an insured person shall be rearranged in uniformity with that of other social insurance schemes.
2. To make necessary amendments in the provisions and procedures relating to other social insurance schemes so that they might conform with each other.

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