GHQ/SCAP Records(RG 331)
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(3) Date : Aug. 1951 - Nov. 1951

(4) Subject :

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(5) Item description and comment :

(6) Reproduction : (Yes) No

(7) Film no. Sheet no.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

No.:

Maj Norris
26-6076

From: Govt Sec To: ESS Date: 27 November 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors.

2. Your prompt comment is requested.

1 Incl.
Bill for Partial Amend to
Law concerning Compensation
of Employees in Regular
Government Service #2

F. R.

GOVERNMENT SECTION
BUCK SLIP

11/27 1951

FROM: P&P

TO:		INITIAL	DATE
___	CHIEF	.....	.....
___	EX O	.....	.....
✓	Special Assistant Nat'l Affairs	.....	.....
___	Special Assistant, Local Affairs	.....	.....
___	Adm Div	.....	.....
___	Par & Pol Div	.....	.....
___	Public Adm Div	.....	.....
___	Chief Clerk	.....	.....
___	File	.....	.....
___	.....	.....	.....
___	.....	.....	.....
___	.....	.....	.....

FOR:

27 Nov 1951
no objection if ESS

___ INFORMATION has no objection
___ NECESSARY ACTION
___ ACTION (Prepare Reply) Elsa Piper may concur
___ APPROVAL
___ INITIAL
✓ COMMENT OR CONCUR
___ RETAIN
___ RETURN
___ FILE
___ BURN

ESS

HOUSE OF COUNCILLORS
Sat. Nov. 24th, 1951

For Clearance

Maj. Norris

Here is submitted Bill for Partial Amendment to to the Law concerning Compensation of Employees in the Regular Government Service proposed by Mr. G. Kinoshita. There is also a Bill of the same name s submitted by the government and we wish to distinguish them by naming the latter (the government's) No. 1 and the former (Mr. Kinoshita's) No. 2.

HOUSE OF COUNCILLORS

Sat. 24th Nov., 1951

Bill for partial Amendment to the Law concerning Compensation of Employees in the Regular Government Service

I hereby certify that the above-mentioned bill does not violate any directive issued by the Supreme Commander for the Allied powers, the Constitution and any laws of Japan.

signed

Okuno Kenichi

Director, Legislative Bureau,
House of Councillors

Note: Budgetary measures are necessary.
In addition to the appropriations in the Supplementary or Revised Budget, the following is necessiated.

1. Expenditures necessary for revision of base pay.
¥16,869,000,000
2. One month Special Allowance Increase.
¥ 7,100,000,000
3. Increased expenditures for addition of areas entitled to area allowances.
¥ 2,170,000,000

Total ¥26,100,000,000

cc: ESS
GS/WM

Rec'd 11/27/51

House of Councillors

Sat, Nov. 24, 1951.

Bill for Partial Amendment to the Law concerning Compensation of Employees in the Regular Government Service. #2

Proposer: KINOSHITA, Gengo (S.P)
YOSHIDA, Hōsei (S.P)
MORISAKI, Takashi (S.P)

Part of the Law concerning Compensation of Employees in the Regular Government Service (Law No. 95, 1950) shall be amended as follows:

Article 1, Paragraph I shall be amended to read as follows:

The object of this law is to provide for matters concerning the compensation and work hours of ~~government~~ employees in the regular service as defined in Article 2 of the National Public Service Law (Law No. 120, 1947: hereinafter referred to as "employees") in accordance with the ~~recommendation~~ purport of the National Personnel Authority which was submitted to the Diet and the Cabinet on August 20, 1951, except as otherwise provided by law.

The words "holiday pay and night allowance" in Article 5, Paragraph 1 shall be deleted and substituted therefor by the words "holiday pay, night allowance, special allowance and incentive allowance."

In Article 6 Paragraph 2 item (2), "Salary schedule for seamen (Appendix 4)"

shall be amended as "Salary schedule for seamen (Appendix 4)" / Salary schedule for employees in the service of government enterprises (Appendix 5)"

and the following one paragraph shall be added next to the same Article.

5 The salary schedule for employees in the service of government enterprises shall be applicable to employees enumerated in the following items (except guards, office boys, janitors, employees engaged in sundry jobs and persons designated by rules of the National personnel Authority).

(1) Employees who work in the plant of the Mint Agency.

(2) Employees who work in the plant of the printing Agency.

(3) Employees who work in the plant

belonging to the Regional Forestry Offices of the Forestry Agency and in the District Forestry Offices.

(4) Employees who work in the alcohol plant of the Ministry of International Trade and Industry.

(5) Employees who work in the Local Savings Branch Offices and the Local Post Office Life Insurance Office of the Ministry of the Postal Services ~~as well as~~ in all Post Offices.

(6) Employees working in Construction and Installation Divisions of Local Telecommunications Bureaus or such sections of Local Telecommunications Divisions as handling the business relating to construction works, Local Telecommunications Districts, Local Telephone or Telegraph Offices and branch offices of the Supply Division of the Plant Bureau of the Ministry of Telecommunication.

(7) Those who are designated by the reules of the National Personnel Authority who are engaging in the business similar to the business of the employees listed in each preceding item.

The words "three hundred (300) yen" and "six hundred (600) yen" in Article 8, Paragraph 4 shall be deleted and substituted therefor by the words "four hundred (400) yen" and "one thousand (1,000) yen" respectively, and the words "Appendix 1 of the Supplementary Provisions of the Law for Partial Amendment to the Law concerning Compensation of Employees in the Regular Government Service (Law No. 299,1950)" in Paragraph 6 of the same article shall also be deleted and substituted therefor by the words "Appendix 2 of the Supplementary Provisions of the Law for Partial Amendment to the Law concerning Compensation of Employees in the Regular Government Service (Law No. ,1951)".

Article 12 shall be amended to read as follows:

"(Area Allowance)"

"Article 12. Area allowance shall be issued to employees of the government agencies located in the areas as prescribed in the Table for Classification of Areas eligible for Area Allowance (Appendix 6) or in such areas as may be classified for area allowance under the provision of Paragraph 4.

2. The monthly amount of area allowance shall be the sum total of the monthly amount of base pay and the monthly amount of family allowance (if any) multiplied by the fixed rate as shown below applicable to each area where the government agency concerned is located according to the class of such area:

(1) Class 1 Area: $\frac{5}{100}$

(2) Class 2 Area: $\frac{10}{100}$

(3) Class 3 Area: $\frac{15}{100}$

(4) Class 4 Area: $\frac{20}{100}$

(5) Class 5 Area: $\frac{25}{100}$

3. The designation of areas, etc. as used in the Table for Classification of Areas eligible for Area Allowance, except as otherwise defined in the same table, shall be taken for granted as to denote the names on April 1, 1951 of areas which involved on that date such districts or positions as prescribed under the names of areas as stipulated in the same table, and shall not be affected by any subsequent change in the designation of areas

or in the names of districts or positions involved therein.

4. Notwithstanding the provisions of the Table Classification of eligible for for Area Allowance as referred to in Paragraph 1, the National Personnel Authority, if it deems it necessary, may ~~take~~ make a separate provision to establish an independent area for the issue of area allowance payable to employees in the service of any particular government agency within the limit of the budget and with due consideration to the adequate balance with the classification of adjacent areas.

The words "Article 19-2" and the words "holiday pay and night allowance" in the same article shall be deleted and substituted therefor by the words "Article 19-4" and the words "holiday pay, night allowance, special allowance and incentive allowance" respectively; and the following two articles shall be added after Article 19.

(Special Allowance)

Article 19-2. Employees shall be issued special allowance on June 15 and December 15 each year (when such days fall on Sunday, the preceding day).

2. The amount of Special allowance to be

issued in June shall be the total amount of the monthly base pay, family allowance (if any) and area allowance each employee is entitled to receive on the date of issue of the special allowance multiplied by the fixed rate as shown below applicable to each employee according to the length of his service:

(1) In the case of employees in the service less than six months - ten percent

(2) In the case of employees in the service more than six months - twenty percent

3. The amount of the special allowance to be paid in December shall be the total amount of monthly base pay, family allowance (if any) and area allowance each employee is entitled to receive on the date of issue of the special allowance multiplied by the fixed rate as shown below applicable to each employee according to the length of his service, ~~plus such sum as may be determined by the head of the employing agency in the light of the work performance of the employee concerned within the limit of the amount twice as much as the amount~~ obtained through the above-mentioned process:

(1) In the case of employees in the service less than six months - ~~twenty~~ ninety five percent

(2) In the case of employees in the service more than six months - ~~fifty~~ hundred and eight percent

~~4. The total amount of the special allowance to be issued by each government agency under the provision of the preceding paragraph shall not exceed 30 percent of the total amount of the monthly base pay, family allowance and area allowance that the whole staff of the agency concerned is entitled to receive on the date of issue of the special allowance.~~

(Incentive Allowance)

Article 19~~43~~ Whenever an employee within the purview of the salary schedule for employees in the services of government enterprises or a similar employee as provided for in the rule of the National Personnel Authority has demonstrated merits in performance beyond the estableshed standard for work performance, an incentive allowance shall be issued, within the limit of the budget, according to the demonstrated merits.

2. The standard for work performance referred

to in the preceding paragraph shall be established with due consideration to the normal workload based on the ordinary ability of employees in performing their duties.

3. The standard for work performance referred to in Paragraph 1, the amount of the incentive allowance, the date of payment and the period of computation thereof shall be determined by the head of each government agency on consultation with the National Personnel Authority.

In Paragraph 1 of Article 22, the words "1,850 yen" shall be deleted and substituted therefor by the words "two thousand eight hundred (2,800) yen".

Article 23 shall be amended to read as follows:

"(Compensation of Employees on Temporary Retirement)

Article 23. Employees placed on temporary retirement under the provision of Article 79, Item (1) of the National Public Service Law on account of service-connected injuries or illness shall be paid in full so long as they are on temporary retirement.

2. In the case of Employees placed on temporary retirement under the provision of Item (1)

Article 79 of the National Public Service Law on account of tubercular diseases, they shall be paid in full until the period of temporary retirement will have been extended over a period of full two years: Provided, That the head of each government agency may, if he deems it necessary, pay them in full or in part, within the limit of the budget, for a period in excess of full two years until the period of temporary retirement will have been extended over a period of full three years.

3. In the case of employees placed on temporary retirement under the provision of Item (1), Article 79 of the National Public Service Law on account of physical or mental disability other than those referred to in the preceding two paragraph, they shall be paid in full until the priod of temporary retirement will have been extended over a period of one year.

4. In the case of employee placed on temporary retirement under the provision of Item (2), Article 79 of the National Public Service Law, compensation equivalent to the amount of not more than sixty percent of monthly base pay plus family allowance in full (if any) and the area allowance

computed thereon shall be paid so long as they are on the temporary retirement.

5. In the case of employees placed on temporary retirement under the provisions of the rule of the National Personnel Authority established in accordance with Article 79 of the National Public Service Law, the head of each government agency may provide, with the approval of the National Personnel Authrity and within the limit of the budget, such employees with the compensation equivalent to the amount of not more than sixty percent of monthly base pay plus family allowance (if any) in full and area allowance computed thereon so long as they are on the temporary retirement.

Appendix 1 through 4 shall be amended as follows and Appendixes 5 and 6 shall be added after Appendix 4.

Appendix I

General Salary Schedule

Pay Grade \ Pay Step	Monthly Amount of Base Pay										
	1	2	3	4	5	6	7	8	9	10	11
1	¥ 3,700	¥ 3,750	¥ 3,900	¥ 4,050	¥ 4,200	¥ 4,350					
2	3,900	4,050	4,200	4,350	4,500	4,650	¥ 4,800				
3	4,500	4,650	4,800	4,950	5,100	5,300	5,500				
4	5,100	5,300	5,500	5,700	5,900	6,100	6,300				
5	5,900	6,100	6,300	6,500	6,700	6,900	7,100	¥ 7,350	¥ 7,600	¥ 7,850	
6	7,350	7,600	7,850	8,100	8,350	8,600	8,900	9,200	9,500	9,800	¥10,100
7	8,900	9,200	9,500	9,800	10,100	10,500	10,900	11,300	11,700	12,100	
8	10,500	10,900	11,300	11,700	12,100	12,550	13,000	13,450	13,900	14,350	
9	12,550	13,000	13,450	13,900	14,350	14,800	15,350	15,900	16,450	17,000	
10	15,350	15,900	16,450	17,000	17,550	18,100	18,800	19,500			
11	18,800	19,500	20,200	20,900	21,600	22,300					
12	22,300	23,200	24,100	25,000	25,900	26,800					
13	26,800	27,800	28,800	29,800	30,800	32,000					
14	32,000	33,200	34,400	35,600	36,800	38,000					
15	42,500	47,000	51,500	56,000							

Apendix II

Salary Schedule for Tax Collectors and Economic Investigators

Pay Step / Pay Grade	Monthly Amount of Base Pay													
	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	¥ 4,500	¥ 4,650	¥ 4,800	¥ 4,950	¥ 5,100	¥ 5,300	¥ 5,500	¥ 5,700	¥ 5,900					
2	5,300	5,500	5,700	5,900	6,100	6,300	6,500	6,700	6,900	¥ 7,100	¥ 7,350	¥ 7,600	¥ 7,850	¥ 8,100
3	6,500	6,700	6,900	7,100	7,350	7,600	7,850	8,100	8,350	8,600				
4	8,350	8,600	8,900	9,200	9,500	9,800	10,100	10,500	10,900	11,300	11,700	12,100		
5	10,100	10,500	10,900	11,300	11,700	12,100	12,550	13,000	13,450	13,900	14,350	14,800		
6	12,100	12,550	13,000	13,450	13,900	14,350	14,800	15,350	15,900	16,450	17,000			
7	14,350	14,800	15,350	15,900	16,450	17,000	17,550	18,100						
8	17,550	18,100	18,800	19,500	20,200	20,900	21,600							
9	19,500	20,200	20,900	21,600	22,300	23,200								

Appendix III

Salary Schedule for Police, Maritime Safety Agency Personnel, and Correction and Rehabilitation Personnel

Pay Step / Pay Grade	Monthly Amount of Base Pay												
	1	2	3	4	5	6	7	8	9	10	11	12	13
1	¥ 5,700	¥ 5,900	¥ 6,100	¥ 6,300	¥ 6,500	¥ 6,700	¥ 6,900	¥ 7,100	¥ 7,350	¥ 7,600	¥ 7,850		
2	6,900	7,100	7,350	7,600	7,850	8,100	8,350	8,600	8,900	9,200	9,500		
3	8,350	8,600	8,900	9,200	9,500	9,800	10,100	10,500	10,900	11,300			
4	9,800	10,100	10,500	10,900	11,300	11,700	12,100	12,550	13,000	13,450	13,900	¥14,350	¥14,800
5	12,100	12,550	13,000	13,450	13,900	14,350	14,800	15,350	15,900	16,450	17,000		
6	14,350	14,800	15,350	15,900	16,450	17,000	17,550	18,100					
7	17,550	18,100	18,800	19,500	20,200	20,900	21,600						
8	18,800	19,500	20,200	20,900	21,600	22,300	23,200						

Appendix IV

Salary Schedule for Seamen

Pay Grade \ Pay Step	Monthly Amount of Base Pay										
	1	2	3	4	5	6	7	8	9	10	11
1	¥ 4,050	¥ 4,200	¥ 4,350	¥ 4,500	¥ 4,650						
2	4,350	4,500	4,650	4,800	4,950	¥ 5,100	¥ 5,300				
3	4,950	5,100	5,300	5,500	5,700	5,900	6,100	¥ 6,300	¥ 6,500		
4	5,900	6,100	6,300	6,500	6,700	6,900	7,100	7,350	7,600	¥ 7,850	¥ 8,100
5	7,100	7,350	7,600	7,850	8,100	8,350	8,600	8,900			
6	8,600	8,900	9,200	9,500	9,800	10,100	10,500	10,900			
7	10,100	10,500	10,900	11,300	11,700	12,100	12,550	13,000			
8	12,100	12,550	13,000	13,450	13,900	14,350	14,800				
9	15,350	15,900	16,450	17,000	17,550	18,100					
10	17,550	18,100	18,800	19,500	20,200	20,900					
11	20,900	21,600	22,300	23,200	24,100	25,000					
12	25,000	25,900	26,800	27,800	28,800	29,800					

Appendix V

Salary Schedule for Employees in the Services of Government Enterprises

Pay Grade \ Pay Step	1	2	3	4	5	6	7	8	9	10	11	12	13	14
	Monthly Amount of Base Pay													
1	¥3,900	¥4,050	¥4,200	¥4,350	¥4,500	¥4,650	¥4,800							
2	4,500	4,650	4,800	4,950	5,100	5,300	5,500	¥5,700	¥5,900					
3	5,100	5,300	5,500	5,700	5,900	6,100	6,300	6,500	6,700	¥6,900	¥7,100			
4	5,900	6,100	6,300	6,500	6,700	6,900	7,100	7,350	7,600	7,850	8,100	¥ 8,350	¥ 8,600	¥8,900
5	7,350	7,600	7,850	8,100	8,350	8,600	8,900	9,200	9,500	9,800	10,100	10,500	10,900	11,300
6	8,900	9,200	9,500	9,800	10,100	10,500	10,900	11,300	11,700	12,100	12,550	13,000	13,450	
7	10,500	10,900	11,300	11,700	12,100	12,550	13,000	13,450	13,900	14,350	14,800	15,350	15,900	
8	12,550	13,000	13,450	13,900	14,350	14,800	15,350	15,900	16,450	17,000	17,550	18,100		
9	15,350	15,900	16,450	17,000	17,550	18,100	18,800	19,500	20,200	20,900				

Supplementary Provisions

1. The present law shall come into force as from the day of its promulgation, and the provisions concerning base pay, area allowance and compensation of part-time employees shall be applied retroactively as from August 1, 1951. Provisions concerning incentive allowance shall be applied from the date as may be prescribed by the cabinet order.

2. Employees within the purview of the salary schedule for employees in the services of the government enterprises shall be entitled, as from August 1, 1951 (hereinafter to be referred to as "the day of conversion"), to a pay grade of the salary schedule for employees in the services of government enterprises as prescribed in Appendix 1 of the Supplementary Provisions of this law which is comparable to the pay grade of the general salary schedule to which the employee concerned was entitled on the day ~~preceding the day~~ of conversion, and shall be given a pay step of the salary schedule for employees in the services of the government enterprises correspondent to the monthly amount of new base pay as prescribed in the

Appendix 2 of the Supplementary Provisions of this law which is comparable to the monthly amount of base pay to which he was entitled on the day preceding the day of conversion.

3. In the case of employees other than those referred to in the preceding paragraph, a pay grade to which the employee concerned was entitled on the day ~~preceding the day~~ of conversion shall be taken for granted as his pay grade on the day of conversion and they shall be given a pay step of the salary schedule concerned correspondent to the monthly amount of new base pay as prescribed in the Appendix 2 of the Supplementary Provisions of this law which is comparable to the monthly amount of base pay to which the employee concerned was entitled on the day ~~preceding to the day~~ of conversion.

4. In cases where there is no such amount of new base pay as may be comparable to the monthly amount of new base pay as determined under the provisions of the preceding two paragraphs within the range of base pay applicable to an employee with a particular pay grade of

the salary schedule concerned, the amount of new base pay so determined shall be regarded as the monthly amount of new base pay to which the employee should have been entitled on the day of conversion.

5. Any decision pertaining to base pay which has been already made after the day of conversion under the provisions of the old law concerning Compensation of Employees in the Regular Government Service shall be deemed ~~that it has been~~ to have been made under the provisions of the same law after its revision, except in cases where it is necessary to revise pay grades, names of pay steps or monthly amount of base pay in consequence of this revision.

6. Any compensation already is
day of conversion in accordance with
concerning Compensation of Employees
Service and the provision of the para
provisions of the old Law for Partial
ning Compensation of Employees in the
(Law No. 299 of 1950) shall be regard
compensation payable under the provis
Compensation of Employees in the Regu
amended.

7. The Law concerning the paym
the National Public Sertice (Law No.
to employees within

the salary schedule concerned, the amount of new base pay so determined shall be regarded as the monthly amount of new base pay to which the employee should have been entitled on the day of conversion.

5. Any decision pertaining to base pay which has been already made after the day of conversion under the provisions of the old law concerning Compensation of Employees in the Regular Government Service shall be deemed ~~that it has been~~ *to have been* made under the provisions of the same law after its revision, except in cases where it is necessary to revise pay grades, names of pay steps or monthly amount of base pay in consequence of this revision.

6. Any compensation already issued to employees after the day of conversion in accordance with the provisions of the old Law concerning Compensation of Employees in the Regular Government Service and the provision of the paragraph 10 of the Supplementary provisions of the old Law for Partial Amendment to the Law concerning Compensation of Employees in the Regular Government Service (Law No. 299 of 1950) shall be regarded as part payment of the compensation payable under the provisions of the law concerning Compensation of Employees in the Regular Government Service as amended.

7. The Law concerning the payment of Year-end Allowance to the National Public Service (Law No. 266 of 1950) shall not apply to employees within

the purview of the provisions of Article 19-(2).

8. Part of the Law for Partial Amendment of the Law concerning Compensation of Employees in the Regular Government Service (Law No. 299, 1950) shall be amended as follows:

Paragraph 10 of the Supplementary Provisions shall be deleted; Paragraph 11 shall be altered to Paragraph 10 and the consecutive numbers of the subsequent paragraphs shall be shifted up by one.

Appendix I of the Supplementary Provisions

Grade of General Salary Schedule	Grade of Salary Schedule for Employees in the Services of Government Enterprises
Grade 2	Grade 1
3	2
4	3
5	4
6	5
7	6
8	7
9	8
10	9

Appendix II of the Supplementary Provisions

Table showing Comparison of the New and the Existing Base Pay

Pay Step	Monthly Amount of base pay as of the day preceding the day of the enforcement	New Monthly Amount of Base Pay	Pay Step	Monthly Amount of base pay as of the day preceding the day of the enforcement	New Monthly Amount of Base Pay	Pay Step	Monthly Amount of base pay as of the day preceding the day of the enforcement	New Monthly Amount of Base Pay
1	¥ 3,000	¥ 3,700	28	¥ 6,700	¥ 8,900	55	¥ 15,700	¥ 22,300
2	3,000	3,750	29	6,900	9,200	56	16,200	23,200
3	3,050	3,900	30	7,100	9,500	57	16,700	24,100
4	3,150	4,050	31	7,300	9,800	58	17,200	25,000
5	3,250	4,200	32	7,500	10,100	59	17,700	25,900
6	3,350	4,350	33	7,800	10,500	60	18,300	26,800
7	3,450	4,500	34	8,100	10,900	61	18,900	27,800
8	3,550	4,650	35	8,400	11,300	62	19,500	28,800
9	3,650	4,800	36	8,700	11,700	63	20,100	29,800
10	3,750	4,950	37	9,000	12,100	64	20,800	30,800
11	3,850	5,100	38	9,300	12,550	65	21,500	32,000
12	4,000	5,300	39	9,600	13,000	66	22,200	33,200
13	4,150	5,500	40	9,900	13,450	67	22,900	34,400
14	4,300	5,700	41	10,200	13,900	68	23,600	35,600
15	4,450	5,900	42	10,500	14,350	69	24,300	36,800
16	4,600	6,100	43	10,800	14,800	70	25,000	38,000
17	4,750	6,300	44	11,100	15,350	71	26,000	39,500
18	4,900	6,500	45	11,400	15,900	72	27,000	41,000
19	5,050	6,700	46	11,700	16,450	73	28,000	42,500
20	5,200	6,900	47	12,100	17,100	74	29,000	44,000
21	5,350	7,100	48	12,500	17,550	75	30,000	45,500
22	5,500	7,350	49	12,900	18,100	76	31,000	47,000
23	5,700	7,600	50	13,300	18,800	77	32,000	48,500
24	5,900	7,850	51	13,700	19,500	78	33,000	50,000
25	6,100	8,100	52	14,200	20,200	79	34,000	51,500
26	6,300	8,350	53	14,700	20,900	80	35,000	53,000
27	6,500	8,600	54	15,200	21,600	81	36,000	54,500
						82	37,000	56,000

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

No.: Maj Norris
26-6076

1. From: Govt Sec To: ESS Date: 16 November 1951

1. Immediate introduction of the attached draft amendment in the Diet is proposed by House of Representatives.

2. Your prompt comment is requested.

1 Incl
Proposed Amend to Bill
for Partial Amend to Law
concerning Undemobilized
Persons' Compensation, etc.

F. R.

A.R.DeAngelis, 26-6148

2 010(16 Nov 51)ESS/FIN WFM/WSR/JCG/ARD/zl

From: ESS To: Govt Sec Date: 24 NOV 1951

There is no objection to the immediate introduction of the attached draft amendment in the Diet.

1 Incl
n/c

for W. F. M.

AC

Undersecretary Perez

GOVERNMENT SECTION
BUCK SLIP

11/16 1951

FROM: P&P

TO:	INITIAL	DATE
___	CHIEF.....	....
___	EX O.....	.....
___	Special Assistant Nat'l Affairs.....	.....
___	Special Assistant Local Affairs.....	.....
___	Adm Div.....	.....
___	Par & Pol Div.....	.....
___	Public Adm Div.....	.....
___	Chief Clerk.....	.....
___	File.....	.....
___	.....	.....
___	.....	.....
___	.....	.....

FOR:

___ INFORMATION
___ NECESSARY ACTION
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ESS / Med

OK
Wendy.

House of Representatives

November 15, 1951.

Proposed Amendment to theBill for Partial Amendment to the Law concerning Undemobilized Persons' Compensation, etc.

(Presented by OKUMURA Matajuro and two others)

The Bill for Partial Amendment to the Law concerning Undemobilized Persons' Compensation, etc. shall be amended as follows:

In Article 1, the following shall be added before the part amending the provision of Article 8-(2):

In Article 8, paragraph 1, "two thousand two hundred (2,200) yen" shall be amended to read: "two thousand three hundred (2,300) yen".

In paragraph 1 of the Supplementary Provisions, "the provisions of the part related to the expense required for taking delivery of remains shall be applied to the case for which the cause of the granting has arisen on and after November 1 of 1951 and" shall be added next to "its promulgation, and"; and in paragraph 2 of the Supplementary Provisions, "The lump sum grant for physical handicap for which the cause for the granting arose prior to March 31 of 1951" shall be amended to read: "The expense required for taking delivery

CS: ESS GS/WM.

Cleared 11/20/51

Rec'd GS 11/16/51

of remains for which the cause for the granting arose prior to October 31 of 1951 or the lump sum grant for physical handicap for which the cause for the granting arose prior to March 31 of 1951".

November 15, 1951.

Title of the Bill: Proposed Amendment to the Bill for Partial Amendment to the Law concerning Undemobilized Persons' Compensation etc. (Proposed by OKUMURA Matajuro and 2 others).

I hereby certify that none of the provisions of the above-mentioned Bill is in violation of any Directive issued by the Supreme Commander for the Allied Powers and the Constitution of Japan, nor, except where so specified, conflicts with any other law.

Chief, Legislative Bureau,
House of Representatives.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Norris
26-6076

Note No. 1

From: Govt Sec To: ESS Date: 25 October 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Counsellors.

2. Your prompt comment is requested.

1 Incl
Bill for Partial Amend to Law Concerning Undemobilized Persons' Compensation etc.

F. R.

A. R. DeAngelis, 26-6148
WFM/EMR/JCS/AMB/alk
Date: 2 NOV 1951

From: ESS To: Govt Sec

2 There is no objection to the introduction in the Diet of the attached draft bill.

1 Incl
n/c

W. F. M.

GOVERNMENT SECTION
BUCK SLIP

10/25 1951

FROM: P+P

TO:	INITIAL	DATE
___	CHIEF.....	.....
___	EX O.....	.....
___	Special Assistant Nat'l Affairs.....	.....
___	Special Assistant Local Affairs.....	.....
___	Adm Div.....	.....
___	Par & Pol Div.....	.....
___	Public Adm Div.....	.....
___	Chief Clerk.....	.....
___	File.....	.....
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By- ESS

HOUSE OF COUNCILLORS

Wed. Oct. 24th, 1951

Bill for Partially Amending the Law concerning Undemobilized Persons' Compensation etc.

I hereby certify that the above-mentioned bill does not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

Okuno Kenichi

OKUNO Kenibhi
Director of the Legislative
Bureau, House of Councillors

Note: In accordance with the above amendment, a new budgetary measure is not necessary. (For the effectuation of this Law ¥97,000,000 is newly required, but no repatriates being expected for this fiscal year, it can be afforded within the current Budget.)

cc: ESS
GS/WM.

Rec'd GS 10/25/51

HOUSE OF COUNCILLORS

Wed., Oct. 24, 1951.

Bill for Partial ~~Ly Amending~~ Amendment to the Law Concerning Undemobilized Persons' Compensation etc.

Proposer: NAGASHIMA Ginzo (L) and all other members of the Special Committee for Repatriation Japanese Nationals Abroad.

Article 1. Law concerning Undemobilized Persons' Compensation (Law No. 182 of 1947) shall be partially amended as follows:

In Article 8-(2), Paragraph 2, "preceding Paragraph" shall be amended to "preceding two Paragraphs"; in Paragraph 3 of the same Article, "Paragraph 1" shall be amended to "Paragraph 1 and Paragraph 2,"; and the following one Paragraph shall be added next to Paragraph 1 of the same Article.

The Minister of Welfare in case he recognizes that any person who has received the medical care under the provision of the preceding Paragraph requires continued medical care at the lapse of the term under the same Paragraph, may give him necessary medical care during the period of another three years even after the lapse of the said term.

The following three Articles shall be added next to Article 8-(10).

Article 8-(11). The Minister of Welfare or the Governor of To, Do, Fu or prefecture, if he recognizes it necessary concerning the granting of medical care etc., may make any person who desires to receive medical care etc. or other persons concerned submit necessary reports.

~~Article 8-(12)~~

Article 8-(12). The Minister of Welfare or the Governor of To, Do, Fu or prefecture, if he recognizes it necessary concerning the granting of medical care etc., may make his officials enter a hospital or a clinic related to the granting of medical care etc., and examine the record of medical examination and other books and papers or question any one who desires to receive medical care etc. or other persons concerned.

The officials who enter, examine or make question under the preceding Paragraph shall carry his identification certificate with him and show it on demand of the persons concerned.

The powers under Paragraph 1 shall not be interpreted as have been recognized for the purpose of criminal investigation.

Article 8-(13). Any person who comes under any of the following items shall be liable to a non-penal fine not exceeding 10,000 yen.

(1) Any person who has not made the report under the provision of Article 8-(11) or who has made false report.

(2) Any person who has rejected, obstructed or evaded entry and examination, or has not answered the questien or made false statement, under the provision of Paragraph 1 of the preceding Article.

In the column of amount of money in the Annexed Table No.1:

A - ¥ 19,000	A - ¥ 38,000
A - 17,000	A - 34,000
A - 15,000	A - 30,000
A - 13,500	A - 27,000
A - 12,000	A - 24,000
A - 10,500	A - 21,000
A - 9,000	A - 18,000

A - ¥	7,500		A - ¥ 15,000
A -	6,000		A - 12,000
A -	4,800		A - 9,600
A -	3,600		A - 7,200
A -	2,400	shall be amended to	A - 4,800
A -	1,600		A - 3,200
A -	800		A - 1,600

Article 2. Law amending a Part of the Law concerning Undemobilized Persons' Compensation (Law No.277 of 1948) shall be partially amended as follows:

In Paragraph 2, Article 2 of Supplementary Provisions, "Article 8-(2), Paragraphs 2 and 3 and" shall be amended to "Article 8-(2), Paragraphs 2 to 4 inclusive and".

In Article 4 of Supplementary Provisions, "three years" shall be amended to "three years (with respect to any one who receives medical care under the provision of Article 8-(2), Paragraph 2 applied mutatis mutandis in Article 2, Paragraph 2, the term during which he is entitled to receive medical care.)"

Supplementary Provisions:

1. This Law shall be enforced as from the day of its promulgation, and the provisions of the part related to the lump sum grant for physical handicap shall be applied to the case for which the cause of the granting has arisen after April 1 of 1951.

2. The lump sum grant for physical handicap for which the cause for the granting arose prior to March 31 of 1951 but ~~was~~ is not granted at the time of enforcement of this Law shall still be granted in accordance with the former provision.

~~REASON~~

REASON :

It is necessary to give continued medical care, to increase the lump sum grant for physical handicap or to take measures necessary therefor in view of the actual situation of a great many patients who will not be entitled to receive medical care after December 28 of 1951 as there is the limit of three years on the granting of the medical care under the Law concerning Undemobilized Persons' Compensation.

This is the reason why this bill is presented.

****

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

File No.: Maj Norris 26-6076

Note No. 1

From: Govt Sec To: ESS Date: 13 November 1951

1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors.

2. Your prompt comment is requested.

1 Incl
Bill for Partial Amends to
Cultural Properties Protection
Law - Revised pages

F. R.

J. C. Gotschall, 26-6142
WPM/EMR/JCG/sh
From: ESS To: Govt Sec Date: 29 NOV 1951

2. There is no objection to immediate introduction of attached draft bill in the Diet.

2 Incls
1. Bill for Partial Amends to
Cultural Properties Protection Law - Revised pages
Added 1 Incl
2. Bill for Partial Amends to
Cultural Properties Protection Law

W. F. M.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

File No.:

Maj Norris
26-6076

Note No.	From: Govt Sec	To: CI&E	Date: 13 November 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Cultural Properties Protection Law - Revised Pages		

F. R.

HC

Ad Prop removed pages

From: CIE To: Govt Sec

W. Nichols 57-8313
15 November 1951

2 No objection is offered to the immediate introduction of the attached draft bill in the Diet as proposed by the House of Councillors.

1 Incl
n/c

- D. R. N. - - - - - - - - - - - -

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

HC

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

File No.:

Note No.	From: Govt Sec	To: ESS	Date: 10 November 1951
			Maj Norris 26-6076
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Cultural Properties Protection Law		

F. R.

FEC AGO Form No 37a
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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

File No.:

Maj Norris
26-6076

Note No.	From: Govt Sec To: CI&E Date: 10 November 1951
1	1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amends to Cultural Properties Protection Law

F. R.

Cultural Properties

W. Nichols 57-8313
14 November 1951

From: CIE To: Govt Sec

2 No objection is offered to the immediate introduction of the attached draft bill in the Diet as proposed by the House of Councillors.

1 Incl
n/c

- D. R. N. - - - - - - - - - - - - - -

HC Cultural Properties
Protection Law

GOVERNMENT SECTION
BUCK SLIP

11/10 1951

FROM: P&P
TO:

		INITIAL	DATE
___	CHIEF		
___	EX O		
✓	Special Assistant Nat'l Affairs		
___	Special Assistant, Local Affairs		
___	Adm Div		
___	Par & Pol Div		
___	Public Adm Div		
___	Chief Clerk		
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no objection
GS exempt.

CIE, ESS

HOUSE OF COUNCILLORS
Fri. Nov. 9th, 1951

Title

Bill for Partial Amendments to the
Cultural Properties Protection Law

I hereby certify that the above-mentioned bill does not violate any directive issued by the Supreme Commder for the Allied Powers, the Constitution and any laws of Japan.

Kenichi Okuno

Kenichi Okuno

Director, Legislative Bureau,
House of Councillors

Note: The items requiring budgetary measure concern the cases concerning the establishments of the Kyoto National Museum and the Nara Cultural Properties Reserch Institute. With respect to these, 1,138,000 yen as the expenses needed for the business preparation for the two institutions has been already appropriated in the item of Cultural Properties Protection Commission, Section of Ministry of Education, Part of Administrative Expenses in the Supplementary Budget of 1951 fiscal year submitted before this session of the Diet on the understanding that the budget necessary for the said establishments shall be appropriated in the Budget of 1952 fiscal Year.

(Moreover, it is scheduled that the provisions of Art. 22 and Art. 23 concerning the establishment of the aforestated institutions shall be enforced as from April 1, 1952.)

HORIKOSHI, Giro (GB)

KANO, Kinsuke (L)

KIUCHI, Kyo (D)

TAKADA, Naoko (SD)

WAKAGI, Katsuzo (SD)

ONO, Koichi (SD)

DOMORI, Yoshio (SD)

KAWAMURA, Matsusuke (L)

KIMURA, Morie (L)

KUDO, Tetsuo (L)

HIRAOKA, Ichizo (L)

ARAKI, Shózaburo (SD)

WADA, Hiroo (SD)

UMEHARA, Shinryu (GB)

KORA, Tomi (GB)

TAKAHASHI, Michio (GB)

YAMAMOTO, Yuzo (GB)

KOMAI, Tohei (D)

YAJIMA, Miyoshi (1C)

IWAMA, Masao (Com)

House of Councillors
Nov. 9th, 1951

The Bill for Partial Amendments to the Cultural Properties Protection Law

Proposer;

The Cultural Properties Protection Law (Law No.214, 1950) shall be partially amended as follows:

In Art.17, item (17) shall read as item (18), and the following one item shall be added next to item (16);

(17) Popularization of the knowledge and thoroughness of understanding concerning cultural properties;

Following one item shall be added to Art.18:

(18) Commission of investigation and research concerning cultural properties;

In Art.20, "the National Museum, and the Research Institute" shall be amended to" national museums, and cultural properties research institutes.".

In Art.22 par.1, "The National Museum" shall be amended to "A national museum".

Art.22 par.2 and par.3 shall be amended as follows;

2. The name and location of national museums shall be as follows:

name	location
The Tokyo National Museum	Tokyo-to
The Kyoto National Museum	Kyoto-city

3. A branch of the Tokyo National Museum shall be located in Nara-city.

In par.4 of the same Article, "the National Museum" shall be amended to "a national museum and its branch.".

In Art.23

CS: CIE
ESS
GS/WM

Recd GS
11/16/51

In the title as well as in par.1 and par.3 of Art.23, "The Reserch Institute" shall be amended to "a cultural properties research institute", and par.2 of the same Article shall be amended as follows;

2. The name and location of cultural properties research institutes shall be as follows:

name	location
The Tokyo Cultural Properties Research Institute	Tokyo-to
The Nara Cultural Properties Research Institute	Nara-city

In par.4 of the same Article, "the Research Institute" shall be amended to "a cultural properties research institute and its branch".

In the main text of Art.34, "has been changed" shall be amended to "is going to be changed", and "within twenty days" shall be amended to "more than twenty days in advance of the day when the location is going to be changed", and the proviso of the same Article shall be amended as follows:

Provided that in the case provided for by the Regulations of the Commission, the report may not be needed or attachment of the designation certificate at the report may not be needed or the report after the change in the location in accordance with the Regulations of the Commission may be enough.

In Art.42, par.1, "excluding the sum collected under Art.40 par.2" shall be amended to "with respect to the share in the expenses under the provision of Art.40 par.1 meaning the sum minus the collected sum from the owner under Art.40 par.2; hereinafter the same in this Article", and par.5 of the same Article shall be amended as follows:

5. In case the person who reimburses is heir, legatee or donee, the amount corresponding to the sum obtained by multiplying the quotient, which is acquired by dividing the sum corresponding to the balance between the amount of estate tax under item (1) and the amount under item (2) by the number of years under item (3), by the number of years under item (4), shall be deducted from the sum to be reimbursed by him.

(1) The amount of the estate tax paid by the time when the said person assigned the important cultural property concerned.

(2) The amount corresponding to the amount of the estate tax ~~in case the amount is~~ acquired by computing as a tax price the amount obtained by deducting the sum totaling the amounts of subsidies or shares under par. 1 concerning the repair etc. conducted by the time of the inheritance, legacy or donation concerned with respect to the important cultural property concerned or part thereof, which was counted in the tax price of the amount of the estate tax under the preceding item from the said tax price concerned.

(3) The number of years (omitting the period less than a year) obtained by deducting from the number of durable years, fixed by the Commission concerning the important cultural property concerned or part thereof in accordance with the provision of par. 2, the number of years computing from the time of performance of repair etc. of the important cultural property concerned or part thereof till the time of inheritance, legacy or donation.

(4) The number of remaining durable years with respect to the important cultural property concerned or part thereof under par. 2.

Par. 6 of the same Article shall be read as par. 7, and the following one paragraph shall be added next to par. 5 of the same Article.

6. With respect to the amount of subsidy or share under par. 1 listed in item (2) of the preceding paragraph, provision of par. 2 in the same par. shall be applied mutatis mutandis. In this case, "assignment" shall be read as "inheritance, legacy or donation".

In Art. 46, par. 2, "twenty days" shall be amended to "thirty days".

In Art. 75, "the same Article." shall be amended to "the same Article; the provision of Art. 56 par. 1 shall apply mutatis mutandis to the owners mentioned in par. 1 of the preceding Article.".

In Art. 86 "public welfare property" shall be amended to "public welfare property under Art. 3 par. 2 item (2) of the same Law".

In the main text of Art. 87 par. 1 "such property shall come" shall be amended to "such property shall come as a public welfare property", and Proviso of the same paragraph shall be amended as follows:

Provided that if the said property is a different administrative property under Art. 3 par. 2 of the same Law, or a forest or a field under the National Forests Law (Law No. 246, 1951), or in case it is specially needed for the said property to be treated as a common property under Art. 3 par. 3 of the State Property Law in application of other laws, the question whether the said property shall be as such under the control of the head of the Ministry or Board concerned ("head" meaning the head of a Ministry or a Board referred to in Art. 4 par. 2 of the same Law; hereinafter the same.), or as a public welfare property under the control of the Minister of Education, shall be fixed by the consultation among the Minister of Education, the head of the Ministry or Board concerned and the Minister of Finance.

In Art. 99, Par 1, item (2), "(including the cases where the said Article applied mutatis mutandis in Art. 80, par. 2)" shall be amended to "or Art. 80".

Following one paragraph shall be added to Art. 103.

4. The report, the offer or the return of the designation certificate to the Commission under this Law shall be deemed to have been completed at the time when the reports and other documents or the designation certificate has arrived at the To, Do, Fu or Prefectural Board of Education through which it shall go under par. 1.

Following two Articles shall be added next to Art. 104.

HOUSE OF COUNCILLORS
Mon. Nov. 12th, 1951

These are to replace the last two pages of Bill for Partial Amendments to the Cultural erties Protection Law, submitted Nov. 9th,

(Presentation of Opinion to the Commission)

Art. 104-2. The To, Do, Fu or Prefectural Board of Education may, concerning the preservation and utilization of cultural properties which exist in the area of the To, Do, Fu or prefecture concerned, present their opinion to the Commission.

(Cultural Property Specialist Commissioner of Board of Education)

Art. 104-3 The To, Do, Fu or Prefectural Board of Education may have the Cultural Property Specialist Commissioner.

2. The Cultural Property Specialist Commissioner shall answer the inquiry of the To, Do, Fu or Prefectural Board of Education concerning the preservation and utilization of cultural properties or present his opinion concerning these matters to the To, Do, Fu or Prefectural Board of Education and investigate and research the necessary matters therefor.

3. The necessary matters concerning the Cultural Property Specialist Commissioner shall be provided for by the regulations of the To, Do, Fu or Prefecture concerned.

4. In regard to drafting and presentation of a bill concerning the regulations of the To, Do, Fu or prefecture under the preceding paragraph, procedures concerning the matters as provided for in Art. 61 of the Board of Education Law (Law No. 170 of 1948) shall apply.

In Art. 124 par. 2 "The Research Institute" shall be amended to "The Tokyo Cultural Properties Research Institute".

Supplementary Provisions:

1. This Law shall be enforced from the day of its promulgation. Provided that the amending provisions of Art. 20, Art. 22, Art. 23, and Art. 124 par. 2 and the provision of par. 3 of the Supplementary Provisions shall be enforced from April 1, 1952.

2. With respect to the application of penal provisions for any act made before the enforcement of this Law, the provisions of Art. 34 of the Cultural Properties Protection Law prior to this amendment shall still remain in force.

3. The Law for the Special Regulations concerning Educational Public Service (Law No.1, 1949) shall be partially amended as follows:

In Art. 22 "the National Museum and the Research Institute" shall be amended to "national museums and cultural properties research institutes".

4. The Building Standard Law (Law No.201 of 1950) shall be partially amended as follows:

Art. 3 par.1 shall be amended as follows:

The provisions of this Law, and of orders and by-laws based on this Law shall not apply to the cases of construction, repairing or remodeling of the building designated or provisionally designated as national treasure, important cultural property, special historic site, place of scenic beauty and natural monument or historic site, place of scenic beauty and natural monument in accordance with the provisions of the Cultural Properties Protection Law (Law No.214 of 1950) or recognized as important object of art etc. in accordance with the provision of the former Law concerning Preservation of Important Objects of Art etc. (Law No.43 of 1933).

Reason

It is necessary to establish newly the Kyoto National Museum and the Nara Cultural Properties Research Institute and to make some adjustments needed with respect to the provisions considering the situation of the enforcement of the Cultural Properties Protection Law, as well as amending thereafter the fact report system concerning the change of location of national treasure and other important cultural property to the previous report system. This is the reason why this Bill is submitted.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

C H E C K S H E E T

(Do not remove from attached sheet)

Subject: Draft Legislation

Maj Morris

Note No.	
1	From: Govt Sec To: Medical Sec/PH&W Date: 25 October 1951 1. Immediate introduction of the attached draft bill in the Diet is proposed by House of Councillors. 2. Your prompt comment is requested. 1 Incl Bill for Partial Amend to Public-Health Nurse, Midwife and Nurse Law, etc. F. R.
2	From: MS/PHW To: Govt Sec Dr. Manitoff 29 Oct 1951 PH&W (Med Sec) has no objection to the partial amendment to the Public Health Nurse, Midwife and Nurse Law (Law No. 203). 1 Incl n/c R. H. E.

GOVERNMENT SECTION
BUCK SLIP

10/25 1951

FROM: R+P

TO:	INITIAL	DATE
___	CHIEF.....	.....
___	EX O.....	.....
✓	Special Assistant Nat'l Affairs.....	.....
___	Special Assistant Local Affairs.....	.....
___	Adm Div.....	.....
___	Par & Pol Div.....	.....
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FOR:

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GS has no interest Eufay suggestion

cy - PHW

House of Councillors
(Wed. Oct. 24, 1951)

Bill for Partially Amendment to the Public-Health Nurse, Midwife and Nurse Law etc.

I hereby certify that the above-mentioned bill does not violate and directive issued by the Supreme Commander for the Allied Powers, the Constitution and laws of Japan.

Okuno Kenichi

Okuno Kenichi

Director of the Legislative
Bureau, House of Councillors.

CS: PHW
GS/WM

Read GS 10/25/51.

HOUSE OF COUNCILLORS

October 24th, 1951.

Bill for Partial Amendment to the Public-Health Nurse, Midwife and Nurse Law, etc.

Proposed by: Fujiwara Michiko (SD)

Article 1. The Public-Health Nurse, Midwife and Nurse Law (Law No. 203, 1948) shall be partially amended as follows:

In Article 28, "and ~~important~~ necessary matters concerning, the authorization of a school, or the training school, according to the provisions of Article 19 to Article 22 inclusive" shall be added next to "and other necessary matters concerning such examination".

Article 51 Paragraph 3 shall be amended as follows:

3 Those under Paragraph I may be licensed by the Minister of Welfare regardless of the provision of Article 7.

Article 52 Paragraph 3 shall be amended as follows:

3 Those under Paragraph I may be licensed by the Minister of Welfare regardless of the provision of Article 7.

4 Concerning those who have been licensed in accordance with the provision of the preceding Paragraph, the provision of Article 31 Paragraph 2 shall not apply.

Article 53 Paragraph 3 shall be amended as follows:

3 Those under Paragraph 1 may be licensed by the Minister of Welfare regardless of the provision of Article 7.

The following one article shall be added next to Article 56.

Article 56-2. Those who, having graduated from the public-health nurse training school or the midwife training school or having

being

been licensed as midwife before August 31, 1951 or having been licensed as nurse before August 31, 1950, in areas other than Japan proper, have been authorized by the prefectural governor to have the abilities equal or superior to the abilities of those who have been entitled to become public-health nurse, midwife or nurse in accordance with the former public-health nurse regulation, the former midwife regulation, or the former nurse regulation, may, for the time being, be licensed or registered even after the period of time under ; Article 49 Paragraph 2 and Article 50 Paragraph 2 by the prefectural governor according to the former public-health nurse regulation, former nurse regulation or former midwife regulation.

Article 2. The Law for Partial Amendments to the Public-Health Nurse, Midwife and Nurse Law (Law No. 147, 1951) shall be partially amended as follows:

In Supplementary Provisions, Paragraph 12 and Paragraph 13 shall be deleted.

Supplementary Provision

This Law shall be enforced as from the day of its promulgation.

Reason

It is necessary to take steps by which those who are qualified to be public-health nurses, midwives or nurses based on the former regulationswhich is invalid by the current Public-Health Nurse, Midwife and Nurse Lawcan be public-health nurses, midwives or nurses based

based on the new Law by excepting the national examination. It is also necessary to open way for those who had qualification to be public health nurses, midwives and nurses in areas other than Japan proper to obtain their jobs after repatriated. This is the reason why this bill is submitted.

From: ESS

To: Govt Sec

WFM/EMR/KPS/PJZ/my
P. J. Zeller 26-8515

27 SEP 1951

2

1. The subject bill is a proposed amendment by the House of Councillors to another bill for partial amendments to the Special Taxation Measures Law which the government introduced in the Diet on 15 May 1951. The House of Representatives passed the government's bill, but the House of Councillors objected to it and drew up the subject bill amending the government bill.

2. The government's bill permitted the application of the revaluation tax to the sale of fishing rights and other governmentally expropriated property in place of the more severe capital gains levy of the Income and Corporation Tax Laws which otherwise would have been applied. The application of the more lenient tax treatment contained in the provisions of the revaluation tax as opposed to the capital gains levy was considered appropriate inasmuch as affected sellers had no opportunity for revaluation. The subject bill proposes to eliminate all tax liability including the revaluation tax to certain sellers of fishing rights.

3. Recommend headquarters clearance be withheld from subject bill for the following reasons:

a. The bill would reduce budgeted revenue and as such is contrary to the December 1948 stabilization directive which refers directly to the protection of revenue in obtaining and maintaining a balanced budget.

b. In eliminating all tax liability to certain sellers of fishing rights, the bill would establish a precedent for eliminating tax liability in

WFM/EMR/KPS/PJZ/my
P. J. Zeller 26-8515

012( )ESS/FI

Draft Legislation

27 SEP 1951

ESS

Govt Sec

2 similar cases in the future.

c. The bill is discriminatory in nature in that it favors exempting fishing associations from tax liability but would at the same time apply the revaluation tax to certain individuals and fishing companies selling their rights in the same manner as fishing associations.

d. The bill constitutes an indirect subsidy. Government aid to the fishing association as with any other business organization, should be direct in nature, appearing on the expenditure side of the budget, rather than the revenue side, where the aid is then both hidden and not commensurate to need.

1 Incl
n/c

- W. F. M. -

From: LS

To: GS

R. T. Brunckhorst
57-9502
25 August 1961

2

This Section has no legal objections to subject bill.

Incl
w/d

A. C. C.

Maj. Guida:

For Clearance

In order to obtain the understanding of the authorities concerned on this amendment, Messrs S. Ogushi (L.), H. Ohya (L.) and M. Kobayashi (GB.) want to see the officials in charge of E.S.S. It will be appreciated if the appointment be made so that they can have the conference on Thur. 23 or Fri. 24 this week or before that.

1000 THURS

HOUSE OF COUNCILLORS
Mon. August 20, 1951

Proposed Amendment to the Bill for Partial Amendments to the Special Taxation Measures Law

I hereby certify that above-mentioned amendments do not violate any directive issued by the Supreme Commander for the Allied Powers, the Constitution and any laws of Japan.

Kenichi Okuno

Kenichi Okuno
Director, Legislative Bureau,
House of Councillors

HOUSE OF COUNCILLORS

Mon., Aug. 20, 1951.

Proposed Amendment to the Bill for Partial Amendments to the Special Taxation Measures Law

Proposed by OGUSHI Seiichi (L)

(Chairman of Finance Committee)

Bill for Partial Amendments to the Special Taxation Measures Law shall be partially amended as follows:

The following shall be added next to the amending provisions of Article 1:

The following one article shall be added next to Article 5-(8).

Article 5-(9). In case a fisheries association has received the indemnity under Article 9 of the Fisheries Law Enforcement Law concerning the fishing right, entrance right to fishery lot, or right of such lease or right of lessee in such lease without compensation as is intended for the fishing right, which have lapsed in accordance with Article 1 of the same Law (hereinafter in this Article, referred to as the fishing right etc.), the sum of money equivalent to the amount of the said indemnity (as to the fishing right etc. concerning the said indemnity which have the book value at the time of their lapse, the amount minus the book value) shall not be counted in the gross income in computing its income under the Corporation Tax Law for the Accounting period involving the date of the lapse of the fishing right etc.

In

CS: ESS LS/LJ

Unapproved JW. 11/7/51

Read GS 8/21/51

In the Supplementary Provisions paragraph 2 and 3 shall be paragraph 4 and 5 respectively and the following two paragraphs shall be added next to paragraph 1:

2. The provisions of Article 5-(9) and Article 13 of the Special Taxation Measures Law as amended shall apply even to the case where the accounting period has ended before the enforcement of this Law.

3. The provisions of Article 12 of the Special Taxation Measures Law as amended shall apply even to the case where the fishing right, entrance right to fishery lot or right of such lease or right of lessee in such lease without compensation as is intended for the fishing right had lapsed under the provisions of Article 1 of the Fisheries Law Enforcement Law before the enforcement of this Law.

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