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The National Election Management Commission Law

(LAW NO. 154, DECEMBER 7, 1947)

Article 1. There shall be established the National Election Management Commission in order to manage the election, the voting, the people's examination and other business, in accordance with the provisions of this law.

The National Election Management Commission shall be placed under the jurisdiction of the Prime Minister.

Article 2. The Commissioners of the National Election Management Commission shall perform their functions independently of any political affiliations.

Article 3. The National Election Management Commission shall be in charge of the following matters:

1. Matters pertaining to the research and the collection of data concerning the election of the Members of the Diet, the election to be conducted under the Local Autonomy Law, as well as the matters pertaining to these systems.

2. Matters pertaining to the research and the collection of data concerning the people's examination under the Law for People's Examination of the Supreme Court Judges and the voting relative to ratification by the people of amendments to the Constitution of Japan, as well as the matters pertaining to these systems.

3. Matters pertaining to the securing of necessary appropriations, the assistance in procuring necessary paper and other preparations concerning the election, the voting and the people's examination prescribed in the preceding two items.

4. Matters pertaining to political parties and political associations.

5. Other matters assigned by law to it.

Article 4. The National Election Management Commission shall, in relation to the business concerning the election of the Members of the Diet, or of the members of the assemblies or the heads of the local public entities, and other voting, direct and supervise the Commission for Over-seeing the Election of the Members of the House of Councillors from the National Constituency, the Commissions for Overseeing the Election of Metropolis and Prefectures or of cities, towns and villages (including similar public bodies; the same shall hold good throughout the Law) respectively.

Article 5. The Election Management Commission shall be composed of nine commissioners.

The Commissioners shall be deemed as the persons engaged in public service under law and order.

Article 6. The Commissioners of the National Election Management Commission shall be appointed by the Prime Minister upon the designation of the Diet by a resolution thereof.

Those who have been recommended by various parties or groups on the basis of their actual strength computed from the ratio of the number of the Members of the Diet belonging to the same group or party shall be designated as the Commissioners.

Minor parties or groups may, when necessary, combine with others for the purpose of making recommendation stipulated in the preceding paragraph.

The Diet shall, when it designates the Commissioners, take measures so that those who have been recommended jointly by the minor parties or groups shall also be designated in accordance with the provisions of the preceding two paragraphs.

Article 7. When the Diet designates the Commissioners under paragraph 2 of the preceding Article, it shall, at the same time, designate the reserve Commissioners of the same number as the Commissioners.

The reserve Commissioners shall perform the duties of the Commissioners, in case permanent vacancies have occurred in the seats of the latters.

The preceding Article and Articles 8 to 12 inclusive shall be applied mutatis mutandis to the reserve Commissioners.

Article 8. The term of office of the Commissioners of the National Election Management Commission shall be 3 years, provided, however, that in the case of the absence of the Commissioners during their term of office the term of office of the Commissioner who has filled the vacancy, shall be the remaining period of his or her predecessor.

The Commissioners may be re-appointed, provided, however, that they may not hold office for more than 9 years, consecutively. In spite of the provisions in the above two items, in case the term of office of the Commissioners shall have expired during the period of adjournment of the Diet or while the House of Representatives stands dissolved, they shall still remain in office until the Commissioners are newly designated at the first session of the Diet convened thereafter, and appointed by the Prime Minister.

Article 9. The Commissioners of the National Election Management Commission shall not concurrently be the members of the Diet or members of the Assemblies or heads of local public entities.

Article 10. Any person who comes under any of the following Items shall not be qualified to be a Commissioner of the National Election Management Commission.

1. Person under disability or quasi-disability.

2. Any person who has committed any of the offenses and is sentenced to punishment in relation to elections under the Election Law for Members of the House of Representatives and the Election Law for Members of the House of Councillors, Elections or voting held under the Local Autonomy Law, or examinations under the Law for People's Examination of the Supreme Court Judges.

3. Any person, who has, apart from the preceding item, been sentenced to imprisonment or heavier punishment, and has not served out his sentence, or until he is exempted from its execution.

4. Any person who has been dismissed on account of his misconduct during his tenure of office as the Commissioner of the National Election Management Commission.

Article 11. The Prime Minister shall dismiss a Commissioner of the National Election Management Commission, in case the latter comes under any of the following Items, provided, however, that, in case of Items 1 and 2, he shall previously obtain an approval of the National Diet.

1. In case a Commissioner is prevented from performing his duties on account of mental and physical weakness.

2. In case a Commissioner has acted in violation of his official duty or has committed other misconducts derogatory to the post of a Commissioner.

3. When the dismissal of a Commissioner has been recommended by a resolution of the Diet.

In case the approval of the Diet as provided for by the proviso to the preceding paragraph shall not be obtainable on account of its adjournment or the dissolution of the House of Representatives, an ex post facto approval of it shall be obtained.

Article 12. The Commissioner of the National Election Management Commission shall ipso facto retire under any of the circumstances enumerated hereunder:

1. When he contravenes the provision of Article 9.

2. When his removal is decided under the procedure of public impeachment prescribed by Law.

3. Where he has been a Commissioner of the National Election Management Commission consecutively for 9 years.

4. When a Commissioner's application for retirement, to which consent has been given by the Commission, is approved by the Prime Minister.

Article 13. The Chairman of the National Election Management Commission shall be appointed by the Prime Minister in accordance with the result of the mutual election of its members.

The Chairman of the Commission shall supervise the business of the Commission, represent it and direct and supervise its staff.

The Commission shall nominate, before the fact, a person who shall assume the duty of the Chairman in his absence.

The meetings of the Commission shall be convened by its Chairman. The Chairman shall convene a meeting of the Commission if and when such is requested by not less than 3 of its members.

Article 14. The meeting of National Election Management Commission shall not be opened unless one-half or more of its members are present. The business of the Commission is decided by the majority of the members attending its meeting. In case of a tie, the Chairman shall decide.

Article 15. The Chairman of the National Election Management Commission shall receive a remuneration similar, in amount, to the salary paid to a State Minister, and other members of the Commission shall receive remunerations not less, in amount, than the highest salaries usually paid to general Government officials.

Article 16. A secretariat shall be attached to the Commission to conduct the business pertaining to its meetings.

The Director and other staff shall be appointed for such secretariat by Cabinet order.

The staff mentioned in the preceding paragraph shall be Government officials.

The Director and second-grade officials shall be appointed or removed by the Prime Minister at the instance of the Commission, and the appointment or removal of third and lower grade officials shall be executed by the Chairman of the Commission at his own discretion.

Article 17. The National Election Management Commission may demand the Government organs concerned for such reports or data as are considered necessary for the execution of its business.

Article 18. The National Election Management Commission may make necessary rules, regulations and decide other matters relating to the execution of its functions, besides those provided for by this law.

Any rules and regulations made under the preceding paragraph, which require public notification shall be published in the Official Gazette.

Supplementary

Article 19. The present Law shall come into force as from December 10, 1947: provided, however, until the National Election Management Commission shall completely take over the business prescribed in Article 3 in accordance with the provisions of Article 21, the Home Ministry shall manage such business as heretofore.

The National Election Management Commission may review the business managed by the Home Ministry in accordance with the provisions of the proviso of the preceding Paragraph.

Article 20. The process of the designation of the Commissioners and the reserve Commissioners of the National Election Management Commission provided for by Article 6, Paragraph 2 and Article 7, Paragraph 3 may be taken prior to the date prescribed in the preceding Article.

In the case of the preceding paragraph, the number of the Diet Members of each political party or group existing on the day of promulgation of this law, shall be taken as the standard.

Article 21. The business prescribed in Article 3, which now belongs to the Home Ministry, shall be immediately transferred to the National Election Management Commission upon request of the latter. However, the transfer of the business shall not be later than December 31, 1947.

Article 22. The law for the Election of Members of the House of Representatives shall be partly amended as follows:

The words "the Minister for Home Affairs" mentioned Art. 76, 2 of Art. 79, Art. 86, Para. 1 of Art. 106, Art. 107, Para. 1 of Art. 108, Art. 143 and Para. 3 of Art. 144-2 shall be altered to "the National Election Management Commission." The words "the Minister for Home Affairs" mentioned in Article 100 and Article 100-2 shall be altered to "the Prime Minister."

Article 23. The Law for the Election of Members of the House of Councillors shall be partly amended as follows:

The words "be placed under the jurisdiction of the Minister for Home Affairs and" appearing in Paragraph 2 of Article 13 shall be deleted.

The words "the Members" appearing in Article 14, Paragraph 1, shall be altered as "persons other than Members of the Diet, who have the eligibility for a Member of the House of Councillors."

The words "the Minister for Home Affairs" appearing in Art. 63, Para. 2 of Art. 71, Proviso of Art. 75, Para. 2 of Art. 80, Art. 81 and Para. 1 of Art. 82 shall be altered to "the National Election Management Commission."

The words "the Minister for Home Affairs" appearing in Article 83 shall be altered to "the Prime Minister."

Article 24. The Law for People's Examination of the Supreme Court Judges shall be partly amended as follows:

In Paragraph 2 of Article 33, the words "and the National Election Management Commission" shall be added after the words "the Prime Minister."

In Article 40, the words "the National Election Management Commission" shall be added after the words "the Prime Minister."

Article 25. The Law for Exceptions concerning Writings, Drawings, and others for Election Campaigns shall be amended as follows:

"and 1948" shall be added after the words "1947" in Article 1.

The words "the Minister for Home Affairs" appearing in Article 13 shall be altered to"the National Election Management Commission."

"1947" in Paragraph 2 of the Supplementary Rule shall be altered to "1948".

Article 26. The Diet Law shall be partly amended as follows:

The words "the Minister for Home Affairs" appearing in Article 11 shall be altered to"the National Election Management Commission."

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LAW NO. 155

The Local Finance Committee Law

Article 1. The Local Finance Committee shall be established provisionally under the jurisdiction of the Prime Minister consequent on the abolition of the Ministry for Home Affairs to foster the autonomy of local finance.

Article 2. The Local Finance Committee shall prepare a comprehensive program for the effectuation of local financial autonomy consistent with the national public interest and local control over local responsibilities. Such plan shall include provisions for (1) assessment and collection of taxes, (2) incurring of local indebtedness and bond issues, (3) budget, appropriation and audit procedures, (4) equitable allocation of national funds for local purposes under local administration, and (5) the financial reports to be made by local public bodies to the national government.

Article 3. The Local Finance Committee shall have the power to subpoena witnesses and order the production of records to the agencies concerned for the purposes set forward in the preceding Article.

Article 4. The Local Finance Committee shall consist of the following persons appointed by the Prime Minister:

1. A Minister of State without portfolio;
2. A representative from the Diet nominated by the Speaker of the House of Representatives and President of House of Councillors;

3. A representative from among the governors of prefectures;

4. A representative from among the mayors of cities;

5. A representative from among the mayors of towns and villages.

Article 5. The office of the chairman of the Local Finance Committee shall be filled by the member who is a Minister of State.

The chairman shall coordinate the affairs of the Committee, represent it and direct and superintend the officials attached.

If there is a disability on the part of the chairman, the member designated by the chairman shall execute his function.

Article 6. The Committee shall decide the affairs of the Committee upon obtaining the consent of three or more members.

Article 7. The members of the Local Finance Committee (excluding the member who is the Minister of State) shall be paid remunerations of which amount is prescribed by the Prime Minister.

The provision of Article 7 of Law No. 80, 1947 shall apply mutatis mutandis to the remunerations to be received by a member of the Diet who is to be concurrently a member of Local Finance Committee.

Article 8. An office shall be attached to the Committee in order to assist the affairs prescribed in laws.

The office shall have necessary officials according to Cabinet Order, provided, however, that all the number of first and second-class officials shall not exceed twelve.

Supplementary Provisions:

This Law shall be enforced as from thirty days after the date of promulgation.

Bills which are necessary in accordance with the plan required to be formulated by Article 2 hereof shall be submitted to the Diet within ninety days after the date of promulgation.

The Local Finance Committee shall, after the submission of the plan required by Article 2, continue to be effective one year from the date of promulgation of this law for the purpose of carrying out research necessary for the execution of such plan. The provisions of Article 3 shall apply mutatis mutandis to the matter relative to research in such case.

The Local Finance Committee may give recommendations to the agencies concerned on the basis of the results of research provided for in the preceding paragraph.

The affairs of the Local Finance Committee may be disposed of by such members as appointed successively until all the first members of the Commission have been appointed.

The Prime Minister shall, with the assistance of the Local Finance Committee, provisionally take over the authority which the Home Minister has exercised heretofore over local finance under the stipulation of the Local Tax Law, the Local Apportionment Tax Law and other various laws and orders, during the interim period from the time of the dissolution of the Home Ministry to that of the enforcement of the law that shall be promulgated for effectuation of the plan.

Minister for Home Affairs
KIMURA Kozaemon

Prime Minister
KATAYAMA, Tetsu

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I hereby promulgate the Law concerning the partial amend-
ment to the Local Tax Law.

Signed: HIROHITO, Seal of the Emperor

This seventh day of the twelfth month of the twenty-second year of Showa (December 7, 1947)

Prime Minister

KATAYAMA Tetsu

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LAW RELATING TO THE AUTHORITY OF THE ATTORNEY GENERAL IN STATE INTEREST CASES

(Law No. 194, December 17, 1947)

Article 1. In the judicial procedure in which the State is a party or participator, the Attorney-General shall represent the State.

Article 2. The Attorney-General may nominate a functionary from among his subordinates to take charge of the judicial procedure provided for in the preceding Article.

When the Attorney-General considers it necessary in connection with the judicial procedure provided for in the preceding Article, about the matters under the charge or supervision of an administrative office, he may, after hearing the opinion of the said administrative office, nominate an official of that Office to take charge of the said judicial procedure. In this case, the nominee shall be under the direction of the Attorney-General so far as the said judicial procedure is concerned.

Article 3. Notwithstanding the provisions of the preceding Article, the Attorney-General may appoint a lawyer as his judicial attorney to take charge of the judicial procedure provided for in Article 1.

Article 4. In a judicial procedure in which the interests of the State and public welfare are deeply involved the Attorney-General may, with permission of the Court, express his opinion to the Court or nominate a functionary from among his subordinates and have him express his opinion.

Article 5. An Administrative Office may nominate a functionary from among his subordinates to take charge of the judicial procedure in which it is a party or participator.

Notwithstanding the provisions of the preceding paragraph, an Administrative Office may appoint a lawyer to take charge of the judicial procedure provided for in the provisions of the preceding paragraph.

Article 6. In the judicial procedure provided for in paragraph 1 of the preceding Article, the Administrative Office shall be under the direction of the Attorney-General.

When the Attorney-General considers it necessary in connection with the judicial procedure provided for in paragraph 1 of the preceding Article he may nominate a functionary from among his subordinates to take charge of the said judicial procedure or dismiss a person who has been nominated or chosen by an Administrative Office in accordance with the provisions of paragraph 1 or 2 of the preceding Article.

The provisions of the preceding two paragraphs shall not apply in regard to a suit concerning a decision (shinketsu) of the Fair Trade Commission.

Article 7. The nominee nominated by the Attorney-General or the Administrative Office in accordance with the provisions of Article 2, paragraph 1 of Article 5 or paragraph 2 of the preceding Article, is authorized to do all the judicial acts other than the appointment of the counsel in regard to the said judicial procedure.

Article 8. The provisions of Article 1 to the preceding Article inclusive shall be applicable mutatis mutandis [redacted] to arbitration or non-judicial cases.

Supplementary Provisions:

This Law shall be enforced on and from the date of the enforcement of the Law Establishingthe Attorney-General's Office.

A functionary belonging to an Administrative Office, who represents the State in regard to the judicial procedure provided for in Article 1 or 8 which is pending at the time of the enforcement of this Law, shall be considered as nominated, so far as the said judicial procedure is concerned by the Attorney-General in accordance with the provisions of paragraph 2 of Article 2 (including the cases wherein these provisions are made applicable mutatis mutandis in Article 8).

The Postal Savings Law shall be partly amended as follows:

Article 5 (Deleted)

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LAW FOR ESTABLISHMENT OF THE ATTORNEY-GENERAL'S OFFICE

(Law No. 193, December 17, 1947)

Article 1. There shall be, in the Cabinet, the Attorney-General to preside over the legal affairs of the government.

The Attorney-General shall, as the supreme adviser of the Government on legal questions, give his opinion or advise to the Cabinet, the Prime Minister and the Minister of each Executive Ministry.

The Attorney-General shall administer matters concerning criminal investigation and prosecution and concerning the public procurator's offices, matters concerning examining and drafting of bills to be presented by the Cabinet and of Cabinet Orders, examining of the drafts of treaties research of laws and legal matters, domestic, foreign and International litigations concerned with the interests of the State, ammesty, extradition, nationality, family registration, registration of aliens, other registrations, deposit, civil liberties, prison affairs and rehabilitation, matters concerning other legal affairs, matters concerning prohibition, etc., from formation of political parties, associations and other bodies, made in accordance with the provisions of the Imperial Ordinance No. 101 of the twenty-first year of Showa (1946), matters concerning investigation, etc. of those who were formerly regular officers of the Army and the Navy or retired officers who had specially volunteered for the Army and the Navy made in accordance with the request of the Supreme Commander for the Allied Powers, and matters concerning the investigation of activity, etc. of persons who have been designated as falling under the provisions of the Memorandum, in accordance with the provisions of the Imperial Ordinance No. 1 of the twenty-second year of Showa (1947).

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Article 2. The Attorney-General shall be appointed by the Prime Minister from among those persons deemed especially qualified for the position and shall be a Minister of State.

The Attorney-General shall be deemed as the competent Minister mentioned in the Cabinet Law.

The provisions of Articles 4 to 7 inclusive of the Administrative Office Law shall apply with the necessary modifications to the Attorney-General.

However, "ministerial ordinance" in Article 6 of the said Law shall read "Attorney-General's Office Ordinance."

Article 3. Under the Attorney-General, there shall be the Prosecution Assistant to the Attorney-General, the Legislative Assistant to the Attorney-General, the Research and Opinion Assistant to the Attorney-General, the Litigation Assistant to the Attorney-General and the Executive Assistant to the Attorney-General. Each Assistant to the Attorney-General shall supervise and direct this office and the Bureaus under him for the assistance to the Attorney-General.

In addition to each Assistant to the Attorney-General, there shall be a Secretary-General, who shall supervise and direct the business of the Attorney-General's Secretariat.

Article 4. The affairs to be administered by the Attorney-General shall be conducted in the Attorney-General's Office.

Article 5. In addition to the secretariat, there shall be, in the Attorney-General's Office, offices of each Assistant to the Attorney-General and bureaus, divided as below, under the supervision and direction of each Assistant to the Attorney-General;

Prosecution Assistant to the Attorney-General

Prosecution Bureau

Special Examining Bureau

Legislative Assistant to the Attorney-General

First Legislative Bureau

Second Legislative Bureau

Third Legislative Bureau

Research and Opinion Assistant to the Attorney-General

First Research and Opinion Bureau

Second Research and Opinion Bureau

Data and Statistics Bureau

Litigation Assistant to the Attorney-General

Civil Litigation Bureau

Tax Litigation Bureau

Administrative Litigation Bureau

Executive Assistant to the Attorney-General

Civil Affairs Bureau

Civil Liberties Bureau

Correction and Rehabilitation General Affairs Bureau

Adult Correction and Rehabilitation Bureau

Juvenile Correction and Rehabilitation Bureau

Each office of the Assistant to the Attorney-General shall administer matters concerning the supervision and direction of bureaus under it.

Article 6. The Prosecution Bureau shall be in charge of the following matters:

1. Matters concerning the business of criminal investigation and prosecution and concerning the Public Procurator's Office;

2. Matters concerning the amnesty;

3. Matters concerning extradition;

4. Matters concerning the scientific study of criminal investigation;

5. Matters concerning the culture and training of judicial police officers;

6. Matters which are concerned with the prevention of crime or other criminal affairs, but which do not fall under the jurisdiction of other bureaus;

The Special Examining Bureau shall be in charge of the following matters:

1. Matters concerning the prohibition from formation and the dissolution of organizations of any type, form or composition made in accordance with the provisions of the Imperial Ordinance No. 101 of the twenty-first year of Showa (1946) (exclusive of matters provided for in Article 10, paragraph 1, Item 10);

2. Matters concerning the investigation, etc. of those who were formerly regular officers of the Army and the Navy or retired officers who had specially volunteered for the Army and the Navy, made in accordance with the request of the Supreme Commander for the Allied Powers;

3. Matters concerning the investigation of activity, etc. of persons who have been designated as falling under the provisions of the Memorandum, in accordance with the provisions of the Imperial Ordinance No. 1 of the twenty-second year of Showa (1947).

Article 7. The First Legislative Bureau shall be in charge of the matters concerning examining and drafting of bills and Cabinet Orders relating chiefly to matters concerning foreign affairs, public finance or banking and relating to others which do not fall under the jurisdiction of the Second Legislative Bureau and the Third Legislative Bureau and those concerning examining of drafts of treaties.

The Second Legislative Bureau shall be in charge of the matters concerning examining and drafting of bills and Cabinet Orders relating chiefly to matters concerning industry, economy, traffics or communications.

The Third Legislative Bureau shall be in charge of the matters concerning examining and drafting of bills and Cabinet Orders relating chiefly to matters concerning legal affairs, culture, welfare or labour.

The Legislative Assistant to the Attorney-General may, if he deems especially necessary, temporarily change the jurisdiction of each bureau.

Article 8. The First Research and Opinion Bureau shall be in charge of the matters concerning study and research of judicial systems, civil and criminal law, domestic, foreign and international, and their operation.

The Second Research and Opinion Bureau shall be in charge of the matters concerning study and research of legal matters, domestic, foreign and international, and their operation, exclusive of matters belonging to the jurisdiction of the First Research and Opinion Bureau.

The Data and Statistics Bureau shall be in charge of the following matters:

1. Matters concerning collection, arrangement and compilation of data and materials relating to statutes, other laws and legal matters, domestic and foreign;

2. Matters concerning legal statistics;

3. Matters concerning publicity of laws and ordinances.

In addition to the matters enumerated in the preceding three paragraphs, the First Research and Opinion Bureau, the Second Research and Opinion Bureau and the Data and Statistics Bureau shall be in charge of the matters concerning the statement of opinions or the advice prescribed in Article 1, paragraph 2, in connection with the business over which they have jurisdiction respectively.

Article 9. The Civil Litigation Bureau shall administer the matters concerning civil litigation.

The Tax Litigation Bureau shall administer the matters relating to litigations which are concerned in taxes and customs.

The Administrative Litigation Bureau shall administer the matters concerning all administrative litigations exclusive of those falling under the jurisdiction of the Tax Litigation Bureau.

Article 10. The Civil Affairs Bureau shall administer the following affairs:

1. Matters concerning nationality;

2. Matters concerning family registration;

3. Matters concerning the registration of aliens;

4. Matters concerning the registration of land and others (Tōki);

5. Matters concerning deposits;

6. Matters concerning notarial acts;

7. Matters concerning judicial scriveners;

8. Matters concerning judicial affairs bureaus;

9. Matters concerning the registration of political parties made in accordance with the provisions of the Imperial Ordinance No. 101 of the twenty-first year of Showa (1946);

10. Matters concerning receipt and disposal of properties of political parties, societies and other organizations dissolved in accordance with the provisions of the Imperial Ordinance No. 101 of the twenty-first year of Showa (1946);

11. Any other matters concerning civil affairs which do not belong to other jurisdictions.

The Civil Liberties Bureau shall administer the following affairs:

1. Matters concerning the investigation of cases in violation of civil liberties and the collection of informations thereof;

2. Matters concerning the promotion of civil liberty movement;

3. Matters concerning habeas corpus;

4. Matters concerning legal aid to the poor;

5. Any other matters concerning civil liberties.

The Correction and Rehabilitation General Affairs Bureau shall administer the following matters:

1. Matters concerning planning of policies in respect to the prison affairs and the rehabilitation of offenders, and concerning adjustment of the business thereof;

2. Matters concerning prisons, houses of detention, juvenile protection offices, public reformatories and other public institutions for correction and rehabilitation of juveniles;

3. Matters concerning culture and training of the staff for

correction and rehabilitation;

4. Matters concerning the finger-prints of offenders;

5. Matters concerning the prison affairs and rehabilitation which do not belong to other jurisdictions.

The Adult Correction and Rehabilitation Bureau shall administer the following matters:

1. Matters concerning the execution of penalties and detention of adults;

2. Matters concerning the rehabilitation of adult offenders;

3. Matters concerning the rehabilitation work of adults.

The Juvenile Correction and Rehabilitation Bureau shall administer the following matters:

1. Matters concerning the execution of penalties and detention of juveniles;

2. Matters concerning the rehabilitation of juveniles placed under correction by the juvenile court;

3. Matters concerning the rehabilitation work for juveniles placed under correction by the juvenile court.

Article 11. The Secretariat shall be in charge of the following matters:

1. Matters concerning the custody of a copy of the genealogical table of the Imperial Household;

2. Matters concerning confidential affairs;

3. Matters concerning the keeping of seals of the Attorney-General and the office thereof;

4. Matters concerning general inspection of administration under the jurisdiction of the Attorney-General;

5. Matters concerning the receiving, sending, compilation and preservation of official documents;

6. Matters concerning the appointment, dismissal and other status of personnels;

7. Matters concerning lawyers and the bar associations;

8. Matters concerning the Research and Training Institute of the Attorney-General's Office;

9. Matters concerning estimate, settlement and account of expenses and revenues, and concerning audit of account;

10. Matters concerning properties and commodities of the Attorney-General's Office and its subordinate agencies;

11. Matters concerning the Liaison business.

Article 12. Matters which do not belong to any bureau as provided for in Article 5, paragraph 2 and Article 6 to the preceding Article inclusive shall be administered as fixed by the Attorney-General.

Article 13. In addition to matters prescribed by this law, necessary matters concerning special organs and personnel of the Attorney-General's Office shall be provided for by Cabinet Order. Necessary matters concerning the sections or units which are under each bureau, under each office of the Assistant to the Attorney-General and under the Secretariat, shall be fixed by the Attorney-General.

Supplementary Provisions:

Article 14. The present Law shall come into force on the day when

60 days have elapsed from the day of its promulgation.

Article 18. The Attorney-General shall have jurisdiction over private institutions for correction and rehabilitation, which have, hitherto, fallen under the jurisdiction of the Minister of Justice until 31 March 1948, but shall be required, from 1 April 1948, to obtain the advice of and exchange opinions with the Minister of Welfare regarding operation of such institutions, as shall be provided by Cabinet Order.

The Attorney-General shall continue to exercise the same jurisdiction over matters concerning rehabilitation of juveniles as has been exercised by the Minister of Justice until 31 March 1948. From 1 April 1948 jurisdiction over juveniles about whom there is apprehension of delinquency will be transferred to the Minister of Welfare, except over those who have been placed under correction by Juvenile Court.

The Attorney-General will examine the records of all inmates of the institutions mentioned in paragraph one of this Article and those juveniles about whom it has been ascertained that they have committed crimes or those who have been placed under correction by the Juvenile Courts will be removed to public reformatories or other public institutions for correction and rehabilitation by 31 March 1949, by which date there are to be no private institutions used for reformatories or for correction and rehabilitation.

Until removals mentioned in the preceding paragraph have been finished, the Attorney-General, in cooperation with the Minister of Welfare, will supervise strictly all private institutions for correction and rehabilitation and all private reformatories to insure maintenance of high standards of conduct and operation.

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POLICE LAW

(Law No. 196, December 8, 1947)

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The Police Law

In conformity with the Constitution of Japan which preserves the ideal of human liberty for the nation and with a view to furthering the principle of Local Autonomy, the National Diet for the purpose of maintaining order, strengthening the enforcement of statute, securing the maximum of human dignity through recognition of individual and communal responsibility, and establishing systems of democratic authority vested in the people to safeguard the rights and liberties of the individual, does enact the Police Law as follows:

Chapter I General Provisions

Article 1. The Police shall have charge of protecting lives, persons and properties of the people, detecting crimes, apprehending suspects and maintaining public safety.

Activities of the police shall be strictly limited to the extent mentioned in the preceding in any way such as to interfere with the civil liberties and rights of the individual, as guaranteed in the Constitution of Japan.

Article 2. The term "Administrative control" as used in the present Law shall comprehend all matters relating to the organization and budget of the police as well as to personnel affairs of its officials.

The term "Operational control" as used in the present Law shall comprehend the matters relating to the following affairs:

1. Maintenance of public order;
2. Protection of life and property;
3. Prevention and suppression of crimes;

4. Detection of crimes and apprehension of suspects;

5. Control of traffic;

6. Serving of warrants of arrest and of detention and other affairs ordered by the Court, Judge or Public Procurator and provided for by law.

The term "Crimes" as used in the present Law shall include violations of economic laws and ordinances, but shall not be limited thereto.

Article 3. The oath of office taken by all categories of personnel subject to this Law shall include the obligation to defend and uphold the Constitution and the laws of Japan.

Chapter II - National Rural Police

Section 1. National Public Safety Commission

Article 4. There shall be established under the jurisdiction of the Prime Minister a National Public Safety Commission and a National Rural Police Force not to exceed 30,000 of police personnel in strength, the expenses of which shall be borne by the National Government.

The National Public Safety Commission shall take charge of the following affairs:

1. Matters concerning the maintenance and control of the police communication system (except systems connecting the headquarters of the police of autonomous entities with lower organizations within their jurisdiction), provided that the police of autonomous entities shall have access to police communication systems for the purpose of communicating with other police of autonomous entities and with the National Rural Police;

2. Matters concerning the maintenance and control of criminal identification facilities;

3. Matters concerning the maintenance and control of police education and training facilities;

4. Other matters concerning the administrative control of the National Rural Police;

5. Matters concerning criminal identification and criminal statistics;

6. Matters concerning the preparation and execution of plans for integrating the police to cope with a state of national emergency;

7. Matters concerning the control of the Imperial Guard, and policing of those buildings and facilities occupied by the Diet, Cabinet Ministries (including the Prime Minister's Office and Attorney-General's Office) Board of Audit and the Supreme Court within the Metropolis upon request of the agencies concerned.

Article 5. The National Public Safety Commission shall be composed of five members.

Members of the Commission shall be appointed by the Prime Minister with the consent of both Houses of the Diet from among persons who have not been in the police service or who have not the career of public servants in the Government or public offices (except those who have been either elected or appointed through the public election or the election or resolution of one or both Houses of the Diet or of the Assemblies of local autonomous

entities subsequent to September 2, 1945).

If, in regard to the appointment of a member of the Commission, the House of Representatives consents, but the House of Councillors does not, the consent of the House of Representatives shall be the consent of the Diet in conformity with the instance mentioned in Article 67, Paragraph 2 of the Constitution of Japan.

A person falling under any of the following numbered items shall not be able to become a member of the Commission:

1. An incompetent or quasi-incompetent person, or a bankrupt who has not been rehabilitated;
2. A person who has been sentenced to imprisonment or a heavier punishment;
3. A person who, on and after the day of enforcement of the Constitution of Japan, has organized or joined a political party or any other organization advocating destruction by violence of the Constitution of Japan or the Government formed thereunder.

The appointment of members of the Commission shall not result in three or more of them belonging to the same political party.

Article 6. The provisions of Section 7 of Chapter III of the National Public Service Law shall apply mutatis mutandis to members of the Commission.

Members of the Commission shall not become officers of a political party or any other political organization.

Article 7. The term of office of members of the Commission shall be five years, provided that a member filling a vacancy shall remain in office

during the rest of the term of office of his predecessor.

Members of the Commission may be re-appointed.

Article 8. In case a member of the Commission has come to fall under any of the items of Article 5, Paragraph 4, he shall ipso facto be relieved of his office.

The Prime Minister may, in case he considers that a member of the Commission has been incapacitated from performing his duties on account of a mental or physical defect or that he has violated his official obligations or committed a misconduct ill befitting a member of the Commission, dismiss him with the consent of both Houses of the Diet.

The Prime Minister shall dismiss the following members of the Commission with the consent of both Houses of the Diet:

1. All except two of such members of the Commission as have simultaneously come to belong to the same political party to which none of the members have belonged;
2. All except one of such members of the Commission as have come to belong to a political party to which one of the members of the Commission has already belonged.

The provisions of Article 5, Paragraph 3, shall apply mutatis mutandis to the cases mentioned in the preceding two Paragraphs.

The Prime Minister shall immediately dismiss a member of the Commission who has come to belong to a political party to which two members of the Commission have already belonged.

Except in the cases mentioned in Paragraphs 2 and 3 and the preceding paragraph, no member of the Commission shall be dismissed against his will.

Article 9. Members of the Commission shall receive a salary similar to that of the Procurator-General.

Article 10. There shall be a chairman of the Commission who shall be selected and appointed through cooptation by its members. The term of office of the chairman shall be one year, provided that he may be re-appointed.

The chairman shall preside over the affairs of the National Public Safety Commission.

Section 2. Executive Office of the National Public Safety Commission

Article 11. There shall be established in the Public Safety Commission as its executive office a headquarters of the National Rural Police to deal with the affairs concerning the matters within the authority of the National Public Safety Commission.

Article 12. There shall be appointed a Director-General in the Headquarters of the National Rural Police.

The Director-General shall be appointed, and dismissed for cause, by the National Public Safety Commission in accordance with the provisions of the National Public Service Law.

Article 13. The Director-General shall be subject to the direction and supervision of the National Public Safety Commission and control the affairs of the Headquarters of the National Rural Police.

Article 14. In the Headquarters of the National Rural Police, there shall be no more than five divisions, comprising in them General Affairs Division, Police Affairs Division and Criminal Investigation Division.

There shall be attached to the Headquarters of the National Rural Police a Police College.

The Police College shall train the pre-service and in-service police personnel of the National Rural Police and also, upon request of the police of autonomous entities, may train such personnel thereof.

Article 15. In the Headquarters of the National Rural Police, there shall be an Assistant-Director, not more than five Chiefs of Divisions and police personnel, other necessary subordinate personnel and subordinate organs as provided for by the National Public Safety Commission.

The personnel mentioned in the preceding paragraph shall be appointed, and dismissed for cause, by the Director-General of the Headquarters of the National Rural Police in accordance with the provisions of the National Public Service Law.

Article 16. The whole country shall be divided into six Police Regions and there shall be established in each Police Region a Headquarters of the Police Region as a local office of the National Rural Police to take charge of the assigned affairs of the Headquarters of the National Rural Police.

The area and name of each Police Region and the location and name of the Headquarters of each Police Region shall be in accordance with the appended list.

Article 17. In the Headquarters of each Police Region, there shall be a Director, Police personnel and other necessary personnel and organs as provided for by the National Public Safety Commission.

The organization shall follow the pattern as established for the National Rural Police Headquarters.

The personnel provided for in the preceding paragraph shall be appointed, and dismissed for cause, by the Director-General of the Headquarters of the National Rural Police in accordance with the provisions of the National Public Service Law.

Article 18. The Directors of the Headquarters of Police Regions shall be subject of the direction and supervision of the Director-General of the Headquarters of the National Rural Police, deal with the affairs of the Headquarters of Police Regions and administratively coordinate and promote the uniformity of the National Rural Police of To, Do and Prefectures under their jurisdiction.

The Directors of the Headquarters of Police Regions and Public Safety Commissions of To, Do and Prefectures shall maintain close liaison and adequately cooperate with each other in regard to police matters.

Article 19. There shall be attached to the Headquarters of each National Rural Police Region a Regional Police School.

The Regional Police School shall train the pre-service and in-service police personnel of the National Rural Police and also, upon request of the police of autonomous entities, may train such personnel thereof.

The Regional Police Schools and the Police College shall be maintained and operated by the National Rural Police.

Section 5. Public Safety Commission of To (Metropolis), Do (Hokkaido) and Prefectures

Article 20. There shall be established under the jurisdiction of the Governors of To, Do and Prefectures Public Safety Commissions of To, Do and Prefectures.

The Public Safety Commissions of To, Do and Prefectures shall exercise operational control over the National Rural Police of To, Do and Prefecture.

Article 21. The Public Safety Commissions of To, Do and Prefectures shall each be composed of three members.

Members of the Commission shall be appointed by the Metropolitan, Hokkaido or Prefectural Governor with the consent of the Metropolitan, Hokkaido or Prefectural Assembly from among persons the respective Metropolitan, Hokkaido or Prefectural Assembly and who have not been in the police service or have not the career of public servants in the Government or public office (except those who have been either elected or appointed through the public election or the election or resolution of one or both Houses of the Diet or of the Assemblies of local autonomous entities subsequent to September 2, 1945).

A person falling under any of the following items shall not become a member of the Commission:

1. A bankrupt who has not been rehabilitated;
2. A person whose sentence of imprisonment or a heavier punishment has been executed;
3. A person who, on and after the date of enforcement of the Constitution of Japan, has organized or joined a political party or any other organization advocating destruction by violence of the Constitution of Japan or the Government formed thereunder.

The appointment of members of the Commission shall not result in two or more of them belonging to the same political party.

Article 22. Members of the Commission shall not be able to become concurrently members of the Assemblies or salaried personnel of the Metropolis, Hokkaido, Prefectures, Special Wards, cities, towns or villages, or officers of a political party or any other political organization.

In addition to the preceding paragraph, matters concerning the performance of duties of members of the Commission shall be fixed by Metropolitan, Hokkaido or Prefectural Regulations in line with the provisions of Section 7 of Chapter III of the National Public Servants Law. However, the restrictions provided for in Articles 103 and 104 of the same law shall not apply except in case the Governors of To, Do and Prefectures consider that a member of the Commission has been incapacitated from his service; and with regard to the service of members of the Commission it shall be fixed by the Public Safety Commission of To, Do and Prefectures.

Article 23. The term of office of members of the Commission shall be three years, provided that a member filling vacancy shall remain in office during the rest of the term of office of his predecessor.

Members of the Commission may be re-appointed.

Article 24. In case a member of the Commission falls under any of the following items, he shallipso facto be relieved of his office:

1. In case he has come to fall under any of the Items of Article 21, Paragraph 3;
2. In case he has ceased to have the right to be elected as a member of the respective Metropolitan, Hokkaido or Prefectural Assembly.

The provisions of Articles 86, 87 and Article 88, Paragraph 2 of the

Local Autonomy Law shall apply mutatis mutandis to the request of dismissal of a member of the Commission provided that "more than one third of the total number of persons" used in Article 86, Paragraph 1 of the same law shall read "more than one third of the total number of persons who have the right to vote within the jurisdiction of respective National Rural Police of To, Do and Prefectures."

The Governors of To, Do and Prefectures may, in case they consider that a member of the Commission has been incapacitated from performing his duties on account of a mental or physical defect or that he has violated his official obligations or committed a misconduct ill befitting a member of the Commission, dismiss him with the consent of the Assemblies of To, Do and Prefectures.

In case two or more members of the Commission have come to belong to the same political party, such members except one of them shall be dismissed by the Governors of To, Do and Prefectures with the consent of the Assemblies of To, Do and Prefectures, provided that the Governors of To, Do and Prefectures shall immediately dismiss the members of the Commission who have come to belong to a political party to which one of the members of the Commission has already belonged.

Except in the cases mentioned in the preceding two Paragraphs, no member of the Commission shall be dismissed against his will.

Article 25. To, Do and Prefectures shall provide members of the Commission with remuneration and compensation for such expenses as they may require for performing their duties.

In regard to the remuneration and compensation of expenses mentioned in the preceding Paragraph, the provisions of Article 203, Paragraph 3 and Article 206 of the Local Autonomy Law shall apply.

Article 26. There shall be a chairman in each of the Public Safety Commissions of To, Do and Prefectures who shall be selected through acceptation by the members. The term of office of the chairman shall be one year, provided that he may be re-appointed.

The chairman shall preside over the affairs of the Public Safety Commission of the respective To, Do and Prefectures.

Section 4. National Rural Police of To (Metropolis), Do (Hokkaido) and Prefectures

Article 27. The National Rural Police of To, Do and Prefectures shall, within the boundaries of the respective To, Do and Prefecture (except the areas under the jurisdiction of the police of autonomous entities), carry out those functions as listed in Article 2, Paragraph 2.

Article 28. There shall be established not more than one To or Prefecture headquarters of the National Rural Police within each To and Prefecture at the places where the Governments of To and Prefecture are situated. In Do (Hokkaido) there shall be established not more than 14 headquarters of the National Rural Police in the administrative sub-divisions, one of which shall be at the place where the Government of Do (Hokkaido) is situated.

The area under the jurisdiction of the National Rural Police of To, Do and Prefectures shall be divided into Police Districts, and there shall be established a police station for each Police District.

The area of each Police District and the location, name and jurisdiction of each police station shall be determined by the National Rural Police.

There shall be established police boxes or police sub-stations as lower organizations of police stations.

Article 29. There shall be established branches of the National Rural Police of To, Do and Prefectures at necessary places to have charge of liaison between the National Rural Police of To, Do and Prefectures and the police of autonomous entities and the maintenance and control of the police communication systems under the jurisdiction of the National Rural Police.

Article 30. The Chiefs of the Headquarters of the National Rural Police of To, Do and Prefectures (hereinafter to be called the Chiefs of Police of To, Do and Prefectures) shall be appointed, and dismissed for cause, by the Directors of the Headquarters of Police Regions with the consent of the Director-General of the Headquarters of the National Rural Police in accordance with the provisions of National Public Service Law.

Article 31. The Chiefs of Police of To, Do and Prefectures shall be subject to the operational control of the Public Safety Commissions of To, Do and Prefectures and subject to the administrative control of the Directors of Police Regions.

Article 32. The Chiefs of Police of To, Do and Prefectures shall control the police communication systems under the jurisdiction of the National Rural Police which are within the boundaries of the respective To, Do and Prefectures.

Article 33. There shall be established in the National Rural Police Headqumrters of To, Do and Prefectures necessary divisions and sections (including structures concerning criminal identification and criminal statistics).

Article 34. There may be attached to the National Rural Police of To, Do and Prefectures:

The Police Schools of To, Do and Prefectures shall train the pre-service and in-service police personnel of the National Rural Police and also, upon request of the police of autonomous entities, may train such personnel thereof.

Article 35. In the National Rural Police of To, Do and Prefectures, there shall be police personnel who are Superintendents, Inspectors, Assistant Inspectors, Sergeants and Policemen, and other necessary personnel, in addition to the Chief of Police.

Ranks of police personnel shall be Chief of Police, Superintendent, Inspector, Assistant Inspector, Sergeant and Policeman.

Police personnel shall take charge of police affairs subject to the direction and supervision of their superiors.

Article 36. The personnel mentioned in the preceding Article, Paragraph 1 shall be appointed, and dismissed for cause by the Chiefs of Police of To, Do and Prefecture in accordance with the provisions of the National Public Service Law, provided that no such personnel shall be placed on duty with the National Rural Police until he has undergone a course of basic police training.

Necessary matters concerning the oath, training and education, formality and uniform of police personnel shall be determined by the National Public Safety Commission.

Article 37. The chiefs of police stations shall be Superintendents or Inspectors.

The chiefs of police stations shall be subject to the direction and supervision of the Chiefs of Police of To, Do and Prefectures, execute police affairs within their jurisdiction and direct and supervise the personnel of police stations.

Article 38. The chiefs of police sub-stations shall be Inspectors or Assistant Inspectors.

The chiefs of police sub-stations shall be subject to the direction and supervision of the Chiefs of Police of To, Do and Prefectures, execute the affairs provided for in Article 29 and direct and supervise the personnel of police sub-stations.

Article 39. Detailed matters concerning the organs and officials of the National Rural Police of To, Do and Prefectures shall be fixed by the National Public Safety Commission.

Chapter III - Police of Autonomous Entities

Section 1. General Provisions

Article 40. Cities are urban communitites having five thousand population or over (hereinafter called cities, towns and villages) shall be responsible for the maintenance of police and enforcement of law and order within their boundaries.

The urban communities provided for in the preceding paragraph shall be given public notice by Cabinet Order in accordance with the population based on the latest census announced in the Official Gazette.

Article 41. The police of cities, towns and villages shall perform all functions in matters listed in Article 2, Paragraph 2.

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Article 42. Expenses necessary for the police of autonomous entities shall be borne by the respective cities, towns and villages.

Section 2. Public Safety Commissions of Cities, Towns and Villages

Article 43. There shall be established under the jurisdiction of the mayors of cities and headmen of towns and villages Public Safety Commissions of cities, towns and villages to control the police within the boundaries of the respective city, town and village.

Article 44. In regard to the organization and operation of the Public Safety Commissions of cities, towns and villages and the qualification, appointment, prohibition of the concurrent holding of other offices, performance of duties, term of office, retirement, dismissal, remuneration and compensation of expenses of members of such Commissions, the provisions of Articles 21 to 25 inclusive, Article 24, Paragraphs 1, 3 to 5 inclusive, Articles 25 and 26 shall apply mutatis mutandis, provided that in case a member of the Commission is to be dismissed in consequence of the request of dismissal in accordance with the provisions of the Local Autonomy Law, he shall lose his office irrespective of the provisions of Article 24, Paragraph 5. And "To, Do and Prefectures" as used in Articles 21 to 25, inclusive shall read "cities, towns and villages, " "Governors of To, Do and Prefectures" as used therein shall read "mayors of cities and headmen of towns and village" and "regulations of To, Do and Prefectures" as used therein shall read "regulations of cities, towns and villages."

Section 3. Police of Cities, Towns and Villages

Article 45. There shall be established one or more police stations in each city, town and village.

Where there are two or more police stations, there shall be established a Headquarters of the Police of cities, towns and villages.

The location, name and jurisdiction of each police station and the name and organization of the Headquarters of the Police of cities, towns and villages shall be determined by By-laws of cities, towns and villages after consulting with the Public Safety Commissions of cities, towns and villages.

Article 46. In the police of cities, towns and villages there shall be a Chief of Police and police personnel of the ranks necessary and consistent with efficient policing in accordance with the provisions of this Law.

The provisions of Article 35, Paragraphs 2 and 3 shall apply mutatis mutandis to the police personnel of cities, towns and villages referred to in the preceding paragraph.

The fixed number of police personnel of cities, towns and villages shall be determined by the local entities under By-laws in accordance with local requirements, and shall not exceed 95,000, provided that until such time as local autonomy in financial matters has been established, the fixed number of police personnel of cities, towns and villages shall be in accordance with the standards fixed by Cabinet Order. Such standards shall be fixed according to the population of cities, towns and villages and according to the ranks of police personnel necessary for efficient policing, administration of police and supervision of police. Such standards shall also specify the numbers and types of professional, technical, clerical and maintenance

employees necessary for efficient policing in accordance with city, town and village population. Readjustment in the allocation of the total personnel strength of 95,000 shall be made only through legislation enacted by the Diet after such time as local autonomy in financial matters has been established.

Article 47. The Chiefs of Police of cities, towns and villages shall be appointed, and dismissed for cause, by the Public Safety Commissions of cities, towns and villages in accordance with By-law.

Article 48. The Chiefs of Police of cities, towns and villages, in accordance with the standards fixed by the Public Safety Commission, shall appoint, and dismiss for cause, the police personnel of the respective city, town and village. They shall also direct and supervise such personnel.

Article 49. The chiefs of police stations shall be police personnel not lower than Assistant Inspectors. However, the Chiefs of Police of cities, towns and villages may hold such offices concurrently.

The chiefs of police stations shall be subject to the direction and supervision of their superiors, execute police affairs within their jurisdiction and direct and supervise the personnel subordinate to them.

Article 50. The appointment and dismissal, allowance, performance of duties and other matters of police personnel shall be fixed by By-laws of cities, towns and villages in line with the spirit of the National Public Service Law, provided that such persons as have not undergone a course of basic police training shall not be placed on duty with the police of cities, towns and villages except as temporary personnel thereof.

Necessary matters concerning the oath, education and training, formality and uniform of municipal police personnel shall be fixed by municipal regu-

lations in line with the regulations to be determined by the National Public Safety Commission as provided for in Article 86, Paragraph 2, provided that the uniform shall be easily distinguishable from that of the National Rural Police.

Section 4. Special Provisions concerning Special Wards

Article 81. In areas where special wards exist, the Wards shall be collectively responsible for police within the areas of such wards.

Article 82. For such special wards there shall be established one Special Ward Public Safety Commission corresponding to Public Safety Commission of cities, towns and villages, under the jurisdiction of the Governor of To, and members thereof shall be selected and appointed by the Governor of To with the consent of the Metropolitan Assembly.

Article 83. Except the matters provided for in the preceding two Articles, areas where special wards exist shall be considered as a city so far as the Municipal Police in such areas is concerned, and the provisions concerning the Municipal Police shall apply mutatis mutandis.

Chapter IV. Relationship Between the National Rural Police and the Police of Autonomous Entities, and Relationship Among the Police of Autonomous Entities

Article 84. There shall exist neither administrative nor operational control by the National Rural Police over the police of cities, towns and villages. These police shall be obligated to cooperate with each other.

Article 85. The police personnel of the National Rural Police may,

at the request of the Public Safety Commissions of cities, towns and villages for assistance, exercise their authority in the area of the respective city, town and village under the operational control of the Public Safety Commission of the city, town or village which made the request for assistance.

Article 56. The Chiefs of Police of To, Do and Prefectures shall maintain close liaison with the Chiefs of Police of cities, towns and villages within To, Do and Prefectures.

Chapter V. Exercise of Authority Outside of Jurisdiction

Article 57. The National Rural Police and the Police of cities, towns and villages shall, in regard to a crime committed in an area within five hundred meters outside of the boundaries of the jurisdiction of the respective National Rural Police of To, Do and Prefectures or the Police of cities, towns and villages, exercise their authority also in that area.

Article 58. The National Rural Police and the Police of cities, towns and villages may, with regard to specific individual cases of criminal operations which have been conducted within the area under their jurisdiction (including here and hereinafter in this Article any area within five hundred meters outside of the boundaries of their jurisdiction) or originated in, or extended their authority beyond the boundaries of their jurisdictions for the suppression and detection of such operations and apprehension of suspects.

Article 59. In those cases where the National Rural Police maintains facilities within the autonomous entities and in those cases where the autonomous entities maintain facilities within areas outside their boundaries, the National Rural Police and Police of such autonomous entities respectively shall exercise police power and jurisdiction over such facilities.

Chapter VI. Criminal Statistics and Criminal Identification

Article 60. The Chiefs of Police of cities, towns and villages shall on forms and in the manner provided for by the National Public Safety Commission make reports of criminal statistics and of criminal identification consisting of evidence, photographs, finger-prints, physical description and criminal characteristics of suspects and arrested individuals to the Director-General of the Headquarters of the National Rural Police, through the Chiefs of Police of To, Do and Prefectures.

Article 61. There shall be established facilities for criminal identification in the Headquarters of the National Rural Police, and the Headquarters of the National Rural Police of To, Do and Prefectures.

Chapter VII. Special Measures in a State of National Emergency

Article 62. If deemed especially necessary for the maintenance of peace and order in a state of national emergency the Prime Minister may, upon the recommendation of the National Public Safety Commission, issue a proclamation of a state of national emergency in respect of the country as a whole or any part of it.

The proclamation mentioned in the preceding paragraph shall set forthe the area, outline of the situation and date of the effectivation of the proclamation.

Article 63. When the proclamation mentioned in the preceding Article has been issued, control over the whole police shall be temporarily assumed by the Prime Minister in accordance with the provisions of the present Law. In this case the Director-General of the Headquarters of the National Rural

Police or the Director of the Headquarters of the Police Region shall give necessary order to, or direct, the Chiefs of Police of To, Do and Prefectures or the Chiefs of Police of cities, towns and villages within the area set forth in the proclamation.

Article 64. The Prime Minister may order the National Rural Police or the Police of cities, towns and villages outside of the area set forth in the proclamation to dispatch to necessary areas the whole or a part of police personnel for assistance.

The police personnel dispatched in accordance with the provisions of the preceding paragraph may perform their duties also in the area to which they have been dispatched during the period of their mission there.

Article 65. The proclamation of a state of national emergency by the Prime Minister according to Article 82 must be ratified by the Diet within twenty days of the date of the proclamation. If the House of Representatives is dissolved, such ratification shall be obtained from the House of Councillors convoked in emergency session provided for in Article 54 of the Constitution of Japan.

If no ratification of the proclamation of a state of national emergency has been made according to the provisions of the preceding paragraph within the period mentioned therein or if the ratification has been rejected, the proclamation of a state of national emergency shall lose its effect for the future.

Article 66. The Prime Minister shall, in case he has proclaimed a state of national emergency, promptly proclaim the rescission of the former proclamation when he deems that its necessity has ceased to exist. He must do so if the Diet so directs.

In regard to the proclamation of the rescission mentioned in the preceding paragraph and other duties of the Prime Minister provided for in the

present law, the National Public Safety Commission shall always give necessary advice to the Prime Minister.

Chapter VIII. Miscellaneous Provisions

Article 67. The relationship between the Public Safety Commissions of cities, towns and villages and police personnel on the one hand and the Public Procurators on the other shall be otherwise determined by Law.

The National Public Safety Commission shall constantly maintain close liaison with the Procurator-General.

Article 68. In case an alteration has taken place in the area which shall be under the jurisdiction of the National Rural Police of To, Do and Prefectures and the area which shall be under the jurisdiction of the Police of cities, towns and villages, or in case an area which shall be under the jurisdiction of the Police of one city, town or village, or two or more cities, towns and villages has been divided into areas which shall be under the jurisdiction of the Police of two or more cities, towns and villages or has become an area which shall be under the jurisdiction of the Police of one city, town or village, measures consequent upon the alteration of jurisdiction shall be completed not later than fifty days from the day the alteration has become necessary.

Until the measures mentioned in the preceding paragraph have been completed, the former police jurisdiction shall prevail in the area concerned. In the case of the latter part of the preceding paragraph, duties of the former mayor of a city or headman of a town or village shall be performed by mayors of cities and headmen of towns and villages of two or moreareas through mutual consultation or by the mayor of a city or the headman of a town or

village.

Supplementary Provisions

Article 1. The date of enforcement of the present Law shall be fixed by Cabinet Order in respect of each provision within a period not exceeding ninety days of the day of its enactment.

Article 2. The term of office of the members of the National Public Safety Commission to be appointed for the first time after the enforcement of the present Law shall be one year for one of the five members, two years for one member, three years for one member, four years for one member, and five years for one member.

The term of office for each member provided for in the preceding paragraph shall be determined by the Commission by lot.

Article 3. The term of office of the members of the Public Safety Commissions of To, Do and Prefectures and the Public Safety Commissions of cities, towns and villages to be appointed for the first time after the enforcement of the present Law shall be one year for one of the three members, two years for another and three years for another.

The term of office for each member provided for in the preceding paragraph shall be determined by the respective Commission by lot.

Article 4. The National Public Service Law shall be considered as already in effect within the extent necessary for the application of the present law.

In case mentioned in the preceding paragraph, the authority of the National Personnel Commission shall, pending its establishment as provided

for in the National Public Service Law, be exercised by the Temporary National Personnel Commission in conformity with the instance mentioned in Article 2 of the Supplementary Provisions of that Law.

Article 5. During one year after the enforcement of the present Law, the personnel in charge of the National Rural Police or the police of autonomous entities may, in case there exists no list of candidates for appointment or in case there is especial necessity, be temporarily appointed from among the persons who have qualifications necessary for such officials of the central government or the local governments as are corresponding to the respective personnel in accordance with the existing laws and orders.

Article 6. The appointment and dismissal, allowances and performance of duties of the police personnel of the National Rural Police and other necessary matters concerning such personnel shall still conform for the time being to existing instances of the police personnel of the Metropolitan Police Board and Prefectures, pending the establishment of rules of the National Personnel Commission concerning police personnel or the determination by the National Public Safety Commission in accordance with the provisions of Article 36, Paragraph 2.

Article 7. In case an official of the National Government who is in the service of the Metropolitan Police Board or the Hokkaido or Prefectural Police Division at the time of the enforcement of the present Law has consecutively become a member of the personnel of the Municipal Police, he shall be considered as being in service with the same status as before, and the provisions of the Pension law shall apply to him mutatis mutandis for the time being. In case this member of the personnel of the Municipal

Police has become a member of the personnel of the National Rural Police, his tenure of office as a member of the personnel of the Municipal Police shall be added to the years of his service as a public servant.

In case an official of the Metropolis, Hokkaido or a Prefecture who is in the service of the Metropolitan Police Board or the Hokkaido or Prefectural Police Division has consecutively become a member of the personnel of the National Rural Police, his tenure of office as an official of the Metropolis, Hokkaido or Prefecture shall be added to the years of his service as a public servant so far as the application of the Pension Law is concerned.

Article 8. Expenses necessary for the Police of cities, towns and villages shall be borne by the National Treasury and the Metropolis, Hokkaido and prefectures as provided for by Cabinet Order until such time as local autonomy in financial matters has been established.

Expenses necessary for the National Rural Police shall be borne by the National Treasury and the Metropolis, Hokkaido and prefectures until the time mentioned in the preceding paragraph.

In regard to the appointment of police expenses to the National Treasury and to the Metropolis, Hokkaido and Prefectures, existing instances shall still be followed until the time mentioned in Paragraph 1.

Article 9. In case where municipalities newly assume responsibility for police on or after the enforcement of the present Law, State property and Metropolitan or Prefectural property or the goods owned by the State, Metropolis, Hokkaido or Prefectures which is or are actually being used for police and surplus to the needs of National Rural Police shall, if needed

by the Municipal Police, be transferred without compensation to the respective municipality; provided that, in case there is a debt pertaining to such property or goods, the disposition of them shall be determined by mutual consultation.

Article 10. Criminal identification facilities, police communication systems and police education and training facilities under the control of the Metropolitan Police Board or the Police Division of Do, and Prefectures at the time of the enforcement of the present Law shall be maintained and controlled by the National Rural Police except the Training Schools at Atago-cho, Minato-ku, Tokyo-to and in the Palace grounds of the present Metropolitan Police Board which shall be transferred to the municipal police of Special Wards of Tokyo-to.

Article 11. All Affairs Unions and Office Affairs Unions of towns and villages existing at the time of the enforcement of the present Law shall be considered as a town or a village so far as the application of the provisions of the present Law is concerned.

Article 12. "The respective administrative organ" as used in Articles 1 and 2 of the Administrative Enforcement Law shall mean "the chiefs of police stations as used in Articles 37 and 49," and "the respective administrative organ" as used in Articles 3 to 5 inclusive and "the administrative organs" as used in Article 6 of the above-mentioned Law shall include "the chiefs of police stations" as used in Articles 37 and 49.

Article 13. Municipalities shall assume responsibility for police within their boundaries in accordance with the provisions of Article 40, Paragraph 1, as from the day the Public Safety Commission has been formed

and necessary police personnel have been appointed in the respective municipality by the application of the provisions of the present Law concerning the Police of Autonomous Entities provided that the day shall not be later than ninety days after the enactment of the present Law.

Article 14. In cases where municipalities have come to assume responsibility for police within their boundaries in accordance with the provisions of the preceding Article, the Metropolitan Police Board or the Hokkaido or Prefectural Police Division shall perform its duties as the National Rural Police until the provisions of the present Law concerning the National Rural Police have taken effect.

Article 15. Part of the Local Autonomy Law shall be amended as follows:

In Article 13, Paragraph 2, "members of electoral administration committee or inspection commissioners" shall read "members of electoral administration committee, inspection commissioners or members of public safety commission of city, town or village."

In Article 21, Paragraph 2, "a police officer" shall read "a member of national police force," and "a member of public safety commission of an ordinary local public body and a member of municipal police force" shall be added next to "a revenue officer."

In Article 86, Paragraph 1, and Article 88, Paragraph 2, "electoral administration committee or inspection commissioner" shall read "electoral administration committee, inspection commissioners or members of public safety commission of city, town or village."

In Article 121, "an inspection commissioner" shall read "an inspection commissioner and member of public safety commission."

In Article 125, "or its inspection commissioners" shall read "its inspection commissioners or the public safety commission of the city, town or village concerned."

In Article 130, Paragraph 1, "a police officer" shall read "a police officer with competent jurisdiction."

In Article 158, Paragraph 1, "matters relating to police" and "Police Division" shall be deleted.

In Article 160, Paragraph 2, "a police officer" shall read "a police officer with competent jurisdiction."

In Article 173, Paragraph 1, "educational officials or police officials" shall read "educational officials," and the same Article, Paragraph 5 shall be deleted.

In Article 277, "Article 145" shall read "Article 121, Article 145."

The proviso of Article 1 of the Supplementary Provisions shall be deleted.

In Article 4 of the Supplementary Provisions, "(excluding the Metropolitan Police Board, same hereinafter)" shall be deleted.

Article 7 of the Supplementary Provisions shall be amended as follows:

Article 7 (deleted).

Article 16. Part of the Law concerning the Election of the Members of the House of Representatives shall be amended as follows:

In Article 9, "and a police officer" shall read "a member of national police force, a member of the public safety commission of the Metropolis, district, urban or rural prefecture, city, town or village and a member of municipal police force."

In Article 40 "a police officer" shall read "a police officer with competent jurisdiction."

In Article 41, "a police officer" shall read "a police officer with competent jurisdiction."

In Article 112, Paragraph 2, and Article 113, Paragraph 2, "a police officer" shall read "a member of the public safety commission of the Metropolis, district, urban or rural prefecture, city, town or village or a member of national police force or a member of municipal police force" and "the Metropolis, district, urban or rural prefecture concerned" shall read "the areas concerned."

In Article 121, Paragraph 2, "a police officer" shall read "a police officer with competent jurisdiction."

In Article 124, "a police officer" shall read "a police officer with competent jurisdiction."

Article 17. A part of the Law concerning the Election of the Members of the House of Councillors shall be amended as follows:

In Article 7, "and a police officer" shall read "a member of national police force, a member of the public safety commission of the Metropolis, district, urban or rural prefecture, city, town or village and a member of municipal police force."

Article 18. Part of the Law concerning People's Examination of Supreme Court Judges shall be amended as follows:

In Article 44, Paragraph 2, "a police officer" shall read "a member of the public safety commission of the Metropolis, urban or rural prefecture, city, town or village, a member of national police force, or a member of

municipal police force" and "the Metropolis, district, urban or rural prefecture concerned" shall read "the areas concerned."

Article 19. Provisions in other laws and ordinance relating to a police officer shall be deemed to refer to a police official with competent jurisdiction.

Appended List

List of the Area and Name of Each Police Region and the Location and Name of the Headquarters of Each Police Region:

Area of Police Region	Name of Police Region	Location of Headquarters of Police Region	Name of Headquarters of Police Region
Hokkaido	Sapporo Police Region	Sapporo City	Headquarters of the Sapporo Police Region
Miyagi-ken, Fukushima-ken, Iwate-ken, Aomori-ken, Yamagata-ken, Akita-ken	Sendai Police Region	Sendai City	Headquarters of the Sendai Police Region
Tokyo-to, Kanagawa-ken, Niigata-ken, Saitama-ken, Gumma-ken, Chiba-ken, Ibaragi-ken, Tochigi-ken, Shizuoka-ken, Yamanashi-ken, Nagano-ken	Tokyo Police Region	Tokyo Metropolis	Headquarters of the Tokyo Police Region
Osaka-fu, Kyoto-fu, Hyogo-ken, Nara-ken, Shiga-ken, Wakayama-ken, Aichi-ken, Mie-ken, Gifu-ken, Fukui-ken, Ishikawa-ken, Toyama-ken	Osaka Police Region	Osaka City	Headquarters of the Osaka Police Region
Hiroshima-ken, Tottori-ken, Shimane-ken, Okayama-ken, Yamaguchi-ken, Kagawa-ken, Ehime-ken, Tokushima-ken, Kochi-ken	Hiroshima Police Region	Hiroshima City	Headquarters of the Hiroshima Police Region
Fukuoka-ken, Saga-ken, Nagasaki-ken, Kumamoto-ken, Oita-ken, Miyazaki-ken, Kagoshima-ken	Fukuoka Police Region	Fukuoka City	Headquarters of the Fukuoka Police Region

Minister for Home Affairs
KIMURA Kosaemon

Prime Minister
KATAYAMA Tetsu

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LAW CONCERNING THE ADJUSTMENT OF THE LAWS RELATING TO THE CIVIL CODE (LAW NO. 223, DECEMBER 22, 1947)

Article 1. Prison Law shall be partially amended as follows:

In Article 56, "The members of a House" shall be deleted.

Article 2. The Reformatory Law shall partially be amended as follows:

In Article 1, "Article 882" shall read "Article 822".

Article 3. The Notary Law shall partially be amended as follows:

In Article 12, paragraph 1, item numbered 1, "the subject of the Japanese Empire" and "man of full age and upwards" shall respectively read "the Japanese national" and "adult".

In Article 22, item numbered 1, "the head or the members of a House" shall read "relatives".

In Article 34, paragraph 3, item numbered 6, "the head or the members of a House living together", shall be deleted.

Article 4. The law concerning the disposing of persons who got ill or died during their travels shall partially be amended as follows:

In Article 3, paragraph 1, "the members of a House" shall be deleted.

In Article 6, "Articles 955 and 956" shall read "Article 878".

In Article 10, paragraph 1, "the members of a House" shall read "relatives living together".

Article 5. The National Tax Collection Law shall partially be amended as follows:

The proviso of the first paragraph of Article 4-3 shall be deleted and in the second paragraph of the same Article, "successor by reason of the loss of nationality or" shall be deleted.

In Article 16, items numbered 1, 2 and 8, "the members of a House" shall read "relatives" and in item numbered 5 of the same Article, "the House of" shall be deleted.

In Article 21, "the members of a House" shall read "relatives living together".

Article 6. The National Eugenic Law shall partially be amended as follows:

In Article 4, "if he or she has not completed his or her thirtieth year or", "(if the father and mother are) unable to declare their intention-----, the consent or application of guardian -----", and "the consent or application (of the father and mother shall be replaced by) that of family council" shall respectively read "if he or she is a minor or a (feebleminded) person having no spouse", "if the father and mother are) unable to declare their intention-----, the consent of guardian -----, and "the consent (of the father and mother shall be replaced by) the permission of a court of domestic relations"; who are in his or her House", "(in case of a person who has entered the House of his or her spouse by reason of marriage, the father and mother of his or her spouse and hereinafter the same shall apply)", "(if the father and mother) have left the House", and "(the consent or application) of the

head of a House, and if the head of a House is unknown, a minor, or unable to declare his or her intention", shall be deleted; and the proviso of paragraph 4 of the same Article shall be deleted; and the following paragraph shall be added to the same Article:

In respect to the application of the provisions of the Law of Adjudgment of Domestic Matters, the permission mentioned in the preceding paragraph shall be deemed to be the subject matter which is mentioned in Article 9, paragraph 1, Group A of the same Law.

In Article 5, "(if the person concerned) has not completed his or her thirtieth year or" shall read "(if the person concerned) is a minor or a (feebleminded) person having no spouse", and "who are in his or her House" shall be deleted.

In Article 7, paragraph 2, "who are in his or her House" shall be deleted.

Article 7. The Industrial Association Law shall partially be amended as follows:

In Article 1, paragraph 3, "a person who is in the same House" shall read "a person living together".

Article 8. Regulations of Bailiffs shall partially be amended as follows:

In Articles 8 and 9, "wife" shall read "spouse".

Article 9. The Vaccination Law shall partially be amended as follows:

Article 20. A protector within the meaning of this Law is a person who exercises parental power over a minor or a guardian.

Article 10. The Juvenile Law shall partially be amended as follows:

In Article 55, " , The head of a House" shall be deleted.

Article 11. The Commercial Code shall partially be amended as follows:

In Article 5 and 6, "or wife" shall be deleted.

In Article 7, paragraph 1, "a legal representative with the consent of the family council (carries on --- on behalf of) a person under disability" shall read "a guardian (carries on --- on behalf of) a ward" and in the same Article, paragraph 2, "a legal representative" shall read "guardian".

Article 12. The Law of Trusts shall partially be amended as follows:

Article 5, paragraph 2 and 3 shall be deleted.

Article 13. The Law concerning the Custody of the Lunatics shall partially be amended as follows:

In Article 1, paragraph 1, "relatives up to the fourth degree of relationship or the head of a House" and "Article 908" shall respectively read "or relatives up to the fourth degree of relationship" and "Article 846", and in the same Article, paragraph 2, "a father or mother who exercises parental power", "the head of a House" and "a family council" shall respectively read "a person who exercises parental power", "deleted" and "the court of domestic relations", and the following paragraph shall be added to

the same Article:

In respect to the application of the provisions of the Law of adjudgment of Domestic Matters, the appointment mentioned in the preceding paragraph, item numbered 5, shall be deemed to be the subject matter which is mentioned in Article 9, group A of the same Law.

In Article 3, paragraph 3, "Article 922" shall read "Article 858".

In Article 23, "the court in accordance with the provisions of Article 50 or 60 of the Law of Procedure in Personal Matters" shall read "the court of domestic relations".

Article 14. The Local Taxes Law shall partially be amended as follows:

The provisces of Article 5, paragraph 3 and of Article 29, paragraph 3 shall read as follows:

But a successor who has effected a qualified acceptance assumes duties to the extent of the value of the property acquired through the succession.

In Article 50, paragraph 4, item numbered 1 and Article 53, paragraph 2, item numbered 1, "succession to the headship of a House or succession to estate" shall read "succession".

Article 15. The Epidemic Prevention Law shall partially be amended as follows:

In Article 4, paragraph 2, and Article 14, "the head of House" shall read "the head of the family household".

Article 16. The Patent Law shall partially be amended as follows:

In Article 91, item numbered 1, "wife" shall read "spouse", and in the same Article, item numbered 3, "the head of a House or the members of a House" shall read "relatives living together".

Article 17. The Land Expropriation Law shall partially be amended as follows:

In Article 40, paragraph 2, "the head of a House, the members of a House" shall read "relatives living together".

Article 18. The Trachoma Prevention Law shall partially be amended as follows:

Article 11, item numbered I shall read as follows:

1. The person who exercises parental power over a minor or the guardian of a minor or of a person adjudged incompetent.

Article 19. The Bankruptcy Law shall partially be amended as follows:

In Article 9, paragraph 1, "succession to estate" shall read "succession".

In Article 11, paragraph 2, "Article 1089" shall read "Article 987".

Article 13 deleted.

Article 14, paragraph 3 shall be deleted.

The latter part of Article 31 shall be deleted.

Articles 35 to 37 inclusive deleted.

In Article 42, "or the credit of the creditor of the former head of a House after the opening of a succession" shall be deleted.

Article 45 deleted.

In Article 68, "Article 796", "Article 797" and "Article 897" shall respectively read "Article 758", "Article 759" and "Article 835", and the following one paragraph shall be added thereto:

In applying the Law of Adjudgment of Domestic Matters, the disposition concerning the changing of administrator of property and the partition of property in co-ownership, to which the provisions of par. 2 and 3 of Article 758 of the Civil Code are applied with necessary modifications by the preceding paragraph, shall be regarded as one of the matters listed in (B) of the first paragraph of Article 9 of the Law of Adjudgment of Domestic Matters, and the adjustment concerning forfeit of the right to administer the property, to which the provisions of Article 835 of the Civil Code are applied with necessary modification by the same paragraph, shall be regarded as one of the matters listed in (A) of the first paragraph of Article 9 of the Law of Adjudgment of Domestic Matters.

In Article 72, item numbered 3, "the head of a House, the members of House" shall be deleted.

In Article 80, "and the act performed by the former head of a House regarding the property prescribed in Article 13" shall be deleted.

In Article 83, paragraph 1, item numbered 2, " , the head of a House, the members of a House" shall be deleted.

In Article 97, paragraph 1, "the person who has the right of seizing the hereditary property of a peer and" shall be deleted.

Article 130, paragraph 2 shall be deleted.

In Article 131, "Article 1041" shall read "Article 941".

In Article 152, " , former head of a House", shall be deleted.

In Article 153, paragraph 1, "former head of a House, administrator of estate of inheritance, executor of will and agent of heir or former head of a House" shall read "his (or her) agent, administrator of estate of inheritance and executor of will".

In Article 315, "or former head of a House" and "creditors of the former head after beginning of inheritance" shall be deleted.

In Article 345, paragraph 2, "Article 1021" shall read "Article 918" and the following paragraph shall be added to the said Article:

Disposition relating to the preservation and management of an estate of inheritance in accordance with the provisions of Article 918, paragraphs 2 and 3 of the Civil Code to be applied with the necessary modifications in the preceding paragraph, shall be deemed to be the matters mentioned in Article 9, paragraph 1, group A of the Law of Adjudgment of Domestic Matters with regard to application of the said Law.

In Article 376, "Former head of a House" shall be deleted.

Article 20. The law concerning the Registration of Immovables shall partially be amended as follows:

In Article 12, paragraph 1, "wife" shall read "spouse".

Article 21. The Law concerning the Application of Laws in General shall partially be amended as follows:

In Article 13, paragraph 2, "Article 777" shall read "Article 741".

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

Article 22. The Law concerning Prohibition of Minors from Drinking shall partially be amended as follows:

In Article 1, paragraphs 1 and 3 and Article 2, "minors" shall read "persons under the full twenty years of age".

In Article 4, paragraph 2, "the head of a House, members of a House" shall be deleted.

Article 23. The Law concerning Prohibition of Minors from Smoking shall partially be amended as follows:

In Articles 1 and 4, "minors" shall read "persons under the full twenty years of age".

Article 24. The Law concerning Publication by Subscription shall partially be amended as follows:

In Article 5, paragraph 2, "the head of a House or" shall be deleted.

Article 25. In the following provisions, "the head and members of a House" shall be deleted:

Article 12-3 of the Opium Law

Article 15 of the Law of Management of Plants Exported or Imported.

Article 26. In the following provisions, "the head of a House, members of a House", shall be deleted:

Article 10 of the Law of Management of the Compressed and Liquidized Cases.

Article 18 of the Law concerning Encouragement of Deep-sea Fishery.

Article 45, paragraph 2, of the Law concerning Associations of Owners of Houses for Rent.

Article 21 of the Law concerning Live-stock Markets.

Article 64 of the Fishery Law.

Article 104, paragraph 1 of the Mining Law.

Article 77 of the National Medical Treatment Law.

Article 17 of the National physical Strength Law.

Article 49, paragraph 1 of the Silk Industry Law.

Article 20, paragraph 2 of the Law concerning Buildings in Urban Districts.

Article 16 of the Social Work Law.

Article 21 of the Law of Management of Firearms and Explosives.

Article 29 of the Breeding Horse Control Law.

Article 8 of the Law of Management of Merchandise Certificates.

Article 103 of the Forest Law.

Article 10 of the Silk-reeling Industry Law.

Article 24 of the Central Wholesale Market Law.

Article 15 of the Butchery Law.

Article 13 of the Law of Management of Fertilizers.

Article 25-8 of the Pasture Law.

Article 149 of the Insurance Business Law.

Article 42 of the Law concerning Medicine Affairs.

Article 10 of the Law of Management of Exported Silk Fabrics.

Article 7 of the Law of Management of Exported Woolen Fabrics.

Article 12 of the Law of Management of Exported Marine Products.

Article 22 of the Dairy-farming Adjustment Law.

Article 17 of the Forestry and Seedling Law.

Article 36 of the Trade Union Law.

Article 14 of the Law No. 67 of the 14th year of Showa (1939). (Law concerning agency of copyright)

Article 27. - In the following provisions, "the head of a House, members of a House" shall read "persons living together".

Article 26 of the Gas Industry Law.

Article 16, paragraph 1 of the Express Business (Kounso) Law.

Article 12 of the Rehabilitation Work Law.

Article 15 of the Warehousing Business Law.

Article 46 of the Ship-building Industry Law.

Article 37 of the Electrical Industry Law.

Article 16 of the Law concerning the Weights and Measures.

Article 9 of the Law concerning Increase of Production and Control of Rationing of Sulphuric Acid Ammonia.

Article 28. - The following Laws shall hereby be repealed:

The Law No. 94 of the 32nd year of Meiji (1899) (Law concerning rights of those who have lost nationality).

The Law No. 13 of the 33rd year of Meiji (1900) (Law concerning confirmation of a will in accordance with the provisions of Articles 1079 and 1081 of the Civil Code).

Supplementary Provisions

Article 29. - The present Law shall come into force as from January 1, the 23rd year of Showa (1948).

Article 30. - The acceptance of trust which was made by a wife without any permission of her husband, before the enforcement of the Law No. 74, the 22nd year of Showa (1947) (Law concerning temporary Measures of the Civil Code pursuant to the Enforcement of the Constitution of Japan) cannot be rescinded.

Article 31. - Bankruptcy in case of applying, relating to succession, in accordance with the provisions of Article 25, paragraph 1 of the supplementary provisions of the Partial Amendments to the Civil Code which comes into force on the same day as the present Law (hereinafter referred to as the New Code) shall be governed by the provisions hitherto in force regardless of the provisions of Article 20.

The same as the preceding paragraph shall apply to cases where an adjudication of bankruptcy has been given to the property succeeded to relating to succession of the provisions of Article 25, paragraph 2 of the supplementary provisions of the New Code, before the enforcement of this Law.

Article 32. - Effect of marriage and the property system of husband and wife in case of an alien having married a woman who is the head of a House or become an adopted child of a Japanese as a husband of his daughter shall, regardless of the provisions of Article 22, be governed by the provisions hitherto in force.

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CENSUS (FAMILY) REGISTRATION LAW

(Law No. 224, December 22, 1947)

Chapter I. General Provisions

Article 1. The business concerning registration of family shall be managed by a City mayor, Town headman or Village headman.

Article 2. No City mayor, Town headman or Village headman may perform his functions with respect to any registration of family relating to himself, his spouse, his lineal ascendant or lineal descendant.

Article 3. The business concerning registration of family is subject to the supervision of the headman of Judicial Bureau having jurisdiction over the district in which the office of City, Town or Village is situated.

Article 4. In respect of the areas which constitute regions of the wards of Metropolitan District the provisions of this Law relating to a City, City mayor and City office shall apply with the necessary modifications to a Ward, Ward headman and Ward office respectively. The same excepting the provisions of Article 5, Paragraph 1 shall apply also to the special cities and the cities mentioned in Article 155, Paragraph 2 of the Local Self Government Law.

Article 5. All fees received in accordance with the provisions of this Law shall belong to the revenue of a City, Town or Village concerned.

The sum to be paid as the fees above mentioned shall be fixed by law.

Chapter II. Registration Books of Family

Article 6. Any Family Register shall be made up for each husband and wife who have their registered locality within the district of a City, Town

or Village and their children whose surnames are the same as that of such husband and wife but in cases where a family register is newly made up for any person having no spouse, it shall be made up for such person and his children whose surnames are the same as that of such person.

Article 7. Family registers shall be bound together and compiled into books.

Article 8. Every Family Register shall be made up in duplicate, the original and the copy thereof.

The original shall be placed at an office of City, Town or Village and the copy shall be kept at a supervising Judicial Bureau or its branch.

Article 9. Family Register shall be indicated by the full names and registered locality of the person who appears first in the Family Register. The same shall apply also after such person has been struck off the family register.

Article 10. Any person who, for a reasonable cause, wishes to inspect a registration book of family or to get a copy of or an abstract from a Family Register may apply there for upon paying of a fixed fee. The same shall apply also to any person who wishes to get the certification for non-alteration of any of matters stated in a copy of or an abstract from a family register and any person who wishes to get the certification in respect of any of matters registered in a family register. However, a City mayor, Town or Village headman may refuse the application above only in case they have due reason.

If such person pays postage in addition to the fixed fee, he may apply for the sending by mail of the copy, abstract or certificate mentioned in

the preceding paragraph.

In making a copy, the transcription of any of the matters relating to a person whose registration was already struck off may be omitted, if it is demanded so to be done by the applicant.

Article 11. If a registration book of family or any part thereof has been or is apprehended to be destroyed, the Attorney-General shall order such disposition as to be deemed necessary for is remanufacture or complement; but in case where it has been destroyed, it is necessary to give the public notice thereof.

Article 12. If all of the constituent members of a Family have been struck off the family register, such family register shall be detached from the registration book of family and the family registers of such kind shall be bound together and compiled into a book, which is to be kept as a Struck-off Registration Book of Family.

The provisions of Articles 9 to the preceding Article inclusive shall apply with the necessary modifications to a struck-off registration book of family and a struck-off family register detached from a registration book of family.

Chapter III. Registration in Family Registers

Article 13. In addition to the registered locality, every family register shall state the following particulars for each person in the same family:

1. The full name;
2. The date of birth;

3. The cause for which such person is entered in the family register and the date of the said entrance;

4. The full names of such person's natural parents and his connection in point of personal relationship with the natural parents;

5. If such person is an adopted child, the full name of his parents by adoption and his connection in point of personal relationship with the parents by adoption;

6. In respect of husband and wife, the statement to that effect;

7. In respect of a person who has been entered in the family register from another one, the indication of the latter family register;

8. Other matters as specified by ordinance.

Article 14. The statement of the full names shall be made in the following order:

1. If husband and wife assume the surname of husband, the husband, and if they assume the surname of wife, the wife;

2. The spouse;

3. The children.

As between the children the priority shall be given according to the order of their birth.

With respect to a person who is to be entered in a family register for any of the causes occurred after the making up thereof, the entry shall be effected at the end of the family register.

Article 15. Any registration in a family register shall be effected upon a notification, report, application or demand, a copy of a document or

of a log-book, or a judicial decision.

Article 16. If a notification of marriage is given, a new family-register shall be made up for the husband and wife. But this shall not apply if in case the husband and wife assume the surname of husband, the husband, and if they assume the surname of wife, the wife is the person who appears first in the family-register.

In the cases mentioned in the proviso of the preceding paragraph a wife who assumes the surname of her husband shall be entered in the family-register of the husband and a husband who assumes the surname of his wife shall be entered in the family-register of the wife.

Article 17. If any person other than the person who appears first in the family-register and the spouse thereof comes to have a child assuming the same surname as that of the said person or an adoptive child, a new family-register shall be made up for the said person.

Article 18. A child who assumes the surname of its father and mother shall be entered in the family-register of the father and mother.

Except in cases mentioned in the preceding paragraph, a child who assumes the surname of its father shall be entered in the family-register of the father and a child who assumes the surname of its mother shall be entered in the family-register of the mother.

An adopted child shall be entered in the family-register of its parents by adoption.

Article 19. If a person who has altered his or her surname as a result of marriage or adoption resumes the surname assumed by such person prior to the marriage or adoption by reason of divorce or dissolution of the

adoptive relation or by reason of annulment of the marriage or of the adoption, such person may be entered into the family-register wherein such person was registered prior to the marriage or adoption; provided, however, that if the said family-register has already been removed or if such person declares his or her intention to have a new family-register made up, a new family-register shall be made up.

The provisions of the preceding paragraph shall apply with the necessary modifications in cases where a surname assumed prior to a marriage is resumed in accordance with the provisions of Article 751, paragraph 1 of the Civil Code where a former surname is resumed in accordance with the provisions of Article 791, paragraph 3 of the Civil Code.

Article 20. If, a person who is to be entered in another family-register in accordance with the preceding two Articles has the spouse, a new family-register shall be made up for such husband and with, notwithstanding the provisions of the preceding two Articles.

Article 21. A person who has attained majority may effect separation from the present family-register, provided, however, that this shall not apply to the person who appears first in the family-register and such person's spouse.

If a notification has been given of separation from the present family-register, a new family-register shall be made up.

Article 22. If registration in a family-register is to be effected for the first time for a person who is not registered in a family-register, excepting a person who is to be entered in the family-register of such person's father or mother, a new family-register shall be made up therefor.

Article 23. A person who enters in new or another family-register in accordance with any of the provisions of Articles 16 to 21 inclusive shall be struck off the present family-register. The same shall apply also to a person who has died, or against whom a judicial declaration of disappearance has been made, or who has lost Japanese nationality.

Article 24. Upon finding that any statement in a family-register is legally not permissable or there is any mistake or omission in respect of the statement, the City mayor, Town headman or Village headman shall, without delay, give notice thereof to the person who had given the notification upon which such statement was made, or to the person to whom the matter notified occurred; but this shall not apply if the aforesaid mistake or omission has been caused through the negligence of the City mayor, Town headman or Village headman.

If the notice mentioned in the preceding paragraph is unable to be given, or, although such notice has been given, no person applies for the rectification of the statement, the City mayor, Town headman or Village headman may, with leave of the supervising Judi\. al Bureau rectify the statement. The same shall also apply in the case mentioned in the latter part of the preceding paragraph.

A court of any other governmental authority or a Public Procurator or any other governmental official who has found, in the performance of his duties, that any statement in a family-register is legally not permissable or there is any mistake or omission in respect of the statement, shall, without delay, give notice thereof to the City mayor, Town headman or Village headman whose administrative district includes the registered locality of the family

of the person to whom the matter notified occurred.

Chapter IV. Notifications

Section I. General Provisions

Article 25. Subject to the provisions of this law, any notification shall be given in the district within which the family of the person to whom a matter to be notified occurred has been registered or within which the notification-giver is staying.

A notification in respect of a person who has not Japanese nationality shall be given in the district within which such person's place of residence is situated or within which the notification-giver is staying.

Article 26. In cases where a notification was received in respect of a person whose registered locality had been unknown or who had not yet been registered anywhere and thereafter the registered locality of such person has become known or such person has been registered in a family-register, the person who gave the notification or the person to whom the matter notifed occurred shall, within ten days of his becoming aware of such fact, give the notification thereof to the City mayor, Town headman or Village headman who had accepted the aforesaid notification, indicating the matter formerly notified.

Article 27. Any notification may be given either in writing or orally.

Article 28. The Attorney-General may, having regard to the nature of a matter, fix a form in accordance with which the written notification of that matter shall be given. In the case mentioned in the preceding paragraph, the notification of that matter shall be given in accordance with the form; but this shall not apply in cases where there exists any reason

for which non-compliance with the form is rendered imperative.

Article 29. Any written notification shall be signed and sealed by the notification-giver and state the following particulars:

1. The matter notified;
2. The date of the notification;
3. The date of birth and the residence of the notification-giver as well as the indication of the family-register in which he is registered;
4. If a notification-giver is not the person to whom the matter notified occurred, the full name, the date of birth and the residence of such person, the indication of the family-register in which such person is registered, and the qualification of the notification-giver.

Article 30. If, by reason of the matter notified, the notification-giver or the person to whom such matter occurred is to be entered in another family-register, the written notification shall contain the indication of the family-register and in case such person is ' ' be struck off the present family-register, the indication of the said present family-register and also in case a new family-register is to be made up for such person, the statement to that effect together with the cause for the making-up of the new family-register and the new registered locality of such person.

If, by reason of the matter notified, any other person than a notification-giver or the person to whom such matter occurred is to be entered, into other or new family-register, the written notification shall contain in addition to the full name and the date of birth of such person, the matters

mentioned in the preceding paragraph according to discrimination as to whether such person enters into other family-register or new family-register is made up for such person.

If a new family-register is to be made up for a person other than a notification-giver, it shall be deemed that the new registered locality of such person shall be the same as the former registered locality.

Article 31. If the person who shall give a notification is a minor or a person adjudged incompetent, it shall be the duty of the person exercising parental power over or the guardian of such person to give that notification in place of him; but notification may be given also by a minor or a person adjudged incompetent.

In cases where a person exercising parental power or a guardian, as such, gives a notification, the written notification shall state the following particulars:

1. The full name, the date of birth and the registered locality of the person who would have to give the notification;
2. The reason of the disability of such person;
3. The statement that the notification-giver is the person exercising parental power or the guardian.

Article 32. In respect of an act which may be validly conducted by a person under disability without the consent of his legal representative, such person shall give the notification thereof.

If a notification-giver is a person adjudged incompetent, a diagnosis which is able to prove his sufficient ability to understand the nature and effect of the matter notified shall be annexed to the written notification.

Article 33. For the notification of a matter for which witnesses are necessary, the witnesses shall state their dates of birth, the residences and the registered localities in the written notification and shall sign and impress their seals thereon.

Article 34. If any matter which is prescribed to be stated in a written notification does not exist or is unknown, the statement to that effect shall be contained in the written notification.

No City mayor, Town headman or Village headman shall accept any written notification which fails to contain the statement of any of the matters which are deemed essentially important.

Article 35. In addition to the particulars prescribed to be stated by this law or by other laws or ordinances, any written notification shall state such particulars as are necessary for bringing out clearly the matter to be registered in a family-register.

Article 36. In cases where registration in a family-register is to be effected at two or more City offices, Town offices or Village offices, as many written notifications as the number of such offices shall be presented.

If a notification is given at a place outside of the district which includes the registered locality of the person to whom a matter to be registered occurred, one more written notification shall be presented in addition to those which shall be presented in pursuance of the provisions of the preceding paragraph.

In the cases mentioned in the preceding two paragraphs, a City mayor, Town headman or Village headman may, if he deems it proper, make copies of the written notification presented, and substitute such copies for the written notifications required.

Article 37. In order to give the notification of a matter orally, the notification-giver must attend at the appropriate City office, Town office or Village office and state orally the particulars which would have to be stated in the written notification of such matter.

The City mayor, Town headman or Village headman shall put the oral statement of the notification-giver in writing, enter the date of the notification in the writing, read it to the notification-giver and make him sign and impress his seal on the writing.

If, by reason of sickness or for any other cause, the notification-giver is unable to attend personally, he may give the notification by his representative; but this shall not apply to the notification mentioned in Articles 60, 61, 68, 70 to 72 inclusive, 74 and 76.

Article 38. If, in respect of a matter to be notified, it is necessary to obtain any consent, or assent, of a father or mother or any other person, a writing which proves such consent, or assent, shall be annexed to the written notification of the matter; but it shall be sufficient that the person who has given the consent, or assent, makes the statement to that effect in the written notification verified with such person's signature and seal-impression.

If, in respect of a matter to be notified, it is necessary to obtain license of a court or a governmental authority, a copy of the decision or the certificate of such license shall be annexed to the written notification.

Article 39. The provisions in this law relating to written notifications shall apply with the necessary modifications to the writings mentioned in Article 37, paragraph 2 and in paragraph 1 of the preceding Article.

Article 40. Any Japanese who is in a foreign country may, in accordance with the provisions of this law, give a notification to the Japanese ambassador, minister or consul residing in the country.

Article 41. If any Japanese who is in a foreign country has, in accordance with the established form of that country, had a document executed in respect of a matter to be notified, he shall, within one month, present a copy of such document to the Japanese ambassador, minister or consul residing in that country.

If no Japanese ambassador, minister or consul resides in that country, a copy of such document shall, within one month, be dispatched to the City mayor, Town headman or Village headman within whose administrative district such person has been registered.

Article 42. The ambassador, minister or consul who has received papers in accordance with the provisions of the preceding two Articles shall, without delay, send them through the Minister of Foreign Affairs to the City mayor, Town headman or Village headman whose administrative district includes the registered locality of the person to whom the matter to be notified occurred.

Article 43. The periods of time within which notifications are to be given shall be computed as from the day on which the matter to be notified occurred.

If, in cases where a period of time is to be computed as from the day on which a judicial decision became final and conclusive, that judicial decision has become final and conclusive before it is served or delivered to the party concerned, such period of time shall be computed as from the day on which the service or the delivery is effected.

Article 44. If a City mayor, Town headman or Village headman has become aware of any person's default of giving a notification, he shall give a peremptory notice to the person bound in duty to give the notification requiring him to do so within a reasonable period fixed by the former.

If the person bound in duty to give the notification fails to do so within the period fixed in accordance with the preceding paragraph, the City mayor, Town headman or Village headman may further give a peremptory notice fixing therein a reasonable period within which the notification is to be given.

In cases where the peremptory notices mentioned in the preceding two paragraphs are unable to be given or in cases where, although such peremptory notices have been given, the notification required is not given, the provisions of Article 24, paragraph 2, and in cases where a Court or other governmental authority or a Public Procurator or other governmental official has become aware of any person's default of giving a notification in the performance of his duties, the provisions of paragraph 3 of the same Article shall respectively apply with the necessary modifications.

Article 45. If, in cases where a City mayor, Town headman or Village headman has received a notification, he is unable to effect registration in the family-register by reason of any defect in the written notification presented, he shall have it complemented by the person bound in duty to give such notification. In this case, the provisions of the preceding Article shall apply with the necessary modifications.

Article 46. Even if a notification is given after the elapse of the period of time within which it shall be given, the City mayor, Town headman

or Village headman must receive the notification.

Article 47. A City mayor, Town headman or Village headman shall receive a written notification even after the death of the notification-giver, if it has been sent by mail before his death.

If a written notification has been received in accordance with the provisions of the preceding paragraph, the notification shall be deemed to have been given at the time of the death of the notification-giver.

Article 48. Any notification-giver may apply for the issue of a certificate of the acceptance or non-acceptance of the notification; but if he applies for the issue of a certificate of acceptance, he must pay a fixed fee.

Any person interested may, only in cases where there exists a special reason therefor, apply for the inspection of the written notification and other papers received by the City mayor, Town headman or Village headman or for the issue of a certificate in respect of any of the particulars stated in such papers. But in case of an application to the City mayor, Town headman or Village headman, a fixed fee must be paid.

The provisions of Article 10, paragraph 2 shall apply with the necessary modifications in the cases mentioned in the preceding two paragraphs.

Section II. Birth

Article 49. A notification of birth shall be given within fourteen days.

A written notification of birth shall state the following particulars:

1. The sex of the child born and the discrimination as to whether the child born is a legitimate child or a child who is not legitimate;

2. The date, the time and minute and the place of the birth;

3. The full names of the father and mother and the registered locality of their family, if either or both of them have or have not Japanese nationality, the statement to that effect;

4. Other matters as specified by ordinance.

In cases where a medical practitioner, midwife or any other person attended at the birth, a certificate of birth made in accordance with the provisions of ordinance made by the medical practitioner, or the midwife or lastly the other person shall be annexed to the written notification. However, this shall not apply in cases where there are unavoidable reasons.

Article 50. In order to indicate the name of a child, it is required to use ordinary and plain characters.

The characters which are within the limit of ordinary and plain characters shall be determined by ordinance.

Article 51. Except in cases where a child is born in any foreign country or any district determined by ordinance, a notification of birth shall be given in the district within which the birth occurred. But if the birth occurred in a train or other means of communication (excepting a ship, the same shall apply hereinafter) a notification shall be given at the place where the mother has gotten out of such means of communication, and if a child has been born on board a ship which keeps no log-book, at the place of first arrival of such ship.

Article 52. A notification of birth of a legitimate child shall be given by its father, and in case the father is unable to give the notification or in case the father and mother divorced before the birth of a child by the mother of the child.

A notification of birth of a child who is not legitimate shall be given by its mother.

In cases where the persons who shall give the notification in accordance with the preceding two paragraphs are unable to give the notification, such persons as enumerated below shall give the notification in the order of the enumeration:

I. The Co-habitants.

II. The medical practitioner, midwife or other person who attended at the child-birth.

Article 53. Even if an action for the denial of the legitimacy of a child has been instituted, the duty to give the notification of the birth of the child is not exempted thereby.

Article 54. In case where the paternity is to be determined by a Court in accordance with the provisions of Article 773 of the Civil Code, the notification of the birth of the child in question shall be given by its mother. In this case the reason for which the paternity still remains undetermined shall be stated in the written notification.

The provisions of Article 52, paragraph 3 shall apply with the necessary modifications in the case mentioned in the preceding paragraph.

Article 55. If a child was born during a voyage, the captain of the ship, shall within twenty-four hours, state the particulars enumerated in Article 49, paragraph 2 in the log-book and verify it with his signature and seal-impression.

If, after the proceedings mentioned in the preceding paragraph had been taken, the ship arrived at a port in Japan, the captain shall, without

delay, send a copy of the log-book concerning the birth to the City mayor, Town headman or Village headman of the port.

If the ship arrived at a port in a foreign country, the captain shall, without delay, send a copy of the log-book concerning the birth to the ambassador, minister or consul residing in that country, and the ambassador, minister or consul shall, without delay, send it through the Minister of Foreign Affairs, to the City mayor, Town headman or Village headman within whose administrative district the family to be entered by the aforesaid child had been registered.

Article 86. If, in cases where a child was born in a hospital, prison or any other public institution, both of its father and mother are unable to give the notification of the birth, the chief or the manager of such public institution concerned shall give the notification.

Article 87. Any person who found a deserted child or any police officer who was informed of the finding of a deserted child shall, within twenty-four hours, give information thereof to a City mayor, Town headman or Village headman.

The City mayor, Town headman or Village headman who has received the information mentioned in the preceding paragraph shall give a full name to deserted child, select the locality of register and state in a record the articles worn or possessed by the child, the place, the date and time as well as other circumstances of the finding, together with the full name, sex, presumptive date of birth and the locality of register of the child. This record shall be deemed a written notification.

Article 88. If a deserted child died before the proceedings prescribed

in paragraph 1 of the preceding Article are taken, such proceedings shall be taken together with the notification of its death.

Article 59. The father or the mother of a deserted child shall, if he or she takes back the child, within one month, give the notification of the birth and apply for the rectification of the family-register of the child.

Section III. Recognition

Article 60. A person who wishes to effect recognition of a child shall state the following particulars and give the notification to that effect:

1. In cases where the recognition is effected by the father, the full name and the registered locality of the mother;
2. In cases where a dead child is recognized, the date of death of the child and the full name, the date of birth and registered locality of lineal descendants thereof.

Article 61. In cases where a child en ventre sa mere is recognized, the written notification of the recognition shall contain the statement to that effect as well as the full name and the registered locality of the mother, and such notification shall be given in the district within which the mother had been registered.

Article 62. If, for a person who is to become a legitimate child by virtue of the provisions of Article 789, paragraph 2 of the Civil Code, the father and mother of such person give the notification of the birth stating the person as their legitimate child, such notification shall have the same effect as the notification of the recognition.

Article 63. If a judgment of judicial recognition has become final and conclusive, the person who had instituted the action therefor shall, within

ten days of its becoming final and conclusive, give the notification to that effect, annexing a copy of the judgment. The written notification of the aforesaid matter shall contain the date on which the judgment became final and conclusive.

Article 64. In the case of recognition by will, the executor of the will shall, within ten days of his assumption of the office, give the notification of the recognition in accordance with the provisions of Article 60 or 61, annexing a copy of the will.

Article 65. Where a child en ventre sa mere who had been recognized was born still, the person bound in duty to give the notification of the birth shall, within fourteen days of his becoming aware of such fact, give the notification to that effect in the district where the notification of the recognition was given; but in cases where the administrator of a will has given the notification prescribed in the preceding Article, the aforesaid notification shall be given by the administrator.

Section IV. Adoption

Article 66. A person who wishes to effect adoption shall give the notification to that effect.

Article 67. In cases where either one of a couple effects an adoption in the names of both of the couple, the reason therefor shall be stated in the written notification.

Article 68. If an assent to an adoption has been given in accordance with the provisions of Article 797 of the Civil Code, the notification of the adoption shall be given by the person who has given the assent.

Article 69. The provisions of Article 63 shall apply with the necessary modifications in cases where a judgment of annulment of adoption has become final and conclusive.

Section V. Dissolution of Adoption Relation

Article 70. A person who wishes to effect dissolution of adoptive relation shall give the notification to that effect.

Article 71. In cases where an agreement of dissolution of adoptive relation has been made in accordance with the provisions of Article 811, paragraph 2 of the Civil Code, the notification thereof shall be given by the person who has made the agreement.

Article 72. In cases where dissolution of adoptive relation is effected in accordance with the provisions of Article 811, paragraph 3 of the Civil Code, the notification thereof may be made only by the adopted child.

Article 73. The provisions of Article 63 shall apply with the necessary modifications in cases where a judgment of judicial dissolution of adoptive relation or of annulment of dissolution of adoptive relation has become final and conclusive.

Section VI. Marriage

Article 74. A person who wishes to effect marriage shall state the following particulars in the written notification and give the notification to that effect:

1. The surname assumed by husband and wife;

2. Other matters as specified by ordinance.

Article 75. The provisions of Article 63 shall apply with the necessary

modifications in cases where a judgment of annulment of a marriage has become final and conclusive.

If a Public Procurator had instituted the action on which the aforesaid judgment was rendered, he shall demand for the registration of such judgment in the family-register, without delay after the judgment becomes final and conclusive.

Section VII. Divorce

Article 76. A person who wishes to divorce shall state the following particulars in the written notification and give the notification to that effect;

1. The full names of the party who is determined to exercise the parental power and of the child subject to such parental power;
2. Other matters as specified by ordinance.

Article 77. The provisions of Article 63, shall apply with the necessary modifications in caseswhere a judgment of judicial divorce or of annulment of divorce has become final and conclusive.

The written notification of divorce mentioned in the preceding paragraph shall state the following particulars:

1. The full names of the party who has been determined to exercise the parental power and of the child subject to such parental power;
2. Other matters as specified by ordinance.

Section VIII. Parental Power and Guardianship

Article 78. A person who wishes to determine the parent having parental

power by agreement in accordance with the proviso of Article 819, paragraph 3 or paragraph 4 of that Article of the Civil Code, shall give the notification to that effect.

Article 79. The provisions of Article 63 shall apply with the necessary modifications to the parent having parental power incase a judgment substituting for the agreement mentioned in the proviso of Article 819, paragraph 3 or paragraph 4 of that Article of the Civil Code or judgment changing the parent having parental power has become final and conclusive, or in case one of father and mother has been adjudged forfeiture of his or her parental power or right of management and the other exercises the said power or right and to a person who has applied for judgment in case where a judgment of annulment of adjudication of forfeiture has become final and conclusive.

Article 80. A person who declines to exercise the parental power or right of management or wishes to recover it shall give the notification to that effect.

Article 81. A notification of commencement of guardianship shall be given by the guardian within ten days of his assumption of the office.

The written notification of that matter shall state the following particulars:

1. The cause for and the date of the commencement of the guardianship;

2. The date on which the guardian assumed his office.

Article 82. If a guardian has been changed, his successor shall give the notification to that effect within ten days of his assumption of office. In this case, the provisions of paragraph 2 of the preceding Article shall

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apply with the necessary modifications.

Article 83. In case the guardian is a guardian who has been designated by will, a copy of the will concerning the designation shall be annexed to the written notification.

In case a judgment appointing a guardian has been rendered, a copy of the judgment shall be annexed to the written notification.

Article 84. A notification of termination of guardianship shall be given by the guardian within ten days of its termination. The written notification of that matter shall state the cause for and the date of the termination of the guardianship.

Article 85. The provisions in this Section relating to a guardian shall apply with the necessary modifications to a supervisor of guardian or a curator.

Section IX. Death and Disappearance

Article 86. A notification of death shall be given within seven days from the day on which the person bound in duty to give the notification became aware of the death, presenting therewith a diagnosis or a post-mortem examination report.

The written notification of that matter shall state the following particulars:

1. The date and the time and minute as well as the place of the death;
2. Other matters as specified by ordinance.

If no diagnosis or post-mortem examination report is obtainable for an imperative reason, any writing which is able to prove the fact of the death

may be substituted therefor. In this case, the reason for which no diagnosis or post-mortem examination report is obtainable shall be stated in the written notification of the death.

Article 87. The persons enumerated below shall give a notification of death according to the order of the enumeration; but this shall not preclude that the notification is given irrespectively of the order:

I. The relative who was living with the deceased;

II. The person other than relative who was living with the deceased;

III. The owner of the house or the land wherein the death occurred or the manager of such house or land.

Article 88. Any notification of death shall be given in the district within which the death occurred, except in case the death occurred in a foreign country or a district designated by ordinance. But it shall be given, in case the district within which the death occurred is unknown, in the district within which the dead body was found at first, in case the death occurred in a train or other means of communication, in the district within which the dead body was brought down from such means of communication, and in case the death occured on board a ship which keeps no log-book, in the district at which such ship arrived at first.

Article 89. In cases where any person died in consequence of a water calamity, fire or any other disaster, the governmental or public authorities who have made the investigation thereof shall make report of the death to the City mayor, Town headman or Village headman within whose administrative district the death occurred. But in cases where the death occurred in a foreign country or a district mentioned in the preceding Article, the report

of the death shall be made to the City mayor, Town headman or Village headman of within whose administrative district the deceased has been registered.

Article 90. If a death penalty has been executed, the chief of the prison concerned shall, without delay, make report of the death to the City mayor, Town headman or Village headman within whose administrative district the prison is situated.

The provisions of the preceding paragraph shall apply with the necessary modifications in cases where no person undertakes to take the corpse of a person who died during imprisonment. In this case, a diagnosis or post-mortem examination report shall be annexed to the written report given in accordance with the preceding paragraph.

Article 91. Any of the written reports of the matters mentioned in the preceding two Articles shall state such particulars as are enumerated in Article 86, paragraph 2.

Article 92. In cases where the registered locality of a deceased is unknown or it is unable to identify a deceased, the police officer shall prepare the post-mortem inspection record and, without delay, make report of the death to the City mayor, Town headman or Village headman within whose administrative district the death occurred.

If the registered locality of the deceased has become known or it has become able to identify the deceased, the police officer shall, without delay, make the report to that effect.

If any of the persons enumerated in Article 87, items I and II, identified a deceased after the report of the death mentioned in the paragraph I had been made, such person shall give the notification of the death within ten days of the identification.

Article 93. The provisions of Articles 55 and 56 shall apply with the necessary modifications to a notification of death.

Article 94. The provisions of Article 63 shall apply with the necessary modifications to person who has applied for the judgment of judicial declaration of disappearance or of annulment of such declaration in case such judgment has become final and conclusive. In this case the written notification of judicial declaration of disappearance shall state the date on which the period of time fixed in Article 30 of the Civil Code expired.

Section X. Resumption of Surname by Surviving Spouse and Dissolution of Matrimonial Relations

Article 95. A person who wishes to resume the surname assumed by him (or her) in accordance with the provisions of Article 751, paragraph 1 of the Civil Code shall give the notification to that effect.

Article 96. A person who wishes to declare the intention that he (or she) will dissolve the matrimonial relation in accordance with the provisions of Article 728, paragraph 2 of the Civil Code shall give the notification to that effect, stating the full name, registered locality and the date of death of the dead spouse in a written notification.

Section XI. Disinheritance of a Presumptive Successor

Article 97. The provisions of Article 63 shall apply with the necessary modifications to person who has applied for a judgment of disinheritance of a presumptive successor or annulment thereof in cases where such judgment has become final and conclusive.

Section XII. Entry into a Family-Register

Article 98. A person who wishes to assume the surname of the father or mother in accordance with the provisions of Article 791, paragraph 1 or 2 of the Civil Code shall give the notification to that effect, stating full name and registered locality of such father or mother in a written notification.

Article 99. A person who wishes to resume the former surname in accordance with the provisions of Article 791, paragraph 3 of the Civil Code shall give the notification to that effect, stating the date on which such person altered the surname in accordance with the provisions of paragraph 1 or 2 of that Article in a written notification.

Section XIII. Separation from a Family-Register

Article 100. A person who wishes to separate from the present family-register shall give the notification to that effect.

In cases where a new registered locality is settled in other City, Town or Village, a copy of the family-register shall be annexed with the written notification.

Article 101. In cases mentioned in paragraph 2 of the preceding article, a notification of separation from the present family-register may be given at the place where such separation has been effected.

Section XIV. Acquisition or Loss of Nationality

Article 102. If an alien is to acquire Japanese nationality by reason of an adoption or a marriage, the original nationality of the acquisitor of Japanese nationality shall be stated in the written notification of the

adoption or of the marriage.

Article 103. If an alien is to acquire Japanese nationality by reason of a recognition, the original nationality of the recognized child shall be stated in the written notification of the recognition.

If the person who recognized a child is its father, the written notification shall state the nationality of its mother.

Article 104. A notification of naturalization shall be given within ten days from the day on which the license thereof was granted.

The written notification of the aforesaid matter shall state the following particulars:

1. The original nationality of the naturalized person;
2. The full names and nationalities of the father and mother of such person;
3. The date on which the license was granted;
4. Where any person has acquired Japanese nationality in company with the naturalized person, the full name and the date of birth of such person as well as the connection in point of personal relationship between such person and the naturalized person.

If the wife or any of the children of a naturalized person does not acquire Japanese nationality in company with the naturalized person, the reason therefor shall be stated in the written notification of the naturalization.

Article 105. A notification of loss of Japanese nationality of a person shall be given by the spouse or any of relatives within the fourth degree of

relationship within one month from the day on which he became aware of that fact, upon being annexed with a writing proving the loss of Japanese nationality.

The written notification of the aforesaid matter shall state the following particulars:

1. The cause for and the date of the loss of Japanese nationality;
2. If any other nationality has been newly acquired by such person, the statement of that nationality.

Where a person who has lost Japanese nationality is a person who had held Japanese governmental office, a writing whereby it is proved that he ceased to hold such office shall be annexed to the written notification of the loss of Japanese nationality.

Article 106. A notification of recovery of Japanese nationality shall be given within ten days from the day on which the license thereof was granted.

The written notification of the aforesaid matter shall state the following particulars:

1. The cause for which and the date on which the recoverer formerly lost Japanese nationality;
2. The nationality held by such person before his recovery of Japanese nationality;
3. The date of the aforesaid license;
4. Where any person has acquired or recovered Japanese nationality in company with the recoverer, the full name and the date of birth of such person as well as the connection in point of personal relationship between such person and the recoverer.