DECLASSIFIED E.O. 12065 SECTION 3-402/NNDG NO.

2984

Laws - Library

Apr. 1950

Yes'

Folder title/number:

(5) Item description and comment:

Reproduction:

Film no.

Box no.

Date:

Subject:

(1)

(4)

GHQ/SCAP Records (RG 331, National Archives and Records Service)

Description of contents

Type of record

(Compiled by National Diet Library)

(29)

Classification

880

No

Sheet no.

Chief Ribrarian appointed by Bd. of Ed.

DRAFT LIBRARY LAW # 118

Contents

General Provisions (Articles 1 - 9) Chapter I.

Chapter II. Public Libraries (Articles 10 - 23)

Chapter III. Private Libraries (Articles 24 - 29) Ace not effect

Supplementary Provisions.

national duit lit.

Chapter I. General Provisions

(Purpose of this Law)

Article 1. The purpose of this Law is to provide for necessary matters concerning the establishment and operation of libraries, and to promote a sound development thereof, and thereby to contribute to the enhancement of the education and culture of the nation, in accordance with the spirit of the Social Education Law (Law No. 207 of 1949).

(Definition)

Apticle 2. "Libraries" in this Law shall mean the facilities

(Purpose of this Law)

Article 1. The purpose of this Law is to provide for necessary matters concerning the establishment and operation of libraries, and to promote a sound development thereof, and thereby to contribute to the enhancement of the education and culture of the nation, in accordance with the spirit of the Social Education Law (Law No.207 of 1949).

(Definition)

- Apticle 2. "Libraries" in this Law shall mean the facilities

 (excluding those attached to schools) established by local

 public bodies or juridical persons under Article 34 of the

 Civil Code (Law No.89 of 1896), the purpose of which is to

 collect arrange and keep in custody books, archives and other

 necessary data and materials for the purpose of making them

 serviceable, by offering them for the utilization of the

 general public, to their self-education, research and survey,

 recreation, and other purposes.
 - 2. Of the libraries under the preceding paragraph, those established by local public bodies shall be called public libraries, and those established by juridical persons under Article 34 of the Civil Code private libraries.

(Library Service)

Article 3. Libraries shall endeavor, for the library service, to realize the matters enumerated in each of the following items, taking into consideration local situations and the general public's wishes, and also paying attention so as to aid school education:

- (1) Books, archives, audio-visual materials and other necessary data and materials (hereinafter, referred to as "the library materials") shall be collected, and offered to the use of the general public, sufficient attention being paid so that such materials as local materials, art works, materials on local administration, gramaphone records and films will also be collected;
- (2) The library materials shall be properly classified and arranged, and the catalog thereof shall be well prepared;
- (3) Efforts shall be so made that the library personnel may get adequate knowledge of the library materials and may give counsel to the visitors for their utilization of the library materials;

general public, sufficient attention being paid so that such materials as local materials, art works, materials on local administration, gramaphone records and films will also be collected;

- (2) The library materials shall be properly classified and arranged, and the catalog thereof shall be well prepared;
- (3) Efforts shall be so made that the library personnel may get adequate knowledge of the library materials and may give counsel to the visitors for their utilization of the library materials;
- (4) Close contact and cooperation shall be made between libraries and with the National Diet Library libraries attached to the assemblies of local public bodies and libraries attached to schools by such means as inter-library loans;
- (5) Branch libraries, reading-centers and book-circulating
 centers may be established, and the service of bookmobiles and
 itinerant lending libraries may be offered;
- (6) Reading-circles, seminars, appreciation meetings, showing of films, exhibitions of data and materials, etc. shall be sponsored and encouraged;
- (7) Information and reference materials concerning current problems shall be introduced and offered to the general public;
- (8) Close contact and cooperation shall be made with schools, museums, citizens' public halls, research institutes, etc.

(Librarians and Assistant Librarians)

- Article 4. Professional personnel of libraries shall be called librarians and assistant librarians.
 - 2. Librarians shall be engaged in the technical business of the libraries.
 - 3. Assistant librarians shall assist librarians in their duties.

(Qualifications for Librarians)

- Article 5. Those who come under any one of the following items shall have the qualifications for librarians:
 - (1) Graduates of universities who have completed the short course for training librarians under the provisions of Article 6;
 - (2) Graduates of universities who have completed the prescribed course of study concerning library science;
 - (3) Those who have experience of three years or more as assistant librarians (including personnel of the National Diet Library or libraries attached to universities corresponding to assistant

3. Assistant librarians shall assist librarians in their duties.

(Qualifications for Librarians)

- Article 5. Those who come under any one of the following items shall have the qualifications for librarians:
 - (1) Graduates of universities who have completed the short course for training librarians under the provisions of Article 6;
 - (2) Graduates of universities who have completed the prescribed course of study concerning library science;
 - 13) Those who have experience of three years or more as assistant librarians (including personnel of the National Diet Library or libraries attached to universities corresponding to assistant librarians) and who have completed the short course for training librarians under the provisions of Article 6.
 - 2. Those who come under any one of the following items shall have the qualifications for assistant librarians:
 - (1) Those who have the qualifications for librarians;
 - (2) Graduates of upper secondary schools who have completed the short course for training assistant librarians under the provisions of Article 6.

· (Short Courses for Training Librarians and Assistant Librarians)

- Article 6. The short courses for training librarians and assistant librarians shall be conducted by universities that have the faculty of education or the faculty of liberal arts, and education by the commission of the Minister of Education.
 - 2. The course of study, credits and other necessary matters concerning the short courses for training librarians and assistant librarians shall be provided for by Ministry of Education Ordinance; provided that the number of the credit to be acquired shall not be less than 15.

(Guidance and Advice)

Article 7. The Minister of Education may give professional and technical guidance and advice on the establishment and operation of the library to the prefectural Boards of Education upon their request, and the prefectural Board of Education to the Boards of Education of the cities (including special wards; hereinafter the same), towns and villages and the private libraries upon their request.

(Request for Cooperation)

Article 8. The prefectural Foard of inucation may, for the purpose

to be acquired shall not be less than 15.

(Guidance and Advice)

Article 7. The Minister of Education may give professional and technical guidance and advice on the establishment and operation of the library to the prefectural Boards of Education upon their request, and the prefectural Board of Education to the Boards of Education of the cities (including special wards; hereinafter the same), towns and villages and the private libraries upon their request.

(Request for Cooperation)

Article 8. The prefectural Foard of liucation may, for the purpose of promoting the library service within the area of To, Do, Fu or prefecture concerned, invite the Boards of Education of the cities, towns and villages to cooperate in regard to the preparation of union catalogs, the service of itinerant lending libraries and the mutual loaning of the library materials.

(Collection of Government Publications)

Article 9. The Government shall furnish public libraries established by To, Do, Fu and prefectures two copies of the Official Gazette and other publications published by the Government Printing Office which are made available for public information.

2. Agencies of the State and of local public bodies may furnish public libraries free of charge, upon their request, with publications and other data and materials which they publish.

Chapter II. Public Libreries

(Establishment)

- Article 10. Matters concerning the establishment of a public library that shall be provided for by by-law of the local public body which establishes the said library.
 - 2. The preparation and submittal of the draft of the by-law under

(Establishment)

- Article 10. Matters concerning the establishment of a public library that shall be provided for by by-law of the local public body which establishes the said library.
 - 2. The preparation and submittal of the draft of the by-law under the preceding paragraph shall be as the cases of the matter as provided for by Article 61 of the Board of Education Law (Law No.170 of 1948).

(Report)

- Article 11. In case a city, a town or a village has established, abolished or changed the establisher of a library, it must report the fact to the prefectural Board of Education.
 - 2. Necessary matters concerning the report under the preceding paragraph shall be provided for by the regulations of the prefectural Board of Education.

Article 12. Prefectural Boards of Education shall submit, upon request of the Minister of Education, reports on the establishment, the abolition and the change of the establishers of the libraries established by To, Do, Fu or prefecture concerned or by the cities, towns and villages within the area of To, Do, Fu or prefecture concerned.

(Personnel)

- Article 13. Each public library shall have a chief of the library, and such other professional, secretarial, and technical personnel as may be deemed necessary by the Board of Education of the local public body which establishes the library concerned.
 - 2. The chief of the library shall take charge of the affairs of the library and endeavour supervise its personnel to accomplish the functions of library service.
 - 5. The chiefs of libraries that are established by the local public bodies which receive promotional subsidies from the State in accordance with the provisions of Article 20 shall be those who have the qualifications for

professional, secretarial, and technical personnel as may be deemed necessary by the Board of Education of the local public body which establishes the library concerned.

- 2. The chief of the library shall take charge of the affairs of the library and endeavour supervise its personnel to accomplish the functions of library service.
- which receive promotional subsidies from the State in accordance with the provisions of Article 20 shall be those who have the qualifications for libraries. Provided that those who shall be the chiefs of the said libraries must have the experience of serving as chiefs of libraries or librarians (including such personnel of the National Diet Library or the libraries attached to universities as are corresponding to them) for three years or more in case of the libraries established by To, Do, Fu or prefectures as well as those established by the cities under Article 155 paragraph 2 of the Local Autonomy Law (Law No.67 of 1947) hereinafter referred to as "the five major cities"), and for one year or more in case of the libraries established by the cities other than the five major cities.

(Library Council)

Article 14. Any public library may have a library council.

- 2. The library council shall be the organ that respond to the inquiries of the chief of the library with regard to the operation of the library, and, as the same time, may express its opinion to the chief of the library on the library service offered by the library concerned.
- Article 15. The members of a library council shall be commissioned by the Board of Education of the local public body from among the persons listed in the following items:
 - (1) Representatives of the schools recommended by the schools concerned which are established within the area of jurisdiction of the local public body that establishes the library concerned?
 - (2) Representatives of the organizations concerned with social education (which shall mean the organizations concerned with social education provided for by Article 10 of the Social Education Inv) the offices of which are located within the area of jurisdiction of the local public body that establishes the library concerned, who are recommend.

- 1) Representatives of the schools recommended by the schools concerned which are established within the area of jurisdiction of the local public body that establishes the library concerned?
- (2) Representatives of the organizations concerned with social education (which shall mean the organizations concerned with social education provided for by Article 10 of the Social Education I aw) the offices of which are located within the area of jurisduction of the local public body that establishes the library concerned, who are recommended as such by the organizations concerned through election or other means;
- (a) Members of Advisory Committee of Social Education;
- 4) Members of Citizens Public Hall Advisory Committee;
- 5) Persons of learning and experience.
- Article 16. The establishment of the Library Council and the fixed number and the term of office of its members and other necessary matters shall be provided for by by-law of the local public body that establishes the library concerned.

- The provision of Article 10 paragraph 2 shall apply mutatis mutandis to the by-law under the preceding paragraph.
- The provisions of Article 15 paragraphs 3 and 4 and Article 19 of the Social Education Law shall apply mutatis mutandis to the members of the Library Council.

(Admission Fee, etc.)

Article 17. Public libraries shall not charge any admission fee nor any other compensation for use of the library materials.

(General Standards for Public Libraries)

Article 18. The Minister of Education shall in order to promote the sound development of libraries, formulate desirable standards for the establishment and the operation of public libraries and make them available to the Boards of Education for guidance and in addition, make them known to the general public.

(Standard for Public Libraries receiving State Subsidies)

Article 19. The minimum standards required for receiving the promotional subsidies under the provisions of Article 20 from the State shall be set up by the

(General Standards for Public Libraries)

Article 18. The Minister of Education shall in order to promote the sound development of libraries, formulate desirable standards for the establishment and the operation of public libraries and make them available to the Boards of Education for guidance and in addition, make them known to the general public.

(Standard for Public Libraries receiving State Subsidies)

Article 19. The minimum standards required for receiving the promotional subsidies under the provisions of Article 20 from the State shall be set up by the Ministry of Education Ordinance.

(Aids and Other Types of Assistance to Pullic Libraries)

- Article 20. The State shall within the limits of budgetary appropriations, grant promotional subsidies for the expenses required for the establishment and the operation of the libraries and other types of necessary assistance to the local public bodies that establish the libraries.
- Article 21. In case the subsidies under the provisions of the preceding Article shall be granted, the Minister of Education shall examine if the libraries established by the local public bodies that are going to receive the subsidies concerned reach the minimum standards as provided for by Article 19, and grant the subsidies concerned only when they reach the standards.

Article 22. The grant of the subsidies under the provisions of Article 20 shall be made, taking into consideration the amount of the settled account in the preceding fiscal year of the expenses required for the library materials and others furnished to the libraries and other expenses incurred by the libraries in each fiscal year, by the local public bodies that establish the libraries.

- 2. The scope of the expenses under the preceding paragraph and necessary matters concerning the procedure for the grant of the subsidies shall be provided for by Cabinet Order.
- Article 23. In cases where the State has granted the Subsidies under the provisions of Article 20, it shall when the local public body comes under any one of the following items, discontinue the further grant of subsidies for the fiscal year concerned and also cause the subsidies for the fiscal year concerned already granted to be retarned:
 - (1) In case the library has violated the provisions of this Law;
 - (2) In case the local public body has acted against the conditions of

the ment of the subside

Article 23. In cases where the State has granted the Subsidies under the provisions of Article 20, it shall when the local public body comes under any one of the following items, discontinue the further grant of subsidies for the fiscal year concerned and also cause the subsidies for the fiscal year concerned already granted to be retarned:

- (1) In case the library has violated the provisions of this Law;
- (2) In case the local public body has acted against the conditions of the grant of the subsidy;
- (3) In case the local public body has received the subsidy by a false means.

Chapter III. Private Libraries

(Notification)

- Article 24. Any juridical person that intends to establish or establishes a library shall, when he intends to establish or abolish the library or change its establisher, notify in advance the prefectural Board of Education to that effect.
 - 2. Necessary matters concerning the notification under the preceding paragraph shall be provided for by the regulation of the prefectural Board of Education.

(Their Relation with the Prefectural Board of Education)

Article 25. The prefectural Board of Education may request private libraties for reports necessary for the reparation of guidance materials and for survey and research.

(Their Relations with the State and the Local Public Bodies)

Article 26. The State and the local public bodies shall not interfere with the work of any private library nor give any subsidy to any juridical person

(Their Relation with the Prefectural Board of Education)

Article 25. The prefectural Board of Education may request private libraries for reports necessary for the reparation of guidance materials and for survey and research.

(Their Relations with the State and the Local Public Bodies)

- Article 26. The State and the local public bodies shall not interfere with the work of any private library nor give any subsidy to any juridical person that establishes a library.
 - Article 27. The State and the local public bodies may give help to private libraries in procuring necessary materials upon teir request.

(Library Admission Pee. etc.)

Article 28. A private library may charge an admission fee and other kinds of compensation for use of the library materials.

(Facilities and Institutions Similar to Libraries)

- Article 29. Facilities and institutions similar to libraries may be established by any founder.
 - 2. The provisions of Article 7 shall apply mutatis mutandis to the facilities and institutions under the preceding paragraph.

Supplementary Provisions

- 1. This Law shall come into force as from the day on which three months commencing on the day of its promulgation have elapsed. However, the provision of Article 17, shall come into force as from April 1, 1951.
- 2. The Library Ordinance (Imperial Ordinance No.175 of 1933), the Public Library
 Personnel Ordinance (Imperial Ordinance No.176 of 1933) and the Regulations for
 Qualifying Examination for Librarians of Public Libraries (Ministry of Education
 Ordinance No.18 of 1936) shall be abolished.
- 5. These who actually are chiefs of the libraries established by To, Do, Fu or prefecture and the five major cities and those who actually are chiefs of the libraries established by cities other than the five major cities at the time of the enferement of this law shall, regardless of the provision of Article 15 paragraph 5, be regarded as having respectively the qualifications for the chiefs of the libraries established by To, Do, Fu or prefecture and the five major cities or the chiefs of the libraries established by cities other than the five major

- The personnel who are actually engaged in duties corresponding to these of the chiefs of libraries, librarians or assistant librarians of public libraries, libraries established in accordance with the provision of Article 4 or Article 5. of the former Library Ordinance, the National Diet Library and libraries attached to universities at the time of the enforcement of this Law shall, regardless of the provisions of Articles 5, be regarded as having respectively the qualifications for librarians or assistant librarians for five years after the enforcement of this Law.
- 5. The personnel of public libraries and private libraries who are actually engaged in duties corresponding to those of the chiefs of the libraries, librarians or assistant librarians at the time of the enforcement of this Law shall be regarded as becoming chiefs of the libraries, librarians or assistant librarians respectively, unless official appointment is made separately.

in accordance with the provision of paragraph 4 have completed the short course for training librarians or assistant librarians under the provisions of Article 6 in the period of five years after the enforcement of this Law, they shall, regardless of the provisions of Article 5, be regarded as having the qualifications for librarians or assistant librarians, even after five years have elapsed after the enforcement of this Law; provided that, in cases, where those who have the qualifications for assistant librarians in accordance with the provision of paragraph 4 (excluding the graduates of universities) have completed the short course for training librarians, the provision of Article 5 paragraph 1 item (5) shall apply to them.

- 7. Those who have graduated from the Library Personnel Training Institute shall, regardless of the provisions of Article 5, be regarded as having the qualifications for librarians.
- 8. When those who graduated from the former Librarian Training Institute attached to the National Library or from the former Ministry of Education Librarian

 Training Institute, or those who have passed the qualifying examination sizes.

the qualifications for assistant librarians in accordance with the provided paragraph 4 (excluding the graduates of universities) have completed the short course for training librarians, the provision of Article 5 paragraph 1 item (5) shall apply to them.

- 7. Those who have graduated from the Library Personnel Training Institute shall, regardless of the provisions of Article 5, be regarded as having the qualifications for librarians.
- 8. When those who graduated from the former Librarian Training Institute attached to the National Library or from the former Ministry of Education Librarian Training Institute, or those who have passed the qualifying examination given under the Regulations for Qualifying Examination for Librarians of Public Libraries have completed the short course for training librarians under the provisions of Article 6, they shall, regardless of the provisions of Article 5, be regarded as having the qualifications for librarians.
- 9. The Boards of Education may, when it is 'possible to get person having the qualifications for the chief of public library, appoint only for three years after the enforcement of this Law, the chief from among persons of learning and experience in regard to library; provided that unless he has obtained the qualifications for the chief of a public library within the said period, the person in question shall not be able to remain as chief after the day when three years have elapsed after the inforcement of this Law.

The schools under Article 2 paragraph 1, Article 3 and Article 15 shall include schools that continue to exist in accordance with the former provisions of Article 98 of the School Education Law (Law No.26 of 1947); the universities under Article 5 paragraph 1, Article 13 paragraph 3, and paragraphs 4 and 6 of the Supplementary Provisions shall include universities, the preparatory course of universities, the higher course of higher schools, colleges and teacher training schools under the former University Ordinance (Imperial Ordinance No.388 of 1918), the former Higher School Ordinance (Imperial Ordinance No. 389 of 1918), the former College Ordinance (Imperial Ordinance No.61 of 1905) or the former Regulations governing the Organization of Teacher Training Schools (Imperial Ordinance No. 208 of 1946) " well as such schools equivalent to these as may be provided for by Ministry of Education Ordinance; the upper secondary schools under Article 5 paragraph 2 shall include secondary schools, the lower course of higher schools and the regular course of youth schools under the provisions of the former Secondary School Ordinance (Imperial Ordinance No.36 of 1945), the former Higher School Ordinance

VER STORE

the Organization of Teacher Training Schools (Imperial Ordinance No.208 of 1946) well as such schools equivalent to these as may be provided for by Ministry of Education Ordinance; the upper secondary schools under Article 5 paragraph 2 shall include secondary schools, the lower course of higher schools and the regular course of youth schools under the provisions of the former Secondary School Ordinance (Imperial Ordinance No.56 of 1945), the former Higher School Ordinance or the former Youth School Ordinance (Imperial Ordinance No.254 of 1939) as well as such schools equivalent to these as may be provided for by Minister of Education Ordinance.

- of the enforcement of this Law and who were official at the time of the enforcement of the Local Autonomy Law shall be regarded as having become personnel of the city, town or village that established the library concerned unless official appointment is made separately.
- been established at the time of the enforcement of this Law, "the Boards of Education of the cities (including special wards; hereinafter the same), towns and villages", "the Boards of Education of the cities, towns and tillages" or "the Boards of Education" in Article 7, Article 8, Article 13 paragraph 1, Article 15, Article 18 and paragraph 9 of the Supplementary Profisions shall read "the heads of the cities, towns and villages" until the Boards of Education are established.

13. The Ministry of Education Establishment Law (Law No. 146 of 1949) shall be partially amended as follows:

In paragraph 14 of the Supplementary Provisions, "until the Law providing for libraries is enacted and put into force separately" shall be amended as "for the time being."