Regulations on Procedure of Examination of the Public Office Qualifications Appeal Board.

Article 1. The Public Office Qualifications Appeal Board (hereinafter to be called the Board) shall conduct examinations necessary for rescission of designation as falling under the Memorandum in pursuance of the provisions of the Imperial Ordinance No. 65 of 1947 (an Imperial Ordinance concerning appeals for rescission of designation as falling under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947), and report the results of such examinations to the Prime Minister.

Article 2. The Board shall hold its sessions at least twice a week. It may, in case the Chairman deems it necessary, hold its sessions as occasion demands.

Article 3. The Chairman shall preside over the sessions of the Board, fix the order of proceedings, and declare the opening and adjournment of such sessions. In case the Chairman is prevented from attending to his duties, the Vice-chairman co-opted from among members shall attend to such duties.

Article 4. Proceedings of the sessions of the Board shall not be disclosed to the public.

Article 5. When the Board has filed a letter of appeal,

the

the Chairman shall appoint from among members one in charge thereof.

Article 6. The member in charge shall systematize the point of argument, corroborative data, and other matters based on relevant documents and report the result to the Board.

Article 7. Cases of appeal shall, except those of particular urgency, be submitted to the Board for deliberation in the order of the letters of appeal being filed.

Article 8. The Board shall, when necessary for the conducting of examinations, ask the Prime Minister or the Metropolitan, Do or Prefectural Governors, as the case may be, to send officials concerned or directly summon appellants or other persons concerned and hear their explanations of facts.

Article 9. The Board may, according to circumstances, cause one or more members to hear the explanations of facts prescribed in the preceding article and to report the substance of such explanations to the Board.

Article 10. Explanations of facts by appellants or other persons concerned at the sessions of the Board shall be conducted in the convenient form of questions and answers.

The asking of questions prescribed in the preceding paragraph shall be done by the Chairman, and each member may ask, through the Chairman, any question that he deems necessary.

Article 11. Explanations may be heard from appellants or other persons concerned at the place where they happen to be.

Article 12. When the hearing of explanations of appellants or other persons concerned has been conducted by the Board, a record thereof shall be prepared.

Article 13. The record shall be prepared by witnessing secretaries and signed and sealed by them as well as by the ~~Prime Minister.~~ chairman

Article 14. The provisions in the preceding two articles shall apply mutatis mutandis to the case of the hearing being conducted by one or more members ordered to do so in accordance with the provisions of Article 9.

Article 15. The result of examinations shall be decided at a session of the Board.

The decision prescribed in the preceding paragraph shall be put in the form of a written statement sealed by all the members concerned.

The statement of decision shall be drafted by the member in charge of each case.

Article 16. The statement of decision shall be made out in the form separately fixed.

Article 17. The Chairman shall report the contents of the statement of decision to the Prime Minister.

Article 18. Appeals not in accordance with the Imperial Ordinance No. 65 of 1947 or those filed without going through legal formalities may be dismissed.

Article 19. The Board shall not re-examine one and the same case; provided, however, that this does not apply in the case

where

where the Prime Minister demands re-examination by presenting new corroborative data.

Article 20. In case unavoidable circumstances make it impossible to observe the present Regulations, the Chairman may, at his discretion, adopt appropriate measures.

Regulations on Procedure of Examination of the Public Office Qualifications Appeal Board.

Article 1. The Public Office Qualifications Appeal Board (hereinafter to be called the Board) shall conduct examinations necessary for rescission of designation as falling under the Memorandum in pursuance of the provisions of the Imperial Ordinance No. 65 of 1947 (an Imperial Ordinance concerning appeals for rescission of designation as falling under the Memorandum in accordance with the provisions of the Imperial Ordinance No. 1 of 1947), and report the results of such examinations to the Prime Minister.

Article 2. The Board shall hold its sessions at least twice a week. It may, in case the Chairman deems it necessary, hold its sessions as occasion demands.

Article 3. The Chairman shall preside over the sessions of the Board, fix the order of proceedings, and declare the opening and adjournment of such sessions. In case the Chairman is prevented from attending to his duties, the Vice-chairman co-opted from among members shall attend to such duties.

Article 4. Proceedings of the sessions of the Board shall not be disclosed to the public.

Article 5. When the Board has filed a letter of appeal,

the

the Chairman shall appoint from among members one in charge thereof.

Article 6. The member in charge shall systematize the point of argument, corroborative data, and other matters based on relevant documents and report the result to the Board.

Article 7. Cases of appeal shall, except those of particular urgency, be submitted to the Board for deliberation in the order of the letters of appeal being filed.

Article 8. The Board shall, when necessary for the conducting of examinations, ask the Prime Minister or the Metropolitan, Do or Prefectural Governors, as the case may be, to send officials concerned or directly summon appellants or other persons concerned and hear their explanations of facts.

Article 9. The Board may, according to circumstances, cause one or more members to hear the explanations of facts prescribed in the preceding article and to report the substance of such explanations to the Board.

Article 10. Explanations of facts by appellants or other persons concerned at the sessions of the Board shall be conducted in the convenient form of questions and answers.

The asking of questions prescribed in the preceding paragraph shall be done by the Chairman, and each member may ask, through the Chairman, any question that he deems necessary.

Article 11. Explanations may be heard from appellants or other persons concerned at the place where they happen to be.

Article 12. When the hearing of explanations of appellants or other persons concerned has been conducted by the Board, a record thereof shall be prepared.

Article 13. The record shall be prepared by witnessing secretaries and signed and sealed by them as well as by the ~~Prime Minister~~ Chairman.

Article 14. The provisions in the preceding two articles shall apply mutatis mutandis to the case of the hearing being conducted by one or more members ordered to do so in accordance with the provisions of Article 9.

Article 15. The result of examinations shall be decided at a session of the Board.

The decision prescribed in the preceding paragraph shall be put in the form of a written statement sealed by all the members concerned.

The statement of decision shall be drafted by the member in charge of each case.

Article 16. The statement of decision shall be made out in the form separately fixed.

Article 17. The Chairman shall report the contents of the statement of decision to the Prime Minister.

Article 18. Appeals not in accordance with the Imperial Ordinance No. 65 of 1947 or those filed without going through legal formalities may be dismissed.

Article 19. The Board shall not re-examine one and the same case; provided, however, that this does not apply in the case

where

where the Prime Minister demands re-examination by presenting new corroborative data.

Article 20. In case unavoidable circumstances make it impossible to observe the present Regulations, the Chairman may, at his discretion, adopt appropriate measures.

Ordinance File
(B)

Explanation concerning Agricultural Land Commission

Ref. to Agricultural Land Adjustment Law (A) and Owner-Farmer Establishment and Special Measures Law (B)

1. Establishment of Agricultural Land Commission — (A) Art. 15

There shall be an Agricultural Land Commission in Cities, Towns and Villages.

2. Construction of the Commission — (A) Art. 15-2

The Agricultural Land Commission shall consist of a chairman and commissioners.

3. Election of Commissioners — (A) Art. 15-4

Affairs relating to the election shall be administered by the Election Administration Commission.

4. Duties of Commission — (B) Art. 3, 16 and 18.

(1) Consent of purchase of agricultural land from absentees by the government.

(2) Setting up the plan for selling the agricultural land purchased by the government to a person who is likely to devote himself to cultivation as owner-farmer, which the government shall follow.

(3) Others.

Okada Norikazu

Explanation concerning "Land Improvement District and Leage of Land Improvement Districts"

I. Projects to be executed by "Land Improvement District"

(ref. Art. II)

(1) New establishment, maintainance, removal or change of irrigation or drainage facilities, agricultural roads, and other facilities required for the conservation or utilization of agricultural land;

(2) Adjustment of partition of agricultural land;

(3) Making paddy or upland fields;

(4) Reclamation by dumping or by drainage;

(5) Restoration of damage caused to agricultural land or facilities required for its concervation or utilization;

(6) Consolidation or exchange of rights to and in agricultural land and rights to and in land and facilities for agricultural purposes, and rights to the use of water, which are required for the utilization of said agricultural land;

(7) Any other project or measure necessary for improving or concerving agriucltural land.

II. Procedures to be taken for establishment of "Land Improvement District" (ref. Art. III, V, VI, VII, VIII, IX and X).

Upon a petition for establishment of "Land Improvement District" respecting certain boundaries of district with the consent of two-thirds of the qualified persons (principally owners of land respecting the said boundaries), the prefectural governor shall, after the legal procedures are over, approve it.

III. Officers of "Land Improvement District" (ref. Art. XVIII and XIX)

(1) There shall be directors and auditors for "Land Improvement District."

(2) The directors and half of the auditors shall be elected from among the members and by the members at a general meeting of the membership; and the other half of the auditors shall be appointed by the prefectural governor.

(3) The directors shall represent "Land Improvement District". They belong to; provided that they must follow any resolution of general meeting of the membership.

IV. Assembly of representatives (ref. Art. XXIII and XXIV)

(1) The assembly of representatives which is authorized to take the place of a general meeting of the membership may be established for "Land Improvement District" with no less than 500 members.

(2) The election of the representatives shall be conducted, on the principle of directness, equality and secret, under the control of Election Administration Commission concerned.

(3) The provisions concerning the general meeting of the membership shall be applied mutatis mutandis to the assembly of representatives.

V. Matters to be resolved by general meeting (ref. Art. XXX)

(1) Amendments in the Articles of Districts;

(2) Enactment, amendment or abolition of the by-laws;

(3) Raising of bond or loan of money and its method, the rate of its interest and the method of its armotization;

(4) Making of an estimated amount of receipts and disbursement;

(5) Contract wherefor the district will be loable besides what is fixed in the estimate;

(6) Method of imposition and collection of assessment, labor and things;

(7) Consent of the project report, and of the settlement of accounts and the inventory;

(8) Consent of establishing of a "Leage of Districts", and of making any addition or reduction in respect of the districts of "Leage of Districts" belonging thereto;

(9) Others;

VI. Establishment of "Leagg of Land Improvement Districts" (ref. Art. XXXXXXXVII)

In order to execute a part or parts of the project jointly with another district, any "Land Improvement District" may organize a "Leage of Land Improvement Districts".

VII. Formation of general meeting of "Leage of Land Improvement Districts" (ref. Art. XXXXXXX)

(1) The general meeting of a "Leage of Land Improvement Districts" shall, in accordance with the provisions of the Articles of "Leage of Districts", be formed by the members of the meeting who are selected from among the membership of respective districts belonging thereto.

(2) No "Leage of Districts" can establish the assembly of representatives.

VIII. Officers of "Leage of Districts" (ref. Art. XXXXXXXXII)

The directors shall be elected from among the members of the meeting of the "Leage" at a general meeting of the membership.

IX. Application mutatis mutandis of provisions regulating "Land Improvement District" upon "Leage of Districts" (ref. Art. XXXXXXXXIV).

The provisions regulating the "Land Improvement District" shall apply mutatis mutandis to any "Leage of Districts" except as otherwise provides in this law

X. Scope of principal personnel to be determined as "posts excluded from the purgees"

(1) Directors and auditors of "Leage" and "District" who are responsible in executing projects shall be determined as "posts excluded from the purgees"

(2) The meeting of representatives of "District" is authorized to take the place of a general meeting of "District" and it is a sole resolution. The representatives of "District" shall be determined as "posts excluded from the purgees."

(3) The general meeting of "Leage" has quite the same authority as that of "District" or as a meeting of representatives of "District." The only discrepancy between a representative of "District" and a member of general meeting of "Leage" is only a method of respective election, that is, the election of the former is to be conducted under the control of Election Administration Commission, while that of the latter is to be done only under the Article of "Leage". Observing it, the member of a general meeting of "Leage" shall be decided as "posts purgees shall not assume."

Okada Norikazu

Purge

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

18 November 1946

MEMORANDUM FOR THE RECORD

SUBJECT: Economic Purge Advisory Committee

1. Effective immediately, there is established in the Government Section the Economic Purge Advisory Committee (EPAC) consisting of:

Mr. T. A. Bisson
Miss Eleanor Hadley
Mr. Cyrus Peake
Major Frank Rizzo

2. It will be the function of EPAC to furnish advice and assistance to the Chief, Public Administration Division in supervising the administration of the Economic Purge by the Japanese government. EPAC shall not function collectively but each member thereof shall be responsible for keeping the others informed of action taken at conferences.

3. One member of EPAC shall be available for all conferences conducted by the Government Section with representatives of the Japanese government on matters relating to the Economic Purge and for conferences with Economic and Scientific Section, or any other staff section, on the same subject.

Circulate

FRANK E. HAYS
Lt. Col. CAV
Chief Plans and Operations Officer

Noted: CLK

389 x filed in Memos

MINISTERS WITHOUT PORTFOLIO - 9 OCTOBER 1946

SHIDEHARA, Kijuro - President of the Demobilization Board

KANAMORI, Tokujiro - Constitution

ZEN, Keinosuke - Director General of Economic Stabilization Board

UEHARA, Etsujiro - Member of the Liberal Party - Liaison duties

SAITO, Takao - Member of Progressive Party - Liaison duties

PUBLIC OFFICE QUALIFICATIONS EXAMINATION COMMISSION

(Members - 9 October 1946)

Chairman:

MINOBE, Tatsukichi	-	Privy Councillor

Commissioners:

BABA, Tsunego	-	President of the Yomiuri Newspaper
IINUMA, Kazumi	-	Vice Minister of Home Affairs
IRIMANO, Takeo	-	President of Teikoku Bank
TERASAKI, Taro	-	Vice Minister of Foreign Affairs; Vice President of CLO
TANIMURA, Tadaichiro	-	Vice Minister of Justice

The Examination Commission meets in a room adjoining the office of Mr. Shibue (Chief of Personnel Section of the Cabinet Secretariat). They may be reached by phone - Ginza (57) 2111.

The Commission report their findings directly to the Prime Minister and are in no way connected with the Central Liaison Office.

豫防拘禁委員会官制

Government Organization regarding the Precautionary Detention Committee

(Imperial Ordinance No.558 of ~~1936.~~ 1941)

Article 1. The Precautionary Detention Committee shall be under the supervision of Minister of Justice, and shall deliberate on the matters belonged to its power in accordance with Article 40, Article 55, Article 58 and Article 59 of the Peace Preservation Law.

Article 2. Each committee shall be composed of a president and six members.
Each committee also shall has four reserve members.

Article 3. President, members and reserve members shall be appointed among higher officials of Ministry of Justice and well-educated and experienced persons in society.

Article 4. The term of president, members and reserve members shall be two years.

Article 5. President shall supervise the general business relative to committee.
When president cannot handle business owing to unavoidable circumstances, a member who designated by president shall take part of president.

Article 6. If a member cannot present committee meeting owing to unavoidable circumstances, or there is a vacancy of the membership, president may designate a substitute among reserve members.

Article 7. The business cannot be transacted in the Precautionary Detention Committee unless more than five members included president present.
All matters shall be decided by a majority of those present.
In case of a tie, president shall decide the issue.

Article 8. Clerks of each committee shall be ordered by Minister of Justice.
They shall engage in the general business under the supervision of president.

Article 9. Except this provisions, the matters concerning committee shall be determined by Minister of Justice.

Supplementary provision:

This Ordinance shall come into force on and after May 15, 1936.

Old appeals 4th

(Draft)

The Public Office Qualification Inspection Board

Article 1. (Note 1) The Public Office Qualification Inspection Board shall belong directly to the ~~Prime Minister~~ CHIEF OF THE P.O.Q. BUREAU

Article 2. The competence of the P.O.Q. Inspection Board is as following -

(Note 2) 1. Inspection of the observance of the Purge act.

(Note 3) 2. Investigation of the appealed pending fact on demand of the P.O.Q. Appeal Board.

Article 3. Upon necessity of a ctivity of the P.O.Q. Inspection Board, every ministry must cooperate.

Article 4.(Note 4) The Central Public Office Qualification Screening Board and the Local P.O.Q. Screening Board will have to inform immediately of their state of activity to the P.O.Q. Inspection Board.

Article 5. When the P.O.Q. Appeal Board has a question to decide the pending fact, the P.O.Q. Appeal Board immediately will have to inform and ask the investigation about that fact to the P.O.Q. Inspection Board.

Article 6. (Note 5) The P.O.Q. Inspection Board must report the detail of the state of activity every ten days to the Prime Minister.

Article 7.(Note 6) The P.O.Q. Inspection Board shall be composed of seven members and the chairman shall be elected by mutual vote from among the members of the P.O.Q. Inspection Board.

The proceedings of the P.O.Q. Inspection Board shall be determined by a majority of members present, including the chairman.

The P.O.Q. Inspection Board may not open its sessions unless five members or more, including the chairman, are present.

The member of the P.O.Q. Inspection Board shall be appointed from among government officials and men of knowledge and experience.

1-B-6

The committees shall be treated as the first grade officers of the government.

In order to deal with miscellaneous matters on the direction of the committees, the P.O.G. Inspection Board shall have officials as following -

Cabinet officials	
First grade	1
Second grade	10
Third grade	20

Article 8. Excluding those matters made public by the Prime Minister, the chairman, members of the Board and officials may not disclose those matters concerned with the examination of the Board.

Note 1. In order to set the P.O.Q. Inspection Board as same rank as the P.O.Q. Screening Board and the P.O.Q. Appeal Board, the P.O.Q. Inspection Board shall belong directly to the ~~Prime Minister~~ CHIEF OF THE P.O.Q. BUREAU.

Note 2. The P.O.Q. Inspection Board shall inspect the men who should have been purged or still remain at his post more than the limited period or still concerned with the public office notwithstanding he had been purged.

Note 3. In order to make the P.O.Q. Appeal Board an active one, the P.O.Q. Inspection Board shall investigate the facts which is pending (not legal point) in the P.O.Q. Appeal Board and inform the result to the P.O.Q. Appeal Board. According to the information the P.O.Q. Appeal Board shall be able to conclude the examination rapidly and accurately.

When the facts which the Japanese Government (the P.O.Q. Screening Board) recognized is different to the facts which appellant asserted, the means of investigation cannot be found by the present systen of the P.O.Q. Appeal Board.

Therefore, the P.O.Q. Inspection Board is independent, and then the P.O.Q. Appeal Board shall be compelled to do their works rapidly and exactly.

Note 4. The P.O.Q. Screening Board not only central but local have only formal competence of judgment and is not enough to collect the data of judgment, therefore many men coming under the screening may be omitted.

Especially, bing the P.O.Q. Screening Board influenced by the Home Ministry, we feel the fear that the organization shall be availed for the political purposes.

The P.O.Q. Inspection Board shall be perfectly independent.

Note 5. As the P.O.Q. Inspection Board shall report the state of activity of every P.O.Q. Screening Board and the P.O.Q. Appeal Board to the Prime Minister.

G.H.Q. shall be able to watch constantly the state of transaction of purge act.

Therefore the P.O.Q. Inspection Board shal have the function as the rapid and exact reporting organization.

Note 6. The member of committees shall be composed of the men who are not so old.

If possible, they shall be appointed from the civilians.

The chairman shall be elected from the civilian.

The officers of the P.O.Q. Inspection Board shall be appointed from the progressive and fair men.

The appointment of the committees and officials must be thoroughly investigated by G.H.Q. before appointing.