DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

THE CHILD WELFAWER LAW

Chapter I. General Provisions

Article 1. All the Nation shall endeavor to have the children born and grow up with healthy mind and body.

Every child shall have the equal opportunity for the security of life and loving care.

Article 2. The State and the local public bodies as well as the guardians of the children shall be responsible for their healthly growth borth mind and body.

Article 3. Theose stipulated in the preceding two Article pointing out the principle to insure the welfare of children shall be always borne in mind in the enforcement of all the laws and ordinances relating to children.

SECTION I. Definitions

Article 4. The term "child" in this law shall mean the child under eighteen years of age and the subdivision of the child shall be as follos:

(1) "Infant" - the child under one year of age;

(2) "Preschool child" - the child from one year to the age before the entrance to the primary school;

(3) "Minor" - the child above school age and under eighteen years of age.

Article 5. The term "expectant or nursing mother" in this law shall mean the woman who is pregnant or who has not passed one year after delivery.

Article 6. The term "guardian" in this law shall mean "the holder of parental right," (Legal guardian in case there is no parental right holder; the same shall apply hereinafter), and others who have the actual custody of the child.

Article 7. The term "Jido-fukushi Shisetsu" (child welfare agencies) in this law shall include josan shisetsu (lying-in agency), Nyuji-in (infant home), boshiryo (mothers' home), hoikujo (day nursery), jido kosei shisetsu (children's recreational agencies), yogo shisetsu (home for dependent, neglected and abused children), seishin hakujakuji shisetsu (home for feebleminded children), ryoiku shisetsu (home for physically handicapped children), mo rowaji shisetsu (home for blind, deaf and dumb children), and kyogo-in (home for juvenile training and education).

SECTION II. Child Welfare Council

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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JI-HATSU 745 6 September 1949

Subject: Questions and Answers relative to Application of Children's Welfare Law. (#6)

To: To, Do Fu and Prefectural Governors

From: Chief
Children's Bureau

Regarding above subject the following is sent for your reference in application of Children's Welfare Law.

Question 1. Who shall be responsible for the funeral of a child whose death occured in a Children's Welfare Institution, the guardian of the child or the director of the Institution?

Answer - When the guardian has supporting duty for the deceased he should be notified to claim the body and to have funeral conducted (It is same when steps taken based on Law, Article 27, Item 1, C, against the will of parental authority based on Law, Article 27, Item 3) - When the guardian is unable to meet expense it should resort to funeral-relief regulation of Daily-Life-Security-Law.

In case when there is no guardian or when the guardian has no supporting obligation, then, the director of the Welfare Institution should conduct the funeral.

Question 2. When the Director of the Institution has conducted funeral, should he get the expenses out of maintenance fund or should he apply to Funeral-Relief of Daily Life Security Law?

Answer - Out of maintenance fund.

Question 3. When a child in the Welfare Institution is under medical care, should Medical Care Coupon of Daily Life Security be obtained and disposed accordingly?

Answer - Not necessary to grant Medical Care Coupon of DLS.

Question 4. When a child placed under foster parents dies should the funeral expense be met by Funeral-Relief-Fund of DLS?

Answer - No, but out of Maintenance Fund.

Question 5. What sort of transaction should be taken for a young girl under 15 years of age who is giving entertainments once or twice a week at Cabaret with her guardian receiving a considerable amount of pay?

Answer - The given instance falls under Children's Welfare Law Article 34, Item 1, Class 5, which states .... "Conduct forcing child under age of 15 to wait at a banquet ...." and [illegible] therefore should be

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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transacted accordingly . . . . .

Question 6. "Limit of Expenses in execution of Children's Welfare Establishment minimum Standard" -- Kosei-sho-hatsu, Ji 64, 1948. In "4" of above, under "medical care fund", what is meant by hospital treatment and special treatment?

Answer - "Hospital treatment" means a case in need of hospital care, and "special treatment" means a case which could not be adequately treated by ordinary Children's Welfare Establishment Medical Agency (Clinic or by its Contracted Physician) needing some special type of thereby.

Translated by:
Y. NAKANO
Nov. 15, 1949

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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SHA-HATSU #1538 16 September 1949

From: Chief of Social Bureau

To: Governors

Subject: Re: National Subsidy on Protection Fund for Special Women for 1949.

For the 3rd quarter of 1949, the amount ¥ ----- has been appropriated this day. Sha-hatsu #914, 2 June should be throughly consulted in managing the affairs so as to leave nothing to be desired.

SHA-HATSU #1538 16 September, 1949

To: Officer in Charge of Receipts and Disbursement

From: Tadashi Kimura
Chief Social Bureau
Welfare Ministry

Subject: Re: Disbursement of Subsidiary Fund.

Disbursement of subsidy on Women's Welfare Establishments has been approved, and it is hereby notified in compliance with the Budget and Account Regulation, Article 39-6.

1. Case Title _____ Women's Welfare Establishment Subsidy
2. Class _____Women's Welfare Establishments Subsidy ¥ _____.
3. Date of Approval _____day _____ month, year, #_____.
4. Date of Delivery, and Number #_____.
5. Pay Plant Amount Notice Number, date and #_____.

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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Welfare Ministry
HATSU-SHA #69

The request for National Subsidy on protection of special women made by #_____, dated _____ _____, is hereby approved and the amount ¥_____ for the 3rd quarter of 1949 is granted.

However, the following should be remembered.

Welfare Minister 21 October 1949

1. When closing account shows that 80% of the total expenditure is less than the amount of National Subsidy, the difference is to be returned.

2. Necessary reports should be collected in regard to states of management and accounts, and actual inspection shall be carried out if need be.

3. Subsidy Directive and its Instructions, Welfare Ministry Sha-hatsu #62, 1 August, 1949 should be canceled out since it is included in this subsidy Directive and Instructions.

Translated by:
Y. NAKANO
Dec.,8 1949

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

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JI-HATSU #776 22 September 1949

To: Governor of Yamanashi-Prefecture

From: Chief of Children's Bureau
Welfare Ministry

Subject: Re: Changing Plan for Establishment of Mothers and Children's Dormitory in Kofu City for 1949.

The above matter referring Ji-shu #526, 21 September is considered to be adequate and is hereby approved.

Translated by:
Y. NAKANO
9 Dec., 1949

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DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 8. For the purpose of investigating and deliberating the problems of welfare of children and expectant and nursing mothers, a central child welfare council and To, Do, Fu and the prefectural child welfare councils shall be established. To, Do, Fu and the prefectural child welfare councils shall be establsihed in each of To, Do, Fu and the prefectures.

The city, town or village (inclusive of the special ward; the same shall apply hereinafter) may establish a municipal child welfare council to investigate and deliberate the matters of the preceding paragraph in case it is desired.

The Central child welfare council shall be under the jurisdiction of the Minister of Welfare, To, Do, Fu and the prefectural child welfare councils under that of the governors of To, Do, Fu and prefectures, and the municipal child welfare council that of the mayor of each municipality (inclusive of the ward mayor of the special ward, the same shall apply hereinafter), and may answer the inquiry of or make recommendations to the respective administrative organ concerned.

The child welfare council may ask the administrative organs concerned for the presence of and explanation by the competent personnel and presentation of the material when there is a special need.

Child welfare councils shall always keep close mutual liaison by providing their materials etc. for each other according to the need.

The central and To, Do, Fu and the prefectural child welfare councils may make recommendations concerning the show and performance, books and printed matters, toys, child's plays etc, and give necessary advice to the person who makes, conducts or sells etc. the above in order to insure the welfare of children.

Article 9. The central child welfare council shall consist of the members not exceeding forty-five and To, Do, Fu, prefectural, city, town or village child welfare council twenty.

The temporary council members may be appointed in the child welfare council for the investigation and deliberation on a special problem when it is necessary. The members and the temporary members of the child welfare councils shall be appointed or requested by the Minister of Welfare, the governor of To, Do, Fu or the prefecture, or the mayor of the city, town or village respectively out of or to thepersonnel of the administrative organs concerned, those who are engaged in services of the child's care, health and general welfare and those with knowledge and experience.

The child welfare council shall have one each of chairman and vice chairman elected through the members' mutual votes.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 10. Besides those provided for by this Law, necessary matters regarding the tenure of office of the members, duties of the chairman and the vice chairman and the management of the child welfare council shall be determined by the Order.

SECTION III. The Child Welfare Official and Child Welfare Worker.

Article 11. The child welfare officials shall be appointed in each of To, Do, Fu and the prefectures.

The child welfare official shall work for the promotion of the welfare of children and expectant and nursing mothers acting as their counsellors on the matters concerning their care, health and general welfare.

The child welfare official shall execute the duty prescribed in the preceding paragraph within the area assigned by the governor of To, Do, Fu or the prefecture and may request the cooperation of the mayor of the city, town or village of the assigned area.

The office of the child welfare official shall be filled by either clerical or technical public personnel and he shall be appointed from among those who are experienced in or have knowledge of the work for the care, health and general welfare of children and expectant and nursing mothers.

Article 12. The child welfare workers shall be placed in areas of the city, town and village.

The child welfare worker shall have the close knowledge on the living and environmental conditions of the children and expectant and nursing mothers in order to give assistance and guidance for their care, health and the general welfare, and shall cooperate with the child welfare officials's service.

The welfare commissioners appointed under the provision of the Welfare Commissioner Law shall take the duties of the child welfare workers.

The child welfare worker is responsible to the governor of To, Do, Fu and the prefecture on his given duty.

Article 13. The mayor of the city, town or village may request the child welfare official for the necessary assistance and give child welfare workers the necessary instruction besides requesting the child welfare official or the child welfare worker for the necessary reporting and submitting of the material concerning the matters provided for by Par. 2 of Article 11 or Par. 2 of Article 12.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

The child welfare official and child welfare worker shall report the conditions of the necessary matters concerning the children and nursing mothers of their area to the superintendent of the child welfare center or the mayor of the city, town or village who has the jurisdiction over the assigned area and give their opinions at the same time.

The reporting of the preceding paragraph by the child welfare worker to the superintendent of the child welfare center shall be made through the mayor of the city, town or village.

The superintendent of the child welfare center may request the child welfare official or child welfare worker of the area under his jurisdiction to make the necessary investigation.

Article 14. Besides those provided for by this Law, the appointment or promotion of the child welfare officials and the necessary matters concerning the child welfare official and child welfare worker shall be determined by the Order.

SECTION IV. The Child Welfare Center

Article 15. The child welfare center shall be established in To, Do, Fu and the prefectures.

The child welfare center shall aim at promoting the welfare of children through consultation and making the discrimination of the children's capacities if necessary.

Article 16. The child welfare center shall have a superintendent and staff personnel. The offices of the superintendent and staff personnel shall be filled by the prefectural personnel either clerical or technical.

The superintendent shall manage the affairs of the center under the direction of To, Do, Fu or the prefectural governor.

The staff personnel shall take the duties of consultation and discrimination as provided for by the preceding Article under supervision of the superintendent.

The child welfare center may have the necessary workers besides those prescribed in paragraph 1.

Article 17. The child welfare center shall equip the facility for the temporary sheltering of the children when it is necessary.

Article 18. Besides those provided for by this Law, the area to be covered by the child welfare center and other necessary matters concerning the child welfare center shall be determined by Order.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Chapter II. Welfare Measures and Security

Article 19. The governors of To, Do, Fu and the prefectures shall encourage the expectant and nursing mothers or the guardians of the infants and preschool children to receive the health guidance by the health centers, physicians, dentists, midwives or public health nurses for the maternity and child care.

The expectant and nursing mothers and the guardians of the infants and preschool children shall receive the health guidance by the health centers, physicians, dentists, midwives or public health nurses for the maternity and child care.

The governors of To, Do, Fu and the prefectures may give health examinations of the infants and preschool children.

The governors of To, Do, Fu and prefecture shall, in accordance with the provisions of the Order, take the measure of payment for expenses required for the health guidance for the expectant and nursing mothers and the guardians of infants and preschool children who are not able to pay.

Article 20. The woman who has conceived shall report her pregnancy as soon as she is able to the governor of To via the superintendent of the health center in the case of the special ward, to the mayor of the city via the superintendent of the health center in the case of the city provided by the Cabinet Order derived from Article 1 of the Health Center Law, and to the mayor of the city, town or village in the case of the city, town or village other than the above with a diagnosis paper of pregnancy written by a physician or midwife: Provided, however, that the diagnosis paper is not necessary in case there is any adequate reason such as the absence of a physician or a midwife within a reasonable reach.

Article 21. The governors of To, Do, Fu and prefectures shall, in accordance with the provisions of the Order, issue the maternal-and-child handbook for each expectant mother who has reported her pregnancy as provided for by the preceding Article.

When the expectant and nursing mothers receive such health guidance by the health center, physician, dentist, midwife or public health nurse, the necessary guiding remarks shall be entered each time in the maternal-and-child handibook. The same shall apply to the guardians of the infants and preschool children who receive the health guidance by the health center, physician, dentist, midwife or public health nurse for the health of their infants and preschool children.

Besides those provided for by this Law necessary matters regarding the maternal-and-child handbook shall be determined by the Order.

Article 22. The mayor of the city, town or village shall admit the expectant mothers who are unable, for the financil reason, to

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

demand the admission in a hospital for delivery even when it is necessary for their health, to the lying-in agency for delivery when it is necessary for their health: Provided that it shall not apply in case it can not be carried out for any adequate reason such as the absence of the lying-in agency within a reasonable reach.

Article 23. The amyor of the city, town or village shall admit to the mothers' home and give protection for the widowed women or the women under the equivalent circumstances and their children when he deems the welfare of such children is endangered otherwise: Provided that, in case there is an unavoidable reason such as there is no mothers' home available in the neighborhook etc., an adequate protection as arrangement for admitting to a suitable institution or application of the Daily Life Security Law etc. shall be given.

Article 24. The mayor of the city, town or village shall admit the infant, preschool children or children prescribed in Par. 2 of Article 39 to the day nursery for their care whose guardians are considered not to be able to give them an adequate care due to their work or the illness etc.: Provided that, in case there is unavoidable reason such as no day nursery available in the neighborhood etc., any adequate protection available shall be given.

Article 25. Any person who has discovered a child without guardian or with inadequate guardian shall report the child to the child welfare center or its personnel: Provided that a child over fourteen years of age who is alleged to have committed a crime comes outside the scope of this provision and shall be referred to the Family Court.

Article 26. The superintendent of the child welfare center shall take up any of the following measures for such children reported under the provision of the preceding Article or referred under the provision of Par. 1 of Article 18 of Juvenile Law when it is deemed to be necessary. The same procedure shall be applied when the children come to or are brought to the center for consultation.

(1) Reporting these who fall under Article 27 to the governor of To, Do, Fu or the prefecture;

(2) Providing the child or his guardian with the guidance and services of the child welfare official or child welfare worker.

Such report as provided for by Item 1 of the preceding paragraph shall bear the child's name, address, age, history, behavior, health conditions and other facts helpful for understanding such child.

Article 27. The governor of To, Do, Fu or the prefecture shall take up any of the following procedures for the child reported as provided for by Item 1 of Par. 1 of the preceding Article or referred under the provision of Article 18 of the Juvenile Law in accordance with the provisions of the Order:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(1) Giving the child or the child's guardian admonition or to let them submit the written oath;

(2) Providing the child or hisguardian with the guidance and services of the child welfare official or child welfare worker;

(3) Placing the child under the care of a foster home (the individual who wishes to bring up a child deprived of the proper parental care by the reason of absence or the inadequacy of the guardian and whom the governor of To, Do, Fu or the prefecture has approved: the same shall apply hereinafter), or the infant home, the home for dependent, neglected and abused children, the home for feebleminded children, the home for physically handicapped children, the home for blind or deaf and dumb children, or the home for juvenile training and education (kygoin)

The governor of To, Do, Fu or the prefecture shall follow the direction based on the decision of the Family Court when the procedure of the preceding paragraph is to be taken for the child referred by the provision of Par. 2 of Article 18 of the Juvenile Law.

The procedure of the Item 3 of Par. 1 shall not be carried out against the will of the holder of the parental right over the child in case there is excent with the case of the preceding paragraph.

Article 27-2. In these exceptional cases the prefectural governor or the superintendent of the child welfare center deems it necessary to take any compulsory measure as to restrict the freedom of movement of the child or deprive him of liberty, such cases with exception of the case considered to fall under the provisions of Articles 33 and 47 shall bereferred to the Family Court.

Article 28. The governor of To, Do, Fu or the prefecture may take any of the following procedures in case a guardian so abuses a child or is so neglectful as the violation of a penal law or regulation or the danger of the same may be indicated and the holder of the parental right over the child is against the procedure of Item 3 of Par. 1 of Article 27.

(1) Taking the procedure of the Item 3 of Par. 1 of Article 27 with the approval of the Family Court in case such guardian is the holder of the parental right over the child;

(2) Returning the child to the holder of the parental right in case the guardian is not the holder of the legal parental right over the child: Provided that if such transfer is deemed to be against the welfare of the child, the procedure of the Item 3 of Par. 1 of Article 27 shall be taken with the approval of the Family Court.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

The approval in the preceding paragraph in the application of the Law of the Judgment of Domestic Matters, shall be considered to belong to A group of Par. 1 of Article 9 of the same law.

Article 29. The governor of To, Do, Fu or the prefecture may order the child welfare workers or public personnel concerned with the childs welfare work to step in the place where the child is, his residence or the premise where such occupation has been practiced and make necessary investigations or inquiry. In this case such public personnel shall bear the certificate to show their official capacity.

Article 30. Any person who has a child who is related with him beyond fourth degree live in his home (inclusive of the home of only one person) away from the child's parent with the intention to keep the child for over three months (one month in the case of an infant) of who has kept such child for over two months (twenty day in the case of an infant) continuously (exclusive of the person with whom a child was placed by the provision of the Law or Ordinance or who simply offers a child a board, in both of the above cases) shall report to the governor of To, Do, Fu or the prefecture via the mayor of the city, town or village in accordance with the Ordinance within three months (one month in the case of an infant) from the date when the child began to live with him: Provided that it may not be applied in case the child left the home before the report period expires.

The person who had reported by the provision of the preceding paragraph shall in accordance with the Ordinance make the report in the case of the child's leave to the governor of To, Do, Fu or the prefecture via the mayor of the city, town or village within a month after the child's leave.

The guardian who is not able to bring up his child under his care with an economic reason etc. shall consult with the child welfare center, child welfare official or child welfare worker.

The governor of To, Do, Fu or the prefecture may give the foster parent and person as provided by paragraph 1 the necessary instruction on the care of the child or order the necessary reporting.

Article 31. The Minister of Welfare or the governor of To, Do, Fu or the prefecture may extend up to twenty years of age the care of the child in the home for dependent, neglected and abused children, the home for feebleminded children, the home for physically handicapped children, the home for blind or deaf and dumb children, or the home for juvenile training and education as provided for by the Item 3 of Par. 1 of Article 27: Provided that it shall be applied only in the case the child welfare center reviews such case individually and determines the need for such action.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 32. The governor of To, Do, Fu or the prefecture may vest the superintendent of the child welfare center with the total or partial power to take the procedures provided for by Par. 1 of Article 27.

Article 33. The superintendent of the child welfare center may, when he deems it necessary, place such child pending the decision of disposition as provided for by Par. 1 of Article 26 under the protection of the temporary shelter or consign him with a suitable individual for a temporary care.

The governor of To, Do, Fu or the prefecture may, when he deems it necessary, place such child under the temporary care of the superintendent of the child welfare center or let him place the child under the care of a suitable individual until any of the procedures provided for by Par. 1 of Article 27 is taken.

Besides those provided for by this Law, necessary matters regarding the temporary shelter shall be determined by the Order.

Article 34. No one shall be allowed any action of the following items:

(1) Making the show of the deformed or crippled children;

(2) To let children beg or to beg by means of a child;

(3) To let the children under fifteen years of age act the acrobatic feats and circus riding for the public show;

(4) To let the children under fifteen years of age sing, play or make other performances from house to house, on the street or the similar places with the purpose of the public show;

(5) To let the children under fifteen years of age engage in the occupations to wait on where the liquor is served;

(6) To let the children practice the obscene act;

(7) To transfer the custody of the child to the person who is in danger of practicing any of the actions described in the preceding items or in danger of violating any of the penal laws and regulations about the child with the knowledge of such fact, or to transfer it to other person with the knoledge of foregoing dangers involved;

(8) Placement of a child with a person or person other than the child's own family for the purpose of profit to be gained from such action unless placement is made by a legally authorized employment agency placing both adults and juveniles;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(9) Keeping a child under one's control for purpose harmful to the child unless such control is based on a legal employment relationship and unless the child is within fourth degree of family relationship or unless such control has been authorized by the Family Court, Court of Domestic Relations, or by the governors of To, Do, Fu and the prefecture or the superintendent of the child welfare center.

In yogo-shisetsu (the home for dependent children), seishin hakujakuji shisetsu (the home for feebleminded children), ryoiku shisetsu (the home for physically handicapped children), mo-re-ji shisetsu (the home for blind or deaf and dumb children and kyogoin (the home for juvenile training and education), beyond the scope of the object prescribed by Articles 41, 42, 43, and 44 respectively the children shall not be exploited.

Necessary matters for such protection defined in the preceding paragraph shall be afforded by the minimum standards as provided for in Article 45 with due respect for the spirit and provision of the labor laws and ordinances affecting children.

Article 34-2. Any person other than the Nation, To, Do, Fu and the prefecture who has established any agency to give the child welfare service (exclusive of the child welfare center and child welfare agencies provided for by this Law) shall report it before its service will be commenced to the governor of To, Do, Fu or the prefecture in accordance with the Ordinance.

The scope of the child welfare service of the preceding paragraph shall be prescribed by the Cabinet Order.

The person who had reported by the provision of Par. 1 shall in accordance with the Ordinance make the report in the case of the termination of the agency to the governor of To, Do, Fu or the prefecture within ten days after the termination.

The governor of To, Do, Fu or the prefecture may in accordance with the Ordinance have the public personnel in charge of the child welfare service supervise in the field regarding the equipment and operation of the agency of Par. 1 and order the person who established the agency for the necessary reformation in case of inadequacy for the welfare of children is found besides requesting the superintendent of such agency to submit the necessary report about them.

Chapter III. Child Welfare Agencies

Article 35. The State, To, Do, Fu and the prefecture shall establish the child welfare agencies in accordance with the provisions of the Order.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Cities, towns, villages and other persons may establish the child welfare agencies with the approval of the governor of To, Do, Fu or the prefecture in accordance with the provisions of the Order.

The governor of To, Do, Fu or the prefecture may order the cities, towns and villages to establish the child welfare agencies after referring to To, Do, Fu or the prefectural child welfare council.

To the child Welfare agencies the facilities to train the personnel for the child welfare agency may be attached.

The city, town, village or any other person who wishes to terminate or suspend the child welfare agency shall secure the approval of the governor of To, Do, Fu or the prefecture in accordance with the Ordiance.

Article 36. Josan-shisetsu (lying-in agency) shall be an agency to admit and render maternity services for such expectant mothers who are unable for the financial reason to demand the admission and treatment in the agencies even when it is necessary for their health.

Article 37. Nyuji-in (infant home) shall be an agency to give the infants indoor care. The care provided under the preceding paragraph may be extended until the infant reaches two years of age.

Article 38. Boshi-ryo (mother's home) shall be an agency to admit and give protection for widowed women or women under the equivalent circumstances with their dependent children.

Article 39. Hoikujo (day nursery) shall be an agency to give daily care for the infants and preschool children by request of their guardians.

Despite the provision of the preceding paragraph the day nursery may give daily care for other children with the request of their guardians in case there is the special need of it.

Article 40. Jido-Kysei-shisetsu (children's recreational agencies) shall be the agencies aiming to facilitate the children's healthy plays for the promotion of their health and cultivation of their sentiment such as the children's play-ground and children's center etc.

Article 41. Yogo-shisetsu (agencies for dependent children) shall be the agency aiming at the protection by the indoor care for those children, except the infant, without guardian, maltreated, or who are deprived of the adequate care.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 42. Seishin-hakujakuji-shisetsu (home for feebleminded children) shall be the agency to admit the feebleminded children for care and to give them education necessary for their future self support.

Article 43. Ryoiku-shisetsu (home for physically handicapped children) shall be the agency to admit physically weak children for the promotion of their health conditions in the suitable environment or the physically handicapped children to give them therapeutic treatments and vocational guidance for their future self support.

Article 43-2. Mo-roaji-shisetsu (home for blind or deaf and dumb children) is the agency with purpose to give the blind (inclusive of those with intensively weak eyesight) or deaf and dumb children (inclusive of those with intensively hard hearing) the home care and the necessary guidance for their future self support.

Article 44. Kyogo-in (home for juvenile training and education) shall be the agency to admit and guide the delinquent and predelinquent children.

Article 45. The Minister of Welfare shall establish the minimum standards for the equipment and operation of the child welfare agencies after referring to the opinion of the central Child Welfare Council.

Article 46. In order to keep the minimum standards as provided for by the preceding Article the administrative office may require the superintendents of such agencies to submit the necessary reports or send the public personnel concerned with the child welfare work for investigation.

When such child welfare agencies do not reach the minimum standards, the administrative office may order the person who established the agency for necessary correction or to terminate their services after referring to the child welfare council.

Article 47. The superintendents of the child welfare agencies may assume the parental right over the children in their charge when it is necessary. They shall not, however, exercise it over the supervision of the properties which belong to such children when there are parents for these children.

Article 48. The education of the children in the homes for dependent, feebleminded, physically handicapped, blind, deaf and dumb children who fall under the provision of Article 22 or 39 of the School Education Law shall be given in accordance with the provision of the School Education Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

The superintendent of the home for juvenile training and education shall regard those children under his care who completed the course of primary or middle school under the provision of the School Education Law as graduated from primary or middle school.

The matters relating to the curriculums of the schools prescribed in the preceding paragraph shall be approved by the supervisory board under the provision of Article 20 or 38 of the School Education Law.

The matters relating to the curriculums in the homes for juvenile training and education which are approved under the provision of the preceding paragraph shall be supervised by the Minister of Education (with the homes for juvenile training and education established by those other than the State, the supervisory office of To, Do, Fu or the prefecture under the provision of the School Education Law).

These who are acknowledged by the provision of Par. 2 shall pass for the graduates from the primary or middle school under the provision of the School Education Law.

Article 49. Besides those provided for by this Law, necessary matters relating to the personnel of the child welfare agencies and the said agencies shall be determined by the Order.

Chapter IV. Expenses

Article 49-2. The National Treasury shall bear the expense required for the inmates of the child welfare agency established by the Nation admitted under the provisions of Articles 22 to 24 includive or Item 3 of Par. 1 of Article 27 after they were admitted to the agency.

Article 50. The expenses mentioned in the following items shall be paid by To, Do, Fu or the prefecture:

(1) Expenses required for To, Do, Fu or the prefectural child welfare council;

(2) Expenses required for the child welfare officials and child welfare workers;

(3) Expenses required for the child welfare centers (exclusive of the expenses required for the equipment);

(4) Expenses required for the measures prescribed in Par. 4 of Article 19;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(5) Expenses required for the maternal-and-child handbook;

(6) Expenses required for the care of those admitted to the lying-in agency mothers' home or day nursery established by To, Do, Fu or the prefecture;

(7) Expenses required for the procedures provided for by Article 27 (exclusive of the expenses required for the care of children admitted to the infant home, home for dependent children, home for feebleminded children, home for physically handicapped children, home for blind, deaf and dumb children or home for juvenile training and education established by the State);

(8) Expenses required for the temporary protection of the children;

(9) Expenses required for the equipments of the child welfare center, and for those of the child welfare agencies and facilities for training of personnel established by To, Do, Fu or the prefecture.

Article 51. Expenses mentioned in the following items shall be paid by cities, towns or villages:

(1) Expenses required for the procedures provided for by Articles 22, the main paragraphs of 23 and 24 (exclusive of the expenses required for the care of the individuals in the lying-in agency, mothers' home or day nursery established by the State, To, Do, Fu or the prefecture);

(2) Expenses required for the equipments of the child welfare agencies and the facilities for training of personnel provided for by cities, towns or villages;

(3) Expenses required for the city, town, or village child welfare council.

Article 52. The National Treasury shall bear in accordance with the provisions of the Cabinet Order one half of the expenses required for the provisions of Items 1, 2, 5 and 9 of Article 50 and Item 2 of Article 51 (and from one half to one third of the expenses for the equipments of the mothers' home, day nursery and home for physically handicapped children out of the expenses for item 9 of Article 50 and Item 2 of Article 51); provided that it shall not be applied to the expenses for the equipments of the infant homes other than those with the object of admitting the infants for whom the fee for admission cannot be charged and of the children's recreational agencies out of the expenses for Item 9 of Article 50 and Item 2 of Article 51.

Article 53. The National Treasury shall bar in accordance with the provisions of the Cabinet Order eight-tenths of the expenses borne by the local public bodies as provided for by Article 50 and 51 (exclusive of Item 3) besides the provisions of the preceding Article.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 54. To, Do, Fu or the prefecture shall in accordance with the provisions of the Caninet Order bear one-fourth of the expenses required for the provision of Item 2 of Article 51 (and from one-third to one-fourth for the equipments of the mothers' home, day nursery and homes for physically handicapped, blind, deaf and dumb children): Provided that it shall not be applied to the expenses for the equipments of the infant homes other than those with the object of admitting infants for whom the fee for admission cannot be charged and of the children's recreational agencies.

Article 55. To, Do, Fu and the prefecture shall in accordance with the Cabinet Order bear one-tenth of the expenses required for the provision of Item 1 of Article 51

Article 56. The Minister concerned, the governors of To, Do, Fu and prefectures, and the mayors of cities, towns and villages shall collect the expenses for the provisions of Article 49-2, Items 6 to 8 inclusive of Article 50, and Item 1 of Article 51 respectively from the recipients or the persons responsible for their care.

Before the charge for the expense as provided for by the preceding paragraph will be made the mayor of the city, town or village shall request the opinion of the child welfare official or child welfare worker and, in case it was acknowledged that the recipient or the person responsible for this care is not able to meet the total or a partial expense, the expense shall be borne by each of To, Do, Fu, the prefecture, city, town and village as itemized in the preceding paragraph in lieu of the person responsible.

The city, town or village where the recipient, his spouse, 2 lineal ascendent or descendent of the same family has resided for a year or more continuously shall bear one-tenth of the expense which is borne by the Nation, To, Do, Fu or the prefecture in lieu of the person responsible as provided for by the preceding paragraph.

The collection of fees under the provision of Par. 1 may be entrusted to the governor of To, Do, Fu or the prefecture or the mayor of city, town or village of the residence or the location of the property of the persons cared for or persons responsible for the care of such individuals.

When there are persons not paying within the time limit the fees to be collected under the provisions of Par. 1, the disposition of the recovery of National Taxes in arrear may apply to.

Chapter V. Miscellaneous Provisions.

Article 57. To, Do, Fu, prefectures, cities, towns, villages and other public bodies shall not levy taxes or other duties on such lands and buildings as mentioned in the following items: Provided that it shall be applied with those used on charge basis:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(1) The buildings to be used mainly for the child welfare program;

(2) The site of such buildings prescribed in the preceding item and the grounds to be used for child welfare agencies.

Article 58. The governor of To, Do, Fu or the prefecture may annul the certificate of approval for the child welfare agencies established with the approval under the provision of Par. 2 of Article 35 in case they violated this Law, its Order or the disposition derived from this Law.

The agency with the purpose to give the service as provided for by any of Articles 36 to 40 inclusive which has not obtained the approval of Par. 2 of Article 35, the child welfare agency whose approval for a child welfare agency was annulled by the provision of the preceding paragraph, or the agency provided by Article 34-2 wh ch hhs violated the order of Par. 4 of the same Article and its equipment and operation are deemed to be considerably harmful for the welfare of children, the governor of To, Do, Fu or the prefecture may order to supend its service or to close the agency after requesting the opinion of To, Do, Fu or the prefectural child welfare council.

Article 59. Any person who is dissatisfied with the disposition made by the Minister of Welfare, the governor of To, Do, Fu or the prefecture, the mayor of the city, town or village or the superintendent of the child welfare center derived from the provisions of this Law and its orders, may appeal at the administrative office.

Article 60. Any person who has violated the provision of Item 6 of Par. 1 of Article 34 shall be imprisoned for a period not exceeding ten years or fined over 2,000 yens and not in excess of 30,000 yens.

Any person who has violated any of the provisions of Items 1 to 5 inclusive of Par. 1 of Article 34 or Items 7 to 9 inclusive or Par. 2 of the same Article shall be imprisoned for a period not exceeding one year or fined not in excess of 10,000 yens.

Any person who employs a child shall not evade the punishments as provided for by the preceding two paragraphs with the reason that he was not aware of the child's age: Provided, however, that it shall not be applied when no error is involved on the part of such person in ascertaining the age.

Article 61. The employees of the child welfare center who made the investigation about the children and have revealed their personal secret learned in the course of executing their duties without due reason shall be punished by an imprisonment not exceeding six months or a fine not exceeding 3,000 yens.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 62. Any pe son who without due reason refuses, interferes with or avoids the execution of duties by the child welfare worker or the public personnel concerned with the child welfare work under the provision of Article 29 or who does not answer their questions or makes a false statement or who forces a child not to answer or to make a false answer, shall be fined not in excess of 5,000 yens.

Any person who has failed to make the report as provided for by Par. 1 of Article 30 or Par. 1 of Article 34-2 is subject to the provision of the preceding paragraph.

Article 62-2. Any person who has violated the order of suspension or termination of the service as provided for by Par. 2 of Article 46 or Par. 2 of Article 58 shall be punished with either an imprisonment or a fine not in excess of six months of 10,000 yens.

Supplementary Provisions

Article 63. This Law shall come into force from January 1, 1948: Provided, however, that the provisions of Articles 19, 22 to 24 inclusive, Items 4, 6, 7 and 9 (exclusive of the part concerning the equipments of the child welfare center) of Article 50, Articles 51, 54 and 55 and the parts of Articles 52, 53 and 56 concerning the above provisions shall come into force from April 1, 1948.

Article 64. The term of the welfare commissioners appointed under Welfare Commissioner Law shall be regarded as expiring on the day after three months have passed from the day of the enforcement of the provision of Par. 3 of Article 12.

In selecting the welfare commissioners at the result of the expiration of the term under the provision of the preceding paragraph, those who are qualified to perform the duties as provided for by Par. 2 of Article 12 shall be chosen.

Article 65. Law for Prevention of Cruelty to Children and Juvenile Training and Education Law shall be repealed: Provided that the punishment applied for the actions under the provisions of these Laws before the repeal shall still remain effective after the repeal of these Laws.

Article 66. All the procedures made by the governors of To, Do, Fu and prefectures under the provision of Article 2 of Law for Prevention of Cruelty to Children shall be regarded as those under the corresponding provisions of this Law.

Article 67. At the time of the enforcement of this Law the existing homes for juvenile training and education and the facilities to train the personnel under the provisions of Juvenile Training and Education Law shall be regarded as those established under the provi-

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

sions of this Law and the inmates of these homes shall be regarded as those admitted under the provision of Item 3 of Par. 1 of Article 27.

Article 68. The existing homes for juvenile training and education, at the time of the enforcement of this Law, which have obtained the approval of the Minister of Education for their school curriculum in accordance with the provision of the provise of Par. 1 of Article 24 of Juvenile Training and Education Law, shall be regarded to have obtained the approval on the curriculum from the supervisory board under the provision of Article 20 or 38 of the School Education Law as provided for by Par. 3 of Article 48 of this Law.

Article 69. The existing child welfare agencies, at the time of the enforcement of this Law, among the welfare facilities provided under the Daily Life Security Law shall be regarded as those provided under this Law.

Article 70. The existing child welfare agencies, at the time of the enforcement of this Law, which do not fall under Article 67 and the preceding Article may continue to exist under this Law with the approval by the administrative office as provided for by the Order.

Article 71. "The mayor of the special ward" in Articles 22 to 24 inclusive and Pars. 1 and 2 of Article 56 shall read "the governor of Tokyo To" in the case of the special ward of Tokyo To and the "special ward" in Article 51 and Par. 3 of Article 56 shall read "Tokyo To" in the case of Item 1 of Article 51 for the time being.

Article 72. With the children over fourteen years of age who completed the course of compulsory education as provided for by Article 96 of the School Education Law or the course considered as higher than its equivalent the provisions of Items 3 to 5 inclusive of Par. 1 of Article 34 shall not apply.

Supplementary Provisions

1. This Law shall come into force from the date of its promulgation. Provided that the provision of Article 34-2 in this Law a month after tis promulgation. With the enforcement of the provision of Article 34-2, the person who has established an agency authorized by the provision of Par. 1 of the same Article shall make the report as provided by the same Article within ten days after the date.

Any person who has hailed to make report as provided for by the preceding paragraph is subject to the provision of Article 62.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Any person who is eligible for the provision of Par. 1 of Article 30 and for whom the term of the reporting provided for by Par. 1 of the same Article is to expire by August 31, 1949, shall make the reporting between 1st and 31st of the same Month and year; Provided that in case the child will have left the home before 31st of the same month andyear he needs no reporting.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

THE ENFORCEMENT REGULATION OF THE CHILD WELFARE LAW

(March 31 1948, Welfare Ministerial Ordinance No.11 Amended June 15th 1949, Welfare Ministerial Ordinance No. 23)

Chapter II. Welfare Measures and Security.

Chapter I. Child Welfare Center

Article 1. When the child welfare center is planned to be established, the paper filled as the following items shall be submitted in order to obtain the approval of the Welfare Minister. The same shall apply when change in any of the Items 1 to 4 inclusive be made:

1. Name and address;
2. The area to be covered and its population;
3. The scope and structure of the buildings and equipments with its map;
4. The fixed number of its personnel;
5. The budget of incomes and expenditures;
6. Expected date to commence its service.

Article 2. The governor of To, Do, Du or the prefecture shall designate one of the child welfare centers as the central child welfare center.

The central child welfare center shall give assistance to and help coordination of the child welfare centers within To, Do, the given Fu or prefecture.

Article 3. The superintendent of the central child welfare center may order the superintendents of other child welfare centers in To, Do, Fu, or the prefecture to submit the necessary report.

Article 4. The area to be covered by a child welfare center shall be determined with the consideration on the number of the children and the social circumstances of the area.

Article 5. Deleted.

Article 6. Deleted.

Chapter II. Welfare Measures and Security.

Article 7. When one who is not able to meet the expense of the health guidance as provided by Par. 4 of Article 19 of the Child Welfare Law (to be referred as the Law hereinafter) wishes to receive the health guidance by a physician, dentist or midwife, she shall show the health guidance paper issued by the governor of

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

To, Do, Fu or the prefecture to the physician, dentist or midwife designated by the governor of To, Do, Fu or the prefecture.

Article 8. The health guidance paper is to be issued by the governor To, Do, Fu or the prefecture via the mayor of the city, town or village for the application by the expectant or nursing mother or the guardian of the infant or pre-school child.

The application of the preceding paragraph shall be made to the governor of To, Do, Fu or the prefecture via the mayor of the city, town or village of her residence or the place she is (it is applied only when one has no establishment of her residence or when it is not known: the same shall apply hereinafter) in the following form with the certification by the child welfare official or child welfare worker of the fact that the bearer is eligible for Par. 4 of Article 19 of the Law.

1. Name, date of birth, vocation, residence of the person or the place where the person who wishes to receive the health guidance is;

2. Name and vocation of the guardian if the person of the preceding Item in case he is an infant or pre-school child.

Article 9. The governor of To, Do, Fu or the prefecture may order the physician, dentist, midwife or public-health nurse who gave the health guidance under the Law to submit the necessary report.

Article 10. The form of the health guidance paper and the necessary matters concerning the procedure of Par. 4 of Article 19 of the Law, besides those as provided by the preceding three articles, shall be regulated by each governor of To, Do, Fu or the prefecture.

Article 11. To, Do, Fu or the prefectural governor's issuance of the maternal-and-child handbook under the provision of Par. 1 of Article 21 of the Law shall be made through the superintendent of the health center and the mayor of the city, town or village of the residence of the pregnant woman or the place where she is, through the superintendent of the health center in the case of the special ward and the mayor of the city and the superintendent of the health center in the case of the city provided by the Cabinet Order derived from the provision of Article 1 of the Health Center Law: (the same shall apply with Articles 13 and 14).

Article 12. The woman who has borne two infants or more at a delivery shall have as many maternal-and-child handbooks as the number of the infants.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 13. In case the woman who has received a maternal-and-child handbook should find that she is not pregnant, she shall report it immediately to the mayor of the city's town or village and take the measure to return the maternal-and-child handbook to the governor of To, Do, Fu or the prefecture.

Article 14. In case the expectant or nursing mother should die, the householder or any other relative of her family shall immediately report about it to the mayor of the city, town or village and take the measure to return the maternal-and-child handbook to the governor of To, Do, Fu or the prefecture: Provided that it shall not apply in case the infant is living.

Any one who has not received the maternal-and-child handbook should become a new guardian of an infant or pre-school child shall receive a maternal-and-child handbook: Provided that she shall not receive it in case she has received the maternal-and-child handbook for that infant or pre-school child.

Article 15. The maternal-and-child handbook shall be used according to the regulation made by the governor of To, Do, Fu or the prefecture or the mayor of the city, town or village (inclusive of the ward mayor of the special ward: the same shall apply except Articles 19, 48 and 49 for the special rations necessary for pregnancy, delivery or child care and for other necessary purposes for the welfare of expectant or nursing mothers, infants or preschool children.

Article 16. In case the maternal-and-child handbook was damaged, lost or its space was finished, reissuance may be applied.

Article 17. The form of the maternal-and-child handbook shall be determined by the Welfare Minister separately.

Article 18. Besides the regulations of the preceding seven Articles, issuance and other necessary matters concerning the maternal-and-child handbook shall be regulated by the governor of To, Do, Fu or the prefecture.

Article 19. Any one who wishes to enter a lying-in agency or a mother's home, or a guardian who wishes to have her infant, preschool child or the child as provided for by Par. 2 of Article 39 of the Law admitted to a day nursery under the provisions of Article 22 to 24 inclusive of the Law shall apply in her person or by her guardian or a related person to the mayor of the city, town or village of her residence or the place she is with the follwing form:

1. Name, date of birth and vocation of the person to be admitted and the person who applies for admission.

2. Address and the length of the residence or the place she is.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

3. Reason for the application.

The mayor of the city, town or village shall take up any of the measures of Article 22 to 24 inslusive of the Law when he deems it necessary if no application under the preceding paragraph has been made.

Article 20. The superintendent of the child welfare center shall give all the data necessary for guiding the child or his guardian to the child welfare official or child welfare worker in case the child or his guardian is referred to the child welfare official or child welfare worker for the guidance as provided for by Item 2 of Par. 1 of Article 26 of the Law.

Article 21. In the case of the preceding Article, the superintendent of the child welfare center shall tell the name and address of the assigned child welfare official or child welfare worker and the fact of assignment to the child or his guardian.

At the time the procedure of the preceding paragraph is to be made for a child, the superintendent of the child welfare center shall ask the presence of the child's guardian:

Provided that it shall not apply in case there is no guardian or it is against the child's welfare.

Article 22. The child welfare official or child welfare worker shall give his opinion to the superintendent of the child welfare center in case he considers the procedure for the child or his guardian under his guidance by Item 2 of Par. 1 of Article 26 of the Law should be terminated, suspended or changed.

Article 23. The superintendent of the child welfare center may terminate or suspend the procedure of Item 2 of Par. 1 of Article 26 of the Law or take the procedure of Item 1 of the same paragraph for the child at any time.

Article 24. At the time the child or his guardian is placed under the guidance of the child welfare official or child welfare worker as provided for by Item 2 of Par. 1 of Article 27 of the Law, the provisions of Articles 20 to 23 inclusive shall be applied.

Article 25. The governor of To, Do, Fu or the prefecture shall tell the child or his guardian about the child welfare agency to which the child is to be admitted and the matter of the expense for the care of the child in the agency at the time he would take the measur to admit the child to a child welfare agency under the provision of Item 3 of Par. 1 of Article 27 of the Law.

The provision of Par. 2 of Article 21 shall be applied to the case of the prece ing paragraph.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 26. The governor of To, Do, Fu or the prefecture shall send the record containing the items prescribed in Par. 2 of Article 26 of the Law of the child to be admitted to the superintendent of the child welfare agency:

Provided that it case the child is to be admitted to the Kyogoin established by the nation (to be referred to as National Kyogoin hereinafter) the governor of To, Do, Fu or the prefecture shall obtain the permission of the superintendent of National Kyogoin the reason for the admission.

Article 27. The superintendent of the child welfare agency shall notify the governor of To, Do, Fu or the prefecture through the child welfare center which had made the deagnosis of the child immediately:

1. When an inmate died.

2. When the release, termination, suspension or a change of the measure is considered to be done.

Article 28. The governor of To, Do, Fu or the prefecture may at any time take up the step to terminate, suspend, or change the procedure of Item 3 of Par. 1 of Article 27 of the Law according to the opinion of the superintendents of the child welfare center and the child welfare agency.

Article 29. The superintendent of the child welfare agency shall notify the superintendent of the child welfare center which had made the diagnosis of the child and the mayor of the city, town or village of the child's established residence or permanent domicile when the child is admitted or discharged under the provision of Item 3 of Par. 1 of Article 27 of the Law.

Article 30. Any one who wishes to bring up a child without a guardian or with inadequate guardian under the provision of Item 3 of Par. 1 of Article 27 of the Law shall apply to the governor of To, Do, Fu or the prefecture through the child welfare center under whose jurisdiction the area of his residence belongs.

Article 31. The governor of To, Do, Fu or the prefecture shall enter the name, address, age, history, economic status and any other necessary items for the child care of the person who has made the application of the preceding Article and with whom he considers as adequate person with the reference to the opinion of the To, Do, Fu or prefectural child welfare council, into the foster parent register.

Article 32. The provisions of Articles 25 to 26 inclusive (excepting the provision of the proviso of Article 26) shall be applied to the case of the foster home care under the provision of Item 3 of Par. 1 of Article 27 of the Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 33. Besides the provisions of the preceding three articles, the form of the foster parent register and other necessary matters concerning the foster parent shall be determined by the governor of To, Do, Fu or the prefecture with the reference to the To, Do, Fu or the prefectural child welfare counci;

Article 34. The certificate for the provision of Article 29 of the Law shall take the attached form No. 1

Article 34-2. Such person as provided by Par. 1 of Article 30 of the Law shall make the reporting in the attached form No. 2 to the governor of To, Do, Fu or the prefecture via the mayor of the city town or village under whose jurisdiction his residence is located.

Article 34-3. The governor of To, Do, Fu or the prefecture shall direct the person who made the report as provided for by Par. 1 of Article 30 of the Law to report the removal of his residence without fail when he is moving through the mayor the city, town or village through whom he had made the reporting.

The governor of To, Do, Fu or the prefecture who has received the report of the preceding paragraph shall send a copy of the report sheet submitted by that person and the paper containing the necessary matters for the guidance and supervision over that person immediately to the governor of To, Do, Fu or the prefecture under whose jurisdiction the person's new residence is located.

Article 34-4. Such person as provided by Par. 2 of Article 30 of the Law shall make the report in the attached form No. 3 to the governor of To, Do, Fu or the prefecture via the mayor of the city town or village under whose jurisdiction his residence is located.

Article 35. In case the superintendent of the child welfare center has given or ordered to give a temporary shelter as provided for by Par. 1 or 2 of Article 33 of the Law, he shall notify the date the shelter was begun and the place immediately to the child's guardian.

Article 36. At the temporary sheltering home for children necessary attentions in regard to the children's age, sex, etc. shall be paid.

The minimum standards as provided for by Article 45 of the Law for the home for dependent, neglected and abused children shall be applied to the equipment and operation of the temporary sheltering facilities for the children under Article 17 of the Law.

Article 36-2. Such person as provided for by Par. 1 of Article 34-2 of the Law shall make the report on the followingmatters:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

1. Name and location of the agency;
2. Kind of service to be rendered.
3. The scale, structure and facility of the building and other equipment.
4. Method of operation.
5. Date the service to be commenced

In case such person as provided for by Article 34-2 of the Law happendd to be other than the city, town or village, the following matters shall be reported besides those of the preceding paragraph:

1. Personal history and financial status of the person who wishes to establish the agency.
2. With a judicial person or an association the articles of the association, rules and regulations.

Any change on the matters prescribed by Items 1 to 4 inclusive Par. 1 or Item 2 of the proceding paragr ph shall be immediately reported to the governor of To, Do, Fu or the prefecture.

Article 36 -3. The report as provided for by Par. 3 of Article 34-2 of the Law shall contain the following matters:

1. The reason to terminate the service.
2. Disposition of the property.

Chapter III. Child Welfare Agencies.

Article 37. Any one who wishes to obtain the approval of Par. 2 of Article 35 of the Law shall apply to the governor of To, Do, Fu or the prefecture with the following form:

1. Name, kind of agency and location.
2. Scope and structure of the building and equipments with its map.
3. Method of operation.
4. Budget of income and expenditure.
5. Expected date to commence the service.

In case those other than city, town or village (inclusive of the special ward: the same shall apply hereinafter) wish to obtain the approval of Par. 2 of Article 35 of the Law, they shall apply to the governor To, Do, Fu or the prefecture with the following items in addition to the application paper of the preceding paragraph:

1. History and economic status of those w o wish to establish.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. Articles of the incorporation, the rules for the foundational juridical person and other regulations of the association or legal body. Paragraph 1 or 2 shall apply in case a change in any of Items 1 to 3 inclusive of Par. 1 or Item 2 of the preceding paragraph is made.

Article 38. Any person who wishes to terminate or suspend the service shall, as provided for by Par. 5 of Article 35 of the Law, submit the application for the approval showing the following matters and obtain the approval of the governor of To, Do, Fu or the prefecture:

1. The reason for the termination or suspension.
2. Disposition of the inmates.
3. With one who wishes to terminate the service, the date of the termination and the disposition of the property.
4. With one who wishes to suspend the service, the expected interval of suspension.

The governor of To, Do, Fu or the prefecture who has received the application for the approval of the preceding paragraph may give his approval with the necessary conditions.

Article 39. Any one who wishes to establish a facility for the training of personnel of the child welfare agency shall obtain the approval of the Welfare Minister before hand. The same shall apply when he wishes to terminate it.

The provisions of Articles 37 and 38 shall apply for the approval of the preceding paragraph.

Chapter IV The Examination of the Nursery Teacher.

Article 40. Any one who wishes for the examination of the nursery teacher shall fall under any one of the following items:

1. One who has graduated from a high school under School Education Law, one who has completed the twelve years ordinary course of the school education (inclusive of one who as completed the equivalent course other than the ordinary course), or one who was a proved by the Minister of Education to be equal to or higher than this.

2. One who has the experience of the child care in a child welfare agency for over three years.

3. And others with whom the Welfare Minister deems to be the adquate persons.

Article 41. The examination of the nursery teacher shall be made on the following subjects:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

1. General social work.
2. Child psychology.
3. Principles of health and hygiene, and physiology.
4. Theory and practice of nursing.
5. Theory and practice of nutrition.
6. Theory of child care.
7. Proctice of child care.

Article 41-2. The governor of To, Do, Fu or the prefecture may release the person, if she so desires, from the examination on the subject out of the subjects as provided for by each of the Items of the preceding Article, on which she has already passed within the preceding two years.

The governor of To, Do, Fu or the prefecture may release the person, if she so desires, from the examination on the subject, out of the subjects as provided for by each of the Items of the preceding Article, which she has completed its course in the school or the agency designated by the Welfare Minister.

Article 41-3. Any person who wishes to be released from the examination on the subjects as provided for by each of the Items of Article 41 according to the preceding Article shall make the application to the governor of To, Do, Fu or the prefecture with the paper to certify the eligibility for Par. 1 or 2 of the preceding Article.

Article 42. The governor of To, Do, Fu or the prefecture shall give at least an examination of the nursery teachers a year.

Article 43. Any person who wishes for the examination of the nursery teachers shall apply to the governor of To, Do, Fu or the prefecture with the following application paper with her name, present address and permanent domicile:

1. Personal history.
2. A copy of her census register.
3. Written certificate to show that she falls under any one of the Items of Article 40.
4. Photo.

Article 43-2. The governor of To, Do, Fu or the prefecture shall give the certificate for qualification of nursery teacher per the attached form No. 4. to the person who has passed the examination of the nursery teacher.

The governor of To, Do, Fu, or the prefecture shall give the paper to certify the passage on the subjects per the attached form No. 5 to the person who has passed a part of the subjects as provided for by each of the Items of Article 41.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 44. Any one who has illegally applied for the examination of the nursery teacher or violated the provisions concerning the examination shall be barred or cancelled if passed.

Such person who falls under the preceding paragraph may be barred for the examination for a period within three years.

Article 45. A chairman shall be elected by the Board of Examination of Nursery Teachers.

The chairman of the Board shall preside over all the affairs of the Board of Examination of Nursery Teachers.

Article 46. There shall be clerks not exceeding five persons for the business of the Board of Examination of Nursery Teachers.

The clerks shall take charge of the general affairs of the Board under the direction of their superior officers.

Article 47. Besides the provisions of this chapter, the necessary matters concerning the examination of the nursery teacher shall be regulated by the governor of To, Do, Fu or the prefecture.

Chapter V. Expenses.

Article 48. In case the Welfare Minister, the governor of To, Do Fu or the prefecture or the mayor of the city, town or village should collect the expense as provided for by Par. 1 of Article 56 of the Law, he shall designate the amount and date of payment with the full statement of the account.

Article 49. In case the child welfare official should give his opinion or certificate to the mayor of city, town or village as provided for by Par. 2 of Article 56 of the Law. or Par. 2 of Article 8, he shall refer to the opinion of the child welfare worker who is in charge of the area of the beneficiary's residence or the place where the latter is.

Article 50. Deleted.

Supplementary provisions

Article 51. This regulation shall come into force from January 1, 1948, except as provided for by the provision of Article 63 of the Law shich shall come into force from April 1, 1948, after which date it shall cover the total provisions of the Law.

Article 52. The Enforcement Regulation of Juvenile Training and Education, the Regulation for the Expectant and Nursing Mother's Handbook and 1933 Ordinance of Home Ministry No. 21 (matters regarding the designation of the kinds of occupations and actions under Article 7 of the Law for Prevention of Cruelty to children) shall be repealed.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 53. The expectant and nursing mother's handbook issued under the provision of the Regulation for Expectant and Nursing Mother's Handbook shall be considered the same as the maternal-and-child handbook under the provision of the Law.

Article 54. The examination of the nursery teachers shall be held from 1948.

Article 55. The high school under School Education Law in Item I of Article 40 shall include the middle school under the repealed Middle School Ordinance.

Article 56. The child welfare agencies as provided for by Articles 70 of the Law shall apply for the approval of the governor of To, Do, Fu, or the prefecture according to the provision of Par. 2 of Article 35 of the Law before June 30, 1948.

Supplementary Provision

This Ministerial Ordinance shall come into force from the date of its promulgation: Provided that the provisions of Articles 36-2 and 36-3 shall come into force from the date of enforcement of Article 34-2 of the Child Welfare Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Attached Form No 1

(Right side) (10cm X 8cm)

CERTIFICATE

No._____ Issued on (Date) _____

District or
Section_____

Position of the carrier _____

The carrier of this certificate is authorized to perform the duties prescribed in Article 29 of Child Welfare Law as child welfare official

child welfare worker

public official concerned

by Governor of _____ Prefecture (Stamped)

(Opposite side)

Child Welfare Law, Article 28.

(Abbreviated)

Child Welfare Law, Article 29.

(Abbreviated)

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Attached Form No. 2

Report Sheet for the Provision of Par. 1 of Article 30, of Child Welfare Law.

* So & So prefecture No. * Received date * So & so city, town, vil. No. * By
About person who has taken the child in his or her home. Name M F Age Vocation Address Family vocation if any. Family members living with. Father Age Son Age Other Mother Age Daughter Age Spouse Age Any other person in the home (the child excluded, his or her position in the family, age and sex.
About the child living with the family Name M F Age Relation with the person with whome the child is living Permanent address Previous address
Object to have the child: (1) For care. (2) Employed. Reason " " " " School attendance.
Name of parent or legal guardian M F Age Relation with the child. Vocation Address
Date the child began living with the family. Motive to take the child in his home.
Expected period of the child's stay in the home Until (date No.

- continued on next page -

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Attached Form No. 3

Report Sheet for Child's Leave from the Home as Provided by Child Welfare Law, Article 30, Par.

Prefecture No. City, Town, Village No.	*Date of report received *By
Name of person with whom the child lives. Address	
Name of the child living in the home. Age M F	
Date of past reporting under the provision of Art.30, P.I.C W L	
Reason why the child has left.	
The above is reported by Date _____ Signed. To the Governor of Mtr. or Prefecture.	

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Expenses of food and clothing: 1. Borne totally by parent, etc. only 2. By both parties. 3. Totally by child.
Presence of the mediator Yes No. Name Age Vocation Address Relation with the child
About work if the child is made to work. 1. Place 2. Kind of work 3. age
Remarks:
The above statements are pledget to be true by Daye _____ To the governor of Mtr. or Prefecture..

Note for the entry.

1. The person who makes this report shall not enter in the columns marked by*

2. In the column "Family vocation if any" it must be entered in more concrete way as bicycle repairs, manufacturing of the parts of machine, or distribution of clothing commodities, etc.

3. In the column "Position in the family, age and sex" under "Any other person in the home (the child excluded)" the entry must be made as for instance house maid, 13 years of age, Female, or work-man, 16 years of age, Male.

4. For the clolumns "Object to have the child" and "expenses of food and clothing", check with the circle around the corresponding line.

5. For the cloumns "Ex pected period of the child's around yes or no and "Presence of the mediator", check with the circle around yes or no and in the case of the affirmative the indicated matters to be entered.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Attached Form No. 4

CERTIFICATE

For Nursery Teacher Qualification.

Name

Date of Birth

This is to certify that the above person is qualified for a nursery teacher as provided by Article 13, Paragraph 1, Item 2 of the Cabinet Order of Enforcement of Child Welfare Law.

Date

No. Governor of

Attached Form No. 5

CERTIFICATE for Partial Passage of Examination of the Subjects for Nursery Teacher Qualification.

Name

Date of Birth

This is to certify that the above person has passed the examination on the following subjects out of the subjects for the nursery teacher qualification.

1.
1.
1.

Date

Governor of

No.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

CABINET ORDER FOR THE ENFORCEMENT OF THE CHILD WELFARE LAW

(March 31, 1948 Cabinet Order No. 74 Amended,
June 15th, 1949 Cabinet Order No. 205)

Chapter I. Child Welfare Council

Article 1. The number of Child Welfare Council members shall be as authorized in Article 10 of the Child Welfare Law (to be referred to as the Law; the same shall apply thereinafter) of which the personnel of the administrative organs concerned shall not exceed one fourth of the total number appointed.

Out of the member of the child welfare council the total number of those who are the public personnel and those who are holding some public positions if selected as those who are engaged in child protective, health or any other welfare service or as those with knowledge and experience, shall not exceed two-fifths of the total members.

Article 2. The tenure of office of the said members (excepting the personnel of the administrative organs concerned) shall be two years.

The tenure of office of the member who filled a vacancy shall be for the period left by his predecessor.

Article 3. The chairman of the child welfare council shall preside over the affairs of the council. In case the chairman is not able to serve, the vice chairman shall take his duty.

Article 4. The chairman shall call the council into session whenever he deems it necessary or at the request of one-fourth or more of the council members.

Article 5. A quorum for a meeting shall be over one half of the members of the council. A decision shall be made by a majority of those who are present. In the case of tie, the chairman of the council shall cast the deciding vote.

Article 6. The central child welfare council shall have secretaries not exceeding eight and the To, Do, Fu prefectural and municipal child welfare councils (inclusive of the child welfare council established by the special ward; the same shall apply hereinafter) six respectively.

The secretaries of the central, To, Do, Fu and prefectural, or the municipal child welfare councils shall be appointed by the Welfare Minister, the governors of To, Do, Fu and prefectures, or the mayors of the city, town and village (inclusive of the ward mayor; the same shall apply hereinafter) respectively.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

The secretaries shall take charge of miscellaneous affairs of the council under the direction of the chairman of the council.

Article 7. The control child welfare council shall have clerks not exceeding six and the To, Do, Fu, prefectural and municipal child welfare councils four respectively.

The clerks of the central To, Do, Fu and prefectural or the municipal child welfare councils shall be appointed by the Welfare Minister, the governors of To, Do, Fu and prefectures, or the mayors of the city, town and village respectively.

The clerks shall attend to miscellaneous affairs of the council under the direction of their superior officials.

Article 7.-2. The members, temporary members, secretaries and clerks of child welfare councils shall not be in full time service.

Chapter II. Child Welfare Official and Child Welfare Worker.

Article 8. The child welfare official shall be a second or third class, clerical or technical, personnel and shall be required to have any one of the following qualifications:

1. One who has been engaged in the care of children and expectant or nursing mothers and service on health or welfare not less than two years.

2. One who has a degree or "Gakushi" from a department of a university specializing in either psychology, pedagogy or sociology.

3. Physician.

4. One who has graduated from a training school or a training facility for the child welfare official or the personnel of the child welfare agencies designated by the Minister of Welfare.

5. Other persons having equal and similar qualifications who are adequate for child welfare officials.

Article 9. The superintendent of the child welfare center shall be second class clerical or technical official and the workers therein second or third clerical or technical officials who shall be the persons with the knowledge and experience in the child care, health and welfare services.

Chapter II - 2 Child Welfare Measures and Security

Article 9-2. The scope of the child welfare service for which reporting is provided for by Article 34-2 of law shall be as follows:

1. Agency with the purpose to give consultation service concerning the promotion of child's welfare.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. Services to facilitate the health guidance for children or expectant and nursing mothers (exclusive of the service given at the health center, the hospital provided for by the Medical Service Law (1948 Law No. 205), clinic or maternity home.

3. Services to conduct the public hall, play ground or theater with purpose to facilitate the mental or physical recreation mostly for children:

Chapter III. Child Welfare Agencies

Article 10. To, Do, Fu or the prefecture shall establish a Kyogo-in (home for juvenile training and education) as prescribed in Para. 1 of Article 35 of Law in To, Do, Fu and each of prefectures.

National Kyogo-in shall be established and so designated as it shall admit only those who were diagnosed at the child welfare center as the psychopathic personality or specially delinquent character.

Article 11. Where public child welfare institutions or agencies as prescribed in Article 7 of the Law are not adequate or available, persons receiving or requiring public assistance who are in need of institutional care may be placed in private institutions.

Article 12. Child welfare agencies and the training facilities for the workers of child welfare agencies established by the Nation, To, Do, Fu, prefectures cities, towns or village (inclusive of pseeial wards; the same shall apply hereinafter) are placed under the jurisdiction of the Welfare Minister, the governor of To, Do, Fu or the prefecture, or the mayor of the city, town or village respectively as prescribed in Article 49 of the Law.

Article 13. The woman designated to take care of the children in child welfare agencies shall be called nursery teachers and shall have one of the following qualifications:

1. One who has graduated from the training school or other facility for the nursery teachers designated by the Welfare Minister.

2. One who passed the examination for the nursery teacher.

3. Those engaged in the child welfare service for five years or more for whom the Welfare Minister approved as specifically adequate.

In case of To, Do, Fu and the prefectures, a board of examination for the nursery teachers shall be established by each governor under his control of the determination of passage of and the management of all matters pertaining to the examination.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Number of the board members shall be limited within ten persons.

The governor of To, Do, Fu or the prefecture shall appoint the board members out of the personnel of the administrative organs concerned not to exceed four in number and others with knowledge or experience in the service of child care, health or welfare.

Subject matters of the procedure of and any other necessary matters about the examination shall be prescribed by the Minister of Welfare.

Chapter IV. Expenses.

Article 14. National or prefectural responsibility for the expenses to be paid by To, Do, Fu, Prefectures, cities, towns and villages is as outlined in Articles 50 to 55 inclusive of the Law and those not mentioned in said Articles are as designated in this chapter.

Article 15. The responsibility of the preceding Article shall be borne for the balance which is settled by subtracting the amount collected under the provision of Para. 1 of Article 56 of the Law and the amount of contribution and other income from the total amount of the expenditure borne by To, Do, Fu, Prefecture, city, Town or village for the fiscal year.

In case the equipment for which the responsibility has been borne should be used for other additional purposes, the basis of the responsibility for the said equipment to be borne shall be the sertted balance of the expenses for what has actually been utilized for the child welfare.

In case the amount to be subtracted under the provision of the preceding two paragraphs should exceed the total amount which To, Do, Fu, the prefecture, city, town or village have paid for the fiscal year, the balance shall be subtracted from the amount to be paid out of coming fiscal year or years.

Article 16. National responsibility prescribed in Article 52 of the Law shall be one half of the settled balance for the child welfare agencies of the following Item 1, one third for those of Item 2 and the prefectural responsibility prescribed in Article 54 of the Law shall be one fourth of the settled balance for those of Item 1 and one third for those of Item 2.

1. The mothers' home, day nursery, the home for physically handicapped children and the home for blind, deaf and dumb children mainly for the mothers and children or the children who are considered not able to meet the expense as provided for by Article 56 of the Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

2. The mothers' home, day nursery, the home for physically handicapped children and the home for blind, deaf and dumb children which do not fall under the preceding Item:

Article 17. In such cases as prescribed by Article 11 of this Order government funds may be used to reimburse the private institution up to an amount not to exceed those rates established by the government for per capita of care.

Article 18. The amount of money borne by the Nation, To, Do, Fu and the prefecture under the provisions of the preceding three articles may be ordered to be returned wholly or partly:

1. In case a child welfare agency should be ordered to terminate its services by the provision of Para. 2 of Article 46 of the Law.

2. In case the certificate of approval for a child welfare agency should be annulled by the provision of Para. 1 of Article 58 of the Law.

3. In case the child welfare center, or the facilities for the training of personnel of child welfare agencies should violate the Law, order or disposition derived from the Law or order.

4. In case the child welfare center, child welfare agencies or the facilities for the training of personnel of child welfare agencies should terminate the whole or part of their service or be utilized for the purpose other than expected at beginning.

5. In case the condition for the grant of national responsibility be violated.

6. In case such grant was obtained by means of a fraud.

Supplementary Provisions

Article 19. This Cabinet Order shall come into force from January 1, 1948; provided that the part of the provision as provided for by the provision of Article 63 shall come into effect from April 1, 1948.

Article 20. The Enforcement Ordinance of the Juvenile Training and Education Law and 1933 Imperial Ordinance No. 218 (Ordinance concerning the expenses to be borne and the National subsidy under the Law for Prevention of Cruelty to Children) should be repealed.

Article 21. The department of university in Item 2 of Article 8 of this Cabinet Order includes the department of university under the University Ordinance.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 22. At the time this Cabinet Order comes into force the women who are taking care of the children in the child welfare agencies may keep on engaging in their service up to December 31, 1952 despite the provision of Para. 1 of Article 13 of this Cabinet Order after which they shall comply with the said Article.

Supplementary Provisions

This Cabinet Order shall come into force from the date of its promulgation: Provided that the provision of Article 9-2 shall come into force from the date on which the provision of Article 34-2 of the child welfare law will be enforced (June 15, 1949).

The provision of Item 3 of Para. 1 of Article 13 shall be valid until December 31, 1950.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

SOCIAL AFFAIRS BURFAU
MINISTRY OF WELFARE

Hatsu-Sha No. 77 26 November 1949

TO: The Prefectural Governors

FROM: Chief, Social Affairs Bureau, Ministry of Welfare
Chief, Children Bureau, Ministry of Welfare.

SUBJECT: Qualification for the Welfare Official in Charge of Public Assistance Service.

The qualifications for the welfare official in charge of public assistance service, which is referred to in Item 5, Paragraph 1, of the notification issued by the Chief of Social Affairs Bureau, and the Chief of Children Bureau, Ministry of Welfare, "On the Scope of Acticities of Minsei-iin (Child Welfare Worker) in Public Assistance Service," is expected to be provided for in legislature shortly, However, for the time being, it is requested that you would take the trouble to make the public official possessing one of the following qualifications serve in the field work relating to the public assistance program, and partifularly take such measures as to meet the above purport in increasing or reassigning the staff, of filling up the vacancy.

1. Persons who have studied courses of social work designated in Welfare Ministry notification, No. 62, dated 29 July, 1948, in any university, upper secondary school or any of the miscellaneous schools (which requires graduation from any upper secondary school for enrollment) under the School Education Law, and graduated therefrom;

2. Persons who have studied courses on social work designated in Welfare Ministry notification, No. 62, dated 29 July 1948, in any university under the former University Ordinance or any college under the former College Ordinance and graduated therefrom.

3. Persons who have studied courses designated in Welfare Ministry notification No. 62, dated 29 July 1948, in any institutions for the training of personnel to engage in social work, and graduated therefrom.

4. Persons who have had experience in operative functions of social work over two years.

5. Persons who come under any item of Article 8 of Enforcement Ordinance of Child Welfare Law.

6. Persons who have been judged by the prefectural governor and the headman of a city, town or village to have such equal and similar qualifications as those stated under each of the preceding items.

Inclosure No. 4

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Ji-U-Hatsu No. 33

14 November 1949

TO: Governors of To, Do, Fu and Prefectures.

FROM: Direction of Children's Bureau, Ministry of Welfare

SUBJECT: About Distribution of UNICEF Supplies.

The above-mentioned matter was explained and instructed recently at the Conference of Heads of Local Child Welfare Sections on the 26th of last month according to the notices of Ji-U-Hatsu No. 23 and 24. However, the questions might occur in some points of the plan and the actual operation, therefore the distribution should be carried or carefully keeping in mind the following points.

Records

I. Objects of Distribution.

(1) The present recipients are children three to eight years of age as of November 1, 1949 in the families receiving the public and under Daily Life Security Law, so the children who were from November 21, 1941 to November 1, 1946 are included.

The second objects of distribution are children eight to thirteen years of age as of November 1, 1949 - the children who were born from November 2, 1938 to November 1, 1941.

(At the second distribution, the clothing might not be give to all the children due to the output of the clothing).

(2) In case when the persons who were decided to be the recipients as of November 1, 1949 changed their addresses or they were ceased or abolished to receive the public aid, the handling of these persons shall be as follows:

(a) Cases when the persons should be counted as the onjects of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 has removed to the other place (including removal to outside the prefecture) after Nov. 2, and still is receiving the public aid.

In case when one who was receiving the public aid as of Nov. 1, 1949 has removed to the other place and was ceased or abolished to receive the public aid for short time and became to receive the public aid again until the date of distribution.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

In case when one who was receiving the public aid as of Nov. 1,1949 has removed to the other place and was ceased or abolished to receive the public aid for a short time and became to receive the public aid again until the date of distribution.

(b) Cases when the persons should not be counted as the objects of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 was ceased or abolished to receive the public aid from Nov. 2, 1949 to the date of distribution.

In case when one who was receiving the public aid as of Nov. 1, 1949 removed to the other place after Nov. 2 and was ceased or abolished to receive the public aid.

In case when one is taking proceddings to receive the public aid as of Nov. 1, 1949.

In case when one is receiving the public aid as of Nov. 1, 1949 removed to the other place after Nov. 2 and the new place cannot be known till the date of distribution.

II. In case of removal in the above column of (a) (=) regarding to handling of the clothing, City, Ward, Town or Village (the former place of the recipient) which received the distribution should send the clothing to City, Ward, Town or Village (new place) where the recipient is living by the mail parcel (if it should be possible for one to take it, it should be taken), after confirming the fact that the removed one is receiving the public aid in new place, and the New City, Ward, Town or Village should deliver the clothing.

The necessary expenses for this handling should be paid by the shipping To, Do, Fu or Prefecture or City, Town or Village.

III. The receipt to come from the recipient in case of the delivery of the clothing in column (=) should be collected by New City, Ward, Town or Village of the recipient and forward to old City, Ward, Town, or Village of the recipient. Old City, Ward, Town or Village of the recipient should send this receipt (copy) with this monthly supply report to To, Do, Fu or Prefecture.

In sending the monthly supply by report, City, Ward, Town or Village which received the allotment of UNICEF clothing should handle it, and special attention should be paid lest the duplication should occur in the monthly supply report of new City, Ward, Town or Village of the recipient.

Incl. No. 5

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

SOCIAL AFFAIRS BUREAU
MINISTRY OF WELFARE

Sha-Otsu-Hatsu No. 254 15 November 1949

TO: The Governor of _____Prefecture

FROM Chief, Social Affairs Bureau, Ministry of Welfare

SUBJECT: Special Distribution of Winter Relief Clothing to the Persons in Need

As a plan for protecting actively the daily life of the persons in need during the winter period of an intense cold, the following special distribution,program of winter relief clothing has been planned. Accordingly, you are requested, being well aware of the following matters, to take special troubles with nothing to be hoped for in its handling.

Notes:

1. Article allocated and quantity

(1) Blanket _____

(2) Clothing (Coat & trousers) _____

2. Purchase expenses

(1) The unit prices are as follows:

a. Blanket _____Yen per piece.

b. Clothing _____Yen per piece.

c. The above prices are those delivered to the prefecture (including carriage).

(2) The purchase expenses is to be met by the public assistance cost, so the public assistance cost already distributed should be appropriated to this purpose, but you will be aware that the deficit caused will be made up by the next distribution of the public assistance cost.

(3) Measures should be taken to make an immediate purchase by borrowing money in advance, so that the payment may be completed on receipt of the goods allocated.

Incl. No. 6

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(4) The carriage and other expenses necessary for the transportation in the prefecture should be borne by the prefecture.

3. Object of distribution.

Out of the households now receiving living assistance under Daily Life Security Law (excluding repatriates after April, 1949), the persons particularly in need of clothing have been classified into A class and B class according to family composition and degree of destitution in clothing, and distributed in accordance to the following standard.

4. Distribution standard.

(1) Blankets for A class household.

A coat and trousers for B class household.

(2) One of two pieces of blanket for per household.

A coat and trousers per household.

5. Method of determining the persons eligible for distribution.

(1) The prefectural gove nor should decide the quota to the city, town or village according to the number of public assistance recipients, taking into consideration the quantity, price and kind of clothings allocated by the Ministry of Welfare.

(2) The headman of a city, town or village should determine the persons eligible for distribution by classifying fairly and appropriately the needy into A or B class, taking the opinion of the Welfare Commissioner Council (Minsei-iin Kyogikai) on the basis of the quantity allocated by the prefectural governor.

6. Acquisition of the relief goods and its distribution method.

(1) The clothing allocated will be shipped to the prefectural governor from the following firms:

Blanket _____

Coat & trousers _____

(2) On receipt of the goods, the quota determined by the preceding paragraph (1) of 5 will be sent to the headman of a city, town or village, and then the headman of a city, town or village will distribute the goods allocated to the needy persons determined by the preceding paragraph (2) of 5.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

7. This winter relief program should be handled as Extra-assistance of Living assistance under the Daily Life Security Law, and in case the extent of the expenses paid for this extra-assistance is within the limits of the appropriation referred to in the preceding section 2. the headman of a city, town or village may handle this program, which will be regarded as having had an approval by the Minister of Welfare in accordance with the provision of Article 10, the Enforcement Ordinance of the Daily Life Security Law, and the particular application for approval will not be necessary.

8. Reporting.

(1) The headman of a city, ward, town or village should prepare "Card for Distributing Winter Relief Clothing to the Needy" according to Form (2) in the annexed paper to keep records.

(2) The headman of a city, ward, town or village should file the monthly report to the prefectural governor by the 10th of the following month, and the prefectural governor should compile the reports submitted and report to this ministry by the 20th of the following month without delay according to Form (2) in the annexed paper.

(3) The headman of a city, ward, town or village should get the receipts from the recipients and arrange them in order.

9. Supervision.

The prefectural governor should occasionally inspect the administrative condition relating to this program in accordance with this notification.

10. Others.

With respect to the distribution of goods, the utmost considerations should be taken in order that difficulties may not arise as to an illegal act.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

LIST BY PREFECTURE OF FIRST DISTRIBUTION OF UNICEF CLOTHING

Prefecture	Boy's Outer Clothing	Girl's Outer Clothing	Underwear
Hokkaido	4,330	4,156	8,486
Aomori	2,178	2,134	4,312
Iwate	2,667	2,709	5,376
Miyagi	3,776	3,489	7,265
Akita	3,029	2,943	5,972
Yamagata	2,261	2,109	4,310
Fukushima	4,394	4,109	8,503
Ibaragi	2,881	2,681	5,562
Tochigi	1,832	1,915	3,747
Gumma	2,928	2,895	5,823
Saitama	3,458	3,318	6,776
Chiba	1,075	1,315	2,390
Tokyo	8,290	7,794	16,084
Kanagawa	3,678	3,316	6,994
Yamanashi	1,936	1,845	3,781
Nagano	3,457	3,280	6,737
Niigata	4,612	4,513	9,125
Shizuoka	4,448	4,179	8,627
Toyama	2,229	2,069	4,298
Gifu	2,348	2,352	4,700
Ishikawa	1,907	1,700	3,607
Aichi	4,894	4,669	9,563
Mie	2,632	2,539	5,141
Fukui	1,238	1,267	2,505
Shiga	1,492	1,678	3,170
Kyoto	2,892	2,843	5,735
Osaka	3,642	3,354	6,996
Hyogo	4,998	4,857	9,855
Nara	1,386	1,379	2,765
Wakayama	2,003	1,828	3,831
Tottori	1,260	1,152	2,412
Shimane	1,642	1,601	3,243
Okayama	3,020	2,883	5,903
Hiroshima	3,128	2,987	6,115
Yamaguchi	2,340	2,259	4,599
Tokushima	2,086	2,133	4,219
Kagawa	1,599	1,690	3,289
Ehime	2,622	2,442	5,064
Kochi	1,864	1,761	3,625
Fukuoka	1,135	1,116	2,251
Saga	1,513	1,435	2,948
Nagasaki	2,440	2,281	4,721
Kumamoto	2,702	2,719	5,421
Oita	1,641	1,558	3,199
Miyazaki	1,677	1,627	3,304
Kagoshima	3,260	3,071	6,331
Total	126,760	121,950	248,710

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

EN-SHI No. 1277 18 November 1949

TO : Governors of each Prefecture, Tokyo Metropolitan Office and Local Government of Hokkaido.

FROM : Director, Relief Bureau, Repatriation Relief Agency.

SUBJECT: Concerning Repairing of Residences for Repatriates from Abroad. (Instruction by Order of President).

As most of the residences for the repatriates from abroad were built as an emergency measure to meet the imminent situation immediately after the termination of hostilities when many repatriates returned to the homeland within a short period, the facilities, structure and environments of such residences are so bad that these factors are not only jeopardizing rehabilitation of the repatriates but also having an undesirable influence upon the social welfare. Accordingly the Government has decided to grant during current fiscal year the state liability of expenditures for repairing the residences to such To, Do, prefectures, cities, towns and villages, as are intending to repair such residences in accordance with the Standard for Maintenance and Repairing of Residences for Repatriates.

It is therefore requested that you, working out necessary plans immediately, submit by the end of this month an application for grant of the state liability of repairing expenditures, going through the particulars mentioned below.

1. To the application for grant of the state liability of repairing expenditures, the below-mentioned documents should be attached.

(1) The following documents are needed for each facility to be repaired:

a. Name and location of the facility, party who built the facility, party who is now in charge of the facility, scale and structure of the facility, number of the families and their members accommodated in the facility and their classification (classification of repatriates and others).

b. Details of the actual conditions of the part of the facility to be repaired.

c. Repairing plan containing design plan, specifications of works and costs. (Specification of costs should be compiled in accordance with the statement of accounts provided in Law No. 171 of 1947, namely, unit cost and number of materials should be clearly mentioned in it, and such a rough entry as, for instance, so and so yen for roofing

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

works as a whole, should not be made to it).

d. Outline of control over the facility after such repairing be made and estimate of the prospected income and expenditure for the year after the repairs.

e. Survey on comparison of the rent to be revised after the repairs with the amount of the rent collected before the repairs.

f. Excerpt of the estimate of income and expenditure connected with the repairing of the party executing the repairing. (The final draft of the estimate to be presented to the presented to the legislative organ of the local entity concerned will do).

(2) Survey on the quantity of the designated productive-materials broken down by each facility to be repaired.

(3) Excerpt of the estimates of income and expenditure connected with this matter of the To, Do and prefectures concerned. (The final draft of the estimate to be presented to the assemblies of To, Do and prefectures concerned will do).

2. As this repairing is to be executed not as public utilities works, on the decision of the amount of the state liability of repairing expenditures to be granted as well as on the approval for the contents of the repairing plans by this Board, the repairing works may be commenced immediately. However, as delivery of the state liability of the repairing expenditures will be put in execution in the 4th quarter of this fiscal year, necessary budgetary and other steps should be taken without fail on the part of To, Do, prefectures, cities, towns and villages concerned lest such cases should rise that the repairings are put in execution near the end of the fiscal year with the result of roughness of the works completed or budget for the repairings will be extended to the next fiscal year because of the repairing works not being completed within the present fiscal year.

Standard for Maintenance and Repairing of Residences for Repatriates

1. Purport.

In view of the present conditions that the already-built residences for repatriates do not meet prerequisites even in the minimum extent as residence from viewpoints of location, scale, equipments and environments and also are hampering the repatriates' rehabilitation and the social welfare, the maintenance and repairing indispensably required in the minimum extent shall be practiced in

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

accordance with the present standard.

2. Residences for Repatriates to be Repaired.

Residences for repatriates to be repaired in accordance with the present standard shall be the collective residences, necessary for the continuous use as permanent residence for a considerable period of time; the party in charge of management thereof shall be Prefectural or Municipal Offices; and the repairing of these residences shall be limited to those nedding imminent repairings. In principle, the temporarily-built residences just like accommodating camps with such location, scale and structure as regarded to be remarkably inadequate in the light of the relation with repatriates' occupations, the use of which are likely suspended in near future, shall be excluded from these repairings.

3. Extent of Recaurubg.

The repairings shall be conducted generally in accordance with each item of the under-mentioned standard with the object of maintaining the structure and facilities to the minimum extent necessary for residences for repatriates. Small repairings and equipment of the water-tank for fire prevention shall be done as much as possible by the dwellers therein at their own expenses.

(1) Roof.

a. Repairing of the leakage shall be limited to such extent as to be made by exchange of only the damaged part with the same new material for leakage prevention, (including the painting of the galvanized iron-plate with anti-corrosives such as coal-tar).

The roofing materials shall be, in principle, the usually-used ones and the change of such roof as already done with thin and small wooden plates or Japanese cedar bark, into the roof with galvanized iron-plates or tiles shall be limited to a special case.

b. Rain-pipes repairing shall be made, if the repairing of the damaged parts is indispensably needed for maintenance of the building.

(2) Room-partition.

The room-partition shall be done for such room where two different families live together without partition or with incomplete one.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(3) Ceiling.

The living-room without ceiling or with incomplete one shall be made or repaired.

(4) Windows and Fittings.

a. The pane fitting of the window and exterior fittings of the building, if incomplete and quite bad for getting light and rainproof, shall be repaired to meet the minimum requirements. Fitting of pane shall not exceed, in principle, 10 square shaku per one tsubo of the living-room, including the already-fitted ones.

b. If there is none of the indispensable fittings inside the residence, they shall be furnished within the minimum requirements.

(5) Floor.

The flooring of such living-room as without floor shall be made. If the floor is lowered down due to the damage of the foundation thereof, the necessary repairing shall be made.

(6) Cooking Equipments.

The cooking equipments of the minimum extent shall be made to meet requirements for fire-prevention and sanitation for such residences where the corridors are used as cooking places. (Cooking range shall be equipped, as a rule, by the dwellers at their own expenses.)

(7) Water-supply and Drainage Equipments.

As regards the water-supply and drainage equipments, only repairing of the damaged parts shall be made. New fitting of the water-pipe into each room shall not be, in principle, allowed.

(8) Water-Closet.

The water-closet shall be repaired for damage, but new fitting shall be limited to the minimum extent.

(9) Mats.

The living-room without mats or with heavily-damaged mats, shall be fitted or anew partly for the damaged mats with exchange of surface parts. The number of the mats in this regard shall not, as a rule, exceed the following limit.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Number of family-members.	Number of mats.
1.	2.
2.	3.
3-4.	6.
5-6.	8.
7 or more.	Increase of one mat more than 8 with increase of one family-member.

(10) Fire Escape.

The fitting of the fire escape shall be made in agreement with the scale and the structure of the building, if it is recognized that the dwellers in the upstairs will likely be faced with great danger in case of emergency because of insufficient number of fire escapes.

(11) Miscellaneous Items.

a. The damaged and rotten parts of the wall, the pillar and the foundation works shall be repaired for the necessary strengthening.

b. Although the residence is situated within the district of electric distribution available and yet without electric supply, the necessary works shall be rendered.

c. Repairing shall be made to avoid electric leakage caused by incomplete working.

c. The necessary work to get more light shall be done, if the windows of the corridor can get only exceedingly poor light.

d. The work for some ventilation in the cooking place, if very bad, shall be made to the necessary extent.

e. Other works for the indispensably-required minimum for dwelling, if very bad, shall be repaired.

It shall be kept, as a rule, to choose the material of the quality lower than the middle grade, if any, in making repairs.

4. Expenditures.

The defrayment from the national treasury shall be made in the range of the budget, not exceeding 80% of the expenditures required for the practices of the above-mentioned repairings

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(including the miscellaneous expenses for the field and office works). The repairings conducted by the Municipal Offices shall be subsidized from the national treasury through Prefectural Offices.

5. Management of Residences for Repatriates after Repairing.

As this kind of defrayment (subsidies) from the national treasury is anticipated difficult in and after next year, consideration should be taken with regard to the rents for such dwellers as now paying too lower rents that the rents be raised higher at the time of the repairing so as to pay the management expenses with the incomes from the rents as much as possible, and at the same time as regards the management it should be conducted adequately in accordance with the management standard for repatriates' residences, attached herewith, and further at this time more efforts should be made in inspiring dwellers with feeling for the protection of their residences in order that management of these housing facilities be conducted smoothly as those in bright atmosphere in co-operation of the dwellers with the managing party.

Standard for Management of Residences for Repatriates.

It is necessary for rehabilitation of repatriates that first of all, residences should be afforded to them so as to accommodate them in such environments as will stabilize their livelihood. Accordingly, as for the residences for accommodating repatriates therein, in order that the residents can live a permanent and hopeful life, making the residences thus afforded the basis of their livelihood, appropriate management as mentioned below should be conducted in particular.

1. The residences for repatriates built by To, Do, prefectures, cities, towns and villages should be managed by the said respective local entities. However, in case where it is deemed appropriate under special circumstances of the localities concerned that management of the residences built by To, Do and prefectures should be entrusted to cities, towns or villages concerned, such entrust of management may be put in execution.

2. Chief of each local entity, managing party of the residences, should designate managing assistants for each of such residences and make them to take charge of dealing with the following matters:

(1) Collection of house-rents.

(2) Upkeep and custody of the residence facilities.

(3) Upkeep and promotion of health and sanitation of the residents.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(4) Clearing and arranging of outside and inside of the residences and reforming and repairing of the environments.

(5) Management of common facilities.

(6) Prevention of outbreak of fire.

(7) Other matters relative to management of the residences.

3. The local entity, the managing party of the residences, should stipulate necessary regulations concerning management of the residences, and conduct fair and equitable dealing as regards, in particular, qualification, procedures of selection, responsibilities of the residents, quitting, collection of rents, and others, as well as guide the residents to observe the said regulations.

4. The expenses necessary for upkeep and management of the residences should be met with the collected rents as much as possible, and the deficit should be covered by the managing party from the general budget.

5. As to house-rents, reasonable ones should be decided according to the actual conditions of the facilities of the residences, taking the house-rents of the general residences in the localities concerned as the standard for them.

6. The managing party should prepare an account-book for each residence and thereby make clear at any time the situation of income and expenditure, and at the same time, he should always be acquainted with the actual circumstances of the residences, demanding reports on them periodically or at any time from the managing assistants.

7. He should arouse and elevate the residents' sentiment of tender care and protection for their residences and take every possible measures in guiding the residents to cooperate with the managing assistants so that their residences may be managed as bright residences.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

ENSHI No. 1278 18 November 1949

To: The Governor of Each Prefecture

From: The Chief,
Relief Bureau
Repatriation Relief Agency

Subject: Purchase of Company's Buildings, Used as Repatriaters' Housing.

In view of the urgency in needing the housing for repatriates who returned to Japan from abroad shortly after the termination of the war, we rented the factories or dormitories from the company, the owner, to use them as the temporary housing for the repatriates after having made necessary repair or improvement.

The difficulty for each repatriate to secure his own house to move under the current situations, however, has forced the term of rent defer a great deal against agreement. This having inconvenienced the owner of the houses very much for enlargement of the scale of their enterprise or for liquidation of the company who have been dissolved, the owners of the houses, in question, have urged the inmates quit as soon as possible.

Under this situation, we have been negotiating with the Government authorities for purchasing these houses partly on the national account, after having investigated the situations of the houses purchase of which had been urged, and have finally secured their unofficial confirmation in this matter.

Such being the case, we would request you to send us, till end of this month, your application for payment of this national subsidy, having fully understood the following statement:

Statement

1) The building(s) to be purchased is(are) limited only to the one(s) which has (have) been used as the repatriates' housing under the rent agreement between the owner (company, etc.) and the prefecture, city, town or village authorities, and purchase of which by the tenant is urged urgently by the owner either because of their liquidation or because of enlargement of the scale of their enterprise.

2) The purchase price shall be fixed between the owner and the tenant (prefecture, city or village government) at a reasonable price within the amount estimated by the Official Price Estimating Committee based on the amount of money for repairing by the Prefecture, City or Town office, excluding the amount of purchase of the site.

3) The National Subsidy will be granted within the maximum limit of budget which is 80% of the amount estimated as per the above.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

4) The purchase should be deferred, however strongly it may be pressed by the owner, if the location, scale or the construction of the building is not suitable for the inmates to make a living unilizing the building. It will be excepted from the case, however, if the building is in a position to be used as the temporary housing for the repatriates for the time being.

5) About the route of payment of the National Subsidy in case the buyer is a city, town or village office, remember that the National Subsidy will be paid to the city town or village office through the prefecture, Tokyo Metropolitan or Hokkaido Government supervising the buyer.

6) In making the purchase plan, be sure to investigate will enough whether or not the building is mortagaged.

7) The following documents should be enclosed with the application for grant of the National subsidy:

1. The following documents for ever institution (building) to be purchased:

ENSHI NO. 1278

a) Name, situation, scale, construction, founder, administrator, capacity of the building, how many persons are housed at present and description of the inmates (classification of repatriates and others.)

b) Owner of the building.

c) Reasons in detail why the building must be purchased.

d) Basis for estimation of purchase price, name of estimating agency and the written estimate of the purchase price.

e) The amount and the time (year) of payment for repairs of the building for using it as repartriates' housing.

f) Whether or not the building to be purchased is taken as security of mortgage.

g) Transcripts of Contract for Use of the building.

h) Unofficial agreement by the owner of the building. to sell the building.

i) Extract of the budget of the annual income and the annual payment in connection with the purchase of the building by the public organizerion.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(Confirmed bill submitted to the resolving agency of the public organization will do.)

2. Extract of the budget of the annual income and the annual payment of the prefecture, Tokyo-to or Hokkaido Government in connection with the purchase of the building.

(bill of prefecture assembly will do.)

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Outline of Major Welfare Objectives 1950 - 51

1. District system of welfare administration

a. The Ministry of Welfare will immediately develop detailed plans for accomplishing the following steps, preparatory to the establishment of a uniform system of district welfare administration, the full effectuation of which is to be accomplished by not later than 1 April 1951.

(1) Undertake a national study to determine the most effective district system by which national welfare services can be efficiently and economically administered. Target date for completion 1 April 1950.

(2) Invite towns and villages to voluntarily combine welfare functions for purposes of demonstrating a more effective unit of administration, including use of full time paid staff.

(3) Encourage the use of full-time paid personnel in any unit of local government having a Daily Life Security Case Load in excess of 25 cases.

(4) Require that all applications for Daily Life Security assistance be filed with the public welfare official/local mayor.

(5) Require that all actions upon applications, including rejections, be made a matter of record in the local welfare office for incorporation in basic statistical reports to Welfare Ministry.

(6) Assisgnment of supervisory and consultant services by prefecture for assistance to local units in the administration of the basic welfare programs.

(7) Clarification of Governor's responsibility for developing services paragraph (6) above.

(8) Devise means by which the National Government will subsidize the costs of public assistance administration at prefectural and local levels of government.

(9) Provide for the ultimate elimination of the Minseiin from any official responsibility in connection with the Daily Life Security and Child Welfare programs and any other welfare programs for which the district welfare offices may be responsible.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

(10) Provide a clear separation of the district welfare office from the present prefectural district administrative office.

b. Regional Civil Affairs Teams will be advised of steps contemplated in paragraph 1a anove and asked to participate in and to encourage the prefectural and local units of government in undertaking demostrations in improved methods and organization of welfare administration involving local units of government (towns and villages) in at least one control center in each Region.

2. Reorganization of City Welfare Administration.

a. The Ministry of Welfare will immediately develop detailed plans by which the following steps with respect to the reorganization of welfare services by all city government will be realized by not later than 1 April 1951.

(1) Development of uniform standards and procedures by which city welfare departments will be responsible for the administration of the national welfare programs.

(2) Designation of the prefecture as the responsible supervisory agency over city welfare administration and clear delineation of prefectural authority to exercise and enforce supervisoty controls.

(3) Require that all investigation and case work services in connection with programs for which the city departments are responsible be performed by city welfare employees selected and appointed in accordance with approved personnel standards.

(4) Provide for the elimination of the Minsei-iin from any official responsibility in connection with the Daily Life Security and Child Welfare programs and any other programs for which the city departments of welfare have responsibility under law.

(5) Provide for establishment of city welfare councils to serve in an advisory relationship to the administration of welfare within city areas.

(6) Provide degree of "local autonomy" to the cities in the administration of welfare services consistent with sound principles of administration and the intent of the Local Autonomy Law.

(7) Devise means by which the National Government will subsidize the expenses of administration in connection with those programs in which services are subsidized.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

b. The Ministry is asked to prepare such amendments to existing legislation as is necessary to carry out the provisions of paragraph 2-a above, including amendments to the Daily Life Security Law, the Child Welfare Law, the local Autonomy Law and the Welfare Commissioner's Law.

c. The Ministry is asked to notify the Governors and Mayors of the details of its plans developed under paragraph 2-a and b above and to develop a time suchdul by which the cities can be guided in effectuating reorganization as required by 1 April 1951. In this connection the following suggestion is offered:

(1) Each prefecture be asked to immediately establish a "demonstration city to be used as a control or model center in which innovations in welfare administration can be tested and demonstrated before general adoption in other cities within the prefecture.

(2) Each Region be asked to establish a Committee of prefectural and city welfare officials to act as an advisory body to the Region, and prefectural and city welfare departments during the demonstration internal and the final effectuation of city welfare reorganization.

3. Ministry Consultant and Field Services.

a. As a prelude to a national system of field services the Ministry will immediately assign general field representatives on the basis of at least one representative to each of the present Civil Affairs Regions.

b. The field representatives will be responsible for acting as the senior Ministry representative in each Region and will be primarily concerned with liaison duties in connection with Ministry plans outlined in paragraph 1 and 2 above.

4. The Ministry will be asked to review its present regulations and directives with respect to government participation in the organization, management and direction of private national welfare agencies and will take effective steps to enforce the final separation of government from any official participation in such agencies at national, prefectural and local levels of government by not later than 1 August 1950.

5. The Ministry will be asked to invite such interested National Welfare Agencies as it deems desirable and necessary to participate in the drawing up of a national plan for the organization and promotion of coordinating councils on social welfare activities for voluntary compliance by interested national and prefectural welfare agencies and institutions, such plan to be completed and ready for national and local release by not later than 1 August 1950.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

6. The Ministry will be asked to have drawn up and ready for implementation by not later than 1 February 1950, a national plan for on-the-job training for paid well fare employees at national, prefectural, city, district and local levels of government.

a. In connection with the Ministry plan, the prefectures will be asked:

(1) To establish a Division on In-Service Training.

(2) To appoint a minimum of one full time person in charge of implemening a prefectural plan of in-service training.

(3) To draw up a prefectural plan of in-service training based on Ministry standards.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

C-O-P-Y

THE SOCIAL INSURANCE MEDICAL FEE PAYMENT FUND LAW

(Law No. 129, July 10, 1948 as Amended by Law No. 167, May 30 1949)

Chapter I. General Provisions

Article I. The Social Insurance Medical Fee Payment Fund (hereinafter referred to as the "Fund") shall be established for the prompt and accurate payment of bills for medical care as submitted by the persons in charge of giving the medical care or their employers (hereinafter referred to as "purveyers of medical care"), meaning the medical care benefits and corresponding expenses granted by the government or the Health Insurance Societies, the cities, towns and villages administering National Health Insurance, the National Health Insurance Associations or juridical persons who administer National Health Insurance or the Mutual Aid Associations organized by law (hereinafter referred to as "insurers"), according to the provisions of the Health Insurance Law (Law No. 70, 1922), the Seamen's Insurance Law (Law No. 73, 1940), the National Health Insurance Law (Law No. 90, 1938) or the National Public Service Mutual Aid Association Law (Law No. 69, 1948). In addition to payment, the Fund shall provide for audit and review of the medical bills submitted by the purveyers of medical care.

Article 2. The Fund shall be a juridical person.

Article 3. The Fund shall establish its main office in the city of Tokyo, and branch offices in every prefecture.

The Fund, in addition to the aforementioned offices may establish sub-branch offices wherever necessary.

Article 4. The endowment of the Fund shall be 1,000,000 yen.

The government shall contribute 400,000 yen toward the endowment as provided in the preceding paragraph and the additional sum of 600,000 yen shall be contributed by the insurers as determined by the Minister of Welfare.

Article 5. The Fund shall regulate the following matters in its by-laws.

1. Purpose.
2. Legal name.
3. Location of office.
4. Matters concerning endowment and properties.
5. Matters concerning officials.
6. Matters concerning duties and their execution.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

7. Matters concerning contracts with each insurer.

8. Matters concerning accounting.

9. Methods to be used for public notices.

Any amendment of above by-laws shall have to obtain the approval of the Minister of Welfare.

Article 6. The Fund shall have to be registered with the Judicial Affairs Bureau or its branch offices in whose jurisdiction the main office, the branch or the sub-branches of the Fund fall as determined by Cabinet Order.

Matters subject to registration in accordance with the preceding paragraph shall have no validity in regard to a third party until registration has been completed.

Article 7. No income tax or juridical person tax shall be levied on the Fund. No registration tax shall be imposed on the registration of the acquisition of a right or the preservation of ownership of a building or land used exclusively for office purposes by the Fund.

Chapter 2. Officials

Articles8. The officials of the Fund shall consist of from eight to sixteen directors, including a chief director, and four inspectors.

Article 9. The chief director shall represent the Fund and shall direct its operations.

The directors, as prescribed in the by-laws of the Fund, shall represent the Fund and shall carry out operations in assisting the chief director, and shall act for, and take over the duties of, the chief director in case he is absent.

The inspectors shall inspect regularly the operations of the Fund and obtain financial and statistical reports.

Article 10. The chief director shall be elected by, and from among, the directors.

The directors shall be appointed by the Minister of Welfare, in equal numbers, from among the representatives of insurers, insured, purveyers of medical care, and of the public interest, respectively.

The appointment of the representatives of insurers, insured, and of purveyers of medical care shall be made upon the recommendations of the organizations concerned.

The Minister of Welfare, in appointing the directors according to the preceding two paragraphs, shall fix a period of not more than one month for the respective organisations concerned to recommend at least twice the number of candidates to be

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

appointed directors as the representatives of insurers, insured and purveyors of medical care respectively. However, in case no recommendations are made within the prescribed period the Minister of Welfare shall appoint such representatives, irrespective of the foregoing provision.

The provisions of the preceding three paragraphs shall be applied correspondingly in case of the appointment of inspectors.

Article 11. Eight secretaries shall be appointed in the branch offices and four secretaries in the sub-branch offices of the Fund.

The secretaries shall be appointed by the chief director in equal numbers from among the representatives of insurers, insured, purveyors of medical care and of the public interest.

In appointing the secretaries according to the preceding paragraph, the chief director shall apply the previsions of the third and fourth paragraphs of the preceding article correspondingly.

Article 12. One of the secretaries, as prescribed in the preceding article, shall be appointed chief secretary.

The chief secretary shall be appointed to or released from office by the chief director.

The chief secretary, according to the regulation of the by-laws, shall have the right to exercise full administrative authority for accomplishing the business of the branch and the sub-branch offices.

CHAPTER III. Duties

Article 13. The Fund shall attend to the following duties to achieve the purposes prescribed in Article I:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

1. Have on deposit from the insurers in every month amounts roughly equal to one-and-a-half times the highest sum required furing any one of the past three months.

2. Pay the bills for medical care submitted by the purveyors of medical care calculated according to the fee schedule determined by the Welfare Minister.

3. Review and audit bills for medical care submitted by purveyors of medical care.

4. Attend to such other matters as are required to implement the foregoing functions.

In performing to operations mentioned in the preceding paragraph, the Fund shall act in accordance with the agreement made with each insurer as provided in the by-laws of the Fund.

Article 14. A Reviewing and Auditing Committee shall be established in each branch office and sub-branch office to review and audit bills for medical care as prescribed in the preceding article, paragraph I, item 3.

The chief secretary shall appoint as members of the Reviewing and Auditing Committee representatives of the purveyors of medical care, the insurers, and men of learning and experience in equal number but not exceeding seven members from any one group.

The appointment of the persons who represent the purveyors of medical care shall be made upon the recommendations of the organizations concerned, and the appointment of the persons representing men of learning and experience shall be made upon the recommendation of the prefectural governor.

Other necessary matters relating to the Reviewing and Auditing Committee not stipulated in the preceding three paragraphs shall be provided by Ministerial Ordinance.

Article 14-2. The secretaries of the branch offices of the Fund may attend the meetings of the Reviewing and Auditing Committee and express their opinions, and they may request, if necessary, explanations from the Committee on details of the review and audit.

Article 14-3. When the Reviewing and Auditing Committee considers it necessary for the reviewing and auditing of a bill for medical care, it may, with the approval of the prefectural governor, call a purveyor of medical care and request from him an explanation or a report, or order him to submit medical records and other documents or papers.

A purveyor of medical care who is called by the Reviewing and Auditing Committee to appear for an explanation may receive compensation for his travel expense, allowance per diem, and hotel fee, as provided in the by-laws of the Fund. However, this shall not apply to a purveyor for medical care who is called by the Committee on account of a defect

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

or improper statement in a bill for medical care, report, medical care record or other document or paper.

Article 14-4. In case a purveyor of medical care refuses, without good reason, to appear for an explanation, or to report, or to submit medical care records or other documents or papers as provided in the preceding article, the Fund may, with the approval of the prefectural governor, stop the payment temperarily of medical care fees due to such person.

Article 14-5. A member of Reviewing and Auditing Committee or a secretary of the Fund or person formerly holding such position shall not divulge any occupational or private secrets of doctors and dentists learned in the process of reviewing and auditing medical care bills.

Article 14-6. Other necessary matters relating to the Reviewing and Auditing Committee not stipulated in the preceding five articles shall be provided by Ministerial Ordinance.

Chapter IV. Accounting

Article 14. The business year of the Fund shall start on April 1st of every year and end on March 31st of the next year.

Article 15-2. The Fund shall prepare each business year a budget of income and expenditure for the administrative expenses required for each year, and shall have to obtain for it the approval of the Minister of Welfare.

The same rules shall apply to any revision in, or addition to, the original budget.

The amounts determined under any one item of the budget shall not be trans ferable to any other item.

The amounts determined under any sub-item may be shifted to another it the Board of Directors so reselves.

Article 15-3. The Fund shall set aside as a contingent fund amounts necessary to cover an undoreseen deficit in the budget.

The contingent fund shall not be used for any expenditures except as authorized in the by-laws of the Fund.

Article 15-4. The accounts of the Fund shall be closed on April 30th of each year in respect to the receipt of revenues belonging to the past business year or outgo of expenditures belonging to that business year.

Article 16. The Fund shall prepare an inventory of its property and a statement of the business and financial conditions at the end of each business year and shall submit it to the Minister of Welfare for his approval within two months after the close of the business year.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Upon the approval of the Minister of Welfare, in accordance with the provision of the preceding paragraph, the Fund shall publish the inventory of its property and a statement of the business and financial comditions, and shall have on file copies thereof together with the by-laws of the Fund in each office of the Fund.

Article 17. The Fund shall not be authorized to obtain any loans.

Article 18. The endowment of the Fund shall not be used excent when, due to unavoidable causes, there should occur a shortage in liquid funds.

Article 19. The administrative expenses of the Fund shall be borne by the insurers in proportion to the respective number of bills for medical care submitted to the Fund.

Chapter V. Supervision

Article 20. The Minister of Welfare shall require the Fund to submit reports on the condition of its operations and preperty or delegate proper officials to audit and inspect account books or other materials.

The Minister of Welfare may entrust to the profectural governor within whose jurisdiction the branch or sub-branch offices of the Fund are located, the right to supervise the officials of the branch or sub-branch offices of the Fund, as prescribed in the preceding paragraph.

In case a national or local government official has been delegated to exercise the inspection in accordance with the preceding two paragraphs, he shall be in possession of a certificate identifying his authority, and upon request of an interested person he shall present such certificate, as provided by Ministerial Ordinance.

Article 21. In case the Minister of Welfare deems it necessary, he may order the revision of the by-laws of the Fund, or give necessary orders as to supervision, in order to keep the Fund properly functioning.

The provisions of the preceding article, paragraph 2, shall correspondingly apply to cases as provided in the preceding paragraph excepting these cases wherein any change in the by-laws of the Fund may be necessary.

Article 22. The Minister of Welfare may dismiss the chief director, directors or inspectors of the Fund, whenever they violate the Law or the by-laws of the Fund, orr the orders prescribed in the preceding article. paragraph 1.

Article 23. Any directors or their deputies or employees of the Fund who fail to report or make a false report or refuse or evade the inspection by a national or local official as prescribed in Article 20. shall be subject to a fine of not more than 30,000 yen.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Any directors, including the chief director, or inspectors, of the Fund or secretaries, including the chief secretary, of the branch or sub-branch offices of the Fund who perform any other business, not provided in the provision of Article 13, representing it as official business of the Fund shall be subject to a fine as prescribed in the preceding paragraph.

Article 23-2. A member of a Reviewing and Auditing Committee or a secretary of the Fund or person formerly holding such position who divulges, without good reason, occupational or private secrets of doctors and dentists in violation of Article 14-5 shall be subject to a sentence of not more than six months of penal servitude or a fine of not more than 50,000 yen.

Article 24. Any directors, including the chief director, or inspectors of the Fund or any secretaries, including the chief secretary of the branch or sub-branch offices of the Fund who neglect the registration or make illegal registration in violation of this Law or the Ministerial Ordinances based upon this Law shall be subject to a fine of not more than 5,000 yen.

Supplementary Provisions

Article 25. The present Law shall take effect on August 1, 1948.

Article 26. The government shall order the Organizing Committee to execute the preparatory work for the establishment of the Fund.

Article. 27. The Organizing Committee shall draft the by-laws of the Fund and obtain the approval of the Minister of Welfare therefor.

In case the approval mentined in the preceding paragraph is given, the Organizing Committee shall give notice without delay, for the payment of the entire amount of the endowment.

Article 28. When the endowment has been paid, the Organizing Committee shall transfer the business without delay, to the chief director of the Fund.

When the chief director has taken over the business in accordance with the preceding paragraph, the chief director, all directors and all inspectors shall register for the establishment without delay.

The Fund shall be established upon the completion of the registration.

Article 29. The local public body prescribed in Article 1 of the Local Autonomy Law (Law No. 67, 1947) shall have no authority to levy the local tax on the undertakings of the Fund.

Supplementary Provision

The Amended Law shall take effect as of June 1, 1949.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

MINISTERIAL ORDINANCE

(No. 56, Dec. 13, 1948, as Amended by No. 28, July 7, 1949)

RULES FOR THE REVIEWING AND AUDITING COMMITTEE OF SOCIAL INSURANCE MEDICAL CARE BILLS

Article 1. The Reviewing and Auditing Committee of Social Insurance Medical Care Bills (hereinafter referred to as "the Reviewing and Auditing Committee") shall be regulated by these rules unless prescribed otherwise in the Social Insurance Medical Fee Payment Fund Law (hereinafter referred to as "the Law").

Article 2. In reviewing and auditing medical fee bills, the Reviewing and Auditing Committee shall not make decisions except in the presence of at least one-half of its members.

Whenever the Reviewing and Auditing Committee considers it necessary it may authorize preliminary review and audit by its members as assigned to them in beforehand.

Article 3. Each Committee shall complete, by the 20th day of each month, appropriate review of medical fee bills for the preceding month which were submitted promptly.

Article 4. When reviewing medical fee bills as prescribed in the preceding article, each Reviewing and Auditing Committee shall, in cases where medical care bills are submitted by insurance doctors, dentists or pharmacists, make the review in accordance with the "Regulation for Medical Care by Physicians Under Health Insurance", and in cases where medical care bills are submitted by a person destinated by an insurer, he review shall be made in accordance with the agreement made between the insurer and the person designated by him.

Article 5. Whenever a question arises as to the justification and propriety of medical care given or fees charged which makes it necessary to call a purveyor of medical care and request from him an explanation or report or order him to submit medical records and other documents or papers, the application for the approval of the prefectural governor required by Article 14-3 of the Law shall include the following matters:

1. Name and address of such purveyor of medical care.

2. Reason why a question of injustice or impropriety exists.

3. Type of explanation required (i.e. personal appearance or written explanation).

Article 5-2. Whenever, a case of gross impropriety in medical care given or fees charged is discovered as a result of the review and audit pursuant to the provisions of the preceding article, the Reviewing and Auditing Committee shall report this fact speedily to the Local Social Insurance Medical Care Advisory Council in the prefecture where the said committee is located.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

Article 6. When the Social Insurance Medical Fee Payment Fund (hereinafter referred to as "the Fund") decides temporary suspension of payment of medical fees to a purveyor of medical care according to the provision of Article 14-4 of the Law, the Fund shall give notice thereof without delay to such purveyor of medical care.

Article 6-2. The provision of the preceding article shall be applied to the preceding paragraph.

Article 7. There shall be a chairman of the Reviewing and Auditing Committee elected by, and from among, its members.

Article 7-2. The chairman shall preside over the business of the Reviewing and Auditing Committee and represent the Committee.

Article 7-3. In case of the chairman's absence, and acting chairman who is elected in the same manner as the chairman, shall take his place.

Article 8. Members of the Reviewing and Auditing Committee shall be Appointed by the chief secretary.

Article 8-2. Whenever a vacancy occurs the chief secretary shall appoint a substitute member.

Article 9. The term of office of a member shall be two years; however, the term of any substitute member shall be the unexpired term of his predecessor.

Article 9-2. The chief secretary may dismiss a member of the Reviewing and Auditing Committee when such member neglects his duty or cannot fulfill his duty.

Article 10. Deleted.

Article 11. The meetings of the Reviewing and Auditing Committee shall be convened by the chairman.

Article 12. The general affairs and clerical work of the Reviewing and Auditing Committee shall be transacted by the staff of the appropriate branch-office of the Fund.

Supplementary Rules

1. The Amended Ministerial Ordinance shall take effect on the day of promulgation and shall be enforced retroactively from June 1, 1949.

2. On the date of enforcement of the Amended Ministerial Ordinance, the term of office of any person occupying the position of member of the Reviewing and Auditing Committee is considered to have expired. However, he shall continue to exercise his duties until a new member is appointed.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

- INDEX -

1. Child welfare law.

2. Translation of the "what is the child welfare law"

3. The Juvenile law.

4. Translation of enforcement regulation of child welfare law

5. Juvenile guidance and protectioh law.

6. The reformatory law.

7. Bill for partial amendments to the reformatory law.

8. Bill for partial amendments to the juvenile law.

9. Forwarding of sub-regulation for detailed regulation for enforcement of child welfare law.

10. Material and child health program.

11. Function of family care.

12. Minimum standard for children's institutions

13. The enforcement of minimum standard of child welfare agencies.

14. Referring the organization and operation etc. of the local child welgare board

15. Referring appointment, supervision and guidance etc. of the child welfare officials.

16. The bill for the revision of child welfare law.

17. Amendment to the law establishing the national institutions for the guidance on rehabilitation of the physically handicapped persons.

18. Carryout the day nursery lunch program

19. Bill for partial amendments to the juvenile law

20. Bill for partial amendments to the child Welfare law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 75 013

Welfare Ministry Hatsu Ji No. 45

14 May, 1949.

Vice-Minister of Welfare

Executive Assistant to the
Attorney General

Vice-Minister of Labor.

Vice-Minister of Education.

TO : Each of Governors of Metropolis, Hokkaido and Prefectures.

RE : Protection of the Children under the care of or employed by the other families away from their own parents.

The custom of bringing up the other's child or employing him (to be referred as the customary practice of child care or child employment herein after) which has been widely practiced in the districts

and Prefectures.

RE : Protection of the Children under the care of or employed by the other families away from their own parents.

The custom of bringing up the other's child or employing him (to be referred as the customary practice of child care or child employment herein after) which has been widely practiced in the districts around Tochigi and Fukushima prefectures was recently taken up as a big social problem so called "Child Slavery". This custom is, to be sure, practiced not only in these districts but throughout the country under various phases. As it is a serious child welfare problem, the nation-wide program for protection of these children (to be referred as the children under family care or employment hereinafter) is to be established as followingly. It should be remembered that the success or failure of this program is a determinant factor for the future development of our child welfare service and your careful attention and effort in carrying it out most effectively are highly requested in order to insure the welfare of the children.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 743 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773013

Outline of the program for protection

I. Measures to be taken for the cares of the customary practice of child care or child employment now in existence.

(1) To grasp the whole situation

As there are various phases of these customs in existence, its type of phase and the individual situation must be fully understood.

A. Understanding by the child welfare worker.

The mayor of the city, town or village as the central fugure shall have the child welfare workers keep surveilance and knowledge of each situation regarding the protection of the children under family care or employment.

By the children in preceding paragraph it means all the children away from their own parents to be brought up in or employed by others' families and it is without saying that it includes every child employed with or without term such as domestic maids, nurse maids, farm hands, shop boys etc. The children under the care of the foster parents of Child Welfare Law, these on probation under the provision of Juvenile Law and those who are living in boarding houses or dormitories and not in family home are outside the scope of this program.

By the children in preceding paragraph it means all the children away from their own parents to be brought up in or employed by others' families and it is without saying that it includes every child employed with or without term such as domestic maids, nurse maids, farm hands, shop boys etc. The children under the care of the foster parents of Child Welfare Law, these on probation under the provision of Juvenile Law and those who are living in boarding houses or dormitories and not in family home are outside the scope of this program.

Among the children who come within the scope, those who are suoject to Labor Standard Law, for such children the child welfare workers shall cooperate for the supervision of Labor Standard Inspection Office as well as to give protection for such children's living conditions.

B. Liaison of the mayor of the city, town or village with the child welfare officials.

In case the mayor of the city, town or village should find the following cases (a & b) by the child welfare worker, he shall have the latter make the careful investigation and liaison with the child welfare official in charge of area with the result of the investigation and his opinion:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773013

a. Cases with employment contract not applicable to Labor Standard Law (i.e. domestic service etc.) which is considered to give a direct or indirect restriction on the child's liberty unreasonably including the conditions singly or in combination : (a) that parent or parent's substitute has made the employment contract disregarding the child's own wish : (b) that the term of the employment contract is unreasonably long: (c) that the advanced money has been paid for the child's labor : (d) there is promise ofan amount of money as the indemnity in the case the contract is not carried out because the child ran away etc.

or

b. Cases with employment contract which is in violation of Labor Standard Law or other Law or Ordinance concerned and the case the child is receiving a cruel or cold treatment or with considerably inadequate care for which special measures should be taken from the standpoint of child's welfare.

For the investigation to be thus made by the child welfare worker the cooperation of such organs concerned as Labor Standard Inspection Office, the field representative office of

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 773 013

ran away etc.

or

b. Cases with employment contract which is in violation of Labor Standard Law or other Law or Ordinance concerned and the case the child is receiving a cruel or cold treatment or with considerably inadequate care for which special measures should be taken from the standpoint of child's welfare.

For the investigation to be thus made by the child welfare worker the cooperation of such organs concerned as Labor Standard Inspection Office, the field representative office of Womens and Minors Bureau of Labor Ministry, Public Employment Security Office etc. shall be obtained according to its need.

C. Investigation to be made by the child welfare official and the decision for the necessary measure.

The child welfare official who has received the above report shall make the individual investigation with cooperation of the child welfare worker and confer with such organs concerned as Children's Section, Child Welfare Center, if necessary Labor Standard Inspection Office, the field representative office of Womens and Minors Bureau of Labor Ministry, Public Employment Security Office etc. on the practical measure to be taken or the child's welfare.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773013

(2) The practical measure for the child's welfare

The employment contract, the condition of which gives a direct or indirect restriction on the child's liberty unreasonaoly as any of those enumerated above is as a rule legally invalid and there is no doubt that some special measure for the child's welfare must be taken. And there are to be sure many cases among those of the customary practices of child care or child employment is in need of the special measure for the child welfare because the child is on the contract in violation of Labor Standard Law or other Law or Ordinance concerned or receiving cruel or cold treatment or considerably inadequate care. In taking the actual measure for the child's welfare the best possible interest for each child welfare under the situation must be insured by taking any of the following, while due respect for the child's own wish at the same time.

A. In case the child's welfare be practically insured by returning him to his own parent and public assistance and other guidance be given to his family, the child should be returned to his parents. In order to carry it out child welfare official shall make a close liaison through the prefectural governor with

or Ordinance concerned or receiving cruel or cold treatment or considerably inadequate care. In taking the actual measure for the child's welfare the best possible interest for each child welfare under the situation must be insured by taking any of the following, while due respect for the child's own wish at the same time.

A. In case the child's welfare be practically insured by returning him to his own parent and public assistance and other guidance be given to his family, the child should be returned to his parents. In order to carry it out child welfare official shall make a close liaison through the prefectural governor with the child welfare official or the child welfare worker in charge of the area where the child's parent lives to investigate the reason why the parent had let the child to live with other's family, parent's present living condition, whether it is proper to return the child home or not etc. ...

B. In case it is not proper to return the child home of his parents and there is need to give him protection by taking him away from the present home, other proper foster parents must be sought and the child be placed with.

If an adequate foster parent can not be found at such time, admission to a proper child welfare institution, consignment with other adequate home or any other adequate protection must be given for his care.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

C. In case the present home is giving the child actually a good care and it is objectively adknowledged that the child is far better off to keep on staying in the present home than any other possible measure to be taken.

a. The first is to transfer the family to the foster parent provided by Child Welfare Law if eligible.

b. In case there are a few points which is lacking for the eligibility for the foster parent of the Law yet the child is cared happily (exclusive of the case the child is working) the case shall be placed under the guidance and supervision of the child welfare official, child welfare worker etc. in the same home.

c. Besides a and b. when the child is made to work, any of the following measures shall be taken according to their age.

A. With the case eligible for Labor Standard Law, correction of Labor conditions by either correcting the inadequate points or remaking of entirely new adequate contract shall be made.

B. And with the case not eligible for Labor Standard Law such as domestic service, correction of employment conditions

the case shall be placed under the guidance and supervision of the child welfare official, child welfare worker etc. in the same home.

c. Besides a and b. when the child is made to work, any of the following measures shall be taken according to their age.

A. With the case eligible for Labor Standard Law, correction of labor conditions by either correcting the inadequate points or remaking of entirely new adequate contract shall be made.

B. And with the case not eligible for Labor Standard Law such as domestic service, correction of employment conditions by correcting the inadequate employment conditions or remaking of entirely new adequate contract shall be made in the same line with the Labor Standard Law.

More over, in the cases of A and B Labor Standard Inspection Office or the Field Representative Office of Womens and Minors Bureau should be consulted.

(3) Guidance by the Child Welfare Official and child welfare worker

Beside A, B and C the child welfare official and child welfare worker shall keep always surveilance over the cases of the customary practice of child care or child employment and give adequate guidance when needed.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

(4) Encouragement of child's school attendance

As there are considerable number of children who are not attending to the school or with long absence among the children under family care and employment, the positive guidance to have all the children of school age attend to the school to receive compulsory education shall be given not only to parents and guardians but to all the persons who keep the children of other's families for care or employment. For this purpose the positive action of Board of Education shall be urged enlisting the cooperation of the school, P.T.A., child welfare official and child welfare worker. In starting the child to attend to the school arrangement with the school for grading shall be made with proper consideration on the child's chronological and mental age.

II. Measures to be taken from now for the customary practice of child care or child employment.

In order to stop such an unfortunate practice as so-called "Child slavery" and to promote the child's positive welfare, the following policy is to be taken from now own.

1. Respect for the child's personal right

The child welfare thought, which spells for the child first

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 743 013

worker. In starting the child to [illegible]
with the school for grading shall be made with proper consideration [illegible]
on the child's chronological and mental age.

II. Measures to be taken from now for the customary practice of child care or child employment.

In order to stop such an unfortunate practice as so-called "child slavery" and to promote the child's positive welfare, the following [illegible] policy is to be taken from now own.

1. Respect for the child's personal right

The child welfare thought, which spells for the child first and best happiness is, generally speaking, to be brought up in health under the care of his own parents and the child's fundamental personal right should be fully respected, should be diffused to the general public and such feudalistic practice as to treat the child as parents' chattel and dispose him at will with no respect for the child's own will shall be wiped out.

2. Consultation with the child welfare official or child welfare worker to be made by the person who is in trouble to care for the child.

It is not proper for the welfare of the child to take away from his own home for the economic reason only. But general public

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773013

shall be enlightened that in case the parent is in great difficulty to care his child due to economic, physical or mental reason, he must consult with the child welfare official or child welfare worker in charge of the area. And the child welfare official or the child welfare worker who were consulted shall listen with kind understanding and according to the need make a careful investigation and give proper assistance, placement in a foster home or a child welfare institution or whatever proper protection and guidance. The child welfare official and child welfare worker shall make their names, duty and how they are ready to help the people in need known to the people in their assigned area. Provided that the child welfare official or child welfare worker, when the preceding measure will be taken, shall keep the principle that "It is not proper for the welfare of the child to take away from his home for the economic reason only" in his mind and make the best effort to keep the child in his own home without taking him away from his home by application of Daily Life Security Law and any other available assistance so that the welfare of the child be effected.

3. Use of Public Employment Security Office

duty and how they are ready to help the people in need known to the people in their assigned area. Provided that the child welfare official or child welfare worker, when the preceding measure will be taken, shall keep the principle that "It is not proper for the welfare of the child to take away from his home for the economic reason only" in his mind and make the best effort to keep the child in his own home without taking him away from his home by application of Daily Life Security Law and any other available assistance so that the welfare of the child be effected.

3. Use of Public Employment Security Office

General public shall be enlightened to the fact that an employment placement of a child must be made by public Employment Security Office and employment placements by unauthorized persons are in violation of the Law and such persons are subject to persecution. The child welfare official and child welfare worker shall make liaison with P.E.S.O. whenever they were consulted about a child's employment placing.

4. Abolition of professional mediator

When the child welfare official or child welfare worker has found a person who intermediates for a child's employment with a purpose of profit, he shall immediately make a liaison with Labor Standard Inspection Office or P.E.S.O. in order to abolish

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

the vicious mediator under Labor Standard Law and Employment Security Law. And the habitual mediators without profit who has not obtained the authorized approval is against Employment Security Law and they shall be reported to P.E.S.O.

In case the child welfare official or child welfare worker should ever discover any person who intermediates for a child care with purpose of profit, violating the provision of Child Welfare Law, Article 34, paragraph 1, Item 8 (expected to be revised) he shall make an immediate liaison with the prefectural Children's Section or the Child Welfare Center for the action to abolish it.

5. Diffusion of foster home system under Child Welfare Law

General public shall be enlightened for the foster home idea of Child Welfare Law and its use for the care of Children whose parents were obliged to place them with others for the reason really unavoidable through the Child Welfare Center and not placing by themselves at their will. And also the child welfare official and child welfare worker in charge of the area may be made in contact with for consultation and guidance who shall give them necessary

Section or the Child Welfare Center for the action to abolish it.

5. Diffusion of foster home system under Child Welfare Law

General public shall be enlightened for the foster home idea of Child Welfare Law and its use for the care of Children whose parents were obliged to place them with others for the reason really unavoidable through the Child Welfare Center and not placing by themselves at their will. And also the child welfare official and child welfare worker in charge of the area may be made in contact with for consultation and guidance who shall give them necessary arrangement.

III. Interprefectural liaison and that of various organs concerned

As the customary practice of child care or child employment has been done not only in one prefecture but often in more than two and it touches an various laws such as Child Welfare Law, Labor Standard Law, Employment Security Law, School Education Law, Habeas Corpus Act. etc. the prefectures and organs concerned shall make close mutual liaison so that satisfactory results may be obtained.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 013

April 1950

Bill for Partial Amendments to the
Child Welfare Law

The Child Welfare Law (Law No. 164 of 1948) shall be partially amended as follows:

In this Law "discrimination" shall be amended as "classification".

In Art. 7, Art. 27 par. 1 item (3), Art. 31 and Art. 34 par. 2 "the home for physically handicapped children, the home for blind, deaf and dumb children" shall be amended as "the home for blind, deaf and dumb children, the home for physically weak children, the home for crippled children".

In Art. 9 par. 2, "shall be appointed or requested" shall be amended as "shall be appointed".

The following one paragraph shall be added in Art. 20.

> When the report of pregnancy under the preceding paragraph was made, the mayor of the city as provided for by the Cabinet Order based upon the provision of Art. 1 of the Health Center Law shall report to the governor of To, Do, Fu or prefecture, and the mayor of the city, town or village other than the above to the governor of To, Do, Fu or prefecture through the head of a health center, matters to be prescribed by Order without delay.

Art. 43 shall be deleted, Art. 43-(2) shall be made Art. 43 and the following

The following one paragraph shall be added in Art. 20.

When the report of pregnancy under the preceding paragraph was made, the mayor of the city as provided for by the Cabinet Order based upon the provision of Art. 1 of the Health Center Law shall report to the governor of To, Do, Fu or prefecture, and the mayor of the city, town or village other than the above to the governor of To, Do, Fu or prefecture through the head of a health center, matters to be prescribed by Order without delay.

Art. 43 shall be deleted, Art. 43-(2) shall be made Art. 43 and the following two Articles shall be added next to the same Article.

Art. 43-(2). The home for physically weak children shall be an agency which purports to give proper environment for the physically weak children and to promote their health.

Art. 43-(3). The home for crippled children shall be an agency which purports to provide the medical treatment to the physically handicapped children, and to provide them with knowledge and skill necessary for self support.

In Art. 45, "for the equipments and operation of the child welfare agencies" shall be amended as "for the equipments and operation of the child welfare agencies and the care given by the foster parents".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 773 013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

In Art. 46, "the heads of such agencies" shall be amended as "the heads of such agencies and the foster parents".

In Art. 48 par. 1 and Art. 54, "physically handicapped, blind, deaf and dumb children" shall be amended as "blind, deaf and dumb, physically weak and crippled children".

Art. 50 item (3) shall be amended as follows:

(3) Expenses required for the child welfare stations (excepting the expenses under items (8) and (10):

Art. 50 item (6) and (7) shall be amended as follows:

(6) Expenses required for keeping the minimum standards under Art. 45 for the care of those admitted, in a case where the mayor of the city, town or village took measures as prescribed in Art. 22 to Art. 24 inclusive with respect to the lying-in agency, mothers' home or day nursery established by To, Do, Fu or prefecture.

(7) Expenses required for placing and expenses required for keeping the minimum standards under Art. 48 for the protection of those admitted, in a case where the governor of To, Do, Fu or prefecture took measures as prescribed in Art. 27 par. 1 item (3) (excepting the expenses required for the care of children admitted to the infant

(6) Expenses required for keeping the minimum standards under Art. 45 for the care of those admitted, in a case where the mayor of the city, town or village took measures as prescribed in Art. 22 to Art. 24 inclusive with respect to the lying-in agency, mothers' home or day nursery established by To, Do, Fu or prefecture.

(7) Expenses required for placing and expenses required for keeping the minimum standards under Art. 48 for the protection of those admitted, in a case where the governor of To, Do, Fu or prefecture took measures as prescribed in Art. 27 par. 1 item (3) (excepting the expenses required for the care of children admitted to the infant home, home for dependent children, home for feebleminded children, home for blind, deaf and [illegible] children, home for physically weak children, home for juvenile training and education established by the State):

Art. 50 item (9) shall be made item (10), item (8) shall be made item (9) and the following one item shall be added next to item (7).

(8) Expenses required for consultation and classification by the child welfare stations.

Art. 51 item (1) shall be amended as follows:

(1) Expenses required for placing and expenses required for keeping the minimum standard under Art. 45 for the care or those admitted in case the mayor of the city, town or village took measures in

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 743013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 775013

accordance with the provisions prescribed by Art. 22, main clause of Art. 23 and Art. 24 (excepting the expenses required for the care of the persons admitted to the living-in agency, mothers' home or day nursery established by the State, To, Do, Fu or prefecture).

In Art. 52, "items (5) and (9)" shall be amended as "items (5) and (10)", "item (9) of Article 50" as "item (10) of Article 50", and "day nursery and home for physically handicapped children" as "day nursery, home for blind, deaf and dumb children, home for physically weak children and home for crippled children".

The following one Article shall be added to Art. 53.

Art. 53-(2). The Minister of Welfare may make the officials concerned research and inspect the actual conduct of business of To, Do, Fu, prefecture, city, town or village as to whether the proper payment of the expenses under Art. 50 item (6), (7) or Art. 51 item (1) is made or not and the governor of To, Do, Fu or prefecture may make the public body personnel concerned inspect the actual conduct of business of the city, town or village as to whether the proper payment of the expenses under Art. 51 item (1) is made or not.

In Art. 56 par. 1, "items (6) to (8)" shall be amended as "item (6) and (7)".

Supplementary Provisions

This Law shall come into force as from April 1, 1950.

deaf and dumb children, home for physically weak children and home for crippled children".

The following one Article shall be added to Art. 53.

Art. 53-(2). The Minister of Welfare may make the officials concerned research and inspect the actual conduct of business of To, Do, Fu, prefecture, city, town or village as to whether the proper payment of the expenses under Art. 50 item (6), (7) or Art. 51 item (1) is made or not and the governor of To, Do, Fu or prefecture may make the public body personnel concerned inspect the actual conduct of business of the city, town or village as to whether the proper payment of the expenses under Art. 51 item (1) is made or not.

In Art. 56 par. 1, "items (6) to (8)" shall be amended as "item (6) and (7)".

Supplementary Provisions

This Law shall come into force as from April 1, 1950.

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