

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

(1) Box no. 2207

(2) Folder title/number: (14)  
Education Ministry Bills - 12th Diet

(3) Date: Nov. 1951

(4) Subject:

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(5) Item description and comment:

(6) Reproduction:  Yes  No

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

Subject: Draft Legislation

Maj Norris  
26-6076

From: Govt Sec

To: CIE

Date: 7 November 1951

- 1
1. Immediate introduction of the attached draft bill in the Diet is proposed by Ministry of Education
  2. Your prompt comment is requested.

1 incl: Bill Abolishing Orders Under the Ministry of Education based on Imperial Ordinance re: Orders to Be Issued in Consequence of Acceptance of the Potsdam Declaration

----- R. R. -----

Mr. D. Brown 57-8096

From: CIE

To: GS

Date: 23 November 1951

- 2
1. Reference to the request in the basic communication for comment on the proposed Education Ministry bill for abolition of five so-called Potsdam ordinances, the Civil Information and Education Section has no objection to the bill. The purposes for which the ordinances were promulgated have been largely accomplished, and no need is seen for their continuation in force beyond the Occupation.
  2. However, the inclusion in the bill of ordinances concerning copyrights is a reminder that permanent Japanese legislation still is lacking to strengthen, simplify and clarify the protection in Japan of copyrighted materials of foreign origin. The relatively full protection accorded foreign copyrighted materials under SCAP will diminish greatly when the peace treaty comes into force. Some of the publication arrangements made during the Occupation may be jeopardized, and Japanese use of other foreign copyrighted materials may cause losses to their owners before anything can be done through diplomatic channels to bring protection in Japan to the general international level.
  3. It therefore is recommended that the Japanese Government be persuaded to recognize the validity of all commercial arrangements of the Occupation period which involve copyrighted materials, regardless of their conformity to the domestic Copyright Law, and to revise the Copyright Law itself in the coming ordinary Diet session to bring it into line with copyright legislation in other countries, especially as regards the duration of copyright protection and translation rights.

1 Incl  
n/c

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*Edna*

*FORM NO 38*

GOVERNMENT SECTION  
BUCK SLIP

11/7 1951

FROM: *PSP*

TO: \_\_\_\_\_ INITIAL \_\_\_\_\_ DATE \_\_\_\_\_

- \_\_\_\_\_ CHIEF.....
- \_\_\_\_\_ EX O.....
- Special Assistant Nat'l Affairs..... *wemy* 8
- \_\_\_\_\_ Special Assistant Local Affairs.....
- \_\_\_\_\_ Adm Div.....
- \_\_\_\_\_ Par & Pcl Div.....
- \_\_\_\_\_ Public Adm Div.....
- \_\_\_\_\_ Chief Clerk.....
- \_\_\_\_\_ File.....
- \_\_\_\_\_ .....
- \_\_\_\_\_ .....
- \_\_\_\_\_ .....

FOR:

- \_\_\_\_\_ INFORMATION
- \_\_\_\_\_ NECESSARY ACTION
- \_\_\_\_\_ ACTION (Prepare Reply)
- \_\_\_\_\_ APPROVAL
- \_\_\_\_\_ INITIAL
- COMMENT OR CONCUR
- \_\_\_\_\_ RETAIN
- \_\_\_\_\_ RETURN
- \_\_\_\_\_ FILE
- \_\_\_\_\_ BURN

*hold*  
*Send to CIE*

Bill

Submitted to GS for Clearance  
through Legislative Affairs Section,  
Liaison Bureau, Ministry of Foreign Affairs  
(Tel. 57-6010)

~~Nov. 7, 1951~~

1. Number: FOM No. 38
2. Title: Bill for Abolition of Orders under the Ministry of Education based on the Imperial Ordinance concerning the Orders to be Issued in Consequence of the Acceptance of the Potsdam Declaration.
3. Office in Charge: Ministry of Education
4. Date of Cabinet Approval: Nov. 2, 1951
5. SCAP Section concerned: Mr. Tompkins, CPC.  
Dr. Loomis, CI&E.
6. Remark (Reference):

Cabinet Order No. 272 of 1949: July 16, No. 788.  
Ministry of Education Ordinance No. 8 of 1946: Copies are attached herewith.  
Ministry of Home Affairs Ordinance No. 31 of 1946: July 27, No. 97. Ministry of Home Affairs Ordinance No. 4: Jan. 20, No. 240. Ministry of Home Affairs Ordinance No. 7 of 1947: Feb. 6, No. 255.

7. GS Reviewers:

Received by CS

Date 11/7/51

CS: GS/wm

Bill for Abolition of Orders under the  
Ministry of Education based on the  
Imperial Ordinance concerning the Orders to be  
Issued in Consequence of the Acceptance of the  
Potsdam Declaration

(Abolishment of Orders)

Article 1. The Orders mentioned below shall be abolished:

Cabinet Order concerning Registration and Protection of Copyrights  
transferred to Foreigners (Cabinet Order No. 272 of 1949);

Matters concerning Presentation of Textbooks in Use at  
National Elementary Schools, etc. (Ministry of Education Ordinance  
No. 8 of 1946);

Ministerial Ordinance concerning the Census of Foreign Films  
in Japan (Ministry of Home Affairs Ordinance No. 31 of 1946);

Ministerial Ordinance concerning the Investigation of Copyrights  
of Foreigners (Ministry of Home Affairs Ordinance No. 4 of 1947);

Ministerial Ordinance relating to the Investigation of Use of the  
copyright of an Allied National (Ministry of Home Affairs Ordinance No. 7  
of 1947);

(Transitory Measures concerning Order Abolished)

Article 2. In cases where the obligation, at the time of the enforcement  
of this Law, <sup>has</sup> arisen to make application for registration of  
transference of copyright under the provision of Article 4 of the former  
~~Cabinet Order concerning Registration and Protection of Copyrights Trans-~~  
ferred to Foreigners, such registration under the same Article, if it has  
not been applied for as yet, shall still follow the former examples.

Article 3. The application of the penal provisions against the acts, except  
those provided for in the preceding Article, done prior to the enforcement  
of this Law shall still follow the former examples.

Supplementary Provisions:

This Law shall come into force as from the date of the first coming  
into effect of the Peace Treaty with Japan.

Reasens:

In conformity with the Peace Treaty with Japan to be in effect, it is needed to abolish those Order and Ordinances relative to the Ministry of Education in accordance with the Imperial Ordinance concerning the Orders to be issued in consequence of the Acceptance of the Potsdam Declaration, which have already been disposed of or which are not necessary to exist further.

This is the reason for submitting this Bill.