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DRAFT OF POLICE LAW

Chapter 1 General Rules

Part 1 Duties and Rights of the Police

Article 1. For the purpose of performing general police administration, police administration Boards such as General Police Bureau, District Police Bureau, Metropolitan Police Board and Prefectural Police Bureau or Department shall be established by this law.

Article 2. The Police Administration Boards and their police officials shall perform the following duties to maintain public safety and order and to protect life, body and property from danger:-

1. Concerning Imperial guard, patrol and other guards.

2. Preventing crimes, searching and arresting culprit.

3. Preventing or suppressing riots and disturbances.

4. Maintaining the order of gatherings and public campaigns.

5. Controlling deeds which corrupt public morals or which are apt to corrupt them.

6. Eliminating traffic accidents by controlling transportation.

7. Protecting those who intend to commit suicide, or to run away from home or who have to receive urgent relief.

8. Controlling acts which will afflict harms on life, body and property besides the above items.

9. Handling other affairs which have been regarded as duties of the Police Administration Boards or police officials.

Article 3. The Police Administration Boards shall perform the following duties in accordance with the preceding article:

1. Controlling restaurants, dance halls and other similar business which have grave influence upon public morals.

2. Controlling "Geisha" girls, dancers, and other similar female workers who have grave influence upon public morals.

3. Controlling those who are engaged in manufacturing, storing, transporting works, or dealing in guns, powders and other dangerous articles.

4. Investigating drivers' licenses and the bodies of cars.

Article 4. Policemen, in case they arrest culprits or receive them in custody, must transfer them to the court as soon as possible after making in-

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vestigations necessary to attain the purpose of search. They cannot keep them in custody more than 72 hours.

Article 5. In case policemen regard it necessary to keep culprits continuously for investigation and cannot comply with the preceding article, they can forward a request to keep culprits in temporal custody another ten days, but not more, showing the reason to the court.

The regulation of the preceding paragraph shall be limited to culprits who have no fixed address, in case their crimes are applicable to a fine not exceeding ¥500 or detention or light penalty.

Article 6. In case a sufferer from crime or his agent asks police officials to cooperate in arresting culprits or in case the sufferer, the agent or the witness of the crime has attended the court and promised to testify the fact, the police officials can arrest the culprits.

Article 7. Police officials must have a close contact with the Prosecution Authorities to search for crime and arrest culprits, and inform the authorities previously in sending the culprits to the court.

In case police officials were requested to help the search from the prosecutor they must comply with the request.

Article 8. Police officials can keep in custody those who intend to commit suicide, or who are mentally deranged, or who need protection, but they must hand them over as soon as possible to their families or those who are responsible for them, and must not keep them more than 24 hours.

Article 9. The Police Administration Boards can make police officials inspect the places of Article 3, No. 1 and 3; and pawn shops, second hand shops, theatres and inns, or examine account books for the purpose of completing police duties, and if necessary, they can demand reports to be submitted from enterprisers or employers.

Article 10. The competent minister of police (termed simply competent minister in the following articles), Superintendent-general of the Metropolitan Police Board or Directors of Local public bodies can enact necessary orders to protect traffic order from mishaps, or to accomplish or to make police officials accomplish the rights of articles 3 and 9.

To the orders of the preceding article, the competent minister may supplement a fine not exceeding ¥1,000, or an imprisonment not exceeding 3 months or detention, and the Superintendent of the Metropolitan Police Board and directors of local public bodies may add the penal regulation of detention or fine.

Article 11. The Police Administration Boards may keep in temporal custody not exceeding 30 days weapons and other dangerous things possessed by those whom police officials have arrested or protected, or those who will resort to brutal force or struggling.

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In case the Authorities have kept the above things in temporal custody, they must issue a receipt to the owners.

In case things which cannot be possessed without permission have been kept in custody and if these things should not be permitted to be possessed, or in case no one requests to receive things in custody within 1 year, the right of possession shall be transferred to the nation.

Article 12. Police officials may, if necessary to prepare for emergency to prevent danger or to arrest culprits, request cooperation of those at the spot.

Article 13. Police officials may, if they acknowledge that life, body or property is in danger, or a crime is now being committed which is applicable to death sentence, life imprisonment, or imprisonment or detention of more than 1 year, or when they are in pursuit of vicious offender, enter the house even though its dweller refuses.

Article 14. Police officials may carry weapon with them in accordance with the regulations made by the competent minister for the purpose of performing their duties.

Article 15. Police officials must not use or make others use weapon except for inevitable instances to perform their duties.

Article 16. Police officials must observe the following items in case of using weapon:

1. Not to be beyond the limits necessary to perform the duties.

2. To stop using weapon soon after it becomes unnecessary in consideration of the surrounding circumstances.

3. To pay attention not to hurt or damage men unconcerned.

Article 17. Though police officials may use weapon to get rid of damage, they cannot kill persons except in the following cases:

1. In case there is no other measures to be taken to protect himself or others for emergency.

2. In case there is no other measure to be taken for those who have committed grave offences or who are in the very act of grave crime because of their resistance or flight.

3. In case there is no other measures to be taken for a suspect who is believed to have committed a grave crime because of his resistance or flight.

4. In case there is no other measures to be taken for grave or light offenders who will resist or flee.

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In the above, the grave offense deserves death penalty, life imprisonment, or imprisonment or detention of more than 1 year; the light offence means others besides the grave crimes.

PART 2

Duties of Police Officials

Article 18. Police officials must observe the following items besides the "public official law":

1. To be patient and kind, keeping in mind that they are protectors of the people.

2. To be always fair without siding with one party or one section, keeping in mind that they serve for all people.

3. Not to go beyond their given powers or abuse the public in execution of the powers, keeping in mind that their powers have been entrusted by the people.

4. To observe laws and regulations strictly and try to enforce them smoothly, respecting the personal character of the men concerned.

5. To perform their duties, helping each other, observe discipline and orders of their seniors and keep responsibility among each other.

6. To devote themselves in their duties to complete them.

7. So long as there is no special order, to take appropriate measures for incidents which must be disposed of promptly, regardless of duty hour and jurisdiction.

8. Not to interfere into private life or expose trifle matters in execution of their duties.

9. Not to tell or publish public or private matters carelessly, regardless of their duties.

10. To take care not to be criticized of themselves, regardless of their service, and to always make their location clear.

Article 19. Police officials must prevent crimes, arrest culprits and make patrol, and at the same time, report all matters which will cause troubles to the public, have good knowledge of the roads and living conditions within the jurisdiction and patrol the area as often as possible.

Article 20. In case police officials have found men suspicious in consideration of place, hour and surroundings, they must make full inquiries and prevent incidents while still in the bud.

Article 21. In case police officials have received complaints, accusations or other reports of police matters, they must take or direct necessary

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procedures regardless of the jurisdiction.

Article 22. In case police officials have been asked of roads and others, or requested to protect men, they must teach or help them kindly. Moreover, they must try to protect them actively regardless of the demand.

Article 23. In case police officials find fire, they shall take a time serving measure for life-saving, besides reporting to higher authorities.

In the local places where they have no regular fire squad, police officials shall take command of fire fighting.

Article 24. It is a holy right for policemen to express their political opinions, which have no relation to their duties, and to exercise their suffrage.

But they shall not join the election movement or some other political movement, and shall not make donations for election movement.

They shall not join any parties of which the organizations and platforms demand to obey, and what is feared to influence the execution of police duty.

Chapter II

Duties and Rights of Competent Ministers.

Article 25. The competent minister shall supervise General Police Bureau, local police bureaus and MPB.

He shall control, in accordance with this law, the police affairs of local public bodies and shall hold responsibility to the people through the diet about police administration.

Article 26. The competent minister shall supervise the Director of General Police Bureau, report its appointment to the cabinet and report the appointment of 1st and 2nd class staffs of general and local police bureaus and of M.P.B. to the cabinet in accordance with the report from the Director of General Police Bureau.

Article 27. Home Minister shall make regulations concerning the organization of General Police Bureau, local police bureaus and MPB, and the treatment and uniforms of the policemen.

Article 28. The Home Minister shall make the standard of the organization of the police department of the local public bodies, number of policemen, their allowance, treatment, uniform; service, education, disposition, duty, punishment and etiquette.

He shall approve the laws and regulations concerned and the number of policemen.

Article 29. The competent minister can issue necessary orders about the execution of police affairs of local public bodies, if they are feared to disturb the public peace.

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Article 30. The competent minister may accept and decide the appeal of those who sustained heavy losses because of the public regulations of police administrative authorities.

Article 31. The competent minister may let the Director of General Police Bureau request for reports about police affairs or for inspection of undertakings thereof.

Article 32. The competent minister may entrust the director of General Police Bureau with a part of his duties.

Article 33. The competent minister shall report the outline of the execution of the duties of police administrative bureau.

Article 34. The competent minister may appraise the policemen, individuals or organizations who have rendered great service in police duties.

Chapter III

General Police Bureau and District Police Bureaus.

Paragraph I General Rules.

Article 35. General Police Bureau and District Police Bureaus shall transact the following duties:

1. Mutual help, support and connection between each police administrative bureau.

2. Maintenance and management of central and local police schools.

3. Control of the fundamental equipment concerning criminal identification and police communication.

4. Control against those who manufacture, store, transport or sell gun powders.

5. Collection of police reports.

6. Purge and surrender of foreign criminals. Report of international crimes.

7. Patrolling on the main road and transportation facilities.

8. Defence and other important guards.

9. Prevention, search and arrest of crimes mentioned from Chapter I to IV of Part I of Criminal Law, crimes mentioned in No. 2 of Chapter VII and Chapter VIII,XIV, XVI and XXV, crimes of illegal entry and leave from the

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country, important economic crimes and the crimes concerning election of diet members and the governors of prefectures.

10. Control or guard, supporting the police administrative bureau, in accordance with the request of the local public bodies, against the matters which are feared to affect the maintenance of public order in some parts of or all over the country.

Paragraph II
General Police Bureau

No. I authority of the Director of
General Police Bureau.

Article 36. The Director of General Police Bureau, being controlled by the competent minister, shall supervise the General Police Bureau, Local Police Bureaus, and MPB, control the transaction of their duties, and lead and control the duties of the local public bodies in accordance with this law.

Article 37. The Director of General Police Bureau shall lead and supervise the chiefs of the Local Police Bureaus and the Director of MPB, report the appointment, dismissal, merits and errors of 1st and 2nd class staffs of General and Local Police Bureaus and MPB and shall appoint, dismiss, appraise or punish the 3rd class staffs.

Article 38. The Director of General Police Bureau shall control the Central and Local Police Schools and supervise principals of these schools.

Article 39. The Director of General Police Bureau shall enact the rules concerning the subdivisions of General Police Bureau, Local Police Bureau, and Metropolitan Police Bureau, and the services, education, disposition, duties, appraisal and punishment and etiquette of the staffs.

Article 40. The Director of General Police Bureau may remake or suspend the decision of Superintendent-General of Metropolitan Police Board if it can be recognized to be against the rule or to harm the public welfare.

Article 41. The director of General Police Bureau shall supervise the maintenance of the standard made by the competent minister about organization, fixed number of personnel, treatment, uniform, education, disposition, service, punishment, appraisal and etiquette of police administrative bureau of local public bodies.

Article 42. The director of General Police Bureau may lead or order to cooperate with the police of the local public bodies in searching criminals or in such case as of No. 4 to No. 10 of Article 35.

Article 43. The Director of General Police Bureau may entrust the Superintendent General of Metropolitan Police Board with a part of the duties which come under his authority.

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Article 44. In case of absence or unavoidable circumstances, the Assistant Director of General Police Board shall act in behalf of the Director.

Part 2. General Police Bureau.

Article 45. In the General Police Bureau there shall be established the Director's Secretariate, Police Affairs Division, Criminal Affairs Division, and Identification Division of which the chiefs shall be the Assistant Directors.

Article 46. The Director's Secretariate shall transact the plans of general affairs, documents, personnel affairs, accounts, and public relations business.

Article 47. Police Affairs Division shall lead the transaction of the duties of Police Administrative Board, shall transact the duties of inspection, disposition, service, education, etiquette, collection of police information, guarding, and traffic, and the management of central and local police schools and communication equipment.

Article 48. Criminal Affairs Division shall transact the duties of crime prevention and arrest of criminals.

Article 49. Identification Division shall manage the equipment of criminal identification and the duties thereof.

Article 50. The General Police Bureau shall have legal advisers. They shall be the lawyer or lawsuit agent of the G.P.B. and transact the judicial business.

Article 51. G.P.B. shall have the Director, Assistant Directors, Inspectors, police affairs officials, Superintendents, Assistant Superintendent, police inspector, assistant police inspectors, police sergeants, policemen, police officials and technicians of whom the number shall be fixed by the competent minister.

Part 3. Central & local police schools.

Article 52. In order to educate the leading police officials, there shall be established a Central Police School in Tokyo and local police schools in local places, and the principals shall be the ones of 1st and 2nd rank.

Article 53. The principals of police schools, being led by the director of General Police Bureau, shall supervise the business and lead the staff members of the school.

They shall report the merits and errors of 1st and 2nd rank officials to the Director of G.P.B. and praise or punish the 3rd class officials.

Article 54. There shall be 1st and 2nd departments and special course in the police schools. Graduates of universities and those who have passed the higher civil service examination and assistant police inspectors are qualified to enter the 1st department, police inspectors can enter the 2nd

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department and those inspectors and assistant inspectors who need technical knowledge and ability can enter the special course.

Article 55. There shall be regular and special courses in the local police schools where police sergeants can enter. Elementary education for the police officials of local police boards and general police bureau shall be given in the local police schools.

Article 56. The Director of G.P.B. shall fix the number of students of police schools, as well as their term and course of education.

Article 57. There shall be a principal, professors, assistant professors, official clerk, and technicians, of which the number shall be fixed by the competent minister. The competent minister can entrust advisors and non-staff professors with the education.

Paragraph 3. District Police Bureau.

Article 58. Title, location and jurisdiction of the District Police Bureaus are designated in the separate chart.

Article 59. The Directors of the District Police Bureaus shall be the 1st rank chief constables.

Article 60. The Director of the District Police Bureau shall be given orders by the Director of the General Police Bureau, and shall rule the undertakings of the District Police Bureau, direct their execution, and shall give orders and supervise police affairs of the local public bodies of the district concerned.

Article 61. The Director of the District Police Bureau shall give orders and supervise the personnel of the Bureau, report the merits or errors of the 1st and 2nd grade officials to the Director of the General Police Bureau, and shall officiate affairs of appointment or dismissal and citations or punishment of the 3rd grade officials.

Article 62. The Director of the District Police Bureau shall be authorized to direct or order collaboration in crime investigations or in officiating police tasks of the local public bodies of the district concerned, if he deems it necessary from the prescribing items No. 4 to No. 10 of Article 35.

Article 63. In case the Director of the District Police Bureau is absent or hindered to report to his office, the Chief Constable of the bureau concerned shall act in behalf of the Director, temporarily.

Article 64. Necessary divisions shall be set in each District Police Bureau, and their chiefs shall be selected from among the chief constables. The titles of the divisions and their undertakings shall be decided by the Director of the General Police Bureau.

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Article 65. In order to undertake some part of the police affairs of the District Police Bureau, Police Troops shall be established within the jurisdiction of each District Police Bureau. Their location, title, and jurisdiction shall be decided by the Director of the General Police Bureau.

The chief of a Police Troop shall be appointed from among the 2nd grade chief constables, and shall be given orders by the Director of the District Police Bureau. He shall undertake affairs within the jurisdiction of the Police Troop, and give orders and supervise the officials thereof.

Article 66. Besides the Chief Constables, Superintendents, Assistant Superintendents, Inspectors, Assistant Inspectors, Police Sergeants and Policemen, some office officials and technicians shall also be employed. The capacity thereof shall be decided by the competent minister.

Part 4. Police Committee.

Article 67. Police Committee shall be set in the General Police Bureau and in each District Police Bureau.

Article 68. The Police Committee shall investigate or discuss plans in regard to the innovation of the police administration with a view to see smooth management thereof, and shall report their opinion to the Director of the General Police Bureau, or to the Directors of the District Police Bureau.

Article 69. The Police Committee for the General Police Bureau shall be organized by the following members:

Ten (10) members of House of Representatives.

Five (5) members of State Councillor.

Five (5) well-learned and experienced persons.

The committees of the above-mentioned shall be asked for acceptance of their post by the competent minister. In regard to the request for a committee formed by selected persons of well-learned and experienced talents, it shall be approved by the majority of the National Recommendation Committee.

Article 70. The Police Committee of each District Police Bureau shall be organized by the following members:

Two (2) selected members from the Prefectural Congress within the jurisdiction of the Bureau concerned.

Two (2) representatives of a city, town or village, selected by the competent minister.

Five (5) well-learned and experienced persons.

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The above-mentioned members shall be entrusted with the task by the competent minister.

Article 71. The term of service of the committee members shall be two (2) years. And the term of service of those who were recruited to the committee post shall be the remaining years of the period already served by the previous committee.

Article 72. The chairman of the Committee shall be co-opted by the members of the committee.

The Committee shall be convened by the chairman, and regulations necessary for the Committee shall be decided by the members of the Committee.

Article 73. The necessary regulations for assignment of the committee members, maintenance of committee expenses, and disposal of the undertakings of the Police Committee shall be decided by the competent Minister.

Article 74. The Police Committee shall be authorized to summon the officials of the police administrative offices, and request for explanation of necessary matters.

Chapter IV

M. P. B.

Article 75. The M.P.B. shall transact the general police affairs in Tokyo. The affairs mentioned from No. 4 to No. 9 shall be transacted by M.P.B.

Article 76. The Superintendent-General of the Metropolitan Police Board, being supervised by the director of General Police Bureau, shall supervise the affairs concerned and lead the transaction thereof.

Article 77. The Superintendent-General of the M.P.B. shall lead and supervise the staffs, report the merits and errors of 1st and 2nd grade officials to the director of General Police Bureau and shall appoint, dismiss, appraise or punish the 3rd grade officials.

Article 78. The Superintendent-General of M.P.B. may entrust the Chiefs of police stations with a part of his business.

Article 79. The Superintendent-General of M.P.B. can cancel or suspend the disposition of the Chiefs of police stations in case he recognizes it to be against the regular rule or to harm public welfare.

Article 80. In case of absence or unavoidable circumstances of the Superintendent-General of M.P.B., the Chief Constable shall act for him in the order already fixed.

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Article 81. There shall be the secretariate and other necessary divisions in the M.P.B. and the chief constable shall be the chief of the division.

The title undertakings of the department mentioned above shall be fixed by the director of General Police Bureau.

Article 82. There shall be police stations in the jurisdiction of the M.P.B. and the chiefs of these stations shall be the superintendent, assistant inspector or inspector.

The title, location and the jurisdiction of police station shall be fixed by the Superintendent-General of M.P.B.

Article 83. The Chief of police station, being led by the superior, shall transact his police duties and lead and supervise his men.

Article 84. For the purpose of educating the policemen, there shall be, in the M.P.B., police training school of which the principal shall be the inspector.

Article 85. In the M.P.B. there shall be the Superintendent-General, chief constable, superintendent, assistant superintendent, inspector, ass't inspector, police sergeant, policemen, administrative officials and technicians. The number of these shall be fixed by the competent minister.

Article 86. There shall be the police committee in the M.P.B.

Article 87. The Police Committee shall be composed of 5 members of the representatives recommended by the Diet, 2 councillors, 7 municipal assemblymen recommended by the municipal assembly and 5 scholars.

The committees shall be entrusted by the competent minister, the committee of scholars shall be agreed by more than half of the recommended committees by the Diet and municipal assembly.

Article 88. The rules mentioned in Art. 68, and from Art. 71 to 74, shall be applied to the police committee of M.P.B.

Chapter V.

Prefectural Police Bureaus or Prefectural Police Department in each prefecture and city.

No. 1 General Rule.

Article 89. The local public bodies, mentioned in the other law, for the purpose of general police administration in its jurisdiction, may have Prefectural Police Departments after being approved by the competent minister.

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The Prefectural Police Department shall supervise the boundaries, except the ones where there are a police bureau or police department in accordance with the rule of Article 89.

Part 2

Authority and Duty of the heads of the local public bodies.

Article 90. The Chief of local public body shall control the police affairs, being supervised by the director of General Police Bureau or the competent minister in accordance with this law.

Article 91. The chief of the local public body shall lead and supervise the chief of Prefectural Police, appoint or dismiss him in accordance with this law, and appoint, dismiss, appraise or punish the policemen in accordance with the proposal of the Chief of Prefectural Police.

Article 92. The Chief of Prefectural Police may entrust the chief of police station with a part of his business.

Article 93. In case the decisions of the chief of police station is against the rule or can be recognized as to harm the public welfare, the chief of the local public body may cancel or suspend them.

Article 94. The chief of the local public body shall enact the rules of supply, treatment, uniform, service, education, disposition, duty, citations, punishment and etiquette of policemen in accordance with the standard made by the competent minister.

In case the chief of the local public body enacts or improves or abolishes the rules mentioned above, he shall first be approved by the competent minister.

Part 3

Duty of the Chief of Police Dept. of the local public body.

Article 95. The Chief of the Police Department of the local public body, being led and supervised by the local public bodies, shall supervise his business and lead the transaction.

Article 96. Chief of police department shall lead and supervise the staffs and suggest the appointment, dismissal, citation or punishment of the staffs to the chief of the local public bodies.

Article 97. In case of absence or unavoidable circumstances of the Chief of Police Department, the superintendent, assistant superintendent or inspector who belong to the department will act for him in the order previously fixed.

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In case the Chief of the Police Department has retired, someone shall be appointed within 20 days; if not, the competent minister may order to do so within the set date.

Part 4

Organization of the Police Dept.
of the Local Public Bodies.

Article 98. The organization of the Police Department shall be fixed by the Chief of the local public body after being approved by the competent minister.

Article 99. There shall be, in the jurisdiction of the local public bodies, police stations of which the Chief shall be a police superintendent or ass't-superintendent.

The location, title and the jurisdiction of the police stations shall be fixed by the chief of the local public body.

In accordance with the Condition of the place, the police department will act for the police station.

Article 100. For the purpose of educating the men, there shall be police training schools of which the head shall be the superintendent.

In accordance with the condition of the place, other police schools may act for the training school.

Article 101. The Local Public Body shall have the Chief of police department, superintendent, ass't superintendent, inspector, ass't inspector, police sergeant, policemen, clerks and technicians. But, in accordance with the condition of the place, they may have only the necessary ones.

The number of the policemen, mentioned above, shall be fixed by the chief of the Local Public Body after being approved by the competent minister, in accordance with the standard previously made by him.

Chapter 8

Police Staffs.

Part 1. General Rule.

Article 102. Police staffs shall be divided into policemen and other staffs.

Appointment, treatment, and their authority shall be shown in the Public Officials' Law, excepting the ones mentioned in this law.

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Article 103. The following persons are those who are called police officials:

Director of the General Police Bureau
Ass't Director of the General Police Bureau
Superintendent-General of MPB
Inspector
Chief Constable
Chief of the Prefectural Police Department of the local public body
Superintendent, Ass't Superintendent, inspector, ass't inspector, police sergeant, policemen, and police student.

Article 104. The Director of the General Police Bureau shall be appointed and dismissed by the Cabinet, and as to this, it requests the authentication of the Emperor.

The Asst. Director of the General Police Bureau, the Superintendent-General of Metropolitan Police, and the Superintendent of Constabulary shall be ranked in the first class.

The Chief Constable and the Director of Prefectural Police Department shall be ranked in the second class.

The Police Superintendent and the Asst. Police Superintendent shall be ranked in the second class, and police inspectors, asst. police inspectors, police sergeants and policemen shall be ranked in the third class.

The students of the Police Training School shall be treated as the third class police official.

Article 105. Asst. Director of the General Police Bureau, by order of his superior officer, shall exercise competent police affairs and direct and supervise his subordinates.

The Superintendent of Constabulary, by order of his superior officer, shall supervise affairs of each police administrative office. Chief Constable, Police Superintendent, Asst. Police Superintendent, Police Inspector, Asst. Police Inspector, and Police Sergeant, by order of his superior officer, shall respectively exercise police affairs of his attached office, and Chief Constable shall direct and supervise Police Inspectors and subordinates attached to the office, Police Superintendent, Asst. Police Superintendent and subordinates, Asst. Police Superintendent, Police Inspectors and subordinates, Police Inspector, Asst. Police Inspectors and subordinates, Asst. Police Inspector, Police Sergeants and subordinates, and Police Sergeant Policemen, respectively.

Policeman, by order of his superior officer, shall exercise police affairs of his attached office.

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Article 106. Police students, in the capacity of being appointed as police officials, shall receive first appointment education at National Police School, Local Police School or Police Training School.

Article 107. Legal advisers shall be ranked in first or second class.

Article 108. Professors of National Police School and Local Police Schools shall be ranked in first or second class, and asst. professors in second or third class.

Professors shall give lessons to students and direct their studies. Asst. professors shall teach students, helping professors.

Article 109. The provisions of article 24 paragraph 2 shall be applied correspondingly to the personnel, except police officials.

2nd Section

Appointment of Police Officials.

Article 110. Candidates for police officials must be of Japanese by birth and be qualified as not to fall under the following items:

1. A person judged incompetent or a quasi-incompetent person.

2. One who was sentenced to higher penalty than imprisonment. But this rule does not apply to one who has gone through the execution of punishment or who has been released without the execution of punishment and his pepentance is judged sincere.

3. One who has not passed fully two years since his dismissal from office for disciplinary punishment.

Article 111. The policeman shall be appointed from among those who have the following qualification and pass an examination for service to be held by the police official nomination committee which is separately enacted by an ordinance, and, moreover, he who has graduated from Local Police School or Police Training School.

1. Those who are over full twenty years old and less than full thirty years old. But those who have technical skill or who have records of policemen or police women who are over full twenty years and less than full forty years in age.

2. Those who have graduated from high school or those who have surpassed the high school graduates in scholarly attainments.

3. Those who have good constitution and perfect senses.

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4. Those who have good conduct and firm resolution.

The period of the first appointment education at the Local Police School and the Police Training School shall be six months, but it can be reduced to four months according to circumstances.

Article 112. Police sergeants shall be appointed from among those who have been in the post of policeman for more than two years and have passed an examination by the police official selection committee which is separately established by the ordinance.

Article 113. Assistant police inspector shall be appointed from among those who have one of the following qualifications and passed an examination by the police official selection committee.

1. Those who have been in the post of policeman for more than two years and have passed an examination by the police office official selection committee which is separately established by the ordinance.

2. Those who have graduated from the regular course of a local police school.

3. Those who have graduated from the faculty of university which is established by the college and university ordinance or those who have passed the higher civil service examination and graduated the main course of the central police school.

Article 114. The period, prescribed as more than two years in the two preceeding articles, can be reduced especially for those who have excellent records.

Article 115. Police inspectors shall be appointed after passing through the selection of the police official selection committee from among those who have one of the following qualifications:

1. Those who have been in the post of asst. police inspector for more than two years.

2. Those who have graduated from the main course of the central police school.

Article 116. Probationers of the second police official shall be appointed as police inspectors after passing through the selection of the police official selection committee from among those who have one of the following qualifications. The probationer shall be treated as the second grade police official.

1. Those who have passed the higher civil service examination.

2. Those who have graduated from the faculty of university established by the college and university ordinance and finishing the subject of study concerning police.

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Article 117. The second grade police official shall be appointed after passing through the selection of the police official selection committee from among those who have been in the post of the police inspector for more than two years, who have been the probationer of the second grade police official for more than one year, who have been the third grade secretary or clerk in police administrative office for more than eight years or the second grade secretary or clerk in the police administrative office for more than three years.

In the preceding paragraph to the length of service of the third class secretary or clerk and to the length of service of the third class police official or the second class secretary or clerk, one-second of the length of service of the third class police official, secretary and clerk shall be aggregated.

Article 118. The director of prefectural police department shall be appointed after passing through the selection of the police official selection committee from among those who have been in the post of the second grade police official for more than two years.

Article 119. The first grade police official of the General Police Bureau, the District Police Bureau and the Metropolitan Police Board shall be appointed from among those who have one of the following qualifications:

1. Those who have passed the higher civil service examination and have been in the post of the second grade police official for more than eight years.

2. Those who have knowledge and experience which are necessary for police duties.

Article 120. The director of the General Police Bureau shall be appointed from among those who have been in the post of the first grade police official for more than one year or from among those who have knowledge and experience which are necessary for police duties or those who have been in the post of the first grade police official for more than one year or from among those who have knowledge and experience which are necessary for police duties or those who have been made a representative by the competent minister.

Article 121. Those who will be newly appointed must make an oath before appointment.

The regulation regarding the oath shall be provided by ordinance separately.

Article 122. Those who are newly appointed as policemen must learn the practical affairs for six months from the day of appointment.

As for the period of the preceding paragraph, for the policeman whose period of newly appointed education is less than six months, only the period of which is lacking out of six months shall be prolonged.

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Part 3

Allowances for police officials.

Article 123. For police officials the following special allowances shall be granted in addition to the regular salary and supply under the provisions of the regulation for salaries and supplies for general public officials.

1. Meritorious services allowance.
   Diligence allowance.
   Technical skill allowance.
   Overtime allowance.
   Training allowance.

Article 124. For police officials who live in specified area on account of the duty their residence shall be provided.

For police officials who live in specified area under the provision of the preceding paragraph and have not been rented their residences, their rents must be granted.

Article 125. For the third grade police officials, necessary uniform for his services, clothing and other objects shall be supplied. For the first and second grade police officials necessary things for outfit shall be loaned.

For plain clothes police officials, in place of supplying things, can pay the prices for them.

Part 4

Security for police officials' positions.

Article 126. Police officials, excepting sentence, disciplinary measure or the disposals under the provisions of articles 127 to 130 inclusively, their salary shall not be reduced or be reduced to lower grade or be dismissed from their office against their wish. But this rule does not apply to the Asst. Director of the General Police Bureau, the Superintendent-General of Metropolitan Police, Policemen on probation and the students of the Police Training School.

Article 127. In case a police official comes under one of the following items he shall be suspended from office.

1. When a police official is referred to inspection of the Committee of security for position of police officials.

2. When he is prosecuted for a criminal case.

3. By revision of the government organization or of the fixed number of staffs when officials are over-numbering.

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4. When necessity arises owing to the circumstances of office work.

The period of suspension from office shall be while in the case of the first item or of the second item, the case is pending on the committee of security for officials or at the court, and in the case of the third item or of the fourth item it shall be full two years.

By the provision of the fourth item of the first paragraph when police officials are suspended from office they must be referred to inspection of the committee of security for police officials' position.

To those who have been suspended from office, by the circumstances of office work, can order reinstatement.

Article 128. In case a police official comes under one of the following items he shall be ordered dismissal:

1. When a police official becomes unfit for his duty owing to permanent injury or disablement, or to weakness, of body or of mind.

2. When they hand in an application to the authority for their retirement from office.

3. When they reach full sixty years.

4. By revision of the government organization or of the fixed number of staffs which causes the number of officials to be in excess.

When dismissing police officials from office, according to the first item or the second item, they must be submitted to the committee of security for position of police officials.

Article 129. Police officials shall naturally be dismissed when they lose their nationality, when they are subject to penalty heavier than imprisonment, when they complete their term of suspension from office under the provisions of the third item or the fourth item of article 127, 1st paragraph.

Article 130. To the Director of the General Police Bureau the provisions of articles 127 to 128 inclusively shall not be applied.

In case the Director of the General Police Bureau comes under one of the following items he may be dismissed:

1. When he hands in an application to the authority for his retirement from office.

2. When he reaches full sixty-five years.

3. When he becomes unfit for his work owing to his permanent injury or disablement, or to his weakness of body or of mind.

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4. When he has a conspicuous hindrance to attend to State affairs.

5. When he is impeached by the Imperial Diet.

When the authority wants to dismiss him from office under the provisions of the third item to the fifth item inclusively of the preceding paragraph, by the proposition of the Cabinet, the case must be referred to the Supreme Court.

Part 5.

Disciplinary Punishment for Police Officials.

Article 131. The police officials are not subject to discipline except under the rules of Article 132 or Article 137.

Article 132. The police officials are disciplined in the following cases:

1. In case they swerve from their duties and neglect their duties.

2. In case they do such conducts as to lose credit as police officials. It does not matter whether the conducts are concerned to official business or not.

Article 133. The disciplinary actions are divided as follows:

1. Removal from office or the service.

2. Degrading.

3. Salary reduction.

4. Admonition.

Article 134. The police officials concerned are degraded one grade or one rank for the period of more than one year. As for the reduction of salary, it is reduced one-third of the salary for the period of from more than one month to less than one year.

Article 135. As far as police officials are concerned, the removal from office or the service, degrading or salary-reduction of the Director of the General Police Bureau shall be done through the examination of the Supreme Court and those disciplinary actions against other police officials shall be done through the examination of the Police Officials Limitation Committee.

Admonition shall be done by the immediate superior.

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Article 136. The immediate superior can give a period of grace from more than six months to under one year in consideration of extenuating circumstances if he finds any act which deserves discipline.

When any person who is given a privilege of grace in accordance with the said item shows no sign of repentance, the immediate superior can cancel a special favor of grace and punish him.

In case the period of grace expires without being cancelled by the immediate superior the disciplinary actions shall not be taken.

Article 137. As far as the case which is to be referred to the disciplinary committee is entrusted to the criminal court, the Limitation Committee cannot be opened for the said case.

In case a person who is to be referred to the disciplinary committee is accused supplementary on some criminal case before the decision of the Limitation Committee, the Limitation Committee shall suspend the opening of its committee meeting until the decision is made concerning the case.

Chapter 7.

Police Officials Selection Committee, and Police Officials Limitation Committee.

Part 1. Police Officials Selection Committee.

Article 138. The Police Officials Selection Committee is classified as the Higher Selection Committee for Police Officials and the Ordinary Police Officials Selection Committee.

Article 139. The office of the Higher Police Officials Selection Committee is placed in the office of the General Police Bureau. The committee shall select persons who are to be appointed as police officials of first and second grade.

The Ordinary Police Officials Selection Committees are placed in the General Police Bureau and each police bureau, the Metropolitan Police Bureau and each local public body. The committees shall select persons who are to be appointed as police officials of third grade.

Article 140. The Higher Police Officials Selection Committee is composed of one chairman and six committee men. The Director of the General Police Bureau shall take the seat of chairman and persons who are selected from among committeemen for the Higher Civil Service Examination or the first grade officials of the cabinet or the first grade officials of the General Police Bureau or the Superintendent General are appointed as or requested to be the committeemen by the cabinet on request of the Minister of

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Home Affairs.

Article 141. The Ordinary Police Officials Selection Committee is composed of one chairman and four committeemen. Persons who are selected from among police officials of 1st or 2nd grade or those who are selected from among persons who are provided by the law are appointed as or requested to be the chairman or the committeemen by the Director of the General Police Bureau or the Superintendent General or the chief of local public bodies.

Article 142. It is allowed to keep essential personnel who deal with business for the Police Officials Selection Committee.

The above personnel is appointed by the chairman.

Article 143. The Police Officials Selection Committee is called by the chairman when requested by any of the police administrative authorities. However, the Higher Police Officials Selection Committee can select in advance definite persons who are to be appointed as the chief of Prefectural Police or the police officials of 2nd grade and make a list of them.

Article 144. The Police Officials Selection Committee, if required when they are going to select police officials, can report to or ask the police administrative authorities concerned to submit data or put questions to those who are to be selected.

Article 145. Necessary matters concerning the Police Officials Selection Committee are stipulated by the government regulations except the matters regulated by Article 138 or the said article.

Part II

Police Officials Limitation Committee

Article 146. The Police Officials Limitation Committee is classified as the Higher Police Officials Limitation Committee and the Ordinary Police Officials Limitation Committee.

Article 147. The Higher Police Officials Limitation Committee is placed in the General Police Bureau and it examines the matters concerning the limitation and discipline of police officials of 1st and 2nd grade.

The Ordinary Police Officials Limitation Committee is placed in the General Police Bureau and in each local Police Bureau, the Metropolitan Police Board and each local public body and it examines the matters concerning the limitation and discipline of police officials of 3rd grade.

Article 148. The Higher Police Officials Limitation Committee is composed of one chairman and six committeemen. The director of the General Police Bureau shall take the seat of the chairman and persons who are selected from among judges or procurators of 1st grade or police officials of 1st grade in the General Police Bureau or the Superintendent General are appointed as

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committeemen by the cabinet on request of the Minister of Home Affairs.

Article 149. The Ordinary Police Officials Limitation Committee is composed of one chairman and four committeemen. Persons who are selected from among judges or prosecutors of 1st or 2nd grade or police officials of 1st or 2nd grade or police officials of 1st or 2nd grade of the office concerned are requested to be or appointed as the chairman or committeemen by the Director of the General Police Bureau or the chief of any prefectural Police Bureau or the Superintendent General or the head of any local public body.

Article 150. It is permitted to place a consulting doctor and other personnel who are essential for business in the Higher Police Officials Limitation Committee and the Ordinary Police Officials Limitation Committee.

The above persons are requested to be or appointed as personnel by the chairman.

Article 151. In case the immediate superior finds any fault of his subordinate police officials which deserve punishment, he must ask the Police Officials Limitation Committee to examine them by attaching some evidence, excepting such case as regulated by Article 136.

Article 152. In case the immediate superior is going to ask his subordinate police officials to be suspended or removed from his office or service in accordance with No. 4, Item 1, Article 127, or No. 1 or No. 4 of Item 1, Article 128, he must ask the Limitation Committee to examine the fact by submitting a written report.

Article 153. It is required to attach a written explanation of police officials against a demand document stated in the above two articles. However, it is excepted from the rule in case the person concerned refuses to submit the written explanation or forfeit his right of submitting it.

Article 154. In case there is any demand in compliance with Articles 150 or 151, the chairman of the Police Officials Limitation Committee must convene the committee meeting, fixing the date and report the person concerned the date to appear in the meeting.

The person who was reported of the said item, may attend the committee meeting in person or may let proxy or lawyer appear in the meeting.

Article 155. In case the person concerned or proxy or lawyer appear in the meeting of the Police Officials Limitation Committee, the committee must give those men enough chance to explain their standing prior to the conclusion of proceedings.

Article 156. In case the Police Officials Limitation Committee examines the matters regulated in No. 1 of Item 1 of Article 128, the committee must give ear to the opinion of the consulting doctor beforehand.

Article 157. In case the Police Officials Limitation Committee makes a decision, the committee must report to the immediate superior the result and, at the same time, report the result to the person concerned.

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Article 158. The chairman and committeemen of the Police Officials Limitation Committee cannot take part in any case concerned to them or their relatives.

Article 159. Necessary items regarding the Police Officials Limitation Committee are regulated by the government ordinance except cases which are regulated by Article 147 or the previous article.

Chapter 8. Mutual Aid

Article 160. The police administrative authorities can entrust the following matters with each other.

1. Delivery of documents regarding police affairs.
2. Investigation of matters concerned to the police.
3. Execution of warrants.
4. Detection and arrest of criminals.
5. Gathering of evidence.
6. Communication, identification and culture.

The police administrative authorities who are entrusted with the said items must comply with the request of others.

Article 161. If required for defence in the case of emergency, the Superintendent General or any chief of the local public bodies, upon consultation with each other, can ask the dispatch of police officials.

If required in case of emergency for defence, the Superintendent General or any chief of the local public body can ask the Director of the General Police Bureau or any director of the District Police Bureau who controls over the district concerned the dispatching of police officials.

The Director of the General Police Bureau or any director of the District Police Bureau can, if he finds it urgent, dispatch his police officials to any district even if it should be under the jurisdiction of other police administrative authorities in case of emergency, or he may order the Superintendent General or any chief of the local public body to dispatch his police officials to the district which is under the jurisdiction of other police administrative authorities.

Article 162. Police officials who were dispatched by the Metropolitan Police Bureau or local public bodies execute their duties as police officials of the district to where they were dispatched as far as the above article is concerned.

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In case the police officials of the General Police Bureau or local police bureau are dispatched to the Metropolitan Police Bureau or local public bodies in accordance with the above article, the said police officials may be placed under the command of the Superintendent General or the chief of local public body concerned.

Article 163. Each police administrative authority shall operate emergency defence drill and make defence plans regarding emergency re-enforcement every year and drill police officials who are under the control of the authorities on the basis of the plans.

Article 164. Essential regulations concerning the defrayment of expenses in case of Article 160 or the above article or other matters are fixed by the ordinance.

Article 165. The police administrative authorities under the control of local public bodies shall cooperate regarding the execution of business of the General Police Bureau or District Police Bureau - business which is regulated by No. 4 or No. 5 of Article 35.

Article 166. The police officials of each police administrative authorities can ask their mutual help regarding the execution of their duties. Any police official who was asked for help must co-operate with the others.

Article 167. The police officials of the Metropolitan Police Board or local public bodies, if necessary, in case of crime detection or arrest can execute their duties at another district which is not under the jurisdiction of the police authorities to which they belong as long as it is ordered by the immediate superior.

Chapter 9. Police Expenses

Article 168. The expenditure of the General Police Bureau and the District Police Bureau is paid by the national treasury.

Article 169. The expenditure of M.P.B. shall be sustained by the Tokyo Metropolitan Office and subsidized by the National Treasury in the following classification:

1. 100% of expenses for the police personnel who manage the affairs mentioned in Article 35.

2. 100% of expenses relating with the Superintendent General, the Chief Constable, the Superintendent and the Assistant Superintendent.

3. 50% of other expenses.

Article 170. 50% of the total police expenses of each local public body may be subsidized from the National Treasury.

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The national subsidy for the police expenses to be granted to each local public body shall be fixed in reference to the report of police superintendence by the Superintendent of Constabulary, which was submitted two years before.

Article 171. The objects of the national subsidy mentioned in the preceding two articles and other rules, if needed, shall be fixed by the government ordinance.

Chapter X. Police Personnel's Meeting and Police Conference.

Section 1. Police Personnel's Meeting.

Article 172. The Police Personnel's Meeting shall be classified into the Central Police Personnel's Meeting and the District Police Personnel's Meeting.

The Central Police Personnel's Meeting shall be set up in Tokyo and the District Police Personnel's Meeting in the General Police Bureau, each District Police Bureau, the Metropolitan Police Board and each Local Public Body.

Either of Police Personnel's Meeting has the First Section and the Second one.

The First Section consists of police officials and the Second Section of officials who are not police personnel.

Article 173. The aim and the view of the Police Personnel's Meeting shall be in improving police personnel's welfare and promoting the efficiency of police functions and the following item shall be carried out for the purpose:

1. The Meeting shall reply to the inquiry, about supply, treatment and duty for police personnel, made by the Minister concerned or the Police Administration Office.

2. The Meeting shall investigate and discuss about police personnel's supply, treatment, duty and police equipment to be improved and shall submit its opinion to the conference that is held by the Minister concerned, the Police Administration Office, the National or by the Local Public Body.

3. The Meeting shall investigate and discuss about the welfare of the police personnel.

4. The Meeting shall investigate and discuss about the efficiency of the police faculty and others.

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Article 174. The members of the Central Police Personnel's Meeting shall be elected from among the District Police Personnel's Meetings.

The Chairman of each section shall be elected from among and by the members thereof.

The District Police Personnel's Meeting shall consist of elected second and third class police officials of each office. The chairman of each section shall be co-opted from among and by the members.

Each of Police Personnel's Meeting may hold a joint meeting.

Article 175. A branch of the Police Personnel's Meeting shall be set up in each police station and in each bureau, department and section that is designated by order.

A branch shall consist of all members of its bureau, department, section or police station.

Article 176. Necessary rules about the organization and the election procedure of the Police Personnel's Meeting and other items shall be fixed by order, when they are not provided in the articles from Art. 172 to 175.

Section II. Police Conference.

Article 177. The Police Conference shall consist of the Superintendent General, Director of District Police Bureau and Chief of Prefectural Police.

Article 178. The aim and view of the Police Conference shall be in promoting the efficiency of police functions and in uniting the police affairs and shall carry out following items:

1. The Conference shall reply to the inquiry, about establishment, revising and abrogation of the regulations concerning the supply, treatment, uniform, service, education, distribution, duty and salutation of the policeman, made by the Home Minister or shall submit its opinion to the Minister.

2. The Conference shall discuss about promoting the efficiency of the police function.

3. The Conference shall manage affairs of relations among each Police Administration Office.

4. The Conference shall discuss about general problems of police affairs and others.

Article 179. The Director of the General Police Bureau shall direct the affairs of the Police Conference and shall be the Chairman of the Conference.

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~~ference~~.

The Police Conference shall be summoned by the Director of the General Police Bureau, and if necessary it may be summoned in each district.

Article 180. Necessary rules about the Police Conference shall be fixed by order, if they are not included in the items from Art. 177 to 179.

Chapter XI.

Supplementary.

Article 181. The Minister concerned may set up the General Police Bureau, the District Police Bureau or a branch of them and may take over necessary equipment of the prefectural property in order to manage the police functions through the discussion with the governor concerned.

Additional Rules.

Article 182. This regulation shall be enforced on and after the day when the New Japanese Constitution is enforced.

Article 183. Any police official who has the membership of a political party or of any other party must abandon it within a month after this regulation is enforced.

The police official, who has the membership of the body that is provided in Art. 24, Clause No. 2, and applied to Art. 109, must also take the same way.

Article 184. For the time being, after the New Japanese Constitution is enforced, items following Art. 185 shall be specified.

Article 185. In this regulation the Minister concerned shall mean the Home Ministry.

Article 186. The general police administration of the Local Public Body shall be carried out by the District Police Bureau in spite of the items of Chapter V.

Article 187. The branch of the District Police Bureau mentioned in Art. 65 shall not be set up, but the Police Department of the District Police Bureau shall take its place in the district of each prefecture.

The title of the Police Department shall be headed with the name of the prefecture. The Police Constable of the District Police Bureau shall be the chief of the Police Department.

Article 188. In this regulation the Local Public Body shall mean the Prefectural Police Department and the conference of the Local Public Body

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that of the prefecture under the jurisdiction of the Prefectural Police Department.

Article 189. When this regulation is enforced, the police station under the jurisdiction of M.P.B. or the Police Department shall be regarded as the police station installed by this law.

Article 190. When this regulation is enforced, the superintendent, inspector, assistant inspector or policeman including the sergeant and the local administrative official who is in the capacity of a police in M.P.B. or the Police Department shall be regarded as the assistant superintendent, inspector, assistant inspector, sergeant or policeman in M.P.B. or the Police Department, respectively.

And the chief secretary or the section chief of M.P.B. and the local administrative official of each prefecture who is in the capacity of the chief of the department and is not designated officially shall be regarded as the Police Constable of the same class of M.P.B. and the District Police Bureau, respectively.

And the instructor of the Home Ministry who is in the capacity of the principal, instructor or assistant instructor of the National Police Schools or the Local Police Schools and is not designated officially shall be regarded as respectively, the principal, instructor or assistant instructor for the National Police School or the Local Police School.

Article 191. The length of service of the inspector, assistant inspector, sergeant and policeman, when they are appointed, as mentioned in Chapter VI, shall include that of the former third class administrative officials of the Bureau of Police Affairs, the Home Ministry, inspector, sergeant or policeman of M.P.B. or the Prefectural Police Department.

Article 192. The officials who are in special circumstances shall not be applied to the regulations of Art. 117 and 118 for the time being in case of the appointment of the first and second class police officials.

Article 193. The expenditure of the Prefectural Police Department shall be paid by the prefecture that is in charge of the Police Department.

The expenses that are fixed by order shall be subsidized by the National Treasury by 50%.

Attached List.

1. The Tōhoku District Police Bureau (Sendai city):

jurisdiction;
Miyagi, Hokkaido, Aomori,
Iwate, Akita, Fukushima, Yamagata.

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2. The Kanto D. P. B. (Tokyo):

Saitama, Gumma, Chiba, Ibaragi, Tochigi, Kanagawa, Yamanashi.

3. The Shinetsu D. P. B. (Toyama):

Toyama, Niigata, Ishikawa, Fukui, Nagano.

4. The Tokai D. P. B. (Nagoya):

Shizuoka, Gifu, Aichi, Mie.

5. The Kiuki D. P. B. (Osaka):

Osaka, Shiga, Hyogo, Wakayama, Nara, Kyoto.

6. The Chugoku D. P. B. (Hiroshima):

Hiroshima, Okayama, Yamaguchi, Tottori, Shimane.

7. The Shikoku D. P. B. (Takamatsu):

Kagawa, Ehime, Kochi, Tokushima.

8. The Kyushu D. P. B. (Fukuoka):

Fukuoka, Saga, Kumamoto, Yagasaki, Oita, Miyazaki, Kagoshima, (Okinawa).