GHQ/SCAP Records(RG 331)
Description of contents

THE NATIONAL ARCHIVES OF THE UNITED STATES

(1) Box no. 2083

(2) Folder title/number: (21)
Appendix H: 1-13

(3) Date: ?

(4) Subject:

Classification	Type of record
021	d

(5) Item description and comment:

(6) Reproduction: (Yes) No

(7) Film no. Sheet no.

H:1

(2)

~~General Headquarters~~
~~Supreme Commander~~ For The Allied Powers
~~Government Section~~

THE LAW FOR THE ELECTION OF MEMBERS OF THE HOUSE OF REPRESENTATIVES AS PASSED BY 92ND DIET

THE LAW FOR THE ELECTION OF MEMBERS
OF THE HOUSE OF REPRESENTATIVES

The Election Districts

Article 1 - The members of the House of Representatives shall be elected in each of the election districts. The election districts and the number of members to be elected in each district are set forth in the appendix to the present law.

Article 2 - The voting districts shall be subject to the limits of cities, towns and villages.

When the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies deem it necessary, there may be established several voting districts for one city, town or village.

In case voting districts are established according to the preceding clause, the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies must immediately announce the fact.

In case any provisions of the present law are not applicable to districts established according to the second clause of this article, special provisions may be enacted by imperial ordinance.

Article 3 - The ballot-counting districts shall be subject to the limits of cities, towns and villages.

When the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies deem that there are special circumstances, there may be established several ballot-counting districts for one city or one ballot-counting district for several towns or villages.

When the ballot-counting districts are established according to the preceding clause, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies must announce the fact immediately.

In case any provisions of the present law are not applicable to ballot-counting districts established according to the second clause of this article, special provisions may be enacted by imperial ordinance.

Article 4 - When an alteration takes place in an election district in consequence of a change in administrative boundaries, the members actually sitting for such district shall retain their seats.

Voting Right and Eligibility

Article 5 - Any Japanese national who is over twenty years of age shall have the right to vote.

Any Japanese national who is over twenty-five years of age shall be eligible for election.

Article 6 - Any person who has been declared incompetent or quasi-incompetent, or who has been condemned to penal servitude or confinement and whose term of punishment has not been completed or is yet to be executed shall neither have the right to vote nor be eligible for election.

Article 7 - Deleted.

Article 8 - The Commissioners for Overseeing the Election of Members of the Metropolitan Assembly, Commissioners for Overseeing the Election of Members of the District or Prefectural Assemblies, and Commissions for Overseeing the Election of Municipal Town or Village Assemblies, Voting Overseers, Ballot-Counting Overseers and Chairmen of Election, and officers and officials engaged in the management of affairs pertaining to election shall not be eligible for election within the limits of the jurisdiction of their respective offices.

Article 9 - Judges, public procurators, government auditors, revenue officials and police officers in active service shall not be eligible for election.

Article 10 - Officials and those treated as officials and officials of local public entities with the exceptions hereafter listed may not combine their offices with membership in the House of Representatives:

1. Cabinet ministers.
2. The Director General of the Cabinet Secretariat.
3. The President of the Bureau of Legislation.
4. Parliamentary undersecretaries of all ministries.
5. Parliamentary Councillors of all ministries.
6. Private secretaries of the premier.
7. Private secretaries of all ministries.
8. Private secretaries to State Ministers.

Article 11 - Members of the Metropolitan, District, Prefectural, and Municipal, Town or Village Assemblies may not hold concurrent membership in the House of Representatives.

Electoral Lists

Article 12 - The Chairman of the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies shall investigate annually, as of the fifteenth of September, all qualified persons who have been domiciled for more than six months without interruption in their respective localities and prepare a list thereof by the thirty-first of October.

The age of an elector shall be counted as of the date when the electoral list is made final.

The persons disqualified under the residence requirement provided in the first and the preceding clauses of this article may not be registered in the electoral list.

In the electoral list shall be entered the name, residence, and date of birth of each elector.

The terms of residence provided in the first and third clauses of this article shall not be affected by alterations of the administrative boundaries.

Article 13 - Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies shall, at their respective offices or at places they designate, exhibit the electoral lists for public inspection for a period of fifteen days commencing on the fifth of November.

They shall announce the place of exhibition at least three days before inspection takes place.

Article 14 - When an elector discovers an omission or wrong registration in the electoral list, he may demand that a correction be made by giving to the Commission for Electing Members of the City, Town or Village Assemblies written corroborative evidence and the reason therefor.

Such a demand may not be made after expiration of the period of exhibition.

Article 15 - Upon the receipt of a notice set forth in the preceding article, the Commission for Electing Members of the City, Town, or Village Assemblies shall examine the reasons alleged and evidence adduced and shall give its decision within twenty days from the receipt of such notice. If it finds that the notice is correct it shall immediately correct the electoral list, notifying the person who has given the notice and other persons concerned and notify the public at the same time. When the notice is found to be incorrect a communication to that effect shall be made to the person who has given the notice.

Article 16 - When either the person who has given the notice or other persons concerned are not satisfied with the decision of the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies made according to the foregoing article, they may, within seven days from the day on which they received the communication of the said decision, institute a suit against the Chairman of Commissions for Overseeing the Election of Municipal, Town or Village Assemblies, in a district court.

No appeal is allowed to appelate courts against the judgment of the district court mentioned in the preceding clause but it is permissible to bring an appeal to the Supreme Court for revision.

Article 17 - The electoral list shall be considered final on the 20th of December.

The list shall be kept until the 19th of December of the following year. When, however, any correction is to be made in the list in pursuance of the judgment of a court of law, the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies shall at once make the said correction and shall publish the fact.

A new electoral list shall be compiled whenever a natural calamity or any other unavoidable circumstance may require it.

The compilation of the electoral list according to the foregoing clause and the date thereof, and the date and duration of exhibition for public inspection and for final determination of the list shall be determined by Imperial Ordinance.

Election, Votes and Polling Places

Article 18 - The date of a general election shall be the day following the expiration of a term of members of

the House of Representatives. However, when there are peculiar circumstances an election may be held within five days after a term has expired.

When a term expires while the National Diet is in session or within twenty-five days after the closing of the session, the general election shall take place not less than twenty-six nor more than thirty days after the close of the session.

The date of a general election shall be proclaimed at least twenty-five days beforehand.

Article 19 - Election shall be by ballot. Each elector shall cast one ballot only.

Article 19-2 - Affairs pertaining to the election of Members of the House of Representatives shall be taken charge of by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly and Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall direct and supervise the Commissions for Overseeing the Election of Members of Municipal, Town or Village Assemblies with regard to affairs pertaining to the election of members of the House of Representatives.

Article 20 - Voting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies, from among those who have the right to vote for election.

Voting Overseers shall take charge of affairs pertaining to voting.

Article 21 - The polling-place shall be the city, town, or village office or place designated by the voting overseer.

Article 22 - The voting overseer shall announce the polling-place at least five days previous to the date of election.

Article 23 - The polls shall be opened at 7 o'clock a.m. and be closed at 6 o'clock p.m.

Article 24 - Each candidate may appoint a person with his consent to act as a voting witness from among those registered in the electoral list of each voting district and report his choice to the voting overseer at least two days before the date of election.

When the number of the persons whose selection has been reported in accordance with the provisions of the preceding clause (excluding one whose selection has been reported by a candidate who subsequently thereto has died or withdrawn his candidacy, which proviso is hereinafter omitted) does not exceed ten, they shall ipso facto become voting witnesses. In case their number exceeds ten, they shall elect ten voting witnesses from among themselves.

The election mentioned in the preceding clause shall be effected by vote, and persons who have obtained the larger

number of votes shall be voting witnesses. In case an equal number of votes are obtained the decision shall be made by lot by the voting overseer.

The election mentioned in the second clause of this article shall be held on the day preceding the date of election.

The place and date of the election mentioned in the second clause of this article shall be publicly announced by the voting overseer beforehand.

When the candidate has died or withdrawn his candidacy, the voting witness whose selection has been reported by him shall cease to function as such.

In case the voting witnesses appointed according to the second clause of this article are fewer than three in number or there are fewer than three witnesses present at the time of the opening of the polls, the voting overseer shall fill the vacancies from among the persons registered in the electoral list of the voting district, notifying the persons so appointed and cause them to be present at the polls.

A voting witness shall not vacate his office without valid reason.

Article 25 - On the day of election electors shall come in person to the polling-place and vote, after identifying themselves as the persons whose names are on the electoral list.

In case the voting overseer cannot identify a person who is about to vote he shall require him to declare on oath his proper identity. Unless this declaration is made, such a person shall not be permitted to vote.

Article 26 - The ballot shall be given to each elector at the polling-place on the day of voting.

Article 27 - Every elector shall enter by himself the full name of one candidate in a ballot at a polling place and cast it into a ballot box.

An elector shall not write his own name on the ballot.

Article 28 - Writing upon the ballots with Braille as specified by Imperial Ordinance is permitted.

Article 29 - No person other than those entered on the electoral list shall be capable of voting. Should, however, any one come to the voting-place on the day of election bringing with him a writ of decision entitling him to have his name entered on the electoral list, the voting overseer shall allow him to vote.

Article 30 - Whenever a person registered on the electoral list does not possess the qualifications for registration or the right to vote on the day of the election, such person may not vote.

The foregoing provision shall apply to those persons who cannot themselves write the names of the candidates they wish to vote for.

Article 31 - The voting overseer after consulting the voting witnesses decides whether or not to allow a vote to be cast.

In case an elector is dissatisfied with the decision mentioned in the preceding clause, the voting overseer shall allow him to vote provisionally.

An elector shall place his ballot in an envelope and seal it and deposit it in the ballot box after writing his name on the envelope.

The provisions of the foregoing two clauses shall apply to an elector objected to by any of the election witnesses.

Article 32 - When the time for closing the polls arrives, the voting overseer shall declare the fact and close the entrance of the polling-places; he shall close the ballot-box as soon as electors present in the polling place have finished voting.

After the closing of the ballot-box no voting shall be allowed.

Article 33 - For electors who certify the impossibility of personal attendance at a polling-place on the day of election owing to circumstances recognized by imperial ordinance, special provisions may be enacted by imperial ordinance, notwithstanding the provisions of Articles 25, 26, the first clause of Article 27, the proviso of Article 29 and Article 31.

Article 34 - The voting overseer shall keep minutes in which all matters relating to the voting shall be entered and which he and the witnesses shall sign.

Article 35 - The voting overseer, except when he is also a ballot-counting overseer, shall, in company with one or more witnesses, send on the day of election the ballot-box, the minutes of the voting, and the electoral lists to the counting overseer.

Article 36 - In the case of an island or other place where means of transportation do not permit sending the ballot-box within the time mentioned in the preceding article, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies may fix a convenient date for voting and cause the ballot-box, minutes of the voting and the electoral lists to be sent by the time of counting the votes.

Article 37 - When, owing to natural calamity or other unavoidable circumstances, it is found to be impossible to carry out the voting or it is necessary to take a fresh vote, the voting overseer shall give notice to that effect to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies through the chairman of election. In such a case the Commissions shall cause the voting to be carried out by fixing a new date which shall be proclaimed at least five days beforehand.

Article 38 - In case elections are to be held according to Article 75 or 79 simultaneously, one combined election shall take place.

Article 39 - No elector is under obligation to state to any person the name of the candidate for whom he voted.

Article 40 - The voting overseer shall maintain order at the polling-place and may, in case of necessity, ask the assistance of the police.

Article 41 - With the exception of electors, persons attending to the business of the polling-place, officials who are authorized to oversee the polling-place, and police officials, no person is allowed to enter the polling-place.

Article 42 - When at the polling-place, any person makes a speech, engages in discussion, causes an uproar, holds a conference or uses persuasion as to voting, or otherwise disturbs the order of the polling-place, the voting overseer shall caution him and if the caution is disregarded, shall cause him to leave the polling-place.

Article 43 - A person who has been compelled to leave a polling-place in accordance with the foregoing article, may be allowed to vote either at the end of the voting or earlier if it is deemed by the voting overseer that there is no danger of the polling-place being disturbed thereby.

Counting of Ballots and Counting-Office

Article 44 - Ballot-counting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies from among those who have the right to vote for election.

Ballot-counting Overseers shall take charge of affairs pertaining to the counting of ballots.

Article 45 - The counting-office shall be established in the city, town or village office or at the place appointed by the counting overseer.

Article 46 - The counting overseer shall announce the date of the counting beforehand.

Article 47 - The provisions of Article 24 shall be applied to the counting witnesses of the counting-office.

Article 48 - The counting of ballots shall be effected on the day of voting or on the day immediately following (in case more than one voting district exist within one vote-counting district, on the day when all the ballot-boxes have been received or on the day immediately following).

Article 49 - The counting overseer shall, in the presence of the counting witnesses, examine the votes coming under sections 2 and 4 of Article 31 and shall decide as to their acceptability after consulting the counting witnesses.

The counting overseer, with the counting witnesses, shall examine the ballots for each polling district.

As soon as the examination of the ballots has been finished, the counting overseer shall report the result immediately to the chairman of election.

Article 50 - The electors are entitled to request permission to inspect the counting at the respective offices.

Article 51 - The validity of ballots shall be decided by the counting overseer after consulting the counting witnesses.

Article 52 - The votes mentioned below shall be invalid:

1. Those for which a regular ballot has not been used.
2. Those on which the name of a person other than a candidate is inscribed.
3. Those on which the names of two or more candidates are inscribed.
4. Those on which the name of a person disqualified for election is inscribed.
5. Those on which other matters in addition to the name of a candidate are inscribed. But this rule does not apply to those on which the profession, status, residence, or honorifics are entered.
6. Those on which the name of the candidate is not written by the voter himself.
7. Those by which it is impossible to ascertain which candidate is meant.
8. Those on which the name of a person who is a member of the House of Representatives is inscribed.

The preceding 8th item is applicable only to an election held in accordance with the provisions of Article 75 or 79 of the present law.

Article 52-2. Delete.

Article 52-3. Delete.

Article 53 - Ballots shall be sorted into lots that are valid and those that are void and shall be preserved by the Commissions for Overseeing the Election of Members of the Municipal, Town or Village Assemblies.

Article 54 - The counting overseer shall make the counting minutes, in which all matters relating to the ballot-counting shall be recorded, and shall affix his signature thereto together with ballot-counting witnesses.

The counting minutes and voting minutes shall be preserved during the term of office of the members elected, by the Commissions for Overseeing the Municipal, Town or Village Assemblies.

Article 55 - In the counting of ballots a new election held in case a part of an election is declared invalid, the validity of ballots shall be ascertained.

Article 56 - The provisions of Article 37 shall, with the exception of the proviso, be applied mutatis mutandis in the counting.

Article 57 - For the control of counting-offices the provisions of Articles 40 to 42 shall be applied mutatis mutandis.

Election Meeting

Article 58 - The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies.

The Chairman of Election shall take charge of affairs relating to the election-meeting.

Article 59 - The election meeting shall be held at the Metropolitan or prefectural office or at a city office or a place designated by the chairman of election.

Article 60 - The chairman of election shall announce the place and date of the election meeting beforehand.

Article 61 - The provisions of Article 24 shall be applied correspondingly to the election witnesses.

Article 62 - The chairman of election shall hold the election meeting in the presence of the election witnesses on the day when or the next day after the reports provided for in the third section of Article 49 are received from all counting overseers and shall examine the reports.

In case a part of an election was invalid and a new election has been held, the chairman of election, on receipt of the report under the third section of Article 49, shall hold an election meeting and examine it together with other reports.

Article 63 - The electors are entitled to request admission to the election meeting of their respective districts.

Article 64 - The Chairman of election shall make the election minutes, in which all matters relating to the election meeting shall be recorded and shall affix his signature thereto together with election witnesses.

The election minutes, together with the documents relating to the reports made under Article 49, paragraph 3, shall be preserved by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, during the term of office of the members elected.

Article 65 - The provisions of Article 37 shall, with the exception of the proviso, be applied correspondingly to the election meeting.

Article 66 - For the control of the election meeting the provisions of Articles 40 to 42 shall be applied correspondingly.

Candidates and Persons Elected

Article 67 - A person who desires to be a candidate shall so notify the chairman of election between the date when the date of election is proclaimed and the seventh day before the date of election.

When a person whose name is registered in the electoral list desires to name a candidate other than himself, he may make the recommendation with the consent of the candidate during the period set forth in the preceding clause.

In case the number of candidates named during the period stated in the two preceding clauses exceeds the number of members to be elected, when candidates die after the period stated or withdraw candidacy, notice or recommendation of candidates may be made according to the two preceding clauses by the second day previous to the date of election.

A person who has become a candidate in one election district shall not notify his candidacy or approve the notification recommending him as a candidate in another election district.

A candidate may not withdraw his candidacy without notification to the chairman of election.

On receipt of notice under the third paragraph and the preceding paragraph of this article or on the death of a candidate the chairman of election must immediately publish the facts.

Article 68 - The person who desires to enter for candidacy or who desires to recommend a candidate shall deposit 5,000 yen in cash or national bonds of the same face value for each candidate.

The deposit made in accordance with the preceding clause shall belong to the government in case the total votes for the candidate are less than one-tenth of the number of the valid votes obtained by respective candidates divided by the number of members to be elected in that election district.

The provisions of the preceding clause shall be applied to candidates who withdraw within ten days of the date of election, unless such withdrawal is due to loss of eligibility.

Article 69 - The candidate who has obtained the greatest number of valid votes shall be declared elected. However, the number of votes obtained shall not be less than one-fourth of the total number of the votes, obtained by respective candidates, divided by the number of members to be elected from the district.

In determining the person elected, in case the number of ballots obtained by the candidates is the same and the choice is determined by lot, the chairman of election shall hold a drawing at the election meeting.

In case the person elected may be determined without holding a new election in consequence of a suit instituted under Articles 81 or 83, the person elected shall be determined at an election meeting.

When a person elected either declines the election or dies or when his election has been invalidated according to the provisions of Article 70, the person elected shall be determined immediately at an election meeting from among those persons who have obtained the quota mentioned in the proviso of the first section of this article but have not been elected.

When any of the causes mentioned in Article 75, paragraph 1, Items 5 and 6, has occurred during the period stipulated in Article 74 and there are persons who have obtained such number of votes as mentioned in the proviso of paragraph 1, or when such a case has occurred after the expiration of the period and, there are persons who have obtained votes and to whom the provisions of paragraph 2 are applicable, an election meeting shall be held to determine the person elected from among the above mentioned persons.

In applying the foregoing three sections, a person voted for who comes under the first clause and was not elected shall not be declared elected in case he has been disqualified for election after the date of the election.

If the total number of votes cast was 3,300,000, the number of vacancies 10, and the leading candidate received 70,000 votes, he would retain his deposit, but he would not be elected to the Diet, because the requisite minimum is 3,300,000 divided by 10 divided by 4 = 82,500. If the number of candidates, as compared with vacancies, is very large and the vote widely scattered among the candidates, it might happen that none would be elected and a new election would be needed.

Article 70 - An election shall be invalidated when the person elected is disqualified for election after the date thereof.

Article 71 - In case the number of candidates notified according to the provisions of sections one to three of Article 67 does not exceed the number of members to be elected from a district, no election shall be held.

When it is unnecessary to hold an election according to the provisions of the preceding clause the chairman of election shall so notify the voting overseer, the Commission for Overseeing the Election of Members of the Metropolitan Assemblies or Commissions for Overseeing the Election of members of the District or Prefectural Assemblies and the electors.

On receipt of such notice the voting overseer shall publish the fact immediately.

In the circumstances indicated in the first clause of this article, the chairman of election shall hold an election meeting within five days previous to the date of election and determine the candidates as elected.

In such cases the chairman of election shall determine the validity of the qualifications of the candidates after consulting the election witnesses.

Article 72 - When a candidate's election has been determined, the chairman of election shall at once inform the person elected and at the same time shall publish the names of the persons elected and also shall report the minutes of the election, such as the names of and the number of votes obtained by the persons elected, and the total number of votes for each person, etc. to the Commission for Overseeing the Election of members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies.

The chairman of election shall immediately publish and give notice of the fact to the Commission for Overseeing the Election of members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies when there is no person elected or the number of persons elected is less than the number to be elected.

Article 73 - Upon receipt of notice of election, every person elected shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies whether or not he accepts.

Article 74 - Those persons elected who have failed to give notice of acceptance within ten days from the day on which they received notice of election shall be considered to have declined election.

Article 75 - In any of the following circumstances the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall fix a date and hold a new election, announcing the date thereof at least twenty five days before the date of election except when the persons elected can be determined without carrying out a new election. This provision is not applicable when the date of election is announced owing to circumstances other than the following or in accordance with the provisions of the eighth section of Article 79 concerning one and the same person:

1. In case there is no person elected or the number of persons elected is less than the number to be elected.
2. When the person elected declines the election or is dead.
3. When the person elected loses the election according to provisions of Article 70.
4. When there is no person elected or the number of persons elected does not come up to the required number in consequence of a suit instituted according to the provisions of Articles 81 or 83.
5. When an election is invalidated as the result of a suit instituted according to Article 84.
6. When an election is invalidated according to the provisions of Article 136.

An election mentioned in the preceding clause may not be held during the period allowed for filing a suit under the provisions of Article 81 or 83, or until the settlement of judgment in a case in which a suit has been filed.

The date of election to be held in accordance with the first section of this article shall be within thirty (30) days after the final day of the period allowed for filing a suit under the provisions of Article 81 or 83; in case a suit has been brought, it shall be within twenty (20) days after the day on which the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly received the communication from the Chief Judge of the Supreme Court to the effect that the suit is terminated or the communication made in conformity with the second clause of Article 86 or Article 143.

When any one of the circumstances mentioned in the first section of this article has arisen within six months prior to the end of the term of a representative, no election is held under the first section of this article.

Article 76 - When a person elected has accepted election the Commission for overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall at once give him a certificate of election and publish his name, at the same time reporting thereon to the Minister of Home Affairs through the Governor.

Article 77 - When an election has been invalidated owing to a suit instituted under Chapter 9 or to the application of Article 136, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall publish the fact immediately.

Term of Membership and Substitutional Election

Article 78 - The term of membership shall be from the date of a general election.

Article 79 - A substitutional election shall not be held even when a vacancy occurs among members until the number of vacancies comes up to two in the same election district. In the election district, however, in which the fixed number of members to be elected is two (2) the substantial election shall be held when a vacancy has occurred.

In case a vacancy occurs among members the Minister of Home Affairs shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned within five days from the date of his receipt of the notification thereon from the President of the House of Representatives.

On receipt of such notification the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall communicate it immediately to the chairman of election when a candidate who obtained the quota required under the proviso of the first paragraph of Article 69 but was not elected is available, in the case of a vacancy which occurs during the period mentioned in Article 74; or when there is a candidate to whom the second paragraph of Article 69 has been applied but was not elected, in the case of a vacancy which takes place after the period has elapsed.

The chairman of election shall determine the person elected, applying the provisions of sections four to six of Article 69, within twenty (20) days from the date of notification under the preceding section.

On receipt of notification under section two of this article, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies unless the third section herein of this article is applied or the date of the election has been published according to the provisions of Article 75 concerning one and the same person, shall wait until the number of vacancies reaches one-fourth of the number of members to be elected in the election district concerned; it shall hold a substitutional election within thirty (30) days of receipt of the final notification under section two of this article.

In case an election prescribed in Paragraph 75 is held in the election district in which the fixed number of members to be elected is two, or in case the number of vacancies is two in another election district, but an election is to be held under Article 75, a substitutional election shall, in spite of the provisions of the first and fifth clauses of this article, be held in parallel with the said election, unless the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies have received the notification under the second clause of this article after the date of election was announced in accordance with the provisions of Article 75.

The date of the substitutional election mentioned in the preceding clause shall be fixed in accordance with the rules of the date of election under Article 75.

The date of a substitutional election shall be announced at least twenty-five (25) days before the election by the Commissions for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies.

The provisions of sections two to four of Article 75 shall be applied to a substitutional election.

Article 80 - A member elected by substitutional election shall serve out the term of his predecessor.

Law-Suits Arising Out of Elections.

Article 81 - An elector or a candidate who entertains an objection to the validity of an election may institute a suit against the Chairman of the Commission for Overseeing the Election of Members of the Metropolitan Assembly or of the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies in the High Court within thirty days after the date of election.

Article 82 - When the legal provisions governing elections are violated, the court shall declare the election void either in whole or in part if such violation is judged likely to affect the returns.

In a suit instituted under Article 83, when the election is adjudged to fall under the preceding section, the court shall declare the election void either in whole or in part.

Article 83 - When a candidate who has failed of election questions the validity of the election of a person elected in the same election district, he may institute a suit in the High Court against the person elected within thirty days from the date of publication of the name of the person elected under sections one and two of Article 72. But a suit shall be instituted against the Chairman of the Commission for Overseeing the Election of Members of the Metropolitan Assembly or of the Commission for Overseeing

the Flection of Members of the District or Prefectural Assemblies; on the ground that the requirement imposed in the proviso of section one of Article 49 has been obtained or on the ground that the election does not abide by section six of Article 49 or by Article 70, or on the ground that the decision made under section five of Article 71 is illegal.

When a suit is instituted according to the preceding section and the person elected dies before the decision is made, such suit shall be reinstituted against the public procurators.

Article 84 - An elector or a candidate who claims that an election is invalid under Article 110 may institute a suit against the person elected in the High Court within thirty days after notification under section one of Article 72.

Article 84-2 - When a public procurator deems an election to be invalid under the provisions of Article 136 on the ground of the person accused for the offences under Article 112 or 113 having been the election manager or the person who was not the election manager but actually managed election campaigns, he shall in parallel with the public action, bring a lawsuit against the person elected.

Article 85 - In the trial of election cases instituted under the provisions of Article 81, 83 or the first section of the preceding article the court shall require the public procurator to attend the proceedings.

Article 86 - When a suit is instituted under the provisions of Article 81 or 83 the Chief Judge of the High Court shall inform the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the Governors concerned, as well as when the suit is terminated.

When a litigation has come not to be attended to under the first clause of Article 84 or when a judgment passed comes into force of the suit instituted under the second clause of the same article, the president of the law court shall notify the fact to the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the Governors concerned.

When a judgment is given to the suit instituted under Article 81 or 83 or the first section of Article 84 or when a judgment passed comes into effect of the suit instituted under the second clause of Article 84, the president of the law court shall send a certified copy of the judgment to the Minister of Home Affairs. In case the National Diet is in session, another copy shall be sent to the chairman of the House of Representatives

Article 87 - The plaintiff who instituted a suit under the provisions of Article 81 or 83 or the first section of Article 84 shall deposit as security in the court 300 yen in cash or national bonds of equal face value.

In case the judgment is given against the plaintiff and should he fail to pay the whole amount of the legal costs, within seven days from the day on which the judgment was settled, the security money shall be appropriated for the purpose and should there still remain any deficiency the required amount shall be charged to the plaintiff.

The Election Campaign

Article 88 - Deleted.

Article 89 - No election office may be established by persons other than a candidate or the person who recommends a candidate (in case several persons recommend a person, their representative).

When the person mentioned in the preceding clause has established an election office, he shall immediately notify the fact to the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies, as well as when there is any change in the election office.

Article 90 - Only one election office may be established for each candidate, but five or less election offices may be established in accordance with Imperial ordinance.

Article 91 - The election offices shall not be established within three cho (about 360 yards) from voting places.

Article 92 - Resting-places or places of like character shall not be established for the purpose of an election campaign.

Article 93 - Deleted.

Article 93-2 - Deleted.

Article 94 - When election offices are found to be established contrary to the provisions of section one of Article 89, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies shall immediately order such offices to close: this regulation is applicable similarly when election offices are found to be established in excess of the number authorized under Article 90.

Article 95 - No election campaign shall be conducted until the notice of recommendation of candidates under Sections one to three of Article 67 has been made.

Article 96 - No persons shall conduct the election campaign by making use of their positions specially related to children, pupils or students of schools under the age of twenty (20).

Article 97 - Deleted.

Article 98 - No person shall carry on house-to-house visiting for the purpose of obtaining votes or of aiding or preventing the obtaining of votes.

Article 98-2 - Deleted.

Article 99 - None of those mentioned in Article 8 shall carry on an election campaign in the districts in which his office is located.

Article 100 - The Minister of Home Affairs may establish limitations by ordinance upon letters and pictures to be distributed or posted in an election campaign.

Article 100-2 - The Minister of Home Affairs may establish limitations by ordinance upon such acts to be made with the object of greeting electors, after the day of election, in connection of candidates' success or failure in the election.

Election Expenses

Article 101 - A candidate shall appoint a person responsible for the disbursement of election campaign expenses (hereinafter referred to as "responsible disburser"), providing however, that this does not prevent a candidate from himself becoming a responsible disburser, nor a person who has recommended a candidate (in case there are several such persons, their representative) from appointing with approval of the said candidate a responsible disburser or from himself becoming a responsible disburser.

Article 101, Para 2 shall be deleted.

A candidate may relieve a responsible disburser of his office by notice in writing. This rule shall apply in case a person who has recommended a candidate and who has appointed a responsible disburser, obtains the candidate's approval.

A responsible disburser may resign by notice in writing to the candidate and the person who appointed him.

One who has appointed a responsible disburser (including one who has himself become a responsible disburser) shall immediately report the fact of appointment to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, to which the report under the second section of Article 89 was made. The same rule shall apply when a responsible disburser has changed.

One who acts for a responsible disburser in accordance with the provisions of Article 101-2 shall make a report in pursuance of the instance mentioned in the preceding clause. The same rule shall apply when one has resigned.

Article 101-2 - When a responsible disburser is prevented from discharging his duties, one who has appointed him shall act for him.

When one who has recommended a candidate and who has appointed a responsible disburser (including one who has himself become a responsible disburser) is also prevented from discharging his duties, the candidate shall act for him.

Article 101-3 - The expenses of the election campaign shall not be paid out by any person other than the responsible disburser except the expenses involved in the preparation for candidacy and those paid out without any understanding of the candidates or the responsible disburser; however this rule shall not apply to those who have obtained the written approval of the responsible disburser.

Article 101-4 - Any person who, not being the responsible disburser, has received or accepted any receipts relating to the election campaign for a candidate for membership, shall immediately inform the responsible disburser of the amounts, the kinds and other items of the receipts; receipts relating to the election campaign received or accepted prior to the

notification of standing as a candidate shall be reported to the responsible disburser immediately after the notification of standing as a candidate has been made.

Article 102 - The expenses of the election campaign for each candidate shall not exceed the amounts specified in the following items:

1. The amount obtained when the total number of electors registered on the final electoral list, divided by the number of members to be elected in the election district, is multiplied by the amount of money fixed by ordinance.

2. In case a part of an election is declared invalid and a new election is held, the amount obtained when the number of electors registered on the final electoral list of the district concerned, divided by the number of members to be elected in the election district concerned, is multiplied by the amount of money fixed by ordinance.

3. In case an election is held under Article 37, the amount shall be calculated in accordance with the preceding item; however, this amount may be reduced by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies when they deem it necessary.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall publish the amount determined upon under the preceding section as soon as the date of election is proclaimed or notified.

Article 103 - In case material obligations for an election campaign have been recognized or material benefits from the use of buildings, ships, horses and vehicles, printed matter, food and drink, etc., other than cash, have been received, the obligations or benefits shall be considered expenses of election at their market values.

Article 104 - Amounts paid out for any of the following purposes shall not be considered expenses of election:

1. For ships, horses, and vehicles used by a candidate.
2. For the adjustment of the remaining business of an election campaign after the date of election.
3. Expenses other than those which are paid out by or with the understanding of the candidate for whom notice has been given under sections one to three of Article 67 or the responsible disburser.
4. For the preparation of the candidate other than those paid out by or with the understanding of the person who has become the candidate or responsible disburser.

Article 104-2 - Receipts relating to the election campaign shall mean such money as has been received and accepted in order to meet the expenses for the election campaign.

In the case where property obligations have been exempted in order to meet the expenses for the election campaign or where buildings, ships, cars, printing matters, foodstuffs, or other property interests except money have been obtained, the obligations or interests, being estimated in current prices, shall be regarded as receipts relating to the election campaign.

Article 105 - The responsible disburser shall, as provided for by an Ordinance, submit reports on the expenses for the election campaign and the receipts relating to the election campaign to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of the District or Prefectural Assemblies.

Article 106 - The representative or leader of a political party or any other organization which recommends or supports candidates shall in accordance with the provisions of ordinance, report the expenses of the election campaign and receipts relating to the election campaign to the Minister of Home Affairs through the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly, as the case may be, according to the locality of its principal office, if it recommends or supports candidates in two or more Metropolitan, District or Prefectural areas or in an area outside of the Metropolis, District or Prefecture where its principal office is located, and, in other cases report to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assembly as the case may be according to the locality of its principal office.

The provisions of the preceding paragraph shall apply mutatis mutandis to any local branch of a political party or any other organization which recommends or supports candidates.

Article 107 - Upon receipt of the report provided for in the preceding two paragraphs, the Minister of Home Affairs or the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies, shall make public the main points of such reports in accordance with the provisions of ordinances.

Article 108 - The reports under Articles 105 and 106 shall be preserved during the term of office of the members by the Minister of Home Affairs, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members for the District or Prefectural Assemblies who have received the reports.

Any person may demand inspection of such reports, in accordance with the provisions of ordinances, during the period mentioned in the preceding paragraph.

Article 108-2 - The responsible disburser shall, in accordance with the provisions of ordinances, keep note-books, in which expenses for the election campaign and receipts relating to the election campaign shall be recorded.

The responsible disburser shall preserve the books under the preceding paragraph and the documents as provided for in Ordinances in regard to expenses for election campaign and receipts relating to election campaign, during the term of office of the member.

Article 109 - In case the responsible disburser resigns or is dismissed, he must prepare an account of the expenses for election campaign and receipts relating to election campaign without delay for a new responsible disburser or for the person who takes over the duties of the responsible disburser appointed under Article 101-2 when there is no new responsible disburser, and he shall transfer it to him. This is applicable in case a new responsible disburser is elected after the duties have been transferred to a person who has taken

charge thereof under Article 101-2.

Article 110 - In case the expenses of the election paid out for a canidate exceed the amount specified in section two of Article 102, the election of the candidate shall be invalid except when the candidate and the person who has made the recommendation have paid due attention to the appointment and supervision of the responsible disburser or the person who takes over the duties of the responsible disburser and there can be found no fault in the expenditure of campaign funds on the part of the responsible disburser or the person who takes over his duties.

Chapter XII - Punitive Rules

Article 111 - Any person who has effected by fraudulent process the insertion of his name in the electoral list or who has made a false declaration under the second clause of Article 25 shall be liable to a fine of not more than 1,000 yen.

Article 112 - Any person who has committed an act falling under any of the following heads shall be liable to confinement or penal servitude for not more than three years or to pay a fine of not more than 20,000 yen.

1. When, with the object of being elected, causing a candidate to be elected, or preventing him from being elected, money, goods, or other presents or public or private employment has been given to an elector or to a canvasser or when such gifts have been provided.
2. When, with the object of being elected, causing a candidate to be elected, or preventing him from being elected, irrigation, tenancy, credit, contributions, or other matters of direct interest to an elector or canvasser is interested have been taken advantage of in persuading an elector or canvasser.
3. When, in connection with an election, anything mentioned in the first head of this article has been carried to an elector or a canvasser for the purpose of compensation for voting or carrying on an election campaign or for declining to do either or for canvassing or persuading others.
4. When, in connection with an election, a voter has received or demanded offers, or accepted proposals of presents or entertainments mentioned in the first or the preceding clause of this article or yielded to persuasion or asked for such forms of assistance as are mentioned in the second item.
5. When, with the object of inducing the acts mentioned in Items one to three, a person has made, proposed or promised offers of money or goods to election canvassers; or when an election canvasser has received, demanded or accepted such offers.
6. When in connection with an election, a person has acted to persuade or mediate between others concerning the acts mentioned in the preceding items.

Such public officer or official as mentioned in Article 8 engaged in matters pertaining to an election who has committed a crime falling in one of the items of the preceding clause in connection with the election in question shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yen. This rule shall apply to the police officer who has committed similar crimes in connection with the election in the Metropolis or prefecture concerned.

Article 112 - - A person who has committed one of the following acts shall be liable to confinement or penal servitude for not more than five years.

1. When, with the object of obtaining material benefits, a person has, on behalf of a candidate, committed against a large number of voters or election canvassers, or caused them to commite one of the acts mentioned in Items one to three, five or six of the first clause of the preceding article.
2. When, with the object of gaining material benefits, a person has, on behalf of a candidate, undertaken to commit against a large number of electors or election canvassers, caused them to undertake to commit, or made proposals therefor, one of the acts mentioned in Items one to three, five or six of the first clause of the preceding article.

This rule shall apply in case a person, who has committed one of the offenses mentioned in Items one to three, five or six is a habitual offender.

Article 113 - Those who come under any of the following heads shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yen.

1. Those who have offered the advantages mentioned in the first and second items of the first section of Article 112 to a candidate or to a person, who contemplates becoming a candidate, for the purpose of dissuading him from candidacy; or to an elected person for the purpose of persuading him to decline the election.
2. Those who have acted as mentioned in the first item, of the first section of Article 112 for the purpose of compensating a candidate for having withdrawn his candidacy or becoming a candidate or a person elected for having declined election; or for having mediated or persuaded with the same objects.
3. Those who have received or demanded offers or entertainments under the two preceding sections or have accepted a proposal under the second section or have agreed to or sought persuasion under the first section.
4. Those who have acted to mediate between or persuade others in relation to the acts mentioned in the preceding sections.

An officer or official as mentioned in Article 8 in charge of matters pertaining to an election who has committed one of the crimes mentioned in the preceding clause in connection with the election in question is liable to confinement or penal servitude for more than five years or to a fine of not more than 40,000 yen. The same rule shall apply to those police officers who have committed similar crimes in connection with the election in the Metropolis or prefecture concerned.

Article 114 - Any articles or benefits received in consequence of actions enumerated in the three preceding articles shall be confiscated; if confiscation in whole or in part is impossible, supplementary compensation shall be collected.

Article 115 - Those who fall under any of the following heads shall be liable to confinement or penal servitude for not more than four years or to pay a fine of not more than 30,000 yen:

1. Those who, in connection with an election, subject to an act of violence or to intimidation, or abduct an elector, a candidate, a would-be candidate, a canvasser, or an elected person.
2. Those who obstruct freedom of movement, meetings or speeches or who by fraudulent or other unfair means obstruct the exercise of the right of election.
3. Those who, in connection with an election, take advantage of irrigation, tenancy, credit, contributions or other interests of an elector, candidate, would-be candidate, canvasser, or elected person; or of a shrine, temple, school, company, guild, or civic corporation in which such persons are interested, and threaten an elector, candidate, would-be candidate, canvasser, or elected person.

Article 116 - When in connection with an election a government or public entity, official or those mentioned in Article 8 have wilfully neglected to discharge their duty or have obstructed the exercise of the right of election by the abuse of their authority, tracing candidates or election canvassers, or intruding into their houses or election offices without any justifiable reason, they shall be liable to confinement for not more than four years.

A government or public entity official or those mentioned in Article 8 who requests an elector to reveal the name of the candidate for whom he intends to vote or has voted shall be sentenced to minor confinement for not more than six months or to pay a fine of not more than 3,000 yen.

Article 117 - When a officer or official as mentioned in Article 8, witness or overseer connected with the election has revealed the name of candidates voted for by electors, he shall be liable to minor confinement for not more than two years or to pay a fine of not more than 10,000 yen. The same penalties shall apply in cases of false representation of votes cast.

Article 118 - When, without any justifiable cause, any person has either at a polling-place or a counting-place, interfered with the voting of an elector or has put into practice any device to discover the name of a person voted for, he shall be liable to minor confinement for not more than one year, or to pay a fine of not more than 5,000 yen.

Any person who, contrary to law and regulations, has opened a ballot-box or has removed ballots therefrom shall be liable to minor confinement or penal servitude for not more than three years or to pay a fine of not more than 20,000 yen.

Article 119 - Whoever has committed violence against or threatened a voting overseer, counting overseer, chairman of election, witness, or election overseer, or has disturbed an election meeting, counting-place or voting-place, or has detained, damaged, or plundered ballots or ballot-boxes or election documents shall be liable to minor confinement or penal servitude for not more than four years.

Article 120 - Whoever has committed an offense mentioned in the first section of Article 115 or in the preceding article by assembling a crowd shall be liable to be penalized as follows:

1. The principal leaders shall be liable to confinement or penal servitude for not less than one year and not more than seven years.

2. The leaders shall be liable to confinement or penal servitude for not less than six months and not more than five years.
3. Whoever has knowingly joined such a crowd to add to its influence shall be liable to pay a fine of not more than 1,000 yen.

Whoever has knowingly formed a crowd or joined it in offense against any provision of the first section of Article 115 or against the preceding article and has disobeyed more than three times the orders of the officers or officials of the election dispensing the crowd, shall be liable to pay a fine of not more than 100 yen and the leader shall be liable to minor confinement for not more than two years.

Article 121 - When, in connection with an election, whoever uses a firearm, sword, dagger, bludgeon, or other weapon capable of causing death or injury, he shall be liable to minor confinement for not more than two years or to pay a fine of not more than 10,000 yen.

A police official may, whenever it is judged necessary, seize any of the weapons mentioned in the preceding clause.

Article 122 - Whoever enters a place of election meeting, counting-place carrying any of the weapons mentioned in the preceding article shall be liable to minor confinement for not more than three years or to a fine of not more than 20,000 yen.

Article 123 - In case any person has offended against the provisions mentioned in the two preceding articles, the weapons carried by him shall be confiscated.

Article 124 - Whoever, in connection with an election, makes a display, such as assembling a crowd, conducting a procession or parade, making use of fireworks, bonfires or torchlights, beating bells or drums or sounding conches or bugles or raising flags, etc., and disregards the warning of police officials to stop, shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

Article 125 - Whoever, with the object of inducing other persons to commit any of the acts mentioned in Articles 112, 113, 115, 118-122, or the preceding article, incites them by means of speeches, newspapers, magazines, circulars, placards, etc., shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen. Provided that in case a newspaper or magazine is found guilty of such acts, the person registered as the editor or who has taken the place of an editor shall be liable to the foresaid punishment.

Article 126 - Whoever commits an offense under any of the following items by means of speeches, newspapers, magazines, circulars, placards, etc., shall be liable to minor confinement for not more than two years or to a fine of not more than 10,000 yen. In cases involving newspapers or magazines the proviso of the preceding article shall apply:

1. Whoever, with the object of being elected or causing a candidate to be elected has published false information about his rank, position, occupation, or career.
2. Whoever has published false information about a candidate with the object of preventing his election.

Article 127 - Any person, not an elector, who has voted shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Any person who has voted by fraudulently assuming the name of another person or by other unfair means shall be liable to minor confinement for not more than two years or to a fine of not more than 10,000 yen.

Any person who has forged votes or manipulated votes to affect their number shall be liable to minor confinement or penal servitude for not more than three years or to a fine of not more than 20,000 yen.

In case any officer; official as mentioned in Article 8 witness, or scrutineer has offended against the preceding section, he shall be liable to minor confinement or penal servitude for not more than five years or to a fine of not more than 20,000 yen.

Article 128 - Should a witness fail to discharge any of the duties provided in the present law without any justifiable reason, he shall be liable to a fine of not more than 1,000 yen.

Article 129 - Any person who has offended against the provisions of Article 95, 96 and 98 or has disobeyed the orders made in accordance with the provisions of Article 94 is liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Article 130 - Any person who has established election offices in excess of the number authorized in Article 90, or who has offended against the provisions of Article 91 or has established resting-places or places of like character, as described in Article 92, shall be liable to a fine of not more than 3,000 yen.

Article 131 - A person who has offended against the provisions of the first clause of Article 89, Article 99 or Article 101-4, 105, 106 or 109 shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

Article 132 - A person who has neglected to make reports or to give notices in accordance with the second second section of Article 89 or the fourth or fifth clause of Article 101 shall be liable to a fine of not more than 1,000 yen.

Similar punishment shall be applied to a person who has offended against orders issued in accordance with the provisions of Article 100.

Article 133 - Deleted.

Article 134 - A person who has paid out expenses of election contrary to Item three of Article 101 shall be liable to minor confinement for not more than one year or to a fine of not more than 5,000 yen.

Article 135 - Any person who commits an offense under any of the following heads shall be liable to minor confinement for not more than six months or to a fine of not more than 3,000 yen.

1. One who has neglected to prepare or keep the books provided for in Article 108-2, Para. 1 or has entered a false statement or false account in the books.
2. One who, contrary to the first section of Article 108-2, Para. 2, has failed to preserve books or documen

3. One who has entered a false statement in the books or documents to be preserved under the first clause of Article 108-2, Para 2.

Article 136 - An election shall be invalid when, in connection the ewith, a candidate has offended against the provisions of this chapter and been punished, or the person who controlled and managed election campaigns has been punished for offending against the provisions of Articles 112 or 113 except when the person elected has taken proper care in the selection and supervision of the person who controlled and managed the election campaigns, did not know the person as such, or the person in question, in spite of refusal by the elected, did control and manage the election campaign.

Article 137 - Any person who has been punished for offending against any of the provisions of this chapter, (except those of articles 130 and 132) shall be forbidden to exercise the right to vote and the right to be elected in an election to which the provisions of this Chapter apply mutatis mutandis, for a period of five years after the decision of the court, in case he was sentenced to pay a fine; or in case he was sentenced to confinement or more severe punishment, for the period from the time when the decision of the court was given until his term of punishment has expired, or until he has been exempted from execution of the sentence (except in case of a sentence extinguished by prescription) and another period of five years immediately following. This rule shall also apply for the period in case he was sentenced to confinement or more severe punishment, from the time when the decision of the court was given until the time when he is no longer liable to execution of any sentence.

In the case of a person who has been punished for an offense against any of the provisions of Article 112 or 113, or any offense to which these provisions are correspondingly applied, and who is again to be punished for an offense under Article 112 or 113, the term of five years mentioned in the preceding section shall be extended to ten years.

The court of law, in extenuating circumstances, may, while giving sentence to a person whose offense falls under the provisions of the first clause of the article, declare that the provisions of the same clause disqualifying him for voting or eligibility for five years shall not be applied, or that the term be reduced, or, in the case of a person whose offense falls under the provisions of the preceding clause, that the term of ten years provided for in the same clause be reduced.

Article 138 - For an offense punishable according to the third and fourth sections of Article 127 one year shall be considered as the term of prescription.

For an offense punishable according to the provisions of this chapter, other than those mentioned in the preceding section, six months shall be considered as the term of prescription, except when the offender has absconded, in which case one year shall be considered as the term.

Article 138-2 - When Voting-Overseers, Ballot-Counting Overseers or Chairmen of Election have come to lose their right to vote, they shall not remain in such positions.

Chapter XIII - Supplementary Rules

Article 139 - Election expenditures shall be fixed by Ordinance.

Article 140 - A candidate or the person who has recommended a candidate may send ten thousand (10,000) ordinary postcards for election campaign per candidate free of charge as provided by ordinance.

In accordance with ordinance, schools or other buildings which are designated by ordinance may be used for campaign speeches.

The caretaker of the buildings mentioned in the preceding section shall provide equipment necessary for meetings of speeches in accordance with ordinance.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall as provided for in Ordinance issue pamphlets in which names of candidates, their personal histories or other items are given.

The Commission for Overseeing the Election of Members of the Municipal Town, or Village Assemblies shall post up a notice of the names of the candidates in accordance with ordinance.

Article 141 - In lawsuits under the provisions of Article 16, 81 or 83, or the first section of Article 84, the example of civil cases shall be followed with the exceptions provided in this present law.

Article 141-2 - With regard to the lawsuits under the provisions of the second clause of Article 84 of the present law, the provision of the Code of Criminal Procedure on the private lawsuits shall be applicable, excepting the provisions of Items two, three, five to eight and ten to thirteen of Article 572, Article 574, 582, 588, 589, 591, 605-610 and 612, provided that "the Code of Civil Procedure" and "the Civil Department" shall read "the Code of Criminal Procedure" and "the Criminal Department" respectively.

A judgment invalidating an election, which has been passed for a suit brought under the provisions of the second clause of Article 84, shall not come into force, unless a sentence of guiltiness has been declared for the public action on the same case.

Article 141-3 - When a lawsuit has been instituted on an election, the court of law shall immediately sit in judgment notwithstanding the order of lawsuits on hand.

Article 142 - In respect of criminal cases enumerated in Chapter XII of the present law, the court of revision shall not be bound by the term provided in the first clause of Article 422 of the code of criminal procedure.

Article 143 - When, in connection with an election, an elected person has been punished for offenses enumerated in Chapter XII or the person who controlled and managed election campaigns has been punished for offending against the provisions of Article 112 or 113, the president of the court of law shall notify the Minister of Home Affairs and the Commission for Overseeing the Election of Members of the Metropolitan Assembly or Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies concerned through the governor of the Metropolis, District or Prefecture concerned.

Article 144 - In the application of the present law, a corporation of towns or villages which takes charge of the entire office of towns or villages or conducts affairs of the town or village, the Commission for Overseeing the Election of Members of the Corporation and Commissioners for the same

or the Commission for Overseeing the Election of Overseers of the Corporation or the Commissioners for the same, as the Commission for Overseeing the Election of Members of the Town or Village Assemblies or the Commissioners for the same and the corporation office as the town or village office.

The Commissions for Overseeing the Election of Town or Village Heads under Article 38 the Town or Village System Regulations and the Commissioners for the same shall be regarded as the Commissions for Overseeing the Election of Members of Town or Village Assemblies or the Commissioners for the same in the application of this Law.

Article 145 - For the areas of wards of the Tokyo Metropolis and the Cities enumerated in Article 6 and the first clause of Article 82 of the Law on Municipalities, the provisions concerning the cities, The Commission for Overseeing the Election of Members of the Municipal Assemblies and the Commissioners for the same and city offices in the present law are applied to wards, the Commissions for Overseeing the Election of Members of the Ward Assemblies and the Commissions for the same, or the Ward Commission for Overseeing the Election of Members of the Municipal Assemblies and the Commissions for the same and ward offices respectively. However, in applying the provisions of Article 12, the "persons who have been domiciled for more than six months without interruption in their respective localities" shall be understood as the persons who have been domiciled for more than six months without interruption in the area where the wards of the Tokyo Metropolis exist, or in the cities of the Metropolis, and who are domiciled in the wards on that day.

In a place where there is no town or village system, the provisions of the present Law relating to the Commission for Overseeing the Election of Members of Town or Village Assemblies, town or village heads, the town or village offices are applicable to the corresponding organizations, persons, and offices respectively.

Article 146 - When, in an island or other place where communications are very difficult, the provisions of the present law are hardly applicable, special provisions may be enacted by imperial ordinance.

Article 147 - When the voting is conducted in accordance with Article 33, a person who takes charge of the voting is recognized as a voting overseer, the place where the votes are recorded as a polling-place and witnesses present at the voting as voting witnesses, and the provisions of Chapter XII shall be applied.

Article 148 - Deleted.

Article 149 - The provisions of Section 9, Article IV, Part II of criminal law, No. 36 of 1880 shall not be applied to the election of members of the House of Representatives.

Article 150 - The present law shall not be enforced for the time being in the islands of Ogasawara in Tokyo Metropolis or in the countries of Shumushu, Niichi, and Emu, under the Nemuro branch office in the Hokkaido.

Annex

List of Electoral Districts With Quotas of Members

	Electoral District	Number of Members
Tokyo-To	No. 1 District Chiyoda-ku Chuo-ku Minato-ku Shinjiku-ku Bunkyo-ku Daito-ku	4
	No. 2 District Shinagawa-ku Ota-ku Area under the jurisdiction of Oshima-shicho Area under the jurisdiction of Miyake-shicho Area under the jurisdiction of Hachijojima-shicho	3
	No. 3 District Meguro-ku Setagaya-ku	3
	No. 4 District Shibuya-ku Nakano-ku Suginami-ku	3
	No. 5 District Toshima-ku Kita-ku Itabashi-ku	4
	No. 6 District Sumida-ku Koto-ku Arakawa-ku Adachi-ku Katsushika-ku Edogawa-ku	5
	No. 7 District Hachioji-shi Tachikawa-chi Nishitama-gun Minamitama-gun Kitatama-gun	5
Kyoto-Fu	No. 1 District Kamikyo-ku Nakakyo-ku Sakyo-ku Higashiyama-ku Shimokyo-ku	5
	No. 2 District Ukyo-ku Fushimi-ku Otaki-ku Kadono-ku Otowani-ku Uji-gun Kyze-gun Tsuzuki-gun [illegible]raku-gun	5

Fukuchiyama-shi
Maizuru-shi
Minamikuwata-gun
Kitakuwata-gun
Funai-gun
Amada-gun
Ikaruka-gun
Kasa-gun
Yosa-gun
Noka-gun
Takeno-gun
Kumano-gun

Osaka-Fu	No. 1 District	4
	Nishi-ku	
	Minato-ku	
	Taisho-ku	
	Tenoji-ku	
	Minami-ku	
	Naniwa-ku	
	Ikuno-ku	
	Abeno-ku	
	Sumiyoshi-ku	
	Higashisumiyoshi-ku	
	Nishinari-ku	
	No. 2 District	4
	Kita-ku	
	Miyakojima-ku	
	Fukushima-ku	
	Konohana-ku	
	Higashi-ku	
	Oyodo-ku	
	Nishiyodogawa-ku	
	Higashiyodogawa-ku	
	Higashinari-ku	
	Asahi-ku	
	Joto-ku	
	No. 3 District	4
	Toyonaka-shi	
	Ikeda-shi	
	Suita-shi	
	Takatsuki-shi	
	Morikuchi-shi	
	Mishima-gun	
	Toyono-gun	
	Kitakawachi-gun	
	No. 4 District	4
	Fuse-shi	
	Minamikawachi-gun	
	Nakakawachi-gun	
	No. 5 District	3
	Sakai-shi	
	Kishiwada-shi	
	Izumiotsu-shi	
	Kaizuka-shi	
	Izukita-gun	
	Izunami-gun	
Kanagawa-Ken	No. 1 District	4
	Yokohama-shi	

	No. 2 District	
	Yokosuka-shi	4
	Kawasaki-shi	
	Kamakura-shi	
	Miura-gun	
	Kamakura-gun	
	No. 3 District	
	Hiratsuka-shi	5
	Fujisawa-shi	
	Odawara-shi	
	Koza-gun	
	Naka-gun	
	Ashigarakami-gun	
	Ashigarashimo-gun	
	Aiko-gun	
	Tsukui-gun	
Hyogo-Ken	No. 1 District	
	Kobe-shi	3
	No. 2 District	
	Amagasaki-shi	5
	Nishinomiya-shi	
	Sumoto-shi	
	Ashiya-shi	
	Itami-shi	
	Muko-gun	
	Kawabe-gun	
	Arima-gun	
	Tsuna-gun	
	Mihara-gun	
	No. 3 District	
	Akashi-shi	3
	Akashi-gun	
	Mino-gun	
	Kato-gun	
	Taka-gun	
	Kasai-gun	
	Kako-gun	
	Innami-gun	
	No. 4 District	
	Himeji-shi	4
	So-shi	
	Shikama-gun	
	Kanzaki-gun	
	Iho-gun	
	Akao-gun	
	Sayo-gun	
	Shiso-gun	
	No. 5 District	
	Kinosaki-gun	3
	Izushi-gun	
	Yabu-gun	
	Asago-gun	
	Mikata-gun	
	Higami-gun	
	Taki-gun	
Nagasaki-Ken	No. 1 District	
	Nagasaki-shi	5
	Shimabara-shi	
	Isahaya-shi	

Nishisonogi-gun
Kitatakaki-gun
Minamitakaki-gun
Area under the jurisdiction of Tsushima-shicho (Local Government Office)

	No. 2 District Sasebo-shi Omura-shi Higashisonogi-gun Kitamatsuura-gun Minamimatsuura-gun Iki-gun	4
Niigata-Ken	No. 1 District Niigata-shi Nishikanbara-gun Sado-gun	3
	No. 2 District Shibata-shi Kitakanbara-gun Nakakanbara-gun Higashikanbara-gun Iwafune-gun	4
	No. 3 District Nagaoka-shi Sanjo-shi Kashiwazaki-shi Minamikanbara-gun Mishima-gun Koshi-gun Kitauonuma-gun Minamiuonuma-gun Kariha-gun	5
	No. 4 District Takada-shi Nakauonuma-gun Higashikubiki-gun Nakakubiki-gun Nishikubiki-gun	3
Saitama-Ken	No. 1 District Kawaguchi-shi Urawa-shi Omiya-shi Kitaadachi-gun	4
	No. 2 District Kawagoe-shi Iruma-gun Hiki-gun	3
	No. 3 District Kumagaya-shi Chichibu-gun Kodama-gun Osato-gun	3
	No. 4 District Kitasaitama-gun Minamisaitama-gun Kitakatsushika-gun	3

Gumma-Ken	No. 1 District	
	Maebashi-shi	3
	Isezaki-shi	
	Seta-gun	
	Ione-gun	
	Saha-gun	
	No. 2 District	
	Kiriu-shi	3
	Nitta-gun	
	Yamada-gun	
	Ora-gun	
	No. 3 District	
	Takasaki-shi	
	Gumma-gun	4
	Tano-gun	
	Kitakama-gun	
	Usui-gun	
	Akatsuma-gun	
Chiba-Ken	No. 1 District	
	Chiba-shi	4
	Ichikawa-shi	
	Funabashi-shi	
	Matsudo-shi	
	Chiba-gun	
	Ichihara-gun	
	Higashikatsushika-gun	
	No. 2 District	
	Choshi-shi	4
	Inba-gun	
	Unakami-gun	
	Sosa-gun	
	Katori-gun	
	No. 3 District	
	Tateyama-shi	5
	Kisarazu-shi	
	Chosei-gun	
	Sanbu-gun	
	Kimitsu-gun	
	Isumi-gun	
	Awa-gun	
Ibaraki-Ken	No. 1 District	
	Mito-shi	4
	Higashi-ibaraki-gun	
	Nishi-ibaraki-gun	
	Kashima-gun	
	Yukue-gun	
	Inashiki-gun	
	Kitasoma-gun	
	No. 2 District	
	Hitachi-shi	3
	Naka-gun	
	Kuji-gun	
	Taga-gun	
	No. 3 District	
	Tsuchiura-shi	5
	Niiji-gun	
	Chikuba-gun	
	Makabe-gun	
	Sarushima-gun	
	Yuki-gun	

Tochigi-Ken	No. 1 District Utsunomiya-shi Kawachi-gun Kamizuka-gun Shioya-gun Nasu-gun	5
	No. 2 District Ashikaga-shi Tochigi-shi Sano-shi Haga-gun Shimotsuka-gun Aso-gun Ashikaga-gun	5
Nara-Ken		5
Mie-Ken	No. 1 District Tsu-shi Yokkaichi-shi Kuwana-shi Ueno-shi Suzuka-shi Kuwana-gun Inabe-gun Mei-gun Suzuka-gun Kawage-gun Ano-gun Ichishi-gun Ayama-gun Naga-gun	5
	No. 2 District Ujiyamada-shi Matsuzaka-shi Iina-gun Take-gun Watarai-gun Shima-gun Kitamuro-gun Minamimuro-gun	4
Aichi-Ken	No. 1 District Nagoya-shi	5
	No. 2 District Seto-shi Handa-shi Kasugai-shi Aichi-gun Higashikasugai-gun Nishikasugai-gun Chita-gun	4
		3

	No. 3 District	3
	Ichinomiya-shi	
	Tsushima-shi	
	Niwa-gun	
	Haguri-gun	
	Nakajima-gun	
	Kaibu-gun	
	No. 4 District	4
	Okazaki-shi	
	Hekikai-gun	
	Hazu-gun	
	Nukata-gun	
	Nishikamo-gun	
	Higashikamo-gun	
	No. 5 District	3
	Toyohashi-shi	
	Toyokawa-shi	
	Kitashidara-gun	
	Minamishidara-gun	
	Hoi-gun	
	Atsumi-gun	
	Yana-gun	
Shizuoka-Ken	No. 1 District	5
	Shizuoka-shi	
	Shimizu-shi	
	Ihara-gun	
	Abe-gun	
	Shita-gun	
	Haibara-gun	
	Ogasa-gun	
	No. 2 District	5
	Numazu-shi	
	Atami-shi	
	Mishima-shi	
	Fujimiya-shi	
	Kamo-gun	
	Tagata-gun	
	Sunto-gun	
	Fuji-gun	
	No. 3 District	4
	Hamamatsu-shi	
	Iwata-gun	
	Suchi-gun	
	Hamna-gun	
	Inasa-gun	
Yamanashi-Ken	No. 1 District	5
Shiga-Ken	No. 1 District	5
Gifu-Ken	No. 1 District	5
	Gifu-shi	
	Ogaki-shi	
	Inaba-gun	
	Hashima-gun	
	Yoro-gun	
	Fuha-gun	
	Anbachi-gun	
	Ibi-gun	
	Motosu-gun	
	Yamagata-gun	
	Mugi-gun	

	No. 2 District	4
	Takaya-shi	
	Tajimi-shi	
	Kunjo-gun	
	Kamo-gun	
	Kani-gun	
	Toki-gun	
	Ena-gun	
	Mashita-gun	
	Ono-gun	
	Yoshiki-gun	
Nagano-Ken	No. 1 District	3
	Nagano-shi	
	Sarashina-gun	
	Kamitakai-gun	
	Khimotakai-gun	
	Kamiminochi-gun	
	Shimominochi-gun	
	No. 2 District	3
	Ueda-shi	
	Minamisaku-gun	
	Kitasaku-gun	
	Chisagata-gun	
	Hanishina-gun	
	No. 3 District	4
	Okaya-shi	
	Iida-shi	
	Suwa-shi	
	Suwa-gun	
	Kamiina-gun	
	Shimoina-gun	
	No. 4 District	3
	Matsumoto-shi	
	Nishichikuma-gun	
	Higashichikuma-gun	
	Minamiazumi-gun	
	Kitaazumi-gun	
Miyagi-Ken	No. 1 District	5
	Sendai-shi	
	Shiogama-shi	
	Katta-gun	
	Shibata-gun	
	Igu-gun	
	Watari-gun	
	Natori-gun	
	Miyagi-gun	
	Kurokawa-gun	
	Kami-gun	
	Shida-gun	
	Toda-gun	
	No. 2 District	4
	Ishinomaki-shi	
	Tamatsukuri-gun	
	Kurihara-gun	
	Tome-gun	
	Mono-gun	
	Oshika-gun	
	Motoyoshi-gun	

Fukushima-Ken	No. 1 District	4
	Fukushima-shi	
	Koriyama-shi	
	Shinobu-gun	
	Date-gun	
	Adachi-gun	
	Asaka-gun	
	No. 2 District	5
	Wakamatsu-shi	
	Iwase-gun	
	Minamiaizu-gun	
	Kitaaizu-gun	
	Yama-gun	
	Kawanuma-gun	
	Onuma-gun	
	Higashishirakawa-gun	
	Nishishirakawa-gun	
	Ishikawa-gun	
	Tamura-gun	
	No. 3 District	3
	Taira-shi	
	Iwaki-gun	
	Futaba-gun	
	Soma-gun	
Iwate-Ken	No. 1 District	4
	Morioka-shi	
	Kamaishi-shi	
	Miyako-shi	
	Iwate-gun	
	Shiba-gun	
	Kamihei-gun	
	Shimokei-gun	
	Kunoe-gun	
	Ninoe-gun	
	No. 2 District	4
	Hienuki-shi	
	Waka-gun	
	Kisawa-gun	
	Esashi-gun	
	Nishiiwai-gun	
	Higashiiwai-gun	
	Kisen-gun	
Aomori-Ken	No. 1 District	4
	Aomori-shi	
	Hachinoe-shi	
	Hiyashitsugaru-gun	
	Kamikita-gun	
	Shimokita-gun	
	Sannoe-gun	
	No. 2 District	3
	Hirosaki-shi	
	Nishitsugaru-gun	
	Nakatsugaru-gun	
	Minamitsugaru-gun	
	Kitatsugaru-gun	
Yamagata-Ken	No. 1 District	4
	Yamagata-shi	
	Yonezawa-shi	
	Minamimurayama-gun	
	Higashimurayama-gun	

		Nishimurayama-gun Minamiokitama-gun Higashiokitama-gun Nishiokitama-gun	
	No. 2 District	Tsuruoka-shi Sakata-shi Kitamurayama-gun Mogami-gun Higashitagawa-gun Nishitagawa-gun Atsumi-gun	4
Akita-Ken	No. 1 District	Akita-shi Noshiro-shi Kazuno-gun Kitaakita-gun Yamamoto-gun Minamiakita-gun Kawabe-gun	4
	No. 2 District	Yuri-gun Senkoku-gun Hiraka-gun Okachi-gun	4
Fukui-Ken	No. 1 District		4
Ishikawa-Ken	No. 1 District	Kanazawa-shi Komatsu-shi Enuma-gun Nomi-gun Ishikawa-gun	3
	No. 2 District	Nanao-shi Kakoku-gun Hagui-gun Kashima-gun Fugeshi-gun Suzu-gun	3
Toyama-Ken	No. 1 District	Toyama-shi Kaminikawa-gun Nakaniikawa-gun Shimoniikawa-gun Nei-gun	3
	No. 2 District	Takaoka-shi Imizu-gun Himi-gun Higashitonami-gun Nishitonami-gun	3
Tottori-Ken	No. 1 District		4
Shimane-Ken	No. 1 District		5

Okayama-Ken	No. 1 District	5
	Okayama-shi	
	Tsuyama-shi	
	Mitsu-gun	
	Akaiwa-gun	
	Wake-gun	
	Oku-gun	
	Jodo-gun	
	Maniwa-gun	
	Tomata-gun	
	Katsuta-gun	
	Aida-gun	
	Kume-gun	
	No. 2 District	5
	Kurashiki-shi	
	Tamono-shi	
	Kojima-gun	
	Tsukubo-gun	
	Asakuchi-gun	
	Oda-gun	
	Shitsuki-gun	
	Kibi-gun	
	Kamibo-gun	
	Kawakami-gun	
	Atetsu-gun	
Hiroshima-Ken	No. 1 District	3
	Hiroshima-shi	
	Saheki-gun	
	Asa-gun	
	Yamagata-gun	
	Takata-gun	
	No. 2 District	4
	Kure-shi	
	Aki-gun	
	Kamo-gun	
	Toyota-gun	
	No. 3 District	5
	Onomichi-shi	
	Fukuyama-shi	
	Mihara-shi	
	Mitsugi-gun	
	Sera-gun	
	Numakuma-gun	
	Fukayasu-gun	
	Ashina-gun	
	Jinseki-gun	
	Konu-gun	
	Futami-gun	
	Hiba-gun	
Yamaguchi-Ken	No. 1 District	4
	Shimonoseki-shi	
	Ube-shi	
	Hagi-shi	
	Onota-shi	
	Asa-gun	
	Toyora-gun	
	Mine-gun	
	Otsu-gun	
	Abu-gun	

	No. 2 District Yamaguchi-shi Tokuyama-shi Bofu-shi Shitamatsu-shi Iwakuni-shi Hikari-shi Oshima-gun Kuka-gun Kumage-gun Tsuno-gun Saba-gun Yoshiki-gun	5
Wakayama-Ken	No. 1 District Wakayama-shi Kainan-shi Kaiso-gun Naka-gun Ito-gun	3
	No. 2 District Shingu-shi Tanabe-shi Arita-gun Hitaka-gun Nishimuro-gun Higashimuro-gun	3
Tokushima-Ken	No. 1 District	5
Kagawa-Ken	No. 1 District Takamatsu-shi Okawa-gun Kida-gun Shozu-gun Kagawa-gun	3
	No. 2 District Marugame-shi Sakaide-shi Ayauta-gun Nakatado-gun Mitoyo-gun	3
Ehime-Ken	No. 1 District Matsuyama-shi Onsen-gun Iyo-gun Kamukeana-gun	3
	No. 2 District Imaharu-shi Niihama-shi Saijo-shi Ochi-gun Shuso-gun Nihi-gun Uma-gun	3
	No. 3 District Uwajima-shi Yawatahama-shi Kita-gun Nishiuwa-gun Higashiuwa-gun Kitauwa-gun Minamiuwa-gun	3

Kochi-Ken No. 1 District — 5

Fukuoka-Ken No. 1 District — 5
- Fukuoka-shi
- Kasuya-gun
- Munakata-gun
- Asakura-gun
- Tsukushi-gun
- Sawara-gun
- Itoshima-gun

No. 2 District — 5
- Yawata-shi
- Tobata-shi
- Nogata-shi
- Iizuka-shi
- Onga-gun
- Furate-gun
- Kaho-gun

No. 3 District — 5
- Kurume-shi
- Omuta-shi
- Ukiha-gun
- Mitsui-gun
- Mitsuma-gun
- Yame-gun
- Yamato-gun
- Miike-gun

No. 4 District — 4
- Kokura-shi
- Moji-shi
- Kagawa-shi
- Kiku-gun
- Tagawa-gun
- Miyako-gun
- Chikujo-gun

Oita-Ken No. 1 District — 4
- Oita-shi
- Hida-shi
- Saeki-shi
- Oita-gun
- Kitaamabe-gun
- Minamiamabe-gun
- Ono-gun
- Naoiri-gun
- Hida-gun

No. 2 District — 3
- Beppu-shi
- Nakatsu-shi
- Nishikunisaki-gun
- Higashikunisaki-gun
- Hayami-gun
- Shimonoge-gun
- Usa-gun

Saga-Ken No. 1 District — 5

Kumamoto-Ken No. 1 District — 5
- Kumamoto-shi
- Arao-shi
- Hotaku-gun
- Tamana-gun
- Shikamoto-gun
- Kikuchi-gun
- Aso-gun

	No. 2 District Yatsushiro-shi Hitoyoshi-shi Udo-gun Kami Masushiro-gun Shimo Masushiro-gun Yatsushiro-gun Ashikita-gun Kyuma-gun	5
Miyazaki-Ken	No. 1 District Miuazaki-shi Nobeoka-shi Miyazaki-gun Konoyu-gun Higashi Sonoki-gun Nishi Sonoki-gun	3
	No. 2 District Miyakonojo-shi Minami Naka-gun Kita Morogata-gun Nishi Morogata-gun Higashi Morogata-gun	3
Kagoshima-Ken	No. 1 District Kagoshima-shi Kagoshima-gun Ibusuki-gun Kawanebe-gun Hioki-gun	4
	No. 2 District Sendai-shi Satsuma-gun Izumi-gun Isa-gun Aira-gun	3
	No. 3 District Kanaya-shi Kimotsuki-gun Soo-gun Kumage-gun Area under the jurisdiction of Oshima-shicho	3
Hokkaido	No. 1 District Sapporo-shi Otaru-shi Area under tha jurisdiction of Ishikari-shicho Area under the jurisdiction of Shiribeshi-shicho	5
	No. 2 District Asahigawa-shi Area under the jurisdiction of Kamikawa-shicho Area under jurisdiction of Soya-shicho Area under jurisdiction of Rumoi-shicho	4
	No. 3 District Hakodate-shi Area under the jurisdiction of Hiyama-shicho Area under the jurisdiction of Toshima-shicho	3

No. 4 District 5
Muroran-shi
Yubari-shi
Iwamizawa-shi
Area under the jurisdiction of
Sorachi-shicho
Area under the jurisdiction of
Ibari-shicho
Area under the jurisdiction of
Hidaka-shicho

No. 5 District 5
Kushiro-shi
Obihiro-shi
Kitami-shi
Abashiri-shi
Area under the jurisdiction of
Tokachi-shicho
Area under the jurisdiction of
Kushiro-shicho
Area under the jurisdiction of
Nemuro-shicho
Area under the jurisdiction of
Abashiri-shicho

SUPPLEMENTARY RULES

Article 1 - This law shall come into force so that the coming general election may be effected according thereto. However Articles 10 and 11 of supplementary provisions shall be applied to the coming election for members of assemblies of city, town and village, or chief executives of city, town and village.

When members of assemblies of public entities or chief executives thereof are elected, amended provisions for the law of election for the House of Representatives shall be considered enforced, in the case of these provisions being applied mutatis mutandis, if the amended provisions above mentioned are not yet enforced.

Article 2 - The President of the Court of Administrative Litigation and judges of the same in active service shall not be eligible until the Japanese Constitution comes into force in spite of the provisions of this Law.

Article 3 - In Article 10 of this revised Law for the Election of Members of the House of Representatives, "the director-general of the cabinet secretariate" shall read "the Chief Secretary of the Cabinet", till the coming into force of the Japanese Constitution.

Article 4 - In Article 16, Para 2, of this revised Law for the Election of Members of the House of Representatives, "the Supreme Court" and in Article 81, Article 83, Para 1, and Article 84, Para 1, "the High Court" shall read "The Supreme Court", that is "Daishin-in", till the coming into force of the Japanese Constitution.

Article 5 - Before the coming into force of the Japanese Constitution, the date of a general election shall be determined and proclaimed by an Imperial Ordinance in spite of the provisions of revised Article 18, Para 4, of this revised Law for the Election of Members of the House of Representatives.

Article 6 - In the coming general election, "within ten (10) days" in Article 7 of the Law for Election of Members of the House of Representatives shall be regarded as five (5) days.

Article 7 - Partial amendments shall be made to the Law for Election of Members of the House of Councillors as follows:

Article 2 in Additional Rules shall be amended as follows -
Article 2. Deleted.

Articles 5 to 8 in Additional Rules shall be amended as follows -
Articles 5 to 8 - Deleted.

Article 8 - Partial amendment shall be made to the Law for the Tokyo Metropolis System as follows:

In Article 93-20 (of the said Law), the following shall be added -

"; names, personal histories etc. in Article 140, Para 4 of the said Law shall read political opinions."

Article 9 - Partial amendment shall be made to the Law for the District and Prefectures System as follows:

In Article 74 - 20 (of the said Law), the following shall be added -

"; names, personal histories etc. in Article 140 Para 4 of the said Law shall read political opinions."

Article 10 - Following amendments shall be made to the law concerning organization of city:

In Article 39, proviso, "officials are commissioners for overseeing election, ward commissioners for overseeing election, secretaries of commission for overseeing election and of ward commission for overseeing election, chairman of election, chairman of subcommittees for voting and chairman of subcommittee for ballot counting" shall read "those mentioned in Article 8 are chairman of subcommittee for voting and chairman for ballot counting".

Article 40, proviso shall read as follows -

However, those mentioned in Article 8 which is quoted in Article 112, Para 2, Article 113, Para 2, Article 116, Article 117 and Article 127, Para 4, the law of election for the House of Representatives, shall include chairmen of sub-committee for voting and chairman of sub-committee for ballot counting.

Article 11 - Following amendment shall be made to law concerning the organization of town or village.

In Article 36-2 of the said law, "Article 96" shall be added next to "Article 95" and also Article 100-2 shall be deleted

Article 36 proviso shall read as follows:

Ho ever those mentioned in Article 8 which is quoted in Article 99 of the said law shall include chairman of subcommittee for voting and chairman of subcommittee for ballot counting.

Article 37 proviso shall read as follows -

However those mentioned in Article 8 which is quoted in Article 112, Para 2, Article 116 Article 117 and Article 127, Para 4 of the law of election for the House of Representatives shall include chairman of subcommittee for voting and chairman of subcommittee for ballot counting.

IMPERIAL HOUSE LAW
(Law No. 3, January 16, 1947)

Chapter I. Succession to the Imperial Throne

Article 1. The Imperial Throne shall be succeeded to by a male offspring in the male line belonging to the Imperial Lineage.

Article 2. The Imperial Throne shall be passed to the members of the Imperial Family according to the following order:

1. The eldest son of the Emperor.
2. The eldest son of the Emperor's eldest son.
3. Other descendants of the eldest son of the Emperor.
4. The second son of the Emperor, and his descendants.
5. Other descendants of the Emperor.
6. Brothers of the Emperor and their descendants.
7. Uncles of the Emperor and their descendants.

In case there is no member of the Imperial Family as under the numbers of the preceding paragraph, the Throne shall be passed to the member of the Imperial Family next nearest in lineage.

In the cases of the two preceding paragraphs, precedance shall be given to the senior line, and in the same degree, to the senior member.

Article 3. In case the Imperial Heir is affected with an incurable and serious disease, mentally or physically, or there is a serious hindrance, the order of succession may be changed by decision of the Imperial House Council and in accordance with the order stipulated in the preceding Article.

Article 4. Upon the demise of the Emperor the Imperial Heir shall immediately accede to the Throne.

Chapter II. The Imperial Family

Article 5. The Empress, the Grand Empress Dowager, the Empress Dowager, Shinno, the consorts of Shinno, Naishinno, O, the consorts of O, and Jo-o shall be the members of the Imperial Family.

Article 6. The legitimate children of an Emperor, and the legitimate grand children of an Emperor in the legitimate male line shall be Shinno in the case of a male, and Naishinno in the case of a female. The legitimate descendants of an Emperor in the third and later generations in the legitimate male line shall be O in the case of a male and Jo-o in the case of a female.

Article 7. In case an O succeeds to the Throne, his brothers and sisters who are O and Jo-o shall specially become Shinno and Naishinno.

Article 8. The son of the Emperor who is the Imperial Heir is called "Kotaishi" and in case there is no Kotaishi, the grandson of the Emperor, who is the Imperial Heir, is called "Kotaison."

Article 9. The Emperor and the members of the Imperial Family may not adopt children.

Article 10. The institution of Empress, and the marriage of any male member of the Imperial Family shall be passed by the Imperial House Council.

Article 11. A Naishinno, O, or Jo-o, of 15 years of age or more, shall leave the status of the Imperial Family member according to her or his own desire and by decision of the Imperial House Council.

Beside the case as mentioned in the preceding paragraph, a Shinno (excepting the Kotaishi and the Kotaison), Naishinno, O, or Jo-o, shall, in case of special and unavoidable circumstances, leave the status of the Imperial Family member by decision of the Imperial House Council.

Article 12. In case a female of the Imperial Family marries a person other than the Emperor or the members of the Imperial Family, she shall lose the status of the Imperial Family member.

Article 13. The consorts of a Shinno or O who leaves the status of the Imperial Family member, and his direct descendants and their consorts, excepting those females who are married to other members of the Imperial Family and their direct descendants, shall lose simultaneously the status of the Imperial Family member. However, as regards his direct descendants and their consorts, it may be so decided by the Imperial House Council that they do not lose the status of the Imperial Family member.

Article 14. A female, not of the Imperial Family, who is married to a Shinno or O, may, upon the loss of her husband, leave the status of the Imperial Family member according to her own desire.

When a female mentioned in the preceding paragraph has lost her husband, she shall, in case of special and unavoidable circumstances beside the case as under the same paragraph, leave the status of the Imperial Family member by decision of the Imperial House Council.

In case a female mentioned in the first paragraph is divorced, she shall lose the status of the Imperial Family.

The provisions of the first paragraph and the preceding paragraph shall apply to the females married to other members of the Imperial Family mentioned in the preceding Article.

Article 15. Any person outside the Imperial Family and his or her descendants shall not become a member thereof except in the cases where a female becomes Empress or marries a member of the Imperial Family.

Chapter III. Regency

Article 16. In case the Emperor has not come of age, a Regency shall be established.

In case the Emperor is affected with a serious disease, mentally or physically, or there is a serious hindrance and is unable to perform his acts in matters of state, a Regency shall be instituted by decision of the Imperial House Council.

Article 17. The Regency shall be assumed by a member of the Imperial Family of age according to the following order:

1. The Kotaishi, or Kotaison.
2. A Shinno and an O.
3. The Empress.
4. The Empress Dowager.
5. The Grand Empress Dowager.
6. A Naishinno and a Jo-o.

In the case of No. 2 in the preceding paragraph the order of succession to the Throne shall apply; and in the case of No. 6 in the same paragraph, the order of succession to the Throne shall apply mutatis mutandis.

Article 18. In case the Regent, or a person falling in the order of assumption of Regency, is affected with a serious disease, mentally or physically, or there is a serious hindrance, the Imperial House Council may decide to change the Regent or the order of assumption of Regency, according to the order stipulated in the preceding Article.

Article 19. When, because of minority of the person falling in the order of assumption of Regency or because of the obstacles mentioned in the preceding paragraph, another member of the Imperial Family has become Regent, he shall not yield his post of Regent to the said member of the Imperial Family who has the precedence on the ground of his attainment to majority or the removal of these obstacles, except in the case such person happens to be the Kotaishi or Kotaison.

Article 20. In case the obstacles mentioned in Article 16, paragraph 2 have been removed, the Regency shall be abolished by decision of the Imperial House Council.

Article 21. The Regent, while in office, shall not be subject to legal action. However, the right to take that action is not impaired hereby.

Chapter IV. Majority; Honorific Titles; Ceremony of Accession; Imperial Funeral; Record of Imperial Lineage; and Imperial Mausoleums

Article 22. The majority age for the Emperor, the Kotaishi and the Kotaison shall be eighteen.

Article 23. The honorific title for the Emperor, the Empress, the Grand Empress Dowager and the Empress Dowager shall be "Heika."

The honorific title for the members of the Imperial Family other than those mentioned in the preceding paragraph shall be "Denka."

Article 24. When the Throne is succeeded to, the Ceremony of Accession shall be held.

Article 25. When the Emperor dies, the Rites of Imperial Funeral shall be held.

Article 26. The matters relating to the family status of the Emperor and the members of the Imperial Family shall be registered in the Record of Imperial Lineage.

Article 27. The graves of the Emperor, the Empress, the Grand Empress Dowager and the Empress Dowager, shall be called "Ryo," and those of all other members of the Imperial Family shall be called "Bo"; the matters relating to Ryo and Boshall be entered respectively in the Ryo Register and the Bo Register.

Chapter V. The Imperial House Council

Article 28. The Imperial House Council shall be composed of ten members.

These members shall consist of two Imperial Family members, the Presidents and Vice-Presidents of the House of Representatives and of the House of Councillors, the Prime Minister, the head of the Imperial House Office, the Chief Judge and one other judge of the Supreme Court.

The members of the Imperial Family and the judge other than the Chief Judge of the Supreme Court, who are to become members of the Council, shall be chosen by mutual election respectively from among the members of the Imperial Family of age and from among the judges other than the Chief Judge of the Supreme Court.

Article 29. The member of the Imperial House Council, who is the Prime Minister, shall preside over its meeting.

Article 30. There shall be appointed ten reserve members in the Imperial House Council.

As regards the reserve members for the Imperial Family members and the judge of the Supreme Court in the Council, the provision of Article 28, paragraph 3, shall apply mutatis mutandis. The reserve members for the Presidents and Vice-Presidents of the House of Representatives and of the House of Councillors in the Council shall be selected by mutual election from among the members of the House of Representatives and of the House of Councillors.

The numbers of the reserve members mentioned in the two preceding paragraphs shall be the same as the numbers of the members in the Council, and the order of assuming their functions shall be determined at the time of the mutual election.

The reserve member for the Prime Minister in the Council shall be the Minister of State who has been designated as the one to perform temporarily the functions of Prime Minister under the provisions of the Cabinet Law.

The reserve member for the head of the Imperial House Office in the Council shall be designated by the Prime Minister from among the officials of the Imperial House Office.

In case there is a hindrance with regard to a member of the Council, or he is missing, the reserve member for him shall perform his functions.

Article 31. As regards the President, the Vice-President and members of the House of Representatives mentioned in Article 28 and the preceding paragraph, they shall be, in case the House has been dissolved and pending the selection of the successors, those persons who were respectively the President, the Vice-President and members of the House at the time of its dissolution.

Article 32. Term of office for the members of the Council, who are members of the Imperial Family and a judge other than the Chief Judge of the Supreme Court and their reserve members shall be four years.

Article 33. The Imperial House Council shall be convened by the President of the Council.

The Imperial House Council must be convoked, if demanded by four members or more, in the cases as under Article 3, Article 16, paragraph 2, Article 18 and Article 20.

Article 34. The Imperial House Council, unless attended by six members or more, may not open deliberations and make decisions.

Article 35. The deliberations of the Imperial House Council shall be decided by a majority vote of two thirds or more of the members present, in the cases of Article 3, Article 16, paragraph 2, Article 18 and Article 20; and

by a majority vote in all other cases.

In case of a tie in the case of the latter clause of the preceding paragraph, the President shall make the decision.

Article 36. A member may not participate in the deliberation of any matter in which he has a special interest.

Article 37. The Imperial House Council shall exercise only those powers which are provided for by this and other laws.

Supplementary Provisions:

The present law shall come into force as from the day of the enforcement of the Constitution of Japan.

The present members of the Imperial Family shall be considered as the members of the Imperial Family under this law;and with regard to the application of the provisions of Article 6, they shall be considered the legitimate offspring in the legitimate male line.

The present Ryo and Bo shall be considered as the Ryo and Bo as under Article 27.

H: 3

IMPERIAL HOUSE ECONOMY LAW
(Law No. 4, January 16, 1947)

Article 1. State property which is assigned, or which has been determined to be assigned, to the official use of the Imperial House (called the Imperial House Use Property hereafter) shall be treated as government use property under the State Property Law, and matter pertaining to it will be handled by the Imperial House Office.

In case an item of state property is assigned, or is to be determined to be assigned to the official use of the Imperial House Economy Council. So shall it be also in case the use of any Imperial House Use Property is discontinued or altered.

The Imperial House Use Property shall not be property intended for revenue.

The Imperial House Economy Council shall make the necessary survey concerning the Imperial House Use Property at an interval of not more than five years and make a report to the Cabinet.

When the report of the preceding paragraph has been made, the Cabinet shall report to the Diet the content thereof.

Article 2. In the cases of sale or purchase for reasonable price and of other ordinary private economic transactions, and in any of the cases specified below, a property may be alienated to, or received by, the Imperial House, or a gift can be made therefrom without authorization by the Diet each time:

1. Giving or receiving of properties not exceeding a certain amount in value as fixed by law separately.

2. Giving or receiving of properties exceeding the amount of the preceding sub-paragraph, but not exceeding a certain amount in value as fixed by law separately, which has been passed by the Imperial House Economy Council.

When the giving and receiving of property takes place more than once during one year between the same parties, the provisions of the sub-paragraphs of the preceding paragraph shall apply to the aggregate amount of such transactions.

In case the amount in value of the properties given by or to a member belonging to the Imperial House under the provisions of 1 or 2 of paragraph 1 in a period less than one year has reached the amount as fixed separately by law, the above provisions do not apply to the giving or receiving of property by such member during the remainder of the year.

Article 3. The appropriation for the expenditures of the Imperial House to be made in the budget shall be divided into the Inner Court Appropriation, the Imperial Court Appropriation and the Imperial Family Appropriations.

Article 4. The Inner Court Appropriation shall apply to the daily expenditures of the Emperor and Empress, the Grand Empress Dowager, the Empress Dowager, the Kotaishi and his consort, the Kotaison and his consort, and other Imperial Family members belonging to the Inner Court, and to other miscellaneous expenditures of the Inner Court; a fixed sum shall be appropriated annually as is determined by law separately.

The sums provided as the Inner Court Appropriation shall constitute the Privy Purse and shall not be treated as public money to be administered by the Imperial House Office.

In case the Imperial House Economy Council deems it necessary to change the fixed sum of paragraph 1, it must submit to the Cabinet its opinion thereon.

When the opinion of the Council has been submitted, as under the preceding paragraph, the Cabinet shall report to the Diet the content thereof at the earliest opportunity.

Article 5. The Imperial Court Appropriation shall apply to all the expenditures of the Imperial Court other than those of the Inner Court and shall be administered by the Imperial House Office.

Article 6. The Imperial Family Appropriations shall apply to the sums which are provided as annuities for the maintenance of the dignity of the members of the Imperial Family and those which are provided to the persons who leave the status of the Imperial Family member for the maintenance of dignity as persons who have been members of the Imperial Family, in one time payment to be made at the time when they leave their status. The sums of such annuities or one time payments shall be calculated on the basis of a fixed sum as will be determined by law separately.

The annuities shall be calculated according to the stipulations set forth under the following numbers and in paragraphs 3 to 5; and they shall be paid annually to the members of the Imperial Family other than those specified in Article 4.

1. Shinno shall receive:

Married	The whole of the fixed sum
Of age and unmarried	One half of the fixed sum
Under age and unmarried	One quarter of the fixed sum

2. The consort of a Shinno shall receive one half of the fixed sum.

3. Naishinno shall receive:

Of age	One half of the fixed sum
Under age.	One quarter of the fixed sum

4. O, the consort of an O, and Jo-o shall receive sums corresponding to 70 per cent of the amount of the annuities calculated respectively on the basis of Shinno, the consort of a Shinno and Naishinno.

A married Shinno or O, even after the cessation of marital relationship, shall receive the same amount as before.

A member of the Imperial Family who is the Regent, shall receive 5 times the fixed sum during the term of his office.

A person, possessing more than one status, shall be paid according to the status commanding the highest annuity.

A person who leaves the status of the member of the Imperial Family according to the provisions of the Imperial House Law shall receive a sum in one time payment, as determined by the Imperial House Economy Council, and within the limit of not exceeding the amount of the annuity due to the said person to be calculated according to the provisions of paragraphs 2 and 3 and the preceding paragraph.

In calculating the sum for one time payment as under the preceding paragraph, an unmarried or under-age Shinno or O shall be considered as a married Shinno or O; and Naishinno or Jo-o under age as a Naishinno, or Jo-o, of age.

The provision of Article 4, paragraph 2 shall apply to the fixed sum of paragraph 1.

Article 7. The Imperial Heir upon his accession to the Throne shall receive such traditional properties as are to be handed down with the Throne.

Article 8. The Imperial House Economy Council shall be composed of eight members.

The members shall be the Presidents and Vice-Presidents of the House of Representatives and of the House of Councillors, the Prime Minister, the Minister of Finance, the head of the Imperial House Office and the head of the Board of Audit.

Article 9. There shall be appointed eight reserve members in the Imperial House Economy Council.

Article 10. The Imperial House Economy Council, unless there are present five members or more, may not open deliberations and make decisions.

The deliberations shall be decided by a majority vote. In case of a tie, the chairman shall make the decision.

Article 11. The provisions of Article 29; Article 30, paragraphs 3-7; Article 31; Article 33, paragraph 1; Article 36 and Article 37 of the Imperial House Law shall apply to the Imperial House Economy Council mutatis mutandis.

The post of the reserve member for the Minister of Finance in the Council shall be filled by the Vice Minister of Finance; and that of the reserve member for the head of the Board of Audit by an official of the Board of Audit, who shall be designated by the Prime Minister.

Supplementary Provisions:

The present Law shall come into force as from the day of the enforcement of the Constitution of Japan.

Those items of the former Imperial Household Property which are in the use of the Imperial House at the time of the enforcement of the present Law and which have become state property under the State Property Law shall be considered, without a decision of the Imperial House Economy Council, as the Imperial House Use Property, regardless of the provision of Article 1, paragraph 2.

The necessary matters relating to the transitional disposition of the rights and obligations which belong to the former Imperial House Account at the time of the enforcement of the present Law, and which are to be carried over by the State, shall be provided for by cabinet order.

The Inner Court Appropriation and the sum of annuities under the Imperial Family Appropriations for the fiscal year in which the present Law takes effect shall be provided for on the basis of monthly quotas.

H: 4

CABINET LAW
(Law No. 5, January 16, 1947)

Article 1. The Cabinet shall perform functions provided for in Article 73 and other Articles of the Constitution of Japan.

Article 2. The Cabinet shall be composed of the Prime Minister, who shall be its head, and Ministers of State whose number shall not be more than the present fixed number of the Ministers of the various Ministries and the Ministers of State.

The Cabinet, in the exercise of executive power, shall be collectively responsible to the Diet.

Article 3. The Ministers shall divide among themselves administrative affairs and be in charge of their respective shares thereof each as a competent Minister, as provided for by law separately.

The provision of the preceding paragraph does not, however, preclude the existence of Ministers who have no specific share of administrative affairs to manage.

Article 4. The Cabinet shall perform its functions through Cabinet meetings.

The Prime Minister shall preside over Cabinet meetings.

Each Minister may submit to the Prime Minister any question or matter and ask for a Cabinet meeting thereon.

Article 5. The Prime Minister, representing the Cabinet, shall submit Cabinet bills, budgets and other proposals to the Diet, and shall report on general national affairs and foreign relations to the Diet.

Article 6. The Prime Minister shall exercise control and supervision over various administrative branches in accordance with the policies to be decided upon after consultation at Cabinet meetings.

Article 7. The Prime Minister shall, following consultation at Cabinet meetings, decide on any point of doubt relating to jurisdiction as between the competent Ministers.

Article 8. The Prime Minister may suspend the official act or order of any administration office, pending action by the Cabinet.

Article 9. In case the Prime Minister is prevented from discharging his functions or the post of Prime Minister is vacant, the Minister of State designated by him in advance shall perform temporarily the functions of Prime Minister.

Article 10. In case a competent Minister is prevented from discharging his functions or the post of such Minister is vacant, the Prime Minister, or a Minister of State designated by him, shall perform temporarily the functions of the said competent Minister of State.

Article 11. No provision imposing obligations or restricting rights can be made in Cabinet orders unless authorized by law.

Article 12. There shall be set up under the Cabinet a Secretariat.

The Cabinet Secretariat shall be in charge of preparing the agenda of Cabinet meetings and other miscellaneous affairs of the Cabinet.

Beside the matters mentioned in the preceding paragraphs, the Cabinet Secretariat and the Legislative Bureau shall assist the

work of the Cabinet as provided by for Cabinet order.

The organization of the Cabinet Secretariat and the Legislative Bureau shall be fixed by law separately.

Beside the Secretariat and the Legislative Bureau there shall be set up in the Cabinet necessary offices which shall assist the work of the Cabinet, as provided for by law.

Supplementary Provision:

The present Law shall come into force from the day of the enforcement of the Constitution of Japan.

THE LAW FOR THE ELECTION OF MEMBERS OF THE HOUSE OF COUNCILLORS

(In force as of August 19th, 1948.)

CONTENTS

Chapter I General provisions

Chapter II Voting right and eligibility

Chapter III Election

Chapter IV Voting

Chapter V Counting of ballots

Chapter VI Election meeting and election sub-meeting

Section I Election meeting for members from the prefectural constituency

Section II Election sub-meeting and Election meeting for Members from the national constituency

Sub-section I Election sub-meeting

Sub-section II Election meeting

Chapter VII Candidates and persons elected as Members from the

Section I Candidates for and persons elected as Members from the prefectural constituency

Section II Candidates for and persons elected as Members from the national constituency

Chapter VIII Term of office for members and filling vacancies

Chapter IX Litigation

Chapter X Election campaign

Chapter XI Penal provisions

Chapter XII Supplementary provisions

Additional provisions

Annex

LAW FOR THE ELECTION OF MEMBERS OF THE HOUSE OF COUNCILLORS

Chapter I.

General Provisions

Article 1. The number of the members of the House of Councillors shall be two hundred and fifty (250), to be divided into 150 members from the prefectural constituency and 100 members from the national constituency.

Members from the prefectural constituency shall be elected in each of the election districts. The election districts and the number of members to be returned for each of such districts shall be stipulated in the annex.

Members from the national constituency shall be elected in a single contitiuency comprising the Metropolis, the District (Do) and all the Prefectures.

Article 2. The voting districts and the ballot-counting districts shall conform respectively to those districts for the election of members of the House of Representatives.

Chapter II.

Voting Right and Eligibility

Article 3. Any person who has the right to vote in the election of members of

the House of Representatives shall have the same right in the election of members of the House of Councillors.

Article 4. Any Japanese national who is over thirty (30) years of age shall be eligible for election of the members of the House of Councillors.

Article 5. Any person who has been declared incompetent or quasi-incompetent, or who has been condemned to penal servitude or confinement and whose term of punishment has not been completed or yet to be executed shall not be eligible for election.

Article 6. Commissioners for Overseeing the Election of members from the national constituency, Commissioners for Overseeing the Election of members of the Metropolitan Assembly, Commissioners for Overseeing the Election of members of the District and Prefectural Assemblies, Commissioners for Overseeing the Election of members of the Municipal, Town and Village Assemblies, secretaries of the Commission for Overseeing the Election of Members from the national constituency, Commission for Overseeing the Election of Members of the Metropolitan Assembly, Commissions for Overseeing the Election of members of the District and Prefectural Assemblies, Commissions for Overseeing the Election of members of the Municipal, Town and Village Assemblies, Voting Overseers, Ballot-Counting Overseers, Chairman of the Election Sub-meeting, Chairmen of Election and Government and public officials who are connected with affairs pertaining to election shall not be elegible for election within the respective districts with which they are concerned in such capacities.

Article 7. Judges, Public Procurators, Government Auditors, revenue officials, members of national police force, members of the public safety commission of the Metropolis, district, urban or rural prefecture, city, town or village

and members of municipal police force shall not be eligible for election.

Article 8. Any person who holds a post which shall not be held concurrently with membership in the House of Representatives shall not become concurrently a member of the House of Councillors.

Chapter III.

Election

Article 9. A regular election shall take place within thirty (30) days before the date of expiration of the term of office for the members.

When the period for a regular election to be held according to the preceding paragraph comes during the session of the House of Councillors or within thirty (30) days after its close, a regular election shall take place not earlier than thirty-one (31) days and not later than thirty-five (35) days after its close.

The date of a regular election shall be proclaimed not less than thirty (30) days in advance.

Article 10. Election shall be conducted by ballot.

Article 11. The electoral lists for the election of members of the House of Representatives shall be used for the election of members of the House of Councillors.

Article 12. Affairs pertaining to the election of members from the prefectural constituency shall be taken charge of by the Commission for Overseeing the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies. The Commission for Overseeing the Election of Members of the Metropolitan

Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies shall direct and supervise the Commission for Overseeing the Election of Members of the Municipal, Town and Village Assemblies, with regard to affairs pertaining to the election of Members from the prefectural constituency.

Article 13. There shall be instituted a Commission for Overseeing the Election of Members from the national constituency to oversee affairs pertaining to the election of Members from the national constituency.

The Commission for Overseeing the Election of Members from the national constituency shall be composed of ten (10) Commissioners for Overseeing the Election of members from the national constituency.

Article 14. The Commissioners for Overseeing the Election of Members from the national constituency shall be elected in the House of Councillors from among persons other than Members of the Diet, who have the eligibility for a member of the House of Councillors.

The term of office of the Commissioners for Overseeing the Election of Members from the national constituency shall be three (3) years. However, the term of office of Commissioners who have replaced other Commissioners shall be the remaining period of the term of office of their predecessors.

Article 15. The Commission for Overseeing the Election of Members from the national constituency shall direct and supervise the Commission for the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies, with regard to affairs pertaining to the election of Members from the national constituency.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly and the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies shall direct and supervise the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies, with regard to affairs pertaining to the election of Members from the national constituency.

Article 16. The Commission for Overseeing the Election of Members from the national constituency shall elect one Chairman from among the Commissioners.

The Chairman shall superintend affairs pertaining to the Commission and represent it.

Article 17. The Commission for Overseeing the Election of Members from the national constituency shall not open its meeting without the attendance of not less than half of the Commissioners.

All matters at the meeting of the Commission shall be decided by a majority of those Commissioners who are present, and in case of a tie, the Chairman shall decide the issue.

Article 18. There shall be instituted secretaries in the Commission for Overseeing the Election of Members from the national constituency, whom the Chairman superintends and who shall be engaged in the business pertaining to the Commission.

The secretaries shall be appointed and dismissed by the Chairman.

Article 19. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, necessary matters pertaining to the Commission for Overseeing the Election of Members from the national constituency shall be decided by the Commission.

Chapter IV.

Voting

Article 20. Each elector shall cast only one ballot in the election of Members from the prefectural constituency and in that of members from the national constituency respectively.

Article 21. Voting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies, from among those who have the right to vote in the election of members of the House of Councillors.

When the election of Members from the prefectural constituency and that of Members from the national constituency take place at the same time the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies may appoint the Voting Overseers for the election of Members from the prefectural constituency concurrently to the Voting Overseers for the election of Members from the national constituency.

Voting Overseers shall take charge of affairs pertaining to election.

Article 22. Candidates for membership may each choose one (1) person, who will be a Voting Witness, from among those registered in the electoral list of each voting district, with his consent, and report the choice to the Voting Overseer not later than two days before the date of the election.

In case those reported as provided for in the preceding paragraph (excluding those reported by candidates for membership who have died or withdrawn their candidacy; the same applies hereinafter) do not exceed ten (10) in number, they shall at once be voting witnesses, and in case they are more than ten (10), ten (10) Voting Witnesses shall be elected by mutual vote

from among those reported.

When the number of the Voting Witnesses provided for in the preceding paragraph does not reach three (3) or has decreased to less than three (3), or when the number of the Voting Witnesses who have attended at the polling-place has not reached three (3) by the time to open it or has decreased to less than three (3) after it has been opened, Voting Overseers shall select and appoint such number of Voting Witnesses as makes their total number three (3), from among those registered in the electoral list of the electoral district concerned and appointed, to witness voting.

Voting Witnesses shall not resign their offices without proper reason.

Article 23. Every elector shall enter by himself the full name of one candidate in a ballot at a polling-place in the election of Members from the prefectural constituency or in the election of Members from the national constituency respectively and cast it in a ballot-box.

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

Article 24. Denial of voting shall be decided by the Voting Overseer, after consultation with Voting Witnesses.

When an elector whose voting has been subjected to the decision provided for in the preceding paragraph is not satisfied with it, the Voting Overseer shall provisionally allow him to cast a ballot.

The ballot mentioned in the preceding paragraph shall be sealed in an envelope by the elector, who shall cast it, writing by himself his full name on the envelope.

The preceding two paragraphs shall apply to an elector whose voting has been objected to by Voting Witnesses.

Article 25. If, in the case of an island or any other place without adequate means of transportation, it is deemed impossible to send the ballot-box on the day of voting, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies may fix a convenient date for voting in the locality concerned and cause the ballot-box, minutes of the voting and the electoral list to be sent by the date for ballot-count.

Article 26. When, on account of natural calamity or other unavoidable circumstances, it is impossible to carry out the voting or it is necessary to have the voting again, the Voting Overseer shall so notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies through the Chairman of Election (Chairman of the Election Sub-Meeting in the case of the election of Members from the National constituency). In such a case the Commission concerned shall cause the voting to be carried out by fixing a new date, which shall be proclaimed not less than five days beforehand.

Article 27. When a regular election and the election provided for in Article 62 or Article 68 or Article 71 take place at the same time, they shall be absorbed into one election for Members from the prefectural constituency and for Members from the national constituency respectively.

Article 28. Inaddition to the provisions of this law and of ordinances to be issued in accordance therewith, the voting for members of the House of Councillors shall conform to the voting for members of the House of Repre-

sentatives

Chapter V.

Counting of Ballots

Article 29. Ballot-Counting Overseers shall be selected and appointed by the Commissions for Overseeing the Election of Members of the Municipal, Town and Village Assemblies from among those who have the right to vote in the election of members of the House of Councillors.

When the election of Members from the prefectural constituency and that of Members from the national constituency take place at the same time, the Commission for Overseeing the election of Members of the Municipal, Town and Village Assemblies may appoint the Ballot-Counting Overseers for the election of Members from the prefectural constituency concurrently to the Ballot-Counting Overseers for the election of Members from the national constituency.

Ballot-Counting Overseers shall take charge of affairs pertaining to the counting of ballots.

Article 30. The provisions of Article 22 shall apply mutatis mutandis to Ballot-Counting Witnesses.

Article 31. The counting of ballots shall be effected on the day of voting or on the following day (in case there are more than one voting district within one ballot-counting district, on the day when all the ballot-boxes are received or on the following day).

Article 32. The Ballot-Counting Overseer shall, in the presence of Ballot-Counting Witnesses, open the ballot-box and examine the votes coming under the provisions of Article 24, paragraphs 2 and 4 and, after consultation with Ballot-Counting Witnesses decide whether or not these ballots are accept-

able.

The Ballot-Counting Overseer, together with Ballot-Counting Witnesses, shall examine the ballots for each city, town or village or any other district specified by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies.

As soon as the examination of the ballots has been finished, the Ballot-Counting Overseer shall report the result to the Chairman of Election (Chairman of the Election Sub-Meeting in the case of the election of Members from the national constituency).

Article 33. The validity of ballots shall be decided by the Ballot-Counting Overseer, after consultation with Ballot-Counting Witnesses.

Article 34. Any of the following votes shall be invalid:

1. A vote for which a regular ballot-paper has not been used.
2. A vote on which the name of a person who is not a candidate is entered.
3. A vote on which the names of two or more candidates have been entered.
4. A vote on which the name of a person who is not eligible has been entered.
5. A vote on which other matters in addition to the name of a candidate have been entered. But the profession, social status, address or a title of honour of the candidate may be written thereon.
6. A vote on which the name of a candidate has not been written

by the voter himself.

7. A vote by which it is impossible to ascertain the name of the candidate entered.

8. A vote on which the name of a person who is a member of the House of Counsillors has been entered.

The provisions of item 8 in the preceding paragraph shall apply to the election held in accordance with the provisions of Article 62 or Article 68 or Article 71.

The provisions of the item numbered 8 of paragraph 1 apply, in the case of a regular election also, to a vote on which the name of a Member of the House of Councillors who is either a Member from the prefectural constituency or a Member from the national constituency, with a longer term of office, has been entered.

Article 35. The Ballot-Counting Overseer shall keep minutes of the ballot-counting, in which shall be recorded all matters relating to the ballot-counting, and affix his signature thereto together with Ballot-Counting Witnesses.

Article 36. Ballots shall be sorted into lots that are valid and those that are invalid and shall be preserved, togehor with the minutes of the voting and the minutes of the ballot-counting, by the Commissions for Overseeing the Election of the Municipal, Town and Village Assemblies during the term of office of the members elected.

Article 37. The provision of the principal part of Article 26 shall apply mutatis mutandis to the counting of ballots.

Article 38. In addition to the provisions of this law and of ordinances

to be issued in accordance therewith, the counting of ballots in the election of members of the House of Councillors shall conform to the counting of ballots in the election of Members of the House of Representatives.

Chapter VI.

Election Meeting and Election Sub-Meeting

Section I. Election Meeting for Members from the prefectural constituency

Article 39. The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies from among those who have the right to vote in the election of members of the House of Councillors.

The Chairman of Election shall take charge of affairs pertaining to election meeting.

Article 40. The election meeting shall be held at the Metropolitan, District or Prefectural Office or a place designated by the Chairman of Election.

Article 41. The provisions of Article 22 shall apply mutatis mutandis to Election Witnesses.

Article 42. The Chairman of Election shall hold an election meeting on the day when the report provided for in Article 32, paragraph 3, is received from every Ballot-Counting Overseer or on the following day and shall examine such reports in the presence of Election Witnesses.

In case a part of an election has become invalid and a new election has

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been held, the Chairman of Election shall, upon receipt of the report provided for in Article 32, paragraph 3, examine such report anew together with the report concerning the other part of the election in accordance with the provisions of the preceding paragraph.

Article 43, The Chairman of Election shall make minutes of the election, in which shall be recorded all matters relating to the election meeting and affix his signature thereto together with Election Witnesses.

The minutes of the election shall be preserved, together with documents relating to the report mentioned in Article 32, paragraph 3, by the Commission for Overseeing the Election of Members of the Metropolitan Assemblies during the term of office of the members elected.

Article 44. The provisions of the principal part of Article 26 shall apply mutatis mutandis to the election meeting.

Article 45. In addition to the provisions of this law and of ordinances to be issued in accordance therewith, the election meeting in the election of members of the House of Councillors shall conform to the election meeting in the election of members of the House of Representatives.

Section II. Election sub-Meeting and Election Meeting for Members from the national constituency

Sub-section I. Election Sub-Meeting

Article 46. The election sub-meeting shall be held at the Metropolitan, District or Prefectural Office or a place designated by the Chairman of the Election Sub-Meeting.

Article 47. As soon as the examination in accordance with the pro-

visions of Article 42, which are applied mutatis mutandis in Article 48, has been finished, the Chairman of the Election Sub-Meeting shall submit a report of the result to the Chairman of Election, together with a copy of the minutes of the election.

Article 48. In addition to the provisions of the preceding two Articles, the provisions of the preceding Section shall be applied mutatis mutandis to the election sub-meeting.

Sub-section II. Election Meeting

Article 49. The Chairman of Election shall be selected and appointed by the Commission for Overseeing the Election of Members from the national constituency from among those who have the right to vote in the election of members of the House of Councillors.

The Chairman of Election shall take charge of affairs pertaining to election meeting.

Article 50. The election meeting shall be held at a place designated by the Chairman of Election.

Article 51. The Chairman of Election shall hold an election meeting on the day when the report provided for in Article 47 is received from every Chairman of the Election Sub-Meeting or on the following day and examine such reports in the presence of Election Witnesses.

In case a part of an election has become invalid and a new election has been held, the Chairman of Election shall, upon receipt of the report provided for in Article 47, examine such report anew, together with the report concerning the other part of the election in accordance with the pro-

visions of the preceding paragraph.

Article 52. The Chairman of Election shall make minutes of the election, in which shall be recorded all matters relating to the election meeting, and affix his signature thereto together with Election Witnesses.

The minutes of the election shall be preserved, together with documents concerning the report provided for in Article 47, by the Commission for Overseeing the Election of Members from the national constituency during the term of office of the Members elected.

Article 53. The provisions of Articles 41, 44 and 45 shall apply mutatis mutandis to the election meeting.

Chapter VII.

Candidates and Persons Elected

Section I. Candidates for and Persons Elected as Members from the prefectural constituency.

Article 54. A person who desires to become a candidate shall so notify the Chairman of Election between the day on which the date for election is Proclaimed or given public notice and the twentieth (20th) day preceding the date for election.

When a person whose name is registered in the electoral list desires to name another person as a candidate, he may notify his recommendation with the consent of the person recommended during the period, stipulated in the preceding paragraph.

In case the number of candidates notified during the period stipulated

in the preceding two paragraphs exceeds the number of members to be elected, and any of the candidates dies or withdraws his candidacy after the period has expired, notification of candidacy or recommendation of a candidate may be made in conformity with the preceding two paragraphs, up to the tenth (10th) day preceding the date for election.

A person who has become a candidate in one electoral district shall not notify his candidacy or approve the notification recommending him as a candidate in another electoral district.

A person who has become a candidate for a Member from the national constituency shall not notify his candidacy, or approve the notification recommending him as a candidate, for a Member from the prefectural constituency.

A candidate shall not withdraw his candidacy without having notified the Chairman of Election.

Upon receipt of the notification provided for in paragraphs 1 to 3 and the preceding paragraph or information of the death of a candidate, the Chairman of Election shall immediately give public notice of the fact.

Article 55. A person who desires to notify his candidacy or who desires to notify recommendation of a candidate shall deposit five thousand (5,000) yen in cash or national loan bonds of the same face value for each candidate.

The deposit provided for in the preceding paragraph shall belong to the national treasury in case the total number of votes for a candidate for whom the deposit has been made does not reach one-tenth of the total number of valid votes in the electoral district concerned divided by the number of

members to be returned for that district in a regular election.

The provision of the preceding paragraph shall apply mutatis mutandis in cases where a candidate has withdrawn his candidacy within ten (10) days before the date for election, unless such withdrawal is due to loss of eligibility.

Article 56. The candidate who has obtained the greatest number of valid votes shall be declared elected; provided, however, that the number of votes obtained shall be one-fourth or more of the total number of valid votes in the electoral district concerned divided by the number of members to be returned for that district in a regular election.

In case the elections for the Members of the different terms of office are combined, the candidates who obtained the necessary votes under the proviso of the preceding paragraph shall be determined in the order of the number of their respective votes as the elected, starting from the members with a longer term of office.

If there are persons who have obtained the same number of votes, the Chairman of Election shall determine the person elected by drawing lots at an election meeting.

In cases where the person elected can be determined without holding a new election in consequence of the litigation provided for in Article 73, such a person shall be determined at an election meeting.

When a person elected has declined election or has been dead, or when his election has become invalid in accordance with the provisions of Article 57, an election meeting shall be held immediately to determine the person elected from among those who have obtained such number of votes as mentioned in the proviso of paragraph 1 but have not been elected.

When any of the causes mentioned in Article 62, paragraph 1, items 5 and 6, has occurred during the period stipulated in Article 61 and there are persons who have obtained such number of votes as mentioned in the proviso of paragraph 1, or when such a cause has occurred after the expiration of that period and there are persons who have obtained votes and to whom the provisions of paragraph 3 are applicable, an election meeting shall be held to determine the person elected from among the above mentioned persons.

The provisions of paragraph 2 shall apply mutatis mutandis in cases where the causes mentioned in the preceding three paragraphs have occurred simultaneously or consecutively with regard to the persons elected in the combined election of members with different terms of office.

In any of the cases mentioned in paragraphs 4 to 6, when a person who has obtained such number of votes as mentioned in the proviso of paragraph 1 but has not been elected, becomes ineligible for election after the date of the election, he shall not be determined as the person elected.

Article 57. When the person elected becomes ineligible for election after the date of the election, he shall forfeit election.

Article 58. In case the number of candidates notified in accordance with the provisions of Article 54, paragraphs 1 to 3, does not exceed the number of members to be returned in the election, there shall be no election in the electoral district concerned.

When there is no voting in accordance with the provisions of the preceding paragraph, the Chairman of Election shall so notify the Voting Overseer immediately and at the same time give public notice of the fact and also report it to the Commission for Overseeing the Election of Members of

the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned.

Upon receipt of the report mentioned in the preceding paragraph, the Voting Overseer shall immediately give public notice thereof.

In the case mentioned in paragraph 1, the Chairman of Election shall hold an election meeting within five (5) days from the date of the election and determine the candidates as elected.

In case there is a combined election for the Members with the different terms of office and the provision of paragraph 1 is applicable, the candidates shall be determined by lot as the elected for the members with a longer term of office.

In the cases mentioned in the preceding two paragraphs, it shall be decided by the Chairman of Election, after consultation with Election Witnesses, whether or not the candidates are eligible for election.

Article 59. When the person elected has been determined, the Chairman of Election shall immediately notify him of his election and at the same time give public notice of his name and also report his name, the number of votes he has obtained, the total number of valid votes in the election and other minutes of the election to the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned.

When there is no person elected or the number of the persons elected does not reach the number of members to be returned in the election the

Chairman of Election shall immediately give public notice of the fact and also report it to the Commission of Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of members of the District or Prefectural Assembly concerned.

Article 60. Upon receipt of notification of election, the person elected shall notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned whether or not he accepts election.

Article 61. When a person elected has failed to notify his acceptance of election within ten (10) days from the day he received notification of election, he shall be considered to have declined election.

Article 62. When, in an election of members with the same term of office, any of the cases mentioned in the following numbered items has occurred, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District or Prefectural Assemblies shall cause a new election to be held by fixing its date and giving public notice thereof at least not later than thirty (30) days preceding it, unless the person elected can be determined without holding a new election; provided, however, that this does not apply in cases where public notice of the date for election has been given with regard to the same person on account of causes other than the following or in accordance with the provisions of Article 71;

1. When there is no person elected or the number of persons elected does not reach the number of members to be returned in the election.

2. When the person elected has declined election or has been dead.

3. When the person elected has forfeited election in accordance with the provisions of Article 57.

4. When, in consequence of the litigation provided for in Article 73, there has ceased to exist a person elected or the number of persons elected has ceased to reach the number of members to be returned in the election.

5. When the election of a person has become invalid because of the fact that a person who has superintended the election campaign of the person elected has been sentenced to a punishment on account of a crime related to election.

6. When the election of a person has become invalid because of the fact that he has been sentenced to a punishment on account of a crime related to election.

The election provided for in the preceding paragraph shall not be held during the period allowed for filing the litigation provided for in Article 73. The same shall apply in cases where such a litigation has been filed and is still pending.

The date of election mentioned in paragraph 1 shall be not later than thirty-five (35) days after the date of expiration of the period allowed for filing the litigation provided for in Article 73, or the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned has received the notification provided for in Article 75, when the litigation provided for in Article 73 is filed.

When any of the cases mentioned in all items of paragraph 1 has occurred within six (6) months preceding the end of the term of office of members, the election provided for in paragraph 1 shall not be held.

Article 63. When the person elected has accepted election, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned shall immediately furnish him with a certificate of election and give public notice of his name and report it to the National Election Management Commission through the Chief Official of the Metropolis, District or Prefecture concerned.

Article 64. When the election in an electoral district or the election of a person has become invalid in consequence of the litigation provided for in Chapter IX or when the election of a person has become invalid because of the fact that he has been sentenced to a punishment on account of a crime related to election, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned shall immediately give public notice thereof.

Section II. Candidates for and Persons Elected as Members from the national constituency

Article 65. A person who has become a candidate for a Member from the prefectural constituency shall not notify his candidacy, or approve the notification recommending him as a candidate, for a Member from the national constituency.

Article 66. When the number of votes for a candidate does not reach

one-tenth of the total number of valid votes divided by the number of the members to be returned in a regular election, the deposit made for him in accordance with the provisions of Article 55, which are applied mutatis mutandis by Article 69, shall belong to the National Treasury.

Article 67. A person who has obtained the greatest number of valid votes shall be declared elected; provided, however, that the number of votes obtained shall be one-eighth or more of the total number of valid votes divided by the number of members to be returned in a regular election.

Article 68. When, in an election of members with the same terms of Article 62, paragraph 4, has occurred, and if the person elected cannot be determined without holding a new election, or if, with the person elected having been determined without holding a new election, there still remain a number of vacancies of persons elected which, added by the number of the vacancies mentioned in Article 71, paragraph 1, exceeds one-fourth of the number of members to be returned in a regular election, the Commission for Overseeing the Election of Members from the national constituency shall cause a new election to be held by fixing its date and giving public notice thereof not later than thirty (30) days preceding it; provided, however, that this does not apply in cases where public notice of the date for election has been given with regard to the same person on account of causes other than the above mentioned.

When the number of vacancies of persons elected in an election of members with the same term of office, added by the number of the vacancies of members mentioned in Article 71, paragraph 1, does not exceed one-fourth of the number of members to be returned in a regular election but an election

of members with different terms of office has to be held, such election and a new election shall held simultaneously, regardless of the provisions of paragraph 1; provided, however, that this does not apply in cases where the case mentioned in the preceding paragraph has occurred after public notice of the date for the election of members with different terms of office was given.

The date for election mentioned in the preceding paragraph shall be the date for the election of members with different terms of office.

The provisions of Article 62, paragraph 2 to 4, shall apply mutatis mutandis in the cases mentioned in paragraphs 1 and 2.

Article 69. The provisions of Article 54, paragraph 1 to 3 and paragraphs 6 and 7, Article 55, paragraphs 1 and 3, Article 56, paragraphs 2 to 8, Article 57 to 61, Articles 63 and 64 shall apply mutatis mutandis to candidates for and persons elected as Members from the national constituency; provided, however, that "preceding paragraph" in Article 55, paragraph 3, shall read "Article 66" "the proviso of paragraph 1" in Article 56, paragraphs 5, 6 and 8, shall read "proviso of Article 67," "Article 62, paragraph 1, items numbered 5 and 6" in the same Article, paragraph 6, shall read "Article 68," and "Commission for Overseeing the Election of members of the Metropolitan Assembly or the Commission for Overseeing the Election of members of the District or Prefectural Assembly concerned" in Article 58, paragraph 2, Articles 59, 60, 63 and 64 shall read "Commission for Overseeing the Election of Members from the national constituency."

Chapter VIII.

Term of Office for Members and Filling Vacancies

Article 70. The term of office for the members shall be counted as from the date following the date of expiration of the term of office for the members elected in the previous regular election. However, it shall be counted as from the date of a regular election in case the regular election is held after the date following the date of expiration of the term of office for the members elected in the previous regular election.

Article 71. In case vacancies of members with the same term of office have occurred, no by-election shall be held until the number of such vacancies (to be added by the number of the vacancies of persons elected mentioned in Article 68, paragraph 1, in the case of Members from the national constituency) exceeds one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency).

When a vacancy of membership has occurred, the National Election Management Commission shall, within five days after receipt for a communication to that effect from the President of the House of Councillors, so notify the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assembly concerned (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency) through the Chief Official of the Metropolis, District or Prefecture concerned.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District and Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of a Member from the national constituency) shall, upon receipt of the notification provided for in the preceding paragraph, immediately notify the Chairman of Election that a vacancy has occurred, in the member, whose office has become vacant, vacated his office during the period mentioned in Article 61 and there is a candidate who has obtained such number of votes as provided for in the proviso of Article 56, paragraph 1 (the proviso of Article 67 in the case of a Member from the national constituency) but has not been elected, or if such a member vacated his office after the expiration of such period and there is a candidate to whom the provisions of Article 56, paragraph 3, have been applied but who has not been elected.

The Chairman of Election shall, within twenty (20) days after receipt of the notification provided for in the preceding paragraph, determine a person elected by applying mutatis mutandis the provisions of Article 56, paragraphs 3 and 5 to 8.

Upon receipt of the notification provided for in paragraph 2, the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commission for Overseeing the Election of Members of the District or Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency) shall, unless the provisions of paragraph 3 are applicable or public notice of the date for a new election has been

given with regard to the same person in accordance with the provisions of Article 62 (Article 68 in the case of a Member from the national constituency), wait until the number of vacancies of members with the same term of office (to be added by the number of the vacancies of persons elected mentioned in Article 68, paragraph 1, in the case of Members from the national constituency) exceeds one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency) and then cause a by-election to be held within thirty-five (35) days from the day the notification provided for in paragraph 2 is last received.

When the number of vacancies of members with the same term of office (to be added by the number of the vacancies of persons elected mentioned in Article 68, paragraph 1, in the case of Members from the national constituency) does not exceed one-fourth of the fixed number of members to be returned for the electoral district concerned in a regular election (one-fourth of the fixed number of members to be returned in a regular election in the case of Members from the national constituency) but an election of members with different terms of office (including here and hereinafter the election mentioned in Article 62 in the case of Members from the prefectural constituency) has to be held, such an election and a by-election shall be held simultaneously, regardless of the provisions of paragraph 1 and the preceding paragraph, provided, however, that this shall not apply in cases where the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of

the District or Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency) shall have received the notification provided for in paragraph 2 after public notice of the date for the election of members with different terms of office has been given.

The date of a by-election mentioned in the preceding paragraph shall be that of an election of members with different terms of office.

The date of a by-election shall be proclaimed not later than thirty days preceding it by the Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies (the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the national constituency).

The provisions of Article 62, paragraph 2 to 4, (Article 68, paragraph 4, in the case of Members from the national constituency) shall apply mutatis mutandis to a by-election.

Article 72. A member filling a vacancy shall remain in office during the remaining period of the term of office of his predecessor.

Chapter IX.

Litigation

Article 73. A litigation may be filed on the validity of the election in an electoral district or the election of a person, in the same way as the litigation on such validity in the election of members of the House of Representatives; provided, however, that with regards to an election for

the Members from the national constituency, a person who files a litigation on the validity of an election or on the validity of the elected, on the ground that he obtained the necessary votes, according to the provise, Article 67, or that the provisions of Article 56, paragraph 8, or Article 57 which are applied mutatis mutandis by Article 69 are not applicable to him, or that the decision in Article 58, paragraph 6 which is applied mutatis mutandis by Article 69, is illegal, shall have the Chairman of the Commission for Overseeing the Election of Members from the national constituency have the accused.

Article 74. An elector or a candidate for membership who considers the election of a person to be invalid according to the provision of Article 79 Par. 3, may file a litigation at the Tokyo High Court with the elected as the accused, within thirty (30) days from the date of the notification under Article 59, Par. 1 or Article 69 which is the mutatis mutandis application of Article 59, Par. 1.

When a person who has superintended the election campaign of a candidate has been sentenced to a punishment, in accordance with the penal provisions concerning the election of members of the House of Representatives to be applied mutatis mutandis and the election of the candidate concerned is considered to have become invalid, the Public Procurator shall institute incidentally to the public action a litigation against the candidate elected.

Article 75. The litigations provided for in the preceding two Articles shall be conducted in the same way as the corresponding litigations concerning the election of members of the House of Representatives; provided, however, that notification concerning these litigations shall be given to the National

Election Management Commission as well as the Commission for Overseeing the Election of Members from the national constituency in the case of Members from the National Constituency.

Chapter X.

Election Campaign

Article 76. The persons who are listed in Article 6 shall not be engaged in the election campaign within the district with which they are concerned.

The election campaign of a candidate shall not be started until his candidacy is filed according to Article 54, paragraphs 1 to 3 or Article 69 in which the provisions of the above-mentioned paragraphs are applied mutatis mutandis.

No person shall make a visit to a house with the purpose of obtaining a vote for himself or others, or of preventing others from obtaining a vote.

No one shall conduct the election campaign by making use of one's positions specially related to children, pupils, and students of schools who are under the age of twenty (20).

Article 77. Election campaign expenses in this Chapter shall mean such election campaign expenses in connection with the election of members of the House of Counsillors as correspond to the election campaign expenses provided for in the Law for the Election of members of the House of Representatives.

Article 78. (Deleted)

Article 79. Election campaign expenses shall not exceed the amount

mentioned in the following items per candidate.

1. The sum which equals the multiplication of the amount of money fixed by an Ordinance, by the total number of the electors registered in the electoral list at the date of decision of the list, whose total number is divided by the fixed number of the members to be returned from the election district concerned in the ordinary election (in case of the members from the national constituency, by the fixed number of the members in ordinary election).

2. In case a re-election is held owing to the invalidity of part of an election, the sum which equals the multiplication of the amount of money fixed by an Ordinance, by the total number of the electors registered in the electoral list, whose total number is divided by the fixed number of members to be returned from the election district concerned in the ordinary election (in case of the members from the national constituency, by the fixed number of the members in the ordinary election).

3. In case the voting is carried out in accordance with the provision of Article 26, the sum which equals the amount of money calculated according to the provision of the preceding item. However, the Electoral Administration Committee for the Election of Members of the Metropolitan Assembly or the Electoral Administration Committee for the Election of Members of the District or Prefectural Assemblies may reduce the amount when they deem it necessary.

The Electoral Administration Committee for the Election of Members of the Metropolitan Assembly or the Electoral Administration Committee for the Election of Members of the District or Prefectural Assemblies (the Electoral Administration Committee for the Election of Members from the National Con-

stituency as far as the amounts mentioned in Items 1 and 2 of the preceding paragraph relating to the members from the national constituency are concerned) shall give public notice of the amount fixed by the preceding paragraph immediately after the date of the election has been proclaimed or given public notice.

In case the election campaign expenses disbursed for a candidate for membership exceed the amount given public notice according to the provision of the preceding paragraph, the election of the candidate shall be invalid. However, this provision does not apply in the case where any candidate or person who has notified his recommendation of a candidate has paid the attention to the appointment and supervision of the responsible disburser or the person who performs the functions of the disburser in his place and where the responsible disburser or the person who performs the functions of the disburser in his place has not committed a fault in the disbursing business of the election campaign.

Article 80. (Deleted)

Article 81. (Deleted)

Article 82. (Deleted)

Article 83. The Prime Minister may restrict by ordinance literatures and pictures, to be posted or distributed for election campaigns, in the way of their form, number and the place where they are posted.

Chapter XI.

Penal Provisions

Article 84. Any person who has violated the provisions of Article 76,

paragraph 1, shall be liable to imprisonment for not more than six (6) months or a fine of not more than seventy-five hundred (7,500) yen.

Any person who has violated the provisions of Article 76, paragraphs 2 to 4 shall be liable to imprisonment for not more than one (1) year or a fine of not more than fifteen thousand (15,000) yen.

Article 85. (Deleted)

Article 86. (Deleted)

Article 87. In addition to the provisions of Article 84, the penal provisions concerning the election of members of the House of Representatives shall apply mutatis mutandis to the election of members of the House of Councillors; provided, however, that the Chairman of the Election Sub-Meeting and the place of such a meeting in the election of Members from national constituency are respectively considered as the Chairman of Election and the place of an election meeting.

Chapter XII.

Supplementary Provisions

Article 88. When a Commissioner for Overseeing the Election of Members from the national constituency, Voting Overseer, Ballot-Counting Overseer, Chairman of Election Sub-Meeting or Chairman of Election has lost the right to vote, he shall forfeit his office.

Article 89. Expenditures in connection with the execution of election shall be provided for by ordinance.

Article 90. A candidate or a person who has notified his recommendation of a candidate may, according to provisions of Ordinances, send ordi-

nary postcards for election campaign to the maximum of ten thousand (10,000) sheets free of postage, per candidate.

Facilities of schools and other establishments to be designated by ordinances shall be permitted to be used for campaign speeches, in accordance with the provisions of ordinances.

The caretaker of the establishments mentioned in the preceding paragraph shall provide facilities necessary for making campaign speeches in accordance with the provisions of ordinances.

The Commission for Overseeing the Election of Members of the Metropolitan Assembly or the Commissions for Overseeing the Election of Members of the District and Prefectural Assemblies shall, in accordance with the provisions of ordinances, publish documents in which the names, careers, etc. of candidates are described.

The Commission for Overseeing the Election of the Municipal, Town and Village Assemblies shall post up a notice of the names, etc. of candidates in accordance with the provisions of ordinances.

Article 91. In this Law the provisions concerning the Commission and Commissioners for Overseeing the Election of the members of the City Council shall apply to the Commission and Commissioners for Overseeing the Election of the Members of the Ward (of City) Councils, or the Ward Commission and Ward Commissioners for the Overseeing the Election of the Members of the City Council, and also the provisions concerning cities shall apply to wards in cities, with regards to the ward areas in Tokyo-to and the cities stipulated in Article 6 and Article 82, paragraph 1, of the Law of the Organisation of Cities.

In the application of the provisions of this Law, the Commission for

Overseeing the Election of the Town or Village Headman and the Commissioners for the same in the towns and villages stipulated in Article 38 of the Law concerning the Organization of Towns and Villages shall be considered respectively as the Commission for Overseeing the Election of the member of the Town or Village Assemblies and the Commissioner for the same.

In the application of this Law, such associations of towns or villages as collectively take charge of the whole affairs of the towns or villages or affairs of the town or village offices shall be considered as one town or village and the Commission for Overseeing the Election of members of the Assemblies of the Association of towns or villages and the Commissioners for the same or the Commission for Overseeing the Election of Overseers of the Town or Village Association and the Commissioners for the same shall be considered respectively as the Commission for Overseeing the Election of Members of the Town or Village Assembly and the Commissioners for the same.

In places where the Law concerning the Organization of Towns and Villages has not yet been enforced, the provisions in this Law concerning the Commission for Overseeing the Election of Members of the Town or Village Assembly shall apply to a person who holds a post corresponding to the town or village headman; the provisions relating to town or village shall apply to the body corresponding to town or village.

Article 92. With regard to matters to which the provisions of this Law cannot be applied in an island or any other place without adequate means of transportation, special provisions may be enacted by ordinances.

Article 93. Provisions necessary for the enforcement of this Law shall be enacted by ordinances.

Additional Provisions

Article 1. The present Law shall come into force as from the date of its promulgation.

Article 2. (Deleted)

Article 3. The President or judges of the Court of Administrative Litigation in active service shall, pending the enforcement of the Constitution, not be eligible for election, regardless of the provisions of the present Law.

Article 4. The term "the House of Councillors" in Article 14 shall read "House of Peers" pending the establishment of the House of Councillors.

Article 5. (Deleted)

Article 6. (Deleted)

Article 7. (Deleted)

Article 8. (Deleted)

Article 9. The right to vote and the eligibility of any person to whom the House Registration Law does not apply shall be suspended for the time being.

Article 10. In the first regular election of Members of the House of Councillors to be held under this Law the election of six year term Members and that of three year term Members shall be held conjointly on the date to be fixed by an Imperial Rescript.

Regarding the first ordinary election of the Members of the House of Councillors to be effected by this Law, "within ten (10) days" shall read "within five (5) days in Article 61."

Article 11. With respect to the first regular election of Members of