
MAJOR LEGISLATION

Jan. – Dec., 1984

1. Constitutional and Administrative Law

Administrative Law

Review of Principal Legislations

Because of ripe opportunities for administrative reform, many laws concerning administrative organizations, tax and public finance were created or amended during the fiscal year of 1984. Several laws, mainly dealing with the above areas, will be introduced below.

(a) Laws concerning administrative organizations: The Ministry of Transport Organization Ordinance (Ordinance No. 175 of 1984, proclaimed on June 6, 1984, and coming into force on July 1) totally amended the Ministry of Transport Organization Ordinance and reorganized the internal bureaus of the home office of the Ministry of Transport for the purpose of creating an integrated and efficient transport administration. The Management and Coordination Agency Organization Ordinance (Ordinance No. 181 of 1984, proclaimed on June 9, 1984, and coming into force on July 1) founded the Director-General's Secretariat and

the Personnel Bureau as internal bureaus and stipulated the work to be assigned to these bureaus. It also provided for the founding of, *inter alia*, the Pension Judging Committee. The Ministry of Posts and Telecommunications Organization Ordinance (Ordinance No. 183 of 1984, proclaimed on June 13, 1984, and coming into force on July 1) totally amended the Ministry of Posts and Telecommunications Organization Ordinance, changing the rules concerning the foundation of bureaus and offices such as the Minister's Secretariat of the Ministry of Posts and Telecommunications and reorganizing the internal bureaus so as to promote an integrated telecommunication administration in step with economic and social changes.

The Ordinance for Partial Amendment of the Ministry of Foreign Affairs Organization Ordinance (Ordinance No. 205 of 1984, proclaimed on June 21, 1984, effective as of July 1, 1984) provided rearrangement of the various sections of the Economic Affairs Bureau, the Economic Cooperation Bureau, and the United Nations Bureau. The Ordinance for Partial Amendment of the Ministry of Home Affairs Organization Ordinance (Ordinance No. 210 of 1984, proclaimed on June 21, 1984, effective as of July 1, 1984) made amendments providing for the founding of an inquiry commission.

Further, the Ministry of Education Organization Ordinance (Ordinance No. 227 of 1984, proclaimed on June 28, 1984, and becoming effective on July 1) totally amended the Ministry of Education Organization Ordinance and rearranged the rules concerning the organization and affairs of the Ministry of Education for the purpose of efficient educational administration and its integrated promotion. In addition, many other ordinances and rules relating to the internal organization of government ministries were comprehensively or partially amended.

(b) Laws and ordinances concerning taxes and public finance: The Law for Partial Amendment of the Local Taxes Act (Law No. 7 of 1984, proclaimed on March 31, effective as of April 1 (though in parts effective from June 1 of the same year, January 1 or April 1, 1986)) amended the Local Taxes Act so as to

increase tax deductions and allowances such as basic deductions on individual resident tax in order to reduce and rationalize people's tax loads. This law was enacted in light of the local financial situation. The Law for Partial Amendment of the Customs Act (Law No. 8 of 1984, proclaimed on March 31, coming into force on April 1) altered tariff rates and the preferential tariff system in an effort to open the Japanese market in response to changes in domestic and international economic circumstances. The Law for Partial Amendment of the Corporation Tax Act (Law No. 4 of 1984, proclaimed on March 31, effective from April 1) abolished the deferred payment system for corporate taxes and introduced a duty to do simplified bookkeeping also on corporations not adopting the system of "blue" return so as to achieve a fairness in taxation in light of changes in the financial system. The Law for Partial Amendment of the Income Tax Act (Law No. 5 of 1984, proclaimed on March 31, coming into force on April 1) increased the amount of the basic deductions, and allowances for feeding a spouse, and increased allowances for dependents. In addition, it revised the rates of taxation so as to reduce the marginal rates of taxation, thus reducing the income tax load and promoting fairness in taxation. The Law for Partial Amendment of the Tax Allocation to Local Governments Act, etc. (Law No. 37 of 1984, proclaimed and coming into force on May 23, 1984) made amendments to the Tax Allocation to Local Governments Act, which aim was to rationalize the total amount of the tax allocated to local governments. The Law for Special Measures to Secure the Revenue Source Necessary for Financial Operations of Fiscal 1984 (Law No. 52 of 1984, proclaimed and coming into force on June 30, 1984) provided special measures to secure a revenue source necessary for financial operations in the 1984 fiscal year by allowing the issue of special bonds within the limit of the budget decided in the Diet, imposed upon the Nippon Telegram and Telephone Public Corporation the duty to pay the government 20 billion yen out of its profit from the fiscal year preceding the 1984 business year by the end of March 1985 and approved the issue of bonds to finance the

refunding of special bonds that had been issued before and in the same fiscal year. The Tobacco Business Act (Law No. 68 of 1984, proclaimed on August 10, 1984, and effective from April 1, 1985) abolished the tobacco monopoly system so as to ensure the efficient operation of the tobacco business and provided measures aimed at achieving sound development in the Japanese tobacco industry, securing stable income from taxes imposed on finished tobacco and contributing to the sound development of the national economy. In relation to these measures, the Japan Tobacco Industry Corporation Act (Law No. 69 of 1984, proclaimed and coming into force on April 10, 1984) was established to found the Japan Tobacco Industry Corporation being a reorganization of the Japan Tobacco and Salt Public Corporation. The new corporation was empowered to manufacture and sell finished tobacco. The Salt Monopoly Act (Law No. 70 of 1984, proclaimed on August 10, 1984, and effective as of April 1, 1985, with some exceptions) provided the necessary measures for the Japan Tobacco Industry Corporation to take over operation of the salt monopoly business, provided measures for the Japan Tobacco and Salt Public Corporation to be reorganized into the J.T.I. Corporation and provided for the rearrangement of the salt monopoly system. In addition, the Ordinance for Partial Amendment of the Income Tax Act Enforcement Ordinance (Ordinance No. 328 of 1984, proclaimed on November 24, 1984, and effective from December 1 (but was effective as for commutation allowances as of April 1984)) raised the limit of income tax exemption for commutation allowances. The Ordinance for Partial Amendment of the Local Public Entity Commission Ordinance (Ordinance No. 6 of 1984, proclaimed on February 3, 1984, coming into force on April 1 with some exceptions) raised the maximum limit of the commission for executing examinations for administrative scriveners which governors of prefectures were entitled to collect. The Law for Temporary Exceptions Made for Income Tax and Corporation Tax on Subsidies for Reorganization of Paddyfield Utilization for Fiscal 1984 (Law No. 1 of 1984, proclaimed and coming into force on February 15, 1984) pro-

vided the law to treat subsidies for reorganization of paddyfields as income (classified as temporary income) for individuals and provided measures to allow reduced value entry for corporations, reducing income tax and corporate tax loads.

(c) Others: The Law for Partial Amendment of the Act to Control Business Which May Affect Public Morals (Law No. 76 of 1984, proclaimed on August 14, 1984, coming into force on a date decided by the ordinance within 6 months after the date of proclamation) made provision for maintaining good morals and a “clean” moral environment in businesses which might corrupt the public morals, stipulated the need for rational operation of such businesses, and forbade activities that might affect the soundness of the nation’s youth. The law was prompted by recent changes in the social environment and the trend of increasing juvenile delinquency. As a result, the range of businesses which are deemed to affect public morals and to which the Act is applicable has been expanded and restrictions on them have been increased.

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2. Law of Property and Obligations

1. The Act Partially Amending the Copyright Act.

Promulgated on May 25, 1984. Ch. 46. Effective since Jan. 1, 1985.

The Act amended the Copyright Act (Law No. 48, 1970).

1. The Copyright Act

The Copyright Act 1899 was replaced by the present Copyright Act in 1970. According to the Copyright Act, “work”