

**GHQ/SCAP Records(RG 331)**  
**Description of contents**

- (1) Box no. 2206
- (2) Folder title/number: (34)  
House of Representatives - 10th Diet

(3) Date: Feb. 1951 - May 1951

(4) Subject:

Classification	Type of record
310	c, d, m

(5) Item description and comment:  
Includes Contents List

(6) Reproduction:  Yes  No

(7) Film no. \_\_\_\_\_ Sheet no. \_\_\_\_\_



1. Amend to Architect Law
2. Amend to Railway Construction Law
3. Bill re: Subsidies to Private Scientific Research Institutions
4. Credit Assn Bill
5. Bill for Temporary Measures for Developing Snowbound and Cold Climate Single Crop Zone
6. Amend to National Health Insurance Law
7. Amend to Seamen's Insurance Law
8. Bill covering Loss Sustained by Holder of Textile in consequence of Abolition of Textile Excise Law
9. Amendment to Horse Racing Law No 1
10. Amendment to Horse Racing Law No 2
11. Amendment to Riyoshi Law
12. Amend to Compensation against Agricultural Loss Law No 2
13. Amend to Compensation against Agricultural Loss Law No 1.
14. Amend to Public Operated Housing Bill
15. Heat Control Bill
16. Amend to Local Autonomy Law
17. Enforcement of Forest Bill
18. Forest Bill
19. Enforcement of Credit Assn Bill
20. Amend to Law re Duties of Railway Security Agent
21. Amend to Public Health Nurse, Midwife and Nurse Law
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23. Amend to Resident Registration Law
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26. Bill re restrictions of Transfer of Shares of Kabushiki-Kaisha and YugenKaisha
27. Amend to Medical Practitioners Law and Dentists Law
28. Amend to Agricultural and Forest Commodities Law
29. Amend to Tax Agent Law
30. Amend to Law of Provisionary Measures re Publication of Textbooks
31. Amend to Administrative Scrivener Law
32. Amend to Law re Annual Payment, Travelling Expenses and Other Allowances to Diet Members
33. Domestic Animals Infectious Disease Control Bill
34. Government Office Building and Repair Bill
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38. Amend to Law re: Annual Payment, Travelling Expenses and other allowances to Diet Members
39. Amend to Radio Regulatory Commission Establishment Law
40. Amend to Fisheries Law and Establishment Law of Fisheries Agency
41. Amend to Law re Control of Export Commodities
42. Amend to Lost Goods Law
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45. Bill for Conciliation of Civil Affairs
46. Amend to Law for Temporary Measures relating to Cost of Action and others
47. Amend to Law for Reconstruction and Rehabilitation of Agri Coop Assns etc
48. Amend to Law for Impeachment of Judges
49. Bill for Construction of Karuizawa as International Comity etc
- 50; Amend to Customs Tariff Law and Others



51. Agricultural Products Inspection Bill
52. Amend to Japanese National Railways Law
53. Bill for Citizen's Voluntary Society for Tax Saving
54. Amend to Pension Law
55. Amend to Law re Central Bank for Agri and Forestry
56. Amend to Public Offices Election Law
57. Amend to Law re Temporary Measures for Separation Allowance for Natl Public Service Personnel
58. Bill for Sundry Expenses for Deliberation etc
59. Bill for Mutual Loans and Savings Bank
60. Amendment to River Law
61. Amend to Law for Establishment of Deliberation Commission of Measures for Repatriates
62. Amend to Port and Harbor Law



10<sup>th</sup> SESSION.

HAWAII GAME BILL  
ANIMAL RACE BILL  
MOTOR BOAT RACE BILL

DOG RACE BILLS 1+2 NO ESS C/S

HORSE RACING BILLS 1+2 " " "



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: ISS	Date: 25 February 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by <u>House of Representatives.</u> 2. Your prompt comment is requested. 1 Incl <u>Motor Boat Racing Bill</u>		
			C. W. _____

Capt Morris  
26-6076

P & P



From: ESS

To: GS

*WFM*  
WFM/RMG/HW/ld  
H. Wohl, 26-6642

13 MAR 1951

2.

1. Reference is C/N 1, above, requesting comment concerning draft of "Motor Boat Racing Bill" which is proposed for introduction in the Diet by the House of Representatives.

2. Subject draft bill proposes that the holding of motor boat races, accompanied by the sale of betting and admission tickets, be established as a prefectural and city, town and village government monopoly in order to "improve local finances as well as to contribute to the improvement of quality of the motor boat in its efficiency, the overseas propagation concerning motor boat, the development of the industry connected with the manufacture of motor boats and the popularization and publicity of maritime affairs, and also to the tourist industry." The sponsoring governments are to retain 22% of the proceeds of betting ticket sales for their revenue and to pay 3% of the proceeds of betting ticket sales to the National Treasury.

3. Subject draft bill also stipulates that the sponsoring governments may delegate the power to conduct motor boat races to the "Prefectural Association of Motor Boat Racing", one of which is to be organized in each prefecture. Each of the prefectural associations is to become a member of a national "Federation of the Prefectural Associations of Motor Boat Racing." In the event of the delegation of motor boat racing to the Association, the sponsoring government is to pay to the Association 5% of the proceeds of betting ticket sales which is to become the revenue of the Association,



WFM/RMG/HW/ld  
H. Wohl, 26-6642

( )ESS/FTP

Draft Legislation (Motor  
Boat Racing Bill)

13 MAR 1951

ESS

GS

2 completely tax exempt, inasmuch as the Associations are to be organized as non-  
Contd. profit juridical persons under Article 34 of the Civil Code. The Federation of  
Prefectural Associations is to be delegated the function of registration of motor  
boat racing courses, operators of motor boats participating in racing, boats and  
motors used for racing, judges, etc.

4. Policy Comments:

a. Creation of motor boat racing as a local government monopoly, together  
with the sale of betting tickets, as a national policy for raising government  
revenue is considered to be a poor method for raising government revenue but is,  
nevertheless, the prerogative of the Diet. However, the delegation of the operation  
of such a purported government monopoly and the delegation of registration and  
administrative functions to private monopolistic associations and federations is  
undesirable and in conflict with established Occupation policies as set forth in  
SCAPINS 1108, 1394 and 1860 which prohibit the delegation of governmental functions  
to non-governmental organizations and require the elimination of monopolistic  
control associations.

b. Although the subject draft bill purports to be a measure for obtaining  
government revenue, it would provide for the payment of major portions of the  
revenue obtained to private associations which would be completely tax exempt since  
they would be organized as "non-profit juridical persons."

5. It is considered that the subject bill is objectionable by virtue of cited  
features therein which conflict with existing Occupation policies and directives.  
In this connection similar objectionable features are common to the Bicycle Race  
Law (Law No. 209 of 1948) and the Midget Motor Vehicle Race Law (Law No. 208 of  
1950).

1 Incl  
w/d

----- W. F. M. -----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris

Note No.	From: Govt Sec      To: CTS      Date: 26-6076 26 February 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives. 2. Your prompt comment is requested.  1 Incl Motor Boat Racing Bill  C. W.
2	From: CTS      To: Govt Sec      Mr. Delaney 26-6124 Date: 10. MAR 1951  1. The Chief, Civil Transportation Section, submits the following comments and recommends against clearance of subject Bill:  a. The scarce supply of fuel allocated under SCAP-sponsored and Japanese Government control measures should alone prohibit the proposed wasteful scheme. Legitimate cargo and fishing boat operators, for example, still complain of insufficient fuel oil to carry on their business.  b. Most powered vessels under twenty tons are now required to obtain licenses. Subject Bill would partially duplicate this and delegate such functions, as well as other administrative controls, to a private association whose main interest is gambling.  c. Marine transportation development is one of the major programs of the Government. So much is needed in materials, equipment, marine engines, etc., for that program, that if Japan is to become self-sufficient, priorities must go to them, not to supply gambling facilities and equipment which this Bill encourages.  d. Subject Bill is clearly in the same category with the Dog Racing Bill, and the many other gambling rackets based on existing laws which are incurring severe criticism against the Diet in the daily press. Such schemes are not considered necessary to the normal progress of the pleasure boat industry.  1 Incl w/d ----- H. T. M. -----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: IS/L&J	Date: 26 February 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by <u>House of Representatives.</u>		
	2. Your prompt comment is requested.		
	1 Incl <u>Motor Boat Racing Bill</u>		
	C. H.		

Capt Morris  
26-6076

P & P



Subject: Motor Boat Racing Bill

From: LS

To: GS

Date: 6 March 1951  
F.J. Goodman, 57-6488

2.

Since according to information from GS subject bill has already been cleared for introduction in the Dist. Legal Section offers no comments thereon.

1 Incl.  
w/d

----- A.C.C. -----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Morris

26-6076

Note No.

From: Govt Sec

To: G-2/PSD

Date: 26 February 1951

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Motor Boat Racing Bill

C. H.

P & P



Draft Legislation

From: G-2

To: Govt Sec

Col Pulliam 26-5915

Date: 28 February 51

2

1. A national pastime in most any form imposes certain hazards to life, property and the public tranquility. Racing in any form is no exception. Races for the most part in Japan, have resulted in riots, mob violence, arson, death and contributed materially to the juvenile delinquency problem. During 1950, racing events have occurred throughout the nation which required the services of over 250,000 police to maintain and restore order. The dispatch of police for such duty requires the suspension of regularly assigned law enforcement missions elsewhere during the period so engaged. These are merely aspects contributory to the national problem.

2. However, if such recreational sports with the inherent hazards are believed to be essential to the national welfare, PSD/G-2 interposes no objection to the proposed Motor Boat Racing Bill.

1 Incl  
w/d

-----C.A.W.-----



Government Section

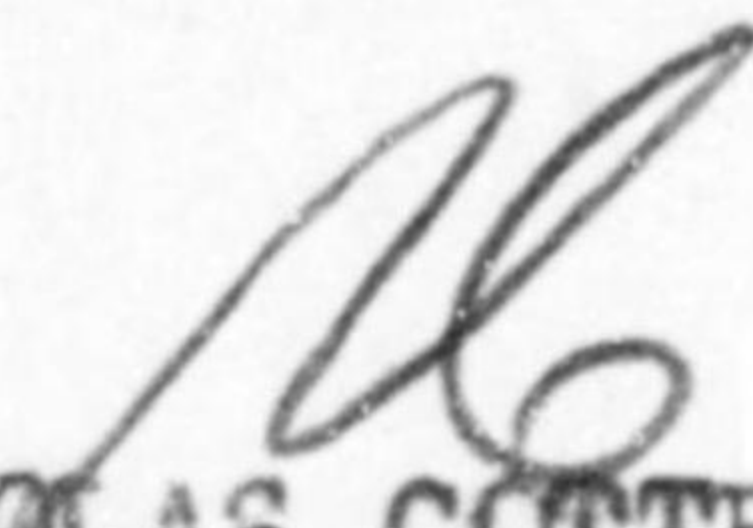
28 February 1951

MEMORANDUM TO: Parliamentary and Political Division

SUBJECT: Motor Boat Racing Bill

1. Public Affairs Division objects in principle to subject bill.

2. In common with other legislation to control racing for revenue purposes, the present bill gives the decision as to whether motor boat racing may be held to a national organization, in this case, the Local Finance Commission. It would be preferable to allow any municipality to hold motor boat races, should it so desire, provided that certain standards or conditions are complied with. Certain worthwhile controls could thereby be exercised by the establishment of the standards and conditions by some nation-wide authority; but the principle of local option would be preserved and no community which was willing to meet the necessary tests would be arbitrarily denied the privilege of holding races.

  
NICKOLAS COTTRELL  
Public Affairs Division



February 24, 1951.

Title of the Bill: Motor Boat Racing Bill.  
(Presented by KANDA, Hiroshi (L)  
and 3 others)

I, hereby, certify that the above mentioned Bill does not violate any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

*Sanjo Sameshima*

Chief of the Third Division,  
Legislative Bureau,  
House of Representatives.

*for the chief of the  
Legislative Bureau.*



House of Representatives

February 25, 1951.

MOTOR BOAT RACING BILL

(Draft)

(Proposed by Mr. KANDA, Hiroshi(L))  
and 3 others)

Chapter I.

General Provisions

(Purport of this Law)

Article 1. The Law shall be to provide the provisions concerning the motor boat racing which is held in order to improve local finance as well as to contribute to the improvement of quality of the motor boat in its efficiency, the overseas propagation concerning motor boat, the development of the industry connected with the manufacture of motor boats and the popularization and publicity of maritime affairs, and also to the tourist industry.

Chapter II.

Sponsor of Racing, Prefectural Association of Motor Boat Racing and the Federation of the Prefectural Associations of Motor Boat Racing.

(Execution of the Motor Boat Racing)

Article 2. To, Do, Fu or prefecture as well as city, town or village to be designated by the Local Finance Commission

Recd 65  
2/26/51

CS: ETS  
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LS/LJ  
G2/PSD  
GS/PA



taking its population, financial condition, etc. in to consideration (hereinafter referred to as "the Sponsor of the Racing"), may, upon the decision of its respective Assembly, hold the motor boat racing (hereinafter referred to as the "racing") in accordance with the provisions of this Law.

2. No person other than the Sponsor of the Racing shall hold the race meeting, issuing the betting ticket or anything similar thereto.

(Entrusting of Execution of the Racing)

Article 3. The Sponsor of the Racing may entrust the execution of the racing to the Prefectural Association of Motor Boat Racing (hereinafter referred to as "the Prefectural Association") to be established in To, Do, Fu or prefecture concerned.

(Prefectural Association and Federation of the Prefectural Associations.)

Article 4. The Prefectural Association shall be established only one in number in each To, Do, Fu and prefecture, with a view to execute the racing.

2. All the Prefectural Associations shall establish the Federation of the Prefectural Associations of Motor Boat Racing only one in number all over the nation (hereinafter referred to as "the Federation of the Prefectural Associations") and be its members; each member shall have a equal right to vote and the proceedings



of the general meeting of the Federation of the Prefectural Associations shall be decided by majority of votes.

3. The purpose of the Federation of the Prefectural Associations shall be the registrations of motor boat race courses (hereinafter referred to as the "race courses"), operators of boats to participate in the racing, boats and motors to be used for the racing, and judges, as well as the guidance and coordination of execution of the racing such as making program of races of each Sponsor of the Racing and promotion of matters concerning the motor boat.

4. The Prefectural Association and the Federation of the Prefectural Associations shall be a juridical person to be established in accordance with the provisions of Article 34 (Establishment of the juridical person for public interest) of the Civil Code (Law No.89 of 1896) respectively.

### Chapter III.

#### Execution of the Racing

##### (Race Course)

✓ Article 5. The race shall be held in the race course.

##### (Registration)

✓ Article 6. The race course, operators of boats to participate in the racing, boats and motors to be used for the racing



and judges shall be those registered in advance by the Federation of the Prefectural Associations.

2. The Federation of the Prefectural Associations shall not refuse the registration of race course, operators of boats, boats, motors and judges, which satisfy the requirements for registration.

(Admission Fee)

Article 7. The Sponsor of the Racing shall collect the admission fee from the visitors when the race meeting is held.

(Betting Ticket)

Article 8. The Sponsor of the Racing may sell the betting ticket at its face value of fifty yen or one hundred yen.

2. The Sponsor of the Racing may sell the betting ticket representing ten betting tickets mentioned in the preceding paragraph.

(Prohibition on Purchase, etc. of Betting Ticket)

Article 9. Any person who falls under any of the following items shall not purchase or take over the betting ticket. Provided that this shall not apply to the cases where the persons who fall under item (2) purchase or take over the betting ticket for the racing of which they do not engage themselves in the management:



- (1) Operators of boats, judges, officers of a Prefectural Association and officers and staffs of the Federation of the Prefectural Associations;
- (2) Except those mentioned in the preceding item, race supervisors, executive committee members for the racing, clerks, accountants, liaison men and other persons who engage in the management of the racing concerned.

(Dividend)

Article 10. The Sponsor of the Racing shall pay to the holder of the betting ticket on the winner as the dividend a proportionate share in the amount corresponding to seventy-five percent of net proceeds of the betting tickets of each race (such amount obtained by deducting an amount to be repaid in accordance with the provision of Article 12 from the total proceeds of betting tickets; hereinafter referred to as the same).

2. With regard to the net proceeds in case of there being no holder of the betting tickets on the winner, proportionate share in the amount corresponding to seventy-five percent of net proceeds of the betting tickets of each race shall be repaid as dividends to those who bought the betting tickets on the motor boats other than the winner.



3. The calculating formula and repaying method of the amount which shall be repaid in accordance with the provisions of the preceding two paragraphs to the holder of betting ticket on the winner, or those who bought the betting ticket, shall be provided for in an Ordinance of the Ministry of Transportation.

Article 11. In delivering the dividends under the provisions of the preceding Article, if the amount has any fractions less than one yen, the fractions shall be omitted.

2. The amount arisen from omitting the fractions as mentioned in the preceding paragraph shall be the revenue of the Sponsor of the Racing.

(Invalidity of Betting)

Article 12. In case a cause which comes under any of the following items has occurred after the betting ticket had been sold, the betting shall be null and void:

- (1) That the number of motor boats that are to race becomes none or only one;
- (2) That the race is not materialized;
- (3) That there is no winning motor boat in the race.

2. In the case where the motor boat, inscribed on the betting ticket sold, did not race, the betting on the said motor boat (the set to which the said motor boat belongs in the forecasting system, in which the set combining the motor boats of the first and second in



the order of arrival shall be the winner (hereinafter referred to as the "forecasting system")) shall be null and void. In the said forecasting system, the same shall apply to the betting on the set, of which either one of the motor boats inscribed on the betting ticket did not race, if the motor boats of same number of forecasting systems have been combined as a set.

3. In the case of the preceding two paragraphs, any person who has the said betting ticket may demand the Sponsor of the Racing to refund the amount of the ticket at its face value.

(Payment of Dividend and Redemption)

Article 13. The dividends under the provision of Article 10, or the redemption as mentioned in the preceding Article shall be claimed and paid in exchange for the betting ticket concerned immediately after the race was finished.

(Prescription of Claim for Dividend and Redemption)

Article 14. The claim for the dividends under the provision of Article 10 or the redemption as mentioned in Article 12, shall lapse by prescription in case it is not exercised for 30 days.

(Prohibition on Repayment of the Price of Betting Ticket and Admission Fee)

Article 15. The Sponsor of the Racing shall not entertain any claim for repayment of the price of betting ticket, except



in the case provided for in Article 12, paragraph 3.  
The same shall apply to the admission fee.

(Measures for Securing the Fairness of Racing)

Article 16. The Federation of the Prefectural Associations may, when deemed it necessary in order to secure the fair and safe execution of the racing, may take action to suspend the participation of some motor boats or operators in the racing.

(Police Control in the Race Meeting Place)

Article 17. For maintaining order in the race meeting place, the Sponsor of the Racing shall take necessary steps as to the regulation on visitors, prevention of crimes and unfairness concerning the race, and the maintenance of grace and sanitation in the race meeting place.

Article 18. When the Sponsor of the Racing, or the Prefectural Association deemed it necessary for securing fair and safe execution of the racing or maintaining order in the race meeting place, it may take actions as enumerated below:

- (1) To suspend the participation of the motor boat concerned in the racing;
- (2) To suspend the participation of the operator of boat concerned in the racing;
- (3) To refuse the entrance of visitors or to order the visitors out of the race meeting place.



## Chapter IV Revenue and Expenditure

(Revenue of the Sponsor of the Racing)

Article 19. The Sponsor of the Racing shall take, as its own revenue, the amount corresponding to twenty-five percent of the proceeds of the betting tickets.

(Payment to National Treasury)

Article 20. The Sponsor of the Racing shall pay to the national treasury the amount corresponding to three percent of the proceeds of the betting tickets out of the amount to be its own revenue as prescribed by the provision of the preceding Article.

(Grant for the Prefectural Association)

Article 21. In case the Sponsor of the Racing entrusts a Prefectural Association with execution of the motor boat race meeting, the Sponsor of the Racing shall grant to the Prefectural Association concerned the amount not exceeding five percent of the proceeds of the betting tickets from the amount to be its own revenue under the provision of Article 19.

(Expenses necessary for the Execution to be Borne by the Sponsor of the Racing)

Article 22. The Sponsor of the Racing shall appropriate a part of the remains obtained by deducting the amount to be paid in accordance with the preceding two Articles from the amount to be its own revenue under the provision of Article



19 as expenses concerning the matters other than those entrusted to the Prefectural Association in respect to execution of the motor boat race.

#### Chapter V Miscellaneous Provisions

(Suspension of Sale of the Betting Ticket, etc.)

Article 23. In case the Sponsor of the Racing, the Prefectural Association or the Federation of the Prefectural Association violated this Law, the Order issued under this Law, or the action taken thereunder, the Minister of Transportation may, after having given a warning in advance, order the Sponsor of the Racing, the Prefectural Association, or the Federation of the Prefectural Associations concerned to suspend sale of the betting ticket and to take other necessary measures.

2. In case the Minister of Transportation wants to take an action other than warning in accordance with the provision of the preceding paragraph, it shall hold open hearing against the Sponsor of the Racing, the Prefectural Association or the Federation of the Prefectural Associations concerned by notifying the date and place to hold the open hearing. However, in urgent case, open hearing may be held post factum.

(Race Supervisor)

Article 24. The Minister of Transportation may cause officials of the Ministry of Transportation to supervise the sale of betting ticket and the payment of dividend and redemption and other matters related with the execution of the racing,



having them to bear identification cards showing their official status.

2. The officials referred to in the preceding paragraph shall be race supervisors.

(Notice or Report)

Article 25. The Minister of Transportation may demand the Sponsor of the Racing to notify or report on holding and closing as well as accounts of the racing and other matters recognized as necessary.

(Matters to be Entrusted)

Article 26. Besides the matters provided for in this Law, the matters concerning entrusting of execution of the racing, matters concerning the requirements for registration of race courses, operators of boats to participate in the racing, boats and motors to be used for the racing, ~~judge~~ judges registration matters other than those mentioned before and other matters necessary for enforcement of this Law shall be prescribed by the Ordinance of the Ministry of Transportation.

#### Chapter VI . Penal Provisions

Article 27. Any person who falls under any of the following items shall be liable to penal servitude not exceeding one year or a fine not exceeding 50,000 yen, or both of them:



- ✓ (1) Any person who has violated the provision of Article 2 paragraph 2;
- ✓ (2) Any person who has caused large number of people to be other party to gamble with goods in connection with the racing held in accordance with the provisions of this Law;
- ✓ (3) Any person, prohibited from purchasing or taking over the betting ticket under the provision of Article 9, has been the other party in the act mentioned in the preceding item.

✓ Article 28. Any person who falls under any of the following items shall be liable to a fine not exceeding 50,000 yen:

- ✓ (1) Any person who, knowing the fact, has sold the betting tickets to those who are prohibited from purchasing the same under the provision of Article 9;
- ✓ (2) Any person who has violated the provision of Article 9;
- ✓ (3) Any person who has been the other party in those acts provided for in item (1) of the preceding Article;
- ✓ (4) Except those mentioned in item (3) of the preceding Article, any person who has been the other party in the act provided for in item (2) of the preceding Article.



Article 29. In case the officers of a Prefectural Association or of the Federation of the Prefectural Associations, executive committee members for the racing, other persons engaging in the management of the racing or the operators of boats has accepted, demanded or promised the bribery, in connection with their duties or the racing, they shall be liable to penal servitude not exceeding three years.

2. In case persons provided for in the preceding paragraph acted an unfair deeds or did not do what they should have done, as the result of their receiving bribes in connection with their duties or the racing or having requested or promised for them, they shall be liable to penal servitude not exceeding five years.

3. In the case of the preceding two paragraphs, the bribes received shall be confiscated. In case the whole or a part of them could not be confiscated, the same amount shall be collected.

Article 30. Any person who has offered, or proposed or promised a bribery mentioned in paragraph 1 or 2 of the preceding Article shall be liable to penal servitude not exceeding three years.

#### SUPPLEMENTARY PROVISIONS

11 This Law shall come into force as from the day of its promulgation.



2. The Ministry of Transportation Establishment Law (Law No.157 of 1949) shall be partially amended as follows:

The following one item shall be added next to Article 23 paragraph 1 item (2):

(2.-2~~1~~) Execution of the motor boat racing.

3. The Local Finance Commission Establishment Law (Law No. 210 of 1950) shall be partially amended as follows:

Article 4 paragraph 1 item (24) shall be made item (25), thereunder provisions shall be moved down by one item and the following one item shall be added next to item (23):

(24) To designate the cities, towns and villages which may hold motor boat racing.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: LS/IAJ	Date: 13 February 1951
1.	<p>1. Immediate introduction of the attached draft bill in the Diet is proposed by <u>House of Representatives.</u></p> <p>2. Your prompt comment is requested.</p>		
	<p>1 Incl <u>Animal Race Bill</u></p>		
	<p>C. W.</p>		

Wai Guide

26-6076



Subject: Animal Race Bill

From: LS

To: GS

Date: 1 March 1951  
C.J. Smith, 57-8646

2. 1. The bill is objectionable for the following reasons:

a. There is no clear definition of the term "promoter". It is not certain whether prefectures alone can be promoters of animal races or whether that designation would also include Animal Improvement Associations (Article 5). According to Article 2, it would appear that such Associations may be promoters, although Article 22 differentiates between "the promoter of an animal race, or an Animal Improvement Association ---." The discussion herein assumes that "promoter" is intended to include Animal Improvement Associations as well as prefectures.

According to Article 5 the promoter may delegate the conducting of races to the Associations. In Article 18, these Associations are to be established pursuant to Article 34 of the Civil Code, which provides for the incorporation of nonprofit associations pursuing religious, charitable, scientific or similar purposes. If the authority to conduct races is delegated by the prefectures to the Associations, the latter would be permitted to receive 25% of the betting proceeds, of which they would pay only 3% ~~of~~ the national treasury (Articles 15 and 16). It is submitted that the proposed establishment of an Association so obviously having profit making as its objective is legally impossible under Article 34 of the Civil Code. This is all the more apparent when it is realized that the Income Tax Law and the Corporation Tax Law permit associations established under Article 34 of the Civil Code to enjoy far-reaching tax exemptions.

(Continued)



Animal Race Bill

LS

GS

1 March 1951  
C.J. Smith, 57-3645

2.  
Contd.

Apart from the foregoing, the commissioning of Animal Improvement Associations to conduct animal races violates the general principle repeatedly emphasized by the Occupation that government functions should not be delegated to private organizations. There is no objection, of course, to establishing a government monopoly along the lines recognized by the Horse Racing Law. However, if the prefectures elect to entrust animal racing to others, this should be done not by delegating the function to private organizations but to a public corporation specifically established in the bill, as in the case of the Japan Monopoly Public Corporation. Besides, the creation of a public rather than a private corporation for animal racing might be all the more advisable in view of the Anti-Monopoly Law and SCAPINS 1108 and 1860, concerning the dissolution of "control associations." It is known to this Section that ESS, which drafted those SCAPINS, is of the opinion that the delegating of animal racing and betting to private organizations violates the Anti-Monopoly Law and the SCAPINS. With regard to the application to subject bill of SCAPIN 1860, paragraph 2 (a) (1), it is believed that the question depends on whether the delegated functions are within the scope of "trade" as contemplated by the SCAPIN. In the opinion of LS, the answer to that question is problematical, since there appear to be no adequate precedents on which to base a satisfactory interpretation. Be that as it may, it would seem preferable at this time not to go into a detailed analysis of the question inasmuch as for the reasons heretofore advanced the employment of a public instead of a profit-making private organization is mandatory where a prefecture does not desire to conduct animal racing through its own officials.

b. Although the preamble in Article 1 declares that local finance is to participate in the income derived from the races, no implementation of that objective appears in the body of the bill. Instead, Article 16 states that 3% of the betting tickets shall be paid into the national treasury. While it is true that where the prefectures themselves conduct the races they will receive 25% of the proceeds of the betting tickets, it would appear from the tenor of the bill that in all likelihood they will delegate their functions to the Associations, in which case the latter will receive such proceeds. It is a cardinal rule of statutory construction that the purposes set forth in a preamble must be carried out in the contents of the law. However, in the present form of the bill there is no assurance that the prefectures will be benefited under the "local finance" objective.

Article 6, paragraph 1, would permit the Associations to retain all of the admission fees. This is also inconsistent with the objectives stated in the preamble.

c. Under Article 27 (3) of Penal Provisions a person who violates Article 8 may be subjected to penal servitude not exceeding one year, or a fine



Animal Race Bill

LS

GS

1 March 1951

C.J. Smith, 57-8645

2. not exceeding ₣ 50,000, or both, whereas under Article 28 (2), the seemingly identical  
Contd offense would be punishable only by a ₣ 50,000 fine. This ambiguity should be cleared  
up.

d. Under Penal Provisions, the reference in Item (4) of Article 28 to "paragraph 2 of the preceding article" is unclear.

e. Under Penal Provisions, the reference in Article 31 to Article 17, paragraph 3, etc., are also unclear.

f. Not only is Article 17 generally unclear but it seems to conflict with the provisions of Article 16, paragraph 2. Aside from that, the reference therein to Article 14 is probably a typographical error.

g. Article 18, paragraph 4, provides for the establishment by every Animal Improvement Association of an Animal Improvement Club "to execute, under its management, the construction of an animal race course, etc." It is submitted that the juridical nature and mode of establishing such clubs should be provided for in the bill.

1 Incl. w/d

----- A.C.C. -----



Bicycle Racing Law

REPORT OF CONFERENCE ON BICYCLE RACING AND MIDGET MOTOR  
VEHICLE RACING LAWS, AS WELL AS PROSPECTIVE DOG  
RACING AND GAMECOCK FIGHTING BILLS

On 18 September 1950 a conference was held at the office of Mr. Wohl, ESS/FTP, in the Empire House Building, to discuss the above captioned subject. Others present were Messrs. Mulbar and Williamson both of G-2/PSD, Sanow ESS/Int.Rev., Eisenstein ESS/FTP and the undersigned from Legal Section.

Mr. Wohl took the initiative in pointing out that when the bicycle racing legislation (Law No. 209 of 1948) was first proposed his section vehemently criticised it on several accounts, to wit, (a) inasmuch as professional bicycle racing was made under the law a government monopoly it is unlawful to delegate any of the government's powers thereunder to private entities such as bicycle promotion societies, as contrasted with horse racing, also a government monopoly, which is operated under strict government supervision; (b) the bicycle promotion societies referred to in the law are "control" enterprises in the manufacture and distribution of bicycles, in contravention of SCAPINS 1108, 1394, and 1860; (c) not only are the bicycle promotion societies "control" associations but inasmuch as they have been created as Corporate Juridical Persons pursuant to Chapter 2, Book I, Civil Code, they are exempt from payment of any taxes (Mr. Wohl stated that during the past year the bicycle promotion societies received as their share of the proceeds of the betting  $1\frac{1}{4}$  billion yen free of taxes); and (d) even the 5% of the gross proceeds of the betting tickets payable to the government was "earmarked" by Cabinet order so as to be held practically in trust for only such expenditures as would be required for the promotion of bicycle racing, whereas under the horse racing law, for instance, the government's share becomes a part of the national funds disburseable for meeting budgetary requirements in general.

It might be stated at this point that <sup>the</sup> Bicycle Racing Bill (No. 209 of 1948) had never been submitted to Legal Section for comment.

Mr. Wohl intimated that many of the legislators are no doubt affiliated with the bicycle promotion societies, which obviously are a source of heavy revenue for political purposes as well as a reservoir of job plums for deserving henchmen. The undersigned suggested that it might be interesting to check the rosters of the associations for the purpose of discovering possible connection of Diet members therewith. While any such relationship would not per se constitute evidence of wrongdoing it might be a good selling point to show what interests stand



to profit by the continued existence of what has turned out to be practically a criminal activity.

Mr. Sanow agreed with Mr. Wohl that the revenue provisions of the law are stultified considerably because of the favored treatment received by the bicycle racing associations.

Mr. Mulbar pointed out that the recent rioting at the bicycle tracks is a matter of concern to the Public Safety Division. It was the sense of the conferees that in all probability Communist elements have discovered in these big outdoor events a fertile field in which to foment trouble, thereby embarrassing both the government and the Occupation.

The conferees generally agreed <sup>that</sup> due to existing political conditions SCAP in all likelihood would not now press for the repeal of the bicycle racing law or its companion, the midget motor vehicle racing law.

Mr. Wohl stated that although Government Section had suggested that the conference be held for the purpose of preparing a staff study, Government Section for reasons best known to itself declined to participate. He also intimated that the original bicycle racing law, despite the objections voiced by ESS, was cleared by Government Section following direct negotiations, of which ESS was not apprised, with the Chief of Staff.

The conferees unanimously voted that a staff study should be prepared in accordance with the request of Government Section. However, it was agreed that the submission of the study to the Chief of Staff be held in abeyance until the dog racing and gamecock fight bills are introduced, if at all, at the next session of the Diet, at which time the vicious aspects of all gambling legislation might arouse enough interest to accomplish the defeat of the prospective bills and also the repeal of the bicycle and midget vehicle racing laws. In the alternative that the bills do not appear to have a chance of coming up at the next session of the Diet, it was voted that the staff study be presented when the session has about reached its halfway mark. Mr. Wohl will prepare the study and in due course submit it to Legal Section for comment.

*C. J. Smith*  
C. J. Smith  
Legislation & Justice Div.  
Legal Section, GHQ, SCAP



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: <b>RSS</b>	Date: <b>13 February 1951</b>
1.	<p>1. Immediate introduction of the attached draft bill in the Diet is proposed by <b>House of Representatives.</b></p> <p>2. Your prompt comment is requested.</p>		
	<p>1 Incl <b>Animal Race Bill</b></p>		
	C. W.		

**Maj Guida**  
26-6076

*CSK*  
P & P Div



*WFM/REG/HW/EG*

From: ESS

To: GS

H. Wohl, 26-6642  
Date: 26 FEB 1951

2.

1. Reference is C/N 1 from GS to ESS, dated 13 Feb 51, requesting comment concerning draft of "Animal Race Bill" which is proposed for introduction in the Diet by the House of Representatives.
2. Subject draft bill proposes that the holding of animal races, accompanied by the sale of betting and admission tickets, be established as a prefectural government monopoly in order to "promote their improvement, increase breeding and export, thereby rendering contribution to animal protection and local finance". The sponsoring prefectural governments are to retain a maximum of 25% of the proceeds of betting ticket sales for their revenue and to pay 3% of the proceeds of betting ticket sales to the national treasury. The national government is directed to appropriate out of such revenue "necessary expenses for prevention of infectuous diseases of dogs, promotion of health of other domestic animals, prevention of ill treatment of animals, training of labor dogs, preservation of animals designated as protected natural objects by Article 69 (Designation of Protected Natural Objects) of the Law for Protection of Cultural Objects (Law No. 214 of 1950) and registration of domestic animals". Provisions concerning such appropriations are to be made by Cabinet order.
3. Subject draft bill also stipulates that the sponsoring prefectural governments may delegate the power to conduct animal races



Draft Legislation

ESS

GS

26 FEB 1951

2

to the "Animal Improvement Association", one of which is to be organized in each prefecture. In the event of such delegation, there is no stipulation as to the division of the 25% between the sponsoring prefectural government and the Association. Presumably, any amount up to 22% of the total proceeds of betting ticket sales could be so paid. Each of the prefectural associations is to establish an "Animal Improvement Club" which is to be given the functions of "construction of an animal race course, registration of the animals to take part in the animal race and of the handlers of such animals, adjustment of all matters concerning the running of animal races, opening a course of training for aspirants to the jobs of handlers, training of the animals to take part in animal races, and all other business indispensable for the improvement and breeding of such animals". Only one animal race course is to be constructed per prefecture excepting that, with the approval of the Ministry of Agriculture and Forestry, two courses may be allowed in certain prefectures.

4. Policy comments:

a. Creation of animal racing (presumed to be dog racing since subject draft law specifically provides that horse racing is exempted from its coverage) as a prefectural government monopoly, together with the sale of betting tickets, as a national policy for raising government revenue, is a prerogative of the Diet. However, the delegation of the operation of such a purported government monopoly and the delegation of registration and administrative functions to private monopolistic associations and clubs is undesirable and clearly in conflict with established Occupation policies as set forth in SCAPINs 1108, 1394 and 1860 which prohibit the delegation of governmental functions to non-governmental organizations and require the elimination of monopolistic control associations.

b. The provision that the national revenue to be derived from animal racing must be utilized for purposes allied with the racing of animals as is to be set forth by Cabinet order is undesirable and conflicts with established Occupation policy regarding subsidization. Furthermore, appropriation of funds through Cabinet order, as proposed, would infringe on the constitutional budgetary prerogatives of the Diet.

c. Although the subject draft bill purports to be a measure for obtaining government revenue, it would provide for the earmarking of national government revenue for special purposes and would permit the payment of any portion of the prefectural government revenue to private associations which would be completely tax exempt since they would be organized as "non-profit juridical persons".



Draft Legislation

KSS

GS

26 Feb 1951

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Cont'd

5. It is considered that the subject bill is objectionable by virtue of cited features therein which conflict with existing Occupation policies and directives. In this connection similar objectionable features are common to the Bicycle Race Law (Law 209 of 1948) and the Midget Motor Vehicle Race Law (Law 208 of 1950).

1 Incl w/d

-----W. F. M.-----

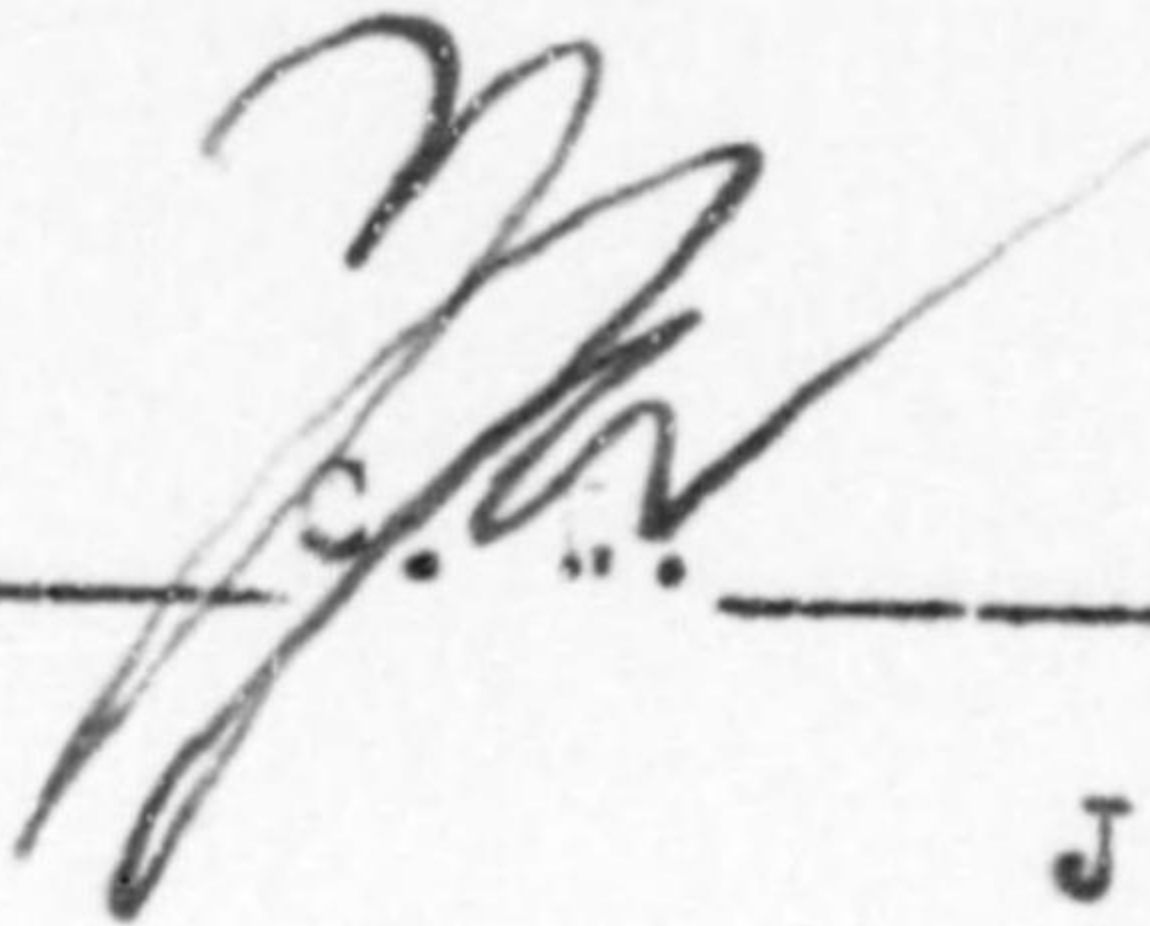



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: NRS	Date: 13 February 1951	<i>Guida</i> Maj Guida 26-6076
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives. 2. Your prompt comment is requested.			
1 Incl Animal Race Bill				
2	From: NR	To: GS	J L Cooper - 26-7949 HGS/TER/JLC/mnk Date: 20 FEB 1951	
NR has no objection to the proposed Animal Race Bill.				
1 Incl w/d				
I. G. S.				



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED FORCES

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec To: PH&W Date: 13 February 1951
1.	<p style="text-align: right;">Maj Guida 26-6076</p> <p>1. Immediate introduction of the attached draft bill in the Diet is proposed by <b>House of Representatives.</b></p> <p>2. Your prompt comment is requested.</p> <p>1 Incl Animal Race Bill</p> <p style="text-align: right;">C. W.</p>
2.	<p style="text-align: right;">Dr. Beechwood, 26-6149</p> <p>From: PH&amp;W To: Govt Sec Date: 17 February 1951</p> <p>1. PH&amp;W offers no objection to the introduction of the Animal Race Bill provided that the social welfare benefit features are eliminated in Article 6, and that the animal mal-treatment phrase be amplified in Article 4.</p> <p>2. In Article 6, paragraph 2, it is suggested that the words "plus a contribution to an organization which is aimed at the promotion of social welfare" be deleted as well as the following paragraphs 3, 4, 5, 6, 7, 8.</p> <p>3. In Article 4, it is suggested that a new paragraph 2 be added to read, "Immediately prior to racing, every dog shall be examined and certified to be normal, free of influence of any drug and physically fit by a qualified non-government veterinarian."</p> <p>4. It is believed that reference to Art.(13) in Article 13 should read Art.(14) and reference to Art.(14) in Article 17 should read Art.(15).</p> <p>1 Incl w/d</p> <p style="text-align: center;">-----C. F. S.-----</p>

2/19



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: C-2/PED	Date: 13 February 1951
1.	<p>1. Immediate introduction of the attached draft bill in the Diet is proposed by <b>House of Representatives.</b></p> <p>2. Your prompt comment is requested.</p>		
	<p>1 Incl <b>Animal Race Bill</b></p>		
	C. W.		

~~Ref Guide~~  
26-6076

P & P DIV



Draft Legislation

From: G-2

To: Govt Sec

Col Pulliam 26-5915

Date: 15 Feb 1951

2

1. A national pastime in most any form imposes certain hazards to life, property and the public tranquility. Racing in any form is no exception. Races for the most part in Japan, have resulted in riots, mob violence, arson, death and contributed materially to the juvenile delinquency problem. From 1 Jan to 30 Sep 50, racing events have occurred throughout the nation which required the services of 200,000 police to maintain and restore order. The dispatch of police for such duty requires the suspension of regularly assigned law enforcement missions elsewhere during the period so engaged. These are merely aspects contributory to the national problem.

2. However, if such recreational sports with the inherent hazards are believed to be essential to the national welfare, PSD/G-2 interposes no objection to the proposed Animal Race Law.

1 Incl  
w/d

-----C.A.W.-----



February 12, 1951.

Title of the Bill: Animal Race Bill.  
(Introduced by HARADA, Yukimatsu)

I, hereby, certify that the above mentioned Bill does not violate any Directive Issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, and that any provision of this Bill, except those providing for exceptions, does not contradict any other law.

*Sanzo Sameshima*

Chief, Third Division,  
Legislative Bureau,  
House of Representatives.

*for the Chief of the  
Legislative Bureau.*

*Rec'd 65 2/13*

*cs to: ESS  
NRS  
PH+W  
G2/PSD  
LS/L+J*



House of Representatives

February 12th, 1951.

Animal Race Bill.

(Introduced by HARADA, Yukimatsu)

(The Purport of the Law)

Article 1. This law provides for rules of animal races by testing the ability of animals with a view to promote their improvement, increased breeding and export, thereby rendering contribution to animal protection and local finance.

(Holding of Animal Races)

Article 2. Prefectures may hold animal races under this law with the resolution of prefectural assemblies.

2. Persons other than the prefectures that hold animal races in conformity to the rules of the preceding paragraph (hereinafter called promoters of animal races) shall not hold animal races by selling betting tickets or by other similar means.

(Commissioning the Holding of Animal Race)

Article 3. The promoter of animal races may commission the Animal Improvement Association established in respective prefectures, with the sanction of the Minister of Agriculture and Forestry.



(Prevention of Cruel Treatment of Animals)

Article 4. Animal races shall not be conducted in such a way as to maltreat the animals entered in racing.

(Animal Racing Course)

Article 5. Animal races shall be held in the Animal Racing Course registered in the Animal Improvement Club.

2. There shall be only one animal racing course in each prefecture, the prefecture designated by the Agriculture and Forestry Minister under the consideration of numbers of animals entering in the races and of other circumstances may have two racing courses.

(Admission Fees and Contributions)

Article 6. The promoter of an animal race, when holding such race, shall issue admission tickets and charge admission fees to the visitors.

2. In the case of the preceding paragraph, the promoter of the animal race may issue admission tickets at a price of the admission fee plus a contribution to an organization which is aimed at the promotion of social welfare.

3. Such organization as mentioned in the preceding paragraph shall be designated by the Minister of Agriculture and Forestry.

4. The admission tickets under paragraph 2 shall clearly show the name or mark of the organization concerned and the amount of the contribution.



5. The persons who have purchased admission tickets under paragraph 2 shall be regarded to have donated to the organization, through such purchase, the contributions indicated on the tickets.

6. The promoter of the animal race shall collect the donations under the preceding paragraph and give them to the organization under paragraph 2.

7. The organization which has been given contributions in accordance with the preceding paragraph must pay the promoter of the animal race the expenses specially required for the issuance of the admission tickets under paragraph 2.

8. The amount of the expenses mentioned in the preceding paragraph shall be determined through the consultation between the promoter of the animal race and the organization under paragraph 2.

(Winner tickets)

Article 7. The promoter of animal race may issue for sale betting tickets of the face value of 20 (twenty) yen each.

2. The promoter of animal race may issue for sale tickets each representing five chances of betting mentioned in the preceding paragraph.

(Prohibition of Transaction in Betting Tickets)

Article 8. In any of the following cases, no purchase or transaction shall be made in betting tickets.



- (1) Government officials concerned in animal race or officials of the Animal Improvement Club in every description of racing.
- (2) Prefectural Employees concerned animal races in the race conducted by the prefecture.
- (3) Officers of the Animal Improvement Association, handlers as well as officers and others engaged in the operation of animal race in the race concerned.

(Dividends)

Article 9. The promoter of animal races shall make dividends pro rata to the holder of winning tickets at the rate of not less than 75 per cent of the proceeds of the sale of betting tickets, (after deducting the amount of rebate provided in Article 10 from the proceeds of the betting tickets. The same holds good in the cases hereafter mentioned.)

2. In the absence of the betting on the winner, the amount not less than 75 per cent of the proceeds of betting tickets shall be refunded pro rata to holders of betting tickets.

3. The method of computing dividends to winner or holders of winning tickets pursuant to the rules of the two preceding paragraphs shall be provided for by Ministerial Order.



Article 10. In making dividends pursuant to the preceding Article, any fractions less than 1 (one) yen thereof shall be rounded off.

2. The amounts rounded off in fractions under the preceding paragraph shall form the income of the promoter of the animal race.

(Invalid Tickets)

Article 11. Betting tickets after issued shall become invalid under any one of the following cases.

- (1) When there is no animal entered in the race, or when only one animal is left.
- (2) When the race is cancelled.
- (3) When there is not any winner animal.

2. In case the animal indicated in the betting ticket sold, or the combination of winning animals under the forecasting system did not appear in the race, the betting on the animal or the combination shall be invalid. The same shall apply where in the forecasting betting system, only one of the animals indicated in the betting ticket participated in the race.

3. In the case of the preceding two paragraphs, any person who holds the invalidated forecasting betting ticket may demand the promoter of the race the refund of the nominal amount of the tickets.



(Prescription of Claim to Dividend and Refund)

Article 12. The claim to dividends in accordance with the provisions of Article 9 or the refund in accordance with the provisions of the preceding article shall lapse by prescription, if not exercised for 30 days.

(Animal to Race)

Article 13. Any animal to participate in animal race shall be the one which has been trained by the handler specified in Article 13 and registered at the Animal Improvement Club.

2. The animal in the preceding paragraph shall not be allowed to participate in any animal race other than that conducted by the prefecture under whose jurisdiction lies the address of its keeper. However, this does not apply in the case the animal participates in the races whose kinds are designated by Ministerial Ordinance.

(Handler)

Article 14. No handlers other than those who have completed courses conducted by the Animal Improvement Club and registered at the said club shall train animals which participate in an animal race, or take part in any animal race.



2. No handler who is not registered under the preceding paragraph shall use the name of handler.

(Income of the Promoter of Animal Race)

Article 15. The promoter of animal race may receive any amount less than 25 per cent of the proceeds of betting tickets as his own income.

(Payment)

Article 16. The promoter of animal race shall pay to the National Treasury an amount corresponding to 3 per cent of the proceeds of betting tickets out of the amount which he receives as his income in accordance with the provisions of the preceding article.

2. The Government shall outlay out of the amount paid in accordance with the provisions of the preceding paragraph necessary expenses for prevention of infectious diseases of dogs, promotion of health of other domestic animals, prevention of ill-treatment of animals, training of labor dogs, preservation of animals designated as protected natural objects by Article 69 (designation of protected natural objects) of the Law for Protection of Cultural Objects (Law No. 214 of 1950), and registration of domestic animals.

3. Necessary matters concerning the application of the provisions of the preceding paragraph shall be provided for by Cabinet Order.



(Use of Income of Promoter of Animal Race)

Article 17. The promoter of animal race shall pay the expenses necessary for putting into effect the matters mentioned in Paragraph 2 of the preceding Article as Cabinet Order may prescribe, out of the balance of his income earned in accordance with the provisions of Article 14, after deducting the payment made in accordance with the provisions of Paragraph 1 of the preceding Article and the expenses relative to the holding of the animal race.

2. Necessary matters concerning the expenses for the holding of an animal race shall be provided for by Cabinet Order.

Article 18. The Animal Improvement Association shall be a juridical person established in accordance with the provisions of Article 34 (establishment of non-profit corporation) of the Civil Code (Law No. 89 of 1896).

2. The Animal Improvement Association shall fulfil the conditions mentioned below:

(1) The number of members shall not be less than the number determined by Ministerial Ordinance.

(2) Each member shall possess one of the animals whose kind and species are determined by Ministerial Ordinance, and the total number of animals of each kind possessed by the entire members shall exceed the number determined by Ministerial Ordinance for each kind.



(3) The association shall not have among its officers any person who falls under any of the following items:

- (a) A person who has been sentenced to fine or heavier<sup>n</sup> punishment for a crime prescribed by this law, the Horse Race Law (Law No.158 of 1948), the Cycle Race (Law No.209 of 1948), the Small-type Automobile Race Law (Law No.208 of 1950) or Chapter 23 (Crimes of Gambling and Lottery) Part 2 of the Penal Code (Law No.45 of 1907).
- (b) A person who was sentenced to imprisonment, or heavier punishment but has not passed two years after having served out his sentence or his sentence became impossible of execution.
- (c) A person adjudged incompetent or quasi-incompetent.

3. No organization other<sup>than</sup> the Animal Improvement Association shall use in its title the letters "Animal Improvement Association" or similar letters.

4. Every Animal Improvement Association shall establish an Animal Improvement Club to execute, under its management, the construction of an animal race course, registration of the animals to take part in the animal race and of the handlers of such animals, adjustment of all matters concerning the running of animal races, opening of a course of training for aspirants to the job of handlers, training of the animals to take part in animal races, and all other business indispensable for the improvement and breeding of such animals.



5. The provisions of Paragraph 1, Paragraph 2 (item 3) and Paragraph 3 will apply, mutatis mutandis, to any Animal Improvement Club. In this case, the words "Animal Improvement Association" in Paragraph 3 shall read "Animal Improvement Club."

(Control of Animal Racing Course)

Article 19. The promoter of Animal Race shall take necessary measures for maintenance of order in the racing course, such as adjustment of visitors gallery, prevention of crimes and unfair dealings concerning the animal race, upholding of decency and sanitation in the racing course.

Article 20. The promoter of animal races may take the following steps should he find it necessary in order to secure the fairness of the race or to maintain the order in the racing course:

- (1) Suspension of any animal from taking part in the race.
- (2) Issue of warning against the owner or handler of an animal, or suspension of a handler from participating in the race.
- (3) Refusal of admission, or order against any visitor to withdraw from the racing course.



Article 21. The Minister of Agriculture and Forestry may, when he deems it necessary, send an official or officials concerned to the office in charge of the animal race, or to the racing course, and have necessary instructions given to the person who holds the animal race for maintenance of order in the racing course or for securing fair dealings of the race.

2. In the case stated in the preceding paragraph, the Minister of Agriculture and Forestry must order those officials to carry identification cards with them, so that they may be shown to the interested parties on request.

(Suspension of Sales of Betting Tickets)

Article 22. The Minister of Agriculture and Forestry may, when the promoter of an animal race, or an Animal Improvement Association, or An Animal Improvement Club, has acted against this Law, any ordinance issued by virtue of this law, or any disposal made thereunder, or when he deems it necessary for the maintenance of order in the racing course or for securing the fair dealings of the race, issue an order against the promoter of the race or the Animal Improvement Association or the Animal Improvement Club concerned suspending the sales of betting tickets, or order other necessary measures to be taken for the attainment of such purpose.

2. The Minister of Agriculture and Forestry, when any disposition is to be made in accordance with the provisions of the preceding paragraph, must hear the promoter



of the animal race, the Animal Improvement Association or of the Animal Improvement Club on the matters at a public hearing to be held prior to such disposition by notifying them of the time and place of such hearing. Under urgent circumstances, however, the public hearing may be held after the disposition.

(Cancellation of the Permission to Establish)

Article 23. The Minister of Agriculture and Forestry may, when an Animal Improvement Association, or an Animal Improvement Club, falls under any one of the following cases, cancel his permission for establishment of a corporation given under Article 34 of the Civil Code:

- (1) When an Animal Improvement Association or an Animal Improvement Club has come to lack the conditions enumerated in Paragraph 2 of Article 17, or where it has been found that the Animal Improvement Association or Animal Improvement Club had not fulfilled the conditions enumerated in Par. 2 of Article 17 at the time when its establishment was permitted.
- (2) Where an Animal Improvement Association or an Animal Improvement Club has acted against this law, or an order issued in accordance with this law, or any disposition made by virtue of the provisions of this law or ordinance.

2. The Minister of Agriculture and Forestry, when he wishes to cancel his permission for establishment of a corporation, under the preceding paragraph, shall hear



such corporation at a public hearing by duly notifying it of the time and place thereof.

(Notification, Report, or Examination)

Article 24. The Minister of Agriculture and Forestry may order any promoter of animal race to give a notice, or present a report concerning the race to be held, or closed, the accounts, and other matters of necessity, or examine the books and other documents concerning the race.

(Registration Fee)

Article 25. An Animal Improvement Club may collect such a registration fee as determined by the Ministerial Order from the applicant for registration of an animal racing course, animal to take part in the animal race, or of any handler.

(Matters to be provided by Ministerial Order)

Article 26. Besides the matters provided for in this Law, all matters concerning species and varieties of animals to take part in animal race, frequency, duration and kinds of animal race, events and methods, standard for registration of racing course, animals to take part in race and handlers of animals and other details of registration, details of training courses to be given by the Animal Improvement Club to those who wish to be handlers and other matters necessary for the enforcement of this Law shall be provided for by Ministerial Order.

(Penal Provisions)



(Penal Provisions)

Article 27. Any person who comes under any of the following items shall be subject to a penal servitude not exceeding one year or a fine not exceeding 50,000 (fifty thousand) yen or both of them.

- (1) Any person who violates the provision of Article 2, Paragraph 2 of this Law.
- (2) Any person who gambles with indefinite large number of people betting valuable goods in connection with any animal race held under this law.
- (3) Any person prohibited under Article 8 of this Law to buy or receive transfer of any betting ticket, who has become a party to the act violating the provisions of the preceding item.

Article 28. Any person who comes under any of the following item shall be subject to a fine not exceeding 50,000 (fifty thousand) yen.

- (1) Any person who has sold betting tickets to anyone whom the seller could identify to have been prohibited to buy such under Article 8 of this Law.
- (2) Any person who violates the provision of Article 8 of this Law.
- (3) Any person who has become a party to an act



mentioned in item 1 of the preceding Article.

- (4) Any person who has become a party to an act mentioned in Paragraph 2 of the preceding Article except those stipulated in Paragraph 3 of the preceding Article.

Article 29. Any officer of an animal improvement association or club, or any person who engages in the business of animal race or any handler related to such race who has received, demanded or promised any bribe in connection with his duty or race shall be subject to a penal servitude not exceeding three years.

2. Any person mentioned in the preceding item who has received, demanded or promised a bribe in connection with his duty or race and thereby committed iniquities or neglected his duties shall be subject to a penal servitude not exceeding five years.

3. The bribes received under circumstances mentioned in the preceding two items shall be confiscated. In case whole or part of the bribe cannot be confiscated, its price shall be collected as penalty.

Article 30. Any person who has offered or proposed or promised a bribe mentioned in Paragraph 1 or 2 of the preceding Article shall be subject to penal servitude not exceeding three years.

Article 31. Any person who has violated the provision of Article 13, Paragraph 2 or Article 17, Paragraph 3 (inclusive of cases to which Paragraph 5 of the same Article is applied)



cases to which Paragraph 5 of the same Article is applied) shall be subject to a fine not exceeding 10,000 (ten thousand) yen.

(Exception of the Law)

Article 32. This Law shall not apply to horse races.

#### SUPPLEMENTARY PROVISIONS

1. This Law shall come into force from the day of its promulgation.
2. The Ministry of Agriculture and Forestry Establishment Law (Law No.153, 1949) shall be amended as follows:  
Following item shall be added to Paragraph 1, Article 11.
  13. Matters pertaining to the practice of animal race.

#### **Reason for the introduction of the Bill.**

The practice of animal race is considered necessary in order to test animals' ability, bring about their improvement and increased breeding, make contributions to the love of animals and also to improve local finance. This is the reason why the present Bill is introduced.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

AI Guide

26-6076

Note  
No.

From: Gort Sec

To: G2/MSD

Date: 23 May 1951

1

1. Immediate introduction of the attached draft bill in the Diet  
is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Haijai Game Bill

F. R.

P & P



Mr. Mulbar 26-5915

FROM: G2

TO: Govt Sec

DATE: 2 June 1951

2

G2 is opposed to the proposed gambling bill to legalize Haialai. If this proposed bill becomes law it will contribute to the causes that breed crime, juvenile delinquency, and further strain on already burdened Japanese police force.

1 Incl:  
n/c

-----R. F. E.-----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note  
No.

1

From: Govt Sec

To: GSS

Date: 28 May 1951

~~28-6076~~

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Malaisi Case Bill

F. R.

P & P



2 From: ESS

To: Govt Sec

*Red*  
B.E. Lardon, 26-6464  
WFM/AMR/BNL/ef  
DATE: 1 JUN 1951

1. ESS does not approve legislation authorizing gambling nor its use to obtain revenue.

2. However as subject Bill does not violate any SCAP directives nor the Stabilization Program, there is no objection to its clearance for introduction into the Diet.

1 Incl  
n/c

----- W. F. K. -----



2

From: ESS

To: Govt Sec

*Red*  
R.E. Larson, 26-6464  
WFM/EMR/ML/ef  
DATE: 1 JUN 1951

1. ESS does not approve legislation authorizing gambling nor its use to obtain revenue.

2. However as subject Bill does not violate any SCAP directives nor the Stabilization Program, there is no objection to its clearance for introduction into the Diet.

1 Incl  
n/c

----- W. F. K. -----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note  
No.

From: Govt Sec

To: IS/IAJ

Date: 28 May 1951

~~Ref Guide~~  
20-6076

1

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Waiwai Game Bill

F. R.

P & P



Subject: Haialai Game Bill

From: LS

To: GS

Date: 31 May 1951  
C.J. Smith, 67-8645

2.

1. Whether the bill may or may not be considered legally objectionable depends upon the applicability of Article 34 of the Civil Code, which requires that the objectives of juridical persons established thereunder be non-profit making in nature. Article 2 of the bill provides that the promoter of the Haialai game be a juridical person in accordance with said Article 34 of the Civil Code "for the purpose of raising funds for social welfare works by the performance of the game." It will be recalled that in connection with the Animal Race Bill, commented upon in check note from LS to GS 1 March 1951, the promoting associations therein mentioned had profit making so obviously as their primary objective that that bill on its face appeared legally objectionable. Article 13 of subject bill provides that the promoter shall pay 80% of the admission fees and 15% of the total proceeds of the betting tickets to the social welfare designee of the Ministry of Welfare. According to Article 19 the betting ticket winners shall receive 70% and the National Treasury 5%. Article 18 permits the promoter to "earn" the remaining 10% of the proceeds of the betting as income.

Although it is not expressly stated from what fund the expenses of conducting the games shall be paid, it would appear from the general tenor of the bill that they must fall on the promoter. Among other things, the promoter will be obliged to provide a stadium and also pay all personnel and general overhead. If after the payment of these items a sizeable net profit should remain out of the aforementioned 10% allocated to the promoter, it could then be submitted that the creation of such a juridical person is legally impossible under Article 34 of the Civil Code. On the other hand, if no such profit should remain, the question of incompatibility with said Article 34 would not arise. In any event, as the bill now stands, it cannot be definitely ascertained whether a 10% gross return to the promoter is profitable or not within the purview of Article 34 of the Civil Code. However, although there is no

(Continued)



Haialai Game Bill

2. Contd. certainty in the premisses, the likelihood of any great profit making under subject bill is not believed so evident as to warrant a legal objection on the basis of conflict with Article 34 of the Civil Code.

2. Whether or not subject bill is desirable from the standpoint of public morals is a matter for determination by other SCAP sections.

1 Incl.  
w/d

----- A.C.C. -----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From:	To:	Date:	Ref Guide
1	Govt Sec	PH&W	28 May 1951	26-6076
	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.			
	2. Your prompt comment is requested.			
	1 Incl Haialai Game Bill			
F. R.				
2	PH&W	Govt Sec	29 May 1951	Mr. Wetsker 26-6988
	1. PH&W does not concur in draft legislation titled Haialai Game Bill.			
	2. PH&W objects to those portions of draft bill which would legalize betting on the outcome of the game for the purpose of raising funds for <u>social welfare purposes</u> and the "stabilization of popular living".			
	3. Draft bill is similar to previous proposed legislation which would have legalized various forms of gambling for the purpose of providing funds for social welfare. PH&W has consistently objected to such proposals on the grounds that their effect would be detrimental on both the development of private social welfare activities in Japan and on the continued successful growth of the Japan Community Chest which has responsibility for raising the funds necessary for financing private social welfare work.			
	4. PH&W would have no occasion to object to such bills if they were disassociated from <u>Social Welfare</u> and <u>Ministry of Welfare</u> auspices.			
	1 Incl w/d			
C.S.M.				



Government Section  
Buck Slip

28 May 1951

FROM: P & P Div  
TO: INITIAL DATE

_____	CHIEF.....	.....
_____	EX OFF.....	.....
_____	DEPUTY CHIEF.....	.....
_____	Chief Adm. Div.....	.....
_____	Stat & Review.....	.....
_____	Civ Serv Div.....	.....
_____	Par & Pol Div.....	.....
<input checked="" type="checkbox"/>	Public Aff Div.....	.....
_____	Public Adm Div.....	.....
_____	Admin Asst.....	.....
_____	Personnel Clerk.....	.....
_____	Chief Clerk.....	.....
_____	File.....	.....

For: \_\_\_\_\_

_____	INFORMATION
_____	NECESSARY ACTION
_____	ACTION (Prepare reply)
_____	APPROVAL
_____	INITIAL
<input checked="" type="checkbox"/>	COMMENT OR CONCUR
_____	RETAIN
_____	RETURN
_____	FILE
_____	BURN

Wooty  
W.A.  
CB



May 25, 1951.

Title of the Bill: Haialai Game Bill. (Presented by  
TSUCHIKURA, Somei and another)

I hereby certify that the above ~~em~~<sup>e</sup>ntioned  
Bill does not violate any Directive issued by  
the Supreme Commander for the Allied Powers and  
the Constitution of Japan, and that any provision  
of this Bill, except those providing for exceptions,  
does not contradict any other law.

*Foshio Urie*

Chief, Legislative Bureau  
House of Representatives.

*Rec'd GS 5/28/51*

*CS to: ESS  
PH+W  
G2/PSD  
LS/L+S  
GS/PA*

*Cleared 6/2/51  
FR by JW*



To. Mr. Matukata

(Corrected as underlined,  
May 28.)

House of Representatives

May 28, 1951.

Haijai Game Bill.

(Presented by TSUCHIKURA Somei  
and another)

(Object of the Law)

Article 1. The object of this law is to give legal provisions for such matters as are necessary for the performance of a Haijai game and to raise funds for social welfare works by such performance, for the purpose of contributing to the sound development of the game and also to the stabilization of popular living.

(Promoter)

Article 2. A promoter of the Haijai game (hereinafter referred to simply as the "promoter" must be a juridical person, which has been established in accordance with the provisions of Article 34 of the Civil Code for the purpose of raising funds for social welfare works by the performance of the game.

(Stadium)

Article 3. The Haijai game must be performed in a stadium which is established specifically for such purpose.

2. The stadium may be established one each in Tokyo-to, Kyoto<sup>o</sup>-fu, Osaka-fu, Kanagawa-ken, Hyogo-ken, Aichi-ken,



Kyushu and Kokkaido, and the Minister of Welfare shall designate the location thereof in each area, after obtaining the views of the prefectural governor based on the decision of the Assembly of To, Do, Fu or Prefecture concerned.

3. A stadium must conform with a set of standards as prescribed by a Welfare Ministry Ordinance.

(Players and Umpire)

Article 4. Players and umpires of the Haialai game must possess the qualifications as defined by a Welfare Ministry Ordinance.

(Reporting)

Article 5. A promoter, when he intends to hold a Haialai game, must report thereon to the Minister of Welfare through the prefectural governor concerned.

(Admission Fee)

Article 6. A promoter, when he holds a Haialai game, must collect an admission fee of not less than ¥50 and not more than ¥150 from each visitor.

(Betting Ticket)

Article 7. A promoter may sell betting tickets, of which the face value is ¥10 per ticket, at par value.

(Betting Method)

Article 8. The method of betting shall be under one of the four systems, which are singly victory system, plural



victory system, consecutive victory system, and double victory system, and a combination of two or more of the said systems may be employed in regard to each game.

(Winners)

Article 9. In the single victory system, a player who has won the first place in each game shall be the winner.

2. In the plural victory system, those players who have won the first and the second place in a game shall be the winners, if each game is played by three or more groups.

3. In the consecutive victory system, those players who have won in a game the first and the second place, named in such order, shall be the winners, if each game is played by three or more groups.

4. In the double victory system, players who have won the first place in each of the two or more games and a day, named in such combination, shall be the winners.

(Opening and Closing of the Sale of Tickets)

Article 10. The sale of betting tickets must be commenced after the players to play a game have been determined, and be closed before the commencement of the game.

(Announcement of the Amount of Sale)

Article 11. A promoter, immediately on closing the sale of tickets for each game, must post up the amount of tickets sold on each player and classified by the betting method.



(Limitation on Promoter's Staff)

Article 12. No betting tickets shall be sold to the functionaries of a juridical person who is a promoter, players, umpires, and other persons who are engaged in the business of performing the Haialai game (hereinafter referred to as the "promoter's staff").

(Amount of Contribution)

Article 13. A promoter must pay, as prescribed by the Minister of Welfare, an amount of money equivalent to 50 per cent of the total admission fee plus 15 per cent of the total proceeds (the gross sale of betting tickets less the amount to be refunded under the provisions of Article 20, par. 3; hereinafter the same) to a juridical person which has as its object a social welfare work designated by the Minister of Welfare.

2. The amount of money paid in accordance with the provisions of the preceding paragraph shall be regarded as a loss in assessing the corporate tax on the promoter.



(Dividends)

Article 14. A promoter shall pay the following amounts as dividends on the respective winning tickets, in exchange therefor:

- (1) For each of the winning tickets, an amount equivalent to 70 per cent of the proceeds by the sale of betting tickets for the same game and in the same betting method, divided pro rata by the number of such winning tickets;
- (2) An amount equivalent to the face value of a betting ticket, in case the amount computed in accordance with the preceding item falls below such face value;
- (3) An amount equivalent to 70 per cent of the proceeds by the sale of betting tickets for the same game and in the same method, divided pro rata by the number of such tickets, in case there is no winning ticket.

(Omission of Fractions)

Article 15. In making payment of dividends, a fraction less than one Yen, if any, of the amount computed in accordance with the provisions of the preceding Article shall be rounded off.

2. Any amount of money derived from the omission of fractions as mentioned in the preceding paragraph shall accrue to the promoter.

(Falsification of Betting Ticket, etc.)



Article 16. A betting ticket, which has been falsified in respect of the prescribed letters and characters shown thereon by printing or perforation, or has been damaged or stained to such an extent that the said letters and characters can not be identified, shall not be entitled to a dividend.

(Prescription)

Article 17. The right to claim a dividend receivable under the provisions of Article 14, if left unperformed for one year, shall be extinguished by prescription.

(Income of Promoter)

Article 18. A promoter, when he has sold betting tickets, may earn as his income an amount equivalent to 10 per cent of the total proceeds by such sale.

(Payment to National Treasury)

Article 19. A promoter, when he has sold betting tickets, must make a payment to the National Treasury in the amount equivalent to 5 per cent of the total proceeds by such sale.

2. The payment as provided for in the preceding paragraph may be collected, following a procedure similar to the disposition against non-payment of national taxes.

(Invalidation of Betting)

Article 20. If, after the sale of betting tickets, circumstances coming under any one of the following items have



arisen, the relative betting shall be invalidated.

- (1) The number of players to play the game falling short of the fixed number;
- (2) Non-performance of the game;
- (3) Non-existence of successful player.

2. In case a player mentioned in the betting ticket put on sale has not played, the betting on such player (or a group of players to which such player belongs, in the case of betting under the consecutive victory system and the double victory system) shall be null and void.

3. In the case of the preceding two paragraphs, the promoter must refund the money at par value of the betting ticket in exchange therefor.

4. In regard to the refundment as mentioned in the preceding paragraph, the provisions of Articles 16 and 17 shall be applied mutatis mutandis.

(Announcement of Winners, etc.)

Article 21. A promoter, immediately upon the close of each game, must announce the names of successful players, their order, and the amount of dividend.

(Keeping of Duplicate of Ticket)

Article 22. A promoter, when he has sold betting tickets, must keep the duplicates thereof for one and half years from the date of the sale.



(Rules of Game, etc.)

Article 23. A promoter shall apply for the authorization of the Minister of Welfare, after fixing such necessary matters as are not prescribed by this law concerning the rules of the game, the method of selling betting tickets, and the method of paying dividends.

(Players Not Intending to Win)

Article 24. No Promoter shall allow a player who has no intention to win in a game to take a part in a game.

2. A promoter, when he deems a player during a game as not intending to win in such game, may suspend him from participating in a game for a period of not more than one year or dismiss him.

(Disposition by Minister of Welfare)

Article 25. When a promoter's staff has acted in violation of this law or Ordinances issued pursuant thereto or measures taken on the basis of this law and the said Ordinances, the Minister of Welfare may take recourse to the disposition as mentioned in the following items:

- (1) Revocation of the authorization for the juridical person;
- (2) Suspension of the Performance of game;
- (3) Suspension of or restriction on the sale of betting tickets;
- (4) Suspension of the execution of office by the promoter's staff.



2. The Minister of Welfare, when he intends to take recourse to disposition in accordance with the provisions of the preceding paragraph, must hold a public hearing, giving an advance notice to the promoter concerned who is a juridical person and to the promoter's staff concerning the reasons therefor and the date and place of the hearing. It is provided, however, that in case of urgency the hearing may be held afterwards.

3. If the promoter's staff fails for no justifiable reasons to attend the hearing on the prescribed date, the Minister of Welfare may <sup>take</sup> dispositive measures as mentioned in item 1, without holding a hearing.

(Penal Provisions)

Article 26. Any person coming under any of the following items shall be liable to a penal servitude for not more than three years, or a fine of not more than ₡-100,000 or a combination of the said penal servitude and fine:

(1) Persons who have acted in violation of the provisions of Article 2;

(2) Persons who have not obeyed the dispositive measures, as mentioned in the preceding Article, concerning suspension of performance of games, or suspension of or restriction on the sale of betting tickets;

(3) Persons who have professionally gambled on the Haialai game for money and property with the public;



(4) Persons belonging to a promoter's staff, who have acted as the other party to the offences mentioned in the preceding items.

Article 27. Any person coming under any of the following items shall be liable to a penal servitude for not more than two years, or a fine of not exceeding ¥50,000:

(1) Persons who have sold betting tickets to members of a promoter's staff;

(2) Persons belonging to a promoter's staff, who have purchased betting tickets or received them by way of transference;

(3) Persons who have paid, or received payment of a dividend, in violation of the restrictive provisions of Article 14;

(4) Persons belonging to a promoter's staff, who have not obeyed the dispositive measures, as provided for in Article 25, concerning suspension of the execution of office;

(5) Persons who have acted as the other party to the offences as mentioned in items 1 to 3 of the preceding Article.

Article 28. Any person who <sup>has</sup> ~~have~~ committed acts of violence or intimidation on a promoter's staff in executing its office shall be liable to a penal servitude for not more than three years or a fine of not exceeding ¥50,000.



Article 29. Any person ~~belonging to a promoter's staff~~ who has received, demanded, or promised to receive, a bribe pertaining to his office, shall be liable to a penal servitude for not more than three years. In case such person has committed an <sup>u</sup>inlawful act or failed to perform an act which is duly required of him as the result, he shall be liable to a penal servitude for not more than five years.

2. In the case of the preceding paragraph, any bribe which has been received shall be confiscated. If the whole or any part of the bribe can not be confiscated, the equivalent thereof shall be collected, <sup>s</sup>supplementarily.

Article 30. Any person who has given, offered, or promised to give, a bribe to a person belonging to a promoter's staff pertaining to the office of such person or the game, shall be liable to a penal servitude for not more than three years.

2. In case a person who has committed the offence as mentioned in the preceding paragraph has confessed his guilt, the punishment due to him may be either reduced or remitted.

#### Supplementary Provisions.

This law shall come into force as from the date of its promulgation.



HOUSE OF COUNCILLORS

Tues. May 22nd, 1951

Title

Proposed Amendments to the Bill for  
Partial Amendments to the Architects Law

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Takehiko Okada

Takehiko OKADA  
Chief of 3rd Division  
of the Legislative Bureau,  
House of Councillors

Rec'd 65 5/23/51  
Cleared ds

(7)



HOUSE OF COUNCILLORS

Tues. May 22nd, 1951

Title

Proposed Amendments to the Bill for  
Partial Amendments to the Architects Law

I hereby certify that the above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

For the Director

Takehiko Okada

Takehiko OKADA  
Chief of 3rd Division  
of the Legislative Bureau,  
House of Councillors

Rec'd GS 5/23/51  
Cleared ok

(1)



HOUSE OF COUNCILLORS

Fri. May 18th, 1951

Title

Proposed Amendments to the Bill for Partial  
Amendments to the Architects Law

I hereby certify that above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

Kenichi Okuno

Kenichi, OKUNO  
Director, Legislative Bureau,  
House of Councillors

Rec'd 65 5/21/51  
Cleared &  
no copies out.



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Note No.	From: Govt Sec	To: ESS	Date: 27 March 1951
1.	1. Immediate introduction of the attached draft bill in the Diet is proposed by <b>House of Representatives.</b> 2. Your prompt comment is requested.		
	1 Incl <b>Bill for Partial Amends to Architects law</b>		
	C. H.		

P  
&  
P



Mr. Stanek: 26-8136

010.0(27 Mar 51)ESS/IND

From: ESS

To: Govt Sec

MMC/MWH/jto

Date: 3 APR 1951

2.

No objection to attached draft bill. This confirms telephone conversation between Capt Norris of GS and Mr. P. S. Fujii of ESS on 30 Mar 51.

1 Incl  
n/c

-----W. F. M.-----



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Morris

Note No.

From: Govt Sec

To: ENOR

Date: 27 March 1951

26-6076

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by **House of Representatives.**

2. Your prompt comment is requested.

1 Incl  
Bill for Partial Amends to  
Architects Law

C. H.



From: Engr

To: Govt Sec

Lt.Col.H. Page 26-8065

Date: 31 MAR 1951

2. The Engineer Section has no objection to the proposed amendments to the Architects Law.

1 Incl  
w/d

----- J.G.C. -----





GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Morris

26-6076

Note No.

From: Govt Sec

To: IS/LAI

Date: 27 March 1951

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by **House of Representatives.**

2. Your prompt comment is requested.

1 Incl  
Bill for Partial Amendment to  
Architects Law

C. . .

P & P



Subject: Bill for Partial Amendments to the  
Architects Law

From: LS

To: GS

Date : 30 March 1951  
S.A.Reese, 57-8548

2.

This section has no objections to subject bill. It is noted that the bill, among other things, defines the scope and type of architectural work in which architects of the first and second class may respectively engage. This follows the suggestion made by LS in paragraph 2 of check sheet dated 21 March 1950 in which the original architect's bill (now law No. 202 of 1950) was reviewed.

1 Incl.  
w/d

-----A.C.C.-----



Architects. Bell

Government Section  
Buck Slip

3/27 1950

FROM: D+P

TO: INITIAL DATE

_____	CHIEF.....	.....
_____	EX OFF. ....	.....
_____	DEPUTY CHIEF.....	.....
_____	Col Wheeler.....	.....
_____	Chief Adm Div.....	.....
_____	Stat & Review.....	.....
_____	Civil Serv Div.....	.....
_____	Par & Pol Div.....	.....
<input checked="" type="checkbox"/>	Public Aff Div.....	.....
_____	Public Adm Div.....	.....
_____	Admin Asst.....	.....
_____	Personnel Clerk.....	.....
_____	Chief Clerk.....	.....
_____	File.....	.....

OR:

\_\_\_\_\_ INFORMATION  
 \_\_\_\_\_ NECESSARY ACTION  
 \_\_\_\_\_ ACTION (Prepare reply)  
 \_\_\_\_\_ APPROVAL  
 \_\_\_\_\_ INITIAL  
 COMMENT OR CONCUR  
 \_\_\_\_\_ RETAIN  
 \_\_\_\_\_ RETURN  
 \_\_\_\_\_ FILE  
 \_\_\_\_\_ BUFN *can*

*no obj  
w/obj*



March 26, 1951.

Title of the Bill: Bill for Partial Amendments to the  
Architects Law.  
(Presented by ASARI, Saburo and  
3 others)

I hereby certify that the above mentioned Bill  
does not violate any Directive issued by the Supreme  
Commander for the Allied Powers and the Constitution  
of Japan, and that any provision of this Bill, except  
those providing for exceptions, does not contradict  
any other law.

*Toshio Inui*

Chief, Legislative Bureau,  
House of Representatives.



Amendment to Railway Construction Law

N. Gregory, 26-6142

WFM/EMR/BNL/NG/zl

010(23 MAY 1951)ESS/FIN

Draft Legislation

ESS

Govt Sec

23 MAY 1951

1. 1. References are C/N # 1, Govt Sec to ESS, subject: Draft Legislation, dated 26 February 1951, requesting comment on proposed Bill for Partial Amendment to Railway Construction Law, and C/N # 2, ESS to Govt Sec, same subject, dated 26 March 1951, recommending that the bill be withheld from clearance.

2. Based on further discussions with the Ministries of Transportation and Finance, and with the Diet member who introduced the bill, it has been determined that the operating expenses of the proposed Railway Construction Council can be met from the existing appropriation of the Ministry of Transportation. Recommendation that the bill be withheld from clearance is therefore withdrawn.

3. There is no objection to the immediate introduction in the Diet of the draft bill, Bill for Partial Amendment to Railway Construction Law.

1 - - - - - W. F. M. - - - - -

2



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED FORCES

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Guida *ds*

Note No.

From: Govt Sec

To: CTS

Date: 28 February 1951

26-6076

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl

Bill for Partial Amendment  
to Railway Construction Law

*Jan C. ...*

2

From: CTS

To: Govt Sec

Mr. Delaney 26-6124  
Date:

1. The Chief, Civil Transportation Section, submits the following comments on the Bill for Partial Amendment to Railway Construction Law:

a. The objectives of the Bill appear very desirable and are not in conflict with policies followed within the scope of Civil Transportation Section. Greater good may be expected, however, if the following factors were given consideration.

b. The proposed Council to be established thereby is large, but gives ample opportunity for all parties at interest to participate. Its structure may later be lowered when it can be seen where parallel interests can be consolidated into a lower representation, or representation re-evaluated equitably according to interest. Initially, however, consideration might well be given to dividing the two places under Item (7) of Article 6, giving one to a highway engineer and one to a railway engineer.

c. It is urgently recommended that the Bill be further amended to empower the Council to consider and make recommendations to the Diet and the Government regarding the alternative and complementary transportation facilities, particularly highways, wherever extension of rail lines is deliberated. This is desirable in order that the Council may have effective surveys, local hearings and studies evaluating the needs of the community concerned, the services available by all

✓  
2286

5/7/51  
Disapproved  
until next  
Budget is  
prepared.  
F.R.  
*[Signature]*



Mr. Delaney 26-6124

Draft Legislation - Bill for Partial Amendment  
to Railway Construction Law

CTS

Govt Sec

2  
(Cont'd)

media of transport, the expenditures required initially and for maintenance, the revenue, and the order of importance to the economy of Japan. It would be gross waste and inefficiency not to permit such an expert body to make an alternative recommendation which would be respected, after it mastered such a problem in the public interest, if it saw clearly, for example, that highway facilities would be the more rational expenditure.

d. Legislation of this type is also given prestige where provision is made for entry of record of all votes and official acts of the deliberating body.

2. To assist the Diet committees concerned with this Bill in appreciating the proposals herein, they are reminded of the staggering losses suggested by construction costs, and the tremendous portion of the national budget required to compensate these items prior to the post-war reorganization of the Japanese National Railways under the advice and counsel of the Supreme Commander. The committee should, therefore, be interested in reading the enclosed copy of Memorandum to the Ministry of Transportation from the Chief, Civil Transportation Section, subject: Long Range Transportation Plan, 3 January 1951.

1 Incl

w/d 1 Incl - Incl 1

Added 1 Incl

2. Memo to M/T, subj: Long Range  
Transp Plan, 3 Jan 51

----- H. T. M. -----



Maj Guida, 26-6076

Draft Legislation

Govt Sec

ESS

26 February 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.
2. Your prompt comment is requested.

1 Incl  
Bill for Partial Amendment  
to Railway Construction Law

-----C. W.-----

010(28 Feb 51)ESS/FIN

From: ESS

To: Govt Sect

WFM/EMR/BNL/NG/da  
Mr. Gregory, 26-6142  
Date: 26 MAR 1951

2. It is recommended that clearance of the attached draft bill, Bill for Partial Amendment to the Railway Construction Law, be withheld, since no funds are provided for the operating expenses of the proposed Railway Construction Council in the budget for fiscal year 1951-52.

1 Incl  
n/c

-----W. F. M.-----



*Shipping Court*

Government Section  
Buck Slip

28 Feb 1959

FROM: P+P  
TO: INITIAL DATE

_____	CHIEF.....	
<u>1</u>	EX OFF.....	<u>28</u>
_____	DEPUTY CHIEF.....	
_____	Col Wheeler.....	
_____	Chief Adm Div.....	
_____	Stat & Review.....	
_____	Civil Serv Div.....	
<u>3</u>	Par & Pol Div.....	
<u>2</u>	Public Aff Div.....	
_____	Public Adm Div.....	
_____	Admin Asst.....	
_____	Personnel Clerk.....	
_____	Chief Clerk.....	
_____	File.....	

FOR:

_____	INFORMATION
_____	NECESSARY ACTION
_____	ACTION
_____	APPROVAL
_____	INITIAL
<u>1+2</u>	COMMENT OR CONCUR
_____	RETAIN
_____	RETURN
<u>3</u>	FIL
_____	BURN

ds.

*No objection  
M.M.*



February 27, 1951.

Title of the Bill: Bill for Partial Amendment to  
the Railway Construction Law.  
(Presented by MAEDA Iku (L))

I, hereby, certify that the above mentioned  
Bill does not violate any Directive issued by  
the Supreme Commander for the Allied Powers and  
the Constitution of Japan, and that any provision  
of this Bill, except those providing for exceptions,  
does not contradict any other law.

*Sanes Sameshima*

Chief of the Third Division,  
Legislative Bureau,  
House of Representatives.

*for the Chief of the  
Legislative Bureau.*

*Read GS 2/28/51*

CS &: CTS  
ESS  
GS/R1220  
GS/PA



GENERAL HEADQUARTERS  
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Capt Norris

26-6076

Note No.

From: Govt Sec

To: ESS

Date: 26 March 1951

1.

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl  
Bill concerning Subsidies to  
Private Scientific Research  
Institutions

G. H.

File No.: OLO(26 MAR 1951)ESS/ST

From: ESS

To: Govt Sec

WFM/BOD/POB/OED/vt  
Mr. Burton 26-8060  
Date: 7 MAY 1951

2.

? Sp → No action is taken at this time on the proposed bill concerning subsidiaries to private research institutions. This bill has been discussed with its sponsors, who agree that certain revisions will result in better accomplishment of the desired ends. The sponsors state that a new draft is in preparation, to be substituted for the present proposal.

1 Incl w/d

----- W. F. H. -----

(3)