

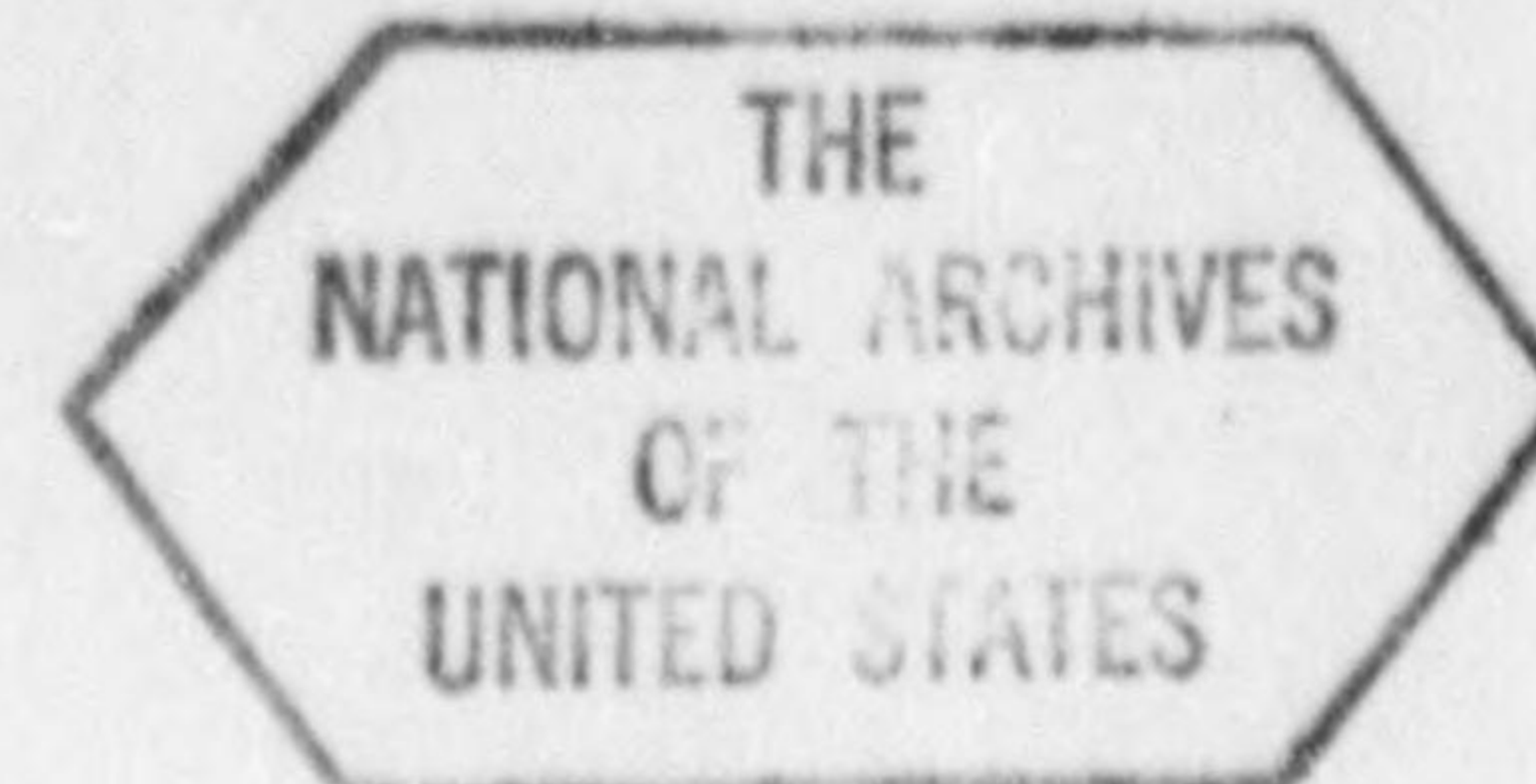
RG 331(Allied Operational & Occupation
Headquarters, World War II)

SUPREME COMMANDER FOR THE ALLIED POWERS
Civil Affairs Section
Headquarters Division
Legal & Government File
1951

#1 to 25

Box No. 2284

GHQ/SCAP Records(RG 331)
Description of contents



- (1) Box no. 2284
- (2) Folder title/number: (1)
Arms
- (3) Date: Oct. 1950 - Dec. 1950

(4) Subject :

Classification	Type of record
400	c, v

(5) Item description and comment :

(6) Reproduction : Yes No

(7) Film no. _____ Sheet no. _____

File #1

See SCAPPIN

16 October 1950

L.O.No. 132

TO : General Headquarters,
Supreme Commander for the Allied Powers

FROM : Ministry of International Trade and Industry

THROUGH : Ministry of Foreign Affairs

SUBJECT : Concerning the Enactment of Laws and Ordinances Regarding Control over the Production of Air-Rifles, Guns for Hunting and Whaling, Etc.

1. References are:

a. The Firearms and Explosives Control Law (Law No. 53 of 1910. Amendment: No. 2 of 1917; No. 2 of 1922)

b. The Regulation for the Enforcement of the Firearms and Explosives Control Law (Imperial Ordinance No. 16 of 1911. Amendment: Cabinet Order No. 109 of 1949)

c. Ordinance for Prohibition of Possession of Firearms, etc. (Imperial Ordinance No. 300 of 1946).

d. Ordinance concerning the restriction on the Production of Munition, Aircraft, etc. (Ministries of Commerce and Industry, Education, Agriculture and Forestry and Transportation Ordinance No. 1 of 1945. Amendment: Ministries of Commerce and Industry, Education, Agriculture and Forestry and Transportation Ordinance No. 1 of 1949).

e. Explosives Control Law (Law No. 19 of 1950)

f. Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, 471.86 (4 Apr 50) ESS/IND, Subject: Manufacture of Air-rifles, dated 4 April 1950.

~~G. Memorandum for the Japanese Government from
General Headquarters, Supreme Commander for the Allied
Powers, AG 388.3 (29 May 50) GB/CIS/PSD, SCAPIN 2099,
Subject: Instruction on Surrender of Arms by Japanese
Civilians, dated 29 May 1950.~~

2. Production and sales of air-rifles, hunting guns, etc. have been controlled under the Firearms and Explosives Control Law (Reference 1.a above) and the possession thereof has been controlled under the Ordinance for Prohibition of Possession of Firearms, etc. (Reference 1.c above).

Although production and sales of air-rifles have come to be permitted subject to the restrictions under the Firearms and Explosives Control Law (Reference 1.a above) in accordance with the Reference Memorandum (1.f above), no case has been permitted up to the present of production of hunting-guns, whaling-guns, etc. except air rifles, under the Ordinance concerning Restriction on Production of Arms and Aircraft, etc. (Reference 1.d above) since its enforcement for the reason that they fall under the category of arms. Due, however, to the recent issuance of the Reference Memorandum (1.g above), holding is now permitted of air-rifles, guns for fishing, hunting, skeet and trap shooting, whaling, life saving, etc. In this connection, it is acknowledged necessary to control over the production and sales of these guns. It was decided, however, that the Explosives Control Law (Reference 1.e above), promulgated on May 4, 1950, be enforced as from November 3 and at the same time the existing Firearms and Explosives Control Law (Reference 1.a above) be abolished. Since this means the extinction of the Law under which production and sales of air-rifles and the above-mentioned guns for specified purposes are to be controlled, it is considered necessary to enact a new law to control over production and sales of these guns, subject to restrictions mentioned below in paragraph 3. Since, however, it is impossible, to enact a law by November 3 for the reason that the Diet is now in adjournment, it is imperative, with a view to making control complete pending the establishment of the new law, to enact a Cabinet Order. For the reasons mentioned above, we ask you in earnest that you will review and examine all the matters listed

in this request and favor us with the issuance as soon as possible of your directive necessary for the enactment of a Cabinet Order.

3. Restriction on the authorization of production;

(1) Hunting guns:

Subject to the following specifications.

- a. Bore shall be free from rifling.
- b. Hunting guns Nos. 10, 12, 16, 20 and 28.
- c. Barrel length shall be from 26 inches (660 mm.: minimum length) to 32 inches (813 mm.: maximum length).

(2) Harpoon guns (including guns used for sheeting marks on whales):

Subject to the following specifications

- a. Bore shall be free from rifling.
- b. Bore shall not exceed 3.6 inches (about 90 millimeters) in diameter.
- c. Barrel shall be limited to a maximum length of 60 inches (about 1,524 millimeters)

(3) Life-Line throwing guns:

- a. Bore shall be free from rifling.
- b. Bore shall not exceed 0.16 inches (about 15 mm.) in diameter
- c. Shooting range shall not exceed 1,148 feet (350 meters)

(4) Air-rifles:

Subject to the restrictive specifications under Memorandum 471.86 ESS/IND (4 Apr 50), Subject: Manufacture of Air Rifles.

FOR THE MINISTER:

Katsumi Ikee,
Chief, Liaison Office,
Ministry of International Trade
and Industry

File 1

Ordinance Partially Amending the Ordinance
Concerning the Restriction on the Production
of Munition, Aircraft, Etc. (Ministries of
Commerce and Industry, Education, Agriculture
and Forestry and Transportation Ordinance
No. 1 of 1945)

Machinery Bureau,
Ministry of International Trade
and Industry.

Prime Minister's Office, Ministries of
Education, Agriculture and Forestry,
International Trade and Industry and
Transportation Ordinance No. 2.

29 December 1950

An ordinance to partially amend the Ordinance concerning the Restriction on the Production of Munition, Aircraft, etc. is established as follow in accordance with the Matter concerning Orders to be issued in consequence of the acceptance of the Potsdam Declaration (Imperial Ordinance No.542 of 1945):

Prime Minister

YOSHIDA Shigeru

Minister of Education

AMANO Teiyu

Minister of Agriculture
and Forestry

HIROKAWA Kozen

Minister of International
Trade and Industry

YOKOO Shigemi

Minister of Transportation

YAMAZAKI Takeshi

Ordinance Partially Amending the Ordinance concerning the Restriction on the Production of Munition, Aircraft, Etc.

The following partial amendments shall be made to the Ordinance concerning the Restriction on the Production of Munition, Aircraft, Etc. (ministries of Commerce and Industry, Education, Agriculture and Forestry and Transportation Ordinance No. 1 of 1945):

Item (1) of Article 1 shall be amended as follows:

- (1) Munition (excluding hunting guns, harpoon-guns including mark-shooting whaling guns, life-line throwing guns, air-rifles).

Next to Article 4, the following five Articles shall be added:

Article 4-(2). Any person who intends to engage in the business of manufacturing hunting guns, harpoon-guns including mark-shooting whaling guns, life-line throwing guns (including remodelling and repairing; the same hereinafter) shall obtain the permission of the Minister of International Trade and Industry, and a person who intends to engage in the business manufacturing air-rifles the permission of the Governor of To, Do, Fu or prefecture. This, however, shall not apply to toy-air-rifles that do not use metal bullets (hereinafter referred to as toy-air-rifles). No person other than those who have obtained permission as mentioned in the preceding paragraph (hereinafter referred to as "the manufacturer") shall engage in the manufacture of hunting guns, harpoon-guns including mark-shooting whaling guns, life-line throwing guns or air-rifles (hereinafter referred to hunting gun, etc.). This, however, shall not apply in cases where hunting guns, etc. are repaired or toy-air-rifles are manufactured. Any person who intends to engage in the business of selling hunting guns, etc. shall obtain the permission of the Governor of To, Do, Fu or Prefecture. This however, shall not apply where a manufacturer sells hunting guns, etc. manufactured by him in the locality of manufacture or where toy-air-rifles are sold.

sold. Any person who intends to apply for permission as mentioned in paragraph 1 or the preceding paragraph shall submit to the Minister of International Trade and Industry or the Governor of To, Do, Fu or prefecture an application stating the following particulars:

- (1) Name or title and address of applicant;
- (2) Kind and specifications of hunting gun, etc., intended to be manufactured or sold;
- (3) Outline of places and facilities in or with which hunting guns, etc. are intended to be manufactured or sold;
- (4) In the case of application for permission mentioned in item (1), name and personal history of chief engineer.

Article 4-(3). The manufacturer shall decide a mark indicating that hunting guns, etc., manufactured by him are made by him and shall submit a notice concerning the mark to the Governor of To, Do, Fu or prefecture. The same shall apply in the case of change of the mark.

2. The manufacturer shall inscribe on each of hunting guns, etc. manufactured by him the mark mentioned in the preceding paragraph and a serial number.

Article 4-(4). The manufacturer shall, when he manufactures hunting gun, etc., observe the following restrictive regulations. This, however, shall not apply to the repairing:

- (1) Hunting gun:
 - (a) Bore shall be free from rifling;
 - (b) Bore shall be 13.8 mm. or more but 20.4 mm. or below;
 - (c) Length of the barrel shall be 660 mm. or more but 813 mm. or below.

(2)

(2) Harpoon gun including a mark-shooting whaling gun:

- (a) Bore shall be free from rifling;
- (b) Bore shall be 90 mm. or below;
- (c) Barrel shall be 1,524 mm. or below.

(3) Life-line throwing gun:

- (a) Bore shall be free from rifling;
- (b) Bore shall be 15 mm. or below;
- (c) Shooting range shall be 230 m. or more but 350 m. or below.

(4) Air-rifle:

- (a) Bore shall be free from rifling;
- (b) Bore shall be 4.724 mm. or below;
- (c) Length of barrel shall be 457.2 mm. or below;
- (d) Thickness of barrel shall be 1.574 mm. or below;
- (e) Bullet discharged at the distance of 3.05 m. shall not shoot through the pine board of 6.37 mm. thick.

Article 4-(5). A manufacturer or a person who obtained permission as mentioned in Article 4-(2) paragraph 3 (hereinafter referred to as the dealer) shall, with respect to hunting guns manufactured or delivered by him, enter in his book quantities classified by kind and specifications, and date of manufacture or delivery, address, name or title and business or occupation of clients.

- 2. A manufacturer or dealer shall, out of particulars to be entered under the provision of the preceding paragraph, report to the Governor of To, Do, Fu or prefecture the quantity classified by kind and specifications of hunting gun, etc. manufactured or delivered by him (to the Minister of International Trade and Industry, in the case of manufacturers of hunting guns, etc. other than air-rifles).
- 3. A manufacturer or dealer shall, with respect to hunting guns, etc. delivered or taken custody by him, report to the Public Safety Commission of To, Do, Fu, prefecture, city town, village or that of special areas the quantities classified by kind and specifications, (in case of delivery, including date of delivery and address name or title and business and occupation of clients). This, however, shall not apply to air-rifles.

Article 4-(6). The Minister of International Trade and Industry or the Governor of To, Do, Fuk or prefecture may, within the limit of necessity for the enforcement of this Ordinance, cause his staff officials to enter the place of manufacture, sale or custody, of a manufacturer or dealer, to inspect his books, documents and other necessary matters or interrogate the persons concerned.

- 2. A policeman or official of the Police Office may, where deemed necessary for the prevention of perils on human life or body, or the protection of properties or the maintenance of public safety, enter the place of manufacturer or dealer, inspect his books, documents and other necessary materials, and interrogate the persons concerned.
- 3. The official as mentioned in the preceding two paragraphs shall carry with him an identification card certifying his official status and show the same to the persons concerned.
- 4. The power to authorize on-the-spot inspection shall not be construed to be granted for the purpose of detecting crimes.

In

In Article 6, next to paragraph 4, "Article 4-(2) paragraphs 1, 2 and 3, Article 4-(3) paragraphs 3, 4 and 5" shall be added.

The following one paragraph shall be added next to Article 6.

Article 6-(2). A person coming under any of the following items shall be punished with penal servitude not exceeding six months or a fine not exceeding 2,000 yen:

- (1) A person who has refused, distrubed or evaded the inspection under the provision of Article 4-(6) paragraph 1 or 2;
- (2) A person who has not made statement or made false statement inreply to questions advanced under the provision of Article 4-(6) paragraph 1 or 2.

Supplementary Provisions:

1. This Ordinance shall come into force as from the day of its promulgation.
2. When a manufacturer or his employee (limited only to person reported as employee by that manufacturer to the Public Safety Commission of To, Do, Fu or prefecture, the Public Safety Commission of city, town or village, or the Public Safety Commission of special areas) possesses for business hunting guns, etc. manufactured by him, or when a dealer or his employee (limited only to person reported as employee by that dealer to the Public Safety Commission of To, Do, Fu or prefecture, the Public Safety Commission of city, town or village, or the Public Safety Commission of special areas) possesses for business hunting guns, etc. delivered from the manufacgurer or the dealer, he may possess them notsithatand-
ing the provisions of Article 2 of the Order Controlling Possession of Fire-arms and Swords (Cabinet Order No. 334 of 1950).

R e a s o n

Because of instructions given by General Headquarters Supreme Commander for the Allied Powers concerning regulation of manufacture and sale of hunting guns, harpoon-guns including mark-shooting whaling guns, life-line throwing guns and air-rifles, it is necessary to amend the Ordinance concerning the Restriction on the Production of Munition, Aircraft, Etc.

(Ministries of Commerce and Industry, Education, Agriculture and Forestry and Transportation Ordinance No.1) in compliance with the Matter concerning Orders to be issued in consequence of the acceptance of the Potsdam Declaration.

This is the reason for presenting a draft of the amendment.

SM:TO