

Laws and Regulations
concerning
Tourist Industry

Japan International Cooperation Agency
Department of Tourism, Ministry of Transport
Japan National Tourist Organization

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TOURISM BASIC LAW

(Law No. 107 of June 20, 1963)

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Tourism symbolizes international peace and the stability of national life. Its development is the cherished ideal of our people who desire to promote peace for all time and the mutual understanding of international communities and enjoy a wholesome and cultured living. Tourism also contributes not only towards the promotion of international comity but towards the development of national economy and the stabilization and enhancement of national life, in the way of the improvement of international payments balance, relaxation of the intensity of national life, and so forth.

We are convinced that these missions of tourism will remain unchanged even in future, continuously having a very great significance in the formation of this country into a more democratic and cultural state and in the maintenance of its honored place in international society.

However, the improvement of the basis and the creation of the environment in which Japan's tourism is able to achieve its missions are at present deplorably unsatisfactory. Furthermore, the recent remarkable increase in the number of tourists, with the uprise of individual income level and the complication of ways of living as its background and coupled with the intensification of international competition in the field of tourism, is inaugurating a great change on the basis for the cultural, economic and social existence of tourism.

In coping with such state of affairs, to correct the defects of various conditions regarding tourism, giving adequate consideration especially to the promotion of tourists' conveniences, and to strengthen our international competitive power regarding tourism are the problems for solution of our people who wish for the improvement of international friendship, development of national economy and stabilization and enhancement of national life.

This Law is hereby enacted in order to reveal a new path which our tourism should follow and to indicate the aim and purpose of our policies

regarding tourism.

CHAPTER I. GENERAL PROVISIONS

(Aim and Purpose of the State's Policies Regarding Tourism)

Article 1. In view of the contributions that tourism makes towards the improvement of international payments balance, furtherance of economic and cultural interchange with foreign nations, promotion of the nation's health, encouragement of its will to work and enhancement of its culture, the aim and purpose of the State's policies regarding tourism shall be to develop international tourism and advance and popularize the nation's sound traveling through measures to be taken for the inducement of the visiting of foreign tourists, ensuring of the safety of tourists in traveling, protection, cultivation and development of tourist resources, improvement of tourist facilities, and other activities, whereby to contribute towards the furtherance of international friendship, development of national economy and the stabilization and enhancement of national life, and at the same time towards the adjustment of the domestic regional differences in economic and social conditions.

(Measures to be Taken by the State)

Article 2. In order to achieve the aim and purpose referred to in the preceding Article, the State shall, with respect to the matters mentioned in the following items, take necessary measures on a comprehensive and integrated basis over the whole range of its policies:

- (1) To induce foreign tourists and improve reception service to them;
- (2) To establish domestic tourist resorts and routes for foreigners on a comprehensive and integrated basis;
- (3) To ensure the safety of tourists in traveling and increase their conveniences;
- (4) To facilitate family travels and other wholesome travels by the general public;
- (5) To relieve excessive concentration of tourists into any specific tourist resort;
- (6) To develop tourism in under-developed regions;
- (7) To protect, cultivate and develop tourist resources;
- (8) To maintain the beauty of tourist resorts.

(Measures to be Taken by Local Public Entities)

Article 3. Any local public entity shall endeavor to take measures in conformity with the State's measures.

(Legal Steps, etc.)

Article 4. The Government shall take legal, fiscal and financial steps needed to implement the measures mentioned under Article 2.

(Annual Reports, etc.)

Article 5. The Government shall annually submit to the National Diet a

report both on the situation of tourism and on its measures taken regarding tourism.

2. The Government shall annually prepare documents, in consideration of the opinion of the Tourism Policy Council, elucidating those measures which it intends to take in the light of the situation of tourism revealed in the report mentioned in the preceding paragraph and submit the documents to the National Diet.

CHAPTER II. PROMOTION OF INTERNATIONAL TOURISM

(Inducement of Foreign Tourists)

Article 6. The State shall, for the purpose of inducement of foreign tourists, take necessary measures for the strengthening of overseas tourist publicity activities, improvement of international transportation means and other relative facilities, improvement of steps regarding entry and exit of foreign tourists, and other activities.

(Improvement of Reception Service to Foreign Tourists)

Article 7. The State shall, for the purpose of improving reception service to foreign tourists, take necessary measures for the improvement of those of accommodation, dining, resting, information and other facilities relating to travels (hereinafter referred to as "facilities relating to travel") which are suited to the utilization by foreign tourists, improvement of the services offered by persons who are engaged in guide-interpreter service, travel agency business and other enterprises relating to international tourism, betterment of the quality of tourist souvenir and other articles, strengthening of the introduction of our industry, culture and family life, and other activities.

(Establishment of Domestic Tourist Resorts and Routes for Foreigners on a Comprehensive and Integrated Basis)

Article 8. The State shall, for the purpose of establishing domestic tourist resorts and routes for foreigners on a comprehensive and integrated basis, take necessary measures, in those tourist resorts which are suited for foreign tourists and on routes connecting such resorts, for the comprehensive improvement and other relevant activities of airports, ports and harbors, railways, roads, parking lots, passenger boats and such other facilities as are the indispensable requisites of tourism (hereinafter referred to as the "facilities which are the indispensable requisites of tourism") and those facilities relating to travels which are suited to the utilization by foreign tourists.

CHAPTER III. PROTECTION OF TOURISTS, IMPROVEMENT OF FACILITIES RELATING TO TOURISM, ETC.

(Ensuring the Safety of Tourists in Traveling)

Article 9. The State shall, for the purpose of ensuring the safety of tour-

ists in traveling, take necessary measures for the prevention of accidents in traveling and unfair profit-making acts by enterprises relating to tourism, and so forth.

(Increase of Tourists' Conveniences)

Article 10. The State shall, for the purpose of increasing tourists' conveniences, take necessary measures for the improvement of public facilities relating to travels, improvement of service by enterprises connected with tourism, wholesome fostering of such enterprises, diffusion of the knowledge of travel, and so forth.

(Facilitation of Family Travels and Other Wholesome Travels by the General Public)

Article 11. The State shall, for the purpose of facilitating family travels and other wholesome travels by the general public, take necessary measures for improving such facilities relating to travels as are suited to family travels and other wholesome travels by the general public, and so forth.

(Relieving of Excessive Concentration of Tourists)

Article 12. The State shall, for the purpose of contributing towards the relieving of the excessive concentration of tourists into any specific tourist resort, take necessary measures, in those resorts which are less utilized by tourists and whose promoted utilization is deemed effective in achieving the purpose, and also in those areas which are suited to be developed as tourist resorts and whose development is deemed effective in a similar way, for improving the facilities which are the indispensable requisites of tourism and those relating to travels, and so forth.

(Development of Tourism in Under-developed Regions)

Article 13. The State shall, for the purpose of developing those under-developed regions which include such areas as are suited to be developed as tourist resorts, take necessary measures, in such areas as are suited to be developed as tourist resorts, for improving the facilities which are the indispensable requisites of tourism and those relating to travels, and so forth.

(Protection, Cultivation and Development of Tourist Resources)

Article 14. The State shall take necessary measures for the protection, cultivation and development of historic sites, noted beauty spots, natural monuments and other cultural properties, places of scenic beauty, hot springs, and other tourist resources relating to industry, culture, etc.

(Beautification of the Country)

Article 15. The State shall, for the purpose of maintaining the beauty of tourist resorts, take necessary measures for controlling outdoor advertisement signs and others and beautifying the country.

CHAPTER IV. ADMINISTRATIVE ORGANS AND ORGANIZATIONS CONNECTED WITH TOURISM

(Organizational and Operational Improvement of Tourist Administration)

Article 16. The State and any local public entity shall, in taking the measures under Article 2 or Article 3, as the case may be, not only cooperate with each other, but also endeavor to improve machinery for administration and operation thereof.

(Organizational Improvement of Organizations Connected with Tourism)

Article 17. The State shall, for the purpose of making it possible to ensure the development of international tourism, smooth development of tourist resorts, increased conveniences of tourists and wholesome development of enterprises relating to tourism, take necessary measures for the improvement of organizations connected with tourism.

CHAPTER V. TOURISM POLICY COUNCIL

(Establishment)

Article 18. There is hereby established within the Prime Minister's Office a Tourism Policy Council (hereinafter referred to as "the Council") as a subsidiary body thereof.

(Authority)

Article 19. The Council shall not only deal with the matters placed under its authority in accordance with the provisions of this Law, but also, in response to the inquiries made by the Prime Minister or the Ministers concerned, investigate and consider important matters concerning the enforcement of this Law.

2. The Council may, with respect to the matters provided for in the preceding paragraph, deliver its opinion to the Prime Minister or the Ministers concerned.

(Organization)

Article 20. The Council shall be composed of not more than thirty (30) members.

2. The Council members shall be appointed by the Prime Minister from among men of learning and experience in regard to the matters provided for in Paragraph 1 of the preceding Article.
3. The Council members shall be of part-time service.

(Demand for Submission of Materials, etc.)

Article 21. Whenever the Council finds any necessity in carrying out the duties falling under its jurisdiction, it may demand from the chief of any of the administrative agencies concerned, submission of materials, delivery of opinions, explanation and other necessary cooperation.

(General Affairs)

Article 22. The general affairs of the Council shall be placed under the jurisdiction of the Secretariat to the Prime Minister.

(Provisions for Delegation)

Article 23. In addition to the provisions of this Law, any of the necessary matters concerning the organization and operation of the Council, shall be stipulated by a Cabinet Order.

SUPPLEMENTARY PROVISIONS

(Date of Enforcement)

1. This Law shall come into force as from the day of its promulgation.

(Partial Amendment of the Prime Minister's Office Establishment Law)

2. The Prime Minister's Office Establishment Law (Law No. 127 of 1949) shall be partially amended as follows:

In the table given in Paragraph 1 of Article 15,

"Tourist Industry Council: To investigate and consider the basic plan concerning tourist industry and any other important matters"

shall be read as

"Tourism Policy Council: To conduct the matters placed under the authority thereof in accordance with the provisions of the Tourism Basic Law (Law No. 107 of 1963)."

TOURISM POLICY COUNCIL ORDER

(Cabinet Order No. 209 of June 20, 1963)

Amended by: Cabinet Order No. 68 of
April 12, 1968

In accordance with the provisions of Article 23 of the Tourism Basic Law (Law No. 107 of 1963) the Cabinet establishes this Cabinet Order.

(Term of Office of the Councilors)

Article 1. The term of office of the Councilors of the Tourism Policy Council (hereinafter referred to as "the Council") shall be two (2) years. However, the term of office for any succeeding Councilor shall be for the remainder of the term of office of his predecessor.

2. The Councilors may be re-appointed.

(Chairman)

Article 2. The Council shall have a Chairman, who shall be elected by mutual vote from among the Councilors.

2. The Chairman shall preside over the activities of the Council.

3. In the absence of the Chairman, the Councilor who has been designated by him in advance shall act for him.

(Technical Experts)

Article 3. The Council may have not more than twenty (20) Technical Experts in order to have them to investigate special matters.

2. The Technical Experts shall be appointed by the Prime Minister from among men of learning and experience.

3. The Technical Experts shall be dismissed when they have finished the investigation of the special matters in question.

4. The Councilors shall be of part-time service.

(Secretaries)

Article 4. The Council shall have not more than twenty (20) Secretaries.

2. The Secretaries shall be appointed by the Prime Minister from among the personnel of the Government agencies concerned.

3. The Secretaries shall assist the Councilors in the business in charge of the Council.

4. The Secretaries shall be of part-time service.

Article 5. The Council may have Sub-Committees in accordance with the provisions thereof.

2. The Councilors and Technical Experts who shall belong to the Sub-Committee shall be designated by the Chairman.
3. The Sub-Committee shall have a Sub-Committee Chairman, who shall be elected by mutual vote from among the Councilors belonging to the Sub-Committee.
4. The Sub-Committee Chairman shall manage the business of the Sub-Committee.
5. In the absence of the Sub-Committee Chairman, the Councilor who has been designated in advance by the Sub-Committee Chairman from among the Councilors belonging to the Sub-Committee shall act for him.

(Miscellaneous Provisions)

Article 6. Other than those provided for in this Cabinet Order, the procedures and other necessary matters for the operation of the Council shall be decided by the Chairman at the Council meeting.

SUPPLEMENTARY PROVISIONS

1. This Cabinet Order shall come into force from the day of its promulgation.
2. The Tourist Industry Council Order (Cabinet Order No. 124 of 1949) shall be repealed.

MINISTRY OF TRANSPORT ESTABLISHMENT LAW (Extract)

(Law No. 157 of May 31, 1949)

(Powers of the Ministry of Transport)

Article 4. In order to carry out the competent functions and duties specified in this Law, the Ministry of Transport shall have the powers mentioned hereunder. However, its powers shall be exercised in accordance with the provisions of laws (including orders and ordinances instituted thereby).

(Item (1) through Item (14-12). Omitted.)

(14-13) To supervise the Japan National Tourist Organization;

(14-14) To assist and encourage tourist industry;

(14-15) To register hotels and Ryokan with a view to developing accommodation facilities suitable for foreign visitors;

(14-16) To register travel agency business;

(14-17) To conduct examinations of candidates for guide-interpreter;

(14-17) To establish and operate Youth Hostel Center;

(Item (15) through Item (53). Omitted.)

(Field of competence of the Secretariat to the Minister)

Article 22. The Secretariat to the Minister shall be responsible for, among

the fields of competence of the Ministry of Transport, the following matters:

(Item (1) through (20). Omitted.)

- (21) Matters to help develop, improve and coordinate tourist industry in relation to transport matters;
- (22) Matters relating to the Japan National Tourist Organization;
- (23) Matters relating to travel agency business and guide-interpreter business;
- (24) Research and improvement of tourist resorts and tourist facilities in relation to transport matters;
- (25) Matters relating to registration of hotels and Ryokan;
- (26) Matters relating to Youth Hostel Center;
- (27) Matters relating to tourist publicity;
- (28) Matters relating to supply-and-demand survey, intercession and distribution of goods in relation to the competent field of the Department of Tourism;

2. The Department of Statistics and Research shall be responsible for the matters mentioned in Items (5), (6) and (6-2) of the preceding paragraph; and the Department of Tourism shall be responsible for the matters mentioned in Item (21) through (28) of the preceding paragraph.

MINISTRY OF TRANSPORT CONSTITUTION ORDER (Extract)

(Cabinet Order No. 391 of August 30, 1952)

CHAPTER I. HEAD OFFICE

CLAUSE I. SECRETARIAT TO THE MINISTER

(Administrations of Secretariat to the Minister)

Article 1. There is hereby established within the Ministry a Department of Statistics and Research and a Department of Tourism, and in addition, the following seven (7) Divisions:

(Paragraph 2. Omitted.)

3. There shall be following three (3) Divisions within the Department of Tourism:
Planning Division;
Tourist Promotion Division;
Facilities Division.

(Article 2 through 11. Omitted.)

(Planning Division)

Article 11-2. The Planning Division shall exercise the matters regarding -

- (1) Overall coordination and planning of affairs relating to tourism;
- (2) The Japan National Tourist Organization;
- (3) Research and study on tourism;
- (4) Subsidy to be granted to tourist industry;
- (5) Financial affairs and taxation system relating to tourism;

- (6) Acquisition of stocks and others by foreign investors in connection with tourist industry;
- (7) In addition to those mentioned in the foregoing items, affairs relating to the development, improvement and coordination of tourist industry;
- (8) In addition to those mentioned in the foregoing items, affairs falling under the field of competence of the Department of Tourism and not handled by other Divisions thereof.

(Tourist Promotion Division)

Article 11-3. The Tourist Promotion Division shall exercise the matters regarding -

- (1) Registration of travel agency business and charges for travel arrangements;
- (2) Examination of candidates for guide-interpreter;
- (3) In addition to those mentioned in the foregoing two (2) items, affairs relating to travel agency business and guide-interpreter business;
- (4) Liaison, exchange of information, and cooperation with tourist administrations in foreign countries and international tourist organizations;
- (5) Research and study on tourism policies and situation in foreign countries;
- (6) Planning and guidance concerning tourist publicity;
- (7) Dissemination of tourist consciousness among people;
- (8) Betterment of reception services to foreign visitors;
- (9) Improvement of the quality of souvenirs;
- (10) Goods to be provided for the use of tourist publicity and souvenirs;
- (11) Investigation, preservation, and acceleration of utilization of tourist resources;
- (12) Collection and compilation of documents concerning tourism.

(Facilities Division)

Article 11-4. The Facilities Division shall be responsible for the matters regarding -

- (1) Establishment of plans for the development of tourist facilities;
- (2) Guidance for the improvement of tourist facilities;
- (3) In addition to those mentioned in the foregoing two (2) items, investigation and improvement of tourist resorts and facilities;
- (4) Affairs relating to tourism in a comprehensive land development plan;
- (5) Registration of hotels and Ryokan and the recommendations on the improvement of facilities and management of registered hotels and Ryokan;
- (6) Youth Hostel Center;
- (7) Supply-and-demand survey, intercession and distribution of goods to be provided for the use of tourist facilities.

MINISTRY OF TRANSPORT CONSTITUTION ORDINANCE (Extract)

(Ministry of Transport Ordinance No. 73 of September 1, 1952)

(Article 1 through 4. Omitted.)

Article 4-2. There is hereby established within the Facilities Division a Youth Hostel Center.

2. The Youth Hostel Center shall be responsible for the investigation and study on and guidance in the operation of youth hostels, and affairs relating to the operation of accommodation facilities constructed mainly for the utilization of young people.
3. The Youth Hostel Center shall be in Ohtsu Shi.
4. There shall be in the Youth Hostel Center a Director.
5. The Director shall, under the directions and delegation by the Minister, manage the matters mentioned in Paragraph 2.

LAW FOR AIDS TO INTERNATIONAL TOURIST INDUSTRY

(Law No. 259 of December 12, 1949)

(Aids to International Tourist Industry)

Article 1. The Government may, when it deems it especially necessary for promoting international tourist industry (the industry relating to sightseeing travel by foreigners), grant a subsidy to the non-profit-making juridical person as provided for by Cabinet Order (hereinafter referred to as "the juridical person") who conducts tourist publicity or is engaged in other business relating to tourism to cover part of the expenses required for the operation of the business, within the limit of the budgetary appropriation.

(Application for Aids)

Article 2. A juridical person who intends to be granted a subsidy shall submit to the Minister for Transport an application for the subsidy together with a business plan and an estimate of incomes and expenditures and the document covering the actual result of its business for the past one year.

(Notification of Aids)

Article 3. The Minister for Transport shall, when he has decided to grant a subsidy on the basis of the application as provided for in the preceding paragraph, notify the juridical person concerned of the decision.

2. The juridical person who has received the notice of the decision mentioned in the preceding paragraph, shall submit the following documents to the Minister for Transport without delay:

- (1) The scheme of the plans for the business;
- (2) The estimate of the incomes and outlays.

(Alteration of Plans)

Article 4. The juridical person shall, when it intends to make any alteration in the matters mentioned in the document in each item of Paragraph 2 of the preceding Article, obtain beforehand an approval of the Minister for Transport. However, this shall not apply to the case when the alteration is deemed to be of minor importance by the Minister for Transport.

(Prohibition of Diversion of Subsidies)

Article 5. The juridical person shall not use the subsidy granted in accordance with the provisions of this Law for any purpose which proves ineffective for the promotion of international tourist industry.

(Refund of Subsidies and Suspension of Granting Subsidies)

Article 6. The Minister for Transport shall order the juridical person who has been granted the subsidy in accordance with the provisions of this Law to refund the whole or part of the subsidy, in case it falls under any of the following items:

- (1) When it has violated the provisions of the preceding two articles;
- (2) When the estimate of incomes and expenditures presented by the juridical person to the Minister for Transport has not been approved by the Minister, as it has failed to reach the estimate of expenditures mentioned in the estimate for incomes and expenditures under Item (2) of Paragraph 2 of Article 3 (the revised estimate for incomes and expenditures in case the alteration under the provisions of Article 4 has been made).

2. In case when the juridical person was ordered to refund as provided for in the preceding paragraph, if it does not refund without any justifiable reason, or in case when the juridical person violated the provisions of the preceding Article, if the individual who conducted the said business still holds his position, the Minister for Transport shall not grant the subsidy to the said juridical person.

(Statement of Final Account for Incomes and Outlays)

Article 7. The juridical person who has been granted the subsidy in accordance with the provisions of this Law shall submit a statement of the final account of incomes and expenditures to the Minister for Transport.

(Annual Report)

Article 8. The Minister for Transport shall prepare the annual report for every fiscal year on the results of the business conducted by the juridical persons who were granted the subsidies in accordance with the provisions of this Law, and submit it to the Minister of Finance.

2. The Cabinet shall submit the annual report under the preceding paragraph to the Diet as an enclosure to the settlement of revenues and expenditures prescribed in Article 40 of the Finance Law (Law

No. 34 of 1947).

(Accounting Procedures)

Article 9. Matters necessary for the arrangement and preservation of books and other accounting procedures of any juridical person who has been granted the subsidy in accordance with the provisions of this Law shall be provided for by the Ministry of Transport Ordinance

(Demand for Reports)

Article 10. The Minister for Transport may demand from any juridical person who has been granted the subsidy in accordance with the provisions of this Law a necessary report on its business.

SUPPLEMENTARY PROVISION

This Law shall come into force from the day of its promulgation.

JAPAN NATIONAL TOURIST ORGANIZATION LAW

(Law No. 39 of March 24, 1959)

Amended by: Law No. 32 of March 27, 1962

Amended by: Law No. 15 of March 27, 1964

CHAPTER I. GENERAL PROVISIONS

(Purpose)

Article 1. The Japan National Tourist Organization shall have as its object the promotion of international tourism by efficiently performing overseas tourist publicity, dissemination of tourist information to foreign tourists and other activities necessary for the furtherance of visiting of foreign tourists.

(Character as Juridical Person)

Article 2. The Japan National Tourist Organization (hereinafter referred to as "the Organization") shall be a juridical person.

(Offices)

Article 3. The Organization shall have its principal office in Tokyo-to.

2. The Organization may, with the approval of the Minister for Transport, establish its subordinate offices at any necessary places.

(Capital)

Article 4. The capital of the Organization shall be one hundred million (100,000,000) in Japanese yen, the full amount of which shall be invested by the Government.

2. The Government may, when deemed necessary, make an additional investment to the Organization within the limit of the amount prescribed in the national budget.

3. The Organization shall, in case the investment mentioned in the preceding paragraph has been made by the Government, increase its capital by the amount invested.

(Registration)

Article 5. The Organization shall be registered in accordance with the provisions of the Cabinet Order.

2. Any matter for the registration as prescribed by the preceding paragraph shall not set up against any third party until after its registration.

(Restriction on Use of Title)

Article 6. Any other party than the Organization shall not use the word of "Japan National Tourist Organization" in its title.

(Application Mutatis Mutandis of the Civil Law)

Article 7. The provisions of Article 44 (Tort Liability of Juridical Person) and of Article 50 (Domicile of Juridical Person) of the Civil Law (Law No. 89 of 1896) shall be applied mutatis mutandis to the Organization.

CHAPTER II. DELETED.

Article 8 through 10. Deleted.

CHAPTER III. OFFICERS, ETC.

(Officers)

Article 11. The Organization shall have one (1) President, one (1) Vice-President, not more than five (5) Directors, and not more than two (2) Auditors.

(Duty and Power of Officers)

Article 12. The President shall represent the Organization and preside over the activities thereof.

2. The Vice-President shall manage the activities of the Organization by assisting the President, and, in the absence of the President, shall perform the duty of the President.

3. The Directors shall, as provided by the President, manage the activities of the Organization by assisting the President and Vice-President, and, in the absence of the President and Vice-President shall act for them, and, in the event of the Presidency and Vice-Presidency being vacant, shall perform the duties of them.

4. The Auditors shall audit the activities of the Organization.

(Appointment of Officers)

Article 13. The Officers shall be appointed by the Minister for Transport.

(Term of Office for Officers)

Article 14. The term of office for the President, Vice-President, and Directors shall be for three (3) years, and for the Auditors, two (2)

years, respectively. However, the term of office for any succeeding Officer shall be for the remainder of the term of his predecessor.

2. The Officers may be re-appointed.

(Ineligibility of Officers)

Article 15. A member of the National Diet, an official in the national public service (excluding a member of a council, conference, or other similar bodies, or a person holding a corresponding office not requiring full-time service), a member of the assembly of local public bodies, or a chief executive or a full-time official of local public bodies shall be ineligible as an Officer of the Organization.

(Dismissal of Officers)

Article 16. The Minister for Transport shall dismiss the Officer in case he has become ineligible for the office in accordance with the provisions of the preceding Article.

2. The Minister for Transport may dismiss the Officer in case he comes under any one of the following items or is deemed unfit for the office for any other reason.

- (1) When he is deemed incapable of performing duty because of unsound mind and body.
- (2) When there is a contravention of the official duty.

(Prohibition of Holding Concurrent Position)

Article 17. The Officer shall not become an officer of an organization having the acquisition of gain as its object, or shall not engage himself in any profit-making business. However, the same shall not apply in case the Minister for Transport has given the permission therefor after recognizing that the performance of the official duty as Officer of the Organization would not be hindered thereby.

(Limitation on Representative Power)

Article 18. The President shall not have a power of representation on matters having the conflicting interest between the Organization and the President. In such cases, the Auditor shall represent the Organization.

(Appointment of Agent)

Article 19. The President may appoint an agent from among the Directors or staff-members of the Organization giving him an authority to do all judicial and extra-judicial acts relating to the activities of its subordinate offices.

(Administrative Council)

Article 19-2. The Organization shall have an Administrative Council.

2. The Administrative Council shall investigate and deliberate on important matters in connection with the operation of the activities of the Organization in response to the inquiry of the President made thereon.
3. The Administrative Council may deliver its opinions to the President in connection with the matters mentioned in the preceding paragraph.
4. The Administrative Council shall be organized with not more than thirty (30) Councillors.
5. The Councillors shall be appointed by the President, with the approval of the Minister for Transport, from among men of learning and experience in connection with international tourism.
6. The term of office for the Councillors shall be for two (2) years.
7. The Councillors may be re-appointed.

(Appointment of Staff-members)

Article 19-3. The staff-members of the Organization shall be appointed by the President.

CHAPTER IV. DELETED.

Article 20 through 23. Deleted.

CHAPTER V. ACTIVITIES, ETC.

(Scope of Activities)

Article 24. The Organization shall, in order to attain the object mentioned in Article 1, perform the following activities:

- (1) To conduct publicity in order to stimulate visiting of foreign tourists;
- (2) To operate tourist information centers for foreign tourists;
- (3) To make investigation and research on international tourism;
- (4) To issue publications on international tourism;
- (5) To perform activities incidental to the above-mentioned items;
- (6) To perform activities necessary for the attainment of the object mentioned in Article 1 other than those mentioned in the preceding items.

2. The Organization shall obtain the approval of the Minister for Transport in case it intends to perform the activities mentioned in Item (6) of the preceding paragraph.

(Application of the Law for Aids to International Tourist Industry)

Article 25. The Organization shall be construed as a juridical person provided for by the Cabinet Order mentioned in Article 1 of the Law for Aids to International Tourist Industry (Law No. 259 of 1949); and the provisions of the said Law shall be applied to the Organization.

CHAPTER VI. FINANCIAL AFFAIRS AND ACCOUNTS

(Business Year)

Article 26. The business year of the Organization shall begin on the First Day of April of each year and end on the Thirty-first Day of March of the following year.

(Approval of Budget, etc.)

Article 27. The Organization shall prepare a budget and a business program for the business year concerned and obtain, before the commencement of each business year, the approval of the Minister for Transport therefor. The same shall apply when it intends to change them.

(Settlement of Accounts)

Article 28. The Organization shall complete the settlement of accounts for each business year on or before the Thirty-first Day of May of the following year.

(Financial Statements, etc.)

Article 29. The Organization shall prepare, in each business year, a list of assets, a balance sheet, and a statement of profit and loss (hereinafter referred to in this Article as "financial statements") and submit them to the Minister for Transport for his approval within one (1) month after the completion of the settlement of accounts.

2. The Organization shall, when it submits the financial statements to the Minister for Transport in accordance with the provisions of the preceding paragraph, attach thereto a report on the settlement of accounts for the business year concerned prepared in conformity to the divisions of the budget, together with a statement of opinions of the Auditors on the financial statements and the report on the settlement of accounts.

(Disposition of Profit and Loss)

Article 30. The Organization shall, in case any profit has been made in the profit and loss account, use it, in each business year, to make up for

any loss carried over from the preceding business year concerned and in case there still remains some remainder of profit, such remainder shall be set aside as reserves.

2. The Organization shall, in each business year, in case any loss has been made in the profit and loss account, liquidate it by reducing the reserves provided for in the preceding paragraph and in case there still remains some loss, such remainder shall be recorded as carried-over losses.

(Temporary Loan)

Article 31. The Organization may, with the approval of the Minister for Transport, obtain a temporary loan.

2. The temporary loan provided for in the preceding paragraph shall be repaid within the business year concerned. However, the loan may, limiting to an amount which cannot be repaid because of a shortage of funds, be converted into a new loan with the approval of the Minister for Transport.
3. The said renewed loan converted from the old loan in accordance with the proviso in the preceding paragraph shall be repaid within one (1) year from the date of conversion.

(Employment of Surplus Fund)

Article 32. The Organization shall not, except by the following methods, employ any surplus fund accruing from the management of its business:

- (1) Depositing with a bank or saving in the post office;
- (2) Depositing as cash in trust with a bank engaged in trust business or with a trust company.

(Restriction on Disposition of Property)

Article 32-2. The Organization shall obtain the approval of the Minister for Transport in cases, other than those provided by the Ministry of Transport Ordinance, where it intends to loan, transfer, exchange or mortgage its important properties stipulated by the Ministry of Transport Ordinance.

(Standard for Payment of Salaries, Allowances and Retirement Allowances)

Article 32-3. The Organization shall obtain the permission of the Minister for Transport in cases it intends to set or alter the standard for payment of salaries, allowances and retirement allowances to its Officers and staff-members.

(Delegation to the Ministry of Transport Ordinance)

Article 33. Necessary matters in reference to financial affairs and accounts of the Organization other than those prescribed in this Law shall be

provided for by the Ministry of Transport Ordinance.

CHAPTER VII. SUPERVISION

(Supervision)

Article 34. The Organization shall be supervised by the Minister for Transport.

2. The Minister for Transport may, when he deems it necessary for the enforcement of this Law, issue to the Organization orders necessary for his supervision in reference to its activities.

(Reports and Inspection)

Article 35. The Minister for Transport may demand reports of the Organization on the state of its activities and assets, or cause his officials to enter the offices or other premises of the business of the Organization and inspect books, documents and other objects.

2. The official, when making a spot inspection mentioned in the preceding paragraph, shall be required to carry with him a certificate showing his official status and present it to the persons concerned.
3. The authority for the spot inspection mentioned in Paragraph 1 shall not be construed to mean an authorization for criminal investigations.

CHAPTER VIII. MISCELLANEOUS PROVISIONS

(Dissolution)

Article 36. Matters pertaining to the dissolution of the Organization shall be provided for separately by law.

(Conference with the Minister for Finance)

Article 36-2. The Minister for Transport shall confer with the Minister for Finance in any one of the following cases:

- (1) When he intends to give the approval mentioned in Paragraph 2 of Article 24, Article 27, Paragraph 1 or proviso of Paragraph 2 of Article 31 or Article 32-2;
- (2) When he intends to give the approval mentioned in Paragraph 1 of Article 29 or Article 32-3;
- (3) When he intends to enact the Ministry of Transport Ordinance mentioned in Article 32-2 or Article 33.

(Delegation to the Ministry of Transport Ordinance)

Article 37. Necessary matters in connection with the enforcement of this Law, except as otherwise provided in this Law, shall be provided for by the Ministry of Transport Ordinance.

CHAPTER IX. PENAL PROVISIONS

(Acceptance of Bribe, etc.)

Article 38. Any officer or member of staff of the Organization shall, in case he has received, demanded or contracted for a bribe in connection with his duties, be imprisoned for not more than three (3) years, and, in case, as a result thereof, he has performed an improper action or failed to take a proper action in the course of his duties, he shall be imprisoned for not more than five (5) years.

2. Any ex-officer or ex-member of staff of the Organization shall, in case he received, demanded or contracted for a bribe in connection with the performance of an improper action or a failure to take a proper action in the course of his duties in response to a solicitation while in office at the Organization, be imprisoned for not more than three (3) years.

3. Any Officer or member of staff of the Organization shall, in case he has caused a bribe to be given to a third party or contracted for such a gift in connection with his duties and in response to a solicitation, be imprisoned for not more than three (3) years.

4. A bribe received by an offender or by a third party having a knowledge of its nature shall be confiscated. If the whole or a portion of the bribe could not be confiscated, the value thereof shall be additionally collected.

(Giving a Bribe)

Article 39. Any person who has given, offered or promised to give a bribe to the person mentioned in Paragraphs 1, 2 and 3 in the preceding Article shall be punished with imprisonment for not more than three (3) years or a fine of not more than three hundred thousand (300,000) in Japanese yen.

(Violation of Reporting Duties, etc.)

Article 40. In case the reports mentioned in Paragraph 1 of Article 35 have not been made or have been made falsely, or the inspection mentioned in the same paragraph has been refused, interfered, or evaded, the Officer or member of staff of the Organization who has committed any such wrongful acts shall be punished with a fine of not more than thirty thousand (30,000) in Japanese yen.

(Correctional Fines)

Article 41. In case an Officer or member of staff of the Organization has committed any one of the following wrongful acts, he shall be punished with a fine of not more than thirty thousand (30,000) in Japanese yen.

- (1) In case he has failed to obtain the approval or permission of the Minister for Transport mandatory under the provisions of this Law;
- (2) In case he has failed to make the registration in violation of the Cabinet Order mentioned in Paragraph 1 of Article 5;
- (3) In case he has operated activities other than those provided in Paragraph 1 of Article 24;
- (4) In case he has employed a surplus fund accruing from the management of business in violation of Article 32;
- (5) In case he has violated the order of the Minister for Transport mentioned in Paragraph 2 of Article 34.

Article 42. Any person who has violated the provisions of Article 6 shall be punished with a correctional fine of not more than ten thousand (10,000) in Japanese Yen.

SUPPLEMENTARY PROVISIONS

(Extract of Law No. 39 of March 24, 1959)

(Date of Enforcement)

Article 1. This Law shall come into force as from the day of its promulgation.

(Establishment of the Organization)

Article 2. The Minister for Transport shall designate the persons who shall serve as President, Vice-President and Auditors of the Organization.

2. These persons who shall have been designated to serve as the President, Vice-President and Auditors pursuant to the provisions mentioned in the preceding paragraph shall be regarded as having been appointed the President, Vice-President and Auditors pursuant to the provisions of the present Law, at the time of the establishment of the Organization.

Article 3. The Minister for Transport shall appoint an Organizing Committee which shall manage the business of the establishment of the Organization.

2. The Organizing Committee shall make the statutes of association and obtain the approval of the Minister for Transport.

3. The Organizing Committee shall, when it intends to apply for the approval mentioned in the preceding paragraph, obtain the agreement of more than seven (7) persons who intend to be a president of the Organization.
4. The Organizing Committee shall, when it has finished the preparations for the establishment of the Organization, transfer its business without delay to the person who shall have been appointed to serve as the President pursuant to the provisions of Paragraph 1 of the preceding article.

Article 4. The person who shall have been appointed to serve as the President pursuant to the provisions of Paragraph 1 of Article 2 of the Supplementary Provisions shall, when he has had the business transferred as mentioned in the preceding article, make the registration of establishment without delay, in accordance with the provisions of the Cabinet Order.

2. The Organization shall come into existence on the effectuation of the registration.

Article 5. The persons who have made the agreement as mentioned in Paragraph 3 of Article 3 of the Supplementary Provisions shall be regarded as members of the Organization at the time of the establishment of the Organization.

(Transfer from the Japan Tourist Association, a Foundational Juridical Person, etc.)

Article 6. The Japan Tourist Association, a foundational juridical person, established on May 24, 1955, and the Japan Federation of Tourist Associations, a corporate juridical person, established on June 3, 1947, may make a statement to the Organizing Committee, in accordance with their respective act of endowment and statutes of association, that the Organization may succeed all their rights and duties.

2. The Organizing Committee shall apply to the Minister for Transport for a permit without delay when the statement provided for in the preceding paragraph has been made.
3. When the permit mentioned in the preceding paragraph has been given, all the rights and duties of the Japan Tourist Association, a foundational juridical person, and the Japan Federation of Tourist Associations, a corporate juridical person, shall be succeeded to by the Organization at the time of its establishment, and these juridical persons shall be dissolved at the same time. In this case, the provisions for the dissolution and liquidation of a juridical person in other laws and regulations shall not be applied.

4. The registration of the dissolution of the Japan Tourist Association, a foundational juridical person, and the Japan Federation of Tourist Associations, a corporate juridical person, shall, in the case when they have been dissolved in accordance with the provisions of the preceding paragraph, provided for by the Cabinet Order.

(Interim Provisions)

- Article 7. Anyone who is using the name of a Japan Tourist Association at the time of the enforcement of the present Law shall change it within six (6) months after the enforcement of this Law. In this case, the provisions of Article 6 shall not be applied to him within the period prescribed above.
- Article 8. The initial business year of the Organization shall begin on the day of its establishment, notwithstanding the provisions of Article 26, and end on March 31, 1960.
- Article 9. With regard to the estimate of incomes and outlays and the business plan of the initial business year of the Organization, "before the commencement of every business year" mentioned in Article 27 shall read "after the establishment of the Organization, without delay."

SUPPLEMENTARY PROVISIONS

(Extract of Law No. 32 of March 27, 1962)

(Date of Enforcement)

1. This Law shall come into force as from the day of its promulgation.

SUPPLEMENTARY PROVISIONS

(Extract of Law No. 15 of March 27, 1964)

(Date of Enforcement)

- Article 1. This Law shall come into force as from the day of its promulgation.

TRAVEL AGENCY LAW

(Law No. 239 of July 18, 1952)

Amended by: Law No. 90 of May 1, 1956
Amended by: Law No. Extra 161 of September
19, 1962
Amended by: Law No. 78 of May 2, 1964
Amended by: Law No. 59 of May 10, 1971

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CHAPTER I. GENERAL PROVISIONS

(Purpose)

Article 1. The purpose of this Law is to ensure fairness in dealings engaged in by persons operating travel agency, through implementation of a system of registration of such persons operating in the travel agency and through encouragement of proper activities of organizations of persons operating in the travel agency, in order to contribute to the security of safety in traveling and to the development of travelers' conveniences.

(Definitions)

Article 2. "Travel Agency" in this Law shall mean a business of conducting any of the following acts for remuneration (except acts of entering into contracts concerning rendering services of transportation as an agent for a person who is engaged only in the business of rendering services of transportation for travelers):

- (1) In connection with acquisition of transportation or accommodation services for travelers; to enter into contracts as a representative or to act as an intermediary or an agent;
- (2) In connection with rendering transportation or accommodation services by another person, on behalf of such a person: to enter into contracts as his representative or to act as an intermediary for travelers;
- (3) To render travelers services of transportation and accommodation utilizing facilities of transportation or accommodation operated by another person;

- (4) Incidental to the acts listed in the preceding three Items, on behalf of travelers in connection with acquisition of services regarding travel other than transportation and accommodation services; to enter into contracts as a representative or to act as an intermediary or an agent;
 - (5) Incidental to the acts listed in Items (1) to (3), on behalf of a person rendering services regarding travel other than transportation or accommodation services, in connection with rendering of such other services for travelers; to enter into contracts as a representative or to act as an intermediary;
 - (6) Incidental to the acts listed in Items (1) to (3); to render to travelers such services as conducting tours; taking, as an agent, procedures for issuance of passports through administrative authorities and others; or other services for the convenience of travelers;
 - (7) To give counsel regarding travel;
 - (8) To enter into contracts as a representative in connection with the acts listed in Items (1) to (6).
2. "Travel Services" as mentioned in this Law shall mean any of the acts listed in the Items of preceding Paragraph conducted by persons operating a Travel Agency business.

CHAPTER II. TRAVEL AGENCIES

(Registration)

Article 3. Any person who intends to operate a Travel Agency shall be entered in the registration with the Minister for Transport.

(Application for Registration)

Article 4. Any person who intends to register in accordance with the preceding Article shall submit to the Minister for Transport an application stating the matters listed hereunder.

- (1) Classification of Travel Agency to operate;
- (2) Titles and addresses of the principal office and other offices, indicating, in the case of offices of a person who intends to operate a General Travel Agency or Travel Sub-Agency, whether such office or offices are intended to deal only in Travel Services within Japan;
- (3) Trade name, if any, for the operation of the business;
- (4) Name or title and address of the applicant;
- (5) In the case of a juridical person: names of its officers;
- (6) When proposing to let a person operating a Travel Sub-Agency dealing Travel Services; name or title and address of such person, and address of the office dealing in such Travel Services;
- (7) For the person proposing to operate a Travel Sub-Agency; its name or title and address.

2. To the application, business plans and other documents stating the matters stipulated by the relevant Ordinance of the Ministry of Transport shall be attached.
3. Classification of "Travel Agency" shall be as the followings:
 - (1) General Travel Agency (Travel Agency dealing in Travel Services listed in Items (1) to (7), Paragraph 1, Article 2, except a Domestic Travel Agency);
 - (2) Domestic Travel Agency (Travel Agency dealing in Travel Services listed in Items (1) to (7), Paragraph 1, Article 2, only in connection with tours by Japanese within Japan);
 - (3) Travel Sub-Agency (Travel Agency dealing in Travel Services on behalf of another Travel Agency, as its agent).

(Implementation of Registration)

Article 5. The Minister for Transport shall, when an application is made in accordance with the provisions of the preceding Article - unless it falls under a case of disapproval of registration, according to provisions of Paragraph 1 of the following Article - register the following matters in the Travel Agents Registry:

- (1) Matters listed in the each Item of Paragraph 1 of the preceding Article.
 - (2) Date of Registration.
2. The Minister for Transport shall, when he has authorized the registration in accordance with the provisions of the preceding Paragraph, notify immediately the applicant of the registration to that effect.

(Disapproval of Registration)

Article 6. The Minister for Transport shall, in case the application for registration falls under any one of the following Items, disapprove the registration:

- (1) Any person whose registration of a Travel Agency has been rescinded in accordance with the provisions of Article 19, and two full years have not passed since the date of the rescission thereof.
- (2) Any person who has been convicted of a crime and sentenced to penal servitude of imprisonment for more than three years, and two full years have not passed since the date when the execution of such sentence was finished or when he was relieved of such execution;
- (3) Any person who has committed an unfair act in connection with Travel Services within the recent two years;
- (4) Any person who is a minor who does not possess same ability in business management equal to an adult, and his legal representative falls under any one of the preceding Items;
- (5) Any person who has been legally declared to be incompetent or quasi-incompetent or bankrupt and who has not been rehabilitated;

- (6) Any person who is a juridical person and any one of its officers falls under any one of the foregoing Items (1) to (3) or any case of the preceding Item;
- (7) Any person who is deemed to be not capable of appointing, for every one of his offices, Qualified Travel Representatives in accordance with the provisions of Paragraph 3, Article 11-3;
- (8) Any person who is deemed to have insufficient credit and/or financial ability necessary for performance of the said business.

2. The Minister for Transport shall, upon any disapproval of the registration in accordance with provisions of the preceding Paragraph notify that effect to the applicant for the registration, together with the reason thereof.

(Term of Validity of Registration)

Article 6-2. The term of validity of the registration of a Travel Agency shall be three years counting from the date of the registration thereof.

(Registration of Renewal Term of Validity)

Article 6-3. Any person who intends to continue to have a Travel Agency registered after expiration of the term of validity of its registration shall, in accordance with the provisions of the relevant Ordinance of the Ministry of Transport, obtain the registration of renewal of the term of validity to be made by the Minister for Transport.

2. The provisions in Article 5 to the preceding Article shall be mutatis mutandis applicable to the registration of renewal of the term of validity. "Matters listed in the Items of Paragraph 1 of the preceding Article" as mentioned in Paragraph 1 of Article 5 shall instead read as "The effect of renewal of the term of validity."

(Notification of Change of Registered Matters)

Article 6-4. Any person who has registered a Travel Agency (hereinafter referred to as "Travel Agent") shall, when a change is made in any of the matters listed in Items (2) to (7), Paragraph 1, Article 4, make the notification of such change to the Minister for Transport within thirty days as from the date of such change.

2. Upon receipt of the notification required under the provisions the preceding Paragraph, the Minister for Transport shall - except when he rescinds the registration, in accordance with the provisions of Paragraph 1, Article 19 - register the matter so notified in the Travel Agents Registry. However, in case when the matter notified is in connection with the establishment of a new office and when there is no notification as provided in Paragraph 2 of the next Article which is mutatis mutandis applicable under Paragraph 2, Article 8, the Minister shall not make the said registration.

(Deposit of Business Guarantee Fund)

Article 7. Any person who has obtained the registration of General Travel Agency (hereinafter referred to as a "General Travel Agent"), or any person who has obtained the registration of Domestic Travel Agency (hereinafter referred to as a "Domestic Travel Agent"), shall deposit a Business Guarantee Fund.

2. A Travel Agent shall, in case he has deposited the Business Guarantee Fund, make the notification to that effect to the Minister for Transport together with the copy of the deposit document mentioning the receipt of the said deposit.
3. A Travel Agent shall not commence his business until he has made the notification stipulated in the preceding Paragraph.
4. The Minister for Transport shall, in case he has authorized the registration of a Travel Agency, when the Travel Agent has failed to make the notification as provided for in Paragraph 2 of this Article within fourteen days after the day when the notice of the registration was made, make a peremptory notice of the effect that the Travel Agent must make the said notification within the period of seven days or more specified by him.
5. The Minister for Transport may - in case he has made the peremptory notice in accordance with the provisions of the preceding Paragraph, when the Travel Agent has failed to make the notification as stipulated in Paragraph 2 of this Article within the period specified in accordance with the provisions of the same Paragraph, rescind the registration of the said Travel Agency.

Article 8. The General Travel Agent or Domestic Travel Agent, after the commencement of his business, when he has open a new office, shall deposit an additional Business Guarantee Fund.

2. The provisions of Paragraphs 2 and 3 of the preceding Article, shall be mutatis mutandis applicable to the case in depositing a Business Guarantee Fund in accordance with the provisions of the preceding Paragraph.

Article 9. In the case the Domestic Travel Agent has obtained the registration of General Travel Agency and proposes to deposit the Business Guarantee Fund as stipulated in Paragraph 1, Article 7, the Business Guarantee Fund he already has deposited shall be regarded as a part of the Business Guarantee Fund for the General Travel Agency.

2. Notwithstanding the provisions of Paragraph 2, Article 7, a person as referred to in the preceding Paragraph may operate a

Domestic Travel Agency before he makes the notification in accordance with the provisions of Paragraph 2 of the same Article.

Article 10. In the case a General Travel Agent obtains the registration of Domestic Travel Agency and proposes to deposit the Business Guarantee Fund for Domestic Travel Agency in accordance with the provisions of Paragraph 1, Article 7, the Business Guarantee Fund he already has deposited shall be considered as the said Business Guarantee Fund, and he shall be entitled to a refund of the amount of the Business Guarantee Fund exceeding the amount of the Business Guarantee Fund for the Domestic Travel Agency.

2. The provisions of Paragraphs 2 and 3, Article 21, shall be mutatis mutandis applicable to the refund of the Business Guarantee Fund in accordance with the preceding Paragraph.

(Amount and Other Aspects of Business Guarantee Fund)

Article 11. The amount of the Business Guarantee Fund shall be fixed by the relevant Ordinance of the Ministry of Transport separately for the principal office and other offices, and separately for the General Travel Agency and the Domestic Travel Agency, taking into consideration the probable amount of debits and situation of liquidation thereof incidental to transactions in Travel Services, prevailing actual situations of transactions in Travel Services, and protection of the counterparties to transactions in Travel Services.

2. The General Travel Agent or Domestic Travel Agent shall, in the case the relevant Ordinance of the Ministry of Transport mentioned in the preceding Paragraph is enacted or revised, and as a result the amount of the Business Guarantee Fund as of the day preceding the effectiveness of such enactment or revision is less than the amount of the Business Guarantee Fund required by the said Ordinance of Ministry of Transport as enacted or revised, deposit an additional amount to cover the insufficiency.
3. The provisions of Paragraphs 2, 4, and 5, Article 7, shall be mutatis mutandis applicable to the case of deposition of the Business Guarantee Fund in accordance with the preceding Paragraph. In this case "within fourteen days after the day when the notice of the registration was made" in Paragraph 4 of the said Article, shall read "in case of the enactment or revision of the relevant Ordinance of the Ministry of Transport as stipulated in Paragraph 1, Article 11, within three months after the date of the enforcement thereof".
4. In the case the relevant Ordinance of the Ministry of Transport mentioned in Paragraph 1 is enacted or revised, and when the amount

of the Business Guarantee Fund deposited at the time of the enforcement thereof is in excess of the amount of the Business Guarantee Fund which is required by such enactment or revision of the Ordinance of the Ministry of Transport as enacted or revised, the General Travel Agent or Domestic Travel Agent is entitled to refund of the amount of the Business Guarantee Fund in excess.

5. The provisions of Paragraph 3, Article 21, shall be mutatis mutandis applicable to the case of refund of Business Guarantee Fund in accordance with the provisions of the preceding Paragraph.
6. The Business Guarantee Fund may be, in accordance with the provisions of the relevant Ordinance of the Ministry of Transport, deposited in the form of National Bond Certificates, Local Bond Certificates, and/or such other valuable securities as designated by the relevant Ordinance of the Ministry of Transport.
7. The deposit of the Business Guarantee Fund shall be made at the nearest Deposit Office to the principal office of the General Travel Agent or Domestic Travel Agent.

(Office of Travel Sub-Agency)

Article 11-2. In respect of a deposit of a Business Guarantee Fund in accordance with this Law, the office of a person who has obtained the registration of Travel Sub-Agency (hereinafter referred to as "Travel Sub-Agent") shall be deemed to be the office of his principal Travel Agent.

(Assignment of Qualified Travel Representatives)

Article 11-3. The Travel Agent shall, for each office, assign one or more Qualified Travel Representatives who should be qualified according to the provisions of Paragraph 4, and cause them to attend to the business of administration or supervision, relating to Travel Services at the office involved, that is necessary to insure certainty in rendering of services for travel, clarification of terms and conditions and other fairness in transactions. However, when causes listed in following each Item have arisen, for fourteen days of occurrence of such causes, no Qualified Travel Representative need be assigned.

- (1) When all of the persons assigned as the Qualified Travel Representatives for the office involved fall under any one of Items (1) to (5), Paragraph 1, Article 6;
- (2) When the positions of all of the persons assigned as the Qualified Travel Representatives for the office involved become vacant.

2. The provisions of the preceding Paragraph shall be applicable even to an office having only one person handling Travel Services.

3. A Qualified Travel Representative shall not act as the Qualified Travel Representative of another office.
4. A Qualified Travel Representative shall be a person who does not fall under any one of Items (1) to (5), Paragraph 1, Article 6, and shall be the person listed below:
 - (1) For an office handling Travel Services for travel only within Japan the person listed below:
 - a. The person who has passed the examination for Qualified General Travel Representative or the examination for Qualified Domestic Travel Representative in accordance with the provisions of the next Article; or
 - b. The person to whom the Minister for Transport has authorized to have knowledge and ability equal to or more than such a person as cited in above a.
 - (2) For an office other than an office cited in the preceding Item:
 - a. The person who has passed the examination for Qualified General Travel Representative;
 - b. The person to whom the Minister for Transport has authorized to have knowledge and ability equal to or more than such a person as cited in above a.

(Examinations for Qualification of Travel Representative)

Article 11-4. Examinations for Qualification of Travel Representative shall be administered by the Minister for Transport on knowledge and ability necessary for the duties of a Qualified Travel Representative.

2. Examinations for Qualification of Travel Representative shall be of two classes such as:
Examination for Qualification of General Travel Representative, and
Examination for Qualification of Domestic Travel Representative.
3. The Minister for Transport may, for a person who has successfully completed the course of a training seminar conducted by a person designated by the Minister for Transport on the knowledge and ability specified in Paragraph 1 or who possesses the qualification prescribed for in the relevant Ordinance of Ministry of Transport, exempt him from part of the Examination for Qualification of Travel Representative.

(Fees)

Article 12. A General Travel Agent or Domestic Travel Agent shall set fees for handling Travel Services, and shall make the notification on them to the Minister for Transport prior putting them into effect. The same shall apply in case of revision thereof.

2. When the Minister for Transport finds the fees mentioned in the any one of the preceding paragraph to fall in any one of the following

Items, he may direct the person operating the Travel Agency to revise the fees:

- (1) In case they exceed an amount of fair cost added by fair profit-margin under efficient management.
- (2) In case they give unfair discriminative treatment to the specified person.

(General Terms and Conditions for Travel Contracts)

Article 12-2. A General Travel Agent or Domestic Travel Agent shall, in relation to contracts regarding Travel Services (excepting contracts entered into on behalf of a person rendering services for travel as an agent), set General Terms and Conditions for Travel Contracts and submit them to the Minister for Transport for his authorization. In the case of revision of such General Terms and Conditions, except for such minor revisions as are stipulated by the relevant Ordinance of the Ministry of Transport, the same shall be applicable.

2. In deciding whether to give the authorization mentioned in the preceding Paragraph, the Minister for Transport shall follow the following criteria:
 - (1) There must be no danger of jeopardizing the proper interest of travelers.
 - (2) There must be at least clear descriptions of the fees for handling Travel Services, other matters relating to receipts, payments, and refunds of money regarding transactions with travelers, and matters relating to the liabilities of the Travel Agent.
 - (3) If the Minister for Transport ever finds the General Terms and Conditions for Travel Contracts, even though authorized in accordance with the provisions of Paragraph 1, to pose a danger of jeopardizing the proper interests of travelers, he may direct the Travel Agent to revise them.
 - (4) The Travel Agent shall display the General Terms and Conditions for Travel Contracts, as authorized in accordance with the provisions of Paragraph 1 (in the case of a Travel Sub-Agent, the General Terms and Conditions for Travel Contracts for which his principal Travel Agent attained the authorization in accordance with the provisions of the preceding Paragraph), in a place where travelers can easily read them.

(Clarification of Forms of Transactions)

Article 12-3. The Travel Agent shall, upon making transactions with travelers, excepting in cases stipulated by the relevant Ordinance of the Ministry of Transport, clarify: the rendering the services relating to the travel involved in the transactions; and whether he is entering into a contract as a representative, or making a contract as an intermediary, or acting as an agent, or rendering the services by himself.

(Representation of Conditions of Transactions)

Article 12-4. The Travel Agent shall, upon entering into a contract with travelers regarding Travel Services, after confirming the particulars of the Travel Services which the travelers have asked for, make a representation to the travelers on the terms of the transaction.

(Delivery of Travel Documents)

Article 12-5. The Travel Agent, with regard to the rendering of services regarding travel, shall, upon entering into a contract as a representative for either party, or making a contract as an intermediary between the parties, or acting as an agent, or making a contract to render services by himself, promptly deliver to the travelers a document specifying the particulars of the services to be rendered for the travel and other matters stipulated by the relevant Ordinance of the Ministry of Transport, or a document specifying the services to which the travelers are entitled for the said travel.

(Carrying of Gaimuin's Identification Card, Etc.)

Article 12-6. The Travel Agent shall cause all of its officers or employees, regardless of title (whether it be solicitor, salesman or other), who make transactions in Travel Services for the said Travel Agent outside of his office (hereinafter referred to as "Gaimuin"), to carry an identification card in the form as fixed by the relevant Ordinance of the Ministry of Transport, or otherwise shall cause them not to be engaged in the work of Gaimuin.

2. A Gaimuin shall, upon doing his business, present the identification card mentioned in the preceding Paragraph.
3. A Gaimuin shall be deemed to have authority to do, on behalf of the Travel Agent for whom he works, any act regarding transactions for Travel Services with travelers except legal acts before a court. However, if the traveler has an ill intention, the same shall not be applicable.

(Prohibition of Exaggerated Advertisements)

Article 12-7. When making advertisements of services regarding travel, the Travel Agent shall, in relation to the particulars of services and other conditions of transactions so advertised, neither make statements grossly different from the truth nor make misleading statements that would let the public believe the services to be grossly better or more favorable than the actual ones.

(Display of Certificate)

Article 12-8. The Travel Agent shall display at his offices a certificate, the form of which shall be set by the relevant Ordinance of the Ministry of Transport in such a manner as to be easily noticeable by the public.

(Prohibition of Unfair Practices)

Article 13. The Travel Agent shall not commit any of the act listed in following Items:

- (1) To receive any payment without making a notification of fees as stipulated in Paragraph 1, Article 12, or receive any payment in excess of the fees notified.
- (2) To delay unreasonably the fulfillment of any obligation to a person with whom he has made a transaction for Travel Service entailed by the said transaction.
- (3) To tell a lie or fail to tell the truth intentionally, to a person with whom he has made a transaction for Travel Services, regarding any important matters of such a transaction.
- (4) To aside from the above three Items, engage in any other unfair practice regarding Travel Services.

(Prohibition of Improper Use of Name, Etc.)

Article 14. The Travel Agent shall not let another person use his name for Travel Agency.

2. The Travel Agent shall not let another person operate a Travel Agency in his name by renting his business or in any other way.

(Discontinuance of Business, Etc.)

Article 15. A Travel Agent shall, when having discontinued his business or having transferred all of his business, make the notification that effect to the Minister for Transport within 30 days from the said day.

2. When a juridical person to be a Travel Agent comes to fall under any one of the cases listed in the following Items, if notification shall be made to the Minister for Transport to that effect, by the person also listed hereunder, within 30 days from the said day.
 - (1) In the case the juridical person has ceased existence by merger: the person who was its officer operating the business;
 - (2) In the case the juridical person has been liquidated for any reason other than merger or bankruptcy: the liquidator.
 - (3) In the case the juridical person has been liquidated due to bankruptcy: the trustee in bankruptcy.
3. When a Travel Agent has died, his heir shall make the notification of his death to the Minister for Transport within 30 days from the day that the fact of his death has come to the heir's knowledge.
4. In case of the death of a Travel Agent, when his heir has applied for the registration of Travel Agent within 60 days of the death, the heir may continue to operate the Travel Agency from the day of the death until the day of his receipt of notice of the registration or notice of refusal of the registration. And regarding the business during that

period, the registration of Travel Agent of the succeeded person shall be deemed to have passed to the heir on the day of the death, and the Business Guarantee Fund deposited by the succeeded person shall be deemed to have been deposited by the heir.

(Succession of Rights on Business Guarantee Fund, Etc.)

Article 16. In case of cancellation of the registration in accordance with the provisions of Article 20, through the death of a Travel Agent or end of existence through merger of juridical person to be a Travel Agent or entire transfer of the business by a Travel Agent: when the heir, or the juridical person continuing existence after the merger, or the juridical person incorporated through the merger, or the assignee of the business - as the case may be - effects the registration as Travel Agent within 60 days from the day of the cancellation, and files with the Minister for Transport a notification to the effect that the rights on the Business Guarantee Fund deposited by the person who was formerly a Travel Agent have been duly passed on, then the Business Guarantee Fund deposited by the succeeded person shall be deemed to be a Business Guarantee Fund deposited by the person who has newly become Travel Agent in accordance with the provisions of Paragraph 1, Article 7.

2. In the case of filing the notification stipulated in the preceding Paragraph, a copy of the deposit certificate showing the receipt of the deposit and a document certifying the fact that the rights on the Business Guarantee Fund have been passed on shall be attached.
3. The notification stipulated in Paragraph 1 shall, for application of the provisions of Paragraphs 3 to 5, Article 7, be deemed to be a notification made in accordance with the provisions of Paragraph 2 of the same Article.
4. In the case as stipulated in Paragraph 1, in relation to the said Business Guarantee Fund: when there is a person who has a claim as stipulated in Paragraph 1 of the following Article regarding transactions with the person who was formerly Travel Agent, then for the liquidating the claim of the same Paragraph, the said claim shall be deemed to have arisen through some transaction with the person who has newly become a Travel Agent.

(Refund of Business Guarantee Fund)

Article 17. Any person who has made a transaction with a Travel Agent for Travel Services shall be entitled to liquidate his claim in relation to the Business Guarantee Fund deposited by the Travel Agent involved.

2. Matters necessary for the liquidating a claim as mentioned in the preceding Paragraph shall be set by the Ordinances of the Ministry of Transport.

(Deposit of Deficit of Business Guarantee Fund)

Article 18. When the amount of Business Guarantee Fund set by an Ordinance of the Ministry of Transport as referred to in Paragraph 1, Article 11, becomes deficient as a result of the liquidating a claim for a person having such a claim as mentioned in Paragraph 1 of the preceding Article, the Travel Agent shall deposit the amount of the deficit.

2. The provisions of Paragraph 2, 4, and 5, Article 7, shall be mutais mutandis applicable to the case of making a deposit in accordance with the provisions of the preceding Paragraph. In such a case, "within 14 days from the day of the receipt of the notice of the registration" in Paragraph 4 of the said Article, shall read "within 14 days from the day set by an Ordinance of the Ministry of Justice and an Ordinance of the Ministry of Transport".

(Change of Custody of Business Guarantee Fund, Etc.)

Article 18-2. A General Travel Agent or Domestic Travel Agent, in a case of having a deposit of Business Guarantee Fund only in cash, shall, if a move of his principal office causes the nearest Deposit Office to be changed, promptly apply to the Deposit Office having custody of the Business Guarantee Fund for change of custody of the Business Guarantee Fund to the Deposit Office nearest the new site of the principal office, with the commissions paid in advance, in accordance with provisions of an Ordinance of the Ministry of Justice and an Ordinance of the Ministry of Transport.

2. A General Travel Agent or Domestic Travel Agent, in the case of having the deposit of a Business Guarantee Fund in valuable securities or in a combination of cash and valuable securities as stipulated in Paragraph 6, Article 11, shall, if a move of his principal office causes the nearest Deposit Office to be changed, promptly and newly deposit a Business Guarantee Fund of the same amount as the said Business Guarantee Fund at the Deposit Office nearest the new site of the principal office. When such a deposit is made, he shall be entitled to the refund of the Business Guarantee Fund deposited at the Deposit Office nearest the former site of the principal office, in accordance with the provisions of an Ordinance of the Ministry of Justice and an Ordinance of the Ministry of Transport.
3. The provisions of Paragraph 2, Article 7, shall be mutais mutandis applicable to the cases of Paragraph 1 and the former half of the preceding Paragraph.

(Rescission of Registration, Etc.)

Article 19. The Minister for Transport may, when a Travel Agent falls under any one of the cases listed in each of the following Items, direct him to suspend part or all of the business for a specified period not in

excess of six months, or rescind the registration:

- (1) When the person has violated this Law or a disposition on the basis hereunder.
 - (2) When the person becomes any one of the kinds of person listed in Items (2) or (4) to (6), Paragraph 1, Article 6, or is found to have been, at the time of the registration, any one of the kinds of person listed in each of Items of Paragraph 1, Article 6.
 - (3) When through unfair measures the person has obtained the registration in accordance with the provisions of Article 5 (including the case of mutatis mutandis application as in Paragraph 2, Article 6-3).
2. The provisions of Paragraph 2, Article 6, shall be mutatis mutandis applicable to the cases stipulated in the preceding Paragraph.

(Cancellation of Registration)

Article 20. The Minister for Transport shall, when the term of validity of the registration has expired, or when he has rescinded a registration in accordance with the provisions of Paragraph 5, Article 7 (including cases of mutatis mutandis application in Paragraph 3, Article 11, or Paragraph 2, Article 18), or when a notification has been made in accordance with the provisions of Article 15, cancel the registration of the Travel Agent involved.

(Refund of Business Guarantee Fund)

Article 21. When the registration is cancelled in accordance with the provisions of the preceding Article, the person who was the Travel Agent or his successor is entitled to the refund of the Business Guarantee Fund deposited. When, as a result of the abolition by a Travel Agent of some of his offices, the amount of Business Guarantee Fund is in excess of the amount set by the relevant Ordinance of the Ministry of Transport as stipulated in Paragraph 1, Article 11, the same shall apply to the excess portion of the Fund.

2. A refund as stipulated in the preceding Paragraph shall be made only after a public notice has been given to persons who have any claim as in Paragraph 1, Article 17, on the Business Guarantee Fund involved, specifying a period not less than six months during which claims should be reported, and only when no such claim is reported during the said period; although when ten years have elapsed after the occurrence of the cause making the refund of the Business Guarantee Fund possible, this shall not be applicable.
3. Matters necessary for the public notice mentioned in the preceding Paragraph and other matters regarding refunds of Business Guarantee Fund shall be set by an Ordinance of the Ministry of Justice and an Ordinance of the Ministry of Transport.

(Public Perusal of Registry of Travel Agents)

Article 21-2. The Minister for Transport shall offer the Travel Agents Registry for public perusal.

(Registration-Licence Tax and Examination Fee)

Article 22. Persons applying for the registration in accordance with the provisions of Paragraph 1, Article 4, shall pay the registration-license tax as stipulated by the Registration-License Tax Law (Law No. 35, 1967); and persons applying for the registration of renewal of the term of validity in accordance with the provisions of Paragraph 1, Article 6-3, persons who intend to obtain the adjudication as stipulated in Paragraph 4, Article 11-3, and persons who intend to take the Examination for Qualification of Travel Representative as in Paragraph 1, Article 11-4, shall pay a examination fee, the amount of which shall be set by the Ordinance of the Ministry of Transport on an actual cost basis.

CHAPTER III. TRAVEL AGENTS ASSOCIATIONS

(Designation)

Article 22-2. In case an application has made by a person meeting with the qualifications listed hereunder, and when the Minister for Transport has adjudged that the person has proper plans regarding all business listed in the paragraphs of the following Article and is capable of acting on the said business without fail, the Minister for Transport, in accordance with this Chapter, may designate him as a person acting on the business listed in the same Paragraph.

- (1) The applicant must be a corporate juridical person established in accordance with the provisions of Article 34 of the Civil Law (Law No. 89, 1896).
- (2) The applicant must be composed of members of exclusively Travel Agents.
- (3) Rules for membership qualification in the applicant's statute must be in conformity with the provisions of Article 22-4.
- (4) If an applicant has been subjected to rescission of designation in accordance with the provisions of Paragraph 1, Article 22-21, at least 5 years must have passed since such rescission.
- (5) None of the officers of an applicant may fall under any of Paragraphs 1 to 3 or 5, Article 6.

2. When he has made a designation as stipulated in the preceding Paragraph, the Minister for Transport shall publish in the Official Gazette the title, address, and location of the office of the designated persons (hereinafter referred to as "Travel Agents Association") and the date of commencement of the Compensation Business designated by

the Minister for Transport as in Paragraph 1, Article 22-9.

3. A Travel Agents Association shall, when it intends to change its title, address, or location of office, report in advance to that effect to the Minister for Transport.
4. When a report as in the preceding Paragraph is made, the Minister of Transport shall publish to that effect in the Official Gazette.

(Business)

Article 22-3. Travel Agents Associations shall act on the business listed in the following Items in accordance with the provisions of this Chapter properly and without fail:

- (1) Settlement of complaints regarding Travel Services from travelers and persons rendering services for travel handled by any member of the Travel Agents Association.
- (2) Training and education of persons handling Travel Services.
- (3) Business of making compensation to persons who have dealt with the members for Travel Services, for claims caused by such transactions (hereinafter referred to as "Compensation Business").

(Qualification and Entry of Members)

Article 22-4. A Travel Agents Association shall not place any limitations on the qualifications of members except for the class of Travel Agency stipulated in Paragraph 3, Article 4.

2. A Travel Agents Association shall, when a Travel Agent having qualifications as a member proposes to join, neither refuse the proposal without due reason, nor place more difficult conditions than those placed upon the entry of the existing members.

(Report of Members' Entry and Withdrawal)

Article 22-5. A Travel Agents Association shall, when a member newly enters or ends his membership, report forthwith to that effect to the Minister for Transport.

(Settlement of Complaints)

Article 22-6. When any traveler or person rendering services for travel asks to make a settlement as to a complaint regarding Travel Services handled by a member of a Travel Agents Association, the Travel Agents Association shall accede to such request, give necessary advice about the complaints, and at the same time demand that the said member gives prompt dispositions by notifying the member of the details of the complaint.

2. When deemed necessary for the settlement of complaints, requested as in the preceding Paragraph, a Travel Agents Association may demand

from the member said an oral or written explanation, or presentation of data.

3. When a demand as in the preceding Paragraph is made by a Travel Agent Association, the affected member shall not refuse without due reason.
4. The Travel Agents Association concerned shall inform all of its members of such a request, the circumstances regarding the complaint involved, and the result of the settlement.

(Training for Travel Services)

Article 22-7. Travel Agents Associations shall, depending on the classification of Travel Agency of their respective members, determine fixed programs, and conduct seminars on the knowledge and ability necessary for Qualified Travel Representatives and on handling of Travel Services for the Employees of Travel Agents.

2. The seminars stipulated in the preceding Paragraph shall be opened to employees of all Travel Agents, regardless of the membership.

(Deposit of Compensation Security Bond)

Article 22-8. A Travel Agents Association shall, upon receipt of payments of the Shares of Compensation Security Bond in accordance with the provisions of Paragraphs 1 to 3, Article 22-10, deposit the Compensation Security Bond equivalent in sum to the amount received within seven days of the receipt in accordance with the provisions of an Ordinance of the Ministry of Justice and an Ordinance of the Ministry of Transport.

2. The Deposit of the Compensation Security Bond shall be made with the Deposit Office nearest to the address of the Travel Agents Association.
3. The provisions of Paragraph 2, Article 7, and Paragraph 6, Article 11, shall be mutatis mutandis applicable to the case of making a deposit of a Compensation Security Bond in accordance with the provisions of Paragraph 1.

(Release of Compensation Security Bond)

Article 22-9. Persons who have made transactions with Security Members (members who have paid their Shares of Compensation Security Bond as in Paragraph 1 of the preceding Article, and have passed at least one year since their registration as in Article 3 - hereinafter the same) are, after the date of commencement of Compensation Business as designated by the Minister for Transport, entitled to receive compensation from the Compensation Security Bond deposited by the

relevant Travel Agents Association in connection with claims arising from said transactions, within the limit stipulated in the Compensation Security Rules for the said Security Member (when such a Security Member is already subjected to claims validated as in the following Paragraphs, such amount to be subtracted, and when the said Security Member has paid the amount required by the provisions of Paragraph 2, Article 22-11, such amount to be added).

2. Persons proposing to settle a claim as stipulated in the preceding Paragraph shall obtain validation of the claim by the relevant Travel Agents Association.
3. When the claim in Paragraph 1 is exercised, the Travel Agents Association shall, within twenty one days from the day of exercise, deposit a Compensation Security Bond in an amount equivalent to the released amount.
4. Provisions of Paragraph 2, Article 7, and Paragraph 6, Article 11, shall be mutatis mutandis applicable to the cases of depositing a Compensation Security Bond as stipulated in the preceding Paragraph.
5. The limit of the compensation stipulated in Paragraph 1 shall not be less than the amount of the Business Guarantee Fund which the Security Member concerned, as a Travel Agent, would be required to deposit if the provisions of Paragraph 14, Article 24, was not applicable.
6. Matters necessary for the liquidating claims as stipulated in Paragraph 1 shall be set by the relevant Ordinance of the Ministry of Justice or the relevant Ordinance of the Ministry of Transport and matters necessary for the validation stipulated in Paragraph 2 shall be set by the relevant Ordinance of the Ministry of Transport.

(Payment of Shares of Compensation Security Bond, Etc.)

Article 22-10. Persons listed in any one of the following Items shall pay Shares of Compensation Security Bond in amounts set by the Compensation Security Rules in order to devote funds to the Compensation Security Bond by the dates also stipulated respectively hereunder:

- (1) A member who is either a General Travel Agent or Domestic Travel Agent and has not passed one year from the date of the registration as stipulated in Article 3 - by the date when one year has passed since the registration.
- (2) A General Travel Agent or Domestic Travel Agent who has passed one year from the registration as stipulated in Article 3 and proposes to enter a Travel Agents Association - by the date of entry.
- (3) A General Travel Agent or Domestic Travel Agent who has passed one year from the registration as stipulated in Article 3 and

is already a member of a Travel Agents Association as of the date of the designation as in Paragraph 1, Article 22-2 - by one month before the date of commencement of Compensation Business to be designated by the Minister for Transport as stipulated in Paragraph 1 of the same Article.

2. A Security Member shall, if newly establishing an office (including an office of a Travel Sub-Agent who handles Travel Services as his agent - the same hereinafter in this Chapter) pay to the relevant Travel Agents Association a Share of Compensation Security Bond in a sum as set by the Compensation Security Rules within fourteen days of such establishment.
3. A Security Member shall, if the amount of his Share of Compensation Security Bond is increased owing to a revision of the Compensation Security Rules, pay the amount of the increase to the relevant Travel Agents Association by the date set by the Compensation Security Rules.
4. A Member shall lose his membership in the Travel Agents Association if he fails to pay the amount of the Share of Compensation Security Bond as stipulated in Sub-Paragraph 1 or 3, Paragraph 1 or in the preceding two Paragraphs, by the relevant date stipulated therein.
5. The amount of each Share of Compensation Security Bond to be set by Compensation Security Rules as in Paragraph 1 and Paragraph 2 shall be at least one-fifth of the amount of Business Guarantee Fund which the Member concerned, as a Travel Agent, would be required to deposit if the provisions of Article 22-14 was not applicable.
6. When the Ordinance of the Ministry of Transport stipulated in Paragraph 1, Article 11 is revised and, as a result, the amounts of Shares of Compensation Security Bond set by the Compensation Security Rules become lower than the minimum amount of Shares of Compensation Security Bond, the Compensation Security Rules shall be deemed to have been revised so that the Shares of Compensation Security Bond have been increased to the minimum amount as stipulated in the same paragraph. In this case, for the application of the provisions of Paragraph 3, "by the date set by the Compensation Security Rules" in the said Paragraph, shall read "within three months after the enforcement of the Ordinance of the Ministry of Transport stipulated in Paragraph 1, Article 11, relating to the increments concerned."

(Supplement for Release, Etc.)

Article 22-11. A Travel Agents Association shall, when a Release of Compensation Security Bond is made in accordance with the provisions of Paragraph 1, Article 22-9, notify the Security Member involved or the

person involved who was a Security Member to the effect that an amount equivalent to the Release shall be paid as a supplement to the Travel Agents Association.

2. The Security Member or the person who was a Security Member shall, upon receipt of a notice as stipulated in the preceding Paragraph, pay the amount so stipulated in the notice as a Supplement for Release within fourteen days of the receipt of the notice.

(Refund of Compensation Security Bond)

Article 22-12. A Travel Agents Association shall be entitled, if a Security Member ceases his membership, to a refund of Compensation Security Bond in an amount equivalent to the amount of the Share of Compensation Security Bond paid by the person who was a Security Member in accordance with the provisions of Paragraph 10, Article 22-10 - and if, owing to abolition of an office of a Security Member, his Share of Compensation Security Bond is decreased, it shall be entitled to a refund of Compensation Security Bond in an amount equivalent to the decrease.

2. A Travel Agents Association shall, if owing to a revision of the Compensation Security Rules the amounts of Shares of Compensation Security Bond are decreased, be entitled to a refund of Compensation Security Bond in an amount equivalent to the total amount of the decrease for all of its members.
3. A Travel Agents Association shall, when it receives a refund of Compensation Security Bond in accordance with the provisions of the preceding two Paragraphs, return to the involved Security Member or the person who was a Security Member a Share of Compensation Security Bond in an amount equivalent to the refund.
4. In the case of the preceding Paragraph, the return of the Share of Compensation Security Bond shall be made at the following time: if the Security Member involved ceases membership - after the lapse of the period stipulated in the following Paragraph; if the Travel Agents Association has a claim on the Security Member involved or the person who was a Security Member - after the liquidation of the claim; or if there is a claim in relation to the said Security Member or the person who was a Security Member that is validated by the Travel Agents Association in accordance with the provisions of Paragraph 2, Article 22-9 - after the liquidation of the claim regarding the Supplement for Release stipulated in Paragraph 1 of the preceding Article which will arise from the validated claim.
5. A Travel Agents Association shall, if a Security Member ceases membership, publish - for the persons who have the right stipulated

in Paragraph 1, Article 22-9, regarding claims arising from transactions for Travel Services with the said person who was a Security Member during the period he was a Security Member - a statement to the effect that such claims must be reported for the validation stipulated in Paragraph 2 of the said Article within a set period which shall be at least six months.

6. A Travel Agents Association shall not give a validation as stipulated in Paragraph 2, Article 22-9, on any claim as stipulated in the preceding Paragraph which has not been reported during the period as stipulated in the preceding Paragraph.
7. The provisions of Paragraph 3, Article 21, shall be mutatis mutandis applicable to the cases of refund of Compensation Security Bond in accordance with the provisions of Paragraphs 1 and 2.

(Reserve for Compensation Security Bond)

Article 22-13. A Travel Agents Association shall, in a case of depositing a Compensation Security Bond in accordance with the provisions of Paragraph 3, Article 22-9, put up a Reserve for the Compensation Security Bond in order to allot funds for the deposit of the Compensation Security Bond in case of absence of payment of the Supplement for Release.

2. A Travel Agents Association shall put the interest or dividends derived from the Compensation Security Bond (including the valuable securities deposited in mutatis mutandis application of the provisions of Paragraph 6, Article 11 by Paragraph 3, Article 22-8) in the Reserve for the Compensation Security Bond.
3. A Travel Agents Association shall, in a case of depositing a Compensation Security Bond in accordance with the provisions of Paragraph 3, Article 22-9 - if a Reserve for the Compensation Security Bond as stipulated in Paragraph 1 has been allotted but the Bond is still deficient - fill the deficiency by notifying its Security Members that Extra Shares of Compensation Security Bond as set in the Compensation Security Rules shall be paid to the Travel Agents Association.
4. Each Security Member who has received the notice stipulated in the preceding Paragraph shall pay to the Travel Agents Association the amount of the Extra Share of Compensation Security Bond within one month from the day of the receipt of such notice.
5. The provisions of Paragraph 3, Article 22-11, shall be mutatis mutandis applicable to the case of the preceding Paragraph.

6. A Travel Agents Association shall, when it has received payment of a Supplement for Release regarding a deposit of a Compensation Security Bond in accordance with the provisions of Paragraph 2, Article 22-11 after having allotted a Reserve for the Compensation Security Bond in accordance with the provisions of Paragraph 3, Article 22-9, but the Supplement for Release in the Reserve for the Compensation Security Bond.
7. Whenever the amount of the Reserve for the Compensation Security Bond exceeds the amount set by the relevant Ordinance of the Ministry of Transport, a Travel Agents Association may, with the approval of the Minister for Transport and in order to allot the sum for the costs necessary for act on the business listed in Items of Article 22-3, draw whatever amount of the Reserve for the Compensation Security Bond is so in excess.

(Exemption of Deposit of Business Guarantee Fund)

Article 22-14. Security Members need not deposit the Business Guarantee Fund as required by this Law on or after the commencement date of Compensation Business designated by the Minister for Transport as stipulated in Paragraph 1 of Article 22-9.

(Refund of Business Guarantee Fund to Security Members, Etc.)

Article 22-15. A Travel Agent may obtain upon becoming a Security Member of a Travel Agents Association, a refund of the Business Guarantee Fund he has deposited.

2. The provisions of Paragraphs 2 and 3, Article 21-2, shall be mutandis applicable to the case of obtaining a refund of a Business Guarantee Fund in accordance with the preceding Paragraph.
3. A Travel Agent shall, when cease a Security Membership, deposit forthwith a Business Guarantee Fund.
4. The provisions of Paragraphs 2 and 5, Article 7, shall be mutatis mutandis applicable to a case of depositing a Business Guarantee Fund in accordance with the provisions of the preceding Paragraph. In such a case, "within the period specified in accordance with the same provisions" in Paragraph 5 of the same Article, shall read "within seven days from the day of the Travel Agent's termination of Security Membership".

(Matters to be Mentioned in Travel Contracts of Security Members)

Article 22-16. Security Members shall expressly mention the following matters in their Travel Contracts:

- (1) Title and address of the Travel Agents Association to which they belong.

- (2) The fact that any person who has made a transaction with the Security Member for Travel Services is entitled to have compensation concerning claim which may arise in any such transaction, from the Compensation Security Bond deposited by the Travel Agents Association to which the Security Member belongs.
- (3) The limit of the amount of compensation from the Compensation Security Bond by which the Security Member is covered.
- (4) The fact that no Business Guarantee Fund has been deposited.

(Approval of Compensation Security Rules)

Article 22-17. Travel Agents Association shall establish the following matters, and obtain approval of them from the Minister for Transport the same shall be applicable to revisions thereof:

- (1) Matters concerning the amounts and methods of payment of Shares of Compensation Security Bonds.
- (2) Matters concerning the limits of compensation and validation of claims.
- (3) Matters concerning payment of Supplements for Release.
- (4) Matters concerning refunds of Compensation Security Bonds and management of the refunded money.
- (5) Matters concerning return of Shares of Compensation Security Bonds.
- (6) Matters concerning methods of management of Reserves for Compensation Security Bonds, and amounts and methods of payment of Extra Shares of Compensation Security Bonds.
- (7) In addition to the above, matters necessary for the performance of Compensation Business.

2. The Minister for Transport may, when he deems that, once approved, Compensation Business Rules in accordance with the provisions of the preceding Paragraph has become inappropriate for proper and sound performance of Compensation Business, direct Travel Agents Associations to revise them.

(Business Plans, Etc.)

Article 22-18. The Travel Agents Association shall, before the beginning of each fiscal year (in the year to which the day of the designation in Paragraph 1, Article 22-2, belongs, as soon as possible after the designation), prepare a business plan and financial budget and submit them to the Minister for Transport for his approval; the same shall apply to revisions thereof.

2. The Travel Agents Association shall prepare a business report, a balance sheet, a statement of account and an asset list within three months after the end of each business year, and submit them to the Minister for Transport.

(Election and Dismissal of Officers)

Article 22-19. Election and dismissal of officers of the Travel Agents Associations shall not come into force without approval by the Minister for Transport.

2. The Minister for Transport may - if an officer of a Travel Agents Association has acted against this Law, or ordinances, or dispositions based hereupon, or the Compensation Business Rules approved in accordance with the provisions of Paragraph 1, Article 22-17, or if his keeping his position would render the Travel Agents Association unfit to meet the conditions listed in Item (5) of Paragraph 1, Article 22-11 - direct the Travel Agents Association to dismiss the said officer.

(Supervision and Direction)

Article 22-20. The Minister for Transport may, when he deems it necessary for fulfillment of the provisions in this Chapter, give the Travel Agents Association directions which are required to effect his supervision.

(Rescission of Designation)

Article 22-21. The Minister for Transport may, when the Travel Agents Association falls under any one of the cases listed the following Items, rescind the designation stipulated in Paragraph 1, Article 22-2.

- (1) When it is deemed incompetent to act on the business listed in each Item of Article 22-3 properly and without fail.
 - (2) When it has violated this Law, or relevant ordinances based hereupon, or the Compensation Security Rules approved in accordance with the provisions of Paragraph 1, Article 22-17.
 - (3) When it has violated dispositions made in accordance with the provisions of Paragraph 2, Article 22-17; Paragraph 2, Article 22-19; or the preceding Article.
2. The Minister for Transport shall, when he has rescinded a designation as in Paragraph 1, Article 22-2, publish a notice to that effect in the Official Gazette.

(Deposit of Business Guarantee Fund in Cases of Rescission of Designation, Etc.)

Article 22-22. In case when the Travel Agents Association has been dissolved or its designation has been rescinded as in Paragraph 1, Article 22-2, the Travel Agent who was a Security Member of the said Travel Agents Association shall deposit a Business Guarantee Fund.

2. The provisions of Paragraphs 2 and 5, Article 7, shall be mutatis mutandis applicable to the case of depositing a Business Guarantee Fund in accordance with the provisions of the preceding Paragraph. In this case, "within the period specified in accordance with the same

provisions in Paragraph 5 of same Article" shall read "within 21 days from the day of the Travel Agents Association's dissolution or the rescission of its designation as in Paragraph 1, Article 22-2".

(Compensation Business in Cases of Rescission of Designation, Etc.)

Article 22-23. The Minister for Transport shall notify a dissolved Travel Agents Association or a Travel Agents Association whose designation was rescinded (hereinafter referred to as a "Former Association") of the persons, among the Travel Agents who were its Security Members, whose registration was rescinded in accordance with the provisions of Paragraph 5, Article 7, in mutatis mutandis application by Paragraph 2 of the preceding Article.

2. A Former Association shall be entitled to a refund of its deposited Compensation Security Bond upon receipt of the above notice; except that this shall not be applicable to the total amount of the limit of compensation for the Security Members named in the said notice, nor to the Compensation Security Bond in amount equivalent to the total amount of the claims validated as in Paragraph 2, Article 22-9, but not yet exercised.
3. A Former Association shall, concerning claims arising from transactions for Travel Services with the Security Members named in the notice as in Paragraph 1 during the period such Members held Security Membership, publicly notify persons who may have claims as in Paragraph 1, Article 22-9, to the effect that such claims must be reported for the validation stipulated in Paragraph 2 of the same Article, designating a period of at least 6 months.
4. The Former Association shall, after the publication in accordance with the provisions of the preceding Paragraph, administer the business of validation in accordance with the provisions of Paragraph 2, Article 22, regarding claims reported as in the preceding Paragraph within the period designated in the public notice.
5. The Former Association may, after completion of the business of validation of claims within the period designated as in Paragraph 3, a refund of Compensation Security Bond deposited as of that time: the refund to consist of the amount left after subtracting the total amount of the claims validated as in Paragraph 2, Article 22-9, but still not exercised.
6. The Former Association may obtain such refund of Compensation Security Bond after the lapse of 6 months after the period designated in the public notice as in Paragraph 3.
7. The provisions of Paragraphs 2 and 3, Article 21, shall be mutatis

mutandis applicable to a case of giving public notice as in Paragraph 3, and the provisions of Paragraph 3, of the same Article shall be mutatis mutandis applicable to a case of obtaining a refund in accordance with the provisions of the two preceding Paragraphs.

(Distribution of Compensation Security Bond in Case of Rescission of Designation)

Article 22-24. A Former Association shall distribute, in accordance with the provisions of the relevant ordinance and in proportion to the amounts of the Shares of Compensation Security Bond paid by each person - to the persons who were Security Members as of the day of the rescission of designation of the Travel Agents Association or its dissolution (hereinafter referred to as the "day of rescission") the Compensation Security Bond refunded in accordance with the provisions of Paragraphs 2, 5, and 6 of the preceding Article; the Supplement for Release paid after the day of rescission in accordance with the provisions of Paragraph 2, Article 22-11; and the Reserve for Compensation Security Bond likely paid after the day of rescission (including the Extra Shares of Compensation Security Bond paid after the day of rescission in accordance with the provisions of Paragraph 4, Article 22-13).

CHAPTER IV. MISCELLANEOUS PROVISIONS

(Hearings)

Article 23. The Minister for Transport shall, when he proposes to make dispositions in accordance with the provisions of Paragraph 1, Article 6 (including the case of mutatis mutandis application in Paragraph 2, Article 6-3); Paragraph 2, Article 12; Paragraph 3, Article 12-2; or Paragraph 1, Article 19, hold an open hearing, after giving to the persons involved in the disposition advance notice of its date and place. Persons involved in the disposition or their representatives may, at the hearing, state their opinions and/or produce evidence.

(Delegation of Authority)

Article 24. Part of the authority of the Minister for Transport stipulated in this Law may be delegated to such administrative agencies as are laid down by an Cabinet Order.

(Notification by Organizations of Travel Agents)

Article 25. Any organization consisting of Travel Agents, for the purpose of keeping fairness in transactions involving Travel Services and sound development of the Travel Agency, shall, within thirty days from the day of its formation, make the notification to the Minister for Transport on the matters listed in the relevant Ordinance of the Ministry of Transport.

(Vicarious Administration of Examinations)

Article 25-2. The Minister for Transport may, when so applied, cause a Travel Agents Association to administer the Business of Examinations for Qualification of Travel Representatives in accordance with the provisions of Paragraph 4, Article 11 (hereinafter referred to as the "Business of Examination").

2. A Travel Agents Association shall, when it intends to administer the Business of Examination in accordance with the preceding Paragraph, set forth rules concerning performance of Business of Examination (hereinafter referred to as the "Rules of Examination"), and obtain the authorization of them from the Minister for Transport. The same shall apply to revisions thereof.
3. Matters to be stipulated in the Rules of Examination stipulated in preceding Paragraph shall be set by an Ordinance of the Ministry of Transport.
4. Officers or members of the staff of the Travel Agents Association, or persons who formerly had such status, shall not divulge secrets which have come to their knowledge concerning the Business of Examination.
5. The officers and members of the staff of the Travel Agents Association as stipulated in the preceding Paragraph shall, so far as application of the Criminal Law (Law No. 45, 1907) or other penal provisions are concerned, be deemed members of a staff engaged in an official duty in accordance with laws and regulations.
6. When the officer of the Travel Agents Association has acted in violation of the Rules of Examination authorized in accordance with provisions of Paragraph 2, the Minister for Transport may direct the Travel Agents Association to dismiss the said officer.
7. When the Travel Agents Association administers the Business of Examination, the Examination Fee in accordance with the provisions of Article 22 shall be paid to the Travel Agents Association. In this case the Examination Fee paid shall be revenue of the Travel Agents Association.
8. The provisions of Paragraph 2, Article 22-17, shall be mutatis mutandis applicable to the Rules of Examination, and the provisions of Article 22-20 shall be mutatis mutandis applicable to the case of administering the Business of Examination by the Travel Agents Association.

(Compulsory Reports and Inspection by Entry)

Article 26. Within the limit necessary for attainment of the purposes in Article 1, the Minister for Transport may direct any Travel Agent, any Travel Agents Association, or any other organization composed of them, to submit reports concerning their business in accordance with procedures set by the Ordinance of the Ministry of Transport.

2. Within the limit necessary for attainment of the purposes in Article 1, the Minister for Transport may cause his officials to enter the office of any Travel Agent or the office of any Travel Agents Association for inspection of books, documents, and other objects, or to place questions to the persons concerned.
3. Any official who enters and inspects in accordance with the provisions of the preceding Paragraph shall bear a document verifying his status and present it upon demanding by the persons concerned.
4. The authority for entry and inspection stipulated in Paragraph 2 shall not be construed as being for admittance for a criminal investigation.

(Mandate to the Ordinance of Ministry of Transportation)

Article 26-2. Aside from what are stipulated herein, the matters necessary for the impementation of this Law shall be provided for by the Ordinance of the Ministry of Transport.

(Exception of Application)

Article 27. The provisions of this Law shall not be applicable to the operations by the State.

CHAPTER V. PENAL PROVISIONS

(Penal Provisions)

Article 28. Any person who falls into any one of the following Items shall be imposed a fine not exceeding ¥200,000:

- (1) A person who has operated Travel Agency in violation of the provisions of Article 3.
- (2) A person who has commenced business at a newly established office without making the notification of the change thereof stipulated in Paragraph 1, Article 6-4.
- (3) A person who has commenced business in violation of the provisions of Paragraph 3, Article 7 (including the cases of mutatis mutandis application in Paragraph 2, Article 8).
- (4) A person who, in violation of the provisions of Article 14, has caused any other person to use his name or to operate his Travel Agency.

Article 29. Any person who has violated the directions to suspend the business as stipulated in Paragraph 1, Article 19, shall be imposed a fine not exceeding ¥100,000.

Article 29-2: Any person who falls into one of the following Items shall be imposed a fine not exceeding ¥50,000:

- (1) A person who has violated the provisions of Paragraph 1, Article 11-3.
- (2) A person who has received fees without making the notification of them as stipulated in Paragraph 1, Article 12, or a person who has received fees in excess of the notified fees.
- (3) A person who has violated the directions given in accordance with the provisions of Paragraph 2, Article 12.
- (4) A person who, without authorization, acts on the matters of which is required in accordance with the provisions of Paragraph 1, Article 12-2.
- (5) A person who has violated the directions given in accordance with the provisions of Paragraph 3, Article 12-2.
- (6) A person who, in violation of the provisions of Paragraph 4, Article 25-2, has divulged secrets which come to his knowledge in connection with his duties.

Article 30. Any person who falls into one of the following Items shall be imposed a fine not exceeding ¥10,000:

- (1) A person who has failed to make a notification, or has made a false notification, in violation of the provisions of Paragraph 1, Article 6-4.
- (2) A person who has caused any other person to work as Gaimuin in violation of the provisions of Paragraph 1, Article 12-6.
- (3) A person who has failed to make a notification, or has made a false notification, in violation of the notification of Paragraph 1, Article 26.
- (4) A person who has refused, disturbed, or evaded an inspection or has given a false statement in response to a question made or given in accordance with the notification of Paragraph 2, Article 26.

Article 31. When a representative of a judicial person, an agent, a staff member or other employee of a judicial person or a natural person has committed any of the offenses stipulated from Article 28 to the preceding Article, not only the person having committed the offense but also the judicial person or natural person shall be punished respectively under the relevant penalty as stipulated in those Articles. However, when it is proved that proper attention and supervision were given for prevention of such an offense of the agent, staff member or other employee, that judicial person or natural person shall be exempt from said penalty.

Article 32. Any person (in the case of a judicial person, his representative) who falls into one of the following Items shall be imposed a minor fine not exceeding ¥10,000:

- (1) A person who has failed to display the General Terms and Conditions for Travel Contracts, in violation to the provisions of Paragraph 4, Article 12-2.
- (2) A person who has failed to display the Certificate in violation in Article 12-8.
- (3) A person who has failed to make a notification, or has made a false notification, in violation of the provisions of Paragraphs 1 to 3, Article 15.

SUPPLEMENTARY PROVISIONS

(Date of Effectiveness)

Article 1. This Law shall come into force from the day elapsed for six months counting from the date of the promulgation thereof.

Note: Other provisions following the above one under this title of "Supplementary Provisions" are mostly transitive provisions stipulating interim measures and dispositions immediately after this Law came into effect, mainly in relation to the old Travel Agency Law, or are purely technical provisions in relation to other related laws. Therefore a translation of them is omitted.

GUIDE-INTERPRETER BUSINESS LAW

(Law No. 210 of June 15, 1949)

Amended by: Law No. 213 of August 15, 1953

Amended by: Law No. 140 of May 16, 1962

(Purpose)

Article 1. The purpose of this Law is to contribute towards the betterment of the reception services to foreign visitors by promoting the sound development of the guide-interpreter business.

(Definition)

Article 2. In this Law, "guide-interpreter business" shall mean a business of providing, with remuneration, foreigners with guidance concerning travel by way of accompanying them and using foreign languages.

(License)

Article 3. Any person who intends to engage himself in a guide-interpreter business shall pass an examination held by the Minister for Transport and obtain a license from a Prefectural Governor.

(Ineligibility Clause)

Article 4. Any person who comes under any one of the following items shall not be granted a license:

- (1) A person who was sentenced to a penal servitude or imprisonment for one (1) year or more, two (2) years having not elapsed after he completed the execution of the penalty or was remitted therefrom.
- (2) A person who is suffering from a mental or infectious disease.
- (3) A person whose license was cancelled in accordance with the provisions of Item (3) or (4) of Paragraph 1 of Article 14, one (1) year having not elapsed after his license was cancelled.

(Examination)

Article 5. The examination under Article 3 shall be conducted on the following subjects:

- (1) A foreign language;
- (2) Geography of Japan;
- (3) History of Japan;
- (4) General knowledge concerning industry, economy, political affairs and culture;
- (5) Character test.

2. Any person who intends to take the examination under Article 3 shall pay five hundred (500) in Japanese yen as the examination fee.

(Disposition of Fraudulent Examinees)

Article 6. In case a person has tried to pass the examination conducted under Article 3 by resorting to dishonest or fraudulent means he shall be stopped from taking the examination or his passing shall be made null and void.

2. The person under the preceding paragraph may not be permitted to take the examination for a given period within three (3) years.

(Issuance of License-card)

Article 7. The Prefectural Governor shall, in case he has granted a license under Article 3, issue a license-card to the person who has obtained the license.

(Renewal of License)

Article 8. The license granted under Article 3 shall, unless it is renewed by application every five (5) years, shall become invalid.

(Re-Issuance of License-card, etc.)

Article 9. The person who engages himself in the guide-interpreter business (hereinafter referred to as "guide-interpreter") shall, in case he has lost or badly damaged his license-card or there has been changes in the particulars mentioned in his license-card, immediately apply to a Prefectural Governor for re-issuance or re-writing thereof.

(License Fee, etc.)

Article 10. Any person who intends to obtain a license under Article 3, or to have renewal of the license under Article 8 or re-issuance or re-writing of the license-card under the preceding Article, shall pay the fee in accordance with the procedures as provided for by Prefectural Regulations.

2. The amount of the fee under the preceding paragraph shall be fixed by Ministerial Ordinance within the limit of not more than three hundred (300) in Japanese yen.

(Application Procedure for License, etc.)

Article 11. In addition to the provisions of the preceding eight (8) Articles, the matters necessary for the application for and renewal of a license, the examination under Article 3, and the issuance, re-writing, re-issuance and return of a license-card shall be provided for by Ministerial Ordinance.

(Carrying of License-card)

Article 12. Any guide-interpreter shall carry his license-card with him during his working hours and shall present it to the officials concerned or a person to be guided by him, when requested.

2. The official concerned shall, in case he makes the demand under the preceding paragraph, carry with him a certificate identifying his official status and present it to the guide when requested.

(Prohibited Conducts)

Article 13. The guide-interpreter shall not conduct the following acts:

- (1) To ask for money or articles from a seller or any other persons concerned in connection with the purchase of goods or any other services for the person to be guided by him;
- (2) To force a person to hire him as the guide-interpreter;

- (3) To lend his license-card to others.

(Cancellation of License, etc.)

Article 14. A Prefectural Governor may, when a guide-interpreter falls under any one of the following items, cancel his license, or may order him to stop his business for a specific period of time:

- (1) In case he has been sentenced to a penal servitude or imprisonment of for one (1) year or over;
- (2) In case he has been attacked with a mental or infectious disease;
- (3) In case he has violated the provisions of the preceding Article;
- (4) In case he has committed malpractices in connection with his business, other than that under the preceding item.

2. A Prefectural Governor shall, in case he intends to make a disposition under the preceding paragraph, hold a hearing opened to the public for the guide-interpreter in question informing him in advance of the date and place of the hearing. The said guide-interpreter in question or his proxy may state his opinion and produce evidence to the Prefectural Governor at the place of the hearing.

(Report by Organization of Guides)

Article 15. An organization of guide-interpreters shall submit a report to the administrative agencies concerned on its inauguration or dissolution in accordance with the procedures prescribed by Ministerial Ordinance.

Article 16. Deleted.

(Penal Provisions)

Article 17. Any person who falls under any one of the following items shall be liable to a fine of not more than thirty thousand (30,000) in Japanese yen:

- (1) A person who has engaged himself in a guide-interpreter business without obtaining a license under Article 3;
- (2) A person who has engaged himself in a guide-interpreter business in violation of the disposition of the suspension of his business under the provisions of Article 14.

Article 18. Any person who has violated the provisions of Article 13 shall be liable to a fine of not more than ten thousand (10,000) in Japanese yen.

Article 19. Any person who has violated the provisions of Paragraph 1 of Article 12 shall be liable to a non-criminal fine of not more than one thousand (1,000) in Japanese yen.

2. In case an organization of guide-interpreters has failed to make a report under Article 15 or has made a false report, the representative or manager of the organization shall be liable to a non-criminal fine of not more than one thousand (1,000) in Japanese yen.

SUPPLEMENTARY PROVISIONS (Omitted.)

LAW FOR IMPROVEMENT OF INTERNATIONAL
TOURIST HOTEL FACILITIES

(Law No. 279 of December, 1949)

Amended by: Law No. 226 of July 31, 1950
Amended by: Law No. 258 of June 23, 1951
Amended by: Law No. 179 of June 10, 1952
Amended by: Law No. 96 of April 30, 1962
Amended by: Law No. 79 of May 2, 1964
Amended by: Law No. 23 of April 20, 1968

(Purpose of the Law)

Article 1. The purpose of this Law is to contribute towards the betterment of the reception services to foreign visitors by developing hotels and other accommodation facilities for them.

(Definition of Hotel and Hotel Business)

Article 2. In this Law, the term "hotel" shall mean an establishment having western-style construction and facilities suitable for accommodating foreign visitors.

2. In this Law, the term "hotel business" shall mean a business catering to people in regard to their accommodation, dining and drinking in a hotel.

(Registration)

Article 3. A person who operates a hotel business may apply for a registration with the competent Minister per each hotel he operates.

(Obligation of Registration)

Article 4. The competent Minister shall, when the application for a registration mentioned in the preceding Article has been made, effect the registration except the cases:

- (1) Where the facilities of the hotel fall short of the Standards and Criteria as provided for in the Attached Table I;
- (2) Where the applicant is a person adjudged either incompetent, quasi-incompetent or bankrupt and not restituted yet;
- (3) Where the applicant is a juridical person and any one of the officers of whom falls under the disqualifying cause provided for in the preceding item.
- (4) Where the management of the applicant's hotel business is deemed very unhealthy or instable.

2. The competent Minister may reject the registration applied for by a person who had his previous registration cancelled in accordance with the provisions of Article 11 and whose application is made before the expiration of one year from the date of such cancellation.

(Title of "Registered Hotel", etc.)

Article 5. No persons other than those who operate a hotel business registered under Article 3 (hereinafter referred to as "registered

hotel business") shall be styled as "registered hotel" or hotel with any similar denomination.

(Charges and Accommodation Contract)

Article 6. Any person who operates a registered hotel business shall fix its charges for lodging and other charges and a accommodation contract regarding the business as provided for by Ministerial Ordinance and report to the competent Minister prior to their effectuation. The same shall apply to the case where they are to be changed.

2. The competent Minister may, when he deems the charges or accommodation contract mentioned in the preceding paragraph improper for serving foreign visitors, and deems it particularly necessary, order the person who operates a registered hotel business to alter them.
3. Any person who operates a registered hotel business shall make public the hotel charges and accommodation contract under Paragraph 1 in accordance with the provisions of a Ministerial Ordinance.

(Matters for Observance)

Article 6-2. In addition to what are provided for in this Law, the way of management of the facilities of a registered hotel, matters to be noticed at a registered hotel, standards and methods of instruction necessary for serving foreign visitors to be given to employees who serve foreign visitors and other matters to be observed by the person who operates a registered hotel business in order to secure the foreign visitors' conveniences, shall be provided for by Ministerial Ordinance.

2. The competent Minister, when he deems that the foreign visitors' conveniences are not secured due to the failure of observance by the person who operates a registered hotel business of the matters as provided for by Ministerial Ordinance mentioned in the preceding paragraph, shall give instructions to the person in question to take necessary measures for the improvement of the way of management of the registered hotel in question.

(Unequal Taxation of Local Tax on the Building used for Registered Hotel)

Article 7. With respect to buildings used for registered hotel business, the provisions of Paragraph 2 of Article 6 (Unequal Tax Imposition on Reason of Public Welfares and Others) of the Local Tax Law (Law No. 226 of 1950) shall be applicable.

(Durable Years of Depreciable Assets)

Article 8. Durable years of such depreciable assets as provided for by Cabinet Order used for a registered hotel business, which constitute the basis of assessment of income tax and corporation tax, shall be prescribed by a Law for Special Measures of Tax (Law No. 26 of 1957).

(Conditional Approval)

Article 9. The competent Minister may, in case he deems it necessary for the attainment of the purposes as provided for in Article 1, attach conditions to his approval or alter them.

(Recommendations on Improvement of Facilities and Management, and Intercession of Resources)

Article 10. When the competent Minister deems it necessary for the attainment of the purposes mentioned in Article 1, he may give recommendations to a person who operates a registered hotel on the improvement of facilities and management.

2. Where the competent Minister has given recommendations pursuant to the provisions of the preceding paragraph, he shall, if he deems it necessary, exercise his good offices with the person who operates a registered hotel business to find resources required for the improvement of facilities or management.

(Cancellation of Registration)

Article 11. Any person who operates a registered hotel business comes under any one of the following items, the competent Minister may cancel the registration of the hotel in question:

- (1) When he has violated this Law, any order issued under this Law, any instruction under Paragraph 2 of Article 6 or Paragraph 2 of Article 6-2, or any one of the conditions attached to the approval given under the provisions of Article 9;
- (2) When he has come to fall under any one of the items in Paragraph 1 of Article 4 (including the cases applicable mutatis mutandis under Paragraph 2 of Article 12).

Article 12. In the case of transfer or lease of the whole or part of a registered hotel business, delegation of its management, or merger of corporations engaged in a registered hotel business, if no approval has been obtained on such acts from the competent Minister, the registration shall be deemed to have been cancelled.

2. The provisions of Article 4 (excludes Item 1 of Paragraph 1 of the same Article in the case of transfer or lease of the whole of a registered hotel business, delegation of its management, or merger of corporations engaged in a registered hotel business, shall apply mutatis mutandis to the approval provided for in the preceding paragraph. In this case the words in the same Article "a registration mentioned in the preceding Article" shall read as "the authorization of the preceding paragraph" and "shall, -----, effect the registration" as "shall, -----, give an authorization".

Article 13. When a person who operates a registered hotel business without obtaining approval of the competent Minister has discontinued or suspended the whole or part of his business, or a corporation engaged in a registered hotel business has been dissolved, without obtaining the registration shall be deemed to have been cancelled, except the cases falling under any one of the following items:

- (1) Periodical suspension of business according to seasons upon

- reporting thereon to the competent Minister;
- (2) Temporary suspension of business on account of repairs, extension or calamity rehabilitation upon reporting thereon to the competent Minister.

(Additional Collection of Tax)

Article 14. When a registration has been cancelled under the provisions of Article 11 or a registration is deemed to have been cancelled under the provisions of the preceding two Articles, the competent Minister may deem that the provisions of Articles 7 and 8 have not applied. This, however, shall not apply where extenuating circumstances exist.

2. In case the provisions of Articles 7 and 8 are deemed not to have applied under the provisions of the preceding paragraph, the unpaid amount of the local tax and or the corporation tax shall be collected.
3. Matters necessary for the implementation of the preceding two paragraphs shall be provided for by Cabinet Order in respect to the corporation tax, and by Prefectural Ordinance in respect to the local tax.

(Succession of Registered Hotel Business)

Article 15. When a person who operates a registered hotel business has died, his successor shall, within one month from the day of the ancestor's death, report to the competent Minister the fact that he has succeeded the registered hotel business operated by the ancestor.

(Report and Inspection)

Article 16. In case where the competent Minister deems it necessary for securing the enforcement of this Law, he may demand a report from a person who operates a registered hotel business on his business in accordance with the provisions prescribed by Ministerial Ordinance.

2. In case where the competent Minister deems it particularly necessary for securing the enforcement of this Law, he may order his officials to enter a registered hotel and inspect the facilities of the hotel and documents concerning the hotel and other things.
3. Any official, when making a spot inspection in accordance with the provisions of the preceding paragraph, shall be required to carry with him a certificate identifying his official status and present it to the persons concerned.
4. The authority given for the spot inspection prescribed in Paragraph 2 shall not be construed as meaning the authorization for criminal investigations.

Article 17 through Article 27. Deleted.

(Registered Ryokan Business)

Article 28. With regard to the establishments other than hotels which are so constructed as to fit them to accommodate foreign visitors (hereinafter referred to as "Ryokan"), the provisions of Paragraph 2 of Article 2 (Definition of Hotel and Hotel Business), Article 3 (Registration), Article 4 (Obligation of Registration), Article 5 (Title of "Registered Hotel and the like"), Article 6 (Charges and Accommodation Contract), Article 6-2 (Matters for Observance), Article 8 through Article 11 (Durable Years of Depreciation, Conditional Approval, Recommendations on Improvement of Facilities and Management, and Intercession of Resources, and Cancellation of Registration), Article 14 (Additional Collection of Tax) and Article 16 (Report and Inspection) shall be applied mutatis mutandis to them. In this case, the terms and phrases appearing in those provisions shall read as follows: "Hotel" as "Ryokan", "hotel business" as "Ryokan business", "registered hotel" as "registered Ryokan", "registered hotel business" as "registered Ryokan business" and "Attached Table I" mentioned in Item I of Paragraph I of Article 4 as "Attached Table III."

(Delegation of Powers)

Article 29. Part of the powers of the competent Minister as provided for by this Law may be delegated to administrative agencies as provided for by Cabinet Order.

Article 30. Deleted.

(Penal Provisions)

Article 31. Any person who has violated the provisions of Article 5 (including the cases applicable mutatis mutandis under Article 28) shall be liable to a fine of not more than thirty thousand (30,000) in Japanese yen.

Article 32. Any person who falls under any one of the following items shall be liable to a fine or minor fine of not more than ten thousand (10,000) in Japanese yen:

- (1) A person who has failed to make a report under Paragraph 1 of Article 6 (including the cases applicable mutatis mutandis under Article 28) or Article 15, or has made a false report thereunder;
- (2) A person who has failed to put up public notices under Paragraph 3 of Article 6 (including the cases applicable mutatis mutandis under Article 28);
- (3) A person who has violated the conditions attached under Article 9 (including the cases applicable mutatis mutandis under Article 28);
- (4) A person who has failed to make a report under Paragraph 1 of Article 16 (including the cases applicable mutatis mutandis under Article 28) or has made a false report thereunder;
- (5) A person who has rejected, hindered or avoided the spot inspection under Paragraph 2 of Article 16 (including the cases applicable mutatis mutandis under Article 28).

Article 33. In case a representative, of a juridical person or a proxy, employee or other business-worker of a juridical person or of a person has violated any one of the provisions of the preceding two Articles in connection with the business of the said juridical person or person, not only the violator himself shall be punished but also the said juridical person or person shall be liable to the fine or minor fine as provided for in the respective Articles.

(SUPPLEMENTARY PROVISIONS. Omitted.)

Attached Table I

1. The environment and construction shall be agreeable.
2. The number of bed-room constructed and equipped in Western-style (hereinafter referred to as "Western-style bedroom") shall be thirty or over and also be one half or over of the total number of bedrooms in the area of Ku of Tokyo To and in Kyoto Shi, Osaka Shi, Yokohama Shi, Kobe Shi and Nagoya Shi, or fifteen or over and also be one half or over of the total number of bedrooms in other areas.
3. There shall be in the hotel an entrance which guests and other people concerned can freely go in and out during the business hours and a lobby and other rooms for common use by the guests with a space appropriate for the accommodation capacity of the hotel.
4. There shall be front office used for receiving guests, entering in a register and for other matters.
5. Western-style bedrooms shall meet the following standards:
 - a. Floor space shall be thirteen square meters or over;
 - b. There shall be an washstand with a cold and a hot running water taps; a bed or beds and an entrance capable of being locked;
 - c. There shall be a desk-telephone or a call-bell;
 - d. There shall be a ventilating device;
 - e. There shall be an opening for open-air.
6. The number of Western-style rooms with a bath-room equipped with facilities to change water each time it is used (hereinafter referred to as "standard bathroom") or with a shower-room equipped with cold and hot running water taps (hereinafter referred to as "standard shower-room") and also with a water closet with a stool, shall be one-third or over of the total number of Western-style bedrooms.
 - 6-2. There shall be such number of standard bath-rooms and standard shower-rooms for common use each with a lock at the entrance as appropriate for the number of Western-style rooms without a standard bath-room or standard shower-room.

7. There shall be dining rooms appropriate for the accommodation capacity of the hotel.
- 7-2. In case the fourth floor or above counting from the floor with the main entrance of the hotel building or from the lowest floor being utilized by the guests is placed at the service of the guests, there shall be elevators for the guests' use leading from the floor with the main entrance of the hotel building to the floor placed at the service of the guests.
8. Each floor having bedrooms shall be furnished with two or more stairways or other devices effective for an emergency escape. However, in case there are stairways leading to bedrooms on the third floor or above, there shall be landings at the proper places on the way.
9. There shall be electrically lighted exit-signs at each emergency exit which are to be found easily. Furthermore, the exit-signs shall have letters of appropriate size. There shall be signs with arrows directing the way toward emergency exits at the proper places of the corridors.
10. There shall be provided for at least one unit fire extinguisher per one hundred and eighty square meters of floor area per each floor.
11. Spaces under stair soffits shall not be used for the places to store combustibles or for storerooms.
12. There shall be a heating apparatus. This shall not apply, however, to the hotel which is operated seasonally.
13. Openings shall be net-screened against insects. This shall not apply, however, to the case where insect control is not necessary.
14. Toilet rooms shall be of water-cleaning system and equipped with stools and, in case they are for common use, the rooms shall be divided into two parts with walls and separate doors, one for men and the other for women.

Attached Table II. Deleted.

(Attached Table III. Omitted.)

LAW FOR MORTGAGE ON TOURIST FACILITIES PROPERTY

(Law No. 91 of June 3, 1968)

(Purpose)

Article 1. The purpose of this Law is to develop enterprises relating to tourism through the furtherance of credit concerning tourist facilities, whereby to contribute towards the increase of conveniences for tourists.

(Definition)

Article 2. Of the tourist facilities made available for tourists, recreational grounds, zoological gardens, skiing grounds and other facilities for play, enjoyment or sports, which are designated by Cabinet Order (or in case where the facilities are attached to accommodation facilities made available for tourists, the tourist and accommodation facilities in question) shall be referred to as "tourist facilities" in this Law.

(Establishment of Property)

Article 3. Any person who operates an enterprise to make tourist facilities available for tourists (hereinafter referred to as "enterpriser") may establish a tourist facilities property (hereinafter referred to as "property") in regard to one or more tourist facilities in order to make them objects of mortgage.

(Composition of Property)

Article 4. The property may be composed of the whole or part of the following which belong to one and the same enterpriser and are attached to tourist facilities:

- (1) Land and structures;
- (2) Machinery, tools and fixtures;
- (3) Animals, plants and exhibits;
- (4) The surface right and the right of lease of an object when approved by a lessor
- (5) Vessels, vehicles and aircraft and their fittings
- (6) The right of utilizing a hot spring

Article 5. Land, buildings, vessels (excluding vessels of less than 20 in gross tonnage and small boats and other boats driven only by oars or mainly by oars), automobiles as provided for in Article 4 of the Law for Road Transport Vehicles (Law No. 185 of 1951) or aircraft as provided for in Paragraph 1 of Article 2 of the Civil Aviation Law (Law No. 231 of 1952) may not be made to belong to the property unless their ownership is entered or registered in proper form.

(Restriction on Establishment of Property)

Article 6. An enterpriser, when there is no right to the land mentioned in Item 1 of Article 4 or to the land mentioned in Item 4 of the same Article, may not establish a property.

(Entry of Preservation of Ownership)

Article 7. The establishment of a property shall be made by entering preservation of its ownership in the Register of Tourist Facilities Properties.

(Nature of Property)

Article 8. A property shall be regarded as a real estate.

(Rights to Make a Property an Object)

Article 9. A property may not be made an object of other rights than ownership and mortgage. However, this does not apply to the case when it is leased with the approval of a mortgagee.

(Inventory of Tourist Facilities Property)

Article 10. In making an application for entry of the preservation of ownership in regard to a property, a tourist facilities property inventory shall be submitted in addition to the document mentioned in Paragraph 1 of Article 35 of the Real Estate Registration Law (Law No. 24 of 1899)

(Articles 11 and 12. Omitted.)

SUPPLEMENTARY PROVISION

(Date of Enforcement)

1. This law shall come into force from the day as fixed by Cabinet Order within the limit of not exceeding six (6) months counting from the day of its promulgation.

REGULATIONS FOR STATISTICAL SURVEY OF
INTERNATIONAL TOURIST INDUSTRY

Amended by: Ministry of Transport Ordinance No. 8
of February 26, 1951

Amended by: Ministry of Transport Ordinance No. 62
of August 13, 1952

Amended by: Ministry of Transport Ordinance No. 68
of December 14, 1965

(General Rule)

Article 1. The Statistical Survey of International Tourist Industry (hereinafter referred to as "the Survey") under the provisions of Paragraph 2 of Article 3 of the Statistics Law (Law No. 18 of 1947; hereinafter referred to as "the Law") shall be enforced in accordance with the provisions of this Ministerial Ordinance.

(Object of Survey)

Article 2. The Survey has as its object the surveying of the utilization of the tourist facilities and of the amount of expenditures by foreign visitors in Japan (hereinafter referred to as "the visitors"), in order to contribute towards the proper operation of the international tourist industry.

(Definition)

Article 3. In this Ministerial Ordinance, the term "the working place" shall mean a hotel or ryokan designated by Prefectural Governors based upon the instructions of the Minister for Transport, from among those which have accommodations for more than twenty persons and have actual past results of lodging the visitors.

2. In this Ministerial Ordinance, the term "operator" shall mean a person who actually operates or manages the place of business under the preceding paragraph.

3. In this Ministerial Ordinance, the term "the visitors" shall mean persons falling under any of the following items and who utilize the facilities mentioned in Paragraph 1.

(1) A person of non-Japanese nationality who is in possession of a valid passport or crewman's pocket ledger (a passport or crewman's pocket ledger as provided for in Item (5) or (6) of Paragraph 1 of Article 2 of the Immigration Control Order (Cabinet Order No. 319 of 1951)).

(2) The members of the United Nations Armed Forces as provided for in Paragraph (e) of Article 1 of Agreement regarding the Status of the United Nations Armed Forces in Japan (Treaty No. 13 of 1954).

(3) The members of the United States Armed Forces as provided for in Paragraph (a) of Article 1 of Agreement Under Article VI of the Treaty of Mutual Cooperation and Security between Japan and the United States of America regarding Facilities and Areas and the Status of United States Armed Forces in Japan (Treaty No. 7 of 1960).

Article 4. The Survey shall be made as of the end of every month.

(Classification of Survey)

Article 5. The Survey shall be classified into the survey on the utilization of accommodation facilities by the visitors and the survey on the amount of expenditures by the visitors.

(Subject of Survey)

Article 6. The Survey shall be made by every working place with regard to the visitors making use of the facilities thereof according to the classification of the preceding Article.

(Items for Survey)

Article 7. With regard to the visitors, the following items shall be surveyed:

- (1) Survey on the utilization of accommodation facilities by foreign visitors;
Number of the visitors utilizing the facilities at the working place.
- (2) Survey on the amount of expenditures by foreign visitors;
The amount of expenditures by the visitors at the working place.

(Liability to Report)

Article 8. The operator of the working place shall file a return on the items mentioned in the preceding Article.

(Return)

Article 9. Those who are liable to file a return in accordance with the provisions of the preceding Article (hereinafter referred to as "the reporter") shall file it upon the Survey Table distributed on and before the tenth day prior to the time of the Survey.

2. The form of the Survey Table shall be as per attached.

Article 10. In case where the reporter has not received the forms of the Survey Table by the date stipulated in Paragraph 1 of the preceding Article, he shall have them distributed upon making a notice to that effect to the persons to whom the forms of the Survey Table are to be submitted.

Article 11. After having made an entry of fixed items in the form of the Survey Table and affixed his seal to it, the reporter shall submit two copies of the form to the Prefectural Governor administrating over the seat of the reporter's working place by the tenth of the next month.

(Execution and Organ of Survey)

Article 12. In accordance with the instruction and supervision of the Minister for Transport, a Prefectural Governor shall administer the execution of the Survey within the area under his jurisdiction.

Article 13. For execution of the Survey a Prefectural Governor shall divide the area under his jurisdiction into some survey zones.

2. The enumerators of statistics of international tourist industry under the provisions of Paragraph 1 of Article 12 of the Law shall be so established as to make them carry out the survey business.
 3. Under the instruction and supervision of a Prefectural Governor, the enumerators of statistics of international tourist industry shall execute various affairs concerning the Survey within the survey zone in charge.
- Article 14. The enumerators of statistics of international tourist industry shall be appointed by a Prefectural Governor.
- Article 15. The Prefectural Governor shall arrange and examine the Survey Tables submitted in accordance with the provisions of Article 11, and send one copy of the form through the Director of the District Land Transport Bureau to the Minister for Transport with the statistical table compiled basing upon the Survey Tables by the fifth day of the month following the next of the time of the Survey and preserve the other copy.
- Article 16. The Director of the District Land Transport Bureau shall administer the business of liaison, etc., concerning the Survey, basing upon the indication of the Minister for Transport.

(Publication of Result)

- Article 17. The Minister for Transport shall make a national statistics based upon the statistical tables sent in accordance with the provisions of the Article 15 and publish the statistical result in the Monthly Report of Statistics on Foreign Visitors within three months after the completion of enumeration and the annual result in the Annual Report of Statistics on Foreign Visitors by the end of March of the next year respectively.

(Qualification for Employees to Be Engaged in the Statistical Business)

- Article 18. In accordance with the proviso of Paragraph 3 of Article 10 of the Law, the Minister for Transport and a Prefectural Governor may make others than those who are stipulated in the same Article, Paragraphs 1 and 2 of the Law engage in survey business.

(Actual Survey)

- Article 19. Items which may be investigated, for which presentation of survey data may be demanded or persons concerned may be questioned by those provided for in Article 13 and the preceding Article in accordance with the provisions of Article 13 of the Law, shall be limited to the following:

- (1) Survey on the utilization of accommodation facilities by foreign visitors;
Number of the visitors utilizing the facilities at the working place.
- (2) Survey on the amount of expenditures by foreign visitors;
The amount of expenditures by the visitors at the working place.

SUPPLEMENTARY PROVISIONS

This Ministerial Ordinance shall come into force as from April 1, 1951.

SUPPLEMENTARY PROVISIONS

(Ministry of Transport Ordinance No. 62 of 1952)

This Ministerial Ordinance shall come into force as from the day of its promulgation.

IMMIGRATION CONTROL ORDER (Extract)

(Cabinet Order No. 319 of November 1, 1951)

CHAPTER I. GENERAL PROVISIONS

(Purpose)

Article 1. The purpose of this Cabinet Order is to provide for the equitable control over the entry into or departure from Japan of all persons.

(Definition)

Article 2. The terms in the following items shall have such meanings as are defined in each item for the purpose of this Cabinet Order:

- (1) The term "Japan" shall mean Honshu, Hokkaido, Shikoku, Kyushu and the islands belonging thereto and designated by Ministry of Justice Ordinance;
- (2) The term "alien" shall mean any person not having Japanese nationality;
- (3) The term "crewman" shall mean a crew member of a vessel or aircraft (hereinafter referred to as "vessel, etc.");
- (4) The term "Japanese consular officer, etc." shall mean the Japanese Ambassador, Minister or consular officer who is stationed in a foreign country;
- (5) The term "passport" shall mean a passport or a certificate in lieu thereof issued by the Japanese Government, any foreign government recognized by the Japanese Government or any competent international organization (including a travel document issued by the Japanese consular officer, etc.);
- (6) The term "crewman's pocket-ledger" shall mean a mariner's pocket-ledger or passport or any other document in lieu thereof possessed by a crewman;
- (7) The term "transit" shall mean to land in Japan and to leave it after a stay therein for a necessary period of time for the purpose of travelling from one foreign country to another by way of Japan;
- (8) The term "port of entry and departure" shall mean any of the seaports and airfields which are designated for the aliens' entry into and departure from Japan by Ministry of Justice Ordinance;
- (9) The term "carrier" shall mean a person who is engaged in the business of transporting persons or things by means of a vessel, etc. between Japan and areas outside Japan;
- (10) The term "immigration inspector" shall mean the immigration inspector provided for in Article 61-(2);
- (11) The term "supervising immigration inspector" shall mean the immigration inspector of supervisory rank designated by the Minister of Justice;
- (12) The term "special inquiry officer" shall mean the immigration inspector designated by the Minister of Justice and authorized to hold hearings;
- (13) The term "immigration control officer" shall mean the immigration control officer provided for in Article 61-(3);

- (14) The term "investigation of violation" shall mean the investigation conducted by an immigration control officer concerning the case of violation of laws or regulations for the entry, landing or residence of an alien;
- (15) The term "Immigration Center" shall mean the Immigration Center provided for in Article 13-(10) of the Ministry of Justice Establishment Law (Law No. 193 of 1947);
- (16) The term "detention facility" shall mean the detention facility provided for in Article 61-(6);

CHAPTER II. ENTRY AND LANDING

SECTION I. ENTRY OF ALIENS

(Entry of Aliens)

Article 3. No alien shall enter Japan without possessing a valid passport or crewman's pocket-ledger.

SECTION II. LANDING OF ALIENS

(Status of Residence)

Article 4. Unless otherwise provided for by this Cabinet Order, no alien (excluding a crewman; hereinafter the same in this Article) without the status of residence of a person falling under any one of the following items (by which is meant the status of the alien under which he is permitted to conduct activities in relation to his residing in Japan as any one of the persons specified in the following items; hereinafter the same.) shall land in Japan:

- (1) A diplomatic or consular officer or a member of his suite;
- (2) An alien who enters Japan on official business of the foreign government recognized by the Japanese Government or international organization;
- (3) An alien traveling in immediate transit;
- (4) A tourist;
- (5) An alien who seeks to engage in such economic activities as foreign trade, business enterprises or investments;
- (6) An alien who seeks to pursue a specific branch of study or to receive education at an academic research or educational institution in Japan;
- (7) An alien who seeks to engage in guidance in scientific research or teaching at an academic research or educational institution in Japan;
- (8) An alien who seeks to engage in such artistic or academic activities as those in music, fine arts, literature, science, etc.;
- (9) An alien who seeks to pursue or engage in theatrical performances, entertainment or musical performances, or sports or other show business in Japan;
- (10) An alien who is dispatched to Japan by a foreign religious organization to conduct religious activities;
- (11) An alien who is dispatched to Japan as representative of the press, broadcasting, motion picture and other journalistic

organization;

- (12) An alien who is invited by a public or private organization of Japan for the purpose of furnishing his advanced or special industrial technique or skill;
- (13) An alien who seeks solely to engage in skilled labor in Japan;
- (14) An alien who seeks permanently to reside in Japan;
- (15) The spouse and unmarried minor child of any one of the persons coming under any one of the items from (5) to (13) inclusive;
- (16) In addition to those who are specified in the preceding items, any alien who is specifically prescribed by Ministry of Justice Ordinance.

2. The period of stay of the alien provided for in any one of the items of the preceding paragraph (excluding item (1), item (2) and item (14)) shall be specified by Ministry of Justice Ordinance within the limit of three years.

3. In case an alien who comes under item (6), item (7), item (12) or item (13) of paragraph 1 seeks to land in Japan, he shall apply, in advance, for the issuance of the certificate of his fulfilling the requirements for the pertinent status of residence to the Minister of Justice, in accordance with the procedures provided for by Ministry of Justice Ordinance.

4. In case the application provided for in the preceding paragraph has been submitted, the Minister of Justice may issue the certificate mentioned in the said paragraph only after he consults with the competent Minister having jurisdiction over the activities of such class of persons as having the status of residence in question and finds that the applicant fulfils the requirements for the status of residence.

5. Any alien who comes under paragraph 1 item (14) shall, if he seeks to land in Japan, apply, in advance, to the Minister of Justice for permission of permanent residence, in accordance with the procedures prescribed by Ministry of Justice Ordinance.

6. In case the application mentioned in the preceding paragraph has been submitted, the Minister of Justice may give the permission, only when he deems that the applicant comes under the following items, and that his permanent residence will be in accord with the interests of Japan;

- (1) That he does not fall under any one of the items of Article 5 paragraph 1;
- (2) That he has sufficient means or ability to make an independent living.

(Denial of Landing)

Article 5. No alien who falls under any one of the following items may land in Japan:

- (1) Any invalid to whom the Epidemic Prevention Law (Law No. 36 of 1897) or the Leprosy Prevention Law (Law No. 214 of 1953) is applicable;

- (2) Any alien who is mentally defective as prescribed by the Mental Hygiene Law (Law No. 123 of 1950);
- (3) Any alien who is a pauper, vagrant, or physically handicapped, etc., and is feared to become a charge on the Government or a local public entity because of inability to make a living;
- (4) Any alien who has been sentenced to imprisonment at or without forced labour for one year or over or to a penalty equivalent thereto for a violation of any law or regulation of Japan or of any country other than Japan; provided, however, that this shall not apply to any alien punished for a political offense;
- (5) Any alien who has been sentenced to a penalty for a violation of any law or regulation of Japan or of any country other than Japan relating to control of narcotics, marijuana or opium;
- (6) Any alien who unlawfully possesses any narcotic provided for by the Narcotics Control Law (Law No. 14 of 1953) or marijuana provided for by the Taima Control Law (Law No. 124 of 1948), or the poppy, opium or poppy straw or any paraphernalia for smoking or eating opium provided for by the Opium Law (Law No. 71 of 1954);
- (7) Any alien who engages or has engaged in prostitution, or procuring prostitutes for other persons or solicitation or furnishing the place for prostitution, or any other business directly connected with prostitution;
- (8) Any alien who unlawfully possesses firearms or swords, etc. provided for by the Law for Controlling the Possession of Firearms, Sword, Etc. (Law No. 6 of 1958) or explosives provided for by the Explosives Control Law (Law No. 149 of 1950);
- (9) Any alien who has been denied landing for coming under the provision of either item (6) or the preceding item and has not passed one year from the date of his denial or any alien who has been deported from Japan for coming under any one of the items of Article 24 (excluding sub-items 1 to 0 inclusive of item (4)) and has not passed one year from the date of his deportation;
- (10) Any alien who has been deported from Japan for coming under any one of sub-items 1 to 0 inclusive of Article 24 item (4);
- (11) Any alien who attempts or advocates the overthrow of the Constitution of Japan or the Government formed thereunder by means of force or violence, or who organizes, or is a member of, a political party or any other organization which attempts or advocates same;
- (12) Any alien who organizes, or is a member of, or is closely affiliated with any of the following political parties or organizations;
 - a. Any political party or any organization that encourages the unlawful assaulting, killing or injuring of officials of the Government or local public entities for the reason of their being such officials;
 - b. Any political party or any organization that encourages the unlawful damage or destruction of public installations or facilities;
 - c. Any political party or any organization that encourages an act of labor dispute such as to stop or prevent the normal maintenance or operation of security equipments of a plant or

- a place of work.
- (13) Any alien who attempts to prepare, distribute or display printed matters, motion pictures or any other documents or drawing designed for the achievement of purposes of any political party or any organization provided for in item (11) or the preceding item;
 - (14) Any alien other than any of those coming under any one of the preceding items who the Minister of Justice has sufficient reason to believe may commit an act which would be detrimental to the interests or public security of Japan.
2. Even in the case wherein an alien seeking to land in Japan does not come under any one of the items of the preceding paragraph, if the country whereof he is a national or a citizen denies the landing of a Japanese national therein for any reasons other than those mentioned in the items of the same paragraph, the Minister of Justice may deny his landing for the same reasons.

CHAPTER III. PROCEDURES FOR LANDING

SECTION I. EXAMINATION FOR LANDING

(Application for Landing)

Article 6. Any alien (excluding a crewman; hereinafter the same in this Section) who seeks to land in Japan shall have a valid passport visaed by the Japanese consular officer, etc.; provided, however, that the passport of an alien with the nationality or citizenship of a country which does not require the passport of a Japanese national to be visaed by its authorities concerned or the passport of an alien with the reentry permit provided for in Article 26 may not be visaed by the Japanese consular officer, etc.

2. An alien mentioned in the preceding paragraph shall apply for landing to an immigration inspector at the port of entry and departure where he seeks to land and undergo an examination for landing, in accordance with the procedures provided for by Ministry of Justice Ordinance.

(Immigration Inspector's Examination)

Article 7. In case an application provided for in paragraph 2 of the preceding Article has been made, the immigration inspector shall conduct the examination of the said alien into whether or not he fulfills the following conditions for landing in Japan;

- (1) That the passport possessed by the alien and the visa affixed thereto, if such is required, are valid;
- (2) That the status of residence in which the landing is applied for is not false and comes within the purview of any one of the items of Article 4 paragraph 1; and that in the case of the alien who comes under item (6), item (7), item (12), or item (13) of the same paragraph he bears the certificate provided for in paragraph 3 of the same Article; and that in the case of the alien who comes under paragraph 1 item (14) of the same Article he has in

his possession a document showing that the permission provided for in paragraph 5 of the same Article has been given;

- (3) That the period of residence applied for is according to the provisions of Ministry of Justice Ordinance to be laid down under Article 4 paragraph 2;
- (4) That the alien does not fall under any one of the items of Article 5 paragraph 1.

2. The alien subjected to the examination provided for in the preceding paragraph shall establish the fact that he fulfills the landing requirements stipulated in each of the items of the same paragraph.

(Boarding of Vessel, etc.)

Article 8. The immigration inspector may, in case he conducts the examination provided for in the preceding Article, board the vessel, etc.

(Stamp for Certification of Permission of Landing)

Article 9. The immigration inspector shall, in case he deems, as the result of examination, that the alien fulfills the requirements for landing provided for in the items of Article 7 paragraph 1, affix the stamp for certification of the permission of landing to his passport.

2. In the case of the preceding paragraph, the finding of whether or not the alien comes under Article 5 paragraph 1 item (1) or item (2) shall be made, after the medical examination is made by the physician whom the Minister of Welfare or the Minister of Justice designates.
3. In the case of affixing the stamp for certification provided for in paragraph 1, the immigration inspector shall determine the status of residence and period of stay of the alien concerned and write it clearly in his passport; provided, however, that this shall not apply in the case where the alien lands with reentry permission provided for in Article 26 paragraph 1.
4. Excepting the case wherein the stamp is affixed for the permission of landing under paragraph 1, the immigration inspector shall transfer the alien to the special inquiry officer for the hearing provided for in Article 10.
5. No alien shall land unless he has his passport stamped for the certification of the permission of landing provided for in paragraph 1.

(SECTION II. HEARING AND FILING OF OBJECTION. Omitted.)

SECTION III. PROVISIONAL LANDING

(Permission of Provisional Landing)

Article 13. The supervising immigration inspector may, in case he finds

it specifically necessary during the process of the procedures for landing provided for in this Chapter, give permission of provisional landing to the alien before such procedures are completed.

2. In case the supervising immigration inspector gives the permission provided for in the preceding paragraph, he shall issue a provisional landing permit to the alien concerned.
3. In case the permission provided for in paragraph 1 is given, the supervising immigration inspector may subject the alien concerned to restrictions on residence and area of movement, duty to appear at a summons or other necessary conditions, in accordance with the provisions of Ministry of Justice Ordinance, and have him deposit a bail bond in Japanese currency of an amount fixed by Ministry of Justice Ordinance within the limit of two hundred thousand yen or in foreign currency in the equivalent amount.
4. The bail bond provided for in the preceding paragraph shall be returned to the alien concerned when the alien has got the stamp for certification of permission of landing provided for in Article 10 paragraph 6 or Article 11 paragraph 4 or when the alien is ordered to leave Japan under Article 10 paragraph 8 or Article 11 paragraph 5.
5. In case an alien who has been given the permission provided for in paragraph 1 has violated the conditions attached pursuant to the provision of paragraph 3, the supervising immigration inspector shall confiscate, in accordance with the provisions of Ministry of Justice Ordinance, the whole of the bail bond stipulated in the same paragraph if he has escaped or failed to appear at a summons without justifiable reason, or a part thereof in other cases.
6. The supervising immigration inspector may, if he has reasonable grounds to suspect that the alien who has been given the permission provided for in paragraph 1 is feared to escape, issue the written detention order and have him detained by the immigration control officer.
7. The provisions of Articles 40 to 42 paragraph 1 inclusive shall apply mutatis mutandis to the detention provided for in the preceding paragraph. In this case "the written detention order provided for in paragraph 1 of the preceding Article", "the suspect" and "essential facts of suspected offense" in Article 40 shall read "the written detention order provided for in Article 13 paragraph 6", "the alien given permission of provisional landing", and "grounds for detention" respectively; "shall be within thirty days; provided, however, that, if the supervising immigration inspector finds that there are unavoidable circumstances, he may extend such period only for another thirty days." in Article 41 paragraph 1 shall read "shall be a period of time preceding the completion of procedures for landing provided for in Chapter III which the supervising immigration inspector deems necessary"; and "a suspect" in paragraph 3 of the same Article and Article 42 paragraph 1 shall read "the

alien given the permission of provisional landing."

SECTION IV. SPECIAL CASES OF LANDING

(Permission of Port-of-Call Landing)

Article 14. In case an alien aboard a vessel, etc. desires to land and stay for not more than seventy-two hours at an area in the neighbourhood of the port of entry and departure while his vessel, etc. is in the same port of entry and departure, the immigration inspector may give him permission of port-of-call landing upon application of the master of the vessel, etc.; provided, however, that this shall not apply to the alien coming under any one of the items of Article 5 paragraph 1.

2. In case the permission is given under the preceding paragraph, the immigration inspector shall issue a permit for port-of-call landing to the alien concerned.
3. In giving the permission provided for in paragraph 1, the immigration inspector may have the alien subjected to such restrictions as the length of time of stay on shore of landing, area of movement and others which he may deem necessary and if he finds it necessary, take the fingerprints of the alien concerned in accordance with Ministry of Justice Ordinance.

(Permission of Landing in Transit for Sightseeing)

Article 15. In case an alien (excluding a crewman) aboard a vessel desires temporarily to land at a port of entry and departure and pass through Japan for sightseeing so that he may return to his vessel at another port of entry and departure at which the vessel is scheduled to call, the immigration inspector may give him permission to land in transit for sightseeing, upon application of the master of the vessel or the carrier who operates the vessel.

2. In giving the permission provided for in the preceding paragraph, the immigration inspector shall issue to the alien concerned a permit to land in transit for sightseeing.
3. In giving the permission provided for in paragraph 1, the immigration inspector may impose upon the alien concerned such restrictions as period of stay in Japan, route to be followed in transit and others which he may deem necessary, in accordance with Ministry of Justice Ordinance.
4. The provisions of the proviso to paragraph 1 of the preceding Article shall apply mutatis mutandis in the case of paragraph 1.

(Permission of Landing for Reshipping)

Article 16. The immigration inspector may, in case an alien crewman desires to pass through Japan in order to reship on board another vessel in another port of entry and departure in Japan, upon application of the carrier operating the vessel on which the alien crew-

man has arrived, and in case an alien crewman desires, in order to become a crewman of a vessel in Japan, to land from another vessel, etc. and pass through Japan, upon application of the carrier operating the vessel in Japan, permit the landing for reshipping respectively.

2. In case the permission provided for in the preceding paragraph is given, the immigration inspector shall issue a permit for landing for reshipping to the crewman concerned.
3. In case the permission provided for in paragraph 1 is given, the immigration inspector may impose upon the crewman such restrictions as period of stay in Japan, route to be followed in transit and others which he may deem necessary in accordance with Ministry of Justice Ordinance.
4. The provision of the proviso to Article 14 paragraph 1 shall apply *mutatis mutandis* in the case of paragraph 1.

(Permission of Emergency Landing. Omitted.)

(Landing Permission on Account of Disaster at Sea. Omitted.)

CHAPTER IV. RESIDENCE AND DEPARTURE

SECTION I. RESIDENCE, CHANGE OF STATUS OF RESIDENCE AND EXTENSION OF PERIOD OF STAY

(Residence)

Article 19. Any alien residing in Japan shall, except in the cases where he has been given permission to land provided for in Article 13 to the preceding Article inclusive, reside in the status of residence determined in accordance with the provisions of Article 9 paragraph 3.

2. Any alien mentioned in the preceding paragraph shall, in case he desires to engage in an activity other than that which he is to conduct under the status of residence, obtain prior permission therefor from the Minister of Justice, in accordance with the procedures prescribed by Ministry of Justice Ordinance.
3. Any alien crewman who has been given permission to land under Article 14 and Article 16 to the preceding Article inclusive shall be regarded continuously as a crewman, for the purposes of the application of this Cabinet Order, as long as he is in Japan, even after he ceases to be a crewman from being discharged from his service.

(Change of Status of Residence)

Article 20. Any alien having the status of residence as a person coming under Article 4 paragraph 1 items (5) to (8) inclusive, items (10) to (12) inclusive or item (15) may have his status of residence (including the period of stay attendant thereon; hereinafter the same in

this paragraph to paragraph 3 inclusive) changed.

2. Any alien desiring to have his status of residence changed pursuant to the provision of the preceding paragraph shall apply to the Minister of Justice for the change of status of residence, in accordance with the procedures prescribed by Ministry of Justice Ordinance; provided, however, that in case he desires to change his status of residence to that of a person coming under Article 4 paragraph 1 item (14), he shall go through the procedures provided for in Article 22 paragraph 1.
3. When the application provided for in the preceding paragraph has been submitted, the Minister of Justice may give permission only when he finds that there are reasonable grounds to admit on the strength of the documents submitted by the alien concerned that the change of the status of residence is proper, and, in the case of an application for the change of the status of residence to that of the person coming under Article 4 paragraph 1 item (6), item (7), item (12), or item (13), only when he finds, in addition to the above, that the alien concerned is qualified for the new status, upon consultation with the competent Minister having jurisdiction over the activities to be conducted by the person under the new status of residence.
4. When the permission mentioned in the preceding paragraph has been given, the alien concerned shall have the status of residence and period of stay indicated in his passport rewritten by the Minister of Justice or the immigration inspector in accordance with the procedures prescribed by Ministry of Justice Ordinance.
5. The alien under the preceding paragraph shall stay in Japan in the status of residence and for the period of stay rewritten in his passport from the time of the rewriting provided for in the same paragraph.

(Renewal of Period of stay)

Article 21. Any alien staying in Japan may, without changing his status of residence, have his period of stay renewed.

2. Any alien desiring to renew his period of stay pursuant to the provision of the preceding paragraph shall apply to the Minister of Justice for the renewal of such period, in accordance with the procedures prescribed by Ministry of Justice Ordinance.
3. When the application provided for in the preceding paragraph has been made, the Minister of Justice may give permission only when there are reasonable grounds to admit on the strength of the documents submitted by the alien that the renewal of the period of stay is proper.
4. When the permission mentioned in the preceding paragraph has been given, the alien shall have the period of stay entered in his passport rewritten by the Minister of Justice or the immigration

inspector in accordance with the procedure prescribed by Ministry of Justice Ordinance.

(Permission of Permanent Residence)

Article 22. Any alien who, seeking to change his status of residence, desires to change his status of residence to that of a person coming under Article 4 paragraph 1 item (14) shall apply to the Minister of Justice for the permission of permanent residence in accordance with the procedures prescribed by Ministry of Justice Ordinance.

2. In case the application provided for in the preceding paragraph has been made, the Minister of Justice may give permission only when he deems that the applicant satisfies the following items and that his permanent residence will be in accord with the interests of Japan:
 - (1) That his behavior is good;
 - (2) That he has sufficient means or ability to make an independent living.
3. When the permission provided for in the preceding paragraph has been given, the alien concerned shall have the status of residence and period of stay entered in his passport struck out and have his passport stamped for certification of permission of permanent residence by the Minister of Justice or immigration inspector in accordance with the procedure prescribed by Ministry of Justice Ordinance.

(Acquisition of Status of Residence)

Article 22-(2). Any person who has renounced Japanese nationality or any alien who is to stay in Japan without following the procedures for landing provided for in Chapter III, by birth or for any other cause, may, notwithstanding the provision of Article 19 paragraph 1, continue to stay in Japan without acquiring the status of residence only for a period of sixty days from the date of his renouncement of Japanese nationality, birth, or other cause as has been mentioned.

2. As alien provided for in the preceding paragraph who desires to stay in Japan over the period mentioned in the same paragraph, shall apply to the Minister of Justice for the acquisition of status of residence in accordance with the procedures prescribed by Ministry of Justice Ordinance not later than thirty days from the date of his renouncement of Japanese nationality, birth or other cause.
3. The provisions of Article 20 paragraph 3 to paragraph 5 inclusive shall apply mutatis mutandis to the procedures for the application to acquire the status of residence provided for in the preceding paragraph (except for the application to acquire the status of residence of a person coming under Article 4 paragraph 1 item (14). In this case "the change of the status of residence to that" and "the change of the status of residence" in Article 20 paragraph 3 shall read "the acquisition of status of residence"; "the

status of residence and period of stay indicated in his passport rewritten" in paragraph 4 of the same Article shall read "have the status of residence and period of stay entered in his passport"; "rewritten" and "the rewriting" in paragraph 5 of the said Article shall read "entered" and "the entry" respectively.

4. The provisions of the preceding Article shall apply mutatis mutandis to the procedures for the application for acquiring the status of residence of a person coming under Article 4 paragraph 1 item (14) out of the applications for acquiring the status of residence under paragraph 2. In this case "to change his status of residence" in paragraph 1 of the preceding Article shall read "to acquire the status of residence"; "to change his status of residence to that" in the same paragraph shall read "to acquire his status of residence"; "have the status of residence and period of stay entered in his passport struck out and have his passport stamped for certification of permission of permanent residence" in paragraph 3 of the same Article shall read "have his passport stamped for certification of permission of permanent residence".

SECTION II. RESIDENTIAL REQUIREMENTS

(Carrying and Presentation of Passport or Permit)

Article 23. Any alien who stays in Japan shall carry with him at all times the passport, provisional landing permit, permit for port-of-call landing, permit for landing in transit for sightseeing, permit for landing for reshipping, permit for emergency landing or permit for landing on account of disaster at sea; provided, however, that the same shall not apply in the case of his carrying the registration certificate under the Alien Registration Law (Law No. 125, of 1952).

2. The alien mentioned in the preceding paragraph shall present the passport or permit specified in the same paragraph to the immigration inspector, immigration control officer, police official, maritime safety official or any other official of the state or a local public entity prescribed by Ministry of Justice Ordinance, if the latter demands the presentation of the same in the performance of his duties.
3. The official mentioned in the preceding paragraph shall, in case he demands the presentation of the passport or permit provided for in paragraph 1, carry with him the identification card showing his official status and present it upon demand.
4. The provision of the main part of paragraph 1 shall not apply to the alien under fourteen years of age.

(Deportation)

Article 24. Any alien who comes under any one of the following items may be deported from Japan in accordance with the procedures provided for in Chapter V of this Order:

- (1) Any person who has entered Japan in violation of the provision of Article 3;
- (2) Any person who has landed in Japan in violation of the provision of Article 9 paragraph 5,
- (3) Any person, other than those coming under the preceding two items; who has landed in Japan without obtaining the permission of port-of-call landing, permission of landing in transit for sightseeing, permission of landing for reshipping, permission of emergency landing or permission of landing on account of disaster at sea;
- (4) Any alien staying in Japan (excluding those to whom permission of provisional landing, permission of port-of-call landing, permission of landing in transit for sightseeing, permission of landing for reshipping, permission of emergency landing, or permission of landing on account of disaster at sea has been given) who comes under any one of the following sub-items:
 - a. Any person who is clearly found to be engaged solely in an activity to be conducted by the person under the status of residence other than that mentioned in his passport without having his status of residence changed;
 - b. Any person who stays in Japan over the period of stay entered in his passport;
 - c. Any invalid to whom the Leprosy Prevention Law is applied;
 - d. Any person who is afflicted with a mental disease specified by the Mental Hygiene Law and has been placed in a lunatic asylum or a designated hospital prescribed by the same Law;
 - e. A pauper, vagrant, or physically handicapped person, etc. who has become a charge on the State or a local public entity;
 - f. Any person who has been sentenced to imprisonment without forced labor or a heavier penalty for violation of the provision of laws and ordinances relating to the registration of aliens, other than one who has been sentenced guilty with the suspension of execution of sentence;
 - g. Any person who is a juvenile provided for by the Juvenile Law (Law No. 168 of 1948) and who has been sentenced, after the effective date of this Cabinet Order, to imprisonment at or without forced labor for a maximum period exceeding three years;
 - h. Any person who has been convicted, after the effective date of this Cabinet Order, of violation of the provision of the Narcotics Control Law, Taima Control Law, Opium Law or Chapter XIV of the Penal Code (Law No. 45 of 1907);
 - i. Excepting those under sub-items f to h inclusive, any person who has been sentenced, after the effective date of this Cabinet Order, to imprisonment at or without forced labor for life or for a period exceeding one year; provided, however, that this shall not apply to those who have been granted the suspension of the execution of sentence;
 - j. Any person who is engaged in prostitution or procuring prostitutes for other persons, solicitation, furnishing the place for prostitution, or any other business directly connected with prostitution;

- k. Any person who has abetted, instigated or aided the illegal entry or illegal landing of an alien into Japan;
 - l. Any person who attempts or advocates the overthrow of the Constitution of Japan or the Government formed thereunder by means of force or violence, or who has organized, or is a member of a political party or other organization which attempts or advocates the same;
 - m. Any person who organizes, or is a member of, or is closely associated or affiliated with, any of the political parties or other organizations specified below:
 - i. Any political party or any organization that encourages the unlawful assaulting, killing or injuring of officials of the Government or local public entities for the reason of their being such officials;
 - ii. Any political party or any organization that encourages an act of labor dispute which may stop or prevent the normal maintenance or operation of security equipments of a plant or a place of work;
 - n. Any person who has prepared, distributed or displayed printed matters, motion pictures, or any other documents or drawings in order to attain the objective of the political party or other organization provided for in sub-item l or sub-item m;
 - o. Any person other than any of those coming under sub-items a to n inclusive, who the Minister of Justice finds has committed acts detrimental to the interests of Japan or security thereof.
- (5) Any person who has been given permission of provisional landing, and escapes in violation of the conditions imposed under Article 13 paragraph 3 or fails to comply with a summons without good reason;
- (6) Any person who has been given the permission of port-of-call landing, permission of landing in transit for sightseeing, permission of landing for reshipping, permission of emergency landing or permission of landing on account of disaster at sea, and stays in Japan over the period mentioned in his permit.
- (7) Any alien who stays in Japan over the period provided for in Article 22-(2) paragraph 1 without having the status of residence and period of stay entered in his passport under the provision of Article 20 paragraph 4 applicable mutatis mutandis under Article 22-(2) paragraph 3, or without receiving the certification by stamping for permission of permanent residence under the provision of Article 22 paragraph 3 applicable mutatis mutandis under Article 22-(2) paragraph 4.

SECTION III. DEPARTURE

(Procedure for Departure)

Article 25. Any alien (excluding crewmen, but including those departing with reentry permits provided for in Article 26) who desires to depart from Japan with the intention to proceed to an area outside Japan shall have his passport stamped for certification of his

departure by the immigration inspector at any one of the port of entry and departure at which he departs from Japan.

2. Any alien mentioned in the preceding paragraph shall not depart from Japan unless he has his passport stamped for certification of his departure.

(Reentry Permission)

Article 26. The Minister of Justice may, in case any alien staying in Japan (excluding crewmen and persons having the status of residence of the persons coming under Article 4 paragraph 1 item (3)) seeks to depart temporarily from Japan prior to the date of expiration of his period of stay with the intention to make reentry into Japan, give reentry permission to such alien, upon application, in accordance with the procedures prescribed by Ministry of Justice Ordinance.

2. In case the permission provided for in the preceding paragraph has been given, the alien shall obtain the delivery of a reentry permit from the Minister of Justice or immigration inspector in accordance with the procedures prescribed by Ministry of Justice Ordinance.

3. The permission provided for in paragraph 1 shall become invalid in the case of an alien with an unexpired period of stay not exceeding one year counting from the date whereon he has been given permission of reentry, when he departs from Japan within the period of stay and fails to reenter Japan before the date of expiration of such period of stay, and in the case of an alien with an unexpired period of stay exceeding one year from the date whereon he has been given the permission of reentry, when he fails to depart from Japan within six months from the date whereon he has been given such permission or when he fails to reenter Japan within a year from the date whereon he has been given such permission.

(CHAPTER V. PROCEDURES FOR DEPORTATION. Omitted.)

(CHAPTER VI. RESPONSIBILITY OF MASTER OF A VESSEL, ETC. AND CARRIER. Omitted.)

CHAPTER VII. DEPARTURE FROM AND RETURN TO JAPAN OF JAPANESE NATIONAL

(Departure of Japanese National)

Article 60. Any Japanese national (excluding a crewman) who departs from Japan with the intention to proceed to an area outside Japan shall carry with him a valid passport and have it stamped for certification of his departure by the immigration inspector at the port of entry and departure from which such person departs.

2. The Japanese national mentioned in the preceding paragraph shall not depart from Japan unless he has his passport stamped for certification of his departure.

(Return to Japan of Japanese National)

Article 61. Any Japanese national (excluding a crewman) who returns to Japan from an area outside Japan shall carry with him a valid passport and have it stamped for certification of his return to Japan by the immigration inspector at the port of entry and departure at which such person lands.

(CHAPTER VIII. MISCELLANEOUS PROVISIONS. Omitted except Article 67.)

(Schedule of Fees)

Article 67. In case an alien has been permitted the change of his status of residence under Article 20 paragraph 2, or the renewal of the period of stay under Article 21 paragraph 2, or given permission of permanent residence under Article 22 paragraph 1 or permission for reentry under Article 26 paragraph 1, he shall pay the fee to the Government, at the time of the rewriting of the entry of the passport under Article 20 paragraph 4 or Article 21 paragraph 4, stamping for certification under Article 22 paragraph 3 or delivery of a permit under Article 26 paragraph 2, according to the following schedule, respectively:

(1) For each change of status of residence	¥1,000
(2) For each renewal of period of stay	¥1,000
(3) For each permission of permanent residence	¥2,000
(4) For each permission of reentry	¥1,000

(CHAPTER IX. PENAL PROVISIONS. Omitted.)

SUPPLEMENTARY PROVISIONS

(Date of Enforcement)

1. This Cabinet Order shall come into force as from November 1, 1951.

(Cabinet Orders to be Abolished)

2. The following Cabinet Orders shall be abolished:
 - (1) The Cabinet Order concerning Immigration Surveillance (Cabinet Order No. 299 of 1949);
 - (2) The Cabinet Order concerning Procedure to Deport Illegal Entrants, Etc. (Cabinet Order No. 33 of 1951).

NATURAL PARKS LAW (Extract)

(Law No. 161 of June 1, 1957)

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CHAPTER I. GENERAL PROVISIONS

(Purpose)

Article 1. This Law shall aim at the protection of the places of scenic beauty and also, through the promoted utilization thereof, at the contribution to the health, recreation and culture of the people.

(Definitions)

Article 2. In this Law, the terms mentioned in the following items shall be understood respectively as laid down in the items concerned:

- (1) Natural Parks shall mean National Parks, Quasi-national Parks and Prefectural Natural Parks.
- (2) National Parks shall mean the places of greatest natural scenic beauty, worthy of the names of the model scenic beauties of our country, designated by the Minister of Health and Welfare in accordance with the provision of Article 10 paragraph 1.
- (3) Quasi-national Parks shall mean the places of great natural scenic beauty next to the National Parks, designated by the Ministry of Health and Welfare in accordance with the provision of Article 10 paragraph 2.
- (4) Prefectural Natural Parks shall mean the places of great natural scenic beauty designated by the prefectures in accordance with the provision of Article 41.
- (5) Park Schemes shall mean the planning concerning the regulation or facilities for the protection or utilization of the National Parks or Quasi-national Parks.
- (6) Park Works shall mean the works executed on the basis of the Park Scheme and pertaining to the facilities, prescribed by the Cabinet Order, for the protection or utilization of National

Parks or Quasi-national Parks.

(Respect for Property Rights and Adjustment with Public Interests)

Article 3. At the time of the application of this Law, the proprietary rights, mining rights and other property rights shall be respected and also the adjustment between the protection and utilization of Natural Parks and the land development and other public interests shall be taken into consideration.

CHAPTER II. NATIONAL PARKS AND QUASI-NATIONAL PARKS

(SECTION 1. NATURAL PARKS COUNCIL. Omitted.)

SECTION 2. DESIGNATION

(Designation)

Article 10. The National Parks shall be designated, with specification of their boundaries, by the Minister of Health and Welfare after seeking the opinions of the Council.

2. The Quasi-national Parks shall be designated, with specification of their boundaries, by the Minister of Health and Welfare, on the request of the prefecture concerned, after seeking the opinions of the Council.
3. In the case of the designation of the National Park or Quasi-national Park by the Minister of Health and Welfare, the fact and area thereof shall be announced in the Official Gazette.
4. The designation of the National Park or Quasi-national Park shall take effect on the public announcement under the preceding paragraph.

(Dissolution of Designation and Alteration of Area)

Article 11. The Minister of Health and Welfare, when he intends to dissolve the designation of the National Park or alter the area thereof, shall seek the opinions of the Council.

2. The Minister of Health and Welfare, when he intends to dissolve the designation of the Quasi-national Park or alter the area thereof, shall seek the opinions of the prefecture concerned and the Council; provided that the expansion of its area shall be done on the request of the prefecture concerned.
3. The provisions of paragraphs 3 and 4 of the preceding article shall be applied correspondingly to the dissolution of the designation of the National Park or Quasi-national Park and the alteration of the area thereof.

SECTION 3. PARK SCHEME AND PARK WORK

(Decision upon Park Scheme and Park Work)

Article 12. The Park Scheme and Park Work concerning the National Park shall be decided upon by the Minister of Health and Welfare after seeking the opinions of the Council.

2. Of the Park Scheme concerning the Quasi-national Park, the planning concerning the regulation for protection and the planning concerning the facilities for utilization, both relative to the developed area and the facilities prescribed by Cabinet Order, shall be decided upon by the Minister of Health and Welfare, on the request of the prefectures concerned after seeking the opinions of the Council, and the other plans shall be decided upon by the governors of the prefectures concerned.
3. The Park Work concerning the Quasi-national Park shall be decided upon by the governors of the prefectures concerned.
4. The Minister of Health and Welfare or the governor of the prefecture, when he has decided upon the Park Scheme or Park Work, shall announce the outline of the fact.

(Discontinuance and Alteration of Park Scheme and Park Work)

Article 13. The Minister of Health and Welfare, when he intends to discontinue or alter the Park Scheme or Park Work concerning the National Park, shall seek the opinions of the Council.

2. The Minister of Health and Welfare, when he intends to discontinue or alter the Park Scheme concerning the Quasi-national Park, shall seek the opinions of the Council; provided that the additional Park Scheme shall be based upon the request of the prefecture.
3. The provision of paragraph 4 of the preceding article shall be applied correspondingly to the discontinuance and alteration of the Park Scheme and Park Work.

(Execution of Park Work of National Park)

Article 14. The Park Work concerning the National Park shall be executed by the State.

2. Local public bodies and other bodies prescribed under Cabinet Order (hereinafter, referred to as "the public bodies") may execute a part of the Park Work concerning the National Park upon obtaining approval from the Minister of Health and Welfare.
3. Those other than the State and public bodies may execute a part of the Park Work concerning the National Park upon obtaining authorization from the Minister of Health and Welfare.

(Execution of Park Work of Quasi-national Park)

Article 15. The Park Work concerning the Quasi-national Park shall be executed by the prefecture; provided that the State shall not be precluded from executing the works concerning roads or any other works as provided for by the Road Law, (Law No. 180 of 1952) or

any other laws.

2. The public bodies other than the prefectures may execute a part of the Park Work concerning the Quasi-national Park upon obtaining approval from the governor of the prefecture.
3. Those other than the State and public bodies may execute a part of the Park Work concerning the Quasi-national Park upon obtaining authorization from the governor of the prefecture.

(Execution of Park Work under Approval or Authorization)

Article 16. As to the procedures of the approval or authorization under the provisions of the preceding two articles and the execution of the Park Work with the same approval or authorization, the necessary matters shall be prescribed by the Cabinet Order.

SECTION 4. PROTECTION AND UTILIZATION

(Special Area)

Article 17. The Minister of Health and Welfare may, for the purpose of preserving the scenic beauty of the National Park or Quasi-national Park, designate the Special Area within its boundary in accordance with the Park Scheme.

2. The provisions of Article 10 paragraphs 3 and 4 shall be applied correspondingly to the designation of the Special Area and dissolution of its designation, and to the alteration of its boundary.
3. Within the Special Area (with the exception of the Specially Protective district; hereinafter, the same in this article), the work coming under any of the following items shall not be carried out without the permission from the Minister of Health and Welfare in case of the National Park and that from the governor of the prefecture in case of the Quasi-national Park; provided that the work, that has already been under way at the time of the designation of the Special Area concerned or the expansion of its boundary, or the work carried out for the emergency measure shall be excepted from the rule:
 - (1) Erection, rebuilding or extension of structures;
 - (2) Felling of trees and bamboos;
 - (3) Mining of minerals or gathering of soils and stones;
 - (4) Acts or works causing the increase or decrease of the water-level or quantity of water of rivers, lakes, etc.;
 - (5) Putting up or setting up of advertisements or those similar to them, or showing of advertisements or those similar to them on the structures and the like;
 - (6) Reclamation of the surface of water or land reclamation by drainage;
 - (7) Clearing of land or other alterations of the configuration of land;
 - (8) Gathering of alpine plants or plants similar to them, which are designated by the Minister of Health and Welfare;

- (9) Alteration of the colours of roofs, surface of walls, fences and walls, bridges, steel towers, water-pipes or those similar to them.
4. One, who has already started the work mentioned in any of the items of the preceding paragraph within the Special Area at the time of the designation of the Special Area concerned or the expansion of its boundary, shall notify the fact to the governor of the prefecture within 3 months counting from the day of the designation of it or expansion of its boundary.
 5. One, who has already started the work mentioned in any of the items of paragraph 3 within the Special Area as the necessary emergency measure for the exceptional disaster, shall notify the fact to the governor of the prefecture within 3 months counting from the day of the work carried out.
 6. One, who intends to plant trees and bamboos or pasture cattle within the Special Area, shall previously notify the fact to the governor of the prefecture.
 7. To the works mentioned in any of the following items, the provisions of the preceding 4 paragraph shall not be applied:
 - (1) The work carried out as the execution of the Park Works;
 - (2) Ordinary administrative work, simple work or others, that are prescribed by the Ordinance of the Ministry of Health and Welfare.

(Specially Protective District)

Article 18. The Minister of Health and Welfare, when he deems it specially necessary for the preservation of the spectacular sights of the National Park or Quasi-national Park, may designate the Specially Protective District within the Special Area in accordance with the Park Scheme.

2. The provisions of Article 10 paragraphs 3 and 4 shall be applied accordingly to the designation of the Specially Protective District and dissolution of the designation thereof, and to the alteration of the boundary thereof.
3. Within the Specially Protective District the following works shall not be carried out without the permission from the Minister of Health and Welfare in the case of the National Park and without that from the governor of the prefecture in the case of the Quasi-national Park; provided that the work has already been under way at the time of the designation of the Specially Protective District concerned or the expansion of the boundary thereof, or the work carried out as the necessary emergency measure for the exceptional disaster shall be excepted from the rule.
 - (1) Work mentioned in any of the items of paragraph 3 of the preceding article;
 - (2) Planting of trees and bamboos;
 - (3) Pasturing of cattle;

- (4) Accumulation or storage of things in the open;
 - (5) Setting fire or making fire;
 - (6) Gathering of plants or fallen leaves, or fallen branches;
 - (7) Catching of animals or gathering of eggs of animals;
 - (8) Riding a horse or driving a car into the area other than road or plaza.
4. One, who has already started the work mentioned in any of the items of the preceding paragraph within the Specially Protective District at the time of the designation of the Specially Protective District concerned or the expansion thereof, shall notify the fact to the governor of the prefecture within 3 months counting from the day of the designation of it or expansion of its boundary.
 5. One, who has carried out the work mentioned in any of the items of paragraph 3 within the Specially Protective District as the necessary emergency measure for the exceptional disaster, shall notify the fact to the governor of the prefecture within 14 days counting from the day of the same work carried out.
 6. To the works or acts mentioned in the following items, the provisions of the preceding 3 paragraphs shall not be applied.
 - (1) Work carried out as the execution of the Park Works;
 - (2) Ordinary administrative work, simple work or other works that are prescribed by Ordinance of the Ministry of Health and Welfare.

(Conditions)

Article 19. To the permissions under Article 17 paragraph 3 and paragraph 3 of the preceding article, conditions may be attached within the limits necessary for the protection of the scenic beauty or spectacular sight of the National Park or Quasi-national Park.

(Ordinary Area)

Article 20. One, who intends to carry out the work mentioned in any of the following items within the boundary other than that of the Special Area of the National Park or Quasi-national Park (hereinafter, referred to as "the Ordinary Area"), shall previously notify the fact to the governor of the prefecture.

- (1) Erection, rebuilding or extension of structures, whose scales are beyond the standards prescribed by the Ministry of Health and Welfare (including rebuilding or extension in the case that the scale thereof is to be beyond the standards prescribed by the Ministry of Health and Welfare after the completion of the rebuilding of extension concerned);
- (2) Causing the increase or decrease of the water-levels or quantities of the rivers or lakes within the same Special Area;
- (3) Putting up or setting up of advertisements or those similar to them or showing of advertisements or those similar to them on the structures;
- (4) Reclamation of the sea or land reclamation by drainage.

2. The Minister of Health and Welfare and the governor of the prefecture, when the former in the case of National Parks and the latter in the case of Quasi-national Parks deem it necessary for the protection of the landscapes of the parks, concerned, may give orders, to the one who is going to do or has done the work mentioned in any of the items of the preceding paragraph in the Ordinary Area, to prohibit or restrict such work or to take necessary measure, within the limits necessary for the protection of the landscapes thereof.
3. As to one who has made the notification under paragraph 1, the measure under the preceding paragraph may be taken exclusively within 30 days counting from the day of the same notification made.
4. The Minister of Health and Welfare or the governor of the prefecture, when, with the notification made under paragraph 1, the on-the-spot survey is required or when there is any other rational reason against the measure under paragraph 2 to be made within the period of time under the preceding paragraph, may prolong the period of time under the preceding paragraph during the period of existence of such reason. In this case, one, who has made the notification under paragraph 1, shall be notified of the fact and reason why the period of time is prolonged.
5. To the works mentioned in the following items, the provisions of paragraphs 1 and 2 shall not be applied.
 - (1) Works carried out for the execution of the Park Works;
 - (2) Ordinary administrative works, simple works or other works which are prescribed by the Ordinance of the Ministry of Health and Welfare;
 - (3) Works which have already started at the time of the designations of National Parks or Quasi-national Parks or the expansion of the boundaries thereof;
 - (4) Works carried out as the emergency measures necessary for exceptional disasters.

(Order for Restoration to Original State, etc.)

Article 21. The Minister of Health and Welfare in regard to the National Parks, the governor of the prefecture in regard to the Quasi-national Parks deem it necessary for the protection of the respective parks concerned, may give orders to those who have violated the provision of Article 17 paragraph 3 or Article 18 paragraph 3, the conditions attached to the permission under the provision of Article 19 or the measure in accordance with the provision of paragraph 2 of the preceding article, for the restoration to the original state or, in the case of the remarkable difficulty in the restoration to the original state, for the necessary measures to be taken as the substitutes therefor, both within the limits necessary for the protection thereof.

(Collection of Reports and Spot Inspection)

Article 22. The Minister of Health and Welfare or the governor of the prefecture, when they deem it necessary for the protection of the

National Park or Quasi-national Park, may seek the report on the actual conditions of the work under way and other necessary matters from one who has been given the permission under the provision of Article 17 paragraph 3 or Article 18 paragraph 3 or one whose work has been restricted or ordered to take necessary measure.

2. The Minister of Health and Welfare or the governor of the prefecture, when he deems it necessary for the measure taken in accordance with the provision of Article 17 paragraph 3, Article 18 paragraph 3, Article 20 paragraph 2 or the preceding article, may have the competent personnel, within the limits necessary therefor, enter the lands or buildings within the boundary of the National Park or Quasi-national Park, or inspect the practical state of the work which is mentioned in any of the items of Article 17 paragraph 3, any of the items of Article 20 paragraph 1, or inquire into the effects of these works upon the landscapes.
3. The personnel provided for in the preceding paragraph shall carry the identification papers with them and present them at the interested party's request.
4. The powers under paragraphs 1 and 2 shall not be understood as those approved of for criminal investigations.

(Developed Area)

Article 23. For the purpose of consolidating in groups the facilities for the utilization of the National Park or Quasi-national Park, the Minister of Health and Welfare shall designate the Developed Area within its boundary in accordance with the Park Scheme.

2. The provisions of Article 10 paragraphs 3 and 4 shall be applied correspondingly to the designation and dissolution of the designation of the Developed Area and the alteration of its boundary.

(Regulation for Utilization)

Article 24. Within the Special Area or Developed Area, no one shall perform the acts mentioned in the following items:

- (1) Dumping refuse and other filth or waste or leaving them as they are in such manners as give remarkably unpleasant feelings to those utilizing the National Park or Quasi-national Park concerned;
 - (2) Letting remarkably offensive odors exhale, sending out disturbing noises with loud speakers, radios, etc., occupying waywardly observation points, pavillions, etc., touting in such manners as cause one to feel sickening, or else causing annoyance to those utilizing the National Park or Quasi-national Park concerned.
2. The competent personnel of the State or of the prefecture, when any one is found performing the act mentioned in item 2 of the preceding article within the Special Area or Developed Area, may give instructions to stop the act.

3. The personnel provided for in the preceding paragraph shall carry identification papers with them and present them at the interested party's request.

SECTION 5. EXPENSES

(Expenses Necessary for Execution of Park Work)

Article 25. The expenses necessary for the execution of the Park Work shall be borne by the one who executes the Park Work concerned.

(Subsidy from State)

Article 26. The State may subsidize, within the limits of budgetary appropriation, part of the expenses necessary for the execution of the Park Work for the prefecture, that executes the Park Work concerned, in accordance with that which is prescribed by the Cabinet Order.

(Charge to Local Public Body)

Article 27. In case that the State executes the Park Work concerning the National Park, when the execution of the Park Work concerned gives any special benefit to any local public body, the State may charge a part of the expenses necessary for the same execution to the same local public body within the limits of the benefits it receives.

2. In case that the State intends to charge a part of the expenses necessary for the execution of the Park Work to the local public body in accordance with the provision of the preceding article, the State shall seek the opinion of the local public body concerned.

(Charge to Beneficiary)

Article 28. The State or the local public body, in case that there is any one who receives special benefit through the execution of the Park Work, may charge a part of the expenses necessary for the execution of the Park Work concerned to the same one within the limits of the benefits he receives.

(Charge to Causes)

Article 29. The State or the local public body, in case that the execution of the Park Work is made necessary by any other construction work or another's act or work, may charge all or a part of the expenses concerned, within the limits of the necessity for the execution of the Park Work, to one who bears the expenses of the construction work or the act or work which has made such a cause.

(Method of Collection of Shares, etc.)

Article 30. The method of the collection of the shares in accordance with the provisions of the preceding 3 articles and other necessary matters concerning the shares shall be prescribed by the Cabinet Order

(Exception from Application)

Article 31. The provisions of this section shall not be applied to the works concerning the roads under the Road Law and other works that are

provided for otherwise, in other laws, concerning the expenses necessary for the execution thereof.

SECTION 6. MISCELLANEOUS PROVISIONS

(On-the-spot Survey)

Article 32. The Minister of Health and Welfare or the governor of the prefecture, and the State organs other than the Minister of Health and Welfare, when the former on the designation of the National Park or Quasi-national Park, decision on the Park Scheme, or decision on or execution of the Park Work, and the State organs other than the Minister of Health and Welfare on the execution of the Park Work find the necessity of the on-the-spot surveys, may respectively have their competent personnel enter the lands of others, set up land marks, survey the lands, fell or remove the trees and bamboos, or hedges or fences, etc.; provided that, in case that any provision concerning the on-the-spot survey is found in the Road Law or other laws, the same provision shall be preferentially obeyed.

2. The State organs or the governor of the prefecture, when they intend to have their competent personnel perform the works in accordance with the provision of the preceding article, shall previously notify the fact to the owner (when the address of the owner is unknown, the occupant thereof; hereinafter, the same) and occupant of the same land and the owner of the trees and bamboos or the hedges, fences, etc., and thus give them the opportunity for presenting their written opinions.
3. The personnel under paragraph 1 shall not enter the building lot or the land enclosed with hedges, fences, etc., before daybreak and after dark.
4. The personnel under paragraph 1 shall carry the identification papers with them and present them at the interested party's request.
5. The owner or occupant of the land or the owner of trees and bamboos or hedges or fences shall not deny or interfere with the entry or setting up of the land marks or other acts under paragraph 1, without any good reasons.

(Arbitration of Land Regulation Committee)

Article 33. Deleted.

Article 34. One who has been dealt with the measure by the Minister of Health and Welfare or the governor of the prefecture under the provision of Article 17 paragraph 3, Article 18 paragraph 3 or Article 20 paragraph 2 and has any complaint against it, may apply for the arbitration to the Land Regulation Committee, when the reason of his complaint is upon the regulation with the mining or stone-quarrying enterprise. In this case, the person can not make complaint in accordance with the Administration Complaint Examination Law (Law No. 160 of 1962).

2. Article 18 of the Administration Complaint Examination Law shall apply correspondingly, in case of the disposition of the preceding Article, the disposition authority instructs erroneously that the person can claim reexamination or complaint.

(Loss Compensation)

Article 35. The State shall make compensation for the loss liable to occur under ordinary circumstances to one who suffers the loss by the impossibility to obtain the permission under Article 17 paragraph 3 or Article 18 paragraph 3, by the conditions attached to the permission in accordance with the provision of Article 19 or by the measure taken in accordance with the provision of Article 20 paragraph 2.

2. One, who intends to claim the compensation in accordance with the preceding article, shall claim it from the Minister of Health and Welfare.
3. The Minister of Health and Welfare, when he has received the claim in accordance with the provision of the preceding article, shall decide upon the sum of the compensation and notify it to the claimant concerned.
4. To one, who suffers the loss by the act of the competent personnel in accordance with the provision of Article 32 paragraph 1, the loss liable to occur under ordinary circumstances shall be compensated by the State in the case of the designation of the National Park or Quasi-national Park, decision of the Park Scheme or Park Work or execution of the Park Work by the State, and by the prefecture in the case of the execution of the Park Work by the prefecture.
5. The provisions of paragraphs 2 and 3 shall be applied correspondingly to the compensation of the loss under the provision of the preceding article; in this case, "the Minister of Health and Welfare" in paragraphs 2 and 3 shall read as "the competent minister or governor of the prefecture".

(Institution of Appeal)

Article 36. One, who is dissatisfied with the decision under the provision of paragraph 3 of the preceding article (including the case of the corresponding application under paragraph 5 of the same article 7) may claim the increase of the sum of the compensation by the appeal within 3 months counting from the day of the notification received concerned.

2. In the complaint of the preceding paragraph, the government shall be the defendant.

(Compulsory Collection of Shares)

Article 37. In case that any one, who does not pay the share to be paid to the State in accordance with the provisions of this Law, is found, the Minister of Health and Welfare shall press him for the payment

of it with the time-limit of its payment by the demand note.

2. In the preceding case, the Minister of Health and Welfare may impose the arrears as provided for by the Ordinance of Ministry of Health and Welfare; provided that the arrears shall be decided upon within the limits of the amount calculated at the rate of 4 sen per diem for every 100 yen.
3. In case that the one, who has received the demand, does not pay the sum to be paid by the appointed time-limit, the Minister of Health and Welfare may impose the share and the arrears provided for by the preceding 2 articles. In this case, the order of the share and arrears in the right of priority shall be next to those of the national tax and the local taxes.
4. The arrears shall be prior to the share.

(Delegation of Power)

Article 38. Part of the power of the Minister of Health and Welfare prescribed in this Law may be delegated to the governor of the prefecture, as provided for by the Cabinet Order.

(Consultation)

Article 39. The Minister of Health and Welfare, when he intends to carry out the designation of the National Park or Quasi-national Park, expansion of the boundary thereof, decision upon or alteration of the Park Scheme, or designation of the Special Area or Specially Protective District or expansion of the boundary thereof, shall consult with the heads of the interested administrative organs.

2. The State organs other than the Minister of Health and Welfare, when they intend to execute the Park Work concerning the National Park in accordance with the provision of Article 14 paragraph 1, shall consult with the Minister of Health and Welfare.
3. The State organs, when they intend to execute the Park Work concerning the Quasi-national Park in accordance with the provision of the proviso to Article 15 paragraph 1, shall consult with the Minister of Health and Welfare.

(Special Cases with State)

Article 40. As to the work carried out by the State organs, the permission in accordance with the provision of Article 17 paragraph 3, or Article 18 paragraph 3 need not be obtained. In this case, the State organ concerned, when it intends to carry out the same work, shall previously consult with the Minister of Health and Welfare in the case of the National Park, or with the governor of the prefecture in the case of the Quasi-national Park.

2. The State organ, when it has carried out or intends to carry out the work requiring to be notified in accordance with the provisions of Article 17 paragraph 4 to 6, Article 18 paragraph 4 or paragraph 5, or Article 20 paragraph 1, shall notify the fact to the governor

of the prefecture following the examples of notification in accordance with these provisions.

3. The Minister of Health and Welfare or the governor of the prefecture, when they deem it necessary for the protection of the landscapes of the park concerned on the receipt of the notification following the examples of reporting in accordance with the provision of Article 20 paragraph 1, may seek conference with the State organ concerned on the measure to be taken for the protection of the landscapes.

CHAPTER III. PREFECTURAL NATURAL PARKS

(Designation)

Article 41. The prefecture may designate the Prefectural Natural Park with specification of its boundary, as prescribed by prefectural ordinance.

(Protection and Utilization)

Article 42. The prefecture may, for the purpose of preserving the scenic beauty of the Prefectural Natural Park, designate the Special Area within its boundary as prescribed by prefectural ordinance and, besides, as to the works or acts performed within the Special Area and within the boundary of the same Prefectural Natural Park out of the Special Area, may prescribe necessary regulation by prefectural ordinance within the limits of the regulation in accordance with the provisions of Section 4 of the preceding chapter on the works or acts respectively within the Special Area or Ordinary Area of the Prefectural National Park.

2. The prefecture may, for the purpose of consolidating in groups the facilities for the utilization of the Prefectural Natural Park, as prescribed by prefectural ordinance, designate the Developed Area within its boundary and, besides, following the examples under the provision of Article 24, prohibit, by prefectural ordinance the works or acts mentioned in any of the times of paragraph 1 of the same article within the Special Area and Developed Area.

(On-the-spot Survey)

Article 43. The prefecture, when necessity is found for the on-the-spot survey on the Prefectural Natural Park, may prescribe that the governor of the prefecture, following the examples under the provision of Article 32, may have the competent personnel enter the lands of others or after the example under the provision of Article 32, perform such as setting up of land marks or other works or acts provided for in paragraph 1 of the same article.

(Loss Compensation)

Article 44. The prefecture shall make compensation for the loss liable to occur under ordinary circumstances to one who suffers the loss by the measure under the provision of the regulations based upon the provision of Article 42 paragraph 1 or by the work or act of the

personnel concerned in accordance with the provision of prefectural ordinance based upon the provision of the preceding article.

(Arbitration of Land Regulation Committee)

Article 45. Of those who have been treated with the measure taken by the governor of the prefecture in accordance with the provision of prefectural ordinance based upon the provision of Article 42 paragraph 1, any one, who has any complaint against the measure, may apply to the Land Regulation Committee for the arbitration, when the reason for the complaint is concerned with the regulation with the mining industry or stone-quarrying enterprise. In this case, the latter part of paragraph 1 and paragraph 2 of Article 34 shall apply correspondingly.

(Consultation, etc.)

Article 46. The prefecture, when it intends to designate the Special Area of the Prefectural Natural Park or expand its boundary, shall consult with the heads of the related local administrative organs.

2. To the special cases concerning the works carried out by the State organs in the case where the prefecture has prescribed the regulation over the works within the boundary of the Prefectural Natural Park by prefectural ordinance based upon the provision of Article 42 paragraph 1.

(Report, Advice or Recommendation)

Article 47. The Minister of Health and Welfare may seek necessary report on the Prefectural Park from the prefecture.

2. The Minister of Health and Welfare may give the prefecture necessary advice or recommendation on the administration of or techniques for the Prefectural Natural Park.

(Relation with National Park or Quasi-national Park)

Article 48. The boundary of the National Park or Quasi-national Park shall not be included in the boundary of the Prefectural Natural Park.

(CHAPTER IV. PENAL PROVISIONS. Omitted.)

SUPPLEMENTARY PROVISIONS

(Date of Enforcement)

1. This Law shall be enforced as from October 1, 1957.

(Abrogation of National Park Law)

2. The National Park Law (Law No. 36 of 1931) shall be abrogated.

SPECIAL MEASURES LAW FOR THE PRESERVATION OF
HISTORICAL CLIMATE IN ANCIENT CAPITALS

(Law No. 1 of January 13, 1966)

Amended by: Law No. 60 of April 28, 1966

(Object)

Article 1. The object of this law is to stipulate special measures to be taken by the State, etc., for the purpose of preserving historical climate in ancient capitals, which all the nation should equally enjoy the benefit thereof and which shall be succeeded to posterity nations as cultural assets peculiar to Japan, thereby promoting the love for the realm, and contributing to the elevation and development of culture in general.

(Definitions)

Article 2. In this law, the term "ancient capital" means the cities of Kyoto, Nara and Kamakura which occupy historically significant status as the center of government and culture, etc., of Japan in the past, as well as other cities, towns and villages to be stipulated in cabinet order.

2. In this law, "historical climate" means the situation of the area in which buildings and remains, etc., which have significance in Japanese history, embody and formulate the tradition and culture in ancient capitals in perfect harmony with surrounding natural environment.

(Duties, etc., of the State and local public bodies)

Article 3. The state and local public bodies shall make the purport of the law known, and besides, endeavour to fairly administer the law in such a way that the historical climate in ancient capitals be adequately preserved.

2. The nation at large shall endeavour to understand the purport of the law and not to act in contravention thereof in any way, and at the same time, cooperate in the measures to be taken by the State and local public bodies in order to attain the purport of the law.

(Designation of area in which historical climate shall be preserved)

Article 4. The Prime Minister shall be at liberty to designate the area of land necessary to preserve historical climate in ancient capitals, as area in which historical climate shall be preserved, after deliberation with the chief of administrative organs concerned, concurrently with hearing the opinion of local public bodies concerned as well as of Historical Climate Council.

2. The Prime Minister shall publish in the Official Gazette, when designating the area in which historical climate shall be preserved, to that effect and the area thereof.

3. The provisions of the preceding two paragraphs shall apply mutatis mutandis as to the alteration of the area in which historical climate shall be preserved.

(Plan for preservation of historical climate)

Article 5. The Prime Minister, when he designated the area in which historical climate shall be preserved, shall decide the plan for preservation of historical climate (to be referred to hereinafter in this law as "historical climate preservation plan") in regard to the area in which historical climate shall be preserved, after deliberation with the chief of administrative organ concerned, concurrently hearing the opinion of local public bodies concerned as well as of Historical Climate Council.

2. In the historical climate preservation plan, the following items shall be decided.
 - (1) Items concerning the control of acts within historical climate preservation area, and maintenance as well as preservation of historical climate;
 - (2) Items concerning the consolidation of facilities which are deemed necessary in connection with the preservation of such historical climate in the historical climate preservation area;
 - (3) Items concerning the standard of designation of historical climate special preservation area;
 - (4) Items concerning the purchase of land in accordance with provisions of Article 11.
3. The Prime Minister shall, when the preservation plan of historical climate has been decided, publish it in the Official Gazette, concurrently sending the same to the chief of administrative organ concerned and local public bodies concerned.
4. The provisions of the three preceding paragraphs shall apply mutatis mutandis to the alteration of historical climate preservation plan.

(Designation of historical climate special preservation area)

Article 6. The Minister of Construction shall be at liberty to designate historical climate special preservation area (to be referred to hereinafter as "special preservation area") as city planning facilities, according to procedure stipulated in the Cities Planning Law (Law No. 36 of 1919), with regard to the area constituting the essential portion of historical climate preservation area concerned, for preservation of historical climate, within historical climate preservation area.

2. Fu and prefecture shall be bound, when the designation of special preservation area has been made, to set up a sign indicating thereon in the area. In this case, the owner or possessor of the land within special preservation area shall not refuse or obstruct the establishment thereof.

(Notice of acts to be engaged within historical climate preservation area)

Article 7. Any person intending to be engaged in the acts enumerated in any of the following items within historical climate preservation area (except special preservation area), shall previously make notice thereon to the governor of Fu or prefecture, as stipulated in cabinet order. However, this shall not apply to usual acts of control, minor acts and such other acts as are stipulated in cabinet order, as well as such acts as are done as expeditious measures required in the case of calamity.

- (1) Constructing anew, reconstructing or extension of building or structure;
 - (2) Alteration of the character of land such as formation of building land, land development, etc.;
 - (3) Felling of trees and bamboos;
 - (4) Collecting of soil and stones, and the like;
 - (5) Besides the acts mentioned above, such acts as are likely to unfavourably affect the preservation of historical climate, and which are stipulated in cabinet order;
2. The governor of Fu or prefecture is at liberty to give the person who made the notice, necessary advice or recommendations in case the notice prescribed in the preceding paragraph has been made, if it is deemed necessary for the preservation of historical climate.
3. The organs of the State, when intending to perform acts which are required to make notice under the provisions of paragraph 1, shall notify the governor of Fu or prefecture previously to that effect.

(Restrictions upon acts within special preservation area)

Article 8. The acts enumerated in the following items shall not be performed within special preservation area, unless permission therefor has been previously obtained from governor of Fu or prefecture concerned. However, this shall not apply to usual acts of control, minor acts and such other acts as are stipulated in cabinet order, acts which are done as expeditious measures required in the case of calamity, as well as the acts which are already commenced at the time of the designation of the special preservation area concerned.

- (1) Constructing anew, reconstructing or extension of building or structure;
 - (2) Alteration of the character of land such as formation of building land, land development, etc.;
 - (3) Felling of trees and bamboos;
 - (4) Collecting of soil and stones, and the like;
 - (5) Colouring of building and other structures;
 - (6) Indication or posting of outdoor advertisements;
 - (7) Except those mentioned in the preceding items, acts which are likely to unfavourably affect the preservation of historical climate and which are stipulated in cabinet order.
2. Governor of Fu or prefecture shall not give permission according to the preceding paragraph to the acts enumerated in each item of preceding paragraph which fail to conform to the standards stipulat-

ed in cabinet order.

3. The Minister of Construction shall previously hear the opinion of Historical Climate Council, when he intends to draft the enactment as well as amendment or abolishment of proviso to paragraph 1, or item 7 of the same paragraph or the cabinet order in the preceding paragraph.
4. To the permission of paragraph 1, term or other conditions may be attached to the extent necessary to preserve historical climate.
5. Governor of Fu or prefecture may, in case when he deems it necessary for preservation of historical climate, order the person who violated the provisions of paragraph 1 or conditions attached to the permission under the provisions of preceding paragraph, the restoration to original status, or when the restoration to the original status is exceedingly difficult, to take necessary steps in substitution therefor. In this case, as regards execution by proxy in the case of failure in performing the acts ordered, the provisions of the Law of Administrative Execution by Proxy (Law No. 43 of 1948) shall apply.
6. Governor of Fu or prefecture shall, when he intends to order to take necessary measures for restoration to original status or measures substituting these (to be referred to hereinafter as "restoration to original status, etc.") under the provisions of former part of preceding paragraph, hear from the person to whom the order of restoration to original status shall be issued. However, this provision shall not apply in cases when the person fails to attend hearing without good reason, or in cases of urgent necessity.
7. In the cases when the order of restoration to original status is intended to be issued under provisions of former part of paragraph 5, and it is unable to confirm the person to whom the order of restoration to original status, etc., shall be issued without fault, the governor of Fu or prefecture may himself carry out the restoration to original status, or cause to be carried out by the person he ordered or commissioned, at the expense of the person to whom the order of restoration to original status shall be duly issued. In this case, previous public notice shall be made to the effect that the restoration should be carried out within reasonable period and that, in case the restoration to original status fails to be perfected until the prescribed limit, person ordered or commissioned by governor of Fu or prefecture shall undertake the restoration to original status, etc.
8. The permission under paragraph 1 shall not be required in regard to the acts performed by the State. In this case, the State organs concerned, which intend to perform the acts, shall previously deliberate with governor of Fu or prefecture thereon.

(Compensation of losses)

Article 9. In case any person sustains a loss as the result of failing to obtain permission stipulated in paragraph 1 of preceding article, Fu or prefecture shall compensate the loss usually incurred by the person adversely affected thereby. However, this provision shall not apply to acts for which application has been made in the case when coming under any one of the following items:-

- (1) In connection with acts for which application has been made for permission of paragraph 1 of the preceding article, when permission is required under provisions of law provided for in Article 10 (including order based thereon; the same shall apply hereinafter in this item), the disposition of refusing permission has been given;
 - (2) When the acts, for which application has been made under paragraph 1 of preceding Article, are deemed to be significantly incompatible with the purport of designating special preservation area from the standpoint of universally accepted social idea.
2. Governor of Fu or prefecture shall deliberate with the person who sustained losses concerning the compensation of losses under the provisions of the preceding paragraph.
 3. In case when the deliberation under the provisions of the preceding paragraph fails to be materialized, governor of Fu or prefecture or person who sustained losses shall be at liberty to apply for decision under the provisions of Article 94 of the Land Expropriation Law (Law No. 219 of 1951) to Expropriation Council, in conformity with the stipulations of cabinet order.

(Application of other laws concerning prohibition or limitation of acts)

Article 10. The provisions of Articles 7 and 8 shall not preclude the application of provisions of Cities Planning Law, Architectural Standard Law (Law No. 201 of 1950), Cultural Properties Protection Law (Law No. 214 of 1950), Law for the Construction of International Culture and Tourism City in Nara (Law No. 250 of 1950), Law for Construction of International Culture and Tourism City in Kyoto (Law No. 251 of 1950) and other laws (including cabinet orders based thereon), concerning the prohibition or limitation of new construction, reconstruction or extension of building or structures, alteration of the character of land and other acts, within historical climate preservation area.

(Purchase of land)

Article 11. Fu or prefecture shall, in regard to land within special preservation area which is deemed necessary for preservation of historical climate, when representation has been made from the owner of the land concerned, for purchase of the land by Fu or prefecture on account of the fact that the use of the land is considerably hindered due to inability to obtain permission stipulated in paragraph 1 of Article 8, purchase the land concerned.

2. The price of land when the purchase above referred to is made shall be the current price, and should be calculated on the basis of appraisal standard as provided for in cabinet order.

(Control of purchased land)

Article 12. Fu or prefecture shall control the land purchased under provisions of preceding Article, in a way to conform to the object of the present law.

(Expenses required for enforcement of historic climate preservation plan)

Article 13. The State shall plan to secure the fund required for enforcing historical climate preservation plan, and besides, endeavour to promote the enforcement thereof within the bounds financially acknowledged by the State.

(Burden of expenses and subsidy)

Article 14. The State shall, as regards the expenses required for compensation of losses under the provisions of Article 9 as well as the expenses required for purchase of land under the provisions of Article 11, bear a portion thereof as stipulated by cabinet order.

2. The State shall be at liberty, as regards the expenses required for maintenance and preservation as well as equipment of facilities of historical climate carried out under historical climate preservation plan, to subsidize local public bodies a portion thereof within bounds of budget, as stipulated by cabinet order.

Article 15. Deleted.

(Historical Climate Council. Omitted.)

(Reporting and investigation upon entry, etc.)

Article 18. Governor of Fu and prefecture shall be at liberty to require report on the status of enforcement of acts enumerated in each item of paragraph 1 of Article 8 and other necessary items, when deemed necessary for the preservation of historical climate, from the owner of land and other interested persons in the special preservation area to the extent necessary therefor.

2. Governor of Fu or prefecture, when deemed necessary in order to exercise the authority under paragraphs 1, 4 and the former part of paragraph 5 of Article 8, shall be at liberty to cause his personnel to enter the land in special preservation area and study the situation, or inspect the status of enforcement of acts enumerated in each item of paragraph 1 of the said Article, to the extent necessary therefor.
3. The personnel provided for in the preceding paragraph shall carry an identification card, which shall be produced upon request of persons concerned.
4. The authority of investigation upon entry or inspection upon entrance shall not be construed as having been granted for the sake of criminal search.

(Special rules in big cities)

Article 19. In the present law, the business which is deemed as one to be disposed of by Fu or prefecture or belonging to the competency of governor of Fu and prefecture shall, in the case of cities designated under paragraph 1 of Article 252-19 of the Local Autonomy Law (Law No. 67 of 1947)(to be referred to hereinafter as "designated cities"), be disposed of by the designated cities, or carried out by the mayors of designated cities. In this case, the provisions concerning Fu or prefecture or governor of Fu or prefecture shall apply to designated cities or mayors of designated cities, as provisions relative to the designated cities or mayors of designated cities.

(PENAL PROVISIONS. Omitted.)

SUPPLEMENTARY PROVISIONS

(Date of enforcement)

1. The present law shall come into force from the day fixed in cabinet order, within 6 months counting from the day of promulgation thereof.

