DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

had adequately been effected according to the order for deratting under the provisions of the preceding paragraph, issue a certificate of the respective fact, if so requested by the captain of such vessel.

(Inspection, etc. by Application)

Article 26. The chief of quarantine station may, when the owner or the captain of the vessel or aircraft requests him for inspection with regard to the presence or absence of germs of quarantinable disease, disinfection, deratting, disinsecting of the vessel or the aircraft concerned, medical examination or preventive vaccination for the crew, etc., or issuance of the certificate with regard to these matters, comply with such request so long as it does not interfere with the quarantine duties at the quarantine station concerned.

2 The chief of quarantine station, may, when any person intending to go abroad requests him the medical examination concerning the quarantinable disease, inspection with regard to the presence or absence of germs of quarantinable disease, preventive vaccina-

or the aircraft concerned, medical examination or preventive vaccination for the crew, etc., or issuance of the certificate with regard to these matters, comply with such request so long as it does not interfere with the quarantine duties at the quarantine station concerned.

2 The chief of quarantine station, may, when any person intending to go abroad requests him the medical examination concerning the quarantinable disease, inspection with regard to the presence or absence of germs of quarantinable disease, preventive vaccination, or the issuance of the certificate concerning these matters by paying the fee stipulated by Cabinet Order, comply with such request, so long as it does not interfere with the quarantine duties at the quarantine station concerned.

(Emergency Sanitary Measures at the Quarantine . Seaport, etc.)

Article 27. When the chief of quarantine station finds that the

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

communicable disease provided for in Article 1 paragraph 1 of the Infectious Disease Prevention Law or the communicable disease designated by the Minister of Welfare under the provisions of paragraph 2 of the same Article is prevailing or is likely to prevail, he may, only within such area as may be stipulated by Cabinet Order for each quarantine seaport or quarantine airport, cause the quarantine officer or other person considered to be appropriate carry out deratting or disinsecting, cleaning up or disinfection of the vessel or aircraft within such area, or of facilities, building and other places within such area, or carry out health examination or disinsecting of the persons who are engaged in labor within such area.

2 The chief of quarantine station shall, when he has taken the measures mentioned in the preceding paragraph, promptly notify the fact to the chief of the administrative agency concerned.

facilities, building and other places within such area, or carry out health examination or disinsecting of the persons who are engaged in labor within such area.

2 The chief of quarantine station shall, when he has taken the measures mentioned in the preceding paragraph, promptly notify the fact to the chief of the administrative agency concerned.

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

Chapter IV Miscellaneous Provisions

(Quarantine Officers)

Article 28. There shall be appointed quarantine officers in the Ministry of Welfare to have them charged with the administrative affairs provided for in this Law.

(Authority Entrance)

Article 29. The chief of quarantine station and the quarantine officers may, if necessary for carrying out the duties under the provisions of this Law, enter the vessel, aircraft or the facilities, buildings and other places provided for in Article 27 paragraph 1.

(Interpretation of Authority)

Article 30. The authority of the chief of quarantine station and the quarantine officers under the provisions of this Law shall not be interpreted as having been recognized for the purpose of crime detection.

(Wearing of Uniform and Carrying of Identification Card)

Article 31. The chief of quarantine station and the quarantine officer

of this Law, enter the vessel, aircraft or the facilities, buildings and other places provided for in Article 27 paragraph 1.

(Interpretation of Authority)

Article 30. The authority of the chief of quarantine station and the quarantine officers under the provisions of this Law shall not be interpreted as having been recognized for the purpose of crime detection.

(Wearing of Uniform and Carrying of Identification Card)

Article 31. The chief of quarantine station and the quarantine officer shall wear the uniform, carry the identification card, and show it whenever requested by any of the persons concerned, in the performance of the duties under the provisions of this Law.

2 The regulations on the uniform of the chief of quarantine station and the quarantine officer shall be fixed by the Minister of Welfare.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(Collection of Actual Expenses)

Article 32. The chief of quarantine station shall collect the actual expenses from the owner or the captain of the vessel, etc. in accordance with the provisions of Cabinet Order in the following cases:

(1) Where the measures under the provisions of Article 14 paragraph 1 item (3), (4) or (6) have been taken.

(2) When the measures under the provisions of Article 14 paragraph 1 item (1) or (2) have been taken for the crew of the vessel, etc.

2 The chief of quarantine station shall, when he has taken the measures provided for in Article 14 paragraph 1 item (1) or (2) for the persons other than the crew on board the vessel, etc., collect the actual expenses from such persons in accordance with the provisions of Cabinet Order.

3 The chief of quarantine station may not, when it is found that the person who must bear the actual expenses under the provisions of the preceding two paragraphs cannot bear the whole or a part of such actual expenses, collect the whole or a part thereof.

the vessel, etc.

2 The chief of quarantine station shall, when he has taken the measures provided for in Article 14 paragraph 1 item (1) or (2) for the persons other than the crew on board the vessel, etc., collect the actual expenses from such persons in accordance with the provisions of Cabinet Order.

3 The chief of quarantine station may not, when it is found that the person who must bear the actual expenses under the provisions of the preceding two paragraphs cannot bear the whole or a part of such actual expenses, collect the whole or a part thereof, regardless of the provisions of the preceding two paragraphs.

4 The provisions of the preceding three paragraphs shall be applied mutatis mutandis to the case in which the chief of quarantine station or the chief of health center has taken the necessary measures in accordance with the provisions of Article 21 paragraph 3.

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(Disbursement and Share of Expenses)

Article 33. The expenses necessary for the measures taken by the chief of health center in accordance with the provisions of Article 21 paragraph 3 shall be defrayed by To, Do, Fu or prefecture or the city which established the health center concerned, and the National Treasury shall share the expenses in accordance with the provision of Cabinet Order. The same shall apply with respect to the expenses necessary in cases where the chief of health center engages in the quarantine duties in accordance with the Cabinet Order issued under the provisions of Article 23 paragraph 2.

(Application mutatis mutandis of this Law to Communicable Diseases other than the Quarantinable Disease)

Article 34. When any communicable disease other than the quarantinable disease breaks out in a foreign country and the germs thereof are likely to invade into this country if quarantine measures are not taken against it, and thus it is likely that serious effects will be exerted upon the life and health of the people, the provisions of Chapter II and the whole or a part of the provisions of this Chapter (excepting those of the next Article to Article 40 inclusive)

paragraph 2.

(Application mutatis mutandis of this Law to Communicable Diseases other than the Quarantinable Disease)

Article 34. When any communicable disease other than the quarantinable disease breaks out in a foreign country and the germs thereof are likely to invade into this country if quarantine measures are not taken against it, and thus it is likely that serious effects will be exerted upon the life and health of the people, the provisions of Chapter II and the whole or a part of the provisions of this Chapter (excepting those of the next Article to Article 40 inclusive) may be applied mutatis mutandis to the communicable disease concerned, designating the kind of communicable disease by Cabinet Order.and limitting the period to within one year.
In this case, as regards the period of detention for observation, special provision may be made by the cabinet order concerned, in consideration of the latent period of the communicable disease concerned.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(Penal Provisions)

Article 35. A person coming under any of the following items shall be sentenced to penal servitude not exceeding one year or a fine not exceeding 100,000 yen:

(1) A person who has violated the provisions of Article 5.

(2) A person who has been committed to isolation or observation and who has escaped during the duration of such commitment.

(3) A person who has violated the provisions of Article 15 paragraph 2 (including the cases where it is applied mutatis mutandis in Article 16 paragraph 5.)

Article 36. A person coming under any of the following items shall be sentenced to penal servitude not exceeding six months or a fine not exceeding 50,000 yen:

(1) A person who fails to submit the declaration as provided for in of the provisions of Article 11 paragraph 1, or who has submitted the declaration with false facts entered on it.

(2) A person who, when the submission or presentation of the documents is requested in accordance with the provisions

2 (including the cases where it is applied mutatis mutandis in Article 16 paragraph 5.)

Article 36. A person coming under any of the following items shall be sentenced to penal servitude not exceeding six months or a fine not exceeding 50,000 yen:

(1) A person who fails to submit the declaration as provided for in of the provisions of Article 11 paragraph 1, or who has submitted the declaration with false facts entered on it.

(2) A person who, when the submission or presentation of the documents is requested in accordance with the provisions of Article 11 paragraph 2, does not submit or present these, or who has submitted or presented the documents with false facts entered on these.

(3) A person who has made a false answer to the questions under the provisions of Article 12.

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(4) A person who has refused, interfered with or evaded the medical examination or inspection conducted by the chief of quarantine station or by the quarantine officer under the provisions of Article 13.

(5) A person who has refused, interfered with or evaded the measures taken by the chief of quarantine station or the quarantine officer under the provisions of Article 14 paragraph 1 items (1) to (3) inclusive or item (6) or (7).

(6) A person who has violated the disposition under Article 14 paragraph 1 item (5).

(7) A person who has refused, interfered with or evaded the measures taken by the quarantine officer under the provisions of Article 24.

(8) A person who has refused, interfered with or evaded the entrance by the chief of quarantine office or by the quarantine officer.

Article 37. A person coming under any of the following items

(6) A person who has violated the disposition under Article 14 paragraph 1 item (5).

(7) A person who has refused, interfered with or evaded the measures taken by the quarantine officer under the provisions of Article 24.

(8) A person who has refused, interfered with or evaded the entrance by the chief of quarantine office or by the quarantine officer.

Article 37. A person coming under any of the following items shall be sentenced to a fine not exceeding 100,000 yen:

(1) A person who has violated the provisions of Article 4 paragraph 1 or paragraph 2.

(2) A person who has violated the provisions of Article 19 paragraph 1.

(3) A person who has violated the order issued under the provisions of Article 19 paragraph 3.

(4) A person who has violated the provisions of Article 21

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

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

paragraph 1 or para raph 2 (including the cases where it is applied mutatis mutandis in paragraph 5 of the same Article), or paragraph 6 of the same Article.

Article 38. A person coming under any of the following items shall be sentenced to a fine not exceeding 5,000 yen:

(1) A person who has violated the provisions of Article 9.

(2) A person who has violated the order issued under the provisions of Article 25 paragraph 1.

Article 39. In case any representative of a juridical person or any proxy, employee or other worker of a juridical person or of a person has acted in violation of the preceding four Articles in connection with the business of such juridical person or such person, not only the perpetrator shall be punished but also the juridical person or the person shall be liable to the fine under the respective Articles.

Provided, this shall not apply to the juridical person or the person who has been proved to have exerted adequate caution and supervision over the business to prevent such act of violation

Article 39. In case any representative of a juridical person or any proxy, employee or other worker of a juridical person or of a person has acted in violation of the preceding four Articles in connection with the business of such juridical person or such person, not only the perpetrator shall be punished but also the juridical person or the person shall be liable to the fine under the respective Articles.

Provided, this shall not apply to the juridical person or the person who has been proved to have exerted adequate caution and supervision over the business to prevent such act of violation by the proxy, employee or other workman of the juridical person or the person.

Article 40. In the case of Article 34, the penal provisions under the preceding five Articles shall also be applied mutatis mutandis concerning the provisions as applied mutatis mutandis in the Cabinet Order concerned.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(Delegation to Ministerial Ordinance)

Article 41. Except the matters delegated to Cabinet Order by this Law, the procedure for the enforcement of this Law and other matters necessary for its execution shall be fixed by Ministry of Welfare Ordinance.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

Supplementary Provisions:

(Date of Enforcement)

1. This Law shall come into force as from January 1, 1952.

(Abolition of Seaport Quarantine Law)

2. The Seaport Quarantine Law (Law No. 19 of 1899) shall be abolished.

(Effect of Pratique)

3. The free pratique or the provisional pratique which has been issued by the chief of quarantine station with the approval of the Supreme Commander for the Allied Powers before the enforcement of this Law shall be regarded respectively as the free pratique or the provisional pratique issued by the chief of quarantine station in accordance with the provisions of this Law.

(Quarantine Procedure currently under Way)

4. The quarantine procedure currently under way at the time of the enforcement of this Law shall still follow the former instances. The same shall apply to the application of the penal provisions against

by the chief of quarantine station with the approval of the Supreme Commander for the Allied Powers before the enforcement of this Law shall be regarded respectively as the free pratique or the provisional pratique issued by the chief of quarantine station in accordance with the provisions of this Law.

(Quarantine Procedure currently under Way)

4. The quarantine procedure currently under way at the time of the enforcement of this Law shall still follow the former instances. The same shall apply to the application of the penal provisions against the acts of violation with respect to such quarantine procedure.

5. The provisions of paragraph 3 shall be applied mutatis mutandis to the free pratique or the provisional pratique which has been issued relative to the quarantine procedure mentioned in the preceding paragraph.

(Transitional Provisions relative to Penal Provisions)

6. The application of the penal provisions to the acts committed prior to the enforcement of this Law shall still follow the former instances.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(Partial Amendment to the Order for Operation of Internal Air-Transportation)

7. The Order for Operation of Internal Air Transportation (Cabinet Order No. 327 of 1950) shall partially be amended as follows:

In paragraph 2 of the Supplementary Provisions, "the provisions of Articles 39 to 41 inclusive of the same Law" shall be amended as "the provisions of Article 39 and Article 40 of the same Law".

(Partial Amendment to the Law of the Dissection and Preservation of the Dead Body)

8. The Law of the Dissection and the Preservation of the Dead Body (Law No. 204 of 1949) shall partially be amended as follows:

Next to Article 2 paragraph 1 item (5), the following one item shall be added.

(6) The case in which autopsy is performed in accordance with the provisions of Article 13 paragraph 2 of the Quarantine Law (Law No. of 1951).

(Partial Amendment to the Ministry of Welfare Establishment Law)

9. The Ministry of Welfare Establishment Law (Law No. 151 of 1949)

(Law No. 204 of 1949) shall partially be amended as follows:

Next to Article 2 paragraph 1 item (5), the following one item shall be added.

(6) The case in which autopsy is performed in accordance with the provisions of Article 13 paragraph 2 of the Quarantine Law (Law No. of 1951).

(Partial Amendment to the Ministry of Welfare Establishment Law)

9. The Ministry of Welfare Establishment Law (Law No. 151 of 1949) shall partially be amended as follows:

Article 5 item (30) shall be amended as follows:

(30) To fix the quarantine area in accordance with the provisions of the Quarantine Law (Law NO. of 1951).

In Article 9 paragraph 1 item 11 and Article 20 paragraph 2, "seaport (KAIKO) and airport (KUKO)" shall be amended as "seaport (MINATO) and airport (HIKOJO)".

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Reasons

In connection with the development of the quarantine system, it has become necessary to enact anew the Quarantine Law, in order to establish the principle of one-port quarantine and other new systems.

This is the reason for submitting the present Bill.

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

Bill
~~Law~~ concerning Readjustment of Related Laws in compliance with the Enactment of the Local Public Service Law
~~(Draft)~~

(Partial Amendment to the Local Autonomy Law)

Article 1. The Local Autonomy Law (Law No. 67 of 1947) shall be partially amended as follows:

In Volume II.Chapter VI. of the Contents of the Local Autonomy Law, "Section XI. Chief Clerk and Clerk" shall be amended as "Section XI. Executive Office of Assembly and Chief of Executive Office, Chief Clerk, Clerk and other Personnel".

In Article 11, "(Law No. 100 of 1950)" shall be added next to "the Public Offices Election Law".

In Article 92 paragraph 2, "a paid official" shall be amended as "the personnel in full-time service".

"Section XI. Executive Office of Assembly and Chief of Executive Office, Chief Clerk and Clerk" shall be amended as "Section XI. Executive Office of Assembly and Chief of Executive Office, Chief Clerk, Clerk and other Personnel".

ecutive Office, Chief Clerk, Clerk and other Personnel".

In Article 11, "(Law No. 100 of 1950)" shall be added next to "the Public Offices Election Law".

In Article 92 paragraph 2, "a paid official" shall be amended as "the personnel in full-time service".

"Section XI. Executive Office of Assembly and Chief of Executive Office, Chief Clerk and Clerk" shall be amended as "Section XI. Executive Office of Assembly and Chief of Executive Office, Chief Clerk, Clerk and other Personnel".

In Article 138 paragraph 3, "a chief of executive office and clerks" shall be amended as "a chief of executive office, clerks and other personnel".

In paragraph 4 of the same Article, "a chief clerk and clerk" shall be amended as "a chief clerk, clerk and other personnel".

Paragraph 5 of the same Article shall be amended as follows:

> The chief of executive office, chief clerk, clerks and other personnel shall be appointed to or removed from office by the chairman.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

Next to the same paragraph of the same Article, the following one paragraph shall be added:

The ~~full~~ filed number of chief of executive office, chief clerk, clerk and other personnel shall be provided for by bylaw.

In paragraph 7 of the same Article, "The clerk" shall be amended as "The clerk and other personnel".

Next to the same paragraph of the same Article, the following one paragraph shall be added:

With respect to the appointment, position classification, allowances, work hours and other working conditions, status and disciplinary punishment, performance of duty, training and evaluation of work performance, protection of ~~the~~ welfare and interest, and other in-service status of the chief of executive office, chief clerk, clerks and other personnel, the provisions of

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

paragraph shall be added:

With respect to the appointment, position classification, allowances, work hours and other working conditions, status and disciplinary punishment, performance of duty, training and evaluation of work performance, protection of ~~the~~ welfare and interest, and other in-service status of the chief of executive office, chief clerk, clerks and other personnel, the provisions of the Local Public Service Law (Law No. 261 of 1950), besides those prescribed by this Law, shall apply.

In Article 141 paragraph 2, "a paid official" shall be amended as "the personnel in full-time service".

In Article 166 paragraph 1, "or municipal police" shall be deleted.

In Article 167, "the officials " shall be amended as "the personnel who are his auxiliary organs".

In Article 168 paragraph 5, "or municipal police" shall be deleted.

In Article 172 paragraph 1, "such local officials as may be necessary" shall be amended as "local officials and other personnel".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In paragraphs 2 and 3 of the same Article, "local officials" shall be amended as "the personnel".

Paragraph 4 of the same Article shall be amended as follows:

With respect to the appointment, position classification, allowances, work hours and other working conditions, status and disciplinary punishment, performance of duty, training and evaluation of work performance, protection of ~~the~~ welfare and interest, and other in-service status of the personnel contemplated in paragraph 1, the provisions of the Local Public Service Law, besides those prescribed by this Law, shall apply.

In Article 175 paragraph 2, "the local officials" shall be amended as "the local officials and other personnel".

In Article 191, "clerks" or "a clerk" shall be amended as "clerks and other personnel".

Article 192 shall be amended as follows:

Article 192. The provisions of Article 150 shall

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

aph 1, the provisions of the Local Public Service Law, besides those prescribed by this Law, shall apply.

In Article 175 paragraph 2, "the local officials" shall be amended as "the local officials and other personnel".

In Article 191, "clerks" or "a clerk" shall be amended as "clerks and other personnel".

Article 192 shall be amended as follows:

Article 192. The provisions of Article 150 shall be applied mutatis mutandis to the election administration committee.

Article 193 shall be amended as follows:

Article 193. The provisions of Article 127 paragraph 2, Article 141 paragraph 1, Article 142 and Article 166 paragraph 1 shall be applied mutatis mutandis to the members of the election administration committee and the provisions of Article 153 paragraph 1, Article 154 and Article 159 shall be applied mutatis mutandis to the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

chairman of the election administration committee and the provisions of Article 172 paragraph 2 and paragraph 4 shall be applied mutatis mutandis to the clerks and other personnel of the election administration committee.

In Article 196 paragraph 2, "a paid official" shall be amended as "the personnel in full-time service".

In Article 200, "clerks" shall be amended as "clerks and other personnel".

In Article 201, ", Article 166 paragraph 1 and Article 192" shall be amended as "and Article 166 paragraph 1", and "clerks" shall be amended as "clerks and other personnel".

In Article 204 paragraph 1, ", as may be provided for separately in a Law concerning the Officials of Ordinary Local Public Bodies," shall be deleted, and "(excluding the expert commissioners)" shall be amended as "(excluding ones in part-time service)", and "chief of an executive office, chief clerks and

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

other personnel".

In Article 201, ", Article 166 paragraph 1 and Article 192" shall be amended as "and Article 166 paragraph 1", and "clerks" shall be amended as "clerks and other personnel".

In Article 204 paragraph 1, ", as may be provided for separately in a Law concerning the Officials of Ordinary Local Public Bodies," shall be deleted, and "(excluding the expert commissioners)" shall be amended as "(excluding ones in part-time service)", and "chief of an executive office, chief clerks and clerks" as "chief of an executive office, chief clerks, clerks and other personnel", and "clerks" as "clerks and other personnel".

In Article 205, ", as may be provided for separately in the Law concerning the Officials of Ordinary Local Public Bodies," shall be deleted, and "a retiring allowance, a compensation for the termination of office, a compensation for death or an allowances to the surviving family" shall be amended as "a retirement annuity or a retirement grant".

In Article 206 paragraph 1, "except in cases where it has been provided for in Laws," shall be added next to "Any person concerned who has an objection .....Article,".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In Article 275 paragraph 1, "local official necessary to it" shall be amended as "local official and other personnel".

In paragraph 2 of the same Article, "local officials" shall be amended as "the personnel".

Article 1 paragraph 2 of the Supplementary Provisions shall be deleted.

(Partial Amendment to the Police Law)

Article 2. The Police Law (Law No. 196 of 1947) shall be partially amended as follows:

In Article 22 paragraph 1, "salaried personnel" shall be amended as "personnel in full-time service".

In paragraph 2 of the same Article, "Section 7 of Chapter III of the National Public Service Law" shall be amended as "Section 6 of Chapter III of the Local Public Service Law (Law No. 261 of 1950)", and in the proviso of the same paragraph, "Articles 103 and 104 of the same Law" shall be amended as "Article 38 paragraph 1 of the same Law".

In Article 47, "in accordance with by-law" shall be deleted

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77-5013

In Article 22 paragraph 1, "salaried personnel" shall be amended as "personnel in full-time service".

In paragraph 2 of the same Article, "Section 7 of Chapter III. of the National Public Service Law" shall be amended as "Section 6 of Chapter III. of the Local Public Service Law (Law No. 261 of 1950)", and in the proviso of the same paragraph, "Articles 103 and 104 of the same Law" shall be amended as "Article 38 paragraph 1 of the same Law".

In Article 47, "in accordance with by-law" shall be deleted.

In ~~Article 50 principal~~ main clause of paragraph 1 of Article 50, "shall be fixed by by-laws of cities, towns and villages in line with the spirit of the National Public Service Law," shall be amended as "shall be applied with the provisions of the Local Public Service Law,".

In paragraph 2 of the same Article, "oath," shall be deleted.

(Partial Amendment to the Board of Education Law)

Article 3. The Board of Education Law (Law No. 170 of 1948) shall be partially amended as follows:

In Article 45 paragraph 1, "teachers' consultants and" shall be amended as "teachers' consultants," and next to "technical personnel .... and other matters", "and other personnel" shall

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

In Article 49, items (5) and (7) shall be deleted, and item (6) shall be made item (5), and item (8) shall be made item (6), and ~~its~~ other succeeding items shall be ~~moved forward by two.~~ renumbered accordingly.

In Article 66 paragraphs 1 and 2, "secretarial and technical personnel" shall be amended as "secretarial, technical and other personnel".

In Article 67 paragraph 1, "secretarial and technical personnel" shall be amended as "secretarial, technical and other personnel".

In paragraph 2 of the same Article, ", salaries and allowances" shall be added next to "performance of duty", and "(Law No. 1 of 1949)" shall be added next to "the Law for the Special Regulations concerning Educational Public Service", and "the Law which may provide for matters concerning personnel of local public body separately" shall be amended as "the Local Public Service Law (Law No. 261 of 1950)".

Article 68 shall be amended as follows:

In paragraph 2 of the same Article, ", salaries and allowances" shall be added next to "performance of duty", and "(Law No. 1 of 1949)" shall be added next to "the Law for the Special Regulations concerning Educational Public Service", and "the Law which may provide for matters concerning personnel of local public body separately" shall be amended as "the Local Public Service Law (Law No. 261 of 1950)".

Article 68 shall be amended as follows:

(Salaries and Allowances of Superintendent of Education and Others)

Article 68. The provisions of Articles 204 to 206 inclusive of the Local Autonomy Law shall apply mutatis mutandis to the personnel in full-time service as provided for in paragraph 2 of the preceding Article, and those of Articles 203 and 206 of the same Law shall apply mutatis mutandis to the personnel in part-time service as provided for in paragraph 2 of the preceding Article.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In the ~~principal~~ main clause of Article 81, "Until the time when the law which may provide for matters concerning personnel of local public bodies as provided for in Article 67 paragraph 2 and Article 68 paragraph 1 is issued and enforced," shall be amended as "Until the time when the provisions concerned of the Local Public Service Law are enforced,", and "these paragraphs" shall be amended as "Article 67 paragraph 2 and Article 68".

(Partial Amendment to the Trade Union Law)

Article 4. The Trade Union Law (Law No. 174 of 1949) shall be partially amended as follows:

Article 4 shall be amended as follows:

Article 4. Deleted.

(Partial Amendment to the Law regarding a partial amendment of the Pension Law)

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

66".

(Partial Amendment to the Trade Union Law)

Article 4. The Trade Union Law (Law No. 174 of 1949) shall be partially amended as follows:

Article 4 shall be amended as follows:

Article 4. Deleted.

(Partial Amendment to the Law regarding a partial amendment of the Pension Law)

Article 5. The Law regarding a partial amendment of the Pension Law (Law No. 77 of 1947) shall be partially amended as follows:

In Article 10 paragraph 2 item 3 of the Supplementary Provisions, "Chief-clerks ..... of the Diet" shall be amended as "Chiefs of the executive offices or chief-clerks ..... of the Diet".

To the same paragraph of the same Article, the following one item shall be added:

7. Administrative personnel provided for in Article 12 paragraphs1 and 4 of the Local Public Service Law (Law No. 261 of 1950).

Supplementary Provisions

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

2 The provisions of Article 92 paragraph 2 of the revised Local Autonomy Law (including the cases where it is applicable mutatis mutandis in Article 292 and Article 296 paragraph 3) and the provisions of Article 141 paragraph 2 of the same Law (including the cases where it is applicable mutatis mutandis in Article 166 paragraph 2, Article 168 paragraph 6, Article 292 and Article 296 paragraph 3) shall not apply to those who occupy concurrently the positions of member of the assembly of the local public body or chief of the local public body and of the personnel in full-time service at the time of enforcement of these provisions, only while in such posts. It shall be same, with regard to the candidates to whom the provisions of Article 95 paragraph 2 or Article 118 paragraph 2 of the Public Offices Election Law shall be applicable at the time of enforcement of this Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Bill for Partial Amendments
to Child Welfare Law

The Child Welfare Law (Law No.134 of 1947) shall partially be amended as follows:

Section IV. Child Welfare Center in Contents shall be amended as "Section IV. Child Welfare Center, Office of Welfare and Health Center".

In Article 6, "the holder of parental right, (Legal guardian in case there is no parental right holder; the same shall apply hereinafter)" shall be amended as "one who exercises parental right, guardian,".

In Article 11 paragraph 2 "acting as their councillor" shall be amended as "giving necessary guidances based on professional skill, etc.", and paragraph 4 of the same Article shall be amended as follows:

and Health Center".

In Article 6, "the holder of parental right, (legal guardian in case there is no parental right holder; the same shall apply hereinafter)" shall be amended as "one who exercises parental right, guardian,".

In Article 11 paragraph 2 "acting as their councillor" shall be amended as "giving necessary guidances based on professional skill, etc.", and paragraph 4 of the same Article shall be amended as follows:

The child welfare official shall be subject to the direction and supervision of the superintendent of the child welfare center pertaining to the duty as prescribed in paragraph 2.

The following one Article shall be added next to Article 11:

Article 11-(2). The child welfare official shall be either clerical or technical public personnel and shall be appointed from among those who fall under any one of the following items:

(1) One graduated from the school as designated by the Welfare Minister for the training of child welfare officials or personnel of child welfare agencies or who completed the curriculum of the training course as designated by the Welfare Minister;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(2) One graduated from university based on the School Education Law (Law No.26 of 1947) or university based on the former University Ordinance (Imperial Ordinance No.388 of 1918) specializing in any of the courses in psychology, education and sociology;

(3) Physician;

(4) One who has been in the child welfare service as social welfare secretary for not less than two years;

(5) One who is equivalent to those under the preceding items and who has learning and experience necessary for the child welfare official.

In Article 12 paragraph 2, "or the social welfare secretary of the office for welfare (hereinafter to be referred as "the office of welfare") as provided for in the Social Welfare Service Law (Law No.45 of 1951)" shall be added next to "the child welfare official's service".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(5) One who is equivalent to those under the preceding items and who has learning and experience necessary for the child welfare official.

In Article 12 paragraph 2, "or the social welfare secretary of the office for welfare (hereinafter to be referred as "the office of welfare") as provided for in the Social Welfare Service Law (Law No.45 of 1951)" shall be added next to "the child welfare official's service".

"Section IV. The Child Welfare Center" shall be amended as "Section IV. The Child Welfare Center, Office of Welfare, and Health Center."

Article 15 paragraph 2 shall be deleted and the following one Article be added next to the same article.

Article 15-(2). The child welfare center shall primarily perform the following services on the matters pertaining to the welfare of children:

(1) To give counsel in regard to all kinds of child problems in response to consultation by their families and other;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

(2) To make investigation, and medical, psychological, educatinal, sociological and psychiatric diagnoses, and give necessary guidance entailed with regard to children and their families;

(3) To effect temporary protection of children.

The child welfare center may, when necessary, give the itinerant services under items (1) and (2) of the preceding paragraph.

In Article 16 paragraph 4 "shall take the duties of consultation and discrimination" shall be amended as "shall conduct the services", paragraph 2 of the same Article shall be deleted, and the following one Article shall be added next to the same Article.

Article 16-(2). The superintendent and the staff personnel of the child welfare center shall be either clerical or technical public personnel.

preceding paragraph.

In Article 16 paragraph 4 "shall take the duties of consultation and discrimination" shall be amended as "shall conduct the services", paragraph 2 of the same Article shall be deleted, and the following one Article shall be added next to the same Article.

Article 16-(2). The superintendent and the staff personnel of the child welfare center shall be either clerical or technical public personnel.

The superintendent shall be one who falls under any one of the following items;

(1) Physician with learning and experience in mental hygiene;

(2) One graduated from university under the School Education Law (Law No. 26 of 1947) or university under the former University Ordinance (Imperial Ordinance No. 388 of 1918) specializing in the course of psychology;

(3) One who has been in service as a child welfare official for not less than two years or who has worked as a staff personnel of the center for not less than two years after obtaining the qualification for child welfare official;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(4) One who is equivalent to those under the preceding items and who has learning and experience necessary for the superintendent.

Staff personnel who conduct the diagnostic service shall include not less than one person who comes under item (1) of the preceding paragraph or who has equivalent qualifications and not less than one person who comes under item (2) of the same paragraph or who has equivalent qualifications.

The staff personnel who conduct the consultation and investigation services shall be those qualified for child welfare official.

The following two Articles shall be added next to Article 18 in Chapter I:

Article 18-(2). The office of welfare shall execute chiefly the following functions in connection with the enforcement of this Law:

(1) To make effort to grasp the actual conditions with regard

gation services shall be those qualified for child welfare official.

The following two Articles shall to added next to Article 18 in Chapter I:

Article 18-(2). The office of welfare shall execute chiefly the following functions in connection with the enforcement of this Law:

(1) To make effort to grasp the actual conditions with regard to the welfare of children and expectant and nursing mothers;

(2) To give council in response to consultation, make necessary investigation, give necessary guidance, individually or collectively and incidental services, with regard to the matters related to the welfare of children and expectant and nursing mothers.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

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

The superintendent of the child welfare center may request the superintendent of the office of welfare of the area under his jurisdiction (hereinafter to be referred as ""superintendent of the office of welfare") to make necessary investigations.

Article 19-(3). The health center shall render the following services in connection with the enforcement of this law:

(1) To make effort to disseminate the correct hygienic knowledge on health of children and expectant and nursing mothers;

(2) To give council in response to consultation or [illegible] make the health examinations and render, when [illegible] necessary, health guidance service, for children and expectan[illegible] and nursing mother;

(3) To render the guidance service to the children with physi[illegible] handicaps for their treatment and care;

(4) To give necessary advices to the chil[illegible] agencies for the improvement of nutrition and other [illegible] matters.

The following two Articles shall be added next to [illegible] 21:

Article 21-(2) The superintendent of health center shall give examination, render the consultative service or give examinati[illegible]

necessary, health guidance service for children and expectant and nursing mother;

(3) To render the guidance service to the children with physical handicaps for their treatment and care;

(4) To give necessary advices to the child welfare agencies for the improvement of nutrition and other health factors.

The following two articles shall be added next to Article 21:

Article 21-(2) The superintendent of health center shall give examination, render the consultative service or give examination and necessary medical guidance for the children with physical handicaps.

The superintendent of health center shall make report of any child (hereinafter in the case of child with physical handicaps less than fifteen years of age; hereinafter the same) who has received a disabled person's handbook as provided for in Article 15 paragraph 4 of the Law for Welfare of Disabled Persons (Law No. 283, 1949) to the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

governor of To, Do, Fu or prefecture in case he finds there is any reason as stipulated in Article 16 paragraph 2 item (1) or (2) of the same law.

Article 21-(3). The governor of To, Do, Fu or prefecture may grant a blind person's safety stick or such artificial appliance as the hearing aid, artificial limb, wheel chair, etc. or repair them for the child who has received a disabled person's handbook.

The governor of To, Do, Fu or prefecture may, when it is necessary, supply the money for the purchasement or repair subtracting the amount such person or the person responsible for his support is able to bear, as a substitute for granting or repairing of the artificial appliance as provided for in the preceding paragraph.

In Article 22, "The mayor of the city, town or village shall admit the expectant mothers who are unable, for the financial reason, to admission in a hospital for delivery even when it is necessary for their health" shall be amended

repair subtracting the amount such person or the person responsible for his support is able to bear, as a substitute for granting or repairing of the artificial appliances as provided for in the preceding paragraph.

In Article 72, "The mayor of the city, town or village shall admit the expectant mothers who are unable, for the financial reason, to admission in a hospital for delivery even when it is necessary for their health" shall be amended as "The governor of To, Do, Fu or prefecture, the mayor of city and mayor of town or village who administers the office of welfare shall admit the expectant and nursing mothers in the area supervised by the office of welfare under their respective jurisdiction, in case he recognized that they are not able to receive the hospital delivery service on account of the financial reason inspite of the health need,"

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In Article 23 "The mayor of the city, town or village" shall be amended as "the governor of To, Do, Fu or prefecture the mayor of city, and the mayor of town or village who administers the office of welfare", and between "their children" and "when" of the area to be administered by the office of welfare under their respective jurisdiction" shall be inserted. (" the child welfare center or its personnel shall be amended as

In Article 25 "the office of welfare or child welfare center" and the following one article be added next to Article 25.

rticle 25-(2). The superintendent of the office of welfare shall, when it deems necessary, take any of the following measures for the child reported under the provision of the preceding Article or referred under the provision of Article 26 paragraph 1 item (3) and the child, its hogosha or expectant and nursing mothers accepted for consultative service.

(1) Referring those in need of the measure of Article 27 and those in need of medical, psychological, educational,

rticle 25-(2). The superintendent of the office of welfare shall, when it deems necessary, take any of the following measures for the child reported under the provision of the preceding Article or referred under the provision of Article 26 paragraph 1 item (3) and the child, its hogosha or expectant and nursing mothers accepted for consultative service.

(1) Referring those in need of the measure of Article 27 and those in need of medical, psychological, educational, sociological and psychiatric diagnoses to the child welfare conter;

(2) Placing the child or its hogosha under the guidance of the social welfare secretary of the office of welfare;

(3) Reporting or notifying the contents of the measures under Articles 22 to 24 inclusive to other respective authorities.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In the first sentence of Article 25 paragraph 1 "the children reported under the provision of the preceding Article or referred under the provision of Par. 1 of Article 18 of Juvenile Law" shall be amended as "the children reported under the provision of Article 25, children referred under the provisions of item (1) of the preceding Article or Article 18 paragraph 1 of the Juvenile Law (Law No. 168 of 1948) and the children, their hogeshas or expectant and nursing mothers accepted for the consultation service", the latter sentence shall be deleted, and the following two items shall be added next to the same paragraph.

(3) Referring those for whom the measures under item (2) of the preceding Article are deemed proper to the office of welfare;

(4) Reporting or notifying those for whom the measures under Articles 22 to 24 inclusive are deemed necessary to their respective authorities.

In Article 27 paragraph 1, "Article 18 of the Juvenile Law"

shall be added next to the same paragraph.

(3) Referring those for whom the measures under item (2) of the preceding Article are deemed proper to the office of welfare;

(4) Reporting or notifying those for whom the measures under Articles 22 to 24 inclusive are deemed necessary to their respective authorities.

In Article 27 paragraph 1, "Article 18 of the Juvenile Law" shall be amended as "Article 18 paragraph 2 of the Juvenile Law"; in item (2) of the same paragraph, "social welfare secretary" shall be added next to "child welfare official"; in item (3) of the same paragraph, "a foster home (the individual who wishes to bring up a child deprived of the proper parental care by reason of absence or the inadequacy of the guardian and whom the governor of To, Do, Fu or the prefecture has approved: the same shall apply hereinafter)", shall be added "or a guidance home (meaning such of the persons desiring to give a child who has been deprived of the proper parental care by

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

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

reason of absence or inadequacy of Hogosha and who has completed the course of compulsory education as provided for in the School Education Law care and protection by keeping the child at their homes or by causing it to visit their homes regularly and give necessary for self support according to its capacity as have been deemed proper by the governor of To, Do, Fu or prefecture; hereinafter the same the following one item shall be added in the same paragraph.

(4) Children who are deemed proper to be subject to the judgement court shall be referred to the family court.

In Article 27 paragraph 3 "in case there is" shall be amended as "in case there is one who excercises parental right (exclusive of the superintendents of the child welfare agencies excercising the parental right as provided for in Article 47 paragraph 1: hereinafter the same) or the guardian", "the holder of parental right over the child" be amended as "the person who exercises parental right or

(4) Children who are deemed proper to be subject to the judgement court shall be referred to the family court.

In Article 27 paragraph 3 "in case there is" shall be amended as "in case there is one who exercises parental right (exclusive of the superintendents of the child welfare agencies exercising the parental right as provided for in Article 47 paragraph 1: hereinafter the same) or the guardian", "the holder of parental right over the child" be amended as "the person who exercises parental right or the guardian", and the following three paragraphs shall be added next to the same paragraph.

The measure of placing under the care of guidance home under paragraph 1 item (3) shall be taken with the consent of the child beforehand and with a term of not more than one year.

At the expiration of the term of the placement, the governor of To, Do, Fu or prefecture may renew the placement of the child under the care of a guidance home with the consent of the child and for a term not more than one year.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

When the Governor of To, Do, Fu or prefecture is to release or suspend the measure under paragraph 1 item (2) or (3), make a change to another measure, or take the measure under the preceding paragraph, the opinion of the superintendent of child welfare center shall be obtained.

In Article 27-2, "or the superintendent of the child welfare center" shall be deleted.

In Article 28, "[illegible] of the parental right" shall be amended as "the [illegible]cises parental right or guardian".

In Article 30 paragraph 1, "the child's parent" shall be amended as "the person who exercises parental right or the guardian", in paragraph 3 of the same Article, "the office of welfare" shall be added next to "the child welfare center," and in paragraph 4

In Article 27-2, "or the superintendent of the child welfare center" shall be deleted.

In Article 28, "the [illegible] of the parental right" shall be amended as "the [illegible] exises parental right or guardian".

In Article 30 paragraph 2, "the child's parent" shall be amended as "the person who exercises parental right or the guardian", in paragraph 3 of the same Article, "the office of welfare" shall be added next to "the child welfare center," and in paragraph 4 of the same Article, "guidance parent" shall be added next to "the foster parent".

In the main clause of Article 31, "The Minister of Welfare or" shall be deleted and the proviso to the same Article shall be amended as follows:

Provided that in such a case the governor of To, Do, Fu or prefecture shall obtain the opinion of the superintendent of child welfare center.

The following one paragraph shall be added next to Article 32.

The governor of To, Do, Fu or prefecture or the mayor of city, town or village may delegate the total or partial authority to take the measures under Articles 22 to 24 inclusive

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

to the superintendent of the office of welfare under his respective jurisdiction.

The following three Articles shall be added next to Article 33:

Article 33-(2). In case a person who exercises parental right for a child abuses his parental right or is guilty of gross misconduct, the request for the adjudgement of the forfeiture of parental right as provided for in Article 834 of the Civil Code (Law No. 89 of 1896) may be made also by the superintendent of child welfare center besides one as provided for in the same Article.

Article 33-(3) The superintendent of child welfare center shall, when it is necessary for the welfare of children, request the family court for appointment of the guardian for the child without a person who exercises parental right or guardian.

the forfeiture of parental right as provided for in Article 834 of the Civil Code (Law No. 89 of 1896) may be made also by the superintendent of child welfare center besides one as provided for in the same Article.

Article 33-(3) The superintendent of child welfare center shall, when it is necessary for the welfare of children, request the family court for appointment of the guardian for the child without a person who exercises parental right or guardian.

Article 33-(4) In case there is any peason of unjuct act, gross misconduct or any other reason unfit for the duty of guardianship with the child's guardian, the request for the removal of the guardian as provided for in Article 845 of the Civil Code may be made also by the superintendent of child welfare center besides one as provided for in the same Article.

Article 34 paragraph 3 shall be deleted.

In Article 39 paragraph 1, "the infants and preschool children" shall be amended as "the infants or preschool children in need of care" and in paragraph 2 of the same Article "other children" shall be amended as "other children in need of care".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In Article 43 "and the necessary guidance" shall be amended as "as well as the necessary guidance or assistance".

In Article 45 "and the care given by the foster parents" shall be amended as "the care given by the foster parents and protection by the guidance home".

In Article 46 paragraph 1, "and the foster parents" shall be amended as "the foster parents and guidance home" and the following one Article shall be added next to the same Article.

Article 46-(2) The superintendent of child welfare agency shall not refuse without any justifiable reason the referral made by the governor of To, Do, Fu or prefecture or the mayor of city, town or village as the measure based on the provision of this Law.

Article 47 shall be amended as follows:

Article 47. The superintendent of the child welfare agency

one Article shall be added next to the same Article.

Article 46-(2) The superintendent of child welfare agency shall not refuse without any justifiable reason the referral made by the governor of To, Do, Fu or prefecture or the mayor of city, town or village as the measure based on the provision of this Law.

Article 47 shall be amended as follows:

Article 47. The superintendent of the child welfare agency shall exercise parental right over the child placed in his agnecy who is without the person exercising parental right or a guardian is found: Provided that in case the assent to the adoption as provided for in Article 797 of the Civil Code is to be given the permission of the governor of To,Do, Fu or prefecture shall be obtained. Also for the children in institution who have the person exercising parental right or guardian, the superintendent of child welfare agency may take the measure necessary for the welfare of the childre in regard to their care, education and chastisement.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 48 shall be amended as follows:

Article 48. The superintendents of the homes for dependent, feebleminded, blind, deaf and dumb, physically weak and crippled children shall be responsible for the school attendance of the children placed in these homes in a manner similar to the hogosha provided for in the School Education Law.

The superintendent of kyogoin may issue the certificate to prove the completion of the course for the children who completed in Kyogoin the course equivalent to that of the primary or middle school as provided for in the School Education Law.

The superintendent of kyogoin shall follow the advice of the Minister of Education on the matters pertaining to the curriculum of the preceding paragraph.

The certificate under paragraph 2 shall have the same validity as diplomas or other certificates to be issued by the heads of schools for the educational curriculae corresponding to the schools established under the School Education Laws. Provided that

school as provided for in the School Education Law.

The superintendent of kyogoin shall follow the advice of the Minister of Education on the matters pertaining to the curriculum of the preceding paragraph.

The certificate under paragraph 2 shall have the same validity as diplomas or other certificates to be issued by the heads of schools for the educational curriculae corresponding to the schools established under the School Education Laws. Provided that this shall not apply to the kyogoin, if it has been designated by the Minister of Education through consultation with the Minister of Welfare in cases where the matters pertaining to the curriculum at such kyogoin is remarkably inadequate on account of the failure of the superintendent of such kyogoin to follow the advice of the Minister of Education as provided for in paragraph 3.

In Article 50, the following one item shall be added next to item (5):

(5)-(2) Expenses required for the measure under Article 21-(3).

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In Article 50, the following one item shall be added next to item (6), in item (7) "Expenses required for the placing" shall be amended as "Expenses required for placement or consignment (exclusive of the case consigned with the guidance home: hereinafter the same)" and "the protection of those admitted" shall be amended as "the protection or care of those admitted or consigned", and in item (8) "the consultation and classification" shall be amended as "consultation, investigation, diagnosis and guidance".

(6)-(2) Expenses required for admission and expenses required for the minimum standards under Article 45 in regard to the protection after admission, in cases where the governor of To, Do, Fu or prefecture has taken the measures provided for in Article 22 and the main clause of Article 23 (exclusive of the expenses for the care of those admitted to the lying-in agency or mothers' home established by the State).

and guidance".

(6)-(2) Expenses required for admission and expenses required for the minimum standards under Article 45 in regard to the protection after admission, in cases where the governor of To, Do, Fu or prefecture has taken the measures provided for in Article 22 and the main clause of Article 23 (exclusive of the expenses for the care of those admitted to the lying-in agency or mothers' home established by the State).

In Article 53-(2), "Article 50 item (6) or (7)" shall be amended as "Article 50 items (6) to (7)".

In Article 56 paragraph I, "Items (6) and (7) of Article 50" shall be amended as "Article 50 item (5)-2 (exclusive of the expenses as provided for in Article 21-(3) paragraph 3 and items (6) to (7)" and in paragraph 2 of the same Article, "the child welfare official or" shall be amended as "the child welfare official, social welfare secretary or".

The following two Articles shall be added next to Article 56 in Chapter IV.

Article 56-(2) To, De, Fu or prefecture may subsidize within three-fourths the expense for the repair, reformation, expansion or

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

refitting of the child welfare agency established by any one other than the city, town or village as provided for in Article 35 paragraph 2 in the cases falling under any of the following items:

(1) That such child welfare agency be established the one by a social welfare juridical person organized under the provisions of Article 29 paragraph 1 of the Social Welfare Service Law or by a juridical person organized under the provisions of Article 34 of the Civil Code.

(2) That, in the area where such child welfare agency is primarily utilized, there be no child welfare agency of the same kind established by the State, To, Do, Fu or prefecture in spite of the need for a child welfare agency of the same kind in that area in view of the state of distribution of the children, their hogosha, or expectant and nursing mothers for whom the measures under the provisions

Service Law or by a juridical person organized under the provisions of Article 34 of the Civil Code.

(2) That, in the area where such child welfare agency is primarily utilized, there be no child welfare agency of the same kind established by the State, To, Do, Fu or prefecture in spite of the need for a child welfare agency of the same kind in that area in view of the state of distribution of the children, their hogosha, or expectant and nursing mothers for whom the measures under the provisions of this Law are required, or that it be inadequate even if it exists.

In case a child welfare agency was subsidized as provided for in the preceding paragraph, the Minister of Welfare and the governor of To, Do, Fu or prefecture shall have the authority as stipulated in each of the following items besides those as provided for in Articles 46 and 58 over such child welfare institution in order to insure the purpose of such subsidy to be effected:

(1) In case the budget of such child welfare agency be inadequate to effect the fruit of subsidization, instruction for necessary change in the budget shall be given;

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

(2) In case the personnel of such child welfare agency has violated this Law, order or disposition therefrom, instruction to remove such personnel shall be given.

The National Treasury may subsidize within two-thirds of the amount subsidized by To, Do, Fu or prefecture as provided for in paragraph 1.

Article 56-(3) To, Do, Fu or prefecture may order the person who established the child welfare agency subsidized to refund the total or partial subsidy already granted in the following cases:

(1) In case of violation of the condition for granting the subsidy;

(2) In case the subsidy has been received by fraud or any other illegal method;

(3) In case there has been a profit making act in the manage-

established the child welfare agency subsidized to refund the total or partial subsidy already granted in the following cases:

(1) In case of violation of the condition for granting the subsidy;

(2) In case the subsidy has been received by fraud or any other illegal method;

(3) In case there has been a profit making act in the management of the child welfare agency;

(4) In case the child welfare agency violated this law, order or disposition therefrom.

The following two Articles shall be added next to Article 59.

Article 59-(2) In case towns and villages have established an office of welfare by organizing the partial-affairs association, the association shall be regarded as the town or village establishing an office of welfare and the head of the association as the mayor of the town or village administering the office of welfare, in the application of this Law.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 59-(3) In case any change has occurred in the administering authorities provided for in Article 22 and Article 23 on account of the establishment or abolition of the office of welfare of town and village, the dispositions or any other actions taken by the pre-change administering authorities before the change in accordance with the provisions of this Law or orders issued thereunder shall be regarded as the dispositions or other actions taken by the post-change administering authorities. Provided that, in regard to the disbursement and sharing of the expenses for the measures effected or ought to have been effected before the change, the change shall not be considered as having occurred.

Article 71 shall be amended as follows:

Article 71. In the area of the ward of To, "the mayor of the city, town or village" in Article 24 shall read "the governor of To" for a time being despite the provisions of Article 8 paragraphs 3

Provided that, in regard to the disbursement and sharing of the expenses for the measures effected or ought to have been effected before the change, the change shall not be considered as having occurred.

Article 71 shall be amended as follows:

Article 71. In the area of the ward of To, "the mayor of the city, town or village" in Article 24 shall read "the governor of To" for a time being despite the provisions of Article 8 paragraphs 3 and 4 and, as for the expenses for the measure under the same Article, "the mayor of the city, town or village" in Article 56 paragraph 1 and 2 shall read "the governor of To", and "the city, town or village" in Article 51 and Article 56 paragraph 3 shall read "To".

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Supplementary Provisions:

(Date of enforcement)

1. This Law shall come into force as from October 1, 1951.

However, the provisions of Article 48, Article 56-(2), Article 56-(3) and provisions paragraph 7 of the supplementary provisions of this Law shall come into force as from the day of its promulgation, and the provisions of paragraph 7 of the supplementary provisions of this Law shall apply as from April 1, 1951.

(Provision to be applied mutatis mutandis concerning the change of administering authority by the enforcement)

2. The provisions of Article 59-(3) shall apply mutatis mutandis in case there has been a change in the administering authorities provided for in Article 22 and Article 23 by the enforcement of this Law.

(Special case concerning paragraph 7 of the supplementary provisions of the Social Welfare Service Law)

3. The head of the organization established by the provisions of paragraph 7 of the supplementary provisions of Social Welfare Service Law shall be deemed as the superintendent of office of welfar in application of this Law

(Transitional provisions concerning Child Welfare Official)

2. The provisions of Article 59-(3) shall apply mutatis mutandis in case there has been a change in the administering authorities provided for in Article 22 and Article 23 by the enforcement of this Law.

(Special case concerning paragraph 7 of the supplementary provisions of the Social Welfare Service Law)

3. The head of the organization established by the provisions of paragraph 7 of the supplementary provisions of Social Welfare Service Law shall be deemed as the superintendent of office of welfar in application of this Law

(Transitional provisions concerning Child Welfare Official)

4. The child welfare official now being appointed at the time of the enforcement of this law shall be deemed as child welfare official appointed by the provisions of Article 11-(2).

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

(Transitional provisions concerning the superintendent of child welfare center)

5. In regard to the superintendent of child welfare center now being appointed at the time of the enforcement of the present Law, the provisions of paragraph 2 of Article 16-(2) shall not be applied.

(Abolition of the law concerned)

6. The law concerning the Duty of guardian of Orphan in Orphanage (Law No. 51 of 1900) shall be abolished.

(Partial amendement to Law concerning Special Cases, etc. of the Shares of National Treasury as provided for in the Preventive Vaccination Law, etc.)

7. The Law concerning Special Cases, etc. of the Shares of National Treasury as provided for in the Preventive Vaccination Law, etc. (Law No. 212 of 1950) shall partially be amended as follows:

In Article 1 item (6), "Art. 50 item (2)" shall be amended as "Art. 50 items (1) and (2)", and "item (6) and item (7) and" shall be amended as "item (6) to item (7) inclusive and ", and "and

(Law No. 51 of 1900) shall be abolished.

(Partial amendement to Law concerning Special Cases, etc. of the Shares of National Treasury as provided for in the Preventive Vaccination Law, etc.)

7. The Law concerning Special Cases, etc. of the Shares of National Treasury as provided for in the Preventive Vaccination Law, etc. (Law No. 212 of 1950) shall partially be amended as follows:

In Article 1 item (6), "Art. 50 item (2)" shall be amended as "Art. 50 items (1) and (2)", and "item (6) and item (7) and" shall be amended as "item (6) to item (7) inclusive and ", and "and Art. 55" shall be amended as "Art. 55 and Art. 56-(3)" and the following one item shall be added, next to the same Article.

(8) Article 5 and Article 8 of the Parasitosis Prevention Law (Law No. 59 of 1931) (excluding the parts concerning schistosomiasis).

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Reason

Following the establishment of the Social Welfare Service Law, it is necessary to readjust the executive organs of the administration for the children, welfare to clarity the charges of the child welfare official, child welfare center and the office of welfare, and to make it possible to provide the national subsidies for child welfare agencies established by juridical persons, etc.

This is the reason for the submission of the Bill.

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

- 20 -

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Bill for Partial Amendment to the Prime Minister's Office Establishment Law for the Adjustment, ~~etc.~~ of Councils etc.

The Prime Minister's Office Establishment Law (Law No. 127 of 1949) shall be partially amended as follows:

In the table of Article 15 paragraph 1,

"Council for Purchasing Products Manufactured by Disabled Persons	To investigate and deliberate on the matters of the business of purchasing products manufactured by disabled persons according to the Law for Welfare of Disabled Persons (Law No. 283 of 1949). "

shall be amended as,

"Unemployment Countermeasures Council	To study and deliberate on important matters concerning the framing of comprehensive government policy unemployment and employment problems."

Supplementary Provision:

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Reason:

It is necessary that, for the adjustment of Councils etc., the Council for Purchasing Products Manufactured by Disabled Persons shall be abolished, and the Unemployment Counter-measures Council shall be newly established. This is the reason for submitting this Bill.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDC NO. 77 5013

Bill for Partial Amendments to the
Ministry of Welfare Establishment Law,
etc. for adjustment of Councils, etc.

Article 1. The Ministry of Welfare Establishment Law (Law No. 151 of 1949) shall be partially amended as follows:

In Article 5 item (43), "To exercise supervision over national examinations for pharmacists and execute licensing and registration of pharmacists" shall be amended as "To perform examination, licensing and registration of pharmacists"; and in the same Article item (45), "according to the recommendation submitted by the National Committee of Pharmacy" shall be amended as "hearing the opinion of the National Committee of Pharmacy."

In Article 15, "Institute of Public Health" shall be amended as "Institute of Public Health,
National Institute of Mental Hygiene";

and next to Article 17, the following one Article shall

as "To perform examination, licensing and registration of pharmacists"; and in the same Article item (45), "according to the recommendation submitted by the National Committee of Pharmacy" shall be amended as "hearing the opinion of the National Committee of Pharmacy."

In Article 15, "Institute of Public Health" shall be amended as "Institute of Public Health,
National Institute of Mental Hygiene";

and next to Article 17, the following one Article shall be added:

(National Institute of Mental Hygiene)

Article 17-(2) The National Institute of Mental Hygiene shall be an organ which takes charge of the investigation and research concerning mental hygiene.

2 The National Institute of Mental Hygiene shall be established in Chiba Prefecture.

3 The internal organization of the National Institute of Mental Hygiene shall be provided for by Ministry of Welfare Ordinance.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

In the table under Article 29, paragraph 1.

"The Cental Food Sanitation Research Council	To make research and deliberation on food sanitation and administration concerning food sanitation, in response to the request of the Minister of Welfare."

shall be amended as:

"The Food Sanitation Investigation Council	To make investigation and deliberation on important matters concerning food sanitation, in response to the request of the Minister of Welfare.";

and,

"The Medical Practitioners Examination Council	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters on the national examination for medical practioners and to take charge of the affairs concerning the national examination and the preliminary examination of the national examination for medical practitioners.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Investigation Council	in important matters concerning food sanitation, in response to the request of the Minister of Welfare.";
and,	
"The Medical Practitioners Examination Council	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters on the national examination for medical practioners and to take charge of the affairs concerning the national examination and the preliminary examination of the national examination for medical practitioners.
and,	
"The Dentists Examination Council	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters on the national examination for dentists and to take charge of the affairs concerning the national examination and the preliminary examination of the national examination for dentists."

shall be amended as:

The Medical Practioners Examination Council	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters concerning the national examination for medical practitioners and the internship provided for in article 11 of the Medical Practitioners Law (Law No. 201 of 1948), and to take charge of affairs concerning the national examination and the preliminary examination for medical practitioners.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

and,

The Dentists Examination Council	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters concerning the national examination for dentists and the internship provided for in Article 11 of the Dentists Law (Law No. 202 of 1948), and to take charge of affairs concerning the national examination and the preliminary examination of the national examination for dentists.";

and the part concerning the Council on Internship for Medical Practitioners and Dentists and the Council on Liquidation of Japan Medical Treatment Corporation shall be deleted; and

The National Committee of Pharmacy	To submit its original draft to the Minister of Welfare concerning revision of official compendiums or their supplements, to conduct national examination for pharmacists, to make recommendation to the Minister of Welfare concerning new medical drugs and other pharmaceutical affairs, to conduct re-examination for cancellation of licence or registration, or for suspension of professional practices, and to make recommendation to the Minister of Welfare concerning the matters provided for by the Law for Control of Poisonous or Powerful Agents (Law No. 303 of 1950)."

shall be amended as:

	or their supervisors, to conduct national examination for pharmacists, to make recommendation to the Minister of Welfare concerning new medical drugs and other pharmaceutical affairs, to conduct re-examination for cancellation of licence or registration, or for suspension of professional practices, and to make recommendation to the Minister of Welfare concerning the matters provided for by the Law for Control of Poisonous or Powerful Agents (Law No. 303 of 1950)."

shall be amended as:

"The National Council of Pharmacy	To make research and deliberation, in response to the request of the Minister of Welfare, on important matters concerning pharmaceutical affairs and the control of poisonous and powerful agents.
The Pharmacists Examination Council	To make research and deliberation on important matters concerning the national examination for pharmacists and to take charge of affairs concerning the national examination for pharmacists, in response to the request of the Minister of Welfare."

Article 2. The Eugenic Protection Law (Law No. 156 of 1948) shall be partially amended as follows:

In Article 14 paragraph 1, "thirty" shall be amended as "twenty-five".

Article 3. The Food Sanitation Law (Law No. 233 of 1947) shall be partially amended as follows:

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 25 paragraph 1 shall be amended as follows:

The Food Sanitation Investigation Council shall be established under the supervision of the Minister of Welfare, to investigate and deliberate on the important matters on food sanitation, in response to the inquiries of the Minister of Welfare.

Article 25 paragraph 4 shall be amednded as follows:

The Food Sanitation Investigation Council shall be organized with members not exceeding 50 persons.

In Article 25 paragraph 6, "the Central Food Sanitation Investigation Committee or the Local Food Sanitation Investigation Committee" shall be amended as "the Food Sanitation Investigation Council"; and "shall be appointed by the Minister of Welfare, a Governor of To, Do, Fu or prefecture or a mayor of the city which shall establish a health center" shall be amended as "shall be appointed by the Minister of

In Article 25 paragraph 6, "the Central Food Sanitation Investigation Committee or the Local Food Sanitation Investigation Committee" shall be amended as "the Food Sanitation Investigation Council"; and "shall be appointed by the Minister of Welfare, a Governor of To, Do, Fu or prefecture or a mayor of the city which shall establish a health center" shall be amended as "shall be appointed by the Minister of Welfare"; in as the same Article paragraph 9, "the preceding eight paragraphs," shall be amended as "the preceding six paragraphs,"; and paragraphs 2 and 3 of the same Article shall be deleted.

Article 4. The Medical Practitioners Law shall be partially amended as follows:

In Article 26, "on the national examination for medical practitioners" shall be amended as "on the national examination for medical practitioners and the internship provided for in Article 11".

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

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 27 to Article 29 inclusive shall be amended as follows:

Article 27 to Article 29 inclusive shall be deleted.

Article 5. The Dentist Law shall be partially amended as follows:

In Article 24, "on the national examination for dentists" shall be amended as "on the national examination for dentists and the internship provided for in Article 11".

Article 6. The Law regarding Dissolution and Liquidation of Medical Association, Dental Association and Japan Medical Treatment Corporation (Law No. 128 of 1947) shall be partially amended as follows:

Article 14 paragraph 2 and Article 15 paragraph 2 shall be deleted.

In Article 21, "rules concerning the Control Committee for Liquidation of Japan Medical Treatment Corporation" shall

Medical Association, Dental Association and Japan Medical Treatment Corporation (Law No. 128 of 1947) shall be partially amended as follows:

Article 14 paragraph 2 and Article 15 paragraph 2 shall be deleted.

In Article 21, "rules concerning the Control Committee for Liquidation of Japan Medical Treatment Corporation" shall be deleted.

Article 7. The Pharmaceutical Affairs Law (Law No. 197 of 1948) shall be partially amended as follows:

"Chapter III. National Council on Pharmacy" shall be deleted; and Articles 7 to 12 inclusive shall be amended as follows:

(National Examination for Pharmacists)

Article 7. The national examination for pharmacists shall be given concerning the knowledge and skill with which a pharmacist should be equipped.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

2 The national examination for pharmacists shall be divided into theoretical examination and practical examination.

3 Any one who has failed to pass the theoretical examination shall not be qualified to take the practical examination.

Article 8. The national examination for pharmacists shall be given at least once annually by the Minister of Welfare.

2 The date when and the place where the National examination for pharmacists is to be held shall be notified with the Official Gazette, in advance.

Article 9. Any one who does not come under any of the following items shall not be allowed to take the national examination for pharmacists:

(1) A person who has completed the regular course of pharmacy in an university;

(2) A person who has obtained a license of pharmacist in any of the foreign countries designated by the Minister of Welfare, and who does not come under the provisions

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 9. Any one who does not come under any of the following items shall not be allowed to take the national examination for pharmacists:

(1) A person who has completed the regular course of pharmacy in an university;

(2) A person who has obtained a license of pharmacist in any of the foreign countries designated by the Minister of Welfare, and who does not come under the provisions of Article 3 paragraph 2 item (2);

(3) A person who has graduated from a foreign pharmaceutical school, or who has obtained a license of pharmacist in any of the foreign countries other than those designated by the Minister of Welfare.

Article 10. Any person who wishes to take the theoretical examination for pharmacists shall pay 500 yen and any person who wishes to take the practical examination shall pay 1,000 yen as fee.

2 The fee paid in accordance with the provisions of the preceding paragraph shall not be returned in case of not taking the said examinations.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Article 11. When there is any unjust deed concerning the national examination for pharmacists, the same examination may, with respect to the person who has been involved in the unjuest deed, be suspended or invalidated. In this case, the permission to take the examination may not be given to him for a fixed term.

Article 12. Outside and in addition to what are provided for in this Law, necessary matters concerning the subject matter of examination, procedure of taking examination any other matter concerning examination shall be fixed by Ministerial Ordinance.

Next to Article 12, "Chapter IV. Council "shall be added as a name of chapter, and Article 13 to Article 19 inclusive shall be amended as follows:

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

(National Council of Pharmacy)

Article 13. The National Council of Pharmacy shall be established under the supervision of the Minister of Welfare to make investigation and deliberation on important matters concerning pharmacutical affairs (excluding those concerning to national examination for pharmacists) and the control of poisonous and powerful agents, in response to the request of the Minister of Welfare.

(Pharmacists Examination Council)

Article 14. The Pharmacists Examination Council shall be established under the supervision of the Minister of Welfare to make investigation and deliberation on important matters concerning the national examination for pharmacists and to take charge of administrative affairs concerning the national examination for pharmacists, in response to the request of the Minister of Welfare.

of the Minister of Welfare.

(Pharmacists Examination Council)

Article 14. The Pharmacists Examination Council shall be established under the supervision of the Minister of Welfare to make investigation and deliberation on important matters concerning the national examination for pharmacists and to take charge of administrative affairs concerning the national examination for pharmacists, in response to the request of the Minister of Welfare.

(Organization of Council)

Article 15; The National Council of Pharmacy shall be composed of members not exceeding 50 persons, and the Pharmacists Examination Council shall be composed of member not exceeding 30 persons.

2 When it is extraordinarily necessary in order to make investigation and deliberation on special matters or to take charge of administrative affairs concerning the national examination for pharmacists, temporary members may be appointed in the National Council of Pharmacy or the

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

Pharmacists Examination Council respectively.

3 The members of the National Council of Pharmacy and the Pharmacists Examination Council (hereinafter referred to as the "Councils") shall be appointed by the Minister of Welfare from among the staff officials of the administrative organs concerned and persons of learning and experience concerning pharmaceutical affairs and poisonous and powerful agnets.

4 In the Council, a person who has been elected mutually from among the members shall preside over the business of the Council as the chairman.

5 The members and temporary members of the Councils shall serve on part-time basis.

6 The term of office of the members of the Councils (execluding the members appointed from among the staff officials of the administrative organs concerned) shall be two years.

...ing pharmaceutical affairs and poisonous and powerful agnets.

4 In the Council, a person who has been elected mutually from among the members shall preside over the business of the Council as the chairman.

5 The members and temporary members of the Councils shall serve on part-time basis.

6 The term of office of the members of the Councils (execluding the members appointed from among the staff officials of the administrative organs concerned) shall be two years. Provided, the term of office of the member who fills a vacancy in the membership shall be for the remainder of the term of office of his predecessor.

(Business Affairs of the Councils)

Article 16. The business affairs of the Councils shall be handled by the Pharmaceutical Affairs Bureau of the Ministry of Welfare.

(Delegation to Cabinet Order)

Article 17. Outside and in addition to what are provided for in this Law, the procedure of preceedings and othr necessary matters concerning the administration of the Councils shall

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

be fixed by Cabinet Order.

Article 18 and Article 19. Deleted.

Article 26 paragraph 4 shall be deleted.

In Article 30 paragraph 1, "upon receipt of the original draft from the National Council on Pharmacy" shall be amended as "after hearing the opinion of the National Council of Pharmacy"; and the same Article paragraph 2 shall be made paragraph 3, and next to paragraph 1, the following one paragraph shall be added:

2 The Minister of Welfare shall hear the opinion of the National Council of Pharmacy in connection with the revision of the official Japanese Pharmacopocia every ten years at the longest, and in connection with its supplements every 2 years and half at the longest.

In Article 32 paragraph 3, "on the baiss of the recommenda-

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

and the same Article paragraph 2 shall be made paragraph 3, and next to paragraph 1, the following one paragraph shall be added:

2 The Minister of Welfare shall hear the opinion of the National Council of Pharmacy in connection with the revision of the official Japanese Pharmacopocia every ten years at the longest, and in connection with its supplements every 2 years and half at the longest.

In Article 32 paragraph 3, "on the baiss of the recommendation of the National Committee of Pharmacy," shall be amended as "after hearing the opinion of the National Council of Pharmacy".

Article 46 paragraphs 4 and 5 shall be deleted; and next to the same Article, the following one Article shal be added:

(Hearing)

Article 46-(2) The Minister of Welfare or the governor of To, Do, Fu or prefecture shall, when he intends to cancel the license or registration or to order the suspension of business in accordance with the provisions of paragraph 2 or pragraph 3 of the preceding Article, ask in advance the person to whom such disposals are to be made or his proxy to appear and conduct a hearing open to public.

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO. 77 5013

2 In the case of the preceding paragraph, the Minister of Welfare or the governor of To, Do, Fu or prefecture shall notify the reasons for the proposed disposal and the date and place of the hearing one week before the date to the person to whom the disposals are to made, and give public notice on the date and place of the hearing.

3 In the case of hearing, the person or his proxy to whom the notice under the preceding paragraph has been given may make explanations for himself or for the principal and submit evidence.

4 The Minister of Welfare or the governor of To, Do, Fu or prefecture may make the disposal in accordance with the provisions of paragraph 2 or paragraph 3 of the preceding Article without hearing, when the person or his proxy to whom such disposals are to be made does not come without due reason.