as otherwise p vided for by law or go vern nt ordinance.

Article 11. With regard to the application of the provisions of Articles 4 to 6 inclusive, matters related to the Cabinet Secretariat and the Legislation Bureau shall be considered as matters under the jurisdiction of the Prime Minister.

Article 12. The Prime Minister's Office, the various Ministries, the Cabinet Secretariat and the Legislation Bureau, shall have respectively the necessary bureaux, divisions and organs as provided by law or go vernment ordenance.

However, with regard to the establisment and abolition of a local special governmental office, it shall be in accordance with the provisions of law.

Article 13. In addition to the Ministers of State and the officials as separately provided for by law, the officials whose appointment and dismissal require the attestation by the Emperor shall be ambassadors extraordinary and plenpotentialy, ministers extraordinary and plenipotentiary, and the President of the Reconstruction Board.

Article 14. Necessary matters in connection with the procedure relative to the appointment, dismissal, promotion, suspension, reinstatement and other matters concerning the status of officials shall be provided by government ordinance, except as otherwise provided for by law.

Supplementary Provisions:

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

This Law shall be valid only for the period of one year from the date of its enforcement.

The Ministers of the various Ministries in office on the effective date of this Law, when no special writs are issued, shall be considered as having been appointed the Ministers of the various Ministries in accordance with this Law.

Besides the provision of the preceding paragraph, necessary matters in relation to the enforcement of this Law shall be provided for by government ordinance.

The Cabinet Law shall be partly amended as follows:

In Article 2, paragraph 1, "and Ministers of State not more than sixteen in number" ashall read "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."

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

3 March 1948

1. Subject: Extension of Administrative Offices Law

2. To: ~~Mr. Kades~~
1. Mr. Hays
2. Mr. Rizzo
3. Dr. Oppler
4. Dr. Williams
5. Mr. Tilton
6. Maj. Napier
7. Mr. Hoover
8. Mr. Hussey
9. Mr. Hauge
10. Mr. Marcum

3. Attached herewith, Tab A, is a draft of a new Administrative Offices Law amending the currently effective Administrative Offices Law, Tab B, which expires one year from the date of enforcement of the new constitution.

4. It is requested that you review this proposed law for discrepancies with regard to agencies of government in which you are concerned.

5. Please attach your comments and recommendations to this material and route to the next official listed in Paragraph 2.

CARLOS P. MARCUM
Chief, National Government Division

Att.
Tabs A and B

NG File

See Latest

Draft of National Government Organization Law.

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards for the organization of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having a well-defined scope of ~~(specific functions for which they are responsible and their~~) authority and responsibility.

Sub Article 3. The national government organization shall be determined by this law, except as separately provided for by law.

Article ~~4.~~ 3 The establishment or the abolition of the following types of administrative organs shall be provided for by law.

Office

Ministry

Administration

Agency

Commission

~~Board~~

Administrations, Agencies and Commissions shall be those set up as independent organizations of ~~an~~ Office ~~or~~ A Ministry or The prime ministers office or The atty gen.

An Administration shall be an independent organization of the Prime Minister's Office having a Minister of State as its head.

(2)

See Latest

Draft of National Government Organization Law.

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards for the organization of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having a well-defined scope of ~~(specific functions for which they are responsible and their~~) authority and responsibility.

Sub Article 3. The national government organization shall be determined by this law, except as separately provided for by law.

Article 4. The establishment or the abolition of the following types of administrative organs shall be provided for by law.

Office

Ministry

Administration

Agency

Commission

~~Board~~

Administrations, Agencies and Commissions shall be those set up as independent organizations of ~~an~~ Office ~~or~~ A Ministry The Prime Minister's or The office of the Atty Gen.

An Administration shall be an independent organization of the Prime Minister's Office having a Minister of State as its head.

(2)

An Agency ~~shall~~ be an ~~independent~~ organization other than an Administration.

A Commission or Board shall be an administrative organ composed of several members on a representative basis, ~~and shall independently conduct its administrative affairs.~~

Article 5. Administrative organs set up under the provision of the preceding Articles shall be enumerated in the ~~separate list~~ appendix, and the scope of and the specific functions for which they are responsible ~~and (their~~ authority) ~~and responsibility~~ shall be provided for by separate law.

Article 6. The internal subdivisions ~~and organs~~ of each administrative ~~organ~~ entity referred to in Article 4 shall be provided for by cabinet order ~~and~~ in accordance with budgetary processes.

Article 7. The head of the Prime Minister's Office, the Attorney General's Office and each Ministry shall be, respectively, the Prime Minister, the Attorney General and a Minister of each Ministry, who, as a competent Minister referred to in the Cabinet Law, shall have charge and control of their respective administrative affairs.

The Attorney General shall be appointed by the Prime Minister from among persons most fitted for the post. He shall be a Minister of State.

Ministers of various Ministries shall be appointed by the Prime Minister from among Ministers of State. This shall not, however, preclude the Prime Minister from assuming in person any of those posts.

Article 8. The head of an Administration shall be Director General (Sosai in Japanese), of an Agency, Director General (Chokan in Japanese) and of a Commission, Chairman.

Article 8. For the purpose of administering their respective specific functions, an Office, Ministry, Administration and Agency shall, as a rule, have internal subdivisions enumerated below:-

Secretariat

Bureaus
Divisions
Sections

Units.

In case of special necessity, a Department may be set up over several Bureaus, ~~a Division over several Sections~~ and a Branch over several Units. A Department may have a General Affairs Room.

Of the subdivisions referred to in the preceding two paragraphs, the establishment of the Secretariat, Department, Bureau or Division and the scope of affairs under its respective charge shall be provided for by cabinet order, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by the competent Minister within the limits of the said C.O and in accordance with budgetary procedures.

The Commission shall have a Secretariat. The provisions of the preceding three paragraphs shall apply correspondingly to the internal organization of the Secretariat.

Article 9. In addition to the internal subdivisions referred to in the preceding Article, in case of special necessity, Inspection Offices, Research Institutes, Educational Facilities, Committees, Councils of an advisory or investigational nature and other organs, may be set up as provided for by cabinet order within the scope of functions authorized by law.

Article ~~11~~ 10. In case it is necessary to administer its specific functions, each administrative organ referred to in Article 4 may establish local organs as provided for by law.

Article 8. For the purpose of administering their respective specific functions, an Office, Ministry, Administration and Agency shall, as a rule, have internal subdivisions enumerated below:-

Secretariat

Bureaus
Divisions
Sections

Units.

In case of special necessity, a Department may be set up over several Bureaus, ~~a Division over several Sections~~ and a Branch over several Units. A Department may have a General Affairs Room.

Of the subdivisions referred to in the preceding two paragraphs, the establishment of the Secretariat, Department, Bureau or Division and the scope of affairs under its respective charge shall be provided for by cabinet order, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by the competent Minister within the limits of the said C.O and in accordance with budgetary procedures.

The Commission shall have a Secretariat. The provisions of the preceding three paragraphs shall apply correspondingly to the internal organization of the Secretariat.

Article 9. In addition to the internal subdivisions referred to in the preceding Article, in case of special necessity, Inspection Offices, Research Institutes, Educational Facilities, Committees, Councils of an advisory or investigational nature and other organs, may be set up as provided for by cabinet order within the scope of functions authorized by law.

Article 10. In case it is necessary to administer its specific functions, each administrative organ referred to in Article 4 may establish local organs as provided for by law.

Article ~~12~~ 11. Of national administrative affairs, in case there is special necessity for prosecuting those pertaining to the control and distribution of commodities and to undertakings of a public character, "Kodan" may be established as forming a part of the national government organization as provided for by law.

A "Kodan" shall be a juridical person and conduct, as provided for by law, specific business operations in accordance with programs determined by, and under supervision of, higher level administrative organs.

The head of a "Kodan" shall be a President.

Organs set up as "Kodan" shall be enumerated in the ~~separate list.~~ appendix

Article ~~13~~ 12. The Prime Minister, the Attorney General, a Minister of each Ministry, a Director General of each Administration or Agency, or a Chairman of each Commission shall control and supervise the personnel under his jurisdiction in regard to the performance of their duties.

Article ~~14~~ 13. When each Minister deems it necessary to enact, amend, or abrogate any law or cabinet order concerning administrative affairs under his charge, he shall submit a draft to the Prime Minister and ask for a cabinet conference.

Article ~~15~~ 14. Each Minister may issue an ordinance of the Prime Minister's Office, an ordinance of the Attorney General's Office or a ministrial ordinance for the purpose of implementing any law or cabinet order concerning administrative affairs under his charge or as specially authorized by law or cabinet order.

Unless authorized by law, no penal clause nor any provision which imposes obligations or restricts rights of

individuals may be included in the ordinance referred to in the preceding paragraph.

Article 15. With respect to affairs under his charge, each Minister may direct and supervise the heads of local public entities in respect to national administative affairs which they execute as provided for in Article 150 of the Local Autonomy Law. If any act of the head of a local public entity in his capacity as a national organ is deemed to be a violation of prescribed rules or ultra vires, such act may be suspended or rescinded. If the control or execution of national affairs that falls within the sphere of competence of the head of a local public entity in his capacity as a national organ is deemed to be contrary to the provisions of law or order or to the action of the competent Minister, or if he is negligent in the control or execution of such national affairs, the competent Minister may, as provided for in Article 146 of the Local Autonomy Law, order matters which such head is to be compelled to carry out, ask for a trial by a law court, or proceed to execute the matters involved on behalf of the said head of a local public entity, or the Prime Minister may remove him from office.

Article 16. Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister as directed and participate in the formation of political programs, and shall act for the Minister in his absence.

Article 17. Each Ministry shall have one Executive Director.

The Executive Director shall assist his superiors by regulating the ministrial affairs (except those under the the jurisdiction of independent organizations referred to in art 4) and exercising supervision over the affairs of various internal subdivisions

and organs.

Article ~~19~~ 18. The Prime Minister's Office shall have two Confidential Secretaries, and the Attorney General's Office and various Ministtries shall each have one Confidential Secretary.

Confidential Secretaries shall deal with confidential matters under orders of the Minister or temporarily assist in the affairs of any subdivison by his order.

Article ~~20~~ 19. The types of ~~personnel~~ Positions for each administrative organ, ~~matters under their charge~~, and their fixed number shall, unless otherwise provided for by law, be prescribed by cabinet order and in accordance with budgetary process.

Article ~~21~~ 20. Each administrative organ referred to in Article 4 shall have the following positions according to its internal subdivisions as specified in Article 9:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

delete

~~In addition to the positions referred to in the preceding paragraph, in case of special requirements, any necessary positions may be established as provided for by cabinet order.~~

The scope of specific functions and the authority and responsibility involved in the positions referred to in the preceding two paragraphs shall be ~~clearly defined beforehand~~ established in accordance with the NPS law and budgeting process.

Article ~~22~~ 21. Personnel of each administrative organ shall be appointed ~~so~~ as far as practicable from among persons in the

under the Provisions of the VPS law in

regular government service ~~according to their qualifications,~~ and, in case there are no ~~such~~ suitable candidates, they shall be appointed from among persons not in the regular government service ~~but possessing the requisite qualifications as provided for by the National Public Service Law.~~

Article ~~23~~ 22. Personnel of a "Kodan" shall be national public servants.

Supplementary Provisions.

Article ~~24~~ 23. The present law shall come into force on and after May 3, 1948.

Article ~~25~~ 24. Necessary details for implementing this law shall be provided for by cabinet order unless otherwise prescribed.

Article ~~26~~ 25. The provisions of Article 17 and Article 18 shall ~~become applicable~~ on and after the expiration of the temp PVM Law ~~such a date as the position of a Vice-Minister of each Ministry~~ is placed in the special ~~government service~~ upon the application of the provision of Article 2 of the National Public Service Law, and, until that date, the previous instances shall still hold good in respect of a Vice-Minister of each Ministry.

Article ~~27~~ 26. The provision of Article 22 shall become applicable from such a time as the provisions of Section III, Chapter III of the National Public Service Law are applied.

Brought in By
Mr MAEDA 5 April 1948

Tentative draft of National Government

Organization Law

Chapter 1 General Provisions

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall be determined by this law, ~~(except as separately provided for by law.)~~

Chapter II Basic Standards for National Government Organization

Article 3. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having specific functions, with a well-defined scope of authority and responsibility. ~~(according to their organizational levels, the apex being the supreme administrative organs systematically assigned with national administrative affairs as provided for by law.)~~

Sect new #3

Article 4. Each administrative organ as specified ~~in the preceding~~ above paragraph shall, under the control and jurisdiction of its respective head, be systematically constituted of a system of internal divisions or organs having a well-defined scope of affairs for which they are responsible.

Sect new #4

Article 5. Temporary administrative organs or their internal divisions or organs shall have their term of existence provided for by law or cabinet order concerning their respective establishment, and shall be abolished on the day when such term has expired.

(23)

Chapter III Supreme Administrative Organs

(Article 6.) National administrative affairs shall, as separately provided for by law, be assigned to the Prime Minister's Office, the Attorney General's Office, the Ministry for Foreign Affairs, the Ministry of Finance, the Ministry of Education, the Ministry of Welfare, the Ministry of Agriculture and Forestry, the Ministry of Commerce and Industry, the Ministry of Transportation, the Ministry of Communications and the Ministry of Labor.

Article 7.6 The head of the Prime Minister Office, the Attorney General's Office and each Ministry shall be, respectively, the Prime Minister, the Attorney General and a Minister of each Ministry, who, as a competent Minister referred to in the Cabinet Law, shall have charge and control of their respective administrative affairs and be responsible to the Cabinet.

Article 8.7 The Attorney General shall be appointed by the Prime Minister from among persons most fitted for the post. He shall be a Minister of State.

Ministers of various Ministries shall be appointed by the Prime Minister from among Ministers of State. This shall not, however, preclude the Prime Minister from assuming in person any of those posts.

Chapter IV Organization

Article 9.8 For the purpose of administering administrative affairs assigned thereto, the Prime Minister's Office, the Attorney General's Office and each Ministry shall have a Secretariat and Bureau.

A Secretariat or Bureau shall have Sections, and a Section shall have Units. However, a part of such setup may be left vacant.

In case of special necessity, a Department may be set up over several Sections and a Branch over several Units.

The establishment of the Secretariat, Department, Bureau or Division as prescribed in the three preceding paragraphs and the scope of affairs under its respective charge shall be provided for by law, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by a competent Minister.

In case it is necessary for the purpose of prosecuting administrative affairs assigned thereto, the Prime Minister's Office, the Attorney General's Office, and each Ministry may have Inspection Offices, Research Institutes, Councils or other necessary organs, as provided for by law or cabinet order.

Article 10. In case there is special necessity for the purpose of making them administer administrative affairs assigned to the Prime Minister's Office, the Attorney General's Office and each Ministry, administrative organs enumerated below may be created as independent organizations of the Prime Minister's or Attorney General's Office or the Ministry proper under the jurisdiction of the respective competent Minister, as provided for by law:-

Administrations

Agencies

Commissions

The head of an Administration shall be Director General (Sosai in Japanese), of an Agency, Director General(Chokan in Japanese) and of a Commission Chairman.

The post of the Director General of an Administration set up in the Prime Minister's Office may be filled by a Minister of State.

The post of the Chairman of a Commission, set up in the Prime

Minister's Office may be filled by a Minister of State.

A Commission shall be an administrative organ composed of several members appointed as separately provided for by law, and shall independently conduct administrative affairs under the control and jurisdiction of the Cabinet. The Commission shall have a Secretariat.

The provisions of the preceding Article shall apply correspondingly to the instances of an Administration, Agency, or Commission's Secretariat.

Article 11. In case it is necessary for the purpose of making them administer, by a division of charge, administrative affairs assigned to the Prime Minister's Office, the Attorney General's Office and each Ministry, local organs may be established as provided for by law.

Article 12. In case there is special necessity for the purpose of prosecuting national administrative affairs, "Kodan" may be established as administrative organs as provided for by law.

A "Kodan" shall be a juridical person, shall form a part of the national government organization and conduct, as provided for by law, specific affairs in accordance with programs determined by, and directions of, higher level administrative organs having due authority and responsibility therefor,

Chapter V Personel of Administrative Organs and their Authority and Responsibility

Article 13. The Prime Minister, the Attorney General or each Minister shall control and supervise the personnel under his jurisdiction in regard to the performance of their duties.

Article 14. When each Minister deems it necessary to enact, amend, or abrogate any law or cabinet order concerning administrative affairs under his charge, he shall submit a draft to the Prime Minister and ask for a cabinet council.

Article 15. Each Minister may issue an ordinance of the Prime Minister's Office, an ordinance of the Attorney General's Office or a ministrial ordinance for the purpose of implementing any law or cabinet order concerning administrative affairs under his jurisdiction, or as specially authorized by law or cabinet order.

Unless authorized by law, no penal clause nor any provision which imposes oblizations or restricts the rights of individuals may be included in the ordinance as specified in the preceding paragraph.

Article 16. With respect to affairs under his jurisdiction, each Minister may direct and supervise the heads of local public entities in relation to such administrative affairs as are executed by them ~~on the basis of law in their capacity as national organs.~~ as provided for in article 146 of the Local Autonomy Law

CGT 7 April 1948

If any act of the head of a local public entity as a national organ is deemed to be a violation of prescribed rules, or ultra vires, such act may be suspended or rescinded. If the control or execution of national affairs within the sphere of competence of such head is deemed to be contrary to the provisions of law or order or to the action of the competent Minister or if he is negligent in the control or execution of such national affairs, the national government may order matters which such head is to be compelled to carry out, ask for a trial by a law court, or proceed to execute the matters involved on behalf of the said head of a local public entity or remove him from office.

delete

~~Article 17. The Prime Minister's Office, the Attorney General's Office and each Ministry shall have two Parliamentary Vice-Ministers.~~

~~The Parliamentary Vice-Ministers shall assist the Minister and attend to matters of negotiation with the Diet.~~

Article ~~18.~~ 17 Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister by participating in the ~~formation of political programs,~~ formulation of Policy and shall act for the Minister in his absence.

Article ~~19.~~ 18 Each Ministry shall have one Executive Directer.

The Executive Director shall assist his superiors by regulating the ministerial affairs and exercising supervision over the affairs of various internal, sub- divisions ~~and organs.~~

Article ~~20.~~ 19 The organization proper of the Prime Minister's Office, the Attorney General's Office, and each Ministry shall have the following personnel, according to its internal divisions:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

In addition to the personnel as specified in the preceding paragraph, any ~~necessary~~ additional personnel may be installed as provided for by law or cabinet order.

The provisions of the preceding two paragraps shall apply correspondingly to the instances of personnal in administrative organs as prescribed in Article 10.

Article ~~21.~~ 20 The personel as specified in the preceding paragraph shall be appointed from among Secretaries, Technical Officials, and Educational Officials in the administrative organ concerned according to their respective qualifications.

The fixed number of Secretaries, Technical Officials and Educational Officials shall be provided for by cabinet order.

Article ~~22.~~ 21 Directors of Department and Bureau, and Chiefs of

Article ~~18.~~ 17 Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister by participating in the ~~formation of political programs,~~ formulation of Policy and shall act for the Minister in his absence.

Article ~~19.~~ 18 Each Ministry shall have one Executive Directer.

The Executive Director shall assist his superiors by regulating the ministerial affairs and exercising supervision over the affairs of various internal, sub- divisions ~~and organs.~~

Article ~~20.~~ 19 The organization proper of the Prime Minister's Office, the Attorney General's Office, and each Ministry shall have the following personnel, according to its internal divisions:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

In addition to the personnel as specified in the preceding paragraph, any ~~necessary~~ additional personnel may be installed as provided for by law or cabinet order.

The provisions of the preceding two paragraps shall apply correspondingly to the instances of personnal in administrative organs as prescribed in Article 10.

Article ~~21.~~ 20 The personel as specified in the preceding paragraph shall be appointed from among Secretaries, Technical Officials, and Educational Officials in the administrative organ concerned according to their respective qualifications.

The fixed number of Secretaries, Technical Officials and Educational Officials shall be provided for by cabinet order.

Article ~~22.~~ 21 Directors of Department and Bureau, and Chiefs of

Division, Section, Branch or Unit shall have a well-defined scope of authority and responsibility and administer affairs under their charge under orders of their respective superiors.

Article ~~23.~~ 22 The head of a "Kodan" shall be a President, and the President and other Officers shall be appointed by the competent Minister. Officers and personnel of a "Kodan" shall be national public servants.

Supplementary Provisions

Article ~~24.~~ 23 The present law shall come into force on and after May, 3, 1948.

Article ~~25.~~ 24 Details for complementing this law shall be provided for by cabinet order.

Remarks

1. The provisions concerning the Cabinet Secretariat shall be stipulated in the Cabinet Law by amending that law.

1. The proviso that the appointment and dismissal of Ambassadors Extraordinary and Plenipotentiary and Ministers Extraodinary and Plenipotentiary shall ~~require~~ be the attestation by the Emperor shall be separately provided for by law (special law concerning diplomatic officials based on Article 13 of the Supplementary Provisions of the National Public Service Law).

APR -5 1948

Brought in by Mr. Maeda 5 Apr 1948

APR -5 1948

Tentative draft of National Government Organization Law

Chapter 1 General Provisions

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall be determined by this law, except as separately provided for by law.

Chapter II Basic Standards for National Government Organization

Article 3. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having specific functions with a well-defined scope of authority and responsibility according to their organizational levels, the apex being the supreme administrative organs systematically assigned with national administrative affairs as provided for by law.

Article 4. Each administrative organ as specified in the preceding paragraph shall, under the control and jurisdiction of its respective head, be systematically constituted of a system of internal divisions or organs having a well-defined scope of affairs for which they are responsible.

Article 5. Temporary administrative organs or their internal divisions or organs shall have their term of existence provided for by law or cabinet order concerning their respective establishment, and shall be abolished on the day when such term has expired.

Chapter III Supreme Administrative Organs

Article 6. National administrative affairs shall, as separately provided for by law, be assigned to the Prime Minister's Office, the Attorney General's Office, the Ministry for Foreign Affairs, the Ministry of Finance, the Ministry of Education, the Ministry of Welfare, the Ministry of Agriculture and Forestry, the Ministry of Commerce and Industry, the Ministry of Transportation, the Ministry of Communications and the Ministry of Labor.

Article 7. The head of the Prime Minister Office, the Attorney General's Office and each Ministry shall be, respectively, the Prime Minister, the Attorney General and a Minister of each Ministry, who, as a competent Minister referred to in the Cabinet Law, shall have charge and control of their respective administrative affairs and be responsible to the Cabinet.

Article 8. The Attorney General shall be appointed by the Prime Minister from among persons most fitted for the post. He shall be a Minister of State.

Ministers of various Ministries shall be appointed by the Prime Minister from among Ministers of State. This shall not, however, preclude the Prime Minister from assuming in person any of those posts.

Chapter IV Organization

Article 9. For the purpose of administering administrative affairs assigned thereto, the Prime Minister's Office, the Attorney General's Office and each Ministry shall have a Secretariat and Bureau.

A Secretariat or Bureau shall have Sections, and a Section shall have Units. However, a part of such setup may be left vacant.

In case of special necessity, a Department may be set up over several Sections and a Branch over several Units.

The establishment of the Secretariat, Department, Bureau or Division as prescribed in the three preceding paragraphs and the scope of affairs under its respective charge shall be provided for by law, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by a competent Minister.

In case it is necessary for the purpose of prosecuting administrative affairs assigned thereto, the Prime Minister's Office, the Attorney General's Office, and each Ministry may have Inpection Offices, Research Institutes, Councils or other necessary organs, as provided for by law or cabinet order.

Article 10. In case there is special necessity for the purpose of making them administer administrative affairs assigned to the Prime Minister's Office, the Attorney General's Office and each Ministry, administrative organs enumerated below may be created as independent organizations of the Prime Minister's or Attorney General's Office or the Ministry proper under the jurisdiction of the respective competent Minister, as provided for by law:-

Administrations

Agencies

Commissions

The head of an Administration shall be Director General (Sosai in Japanese), of an Agency, Director General(Chokan in Japanese) and of a Commission Chairman.

The post of the Director General of an Administration set up in the Prime Minister's Office may be filled by a Minister of State.

The post of the Chairman of a Commission, set up in the Prime

Minister's Office may be filled by a Minister of State.

A Commission shall be an administrative organ composed of several members appointed as separately provided for by law, and shall independently conduct administrative affairs under the control and jurisdiction of the Cabinet. The Commission shall have a Secretariat.

The provisions of the preceding Article shall apply correspondingly to the instances of an Administration, Agency, or Commission's Secretariat.

Article 11. In case it is necessary for the purpose of making them administer, by a division of charge, administrative affairs assigned to the Prime Minister's Office, the Attorney General's Office and each Ministry, local organs may be established as provided for by law.

Article 12. In case there is special necessity for the purpose of prosecuting national administrative affairs, "Kodan" may be established as administrative organs as provided for by law.

A "Kodan" shall be a juridical person, shall form a part of the national government organization and conduct, as provided for by law, specific affairs in accordance with programs determined by, and directions of, higher level administrative organs having due authority and responsibility therefor.

Chapter V Personel of Administrative Organs and their Authority and Responsibility

Article 13. The Prime Minister, the Attorney General or each Minister shall control and supervise the personnel under his jurisdiction in regard to the performence of their duties.

Article 14. When each Minister deems it necessary to enact, amend, or abrogate any law or cabinet order concerning administrative affairs under his charge, he shall submit a draft to the Prime Minister and ask for a cabinet council.

Article 15. Each Minister may issue an ordinance of the Prime Minister's Office, an ordinance of the Attorney General's Office or a ministrial ordinance for the purpose of implementing any law or cabinet order concerning administrative affairs under his jurisdiction, or as specially authorized by law or cabinet order.

Unless authorized by law, no penal clause nor any provision which imposes obligations or restricts rights may be included in the ordinance as specified in the preceding paragraph.

Article 16. With respect to affairs under his jurisdiction, each Minister may direct and supervise the heads of local public entities in relation to such administrative affairs as are executed by them ~~on the basis of law in their capacity as national organs~~ as provided by art 146 of the Local Autonomy Law.

If any act of the head of a local public entity as a national organ is deemed to be a violation of prescribed rules, or ultra vires, such act may be suspended or rescinded. If the control or execution of national affairs within the sphere of competence of such head is deemed to be contrary to the provisions of law or order or to the action of the competent Minister or if he is negligent in the control or execution of such national affairs, the national government may order matters which such head is to be compelled to carry out, ask for a trial by a law court, or proceed to execute the matters involved on behalf of the said head of a local public entity or remove him from office.

Article 17. ~~The Prime Minister's Office, the Attorney General's Office and each Ministry shall have two Parliamentary Vice-Ministers.~~

~~The Parliamentary Vice-Ministers shall assist the Minister and attend to matters of negotiation with the Diet.~~

Article 18. Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister by participating in the formation of political programs, and shall act for the Minister in his absence.

Article 19. Each Ministry shall have one Executive Director.

The Executive Director shall assist his superiors by regulating the ministerial affairs and exercising supervision over the affairs of various internal divisions and organs.

Article 20. The organization proper of the Prime Minister's Office, the Attorney General's Office, and each Ministry shall have the following personnel, according to its internal divisions:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

In addition to the personnel as specified in the preceding paragraph, any necessary personnel may be installed as provided for by law or cabinet order.

The provisions of the preceding two paragraps shall apply correspondingly to the instances of personnel in administrative organs as prescribed in Article 10.

Article 21. The personel as specified in the preceding paragraph shall be appointed from among Secretaries, Technical Officials, and Educational Officials in the administrative organ concerned according to their respective qualifications.

The fixed number of Secretaries, Technical Officials and Educational Officials shall be provided for by cabinet order.

Article 22. Directors of Department and Bureau, and Chiefs of

Article 18. Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister by participating in the formation of political programs, and shall act for the Minister in his absence.

Article 19. Each Ministry shall have one Executive Director.

The Executive Director shall assist his superiors by regulating the ministerial affairs and exercising supervision over the affairs of various internal divisions and organs.

Article 20. The organization proper of the Prime Minister's Office, the Attorney General's Office, and each Ministry shall have the following personnel, according to its internal divisions:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

In addition to the personnel as specified in the preceding paragraph, any necessary personnel may be installed as provided for by law or cabinet order.

The provisions of the preceding two paragraps shall apply correspondingly to the instances of personnel in administrative organs as prescribed in Article 10.

Article 21. The personel as specified in the preceding paragraph shall be appointed from among Secretaries, Technical Officials, and Educational Officials in the administrative organ concerned according to their respective qualifications.

The fixed number of Secretaries, Technical Officials and Educational Officials shall be provided for by cabinet order.

Article 22. Directors of Department and Bureau, and Chiefs of

Division, Section, Branch or Unit shall have a well-defined scope of authority and responsibility and administer affairs under their charge under orders of their respective superiors.

Article 23. The head of a "Kodan" shall be a President, and the President and other Officers shall be appointed by the competent Minister. Officers and personnel of a "Kodan" shall be national public servants.

Supplementary Provisions

Article 24. The present law shall come into force on and after May, 3, 1948.

Article 25. Details for ~~co~~implementing this law shall be provided for by cabinet order.

Remarks

1. The provisions concerning the Cabinet Secretariat shall be stipulated in the Cabinet Law by amending that law.

1. The proviso that the appointment and dismissal of Ambassadors Extraordinary and Plenipotentiary and Ministers Extraodinary and Plenipotentiary shall require the attestation by the Emperor shall be separately provided for by law (special law concerning diplomatic officials based on Article 13 of the Supplementary Provisions of the National Public Service Law).

Recd
APR 16 1948
from MAEDA

Draft of National Government Organization Law. (not used)

(General Provisions)

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards for the organization of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically consituted of a system of administrative organs having a well-defined scope of authority and responsibility and specific functions for which they are responsible.

(Establishment and Abolition of Administrative Organs, their Specific Functions, etc.)

Article 3. The establishment or the abolition of the following types of administrative organs shall be provided for by law.

Office on ministerial level (Tu in Japanese)

Ministry

Administration

Agency

Commission

Administrations, Agencies and Commissions shall be those set up as independent organizations of the Prime Minister's Office, the Attorney General's Office, or each Ministry.

A Commission shall be an administrative organ which is composed of several members.

24

Administrative organs set up as provided for in paragraph 1 shall be enumerated in the Appendix to this law.

Article 4. The scope of authority and responsibility of administrative organs referred to in the preceding Article and specific functions for which they are responsible shall be separately provided for by law.

(Heads of Administrative Organs)

Article 5. The head of the Prime Minister's Office, the Attorney General's Office, and each Ministry shall be, repectively, the Prime Minister, the Attorney General and a Minister of each Ministry, who, as a competent Minister referred to in the Cabinet Law, shall have charge and control of their respective administrative affairs.

The Attorney General shall be appointed by the Prime Minister from among persons most fitted for the post. He shall be a Minister of State.

Ministers of various Ministries shall be appointed by the Prime Minister from among Ministers of State. This shall not, however, preclude the Prime Minister from assuming in person any of those posts.

Article 6. The heads of an Administration shall be Director General (Sosai in Japanese), of an Agency, Director General (Chokan in Japanese), and of a Commission, Chairman. The post of a Director General (Sosai in Japanese) may be filled by the Prime Minister or other Minister of State.

Article 7. For the purpose of administering their respective specific functions, an Office on ministerial level, Administration and Agency shall, as a rule, have internal subdivisions

enumarated below:-

Secretariat

Bureaus

Divisions

Sections

Units

In case of special necessity, a Department may be set up over several Bureaus, and a Branch over several Units. A Department may have a General Affairs Room.

Of the subdivisions referred to in the preceding two paragraphs, the establishment of the Department, Bureau or Division and the scope of affairs under its respective charge shall be provided for by Cabinet order, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by a competent Minister within the limits of the relative cabinet order.

The Commission shall have a Secretariat. The provisions of the preceding three paragraphs shall apply correspondingly to the internal organization of the Secretariat.

Article 8. In addition to the internal subdivisions referred to in the preceding Article, in case there is special necessity within the scope of specific functions as provided for by law, Councils or Committees of an advisory or investigational nature, Experimental Stations, or Laboratories, Research Institutes, Educational Facilities, Medical Facilities and other organs may be set up as provided for by cabinet order.

Article 9. In case it is necessary to administer its specific functions, each administrative organ referred to in Article 3

may establish local organs as provided for by law.

(Authority and Responsibility of the Heads of Administrative Organs)

Article 10. The Prime Minister, the Attorney General, a Minister of each Ministry (to be hereinafter referred to as "each Minister"), a Director General of each Administration or Agency, or a Chairman of each Commission shall control and supervise the personnel under his jurisdiction in regard to the performance of their duties.

Article 11. When each Minister deems it necessary to enact, amend, or abrogate any law or cabinet order in respect to administrative affairs under his charge, he shall submit a draft to the Prime Minister and ask for a cabinet conference.

Article 12. Each Minister may issue an ordinance of the Prime Minister's Office, an ordinance of the Attorney General's Office or a ministerial ordinance for the purpose of implementing any law or cabinet order in respect to administrative affairs under his charge or as specially authorized by law or cabinet order.

The head of an independent organization may submit to the respective competent Minister a draft of the ordinance referred to in the preceding paragraph in respect to the affairs under the jurisdiction of his organ and ask for its issuance.

Unless authorized by law, no penal clause nor any provision which imposes obligations or restricts rights of individuals may be included in the ordinance referred to in the preceding paragraph.

Article 13. In case it is necessary to make any public announcement in respect to the affairs under the jurisdiction of his organ,

each Minister or the head of each independent organization may issue a notification.

For the purpose of giving orders or conveying directions in respect to the affairs under the jurisdiction of his organ, each Minister or the head of each independent organization may issue directives, instructions, or circular notices.

Article 14. With respect to affairs under his charge, each Ministmr may direct and supervise the heads of local public entities in respect to national administrative affairs which they execute as provided for in Article 150 of the Local Autonomy Law (Law No. 67 of 1947). If any act of the head of a local public entity in his capacity as a national organ is deemed to be a violation of prescribed rules or ultra vires, such act may be suspended or rescinded. If the control or execution of national affairs that falls within the sphere of competence of the head of a local public entity in his capacity as a national organ is deemed to be contrary to the provisions of law or order or to the action of the competent Minister, or if he is negligent in the control or execution of such national affairs, the competent Minister may, as provided for in Article 146 of the Local Autonomy Law, order matters which such head is to be compelled to carry out, ask for a trial by a law court, or proceed to exectte the matters involved on behalf of the said head of a local public entity, or the Prime Minister may remove him from office as provided for in the same Article.

Article 15. If an ordinance of an office on ministerial level, a ministerial ordinance, or an order or direction issued by each Minister to the head of a local public entity or his other act

on the basis of his authority for directing and supervising the latter as provided for in the preceding Article is deemed to be contrary to the primary object of local autonomy, the said head of a local public entity may make due representation to that effect to the Prime Minister. In such a case, if the representation is deemed to be well-founded on reason, the Prime Minister shall make due recommendation to the Minister involved or take such other steps as may be considered pertinent.

The representation referred to in the preceding paragraph shall not thereby affect the validity of an order, direction, or other act of each Minister.

(Positions in Administrative Organs)

Article 16. Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister as directed and participate in the formation of political programs, and shall act for the Minister in his absence.

Article 17. Each Ministry shall have one Executive Director.

The Executive Director shall assist his superiors by regulating the ministerial affairs (except those under the jurisdiction of independent organizations referred to in Article 4) and exercising supervision over the affairs of various internal subdivisions and organs.

Article 18. The Prime Minister's Office shall have two Confidential Secretaries, and the Attorney General's Office and various Ministries shall each have one Confidential Secretary.

Confidential Secretaries shall deal with confidential matters under orders of the respective Minister or temporarily assist in the affairs of any subdivision by his order.

Article 19. The types of ~~personnel~~ positions for each administrative organ and their fixed number shall be provided for by law or cabinet order and in accordance with budgetary process.

Article 20. Each Administrative organ referred to in Article 3 shall, as a rule and in conformity with its internal subdivisions as specified in Article 7, have the following positions as the respective heads thereof:-

Directors of Department

Directors of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

In case of special necessity, positions of other heads may, as provided for by cabinet order, be established correspondingly to the instances of the positions referred to in the preceding paragraph.

The scope of specific functions and the authority and responsibility involved in the positions referred to in the preceding two paragraphs shall be provided for in compliance with the National Public Service Law.

(Special Procurement Agency and "Kodan")

Article 21. ~~Of national administrative offices~~, In case there is special necessity for prosecuting those pertaining to the control and distribution of commodities and to undertakings of a public character, the Special Procurement Agency and "Kodan" may be established as forming a part of the national government organization as provided for by law.

The special Procurement Agency or a "Kodan" shall be a juridical person and conduct specific business operations as provided for by law.

The Special Procurement Agency shall be treated as independent organization.
Organs set up as "Kodan" shall be enumerated in the Appendix to this law.

The head of the Special Procurement Agency and of a "Kodan" shall be a President.

Personnel of the Special Procurement Agency and "Kodan" shall be national public servants.

Supplementary Provisions

Article 22. The present law shall come into force on and after July 1, 1948. However, the provisions of Article 16 [redacted] shall be applied from the date on which the Law concerning the Temporary Installation of Parliamentary Vice-Ministers becomes null and void.

Article 23. The provisions of Article 19 shall become applicable from such a date as the position classification plan is determined and established by the National Public Service Law, and until that date the classification of personnel into Secretaries, Technical and Educational Officials in accordance with the Common Rules concerning Personnel heretofore in force shall still hold good.

Article 24. Necessary details for implementing this law shall be provided for by cabinet order unless otherwise prescribed.

26 April 46
(Lt. Te Tsai)
(Pan

Draft of National Government Organization Law.

(General Provisions)

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards for the organization of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having a well-defined scope of authority and responsibility and specific functions for which they are responsible.

(Establishment and abolition of Administrative Organs, their specific Functions, etc.)

Article 3. The national government organization shall be determined by this law.

2. National administrative organs shall be composed of the following types of administrative organs whose establishment or abolition shall be provided for by separate law.

Office on Ministerial level

Ministry

Authority

Agency

Commission

3. Authorities, Agencies and Commissions shall be those set up as independent organizations of the Prime Minister's Office, the Attorney General's Office, or each Ministry.

(25)

26 April 48
(Tentative)
(Pers

Draft of National Government Organization Law.

(General Provisions)

Article 1. The object of this law is to regulate the national government organization which is necessary for the efficient prosecution of national administrative affairs by establishing standards for the organization of administrative organs under the control and jurisdiction of the Cabinet.

Article 2. The national government organization shall, under the control and jurisdiction of the Cabinet, be systematically constituted of a system of administrative organs having a well-defined scope of authority and responsibility and specific functions for which they are responsible.

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Office on Ministerial level

Ministry

Authority

Agency

Commission

3. Authorities, Agencies and Commissions shall be those set up as independent organizations of the Prime Minister's Office, the Attorney General's Office, or each Ministry.

(25)

4. Administrative organs set up as provided for in paragraph 1 shall be enumerated in the Appendix to this law.

Article 4. The scope of authority and responsibility of administrative organs referred to in the preceding Article and specific functions for which they are responsible shall be provided for by separate law.

(Heads of Administrative Organs)

Article 5. The head of the Prime Minister's Office, the Attorney General's Office, and each Ministry (to be hereinafter referred to as "each Minister") shall be, repectively, the Prime Minister, the Attorney General and a Minister of each Ministry, who, as a competent Minister referred to in the Cabinet Law, shall have charge and control of their respective administrative affairs.

2. The Attorney General shall be appointed by the Prime Minister from among persons most fitted for the post. He shall be a Minister of State.

3. Ministers of various Ministries shall be appointed by the Prime Minister from among Ministers of State. This shall not, however, preclude the Prime Minister from assuming in person any of those posts.

Article 6. The heads of an Authority shall be Director General, of an Agency, Director, and of a Commission, Chairman.

(Internal Subdivisions and Organs)

Article 7. For the purpose of administering their respective specific functions, an Office on ministerial level, Ministry, Authority and Agency shall, as a rule, have internal subdivisions enumerated below:-

Secretariat

Bureaus

Divisions

Sections

Units

2. In case of special necessity, a Department may be set up over several Bureaus, and a Branch over several Units. A Department may have a General Affairs Room.

3. Of the subdivisions referred to in the preceding two paragraphs, the establishment of the Department, Bureau or Division and the scope of affairs under its respective charge shall be provided for by cabinet order, while the creation of any Section, Branch or Unit and the scope of affairs under its respective charge shall be determined by each Minister within the limits of the pertinent cabinet order and in accordance with budgetary procedure.

4. The Commission shall have a Secretariat. The provisions of the preceding three paragraphs shall apply corresponsingly to the internal organization of the Secretariat.

Article 8. In addition to the internal subdivisions referred to in the preceding Article, in case there is special necessity within the scope of specific functions as provided for by law, Councils or Committees (to be taken to embrace all those of an advisory or investigational nature, etc. other than Commissions provided for in Article 3,), Experimental Stations or Laboratories, Research Institutes, Educational Facilities, Medical Facilities and other organs may be set up as provided for by cabinet order, and in accordance with budgetary procedure.

2. In case the organs referred to in the preceding paragraph are to be established in local areas, the same shall be subject to the provision of Article 156 of the Local Autonomy Law (Law No. 67 of 1947)

Article 9. In case it is necessary to make them administer its specific functions, each administrative organ referred to in Article 3 may, as provided for by law, establish local branch offices (except organs coming under the provision of paragraph 1 of the preceding Article).

(Authority and Responsibility of the Heads of Administrative Organs)

Article 10. Each Minister, a Director General of each Aughority, a Director of each Agency, or a Chairman of each Commission shall preside over the affairs of his organ and control and supervise its personnel in regard to the performance of their duties.

Article 11. When each Minister deems it necessary to enact, amend, or abrogate any law or cabinet order in respect to administrative affairs under his charge, he shall submit a draft to the Prime Minister and ask for a cabinet conference.

Article 12. Each Minister may issue an ordinance of the Prime Minister's Office, an ordinance of the Attorney General's Office or a ministerial ordinance for the purpose of implementing any law or cabinet order in respect to administrative affairs under his charge or as specially authorized by law or cabinet order.

2. The head of an independent organization may submit to the respective competent Minister a draft of the ordinance referred to in the preceding paragraph in respect to the affairs under the jurisdiction of his organ and ask for its issuance.

3. Unless authorized by law, no penal clause nor any provision which imposes obligations or restricts rights of individuals may be included in the ordinance referred to in the preceding two paragraphs.

Article 13. The head of each independent organization may as provided for by separate law, issue on his own accord rules and

special orders other than cabinet orders on the orders as prescribed in paragraph 1 of the preceding Article.

2. The provision of paragraph 3 of the preceding Article shall apply correspondingly to the orders referred to in the preceding paragraph.

Article 14. In case it is necessary to make any public announcement in respect to the affairs under the jurisdiction of his organ, each Minister or the head of each independent organization may issue a notification.

2. For the purpose of giving orders or conveying directions in respect to the affairs under the jurisdiction of his organ, each Minister or the head of each independent organization may issue directives, instructions, or circular notices to regulate the activities of organization and personnel under his jurisdiction.

Article 15. With respect to affairs under his charge, each Minister may direct and supervise the heads of local public entities in respect to national administrative affairs which they execute as provided for in Article 150 of the Local Autonomy Law. If the control or execution of national affairs that falls within the sphere of competence of the governor of the metropolis, district or urban or rural prefecture in his capacity as a national official is deemed to be contrary to the provisions of law or order or to the action of the competent Minister, or if he is negligent in the control or execution of such national affairs, each competent Minister may, as provided for in Article 146 of the Local Autonomy Law, order matters which such governor is to be compelled to carry out, ask for a trial by a law court, or proceed, after

court determination, to execute the matters involved on behalf of the said governor, or the Prime Minister may remove him from office as provided for in the same Article.

Article 16. If an ordinance of an office on ministerial level, a ministerial ordinance, or an order or direction issued by each Minister to the head of a local public entity or his other act on the basis of his authority for directing and supervising the latter as provided for in the preceding Article is deemed to be contrary to the primary object of local authonomy, the said head of a local public entity may make due representation to that effect to the Prime Minister. In such a case, if the representation is deemed to be well-founded on reason, the Prime Minister shall direct the Minister involved or take such other steps as may be considered justified.

2. The representation referred to in the preceding paragraph shall not thereby affect the validity of an order, direction, or other act of the Minister concerned.

(Positions in Administrative Organs)

Article 17. Each Ministry shall have one Vice-Minister.

The Vice-Minister shall assist the Minister as directed and participate in the formation of political programs, and shall act for the Minister in his absence.

Article 18. Each Ministry shall have one Executive Director.

The Executive Director shall assist his superiors by regulating the ministerial affairs (except those under the jurisdiction of independent organizations referred to in Article 3) and exercising supervision over the affairs of various internal subdivisions and organs.

Article 19. The Prime Minister's Office shall have two Confidential Secretaries, and the Attorney General's Office and various Ministries shall each have one Confidential Secretary.

2. Confidential Secretaries shall deal with confidential matters under orders of the respective Minister or temporarily assist in the affairs of any subdivision by his order.

Article 20. The types of positions for each administrative organ and their fixed number shall be provided for by law or cabinet order and in accordance with budgetary procedure.

Article 21. Each Administrative organ referred to in Article 3 shall, as a rule and in conformity with its internal subdivisions as specified in Article 7, have the following positions as the respective heads thereof:-

Chiefs of Department

Chiefs of Bureau

Chiefs of Division

Chiefs of Section

Chiefs of Branch

Chiefs of Unit

2. The scope of specific functions and the authority and responsibility involved in the positions referred to in the preceding two paragraphs shall be provided for in compliance with the National Public Service Law.

("Kodan")

Article 22. The public corporation "Kodan" shall be deemed administrative organs of the national government, whose establishment or abolition shall be provided for by seperate law.

2. "Kodan" shall be enumerated in the Appendix to this Law.

Supplementary Provisions

Article 23. The present law shall come into force on and after June 1, 1948. However, the provision of Article 26 shall come into force as from the day of its promulgation.

Article 24. The provisions of Article 20, shall become applicable from such a date as the position classification plan is determined and established by the National Public Service Law, and until that date the types of personnel for administrative organs and the specific matters for which they are responsible shall, unless otherwise provided for by law or cabinet order, be in accordance with the Common Rules concerning Personnel heretofore in force, and their fixed number may be provided for by cabinet order.

2. Until the date as specified in the preceding paragraph, Vice-Ministers and Executive Directors shall be first class officials and Confidential Secretaries shall be second class officials, while Directors General of an Authority and Directors of an Agency, unless otherise prescribed, shall be first class officials.

Article 25. Necessary details for implementing this law shall be provided for by cabinet order unless otherwise prescribed.

Article 26. The Appendix to this law provided for in paragraph 4 of Article 3 and in paragraph 2 of Article 22 shall be consolidated and attached only after the laws as required under the provisions of Article 5 and Article 22 are enacted, but not later than June 1, 1948.

Reason

With the latsing of the Administrative Offices Law, it is necessary newly to establish standards for the national government organization with a view to the efficient prosecution of national administrative affairs. This is the reason for submitting the bill.

The Statistic Commission decided finally not to join the new agency, esteeming it premature and desiring to keep its actual status as independent commission

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Please give your opinion to-morrow morning (Thursday) at 8.30. I shall visit you.

K. Maeda

The Administrative Management Authority Law (draft)

(Specific Functions and Authority and Responsibility)

Article 1. The Administrative Management Authority shall, under the jurisdiction of the Prime Minister, have the following scope of specific functions for which it is responsible, and exercise its authority within the limits thus set in conformity with law (including orders based on law).

1. To transact fundamental matters concerning the administrative system in general.

2. To make coordination and integration of organization structure, personnel requirements and management of administrative organs.

3. To survey, review, and develop plans, programs and recommendations concerning organization structure, personnel requirements and management of administrative organs.

4. To conduct inspections concerning administrative management of administrative organs.

5. To attend to the collection of statistics and material concerning the affairs under its charge, and to their consolidation and compilation.

(Posts)

Article 2. The Administrative Management Authority shall have a Director General, which post shall be filled by a Minister of State.

In respect to the affairs under his charge, the Director General may call upon the head of each administrative organ to submit necessary material and explanations or make recommendations to him.

In respect to the affairs under his charge, the Director General may at any time submit his opinion to the Prime Minister.

Article 3. The Administrative Management Authority shall have Staff Members. The Staff Members shall, under orders of their superiors, deal with the affairs enumerated in Article 1.

The post of a Staff Member shall be in the special government service referred to in Article 2 of the National Public Service Law (Law No.120 of 1947).

Supplementary Provisions

The present law shall come into force on and after June 1, 1948.

The Regulation governing the Temporary Establishment of the Administrative Research Bureau (Imperial Ordinance No.490 of 1946), ~~the Official Organization of the Statistics Committee (Imperial Ordinance No.690 of 1946)~~ and the Ordinance governing the Administrative Inspection Committees (Cabinet Order No.184 of 1947) shall be repealed.

Until such a date as the classification plan becomes effective under the National Public Service Law, Staff Members shall be appointed by the Prime Minister from among national and local public officials or persons of learning and experience.

The following item shall be inserted in paragraph 3 of Article 2 of the National Public Service Law.

"20. Staff Members of the Administrative Management Authority."

In respect to the affairs under his charge, the Director General may at any time submit his opinion to the Prime Minister.

Article 3. The Administrative Management Authority shall have Staff Members. The Staff Members shall, under orders of their superiors, deal with the affairs enumerated in Article 1.

The post of a Staff Member shall be in the special government service referred to in Article 2 of the National Public Service Law (Law No.120 of 1947).

Supplementary Provisions

The present law shall come into force on and after June 1, 1948.

The Regulation governing the Temporary Establishment of the Administrative Research Bureau (Imperial Ordinance No.490 of 1946), ~~the Official Organization of the Statistics Committee (Imperial Ordinance No.690 of 1946)~~ and the Ordinance governing the Administrative Inspection Committees (Cabinet Order No.184 of 1947) shall be repealed.

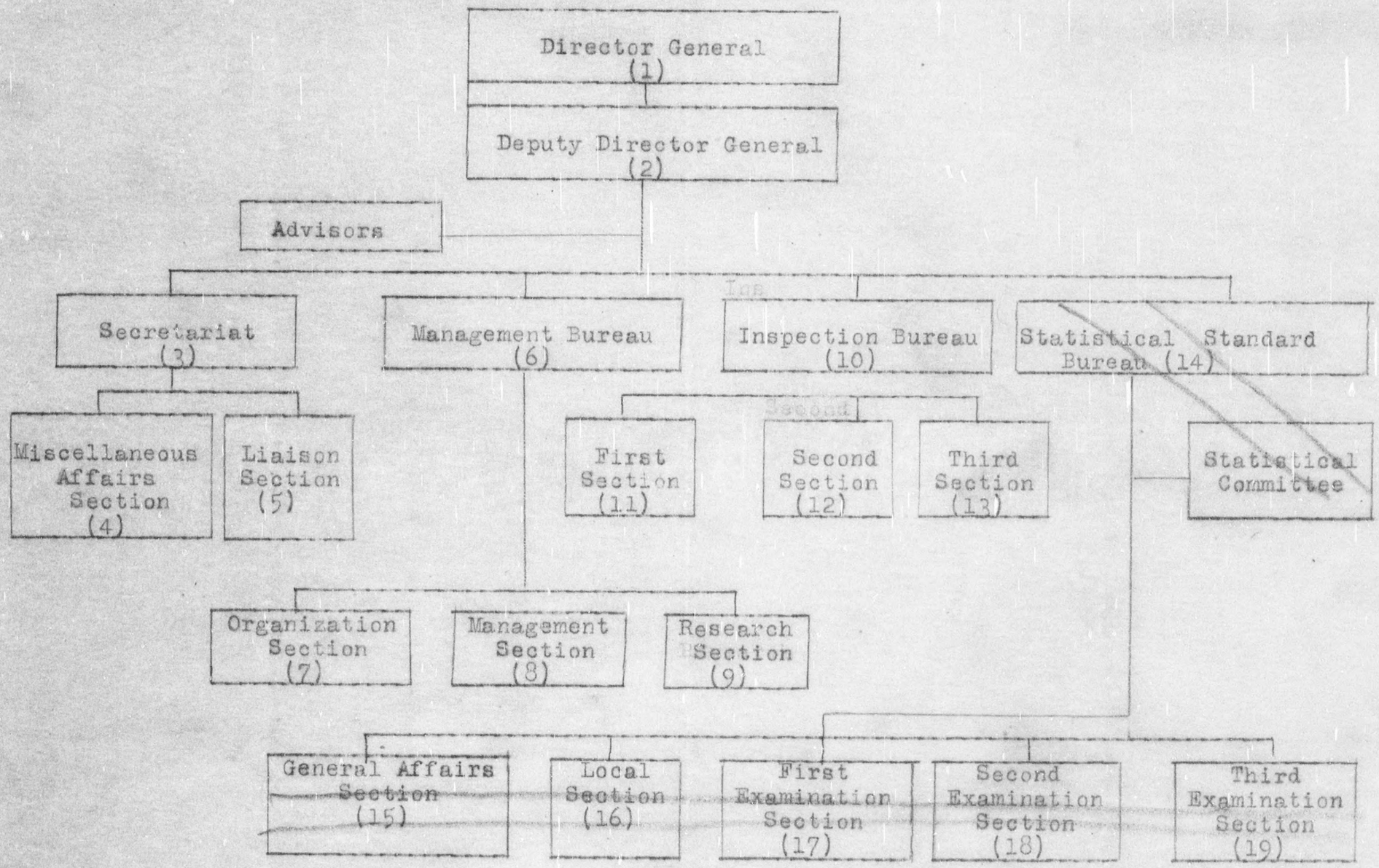
Until such a date as the classification plan becomes effective under the National Public Service Law, Staff Members shall be appointed by the Prime Minister from among national and local public officials or persons of learning and experience.

The following item shall be inserted in paragraph 3 of Article 2 of the National Public Service Law.

"20. Staff Members of the Administrative Management Authority."

Organization Plan - Exhibit A

Administrative Management Authority



Statement of Functions - Exhibit B

Administrative Management Authority

3. Secretariat

4. Misc. Affairs Section - Affairs of personnel, accounting, correspondence, etc.

5. Liaison Section - Liaison work with GHQ.

6. Management Bureau

7. Organization Section - Coordinates and integrates organization structure;
reviews proposed new or modifications of old organization structure; and
develops plans for the establishment of new or modification of existing organization structure.

8. Management Section - Coordinates and integrates concerning the fixed number of personnel in administrative organs;
surveys operational methods of work;
reviews proposed new or modification of existing operational methods; and
develops recommendations and plans for establishment of new or modification of existing operational methods and procedures.

9. Research Section - Surveys and studies concernning administrative management and collects and consolidates material concerning administrative management, both at home and abroad.

10. Inspection Bureau

11. First Section - Takes charge of inspection work concerning the Cabinet Secretariat, the Prime Minister's Office, the Attorney General's Office, the Ministry for Foreign Affairs, the Ministry of Education, and the Ministry of Welfare.

12. Second Section - Takes charge of inspection work concerning the Ministry of Finance, the Ministry of Transportation, and the Ministry of Labor.

13. Third Section - Takes charge of inspection work concerning the Ministry of Agriculture and Forestry, the Ministry of Commerce and Industry, and the Ministry of Communications.

14. Statistical Standards Bureau

15. General Affairs Section - implements pertinent laws and orders connected with the Statistics Law;
plans and promotes the general improvement, development and coordination of statistical services (for example: the training of statistical personnel, compilation of statistical data, diffusion of statistical knowledge, etc.)

16. Local Section - Disburses subsidies for statistical expenses to local entities; and renders assistance in statistical work of local entities.

17. First Review Section - Surveys and coordinates administrative statistics and administrative reports; and reviews and checks the population, labor, livelihood, and social statistics.

18. Second Review Section - Reviews and checks statistics concerning mining industry, commerce, construction, transportation, communications, and education.

19. Third Review Section - Reviews and checks statistics concerning agricultural, forestry, and aquatic industry, finances, and national income.

April 7, 1948.

The attached is a summary of my opinion on the question of the Administrative Management Bureau to be discussed at the meeting of the Administrative Organization Reform Council, on which I am serving as one of secretaries. The study is not complete yet and there are many omissions and commissions, I admit, but I should be very much obliged if you just read it through and let me know your opinion about it.

The main thing from the Japanese point of view is whether such functions as enumerated in (1), (2) and (3) of B in "2. Functions" should remain in the Finance Ministry as they are now. I do not mind the Budget Bureau being retained by that Ministry so far as these functions are transferred to some office under the direct control of the Prime Minister. My opinion is that the Finance Ministry should not exercise undue influence on other Ministries through their functions which really do not fall within the scope of the financial administration.

S. Shima

(S. Shima)

7 April 1948

Col Marcum,

From SHIMA S.

A Brief Study of the Administrative Management Bureau.

April 6, 1948.

1. Basic Principle:

The Administrative Management Bureau shall be established in the Prime Minister's Office with a view to making the Administrative organization and management as appropriate and rational as possible under the given circumstances.

2. Functions;

The Bureau shall be authorized to be incharge of the following matters:

A. With respect to the administrative organization,

(1) Establishment of new government offices.

(2) Reorganization of governmental structure.

(3) Change of inner-organization of government offices.

B. With respect to the administrative management,

(1) Adoption of any new administrative business as government policy.

(2) Necessary appropriation for the execution of such business.

(3) Allocation of personnel to and within government offices.

(4) Improvement of administrative management.

3. Composition:

Director-General
- Organization Division
- Appropriation Division
- Man-Power Division
- Administrative Improvement Division.

The Director-General shall be of equal status to a vice-minister.

Each division may be divided into sections if the scope of its functions requires it.

4. Relative functions in regard to other government agencies:

(1) Budget Bureau of the Finance Ministry.

It falls within the functions of the Administrative Management Bureau to decide whether any new business shall be adopted by the government and to fix the scope of appropriation and personnel necessary for the execution of such business, while the Budget Bureau is responsible for the financial technicalities to realize such appropriation in the budget.

The total amount of yearly expenditure shall be decided upon by consultation between the two bureaus, the power of the final decision resting with the Budget Bureau. The adjustment and coordination within the total amount decided upon, however, shall be performed by the Adminisrative Management Bureau.

(2) Personnel Commission.

While the Personnel Commission deals with such questions as service, pay, efficiency, etc. of individual public servant, the Administrative Management Bureau will be in charge of the size of necessary personnel for each business (consequently, the allocation of personnel in all government offices), improvement of the administrative management as a system or procedure, etc.

(3) Administrative Inspection Committee.

Those matters among the recommendations of the Committee on the improvement of the administrative management which the Government has decided to take up, shall be dealt with by the Administrative Management Bureau.

The Administrative Management Bureau shall be authorized to request the Committee to perform its inspection on the actual state of such affairs as are deemed necessary by the Bureau from the standpoint of the improvement of the administrative management.

(4) Administrative Organization Reform Council.

Those matters among the recommendations of the Council which the Government has decided to take up, shall be dealt with by the Administrative Management Bureau.

(5) Government Institute of Administrative Program Survey.

When the transformation of the Public Opinion Survey Branch, now attached to the Councillors' Room of the Prime Minister's Office, into such Government Institute is accomplished, similar relations to those mentioned in (3) above shall come into existence with respect to the scientific survey of public opinion's reaction to, reception of and wishes in matters relating to administrative management.

CIVIL SERVICE DIVISION
GOVERNMENT SECTION

20 April 1948

MEMORANDUM:

TO: Mr. Carlos Marcum, Chief, Administrative Management Division.

FROM: Mr. Blaine Hoover, Chief, Civil Service Division. BH

SUBJECT: National Government Organization Law.

1. The comments of the Temporary National Personnel Commission on this law are referred to you herewith for consideration.

BH:mvb

(36)

(C o p y)

April 20, 1948

To:

Mr. Blaine Hoover

Chief of Civil Service Division

Government Section GHQ.

Views on the Draft National Government Organization Law

Under a democratic government, many administrative offices organized in the form of a commission occupy an important position, and, therefore, The heads of many commissions are appointed Ministers of State or those similar thereto. However, in going through a draft of the National Government Organization Law, which is about to be submitted shortly to the National Diet after determination at a Cabinet conference on the 21st, instant, it is found that the Appendix provided for in Article 4, Paragraph 4 enumerates the various types of administrative organs in such a manner as to give the impression that the commissions occupy an inferior position as compared with other administrative organizations. I think that this is very regrettable and would like to report it for your information. In my opinion, I think that it is pertinent to delete the provision referred to above, or, at least, it is desirable positively to refrain from using the mode of expression for which there is fear of giving a feeling as if there exists some ranking in the various types of administrative organizations.

I hope to be favoured with your kind advice on this point.

V. Asai

Chairman of Temporary National

Personnel Commission.

O. Yamashita

Y. Uyeno

GOVERNMENT SECTION
Buck Slip

MAR 13 1948 1948

FROM: National Govt Div.

NO.	INITIAL	DATE
	CHIEF	
	EX O	
	Deputy Chief	
1	Col. Hays	AH 18
	Maj. Rizzo	
	Col. Echols	
	Ch. Adm. Div.	
	Pub. Affairs Div.	
	Pol. Affairs Div.	
3	Local Gov't Div.	CGT 22
4	Nat'l Gov't Div.	
	Gov't Powers Div.	
	Legis. Div.	
✓	Courts & Laws Div.	3-10-16
	P.S.Q.D.	
	Civil Service Div.	
	Pers. Coord.	
	Chief Clerk	
	File	

FOR:

✓ INFORMATION
____ NECESSARY ACTION
____ ACTION (PREPARE REPLY)
____ APPROVAL
____ SIGNATURE
____ INITIAL
✓ COMMENT OR CONCURR.
____ RETAIN
____ FILE

Col Hays

For information re: 1st Bureau Transfer to Police.

Judge Opple

For information re: 2nd Bureau Transfer to Atty Gen'l Office.

Carbon:

O.K but needs
Col Pullman as
Col Battley
Concurred
JEH

(sent to Col Battley
18 March 1948.
OK. as marked.

18 March 1948

Col. Battey,

This Cabinet Order, prepared by the Japanese indicates where the various Bureaus of the former Office of the Domestic Affairs have been transferred.

Article 1. concerns the first bureau, which will be of interest to Public Safety Division.

This Cabinet Order will be held up until concurrence from your Division is received, to insure that it meets with your requirements.

T. Diamantes
T.Diamantes, Capt
Govt. Section

T. D.
OK as to Art 1.
Change suggested on army table.
Battey

TO: 75

LOCAL
GOVT.

(Mimeo) DRAFT

Rec'd MAR 13 1948

From SUZUKI Shunichi
(Cabinet Secretariat)

THE ADMINISTRATION INVESTIGATION BUREAU

March 13 1948

T O: Government Section, G. H. Q..

FROM: Katsumi Maeda,

Chief of the General Affairs Division of the Administration Bureau.

SUBJECT: Enactment of the Cabinet Order concerning the Abolition of the Office oa Domestic Affairs and the Order of the Office of Domestic Affairs.

29

Draft of the Cabinet Order concerning the Abolition of the Office of Domestic Affairs and the Order of the Office of Domestic Affairs

Article 1. The affairs which had been transacted in the Second Bureau of the Office of Domestic Affairs have been transfered to the Special Examining Bureau and the Civil Affairs Bureau of the Attorney-General Office as from Feburary 15. 1948, attended with the enforcement of the Law of Establishment of the Atterney-General Office and the affairs which had been transacted in the First Bureau of the Office of Domestic Affairs have been transfered to the National Rural Police Headquarters and the National Fire Defence Board of National Public Safety Committee as from March 7, 1948, attended with the enforcement of the Police Law and Law of Fire Defence Organization and in consequence the significance of existence of the Office of Domestic Affairs has lost and so the Office of Domestic Affairs shall be abolished, following the purport of the Law No. 238 of 1947 (The Law of abolition of the Home Ministry and the Imperial Order etc. concerning the Organization of the Home Ministry), on March 6. 1948. For this purpose, the Order of the Office of Domestic Affairs shall be abolished.

Article 2. The Miscellaneous Section and the Accounts Section of Secretariate of the Office of Domestic Affairs shall be abolished on March 6. 1948.

The following affairs which were formerly under the charge of the Accounts Section of Secretariate of the Office of Domestic Affairs and remain unsettled on the day of its abolition shall be transfered to the Accounts Section of Secretariate of the Prime Ministers Office.

1. Affairs concerning the execution of the Budget, acts incurring liabilities on the National Treasury and the disbursement of the Reserved Funds for 1947.

2. Affairs concerning the settlement of accounts for the years 1945 to 1947 inclussive.

3. Affairs concerning the state properties for the years 1945 to 1947 inclussive.

Among the records cocerning the affairs of which have beeh transacted in the Miscellaneous Section of Secretariate of the Office of Domestic Affairs, the records concerning the appointment and dismissal, and status of the personnel shall be transfered to the bureau or division in charge of personnel functions of government office or local public body to which each person has transfered, the records concerning the Order of the Home Ministry, Instruction of the Home Ministry and Notification of the Home Ministry to the General affairs Section of Secretariate of the Prime Ministers Office, and the records concerning the affairs which have been transacted in the Accounts Section of Secretariate of the Office of Domestic Affairs to the Accounts Section of Secretariate of the Prime Ministers Office.

Article 3. The Local Autonomy Section and Local Officials System Section of the Office of Domestic Affairs shall be abolished on March 6. 1948.

Among the affairs covering those which have been transacted in the Local Autonomy Section of Secretariate and those which have beeb transacted in the Local Officials System Section of Secretariate on the day of abolition of the Office of Domestic Affairs, the affairs necessary to continuously manage, to wit, the following affairs concerning the assistance of the Prime Minister in executing his functions in accordance with the Local Autonomy Law, shall be transacted in the Local Autonomy Section of Secretariate of the Prime Ministers Office.

1. To receive notices made in accordance with the provisions of Art. 7, Par. 1, Art. 8, Par. 5, Art. 259, Par. 1, and Art. 288, Par. 1 of the same Law;

2. To make notifications in accordance with the provisions of Art. 7, Par. 5, Art. 8, Par. 3 and Art. 259, Par. 4 of the same Law;

3. To take action in accordance with the provisions of Art. 7, Par. 2, Art. 248, and Art. 265, Par. 3, proviso of the same Law;

4. To receive reports in accordance with the provisions of Art. 61, Par. 3, Art. 77, Art. 82, Art. 86, Par. 3, Art. 123 Par. 3, Art. 238, Art. 242, Par. 3, Art. 252, Art. 260, Par. 2 and Art. 261, Par. 4 of the same Law;

5. To take measures for dismissal of Governers of the metropolis, district or urban or rural prefecture in accordance with the provisions of Art. 146, Par. 8 of the same Law:

6. To deal affairs conforming to each Item mentioned above in accordance with the provisions of Art. 277, Art. 278, Art. 283 and Art. 292 of thesame Law;

7. To permit in accordance with the provisions of Art. 284, Par. 1, and Art. 286, Par. 1 of the same Law:

8. To deal affairs in accordance with the provisions of Art. 261, Par. 1 and 2 and 5 of the same Law:

9. To prepare draft of laws pertaining to the personnel of local public bodies, in accordance with the provisions of Art. 1, Par. 2 of the Supplementary Provisions of the same Law.

Article 4. Excepting the personnel who had been belonged to the Attorney-General Office by the provision of Art. 25 of the Cabinet Order of the Enforcement of the Law of Establishment of the Attorney-General Office, the personnel who has formerly belonged to the

First Bureau and the Second Bureau of Office of Domestic Affairs on the day of their abolishment shall vacate the office and will be belonged to the bureau or division prescribed in the annexed table in consideration of the career, experience, hope and other conditions.

The personnel who has formerly belonged to the Miscellaneous Section and the Accounts Section of Secretariate of Office of Domestic Affairs on the day of their abolition shall vacate the office and will be belonged to the appropriate, position according to the example prescribed in the preceding paragraph: provided that the said personnel shall not be belonged to the bureau or division to which the records concerned shall be transfered by the provision of Art. 2, Par. 2.

The personnel who has belonged to the Local Autonomy Section and the Local Officials System Section of Secretariate of the Office of Domestic Affairs on the day of their abolition shall vacate the office and the bureau or division to which the said personnel shall be belonged shall not be decided until the bureau or division which shall transact the affairs by the provision of the preceding Article, Par. 2, shall be decided.

Supplementary Provisions:

The present Cabinet Order shall be applicated from March 7, 1948.

Investigation of Disposal of Personnel of
Office of Domestic Affairs
(March 7, 1948)

National Rural Police ~~Headquarters~~	~~130~~ 221
~~National Rural Police Region Headquarters~~	~~5~~
~~Police College & regional police schools~~	~~40~~
~~National Rural Police Headquarters of To, Do and prefectures~~	~~46~~
Special Ward and Municipal Police Headquarters	8
National Fire Defence Board	23
Consultation Room, Secretariate of Prime Minister's Office	1
Construction Board	3
Economic Stabilization Board	1
Office of Central Statistics Committee	1
Office of Temporary National Personnel Committee	1
Office of National Election Management Committee	1
Office of Local Financial Committee	5
Office of Central Screening Committee	1
Board of Audit	1
Legal Affairs Board	35
Foreign Ministry	2
Welfare Ministry	4
Prefectural Government	1
Resigned	5
(Autonomy Section, Secretariate of Prime Minister's Office)	22
Total	336

Remarks: (1) The number of staff-members of the Office of Domestic Affairs, shown GS on January 1 was 333; but afterwards 3 were added, thus totalling 336.

(2) 22 persons to Autonomy Section, Secretariate of Prime Minister's Office were provisionally so appointed.

ANNEXED TABLE

National Rural Police Headquarters:
National Rural Police Region Headquarters:
Police College and Regional Police Schools:
National Rural Police Headquarters of the Metropolis, District or Urban or Rural Prefecture:
Special Ward and Municipal Police Headquarters:
National Fire Defence Board:
Consultation Room of Secretariats of the Prime Ministers Office:
Construction Board:
Economic Stabilization Board:
Office of Central Statistics Committee:
Office of Temporary Personnel Committee:
Office of National Election Management Committee:
Office of Local Financial Committee:
Office of Central Screening Committee:
Board of Audit:
Attorney-General Office:
Foreign Ministry:
Welfare Ministry:
Prefectural Government.

Katsumi Maeda,

Chief of the General Affairs Division of the Administration Investigation Bureau.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

11 March 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Instructions to Japanese Government (Administrative Research Bureau)

Cover Sht 13 Mar 48

The following information was transmitted to the Japanese Government on this date:

1. To prepare a new Cabinet Order dissolving the Domestic Affairs Bureau and indicating disposition of its functions and personnel. This should contain what has been approved by this office, by Col. Hays and Public Safety Division, Col. Pulliam, in regard to the First Bureau, and what has been approved in regard to the Second Bureau, with appropriate dates.

2. To abolish the Miscellaneous Section and Accounts Section and indicate where records will be transferred; personnel are not to go with the records.

NOTES FOR SUZUKI SHIMPEI

3. To omit Local Autonomy Section and Local Official System Section and bring in a written report justifying continuation of these functions. Government Section will reconsider whether these functions should be continued at all in any place. Personnel of these two sections are to be held in abeyance.

4. To rescind the unauthorized orders which the Cabinet approved upon Mr. OHORI's misrepresentations after we approve the new Order.

5. We have scheduled a conference on the decentralization program and will inform the Japanese Government as soon as possible.

6. The Administrative Offices Law as written for extension will not be approved. Details will have to be worked out in coordination with this office. In principle it should be as follows:

A. The Administrative Offices Law as rewritten should be limited to the following:

(1) Definition of the various categories of government offices, permanent and provisional or temporary, e.g. permanent ministries and permanent independent agencies such as the National Personnel Commission, National Election Management Commission, Board of Audit, etc. Provisional or temporary independent agencies, boards or commissions, such as ESB, etc.

(2) Definition of the various levels of organization within a ministry or independent agency, etc., such as Department, Bureau, Division, Section (Branch) and Unit.

B. This law is not intended to indicate the scope of responsibility and the authority of the various agencies but is intended merely to identify the various agencies of government and to provide standard nomenclature for the various types of government offices as well as the organizational levels within those government offices.

C. The legal status of these organizations must be provided for by specific law, ennumerating:

(1) The purpose of the organization.

(2) The scope of its responsibility and authority, with a specific ennumeration of the functions which it is authorized to perform.

D. The law for each agency does not require the determination of organizational sub-divisions, i.e. it is not necessary to provide for departments, bureaus, divisions, etc., nor to ennumerate the number or rank of personnel. However, it is obvious that the Diet may at any time specify organization. It is not sound administrative practice to do so. However, where certain clear-cut organizational requirements are evident at the time of establishment, major sub-divisions such as department or bureau may be provided for. It is desirable, however, that organizational specifications not be written into law but that functions be clearly defined in detail.

E. The implementation of the Law by Cabinet Order, which in turn is implemented by a specific budgetary authorization properly justified shall indicate in detail the organizational break-down from department or bureau, down through unit, with a clear ennumeration of the functions and activities of such organizational sub-divisions, the number of personnel by type and grade required and other requirements. The Cabinet Order shall not contain any new function or modification of a function authorized by law.

CARLOS P. MARCUS
Chief, National Government Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

2 April 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Summary of Report Prepared by the Administrative Inspection Committee

The following report was submitted by KIKUYAMA Yoshio, Director Secretariat, Administrative Inspection Committee on 1 April 1948.

The Administrative Inspection Committee is composed of the following members:

FUNADA Kyoji	- Chairman
KIKUYAMA Yoshio	- Director, Secretariat
SEIHO Tokumaga	- Japan Federation of Labor Unions
HARA Kokichi	- Central Committee, Japan Farmers Union
IRIE Toshiro	- Former Director General Bureau of Legisl.
KAWASE Ittsukau	- President Japan Industrial Council
ISHIKAWA Ichiro	- President Federation of Economic Organization
YAMASHITA Tsune	- Women's Representative
SATO Tatsuo	- Attorney General's office
ARITA Kiichi	- Vice director, Cabinet Secretariat
SAITO Noboru	- Director General, National Rural Police
TANAKA Miyoji	- Vice director, Economic Stabilization Board
MAEDA Katsumi	- Administrative Research Bureau
TAKAHASHI Shinsho	- Secretary, Ministry of Education
TAKIGAWA Sueichi	

Mr. KIKUYAMA was informed that Government Section would not review the contents of the report which will be submitted to the Cabinet, and that the Summary was accepted only for information. The actions of the Cabinet, however, would be reviewed by Government Section and therefore the committee was free to make any recommendations agreed upon by its members.

T. Diamantes
CAPT. T. DIAMANTES
Administrative Management Division

Att.

(30)

April 1, 1948

Summarizing the contents mentioned in the report, this Committee recommends as follows:

I. With regard to the wages and salaries of the Goverment personnel, there shall speedily be established a rational and scientific system of wages and salaries, which, on the basis of living expense pays according to a stable price and wage structure with regional differences taken into account, shall incorporate efficiency pays and responsibility pays. At the same time, measures shall be adopted with a view to increasing actual wages and salaries, for the improvement of mutual aid and welfare facilities of the Government personnel as well as for the establishment of an order of circulation, so that they may be enabled to perform their duties without anxiety about the life of their families.

II. In order that the difference in character between the Government workers' unions and ordinary labor unions may be definitely understood and that there may remain no confusion whatever in the right to organize as workers on the part of Government workers and their duties as public servants, the Government shall first adopt positive measures, with a firm faith, for the thorough observation of the Service Regulations of the Government Personnel and against violations thereof. It shall also rectify such collective agreements as ~~we~~ are securing the authority over matters of personnel and administration or are in substance inconsistent with the duties of the Government personnel. It shall further rectify through

legislative

legislative measures the principles of the existing laws if they are not compatible with the special characters of the Government workers' unions, with a view to their normal and sound development. To that end, the coordination and timeliness of measures of labor administration in respect of the Government personnel ought to be ensured by establishing in the Cabinet a central and coordinating organ for such measures, which in the past were apt to be neglected and swayed by the force of circumstances.

III. Whether or not the composition of personnel upon which the organization of a Government office rests, is so balanced as to make for the best efficiency in order to attain the objective given to that office is an important matter in personnel management, which is one of the phases of administration. Therefore the Government shall first set to the establishment of a system of fixing the number of personnel, which shall be based on scientific researches, in the service department of the Government railways and communications, in respect of which the question of the number of personnel is most discussed. At the same time the Government shall re-examine the allocation of personnel in every department of administration with a view to improvement of administrative efficiency.

IV. The successive creation of local agencies of the central Government offices in consequence of the increase of matters of control tends to deprive the local overall administration

of its substance and run counter to the furtherance of local self-government. On the other hand, there are not without cases where control by the central offices is rendered ineffective on account of the inadequacy of the lower agencies. Therefore the Government shall delegate such controls as are not indispensable from the national point of view to the Prefectural Governors and, by clarifying their authority and responsibility, promote the development of local self-government. At the same time, for the rationalization and greater efficiency of national finance and administration, it shall define matters of control which can be executed by the State and take steps to discard the name but keep the substance of control.

V. All Government offices which are newly established or expanded in consequence of the increase of matters of State are suffering from the shortage of office and administrative expenses and their functions are being paralyzed. Such a state of affairs is considered to originate in the fact that the budget is not so compiled as to conform to the planning and researches for the rationalization and greater efficiency of administration. Therefore it is desired that the Government pay consideration to this matter in reference to administrative organization.

VI. The red tape and delay involved in matters of license and approval, payment, and other matters of Government offices

have

have long been criticized by the people. Efforts shall be made to simplify procedures and remove formalism. Measures shall be taken at the same time to periodically adjust such matters on the initiative of Government offices. Especially with regard to matters coming under restrictive provisions relating to temporary buildings, etc., the license and approval of which are notoriously delayed, measures for simplifcation shall be adopted through delegation of authority, adjustment of consultative organs, etc.

VII. With regard to the improvement of administration in direct contact with the people, the Principles of Improvement of Matters of Administration in Direct Control with the People shall not be reduced to a dead letter but shall be put into practice through incessant zeal and endeavors, and the supervisory organs shall always pay attention to the results thereof.

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return to Marcum

Interim Report and Recommendations of the Temporary Administrative Reorganization Commission

The Temporary Administrative Reorganization Commission was set up for the specific purpose of deliberating upon important matters concerning the reform of the administrative organizational structure, and has since its inception energetically taken in hand, with the full benefit of the past achievements of the Administrative Research Bureau and of the Administrative Inspection Committees, the deliberation on the whole range of the problems involved with a view to the realization of the overall reform of the administrative organizational structure throughout the central and local governments in this country.

These problems involve a wide variety of themes which digress from the main subject and cover many extremely important matters, so that further careful deliberation will still be necessary before arriving at their decisions. Consequently, this first report is confined to the enumeration of the important problems which are to be taken up by the Commission and the gist of the Commission's basic policies in regard to such matters.

1. Past progress in the reform of the administrative organizational structure:

With the advent of a new situation brought about by the termination of the war and the enactment of the new Constitution, many reforms have been already introduced in the administrative setup in this cuntry. Among these particularly important are that:

(1) As measures aiming at the eradication of a wartime structure in the administrative setup consequent upon the termination of the war,

a. The abolition of the Ministries of War and Navy,

b. The abolition of the Greater East Asia Ministry,

c. The abolition of the Board of Information, the Board of Shinto Rituals and other wartime State organs based on SCAP directives.

d. The reorganization of the Ministries of Munitions and of Agriculture and Commerce into the Ministry of Agriculture and Forestry and the Ministry of Commerce and Industry, were effectedd

(2) However, all the above reforms were effected as measures directly attendant upon the termination of the war; and as, upon the enactment of the new Constitution, fundamental and coordinated reforms of the administrative setup throughout the central and local governments which should conform with the spirit of the new Constitution became necessary for the purpose of realizing its effective implementation, the Administrative Research Bureau was temporarily created in the Cabinet on October 28, 1946, and has since then taken upon itself the investigations, studies and drafting of programs in regard to the reforms of the civil service system and the method of administrative management, as well as important reforms concerning the administrative setup, and matters of negotiation and liaison with GHQ.

And, apart from those mentioned in (1) above, the following reforms of the administrative system conforming to the spirit of the new Constitution were introduced one after another:-

a. The establishment of the Economic Stabilization Board.

b. The abolition of the Ministry of Imperial Household and the consequent establishment of the Imperial Household Office.

c. The establishment of the Ministry of Labor.

d. The abolition of the Ministry of Home Affairs and the consequent establishment of the National Election Management Committee, the Local Finance Commission, the Bureau of Internal Affairs and the Construction Board.

e. The enactment of the National Public Service Law and the creation of the Temporary National Personnel Commission.

f. The abolition of the Ministry of Justice and the Legal Bureau, and the consequent establishment of the Attorney General's Office.

g. The fundmental reform of the local autonomous system.

h. The fundamental reform of the police system.

i. The abolition of the "Shokutaku" system.

In each Ministry, many reforms have been and are still being effected in its internal organization as its own requirements necessitate such changes. Further, apart from these reforms, the question of liquidating local agencies of Central Government offices has been taken up, and proposals in this connection have been drawn up by the Administrative Research Bureau and submitted to GHQ, but the question has not yet been settled.

2. Problems hereafter requiring settlement:

While various reforms have already been accomplished as stated in the preceding paragraph, they give the impression of having been effected in a rather unsystematic manner, and it is considered necessary to coordnate and integrate them together with other

important questions which are still left unsettled as a consistent reform of the administrative setup. For instance, the following matters are at present made the subjects of public opinions and are considered to constitute principal problems that require further inquiries and settlement in the future:-

a. General simplification of the governmental organizational structure.

b. The creation of an administrative management agency responsible for the unification of administrative organizations and the improvement of administrative procedures.

c. The improvement of organization and structure of the national government, for example the reorganization of the Ministries of Foreign Affairs and Education.

d. The establishment of a Ministry of Construction.

e. The reform of Government enterprises.

f. The liquidation of local agencies of the National government and the establishment of local administrative setup.

g. The reform of the budget system.

3. Policies for settlement:

In addition to the matters enumerated above, there are still no few problems connected with the administrative setup and administrative management which require further inquiries. It is the intention of the Commission to take up those problems that urgently call for immediate execution and to deal with them generally according to the following policies:-

It must be said that the fundamental object for the reforms of the administrative setup and of administrative management under the new Constitution is to assure the people democratic and efficient management of administrative affairs by consoldating the rational administrative organizational structures throughout the central and

local governments, that are fully capable of satisfactorily performing various administrative affairs so necessary to this country at the present time, under the supervision of Cabinet, which is the supreme administrative organ under the parliamentary cabinet system established by the new Constitution.

However, it must be said at the same time that, as one of the means for accomplishing the object referred to above, it is highly desirable to keep the size and competence of the whole administrative setup as simple as practicable. For it is thought that the new Constitution anticipates that the discipline in all phases of national livelihood, such as politics, economy, society, philosophy, etc. should be autonomously regulated by the people themselves, and aims it as its ideal to restrict to the minimun the interference of State's administrative organizations.

Reflecting, however, on the present conditions of Japan today, after the defeat in the war, when particularly her economic reconstruction is the supreme order that transcends everything else, it is inevitable to enforce a sufficiently high degree of controls by means of administrative power until such a time as her economy and society are stabilized; consequently, it is perhaps unavoidable that the governmental organizations should be so set up as to adapt themselves to the existing situation.

In the light of the points mentioned above, therefore, the Commission makes for its basic principle the simplification of administration as far as practicable in order, on the one hand, to bring about a rational system consistent with the actual administrative work in the whole administrative structure under the Cabine as well as to secure the democratization and rationalization of administrative management, and, on the other, to prevent the execessive burden of the people on account of State expenses

required for administrative purposes as the result of such administrative structure getting too huge and powerful.

In other words, the efficiency of the administrative structure is the ultimate objective, and, in order to attain it, the Commission intends to pursue the following policies:-

Further, keeping pace with this objective, inquiries are to be fundamentally instituted at the present juncture into the method of transacting work and the attitude in attending to official duties hitherto in vogue at government offices, and necessary improvements introduced from the angle of efficiency and rationalization, while, through the National Personnel Commission, programs for sound and equitable treatment of national public servants are to be established.

(1) Simplification of administrative structure:

a. To endeavour, under the existing conditions, not only to liquidate those agencies where the volume of work under their jurisdiction has been decreased, but also to regulate unecessary and non-urgent work in others as far as practicable in order to reduce the administrative structure and enhance also the efficiency in administrative management.

b. In regard to those agencies having an unduly complicated or huge organizational structure, to simplify and rationalize their setup as far as practicable with the readjustment of work under their jurisdiction.

c. To readjust the overlapping of competence between agencies and the duplication of work.

d. To liquidate local agencies of the national government by transfering national business to local public entities as far as practicable so as to bring about the democratization of local autonomy and the coordination of local administration.

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b. In regard to those agencies having an unduly complicated or huge organizational structure, to simplify and rationalize their setup as far as practicable with the readjustment of work under their jurisdiction.

c. To readjust the overlapping of competence between agencies and the duplication of work.

d. To liquidate local agencies of the national government by transfering national business to local public entities as far as practicable so as to bring about the democratization of local autonomy and the coordination of local administration.

However, in view of the necessity for ensuring the unified controls of the national government particularly in the field of economic administration, consideration is to be given to the establishment of an appropriate system for strengthening the supervisory powers of the national government over local governors.

In connection with this question, in cases where a Ministry or Board has several local agencies of its own, to unify them into one as far as practicable.

e. To determine a specific standard concerning the organization of a Bureau, Division, or Section in the internal setup of each Ministry or Board, and to devise means of preventing the promiscuous creation or enlargement of any such subdivision in the future.

(2) Unification of administrative structure:

In order to coordinate and integrate administrative work conducted by each Ministry and Board and to promote the unity of administration, it is necessary to devise means for giving full play to the consistency in the direction and supervision of the Prime Minister, who is the head of the Cabinet, over different branches of administration. To this end, with the goal of reorganizing the Prime Minister's Office into such a structure as will be appropriate for conducting coordinated work devolving on the Prime Minister, ordinary administrative affairs are to be transferred, according to their respective nature, to each Minister as far as practicable, while consideration is also to be given to the creation of a new coordinating agency in the Cabinet or the Prime Minister's Office.

(3) Division and soundness of administrative structure:

a. As an endorsment of the unification of administrative structure, in the relationship of the Prime Minister with various Ministries, in the structure of the internal organization of various Ministries

as well as in the relationship between central and local government offices, a well-defined division of functions is to be effected between agencies which take charge of policy-making and supervisory control and those responsible for their enforcement, However, the policy-making and superfisory control just referred to are primarily those concerned with a general outline of the affairs under the jurisdiction of the agency involved, and proper steps are to be taken to ensure that agencies responsible for their enforcement be delegated appropriate authority in order that they may be able to display a reasonable measure of initiative under their respective welledefined responsibility on the basis of the general outline thus fixed.

In this connection, the rights of granting authorization or permission, etc. are to be transferred as far as practicable to local government offices which are in the first line of contact with the general public, thus contributing to the speediness and efficiency in administrative management.

b1 Of governmental activities, distinction should be made between general administrative affairs, and the operation of government monopolies and State-controlled enterprises. Of these the management of State enterprises differs considerably in its nature from the other two, and it is only pertinent to separate the management of State enterprises from the general administrative structure, thereby, on the one hand, eliminating the confusion between the management of an enterprise and supervisory administration so as to secure the soundness of an administrative setup, and, on the other, entrusting the management of State enterprises to an organizational structure which has an independent character in regard to its personnel and accounting. Government enterprises, such as Government Railways, Comminucations, etc. are to be reorganized structurally in this light.

(4) Efficiency and rationalization of administrative management

While the reforms of administrative structure are to be proceeded with in accordance with the policies outlined above, inquiries are also to be instituted into the so-called official method of transacting business and the bureaucratic attitude in attending to official duties which have been liable to public criticism in the past as effecting the method of administrative management, and, in addition to steps taken not only to keep the public informed as far as practicable of the contents of administration but also to reflect popular opinions in the administration of their affairs, necessary improvements are to be introduced so as to secure the efficiency and rationalization in, for example, the handling of process for granting official authorization or permission and of other work directly affecting the public, the method of preserving and filing official documents and archives, the equipment of office appliances and apparatuses, and other procedures in coordination of "the flow of work", etc.

Again, consideration is also to be given to the question of taking necessary steps in order that public servants who are responsible for the actual management of administration may really feel pleasure in the performance of their duties, so that the efficiency in actual administration may be realized from the standpoint not only of an organizational structure but of the whole aspects of the program involved.

And in the past the question f introducing efficiency and rationalization in administrative management as outlined above has not been fully given due recognition in this country, and as it is considered that the attainment of such goal cannot be effected in a brief span of time but will require continuous efforts at all times in the future, consideration is to be given to the creation of an organ which will play a pivotal part for realizing the object in view.

Miss Turner
Pl File

To: Dr. Hitoshi Ashida, Prime Minister

From: Kyoji Funada, Chairman,
Central Administrative Inspection Committee

Subject: Opinion on the Treatment of the Recommendations or Requests of the Administrative Inspection Committees

April 28, 1948

The Central Administrative Inspection Committee and the Administrative Inspection Committees of the respective Government offices continued inspection since they were established in September last year and have submitted reports on the results of inspection to the respective Ministers in charge. How the recommendations or requests contained in those reports are reflected in the administrative field and materialized in practical measures is not only a matter of serious concern for the Committees themselves and the people and Government personnel who hoped that their views would find expression through the Committees, but also a matter which will determine for the future the weight of advisory organs. This Committee therefore desires to take this occasion, since all Committees have submitted their reports, to draw the attention of the Cabinet and the respective Government offices to matters which are hereinunder listed with the opinion of this Committee and which, it is hoped, will be given special consideration and speedily dealt with.

(1) It is considered that the following matters are applicable to all Ministries and should be dealt with from an overall point of view; therefore it is desired that the Prime Minister make a study of them to take suitable steps:

(a) Improvement of wages and salaries and the treatment of Government personnel and establishment of an central organ therefor.

(b) Establishment and coordinated execution of a labor policy regarding Government personnel and establishment of a permanent central organ therefor.

(c) Readjustment of central and local organs of the Government and such reforms of the administrative structure as suggested in the reports.

(d) Reexamination of the allocation of personnel, especially correction of the local, qualitative inequality in the composition of personnel, with a view to improving business efficiency in various branches of administration.

(e) Consideration of an overall policy for office buildings.

(f) Improvement of the system of filing and preserving documents and establishment of a central, executing organ therefor.

(g) Simplification of procedural matters of permission and license involving several Ministries, especially simplification of procedural matters of licensing construction except dwelling-houses.

(2) With regard to cases where the "Existing System of Budget and of the Attestation of Expenditures of Public Works" is obstructing the efficiency of administration, it is urgently desired that the Ministry of Finance and the Economic Stabilization Board obtain information on circumstances in concrete terms from the Ministries concerned and positively proceed with the formulation of policies for their correction.

(3) "Desire to Business Circles for the Prevention of Corruption of Government Personnel" should, in view of the nature of the problems involved, properly be taken up by the Administrative Inspection Committee to be established in future.

(4) The following are matters common to all Ministries; they are considered capable of practice according to the circumstances of the respective Ministries; therefore it is desired that concrete measures be speedily worked out and that, if necessary, the Prime Minister coordinate and adjust such measures:

(a) Expediting of issuing of orders on matters of personnel, especially those submitted from local offices.

(b) For the prevention of irregularities in Government offices executing matters of economic control, the system should be so improved as to make such a

matter

matter a common charge of several persons, not a charge of a single person as at present.

(c) Clarification of the assignment of official duties and competence.

(d) Education and training of newly-employed personnel and re-education of personnel who have already been in service.

(e) Delegation of authority by central offices to d directors of local divisions or bureaus.

(f) Elimination of the centralization of power in the administrative structure of Government offices.

(g) Re-examination of the rules of the processing of documents.

(h) Consideration regarding the convocation and steering of conferences.

(i) Simplification of the procedures of application and the forms of written application and elimination of formalism.

(j) Enforcement of periodical inspection to get aid of all delays in matters of permission and license, matters of payment, and other matters.

(k) Continuous inspection of the actual state of improvement of administrative affairs in direct contact with the people.

(5) It is considered that the following are matters which are peculiar to the respective Ministries, and for which measures should be worked out, and put into practice on the responsibility of the respective Ministries; with regard to such matters as may require cooperation of other Ministries or the overall guidance of the Prime Minister, it is hoped that he will pay special consideration for the purpose of facilitating such cooperation or guidance;

(a) Economic Stabilization Board

Measures for the improvement of the execution of matters concerning the coordination and adjustment of affairs of various offices and for ensuring the execution of policies.

(b) Construction Board

Expediting of works for the readjustment of land demarcations.

(c) Construction Board and Special Procurement Board

Solution of the question of delay in the payment of the cost of construction works for the Occupation Forces.

(d) Attorney General's Office

Solution of the question of the condition of prisons and excessive detention.

(e) Ministry of Finance

Improvement of administration of taxation and monopolies.

(f) Ministry of Education

Measures after the aorogation of the Private School Ordinance; rationalization of the administration of university hospitals; measures for the prevention of fire.

(g) Ministry of Welfare

Improvement of the operation of state hospitals and sanatoriums.

(h) Ministry of Agriculture and Forestry

Improvement relating to timber, forestry and food administration.

(i) Ministry of Commerce and Industry

Measures for the improvement of the administration of public corporations.

(j) Ministry of Transportation

Expediting of matters of compensation for damage to railway baggage and cargo and measures for the prevention of such damage.

(k) Ministry of Communications

Measures for the prevention of crimes in the course of official duties.

(l) Ministries of Transportation and Communications

Re-examination of the present fixed number of personnel.

(m) Ministry of Labor

Measures for the completion of agencies in the field.

It is urgently desired that the Prime Minister demand from time to time reports or exaplanations on the state of formulation and execution of measures by the respective Ministries as above-mentioned to inspect the manners of dealing with the opinions of the Committees and thus perform the function of coordinating and

adjusting

adjusting them. It is also desired that, with regard to the requests or recommendations contained in the reports of the Committees other than the above opinion of this Committee, the respective Ministers in charge make a study and take practical steps.

Copy of letter to Prime Minister from Funada
re: Expansion of admin. Org. Structure

Temporary Administrative Reorganization Commission

April 23, 1948

To

Ashida Hitoshi, Esquire,

Prime Minister

In accordance with the provision of Article 8 of the Ordinance governing the Temporary Administrative Reorganization Commission, the attached recommendation concerning the expansion of administrative organization structure and increases in personnel requirements in submitted herewith.

Funada ?
~~Ashida Hitoshi~~ ?

Chairman

(33)

Enclosure

In regard to the reforms of administrative organization structure, this Commission, with the objective of attaining administrative efficiency as the basic policy for the reforms of the future organization structure, has recently recommended the simplification of administrative organization structure as an important item of such reforms, and in view of the confirmation given thereto by the Government coupled with the fact that the Government is separataly contemplating the enforcement of an administrative readjustment, it is hoped that the Government make it a general principle not to carry out hereafter any expansion of administrative organization structure, particularly the creation of any new agency or subdivision. Even in cases where the creation of a new agency or subdivision is really inevitable, it is desired that appropriate steps be taken within the scope of the existing organization structure or personnel requirements so as to avoid the expansion of the organization structure of the pertinent Ministry, Agency, etc. as a whole or the increase of its existing working force.

Administrative Reorganisation Commission

Chairman:	✓ Hitoshi Ashida	Prime Minister
Vice Chairman:	✓ Kyoji Funada	President of the Administrative Research Bureau
Members:		
Ministers of State:	✓ Yoshio Suzuki	Attorney General
	✓ Takeo Kurusu	Director General of the Economic Stabilisation Board
	✓ Tokutaro Kitamura	Minister of Finance
	✓ Suehiro Nishio	Without Portofolio
Persons of Learning and Experience	○ Tokujiro Kanamori	Chief of the Diet Library
	○ Sedichiro Arai	Former President of the Board of Audict
	○ Shinsuke Asao	President of the Nippon Yusen Kaisha
Chief Secretary:	✓ Katsumi Maeda	Acting Secretary General of the Administrative Research Bureau
Secretaries:	Kiichi Arita	Deputy Director General of the Cabinet
	Shigenobu Shima	Chief of Councillor's Room of the Prime Minister's Office
	Yoshio Kikuyama	Director of the Secretariat of Central Inspection Committee
	Takayuki Yamamoto	Director of the Secretariat of the Economic Stabilisation Board
	Katsumi Maeda	Director of the General Affairs Division of the Administrative Bureau
	Takeo Fukuda	Director of the Budget Bureau of the Ministry of Finance

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Government Section

11 March 1948

MEMORANDUM FOR THE RECORD

SUBJECT: Instructions to Japanese Government (Administrative Research Bureau)

The following information was transmitted to the Japanese Government on this date:

1. To prepare a new Cabinet Order dissolving the Domestic Affairs Bureau and indicating disposition of its functions and personnel. This should contain what has been approved by this office, by Col. Hays and Public Safety Division, Col. Pulliam, in regard to the First Bureau, and what has been approved in regard to the Second Bureau, with appropriate dates.

2. To abolish the Miscellaneous Section and Accounts Section and indicate where records will be transferred; personnel are not to go with the records.

3. To omit Local Autonomy Section and Local Official System Section and bring in a written report justifying continuation of these functions. Government Section will reconsider whether these functions should be continued at all in any place. Personnel of these two sections are to be held in abeyance.

4. To rescind the unauthorized orders which the Cabinet approved upon Mr. OMORI's misrepresentations after we approve the new Order.

5. We have scheduled a conference on the decentralization program and will inform the Japanese Government as soon as possible.

6. The Administrative Offices Law as written for extension will not be approved. Details will have to be worked out in coordination with this office. In principle it should be as follows:

A. The Administrative Offices Law as rewritten should be limited to the following:

(1) Definition of the various categories of government offices, permanent and provisional or temporary, e.g. permanent ministries and permanent independent agencies such as the National Personnel Commission, National Election Management Commission, Board of Audit, etc. Provisional or temporary independent agencies, boards or commissions, such as ESB, etc.

(2) Definition of the various levels of organization within a ministry or independent agency, etc., such as Department, Bureau, Division, Section (Branch) and Unit.

(55)

B. This law is not intended to indicate the scope of responsibility and the authority of the various agencies but is intended merely to identify the various agencies of government and to provide standard nomenclature for the various types of government offices as well as the organizational levels within those government offices.

C. The legal status of these organizations must be provided for by specific law, ennumerating:

(1) The purpose of the organization.

(2) The scope of its responsibility and authority, with a specific ennumeration of the functions which it is authorized to perform.

D. The law for each agency does not require the determination of organizational sub-divisions, i.e. it is not necessary to provide for departments, bureaus, divisions, etc., nor to ennumerate the number or rank of personnel. However, it is obvious that the Diet may at any time specify organization. It is not sound administrative practice to do so. However,where certain clear-cut organizational requirements are evident at the time of establishment, major sub-divisions such as department or bureau may be provided for. It is desirable, however, that organizational specifications not be written into law but that functions be clearly defined in detail.

E. The implementation of the Law by Cabinet Order, which in turn is implemented by a specific budgetary authorization properly justified shall indicate in detail the organizational break-down from department or bureau, down through unit, with a clear ennumeration of the functions and activities of such organizational sub-divisions, the number of personnel by type and grade required and other requirements. The Cabinet Order shall not contain any new function or modification of a function authorized by law.

CARLOS P. MARCUM
Chief, National Government Division

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CARLOS P. MERCUR
Chief, National Government Division

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