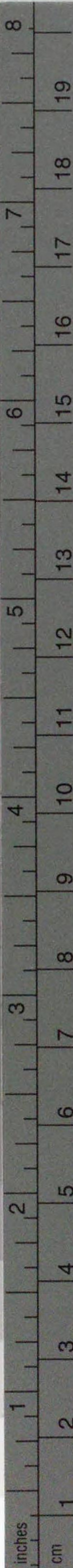


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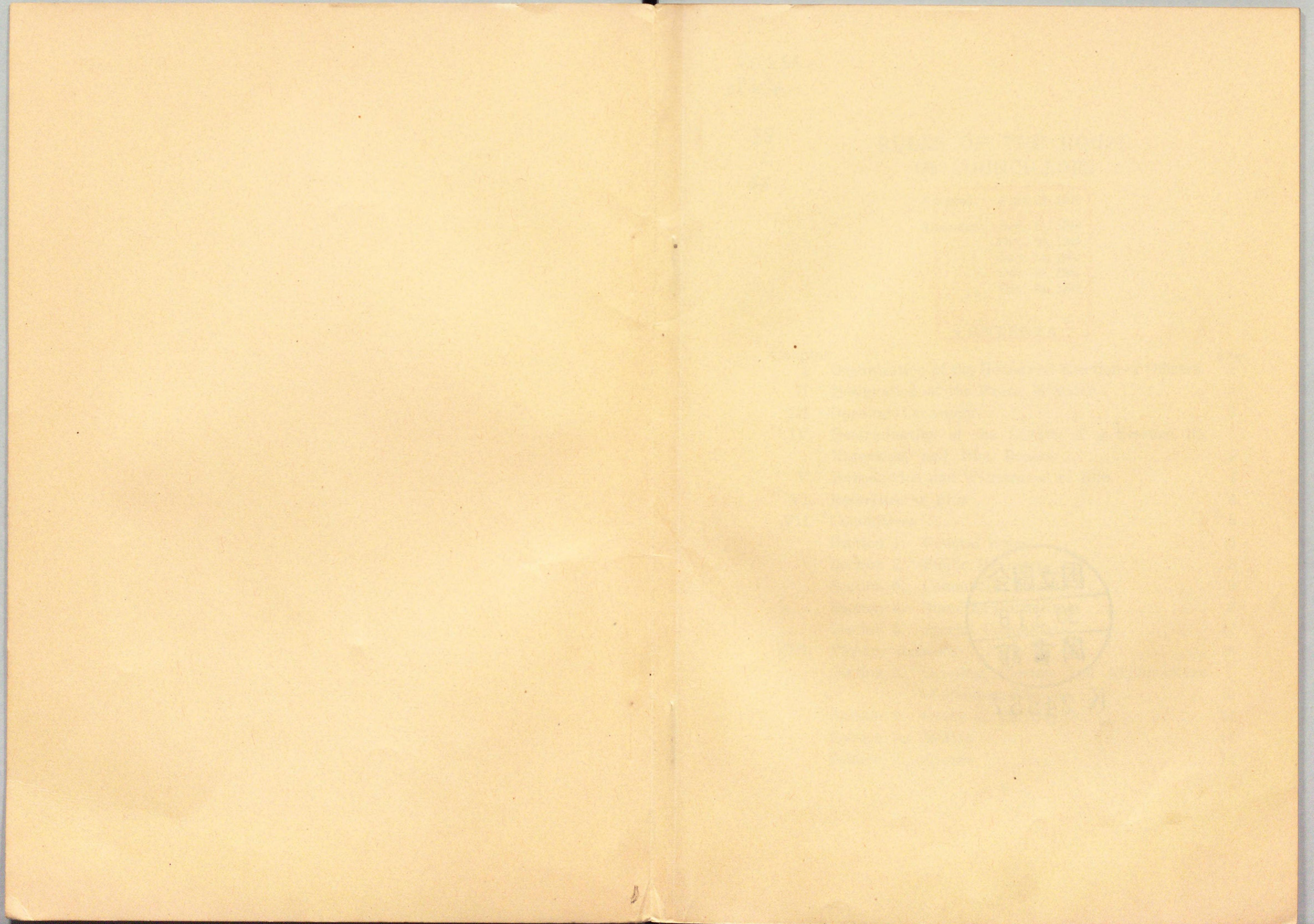
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RULES OF THE HOUSE OF COUNCILLORS

HOUSE OF COUNCILLORS

SECRETARIATE

Tokyo



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RULES OF THE HOUSE OF COUNCILLORS

Adopted: June 28, 1947

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**CHAPTER I. ORGANIZATION OF THE HOUSE AND
ELECTION OF OFFICERS**

Article 1. Members ~~must assemble~~ in the House of Councillors at ten o'clock on the morning of the day designated by the Imperial Rescript of Convocation.

Article 2. Members who attend the House for the first time since their election must present to the Secretariate their certificates of election for collation with the List of the Elected.

Article 3. When the attendance of Members reaches one-third of the full membership of the House, the President shall take his seat.

Article 4. In case both the President and the Vice-President are vacant on the day of convocation, the House shall elect the President as soon as the attendance of Members reaches one-third of the full membership of the House.

The election of the President shall be conducted by secret vote with single entry.

Article 5. Each Member, in response to roll-call, shall carry his ballot and wooden name-ticket to the Rostrum.

Secretary A shall receive the name ticket and Secretary B the ballot, and they, on behalf of each Member, shall cast his or her name-ticket and ballot into the name-ticket and ballot boxes respectively.

Article 6. When all the Members present have balloted, the Secretary-General shall order that the ballot-box be closed. After this order no more balloting shall be permitted.

Article 7. On completion of the balloting, the Secretary-General shall at once have the secretaries count the name-tickets and ballots cast and examine the ballots.

In case the number of the ballots cast exceeds the number of name-tickets, another election must be held, except when such excess does not affect the result of the election.

Article 8. On completion of the examination of the ballots, the Secretary-General shall report the result of the election.

Article 9. He who has obtained a majority of the votes shall be elected. In case no one has obtained a majority of the votes,

a final election shall be held between the two candidates receiving the highest number of votes, and he who then receives the greater number of votes shall be elected. In case, however, the candidates have obtained an equal number of votes, the two on whom a final election is to be taken or the one to be elected shall be determined by lot.

Article 10. If a problem arises concerning the election, the Secretary-General shall settle it after consultation with the House.

Article 11. Following the election of the President, the House shall elect the Vice-President.

The election of the Vice-President shall be held in the same manner as that of the President.

Article 12. Following the elections of the President and the Vice-President, the Secretary-General shall introduce them to the House and conduct the President to his chair.

Article 13. In case either the President or the Vice-President is vacant on the day of convocation, they shall be elected according to the Provisions of Article 4 and the articles thereafter.

Article 14. The President shall designate the seats of the Members at the beginning of each Session, provided that he may change them if necessary.

Each seat shall have attached a number and a sign-post indicating the full name of its occupant.

Article 15. Deleted.

Article 16. If the chairmanship of any Standing Committee is vacant on the day of convocation, the Chairman shall be elected according to the manner of election of the President.

The House may delegate to the President the power of choosing the Chairman of a Standing Committee.

Article 17. In case there is no Secretary-General on the day of convocation, he shall be elected in a manner similar to the election of the President.

The House may delegate to the President the power of choosing the Secretary-General.

Article 18. When the elections of the President, the Vice-President, the Chairmen of the Standing Committees and the Secretary-

General have been completed, or when such elections are not required, the President shall announce that the House is duly organized and shall immediately notify the House of Representatives and the Cabinet to that effect.

Article 19. As to the election of the President, the Vice-President, the Chairman of a Standing Committee, or the Secretary-General, whose post has become vacant while the House is in session, and as to the election of a President pro tempore, the provisions of Article 4 and the articles thereafter will apply.

CHAPTER II. DESIGNATION OF THE PRIME MINISTER

Article 20. In designating the Prime Minister, the House shall choose the nominee by means of secret vote with single entry and make its decision on him.

He who has obtained a majority of votes shall be designated. In case no candidate has won a majority of votes, a ballotage shall be taken to decide between the two candidates receiving the highest number of votes, and he who then receives the greater number of votes shall be designated. In case, however, there are candidates who have received an equal number of votes, the two on whom a ballotage is to be taken or the one to be designated shall be determined by lot.

The House may determine the candidate to be designated, by a motion or ways other than by balloting.

CHAPTER III. OPENING CEREMONY

Article 21. The date and place of the opening ceremony shall be determined by the President in consultation with the Speaker of the House of Representatives.

CHAPTER IV. DETERMINATION OF THE LENGTH OF A SESSION, ITS EXTENSION, AND DIET RECESS

Article 22. As to the term of an extraordinary and a special session, the House shall decide it by vote, after the President has consulted with the Speaker of the House of Representatives. In this case the President must previously consult with committee chairmen of standing committees to obtain their opinions on the legislative program for the aforesaid session.

The result of the above decision shall be immediately reported to the House of Representatives and the Cabinet.

Article 23. The provisions of the foregoing Article apply mutatis mutandis to the extension of session of the Diet and recess of the Diet.

CHAPTER V. INTRODUCTION AND WITHDRAWAL OF BILLS

Article 24. Any Member introducing a bill must present a draft to the President together with written reasons for its introduction. The President shall have the bill printed and distributed to the Members.

Article 25. The President shall send any of the bills provided for in the preceding Article, which requires the decisions of both Houses, to the House of Representatives for preliminary examination at the same time with their distribution to the Members.

Article 26. With regard to a bill, whose examination by a committee must be omitted, its introducer, the Cabinet or the House of Representatives shall inform the President to that effect in writing simultaneously with its introduction, presentation or transmission. In such a case, the President shall consult with the House as to whether the examination by the committee shall be omitted.

Article 27. When a bill is introduced by the House of Representatives or by the Cabinet, or when a bill is sent in from the House of Representatives, or when a bill is sent in from the House of Representatives or from the Cabinet for preliminary examination, the President shall have it printed and distributed to each Member, provided that the bill introduced or sent in is not the same as has already been distributed for preliminary examination.

Article 28. When a Member wishes to withdraw a bill he has introduced, or a motion he has made, the request for withdrawal must be made by all the Members who introduce the bill or motion.

On the above mentioned request, the committee or the House shall decide.

CHAPTER VI. REFERENCE OF BILLS

Article 29. The President shall refer a bill or a bill sent in for preliminary examination to a competent standing committee,

or shall refer a bill which is not considered as falling under the jurisdiction of any standing committee to a special committee, after consultation with the House. Unless provided for otherwise in these Rules, the same shall apply to matters other than bills.

CHAPTER VII. COMMITTEES

Section I. General Rules

Article 30. The selection and appointment of members of Committees shall all be made through designation by the President. The same shall also apply while the Diet is out of session.

Article 30-2. A committee shall have one or several directors. Directors shall be mutually elected from among the committee members by secret ballot. However, the cooptation may be replaced by the procedure of recommendation.

When the chairman is unavailable, a director shall act as his proxy.

Article 31. The President may permit the resignations of members of committees. The same shall also apply while the Diet is out of session.

As to the resignation of a chairman of a special committee, a director, a chief and an assistant chief of a section, the respective committee shall give permission for it.

Article 32. Related matters may be referred to one special committee en bloc.

Article 33. A committee may examine or investigate matters referred to it.

Article 34. Besides matters referred to it, a committee can investigate a matter which the President approves.

In order to secure the approval of the President, the committee shall present to the President documents clarifying the subject which it desires to investigate, the purpose of the investigation, its benefit, method, term, and expenses.

In case the President approves the committee's request provided for in the preceding paragraph, he shall report to the House to that effect.

Article 35. The House Management Committee or the Library Management Committee may, besides those provided in the two preceding articles, hold its meetings in connection with management of the House or the National Diet Library at any time while the Diet is in session.

Article 36. If necessary for examination or investigation, a committee may hold a joint meeting with another committee or other committees after consultation.

Article 37. No committee shall meet while the House is sitting. However, an exception may be made with the approval of the President.

Article 38. The chairman shall decide the date for a committee meeting.

When requested by one third or more of the committee members, the chairman shall hold a committee meeting.

Article 39. When a bill has been referred to the committee, it first shall hear the explanation on the purport of the bill and then begin examination thereon.

Article 40. The chairman may announce an intermission or a close of a committee meeting if it becomes difficult to control the proceedings of the meeting.

Article 41. If a committee member violates the Diet Law or these Rules or disturbs the order in a committee meeting or injures the prestige of the House, the chairman shall halt the action and order him to retract his speech. If his order is disobeyed, the chairman may prohibit the member from speaking during the committee meeting of that day or order him to retire from the room.

Article 42. A member can freely interpellate and express his views on subjects under discussion.

In case members request to speak, the chairman shall recognize the members in the order of such requests.

Article 43. Committee requests for the attendance of State Ministers, Government delegates or auditors, must be made through the President.

Article 44. A committee may permit a Member who is not a member of the committee to speak.

Article 45. In case the committee chairman desires to participate in the debate, he must take his seat among the committee members.

If the chairman participates in debate, he shall not return to his seat as chairman pending completion of vote on the subject under debate.

Article 46. Committee members who desire to amend a bill shall present the draft amendment bill in advance to the chairman.

Article 47. A chairman may limit the time for interpellation or for debate beforehand by consulting thereon with the committee.

Article 48. A committee member may offer a motion to close interpellation or debate.

Article 49. When the debate is finished, the chairman shall bring the matter to a vote, after announcing the subject.

Article 50. The House may require a committee to report on its examination or investigation within a time limited.

Article 51. A committee or section may set up sub-committees for the convenience of conducting examinations or investigations.

Article 52. The chairman may attend and speak in other committee meetings.

Article 53. When a committee requests to continue its examination or investigation on a special matter after the House no longer is in session, the President must consult thereon with the House.

Article 54. If the House decides that a committee continue its examination or investigation even while the Diet is out of session, the President shall immediately notify the House of Representatives and the Cabinet thereof.

Article 55. The committee shall, at the beginning of the next session, present to the President a written report concerning matters upon which examination or investigation has not been completed while out of session.

Article 56. A committee shall draw up its own minute book.

Article 57. The committee chairman or the director who has presided over the committee meeting shall sign the committee minute book which the Secretariate safekeeps.

Article 58. The minute book of a committee meeting shall be printed and the copies shall be delivered to each Member.

Article 59. Except as provided in the preceding three Articles, provisions stipulated in Chapter X relating to the minutes shall apply mutatis mutandis to the committee minute book.

Section II. Public Hearings

Article 60. A public hearing may be held for examination of bills.

Article 61. When a Member or anyone who is not a Member desires a public hearing to be held in connection with an important bill, he must so state to the committee chairman by submitting a letter making clear the reason thereof.

Article 62. The committee chairman, after consulting with the committee, may hold a public hearing. In case a request is made by a majority of the committee members, the same shall apply.

In the preceding case, approval of the President is required.

Article 63. Public hearings may be held even for preliminary examination.

Article 64. Subject matters of public hearings shall be decided by the committee chairman after consultation with the committee.

Article 65. The committee chairman will make public the date and the subject matter for a public hearing.

Article 66. Anyone who desires to express his views in a public hearing shall inform the chairman to that effect in advance by filing a letter stating his reason and whether he is for or against the subject matter.

Article 67. The committee shall select interested individuals and men of knowledge and experience whose opinions are to be heard in public hearings (these are called "public speakers"), from among those who register a desire to speak in advance and others; and the committee notify them to that effect.

Diet Members and other public service employees shall not be prevented from becoming public speakers.

At public hearings, the number of public speakers for and against the subject matter as well as the length of time allotted to them must be equitable.

Article 68. Public speakers shall not talk beyond the scope of the subject matter.

In case either the public speaker talks beyond the scope of the subject matter, or his words or behaviors are improper, the chairman may prohibit the speech or order the speaker to retire from the meeting.

Article 69. A committee member may question a public speaker.

Article 70. Neither debate shall take place nor vote be taken at a public hearing.

Article 71. A public speaker cannot express his views through a proxy or present his views by means of a document, unless given permission by the committee.

Section III. Committee Reports

Article 72. When the committee completes an examination or investigation on a matter which has been referred to it or approved for it, the committee chairman shall draw up a report thereon and present it with the signatures of the members holding the majority opinion to the House. The same shall apply to a report on the minority opinion.

A written summary of the matter, explaining briefly the reasons for the committee decision, the advantages and disadvantages to be caused by the matter, expenses, and other matters involved, shall be attached to the report of the committee chairman.

The President shall have the report or reports printed and distributed to each Member.

Article 73. In case of particular necessity the House may request an interim report on a matter under examination or investigation by a committee.

Section IV. Standing Committees

Article 74. The number of members of each Standing Committee and the jurisdiction of each shall be as follows:

1. Standing Committee for Cabinet 15 persons
(1) Matters under the jurisdiction of the Prime Minister's Office (excluding matters under the jurisdiction of other Standing Committees).
2. Standing Committee for Personnel Affairs 10 persons

- (1) Matters under the jurisdiction of the National Personnel Authority.
- 3. Standing Committee for Local Administration 15 persons
 - (1) Matters relating to local public entities.
 - (2) Matters under the jurisdiction of the Autonomy Agency.
 - (3) Matters under the jurisdiction of the Public Safety Commission.
- 4. Standing Committee for Judicial Affairs 15 persons
 - (1) Matters under the jurisdiction of the Ministry of Justice.
 - (2) Matters relating to the judicial administration of Courts.
- 5. Standing Committee for Foreign Affairs 15 persons
 - (1) Matters under the jurisdiction of the Ministry of Foreign Affairs.
- 6. Standing Committee for Finance 20 persons
 - (1) Matters under the jurisdiction of the Ministry of Finance (excluding matters under the jurisdiction of the Standing Committee for Budget and the Standing Committee for Audit).
- 7. Standing Committee for Education 20 persons
 - (1) Matters under the jurisdiction of the Ministry of Education.
 - (2) Matters under the jurisdiction of the Board of Education.
 - (3) Matters under the jurisdiction of the Science Council of Japan.
- 8. Standing Committee for Welfare 15 persons
 - (1) Matters under the jurisdiction of the Ministry of Welfare.
- 9. Standing Committee for Agriculture and Forestry 20 persons
 - (1) Matters under the jurisdiction of the Ministry of Agriculture and Forestry (excluding matters under the jurisdiction of the Fisheries Agency).
- 10. Standing Committee for Fisheries 10 persons
 - (1) Matters under the jurisdiction of the Fisheries Agency.
- 11. Standing Committee for International Trade and Industry 20 persons
 - (1) Matters under the jurisdiction of the Ministry of International Trade and Industry.

- (2) Matters under the jurisdiction of the Land Coordination Commission.
- 12. Standing Committee for Transportation 15 persons
 - (1) Matters under the jurisdiction of the Ministry of Transportation.
- 13. Standing Committee for Postal Services 10 persons
 - (1) Matters under the jurisdiction of the Ministry of Postal Services (excluding matters under the jurisdiction of the Standing Committee for Telecommunications).
- 14. Standing Committee for Telecommunications 10 persons
 - (1) Matters concerning telecommunications under the jurisdiction of the Ministry of Postal Services.
- 15. Standing Committee for Labor
 - (1) Matters under the jurisdiction of the Ministry of Labor.
- 16. Standing Committee for Construction 15 persons
 - (1) Matters under the jurisdiction of the Ministry of Construction.
 - (2) Matters under the jurisdiction of the Procurement Agency.
- 17. Standing Committee for Economic Stabilization 10 persons
 - (1) Matters under the jurisdiction of the Economic Deliberation Agency.
 - (2) Matters under the jurisdiction of the Fair Trade Commission.
- 18. Standing Committee for Budget 45 persons
 - (1) Budget.
- 19. Standing Committee for Audit 30 persons
 - (1) Audits.
 - (2) Matters relating to the approval of disbursement from the reserve funds.
 - (3) Complete data on currently non-appropriated obligations for future payments by the national treasury.
 - (4) Complete data on the increase and decrease of the national property holdings and the current amount of the national property holdings, and also those on the conditions of loans made without compensation.
 - (5) Matters under the jurisdiction of the Board of Audit.
- 20. Standing Committee for House Management 25 persons

- (1) Matters relating to the House Management.
- (2) Matters relating to the Diet Law, and various rules and regulations of the House.
- (3) Matters relating to the Impeachment Court and the Indictment Committee.

21. Standing Committee for Disciplinary Measures 10 persons

- (1) Matters relating to disciplinary measures of Members of the House.

22. Standing Committee for Library Management 10 persons

- (1) Matters relating to the management of the National Diet Library.

Article 75. The Budget Committee and the Audit Committee may divide its members into several sections for convenience of deliberation.

Each section shall elect a chief and an assistant chief from among its members by secret ballot. However, such cooptation shall not preclude the system of recommendation.

Pending the election of a chief and an assistant chief, the business pertaining to a section shall be conducted by the eldest member of the section.

In the House, the chief of a section may supplement the report of the chairman of the committee.

When the chief of a section is prevented from performing his duty the assistant chief shall act in his stead.

Article 76. In case a standing committee holds a joint examination committee meeting together with a standing committee of the House of Representatives, the committee shall make its decision after a consultation between its chairman and the chairman of the committee of the House of Representatives.

Article 77. A standing committee shall not vote on matters referred to a joint examination committee until an end of the joint examination committee meeting.

Section V. Special Committees

Article 78. The number of members of a special committee shall be fixed by decision of the House. If necessary, however, the House may increase the number.

Article 79. Deleted.

Article 80. A special committee shall elect a chairman from among its members by secret ballot. However, such cooptation shall not preclude the system of recommendation.

Pending the election of a chairman, the business of the committee shall be conducted by the eldest member of the committee.

CHAPTER VIII. PLENARY SESSIONS

Section I. Opening, Closing, and Adjournment of Plenary Sessions

Article 81. A plenary session shall be opened at 10 o'clock in the morning. This, however, does not apply in case the President deems other arrangements necessary.

Article 82. When the proceedings placed on the calendar of the day have been brought to an end, the President may declare the sitting closed. Even when proceedings are pending, the President may declare the adjournment of the sitting, referring it to the House when he deems it necessary, or without referring it to the House if the proceedings have not been finished by 4 o'clock in the afternoon.

Article 83. When it is time to commence proceedings, the President shall take the President's chair and declare the opening of the sitting after reporting on various matters.

Until the President declares the opening of the sitting, no one shall be allowed to speak on the proceedings.

Article 84. When the Members present do not constitute a quorum the President shall declare adjournment. When attendance falls below a quorum owing to the departure of Members from their seats during the sitting, the President may declare an intermission or adjournment of the sitting.

When it is feared that the number of the Members present will fall short of a quorum during the session, the President may prohibit Members from leaving their seats or request the Members who are outside the chamber to present themselves in the chamber.

When the number of Members present is deemed to be short of a quorum, a Member may request the President to count the number of Members present.

Article 85. When the President has declared a close, an adjournment, or an intermission, no one shall be allowed to speak on the proceedings.

Section II. Calendar of the Day

Article 86. Matters to be laid in the plenary session, their order, and the time for the opening of the sitting shall be placed on the calendar of the day.

The President shall have the calendar of the day printed and distributed to each Member in advance.

Article 86-2. When the President has notified the Members of the date of a session only, he must determine the calendar of the day prior to the opening of the session.

Article 87. When the President recognizes it as necessary, or when such a motion is made by a Member or Members, the President may alter the calendar of the day by referring it to the House to decide upon it without debate.

Article 88. When the President recognizes a matter to be urgent, or when a motion has been introduced by a Member or Members for opening a plenary session in regard to an urgent matter, the President may add it to the calendar of the day by referring it to the House to decide upon it without debate.

Article 89. When a plenary session fails to open for a matter placed on the calendar of the day, or when the proceedings have not been finished on the day specified, the President shall again place the matter or matters on the calendar of the earliest day.

Section III. Motion

Article 90. Except where special stipulation is made in the Diet Law and the Rules, all motions brought up for discussion shall require one or more seconders.

Section IV. Speech

Article 91. Any Member who desires to make a speech in a plenary session shall so notify the secretary in advance. Under unavoidable circumstances, this shall not apply.

Article 92. The committee may designate one or more of its members for debate, notifying the President to that effect.

When the President has approved the proposal, the persons designated shall be permitted to speak prior to those who have given notice in advance of their intent to speak.

Article 93. A Member shall make it clear at the time of presenting his notification of intention of debate whether he is for or against the matter under consideration.

Article 94. As to the notifications of interpellations or debates, the secretary shall put them on the Speech List in the order of the notifications received, and report this to the President.

In allowing interpellations or debates, the President shall name the speaker in the order indicated by the Speech List.

For those who do not comply with the naming mentioned in the preceding paragraph, their notifications shall become invalid.

Article 95. A Member who has not notified shall not be allowed to make a speech until all the speeches by those who have notified have been finished.

Article 96. A Member who wants to speak without prior notification shall stand up, call the President by name, give his own name, and then may with the permission of the President make his speech.

Article 97. When two or more stand up to seek the floor, the President shall nominate the one he deems to have stood up first.

Article 98. All speeches shall be made on the platform. However, when a speech is extremely short or when special permission has been given by the President, a Member may speak from his own seat.

Article 99. At any time, the President may demand a Member who is speaking from his own seat to make the speech from the platform.

Article 100. Any speech shall neither touch on extraneous matters nor go farther beyond the scope of the matters under discussion.

Article 101. A speech shall not be interrupted by another speech.

Article 102. A Member who does not finish his speech owing to an adjournment or intermission may continue his speech when the proceedings are resumed.

Article 103. In a plenary session, a Member shall not read documents, except brief documents for quotation or report.

Article 104. In a plenary session in which the bill referred to a committee is discussed, the chairman of the committee shall explain the contents of the bill, and report the progress and results thereof in the committee before interpellations on the bill begin. The contents of this report by the chairman shall have the prior approval of the members holding the majority opinion.

Article 105. The Chairman of a committee shall not, in making reports, add his personal views thereto.

Article 106. The minority opinion holders, following the report by the chairman, shall report the minority opinion. In case there are several minority opinions, the order of their reports shall be decided by the President.

Article 107. In a plenary session discussing a bill on which committee examination was omitted, the introducer, the chairman of the committee or the introducer of the House of Representatives, a State Minister, or a Government delegate shall make explanations on the purport and contents of the bill.

Article 108. Members may interpellate the chairman, the reporter of the minority opinion, the introducer, the chairman or the introducer of the House of Representatives, the State Minister, or the Government delegate.

Article 109. In interpellations, a Member cannot state his own opinion.

Article 110. Interpellations shall not be made on the same subject more than three (3) times.

Article 111. When interpellations occur in succession and do not easily come to an end, a Member may propose a motion for closing interpellation.

In case there are twenty or more seconders of the motion provided for in the preceding paragraph, the President shall refer it to the House to decide upon it without debate.

Article 112. When interpellations have been completed, the President shall declare the close of interpellations.

Article 113. When interpellations close, debate shall be opened.

Article 114. Deleted.

Article 115. In debates, the number of proponents and opponents and the time allotted for their debate must be decided equitably.

Article 116. The President shall give the opportunity to speak first to an opponent, and then, so far as circumstances permit, to proponents and opponents alternately. Even when all the Members on side A who have sent in notice have not finished their speeches, Members on side B who have not sent in notice may ask to speak after the close of the speeches by the Members on side B who have sent in notice.

Article 117. A Member shall be allowed to debate but once on the same subject.

Article 118. The committee chairman and reporters of the minority opinion may speak several times in order to explain the purports of their reports.

An introducer, a chairman or an introducer of the House of Representatives, a State Minister, and a Government delegate may speak several times in order to explain the purport of a bill.

Article 119. When the President desires to debate on a bill he shall send in prior notice and take his seat as a Member in the House.

When the President has participated in the debate, he shall not return to the President's seat until a vote on the question has been taken.

Article 120. When two or more supporters and opposers have made their speeches, or when two or more Members on side A have spoken with no demands for speaking being made by any Member on side B, Members may propose a motion for closing debate.

In case there are twenty or more seconders of this motion, the President shall refer it to the House to decide upon it without debate.

Article 121. When the introducer, the chairman of a committee or the introducer of the House of Representatives, a State Minister, or a Government delegate has made a speech on the subject, after debate was closed or a motion for close of debate was carried, it shall be deemed that further debate has been entered upon.

Article 122. When debate has been completed, the President shall declare the close of debate.

Article 123. Any Member who wants to make a speech on the progress of proceedings shall in advance notify the secretary of its purport.

The time for a speech on the progress of the proceedings shall be decided by the President.

Section V. Amendment

Article 124. When the report as stipulated in Article 104 or explanation as stipulated in Article 107 have come to a close a Member may propose a motion for amendment.

Article 125. A motion for amendment shall previously be presented to the President in form of a written notice, signed by twenty or more seconders, together with the draft of the proposed amendment.

The President shall have the above-mentioned draft of the amendment printed and distributed to each Member of the House.

Article 126. A motion for amendment withdrawn by the introducers may be re-introduced by another Member together with twenty or more supporters.

Article 127. A minority opinion which requires an amendment shall be a subject for discussion as an amendment bill, when supported by twenty or more Members.

Article 128. An amendment reported by a committee need not be seconded to be a subject of discussion.

Article 129. An amendment proposed by a Member shall be voted upon prior to an amendment proposed by a committee.

Article 130. In case several amendments are proposed on the same subject, the more different in purport is the amendment from the original bill, the earlier it shall be voted upon. The order of such votes shall be decided by the President. But in case a Member objects to the order, seconded by twenty or more Members, the President shall refer it to the House to decide upon it without debate.

Article 131. When all amendments have been rejected, the original bill shall be voted upon.

Article 132. In case both the proposed amendments and the original bill have failed to secure a majority of votes, and if the House

has resolved not to abandon the subject, the House may again refer it to the committee, which shall prepare a new draft of the bill; when such a new bill is reported, it may be made a subject for discussion.

Article 133. The House may entrust the President with the adjustment of the articles and wording which have been amended and approved.

Section VI. Voting

Article 134. Votes shall be cast unconditionally.

Article 135. Members who are not actually in the chamber at the time of voting can not participate in voting.

Article 136. Before a vote is taken, the President shall announce the subject matter for voting, after which no Member has the right to speak on the subject.

Article 137. In taking a vote, the President shall ask the Members who are in favor of the subject matter under discussion to rise from their seats, and having ascertained whether they are in the majority or minority, shall announce the result of the vote. In case the President finds it difficult to ascertain whether the pros are in the majority or minority, or if a Member protests against the President's announcement and is supported by one fifth or more of the Members present, the President shall call for an open vote.

Article 138. If the President deems it necessary, an open vote may be employed for decision. An open vote shall be used instead of standing vote upon the demand of one-fifth or more of the Members present.

Article 139. In an open vote, each Member shall take to the rostrum a white ticket bearing his name, provided he is on the affirmative side, or take a blue ticket bearing his name, provided he is on the negative side, and drop the ticket in the ballot box.

Article 140. At the time of an open vote, the doors of the chamber shall be shut.

Article 141. When the vote is finished, the President shall announce the results to the House.

Article 142. No Member may demand a change in his cast vote.

Article 143. On any matter before the House, the President may ask the House whether any Member has an objection thereto. When he recognizes that there is no objection, he shall declare that the matter has been passed by the House. But if any Member expresses an objection to the matter or to the President's declaration, the President shall have a vote taken, in accordance with the other means of voting herein provided in Section VI.

Section VII. Free Discussion

Article 144. At a plenary session for free discussion, Members will be given an equitable chance to speak.

Article 145. The President shall designate the date and time for a plenary session for free discussions and shall report it in advance to the House. When, however, a Member moves to change the date and time, the President shall refer it to the House to decide upon it without debate.

Article 146. The President may decide the subject for free discussion in advance, after consulting with the House.

When the subject has been decided, free discussion shall not extend beyond its scope.

Article 147. At a meeting for free discussion with no subject given, Members may express their views on important state affairs or may question the Cabinet thereabout.

Article 148. The time to be used for free discussion and the time allotted to each speaker shall be decided by the President, who shall report these decisions in advance to the House.

The President shall decide the number of each party's speakers at a meeting for free discussion in proportion to the numerical strength of each party or group, and shall notify each party in advance thereof.

Article 149. The President must permit those who are designated on the floor by the floor leader of each party to speak.

Each party must decide its respective floor leader and notify the President in advance thereof.

Article 150. The President may interrupt the speech of a Member who continues his speech beyond the time limit set in advance by the President.

Article 151. Members may interpellate the speaker on the data he uses as grounds for his views. Such interpellation shall be concise.

Article 152. If any Member moves for a vote on the matter dealt with in free discussions, the President shall refer it to the House to decide upon it without debate.

When a motion to vote on the subject is passed in the case of Article 147, the President must permit debate on the subject.

CHAPTER IX. QUESTIONS

Article 153. The President shall have printed and distributed to each Member the summary of questions which the House or the President has approved and the replies of the Cabinet thereto.

Article 154. The Cabinet may make oral replies to questions. On the replies mentioned in the preceding paragraph, the questioner may pose further oral questions.

Article 155. In recording a summary of question in the minutes, in accordance with the provisions of Article 74, Paragraph 4, of the Diet Law, the President may have such a summary rewritten in a more concise form if it is not sufficiently brief.

CHAPTER X. MINUTES

Article 156. In the minutes, there shall be recorded all the proceedings of the plenary sessions of the House, by means of stenography.

Article 157. Matters especially so provided for by the Diet Law and matters especially so decided by the House shall be recorded in the minutes.

Article 158. Members may demand corrections of their own statements only before six o'clock on the afternoon of the day of the distribution of the minutes. Such corrections shall be limited to changes of words or phrases, with no alternations in the meaning of the statements made. The same shall apply to the statements of Cabinet Ministers, Government delegates, and others made in plenary sessions.

In case a protest is filed by a Member against the matters recorded in the minutes, or against the corrections in the mi-

minutes, the President shall refer it to the House to decide upon it without debate.

Article 159. The minutes to be preserved in the Secretariate shall be signed by the President, or the Vice President or the President pro tempore who presided over the plenary session on that day, and by the Secretary General or the secretary who was his proxy.

Article 160. The minutes shall be printed and distributed to each Member, and shall be available to the general public.

Article 161. The minutes to be distributed or to be made available to the public shall not contain the part which is decided to be kept secret in accordance with Article 63 of the Diet Law or a speech which the President has ordered to be deleted in accordance with Article 116 of the same Law.

CHAPTER XI. PETITIONS

Article 162. A petition shall bear the name (in case of a juridical person, its name), and the residence (present address if there is no residence) of the petitioner.

Article 163. No petition in the name of the delegation shall be accepted, except in the case of juridical persons recognized as such by law.

Article 164. A petition must be couched in moderate terms and must be submitted in a peaceful manner.

Article 165. The President shall prepare the list of summaries of petitions and have it printed and distributed weekly to each Member.

Such a list of summaries of petitions shall bear the purport of each petition, the name and residence of the petitioner, the name of the Member introducing such a petition, and the date on which it was received.

Article 166. The President shall, simultaneous with the distribution of the list of summaries of petitions, refer petitions to the committees concerned.

Article 167. A petition requesting dismissal of a judge shall be referred by the President to the Indictment Committee, without referring it to any other committees.

Article 168. Committees shall examine petitions in the order they were referred to the Committees.

Article 169. Only such petitions as have been approved by the House shall be printed and distributed.

Article 170. The committee shall classify petitions, according to the results of examination thereon, as follows; and report them to the House.

1. Petitions to be taken up for consideration at a plenary session of the House.
2. Petitions not to be taken up for consideration at a plenary session of the House.

Petitions to be taken up for consideration at a plenary session of the House shall be classified as follows; and reported to the House.

1. Petitions to be sent to the Cabinet.
2. Petitions not required to be sent to the Cabinet.

Article 171. The Committee shall submit to the House special reports on the petitions which the committee decides to be taken up for consideration at a plenary session of the House, with a memorandum attached stating the committee's views.

The committee shall not prevent the report of the minority opinion from being submitted.

Article 172. The committee's decision that a petition is not to be considered at a plenary session of the House shall be final, unless consideration by the House is demanded by twenty or more Members within a week thereafter.

Article 173. Written representations or other documents whose contents are petitions by nature shall be accepted and treated in the same way as petitions by the House.

CHAPTER XII. RELATIONS WITH THE HOUSE OF REPRESENTATIVES

Article 174. When the President transfers a bill to the House of Representatives, he shall have the Secretary General transmit it to the Speaker of the House of Representatives.

Article 175. When a bill is received from the House of Representatives, the President shall so report to the House.

Article 176. Election of members of a Conference Committee shall be conducted by secret ballot with plural entry.

The persons who poll the greatest number of votes shall be elected, but in case of a tie, the persons to be elected shall be determined by lot.

The House may entrust the President with the selection of the members of a Conference Committee.

When a vacancy occurs in the membership of a Conference Committee, a by-election shall be conducted in the same manner as the election of the Conference Committee members.

Article 177. The cooptation of the Chairman of the Conference Committee shall be supervised by the eldest member.

Article 178. Bills sent back from the House of Representatives and final drafts of bills approved by a Conference Committee shall not again be referred to a committee.

Interpellations and debate on the bills thus sent back shall be limited to the scope of the amendments made.

Interpellations and debate on the final drafts of bills approved by a Conference Committee shall be limited to the scope of the final drafts.

Article 179. Rules governing a Conference Committee, rules concerning a joint examination meeting of Standing Committees, and rules relating to the Legislative Committee of the Houses shall be decided by the House, after the President has consulted with the Speaker of the House of Representatives.

CHAPTER XIII. RELATIONS WITH THE PEOPLE AND GOVERNMENT OFFICES

Article 180. If Members are to be dispatched for examination or investigation, the House must decide thereon upon request of the committee chairman or motion by a Member. The same applies when the President deems the dispatch necessary.

While the House is not in session, the President may decide upon the dispatch of Members. In such a case, the President shall afterwards report it to the House.

Article 181. If a committee desires the Cabinet, Government or other public offices or others to present reports or records for examination or investigation, such request must be made through the President.

Article 182. When a motion is presented demanding the presence of witnesses at a plenary session for examination or investigation, the President shall decide it after consultation with the House, and if the House approves, the President shall summon the witnesses.

Any committee which has decided to demand the presence of witnesses shall demand their presence through the President.

Article 183. The President or the Committee Chairman may request the witness to submit, prior to his appearance, a summary of his testimony.

Article 184. The witness shall present himself to the House or to the committee to give testimony. However, under unavoidable circumstances, his testimony may be made in writing.

Article 185. When the witness has presented himself, he shall take a written oath, after which he shall be allowed to speak.

Article 186. The witness shall limit his statement to the subject on which he is required to testify.

CHAPTER XIV. LEAVE OF ABSENCE AND RESIGNATION

Section I. Leave of Absence

Article 187. Any Member who cannot be present at the House for several days due to certain circumstances shall submit in advance to the President a written application for leave of absence with the reason therefor and the number of days of absence. The President may grant the leave of absence for a period not longer than a week. In case the leave of absence is longer than a week, the President shall grant it after consultation with the House.

Any Member who is unable to be present in the House due to official duties, illness, or other circumstances of a temporary nature shall submit to the President a written notification of his absence giving the reason therefor.

Article 188. Any Member who takes a journey with leave of absence granted shall, at the time of his departure and return, notify the President thereof.

Article 189. When a Member, granted a leave of absence, is present at the House before the termination of his leave of absence, the grant of leave of absence shall lose its effect.

Section II. Resignation

Article 190. Any Member who wishes to resign shall submit his written resignation to the President.

Article 191. The President shall have the written resignation read, and the House, without debate, shall decide whether the application shall be granted or not.

Article 192. If the President considers that the written resignation includes insulting words, he may omit its reading, and report a summary of it to the House. In this case the President may refer the written resignation to the Disciplinary Committee for examination.

CHAPTER XV. LITIGATION CONCERNING QUALIFICATIONS

Article 193. A Member who wishes to contest the qualifications of another Member shall present to the President a written appeal, together with a duplicate, duly signed by him, which summarizes the dispute and the reasons and evidence thereof.

Article 194. The President shall determine the term of examination upon consultation with the House and refer the written appeal to a special committee. The President shall serve a duplicate of the written appeal on the Member against whom the dispute of qualifications is raised (such a Member is called hereafter the defendant Member), notify him of the period of examination by the committee, and demand him to submit a written answer within a fixed period.

If the defendant Member's failure to submit the required answer within the fixed period is proved to be due to a natural calamity, illness, or other unavoidable causes, the President may have him submit his written answer at a later date to be fixed by the President.

Article 195. When the written answer is submitted by the defendant Member within the fixed period, the President shall immediately refer it to the special committee.

Article 196. The committee shall conduct the examination on the basis of the written appeal and the written answer. If the required answer is not submitted within the fixed period, the examination may be conducted on the basis of the written appeal only.

Article 197. The defendant Member may engage a counsel anytime after he receives a duplicate of the written appeal. In this case, the President shall be notified thereof. The same shall apply to the defendant Member who fails to submit the written answer by the fixed date.

Article 198. The counsel may, at the request or with the authorization of the committee, speak in the committee in defense of the defendant Member.

Article 199. The Member who initiates the contest (such a Member is called hereafter the prosecutor Member) and the defendant Member may speak at the committee with the authorization of the committee.

Article 200. If the committee deems it necessary while conducting the examination, it may summon, through the President, the prosecutor Member as well as the defendant Member to the committee meetings for inquiry.

Article 201. The committee may request the President to extend the period of examination.

Article 202. When the committee has submitted to the President its report of examination, the President shall have it printed and distributed to each Member.

Article 203. The defendant Member may speak several times in his own defense in the plenary session of the House.

Article 204. The defendant may be assisted by counsel in the plenary session of the House.

Article 205. The House shall decide by voting on the qualifications of the defendant Member.

A decision for disqualification of the defendant Member shall require a majority of two-thirds or more of the Members present.

No reason shall be attached to the decision of the House.
Article 206. When a decision has been made by the House, the President shall have copies of the decision prepared and delivered to the defendant Member as well as the prosecutor Member.

CHAPTER XVI. CONDUCT OF MEMBERS AND POLICE

Section I. Conduct

- Article 207.** All Members shall respect the dignity of the House.
Article 208. Terms of respect shall be used mutually by Members on the floor and in committee rooms.
Article 209. The Members, on entering the chamber or committee rooms, are forbidden to wear or carry hats, overcoats, umbrellas, canes, and the like. However, a Member who has obtained permission of the President may carry his cane.
Article 210. No smoking is allowed in the chamber or in committee rooms.
Article 211. No one shall read newspapers, books, or the like during the meeting, unless they are used for references.
Article 212. No one shall speak unnecessarily or make noise to disturb the speech of another person during a meeting.
Article 213. No one shall go to the rostrum without permission of the President.
Article 214. Everyone shall be silent when the President rings the bell.
Article 215. At the closing or intermission, Members shall not leave their seats until after the President has left his seat.
Article 216. All matters relating to discipline are decided by the President. The President, however, may refer the matter to the House to decide upon it without debate.

Section II. Police

- Article 217.** The President exercises police power within the House by directing the sergeants-at-arms and police officers.
Article 218. The police officers shall be on police duty outside the House building.

Article 219. When a flagrant criminal act is committed inside the House, the sergeants-at-arms or the police officers shall arrest the offender, make their report to the President, and await his order. In the chamber, however, they cannot arrest the offender except by order of the President.

CHAPTER XVII. VISITORS

- Article 220.** Seats for the visitors are divided into those for the Imperial family, foreign diplomats, members of the House of Representatives, public employees, the general public and the press.
Article 221. When public employees desire to visit the House on the recommendation of the Ministry or the Board to which they belong, the Secretary-General shall send a limited number of tickets to the Ministry or Board.
Article 222. Half of the seats for the general public shall be allotted to those who obtain tickets for the general public gallery issued by the Secretary General on the day of the plenary session. These tickets shall be given out at the House before the session to people in the order they are requested.
The other half of the seats for the general public shall be allotted to those carrying general public tickets with the date indicated, previously issued by the Secretary-General to the Members upon their recommendation.
Article 223. Visitors' badges for the duration of a session shall be given to press agencies. The number of such badges shall be decided at the beginning of each session by the Secretary General, by order of the President.
Article 224. The President, when he deems it necessary, may order sergeants-at-arms and police officers to check visitors' belongings.
Article 225. The President shall not permit the persons whom he considers it necessary to control to enter the visitors' room.
Article 226. The President, when he considers it necessary for keeping order, may limit the number of visitors.
Article 227. The visitors shall show their tickets or badges to the sergeant-at-arms and take the seats assigned to them by the latter.

Article 228. All visitors shall obey the visitors regulations determined by the President.

Article 229. Visitors shall under no circumstances enter onto the floor of the House.

Article 230. The President shall order the sergeants-at-arms to execute his order to remove all visitors from the visitors' gallery when a secret meeting is decided on, or when the visitors are noisy, or to remove visitors who interfere with the proceedings of the House.

Article 231. Provisions of Article 224 and succeeding Articles shall be applied mutatis mutandis to visitors at committee meetings.

CHAPTER XVIII. DISCIPLINE

Article 232. If during a plenary session of the House a disciplinary offense is committed, the President shall declare an intermission or an adjournment, or have the offender removed from the chamber.

Article 233. If a disciplinary offense occurs in a committee meeting, the chairman may declare an intermission or a closing of the meeting.

Article 234. When a disciplinary offense occurs in the House at any other occasion than a plenary session and a committee meeting, the President may refer it to the Disciplinary Committee.

Article 235. Besides punishing in accordance with Article 116 of the Diet Law a Member who disobeys his restraining order or order for retraction of a statement, the President may refer the matter to the Disciplinary Committee for action.

Besides punishing in accordance with Article 41 of these Rules a Member who disobeys his restraining order or order for retraction of a statement, the committee chairman may report the matter to the President and request him to deal with it as a disciplinary offense.

Article 236. When a Member has made public those matters not to be publicized under Article 63 of the Diet Law, the President shall refer him to the Disciplinary Committee for punishment.

Article 237. In accordance with Article 121, Paragraph 3, of the Diet Law, a Member may propose a motion for disciplinary action

to the House even if the chairman fails to regard the case as a disciplinary offense.

Article 238. When a motion for disciplinary action is proposed, the President shall refer it immediately to the plenary session of the House. In case the motion is proposed after the close of a plenary session, it shall be made a subject of discussion in the next plenary session.

In case of the foregoing paragraph, the President shall call for a vote without resorting to debate, and then place the matter before the Disciplinary Committee.

Article 239. The Disciplinary Committee, through the President, may summon the persons involved and subject them to an inquiry.

Article 240. A Member shall not attend a meeting of the House or of the Committee which deals with disciplinary action against himself. With the permission of the President or of the committee chairman, however, he may make his explanation or have another Member explain in his stead.

Article 241. Of the punishments, an admonition or an apology in a plenary session open to the public shall be drafted by the Disciplinary Committee and presented to the President together with its report.

Article 242. The suspension of attendance at the House shall not exceed a period of 30 days.

Even if several offenses occur simultaneously, the suspension shall not exceed the period mentioned in the foregoing paragraph.

Article 243. If a Member whose attendance to the House is suspended is a special committee member, he shall be regarded as having been relieved from that office.

Article 244. When a Member who has been suspended his attendance appears in the House within the period of his suspension, the President shall order his immediate removal from the House. If he disobeys the order, the President shall take necessary measures and refer the matter to the Disciplinary Committee.

Article 245. A Member whose actions are considered especially grave, by reason of disturbing the House or impairing the honor of the House, shall be suspended from attendance at the House or shall be dismissed from membership of the House.

Article 246. If the decision of the Disciplinary Committee to dismiss a Member from membership in the House is not approved by two-thirds or more of the Members present, the House may subject the Member to other disciplines.

Article 247. When disciplinary action is decided by the House, the President shall make an announcement in an open plenary session of the House, even if the decision was made in a secret meeting.

CHAPTER XIX. ELECTION OF MEMBERS OF THE LEGISLATIVE COMMITTEE OF BOTH HOUSES AND OTHERS

Article 248. The election of members of the Legislative Committee of Both Houses shall be conducted by secret ballot with plural entries.

Members who obtain the highest number of votes shall be elected. In case of a tie, however, the elected shall be determined by lot.

The House may, omitting the procedure of election, entrust the President with the designation of the Committee members.

Article 249. The provisions of the preceding Article shall apply mutatis mutandis to the election of Members as members and alternate members of the Court of Impeachment of Judges, members of the National Examination Management Committee for the Supreme Court Justices, and members of an agency or a commission whose membership, in part, is to be designated from among the Members of the House of Councillors according to law.

Article 250. The election of a Member to membership in an agency or committee, one member of which must be a Member of the House according to law, shall be conducted in the same manner as in the case of the President.

The House, omitting the procedure of election, may entrust the President with the designation.

CHAPTER XX. SUPPLEMENTARY RULES


Article 251. The President shall decide all the doubtful points with regard to the Rules of the House. The President, however, may decide them in consultation with the House.

— The End —

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