

FEC-101/73 — FEC-108
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FEC-101/73RESTRICTEDFEC-101/7320 May 1947FAR EASTERN COMMISSIONDRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
BILL FOR LOCAL SELF-GOVERNMENT, ALTERATION OF
PREFECTURAL BOUNDARIES, AND ESTABLISHMENT OF
SPECIAL MUNICIPALITIESNote by the Secretary General

1. Enclosures "A", "B", and "C", a draft law and amendments implementing Chapter VIII of the Japanese Constitution, have been received from the Supreme Commander for the Allied Powers, and are circulated herewith by the United States Representative for the consideration of the Far Eastern Commission, and are referred to COMMITTEE NO. 3: CONSTITUTIONAL AND LEGAL REFORM. Enclosure "A" is the text of the draft law entitled "Bill for Local Self-Government, Alteration of Prefectural Boundaries, and Establishment of Special Municipalities." Enclosures "B" and "C" are amendments to the draft law.

2. Enclosure "A" was introduced into the Japanese Diet on 17 March 1947 and approved on 28 March with amendments (See Enclosures "B" and "C"). It is not known, however, if Enclosures "B" and "C" constitute all final amendments to the draft law (Enclosure "A").

3. The enclosures are verbatim copies of the original documents as received from the Supreme Commander. The Japanese text of the enclosures will be circulated as soon as duplication facilities permit.

NELSON T. JOHNSON
Secretary General

FEC-101/73

RESTRICTEDENCLOSURE "A"DRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
BILL FOR LOCAL SELF-GOVERNMENT, ALTERATION OF
PREFECTURAL BOUNDARIES, AND ESTABLISHMENT OF
SPECIAL MUNICIPALITIES

I. General Provisions

Article 1. Local public bodies shall mean, ordinary local public bodies and special local public bodies.

The metropolis, the districts, the urban and rural prefectures, the cities, the towns and the villages shall come under ordinary local public bodies.

The special cities, the special wards, the associations of local public bodies, and the financial wards shall come under special local public bodies.

Article 2. A local body shall be a juristic person.

An ordinary local public body shall deal with its public affairs and such affairs which belong to ordinary local public bodies which were formerly charged with it by laws or ordinances and which heretofore will be so charged by laws or cabinet orders based upon such laws.

A special local public body shall, in pursuance of the provisions of the present law, deal with its affairs.

Article 3. The name of a local public body shall be the same as that which has hithertofore been used thereof.

If it becomes necessary for the alteration of the name of a metropolis, district, urban or rural prefecture or special city to be effected, it shall be provided in laws.

If it becomes necessary for the alteration of the name of a local public body except the metropolis, districts, urban and rural prefectures and special cities to be effected, it shall, except in cases where it has been provided in this present law, be provided in byelaws.

Article 4. A local public body shall, in a case where it intends to determine, or alter the location of its office, effect the same by its byelaws.

II. Ordinary Local Public Bodies

Chapter I. Common Rules

Article 5. The area of an ordinary local public body shall be the same as that which has been heretofore been comprised therein.

A metropolis, district or urban or rural prefecture shall include cities, towns and villages.

Article 6. If the creation of a metropolis, district or urban or rural prefecture, as well as its dissolution, division or union or alterations of the boundaries thereof becomes necessary, it shall be determined by law.

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Article 6. If the creation of a metropolis, district or urban or rural prefecture, as well as its dissolution, division or union or alterations of the boundaries thereof becomes necessary, it shall be determined by law.

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In a case where the alteration of the boundary of a city, town, village affecting the boundaries of metropolis, district or urban or rural prefectures has been effected, the boundaries of metropolis, district or urban or rural prefectures concerned shall themselves be subject to alteration: the same shall apply in a case where the incorporation of an unassigned territory into the area of a city, town or village has been effected.

If, in the cases contemplated in the preceding two Paragraphs, it is necessary for the disposition of a property to be effected, it shall be determined by a mutual agreement of the metropolis, district or urban or rural prefectures concerned in case no mutual agreement has been reached thereon, the Minister for Home Affairs shall, after consulting the views of the assemblies of the metropolis, district or urban or rural prefectures concerned, determine the same, except in cases where it has been provided in laws.

The mutual agreement prescribed in the preceding paragraph shall be made after the resolutions of the assemblies of the respective local public bodies concerned have been obtained.

Article 7. The creation of a city, its dissolution, division or union, or the creation, dissolution, division or union of a town or village, consequent thereto or such alteration of the boundary of a city, town or village as shall be accompanied therewith shall, upon resolutions adopted by the assemblies of the cities, towns or villages concerned, be effected by the Minister for Home Affairs.

When the creation of a town or village, its dissolution, division, union, or the alteration of the boundary of a city, town or village is intended, it shall, upon resolutions adopted by the assemblies of the cities, towns or villages concerned and upon obtaining the permission of the Minister for Home Affairs, be effected by the governor of a metropolis, district or urban or rural prefectures; the same shall apply to the incorporation of an unassigned territory into the area of a city, town or village.

The alteration of the boundary of a city, town or village affecting the boundaries of metropolis, district or urban or rural prefectures shall, upon resolutions adopted by the assemblies of a city, town or village and of metropolis, district or urban or rural prefectures concerned, be effected by the Minister for Home Affairs.

If, in the cases contemplated in the preceding three Paragraphs, it is necessary for the disposition of a property to be effected, it shall be determined by a mutual agreement of the cities, towns or villages concerned upon resolution of the respective assemblies of cities, towns or villages concerned; in case no mutual agreement has been reached thereon, the governor of a metropolis, district or urban or rural prefecture in the case of paragraphs 1 and 2, in the case contemplated in the last preceding paragraph, the Minister for Home Affairs shall, after consulting the views of the assemblies of the cities, towns or villages.

The mutual agreement prescribed in the preceding paragraph shall be made after the resolutions of the assemblies of the respective cities, towns or villages concerned.

Article 8. In cases where the creation of a city or the reorganization of a town or village into a city is intended,

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such a local public body shall have a population of thirty thousand or upward and shall present urban appearances.

With respect to the reorganization of a town or village into a city or the reorganization of a city into a town or village, the same shall be effected, upon resolutions adopted by the assemblies of the cities, towns or villages concerned, by the Minister for Home Affairs.

With respect to the reorganization of a village into a town or the reorganization of a town into a village, a town or village shall, upon a resolution of the assembly thereof, obtain the permission of the governor of a metropolis, district or urban or rural prefecture.

Article 9. A dispute concerning the boundaries of cities, towns or villages shall be arbitrated by the governor of a metropolis, district or urban or rural prefecture.

If, in cases where the boundary of a city, town or village is indistinct, there exists no dispute concerning the boundary thereof, its boundary shall be determined by the governor of a metropolis, district or urban or rural prefecture upon hearing the opinions of the assembly of a city, town or village concerned.

If the cases contemplated in the preceding two Paragraphs which affect the boundaries of metropolis, district or urban or rural prefectures, the governors of the metropolis, district or urban or rural prefectures concerned shall, by their mutual agreement, arbitrate or determine the same; in case no mutual agreement has been reached thereon, the Minister for Home Affairs shall arbitrate or determine the same.

A city, town or village which is dissatisfied with the arbitration or determination contemplated in the preceding three Paragraphs may bring an action in the Higher Court.

The arbitration or determination contemplated in Paragraph 1 to 3 inclusive shall be effected by a document and delivered as accompanied by the reasons therefore to the cities, towns or villages concerned.

Chapter II. Inhabitants

Article 10. A person who has his residence within the area of a city, town or village shall be an inhabitant of a metropolis, district or urban or rural prefecture which includes the concerned city, town or village, as well as of the concerned city, town or village.

An inhabitant shall, in pursuance of the present Law, have the right to use in common with others the property and establishments of the ordinary local public body to which he belongs and the duty to share the burden thereof.

Article 11. Any inhabitant of an ordinary local public body who is a citizen of Japan shall, in pursuance of the present Law, have the right to participate in the election of the ordinary local public body to which he belongs.

Article 12. Any inhabitant of an ordinary local public body who is a citizen of Japan shall, in pursuance of the present Law, have the right to demand the enactment of by-laws or regulations of the ordinary local public body to which he belongs.

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Any inhabitant of an ordinary local public body who is a citizen of Japan shall, in pursuance of the present Law, have the right to demand the inspection of the affairs of the ordinary local public body to which he belongs.

Article 13. Any inhabitant of an ordinary local public body shall, in pursuance of the present Law, have the right to demand the removal from office of the assemblymen of the ordinary local public body to which he belongs and its chief, vice-governor deputy mayor, chief disburser or treasurer, members of electoral administration committee or inspection commissioners.

Chapter III. Byelaws and Regulations

Article 14. Subject to laws, an ordinary local public body may make byelaws in respect to its affairs.

These persons who have violated the byelaws of a metropolis, district or urban or rural prefecture in respect to the affairs of nation which belongs to the metropolis, district or urban or rural prefecture in accordance with the provisions of laws or cabinet orders may, subject to laws, be punished.

Article 15. The chief of an ordinary local public body may, subject to laws, make regulations in respect to the affairs which come within his jurisdiction.

The provisions of paragraph 2 of the preceding Article shall be applied to the provisions of the preceding paragraph.

Article 16. The byelaws and regulations shall, in conformity to a stated form of public notice, be publicly announced.

Chapter IV. Elections

Subsection I Common Rules

Article 17. The assemblymen and the chief of an ordinary local public body shall, from among such persons as are qualified for being elected to that office, be elected by means of the vote by electors.

Article 18. Any person who, being a citizen of Japan of twenty years of age or over has had his residence within the area of a city, town or village for six consecutive months at a given date shall have the right to vote at the election of the assemblymen or the chief of the ordinary local public body to which he belongs.

Upon an application of person who is in a special relationship to a city, town or village, the concerned city, town or village may, upon a resolution of its assembly, dispense with the residential qualification as prescribed in the preceding Paragraph and grant such person the right to vote at the election of the assemblymen or the chief of such city, town or village.

Any person who has been granted a right to vote in accordance with the provisions of the preceding Paragraph shall have the right to vote at the elections of the assembly or the chief of the metropolis, district or urban or rural prefecture which include such city, town or village.

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Any person who has, in accordance with the provisions of Paragraph 2 been granted the right to vote in a city, town or village other than the city, town or village in which he has his residence shall, notwithstanding the provisions of Paragraph 1, not have the right to vote at the elections of the assemblymen or the chief of an ordinary local public body in the city, town or village in which he has his residence.

The period of six months contemplated in Paragraph 1 shall not be interrupted by the creation, dissolution, union or division of a city, town or village, or by an alteration of the boundary thereof.

Article 19. Any person who, being twenty-five years of age or upward who possesses the right to vote at the election of the assembly of an ordinary local public body shall be qualified for being elected to the office of assemblymen of the ordinary local public body to which he belongs.

Any citizen of Japan who is thirty years of age or over shall be eligible for being elected to the office of governor of a metropolis, district or urban or rural prefecture.

Any citizen of Japan who is twenty-five years of age or over shall be eligible for being elected to the office of mayor of a city, town or village.

Article 20. A person who has been adjudged incompetent or quasi-incompetent or who has been sentenced to imprisonment with or without hard labor and has neither undergone the execution of such punishment nor has ceased to undergo the same shall have neither the right to vote at the elections nor be eligible to be elected thereat.

Article 21. The electoral administration committee-man, its clerks, the superintendents of the poll, the superintendents of the counting, presiding officers of election and such government officials or local officials as are concerned in election affairs shall be ineligible for being elected at the elections within the area in which they act as such.

A Public procurator, a police officer or a revenue officer while in office shall be ineligible for being elected at elections.

Article 22. The members of the assembly of a metropolis, district or urban or rural prefecture shall be elected in the respective electoral districts.

The area of an electoral district mentioned in the preceding paragraph shall be the same as that of a county or city.

In a case where the population in the area contemplated in the preceding Paragraph is conspicuously small, several areas may be united by byelaws to create one electoral district.

If, in a case where the creation of a district contemplated in paragraph 2 has newly been effected during the term of office of the members of the assembly of a metropolis, district or urban or rural prefecture, and the number of the assemblymen assigned to the electoral district to which such district has heretofore belonged is less than the number of the assemblymen of such electoral districts contemplated in the provisions of Paragraph 2 as are concerned with such creation of a district, the area of the district which has

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newly been created shall, in so far as the application of provisions of Paragraph 2 is concerned, be deemed, until after the next general election, not to have been created.

Such matters as are necessary for the cases contemplated in the preceding two paragraphs shall be provided in ordinances.

A city, town or village may, in respect to the election of the members of its assembly, create electoral districts by its byelaws: provided, however, that in respect to the city contemplated in Article 157, Paragraph 2, the electoral district of a ward shall be the electoral district.

The electoral district to which an elector of assemblymen of the assembly of a city, town or village shall belong shall be determined by his residence. With respect to any person who, being a person who has the right to vote in accordance with the provisions of Article 18, Paragraph 2, and has not his residence within the area of the city, town or village, the electoral administration committee of the city, town or village concerned shall, upon an application of the person himself or ex cathedra if he fails to make an application, determine the electoral district to which he shall belong.

The number of the assemblymen of the assembly of an ordinary local public body to be elected in the respective electoral districts shall be provided in byelaws in proportion to population.

Article 23. The affairs in respect to the elections of an ordinary local public body shall be administered by the electoral administration committee of the ordinary local public body concerned.

Section II. The Polling

Article 24. The elections of the assemblymen of an ordinary local public body and its chief shall, in cases where reasons have occurred for holding such elections, be held as promptly as possible.

The election of the assemblymen of an ordinary local public body and the election of the chief of an ordinary local public body in consequence of the expiration of the term of office shall not be held before thirtieth days prior to the day on which the term of office of these persons is to expire.

The election of the assemblymen of a city, town or village or its chief shall not be held until after a notice contemplated in Article 25, Paragraph 4 has been given.

With respect to the day of election, such electoral administration committee as shall administer the affairs relating to such election shall, on or before the thirtieth day prior to the day of election in the case of a metropolis, district or urban or rural prefecture or on or before twentieth day prior to the day of election in the case of a city, town or village, give public notice thereof.

Article 25. The election of the assemblymen of a metropolis district or urban or rural prefectures and the elections of the governor of metropolis, district or urban or rural prefecture and the election of the assemblymen of a city, town or

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village and the election of the mayor of city, headmen of town and village may be held at the same time.

The electoral administration committee of a city, town or village shall, on or before the sixtieth day prior to the day on which an election is to be held in cases where such election is to be held in consequence of the expiration of the term of office of the assemblymen of the city, town or village or of its chief or within three days from the day on which an event in which the holding of an election is necessary has occurred in cases where such elections to be held in consequence of the events other than the expiration of the term of office of the assemblymen of the city, town or village or of its chief, except in a case where a report is to be made in accordance with the provisions of Article 59, Paragraph 2 or Article 61, Paragraph 3, file notice to that effect with the electoral administration committee of a metropolis, district or urban or rural prefecture. The same shall apply when the reason mentioned in Article 62, Paragraph 1 arises in respect of a person who is elected at the election of the assembly of a city, town or village or in a case where a vacancy in the members of an assembly of a city, town or village has occurred and it is unable to replace the same in accordance with the provisions of Article 56 or Article 43, Paragraph 2.

The electoral administration committee of a metropolis, district or urban or rural prefecture may, on the basis of the application contemplated in the provisions of the preceding Paragraph or of a report contemplated in the provisions of Article 59, Paragraph 2 or Article 61, Paragraph 3, cause the election of the city, town or village concerned to be held at the same time as the election of the metropolis, district or urban or rural prefecture.

The electoral administration committee of a metropolis, district or urban or rural prefecture shall, within three days from the day on which the application contemplated in the provisions of Paragraph 2 or a report contemplated in the provisions of Article 59, Paragraph 2 or Article 61, Paragraph 3 has been filed or made, given notice to the electoral administration committee of the city, town or village concerned in respect to whether the election of the city, town or village shall, on the basis of such application or report, be caused to be held at the same time as the election of the metropolis, district or urban or rural district..

In a case where simultaneous elections are to be held under the provisions of paragraph 1 or paragraph 3, excepting those which are specially provided for in this Law, the provisions concerning polling and vote-opening shall be applied throughout the respective electoral districts. In a case where simultaneous elections are to be held in accordance with the provisions of paragraph 1 and the districts of the election meetings are one and the same, the same shall apply in respect of the provisions concerning election meetings.

The necessary matters concerning the preceding Article shall be prescribed in cabinet orders.

Section III. The Registration of Electors

Article 26. The election of an ordinary local public body shall be held by using the registration-slips of the electors of the members of the House of Representatives and the abstracts of the supplementary electors' register.

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The electoral administration committee of a city, town or village shall prepare the supplementary registration-slips of electors on April 15 every year and shall for fifteen days from November fifth, throw the supplementary register of electors open to inspection of the persons concerned at any place designated by the committee.

The committee shall, on or before the third day prior to the day on which the supplementary register shall begin to be thrown open to inspection, give public notice of the place for inspection.

The supplementary registration-slips of electors shall be entered the persons who, being entitled to vote at the elections of assemblymen of an ordinary local public body and its chiefs, cannot be entered in the registration-slips of the electors of the members of the House of Representatives.

The supplementary registration-slips of electors shall contain the full name, address, date of birth, sex distinction etc. of each elector.

The age of an elector shall be computed as of the date of the entry in the registration-slip contemplated in the preceding Paragraph.

Article 27. If it is considered that an omission or clerical error exists in a supplementary electoral list, any person concerned may file an objection against the electoral administrative committee within the period during which such registration-slips of voters shall be thrown open to inspection.

In the case contemplated in the preceding paragraph, the committee shall, within twenty days from the day on which the objection has been filed against it, determine the same. In a case where a determination that objection is right has been made, the committee shall forthwith effect an amendment in the supplementary electoral list, notify the effect to the alleged person and persons concerned and publish the said effect. In a case where a determination that objection is not right has been made, the committee shall notify the effect to the alleged person.

A person who is dissatisfied with the determination contemplated in the preceding Paragraph may appeal to the Local Court within seven days from the day upon which such determination has been made, and any person who is dissatisfied with the decision may bring an action in the High Court, though inappealable.

A supplementary electoral list shall become conclusive on December twentieth.

A supplementary electoral list shall be kept intact until December nineteenth of the following year; provided, however, that the committee shall forthwith effect an amendment in the supplementary electoral list, if such is required to be effected therein upon the final decision having been given and notify the effect.

If it is necessary to do so on account of an act of God, an emergency, etc., another electoral list shall be prepared.

Any matter which may be necessary relative to the registration contemplated in the preceding paragraph shall be provided in an Ordinance.

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In a case where, in accordance with the provisions of Article 25, Paragraph 3, the election of a metropolis, district or urban or rural prefecture and the election of a city, town or village are to be held at the same time, the day of election shall, on or before the thirtieth day prior to the day of election, be given notice by the electoral administration committee of a metropolis, district or urban or rural prefecture.

Article 28. The polling district shall be the same as the polling district at the election of the members of the House of Representatives.

Article 29. The office of superintendent of the poll shall be assumed by a person who, from among the persons who have the right of voting, has been chosen by the electoral administration committee of a city, town or village.

The superintendent of the poll shall take charge of the affairs relating to the polling.

The superintendent of the poll shall vacate his office in case when he has lost his right of voting.

Article 30. A candidate may, from among the persons who are entered in the abstracts of the registration-slips of electors in the respective electoral district, determine, upon obtaining the consent of the person himself, one person who shall be an inspector of the poll and may, on or before the third day prior to the day of election, file notice of the same to the superintendent of the poll.

The persons of whom notices have been filed in accordance with the provisions of the preceding Paragraph (in cases where a candidate has died or has withdrawn from his candidacy, the person of whom such candidate has filed notice shall herein and hereinafter be excluded) shall, if such persons are not more than ten, forthwith be caused to assume the office of inspector of the poll by a mutual election of the persons of whom notices have been filed.

The mutual election prescribed in the provisions of the last preceding Paragraph shall be effected by means of the vote, and such person as have polled the majority of votes shall be elected to the office of inspector of the poll, in the case of an equality of the votes polled, the superintendent of the poll shall determine the elected person by the drawing of lots.

The mutual election prescribed in the provisions of Paragraph 2 shall be effected on the day prior to the day of election.

With respect to the place, the date and the hour at which the mutual election prescribed in the provisions of Paragraph 2 shall be held, the superintendent of the poll shall beforehand give notice thereof.

If a candidate for the office has died or has withdrawn from his candidacy, the inspector of the poll of whom such candidate has filed notice shall vacate his office.

If the inspectors of the poll as prescribed in the provisions of Paragraph 2 are less than three or have come to be less than three, or if the inspectors of the poll attending

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have not come to be three at the time when it is for the polling station to open or have thereafter come to be less than three, the superintendent of the poll shall, from among the persons whose names have been entered in the abstracts of the registration-slips of electors in the electoral division concerned, chose so many inspectors of the poll as to make up three in all, shall forthwith give notice thereof to the persons themselves and shall cause them to be present at the poll.

An inspector of the poll shall not resign his office without just reason.

Article 31. The form of a ballot paper shall be prescribed by the electoral administration committee which administers the affairs of such election.

In a case where, in accordance with the provisions of Article 25, Paragraph 3, the election of a metropolis, district or urban or rural prefecture and the election of a city, town or village are to be held at the same time, the form of a ballot paper shall, be prescribed by the electoral administration committee of a metropolis, district or urban or rural prefecture.

In a case where, in accordance with the provisions of Article 25, Paragraph 1 or 3, the elections are to be held at the same time, the columns in which the names of the candidates are to be entered shall be set up with a division, in respect to respective election, in a ballot paper.

Article 32. An elector shall, at the polling station, write down in his own hand the name of one candidate and no more in a ballot paper and deposit it in a ballot-box.

In a case where, in accordance with the provisions of Article 25, Paragraph 1 or 3, the elections are held at the same time, an elector shall, at the polling station, write down in his own hand the name of one candidate and no more in the column of a ballot paper in which the name of a candidate shall be entered for respective election and deposit it in a ballot-box.

The name of an elector shall not be entered in a ballot paper.

Article 33. The denial of a vote shall be decided by the superintendent of the poll with the advice of the inspectors of the poll.

If an elector against whom a decision contemplated in the preceding Paragraph has been made raises an objection thereto, the superintendent of the poll shall cause him to cast a ballot provisionally.

With respect to the ballot contemplated in the preceding Paragraph, an elector shall be caused to put the same in an envelope, seal the envelope up, write his full name thereon in his own hand and deposit the same in a ballot-box.

The provisions of the preceding two Paragraphs shall apply to an elector whose vote has been challenged by an inspector of the poll.

Article 34. With respect to the vote of an elector who

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establishes his inability, owing to the duties or businesses in which he is engaged, or illness or any or such grounds as are provided in cabinet orders, to proceed in person to a polling station and cast a ballot on the day of election, special provisions may, notwithstanding the provisions of Article 32, Paragraph 12, Article 37 Article 41 and the preceding Article, be made in cabinet orders.

Article 35. In cases where it is deemed with respect to islands or other places which have few facilities of communication, there exist such circumstances as make it impossible to send forward the ballot-boxes on the day of election, the electoral administration committee which administers the affairs of such election which related to such island or places may determine the day of the poll at its own discretion and cause the ballot-boxes the records of the poll and the abstracts of the registration-slips of electors to be forwarded on or before the day for the counting of the votes.

In case the election of the metropolis, district, urban or rural prefecture and the election of the city, town or village are to be held simultaneously in accordance with the provisions of Article 25, paragraph 3, the date of polling as provided for in the preceding paragraph shall, notwithstanding the provisions of the same paragraph, be determined by the electoral administration committee of the metropolis, district, urban or rural prefecture.

Article 36. If it is impossible to take the poll or it is necessary to take another poll, through a calamity or due to any unavoidable circumstance the electoral administration committee which shall administer the affairs of such election as is concerned with such poll shall appoint another day and cause a poll to be taken; provided, however, that such day shall, be given public notice by the electoral administration committee at least five days prior to the said date.

If, in a case where, in accordance with the provisions of Article 25, Paragraph 3, the election of a metropolis, district or urban or rural prefecture and the election of a city, town or village are to be held at the same time, an event contemplated in the provisions of the preceding Paragraph has occurred, the electoral administration committee of a metropolis, district or urban or rural prefecture shall, in conformity to the provisions of the same paragraph, cause another poll to be taken.

In a case where an event contemplated in Paragraph 1 has occurred in respect to the election of a metropolis, district or urban or rural prefecture and in a case contemplated in the last preceding Paragraph, the electoral administration committee of a city, town or village shall, through the presiding officer of election in charge of the election of a metropolis, district or urban or rural prefecture, file notice to that effect with the electoral administration committee of a metropolis, district or urban or rural prefecture.

Article 37. The provisions of Article 21 to 23 inclusive, Article 25, Article 26, Article 28 to 30 inclusive, Article 32, Article 34, Article 35, and Articles 39 to 43 inclusive of the Law concerning the Election of the Members of the House of Representatives shall apply with the necessary modifications to the poll at the elections of the assemblymen of an ordinary local public body and its chief.

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Section IV. The Counting of Votes

Article 38. The district for the counting of the votes shall be the same as the district for the counting of the votes at the election of the members of the House of Representatives. Provided that in these cities, towns or villages where there exist electoral districts for the election of the assembly of a city, town or village, the electoral administration committee may establish vote country places without reference to the vote places for the election of the House of Representatives.

Article 39. The office of superintendent for the counting of the votes shall be assumed by a person who, from among the persons who have the right to vote, has been chosen by the electoral administration committee of a city, town or village.'

The superintendent for the counting of the votes shall take charge of the affairs relating to the counting of the votes.

The superintendent for the country of the votes shall vacate his office in case when he has lost his right of voting.

Article 40. The provisions of Article 30 shall apply with the necessary modification to an inspector for the counting of the votes.

Article 41. Any of such votes prescribed in the provisions of Article 32, Paragraph 1 as are specified below shall be void:

1. A vote which is not given in the prescribed form;
2. A vote on which, besides the full name of a candidate anything, except status, profession, residence or honorific titles or the like, is written;
3. A vote on which the full name of any person other than the candidate is written;
4. A vote on which the full names of two or more candidates are written;
5. A vote on which the full name of a candidate who is not eligible is written;
6. A vote on which the full name of a candidate is not written by the voter himself;
7. A vote, whereby it is unascertainable on the face of the ballot whether the voter has intended to vote for one candidate or the other.

Such vote contemplated in the provisions of Article 32, Paragraph 2 as falls under Item 1 or 2 of the preceding paragraph shall be void; such writing-in in the columns of that vote in which the names of candidates for respective election shall be entered as falls under Item 3, 4, 5, 6 or 7 of the preceding Paragraph shall be void.

Article 42. The superintendent for the counting of the votes shall, in the presence of the inspectors for the counting of the votes, open each ballot-box; he shall, first of all, investigate such votes as are prescribed in the provisions of Article 33, Paragraphs 2 and 4 and decide, with the advice of

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the inspectors for the counting of the votes, whether such votes shall be accepted or not.

The superintendent for the counting of the votes shall, upon mixing up the votes from every polling station, inspect each of the votes with the inspectors for the counting of the votes.

In a case where the investigation of the votes has come to an end, the superintendent for the counting of the votes shall forthwith make a return thereof to the presiding officer of election.

Article 43. The provisions of the principal clause of Article 36 Paragraph 1, Paragraph 2 and 3 shall apply with the necessary modifications to the counting of the votes.

Article 44. The provisions of Article 45, Article 40, Article 48, Article 50, Article 51, Article 53 to Article 55 inclusive, and Article 57 of the Law concerning the Election of the members of the House of Representatives shall apply with the necessary modifications to the counting of the votes at the elections of the assemblymen of an ordinary local public body and its chief.

Section V. Election Meeting

Article 45. The presiding officer of election shall be assumed by a person who, from among the persons who have the right of voting, has been chosen by the electoral administration committee of a city, town or village.

The presiding officer of election shall take charge of the affairs relating to the polling.

The presiding officer of election shall vacate his office in case when he has lost his right of voting.

Article 46. The election meeting shall be held at any place designated by the presiding officer of election.

Article 47. The provisions of Article 30 shall apply with necessary modifications to an inspector for the election.

Article 48. In a case of the division for the counting of the votes the area of which is the same as that of a city, town or village, the affairs relating to the counting of the votes at the election of a city, town or village may, notwithstanding the provisions of Article 39, Article 40, Article 42, Paragraph 3, Article 43 and Article 44, be conducted at the polling station at the same time as the affairs relating to the election meeting.

In the case contemplated in the preceding Paragraph, the office of superintendent for the counting of the votes or of inspector for the counting of the votes shall be assumed by the presiding officer of election or inspector of election, and the particulars relating to the counting of the votes may be put down together in the record of election.

Article 49. The presiding officer of election shall, on the day on which he has, from all of the superintendents for the counting of the votes, received the returns prescribed in the provisions of Article 42, Paragraph 3 or on the following

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day, hold an election meeting and investigate such returns and count the total number of votes obtained by each candidate in the presence of the inspectors of election.

In a case contemplated in the preceding Paragraph, notwithstanding the provisions of the preceding Article, the presiding officer of election shall, count the total number of votes obtained by each candidate as a result of investigation of the ballots.

If, in a case where another election has been held in consequence of the invalidation of a part of an election, the returns prescribed in the provisions of Article 42, Paragraph 3 have been received, the presiding officer of election shall, in conformity to the provisions of Paragraph 1, further investigate the same and calculate the total number of votes obtained by each candidate together with such returns relate to the other part of the election.

Article 50. The presiding officer of election shall prepare a record of election in which he shall state the particulars relating to the election meeting and attach his signature thereto together with the signatures of the inspector of election.

The record of election shall, during the term of office of the assembly-men of the ordinary local public body or its chief, be preserved, together with such documents as relate to a return prescribed in the provisions of Article 42, Paragraph 3, by the electoral administrative committee which shall administer the affairs of such election as is concerned with such documents.

In the case contemplated in Article 48, the electoral administrative committee which is in charge of the affairs of such election related to the said election shall differentiate the validity and invalidity of the votes and together with the polling minutes and election meeting minutes, preserve them in custody during the term of office of the members of the assembly of the said local public body or its chief.

If, in a case where, in accordance with the provisions of Article 25, Paragraph 3, the election of a metropolis, district or urban or rural prefecture and the election of a city, town or village are to be held at the same time, notwithstanding the preceding two Paragraphs, the electoral administration committee of a metropolis, district or urban or rural prefecture shall preserve the documents concerned.

Article 51. The provisions of the principal clause of Article 36, Paragraph 1, Paragraph 2 and Paragraph 3 shall apply with the necessary modifications to the election meeting.

Article 52. The provisions of Article 60, Article 63, and Article 66 of the Law concerning the Election of the Members of the House of Representatives shall apply with the necessary modifications to the election meetings of the election of the assemblymen and chief of an ordinary local public body.

Subsection VI. Candidates and Elected Persons

Article 53. A person who purports to be a candidate shall, during the period between the day on which public notice of the date of election has been given and the seventh day prior to the date of election, file notice to that effect with the presiding officer of election.

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If a person whose name has been entered in the electoral list purports to cause another person to become a candidate, he may, upon obtaining the consent of that person and within the period contemplated in the preceding Paragraph, file notice of recommendation of that person.

If, in a case where the number of the candidates who have filed notice or of whom notice has been filed within the period contemplated in the preceding two Paragraphs exceeds, in respect to the election of the assemblymen to be elected at the election or, in respect to the candidates concerning the election of the chief of an ordinary local public body, one, any of the candidates dies or before the second day prior to the day of election, be filed in conformity to the provisions of the preceding two Paragraphs.

A candidate may not withdraw from his candidacy unless notice thereof be filed with the presiding officer of elections.

If such notices as are prescribed in the provisions of the Paragraphs 1 to 3 inclusive and of the preceding paragraph have been filed with him or if the death of a candidate has become known to him, the presiding officer of election shall forthwith give public notice thereof and at the same time shall make a report thereof the electoral administrative committee which shall administer the affairs relating to such election.

Article 54. Any person who purports to file notice of candidacy or of recommendation of a candidate at the election of the assembly-men of a metropolis, district, urban or rural prefecture or city or its chief must, for each candidate, deposit with the competent authorities such amount of money as is in accordance with the following division or national loan bonds of a face-value equal to such amount.

1. In a case of the election of the governor of a metropolis, district or urban or rural prefecture--Five thousand yen;
2. In a case of the election of the mayors of a city--Three thousand yen;
3. In a case of the election of the assemblymen of a metropolis, district or urban or rural prefecture--Two thousand yen;
4. In a case of the election of the assemblymen of a city--One thousand yen;

If the number of votes given to a candidate is, with respect to the election of the assemblymen of a metropolis, district, urban or rural prefecture or city, less than the amount obtained by dividing the total number of the valid votes by the whole number of the assemblymen within the electoral district concerned (in a case where there is created no electoral district, the full number of the assemblymen) or is, with respect to the election of the mayor of a metropolis, district, urban or rural prefecture or city, less than one-tenth of the total number of the valid votes, the subject-matter of deposit contemplated in the preceding paragraph shall revert to the metropolis, district, urban or rural prefecture or city concerned.

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The provisions of the preceding Paragraph shall, in a case where a candidate has withdrawn from his candidacy within ten days prior to the day of election, apply with the necessary modifications, except in a case where the withdrawal from candidacy has been caused by reason that he has ceased to be qualified for being elected.

In a case of the election of the mayor of a town or village, a person who purports to file notice of his candidacy or of notice of recommendation of a candidate shall effect the same under the joint signature of thirty or more electors.

Article 55. A person who has polled the majority of valid votes shall be elected; provided, however, that he is required, in a case of the election of the assemblymen of an ordinary local public body, to have polled the number of the votes which is one-fourth or more of the quotient which shall be obtained by dividing the total number of the valid votes by the whole number of the assemblymen within the concerned electoral district (in a case where there is created no electoral district, the full number of the assemblymen) or, in a case of the election of the chief of an ordinary local public body, to have polled three-eighths of the total number of the valid votes.

If, in determining the elected person, an equality of votes is found to exist, the presiding officer of election shall, at the election meeting, determine him by the drawing of lots.

Article 56. In a case where, in consequence of a filing of objection of a public action prescribed in the provisions of Article 66, Paragraph 1, 2 or 4 or Article 68, Paragraph 1 or 2, it is possible to determine the elected person without holding another election, an election meeting shall forthwith be held and such elected person shall be determined thereat.

If an elected person has declined to accept office, if he has died or if he has ceased to be an elected person by virtue of the provisions of Article 57, an election meeting shall forthwith be held and an elected person shall, from among the persons who, notwithstanding their having polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last preceding Article, have not been elected or who, notwithstanding their having polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last preceding Article, have not been elected by virtue of the provisions of Paragraph 2 of the preceding Article, be determined.

If, in a case where an event contemplated in Article 62, Paragraph 1, item 5 and 6 has occurred before the fixed day prescribed in Article 60, paragraph 2, there is a person who has polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last to whom preceding Article or a person who, has polled such number of votes and the provisions of Art. 65 para 6 can be applied has not or if, in a case where an event contemplated in Article 61, Paragraph 1, Item 5 or 6 has occurred after the fixed day prescribed in Article 60, Paragraph 2, there is a person who, notwithstanding his having polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last preceding Article, has not been elected by virtue of the provisions of Paragraph 2 of the last preceding Article or para. 6 of Article 65 an election meeting shall forthwith be held, and such person shall be determined to have duly been elected.

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If, in the cases contemplated in the preceding three Paragraph, a person who, notwithstanding his having polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last preceding Article, has not been elected or who, notwithstanding his having polled such number of votes as is prescribed in the proviso to Paragraph 1 of the last preceding Article, has not been elected by virtue of the provisions of the provisions of Paragraph 2 of the last preceding Article or Art. 65, para. 6 has come, after the day of election, to cease to be qualified for being elected, he may not become an elected person.

Article 57. A duly elected person shall, if he has come after the day of election, to cease to be qualified for being elected, shall cease to be an elected person.

Article 58. If the number of the candidates of whom notices prescribed in the provisions of Article 53, Paragraph 1 to 3 inclusive have been filed is, in respect to the election of the assemblymen of an ordinary local public body, less than the whole number of the assemblymen for the concerned electoral division (in a case where there is created no electoral division, the full number of the assemblymen) or is in respect to the election of the chief of an ordinary local public body, one, no poll shall be taken.

If, in a case where the elections are to be held in accordance with the provisions of Article 25, Paragraph 1 or 3, an event contemplated in the preceding Paragraph has occurred, the part of a ballot relating to such election as is concerned with such event shall not take place.

In a case where no poll has come to be taken, in accordance with the provisions of the preceding two Paragraphs, the presiding officer of election shall, in case of election of a metropolis, district or urban or rural prefecture, through the electoral administration committee of a city, town or village, in case of a city, town or village, himself, forthwith give notice to that effect to the superintendent of the poll at the same time as he shall give public notice thereof and make a report of the same to the electoral administrative committee which shall administer the affairs relating to such election as is concerned with such election.

The superintendent of the poll shall, in a case where he has received a notice contemplated in the last preceding Paragraph, forthwith give public notice thereof.

In the case contemplated in Paragraph 1 or 2, the presiding officer of election shall hold an election meeting within five days from the day of election, and shall declare the candidates to be duly elected.

In the case contemplated in the last preceding Paragraph, the eligibility of a candidate shall, upon asking for the views of the inspectors of election, be decided by the presiding officer of election.

Article 59. When the persons elected have been determined, the presiding officer of election shall forthwith give such persons notification of their having been duly elected, at the same time he shall give public notice of the address and full names of the persons elected and report the full names of and the number of votes polled by the elected persons, respective total member of votes polled by each candidate at the election

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and such other particulars as are concerned with the election to the electoral administrative committee which shall administer the affairs relating to that election and also, in respect to the election of a city, town or village, to the electoral administrative committee of a metropolis, district or urban or rural prefecture.

If there exists no person duly elected, or if the number of the persons elected at the election of the assemblymen of an ordinary local public body is less than the whole number of the assemblymen to be elected thereat, the presiding officer of the election shall forthwith give public notice thereof and at the same time shall submit a report thereof to the electoral administrative committee which shall administer the affairs relating to the concerned election and also, in respect to the election of a city, town or village, to the electoral administration committee of a metropolis, district or urban or rural prefecture.

Article 60. In a case where an elected person has received a notification of his having duly been elected, he shall, with respect to whether he purports to accept office or not, file notice with the electoral administration committee which shall administer the affairs relating to the concerned election.

If an elected person fails to file, within ten days from the day on which he has received a notification of his having duly been elected, notice to the effect that he shall accept office, he shall be deemed to decline to accept office, and government official who has been elected, shall not accept office without having obtained the approval of the superior in charge.

Article 61. In a case where an elected person has accepted office, the electoral administrative committee which shall administer the affairs relating to the concerned election shall forthwith grant him a certificate of election and give public notice of his address and full name.

If, no elected person has come to remain or if, in a case of the election of the assemblymen of an ordinary local public body, the number of the elected persons has come to be less than the whole number of the assemblymen to be elected at that election, the electoral administration committee which shall administer the affairs relating to the concerned election shall forthwith give public notice thereof.

In the cases contemplated in the preceding two Paragraphs, the electoral administration committee which shall administer the affairs relating to the concerned election shall, in conformity to the following divisions make a report forthwith to that effect.

1. In a case of the election of the governor of a metropolis district or urban or rural prefecture -----
---the minister for Home Affairs

2. In a case of the election of the assemblymen of a metropolis, district or urban or rural prefecture -----
---the governor of a metropolis,
district or urban or rural prefecture;

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3. In a case of the election of the mayor of a city, town or village ----- the governor of a metropolis, district or urban or rural prefecture and the electoral administration committee of a metropolis, district or urban or rural prefecture;

4. In a case of the assemblymen of a city, town or village ----- the governor of a metropolis, district or urban or rural prefecture, the electoral administration committee of a metropolis, district or urban or rural prefecture and the mayor of a city, town or village.

Subsection VII. Extraordinary Elections

Article 62. In cases where any of the following events has occurred, the electoral administrative committee which shall administer the affairs relating to such election of the assemblymen of an ordinary local public body or of its chief as is mentioned below shall, determine the day of election, give public notice thereof and shall cause another election to be held, if, with respect to the election of the assemblymen of an ordinary local public body, elected persons cannot be determined without holding another election or the deficiency in the number of the elected persons together with such number of unfilled vacancies in the office of assemblymen as is mentioned in Article 63, paragraph 1 has come, notwithstanding that the elected persons have been determined without holding another election, to exceed one-sixth of the whole number of the assemblymen for the electoral district concerned (in a case where there is created no electoral district, the full number of the assemblymen) or if, with respect to the election of the chief of an ordinary local public body, an elected person cannot be determined without holding another election, except if, with respect to one and the same person, public notice of the day of election has, by reason of any of the following events other than that which is considered in the fore part of the present Article or in accordance with the provisions of Article 63, Paragraph 1, been given, namely;

1. If no person is duly elected, or if the number of the elected, or if the number of the elected person is, in a case of the election of the assemblymen of an ordinary local public body, less than the whole number of the assemblymen to be elected at that election;

2. If an elected person has declined to accept office, or if he has died;

3. If an elected person has ceased to be an elected person by virtue of the provisions of Article 57;

4. If, in consequence of filing of objection, appeal or an action prescribed in the provisions of Article 66, Paragraph 1, 2 or 4 or Article 68 Paragraph 1 or 2, no person remains duly elected or the number of the elected persons fails, in a case of the election of the assemblymen of an ordinary local public body, to come to the whole number of the assemblymen to be elected at that election;

5. If a person who has had a general control of the election campaign of an elected person has been sentenced to

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punishment on conviction of such offense as is concerned with the concerned election and the election of the elected person has come to be null and void;

6. If an elected person has been sentenced to punishment on conviction of such offense as is concerned with the concerned election and his election has come to be null and void.

An election prescribed in the provisions of the preceding Paragraph may, during the period within which the filing of objection, its decision or an action prescribed in the provisions of Article 66, Paragraph 1, 2 or 4 is pending, may not be held. In a case where an action has been brought in the court, the same shall apply, while such action is pending in the court.

If such event as shall fall under any of the Items of Paragraph 1 has occurred within six months prior to the expiration of the term of office of the assemblymen of an ordinary local public body, the election contemplated in the same Paragraph shall not be held except in a case where the number of the assemblymen has come to be less than two-thirds of their full number.

Even if the shortage of persons elected combined with the number of vacancies in the members of the assembly of an ordinary local public body mentioned in Article 63, Paragraph 1, does not exceed one sixth of the fixed number of members of the assembly of the said electoral district (when there is no electoral district, the fixed number of assembly), when there is another election of an ordinary local public body an election may be held simultaneously therewith.

Article 63. If, in a case where vacancies have occurred in the offices of assemblymen of an ordinary local public body, it is unable to determine the elected person without election or when the elected person has been determined without election or the number of such vacancies in the office of assemblymen together with such deficiency in the number of the elected persons as is mentioned in Paragraph 1 of the preceding Article has come, exceed one-sixth of the whole number of the assemblymen to be elected in the concerned electoral district (in a case where there is created no electoral district, the full number of the assemblymen), or if a vacancy has come to occur in the office of chief of an ordinary local public body or the chief of an ordinary local public body has made a declaration of retirement, the electoral administrative committee which shall administer the affairs relating to such election as is concerned with respective case mentioned above shall, in conformity to the provisions of Article 27, determine the day of election, give public notice there of and cause an election to be held, except in a case where, with respect to one and the same person, the day of election has, in accordance with the provisions of Paragraph 1 of the preceding Article, further been given public notice.

If, in a case where, before the fixed day contemplated in Article 60, Paragraph 2, a vacancy has occurred in the office of assemblymen of an ordinary local public body or in the office of chief of an ordinary local public body he has made a declaration of retirement, there is a person who, notwithstanding his having polled such number of votes as is prescribed in the provisions of the proviso to Paragraph 6 of Article 65, has not been elected or who, notwithstanding his having polled such

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number of votes as is prescribed in the provisions of the proviso to Paragraph 1 of Article 55, has not been duly elected by virtue of the application of the provisions of Article 55, Paragraph 2 or Article 65, Paragraph 6 or if, in a case, after the fixed day contemplated in Article 60, Paragraph 2, such vacancy or has been made, there is a person who, notwithstanding his having polled such number of votes as is prescribed in the provisions of the proviso to Paragraph 1 of Article 55, has not been duly elected by virtue of the application of the provisions of Article 65, Paragraph 2, an election meeting shall forthwith be held and such person shall be chosen as an assemblyman or the chief to fill such vacancy; in this case the provisions of Article 56, Paragraph 4 shall apply with the necessary modifications.

The provisions of Article 61, Paragraph 2 and the provisions of Paragraph 3 and 4 of the same Article shall respectively apply with the necessary modifications to the election contemplated in the provisions of Paragraph 1 and the election of the assemblyman of an ordinary local public body contemplated in the provisions of Paragraph 1.

Article 64. If, in a case where, with respect to the assemblyman of an ordinary local public body or the elected persons at the election of such assemblyman, any of the events contemplated in Article 61, Paragraph 1 or Paragraph 1 of the last preceding Article has occurred, there is or remains no assemblyman or elected person, a general election shall be held notwithstanding these provisions, except in a case where, with respect to any of those events, public notice of an election prescribed in the provisions of Article 61, Paragraph 1 or Paragraph 1 of the last preceding Article or public notice of an election meeting prescribed in the provisions of Article 56, Paragraph 2 or 3 has been given.

The provisions of Article 52, Paragraph 2 shall be applied to the election mentioned in the preceding paragraph.

In a case where such elections contemplated in Article 61, Paragraph 1 and in Paragraph 1 of the last preceding Article as relate to the assemblyman of an ordinary local public body are to be held at the same time, one election shall be held by means of uniting the concerned elections.

Article 65. If, in a case of the election of the chief of an ordinary local public body, there is no person who has polled such number of votes as is prescribed in the proviso to Paragraph 1 of Article 55, another election shall, within ten days, with respect to the election of the governor of a metropolis, district or urban or rural prefecture, or within seven days, with respect to the election of the mayor of a city, town or village, from the day of public notice prescribed in the provisions of Article 59, Paragraph 2, notwithstanding the provisions of Article 24, Paragraph 1, 4 and 5 and Article 62, Paragraph 1 be held; in this case, two persons who have polled the majority of valid votes cast at that election shall, notwithstanding the provisions of Article 53, Paragraphs 1 to 3 inclusive and Article 54, Paragraph 1, Items 1 and 2, be candidates.

In a case where the election of governor of metropolis, district urban or rural prefecture and the election of mayor of city town or village is held simultaneously in accordance with the provisions of Article 25, Paragraph 3 and in case both

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such election fall under the provisions of the preceding paragraph, notwithstanding the provisions of the preceding paragraph simultaneous elections must be held beginning with the date of the announcement provided for under Article 59, Paragraph 2 concerning the election of governor of metropolis, district, urban or rural prefecture within fifteen days on a date determined by the electoral administration committee of the metropolis, district, urban or rural prefecture.

In the case contemplated in the preceding Paragraph, the electoral administrations committee shall, on or before the fifth day prior to the day of election, give public notice of the day of election.

In determining the two candidates in the case of paragraph 1, when it cannot be determined by the number of votes obtained due to equality of such votes, the electoral administration committee shall determine by the drawing of lots.

In a case of the election contemplated in Paragraph 1, notwithstanding the provisions of Article 55, Paragraph 1 a person who has polled a majority of valid votes cast shall be determined to be duly elected.

In a case where the candidates at the election contemplated in Paragraph 1 have polled an equal number of votes, the presiding officer of election shall, notwithstanding the provisions of the last preceding Paragraph, determine a duly elected person by the drawing of lots.

In a case where, in consequence of the death or the withdrawal from his candidacy of a candidate contemplated in the election in Paragraph 1, the number of a candidate has come to be one, no poll shall be taken; in this case, the provisions of Article 58, Paragraph 2 to 6 inclusive shall apply with the necessary modifications.

In so far as the application of the provisions of Article 30, Paragraph 7 or Article 40 or 47 in which the application with the necessary modifications of Article 30, Paragraph 7 is prescribed is concerned in a case of the election contemplated in Paragraph 1, "three" mentioned in the same Paragraph shall read "two".

Subsection VIII. Actions

Article 66. An elector or candidate who has an objection to an election or to the validity of an election may, in the case of the election on the date of the election and in the case of the validity of election within fourteen days from the day of the announcement mentioned in Article 59, Paragraph 1 or 2 file the same with the electoral administration committee which shall administer the affairs relating to the concerned election.

A person who is aggrieved by the determination of the electoral administration committee of city, town or village as prescribed in the provisions of the preceding Paragraph may make an appeal to the electoral administration committee of metropolis, district, urban or rural prefecture.

The determination in accordance with paragraph 1 and the decision in accordance with the preceding paragraph shall be effected in writing and handed to the applicant with the reasons

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attached thereto at the same time making an announcement of the gist thereof.

Any person dissatisfied with the determination of the electoral administration committee of metropolis, district or urban or rural prefecture under the provisions of paragraph 1 or with the decision of the same under the provisions of the preceding paragraph, may bring an action in the Higher Courts.

Concerning the election of the chief of an ordinary local public body, in case an election in accordance with paragraph 1 of the preceding Article is held, the period mentioned in Paragraph 1 shall be calculated from the date of election mentioned in Paragraph 1 of the preceding Article or from the date of announcement of the election provided for in Article 59 Paragraph 1 or 2 concerning such elections.

The provisions of Article 141 and Article 141-3 of the Law concerning the Election of the Members of the House of Representatives shall apply with the necessary modifications to an action prescribed in the provisions of Paragraph 4.

In regard to the decision of the electoral administration committee of the city, town or village in accordance with the provisions of Paragraph 1, no appeal may be made to the courts until after the decision provided for in Paragraph 2 has been received.

Article 67. In cases where violation of the provisions relating to elections has been committed, the electoral administration committee or the Courts shall determine or decide the whole or a part of the election to be void, only when it is likely to affect the result of the election.

Article 68. An elector or candidate who considers the election of a person to be null and void by reason of the application with the necessary modifications of the provisions of Article 110 of the Law concerning the Election of the Members of the House of Representatives may, bring an action against an elected person as defendant in the High Court, whose area of jurisdiction falls under the ordinary local public body to which the electoral administration committee which disposes the affairs of the said election belongs.

If a public procurator considers, by reason of the fact that the person accused of an offence to which the provisions of Articles 112 and 113 inclusive of the Law concerning the Election of the Members of the House of Representatives shall apply with the necessary modification is the very person who has virtually had a general control of the election campaign, that the election of a person shall be null and void by virtue of the application with the necessary modifications of the provisions of Article 136 of the same Law, he must bring a civil action against the elected person as defendant incidentally to the original action.

The provisions of Article 141 and Article 141-3 of the Law concerning the Election of the Members of the House of Representatives and the provisions of Article 141-2 and Article 141-3 of the same Law shall respectively apply with the necessary modifications to an action prescribed in the provisions of Paragraph 1 and an action prescribed in the provisions of the preceding paragraph.

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Article 69. The court shall, at the trial of an action prescribed in the provisions of Article 66, Paragraph 4 or Paragraph 1 of the preceding Article, cause a public procurator to be present at oral proceeding.

Article 70. In a case where judgment has been given in respect to an action prescribed in the provisions of Article 66, Paragraph 4 or Article 68, Paragraph 1 or in a case where judgement has become final and has become effective in respect to an action prescribed in the provisions of Article 68, Paragraph 3, the court shall, through the chief of the ordinary local public body concerned, give notification thereof to the electoral administration committee which shall administer the affairs relating to such election.

Article 71. Any person who purports to bring an action prescribed in the provisions of Article 68, Paragraph 1 must deposit with the competent authorities, as guarantee money 300 yen or such amount of money as correspond to national loan bonds of a face-value equal to such amount.

If, in a case where the plaintiff has lost the case, he has failed to pay the judicial costs in full within seven days from the day on which judgment has become final, the guarantee money shall be appropriated to defray such judicial costs and, if there still remains deficit, such deficit shall be refunded.

Section V. Direct Demands

Subsection I. Demands for Enactment
of Byelaws and for
Inspections

Article 74. In accordance with the provisions of Cabinet orders, the persons who have the right of voting may, under the joint signature of such persons who shall come to one-fiftieth or more of their total number and through their representatives, make to the chief of an ordinary local public body a demand for the enactment of a byelaw.

In a case where a demand contemplated in the preceding Paragraph has been made, the chief of the ordinary local public body concerned shall forthwith make public the purport of the demand.

The chief of an ordinary local public body shall, within twenty days from the day on which a demand contemplated in Paragraph 1 has been accepted, call a meeting of the assembly and present thereat the demand as accompanied by his opinion thereon for consideration and shall notify the result at the meeting of the assembly to the representatives contemplated in the same Paragraph and at the same time make public the same.

Such persons who have the right of voting as are contemplated in Paragraph 1 shall be deemed to be the persons who are registered in the register on the date of the confirmation of the same, and the number of such persons corresponding to one-fiftieth of their total number shall, in a case where the result of such election has become known, forthwith be given public notice by the electoral administration committee which shall administer the affairs relating to such election.

Article 75. In accordance with the provisions of cabinet

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orders, the persons who have the right of voting may, under the joint signature of such persons who shall come to one-fiftieth or more of their total number and through their representatives, make to the inspection commissioners of the ordinary local public bodies a demand for the inspection of the management of any undertaking carried on by the said ordinary local public body, the revenue and expenditure of the ordinary local public body or the administration of any of such affairs as are in the charge of the officials of the ordinary local public body and any other affairs which come under the chief of the said ordinary local public body.

In a case where a demand contemplated in the preceding Paragraph has been made, the inspection commissioners shall forthwith make public the purport of the demand.

The inspection commissioners shall make inspection in respect to such matters as are concerned with a demand contemplated in Paragraph 1, notify the result of the inspection to the representative contemplated in the same Paragraph and make public the same, and at the same time shall make a report thereof to the assembly and the chief of the ordinary local public body.

In a city, town or village of which has no inspection commissioner the demand contemplated in Paragraph 1 shall be made to the mayor of city, town or village and the functions of the inspection commissioners provided for in the preceding two paragraphs shall, except for those concerning the report to the chief of the ordinary local public body concerned, be executed by the mayor of city, town or village.

The provisions of Paragraph 4 of the preceding Article shall apply with the necessary modifications to those persons who have a right to vote mentioned in Paragraph 1 and to the number corresponding to one-fiftieth of the total number.

Subsection II. Demands for Dissolutions and
for Dismissals

Article 76. In accordance with the provisions of cabinet order, the persons who have the right of voting may, under the joint signature of such persons who shall come to one-third or more of their total number and through their representatives, make to the electoral administration committee of an ordinary local public body a demand for the dissolution of the assembly of the ordinary local public body.

In a case where a demand contemplated in the preceding Paragraph has been made, the electoral administration committee shall forthwith make public the purport of the demand.

In a case where a demand contemplated in Paragraph 1 has been made, the electoral administrative committee shall, submit the same to the vote of the electors.

The provisions of Article 74. Paragraph 4 shall apply with the necessary modification to those persons who have the right of voting as is prescribed in the provisions of Paragraph 1 and the number corresponding to one-third of the total number.

Article 77. In a case where the result of the vote in respect of the dissolution has become known, the electoral administrative committee shall forthwith notify the same to the representatives contemplated in Paragraph 1 of the preceding

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Article and the chairman of the assembly of the ordinary local public body concerned and make public the same, and at the same time shall make a report thereof to the governor of a metropolis district or urban or rural prefecture and the competent minister in the case of a metropolis, district or urban or rural prefecture or to the mayor of a city, town or village and the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

Article 78. The assembly of an ordinary local public body shall, in case where a majority of votes has consented at the vote in respect of the dissolution as prescribed in the provisions of Article 76, Paragraph 3, be dissolved on the day of public announcement contemplated in the last preceding Article.

Article 79. A demand for the dissolution of the assembly of an ordinary local public body prescribed in the provisions of Article 76, Paragraph 1 shall not be made within one year from the day on which a general election of its assemblymen has been held or within one year from the day on which the vote of dissolution prescribed in Paragraph 3 of the same Article has been taken.

Article 80. In accordance with the provisions of cabinet orders, the persons who have the right of voting may, under the joint signature of such persons who have the right of voting in the electoral district to which they belong as shall come to one third or more of their total number and through their representatives, make to the electoral administration committee of an ordinary local public body a demand for the dismissal of such assemblyman of an ordinary local public body as belongs to the electoral district concerned. In such a case when there is no electoral district the dismissal of an assemblyman may be demanded by the joint signatures of one-third or more of persons having the right to vote.

In a case where a demand contemplated in the preceding Paragraph, the electoral administration committee shall forthwith make public in the district concerned the purport of the demand.

In a case where a demand contemplated in Paragraph 1, the electoral administration committee shall, submit the same to the vote of the electors of the electoral district concerned.

In such a case when no electoral district exists it must be put to the general vote of electors.

The provisions of Article 74. Paragraph 4 shall apply with the necessary modifications to those persons who have the right of voting as is prescribed in Paragraph 1 and to the number corresponding to one third of the total number.

Article 81. In accordance with the provisions of cabinet orders, the persons who have the right of voting may, under the joint signature of such persons who shall come to one-third or more of their total number and through their representatives, make to the electoral administration committee of an ordinary local public body a demand for the dismissal of the chief of the ordinary local public body.

The provisions of Article 74. Paragraph 4 shall apply with the necessary modifications to the number corresponding to such one-third of the total number and to the persons who have the right of voting as is prescribed in the provisions of the preceding paragraph and the provisions of Article 76 Para. 2 and 3 shall apply in the case contemplated in the preceding paragraph.

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Article 82. In a case where the result of the vote in respect of the dismissal in accordance with the provisions of Article 80 para. 3 has become known, the electoral administration committee of an ordinary local public body shall forthwith notify the same to the representatives contemplated in Paragraph 1 of the same Article and the concerned assemblymen of the assembly and the chairman thereof of the ordinary local public body and make public the same, and at the same time shall make a report thereof to the governor of metropolis, district or urban or rural prefecture and to the competent minister in the case of a metropolis, district or urban or rural prefecture or to the mayor of a city, town or village and the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

In a case where the result of the vote under Paragraph 2 of the preceding Article in respect of the dismissal has become known, the electoral administrative committee shall forthwith notify the same to the representative contemplated in Paragraph 1 of the last preceding Article and the chief of an ordinary local public body and the chairman of the assembly and make public the same, and at the same time shall make a report to the Minister for Home Affairs in the case of a metropolis, district, urban or rural prefecture of city or to the governor of a metropolis, district or urban or rural prefecture in the case of a town or village.

Article 83. The assemblymen of an ordinary local public body or its chief shall vacate the office in a case where a majority of votes has consented at the vote contemplated in Article 80, Paragraph 3, Article 81, Paragraph 2.

Article 84. A demand for the dismissal of an assemblyman of an ordinary local public body or its chief as prescribed in the provisions of Article 86, Paragraph 1 or Article 81, Paragraph 1 shall not be made within one year from the day on which he has assumed the office or within one year from the day of the vote prescribed in the provisions of Article 80, Paragraph 3 or Article 81, Paragraph 2 has been taken or held.

Article 85. Except for these matters which are specially provided for in cabinet orders, the provisions of Chapter 4 shall be applied with necessary modifications to vote of dissolution provided for in Article 76, Paragraph 3 and the vote of dismissal provided for in Article 80, Paragraph 3 and Article 81, Paragraph 2. The vote prescribed in the preceding Paragraph may be held, subject to provisions of cabinet orders, at the same time as the elections of ordinary local public bodies.

Article 86. In accordance with the provisions of cabinet order, the persons who have the right of voting may, under the joint signature of such persons who shall come to one-third or more of their total number and through their representatives make to the chief of an ordinary local public body a demand for the dismissal of a vice-governor, deputy-mayor or treasurer, electoral administration committee or inspection commissioner.

In a case where a demand contemplated in the preceding Paragraph is made, the chief of the ordinary local public body shall forthwith make public the purport of the demand.

In a case where a demand contemplated in Paragraph 1, the chief of the ordinary local public body concerned shall submit the same to its assembly, notify the result thereof to the

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representatives contemplated in Paragraph 1 and the concerned person and make public the same and at the same time shall make a report thereof to the Minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture or to the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

The provisions of Article 74, Paragraph 4 shall apply with the necessary modifications to the persons who have the right to vote and the number corresponding to such one-third of the total thereof, as prescribed in the provisions of Paragraph 1.

Article 87. A person who holds any of such offices as are prescribed in Paragraph 1 of the last preceding Article shall vacate his office, if, in the case contemplated in Paragraph 3 of the same Article, two-thirds or more of the full number of the assemblymen of the said ordinary local public body have been present at its meeting and three-fourths or more of them have consented thereto.

Article 88. A demand for the dismissal of a vice-governor deputy-mayor or treasurer prescribed in the provisions of Article 86, Paragraph 1 shall not be made within one year from the day on which he has assumed the office or within one year from the day on which such resolution of the assembly as is prescribed in the provisions of Paragraph 3 of the same Article has been adopted.

A demand for the dismissal of an electoral administration committee or inspection commissioner as prescribed in the provisions of Article 86, Paragraph 1 shall not be made within six months from the day on which such office has been assumed or within six months from the day on which such resolution of the assembly as is prescribed in the provisions of Paragraph 3 of the same Article has been made.

Chapter VI. Assemblies

Subsection I. Organization

Article 89. An ordinary local public body shall have its assembly.

Article 90. The full number of the members of the assembly of a metropolis, district or urban or rural prefecture shall be forty in the case of a metropolis, district or urban or rural prefecture with a population less than seven hundred thousand, shall be increased by one respectively for each additional population of fifty thousand in the case of a metropolis, district or urban or rural prefecture with a population more than seven hundred thousand but less than one million and for each additional population of seventy thousand in the case of a metropolis, district or urban or rural prefecture with a population more than one million and shall be limited to one hundred and twenty.

The full number of the assemblymen contemplated in the preceding Paragraph shall not be increased or reduced except in a case where a general election is to be held.

Article 91. The full number of the members of the assembly of a city, town or village shall be as follows, and shall be increased by four respectively for each additional population of one hundred thousand in the case of a city with a population

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more than three hundred thousand but less than five hundred thousand and for each additional population of two hundred thousand in the case of a city with a population of more than five hundred thousand, and shall be limited to one hundred, namely:

1. In the case of a town or village with a population less than two thousand -----Twelve;
2. In the case of a town or village with a population more than two thousand but less than five thousand----Sixteen;
3. In the case of a town or village with a population more than five thousand but less than ten thousand-----Twenty-two;
4. In the case of a town or village with a population more than ten thousand but less than twenty thousand and of a town or village with a population more than twenty thousand -----Twenty-six;
5. In the case of a city with a population less than fifty thousand and of a town or village with a population more than twenty thousand----- Thirty;
6. In the case of a city with a population more than fifty thousand but less than one hundred and fifty thousand -----Thirty-six;
7. In the case of a city with a population more than one hundred and fifty thousand but less than two hundred thousand -----Forty;
8. In the case of a city with a population more than two hundred thousand but less than three hundred thousand -----Forty-four.

The full number of assemblymen, may, especially be increased or reduced by byelaw. Provided, however, that the limitation prescribed in the preceding Paragraph shall not be exceeded.

The number of the assemblymen contemplated in the preceding paragraph shall not be increased or reduced, except in a case where a general election is to be held; provided, however, that, in a case where there has occurred a conspicuous increase or reduction in the population, the number of the assemblymen may be increased or reduced within the respective limit of the full number contemplated in the same Paragraph.

Article 92. A member of the assembly of a metropolis, district or urban or rural prefecture shall not be a member of the House of Representatives or of the House of Councillors at the same time.

A member of the assembly of an ordinary local public body shall not be a paid official of the ordinary local public body concerned at the same time.

Article 93. The term of office of a member of the assembly of an ordinary local public body shall be four years.

The term of office mentioned in the preceding paragraph shall be computed as from the date of the general election, provided however that in a case where a general election is

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held prior to date of expiration of the term of a member of an ordinary local public body, it shall be computed from the day following the date of the expiration of the term of his predecessor.

A member of an assembly elected to fill a vacancy of member shall remain in office for the remainder of the term of his predecessor.

Such assemblyman as has newly been elected owing to the alteration of the full number of the assemblymen shall hold office until the day of the expiration of the term of office of the assemblymen who have been elected at the general election.

Article 94. If it is necessary to remove an assemblyman from office in consequence of an alteration of the full number of the assemblymen of a city, town or village, the mayor of city, town or village shall, by the drawing of lots, determine the assemblyman to be removed from office; provided, however, that, in a case where there is a vacancy in the office of assemblyman or a deficiency in the number of elected persons in the case of an election of the assemblymen, such vacancy in the office of assemblyman or deficiency in the number of elected persons shall be assigned to the office of such assemblymen as shall be removed.

If, in the case contemplated in the proviso to the preceding paragraph, the number of vacancies in the office of assemblyman and of deficiencies in the number of elected persons exceeds the number of such offices of assemblymen as shall be vacated, the order of such vacancies in the office of assemblyman and deficiencies in the number of elected persons as shall be assigned to such offices of assemblymen as shall be vacated shall be determined in accordance with the order of precedence of the occurrence of such events, and if such events have occurred simultaneously, the mayor of a city, town or village shall determine the order by the drawing of lots.

If, in a case where it is necessary to remove an assemblyman from office in consequence of an alteration of the full number of the assemblymen of a city, town or village, there are created electoral districts, the electoral district to which such office of an assemblyman as shall be vacated is assigned shall, first of all, be provided in a byelaw contemplated in Article 22, Paragraph 8, and then an assemblyman who shall be removed from office shall, in conformity to the provisions of the preceding two Paragraphs, be determined from among the assemblymen who belong to the electoral district concerned.

Article 95. In the case of a town or village placed under special circumstances, notwithstanding the provisions of Article 89, an assembly may be dispensed with by a byelaw and a general convention of persons with a right to vote established.

With respect to the general convention of a town or village, the provisions relating to the assembly of a town or village shall apply with the necessary modifications.

Subsection II. Powers

Article 96. The assembly of an ordinary local public body must resolve such matters as are prescribed below, namely:-

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1. The making of byelaws or the alteration or abolition thereof;
2. The determination of the estimated annual revenue and expenditure;
3. The approval of a report of the final accounts;
4. Matters relating to the imposition and collection of rents, fees, local taxes, allotted charges entrance fees or statutory labor and actual articles, except those which are provided in cabinet orders;
5. Matters relating to the creation and disposal or permanent property, the reserve fund and grain;
6. The assumption of new duties and the waiver of rights, except those which are provided in the estimated annual revenue and expenditure;
7. Matters relating to filing of objection, appeal, compromise.
8. Matters relating to the adjustment and coordination of the activities of the bodies within the area of an ordinary local public body.
9. Any other matter falling within the powers of the assembly under laws or orders.

An ordinary local public body may, excepting those matters under the provisions of the preceding Paragraph, determine such matters relating to the ordinary local public body as shall be decided by its assembly by means of byelaws.

Article 97. The assembly of an ordinary local public body shall hold such elections as fall within its powers by virtue of laws or cabinet orders.

Article 98. The assembly of an ordinary local public body may inspect any of such documents and statements of accounts as relate to the ordinary local public body concerned and may, by demanding the reports of the chief of the ordinary local public body, audit the management of the affairs, the execution of the resolutions and the revenue and expenditure.

The assembly may call the inspection commissioners for the inspection relating to the affairs of the ordinary local public body concerned and demand the report of their findings.

Article 99. The assembly of an ordinary local public body may call the chief of the ordinary local public body for his explanation relating to such affairs of the national government or other ordinary local public bodies or other public bodies as are delegated to that chief or may express its opinion thereon.

The assembly with respect to such matters as are concerned with the public benefit of the ordinary local public body, send in a written report to the administrative office concerned.

Article 100. Each assembly of an ordinary local public body may make investigations relating to the affairs of the ordinary local public body concerned and may demand the appearance and testimony of electors or other concerned persons and the presentation of records.

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In a case where the assembly has, for the purpose of making the investigations prescribed in the Provisions of the preceding Paragraph, sent inquiries to bodies within the area of the ordinary local public body concerned or called the same for forwarding records, the bodies concerned must comply with such requests.

Subsection III. Convocation and Sittings

Article 101. An assembly of an ordinary local public body shall be called by the chief of the ordinary local public body: in a case where such demand for calling an extraordinary session as has specified the business proposed to be transacted thereat has been made by one-fourth or more of the full number of the assemblymen, the chief of an ordinary local public body must call the same.

Except in cases where an expeditious action is required to be taken, notice of the convocation of a meeting shall be given on or before the seventh day prior to the day appointed for the intended session in the case of a metropolis, district, urban or rural prefecture or city or on or before the third day prior to the day appointed for the intended session in the case of a town or village.

Article 102. The sessions of the assembly of an ordinary local public body shall be of two kinds; namely, regular sessions and extraordinary sessions.

A regular session shall be convoked six times or more a year.

An extraordinary session shall be convoked, whenever necessary, for the transaction of a particular business.

The chief of an ordinary local public body shall beforehand give notice of the business proposed to be transacted has arisen while an extraordinary session is held, it may forthwith be submitted thereat, irrespective of the provisions of the last preceding two Paragraphs.

Matters concerning the Length of session its prorogation opening or closing whereof of the assembly of an ordinary local public body shall be determined by the assembly.

Subsection IV. Chairmen and Vice-chairmen

Article 103. The assembly of an ordinary local public body shall elect one chairman and one vice-chairman severally from among the assemblymen.

Article 104. The chairman of an ordinary local public body shall keep order at the assembly hall, arrange the proceedings and represent the assembly.

Article 105. The chairman of an ordinary local public body may attend the sessions of the committees and speak thereat.

Article 106. If the chairman of an ordinary local public body is absent or unable to act or a vacancy has occurred in the office of chairman, the vice-chairman shall perform the duties devolving upon the chairman.

In the event of disability both of the chairman and vice-chairman, an acting chairman shall be elected and shall be caused to perform the duties devolving upon the chairman.

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The assembly may delegate to the chairman the appointment of an acting chairman.

Article 107. If, in a case where an election prescribed in the provisions of Article 103 para. 1 or Paragraph 2 of the preceding Article is to be held, there fails to be a person who shall perform the duties devolving upon the chairman, a senior assemblymen shall provisionally take charge of the duties devolving upon the chairman.

Article 108. The chairmen and the vice-chairmen of an ordinary local public body may, upon obtaining the approval of the assembly, retire from office; provided, however, that, while the assembly is not sitting, vice-chairman may, upon obtaining the approval of the chairman, retire from office.

Subsection V. Committees

Article 109. The assembly of an ordinary local public body may, by virtue of its powers, have standing committees.

Standing committees shall be chosen by the assembly at the beginning of its sitting and hold office during the term of office of the assemblymen.

Standing committees may be created for each division relating to the affairs of an ordinary local public body.

Standing committees shall make investigations relating to such affairs of an ordinary local public body as fall within the concerned division and inquire into bills, representations, etc.

Standing committees may, with respect to budgets and other important bills, representations, etc, held public hearings and hear the opinions of such persons as have really an interest in the matters or of men of special knowledge and experience or others.

Standing committees shall investigate and deliberate upon matters specially referred to it by the resolution of the assembly even when the assembly is not in session.

Article 110. Special committees shall be selected by the assembly, and shall continue to sit while matter is being deliberated or investigated upon by the assembly standing committees and special committees shall deliberate upon a matter referred to it during the session of assembly.

Article 111. Except for those provided for in the last preceding two Articles, such matters as are necessary for the standing committees and special committees shall be provided in byelaw.

Subsection VI. Proceedings

Article 112. A member of the assembly of an ordinary local public body may present a bill to the assembly on any matter which shall be decided at a session thereof other than the estimates of annual revenue and expenditure. The presentation of a bill prescribed in the provisions of the preceding Paragraph shall be effected by a document.

Article 113. No business shall be transacted and decided

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at session of the assembly of an ordinary local public body, unless a majority of the full number of the assemblymen are present thereat, except in a case where the number of such assemblyman as are qualified to take part in the proceedings at the meeting is less than a half of the full number thereof in consequence of the exclusion as prescribed in the provisions of Article 117, in a case where, notwithstanding that convocation of a session has been effected twice in respect of one and the same business, the number of assemblymen present is still less than a half of the full number thereof or in a case where, notwithstanding that the assembly has respond to the call, the number of assemblymen present is less than the quorum for the transaction of business and after all peremptory notice demanding attendance given by the chairman, the number of assemblymen present is still, or has come to be, less than a half of the full number thereof.

Article 114. If it is demanded by a majority of the full number of the assemblymen of an ordinary local public body, the chairman shall open the session of a day; if, in such case, the chairman fails to open the session notwithstanding such demand, the provisions of Article 100. Paragraph 1 or 2 shall apply.

In a case where the session has been opened in accordance with the provisions of the preceding Paragraph or where any of the assemblymen raises an objection thereto, chairman shall not close or break off the session of the day except by a resolution passed thereat.

Article 115. A Session of the assembly of an ordinary local public body shall be open to the public; provided, however, that in a case where, on the motion of the chairman or of three or more assemblymen, a resolution for doing so has been adopted by the majority of two-thirds or more of the assemblymen present, a secret sitting may be held.

The motion of the chairman or of the assemblymen contemplated in the proviso to the preceding Paragraph shall be decided without putting it to the debate.

Article 116. All Proceedings at a meeting of the assembly of an ordinary local public body shall be decided by a majority of the assemblymen present, except as elsewhere provided in the present Law, and in the case of an equality of votes, the chairman shall decide the issue.

In the case contemplated in the preceding Paragraph, the chairman have not the right to vote as being a member of the assembly.

Article 117. The chairman or a member of the assembly of an ordinary local public body shall not take part in the proceedings at a meeting relating to such business as concerns the personal interests of his own or of his parent, grant parents consent successors, brothers, sisters, provided, however, that he may attend and speak at such meeting, upon obtaining the consent of the assembly.

Article 118. With respect to an election which shall, in pursuance of laws or cabinet orders, be held in the assembly of an ordinary local public body, the provisions of Article 32, Article 41 and Article 55 (except those parts which concern the election of the chief of the ordinary local public body) shall apply with the necessary modifications; if an objection

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has been raised with respect to the validity of the vote of such election, the assembly shall decide the same.

If any assemblyman has no objection thereto, the assembly may adopt a method of naming with respect to an election contemplated in the preceding Paragraph.

In a case where a method of naming has been adopted, it shall be referred to the meeting whether the named person shall be determined to be an elected person, and a person to whom all of the assemblymen present have given their consents shall be duly elected.

In a case where two or more are to be elected by one election, its provisions of the preceding paragraph shall not be applied by dividing the persons named.

A person who is aggrieved by the determination contemplated in Paragraph 1 may appeal to the Minister for Home Affairs in the case of a prefecture, district or urban or rural prefecture or to the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

Any person aggrieved by the decision prescribed in the provisions of the preceding Paragraph may appeal to the High courts and if he is aggrieved by the judicial decision he may make an appeal.

A decision prescribed in the provisions of Paragraph 1 shall be effected by a document and delivered as accompanied by the reasons therefor to the person himself.

Article 119. Such matters as have not come to be decided during a sitting of the assembly shall not continue in the following sitting thereof.

Article 120. An assemblyman of an ordinary local public body must not comply with a direction or request of an elector.

Article 121. The assembly of an ordinary local public body shall frame the rules of procedure.

Article 122. The chief of an ordinary local public body, the chairman of its electoral administration committee, its inspection commission and any person who has received a mandate or commission from any of those persons may be present at the assembly hall for the purpose of speaking on a bill, and must, if they are demanded to be present for the purpose of answering or explaining, comply with the same.

In a case where such person as attends the assembly shall be virtue of the provisions of the preceding Paragraph intends to speak thereat he must notify the chairman of the same.

Article 123. The chairman shall cause the chief clerk (in the case of a town or village which have no chief clerk, the clerk) to prepare the minutes of a meeting of the assembly, in which the particulars of the meeting and the full names of the assemblymen present shall be stated.

The chairman and two or more assemblymen must affix their signatures to the minutes of a meeting of the assembly; such assemblymen shall be determined by the assembly.

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The chairman shall submit to the chief of an ordinary local public body and the Minister for Home Affairs in the case of metropolis, district or urban or rural prefecture and the governor of metropolis, district, or urban or rural prefecture in the case of cities, towns or villages, a report of the results of a meeting of the assembly by a copy of the minutes thereof.

Subsection VII. Petitions

Article 124. A person who purports to file a petition with the assembly of an ordinary local public body shall present a written petition by the introduction of an assemblyman.

Article 125. Such petition adopted at a meeting of the assembly of an ordinary local public body as is considered to be proper to cause the chief of the ordinary local public body concerned, its electoral administration committee or its inspection commission to take measures for the same shall be forwarded to them, and a report of the progress of disposition of the same may be demanded.

Subsection VIII. Resignations and the Determination of Qualifications.

Article 126. An assemblyman of an ordinary local public body may resign his office upon obtaining the permission of the assembly; provided, however, that while out of its sitting, its chairman may permit the same.

Article 127. If an assemblyman of an ordinary local public body is a person who is ineligible for election to such office, his office shall be vacated; whether he is ineligible or not for such office shall, except in cases where he is ineligible for office by reason of his falling under any of the following items, be determined by the assembly of the ordinary local public body concerned; in this case it shall be determined by the majority of two-thirds or more of the assemblymen present:

1. If he has been adjudicated incompetent or quasi-incompetent;
2. If he has been sentenced to imprisonment without hard labor or to any severer punishment;
3. If he has been sentenced to a fine on conviction of an offence in respect of an election.

An assemblyman of metropolis, district or urban or rural prefecture shall, even if he has lost the eligibility owing to the removal of his residence, not lose his membership in case where his residence remains in the same metropolis, district, urban or rural prefecture.

In the case contemplated in the first Paragraph, an assemblyman may, notwithstanding the provisions of Article 117, attend a meeting of the assembly at which the matter relating to his qualification is on the agenda and make an explanation in respect of his qualification, but he shall not take part in the resolution thereof.

The provisions of Article 118, Paragraphs 5 to 7 inclusive shall apply with the necessary modifications to the case contemplated in Paragraph 1.

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Article 128. An assemblyman of an ordinary local public body shall, until the determination decision, or ruling of an appeal prescribed in Article 66, Paragraph 1, 2 or 4, Article 68, Paragraph 1 or 2, or the preceding Paragraph becomes final, not vacate his office.

Subsection IX. Disciplines

Article 129. If an assemblyman contravened the present law or the rules of proceedings at a meeting of the assembly of an ordinary local public body or otherwise disturbs at the assembly hall, the chairman may order him to desist or to revoke his speech and, if he fails to obey such order, prohibit him from speaking until the sitting of the day is over or cause him to withdraw from the assembly hall.

If the assembly hall becomes too tumultuous to be put in order, the chairman may close or break off the sitting of the day.

Article 130. If any spectator admitted at a meeting of the assembly manifests any or no openly or becomes clamorous or otherwise disturbs the proceedings of the meeting, the chairman of an assembly of an ordinary local public body may order him to desist and, if he fails to obey such order, cause him to withdraw from the assembly hall or, if necessary, turn him over to a police officer.

If the spectator's gallery becomes clamorous, the chairman may cause every spectator admitted to withdraw therefrom.

The assembly, except for those provisions of the preceding two Paragraphs, frame such regulations as are necessary for the control of spectators.

Article 131. If there is a person who disturbs order in the assembly hall or who disturbs the proceedings at the meeting, any assemblyman or any of the persons who are present at the meeting by virtue of the provisions of Article 122, Paragraph 1 may call the attention of the chairman thereto.

Article 132. At a meeting of the assembly of an ordinary local public body, an assemblyman may not use insolent word nor shall he refer to the personal affairs of other persons.

Article 133. An assemblyman who has been put to indignity at a meeting of the assembly of an ordinary public body or of its committee may appeal to the assembly and request its disposition.

Subsection X. Disciplinary Punishments

Article 134. The assembly of an ordinary local public body may, by a resolution passed at a meeting of the assembly, impose disciplinary punishment on an assemblyman who has contravened the present law or the rules of proceedings.

Such matters as are necessary for disciplinary punishments may be provided in the rules of proceedings.

Article 135. The disciplinary punishments shall be as follows:

1. Reprimand at the assembly hall which is open to the public;

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2. Apology at the assembly hall which is open to the public;
3. Suspension of attendance for a fixed period of time;
4. Expulsion.

The expulsion mentioned in Item 4 of the preceding paragraph must be concurred upon by three quarters or more with two thirds of the members of assembly of the said ordinary local public body present.

Article 136. The assembly of an ordinary local public body shall not reject such person expelled from the assembly as has been elected again to the office of assemblyman.

Article 137. With respect to an assemblyman of an ordinary local public body who shall fail without good reason to be present even after the chairman has especially served a writ of the call on him in a case where he has not responded to the call without just excuse or in a case where he has been absent from a meeting of the assembly or of its committee, the chairman may, upon a resolution adopted at a meeting of the assembly, impose disciplinary punishment on him.

Subsection XI. Chief Clerks and Clerks

Article 139. The assembly of an ordinary local public body shall have a chief clerk and a clerk; provided, however, that a city, town or village placed under special circumstances may not have a chief clerk.

The chief clerk and clerk shall be appointed by the chairman.

The chief clerk shall regulate the general affairs of the assembly under the directions of the chairman;

The clerk shall deal with the general affairs of the assembly under the directions of his chief.

Chapter VII. Executive Organs

Section I. Chiefs of Ordinary Local Public Bodies

Subsection I. Status

Article 139. A metropolis, district or urban or rural prefecture shall have its governor.

A city, town, or village shall have its mayor.

Article 140. The term of office of the chief of an ordinary local public body shall be four years.

The term contemplated in the preceding Paragraph shall be computed as from the day of election; provided, however, that, in a case where an election has been held before the day of the expiration of the term of office of the chief of an ordinary local public body, it shall be computed as from the day following date of the expiration of the term of office of the preceding chief.

Article 141. The chief of an ordinary local public body shall not at the same time hold the office of member of the House of Councillors or of member of the House of Representatives.

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The chief of an ordinary local public body shall not at the same time hold the office of member of the assembly of the ordinary local public body concerned or of paid official of a local public body.

Article 142. The chief of an ordinary local public body shall neither be such person as enters into a contract for work with the ordinary local public body or any other person who has received a mandate from the chief of the ordinary local public body in respect of the work the expenses of which are borne by the ordinary local public body concerned or the manager of that person nor the member with unlimited liability, director, auditor, any officer corresponding to any of the foregoing officers, manager or liquidator of a juristic person mainly performing acts of the same nature.

Article 143. If the chief of an ordinary local public body has come to be indigible being elected, he shall vacate his office; whether he is indigible for being elected or not shall be determined by the electoral administrative committee of the ordinary local public body concerned, except in cases where he becomes indigible for being elected by reason of his falling under any of the events prescribed in Article 127, Paragraph 1.

The provisions of Article 118, Paragraph 5 to 7 inclusive shall apply with the necessary modifications to the case contemplated in the preceding Paragraph.

An appeal to the Court shall not until the decision prescribed in Article 118, Paragraph 5 applied with necessary modifications in the preceding Paragraph has been done, be permitted to the determination contemplated in the first Paragraph.

Article 144. The chief of an ordinary local public body shall, until the determination, decision or ruling of an appeal prescribed in Article 66, Paragraph 1, 2 or 4, Article 68, Paragraph 1 or 2 or the preceding Article, Paragraph 2 becomes final, not vacate his office.

Article 145. The chief of an ordinary local public body shall, if he purports to retire from office, make a declaration of retirement to the chairman of the assembly of the ordinary local public body concerned on or before the thirtieth day, in respect to the governor of a metropolis, district or urban or rural prefecture, on or before the twentieth day, in respect to the mayor of a city, town or village, prior to the day on which he purports to retire; provided, however, that he may retire before such fixed day if he has obtained the consent of the assembly.

Article 146. The competent minister may, if he considers that it is grossly improper for the governor of a metropolis, district or urban or rural prefecture to hold his office, remove him from office upon holding a public hearing thereon.

The governor of a metropolis, district or urban or rural prefecture may, if he considers that it is grossly improper for the mayor of a city, town or village to hold his office, remove him from office (in conformity to the provisions of the preceding Paragraph).

Subsection II. Powers

Article 147. The chief of an ordinary local public body

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shall co-ordinate ordinary local public body concerned and represent it.

Article 148. The governor of a metropolis, district, urban or rural prefecture shall administer the affairs of the ordinary local public body concerned, the administrative affairs of the divisions and such affairs of other local public bodies or other public bodies as fall within his powers formerly under laws or ordinances and henceforth under laws or cabinet orders based thereon and shall execute the same.

The mayor of a city, town or village shall administer the affairs of the ordinary local public body concerned and such affairs of the national government, other local public bodies or other public bodies as fall within his powers formerly under laws or ordinances and henceforth under laws or cabinet orders based thereon and shall execute the same.

Article 149. The chief of an ordinary local public body generally shall take charge of such affairs as follows:

1. To execute any of such matters as shall be defrayed from the expenditure of the ordinary local public body;
2. To present a bill in respect of any of such matters as are required to be decided by the assembly of the ordinary local public body;
3. To manage property and establishments;
4. To make orders for receipt and payment and to supervise accounts;
5. To take custody of instruments and official papers;
6. To impose and collect rents, fees, local taxes, allotted charges, entrance money or statutory labor and actual articles in pursuance of laws, cabinet orders or of resolutions of the ordinary local public body;
7. Any other matter which falls within his powers under laws or ordinances.

Article 150. With the management of such affairs of the national government belongs to the jurisdiction of local public body or to the chief of an ordinary local public body, the chief of an ordinary local public body shall be subjected to the direction and supervision of, in the case of a metropolis, district or urban or rural prefecture, minister for Home Affairs or, in the case of a city, town or village, to the governor of a metropolis, district or urban or rural prefecture and the minister for Home Affairs.

Article 151. With respect to such affairs of the national government or of the metropolis, district or urban or rural prefecture concerned as falls within the powers of administrative offices under his jurisdiction of the mayor of a city, town or village, the governor of a metropolis, district or urban or rural prefecture may, if he is satisfied that the dispositions of such persons contravene the regulation, are injurious to public benefit or is ultra vires, annul or suspend such disposition.

The mayor of a city, town or village may, in conformity to

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the provisions of the preceding Paragraph, annul or suspend the disposition of an administrative office under his jurisdiction.

Article 152. In the event of disability of the chief of an ordinary local public body, the vice-governor or the deputy-mayor shall perform on his behalf the duties devolving upon him; if, in this case, there are two or more vice-governors or deputy-mayors, they shall, in pursuance of the order fixed in advance by the chief of the ordinary local public body concerned, perform on his behalf the duties devolving upon him.

In the event of disability of the vice-governor or deputy-mayor or the mayor of a town or village in the case of a town or village which has no deputy-mayor, such official as is designated by the chief of the ordinary local public body concerned shall perform on behalf of the former the duties devolving upon the latter.

Article 153. The chief of an ordinary local public body may delegate a portion of the affairs which fall within his powers to any official of the ordinary local public body concerned or may cause him to administer the same temporarily on his behalf.

The governor of a metropolis, district or urban or rural prefecture may delegate a portion of the affairs which fall within his powers to an administrative office or the mayor of a city, town or village under his administration.

The governor of a metropolis, district or urban or rural prefecture may cause any official of a city, town or village to lend assistance in the execution of or execute a portion of the affairs which fall within his powers.

Article 154. The chief of an ordinary local public body shall direct and supervise the officials who are his auxiliary organs and shall, in accordance with the provisions of laws, administer the matters relating to appointment or dismissal, status, allowances service and disciplinary measures thereof.

Article 155. For the purpose of allotting the affairs which fall within his powers, the chief of an ordinary local public body may, byelaws and at a necessary place, establish a local branch office (it shall be deemed herein and hereinafter to include a branch station of the local branch office in the case of a district) or a local affairs office in the case of a metropolis, district or urban or rural prefecture, or a branch office in the case of a city, town or village.

The location of a local branch office, a local affairs office, branch office, or ward office, its name and its area of jurisdiction and area of a ward shall be provided by byelaws.

Article 156. The chief of an ordinary local public body shall, except those which prescribed in the preceding article, Paragraph 1, in accordance with the provisions of laws or cabinet orders, establish a police-station or other national governmental organs.

The locations of the administrative organs prescribed in the preceding Paragraph, their names and their areas of jurisdiction shall be provided by byelaws or regulations.

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The governor of a metropolis, district, urban or rural prefecture may, in accordance with laws or cabinet orders, direct or supervise the chief of a food affairs office, a charcoal affairs office, a social insurance branch-office or other administrative organ.

Article 157. The chief of an ordinary local public body may, for the purpose of adjusting and coordinating the activities of the bodies or the like within the area of the ordinary local public body concerned, give necessary instructions to the same.

If it is necessary to do so in the case contemplated in the preceding Paragraph, the chief of an ordinary local public body may cause any of the bodies or the like within the area of the ordinary local public body to submit a report of its affairs to him and to send in documents and account books and may inspect in person the affairs thereof.

The chief of an ordinary local public body may if it is necessary for the supervision of the bodies or the like within the ordinary local public body concerned, carry out dispositions or apply for the action of the competent authorities over them.

The competent authorities prescribed in the preceding Paragraph may annul the dispositions of the chief of an ordinary local public body.

Article 158. The governor of a metropolis, district or urban or rural prefecture shall, for the purpose of allotting the affairs which fall within his powers, create such bureaus or divisions as follows; provided, however, that the division of a bureau or division or the union of bureaus or divisions or the alteration of the allotment of the affairs may, if necessary, be effected; namely;-

Metropolis;-

General Affairs Division

1. Matters relating to promotion or demotion and status of employees.
2. Matters relating to the assembly and general administration of the metropolis.
3. Matters relating to the supervision of general administration of cities, towns or villages or other public bodies.
4. Matters relating to jurisdiction not belonging to others.

Accounts Division:

1. Matters relating to accounts.

Civil Bureau:

1. Matters relating to social works and others such as the protection and guidance of national life;
2. Matters relating to social insurance;

Bureau of Education:

1. Matters relating to education and arts and sciences;

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Economic Bureau:

1. Matters relating to agriculture, industry, commerce, forestry and fishery;
2. Matters relating to the distribution of commodities and the control of commodity prices;
3. Matters relating to weights and measures;

Bureau of Construction Works:

1. Matters relating to general affairs relating to construction and rehabilitation-works;
2. Matters relating to city-planning;
3. Matters relating to houses and building;
4. Matters relating to public works

Bureau of Communications:

1. Matters relating to communication;

Bureau of Water-Service:

1. Matters relating to water-service and sewerage;

Bureau of Public Health:

1. Matters relating to health and sanitation;

Bureau of Labor:

1. Matters relating to labor.

District or Urban or Rural Prefecture:-

1. General Affairs Division:

- (1) Matters relating to appointment and dismissal and status of the officials;
- (2) Matters relating to the assembly and general administration of a district or urban or rural prefecture.
- (3) Matters relating to the supervision of general administration of cities, towns or villages or other public bodies;
- (4) Matters which are not in charge of other departments;

2. Department of Civil Life:

- (1) Matters relating to special works and others such as the protection and guidance of national life;
- (2) Matters relating to social insurance;
- (3) Matters relating to health and sanitation;
- (4) Matters relating to labor;

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3. Department of Education:

(1) Matters relating to education and arts and sciences;

4. Economic Affairs Division:

(1) Matters relating to agriculture, industry, commerce, forestry and fishery;

(2) Matters relating to the distribution of commodities and the control of commodity prices;

(3) Matters relating to weights and measures;

5. Public Works Division:

(1) Matters relating to public works;

(2) Matters relating to city-planning;

(3) Matters relating to houses and building;

(4) Matters relating to transportation;

6. Division of Agricultural Land:

(1) Matters relating to the adjustment of the affairs concerning agricultural lands;

(2) Matters relating to reclamation;

7. Police Division:

(1) Matters relating to police;

The governor of a metropolis, district or urban or rural prefecture may create any necessary section for the purpose of allotting the affairs which fall within his powers.

The mayor of a city, town or village may create by by-laws any necessary division of section for the purpose of allotting the affairs which fall within his powers.

Article 159. The handling over of affairs of the chief of an ordinary local public body shall be provided by cabinet order.

The imposition of a fine less than one thousand yen against a person who has rejected the handling over of affairs without just reason may be provided in a cabinet order contemplated in the preceding Paragraph.

Article 160. A city, town or village may, if it is necessary to do so on account of an emergency or calamity, temporarily use the land of other person or use or compulsorily acquire such soil, stones, bamboos, trees or any other article as may be found thereon; provided, however, that any damage caused thereby shall be compensated.

The mayor of a city, town or village, a police officer or the competent authorities may, if it is necessary to do so for the purpose of preventing danger, cause those persons who are residing within respective city, town or village to engage in defense.

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Subsection III. Auxiliary Organs.

Article 161. A metropolis, district, or urban or rural prefecture shall have one vice-governor.

The full number of vice-governors may, in the case of a metropolis, district or urban or rural prefecture with a population of two million or more, be prescribed to be two, in case of a metropolis, district or urban or rural prefecture with a population of three million or more, three by byelaw.

A city, town or village shall have one deputy-mayor; provided, however, that a town or village may dispense there-with by byelaw.

The full number of deputy-mayors may be increased by byelaws.

Article 162. A vice-governor or deputy-mayor shall, upon obtaining the consent of the assembly, be appointed by the governor of an ordinary local public body.

Article 163. The term of office of a vice-governor or deputy-mayor shall be four years; provided, however, that the chief of an ordinary local public body may remove him from office even during the term of his office.

Article 164. A person who has fallen under the provisions of Article 20 shall not assume the office of vice-governor or deputy-mayor.

A vice-governor or deputy-mayor shall, in a case where he has come to have no right of voting, vacate his office.

Article 165. A vice-governor or deputy-mayor who performs the duties devolving upon the chief of an ordinary local public body on his behalf shall, in a case where he purports to retire from his office, make a declaration to that effect to the chairman of the assembly of the ordinary local public body on or before the twentieth day prior to the day on which he purports to retire; provided, however, that he may retire from his office before such fixed day if he has obtained the approval of the assembly.

Except in the case prescribed in the preceding paragraph, a vice-governor or deputy-mayor shall, on or before the twentieth day prior to the day on which he purports to retire from his office, make a declaration to that effect to the chief of the ordinary local public body; provided, however, that he may retire from his office before such fixed day, if he has obtained the permission of the chief of the ordinary local public body concerned.

Article 166. The vice-governor or deputy-mayor shall not at the same time hold the office prescribed in Article 21, Paragraph 2.

The provisions of Article 141, Article 142 and Article 159 shall apply with the necessary modifications to a vice-governor or deputy-mayor.

Article 167. A vice-governor or deputy-mayor shall assist the chief of an ordinary local public body, supervise the affairs allotted to the officials and, as is provided elsewhere, perform the duties devolving upon the chief of an ordinary local public body on his behalf.

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Article 168. A metropolis, district or urban or rural prefecture shall have a chief accountant and a deputy accountant.

A city, town or village shall have one treasurer, provided, however, that a town or village may dispense with a treasurer by byelaw and cause the mayor or a deputy mayor of the town or village to perform additionally the duties devolving upon a treasurer.

A city, town or village may have a deputy treasurer by byelaw.

The full number of deputy accountants or deputy treasurers shall be provided by byelaw.

The chief accountant, deputy accountant, treasurer or deputy treasurer shall not at the same time hold the office prescribed in Article 141, Paragraph 2.

The provisions of Article 141, Article 142, Article 159 Article 162, the principles of Article 163 and Article 164 shall apply with the necessary modifications to a chief accountant, deputy accountant treasurer or deputy treasurer.

Article 169. Any person who is related with the chief of an ordinary local public body or its vice-governor, deputy mayor nor inspection commissioner by the tie of parent and child, of husband and wife or of brother and sister shall not serve the office of chief accountant deputy accountant treasurer or deputy treasurer.

A chief accountant, deputy accountant, treasurer or deputy treasurer shall, if he has come to be involved in the tie proscribed in the preceding Paragraph, vacate his office.

Any person who is related with a chief accountant or treasurer by the tie of parent and child, of husband and wife or of brother and sister shall not serve the office of deputy accountant or deputy treasurer.

A deputy accountant or deputy treasurer shall, if he has come to be involved in the tie proscribed in the last preceding Paragraph, vacate his office.

Article 170. The chief accountant or treasurer shall take charge of the revenue, expenditure and other affairs relating to the accounts of the ordinary local public body concerned as well as such revenue, expenditure and other affairs relating to the accounts as are concerned with the affairs of the national government, local public bodies and other public bodies which has fallen under the powers of the chief of an ordinary local public body, its officials or its electoral administration committee provided, however, that this shall not apply where provisions are made separately in laws and ordinances.

The deputy accountant or deputy treasurer shall assist the chief accountant or treasurer in the administration of his affairs and perform the duties devolving upon him on his behalf in the event of disability of the latter in a case where there are two or more deputy accountants or deputy treasurers, they shall perform the duties devolving upon him on his behalf in pursuance of the order fixed in advance by the chief of the ordinary local public body concerned.

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The chief of an ordinary local public body may have a portion of the affairs of the chief accountant or treasurer delegated to a deputy accountant or deputy treasurer provided however that in regard to revenue and expenditure and other affairs relating to revenue of the said ordinary local public body the concurrence at the assembly shall be obtained beforehand.

In the case of a city, town or village which has no deputy treasurer, the mayor of a city, town or village shall, with the consent of the city, town or village assembly, determine in advance an official who shall perform the duties devolving upon the treasurer on the latter's behalf in cases of the latter's disability.

Article 171. An ordinary local public body may have accountants.

The accountant shall be appointed by the chief of an ordinary public body from among its secretarial officials.

The accountants shall, under the directions of the chief accountant or deputy treasurer, take charge of the affairs relating to the revenue and expenditure.

The provisions of Paragraph 3 of the preceding Article shall apply with the necessary modifications to the accountants.

Article 172. Excepting those provided for in the eleven preceding Articles, an ordinary local public body shall have such officials as may be necessary.

The officials contemplated in the preceding paragraph shall be appointed to or removed from office by the chief of an ordinary local public body.

The full number of officials shall be provided in byelaw.

Article 174. The officials mentioned in Paragraph 1 of the preceding Article shall be specified as secretarial officials, technical officials, educational officials or police officials.

A secretarial official shall take charge of office work under the directions of those over him.

A technical official shall take charge of technique under the directions of those over him.

An educational official shall take charge of education under the direction of those over him.

A police official shall take charge of the affairs relating to police under the directions of those over him.

Article 174. An ordinary local public body may have a standing or special experts committee.

A committeeman shall, with the consent of the assembly, be chosen by the chief of an ordinary local public body from among the persons who have expert knowledge or experience.

An expert committeeman shall, upon receiving a commission from the chief of an ordinary local public body, make investigations in respect of such necessary matters as relate to the affairs which fall within his powers.

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Article 175. The office of chief of a local branch office or local affairs office of a metropolis, district, or urban or rural prefecture, of a branch office of a city, town or village or of a ward office of a city contemplated in Article 155, Paragraph 2 shall be assumed by a secretarial official.

The chief of a police station shall be filled by a police official.

The chief of any of the organs prescribed in the preceding two Paragraphs shall, as provided by the chief of an ordinary local public body, administer the affairs in his charge under the directions over him and direct and supervise the officials under him.

Subsection IV. Relationships to the Assembly

Article 176. If the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of, or any election held by the assembly of the ordinary local public body is ultra vires or contravenes laws or orders or the regulations of procedure, he shall cause the assembly to reconsider the resolution or to hold a new election by specifying the reasons therefor.

If the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of, or any election held by the assembly in accordance with the provisions of the preceding Paragraph is still ultra vires or contravenes laws or orders or the regulations of procedure, he shall apply for the direction of the Minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture or of the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

The Minister for Home Affairs or the governor of a metropolis, district or urban or rural prefecture may annul the resolution or election contemplated in the last preceding Paragraph.

The assembly of an ordinary local public body or its chief may, if dissatisfied with the direction contemplated in Paragraph 2 of the disposition contemplated in the last preceding Paragraph may bring an action in the High court.

Article 177. If the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of the assembly is obviously injurious to public interests, he shall cause the assembly to reconsider such resolution by specifying the reasons therefor.

If the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of the assembly in accordance with the provisions of the preceding paragraph is still obviously injurious to public interests, he shall apply for the direction of the minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture or of the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village.

The provisions of the preceding two Paragraphs shall apply, in case where the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of the assembly impossible, in respect to the revenue or expenditure, to be carried into execution. In cases where the assembly of

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an ordinary local public body has struck out or reduced the amount of any of the following expenses, the same provisions as are prescribed in the preceding Paragraph shall apply to such expenses and the revenue proportioned thereto; namely;

1. Expenses charged by law, expenses ordered by the competent administrative office ex cathedra on the strength of the provisions of laws or any other expenses which the ordinary local public body is bound to defray.

2. Expenses necessary for emergency or restoration measure on account of an extraordinary calamity, expenses necessary for the prevention of a contagious disease or any other emergency and unavoidable expense.

The assembly of a city, town or village or its chief may, if dissatisfied with the direction of the governor of a metropolis, district or urban or rural prefecture prescribed in the provision of the last preceding Paragraphs, appeal to the minister for Home Affairs.

Article 178. In a case where a resolution of want of confidence in the chief of an ordinary local public body has been passed at a meeting of its assembly, the chief of the ordinary local public body may dissolve the assembly.

If, in a case where a resolution of want of confidence in the chief of an ordinary local public body concerned has been passed at a meeting of its assembly, he fails to dissolve the assembly in accordance with the provisions of the preceding paragraph or if a resolution of want of confidence has again been passed at a meeting of the assembly which has been convoked for the first time after the dissolution, the chief of the ordinary local public body must retire from his office

With respect to a resolution of want of confidence prescribed in the provisions of the preceding two Paragraphs, it shall be required that two-thirds or more of the full number of the assemblymen shall be present at the meeting and three-fourths or more of the assemblymen present shall consent.

Article 179. If the assembly of an ordinary local public body fails to be established, if in the case contemplated in the proviso to Article 113 it is still impossible to hold a meeting, if the chief of an ordinary local public body considers that there is no time for convoking a meeting of the assembly or if the assembly fails to pass a resolution on any of such matters as shall be resolved thereby, the chief of an ordinary local public body may upon applying for the directions of the competent minister for Home Affairs in the case of a metropolis district or urban or rural prefecture or of the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village, dispose of any of such matters as shall be resolved by the assembly.

With respect to any of such matters as shall be determined by the assembly, the provisions of the preceding Paragraph shall have effect.

In regard to the disposition prescribed in the provisions of the preceding two Paragraphs chief of an ordinary local public body shall report to the next meeting of the assembly and submit to its approval.

Article 180. A part of such matters as fall within the powers of the assembly of an ordinary local public body may, be virtue of a mandate as resolved at its meeting, be made disposable by its chief at his own discretion.

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Section II. Electoral Administrative Committee

Article 181. An ordinary local public body shall have an electoral administration committee.

An electoral administration committee shall consist of six members of electoral administration committee in the case of a metropolis, district or urban or rural prefecture of four members of electoral administration committee in the case of a city, town or village.

Article 182. A member of electoral administration committee shall be elected at a meeting of the assembly of an ordinary local public body from among the persons who have the right of voting.

The assembly shall, in a case where an election prescribed in the provisions of the preceding Paragraph is held, elect at the same time as many supplementary members of the committee as there are members of the committee: The same shall apply in a case where there has been no member of supplementary committee.

When there exists any vacancy in the offices of members of committee, the chairman of an electoral administration committee shall choose a member of committee to fill such vacancy from among the supplementary members of the committee: The order of choosing shall be determined in accordance with the number of votes polled by them and by the drawing of lots in a case where the number of votes polled by them is equal.

Article 183. The term of office of a member of a committee shall be two years provided that he shall remain in office until his successor assumes office.

The term of office of a supplementary member of committee chosen to fill a vacancy shall be the remainder of the term of office of the member of committee in whose place he chose.

A member of committee or supplementary member of committee shall not vacate his office until after such direction or disposition prescribed in the provisions of Article 176 paragraph 2 or 3 as is concerned with his election or a decision relating thereto has become final.

Article 184. A member of an electoral administration committee shall vacate his office if he has come to have no right of voting; whether he has the right of voting or not shall be determined by the electoral administration committee except in a case where he has no right of voting by reason of his falling under any of the events prescribed in Article 127 Paragraph 1.

The provisions of Article 118 Paragraph 5 to 7 inclusive shall apply with the necessary modifications to the case contemplated in the preceding Paragraph.

An appeal to the Court shall, until decision contemplated in Article 118, Paragraph 5 applied with necessary modifications in the preceding Paragraph has been done, not be permitted to the determination prescribed in the first Paragraph.

Article 185. In a case where the chairman of an electoral administration committee purports to retire from his office, he shall obtain the approval of the electoral administration committee concerned.

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If a member of a committee purports to retire from his office, he shall obtain the approval of the chairman.

Article 186. An electoral administration committee shall, in pursuance of laws or cabinet orders, administer the affairs relating to the election of the ordinary local public body concerned or of the national government, other local public body or other public body and such affairs as are concerned therewith.

The electoral administration committee of a metropolis, district or urban or rural prefecture shall direct and supervise the electoral administration committee of a city, town or village. The provisions of Article 151, Paragraph 1 shall apply to this case.

Article 187. An electoral administration committee shall elect one chairman from among its committee.

The chairman shall deal with the affairs relating to the committee and represent it.

In the event of disability of the chairman, the member of the committee designated by the chairman shall execute his functions.

Article 188. A meeting of the electoral administration committee shall be convoked by the chairman; if a demand for the convocation of a meeting of the committee is made, the chairman shall convoke the same.

Article 189. No business shall be transacted at a meeting of the electoral administration committee, unless three or more members of the committee are present thereat.

The chairman or a member of committee shall not take part in the proceedings at a meeting of the committee relating to such business as concerns the personal interests of his own or of his parent, grand-parent, spouse, child, grand-child, brother or sister; provided, however, that, in a case where he has obtained the consent of the committee, he may attend a meeting of the committee and speak thereat.

If the number of such members of the committee as are qualified to take part in the proceedings at a meeting of the committee has come to be less than the number specified in Paragraph 1 in consequence of the exclusion as provided in the last preceding Paragraph, the chairman shall provisionally choose, in conformity to the order prescribed in Article 182, Paragraph 3, the persons to make up the deficiency in the number of committee as have no concern in the business to be transacted thereat; the same shall apply in a case where the number of members of committee present is less than the number contemplated in Paragraph 1 in consequence of the disability of members of committee.

Article 190. All proceedings at a meeting of the electoral administration committee shall be decided by a majority of the votes of the members of the committee present in the case of an equality of the votes, the chairman shall decide the issue.

Article 191. The electoral administration committee shall have a clerk. The fixed number of clerks shall be determined by byelaws.

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A clerk shall engage in the affairs concerning the committee under the direction of the chairman.

Article 192. Matters relating to the status, duties, and disciplinary punishment of the members of the electoral administration committee, shall be provided for separately in laws.

Article 193. The provisions of Article 187, Paragraph 2, Article 141, Paragraph 1, Article 142 and Article 166, Paragraph 1 shall be applied with necessary modifications to the members of the electoral administration committee, the provisions of Article 150 shall be applied with necessary modifications to the electoral administration committee and the provisions of Article 153, Paragraph 1, Article 154 and Article 159 shall be applied with necessary modifications to the chairman of the administration committee.

Article 194. Subject to the provisions of the present law and cabinet orders thereon, such necessary matters as relate to an electoral administration committee shall be prescribed by the committee.

Section III. Inspection Commissioners

Article 195. A metropolis, district or urban or rural prefecture shall have inspection commissioners.

A city, town or village may by byelaw have the same.

The full number of inspection commissioners shall be four in the case of a metropolis, district or urban or rural prefecture and two in the case of a city, town or village.

Article 196. The inspection commissioners shall, upon obtaining the consent of the assembly of an ordinary local public body, be appointed by the chief of the ordinary local public body from among the members of the assembly and from among such persons as have special knowledge and experience respectively in the same number.

An inspection commissioner shall not hold the office of a paid officer.

Article 197. The term of office of an inspection commissioner shall be two years.

The term of office of an inspection commissioner who has been appointed from among the assemblymen of an ordinary local public body shall, notwithstanding the provisions of the preceding Paragraph, not exceed the term of his office as assemblyman; provided, however, that he shall not be precluded from executing his functions until his successor has been appointed to office.

Article 198. An inspection commissioner shall, if he purports to retire from his office, obtain the approval of the chief of an ordinary local public body.

Article 199. The inspection commissioners shall inspect the management of any undertaking carried on by an ordinary local public body and the administration of the revenue and expenditure and any other affairs of an ordinary local public body.

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The inspection commissioners shall, by fixing the date thereof, make an inspection prescribed in the provisions of the preceding Paragraph at least once or more in each fiscal year.

The inspection commissioners shall, upon a demand made by the competent administrative office or the assembly of an ordinary local public body, extraordinarily make an inspection relating to such affairs as concern such demand.

Except in the cases as provided in the last preceding two Paragraphs, the inspection commissioners may, if they considers it necessary to do so, make inspection at any time.

The inspection commissioners shall report the results of their inspection to the competent administrative office or the assembly or chief of an ordinary local public body and make public the same.

Article 200. Clerks shall be appointed for the purpose of assisting the affairs of inspection commissioners.

The clerks shall be under the directions of the inspection commissioners and engage in the affairs relating to inspection.

The full number of clerks shall be provided by byelaw.

Article 201. The provisions of Article 142, Article 154, Article 159, Article 164, Article 168, Paragraph 1, and Article 192 shall apply with the necessary modifications to the inspection commissioner.

Article 202. Except for those provided in the present law and in cabinet orders based thereon, any necessary matter relating to the inspection commissioner shall be provided by byelaws.

Chapter 8. Allowances

Article 203. An ordinary local public body shall pay remunerations to its assemblymen, electoral administration committee inspection commissioners who have been appointed from among the assemblymen, expert committee, superintendents of the poll, superintendent of opening of votes and presiding officers of election, inspectors of the poll, inspectors of the counting and inspectors of election.

The persons contemplated in the preceding Paragraphs shall be entitled to the reimbursement of expenses for the execution of their functions.

The amount of remuneration and of reimbursement of expenses and the manner of payment thereof shall be provided in byelaws.

Article 204. An ordinary local public body shall, in accordance with the provisions of laws, pay salaries and travelling expenses to the chief of an ordinary local body, officials who are his auxiliary organs (excluding the expert committee), inspection commissioners who have been appointed from among the persons of special knowledge and experience, chief clerks and clerks of the assembly, clerks of the electoral administration committee and clerks who assist the affairs of the inspection commissioners.

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The amount of salaries and of travelling expenses and the manner of payment thereof shall be provided in byelaws.

Article 205. Any of the officials contemplated in Paragraph 1 of the preceding Article shall, in accordance with the provisions of laws, be entitled to a retiring allowance, a compensation for the termination of office, a compensation for death or an allowance to the surviving family.

Article 206. If any person concerned has an objection in respect of the allowances contemplated in the preceding three Paragraphs, he may file such objection against the chief of the ordinary local public body concerned.

In case where such objection as is provided in the preceding Paragraph has been filed, the chief of an ordinary local public body shall, upon referring to the town or village assembly, determine the same.

The assembly shall give its opinion within twenty days from the day when such objection as is provided in the last preceding Paragraph has been made.

Article 207. An ordinary local public body shall reimburse such expenses as are actually incurred by such witness as has appeared by virtue of the provisions of Article 100, Paragraph 1 or by such person as has taken part in a public hearing prescribed in the provisions of Article 109, Paragraph 5.

Chapter IX. Finance

Section I. Property and Establishments

Article 208. An ordinary local public body may preserve as its permanent property any of its property to be held with a view to profits.

An ordinary local public body may create a special permanent property or reserve money or grain for a special purpose.

Article 209. In case where there are among the inhabitants of a city, town or village such persons as are especially entitled to the use of any of its property or establishments by old custom and usage, such custom shall be followed. A resolution passed at a meeting of the assembly of a city, town or village shall be required in order that any alteration or abolition of such use may be effected.

If there are such persons as desire to use the property or establishments contemplated in the preceding Paragraph anew, a city, town or village may permit the same by a resolution passed at a meeting of the assembly thereof.

Article 210. An ordinary local public body may set up an establishment even outside of its area or by mutual agreement between the ordinary local public bodies concerned.

A resolution passed at a meeting of the assembly shall be required for the ordinary local public body concerned to reach the mutual agreement contemplated in the preceding Paragraph.

Article 211. An ordinary local public body may, by mutual agreement between other ordinary local public body cause the property or establishment of such other ordinary local public body to be thrown open to the use of its own inhabitants.

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A resolution passed at a meeting of the assembly shall be required for the ordinary local public body concerned to reach the mutual agreement contemplated in the preceding Paragraph.

Article 212. Any of the property or establishments of an ordinary local public body shall not be appropriated for the use, benefit or maintenance of any religious institution or association or for any charitable, educational or benevolent enterprise not under the control of public authority.

Article 213. Excepting those provided for separately in laws or cabinet orders, with respect to the matters relating to the acquisition or creation, the management, or use and the disposition of a property or establishment, an ordinary local public body shall provide the same by byelaw.

Article 214. An ordinary local public body may, with respect to the use of a property or establishment, provide by byelaw an administrative fee of not exceeding two thousand yen.

Article 215. Any person who has an objection in respect of the right to use a property or establishment may file the same against the chief of an ordinary local public body.

In a case where an objection prescribed in the provisions of the preceding Paragraph is made, the chief of an ordinary local public body shall, determine the same after consulting the assembly.

The assembly shall express its opinion within twenty days on which the reference prescribed in the provisions of the last preceding Paragraph has been effected.

Section II. Revenue

Article 216. An ordinary local public body may, in accordance with the provisions of laws, impose and collect local taxes.

Article 217. An ordinary local public body may collect allotted charges.

An allotted charge shall, in accordance with the provisions of cabinet orders, be levied on those who are especially benefited, in respect of such property or establishment as benefits a few persons or a part of the ordinary local public body or of such matters as are profitable to a part of the ordinary local public body.

Article 218. An ordinary local public body may impose and exact statutory labor and actual articles; provided however, that a metropolis district or urban or rural prefecture may effect exaction of the same from any of the cities, towns, villages or other public bodies in the metropolis, district or urban or rural prefecture concerned.

Statutory labor or actual article shall be exacted as computed in terms of money provided, however, that in case of a city, town or village it shall be exacted on the basis of the direct city, town or village taxes, and on the basis of direct national taxes in case of a city, town or village not levying the direct city, town or village taxes.

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Statutory labor shall not be levied in respect of such labor as related to art and science, fine arts and manual arts.

A person from whom statutory labor has been exacted may render services exacted by the person himself or by a suitable proxy.

Statutory labor or actual articles may be substituted for by money.

The provisions of Paragraph 2 and the last preceding Paragraph shall not apply to such statutory labor as is exacted in a case of urgency or of other special circumstances.

Article 219. With respect to such property or establishment as benefits a few persons or a part of an ordinary local public body or to such matters as are profitable for a few persons or a part of an ordinary local public body, an ordinary local public body may exact statutory labor or actual articles unevenly or from a few persons or a part of the ordinary local public body.

Article 220. An ordinary local public body may collect rents in respect of the use of its property or establishments.

Article 221. A city, town or village may, with respect to the use of a property or establishment prescribed in the provisions of Article 209, collect rents or entrance money in a lump sum or may collect both of them.

Article 222. An ordinary local public body may collect fees in respect of such affairs as are necessary for a specific person.

Article 223. Matters relating to allotted charges, rents and fees shall be provided in byelaws.

With respect to a person who has evaded the levy of allotted charges, rents or fees by means of fraud or any other unjust practice, a provision may be made in a byelaws by which such person shall be liable to an administrative fine for an amount not exceeding five times and much as the amount of which he has evaded.

Except as provided in the preceding Paragraph, with respect to the levy of allotted charges, rents and fees, provision may be made in a byelaw which imposes an administrative fine not exceeding two thousand yen.

Any person who receives the imposition of an administrative fine who is dissatisfied with such imposition may bring an action in court.

Article 224. If any person on or from whom allotted charges, statutory labor, actual articles, rent, entrance money or fee has been imposed or collected has any reasonable cause to believe that illegality or error exists in respect of such imposition of collection, he may file an objection against the chief of an ordinary local public body within thirty days from the day on which he has received notice thereof.

Any person who has an objection relating to the right to use property or establishments as prescribed in the provisions of Article 209 may file such objection against the mayor of a

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city, town or village.

In a case where objections prescribed in the provisions of the preceding two Paragraphs have been filed, the chief of an ordinary local public body shall, by referring the same to the assembly, determine the same.

The assembly shall express its opinion within twenty days from the day on which the reference prescribed in the provisions of the preceding Paragraph has been effected.

An appeal to the Court shall, until the decision contemplated in the preceding three Paragraphs has been done, not be permitted in respect to the matters contemplated in the first and second Paragraphs.

Article 225. If any person fails to pay allotted charge, rent, entrance money, fee, administrative fine or any other revenue of an ordinary local public body within a stated period, the chief of an ordinary local public body shall demand to pay the same by designating a time limit.

If any person from whom statutory labor or actual article has been exacted fails to effect performance thereof or to pay substitution money therefor within a stated period, the chief of an ordinary local public body shall demand him to effect performance or payment by designating a time limit; with respect to such statutory labor as has been exacted in case of urgency, the chief of an ordinary local public body shall compute its amount in terms of money anew and order payment thereof by designating a time limit.

In the cases contemplated in the preceding two Paragraphs, fees may be levied in accordance with the provisions of a byelaw.

If a defaulter to whom the demand or order contemplated in Paragraph 1 or 2 has been made or given fails fully to pay within the fixed time, he shall be dealt with in the same manner as the process for the recovery of national taxes in arrears.

A priority right shall be attached to the levies contemplated in paragraphs 1 and 3 which ranks next to the levies of the national government in the case of a metropolis, district or urban or rural prefecture and next to the priority of the national government and of a metropolis, district or urban or rural prefecture in the case of a city, town or village, and with respect to the additional collections and prescription of such levies, the same provisions as those applicable to national taxes shall have effect.

If any person who has an objection to the disposition prescribed in the preceding three Paragraphs performed by the officials mandated from the governor of a metropolis, district, or urban or rural prefecture, he may file such objection against the governor of a metropolis, district, or urban or rural prefecture.

In case where such objection as is provided in the preceding Paragraph has been filed, the governor of a metropolis, district, or urban or rural prefecture shall, upon referring to the town or village assembly, determine the same.

The assembly shall submit its opinion within twenty days

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from the day when such reference as is provided in the last preceding Paragraph has been made.

Of the dispositions prescribed in the provisions of Paragraph 4, the execution of public sale of the articles attached shall be suspended until after any of the above mentioned dispositions has become final.

The dispositions prescribed in the provisions of Paragraph 4 may be effected outside of the area of the ordinary local public body also.

Article 226. An ordinary local public body may, if and so long as it is necessary to do so for the purpose of repaying its debts or of effecting such expenditure as may be of permanent benefit to the ordinary local public body or on account of a natural calamity, raise a local loan by a resolution passed at a meeting of its assembly.

In a case where a resolution of the assembly is caused to be passed at a meeting thereof in respect of the raising of a local loan, a resolution shall also be caused to be passed thereat in respect of the manner of raising the same, rate of interest and manner repayment.

Article 227. The chief of an ordinary local public body may, by a resolution passed at a meeting of the assembly, incur debt for temporary loans for the purpose of making defrayments provided for in the estimates.

The debt for temporary loans contemplated in the preceding Paragraph shall be repaid with a revenue which shall be obtained within the fiscal year.

Subsection III. Disbursements

Article 228. An ordinary local public body is bound to defray its necessary expenses and such expenses as have as hitherto fallen thereon under laws or ordinances issued or will hereinafter fall thereon under laws or cabinet orders.

Article 229. Such expenses as may be required for the chief of an ordinary local public body or its officials who are his auxiliary organs or the electoral administration committee to administer the affairs of the national government, other local public bodies or other public bodies otherwise provided by laws or cabinet orders be paid by the ordinary local public body concerned.

In cases where an ordinary local public body causes its chief, its officials who are his auxiliary organs or the electoral administration committee to deal with, administer or execute the affairs of the national government, it shall take necessary measures in respect of such sources of revenue as are necessary for the expenses thereof.

Article 230. An ordinary local public body shall not defray public money for the benefit or maintenance of any religious institution or association or any charitable, educational or benevolent enterprises not under the control of public authority.

Article 231. An ordinary local public body may, if it is necessary to do so for the public interests thereof, effect donation or subsidy.

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Article 232. Upon a resolution having been passed on the estimates at a meeting of the assembly, the chief of an ordinary local public body shall forthwith deliver a copy thereof to the chief accountant or treasurer.

The chief accountant or treasurer shall not make payment, unless an order therefor has been given by the chief of an ordinary local public body; the same shall apply in cases where no estimate for expenditure exists for such payment as has been ordered and any payment out of the reserve fund, any diversion of an item of expenditure or any other manner of payment under the provisions relating to finance is impossible.

Article 233. With respect to the prescription as regards any sum payable by an ordinary local public body, the same provisions as are applicable to such sums as are payable by the national government shall have effect.

Section IV. Estimates

Article 234. The chief of an ordinary local public body shall draw up an estimate of annual revenue and expenditure for each fiscal year and cause a resolution of the assembly to be passed thereon at meeting thereof prior to the commencement of the fiscal year.

The fiscal year of an ordinary local public body shall be the same as that of the national government.

When the chief of an ordinary local public body submits the estimates at a meeting of the assembly, he shall submit at the same time an inventory and other necessary papers.

Article 235. The chief of an ordinary local public body may, by a resolution passed at a meeting of its assembly, supplement or revise such estimate as has been already fixed.

Article 236. If, in cases where the expenses in respect of a matter are to be defrayed out of the fund of an ordinary local public body, the defrayment is expected to extend over a period of several years, such amount of expenditure as is fixed for each year during that period may, by a resolution passed at a meeting of the assembly, be made a continuing expenditure.

Article 237. An ordinary local public body shall set apart a reserve fund to meet such expenditure as is not provided for in, or is in excess over, the estimates.

The setting apart of a reserve fund may be dispensed with in the case of a special account.

A reserve fund shall not be appropriated for any outlay rejected at a meeting of the assembly.

Article 238. A return of the estimates shall be made to the minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture or to the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village immediately after a resolution has been passed at a meeting of the assembly of an ordinary local public body, and public notice shall be given of a summary thereof also.

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Article 239. An ordinary local public body may, by a resolution passed at a meeting of its assembly, establish a special account.

Section V. Receipts and Expenditure and
Final Accounts

Article 240. The receipts and expenditure of an ordinary local public body shall be audited in each month on an usual day fixed therefor and special audit shall be held at least twice in each fiscal year.

An audit shall be conducted by the inspection commissioners and at special audit two or more assemblymen of the ordinary local public body elected by the mutual vote of the assemblymen must be present.

The inspection commissioners shall make report of the results of audit to the assembly of an ordinary local public body and chief thereof.

In a city, town or village where no inspection commissioners are established the inspection and report mentioned in para. 2 shall be performed by mayor of city, town or village.

Article 241. The receipts and expenditure of an ordinary local public body for a fiscal year shall be closed as of May thirty-first of the following fiscal year.

Article 242. The chief accountant or treasurer shall submit to the chief of an ordinary local public body the final accounts together with instruments and papers. In this case, the chief treasurer shall submit the same within one month after the closing of receipts and expenditure.

The chief of an ordinary local public body shall refer the same to the inspection commissioners for examination and submit the same as accompanied by the opinion thereon of the latter to the approval of the assembly till a meeting thereof at which the next ordinary estimates in case of a metropolis, district or urban or rural prefecture, next ordinary estimates in case of a city, town or village, are to be discussed.

A report shall be made to the minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture, or to the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village of the final accounts as well as of the resolution passed at a meeting of the assembly on the approval thereof, and public notice shall be given of a summary thereof.

In the case of a city, town or village, which has no inspection commissioners, the functions of the inspection commissioner prescribed in paragraph 1 shall be executed by the mayor of a city, town or village himself.

Section VI. Sundry Rules

Article 243. Unless otherwise provided in laws or cabinet orders, an ordinary local public body shall cause the sale or loan of property, the contract of construction works or the supply of things, labor or the like to be submitted to competitive bidding, except in a case where the gains fail to cover the losses if the price of an object for bidding is compared with the cost necessary for bidding, or in a case where the consent, of the assembly has been obtained.

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Article 244. The chief of an ordinary local public body shall, for the purpose of making clear the conditions of management in respect of the undertakings which have been designated by its assembly, make up balance sheets and other necessary documents at regular intervals, submit the same to the inspection of the inspection commissioners and present the same as accompanied by the opinion of the latter at the next meeting of the assembly.

Such part of the provisions of the preceding Paragraph as relates to the inspection of the inspection commissioners shall not apply to a city, town or village which has no inspection commissioner.

Article 245. Such provisions as may be necessary in connection with the form in which the estimates or final accounts are to be drawn up, the diversion of items of the estimates or any other matter relating to finance may be prescribed in orders.

Chapter 24 Supervision

Article 246. The matters relating to a metropolis, district or urban or rural prefecture shall be under the jurisdiction of the Minister for Home Affairs, and the matters relating to a city, town or village shall be under the jurisdiction of the governor of a metropolis, district or urban or rural prefecture in the first instance and under the jurisdiction of the Minister for Home Affairs in the second instance.

Article 247. The competent authorities may, if it is necessary to do so, cause an ordinary local public body to make report of its affairs, produce documents and account books and may inspect its affairs or examine its receipts and expenditure practically.

The competent administrative office may, if it is necessary to do so, determine a proper standard relating to the affairs of an ordinary local public body and may notify the same or recommend its adoption to an ordinary local public body.

Article 248. If an ordinary local public body fails to include in the estimates such expenses as are falling to be discharged by it in pursuance of laws or the cabinet orders or are ordered on the strength of the provisions of laws by the authorities concerned ex cathedra, the competent authorities may add such expenses to the estimates upon notifying the reasons for doing so.

If the chief of an ordinary local public body, its officials who are his auxiliary organs, the electoral administration committee or the inspection commissioners fail to execute such affair as is to be executed by the above-mentioned party in pursuance of laws or the cabinet orders issued in virtue thereof, the competent administrative office or such official as has received a mandate from the administrative office may execute the same at the charges of the ordinary local public body concerned.

Article 249. If the mayor, deputy mayor, treasurer or deputy treasurer of a city, town or village is absent or is unable to act, or the electoral administration committee is not formed, the competent administrative office may appoint a person temporarily acting on his behalf to discharge the duties devolving upon him or a temporary member of the electoral administration committee.

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The allowances shall be determined by the competent administrative office upon obtaining the consent of the assembly of the ordinary local public body concerned.

Article 250. If an ordinary public body purports with the exception of a loan prescribed in Article 227 to raise a local loan and to alter the manner of raising such loan, the rate of interest and the manner of repaying such loan, the permission of the competent administrative office shall be obtained in accordance with the provisions of cabinet orders.

With respect to the permission of the Minister for Home Affairs contemplated in the preceding Paragraph, the Minister for Home Affairs shall make mutual agreement with the Minister for treasury in accordance with the provisions of cabinet order.

Article 251. If an ordinary local public body has framed, amended or abolished its byelaws, permission shall be obtained from and a report thereof shall be made to the competent administrative office.

Article 252. The competent authorities may, with respect to any matter for which the permission thereof is required, give a permission upon revising the application for permission within such extent as appears to them to be in conformity to its purport.

With respect to any matter for which the permission of the competent authorities is required, the power to give permission may, in accordance with the provisions of cabinet orders, be delegated to the inferior competent authorities or, so far as light matters are concerned, the making of a report may be substituted for the obtaining of permission or the obtaining of permission may be dispensed with.

Chapter XI. Supplementary Provisions

Article 253. If there exists any of such matters falling within the powers of the governor of a metropolis, district or urban or rural prefecture as affect several metropolis, district or urban or rural prefectures, the minister for Home Affairs shall, upon the applications of the governors of the metropolis, district or urban or rural prefecture who shall have control of such matter.

Article 254. The population mentioned in the present law shall be determined by cabinet order.

Article 255. The kinds of such direct city, town or village taxes and direct national taxes as are mentioned in Paragraph 2 of Article 218 shall be determined by cabinet order.

Article 256. Except those prescribed in this present Law, necessary matters for the cases prescribed in Article 6, Paragraph 1, 2 and Article 7, Paragraph 1 to 3 shall be prescribed in cabinet orders.

Article 257. Unless otherwise provided in the present Law, the filing of an objection or bringing in court shall be effected within twenty-one days from the day on which a disposition or decision has been made.

Unless otherwise provided in the present Law, the determination on an objection shall be effected within thirty days

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from the day on which the objection has been filed.

With respect to the computation of a period relating to the filing of an objection, the example of computation of period relating to petitions shall apply.

In the case where a determination on an objection has not been effected within the term required for the determination on an objection, it may be deemed as there exists a rejection of the same.

An objection filed after the lapse of the period fixed therefore may nevertheless be received, if it is satisfied that a pardonable reason exists.

The determination on an objection shall be effected in a document and be delivered to the person filing such objection with the reasons therefor.

The execution of a disposition shall not be suspended even if the filing of an objection has been effected; provided, however, that an administrative office may, if it deems it necessary to do so, suspend it by virtue of its power or on the application of any party concerned.

Article 258. Any necessary matter in respect of the exceptions in the administration relating to islands shall be provided by cabinet order.

Article 259. In cases where it is intended to create newly or abolish the area of a county or to alter the area of a town or its name, the minister for Home Affairs shall, upon calling for the opinions of the assemblies of the metropolis, district or urban or rural prefectures concerned, determine the same.

In cases where a city has been created within the area of a county or in cases where the boundary of a city, town or village affecting the boundaries of counties has been altered, such area of the county shall automatically be altered according thereto.

In cases where the creation of a town or village affecting the boundaries of the areas of counties has been effected, the area of a county to which such town or village is to belong shall be determined by the governor of a metropolis, district or urban or rural prefecture upon obtaining the permission of the Minister for Home Affairs.

Necessary matters for the cases prescribed in the preceding three paragraphs shall be contemplated in cabinet orders.

Article 260. Excepting that provided for separately in cabinet orders in cases where it is intended to create newly or abolish the area of a street or section of the area of a city, town or village or to alter its area or name, the mayor of a city, town or village shall, upon a resolution passed at a meeting of its assembly upon obtaining the permission of the governor of a metropolis, district or urban or rural prefecture, determine the same.

In a case where a permission has been given in accordance with the provisions of the preceding Paragraph, the governor of a metropolis, district or urban or rural prefecture shall forthwith make an announcement thereof and report the same to the Minister for Home Affairs.

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Article 261. In a case where the resolution in respect of such special law as is applicable only to one ordinary local public body has been made at the Diet, the chairman of the House of Representatives shall notify the Minister for Home Affairs, attaching the said law thereto through the Prime Minister.

In a case where the notification prescribed in the provisions of the preceding Paragraph have been effected, the Minister for Home Affairs shall, within five days from the day on which such notification been effected, notify to that effect to the ordinary local public body concerned and at the same time forward the said law and other related papers to it. In a case where the notification contemplated in the last preceding Paragraph has been effected, the chief of the ordinary local public body concerned shall, between the thirty-first day and within the sixtieth day subsequent to the day on which such notification has been effected, cause the electoral administration committee to hold, the vote of pros and cons in respect of the said law.

In a case where the report contemplated in the last preceding paragraph has become known, the chief of the ordinary local public body concerned shall, within five days from the day on which such result has become known, report to the minister for Home Affairs the result as accompanied by the related papers. The same, rule shall apply in a case where the result of vote has become conclusive.

In a case where the result of vote contemplated in the last preceding Paragraph has become known, the chief of the ordinary local public body concerned shall, within five days from the day on which such result has become known, report to the minister for Home Affairs the result as accompanied by the related papers. The same rule shall apply in a case where the result of vote has become conclusive.

In a case where the report contemplated in the preceding Paragraph has been effected, the Minister for Home Affairs shall forthwith report to the Prime Minister the same as accompanied by the related papers.

In a case where the report to the effect that the result of vote prescribed in Paragraph 3 has been effected, in accordance with the provisions of the preceding Paragraph the Prime Minister shall forthwith report the same to the Emperor and at the same time notify the same to the chairman of the House of Representatives.

Article 262. Excepting those provided for separately in cabinet orders, the provisions of chapter IV shall apply with the necessary modifications to the vote of pros and cons mentioned in Paragraph 3 of the preceding paragraph.

The vote prescribed in the preceding Article, Paragraph 3 may be held at the same time as the election of an ordinary local public body or with the vote of dissolution provided for in Article 76 Paragraph 3 or with the vote of dismissal provided in Article 80, Paragraph 3 and Article 81, Paragraph 2.

"A county" mentioned in Article 22, Paragraph 2 shall be deemed to include, in the case of metropolis, the area of jurisdiction of the chief of a branch office, in the case of a district to be the area under the jurisdiction of a chief of a

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local branch office, and "a city" mentioned in the same paragraph, in the case of the city contemplated in Article 155, Paragraph 2 shall be deemed to be a ward.

In regard to the election of a metropolis, the provisions concerning a city in chapter 4 shall be applied to a special ward.

In a regard to the election of a metropolis, district, urban or rural prefecture, the provisions concerning towns and villages shall be applied to total Business Association or a village Business Association (Zenbu-jimu kumiai and Yakuba-jimu kumiai)

Book III Exceptions Concerning Special Local Public Bodies and Local Public Bodies.
Chapter I. Special Local Public Bodies.

Section I. Special Cities

Article 264. A special city shall deal with its public affairs and such affairs as are charged with it by laws or cabinet orders and except those specially prescribed in cabinet orders, such affairs as came under metropolis, district or urban or rural prefecture or city formerly under laws and ordinances.

Article 265. A special city shall be outside the area of a metropolis, district or urban and rural prefecture.

A special city shall be designated by law for any city with a population of not less than five hundred thousand. In the case of the abolition of such designation, the same shall apply.

When it becomes necessary to abolish or establish, divide or unite or alter the boundaries of a special city, it shall be determined by law, provided that in a case where the area of city, town or village or a locality for which jurisdiction over it has yet to be determined is to be incorporated into the area of a special city, the Minister for Home Affairs shall determine it after obtaining the resolution of the local public bodies concerned.

Then there has been a designation of a special city in accordance with the provisions of Paragraph 2 or when there has been an alteration in the boundaries of a special city in accordance with the proviso of the preceding Paragraph, the boundaries of a metropolis, district, urban or rural prefecture shall automatically alter.

In the case of the preceding two Paragraphs when a disposal of property becomes necessary, it shall be determined by a conference of the local public bodies concerned. When no agreement is reached by such a conference, the Minister for Home Affairs shall decide after calling for the opinions of the assembly of the local public body concerned.

In regard to the conference prescribed in the preceding Paragraph, the resolution of the assembly of the local public bodies concerned shall be obtained.

Article 266. The arbitration or determination relating to the boundaries between a special city and a city, town or village shall be effected by the Minister for Home Affairs in conformity to the provisions of Article 9.

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Article 267. A person who has his residence within the area of a special city shall be an inhabitant of the concerned special city.

Article 268. A special city shall have a mayor and a deputy mayor.

The full number of deputy mayors shall be provided by byelaw.

A mayor of a special city shall administer the affairs of the special city concerned, the administrative affairs in the divisions, such affairs of other local public bodies and other public bodies as came under his powers by laws or cabinet order and, except those specially prescribed in cabinet orders, such affairs as came under the power of the governor of a metropolis, district or urban or rural prefecture or a city formerly under laws and ordinances and execute the same.

Article 269. A special city shall have one treasurer and a few deputy treasurers.

The full number of deputy treasurers shall be provided by byelaw.

Article 270. A special city shall create an administrative ward by dividing its area for administering a portion of affairs under the power of a mayor, by byelaw and establish its office.

A mayor of a special city may, by byelaw, establish at the necessary place a branch office of an administrative ward for administering a portion of such affairs as came under the power of a head of the ward.

The location of an office of an administrative ward or its branch office, its name and the area of jurisdiction shall be prescribed in byelaw.

Article 271. An administrative ward shall have the head of a ward and one assistant head of a ward.

The office of head of a ward or assistant of a ward shall be appointed from among secretarial official of a special city by the mayor of a special city.

The head of a ward shall as may be determined by the mayor of a special city administer the affairs of a special city, the affairs of the national government belonging to the mayor or a special city and the affairs of other local public bodies and other public bodies belonging to its jurisdiction by virtue of laws and cabinet orders.

The assistant head of a ward shall assist the affairs of the head of a ward and perform the duties devolving upon him on his behalf in a case of the latter's disability.

Article 272. An administrative ward shall have one ward-treasurer and one deputy ward-treasurer severally.

A ward-treasurer and a deputy ward-treasurer shall be appointed by the mayor of a special city from among the secretarial officials of the special city.

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A person who is related with the mayor, deputy mayor, treasurer, deputy treasurer or inspection commissioner of a special city or the head or assistant head of a ward by the tie of father and son, of husband and wife or of brother and sister shall not serve the office of ward-treasurer or deputy ward-treasurer.

A ward-treasurer or deputy ward-treasurer shall, if he has come to be involved in the tie contemplated in the preceding Paragraph, vacate his office.

The provisions of Paragraph 3 shall apply with the necessary modifications to a ward-treasurer or deputy ward-treasurer in respect of the relationship between a ward-treasurer and a deputy ward-treasurer, and to the provisions of the preceding Paragraph shall apply a deputy ward-treasurer in respect of the relationship between a ward-treasurer and a deputy ward-treasurer.

Article 273. The ward-treasurer shall take charge of the revenue and expenditure and other affairs relating to the accounts of the special city under the directions of the treasurer of the special city as well as the revenue and expenditure and other affairs relating to the accounts of the national government, other local public bodies or other public bodies belonging to the jurisdiction of the treasurer of a special city. It shall take charge of the revenue and expenditure and other affairs relating to the accounts national government, other local public bodies or other public bodies which belong to its jurisdiction formerly by laws and ordinances and hereafter by laws and cabinet orders issued in virtue thereof.

The mayor of a special city may delegate a portion of the affairs of the treasurer of a ward, provided that in regard to the revenue and expenditure and other affairs relating to the account of the special city, the concurrence of the assembly must be obtained beforehand. The head of a ward may, upon obtaining the permission of the mayor of a special city, delegate a portion of the affairs of the treasurer of a ward to the deputy treasurer of the ward.

Excepting those provided for in the preceding two Paragraphs, in regard to the powers of the treasurer and deputy treasurer of the ward, the provisions relating to the treasurer and deputy treasurer of the ward, the provisions relating to the treasurer and deputy treasurer of the city shall be applied with the necessary modifications.

Article 274. An administrative ward may have a ward-accountant.

A ward-accountant shall be appointed by the mayor of a special city from among the secretarial officials of the special city.

A ward-accountant shall take charge of the affairs relating to the revenue and expenditure under the directions of a ward-treasurer.

Article 275. Except those contemplated in the preceding four Paragraphs in the administrative ward there shall be necessary officials of the special city. They shall be appointed by the mayor of a special city on the application of the head of a ward.

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The full number of the officials prescribed in the preceding Paragraph shall be provided in byelaws.

The officials mentioned in Paragraph 1 shall take charge of secretarial or technical affairs under the direction of the head of the ward.

The head of a ward may delegate a portion of the affairs belonging to his jurisdiction to the official mentioned in Paragraph or cause him temporarily to act on his behalf.

Article 276. An administrative ward shall have an electoral administration committee.

In respect of the electoral administration committee mentioned in the preceding Paragraph, the provisions concerning the electoral administration committee of the city in volume 2, chapter 7, section 2, shall apply with the necessary modifications.

Article 277. The provisions concerning a city in Article 13, Article 18, Article 86, Paragraph 1, Article 88, Paragraph 1, Article 91, Article 94, Article 145, Article 152, Article 160, Article 162 to Article 167, Article 168, Paragraph 5 and 6, Article 169 to Article 171, Article 209, Article 218, Article 221, Article 224, Article 232, Article 242, Paragraph 1, Article 255 and Article 260 shall be applied to a special city.

Article 278. Excepting the special provisions mentioned in the present law or cabinet orders based thereupon, the provisions concerning metropolis, district, urban or rural prefecture in volume 2, shall be applied to a special city.

Article 279. In a case where, with respect to the elections of a special city, the provisions of volume 2, chapter 4 are applicable in accordance with the provisions of the preceding Article, in so far as the application of the provisions relating to the elections of metropolis, district or urban or rural prefectures in the same Chapter is concerned, the provisions relating to a city shall be applied to an administrative ward.

The same rule shall apply in respect to the provisions relating to the electoral list in volume 2, Chapter 4.

Article 280. Except for those provided for in the present Law, and necessary matter relating to special city shall be provided by cabinet order.

Section II. Special Wards

Article 281. A ward of a metropolis, shall be a special ward.

A special ward shall deal with its public affairs and such affairs belonging to the special ward in accordance with laws or cabinet orders or with byelaws of a metropolis and such affairs belonging to the ward of a metropolis in accordance with laws and ordinances or byelaws of the metropolis.

Article 282. A metropolis may, with respect to a special ward, prescribe necessary provisions by its byelaws.

Article 283. With respect to a special ward, except for the provided in cabinet orders the provisions relating to cities of Volume 2 shall apply.

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Section III. Associations of Local Public Bodies.

Article 284. Ordinary local public bodies, special cities and special wards, may, excepting the cases contemplated in the third paragraph, for the purpose of administering jointly a part of their affairs, frame articles of association by their mutual agreement and form an association of local public bodies (it shall be referred to as a partial-affairs-association) upon obtaining the permission of the Minister for Home Affairs in the case of an association which metropolis, district, urban or rural prefectures or special cities are to join or of the governor of a metropolis, district or urban or rural prefecture in the case of an association other than the latter: in these cases, if there has come not to remain any of such matters as fall within the powers of the executive organ of a local public body within an association, such executive organ shall cease to exist at the same time as the formation of the association.

In a case where there is a special need to do so, towns and villages may, for the purpose of administering jointly the whole of their affairs, frame articles of association and form an association of towns and villages (it shall be referred to as a whole-affairs-association) in conformity to the provisions of the preceding Paragraph; in this case, the assemblies and the executive organs of the towns and villages within an association shall cease to exist at the same time as the formation of the association.

In a case where there is a special need to do so, towns and villages may, for the purpose of administering jointly their office affairs, form an association of towns and villages (it shall be referred to as an office-affairs-association) in conformity to the provisions of Paragraph 1: in this case, if there has come not to remain any of such matters as fall within the duties of the executive organ of a town or village within an association, such executive organ shall cease to exist at the same time as the formation of the association.

In a case where it is necessary so to do from the viewpoint of public interests, the governor of a metropolis, district or urban or rural prefecture may, in accordance with the provisions of cabinet orders, form an association of towns and villages prescribed in the provisions of Paragraph 1.

With respect to an association of towns and villages in the last preceding Paragraph, special provisions may, notwithstanding anything in the present Law, be made in cabinet orders.

Article 285. An association of local public bodies prescribed in the provisions of Paragraphs 1 to 3 inclusive of the preceding Article shall be a juristic person.

Article 286. If an association of local public bodies purports to increase or reduce the number of the local public bodies of which the association is composed, to effect an alteration of the affairs which it administers jointly or of the articles of association, it shall, by mutual agreement of the local public bodies concerned, obtain the permission of the Minister for Home Affairs in the case of an association which metropolis, district or urban or rural prefectures join or of the governor of a metropolis, district or urban or rural prefecture in the case of an association other than the latter.

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Notwithstanding the provisions of the preceding Paragraph, a whole-affairs-association shall, by a resolution adopted at a meeting of its assembly in a case where it purports to reduce the number of the towns and villages of which it is composed or to effect an alteration of its articles of association or by a mutual agreement between the association and a town or village which purports to join it newly in a case where the association purports to increase the number of the towns and villages of which it is composed, obtain the permission of the governor of a metropolis, district or urban or rural prefecture.

Article 287. In the articles of association of the partial-affairs-association, the provisions relating to such matters as are specified below shall be made, namely;-

1. The name of the association;
2. The local public bodies of which it is composed;
3. The affairs which shall be administered jointly by the association;
4. The location of the office of the association;
5. The constitution of the assembly of the association and the manner of election of its assemblymen;
6. The organization of the executive organ of the association and the manner of its appointment;
7. The manner of defraying the expenses of the association;

In the articles of association of the whole-affairs-association and in the articles of association of the office-affairs-association, provisions shall be made respectively in respect to the matters contemplated in Items 1 to 4 inclusive of the preceding Paragraph and in respect to the matters relating to the matters contemplated in Items 1 to 5 inclusive and Item 7 of the same Paragraph.

Article 288. In a case where it is intended to dissolve a partial-affairs-association or a whole-affairs-association, the permission of the Minister for Home Affairs or of the governor of a metropolis, district or urban or rural prefecture, in conformity to the provisions of article 284, paragraph 1, shall, by the mutual agreement of the local public bodies concerned, be obtained.

When a total affairs association is to be dissolved, notwithstanding the provisions of the preceding paragraph, the permission of the governor of metropolis, district, urban or rural prefecture must be obtained after a resolution of the assembly of the association is passed.

Article 289. If, in the cases contemplated in Article 285, or the preceding Article, it is necessary for the disposition of property to be effected, the same shall be determined by the mutual agreement of the local public bodies concerned, or by the mutual agreement between the local public bodies concerned and the association or by a resolution adopted at a meeting of the assembly: in a case where no mutual agreement has been reached thereon, the same shall, with the opinions of the assembly of the local public bodies concerned

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or the assembly of the association, be determined by the competent minister in the case of an association which metropolises, districts, urban or rural prefectures or special cities join or by the governor of a metropolis, district or urban or rural prefecture in the case of an association other than the latter.

Article 290. With respect to the mutual agreement contemplated in Article 284, Paragraphs 1 to 3 inclusive, Article 286, Article 288, Paragraph 1 and the preceding Article, a resolution shall be adopted at a meeting of the assembly in the case of a local public body concerned or at a meeting of the assembly of the association in the case of an association.

Article 291. A local public body which has any reasonable cause to believe that there is illegality or error in connection with the allotment of the expenses of the Association of a local public body may file an objection against the administrator of the association within thirty days from the day on which notice of such allotment has been given it.

In a case where an objection contemplated in the preceding Paragraph has been filed, the administrator of the association shall determine the same by referring the same to a meeting of the assembly of the association.

The assembly of the association shall express its opinion thereon within twenty days on which the reference prescribed in the provisions of the preceding Paragraph has been effected.

Article 292. In regard to associations of local public bodies, unless otherwise provided in laws or the cabinet orders issued in virtue thereof, the provisions relating to metropolis, district or urban or rural prefectures, the provisions, relating to cities and the provisions relating to towns and villages shall respectively apply with the necessary modifications in respect of an association which metropolis, district, urban or rural prefectures or special cities join, in respect of an association which cities or special wards join but metropolis, district, urban or rural prefectures or special cities do not join and in respect of an association other than those two associations.

Article 293. The provisions of Article 254 shall apply with the necessary modifications to the disposition prescribed in Article 284, Paragraphs 1 to 4 inclusive, Article 286, Article 288 and Article 289.

Section IV. Property-wards

Article 294. Unless otherwise provided in laws or the cabinet orders, if there exists such part of a city, town or village as well as of a special city or special ward as possesses property or sets up an establishment, (this shall be referred to as a property ward) the management and disposition of its property or its establishment shall be according to the provisions relating to the management and disposition of a property or establishment of a local public body contemplated in the present law.

The expenses which may be specially requisite for the property or establishment contemplated in the preceding Paragraph shall be charged on a property-ward.

In the cases contemplated in the preceding two Paragraphs a local public body shall divide an account in respect to the receipts and expenditures of a property-ward

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Article 295. The governor of a metropolis, district or urban or rural prefecture in the case of a city and property ward or a special ward in the case of a property ward of a special city the mayor of a special city may, if he deems it necessary so to do in connection with the property or establishment of a property-ward, cause a byelaw of a city, town or village, a special ward or a special city upon a resolution passed at a meeting of the assembly to be framed whereby an assembly of the property-ward is to be created at a meeting of which resolutions on such matters as are to be resolved by the assembly of a city, town or village or a special city or special ward shall be passed.

Article 296. Matters relating to the full number of, the term of office of, the right to elect, the right to be elected to the office of and the electoral list of, the assemblymen of the assembly of a property-ward shall be provided in the byelaw contemplated in the preceding article. The same rule shall apply to the organization of the general meeting of a property-ward.

Excepting for those provided in the preceding Paragraph, with respect to the election of the assemblymen of the assembly of a property-ward, the provisions relating to the elections of the assemblymen of the assemblies of towns or villages in Volume 2 shall apply with the necessary modifications, provided that the eligibility of a candidate shall be decided upon by a city, town or village or a special city or the assembly of a special ward with respect to the assembly or the general meeting of a property-ward, the provisions relating to the assemblies of towns or villages in Volume 2 shall apply with the necessary modifications.

Article 297. Subject to the provisions of the present Law, cabinet orders shall prescribe in respect of the affairs of a property-ward.

Chapter II. Conference of Local Public Bodies

Article 298. Local public bodies may, for the purpose of facilitating the exchange of views on and the adjustment of, the affairs of a local public body or the affairs of the national government, other local public bodies or other public bodies which fall under the powers of the chief of a local public body, frame articles of conference by their mutual agreement and form a conference of local public bodies upon obtaining the permission of the Minister for Home Affairs in the case of an association which metropolis, district or urban or rural prefectures are to join or of the governor of a metropolis, district or urban or rural prefecture in the case of an association other than the latter.

If it is necessary so to do from the viewpoint of public interests, the Minister for Home Affairs or the governor of a metropolis, district or urban or rural prefecture may, in accordance with the provisions of cabinet orders form a conference of a local public bodies.

Article 299. A conference of local public bodies shall apart from the purpose of facilitating the exchange of views and adjustment of the affairs of a local public body or the affairs coming under the chief of a local public body deal with the affairs of the national government, local public bodies or other public bodies which fall under its powers by virtue of laws or the cabinet orders.

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Article 300. A conference shall have a chairman and one vice-chairman who shall be chosen by mutual election from among the chiefs of the local public bodies concerned.

The chairman shall have general control over the affairs relating to a conference and represent it.

The vice-chairman shall assist the chairman and perform the duties devolving upon him on his behalf in the case of his absence or inability to act.

Article 301. A conference of local public bodies may, if it deems necessary to do so, demand the participation of the chief of the government office concerned: in this case the chief of the government concerned shall appear at a meeting of the conference and explain in respect of the affairs relating to the proceedings.

The chief of the government office may, if he deems it necessary to do so, present at a meeting of the conference of local public bodies and speak thereat.

Article 302. The conference of local public affairs may have its secretaries.

A secretariate shall have a chief secretary and clerks who shall be chosen by the chairman of a conference.

The chief secretary shall, under the directions of the chairman, regulate the affairs relating to the conference.

The clerks shall, under the direction of the chief secretary, engage in the affairs relating to the conference.

Article 303. The expenses which are necessary for a conference of local public bodies shall be charged on the local public bodies concerned.

Article 304. If it is intended to abolish a conference of local public bodies, to increase or reduce the local public bodies which join the conference or to alter articles of conference the permission of the Minister for Home Affairs or the governor of a metropolis, district or urban or rural prefecture shall be obtained in conformity to the provisions of Article 296, Paragraph 1.

SUPPLEMENTARY PROVISIONS

Article 1. This law shall be enforced as from the day of the enforcement of the Constitution of Japan.

Article 2. The Law concerning the organization of Tokyo Metropolis, the Law concerning the organization of District, Urban or Rural Prefecture, the Law concerning the organization of Cities, and the Law concerning the organization of Towns and Villages shall be repealed, provided that this shall not apply to the provisions of Article 189 to 191 inclusive and Article 198 of the Law concerning the organization of Tokyo Metropolis.

Article 3. At the time of the enforcement of this law any person in the office other than that of a governor of Tokyo Metropolis, governor of Hokkaido Office, governor of an Urban or Rural Prefecture, mayor of city, town or village or a member of the assembly of Tokyo Metropolis, member of the assembly of an

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urban or rural prefecture, member of the assembly of city, town or village or any person corresponding to a member of the assembly of city, town or village or of an office corresponding to a metropolis, district, urban or rural prefecture, or a city, town or village, shall, excepting for those provided for separately in this or in any other law shall be deemed to be in office other than that occupied by a chief of metropolis, district, urban or rural prefecture or mayor of city, town or village or anything corresponding thereto or of a member of assembly or of a metropolis, district, urban or rural prefecture of city, town or village or anything corresponding thereto, who have been elected or appointed in accordance with this Law, and for those having towns of office such terms shall be calculated as from the date of election or appointment under the former provisions.

The full number of members of the assembly of a metropolis or a Special Ward shall notwithstanding the provisions of Article 90, paragraph 1 and Article 91, paragraph 1 of the Local Autonomy Law, be still in accordance with the former provisions until the next general election.

Article 4. Excepting those separately provided for in this or other laws, in regard to the regulations for the organization of employment concerning the metropolis, district or urban or rural prefecture and concerning the officials of the metropolis, district or urban or rural prefecture, the Ordinance for the organization concerning the former metropolis, district, urban or rural prefecture (excluding the Metropolitan Police Board, same hereinafter) shall be applied for the time being provided that special provisions may be made in Cabinet orders.

Article 5. In regard to officials of a metropolis, district or urban or rural prefecture, excepting for those provided for separately in this or in other laws, the provisions respectively corresponding to the former provisions concerning the government officials or quasi-government officials of a metropolis, district or urban or rural prefectures shall be applied, provided that special provisions may be made in cabinet orders.

In the case mentioned in the preceding paragraph, any official of a metropolis, district, urban or rural prefecture shall not be suspended by order by virtue of the convenience of business without the approval of the Status Committee according as it may be determined in cabinet orders.

The name of the Status Committee contemplated in the preceding Paragraph, its organization, powers etc. shall be prescribed in cabinet order.

Article 6. Any person who is a Local Secretarial Official or a Local Technical Official, a quasi-governmental official at the time of the enforcement of this Law shall, except for those provided for separately in this or other law, be deemed to have been appointed and given gradings as a secretarial official or technical official mentioned Article 172 of the said metropolis, district, or urban or rural prefecture with the same grade and scale of salary and shall be deemed to have been assigned to the post corresponding to the present post.

Article 7. In regard to the police of a metropolis, district urban or rural prefecture, notwithstanding the provisions of this law, the former provisions shall be applied for the time being provided that special provisions may be made in cabinet orders.

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In regard to the application of Article 99, paragraph 1, Article 121, and Article 232, paragraph 2, the Superintendent General of the Metropolitan Police Board shall for the time being be deemed to be the chief of an ordinary local public body.

Article 8. The employees of a metropolis, district, urban or rural prefecture engaged in the affairs determined by cabinet orders, shall, notwithstanding the provisions of Article 172, Article 173 and Article 175, be deemed to be government officials, and the provisions concerning the former, local secretarial official, local technical official or local education officials shall be applied thereto, provided that special provisions in this occasion may be made in cabinet orders.

Article 9. Excepting those separately provided for in this law, until other law is prescribed, cabinet order shall be prescribed concerning limitations, allowances, services and disciplines etc. of auxiliary officials of chief of the local public body, elected administration committeemen, electoral administration committee-clerks, inspection commissioners, auxiliary clerks of inspection commissioners in conformity to the former provisions.

Article 10. Any metropolis, district, or urban or rural prefecture and any special city shall dispose of affairs concerning the treatment of personal affairs of ex-military or ex-quasi-military personnel and affairs concerning salaries and other remuneration to the families, thereof.

In regard to the disposal of affairs mentioned in the preceding paragraph, exceptions may be made by cabinet orders.

In order to cause the execution of affairs mentioned in paragraph 1, the governor of a Metropolis, District or Urban or Rural Prefecture and a mayor of a special city shall establish an Assistance Division.

A governor of Metropolis, District, or Urban or Rural Prefecture and a mayor of a special city may when necessary establish a Branch of an Assistance Division by byelaws.

The location, name and area of jurisdiction of a Branch of Assistance Division shall be determined by byelaws.

A chief of an Assistance Division or a chief of a Branch thereof shall be appointed from the secretarial officials of a metropolis, district or urban or rural prefecture or a special city.

The expenses required for the disposal of affairs mentioned in Paragraph 1 shall be borne by the national treasury.

Article 11. In regard to an election carried out by the Law concerning the Organization of Tokyo Metropolis, Law concerning the Organization of District, Urban or Rural Prefecture, Law concerning the Organization of Cities or Law concerning the Organization of Towns and Villages or imperial ordinance issued in virtue of such laws prior to the enforcement of this law, concerning an action to which the penal provisions related to the election of the Members of the House of Representatives which are applied to these laws with necessary modifications, had to be applied, the former provisions shall apply.

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Article 12. Any procedure or any other act effected in accordance with the former Law concerning the Organization of Tokyo Metropolis, Law concerning the organization of District, Urban or Rural Prefecture, Law concerning the organization of Cities, Law concerning the organization of Towns and Villages or in accordance with ordinances issued in virtue of these laws, shall be deemed to be a procedure or other act effected in accordance with provisions corresponding thereto in this law or in the ordinances issued in virtue thereof.

Article 13. Provisions concerning the Local Governor, Governor of Tokyo Metropolis, Governor of the District of Hokkaido or officials of a metropolis, district, urban or rural prefecture or of a ward of Tokyo Metropolis shall, excepting in these cases where special provisions are made by cabinet orders, be deemed to be those provisions which relate respectively to the Governor of a Metropolis, District, Urban or Rural Prefecture or a mayor of a special city, governor of a Metropolis, governor of a District or corresponding officials of a metropolis, district, urban or rural prefecture or a special ward.

Article 14. Provisions concerning the Board of Alderman of a metropolis, district or urban or rural prefecture or Alderman of a Metropolis, District, or Urban or Rural Prefecture or a Board of Alderman of a City or the Alderman of a city, mentioned in other laws and ordinances shall be deemed to be these provisions of this law which relate to the assembly of a metropolis, district, urban or rural prefecture, special city or city or members of assemblies thereof.

Article 15. In a case where the provisions of the Law concerning the Organization of Tokyo Metropolis, Law concerning the organization of District, Urban or Rural Prefecture, Law concerning the organization of Cities or Law concerning the Organization of Towns and Villages, are mentioned in other Laws or ordinances when there are provisions in this law which correspond thereto, it shall be considered to point to the corresponding provisions in this law, except in cases where special provision are made by cabinet orders.

Article 16. Provisions in other laws or ordinances which relate to a metropolis, district or urban or rural prefecture and city shall, except in cases where special provisions are made in byelaws, be applied to special cities.

The provisions in other laws or ordinances which related to a city mentioned in the former provisions of Article 6 of the Law concerning the organization of Cities or a city mentioned in Article 82 paragraph 1 or Article 82, paragraph 3 of the Law concerning the organization of cities shall be deemed to be those provisions which relate to special cities or a city mentioned in Article 155, paragraph 2.

Article 17. Provisions which relate to cities in other laws or ordinances shall, except in cases where special provisions are made in cabinet orders, be applied to special wards.

Article 18. Provisions in other laws and ordinances which relate to the area under the jurisdiction of a former head of country, shall be deemed to be those provisions related to a metropolis, provided that special provisions may be made by cabinet orders.

Article 19. Provisions in other laws or ordinances which

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relate to places where the Law concerning the organization of Towns and Villages is not enforced shall be deemed to be those provisions which relate to an island to which the exceptional provisions in accordance with Article 258 of the Local Autonomy Law are applied.

Article 20. The provisions in other laws or ordinances which relate to the Electoral Administration Committee for the election of the members of the Metropolitan assembly, or the Electoral Administration committee for the election of the members of the assembly of a District, or Urban or Rural Prefecture or the Electoral Administration Committee for the election of the members of a city, town or village assembly or electoral administration committee which corresponds to an electoral administration committee for the election of the members of a city, town or village assembly shall be deemed to be those provisions which relate to an electoral administration committee of a metropolis, district, urban or rural prefecture or city, town or village or of anything corresponding to a city, town or village.

Article 21. The right to vote or the eligibility for election of any person to whom the Law of Family Registration is not applicable shall be suspended for the time being.

Any person mentioned in the preceding paragraph shall not be registered in the electoral list.

Article 22. Provisions necessary for the enforcement of this law shall be determined by cabinet orders.

RESTRICTEDENCLOSURE "B"

The Bill concerning Local Self-Government shall be partially amended as follows.

In Article 13 the following paragraph shall be added as paragraph 1.

Any inhabitant of an ordinary local public body who is a citizen of Japan shall, in pursuance of the present Law, have the right to demand the dissolution of the assembly of the ordinary local public body to which he belongs.

In Article 66, paragraph 4 after "any person who is dissatisfied", "within thirty days from the date on which he has received the written confirmation or written decision or from the date of announcement under the provisions of the preceding paragraph" shall be added.

In Article 68, Paragraph 1 after "cause the defendant", "within thirty days from the date of announcement provided for in Article 59, paragraph 1."

Article 120. The assembly of an ordinary local public body must establish assembly regulations.

Article 121. A chief of an ordinary local public body, a chairman of an electoral administration committee, an inspection commissioner as well as any person who has received delegation or commission therefrom, shall, when required by the chairman for presenting explanations appear at the assembly hall.

Article 122. Paragraph 1 shall be deleted.

Article 180. Any matter of a minor nature which falls within the jurisdiction of the assembly of an ordinary local public body and which has been specified by a resolution thereof shall be made disposable by the chief of an ordinary local public body at his own discretion.

When a chief of an ordinary local public body has disposed a matter at his own discretion in accordance with the provisions of the preceding paragraph he must submit a report thereof to the assembly.

In Article 182, paragraph 4. "in a case where it exceeds" shall read "in such cases where they exceed".

Article 247. When there is a disability on the part of both the mayor and the deputy mayor or when there is a disability on the part of both the treasurer and the deputy treasurer (including the proxy for the function of the treasurer provided for in Article 170, paragraph 4), the senior official or person designated by him shall execute his function.

Article 249. "The persons temporarily acting mentioned in Article 247 or" shall be deleted.

Article 251. When an ordinary local public body wishes to establish or amend or abolish the byelaws mentioned in Article 3, paragraph 3, Article 91, paragraph 2, Article 155, paragraph 1 and Paragraph 2, Article 158, paragraph 1 and Article 223,

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paragraph 1 to 3 inclusive, it shall obtain the approval of the competent administrative offices.

Paragraph 1 of Article 252 shall be deleted and in paragraph 2 of the same Article "preceding paragraph" shall read "preceding Article".

Article 256 shall be Article 255.

Article 256. Except for these specially provided for in this law, filing of objection or filing of petition must be made within twenty one days from the date of action or decision.

For any person who has not received the written decision, the period mentioned in the preceding paragraph shall be computed as from the date of announcement.

In the computation of the period of the filing of an objection the example of the computation of the period of filing a petition shall be followed.

The filing of an objection may be received, when it is deemed there is a just cause for recognizing it even after the time limit has passed.

Article 257. Paragraph 1, paragraph 2, paragraph 5, paragraph 6 and paragraph 8 shall be deleted.

Article 258. Even in the event of an objection being filed the execution of disposition shall not be suspended, provided that administrative offices may ex cathedra or when it is deemed necessary upon the petition of those concerned suspend it.

In Article 270. Paragraph 1, "obtain the permission of the Minister of Home Affairs" shall be deleted.

In Article 271, Paragraph 1, the following one paragraph shall be added and in paragraph 2 of the same Article,

"the head of ward and" shall be deleted.

A head of a ward shall, from among those who possess eligibility for election, be elected by vote of electors.

In Article 277. "Article 94" and "Article 255" shall be deleted.

In Article 282, "obtain the permission of the Minister of Home Affairs" shall be deleted.

In Article 7, paragraph 2 of the Supplementary Provisions "Article 122, paragraph 1" shall read "Article 121".

Article 19 of the Supplementary Provisions shall be deleted and Article 20 shall be Article 19 and hereafter it will be consecutively advanced.

RESTRICTEDENCLOSURE "C"

The draft of the Law concerning Local Self-Government shall be partially amended as follows.

Article 9. In case where there exists a dispute concerning the boundaries of cities, towns or villages, the city, town or village concerned may bring an action of decision in the court.

If, in cases where the boundary of a city, town or village is indistinct, there exists no dispute concerning the boundary there of the governor of a metropolis, district or urban or rural prefecture may ask the decision of its boundary to the Court.

In the case contemplated in the preceding paragraph, except those which are specially provided for in cabinet orders, the provisions of the Law concerning the Procedure of Non-legal Cases shall apply.

In Article 12, Paragraph 1, "or regulation" shall be deleted and next to "the enactment", "revision or repeal" shall be added.

In Article 19, the following Paragraph shall be added.

The ages contemplated in the preceding three Paragraphs shall be computed as on the date of election.

In Article 30, Paragraph 1, the following proviso shall be added.

Provided, however, that a candidate may file the same person as already filed.

In Article 32, Paragraph 2, the following Paragraph shall be added.

With respect to the voting of a person who is unable to write the name of a candidate by himself owing to the physical defects, notwithstanding the provisions of Article 37, Article 41 and the preceding two Paragraphs, special provisions may be made in cabinet order.

In Article 34, "Article 41" shall be deleted.

In Article 56, Paragraph 1, "or Article 68, Paragraph 1 or 2" shall be deleted and in the same Article, Paragraph 3, "and", "Item 6" and "Article 60, Paragraph 2" shall read "to", "Item 7" and "Article 60, Paragraph 1" respectively.

In Article 60, Paragraph 1, next to "an elected person", "in case he wishes to decline to accept office" shall be added, "in a case where-----with respect to whether he purports to accept office or not" shall read "that effect within ten days from the day notified". In the same Article, Paragraph 2, "within ten days from the day on which he has received an notification of his having duly been elected" and "he shall accept office" shall read "within the term contemplated in the preceding paragraph" and "decline" respectively, and "decline" shall read "accept office" and next to the same Article, Paragraph 2, the following Paragraph shall be added.

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If an elected person is in office contemplated in Article 92, or Article 141, or has any connection with the ordinary local public body concerned contemplated in Article 143, he shall file notice to the effect that he has declined the office contemplated in Article 92 or Article 141 or that he has not any connection contemplated in Article 142. If he fails to file the notice within the term contemplated in the Paragraph 1, he shall be deemed to decline to accept office.

Next to the same Article, Paragraph 3, the following shall be added.

If he fails to file the notice to that effect that he has obtained the permission of the chief officer under whose command he is.

In Article 61, Paragraph 1, "an elected person" shall read "in case where the term contemplated in the preceding Article, Paragraph 1, has elapsed or an elected person".

In Article 62, Paragraph 1, Item 4, "or Article 68, Paragraph 1 or 2" shall be deleted, "Item 5 and Item 6" shall be "Item 6 and Item 7" respectively and next to Item 4, following shall be added.

5. If, in consequence of filing an action prescribed in Article 68, Paragraph 1, his election has come to be null and void.

In Article 63, Paragraph 2, before the fixed day contemplated in Article 60, Paragraph 2" and "after the fixed day contemplated in Article 60, Paragraph 2" shall read "before the fixed day contemplated in Article 50, Paragraph 1" and "after the fixed day" respectively.

In Article 65, Paragraph 1, "Item 1 or 2" shall read "Item 1, 2 or Paragraph 4".

In Article 74, Paragraph 1, next to "the enactment", "revision or repeal" shall be added.

In the proviso of Article 91, Paragraph 3, "or reduction" shall be deleted.

Article 94, "A town or village, by virtue of its byelaw, may dispense with a town or village assembly and establish a general meeting".

Article 118, Paragraph 5 shall be deleted, and in the same Article, Paragraph 6, "the preceding Paragraph" and "decision" shall read "Paragraph 1" and "determination" respectively, and "High" shall be deleted and next to "the courts", "against the assembly" shall be added.

In Article 120, next to "with a", "individualistic" shall be added.

In Article 122, Paragraph 1, "may be present at the assembly hall for the purpose of speaking on a bill, and must, if they are demanded to be present for the purpose of answering or explaining, comply with the same" shall read "must be present at the assembly hall if they are demanded to be present for the purpose of explaining on a bill".

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The same article, Paragraph 2, shall read as follows.

The chief of an ordinary local public body may bring a writing of explanation with regard to the estimates and other writings of explanation with regard to the affairs of the ordinary local public body concerned to the assembly.

In Article 127, Paragraph 4, "to Item 7" shall read "and Item 6".

In Article 131, "or any of the persons who are present at the meeting by virtue of the provisions of Article 122, Paragraph 1" shall be deleted.

In Article 143, Paragraph 2, "to Item 7" shall read "Item 6" and the same Article, Paragraph 3 shall be deleted.

In Article 146, Paragraph 1, "cabinet order" shall read "law" and "remove him from office upon holding a public hearing thereon" shall read "bring an action of removal of him from office in the Impeachment Court". In the same Article, Paragraph 2, "the provisions of the preceding Paragraph" and "remove him from office" shall read "the law" and "bring an action of removal of him from office in the Impeachment Court contemplated in the preceding Paragraph".

Article 149, Item 7 shall be Item 8 and next to Item 6, following shall be added.

7. Except those which are specially provided for in the preceding Items, to execute the affairs of the ordinary local public body concerned.

In Article 150, "such affairs of the national government belongs to the chief of ordinary Local public body" shall read "such administrative affairs belongs to the chief of an ordinary local public body as his competence of the organ of the national government".

In Article 151, "are injurious to public benefit" shall be deleted.

In Article 156, Paragraph 1 "or cabinet orders" shall be deleted; paragraph 3, "in accordance with the provisions of laws or cabinet orders", shall be deleted and next to "or other administrative organs" "such administrative affairs relating to those of the division".

In Article 157, Paragraph 1 to 3, "the bodies etc." shall read "the public bodies etc."

In Article 158, Paragraph 1, "must be established" shall read "shall be established", "Matters relating to social works and others such as the protection and guidance of national life" shall read "social welfare".

In Article 160, Paragraph 1, "any damage caused thereby shall be compensated" shall read "the whole amount of any damage caused thereby shall be compensated at the market price. In the same Article, Paragraph 2, "the mayor of a city, town or village" shall read "the mayor of a city, town or village, or" and "or the competent authorities" shall be deleted.

In Article 176, Paragraph 2, "shall apply for the direction

RESTRICTED

of the competent minister in the case of a metropolis, district or urban or rural prefecture or the governor of a metropolis, district or urban or rural prefecture in the case of a city, town or village" shall read "may bring an action against the assembly in the Court". The same Article, Paragraph 3 and 4 shall be deleted.

Article 177. If the chief of an ordinary local public body is satisfied that any resolution passed at a meeting of the assembly is, with respect to the revenue or expenditure, impossible to execute, he shall cause the assembly to reconsider such resolution by specifying the reasons thereof.

The provisions of the preceding Paragraph shall apply, in cases where the assembly of an ordinary local public body has struck out or reduced the amount of any of the following expenses, to such expenses and the revenue proportioned thereto; namely:

1. Expenses charged by laws or any other expenses which the ordinary local public body is bound to defray.
2. Expenses necessary for emergency or restoration measures on account of an extraordinary calamity, or expenses necessary for the prevention of a contagious disease.

In the case contemplated in the preceding Article, Item 1, the assembly of an ordinary local public body has struck out or reduced the expenses mentioned in the same Item, the chief of the ordinary local public body concerned may appropriate such expenses and the revenue proportioned thereto and disburse the same.

If, in the case contemplated in Paragraph 2, Item 2, the assembly of an ordinary local public body has struck out or reduced the expenses mentioned in the same Item, the chief of the ordinary local public body concerned may deem the resolution as that of want of confidence.

In Article 179, Paragraph 1, "upon applying for the directions of the Minister for Home Affairs in the case of a metropolis, district or urban or rural prefecture in the case of a city, town or village" shall be deleted.

In Article 180, "by virtue of a mandate as resolved at its meeting" shall read "by virtue of the resolution at its meeting"

In Article 182, following two paragraphs shall be added.

More than two persons in case of the committee of a metropolis, district or urban or rural prefecture, more than one in case of the committee of a city, town or village, who belongs to the same political party or other corporation, shall not be members or supplementary members of the same committee.

If, in the case of election contemplated in Paragraph 1 or 2, those persons who belong to the same political party or other corporation are elected more than the limitation prescribed in the preceding Paragraph, or if, by the election of members of the committee to fill the vacancy in accordance with the provisions of Paragraph 3, those persons who belong to the same political party or other corporation are more than the limitation prescribed in the preceding Paragraph, necessary matters relating to the above-mentioned cases shall be prescribed in cabinet order.

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In Article 184, Paragraph 2, "to Paragraph 7" shall read "and Paragraph 6" and the same Article, Paragraph 3 shall be deleted.

In Article 218, next to "an ordinary local public body", "when it is necessary for restoration measures on account of an extraordinary calamity or other special necessity exists" shall be added and "the direct city, town or village taxes, and the direct national taxes" shall read "the city, town or village taxes".

In Article 235, following two paragraphs shall be added.

A chief of an ordinary local public body may, if it is necessary to do so, submit a provisional estimate of revenue and expenditure for one definite term during each fiscal year at a meeting of the assembly.

A provisional estimate contemplated in the preceding Paragraph shall be null and void in case when the estimate of revenue and expenditure for the fiscal year concerned and in that case above-mentioned, there exists expenditure or debts incurred on the basis of the provisional estimate, those shall be deemed as the expenditures or debts incurred on the basis of the estimate of revenue and expenditure for the fiscal year concerned.

Article 246. The competent authorities may, if it is necessary to do so, cause an ordinary local public body to make report of its affairs, produce documents and account books and may inspect its affairs or examine its receipts and expenditures practically.

Article 247. If the mayor, deputy mayor, treasurer or deputy treasurer is unable to act, the governor of a metropolis district or urban or rural prefecture may appoint a person temporarily acting on his behalf to discharge the duties devolving upon him.

Article 248. If the electoral administration committee is not formed and in that case the assembly of the ordinary local public body is also not formed, the competent authorities may appoint the members of the administration committee temporarily acting on the member of the administration committee to discharge the duties devolving upon the member of the committee.

Article 249. The allowances to the person temporarily acting the office contemplated in Article 247 or the person temporarily acting the duties of the member of the administration committee shall be determined by the competent authorities upon obtaining the consent of the assembly of the ordinary local public body concerned.

Article 250, Paragraph 2 shall be deleted.

Article 251. With respect to the permission of the Minister for Home Affairs contemplated in the preceding Article, the Minister for Home Affairs shall make mutual agreement with the Minister for Treasury in accordance with the provisions of cabinet order.

Article 252. If an ordinary local public body has framed, amended or repealed its byelaws contemplated in the provisions of Article 3, Paragraph 3, Article 91, Paragraph 2, Article 155, Paragraph 1 and 2, Article 158, Paragraph 1 and Article 223

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Paragraph 1 to 3, permission shall be obtained from the competent authorities.

Except those mentioned in the preceding Paragraph, if an ordinary local public body has framed, amended, or repealed its byelaws, a report thereof shall, in accordance with the provisions of cabinet order, be made to the competent authorities.

In Article 253, "the Minister for Home Affairs" shall be deleted, "applications" and "shall---designate" shall read "agreements" and "may prescribe" respectively.

In Article 254, "cabinet order" shall read "the latest population notified to the public by the official gazette."

Article 255. The competent authorities in this present Law shall, except those prescribed specially in cabinet orders, be the Minister for Home Affairs in respect to such matters relating to a metropolis, district or urban or rural prefecture the governor of a metropolis, district or urban or rural prefecture in respect to such matters relating to a city, town or village.

In Article 258, "islands" and "cabinet order" shall read "Kojima Island and Torijima Island of the jurisdiction of Hachijo Branch Office of Tokyo Metropolis" and "Law" respectively and "be provided by" shall be deleted. In the same article following Paragraph shall be added.

Until the law contemplated in the preceding Paragraph is enacted, in respect to the administration of the islands mentioned in the same Paragraph, former examples shall apply.

Article 266. The provisions of Article 9 shall apply to the case where the boundary of a city, town or village is disputed or indistinct and there exists no dispute concerning the boundary thereof.

In Article 270, Paragraph 1, next to "of its assembly", "and upon obtaining the permission of the Minister for Home Affairs" shall be added.

In Article 282, next to "may", "upon obtaining the permission of the Minister for Home Affairs" shall be added.

In Article 288, "the permission of----obtained" shall read "the file of notice to----made".

In the proviso of Additional provisions, Article 1, "cabinet order" shall read "law".

Additional provisions, Article 10, Paragraph 3 to 6 shall read as follows.

The affairs contemplated in Paragraph 1 shall be administered by Civil Bureau in case of a metropolis, by Civil Division in case of a district or urban or rural prefecture, and by the Bureau or Division designated by the mayor in case of a special city.

In the additional provisions, in the provision Article 1 "cabinet orders" shall read "law".

In the additional provision, in Article 7, Paragraph 1 "district, urban or rural prefecture" shall read "metropolis, district or urban or rural prefecture".

In Additional provisions, Article 19, "island applied the provisionary exceptions in accordance with the provisions of Article 258" shall read "islands mentioned in Article 258, Paragraph 1".

FEC-101/74RESTRICTEDFEC-101/7412 May 1947FAR EASTERN COMMISSION

DRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
DRAFT OF THE AMENDMENT TO THE ADMINISTRATIVE OFFICES BILL
(JAPANESE AND ENGLISH TEXTS)
(References: FEC-087/14, Art. 73; FEC-101/41, FEC-101/51)

Note by the Secretary General

1. The enclosures, the Japanese and English texts of an amendment to the Administrative Offices Bill implementing Article 73 of the new Japanese Constitution was received from the Supreme Commander for the Allied Powers and is circulated herewith by the United States Representative for the consideration of the Far Eastern Commission and referred to COMMITTEE NO. 3: CONSTITUTIONAL AND LEGAL REFORM.

2. The enclosure was approved by the Japanese 92nd Diet.

3. Due to the limited number of copies available, only one copy of Enclosure "B", the Japanese text, can be furnished each delegation.

WELSON T. JOHNSON
Secretary General

FEC-101/74

RESTRICTEDENCLOSURE "A"DRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
DRAFT OF THE AMENDMENT TO THE ADMINISTRATIVE OFFICES BILL
(ENGLISH TEXT)

A part of the Bill on the Administrative Offices Law shall be amended as follows:

The following proviso shall be added to Article 12.
"However, the establishment and withdrawal of local special Government offices shall be provided for by law."

FEC-101/74

行政官廳法案の一部を次のように修正する。

第十二條に次の但書を加える。

但し、地方特別官衙の設置及び廃止については法律の定めるところによる。

FEC-101/75FEC-RESTRICTEDFEC-101/752 December 1948FAR EASTERN COMMISSION

DRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
DRAFT AMENDMENT TO THE DIET LAW
(References: FEC-101/5, /6, /21)

Note by the Secretary General

1. The enclosure, a draft amendment to the Diet Law of 19 March 1947, has been received from the Supreme Commander for the Allied Powers and is circulated herewith for the information of the Far Eastern Commission.

2. The draft of the Diet Law as submitted to the Diet in December 1946 was circulated as FEC-101/5; corrections to the text of FEC-101/5 were circulated as FEC-101/6; and the final amendments to the law as passed by the Diet on 19 March 1947 were circulated as FEC-101/21.

3. The enclosure is a verbatim copy of the text as received from the Supreme Commander for the Allied Powers.

NELSON T. JOHNSON
Secretary General

FEC-101/75

FEC-RESTRICTEDE N C L O S U R EDRAFT LAW IMPLEMENTING THE JAPANESE CONSTITUTION:
DRAFT AMENDMENT TO THE DIET LAW

October 11th, 1948

Part of the Diet Law shall be amended as follows:

Each item in the first paragraph of Article 42 shall
be read as follows:

1. Standing Committee for Cabinet.
2. Standing Committee for National Personnel.
3. Standing Committee for Local Administration.
4. Standing Committee for Economic Stabilization.
5. Standing Committee for the Attorney General's Office.
6. Standing Committee for Foreign Affairs.
7. Standing Committee for Finance.
8. Standing Committee for Education.
9. Standing Committee for Welfare.
10. Standing Committee for Commerce and Industry.
11. Standing Committee for Agriculture and Forestry.
12. Standing Committee for Fishery.
13. Standing Committee for Transportation.
14. Standing Committee for Communications.
15. Standing Committee for Labor.
16. Standing Committee for Construction.
17. Standing Committee for Budget.
18. Standing Committee for Audit.
19. Standing Committee for House Management.
20. Standing Committee for Disciplinary Measures.
21. Standing Committee for Library Management.

FEC-101/76FEC-RESTRICTEDFEC-101/764 January 1949FAR EASTERN COMMISSIONAMENDMENT TO THE WORKERS' ACCIDENT COMPENSATION INSURANCE LAW
(Reference: FEC-101/31)Note by the Secretary General

1. The enclosure, legislation promulgated on 30 June 1948 amending the Workers' Accident Compensation Insurance Law, has been received by the Secretariat and is circulated herewith for the information of the Far Eastern Commission.

2. The law to which the enclosure is an amendment was circulated as FEC-101/31.

3. The text is as given in the Official Gazette.

NELSON T. JOHNSON
Secretary General

FEC-101/76

E N C L O S U R EAMENDMENT TO THE WORKERS' ACCIDENT COMPENSATION INSURANCE LAW

Workers' Accident Compensation Insurance Law (Law No. 50 of 1947) shall be partially amended as follows:

"Government and public officials" in Art. 3, par. 3 shall read "national government or other governmental organizations which do not come under the stipulation of No. 1 to No. 15, incl. and No. 17 of Art. 8 of the Labor Standard Law".

The word 'Shiyosha' (employer) in Arts. 6 to 8 incl. and in Arts. 11 and 17 shall read 'Jigyonushi' (head of undertaking or business or employer).

No. 1 and No. 2 of Art. 12, par. 2 shall read as follows:

1. Compensation for medical treatment

(Total amount of cost of medical treatment, but except those cases when injury or disease is cured by spending less than the amount stipulated by the Ordinance. The amount of medical treatment cost prescribed by Ordinance shall be fixed to equal the approximate average cost of medical treatment for a week for ordinary injuries or diseases).

2. Compensation for stoppage of working.

(60 percent of the average wage for each day of stoppage except in case the injury or disease is cured within seven days of stoppage).

Art. 14, Deleted.

The phrase "Art. 12, par. 1" in Art. 15 shall read "No. 1 to No. 4 incl., and No. 6 of Art. 12, par. 1", and the following paragraph shall be added to the same article.

Funeral rites expenses stipulated in No. 5 of Art. 12, par. 1 shall be paid to the person who arranged the funeral rites.

Art. 18. When a member of the insurance has neglected to pay the premiums stipulated in Art. 28, par. 1 and in Art. 29 on purpose or by grievous fault, the government may not pay the whole or a part of the insurance benefit for an accident that occurred during such delayed period at the undertaking which neglects to pay the premium.

The following paragraph shall be added to Art. 20:

In case of the preceding paragraph, the government is exempted from paying the compensation benefit within the limit of the compensation paid to the person who is entitled to receive the compensation by a third party for the same reason.

The following paragraph shall be added to Art. 21 as the first paragraph:

The right to receive insurance benefit shall not be hindered by the worker quitting his job.

Art. 36, par. 1 Deleted.

Art. 39, par. 2 Deleted.

Supplementary Provisions:

This Law shall come into force as from July 1, 1948.

As to the compensation for the accident which takes place before the enforcement of this Amendment, the compensation shall be made as before.

Minister of Labor

KATO Kanju

Prime Minister

ASHIDA Hitoshi

FEC-101/77FEC-RESTRICTEDFEC-101/777 January 1949FAR EASTERN COMMISSION

DRAFT AMENDMENT TO THE DIET LAW
(References: FEC-101/5, /6, /21, /75)

Note by the Secretary General

1. The enclosure, a draft amendment to the Diet Law of March 1947, has been received from the Supreme Commander for the Allied Powers and is circulated herewith for the information of the Far Eastern Commission.
2. The enclosure was submitted to the House of Councillors on 12 December 1948.
3. The draft of the Diet Law as submitted to the Diet in December 1946 was circulated as FEC-101/5; corrections to the text of FEC-101/5 were circulated as FEC-101/6; and the final amendments to the law as passed by the Diet on 19 March 1947 were circulated as FEC-101/21. Amendments enacted by the third session of the National Diet and promulgated on 11 October 1948 were circulated as FEC-101/75.
4. The particular attention of Committee No. 3: Constitutional and Legal Reform is invited to the enclosure.
5. The enclosure is a verbatim copy of the text as received from the Supreme Commander for the Allied Powers.

NELSON T. JOHNSON
Secretary General

FEC-101/77

E N C L O S U R EDRAFT AMENDMENT TO THE DIET LAW

The following Article shall be added to after Article 47 of the Diet Law.

Article 47-2. In case where the House of Councillors has been adjourned due to a dissolution of the House of Representatives, the Standing Committees and Special Committees of the House of Councillors may carry on investigations, during its adjournment, only into the matters which had been under investigation prior to the adjournment and which had been specifically designated by the President.

Supplementary Provision

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

FEC-101/78FEC-RESTRICTEDFEC-101/787 January 1949FAR EASTERN COMMISSION

DRAFT AMENDMENT TO THE DIET LAW (JAPANESE TEXT)
(References: FEC-101/5, /6, /21, /75)

Note by the Secretary General

1. The enclosure, the Japanese text of draft amendments to the Diet Law submitted to the third session of The National Diet, has been received from the Supreme Commander for the Allied Powers and is circulated herewith for the information of the Far Eastern Commission.
2. The English translation of the enclosure was circulated as FEC-101/75 of 2 December 1948. The enclosure was passed by the Diet and promulgated on 11 October 1948. It became effective on promulgation.
3. The particular attention of Committee No. 3: Constitutional and Legal Reform is invited to the enclosure.
4. Due to the limited number available, only one copy of the enclosure can be furnished to each delegation.

NELSON T. JOHNSON
Secretary General

FEC-101/78

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To Mr. Brown 3rd Natl Diet
Partial amendment to the
Sick Law

昭和二十三年十月十一日
衆法第一号

国会法の一部を改正する法律案

右の議案を提出する。

昭和二十三年十月十一日

提出者

- | | | | | |
|------|------|--------|-------|-------|
| 小島徹三 | 山下榮二 | 山口喜久一郎 | 小澤佐重喜 | 淺沼稻次郎 |
| 椎熊三郎 | 吉川兼光 | 松澤兼人 | 工藤鐵男 | 坪川信三 |
| 石田一松 | 小野孝 | 佐々木更三 | 高橋英吉 | 石田博英 |
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