3. If it shall appear to the satisfaction ofthe Attorney General that the master or commanding officer, owner, or consignee of any vessel or aircraft or the agent of any transportation line, as the case may be, has refused or failed to deliver any list or manifest required by subarticle (1) or (2), or that the list or manifest delivered is not accurate and full, such master or commanding officer, owner, or consignee, or agent, as the case may be, shall pay to the collector of customs at the port of arrival or departure the sum of _____ for each person concerning whom such accurate and full list or manifest is not prepared and sworn to as prescribed by this Article or by regulations issued pursuant thereto. No vessel or aircraft shall be granted clearance pending determination of the question of the liability to the payment of such penalty, or while it remains unpaid, and no such penalty shall be remitted or refunded, except that clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a bond or undertaking approved by the Attorney General or a sum sufficient to cover such penalty.

ARTICLE 15. Detention of Aliens for Observation and Examination

For the purpose of determining whether aliens arriving at ports of Japan belong to any of the classes excluded by this Act, by reason of being afflicted with any of the diseases or mental or physical defects or disabilities set forth in Article 6 hereof, or whenever the Attorney General has received information showing that any aliens are coming from a country or have embarked at a place where any such diseases are prevalent or epidemic, such aliens shall be detained on board the vessel or at the airport of arrival of the aircraft bringing them, unless the Attorney General directs their detention in an immigration station or other place specified by him at the expense of such vessel or aircraft except as otherwise provided in this Act, as circumstances may require or justify, for a sufficient time to enable the immigration officers to subject such aliens to observation and an examination sufficient to determine whether or not they belong to the excluded classes.

ARTICLE 16. Temporary Removal for Physical or Mental Examination

1. Upon the arrival at a port of Japan of any vessel or aircraft bringing

aliens, including alien crewmen, the immigration officers may order a temporary removal of such aliens for examination and inspection at a designated time and place, but such temporary removal shall not be considered as a landing, nor shall it relieve vessels or aircraft, the transportation lines, or the masters, commanding officers, agents, owners, or consignees of the vessel or aircraft upon which such aliens are brought to any port of Japan from any obligations which, in the case of such aliens remain on board, would, under the provisions of this Act bind such vessels or aircraft, transportation lines, masters, commanding officers, agents, owners, or consignees, except that where removal is made to premises owned or controlled by the Government, such vessels or aircraft, transportation lines, masters, commanding officers, agents, owners, or consignees, shall, so long as detention there lasts, be relieved of responsibility for the safekeeping of such aliens.

2. Whenever a temporary removal of aliens is made under this Article, the vessels or aircraft or transportation lines which brought them, and the masters, commanding officers, owners, agents, and consignees of the vessel, aircraft, or transportation line upon which they arrive, shall pay all expenses of such removal and all expenses arising during subsequent detention pending a decision on the aliens' eligibility to enter Japan and until they are either allowed to land or returned to the care of the transportation line or to the vessel or aircraft which brought them. Such expenses shall include maintenance, medical treatment in hospital or elsewhere, burial in the event of death, and transfer to the vessel, aircraft, or transportation line in the event of deportation, except where such expenses arise through the detention of aliens for the benefit of the Government of Japan or in cases wherein the Attorney General may otherwise direct.

3. Any detention expenses and expenses incident to detention incurred pursuant to Articles 15 and 16 shall not be assessed under this Act against the vessel or aircraft or transportation line or master, commanding officer, owner, agent, or consignee of the vessel, aircraft or transportation line in the case of any alien who arrived in possession of an expired immigrant or nonimmigrant

visa or other documentation in lieu thereof issued by a consular officer, and the vessel, aircraft, or transportation line, or the master, commanding officer, owner, agent, or consignee of the vessel, aircraft, or transportation line shall establish to the satisfaction of the Attorney General that the ground of detention could not have been ascertained by the exercise of due diligence on its or their part prior to the alien's embarkation.

✓ 4. Any refusal or failure to comply with the provisions of this Article shall be punished in the manner specified in Article 47 of this Act. (Penalty)

✓ 5. The physical and mental examination of arriving aliens, including alien crewmen, shall be made by medical officers of the Ministry of Welfare who shall conduct all medical examinations and shall certify, for the information of the immigration officers and the special inquiry officers, any physical or mental defect or disease observed by such medical officers in any such alien. If medical officers of the Ministry of Welfare are not available, civil surgeons of not less than four years' professional experience may be employed for such service upon such terms as may be prescribed by the Attorney General. Aliens, including alien crewmen, arriving at ports of Japan shall be examined by at least one such medical officer or civil surgeon under such administrative regulations as the Attorney General may prescribe, and under medical regulations prepared by the Surgeon General of the Ministry of Welfare. Medical officers of the Ministry of Welfare who have had special training in the diagnosis of insanity and mental defects shall be detailed for duty or employed at such ports of entry as the Attorney General may designate, and such medical officers shall be provided with suitable facilities for the detention and examination of all arriving aliens who it is suspected may be excludable under Article 6 (1), (2), (3), ~~(7) and (8).~~ and (6) ~~(xx),xxxxxxxxxxxxxxxxxx~~. Any alien so certified may appeal to a board of medical officers of the Ministry of Welfare, which shall be convened by the Surgeon General, and any such alien may introduce before such board one expert medical witness at his own cost and expense.

ARTICLE 17. Inspection by Immigration Officers

1. The inspection, other than the physical and mental examination of aliens, including alien crewmen, seeking admission or readmission to, or the privilege of passing through Japan, shall be conducted by immigration officers, except as otherwise provided in regard to special inquiry officers. All aliens arriving at ports of Japan shall be examined by one or more immigration officers at the discretion ofthe Attorney General and under such regulations as he may prescribe. Immigration officers are hereby authorized and empowered to board and search any vessel, aircraft, railway car, or other conveyance, or vehicle in which they believe or suspect aliens are being brought into Japan. The Attorney General and any immigration officer, including special inquiry officers, shall have power to administer oaths and to take and consider evidence of or from any person touching the privilege of any alien or person he believes or suspects to be an alien to enter, reenter, pass through, or reside in Japan or concerning any matter which is material and relevant to the enforcement of this Act and the administration of the Agency, and, where such action may be necessary, to make a written record of such evidence. Any person coming into Japan, may be required to state under oath the purpose or purposes for which he comes, the length of time he intends to remain in Japan, whether or not he intends to remain in Japan permanently, and if an alien, whether he intends to become a citizen thereof, and such other items of information as will aid the immigration officer in determining whether he is a national or alien, and if the latter, whether he belongs to any of the excluded classes enumerated in Article 6. The Attorney General and any immigration officer, including special inquiry officers, shall have power to require by subpoena the attendance and testimony of witnesses before immigration officers and special inquiry officers and the production of books, papers, and documents touching the privilege of any person to enter, reenter, reside in, or pass through Japan or concerning any matter which is material and relevant to the enforcement of this Act and the administration of the Agency, and to that end may invoke the aid of any court of Japan which may, in the event of any neglect or refusal to

respond to a subpoena issued under this subarticle or refusal to testify before an immigration officer or special inquiry officer, issue an order requiring such persons to appear before an immigration officer or special inquiry officer, produce books, papers, and documents, if demanded, and testify, and any failure to obey such order of the court may be punished by ~~the court as a contempt thereof.~~

2. Every alien, other than an alien crewman, and except as otherwise provided in subarticle (3) of this Article and Article 48 (4), who may not appear to the examining immigration officer at the port of arrival to be clearly and beyond a doubt entitled to land, shall be detained for further inquiry to be conducted by a special inquiry officer. The decision of the examining officer, if favorable to the admission of any alien, shall be subject to challenge by any other immigration officer and such challenge shall operate to take the alien, whose privilege to land is so challenged, before a special inquiry officer for further inquiry.

3. Any alien, including an alien crewman, who may appear to the examining immigration officer or to the special inquiry officer during the examination before either of such officers to be excludable under Article 6 (18), (19), (20) ~~(27), (28), (29),~~ shall be temporarily excluded and no further inquiry by a special inquiry officer shall be conducted until after the case is reported to the Attorney General and such an inquiry or further inquiry is directed by the Attorney General. If the Attorney General is satisfied that the alien is excludable under any of such paragraphs on the basis of information of a confidential nature, the disclosure of which in his opinion would be prejudicial to the public interest, safety or security, he may in his discretion order such alien to be excluded and deported without any inquiry or further inquiry by a special inquiry officer.

ARTICLE 18. Special Inquiry Officers

1. Special inquiry officers shall be such immigration officers as may be designated and selected by the Attorney General for the purpose of performing the functions of special inquiry officers required under this Act. No immigration officer shall act as the special inquiry officer under this Article in any

case in which such officer has engaged in investigative or prosecuting functions. Subject tothe provisions of Article 17 (3), one special inquiry officer shall have authority in any case to determine whether an arriving alien who has been held for inquiry under Article 17 shall be allowed to enter or shall be excluded and deported, and such determination shall be made by such officer only after he shall have conducted an inquiry under oath. At such inquiry, which shall be kept separate and apart from the public, the alien may have one friend or relative present, under such conditions as may be prescribed by the Attorney General. A complete and permanent record of the proceedings and of all testimony and evidence produced at such inquiry shall be kept by the conducting officer. Proceedings before special inquiry officers under this section shall be conducted in accordance with this section and such regulations as the Attorney General shall prescribe. ~~Notwithstanding any other law, the proceedings so established shall be the sole and exclusive procedure for determining the admissibility of a person to Japan.~~

(2) From a decision of a special inquiry officer excluding an alien, such alien may take a timely appeal (specify in regulations) to the Attorney General, and any such alien shall be advised of his right to take such appeal. No appeal may be taken from a temporary exclusion under Article 17 (3). From a decision of the special inquiry officer to admit an alien, the immigration officer in charge at the port where the inquiry is held may take a timely appeal to the Attorney General. An appeal by the alien, or such officer in charge, shall operate to stay any final action with respect to any alien whose case is so appealed until the final decision of the Attorney General is made. Except as provided in Article 17 (3) such decision shall be rendered solely upon the evidence adduced before the special inquiry officer.

(3) Except as provided in subarticles (2) and (4), in every case where an alien is excluded from admission into Japan under this Act or any other law or treaty now existing or hereafter made, the decision of a special inquiry officer shall be final unless reversed on appeal to the Attorney General.

(4) If a medical officer or civil surgeon or board of medical officers as provided in article 16 (5) has certified under Article 6 (6) or with respect to any mental disease, defect, or disability which would bring such alien within any of the classes

excluded from admission to Japan under paragraphs (1), (2), ~~(5)~~ and (7), and (~~8~~ under Article 6, the decision of the special inquiry officer shall be based solely upon such certification. No alien shall have a right to appeal from such an excluding decision of a special inquiry officer. If an alien is excluded by a special inquiry officer because of the existence of a physical disease, defect, or disability, other than one specified in section 6 (6), the alien may appeal from the excluding decision in accordance with subarticle (2) of this Article, and the provisions of Article 7 may be invoked.

ARTICLE 19. Immediate Deportation of Aliens Excluded from Admission or Entering in Violation of Law

1. Any alien arriving in Japan who is excluded under this Act, shall be immediately deported, in accomodations of the same class in which he arrived, on the vessel or aircraft bringing him, unless the Attorney General, in an individual case, in his discretion concludes that immediate deportation is not practicable or proper. The cost of the maintenance including detention expenses and expenses incident to deportation of any such alien while he is being detained, as well as the transportation expense of his removal from Japan, shall be borne by the owner or owners of the vessel or aircraft on which he arrived, except that the cost of maintenance including detention expenses and expenses incident to deportation under this Article shall not be assessed against the owner or owners of such vessel or aircraft if the alien was in possession of an unexpired immigrant or nonimmigrant visa or other documentation in lieu thereof issued by a consular officer and the owner or owners of such vessel or aircraft shall establish to the satisfaction of the Attorney General that the ground of detention could not have been ascertained by the exercise of due diligence on his or their part prior to the alien's embarkation.

2. It shall be unlawful for any master, commanding officer, purser, person in charge, agent, owner, or consignee of any vessel or aircraft (a) to refuse to receive any alien, other than an alien crewman, ordered deported under this Article back on board such vessel or aircraft or another vessel or aircraft owned or operated by the same interests; (b) to fail to detain any alien on board any such vessel or at the airport of arrival of the aircraft when required

by this Act or if so ordered by an immigration officer, or to fail or refuse to deliver him for medical or other inspection, or for further medical or other inspection, as and when so ordered by such officer; (c) to refuse or fail to remove him from Japan, (d) to fail to pay the cost of his maintenance while being detained as required by this Article or Article 16 of this Act; (e) to take any consideration to be returned in case the alien is landed; or (f) knowingly to bring to Japan any alien, other than an alien crewman, excluded or arrested and deported under any provision of law until such alien may be lawfully entitled to reapply for admission to Japan. If it shall appear to the satisfaction of the Attorney General that any such master, commanding officer, purser, person in charge, agent, owner, or consignee of any vessel or aircraft has violated any of the provisions of this Article or of Article 16 of this Act, such master, commanding officer, purser, person in charge, agent, owner or consignee shall pay to the collector of customs of the district in which the port of arrival is situated or in which any vessel or aircraft of the line may be found, the sum of _____for each violation. No such vessel or aircraft shall have clearance from any port of Japan while any such fine is unpaid or while the question of liability to pay any such fine is being determined, nor shall any such fine be remitted or refunded, except that clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a bond or undertaking approved by the Attorney General or a sum sufficient to cover such fine.

3. If the vessel or aircraft, by which any alien who has been ordered deported under this Article arrived, has left Japan and it is impracticable to deport the alien within a reasonable time by another vessel or aircraft owned by the same person, the cost of deportation may be paid from the appropriation for the enforcement of this Act and recovered by civil suit from any owner, agent, or consignee of the vessel or aircraft.

4. The Attorney General, under such conditions as are by regulations prescribed, may stay the deportation of any alien deportable under this Article,

if in his judgement the testimony of such alien is necessary on behalf of the Government in the prosecution of offenders against any provision of this Act or other laws of Japan. The cost of maintenance of any person to detained resulting from a stay of deportation under this subarticle and a witness fee of _____per day for each day such person is so detained may be paid from the appropriation for the enforcement of this Act. Such alien may be released under bond in the penalty of not less than _____with security approved by the Attorney General on condition that such alien shall be produced when required as a witness and for deportation, and on such other conditions as the Attorney General may prescribe.

5. Upon the certificate of an examining medical officer to the effect that an alien ordered to be excluded and deported under this Article is helpless from sickness or mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by the alien ordered excluded and deported, such accompanying alien may also be excluded and deported and the master, commanding officer, agent, owner or consignee of the vessel or aircraft in which such alien and accompanying alien/in the same arrived in Japan, shall be required to return the accompanying alien manner as other aliens denied admission and ordered deported under this Article.

ARTICLE 20. Designation of Ports of Entry for Aliens Arriving By Civil Aircraft

The Attorney General is authorized (1) to designate as ports of entry for aliens arriving by aircraft any of the ports of entry for civil aircraft designated as such in accordance with law; (2) by regulation to provide for the application to civil air navigation of the provisions of this Act where not expressly so provided in this Act to such an extent and upon such conditions as he deems necessary; and (3) to enter into contracts including bonding agreements with transportation lines to guarantee the passage through Japan in immediate and continuous transit of aliens destined to foreign countries.

ARTICLE 21. Left Open

ARTICLE 22. Left Open

# PART - V

## DEPORTATION - ADJUSTMENT OF STATUS OF ALIEN

ARTICLE 23. General Classes of Deportable aliens

1. Any alien in Japan, including an alien crewman, shall, upon the order of the Attorney General, be deported who -

a. At the time of entry was within one or more of the classes of aliens excludable by law or who subsequent to any entry into Japan is found to fall within any of the classes/aliens excludable from admission.
of

b. Entered Japan without inspection or at any time or place other than as designated by the Attorney General or is in Japan in violation of this Act or in violation of any other law of Japan;

c. Within five years after entry becomes institutionalized because of mental disease, defect, or deficiency;

d. (1) Within five years after entry is convicted of a crime involving moral turpitude and either sentenced to confinement or confined therefor in a prison or corrective institution for a year or more, or who at any time after entry is convicted of two crimes involving moral turpitude, not arising out of a single scheme of criminal misconduct, regardless of whether confined therefor and regardless of whether the convictions were in a single trial; or at any time after entry is convicted in Japan of any criminal offense, not comprehended within any of the foregoing, if the Attorney General in his discretion concludes that the alien is an undesirable resident of Japan; or

(2) Admits committing within five years after entry acts which constitute the essential elements of a crime involving moral turpitude, or whose admission is tantamount to a confession of guilt of such a crime;

e. Who Willfully fails to comply with any of the provisions of Articles 41, 42, 43, 44 or who violates any of the penal provisions of Article 45 of this Act to an extent deemed by the Attorney General to justify such action, regardless of whether he shall have been convicted under any penal provision of Article 45.

f. Is or at any time after entry has been a member of any one of the classes of aliens described in Article 5 (19) of this Act, except that this paragraph shall not apply to an alien who was lawfully admitted to Japan for permanent residence, if the sole ground for deportation under this paragraph ceased to exist prior to such lawful entry into Japan.

g. Is engaged, or at any time after entry has engaged, or at any time after entry has had a purpose to engage, in any of the activities described in Article 6 (27), (29), of this Act, unless the Attorney General is satisfied, in the case of any alien, that the alien did not know or have reason to believe at the time such alien became a member of, affiliated with, or participated in the activities of the organization (and did not thereafter and prior to the date of his detention under deportation proceedings have such knowledge or belief) that such organization was dedicated to the overthrow by force and violence of the Constitutional Government of Japan.

h. In the opinion of the Attorney General is, or at any time after entry became, a public charge from causes not affirmatively shown to have arisen after entry;

i. Was admitted as a nonimmigrant, and failed to maintain the non-immigrant status in which admitted or to which changed pursuant to Article ~~30.~~ 27

j. Is or at any time after entry has been a narcotic drug addict, or who at any time has been convicted of a violation of any law or regulation relating to the illicit traffic in narcotic drugs, or who has been convicted of a violation of any law or regulation relating to the illicit traffic in narcotic drugs, or who has been convicted of a violation of any law or regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation or exportation, of opium, coca leaves, heroin, marihuana, or any salt derivative or preparation of opium or coca leaves;

k. Is or at any time after entry became a member of any of the classes specified in Article 6 (13), or is or at any time after entry became the manager, or is or at any time after entry became connected with the management of a house of prostitution or any other immoral place; or

l. Is an alien who prior to, or at the time of entry, or at any time within five years after entry, shall have knowingly ~~and for gain~~ encouraged,

induced, assisted, abetted, or aided any other alien to enter or try to enter Japan in violation of law.

✓ 2. The provisions of this Article shall be applicable to all aliens falling within the deportable classes hereunder without regard to the fact that any such alien entered Japan prior to the date of enactment of this Act, except as otherwise provided. [Insert: Deportation classes under 45] X

ARTICLE. 24 Apprehension and Deportation of Aliens

✓ 1. Pending a determination of deportability in the case of any alien as provided in subarticle (2) of this Article, such alien may, upon issuance of a detention order by the Attorney General, be arrested and taken into custody. Any such alien taken into custody may, in the discretion of the Attorney General and pending such final determination of deportability, (a) be continued in custody; or (b) be released under bond in the amount of not less than ____with surity approved by the Attorney General, containing such conditions as the Attorney General may prescribe; or (c) be released on conditional parole. But such bond or parole whether heretofore or hereafter authorized, may be revoked at any time by the Attorney General, in his discretion, and the alien may be returned to custody under the detention order which initiated the proceedings against him and detained until final determination of his deportability.

✓ 2. A final order or deportation in any case shall be made by the Attorney General only upon a record made in a proceeding before a special inquiry officer, at which the alien shall be present. Such proceedings before a special inquiry officer shall be in accordance with such regulations as the Attorney General shall prescribe. No immigration officer shall act as the special inquiry officer under this Article in any case in which such officer has engaged in investigative or prosecuting functions. Such regulations shall include as minimum requirements that -

a. The alien shall have notice of the nature of the charges against him and of the time and place at which the proceedings will be held;

b. The alien shall have the privilege of being represented by counsel of his choice at no expense to the Government;

c. The alien shall have a reasonable opportunity to examine the evidence against him, to present evidence in his own behalf, and to cross-examine witnesses presented by the Government; and

d. That the decision shall be ~~valid unless it is based upon probative evidence~~ supported by probative evidence.

~~Notwithstanding~~ any other law the proceedings so prescribed shall be the sole and exclusive procedure for determining the deportability of an alien who is in Japan. In any case in which an alien is ordered deported from Japan under the provisions of this Act, or of any other law or treaty, the decision of the Attorney General shall be final. In the discretion of the Attorney General, and under such regulations as he may prescribe, deportation proceedings, including the issuance of a detention order, and a finding of deportability under this subarticle, need not be required in the case of any alien who admits belonging to a class of aliens which is deportable under Article 23 if such an alien voluntarily departs from Japan at his own expense, unless the Attorney General has reason to believe that such alien is deportable as a member of the subversive, criminal or immoral classes.

If an alien is financially unable to depart at his own expense, and the Attorney General deems his removal without the institution of deportation proceedings to be in the best interests of Japan, the expense of such removal may be paid from the appropriation for the enforcement of this Act.

3. When an order of deportation is made against any alien, the Attorney General shall have a period of six months from the date of such order within which to effect the alien's departure from Japan, during which period, at the Attorney General's discretion, the alien may be detained, released on bond in an amount and containing such conditions as the Attorney General may prescribe, or released on such other conditions as the Attorney General may prescribe. If deportation has not been practicable, advisable, or possible, or departure of the alien from Japan under the order or deportation has not been effected, within six months from the date of the order of deportation, the alien shall be subject to such further supervision and detention pending eventual deportation as is authorized in this Article. The Attorney General is hereby authorized

and directed to arrange for appropriate places of detention for those aliens whom he shall take into custody and detain. For the purposes of this subarticle an order of deportation heretofore or hereafter entered against an alien in legal detention or confinement other than under an immigration process, shall be considered as being made as of the moment he is released from such detention or confinement, and not prior thereto.

4. Any alien, against whom a final order of deportation heretofore or hereafter issued, has been outstanding for more than six months, shall, pending eventual deportation, be subject to supervision under regulations prescribed by the Attorney General. Such regulations shall include provisions which will require any alien subject to supervision (a) to appear from time to time before an immigration officer for identification; (b) to submit, if necessary, to medical and psychiatric examinations at the expense of the Government of Japan; (c) to give information under oath as to his nationality, circumstances, habits, associations, and activities, and such other information, whether or not related to the foregoing, as the Attorney General may deem fit and proper; and (d) to conform to such reasonable written instructions on his conduct or activities as are prescribed by the Attorney General in his case. Any alien who shall ~~wilfully fail~~ knowingly or violate reasonable restrictions imposed upon his conduct or activities by his parole to comply with such regulations, or wilfully fail to appear or to give information or submit to medical or psychiatric examination if required, or knowingly gives false information in relation to the requirements of such ~~the conditions of parole~~ regulations, or knowingly violates a reasonable restriction imposed upon his ~~conduct or activity~~ by his parolee, shall, upon conviction be guilty of *, and shall be fined not more than _____ or shall be imprisoned not more than one year, or both.

5. Should the Attorney General find that any alien has unlawfully reentered Japan after having previously departed or been deported pursuant to an order of deportation, whether before or after the date of enactment of this Act, the previous order of deportation shall be deemed to be reinstated from its original date and such alien shall be deported under such previous order at any time

* (theirfymature of crime)

#43

subsequent to such reentry, providing, that the date on which the finding is made that such reinstatement is appropriate shall be deemed the date of the final order of deportation and, providing, that the reinstatement of a former deportation order shall not be permitted in cases wherein the former deportation order is dated prior to ~~April 1, 1951.~~ date of this Act.

6. If any alien, subject to supervision or detention under this Act is able to depart from Japan under the order of deportation, except that he is financially unable to pay his passage, the Attorney General may in his discretion, permit such alien to depart voluntarily, and the expense of such passage to the country to which he is destined may be paid from appropriations for the enforcement of this Act, unless such payment is otherwise provided for under this Act.

7. An alien sentenced to imprisonment shall not be deported until such time as such imprisonment has been terminated by the release of the alien from confinement. Parole, probation or possibility of rearrest or further confinement is respect of the same offense shall not be ground for deferral of deportation.

ARTICLE 25. Countries to which Aliens shall be Deported; Cost of Deportation

1. The deportation of an alien in Japan provided for in this Act, or any other Act, shall be directed by the Attorney General, to a country promptly designated by the alien, if that country is willing to accept him into its territory: Provided, that no alien shall be permitted to make more than one such designation.

2. If the country designated by the alien does not accept him such alien shall be deported to any country of which such alien is a subject, national, or citizen if such country is willing to accept him into its territory, but if such country does not accept him, then such deportation shall be directed by the Attorney General within his discretion and without necessarily giving any priority or preference because of their order as herein set forth, either -

a. To the country from which such alien last entered Japan;

b. To the country in which is located the foreign port at which such alien embarked for Japan;

c. To the country in which he was born;

d. To the country in which the place of his birth is situated at the time he is ordered deported;

e. To any country in which he resided prior to entering the country from which he entered Japan;

f. To the country which had sovereignty over the birthplace of the alien at the time of his birth; or

g. If deportation to any of the foregoing places or countries is impracticable, inadvisable, or impossible, then to any country which is willing to accept such alien into its territory.

3. If deportation proceedings are instituted at any time within five years after the entry of the alien, the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this Act, and the deportation from such port shall be at the expense of the owner or owners of the vessels aircraft or other transportation lines by which such alien came to Japan, or if in the opinion of the Attorney General that is not practicable, at the expense of the appropriation for the enforcement of this Act. Provided, that the costs of the deportation of any such alien from such port shall not be assessed against the owner or owners of the vessels, aircraft, or other transportation lines in the case of any alien who arrived in possession of an unexpired immigrant or nonimmigrant visa or other documentation in lieu thereof issued by a consular officer and the owner or owners of the vessels, aircraft, or other transportation lines shall establish to the satisfaction of the Attorney General that the ground of deportation could not have been ascertained by the exercise of due diligence on his or their part prior to the alien's embarkation. In the case of an alien crewman, if deportation proceedings are instituted at any time within five years after the granting of the last permit to land temporarily under the provisions of Article 34, the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement

of this Act and the deportation from such port shall be at the expense of the owner or owners of the vessels or aircraft by which such alien came to Japan, or if in the opinion of the Attorney General that is not practicable, at the expense of the appropriation for the enforcement of this Act.

4. If deportation proceedings are instituted later than five years after the entry of the alien, or in the case of an alien crewmen later than five years after the granting of the last permit to land temporarily, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this Act.

5. A failure or refusal on the part of the master, commanding officer, agent, owner, charterer, or consignee of a vessel, aircraft, or other transportation line to comply with the order of the Attorney General to take on board, guard safely, and transport to the destination specified, any alien ordered to be deported under the provisions of this Act, or a failure or refusal by any such person to comply with an order of the Attorney General to pay deportation expenses in accordance with the requirements of this Article, shall be punished by the imposition of a penalty in the sum and manner prescribed in Article 19 (2) of this Act.

6. When in the opinion of the Attorney General the mental or physical condition of an alien being deported is such as to require personal care and attendance, the Attorney General shall, when necessary, employ a suitable person for that purpose who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in the same manner as the expense of deporting the accompanied alien is defrayed, and any failure or refusal to defray such expenses shall be punished in the manner prescribed in subarticle (5) of this Article.

7. Upon the notification by the Attorney General that any country upon request denies or unduly delays acceptance of the return of any alien who is a national, citizen, subject or resident thereof, the Minister for Foreign Affairs shall instruct consular officers performing their duties in the territory of such country to discontinue the issuance of immigration visa to nationals,

citizens, subjects, or residents of such country, until such time as the Attorney General shall inform the Minister for Foreign Affairs that such country has accepted such alien.

5. No alien shall be deported under any provision of this Act to any country in which the Attorney General shall in his discretion find that such alien would be subjected to persecution.

ARTICLE 26. Suspension of Deportation

1. As hereinafter prescribed in this Article the Attorney General may, in his discretion, suspend deportation and adjust the status to that of an alien lawfully admitted for permanent residence, in the case of any alien who falls within one or more of the following categories:

a. Is not subject to deportation under any provision of law relating to the criminal, immoral or subversive classes;

b. Is a citizen or national of a country with which Japan does not have diplomatic relations;

c. Was born in Japan or has lived the major portion of his life in Japan;

d. At any period of his life was classified as a national of Japan and has committed no individual act of expatriation;

e. Is a person whose deportation would, in the opinion of the Attorney General, result in exceptional and extremely unusual hardship to the members of his immediate family who are citizens, nationals, or legal residents of Japan.

ARTICLE 27. Adjustment of Status of Nonimmigrant to that of Person Admitted for Permanent Residence

1. The status of an alien lawfully admitted to Japan as a nonimmigrant and who is continuing to maintain that status, may be adjusted by the Attorney General, in this discretion, under such regulations as he may prescribe, to another nonimmigrant classification or to that of an alien lawfully admitted for permanent residence, if (a) the alien makes application for adjustment, and (b) the alien is admissible to Japan in the changed nonimmigrant status or for permanent residence under this Act or regulations prescribed in pursuance thereof.

2. Upon the approval of an application for adjustment made under subarticle (1), the Attorney General shall record the alien's lawful admission in the changed nonimmigrant status or for permanent residence as of the date of the order of the Attorney General approving the application for adjustment of status is made.

ARTICLE 28. Rescission of Adjustment of Status

1. If, at any time within five years after the status of an alien has been adjusted under the provisions of this Act or any other provision of law, of another nonimmigrant classification or to that of an alien to that of an alien lawfully admitted for permanent residence, it shall appear to the satisfaction of the Attorney General that the alien was not in fact eligible for such adjustment of status, the Attorney General shall rescind the action taken granting adjustment of status to such alien and canceling deportation in the case of such alien, if that occured, and the alien shall thereupon be subject to all provisions of this Act to the same extent as if the adjustment of status had not been made.

2. Any person who has become a naturalized citizen of Japan upon the basis of a record of lawful admission for permanent residence, created as a result of an adjustment of status for which such person was not in fact eligible, and which is subsequently rescinded under subarticle (1) of this Article, shall be subject to the provisions of this Act to the same extent as though such adjustment of status and naturalization had not taken place.

## PART - VI

### LISTS OF ALIEN CREWMEN; REPORTS OF ILLEGAL LANDINGS; SPECIAL PROVISIONS RELATING TO ALIEN CREWMEN

~~ARTICLE 29. Left open~~

~~ARTICLE 30. Left open~~

~~ARTICLE 31. Left open~~

~~ARTICLE 32. Left open~~

ARTICLE 33. Lists of Alien Crewmen; Reports of Illegal Landings

1. Upon arrival of any vessel or aircraft in Japan from any place outside Japan it shall be the duty of the owner, agent, consignee, master, or commanding officer thereof to deliver to an immigration officer at the port of arrival (a) a complete, true and correct list containing the names of all aliens employed on such vessel or aircraft, the positions they respectively hold in the crew of the vessel or aircraft, when and where they were respectively shipped on or engaged, and those to be paid off or discharged in the port of arrival; or (b) in the discretion of the Attorney General, such list containing so much of such information, or such additional or supplemental information, as the Attorney General shall by regulations prescribe.

2. It shall be the duty of any owner, agent, consignee, master, or commanding officer of any vessel or aircraft to report to an immigration officer in writing, as soon as discovered, all cases in which any alien crewman has illegally landed in Japan from the vessel or aircraft together with a description of such alien and any information likely to lead to his apprehension.

3. Before the departure of any vessel or aircraft from any port in Japan, it shall be the duty of the owner, agent, consignee, master, or commanding officer thereof, to deliver to an immigration officer a list containing the names of all alien employees who were not employed thereon at the time of the arrival at the port who will leave such port thereon at the time of the departure of such vessel or aircraft and the names of those, if any, who have been paid off or discharged, and of those, if any, who

have deserted or landed at that port, and such further information as the Attorney General may require.

4. In case any owner, agent, consignee, master, or commanding officer shall fail to deliver complete, true, and correct lists or reports of aliens or to report cases of desertion or landing, as required by subarticle 1, 2 and 3, such owner, agent, consignee, master, or commanding officer, shall, if required by the Attorney General, pay to the collector of customs of any customs district in which the vessel or aircraft may at any time be found, the sum of _____ for each alien concerning whom such lists are not delivered or such reports are not made as required in the preceding subarticle. No such vessel or aircraft shall be granted clearance from any port at which it arrives pending the determination of the question of the liability to the payment of such fine, and if such fine is imposed, while it remains unpaid. No such fine shall be remitted or refunded. Clearance may be granted prior to the determination of such questions upon deposit of a bond or a sum sufficient to cover such fine.

5. The Attorney General is authorized to prescribe by regulations the circumstances under which a vessel or aircraft shall be deemed to be arriving in, or departing from Japan or any part thereof within the meaning of any provision of this Part.

ARTICLE 34. Permits to Land Temporarily

1. No alien crewman shall be permitted to land temporarily in Japan except as provided in this Article, Article 6 and Article 35. If an immigration officer finds upon examination that an alien crewman is a non-immigrant under paragraph 3 (4), Article No. 3, and is otherwise admissible, he may, in his discretion, grant the crewman a permit to land temporarily pursuant to regulations prescribed by the Attorney General, for a period of time not to exceed —

a. the period of time (not exceeding twenty-nine days) during which the vessel or aircraft on which he arrived remains in port, if the immigration officer is satisfied that the crewman intends to depart on the vessel or aircraft on which he arrived; or

b. twenty-nine days, if the immigration officer is satisfied that the crewman intends to depart, within the period for which he is permitted to land, on a vessel or aircraft other than the one on which he arrived.

2. Pursuant to regulations prescribed by the Attorney General, any immigration officer may, upon the basis of evidence satisfactory to such officer that an alien is not a bona fide crewman, or does not intent to depart on the vessel or aircraft which brought him, revoke the permit to land which was granted such crewman under the provisions of this Act, take such crewman into custody and require the master or commanding officer of the vessel or aircraft on which the crewman arrived to receive and detain him on board of such vessel or aircraft, if practicable, and such crewman shall be deported from Japan at the expense of the transportation line which brought him to Japan. Nothing in this Article shall be construed to require the procedure prescribed in Article 24 of this Act to cases falling within the provisions of this subarticle.

3. Any alien crewman who willfully remains in Japan in excess of the number of days allowed in any permit, issued under this Article shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than _____ or shall be imprisoned for not more than six months, or both.

ARTICLE 35. Hospital Treatment of Alien Crewmen Afflicted with Certain Diseases

An alien crewman, including an alien crewman ineligible for a permit to land under Article 34 who is found on arrival in a port of Japan to be afflicted with any of the disabilities or diseases mentioned in Article 37, shall be placed in a hospital designated by the immigration officer in charge at the port of arrival and treated, all expenses connected therewith, including burial in the event of death, to be borne by the owner, agent, consignee, commanding officer, or master of the vessel or aircraft, and not to be deducted from the crewman's wages. No such vessel or aircraft shall be granted clearance until such expenses are paid, or their payment appropriately guaranteed, and the collector of customs is so notified by the immigration officer in charge. An alien crewman suspected of being afflicted with such disability or disease may be removed from the vessel or aircraft on which he arrived to an immigration

station, or other appropriate place, for such observation as will enable the examining surgeons to determine definitely whether or not he is so afflicted, all expenses connected therewith to be borne in the manner hereinbefore prescribed. In cases in which it appears to the satisfaction of the immigration officer in charge that it will not be possible within a reasonable time to effect a cure, the return of the crewman shall be enforced on, or at the expense of, the transportation line on which he came, upon such conditions as the Attorney General shall prescribe, to insure that the alien shall be properly cared for and protected, and that the spread of contagion shall be guarded against.

ARTICLE 36. Control of Alien Seamen

✓ 1. The owner, agent, consignee, charterer, master, or commanding officer of any vessel or aircraft arriving in Japan from any place outside thereof who fails (a) to detain on board the vessel, or in the case of an aircraft to detain at a place specified by an immigration officer at the expense of the airline, any alien crewman employed thereon until an immigration officer has completely inspected such alien crewman, including a physical examination by the medical examiner, or (b) to detain any alien crewman on board the vessel, or in the case of an aircraft at a place specified by an immigration officer at the expense of the airline, after such inspection, unless a permit to land temporarily has been granted such alien crewman under Article 34 or unless an alien crewman has been permitted to land temporarily under Article § 6 (32) or Article 35 for medical or hospital treatment, or (c) to deport such alien crewman if required to do so by an immigration officer, whether such deportation requirement is imposed before or after the crewman is permitted to land temporarily under Article § 6 (32), Article 34 and 35, shall pay to the collector of customs of the customs district in which the port of arrival is located or in which the failure to comply with the orders of the officer occures the sum of _____ for each alien crewman in respect of whom such failure occurs. No such vessel or aircraft shall be granted clearance pending determination of the liability to the payment of such fine or while the fine

57

452

remains unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine, or of a bond with sufficient surety to secure the payment thereof approved by the collector of customs. The Attorney General may, upon application in writing therefor, mitigate such penalty to not less than _____ for each alien crewman in respect of whom such failure occurs upon such terms as he shall think proper.

2. Proof that an alien crewman did not appear upon the outgoing manifest of the vessel or aircraft on which he arrived in Japan from any place outside thereof, or that he was reported by the master or commanding officer of such vessel or aircraft as a deserter, shall be prima facie evidence of a failure to detain or deport such alien crewman.

3. If the Attorney General finds that deportation of an alien crewman under this section on the vessel or aircraft on which he arrived is impracticable or impossible, or would cause undue hardship to such alien crewman, he may cause the alien crewman to be deported from the port of arrival or any other port on another vessel or aircraft, of the same transportation line, unless the Attorney General finds this to be impracticable. All expenses incurred in connection with such deportation, including expenses incurred in transferring an alien crewman from one place in Japan to another under such conditions and safeguards as the Attorney General shall impose, shall be paid by the vessel or aircraft on which the alien arrived in Japan. The vessel or aircraft on which the alien arrived shall not be granted clearance until such expenses have been paid or their payment guaranteed to the satisfaction of the Attorney General. An alien crewman who is transferred within Japan in accordance with this subsection shall not be regarded as having landed in Japan.

ARTICLE 57. Employment on Passenger Vessels of Aliens Afflicted with Certain Disabilities

It shall be unlawful for any vessel or aircraft carrying passengers between a port of Japan and a port outside thereof to have employed on board upon arrival in Japan any alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis, in any form, or a loathsome disease or a dangerous

contagious disease. If it appears to the satisfaction of the Attorney General from an examination made by a medical officer of Japan, and is so certified by such officer, that any such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel or aircraft and that the existence of such affliction might have been detected by means of a competent medical examination at such time, the owner, commanding officer, agent consignee, or master thereof shall pay for each alien so afflicted to the collector of customs of the customs district in which the port of arrival is located, the sum of _____. No vessel or aircraft shall be granted clearance pending the determination of the question of the liability to the payment of such sums, or while such sums remain unpaid, except that clearance may be granted prior to the determination of such question of the liability to the payment of such sums, or while such sums remain unpaid, upon the deposit of an amount sufficient to cover such sums or of a bond approved by the collector of customs with sufficient surety to secure the payment thereof. Any such fine may, in the discretion of the Attorney General, be mitigated or remitted.

ARTICLE 38. Discharge of Alien Crewmen

It shall be unlawful for any person, including the owner, agent, consignee, charterer, master, or commanding officer of any vessel or aircraft, to pay off or discharge any alien crewman employed on board a vessel or aircraft arriving in Japan, without first having obtained the consent of the Attorney General. If it shall appear to the satisfaction of the Attorney General that any alien crewman has been paid off or discharged in Japan in violation of the provisions of this Article, such owner, agent, consignee, charterer, master, commanding officer or other person, shall pay to the collector of customs of the customs district in which the violation occured the sum of ¥_____ for each such violation. No vessel or aircraft shall be granted clearance pending the determination of the question of the liability to the payment of such sums, or of a bond approved by the collector of customs with sufficient surety to secure payment thereof. Such fine may, in the discretion of the Attorney General be mitigated to not less than one half for each violation, upon such terms as he shall ~~thing~~ think proper.

ARTICLE 39. Bringing Alien Crewmen into Japan with Intent to Evade Immigration Laws

Any person, including the owner, agent, consignee, master, or commanding officer of any vessel or aircraft arriving in Japan from any place outside thereof who shall knowingly sign on the vessel's articles, or bring to Japan as one of the crew of such vessel or aircraft, any alien, with intent to permit or assist such alien to enter or land in Japan in violation of law, or who shall falsely and knowingly represent to a consular officer at the time of application for visa, or to the immigration officer at the port of arrival in Japan, that such alien is a bona fide member of the crew employed in any capacity regularly required for normal operation and services abroad such vessel or aircraft, shall be liable to a penalty not exceeding _____ for each such violation, for which sum such vessel or aircraft shall be liable and may be seized and proceeded against by way of libel in any proper court having jurisdiction of the offense.

## PART - III

### REGISTRATION OF ALIENS

ARTICLE 40. Aliens Seeking Entry into Japan

No visa shall be issued to any alien seeking to enter Japan unless such alien has been registered and fingerprinted in accordance with Article 11, (2).

ARTICLE 41. Registration of Aliens in Japan

1. Except as otherwise provided in Article 11 (2), it shall be the duty of every alien now or hereafter in Japan, who (a) is fourteen years of age or older, (b) has not been registered and fingerprinted under Article 11 (2) of this Act or under any other law and (c) remains in Japan for thirty days or longer, to apply for registration and to be fingerprinted before the expiration of such thirty days. Aliens who were heretofore registered but were not fingerprinted shall be required to be fingerprinted as provided for by regulation of the Attorney General.

2. It shall be the duty of every parent or legal guardian of any alien now or hereafter in Japan who (a) is less than fourteen years of age, (b) has not been registered under Article 11 (2) of this Act or under any other law, and (c) remains in Japan for thirty days or longer, to apply for the registration of such alien before the expiration of such thirty days. Whenever any alien attains his fourteenth birthday in Japan he shall, within thirty days thereafter, apply in person for registration and to be fingerprinted.

ARTICLE 42. Provision Governing Registration of Special Groups

Notwithstanding the provisions of Articles 40 and 41 hereof, the Attorney General is authorized to prescribe special regulations and forms for the registration and fingerprinting of any other class or classes of aliens not admitted to Japan for permanent residence.

ARTICLE 43. Forms and Procedure

1. The Attorney General and the Minister for Foreign Affairs jointly are authorized and directed to prepare forms for the registration and fingerprinting of aliens under Article 40 of this Act, and the Attorney General is authorized and directed to prepare forms for the registration and fingerprinting of aliens under Article 41 of this Act. Such forms shall contain inquiries with respect to (a) the date and place of entry of the alien into Japan, (b) the length of

time he expects to remain in Japan; (c) activities in which he has been and intends to be engaged; (d) the criminal record, if any, of such alien; and (e) such additional matters as may be prescribed.

2. All registration and fingerprint records made under the provisions of this Act shall be confidential, and shall be made available only to such persons or agencies as may be designated by the Attorney General.

3. Every person required to apply for registration of himself or another under this title shall submit under oath the information required for such registration. Any person authorized under regulations issued by the Attorney General to register aliens under this title shall be authorized to administer oaths for such purpose.

4. Every alien in Japan who has been registered and fingerprinted under the provisions of the Alien Registration Ordinance, or under the Provisions of this Act, shall be issued a certificate of alien registration or an alien registration receipt card in such form and manner and at such time as shall be prescribed under regulations issued by the Attorney General.

5. Every alien shall at all times carry with him and have in his personal possession any certificate of alien registration or alien registration receipt card issued pursuant to subarticle 4. Any alien who fails to comply with the provisions of this subarticle shall be guilty of a misdemeanor and shall upon conviction for each offense be fined not to exceed _____ or be imprisoned not more than thirty days, or both.

ARTICLE 44. Notice of Change of Address and Change of Status

Every alien required to be registered under this Act, or who was required to be registered under the Alien Registration Ordinance of _____ _____ who is within Japan on January 1, 1952, or on January 1st of each succeeding year, shall, within ten days following such dates, notify the Attorney General in writing of his current address and furnish such additional information as may by regulations be required by the Attorney General. Any such alien shall likewise notify the Attorney General in writing of each change of address and

new address and other information as required by this Article within five days after such change. Any such alien who is temporarily absent from Japan on January 1, 1952, or any succeeding year shall furnish his current address and other information as requiredby this Article within ten days after his return. Any such alien in Japan in a lawful temporary residence status shall in like manner also notify the Attorney General in writing of his address at the expiration of each three-month period during which he remains in Japan, regardless of whether there has been any change of address. In the case of an alien for whom a parent or legal guardian is required to apply for registration the notices required by this Article shall be given by such parent or legal guardian.

ARTICLE 45. Penalties

1. Any alien required to apply for registration and to be fingerprinted in Japan who willfully fails or refuses to make such application or to be fingerprinted, and any parent or legal guardian required to apply for the registration of any alien who willfully fails or refuses to file application for the registration of such alien shall, upon conviction thereof, be fined not to exceed _____ or be imprisoned for not more than six months, or both.

2. Any alien or any parent or legal guardian of any alien who files an application for registration containing statements known by him to be false, or who procures or attempts to procure registration of himself or another person through fraud, shall, upon conviction thereof, be fined not to exceed _____ or imprisoned not more than six months, or both;

3. Any person with unlawful intent photographs, prints, or in any other manner makes, executes, any engraving, photograph, print, or impression in the likeness of any certificate of alien registration or an alien registration receipt card or any colorable imitation thereof, except when and as authorized under such rules and regulations as may be prescribed by the Attorney General, shall upon conviction be fined not to exceed _____ or be imprisoned not more than five years, or both.

Discard
Crew training
Impose admin
fine; warrant
return to ct,
to effectuate
Sup Insurance

# PART - VIII

## GENERAL PENALTY PROVISIONS

ARTICLE 46. Prevention of Unauthorized Landing of Aliens

1. It shall be the duty of every person, including the owners, masters, officers and agents of vessels, aircraft, transportation lines bringing an alien to or providing a means for an alien to come to Japan, including an alien crewman, whose case is not covered by Article 36 of this Act (1) to prevent the landing of such alien in Japan at a port of entry other than as designated by the Attorney General or at any time or place other than as designated by immigration officers. Any such person, owner, master, officer or agent who fails to comply with the foregoing requirements shall be liable to a penalty to be imposed by the Attorney General of not less than _____ and not more than _____ which shall be a lien upon the vessel or aircraft whose owner, master, officer, or agent violates the provisions of this Article, and such vessel or aircraft may be libeled therefor in the appropriate court of Japan.

2. Proof that the alien failed to present himself at the time and place designated by the immigration officers shall be prima facie evidence that such alien landed in Japan at a time or place other than as designated by immigration officers.

ARTICLE 47. Bringing in Alien Subject to Disability or Afflicted with Disease

1. Any person who shall bring to Japan an alien who is (a) an idiot, (b) insane, (c) an imbecile, (d) feeble-minded, (e) an epileptic, (f) ~~afflicted with psychopathic personality~~, (g) afflicted with chronic alcoholism, (h) afflicted with tuberculosis in any form, (i) afflicted with a loathsome disease or a dangerous contagious disease, (j) a narcotic drug addict, ~~or (k) a homosexual or sex pervert~~, unless the alien was in possession of an unexpired immigrant or non-immigrant visa or other documentation in lieu thereof issued by a consular officer and such person shall establish to the satisfaction of the Attorney General that

the existence of such disease or disability could not have detected by the exercise of due diligence on his part prior to the alien's embarkation, shall pay to the collector of customs of the customs district in which the place of arrival is located for each and every alien so afflicted, the sum of _____ and in addition a sum equal to that paid by such alien for his transportation from the initial port of departure, as indicated by his ticket, to the place of arrival, such latter sum to be delivered by the collector of customs to the alien on whose account the assessment is made.

2. Any person who shall bring to Japan an alien afflicted with any mental defect other than those enumerated in subarticle (1) of this Article, or any physical defect of a nature which may affect his ability to earn a living, as provide in Article 6 (7), unless the alien was in possession of an unexpired immigrant or non-immigrant visa or other documentation in lieu thereof issued by a consular officer and such person shall establish to the satisfaction of the Attorney General that the existence of such mental or physical defect could not have been detected by the exercise of due diligence on his part prior to the alien's embarkation, shall pay to the collector of the customs district in which the place of arrival is located, for each and every alien so afflicted, the sum of _____ and, except in any case in which any such alien is admitted or permitted to land temporarily, in addition, a sum equal to that paid by such alien for his transportation from the initial point of departure, as indicated by his ticket, to the place of arrival, such latter sum to be delivered by the collector of customs to the alien on whose account the assessment is made.

3. If a fine is imposed under subarticle (1) or (2) of this Article for bringing an alien to Japan, and if such alien is accompanied by another alien who is excluded from admission under Article 19 (5), the person liable for such fine shall pay to the collector of customs, in addition to such fine but as a part thereof, a sum equal to that paid by such accompanying alien for his transportation from his initial point of departure as indicated by his ticket, to the place of his arrival, such sum to be delivered by the collector of customs to the accompanying alien when deported.

SR 61

4. No vessel or aircraft shall be granted clearance papers pending determination of the question of liability to the payment of any fine under this Article or while the fines remain unpaid, nor shall such fines be remitted or refunded; but clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fines or of a bond with sufficient surety to secure the payment thereof, approved by the collector of customs.

5. Nothing contained in this Article shall be construed to subject transportation companies to a fine for bringing to ports of entry in Japan aliens who are entitled by law to exemption from the excluding provisions of Article 6.

6. As used in this Article the term "person" means the owner, master, agent, commanding officer, charterer, or consignee of any vessel or aircraft.

ARTICLE 48. Unlawful Bringing of Aliens into Japan

1. It shall be unlawful for any person, including any transportation company, or the owner, master, commanding officer, agent, charterer, or consignee of any vessel or aircraft, to bring to Japan from any place outside thereof any alien who does not have an unexpired visa, if a visa was required under this Act or regulations issued thereunder.

2. If it appears to the satisfaction of the Attorney General that any alien has been so brought, such person, or transportation company, or master, commanding officer, agent, owner, charterer, or consignee of any such vessel or aircraft, shall pay to the collector of customs of the customs district in which the port of arrival is located, the sum of _____ for each alien so brought and, except in the case of any such alien who is admitted, or permitted to land temporarily, in addition, a sum equal to that paid by such alien for his transportation from the initial point of departure, indicated in his ticket, to the port of arrival, such latter sum to be delivered by the collector of customs to the alien on whose account the assessment is made. No vessel or aircraft shall be granted clearance pending the determination of the liability to the payment of such sums or while such

sums remain unpaid, except that clearance may be granted prior to the determination of such question upon the deposit of an amount sufficient to cover such sums, or of a bond with sufficient surety to secure the payment thereof, approved by the collector of customs.

5. Such sums shall not be remitted or refunded, unless it appears to the satisfaction of the Attorney General that such person, and the owner, master, commanding officer, agent, charterer, and consignee of the vessel or aircraft, prior to the departure of the vessel or aircraft from the last port outside Japan, did not know, and could not have ascertained by the exercise of reasonable diligence, that the individual transported was an alien and that a visa was required.

4. The owner, charterer, agent, consignee, commanding officer, or master of any vessel or aircraft arriving in Japan from any place outside thereof who fails to discover and present any alien stowaway on board to an immigration officer for inspection or who fails to detain on board or such other place as may be designated by an immigration officer after inspection if ordered to do so by an immigration officer, or who fails to deport such stowaway on the vessel or aircraft on which he arrived when required to do so by an immigration officer, shall pay to the collector of customs, of the customs district in which the port of arrival is located the sum of _____ for each alien stowaway in respect of whom such failure occurs. Pending final determination of liability for such fine no such vessel or aircraft shall be granted clearance, except that clearance may be granted upon the deposit of a bond with sufficient surety to secure the payment thereof, approved by the collector of customs. The provisions of Article 16 for detention of aliens for examination before special inquiry officers and the right of appeal provided in Article 18, shall not apply to aliens who arrive as stowaways and no such alien shall be permitted to land in Japan except temporarily for medical treatment, or pursuant to such regulations as the Attorney General may prescribe for the ultimate departure or removal or deportation of such aliens from Japan.

✓ 5. The owner, charterer, agent, consignee, commanding officer, or master of any vessel or aircraft arriving in Japan from any place outside thereof who discovers and presents any alien stowaway on board to an immigration officer for inspection shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of _____ for each such alien stowaway aboard such vessel or aircraft. Pending determination for liability to such fine, no such vessel or aircraft shall be granted clearance while such fine is unpaid, except that clearance may be granted upon the deposit of a sum sufficient to cover such fine, or of a bond with sufficient surety to secure the payment thereof, approved by the collector of customs. No fines imposed under the provisions of this subarticle shall be subject to refund, but the Attorney General may, upon application in writing therefor, mitigate such penalty to not less than _____ for any such violation for which such penalty is imposed upon proof satisfactory to him that the presence of the alien stowaway aboard the vessel or aircraft at the time of its embarkation from the last port outside Japan, was not known to and could not have been ascertained by the exercise of reasonable diligence by the owner, charterer, agent, consignee, commanding officer, or master of the vessel or aircraft aboard which such stowaway arrived in Japan.

ARTICLE 49. Bringing in and Harboring Certain Aliens

Any person, including the owner, operator, pilot, master, commanding officer, agent, or consignee of any means of transportation who -

✓ 1. Brings into or lands in Japan, by any means of transportation or otherwise, or attempts, by himself or through another, to bring into or land in Japan, by any means of transportation or otherwise; or

✓ 2. Conceals, or harbors, or attempts to conceal or harbor in any place including any building, or any means of transportation, any alien, including an alien crewman, not duly admitted by an immigration officer or not lawfully entitled to enter or to reside within Japan under the terms of this Act or any other law relating to the immigration or expulsion of aliens, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine not exceeding

_____ and by imprisonment for a term not exceeding five years for each alien in respect to whom any violation of this Article occurs.

ARTICLE 50. Entry of Alien at Improper Time or Place; Misrepresentation and Concealment of Facts

Any alien who -

1. enters Japan at any time or place other than as designated by immigration officers, or

2. eludes examination or inspection by immigration officers, or

3. obtains entry to Japan by a willfully false or misleading representation or the willful concealment of a material fact, shall, for the first commission of any such offenses, be guilty of a misdemeanor and upon conviction thereof be punished by imprisonment for not more than six months, or by a fine of not more than _____ or both, and for a subsequent commission of any such offenses shall be guilty of a felony and upon conviction thereof shall be punished by imprisonment for not more than two years, or by a fine of not more than _____ or both.

ARTICLE 51. Reentry of Deported Alien

Any alien who -

1. has been arrested and deported or excluded and deported and thereafter

2. enters, attempts to enter, or is at any time found in, Japan, unless prior to his reembarkation at a place outside Japan the Attorney General has expressly consented to such alien's applying for admission, and, if such alien is at any time found in Japan, unless he shall establish that he has been lawfully admitted, he shall be guilty of a felony, and upon conviction thereof, be punished by imprisonment of not more than two years or by a fine of not more than _____ or both.

ARTICLE 52. Aiding or Assisting Subversive Aliens to Enter Japan

Any person who knowingly aids or assists any alien excludable under Article 6 (27), (28) or (29) to enter Japan, or who connives or conspires with any person or persons to allow, procure, or permit any such alien to enter Japan, shall be guilty of a felony, and upon conviction thereof shall be punished by a fine of not more than _____ or by imprisonment for not more than five years, or both.

ARTICLE 53. Importation of Aliens for Immoral Purpose

The importation into Japan of any alien for the purpose of prostitution or for any other immoral purpose contrary to law is hereby forbidden. Whoever shall, directly or indirectly, import, or attempt to import into Japan any alien for the purpose of prostitution or for any other immoral purpose contrary to law or shall hold or attempt to hold any alien for such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose contrary to law any alien, in pursuance of such illegal importation, shall, in every such case, be guilty of a felony and upon conviction thereof shall be punished by a fine of not more than _____ and by imprisonment for a term of not more than ten years. The trial and punishment of offenses under this Article may be in any district to or into which such alien is brought in pursuance of importation by the person or persons accused, or in any district in which a violation of any of the provisions of this Article occurs. In all prosecutions under this Article, the testimony of a husband or wife shall be admissible and competent evidence against each other.

ARTICLE 54. Jurisdiction of _____ Courts

The _____ courts of Japan shall have jurisdiction of all causes civil and criminal arising under any of the provisions of this Act. It shall be the duty of the Prosecutor of the proper district to prosecute every suit when brought before him. Notwithstanding any other law, such prosecutions or suits may be instituted at any place in Japan at which the violation may occur or at which the person charged with a violation of Articles 49 and 50 of this Act may be apprehended. No suit or proceeding for a violation of any of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending and any such settlement compromise or discontinuance shall be entered in the record with the reasons therefor.

(NOTE: This Article is submitted for information only to be redrafted to suit Japanese needs)

Raise question of Head Tax

# PART - IX

## MISCELLANEOUS

ARTICLE 55. Schedule of Fees

The following fees shall be charged:

(a) For the furnishing and verification of each application for an immigrant visa (which shall include the furnishing and verification of the duplicate) Y_____.

(b) For the issuance of each immigrant visa .....Y_____.

(c) For the issuance of each reentry permit .....Y_____.

(d) For the filing of each application for adjustment of status; for the creation of a record of permanent admission; or for suspension of deportation.....Y_____.

(e) For the issuance of each extention of stay to non-immigrants described in Article _____.....Y_____.

(f) For approval of each application for and the issuance of a certificate of admission to practice as an attorney or representative before the Agency, pursuant to such regulations as may be prescribed by the Attorney General.....Y_____.

The fees for the furnishing of verification of applications for visas by nonimmigrants of each foreign country and for the issuance of visas to nonimmigrants of each foreign country shall be prescribed by the Minister of Foreign Affairs in amounts corresponding, as nearly as practicable, to the total of all similar visa, entry, residence, or other fees charges nationals of Japan by the foreign minister or other official of foreign countries of which such nonimmigrants are nationals or stateless residents.

ARTICLE 56. Printing of Reentry Permits and Blank Forms of Manifests and Crew Lists

1. Reentry permits issued under Article 13 shall be printed on distinctive safety paper and shall be prepared and issued under regulations prescribed by the Attorney General.

2. The Public Printer is authorized to print for sale to the public by the Superintendent of Documents, upon prepayment, copies of blank forms of manifests and crew lists and such other forms as may be prescribed and authorized by the Attorney General to be sold pursuant to the provisions of this Act.

ARTICLE 57. Overtime Compensation for Immigration Officers

1. The Attorney General shall fix a reasonable rate of extra compensation for overtime services of immigration officers and employees of the Agency who may be required to remain on duty between the hours of 5o'clock postmeridian and 6 o'clock antemeridian, or on Sundays or holidays, to perform duties in connection with the examination and handling of passengers or crews of steamships, airplanes or other vehicles, arriving in Japan from a foreign port by water or air, such rates to be fixed on a basis of one-half day's additional pay for each two hours or fraction thereof of at least one hour, that the overtime extends beyond 5o'clock post meridian (but not to exceed two and one half day's pay for the full period from 5 o'clock postmeridian to 8 o'clock antemeredian) and two additional days' pay for Sunday and holiday duty; in those ports where the customary working hours are other than those heretofore mentioned, the Attorney General is vested with authority to regulate the hours of such employees so as to agree with the prevailing working hours in said ports, but nothing contained in this Article shall be construed in any manner to effect or alter the length of working day for such employees or the overtime pay herein fixed.

2. The said extra compensation shall be paid by the master, owner, agent, or consignee of such vessel or other conveyance arriving in Japan from foreign port to the Attorney General, who shall pay the same to the several immigration officers and employees entitled thereto as provided in subarticle (1).

Such extra compensation shall be paid if such officers or employees have been ordered to report for duty and have so reported, whether the actual inspection or examination of passengers or crew takes place or not; Provided, that this subarticle shall not apply to the inspection at the designated ports of entry of passengers arriving by aircraft or vessels arriving from nereby islands on regular schedules if, in the discretion of the Attorney General, such vessels or aircraft lines should be exempted from the provisions of this Article.

3. Moneys collected as extra compensation for overtime service of inspectors and employees of the Agency pursuant to this Article shall be deposited in the Treasury of Japan to the credit of the appropriation for the payment of salaries and expense of the Agency, and the appropriation so credited shall be available for the payment of such compensation.

ARTICLE 58. Disposal of Privileges at Immigration Stations

1. Subject to such conditions and limitations as the Attorney General shall prescribe, all exclusive privileges or exchanging money, transporting passengers or baggage keeping eating houses, or other like privileges in connection with any immigration station or detention station in Japan, shall be disposed of to the lowest responsible and capable bidder (other than an alien) in accordance with the provisions of law and a reasonable rental may be charged for the use of Government property in connection with the exercise of such exclusive privileges. The feeding of aliens or the furnishing of any other necessary service in connection with any immigrant station of Japan, may be performed by the Agency without regard to the foregoing provisions of this Article if the Attorney General shall find that it would advantageous to the Government in terms of economy and efficiency. No intoxicating

liquors shall be sold at any immigrant station or detention camp or place.

2. Such articles determined by the Attorney General to be necessary to the health and welfare of aliens detained at any immigrant station, when not otherwise readily procurable by such aliens, may be sold at reasonable prices to such aliens through Government canteens operated by the Agency under such conditions and limitations as the Attorney General shall prescribe.

3. All rentals or other receipts accruing from the disposal of privileges, and all moneys arising from the sale of articles through Service-operated canteens, authorized by this section, shall be covered into the Treasury to the credit of the appropriation for the enforcement of this Act.

ARTICLE 59. Disposal of Moneys Collected Under the Provisions of This Act

1. All moneys paid into the Treasury to reimburse the Service for detention, transportation, hospitalization, and all other expenses of detained aliens paid from the appropriation for the enforcement of this Act, and all moneys paid into the Treasury to reimburse the Agency for expenses of landing stations referred to in this Act paid by the Agency from appropriations for the enforcement of this Act, shall be credited to the appropriation for the enforcement of this Act for the fiscal year in which the expenses were incurred.

2. Except as otherwise provided in subarticle 1, or in any other provision of this Act, all moneys received in payment of fees and administrative fines and penalties under this Act shall be covered into the Treasury as miscellaneous receipts.

add: clause on accountability for personnel property of Aliens

ARTICLE 60. Powers of Immigration Officers and Employees

1. Any officer or employee of the Agency, authorized under regulations prescribed by the Attorney General, shall have power without detention order -

a. To interrogate any alien or person believed to be an alien as to his right to be or to remain in Japan;

b. To arrest any alien who in his presence or view is entering or attempting to enter Japan in violation of any law or regulation made in pursuance of law regulating the admission, exclusion, or expulsion of aliens, or to arrest any alien in Japan if he has reason to believe that the alien so arrested is in Japan in violation of any such law or regulation and is likely to escape before a detention order can be obtained for his detention, but the alien taken into custody shall be taken without unnecessary delay for ~~examination~~ termination of his status before an officer of the Agency having authority to examine aliens as to their right to enter or remain in Japan;

c. To board and search for aliens any vessel within the territorial waters of Japan and any aircraft, railway car, conveyance, or vehicle, within a reasonable distance from any external boundary of Japan; and

d. To make arrests for felonies which have been committed and which are cognizable under any law of Japan regulating the admission, exclusion, or expulsion of aliens, if he has reason to believe that the person so arrested is guilty of such felony and if there is liklihood of the person escaping before a detention order or warrant of arrest can be obtained for his detention, but person thus taken into custody shall be taken without unnecessary delay before the nearest available officer empowered to comit persons charged with offenses against the laws of Japan. Any such employee shall also have the power to execute any warrant or other process issued

by any officer under any law regulating the admission, exclusion, expulsion and registration of aliens.

2. Any officer or employee of the Agency designated by the Attorney General, whether individually or as one of a class, shall have power and authority to administer oaths and to take and consider evidence, concerning the privilege of any person to enter, reenter, pass through, or reside in Japan, or concerning any matter which is material or relevant to the enforcement of this Act and the administration of the Agency; and any person to whom such oath has been administered, under the provisions of this Act, who shall knowingly or willfully give false evidence or swear to any false statement concerning any matter referred to in this subsection shall be guilty of perjury and shall be punished as provided by statute.

3. Any officer or employee of the Agency authorized and designated under regulations prescribed by the Attorney General, whether individually or as one of a class, shall have power to conduct a

4. Any officer or employee of the Agency authorized and designated under regulations prescribed by the Attorney General, whether individually or as a class, shall have power to seize and retain during the pendency of any proceedings under this Act, for reasons of security or as evidence, any personal property or effects of the alien. However, such personal property or effects shall be safeguarded and, if not subject to seizure under any law of Japan or if the possession of the same by the alien is not otherwise prohibited, shall be returned to the alien upon release, exclusion or deportation.

ARTICLE 61. Jurisdiction over Immigrant Stations

The officers in charge of the various immigrant stations shall admit thereto the proper Prefecture and local officers charged with the enforcement of the laws of the Prefecture in which any immigrant station is located in order that such Prefecture or local officers may preserve the peace and make arrests for crimes under the laws of such Prefectures or towns or cities. For the purpose of this Article the jurisdiction of such Prefectural and local police shall extend over such immigrant stations, but such officers shall not be

permitted to in any manner whatsoever abstruct the immigration officers and employees in the legal performance of their official duties.

ARTICLE 62. Central File: Information from other Departments and Agencies

1. There shall be established in the office of the Director of the Immigration Agency, for the use of the security and enforcement agencies of the Government of Japan, a central index, which shall contain the names of all aliens heretofore admitted to Japan, or excluded therefrom, insofar as such information is available from the existing records of the Agency, and the names of all aliens hereafter admitted to Japan or exluded therefrom; the names of their sponsors of record, if any, and such other relevant information as the Attorney General shall require as an aid to the proper enforcement of this Act.

2. All records kept by any department or agency of the Government containing information relative to the identity and location of aliens in Japan shall be made available to the Agency upon request made by the Attorney General to the head of any such department or agency.

3. The Welfare Ministry shall notify the Attorney General whenever any alien is issued a document of registration for whatever purpose. The Minister shall also furnish such additional information as may be requested by the Attorney General.

ARTICLE 63. Burden of Proof

Whenever any person makes application for a visa or any other document required for entry, or attempts to enter Japan, the burden of proof shall be upon such person to establish that he is not subject to exclusion under any provision of this Act and, if an alien, that he is entitled to the nonimmigrant or other status claimed, as the case may be. If such person fails to establish to the satisfaction

of the consular officer that he is eligible to receive a visa or other document required for entry, no visa or other document required for entry shall be issued to such person, nor shall such person be admitted to Japan unless he establishes to the satisfaction of the Attorney General that he is not subject to exclusion under any provision of this Act. In any deportation proceeding under this Act against any person, the burden of proof shall be upon such person to show the time, place and manner of his entry into Japan, but in presenting such proof he shall be entitled to the production of his visa or any entry document, if any, and any other documents and records, not considered by the Attorney General to be confidential, pertaining to such entry, which is in the custody of the Agency. If such burden of proof is not sustained, such person shall be presumed to be in Japan in violation of law.

also Put up further in act. under deportation Procedure

ARTICLE 64. Right to Counsel

If any person who is within Japan claims a right or privilege of a national of Japan and is denied such right or privilege by any department or independent agency, or executive official thereof, upon the ground that he/is not a national of Japan, such person may institute as action against the head of such department or independent agency for a judgement declaring him to be a national of Japan, except that no such action may be ~~xxxxx~~ instituted in any case if the issue of such person's status as a national of Japan (1) arose by reason of, or in connection with, any deportation or exclusion proceeding under the provisions of this or any other Act, or (2) is in issue in any such deportation or exclusion proceed ng. An action under this Article may only be instituted within five years after the final administrative denial of such right or privilege and shall be filed in the _____court of Japan for the district in which such person resides, and jurisdiction over such officials in such cases is hereby conferred upon those courts.

a guide is to be provided at the election

~~75~~ 74

ARTICLE 65. Liaison with Internal Security Officers and with other Agencies sharing Responsibility for the Apprehension of Aliens Illegally Entering or Residing in Japan

The Director shall have authority to maintain direct and continuous liaison with the heads of the National Rural Police and the Maritime Safety Board and other agencies, for the purpose of obtaining and exchanging information for use in enforcing the provisions of this Act in the interest of the internal security of Japan.

ARTICLE 66. Authority of Attorney General to Disburse Funds for Special Purposes in connection with Enforcement of this Act.

The Attorney General, in his discretion, is authorized to disburse funds appropriated for the enforcement of this Act and other funds for the following, among other, purposes:

1. To detained aliens who volunteer to perform duties in connection with the maintenance, upkeep and repair of places of detention or other duties of a nature which is of benefit to the entire establishment as distinguished from the personal welfare of the detained alien.

2. To pay to informers not to exceed 50% of such funds as are received as a result of the sale of seized articles or the collection of fines.

3. To pay reward to informers for information leading to the arrest and conviction of persons violating the penal provisions of this act or which information results in the deportation of an alien.

4. To pay for the hiring of special investigators for temporary periods in connection with matters responsibility for the investigation of which rests with the Attorney General under this Act.

ARTICLE 67. Stationing of Immigration Officers Abroad

With the approval of the foreign government concerned, the Attorney General is authorized to detail to and station in foreign countries such officers and other employees of the Immigration Agency as in his judgement are necessary in connection with the enforcement of this Act.

ARTICLE 68. Adjudication of the Subversive Character of Organizations, Associations, Societies and Groups

1. Upon request of the Director of the Immigration Agency, it shall be the duty of the Attorney General to adjudicate the character of any organization, association, society or group as defined in Article 6, paragraph 19, subparagraphs (c) (d) and (f). When an adjudication has been made by the Attorney General that any organization, association, society or group is subversive and is of such a character as to render alien members thereof subject to exclusion or deportation, it shall thereafter in the future be unnecessary to establish de novo in individual cases the subversive character of such organization, association, society or group. A certified copy of the findings of the Attorney General shall constitute sufficient evidence to support an order for the exclusion or deportation of any alien determined in exclusion or deportation proceedings to be or to have been at any time a member of or affiliated with any such organization, association, society or group.

2. In carrying out the provisions of subarticle (1) the Attorney General or any examiner designated by him may hold hearings, administer oaths and may examine witnesses and receive evidence at any place in Japan. The Attorney General or the examiner designated by him may cause a subpoena to be issued requiring the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda and other records deemed pertinent to the matter under inquiry. Disobedience to the subpoena or failure to produce documents or to be sworn and give testimony ~~may~~ shall be punished in the manner provided for by law.

3. No person shall be held liable for civil damages or be subjected to criminal prosecution resulting from (1) his production

pursuant to subpoena of any documentary evidence in any proceeding before the Attorney General or the examiner designated by him or (2) any testimony given by him under oath in any proceeding before the Attorney General or examiner designated by him when such attendance and testimony is pursuant to subpoena.

ARTICLE 69. Effective Date of This Act

To the extent that the Japanese Government may have jurisdiction or sovereignty the provisions of this Act shall become effective upon passage, Provided that the Cabinet may, by order, defer the effective date of any provision of this Act for a period not to exceed two months from date of passage, if such action for whatever reason shall be deemed necessary or conducive to more efficient administration.

Practical Concepts of Immigration Procedures, based on U.S. Experience

~~(PROPOSED HOUSE BILL DRAFT LAW)~~
~~REFERENCE MATERIAL FROM UNITED STATES IMMIGRATION LAWS APPLICABLE TO JAPANESE IMMIGRATION PROBLEMS~~

Japanese Immigration Laws Study
— (Practical concepts of Immigration Procedures based on U.S. Experience)

~~(PROPOSED ARTICLE COVERING THE TIME BEFORE JAPAN HAS FULL AUTHORITY OVER IMMIGRATION MATTERS)~~

Article 69:

To the extent that the Japanese Government may have jurisdiction or sovereignty the provisions of this Act shall become effective upon passage, Provided that the Cabinet may, by order, defer the effective date of any provision of this Act for a period not to exceed two months from date of passage, if such action for whatever reason shall be deemed necessary or conducive to more efficient administration.

Printed: mrs Curran out

# PROPOSED LAW FOR THE REGULATION OF IMMIGRATION

## C O N T E N T S


PART I — GENERAL

Article 1 — Creation of the Immigration Agency under the Attorney General (p. 1)
Article 2 — Duties and powers of (1) the Attorney General and (2) the Director of the Immigration Agency (p. 2)
Article 3 — Definitions (p. 2)
Article 4 — Finality of administrative decisions; judicial review (p. 10)

PART II — QUALIFICATIONS FOR ADMISSION OF ALIENS

Article 5 — Documentary requirements (p. 11)
Article 6 — General classes of aliens excluded from admission (p. 11)
Article 7 — Admission of aliens on giving bond or cash deposit (p. 19)
Article 8 — Admission of cases of contagious disorder of spouse or child of citizen of Japan or resident alien (p. 19)
Article 9 — Admission of nonimmigrants (p. 20)
Article 10 — Prevention in time of war of departure from or entry into Japan contrary to public safety (p. 21)

PART III — ISSUANCE OF ENTRY DOCUMENTS

Article 11 — Issuance of visas (p. 24)
Article 12 — Applications for visas (p. 26)
Article 13 — Reentry permits (p. 28)

PART IV — PROVISIONS RELATING TO ENTRY AND EXCLUSIONS

Article 14 — Lists of alien and citizen passengers arriving or departing; record of resident aliens and citizens leaving permanently for foreign country (p. 30)
Article 15 — Detention of aliens for observation and examination (p. 31)
Article 16 — Temporary removal for physical and mental examination (p. 31)
Article 17 — Inspection by immigration officers (p. 34)
Article 18 — Special inquiry officers (p. 35)
Article 19 — Immediate deportation of aliens excluded from admission or entering in violation of law (p. 37)
Article 20 — Designation of ports of entry for aliens arriving by civil aircraft or by vessel (p. 39)
Article 21 — Left Open (p. 39)
Article 22 — Left Open (p. 39)

PART V — DEPORTATION - ADJUSTMENT OF STATUS OF ALIEN

Article 23 — General classes of deportable aliens (p. 40)
Article 24 — Apprehension and deportation of aliens (p. 42)
Article 25 — Countries to which aliens shall be deported; cost of deportation (p. 45)

Article 26 Suspension of deportation (p. 48)
Article 27 Adjustment of status of nonimmigrant to that of person admitted for permanent residence (p. 48)
Article 28 Recission of adjustment of status (p. 49)
Article 29 Left Open (p. 50)
Article 30. Left Open (p. 50)
Article 31 Left Open (p. 50)
Article 32 Removal of aliens who have fallen into distress in Japan (p. 50)

PART VI SPECIAL PROVISIONS RELATING TO ALIEN CREWMEN

Article 33 Lists of alien crewmen; reports of illegal landings (p. 50)
Article 34 Permits to land temporarily (p. 51)
Article 35 Hospital treatment of alien crewmen afflicted with certain diseases (p. 52)
Article 36 Control of alien seamen (p. 53)
Article 37 Employment on passenger vessels of aliens afflicted with disabilities (p. 54)
Article 38 Discharge of alien crewmen (p. 55)
Article 39 Bringing in alien crewmen into Japan with intent to evade immigration laws (p. 56)

PART VII REGISTRATION OF ALIENS

Article 40 Aliens seeking entry into Japan (p. 57)
Article 41 Registration of aliens in Japan (p. 57)
Article 42 Provisions governing registration of special groups (p. 57)
Article 43 Forms and procedure (p. 57)
Article 44 Notice of change of address (p. 58)
Article 45 Penalties (p. 59)

PART VIII GENERAL PENALTY PROVISIONS

Article 46 Prevention of unauthorized landing of aliens (p. 61)
Article 47 Bringing in alien subject to disability or afflicted with disease (p. 61)
Article 48 Unlawful bringing of aliens into Japan (p. 63)
Article 49 Bringing in and harboring certain aliens (p. 65)
Article 50 Entry of alien at improper time or place; misrepresentation and concealment of facts (p. 66)
Article 51 Reentry of deported alien (p. 66)
Article 52 Aiding or assisting subversive alien to enter Japan (p. 66)
Article 53 Importation of aliens for immoral purposes (p. 67)
Article 54 Jurisdiction of _____ courts (p. 67)

PART IX MISCELLANEOUS

Article 55 Schedule of fees (p. 68)
Article 56 Printing of reentry permits and blank forms of manifests and crew lists.
Article 57 Overtime compensation for immigration officers (p. 69)
Article 58 Disposal of privileges at immigration stations (p. 70)
Article 59 Disposal of moneys collected under the provisions of this Act. (p. 70)
Article 60 Powers of immigration officers and employees (p. 72)
Article 61 Jurisdiction over immigrant stations (p. 73)
Article 62 Central file: Information from other departments and agencies (p. 74)
Article 63 Burden of Proof (p. 74)
Article 64 Right of counsel (p. 75)
Article 65 Liaison with Internal Security Officers and with other agencies sharing responsibility for the apprehension of aliens illegally entering or residing in Japan (p. 76)
Article 66 Authority of attorney general to disburse funds for special purposes in connection with enforcement of this Act.
Article 67 Stationing of immigration officers abroad

Art. 68. (To be drafted) means for coordinating with SCAP auth.

"That provs of this act shall take effect only at such time(s) and only to the extent that J.G. shall have jurisdiction and or sovereignty.

# PART - I

## GENERAL

### ARTICLE 1. Creation of the Immigration Agency Under the Attorney General

The Immigration Agency shall be established as an external organ of the Attorney General's Office and Imperial Ordinance No. 207 of 1947 and Cabinet Order No. 227 of 1980, No. 295 of 1950 and No. 35 of 1951 are hereby abolished.

### ARTICLE 2. Powers and Duties of the Attorney General and the Director of the Immigration Agency

1. The Attorney General shall be charged with the administration and enforcement of this Act and all other laws relating to the control of immigration, including the registration of aliens except as otherwise provided in this Act. He shall have control, direction, and supervision of all employees and of all the files and records of the Agency. He shall establish such regulations; prescribe such forms of bond, reports, entries and other papers; issue such instructions; and perform other acts as he deems necessary for carrying out the provisions of this Act. He is authorized, in accordance with the laws relating to the appointment of personnel to appoint such employees of the Agency as he deems necessary, and to delegate to them in his discretion any other duties and powers imposed upon him in this Act; he may require or authorize any employee of the Agency to perform or exercise any of the powers, privileges, or duties conferred or imposed by this Act or regulations issued thereunder upon any other employee of the Agency. He shall have the power and duty to control and guard the boundaries and borders of Japan against the illegal entry of aliens and shall, in his discretion, appoint for that purpose such number of employees of the Agency as he shall deem necessary and proper. He is authorized to confer or impose upon any employee of Japanese government, with the consent of the head of the Department or other independent establishment under whose jurisdiction the employee is serving, any of the

this Act or regulations issued thereunder upon officers or employees of the Agency.

2. The Director shall be a native-born citizen of Japan and shall be appointed by_____ with the advice and consent of the Diet, and shall receive compensation at the rate of ¥_____ per annum. He shall be charged with any and all responsibilities and authority in the administration of the Agency and of this Act which are conferred upon the Attorney General as may be delegated to him by the Attorney General or which may be prescribed by the Attorney General.

ARTICLE 3. Definitions as used in this Act

1. The term "Japan" shall mean Honshu, Shikoku, Kyushu, Hokkaido, the islands belonging to these and under the administrative control of Japan, and all waters subject to the jurisdiction of Japan.

2. The term "alien" shall mean any person who is subject to registration, exclusion or deportation from Japan. The term "alien" shall also include Formosans and Koreans as well as other former Japanese nationals whose countries are under foreign sovereignty.

3. The term "immigrant" means every alien except an alien who is within one of the following classes of non-immigrants:

(a) (1) an ambassador, public minister, or career diplomatic or consular officer who has been accredited by a foreign government recognized de jure by Japan and who is accepted by the Prime Minister or by the Minister for Foreign Affairs, and the members of the Alien's immediate family;

(2) upon the basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized de jure by Japan, who are accepted by the Minister of Foreign Affairs and the members of their immediate families; and

(3) Upon the basis of reciprocity, attendants, servants, personal employees and members of their immediate families, of ~~XXX~~ officials and employees who have a non-immigrant status under paragraphs (1) and (2)

(b) An alien, other than one coming for the purpose of study or as a bona fide representative of foreign press, radio, film, or other foreign information media coming to Japan to engage in such vocation, having



2nd draft

powers, privileges or duties conferred or imposed by this Act or regulations issued thereunder upon officers or employees of the Agency.

2. The Director shall be a native-born citizen of Japan and shall be appointed by ~~the Prime Minister~~, by and with the advice and consent of the Diet, and shall receive compensation at the rate of ¥ _____ per annum. He shall be charged with any and all responsibilities and authority in the administration of the Agency and of this Act which are conferred upon the Attorney General as may be delegated to him by the Attorney General or which may be prescribed by the Attorney General.

ARTICLE 5. Definitions.

As used in this Act -

1. The term "Japan" shall mean Honshu, Shikoku, Kyushu, Hokkaido, ~~and~~ the islands belonging to these and under the administrative control of Japan, and all waters subject to the jurisdiction of Japan;

2. The term "alien" shall mean any person who is subject to registration, exclusion or deportation from Japan;

3. The term "immigrant" means every alien except an alien who is within one of the following classes of non-immigrants:

(a) (1) an ambassador, public minister, or career diplomatic or consular officer who has been accredited by a foreign government recognized de jure by Japan and who is accepted by the Prime Minister or by the Minister for Foreign Affairs, and the members of the alien's immediate family;

(2) upon the basis of reciprocity, other officials and employees who have been accredited by a foreign government recognized de jure by Japan, who are accepted by the Minister of Foreign Affairs and the members of their immediate families; and

(3) upon the basis of reciprocity, attendants, servants, personal employees and members of their immediate families, of the officials and employees who have a non-immigrant status under paragraphs ~~x(a)~~ (1) and ~~x(a)~~ (2)

(b) An alien, other than one coming for the purpose of study or as a bona fide representative of foreign press, radio, film, or other foreign information media coming to Japan to engage in such vocation, having

✓31. The term "deportation order" shall mean a final and conclusive order issued by the Attorney General or pursuant to a delegation of his authority directing the removal of a specific alien from Japan;

✓ 32. The term "person" shall mean an individual or an organization;

✓ 33. The term "organization" means, but is not limited to, an organization, corporation, company, partnership, association, trust, foundation, or fund; and includes a group of persons, whether or not incorporated, permanently or temporarily associated together for joint action on any subject or subjects.

✓ 34. The term "residence" means the place of general abode or the principal dwelling place. Residence shall be considered continuous for the purpose of this Act where there is a continuity of stay but not necessarily an uninterrupted physical presence in a foreign state or outside Japan;

✓ 35. The term "permanent" means a relationship of a continuing or lasting nature, as distinguished from temporary, but a relationship may be permanent even though it is one that may be dissolved eventually at the instance either of Japan or of the individual, in accordance with the law.

add? not yet established de

✓ 36. The term "parent", "father" and "mother" in the case of a posthumous child shall mean a deceased parent, father or mother.

where party dies w.f.?,

✓ 37. ~~The term "spouse", "wife" or "husband" shall not mean or include a spouse, wife, or husband by reason of any marriage ceremony where both the contracting parties thereto are not physically present in the presence of each other;~~

✓ 38. The term "child" shall mean an unmarried person under twenty-one years of age and shall include ~~a child legitimated under the law of the child's residence or domicile, or under the law of the father's residence or domicile, whether in Japan or elsewhere, and, if such legitimation or adoption takes place before the child attains the age of sixteen years, and the child is in the legal custody of the legitimating or adopting parent or parents at the time of such legitimation or adoption;~~

legitimized

let D. define

39. The term "unmarried", when used in reference to any individual as of any time, shall mean an individual who at such time is not married, whether or not previously married;

40. The term "totalitarian party" means an organization which advocates the establishment in Japan of a totalitarian dictatorship or totalitarianism. The terms "totalitarian dictatorship" and "totalitarianism" mean and refer to systems of government not representative in fact, characterized by (1) the existence of a single political party, organized on a dictatorial basis, with so close an identity between such party and its policies and the governmental policies of the country in which it exists, that the party and the government constitute an indistinguishable unit and (2) the forcible suppression of opposition to such a party;

41. The term "world totalitarianism" means a revolutionary movement, the purpose of which is to establish eventually a totalitarian dictatorship in any or all the countries of the world through the medium of an internationally coordinated political movement;

42. The term "doctrine" shall include, but not be limited to, policies, practices, purposes, aims or procedures;

43. The term "advocate" shall include, but not be limited to, advise, recommends, furthers by overt act, and admits belief in;

44. For the purposes of this Act -

a. The giving, loaning, or promising of support or of money or any other thing of value to be used for advocating any doctrine shall constitute the advocating of such doctrine; but nothing in this paragraph shall be construed as an exclusive definition of advocating.

b. The giving, loaning, or promising of support or of money or any other thing of value for any purpose to any organization shall be conclusively presumed to constitute affiliation therewith; but nothing in this paragraph shall be construed as an exclusive definition of affiliation.

c. Advocating the economic, international, and governmental doctrines of world totalitarianism means advocating the establishment of a totalitarian dictatorship in any or all of the countries of the world through the medium of an internationally coordinated movement.

d. Advocating the economic and governmental doctrines of any other form of totalitarianism means advocating the establishment in Japan of a totalitarian dictatorship.

✓ 45. The term "immigration laws" shall include this Act and all laws, conventions, and treaties of Japan relating to the immigration exclusion, deportation, registration and expulsion of aliens.

ARTICLE 4. Finality of Administrative Decisions; Judicial Review

Notwithstanding the provisions of any other law -

(1) determinations of fact made by administrative officers under the provisions of this Act or regulations issued thereunder shall not be subject to review by any court;

(2) determinations of law other than with respect to liability for the payment of deportation, detention and related expenses by vessels, aircraft or other transportation lines, or the master, commanding officer, owner, agent, or consignee thereof, or the imposition of fines and penalties by administrative officers under the provisions of this Act or regulations issued thereunder shall not be subject to review by any court except through the writ of habeas corpus; and

(3) the exercise of discretionary authority conferred upon administrative officers by this Act or regulations issued thereunder shall not be subject to review by any court.

Nothing in this Article shall be held to apply to court proceedings instituted under Article No. 55 hereof.

64

| ment be in

Revise to reword.

## PART II

## QUALIFICATIONS FOR ADMISSION OF ALIENS

ARTICLE 5. Documentary Requirements

1. No alien shall be admitted into Japan for permanent residence unless at the time of application at a port of entry he is in possession of a properly visaed passport or other document issued in lieu thereof bearing the endorsement of a diplomatic or consular officer of Japan to show that prior permission has been secured from the Attorney General.

2. No non-immigrant alien shall be admitted into Japan unless at the time of application at a port of entry he is in possession of a properly visaed passport or other document issued in lieu thereof bearing the approval of a consular officer of Japan and containing the proper classification of his entry.

ARTICLE 6. General Classes of Aliens Excluded from Admission

The following classes of aliens shall be ineligible to receive visas and shall be excluded from admission into Japan:

1. Aliens who are idiots, imbeciles, feeble-minded, epileptics, or insane;

2. Aliens who have had one or more attacks of insanity at any time previously;

3. Aliens afflicted with psychopathic personality;

4. Aliens with chronic alcoholism;

5. Aliens who are paupers, professional beggars, or vagrants;

6. Aliens afflicted with tuberculosis in any form or with a loathsome disease or a dangerous contagious disease;

7. Aliens not comprehended within any of the foregoing classes who are certified by the examining surgeon (a) as having a mental defect; or (b) as having a physical defect of a nature which may affect the ability of such alien to earn a living;

~~8. Aliens who are homosexuals or sex perverts;~~

9. Aliens who have been convicted of a crime involving ~~moral~~ turpitude (other than a purely political offense) or aliens who admit committing acts which constitute the essential elements of such a crime, or aliens whose admissions are tantamount to a confession of guilt of such a crime; except that aliens who have committed only one such a crime while under the age of eighteen years of age shall not be excluded if the crime was committed more than five years prior to the date of the application for a visa or other documentation, and more than five years prior to date of application for admission to Japan, unless the crime resulted in confinement in a prison or correctional institution, in which case more than five years prior to the date of the application for which a visa or other documentation, and for admission, to Japan.

10. Aliens who have been convicted of two or more offenses (other than purely political offenses), regardless of whether the conviction was in a single trial or whether the offenses arose from a single scheme of misconduct and regardless of whether the offenses involved moral turpitude, for which the aggregate possible sentence to confinement under the law was more than five years;

11. Aliens who are polygamists or who practice polygamy or advocate the practice of polygamy;

12. Aliens who are prostitutes or who have engaged in prostitution or aliens coming to Japan solely, principally, or incidentally to engage in prostitution; aliens who directly or indirectly procure or attempt to procure, or who have procured or attempted to procure or to import, prostitutes or persons for the purpose of prostitution or for any other immoral purpose; and aliens who are or have been supported by, or receive or have received, in whole or in part, the proceeds of prostitution, or aliens coming to Japan to engage in any other commercialized vice, whether or not related to prostitution;

13. Aliens coming to Japan solely, principally, or incidentally to engage in any illicit sexual act;

14. Aliens seeking to enter Japan for the purpose of performing skilled or unskilled labor, if unemployed persons can be found in Japan to perform such skilled or unskilled labor, except immigrants and non-immigrants whose services are determined by the Attorney General to be needed urgently in Japan because of high education, technical training, specialized experience, or exceptional ability of such immigrants or non-immigrants and to be substantially beneficial respectively to the national economy, cultural interest, or welfare of Japan.

15. Aliens who, in the opinion of the consular officer, at the time of application for a visa or in the opinion of the Attorney General at the time of application for admission, are likely to become public charges;

16. Aliens who have been excluded from admission and deported and who again seek admission within one year from the date of such deportation unless prior to their reembarkation at a place outside Japan or their attempt to be admitted, the Attorney General has consented to their re-applying for admission;

17. Aliens who have been arrested and deported or who have fallen into distress and have been removed pursuant to Article 32 hereof, or who have been removed as alien enemies, or who have been removed at Government expense in lieu of deportation, unless, prior to their embarkation or reembarkation at a place outside Japan the Attorney General has consented to their applying or reapplying for admission;

18. Aliens who are stowaways;

19. Any alien who seeks to procure, or has sought to procure, or has procured, a visa or other documentation, or seeks to enter Japan, by fraud, or by willfully misrepresenting a material fact;

20. Left open

21. Left open

22. Left open

23. Any alien who is a narcotic drug addict, or who, has been convicted of a violation of any law or regulation relating to illicit traffic in narcotic drugs, or who has been convicted of a violation of any law or

regulation governing or controlling the taxing, manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation, exportation, or the possession for the purpose of manufacture, production, compounding, transportation, sale, exchange, dispensing, giving away, importation or exportation of opium, coca leaves, heroin, marihuana, or any salt derivative or preparation of opium or coca leaves; or any alien who the consular officer or immigration officers know or have reason to believe is or has been an illicit trafficker in any of the aforementioned drugs;

24. Left open

25. Aliens (other than aliens who have been lawfully admitted for permanent residence who are returning from a temporary visit abroad) over sixteen years of age, physically capable of reading, who cannot read and understand some language or dialect;

26. Any non-immigrant who is not in possession of (a) a passport valid for a minimum period of one year from the date of his application for admission authorizing him to return to the country from which he came or to proceed to and enter some other country during such period; and (b) at the time of application for admission a valid non-immigrant visa or other document entitling him to enter Japan;

27. Aliens who the consular officer or the Attorney General knows, or has reason to believe, seek to enter Japan solely, principally, or incidentally, to engage in activities which would be prejudicial to the public interest, or endanger the welfare, safety, or security of Japan;

28. Aliens who are, or at any time have been, members of any of the following classes:

a. Aliens who are anarchists;

b. Aliens who advocate or teach, or who are members of or affiliated with any organization that advocates or teaches, opposition to all organized governments;

c. Aliens who are members of or affiliated with ~~(1) the Communist Party of Japan~~; (2) any ~~other~~ totalitarian party of Japan; (3) ~~the Communist~~ Political Association; (4) ~~the Communist or any~~ other totalitarian party of any political division of Japan, or any foreign state, of any political or geographical subdivision of any foreign state; (5) any section, subsidiary, branch, affiliate, or subdivision of any such association or party; or (6) the direct predecessors or successors of any such association or party, regardless of what name such group or organization may have used, may now bear, or may hereafter adopt: Provided, that nothing in this paragraph or in any other provision of this Act shall be construed as declaring that the Communist Party does not advocate the overthrow of the Government of Japan by force, violence, or other unconstitutional means;

d. Aliens not within any of the other provisions of this paragraph who advocate the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism, or who are members of or affiliated with any organization that advocates the economic, international, and governmental doctrines of any other form of totalitarianism either through its own utterances or through any written or printed publications issued or published by or with the permission or consent of or under the authority of such organization or paid for by the funds of, or funds furnished by, such organization;

e. Aliens not within any of the other provisions of this paragraph, who are members of or affiliated with any organization which is registered as/required ~~to be registered~~ by ~~any~~ law, unless such aliens establish that they did not know or have reason to believe at the time that they became members of such an organization (and did not thereafter and prior to the date upon which such organization was so registered or so required to be registered have such knowledge or belief) that such organization was a Communist organization;

f. Aliens who advocate or teach or who are members of or

affiliated with any organization that advocates or teaches (1) the overthrow by force, violence or other unconstitutional means of the Government of Japan or of all forms of law, or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of Japan or of any other organized government because of his or their official character; or (3) the unlawful damage, injury or destruction of property; or (4) sabotage;

g. Aliens who write or publish, or cause to be written or published, or who knowingly circulate, distribute, print, or display, or knowingly cause to be circulated, distributed, printed, published or displayed, or who knowingly have in their possession for the purpose of circulation, publication, distribution, or display, any written or printed matter, advocating or teaching, (1) the overthrow by force, violence, or other unconstitutional means of the Government of Japan or of all forms of law; or (2) the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers (either of specific individuals or of officers generally) of the Government of Japan, or of any other organized government, because of his or their official character; or (3) the unlawful damage, injury, or destruction of property; (4) sabotage; or (5) the economic, international, and governmental doctrines of world communism or the economic and governmental doctrines of any other form of totalitarianism;

h. Aliens who are members of or affiliated with any organization that writes, circulates, distributes, prints, publishes, or displays, or causes to be written, circulated, distributed, printed, published or displayed or that has in its possession for the purpose of circulation, distribution, publication, issue, or display, any written or printed matter of the character described in paragraph (g).

i. Any alien who is within the classes described in subparagraphs (c) (d) (e) (f) (g) and (h), of this paragraph solely because of past

membership in or past affiliation with a party or organization or section, subsidiary, branch, affiliate, or subdivision thereof, may be issued a visa if such alien establishes to the satisfaction of the consular officer when applying for a visa and the consular officer finds that (1) such past membership or past affiliation was involuntary or occurred and terminated prior to the attainment by such alien of the age of fourteen years, or (2) (a) such alien is and has been, for at least two years prior to the date of the application for a visa, actively opposed to the doctrine, program, principles, and ideology of such party or organization or the section, subsidiary, branch or affiliate or subdivision thereof, and (b) the consular officer finds that the admission of such alien into Japan would be in the public interest. Any such alien to whom a visa has been issued under the provisions of this subparagraph may be admitted into Japan if he shall establish to the Attorney General that (1) such past membership or past affiliation was involuntary or occurred and terminated prior to the attainment by such alien of the age of fourteen years, or (2) such alien is and has been, for at least two years prior to the date of the application for admission, actively opposed to the doctrine, program, principles, and ideology of such party or such organization or the section, subsidiary, branch, or affiliate or subdivision thereof, and (c) the Attorney General finds that the admission of such alien into Japan would be in the public interest. The Attorney General shall promptly make detailed report to the Diet in the case of each such alien who is or shall be admitted into Japan.

29. Aliens who the consular officer or the Attorney General knows or has reason to believe would, after entry, be likely to (a) engage in activities which would be prohibited by the laws of Japan relating to espionage, sabotage, public disorder, or in other activity subversive to the national security; (b) engage in any activity a purpose of which is the opposition to, or the control or overthrow by force, violence, or other unconstitutional means of, the Government of Japan; or (c) organize, join, affiliate with, or participate in the activities of any organization which is registered or required to be registered under any law of Japan.

30. Any alien, accompanying another alien ordered to be excluded and deported and certified to be helpless from sickness or mental or physical disability or infancy, whose protection or guardianship is required by the alien ordered excluded and deported.

31. Any alien who at any time shall have knowingly, ~~and for gain~~, encouraged, induced, assisted, abetted, or aided any other alien to enter or to try to enter Japan in violation of law.

32. The Attorney General may in his discretion parole into Japan any inadmissible aliens other than those specified in Art 8 temporarily for the purpose of receiving medical treatment. Any alien so paroled shall be regarded as automatically excluded from admission to Japan and shall, upon termination of such medical treatment or whatever the Attorney General shall require, be deported in the same manner as other aliens who are excluded from admission into Japan.

33. The Attorney General shall prescribe conditions, including exaction of such bonds as may be necessary, to control and regulate the admission and return of excludable aliens applying for temporary admission under this subsection. The Attorney General shall make detailed report to the Diet in any case in which he exercises his authority to parole an alien of the criminal, immoral or subversive classes.

34. Upon the basis of reciprocity accredited officials of foreign governments, their immediate families, attendants, servants, and employees may be admitted in immediate and continuous transit through Japan without regard to the provisions of this Act under such regulations as the Attorney General may promulgate.

35. Whenever the Prime Minister finds upon recommendation of the Attorney General that the entry of an alien or any classes of aliens into Japan would be detrimental to the interests of Japan he may by proclamation and for such period as he shall deem necessary, suspend the entry of all such aliens or any class of aliens as immigrants or non-immigrants, or impose on the entry of aliens any restriction he may deem to be appropriate.

# PART - I

## DEPORTATION -ADJUSTMENT OF STATUS OF ALIEN

ARTICLE 23. General Classes of Deportable aliens

1. Any alien in Japan, including an alien crewman, shall, upon the order of the Attorney General, be deported who -

a. At the time of entry was within one or more of the classes of aliens excludable by law;

b. Entered Japan without inspection or at any time or place other then as designated by the Attorney General or is in Japan in violation of this Act or in violation of any other law of Japan;

c. Within five years after entry becomes institutionalized because of mental disease, defect, or deficiency;

d. (1) Within five years after entry is convicted of a crime involving moral turpitude and either sentenced to confinement or confined therefor in a prison or corrective institution for a year or more, or who at any time after entry is convicted of two crimes involving moral turpitude, not arising out of a single scheme of criminal misconduct, regardless of whether confined therefor and regardless of whether the convictions were in a single trial; or at any time after entry is convicted in Japan of any criminal offense, not comprehended within any of the foregoing, if the Attorney General in his discretion concludes that the alien is an undesirable resident of Japan; or

(2) Admits committing within five years after entry acts which constitute the essential elements of a crime involving moral turpitude, or whose admission is tantamount to a confession of guilt of such a crime;

e. Has failed to comply with the provisions of any law requiring aliens generally, or specific classes, to register;

f. Is or at any time after entry has been a member of any one of the classes of alien described in Article 6 ~~(m)~~ (28) of this Act, except that this paragraph shall not apply to an alien who was lawfully admitted to Japan for permanent residence, if the sole ground for deportation under this paragraph ceased to exist prior to such lawful entry into Japan.

citizens, subjects, or residents of such country, until such time as the Attorney General shall inform the Minister for Foreign Affairs that such country has accepted such alien.

✓ 8. No alien shall be deported under any provision of this Act to any country in which the Attorney General shall in his discretion find that such alien would be subjected to ~~physical~~ persecution.

ARTICLE 26. Suspension of Deportation

✓ 1. As hereinafter prescribed in this Article the Attorney General may, in his discretion, suspend deportation and adjust the status to that of an alien lawfully admitted for permanent residence, in the case of any alien who - falling on one or more of the following catagories:

a. Is not subject to deportation under any provision of law relating to the criminal, immoral or subversive classes;

b. Is a citizen or national of a country with which Japan does not have diplomatic relations; (annotte)

c. Was born in Japan or has lived the major portion of his life in Japan;

d. At any period of his life was classified as a national of Japan and has committed no individual act of expatriation;

e. Is a person whose deportation would, in the opinion of the Attorney General, result in exceptional and extremely unusual hardship to the members of his immediate family who are citizens, nationals, or legal residents of Japan.

ARTICLE 27. Adjustment of Status of Nonimmigrant to that of Person Admitted for Permanent Residence

✓ 1. The status of an alien lawfully admitted to Japan as a nonimmigrant and who is continuing to maintain that status, may be adjusted by the Attorney General, in this discretion, under such regulations as he may prescribe, to another nonimmigrant classification or to that of an alien lawfully admitted for permanent residence, if (a) the alien makes application for adjustment, and (b) the alien is admissible to Japan for permanent residence under this Act or regulations prescribed in pursuance thereof.

# PART - VII

## REGISTRATION OF ALIENS

ARTICLE 40. Aliens Seeking Entry into Japan

No visa shall be issued to any alien seeking to enter Japan unless such alien has been registered and fingerprinted in accordance with Article 11, (2).

ARTICLE 41. Registration of Aliens in Japan

1. Except as otherwise provided in Article 11 (2), it shall be the duty of every alien now or hereafter in Japan, who (a) is fourteen years of age or older, (b) has not been registered and fingerprinted under Article 11 (2) of this Act or under any other law and (c) remains in Japan for thirty days or longer, to apply for registration and to be fingerprinted before the expiration of such thirty days.

2. It shall be the duty of every parent or legal guardian of any alien now or hereafter in Japan who (a) is less than fourteen years of age, (b) has not been registered under Article 11 (2) of this Act or under any other law, and (c) remains in Japan for thirty days or longer, to apply for the registration of such alien before the expiration of such thirty days. Whenever any alien attains his fourteenth birthday in Japan he shall, within thirty days thereafter, apply in person for registration and to be fingerprinted.

ARTICLE 42. Provision Governing Registration of Special Groups

Notwithstanding the provisions of Articles 40 and 41 hereof, the Attorney General is authorized to prescribe special regulations and forms for the registration and fingerprinting of any other class or classes of aliens not admitted to Japan for permanent residence.

ARTICLE 43. Forms and Procedure

1. The Attorney General and the Minister for Foreign Affairs jointly are authorized and directed to prepare forms for the registration and fingerprinting of aliens under Article 40 of this Act, and the Attorney General is authorized and directed to prepare forms for the registration and fingerprinting of aliens under Article 41 of this Act. Such forms shall contain inquiries with respect to (a) the date and place of entry of the alien into Japan, (b) the length of

new address and other information as required by this Article within five days after such change. Any such alien who is temporarily absent from Japan on January 1, 1952, or any succeeding year shall furnish his current address and other information as required by this Article within ten days after his return. Any such alien in Japan in a lawful temporary residence status shall in like manner also notify the Attorney General in writing of his address at the expiration of each three-month period during which he remains in Japan, regardless of whether there has been any change of address. In the case of an alien for whom a parent or legal guardian is required to apply for registration the notice required by this Article shall be given by such parent or legal guardian.

ARTICLE 45. Penalties [covering up to art 25(2) matters relating to deport also below]

1. Any alien required to apply for registration and to be fingerprinted in Japan who willfully fails or refuses to make such application or to be fingerprinted, and any parent or legal guardian required to apply for the registration of any alien who willfully fails or refuses to file application for the registration of such alien shall, upon conviction thereof, be fined not to exceed _____ or be imprisoned for not more than six months, or both.

2. Any alien or any parent or legal guardian in Japan of any alien who fails to give written notice to the Attorney General, as required by Article 44 of this Act, shall be taken into custody and deported in the manner provided by this Act, unless such alien establishes to the satisfaction of the Attorney General that such failure was reasonably excusable or was not willful.

3. Any alien or any parent or legal guardian of any alien who files an application for registration containing statements known by him to be false, or who procures or attempts to procure registration of himself or another person through fraud, shall, upon conviction thereof, be fined not to exceed _____ or imprisoned not more than six months, or both; and any alien so convicted shall, upon the warrant of the Attorney General, be taken into custody and be deported in the manner provided in this Act.

ARTICLE 53. Importation of Aliens for Immoral Purpose

The importation into Japan of any alien for the purpose of prostitution or for any other imperal purpose, is hereby forbidden. Whoever shall, directly or indirectly, import, or attempt to import into Japan any alien for the purpose of prostitution or for any other immoral purpose, or shall hold or attempt to hold any alien for such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, any alien, in pursuance of such illegal importation, shall, in every such case, be guilty of a felony and upon conviction thereof shall be punished by a fine of not more than _____ and by imprisonment for a term of not more than ten years. The trial and punishment of offenses under this Article may be in any district to or into which such alien is brought in pursuance of importation by the person or persons accused, or in any district in which a violation of any of the provisions of this Article occurs. In all prosecutions under this Article, the testimony of a husband or wife shall be admissible and competent evidence against each other.

ARTICLE 54. Jurisdiction of _____ Courts

The _____ courts of Japan shall have jurisdiction of all causes civil and ~~criminal~~ arising under any of the provisions of this Act. It shall be the duty of the Prosecutor of the proper district to prosecute every suit when brought before him. Notwithstanding any other law, such prosecutions or suits may be instituted at any place in Japan at which the violation may occur or at which the person charged with a violation of Articles 49 and 50 of this Act may be apprehended. No suit or proceeding for a violation of any of the provisions of this Act shall be settled, compromised, or discontinued without the consent of the court in which it is pending and any such settlement compromise or discontinuance shall be entered in the record with the reasons therefor.

Cabinet Order No. 295 Sept. 30, 1950

The Immigration Agency Establishment Order.

In accordance with the Ordinance concerning the Orders to be issued in Consequence of the Acceptance of the Potsdam Declaration (Imperial Ordinance No. 542 of 1945) the Cabinet establishes this Cabinet Order.

(Purpose)

Article 1. The purpose of this Cabinet Order is to provide precisely for the extent of functions and authorities under the control of the Immigration Agency as well as for the organization necessary to execute efficiently the administrative affairs under its control.

(Establishment)

Article 2. The Immigration Agency shall be established as an external organ of the Ministry of Foreign Affairs.

2 The chief of the Immigration Agency shall be the Director of Immigration Agency (hereinafter referred to as "the Director").

(Functions)

Article 3. The Immigration Agency shall take charge of the business concerning the immigration surveillance, registration of aliens and deportation of unlawful entrants.

(Authorities)

Article 4. For the purpose of carrying out the functions provided for by this Cabinet Order, the Immigration Agency shall have the authorities as provided for below. Such authorities shall, however, be exercised in accordance with laws (including orders issued thereunder).

(1) To make, within the limits of budgetary appropriation, those acts pertaining to expenditures necessary for carrying out its functions;

(2) To establish and maintain offices and other facilities directly required for carrying out its functions;

(3) To procure office supplies and other materials directly required for carrying out its functions;

(4) To dispose of unnecessary property;

(5) To administer personnel affairs, including appointment, dismissal, awards and discipline;

(6) To establish and maintain facilities required for the welfare and health of personnel;

(7) To establish and maintain housing to be rented to personnel;

(8) To collect, distribute or publish research data and statistics concerning the affairs under its jurisdiction;

(9) To inspect the affairs under its jurisdiction and to take such measures as may be required in accordance with the provisions of laws or orders;

(10) To adopt the official seals of the Immigration Agency;

(11) To permit exit (including exit with the purpose of reentry within a year from the date of receipt of the permission; hereinafter the same) as provided for in Article 6 of the Cabinet Order concerning Immigration Serveillance (Cabinet Order No. 299 of 1949);

(12) To register aliens pursuant to the Ordinance for Registration of Aliens (Imperial Ordinance No. 207 of 1947);

(13) To issue and execute the written deportation order pursuant to the Ordinance for Registration of Aliens or the Cabinet Order for Temporary Meadures concerning the Restriction on Immigration of Those Persons Having Permanent Domiciles in Nanseishoto South of 30° North Latitude (Cabinet Order No. 227 of 1950);

(14) In addition to those provided for in the preceding items, such authorities as are placed under the Immigration Agency by law (including orders issued thereunder).

Article 5. The Immigration Agency shall have the following two divisions in addition to its Director's Secretariat.

First Division

Second Division

2 The Director's Secretariat shall take charge of the matters concerning personnel, accounting and document as well as the matters concerning liaison business.

3 The First Division shall take charge of the following affairs:

(1) Matters concerning the liaison and coordination among the functions of the administrative organs concerned with respect to the prevention of unlawful entry;

(2) Matters concerning the issuance of the written deportation order under the Ordinance for Registration of Aliens or the Cabinet Order for Temporary Measures concerning the Restriction on Immigration of ~~Aliens~~ Persons Having Permanent Domiciles in Nansoishoto South of 30° North Latitude (hereinafter referred to as "the written deportation order");

(3) Matters concerning the execution of the written deportation order;

(4) Matters concerning the maintenance and administration of the Immigration Center;

(5) Matters concerning the training of the Immigration Guards.

4× The Second Division shall take charge of the following affairs:

(1) Filing records of immigration (which is provided in Article 1 of the Cabinet Order concerning Immigration Surveilance; hereinafter the same);

(2) Matters concerning the duties performed by Immigration Officials;

(3) Matters concerning permission for exit as provided for in Article 6 of the Cabinet Order concerning Immigration Surveillance (excluding those to be performed by Immigration Officials);

(4) Matters concerning the immigration surveillance, other than those mentioned in the preceding three items;

(5) Duties concerning the registration of aliens.

5 Necessary matters pertaining to the details of the organization of the Immigration Agency other than those prescribed in the preceding four paragraphs, shall be determined by the Director.

(Immigration Officials)

Article 6. Immigration Officials shall be assigned to Custom Houses for the purpose of endorsing, by means of stamping, at the time of immigration, the passports or their substitute documents issued by competent official organs, and for the purpose of performi g the duties concerning permission of exit.

2 The Director shall direct and supervise the chiefs of

Custom Houses with respect to the duties performed by the Immigration Officials.

3 The Custom Houses to which the Immigration Officials are to be assigned shall be designated by the Minister of Finance after consultation with the Director.

(Immigration Inspectors and Immigration Sub-Inspectors)

Article 7. The Immigration Agency shall have Immigration Inspectors and Immigration Sub-Inspectors.

2 The Immigration Inspectors shall take charge of the business pertaining to the issuance of the written deportation orders.

3 The Immigration Inspectors shall direct the Immigration Guards in the execution of the written deportation order.

4 The Immigration Sub-Inspectors shall take charge of the business performed by the Immigration Inspectors in accordance with the provisions of the preceding two paragraphs under the order of the Immigration Inspectors.

(Immigration Guards)

Article 8. The Immigration Agency shall have Immigration Guards.

2 The Immigration Guards shall execute the written deportation order and guard the Immigration Center.

3 The Immigration Guards shall perform function as the judicial police official provided for by the Code of Criminal Procedure ~~Prosecution Law~~ (Law No. 131 of 1948) with regard to the crime which violates the provision of

Article 3 of the Ordinance for Registration of Aliens or Article 1 of the Cabinet Order for Temporary Measures concerning the Restriction on Immigration of Those Persons Having Permanent ~~Address~~ Domicile in Nanseishoto South of 30° North Latitude, with regard to the function provided for by the Director.

Article 9. The Immigration Guards shall, in application of the National Public Service Law (Law No. 120 of 1947) and the Law concerning ~~Wages of Officials~~ Compensation of Employees in the Regular Government Service (Law No. 95 of 1950), be deemed as police personnel.

2 The classes of guards shall be determined by the Cabinet Order until such time as the position classification is determined in accordance with the Law concerning with the Position-Classification Plan of the National Public Service (Law No. 180 of 1950).

3 The uniform of the Immigration Guards shall be determined by the Ministrial Ordinance.

(Carrying and Use of Weapons)

Article 10. The Immigration Guards may carry weapons for the purpose of executing the duties.

2 The Immigration Guards may use their weapons within the limitation adjudged reasonably necessary under the circumstances in executing their duties; provided, however, that they shall not hurt a

person

person
except in any one of the following cases:

(1) In the cases falling under Article 36 or Article 37 of the Penal~~ty Law~~ Code (Law No. 45 of 1907);

(2) In cases where a person subject to deportation order, or transferred by the national or municipal police to the Immigration Guard in accordance with the provision of Article 17, resists the Immigration Guard in his execution of duties, or attempts to flee, or where a third person resists the Guard in trying to let him flee and the Guard has sufficient reason to believe that there is no other means to prevent it.

(Immigration Center)

Article 11. The Immigration Agency shall have the following attached organ.

Immigration Center

2 The Immigration Center (hereinafter referred to as "the Center") shall be an organ to detain temporarily illegal entrants whom the deportation order has been executed.

Article 12. The name and location of the Center shall be as follows:

| | |
|---|---|
| Hario Center | Egami Village, Higashisonoki Gun, Nagasaki Prefecture |

Article 13. The Center shall have a Chief and subordinate personnel.

2 The Chief shall preside over the affairs of the Center and direct and supervise its personnel, under the direction and supervision of the Director.

3 The subordinate personnel shall take charge of the business pertaining to the maintenance and management of the Center under the order of the Chief.

Article 14. The internal organization of the Center, the treatment of deportees, guard in the Center and other necessary matters concerning the Center shall be determined by the Director excepting the matters provided for in the preceding three Articles.

(Local Station)

Article 15. The Immigration Agency shall have Local Stations as branches and Sub-Branches in order to assign partially the business provided for in Article 5 paragraph 3 item (2) and item (3).

2 The name, location and ~~of~~ area to supervize, of the Local Station shall be as follows:

| Name | Location | Area to supervize |
|---|---|---|
| Tokyo Station | Tokyo To | Hokkaido, Miyagi Pref., Fukushima Pref., Iwate Pref., Aomori Pref., Yamagata Pref., Akita Pref., Tokyo To, Kanagawa Pref., Niigata Pref., Saitama Pref., Gumma Pref., Chiba Pref., Ibaragi Pref., Tochigi Pref., Shizuoka Pref., Yamanashi Pref., Nagano Pref. |

| | | |
|---|---|---|
| Kobe Station | Kobe City | Osaka Fu, Kyoto Fu, Hyogo Pref., Nara Pref., Shiga Pref., Wakayama Pref., Aichi Pref., Mie Pref., Gifu Pref., Fukui Pref., Ishikawa Pref., Toyama Pref., Kagawa Pref., Ehime Pref., Tokushima Pref., Kochi Pref. |
| Matsue Station | Matsue City | Tottori Pref., Shimane Pref. |
| Shimonoseki Station | Shimonoseki City | Hiroshima Pref., Okayama Pref., Yamaguchi Pref. |
| Fukuoka Station | Fukuoka City | Fukuoka Pref., Saga Pref., Nagasaki Pref., Kumamoto Pref., Oita Pref., Miyagi Pref., Kagoshima Pref. |

3. The internal organization of the Local Station shall be determined by the Director.

(The Assistance of the Agencies Concerned)

Article 16. The Immigration Agency may request the assistance of Police Agencies, Maritime Safety Agency and other agencies concerned with regard to the matters provided for in Article 4 item (13).

Article 17. When the national or municipal police has arrested a person suspected of, or in the act of, violating the provision of Article 3 of the Ordinance for Registration of Aliens or of Article 1 of the Cabinet Order for Temporary Measures concerning the Restriction on Immigration of Those Persons Having Permanent ~~Address~~ Domiciles in Nanseichoto South of 30° North Latitude he shall transfer the such person to the Immigration Guard as soon as possible.

Supplementary Provisions:

1. This Cabinet Order shall come into force as from October 1, 1950.

2. Business provided for in Article 8 paragraph 2 and paragraph 3 shall be carried out by National Rural Police officials or Municipal Police officials as heretofore until November 30, 1950.

3. In application of Article 16 and Article 17 of the Ordinance for Registration of Aliens as amended by the provision of paragraph 9 of the Supplementary Provisions and of Article 5 of the Cabinet Order for Temporary Measures concerning the Restriction on Immigration of Those Having Permanent Domicile in Nanseishoto South of 30° North Latitude as amended by the provision of paragraph 10 of the Supplementary Provisions, "the Director of Immigration Agency" and "the Immigration Inspectors" shall read "the Minister for Foreign Affairs" and "the governor of To, Do, Fu or Prefecture" respectively, until the date provided for by Cabinet Order not later than December 31, 1950.

4. The Law for the Fixed Number of Personnel in the Administrative Organs (Law No. 126 of 1949) shall be partially amended as follows:

In the table of Article 2

| | |
|---|---|
| "Attorney-General's Office | |
| Office Proper | 42,139 |
| Among the above number, 11,283 are personnel of Public Procurator's Office | |
| National Offenders Prevention and Rehabilitation Commission | 1,173 |
| Juridical Examination Administration Commission | — |
| Total | 43,312 " |

shall be amended as

| | |
|---|---|
| "Attorney-General's Office | |
| Office Proper | 42,135 |
| Among the above number, 11,283 are personnel of Public Procurator's Office. | |
| National Offenders Prevention and Rehabilitation Commission | 1,173 |
| Juridical Examination Administration Commission | — |
| Total | 43,308 ". |

| | |
|---|---|
| "Ministry of Foreign Affairs | |
| Ministry Proper | 1,556 " |

shall be amended as

| | |
|---|---|
| "Ministry of Foreign Affairs | |
| Ministry Proper | 1,519 |
| Immigration Agency | 663 |
| Total | 2,182 ". |

"Ministry of Transportation
Ministry Proper
Mariners' Labor Relations Commission
Maritime Safety Agency
Marine Accident Inquiry Agency

Total

15,658
59
8,663
85

24,465 "

shall be amended as

"Ministry of Transportation
Ministry Proper
Mariners' Labor Relations Commission
Maritime Safety Agency
Marine Accident Inquiry Agency

Total

15,658
59
8,723
85

24,525 ".

" Grand Total

872,743 "

shall be amended as

" Grand Total

873,425 ".

5. The National Government Organization Law (Law No. 120 of 1948) shall be partially amended as follows:

In the Annexed Table No. 1 "Immigration Agency" shall be added in the column of the Ministry of Foreign Affairs.

In the Annexed Table No. 2 "the Public Information Division of the Political Affairs Bureau and the Immigration Service Division of the Controls Bureau in the Ministry of Foreign Affairs" shall be amended as "the Public Information Division of the Political Affairs Bureau in the Ministry of Foreign Affairs."

6. The Ministry of Foreign Affairs Establishment Law (Law No. 135 of 1949) shall be partially amended as follows:

In the Contents,

"Chapter III Diplomatic and Consular Establishments Abroad (Articles 20-22)

Chapter IV Personnel (Articles 23, 24)"

shall be amended as follows:

"Chapter III External Organ (Articles 20, 21)

Chapter IV Diplomatic and Consular Establishments Abroad (Articles 22-24)

Chapter V Personnel (Articles 25, 26)."

Item (20) of Article 4 shall be amended as follows:

(20) Matters concerning the immigration surveillance, registration of aliens and deportation of unlawful entrants.

Paragraph 3 of Article 5 shall be deleted.

Item (8) of Article 10 and paragraph 2 of the same Article shall be deleted.

"Chapter III Diplomatic and Consular Establishments Abroad" shall be amended as "Chapter IV Diplomatic and Consular Establishments Abroad" and Article 20, Article 21 and Article 22 shall be made Article 22, Article 23 and Article 24 respectively and next

to

to Chapter II the following one Chapter shall be added:

Chapter III External Organ

Article 20. The external organ established in the Ministry of Foreign Affairs under the provision of Article 3, paragraph 2 of the National Government Organization Law shall be as follows:

Immigration Agency

Article 21. Matters concerning the organization, affairs under control and powers of the Immigration Agency shall be provided for by the Cabinet Order concerning the Establishment of the Immigration Agency (Cabinet Order No. 295 of 1950)

"Chapter IV Personnel" shall be amended as "Chapter V Personnel", Article 23 shall be made Article 25 and Article 24 shall be made Article 26.

7. The Cabinet Order concerning Immigration Surveillance shall be partially amended as follows:

In Article 1", for liaison and coordination among the functions of the administrative organs concerned with respect to the prevention of illegal entry and the deportation of

illegal

illegal entrants etc.; and for the administrative organs and their personnel necessary for the performance of these provisions" shall be deleted.

Article 2 to Article 5 inclusive shall be amended as follows:

Article 2 to Article 5 inclusive shall be deleted.

In Article 6 item (2), "(excepting those who depart from Japan with the purpose of reentry as provided for in item (3) of Article 3)" shall be amended as "(excepting those who depart from Japan with the purpose of reentry within a year from the date of receipt of the permission)".

In Article 7, "Immigration Officials" (Nyūgoku-kanrikan) shall be amended as "Immigration Officials" (Shutsunyūgoku-kanrikan).

In Article 8, "the Chief of the Immigration Service Division, Controls Bureau, Ministry of Foreign Affairs" shall be amended as "the Director of Immigration Agency" and "Immigration Officials" (Nyūgoku-kanrikan) shall be amended as "Immigration Officials" (Shutsunyūgoku-kanrikan).

In Article 9, "the Chief of the Immigration Service Division" shall be amended as "the Director of Immigration Agency".

8. The Attorney-General's Office Establishment Law (Law No. 193 of 1947) shall be partially amended as follows:

In Article 1 paragraph 1, "registration of aliens" shall be deleted.

In Article 8 paragraph 3, item (3) shall be deleted, item (4) shall be made item (3) and the succeeding items shall be moved up by one.

In Article 13-(2) paragraph 1 "paragraph 3 item (1), item (2) and items (4) to (8) inclusive and the same Article" shall be amended as "paragraph 3 items (1) to (7) inclusive and".

9. The Ordinance for Registration of Aliens shall be partially amended as follows:

In Article 3 paragraph1, Article 4 paragraph 1, Article 5, Article 6, Article 7 paragraph 1 and paragraph 2, Article 8 paragraph 1 and paragraph 2, Article 8-(2) paragraph 2 and paragraph 3, Article 10 and Article 11, "the Attorney-General" shall be amended as "the Minister for Foreign Affairs".

In Article 16 paragraph 1, "the Attorney-General" shall be amended as "the Director of Immigration Agency" and in paragraph 2 of the same Article "in accordance with the provisions laid down by the Attorney-General" shall be deleted

and

and "the Governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors".

In Article 17 paragraph 1, "the Attorney-General" shall be amended as "the Director of Immigration Agency" and "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors," in paragraph 2 of the same Article, "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors" and in paragraph 3 of the same Article "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors" and "the Attorney-General" shall be amended as "the Director of Immigration Agency"

Article 18 shall be amended as follows:

Article 18. The written deportation order of the preceding two Articles shall be executed by the Immigration Guards on the land and by the Maritime Safety Officials on the sea respectively.

2 National Rural Police officials or Municipal Police officials, if the Immigration Inspectors deem it necessary due to the shortage of Immigration Guards, may execute the written deportation order of the preceding two Articles.

10. The Cabinet Order for Temporary Measures concerning the Restriction on Immigration of Those Persons Having Permanent Domicile in Nanseishoto South of 30° North Latitude shall be partially amended as follows:

In Article 5 paragraph 1, "the Attorney-General" shall be amended as "the Director of Immigration Agency" and in paragraph 2 of the same Article "the Attorney-General" shall be amended as "the Director of Immigration Agency" and "the governor of To, Do, Fu or Prefecture" shall be amended as "the Immigration Inspectors".

Article 6 shall be amended as follows:

Article 6. The written deportation order of the preceding Article shall be executed by the Immigration Guards on the land and by the Maritime Safety Officials on the sea respectively.

2 National Rural Police officials or Municipal Police officials, if the Immigration Inspectors deem it necessary due to the shortage of Immigration Guards, may execute the written deportation order of the preceding Article.

11. The Customs Law (Law No. 61 of 1899) shall be partially amended as follows:

In Article 101-(5) paragraph 1 and paragraph 2, "the Immigration Officials" (Nyūgoku-kanrikan) shall be amended as "the Immigration Officials" (Shutsunyūgoku-kanrikan).

| | |
|---|---|
| Attorney-General | OHASHI Takeo |
| Minister for Foreign Affairs | YOSHIDA Shigeru |
| Minister of Finance | IKEDA Hayato |
| Minister of Transportation | KAMAZAKI Takeshi |
| Prime Minister | YOSHIDA Shigeru |