

Police Legislation Model

Japan

The Japanese Police Law, 1954, and
The Police Duties Execution Law, 1948



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Geneva Centre for the
Democratic Control of
Armed Forces (DCAF)

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The Geneva Centre for the Democratic Control of Armed Forces (DCAF) promotes good governance and reform of the security sector. The Centre conducts research on good practices, encourages the development of appropriate norms at the national and international levels, makes policy recommendations and provides in-country advice and assistance programmes. DCAF's partners include governments, parliaments, civil society, international organisations and various security services such as police, judiciary, intelligence agencies, border security services and the military. Further information on DCAF is available at: www.dcaf.ch

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Introduction to the toolkit

Legislating for the security sector is a complex and difficult task. Many lawmakers thus find it tempting to copy legislation from other countries. This expedites the drafting process, especially when the texts are available in the language of the lawmaker, but more often than not, the result is poor legislation.

Even after being amended, the copied laws are often out of date before coming into effect. They may no longer be in line with international standards or they may not fully respond to the requirements of the local political and societal context. Copied laws are sometimes inconsistent with the national legislation in place.

In some cases, there is simply no model law available in the region for the type of legislation that is needed. This has been the case in the Arab region, where the security sector has only slowly begun to be publicly debated. It is thus difficult to find good model laws for democratic policing or for parliamentary oversight of intelligence services.

It is therefore not surprising that many Arab lawmakers have felt frustrated, confused, and overwhelmed by the task of drafting legislation for the security sector. They found it difficult to access international norms and standards because little or no resources were available in Arabic. Many of them did not know where to search for model laws and several were about to give up. Some eventually turned to DCAF for assistance.

The idea of a practical toolkit for legislators in the Arab region came when practitioners began looking for a selection of standards, norms and model laws in Arabic that would help them draft new legislation. Experts from the Arab region and DCAF thus decided to work together and develop some practical tools.

Who is this toolkit for?

This toolkit is primarily addressed to all those who intend to create new or develop existing security sector legislation. This includes parliamentarians, civil servants, legal experts and nongovernmental organisations. The toolkit may also be helpful to security officials

and, as a reference tool, to researchers and students interested in security sector legislation.

What is in the toolkit?

The bilingual toolkit contains a number of booklets in English and Arabic that provide norms and standards, guidebooks as well as practical examples of model laws in various areas of security sector legislation.

The following series have been published or are being processed:

- Police legislation
- Intelligence legislation
- Military Justice legislation
- Status of Forces Agreements

Additional series will be added as the needs arise. The existing series can easily be expanded through the addition of new booklets, based on demand from the Arab region.

For the latest status of publications please visit: www.dcaf.ch/publications

What is the purpose of this toolkit?

The toolkit seeks to assist lawmakers in the Arab region in responding to citizens' expectations. Arab citizens demand professional service from police and security forces, which should be effective, efficient and responsive to their needs. They want police and security organisations and their members to abide by the law and human right norms and to be accountable for their performance and conduct. The toolkit thus promotes international standards in security sector legislation, such as democratic oversight, good governance and transparency.

The toolkit offers easy access in Arabic and English to international norms as well as examples of legislation outside the Arab region. This allows to compare between different experiences and practices.

The scarcity of Arab literature on security sector legislation has been a big problem for Arab

lawmakers. The toolkit seeks to address this deficiency. One of its aims is to reduce time lawmakers spend on searching for information, thus allowing them to concentrate on their main task. With more information becoming available in Arabic, many citizens and civil society groups may find it easier to articulate their vision of the type of police and security service they want and to contribute to the development of a modern and strong legal framework for the security sector.

Why is it important to have a strong legal framework for the security sector?

A sound legal framework is a precondition for effective, efficient and accountable security sector governance because:

- It defines the role and mission of the different security organisations;
- Defines the prerogatives and limits the power of security organisations and their members;
- Defines the role and powers of institutions, which control and oversee security organisations;
- Provides a basis for accountability, as it draws a clear line between legal and illegal behaviour;
- Enhances public trust and strengthens legitimacy of government and its security forces.

For all these reasons, security sector reform often starts with a complete review and overhaul of the national security sector legislation. The point is to identify and address contradictions and the lack of clarity regarding roles and mandates of the different institutions.

How to use this tool?

Based on its history and political constitution, each federation or state has specific needs and expectations towards its police services. Police legislation should reflect these expectations. Despite their specific situation, countries can benefit from other nations' experience as well as from international standards and best practices in the field of police legislation/policing. The police series of the toolkit "Legislating for the Security Sector" facilitates the drafting process and development of police legislation by providing international standards and models of democratic and community-based (national) police legislation.

Although each police system is unique, some common elements for a sound structure of police legislation can be identified. The Editorial Board of the toolkit "Legislating for the Security Sector" developed a grid that highlights these elements. Typically, police laws should be concise and general, comprise only the most necessary provisions and refer to other relevant national legislation and international laws and standards. Specific issues and details should be addressed separately in regulatory texts, such as rules of procedure. The advantage of this method is that the legislation remains clearly structured and can be more easily amended as it does not necessarily need to pass the more complex legislative approval process.

This booklet contains the Japanese police legislation in its original form, as well as its articles reorganised by topic, as shown in Table 1. This allows legislators to easily identify the specific topics that need to be covered in a police law, as well as to compare between different models of laws.

Table1: *The analytical grid for comparing police legislation*

Subject	Content
Structure and context	<ul style="list-style-type: none"> • Description of the structure of the law • Context with the country's legal framework • Relation to the state and the community • Definition of stakeholders and actors
Vision and values	<ul style="list-style-type: none"> • Description of the vision for the police • Definition of guiding values
Mission	<ul style="list-style-type: none"> • Description of the police's mission
Relations and subordination	<ul style="list-style-type: none"> • Description of the relations between the police and other state institutions, such as judiciary or the military
Organisation	<ul style="list-style-type: none"> • Presentation of the internal organisation and structure of the police, such as hierarchy and chains of command
Personnel	<ul style="list-style-type: none"> • Issues concerning human resources, such as employment, police ethics and code of personal conduct
Duties and rights	<ul style="list-style-type: none"> • Description of the police's rights and duties, especially towards civil society
Accountability and transparency	<ul style="list-style-type: none"> • Issues of accountability, transparency and oversight of the police • Provisions concerning ombuds offices, compensation and related issues
Other	<ul style="list-style-type: none"> • Information not related to topics previously mentioned above • Clarifications regarding removed articles

The Japanese Police

Overview

Japan may owe its low crime rate to its strong and long-standing system of democratic policing. The Japanese Police Law of 1954 is still considered a good example of community-oriented policing. The police is organised on national and prefectural levels. This system offers a mix of centralisation and decentralisation, since police administration is the responsibility of the 47 prefectural governments, while the development of policies and standards is coordinated at the national level. The entities that operate on a national level are the National Public Safety Commission (NPSC) and the National Police Agency (NPA). Since the NPSC makes basic policy and the NPA administers police affairs, the NPSC has control over the NPA.

Who supervises the police?

The Diet (parliament) exerts the general democratic oversight of the Japanese police services, such as legislating or budget deliberation. Furthermore, the Diet is empowered to conduct investigations in relation to the administration of the police, and demand the presence and testimony of witnesses, or the production of records. In addition, the National and the Prefectural Public Safety Commissions supervise the police activities on their respective levels. Members of the commissions are appointed by the Prime Minister with the consent of the Diet, respectively by the Prefectural Governor, with the consent of the Prefectural Assembly. The neutrality of these bodies is contested. Some experts consider them as part of the police rather than being an independent body. In terms of public oversight, the mass media has played an important role in recent years, revealing several scandals, for instance, on corruption.

Community Policing

At the lower end of the police hierarchy are the so-called police boxes, 'Koban' in Japanese, in cities, and 'Chuzai-sho' in the rural areas. Unlike many other countries where the police centres its activity around the patrol car, the officers in these 'police boxes' usually patrol on foot or on bicycle.

The main tasks of the Koban and Chuzai-sho police officers are to regularly visit all houses and offices in their district, in order to stay informed about the general condition and situation of residents as well as to give crime prevention advice. They also provide community services, such as giving directions and acting as a 'lost-and-found' office. Citizens often stop Koban and Chuzai-sho officers with various needs and requests. It also publishes a mini-newspaper to inform residents about its activities as well as crime prevention measures. The police also supports private organisations that are active in crime prevention activities. These organisations function as kinds of 'auxiliary police bodies', dealing with issues such as traffic safety and neighbourhood watch.

Police legislation in Japan

The following legal texts contain provisions concerning the police:

- The Police Law (1954, covered in this booklet)
- The Police Duties Execution Law (1948, covered in this booklet)
- Regulation for the Operation of the Community Police (1969)
- Code of Criminal Procedure (1948).

The Police Law (1954) defines the structure and organisation of the police, as well as its procedures and functions on the national and prefectural levels. The Police Duties Execution Law (1948) describes the rights and duties of police officers. In addition, the Regulation for the Operation of the Community Police (1969) regulates the operation of Koban and Chuzai-sho. The Code of Criminal Procedure (1948) regulates all issues related to the judicial police.

Sources

- Federation of American Scientists, National Police Agency, <http://www.fas.org/im>
- M. Amir, Einstein S. (Editors): *Policing, Security and Democracy: Theory and Practice*, Huntsville, 2001

The Japanese Police Legislation, presented in the analytical grid

Subject	Articles of the Japanese Police Act
<p>Structure and context</p>	<p>Responsibilities and Duties of Police ARTICLE 2 Para 2 [...] authorities shall never be abused in any way such as to interfere with the rights and liberties of an individual guaranteed in the Constitution of Japan.</p> <p>Contents of Oath of Office ARTICLE 3 The oath of office shall be taken by all the personnel, who perform the police duties in accordance with this law, to be faithful to the obligation to defend and uphold the Constitution and laws of Japan, and [...]</p> <p>Ranks and Duties of Imperial Guard Officers ARTICLE 69 Para. 3 The imperial guard officers shall implement their duties provided for in the Criminal Procedure Law, through the procedure decided by the National Public Safety Commission, relating to crimes against the life, physical body or property of the Emperor, the Empress, the Prince and other Imperial Family members, crimes against the property of the Imperial Household, crimes committed inside the Imperial Palace, Imperial Residents, other facilities belonging to the Imperial Household, and facilities being used for hosting the Emperor, the Empress, the Prince and other Imperial Family members.</p> <p>Delegation to Cabinet Order ARTICLE 81 Unless otherwise specially provided for in this Law, the necessary matters for the enforcement of this Law shall be provided for by the Cabinet Order.</p>
<p>Vision and Values</p>	<p>Object of this Law ARTICLE 1 The object of this law is to establish an organisation of police capable of securing both the administration and the operation of police based upon the principle of democracy, at the same time efficiently performing police duties so as to protect the rights and liberties of an individual and maintain public safety and order.</p> <p>Responsibilities and Duties of Police ARTICLE 2 Para. 2 Activities of the police shall be strictly limited to the extent provided for in the preceding paragraph, and in performing their duties, they shall make it their principle to be impartial, nonpartisan, unprejudiced and fair, and their [...].</p>

<p>Vision and Values</p>	<p>Contents of Oath of Office ARTICLE 3 [...] perform their duties impartially, equitably, fairly and without prejudice.</p>
<p>Mission</p>	<p>Responsibilities and Duties of Police ARTICLE 2 Para. 1 Responsibilities and duties of the police are to protect the life, physical body and property of an individual, and take charge of prevention, suppression and investigation of crimes, as well as apprehension of suspects, traffic control and other affairs concerning the maintenance of public safety and order.</p>
<p>Relations and Subordination</p>	<p>Establishment and Organisation Article 4 There shall be established the National Public Safety Commission under the jurisdiction of the Prime Minister. The National Public Safety Commission shall be composed of a chairman and five members.</p> <p>General Affairs of the National Public Safety Commission ARTICLE 13 The general affairs of the National Public Safety Commission shall be handled by the National Police Agency.</p> <p>Commissioner General [of the National Police Agency] ARTICLE 16 Para. 1 The Commissioner General of the National Police Agency shall be the head of the National Police Agency, and he shall be appointed and dismissed by the National Public Safety Commission with the approval of the Prime Minister.</p> <p>Duties ARTICLE 17 The National Police Agency shall take charge of the affairs provided for in the items of paragraph 2, Article 5 under the supervision of the National Public Safety Commission, and shall assist the National Public Safety Commission with respect to the affairs provided for in paragraph 3 of the same article.</p> <p>Organisation and Authority ARTICLE 38 There shall be established the Prefectural Public Safety Commission under the jurisdiction of the prefectural governor.</p> <p>General Affairs of the Prefectural Public Safety Commission ARTICLE 44 The general affairs of the Prefectural Public Safety Commission shall be handled by the Metropolitan Police Department or the Headquarters of the other Prefectural Police.</p>

<p>Relations and Subordination</p>	<p>(Control of Prime Minister) ARTICLE 72 When the proclamation provided for in the preceding Article has been issued, the Prime Minister shall temporarily control the police forces in accordance with the provisions of this Chapter. In such case, the Prime Minister shall directly directly direct and supervise the Commissioner.</p> <p>Relation with Public Prosecutors ARTICLE 76 1. The relationship between the Public Prosecutors and the Prefectural Public Safety Commission and the police officers shall be subject to those provided for by the Code of Criminal Procedure. 2. The National Public Safety Commission and the Commissioner General shall at all times maintain close contact with the Public Prosecutor General.</p> <p>Use of State Property without Compensation ARTICLE 78 1. Irrespective of the provisions of Article 22 of the State Property Law (Law No. 73 - 1948) (includes the case which is applied mutatis mutandis in Article 19) and also of the provision of paragraph 1, Article 9 of the Financial Law (Law No. 34 - 1947), the State may allow the Prefectural Police the authorised use without compensation of any police educational or training facilities, police communication facilities, criminal identification facilities and other State properties for purposes of police activity which are necessary for the use of the Prefectural Police (meaning the State properties provided for in paragraph 1, Article 2 of the State Property Law), and other State owned goods. 2. The National Police Agency or Prefectural Police may mutually use the police communication facilities for liaison.</p>
<p>Organisation</p>	<p>Establishment [of the National Police Agency] ARTICLE 15 1. There shall be established the National Police Agency under the National Public Safety Commission.</p> <p>Commissioner General [of the National Police Agency] ARTICLE 16 1. The Commissioner General of the National Police Agency shall be the head of the National Police Agency, and he shall be appointed and dismissed by the National Public Safety Commission with the approval of the Prime Minister. 2. The Commissioner General of the National Police Agency (hereinafter referred to as "the Commissioner General") shall, subject to the supervision of the National Public Safety Commission, control the affairs of the National Police Agency, appoint and dismiss the personnel under his command, and control and supervise the performance of their duties, as well as direct and supervise the Prefectural Police concerning the functions of the National Police Agency.</p>

<p>Organisation</p>	<p>Deputy Commissioner General</p> <p>ARTICLE 18</p> <ol style="list-style-type: none"> 1. In the National Police Agency, there shall be appointed a Deputy Commissioner General. 2. The Deputy Commissioner General shall assist the Commissioner General, regulate the affairs of the Agency, and supervise the affairs of each internal bureau, as well as local and attached organisations. <p>Internal Bureaus</p> <p>ARTICLE 19</p> <ol style="list-style-type: none"> 1. In the National Police Agency, there shall be a Secretariat and the following five Bureaus: <ul style="list-style-type: none"> • Community Safety Bureau • Criminal Investigation Bureau • Traffic Bureau • Security Bureau • Information and Communications Bureau 2. There shall be the Organised Crime Department in the Criminal Investigation Bureau, and the Foreign Affairs and Intelligence Department in the Security Bureau. <p>Director General of Secretariat, Director Generals of Bureaus and Director General of Departments</p> <p>ARTICLE 20</p> <ol style="list-style-type: none"> 1. The Secretariat shall have a Director General of Secretariat, and each Bureau shall have a Director General of Bureau. 2. The Director General of Secretariat or the Director General of each Bureau shall administer the affairs of the Secretariat or the Bureau subject to the direction. 3. The Safety Department shall have a Director General of Department. 4. The Director General of Department shall administer the affairs of the Department subject to the direction. <p>Establishment of Divisions and their Functions</p> <p>ARTICLE 26</p> <ol style="list-style-type: none"> 1. The establishment of divisions of the National Police Agency (including an office and others similar to a division) and the scope of functions shall be provided for by the Cabinet Order.
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<p>Organisation</p>	<p>National Police Academy</p> <p>ARTICLE 27</p> <ol style="list-style-type: none">1. There shall be attached the National Police Academy to the National Police Agency.2. The National Police Academy shall conduct necessary education and training for police personnel to make them senior staff officers, and shall take charge of scientific researches relating to police matters.3. In the National Police Academy, there shall be a President.4. The location and the internal organisation of the National Police Academy shall be provided for by the Cabinet Office Ordinance. <p>Imperial Guard Headquarters</p> <p>ARTICLE 29</p> <ol style="list-style-type: none">1. The Imperial Guard Headquarters shall be attached to the National Police Agency.2. The Imperial Guard Headquarters shall take charge of the escort service for the Emperor, the Empress, the Crown Prince and other Imperial families, and the guard for the Imperial Palace and Imperial Villas, as well as the other affairs relating to the Imperial Guard.3. In the Imperial Guard Headquarters, there shall be a Chief.4. In the Imperial Guard Headquarters, there shall be established an Imperial Guard School, and it shall conduct necessary education and training for the personnel of the Imperial Guard.5. The location and the internal organisation of the Imperial Guard Headquarters shall be provided for by the Cabinet Office Ordinance. <p>Establishment of the Regional Police Bureau</p> <p>ARTICLE 30</p> <ol style="list-style-type: none">1. In the National Police Agency, there shall be established Regional Police Bureaus as local organisations for the purpose of taking charge of part of the functions provided for in items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 22, 23, 24, and 25 of paragraph 2, Article 5.2. The name, location and jurisdictional area of the respective Regional Police Bureaus shall be as shown in the following table.
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Organisation	Name	Location	Jurisdictive Area
	Tohoku Regional Police Bureau	Sendai City	Aomori Pref., Iwate Pref., Miyagi Pref., Akita Pref., Yamagata Pref. Fukushima
	Kanto Regional Police Bureau	Saitama City	Ibaragi Pref., Tochigi Pref., Gunma Pref., Saitama Pref., Chiba Pref., Kanagawa Pref., Niigata Pref., Yamanashi Pref., Nagano Pref., Shizuoka Pref.
	Chubu Regional Police Bureau	Nagoya City	Toyama Pref., Ishikawa Pref. Fukui Pref., Gifu Pref., Aichi Pref., Mie Pref.
	Kinki Regional Police Bureau	Osaka City	Shiga Pref., Kyoto Pref., Hyogo Pref., Osaka Pref., Nara Pref., Wakayama Pref.
	Chugoku Regional Police Bureau	Hiroshima City	Tottori Pref., Shimane Pref., Okayama Pref., Hiroshima Pref., Yamaguchi Pref.
	Shikoku Regional Police Bureau	Takamatsu City	Tokushima Pref., Kagawa Pref., Ehime Pref., Kochi Pref.
	Kyushu Regional Police Bureau	Fukuoka City	Fukuoka Pref., Saga Pref., Nagasaki Pref., Kumamoto Pref., Oita Pref., Miyazaki Pref., Kagoshima Pref., Okinawa Pref.
<p>Director General of the Regional Police Bureau, etc.</p> <p>ARTICLE 31</p> <p>There shall be appointed a Director General in the Regional Police Bureau.</p> <ol style="list-style-type: none"> 1. The Director General of the Regional Police Bureau shall control the affairs of the Regional Police Bureau, direct and supervise the police personnel under his command, as well as direct and supervise, subject to the direction of the Commissioner General, the Prefectural Police with respect to the functions of the Regional Police Bureau. 2. The internal organisation of the Regional Police Bureau shall be provided for by the Cabinet Order. <p>Regional Police School</p> <p>ARTICLE 32</p> <ol style="list-style-type: none"> 1. A Regional Police School shall be attached to the Regional Police Bureau. 2. The Regional Police School shall conduct, for police personnel, necessary education and training to make them staff officers and other necessary education and training. 3. In the Regional Police School, there shall be a Director. 			

<p>Organisation</p>	<p>4. The location and the internal organisation of the Regional Police School shall be provided for by the Cabinet Office Ordinance.</p> <p>Tokyo Metropolitan Police Information and Communications Division and Hokkaido Prefectural Police Information and Communications Division</p> <p>ARTICLE 33</p> <p>1. In the National Police Agency, there shall be established the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division as local organisations for the purpose of taking charge of part of the functions provided for in item 17 and 18, paragraph 2, Article 5 as to the areas of these two prefectures.</p> <p>2. In the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division, there shall be a Chief, respectively.</p> <p>3. The locations and the internal organisations of the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division shall be provided for by the Cabinet Office Ordinance.</p> <p>Establishment and Responsibilities</p> <p>ARTICLE 36</p> <p>1. There shall be established a Prefectural Police in each prefecture.</p> <p>2. The Prefectural Police shall be responsible for the affairs provided for in Article 2, as to the areas of the respective prefecture.</p> <p>Metropolitan Police Department and other Prefectural Police Headquarters</p> <p>ARTICLE 47</p> <p>1. There shall be established Metropolitan Police Department as headquarters of To Police, and a Prefectural Police Headquarters as headquarters of the other Prefectural Police.</p> <p>2. The Metropolitan Police Department and the other Prefectural Police Headquarters shall respectively take charge of the affairs of the Police and the other Prefectural Police under the supervision of the respective Prefectural Public Safety Commission-s, and shall assist the respective Prefectural Public Safety Commissions with respect to the affairs provided for in paragraph 3, Article 5 which shall be applied mutatis mutandis pursuant to paragraph 4, Article 38.</p> <p>3. The Metropolitan Police Department shall be located within the Special Ward, while the other Prefectural Police Headquarters, at the seats of the respective prefectural offices.</p> <p>4. The internal organisations of the Metropolitan Police Department and the other Prefectural Police Headquarters shall be provided for by by-law in accordance with the standard provided for by the Cabinet Order.</p> <p>Superintendent General and Chiefs of the Prefectural Police</p> <p>ARTICLE 48</p> <p>1. There shall be appointed a Superintendent General for To Police, and a Chief of the Prefectural Police in other Prefectural Police.</p>
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Organisation	<p>2. The Superintendent General and Chiefs of the Prefectural Police (hereinafter referred to as “a Chief of Police”) shall respectively, subject to the supervision of the respective Prefectural Public Safety Commissions, control the affairs of the Metropolitan Police Department and the other Prefectural Police Headquarters, and direct and supervise the police personnel of the To Police and the other Prefectural Police.</p>
	<p>Appointment and Dismissal of the Superintendent General</p>
	<p>ARTICLE 49</p>
	<p>1. The Superintendent General shall be appointed and dismissed by the National Public Safety Commission with the approval of the Prime Minister after obtaining the consent of the To Public Safety Commission.</p> <p>2. The To Public Safety Commission may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of the Superintendent General.</p>
	<p>Appointment and Dismissal of Chiefs of Police</p>
	<p>ARTICLE 50</p>
<p>1. Chiefs of Police shall be appointed and dismissed by the National Public Safety Commission with the consent of the respective Prefectural Public Safety Commissions.</p> <p>2. The respective Prefectural Public Safety Commissions may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of Chiefs of the Prefectural Police.</p>	
<p>Area Headquarters</p>	
<p>ARTICLE 51</p>	
<p>1. Do shall be divided into five or less jurisdictional areas, in each of which an Area Headquarters shall be established for the purpose of handling the police affairs as to the area. However, there shall not be established an Area Headquarters in the area where Do Police Headquarters is located.</p> <p>2. In each Area Headquarters, there shall be appointed a Chief of the Area Headquarters.</p> <p>3. The Chief of the Area Headquarters shall, subject to the supervision of the Area Public Safety Commission, control the affairs of the Area Headquarters, and direct and supervise the police personnel of the Area Headquarters subject to the directions of the Chief of Do Police.</p> <p>4. The provision of the preceding Article shall be applied mutatis mutandis to the Chief of the Area Headquarters.</p> <p>5. The number, name, and boundary of the area as well as the location of the Area Headquarters shall be provided for by by-law after asking the opinion of the National Public Safety Commission.</p> <p>6. The internal organisation of the Area Headquarters shall be provided for by by-law in accordance with the standard provided for by the Cabinet Order.</p>	

<p>Organisation</p>	<p>City Police Department</p> <p>ARTICLE 52</p> <ol style="list-style-type: none"> 1. There shall be established a City Police Department within the area of the designated city for the purpose of taking charge of part of the functions of Do, Fu and Ken Police headquarters as to the area of the designated city concerned. 2. In each City Police Department, there shall be appointed a Chief. 3. The Chief of the City Police Department shall control the affairs of the City Police Department, and direct and supervise the police personnel of the City Police Department subject to the directions of the Chief of Do, Fu and Ken Police. <p>Police Stations, etc.</p> <p>ARTICLE 53</p> <ol style="list-style-type: none"> 1. The area of each Prefecture shall be divided into districts, and in each of which a Police Station shall be established to exercise jurisdiction over the district. 2. In each Police Station, there shall be appointed a Chief. 3. The Chief of a Police Station shall, subject to the direction and supervision of the Superintendent General, a Chief of the Prefectural Police, a Chief of Area Headquarters or a Chief of the City Police Department, handle the police affairs as to its jurisdictional district, and direct and supervise the police personnel under his command. 4. The name, location and jurisdictional district of each Police Station shall be provided for by prefectural ordinance in accordance with the standard provided for by the Cabinet Order. 5. There may be established police-boxes including Koban or residential police-boxes as lower organisations of Police Stations. <p>Police Station Consultative Group</p> <p>ARTICLE 53-2</p> <ol style="list-style-type: none"> 1. In each Police Station, there shall be a Police Station Consultative Group. However, there may be no Police Station in areas with limited population within its jurisdiction or other considerable reasons. 2. The Police Station Consultative Group shall respond to inquiries relating to police affairs within the Police Station's jurisdiction by the Chief of the Police Station, and shall provide proposals to the Chief. 3. The Prefectural Public Safety Commission shall appoint the committees of the Police Station Consultative Group. 4. The establishment, the number of the committees, the term of the committees, and other relating affairs to the Police Station Consultative Group shall be provided for by prefectural ordinance. Affairs relating to the meeting procedure of the Consultative Group shall be provided for by the Regulation of the Prefectural Public Safety Commission. <p>Police Schools</p> <p>ARTICLE 54 Para. 1</p> <p>There shall be attached a Metropolitan Police School to the Metropolitan Police Department, and a Prefectural Police School to each Headquarters of the other Prefectural Police.</p>
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Organisation	<p>Detailed Matters of Organisation</p> <p>ARTICLE 58</p> <ol style="list-style-type: none"> 1. The organisation of the Prefectural Police shall be provided for by the Regulations of the Prefectural Public Safety Commission, unless provided for in this Section. <p>Section 4. Relationship among the Prefectural Police</p> <p>Obligation of Cooperation</p> <p>ARTICLE 59</p> <ol style="list-style-type: none"> 1. The Prefectural Police shall be obliged to cooperate with each other. <p>Request for Assistance</p> <p>ARTICLE 60</p> <ol style="list-style-type: none"> 1. The Prefectural Public Safety Commission may request the National Police Agency or other Prefectural Police for assistance. 2. In case a Prefectural Public Safety Commission wishes to make a request to other Prefectural Police for assistance in accordance with the provision of the preceding paragraph, it must inform the National Police Agency beforehand (an ex post facto notification in an unavoidable case) of the necessary matters. 3. The police officers of the National Police Agency or the Prefectural Police dispatched in compliance with the request for assistance provided for in paragraph 1 may exercise their authorities under the supervision of the Prefectural Public Safety Commission concerned within the jurisdictional area of the Prefectural Police supervised by the Prefectural Public Safety Commission who made the request for assistance. <p>Authorities on the Cases on or near the Boundaries of the Prefectural Jurisdiction</p> <p>ARTICLE 60-2</p> <ol style="list-style-type: none"> 1. The Prefectural Police, whose jurisdictional areas are adjacent or close to each other, may extend their authorities to the jurisdiction of the other Prefectural Police concerned by mutual agreement in order to handle any cases within the jurisdiction on or near the boundaries upon which it is deemed necessary, judging from the social and economical integrity and geographical conditions, to extend authority (limited to the areas whose distance from the boundaries has been provided for by the Cabinet Order). <p>Authorities on Nation-wide Organised Crimes</p> <p>Article 60-3</p> <ol style="list-style-type: none"> 1. A Prefectural Police may extend their authorities to the jurisdiction of the other Prefectural Police as far as necessary in order to handle nation-wide organised crimes. <p>Authority Outside of Jurisdictional Area</p> <p>ARTICLE 61</p> <ol style="list-style-type: none"> 1. The Prefectural Police may also extend their authorities even beyond the limit of their jurisdictional area within the scope of necessity for protection of the life, physical body, and property of the concerned parties within jurisdiction including residents and visitors, suppression and investigation of crimes, apprehension of suspects and other affairs concerning the maintenance of public safety within their jurisdictional area.
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<p>Organisation</p>	<p>2. In the case of the preceding paragraph, the Prefectural Police shall maintain close contact with the other Prefectural Police having jurisdiction over the area to which it extends their authorities.</p> <p>Direction and Communication concerning Joint Action of a Case</p> <p>ARTICLE 61-2</p> <p>1. The Superintendent General or Chief of Prefectural Police Headquarters may, in case the concerned Prefectural Police execute authority over jurisdiction of other Prefectural Police, or take a joint action with other Prefectural Police, when it is deemed necessary, cause a police officer of the concerned Prefectural Police to take command to the Prefectural Police officials, with regard to the disposition of the concerned case, within the scope of policy previously set up by discussion.</p> <p>2. The provision of Paragraph 2, Article 60 shall apply in case the discussion is to be held as provided for in the preceding paragraph.</p> <p>3. Prefectural Police Headquarters shall, when executing authority over jurisdiction of other Prefectural Police, keep close contact with the concerned Prefectural Police.</p> <p>Measures against Nation-wide Organised Crimes</p> <p>ARTICLE 61-3</p> <p>1. If necessary for the implementation of the measures against nation-wide organised crimes, the Commissioner General of the National Police Agency may direct the Prefectural Police in affairs relating to the arrangement of responsibilities for the measures among the relevant Prefectural Police and other affairs relating to the framework of police force for the measures.</p> <p>2. If necessary to follow the direction provided for in the previous paragraph, the Prefectural Police shall implement the measures prescribed in this section, including request for dispatching necessary police force against nation-wide organised crimes provided for in paragraph 1, Article 60, and extension of authorities to the jurisdiction of the other Prefectural Police in order to handle such crimes provided for in Article 60-3.</p> <p>Exercise of Authority of the Mobile Police, etc.</p> <p>ARTICLE 66</p> <p>1. With respect to the mobile police responsible for the transportation service covering the jurisdictional areas of two or more Prefectural Police, the police officers may exercise their authority within the jurisdictional areas of the Prefectural Police concerned in accordance with the agreement reached by the Prefectural Police concerned.</p> <p>2. In case it is deemed necessary to secure smooth traffic and prevent dangers within the areas provided for by the Cabinet Order of the driveway provided for in paragraph 8, Article 2 of the Road Transportation Law (Law No. 183 - 1951) and the area provided for by the Cabinet Order of the road stipulated by the Cabinet Order that is provided for in paragraph 1, Article 2 of the Road Law (Law No. 180 - 1952), both of which extend over the jurisdictional areas of two or more Prefectural Police, police officers may, following the way provided for by the preceding paragraph, exercise their authorities over any incidents occurring within the areas of the roads concerned within the jurisdictional areas of the Prefectural Police concerned.</p> <p>Ranks and Duties of Imperial Guard Officers</p> <p>ARTICLE 69. Para. 6</p> <p>The imperial guard officers and police officers shall cooperate with each other for their duties.</p>
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<p>Organisation</p>	<p>Order and Commands of the Commissioner General</p> <p>ARTICLE 73</p> <ol style="list-style-type: none"> 1. When the proclamation of a state of national emergency provided for in Article 71 has been issued, the Commissioner General shall give necessary orders to or command the Superintendent General or the Chief of the Prefectural Police who exercises jurisdiction over the area (hereinafter referred to as “the area of the proclamation” in this Article) set forth in the proclamation; while the Director General of the Regional Police Bureau shall also give necessary orders to or command the Chief of the Fu and Ken Police who exercises jurisdiction over the area of the proclamation. 2. When the proclamation of a state of national emergency provided for in Article 71 has been issued, the Commissioner General may order any of the Prefectural Police except for those exercising jurisdiction over the area of the proclamation to dispatch police officers to the area of the proclamation and other necessary areas. 3. When the proclamation of a state of national emergency provided for in Article 71 has been issued, the police officers dispatched to the area of the proclamation (in case dispatched to the area except for the area of the proclamation in accordance with the provision of the preceding paragraph, the area concerned) may exercise their authorities in any part of such area. (Approval of the Diet and Repeal of Proclamation)
<p>Personnel</p>	<p>Personnel</p> <p>ARTICLE 34</p> <ol style="list-style-type: none"> 1. To the National Police Agency, there shall be assigned police officers, imperial guard officers, clerical officials, technical officials and other necessary personnel. 2. The imperial guard officers shall be assigned to the Imperial Guard Headquarters. 3. The Commissioner General shall be a police officer, and the Deputy Commissioner General, the Director General of Secretariat, the Director Generals of Bureaus (except for the Director General of Information and Communications Bureau), the Director Generals of Regional Police Bureaus and the personnel of other posts provided for by the Cabinet Order shall be police officers and the Chief of the Imperial Guard Headquarters shall be an imperial guard officer. <p>Personnel</p> <p>ARTICLE 55</p> <ol style="list-style-type: none"> 1. To the Prefectural Police, there shall be assigned police officers and other necessary personnel. 2. The Superintendent General, a Chief of Prefectural Police, a Chief of the Area Headquarters, a Chief of the City Police Department, and a Chief of a Police Station shall be police officers. 3. Among the personnel mentioned in the paragraph 1, the police officers who are in the rank of and higher than Senior Superintendent shall be appointed or dismissed by the National Public Safety Commission, except for the Superintendent General, a Chief of the Prefectural Police and a Chief of the Area Headquarters, with the consent of the respective Prefectural Public Safety Commissions; while the other personnel, by the Superintendent General or the Chief of the Prefectural Police after asking the opinions of the respective Prefectural Public Safety Commissions.

<p>Personnel</p>	<p>4. The Prefectural Public Safety Commission may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of police officers who are in the rank of and higher than Senior Superintendent except for the Superintendent General, the Chief of the Prefectural Police and the Chief of the Area Headquarters. Concerning disciplinary punishment or dismissal of the other personnel, it may make recommendations to the Superintendent General or the Chief of the Prefectural Police.</p> <p>Personnel Administration</p> <p>ARTICLE 56</p> <p>1. Among the prefectural police personnel, the police officers who are in the rank of and higher than Senior Superintendent (hereinafter referred to as ‘local senior police officers’) shall be ordinary national public servants.</p> <p>2. With respect to the matters to be provided for by prefectural ordinance or regulations of the Local Personnel Commission in accordance with the provisions of the Local Public Service Law concerning the appointment, pay, office hours and other service conditions, performance of duties, of the prefectural police personnel (hereinafter referred to as “local police personnel”) except for the personnel mentioned in the preceding paragraph, the said by-law or the Regulations of the Local Personnel Commission shall be laid down basing on the instances of personnel provided for in paragraph 1, Article 34.</p> <p>3. When the Superintendent General or a Chief of Prefectural Police receives a Prefectural Safety Commission’s direction provided for in paragraph 1, Article 43-2 or finds a suspicious case relating to the following misconducts of a prefectural police personnel, the Superintendent General or a Chief of Prefectural Police shall promptly inspect the case. If the personnel’s misconduct is clarified by the inspection, the Superintendent General or a Chief of Prefectural Police shall report the inspection result to the Prefectural Public Safety Commission through the procedure decided by the Prefectural Public Safety Commission.</p> <p>(1) Violation of laws or local ordinances during their duties</p> <p>(2) Neglect of their obligation or duties, other than violation prescribed in the previous item</p> <p>(3) Misconduct which deteriorates the public confidence in public servants</p> <p>Authorised Strength of Personnel</p> <p>ARTICLE 57</p> <p>1. The authorised strength of the local senior police officers throughout the Prefectural Police shall be provided for by the Cabinet Order, and the authorised strength in each rank of the police officers of each Prefectural Police shall be provided for by the Prime Minister’s office Ordinance.</p> <p>2. The authorised strength of local police personnel (with regard to police officers, the authorised strength in each rank is included) shall be provided for by by-law. In this case, the authorised strength of police officers shall be subject to the standards provided for by the Cabinet Order.</p>
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Personnel	<p>Ranks of Police Officers</p> <p>ARTICLE 62</p> <p>1. The ranks of police officers (except for the Commissioner General) shall be Superintendent General, Superintendent Supervisor, Chief Superintendent, Senior Superintendent, Superintendent, Police Inspector, Assistant Police Inspector, Police Sergeant and Policeman.</p> <p>Duties of Police Officers</p> <p>ARTICLE 63</p> <p>1. The police officers shall handle the police affairs under the direction and supervision of their superiors.</p> <p>Exercise of Authorities of Police Officers</p> <p>ARTICLE 64</p> <p>1. The police officers of the Prefectural Police shall, unless otherwise specially provided for in this Law, exercise their authorities within their jurisdiction of the Prefectural Police concerned.</p> <p>Supply of Clothing, etc.</p> <p>ARTICLE 68</p> <p>1. The State shall, as provided for by the Cabinet Order, supply the police officers of the National Police Agency with clothing and loan them equipments necessary for the performance of their duties.</p> <p>2. The Prefecture shall, as provided for by by-law in accordance with the Cabinet Order referred to in the preceding paragraph, supply the police officers of the Prefectural Police with clothing and loan them equipments necessary for the performance of their duties.</p> <p>Codes of Etiquette, etc.</p> <p>ARTICLE 70</p> <p>1. The necessary matters relating to codes of etiquette, uniforms and official commendation of police personnel shall be provided for by the Regulation of the National Public Safety Commission.</p> <p>Pension</p> <p>ARTICLE 77</p> <p>1. The local police personnel provided for in the following items shall be regarded as the public servants provided for in Article 19 of the Pension Law (Law No. 48 - 1923), and the provisions of the same Law shall be applied mutatis mutandis to them.</p> <p>(1) Police officers with the rank of Assistant Police Inspector, Police Sergeant or Policeman</p> <p>(2) Police officers with the rank of Superintendent or Police Inspector</p> <p>(3) Clerical or technical officials</p> <p>2. In case the provisions of the preceding paragraph are applied to, the personnel mentioned in item 1 of the same paragraph shall be regarded as police and prison personnel as provided for in Article 23 of the Pension Law; while the personnel mentioned in items 2 and 3 of the same paragraph shall be regarded as civil officials as provided for in paragraph 1, Article 20 of the same Law.</p>
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<p>Personnel</p>	<p>3. In case the local police personnel mentioned in each item of paragraph 1 have consecutively become the public servants mentioned in Article 19 of the Pension Law or the local police personnel mentioned in each item of the same paragraph of other Prefectural Police, or the public servants provided for in the same Article or the personnel who are regarded as public servants have consecutively become the local police personnel mentioned in each item of the same paragraph, they shall be regarded as having been in continuous service in the application of the laws and regulations concerning pension. However, it shall not be objected to apply mutatis mutandis paragraph 2. Article 26 of the same Law.</p>
<p>Duties and rights</p>	<p>Exercise of Authority over Offenders in flagrante delicto (red-handed)</p> <p>ARTICLE 65</p> <p>1. The police officers may, regardless of the area, exercise police authority in relation to the apprehension of offenders in flagrante delicto provided for in Article 212 of the Code of Criminal Procedure (Law No. 131 - 1948).</p> <p>Possession of Small-Sized Weapons</p> <p>ARTICLE 67</p> <p>1. The police officers may possess small-sized weapons in order to perform their duties.</p> <p><i>[The Police Duties Execution Law is an independent law. Its provision fit into the category "Duties and Rights" of the analytical grid. Hence, it is integrally added within this category in italic.]</i></p> <p>THE POLICE DUTIES EXECUTION LAW</p> <p><i>Law No. 136, July 12, 1948 as revised by: Law No. 163, June 8, 1954, Law No.94, June 23, 2006</i></p> <p><i>Object of this Law</i></p> <p>ARTICLE 1</p> <p><i>The object of this law is to provide for the necessary measures be taken by a police officer for faithfully carrying out his authorities and duties of protecting lives, physical bodies and properties of individuals, preventing crimes, maintaining public safety as those provided for in the Police Law (Law No. 162, 1954), as well as the enforcement of other laws and regulations.</i></p> <p>2. Any measures which are provided for in this law should be resorted to within the limits of minimum necessity for the purpose of the preceding paragraph, and any abuse thereof is strictly prohibited.</p> <p>Questioning</p> <p>ARTICLE 2</p> <p>1. A police officer may stop and question any person who has reasonable ground to be suspected of having committed or being about to commit a crime judging reasonably from his or her unusual behaviors and/or other surrounding circumstances, or who is deemed to have some information on the crime which has already been committed or is about to be committed.</p> <p>2. In case a police officer considers that such questioning on the spot as that provided for in the preceding paragraph will disadvantage the subject person or impede traffic, he may ask him or her to come with him to a nearby police station, police box or residential police box for that purpose.</p>

<p>Duties and rights</p>	<p>3. Any person provided for in the preceding two paragraphs shall not be detained by the authorities, or be taken into a police station, a police box or a residential police box by force, or be coerced to answer his questions against his or her will as long as it is not based on the laws concerning criminal proceedings.</p> <p>4. With regard to the person who is under arrest in accordance with the law concerning criminal procedure, a police officer may search his or her personal belongings for any possible weapons.</p> <p><i>Protection</i></p> <p>ARTICLE 3</p> <p>1. In case a police officer finds a person, who is deemed to fall clearly under any of the following categories, judging reasonably from his or her unusual behaviors and/or other surrounding circumstances, and moreover has reasonable ground to believe that he or she needs emergency aid and protection, he must give him or her immediate protection at any such proper places as a police-station, a hospital, relief facilities, etc. (1) A person who is likely to inflict an injury on his or her own or others' lives, physical bodies or properties on account of his or her mental derangement or drunkenness. (2) A stray child, a sick person and an injured person or the like who are not attended by any proper guardian and are considered as requiring emergency aid and protection (except the cases where such persons refuse to be given any immediate protection).</p> <p>2. In case a police officer has taken the measures provided for in the preceding paragraph, he shall inform the family, acquaintances or other persons concerned as soon as possible to that effect, and make the necessary arrangements for handing the subject person over to them. In the event there is no responsible relative or acquaintance to be found, the police officer should immediately turn the case over to the proper public health or public welfare service or any of the other official services charged with the disposition of such persons by the law and regulations.</p> <p>3. The police protection under the provision of paragraph 1 shall last no longer than 24 hours except in cases where a warrant of a judge of the summary court (hereinafter refers to the summary court having jurisdiction over the precincts of the police station to which the police officer who has given the said protection is assigned) authorising further protection is obtained.</p> <p>4. The warrant referred to in the provision of the preceding paragraph shall be issued by the judge at the request of a police officer only in the case when he deems the circumstances to be inevitable to issue such a warrant, and the extended period shall not exceed 5 days in total. In this warrant, the inevitable circumstances which are deemed to exist must be stated expressly.</p> <p>5. The police officer shall notify the summary court every week of the names and addresses of the persons who are placed under police protection in accordance with the provision of paragraph 1, reason or reasons for protection, and dates of protection and delivery, as well as the names of the persons or services to whom or which such persons are handed over.</p>
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<p>Duties and rights</p>	<p><i>Measures for Refuge, etc.</i></p> <p>ARTICLE 4</p> <ol style="list-style-type: none"> 1. <i>In case of a dangerous situation, such as a natural calamity, incident, destruction of a structure, traffic accident, explosion of a dangerous matter, appearance of a mad dog or runaway horse, excessive congestion of people, or the like, which is likely to endanger the lives or physical bodies of people or cause serious damage to their properties, a police officer may give the necessary warning to the person or persons who happen to be at the scene, the keeper of the goods and other persons concerned; and in case of extreme urgency, he may keep back the person from the impending danger or make such persons take refuge within the limits of necessity for escaping from the impending danger, or order the persons who happen to be at the scene, keeper of the subject thing and any other persons concerned to take the measures generally considered necessary for the prevention of dangers, or take such measures himself.</i> 2. <i>With regard to the action taken by the police officer under the provision of the preceding paragraph, it shall be necessary for him to report the effect to the Public Safety Commission concerned through due channels. In such cases, the Public Safety Commission shall take proper action in order to ask other public services for their cooperation which are deemed necessary for the subsequent actions.</i> <p><i>Prevention and Suppression of Crimes</i></p> <p>ARTICLE 5</p> <ol style="list-style-type: none"> 1. <i>A police officer may, when he notices a crime is about to occur, give the necessary warning to the person or persons concerned for the prevention of its occurrence, and check such acts of the person or persons in case it may endanger any lives or physical bodies of people or cause serious damage to property, and moreover the case admits no delay.</i> <p><i>Entry</i></p> <p>ARTICLE 6</p> <ol style="list-style-type: none"> 1. <i>In case any dangerous situation provided for in the preceding two Articles has occurred, and any lives, physical bodies or property of the people are in jeopardy, a police officer, if he deems it inevitably necessary in order to prevent the danger, hold the spread of damage in check, or give relief to sufferers, may enter any person's land, building, vessel or vehicle, within the limits reasonably judged necessary.</i> 2. <i>The manager or proprietor, or any person in any corresponding position, of a place of performance, hotel, restaurant, railway station or any other place whereto a crowd of people access, cannot, without good reason, deny a police officer to enter his or her premises during its business hours if he or she is demanded the entry by the police officer for the purpose of preventing a crime or a danger imperiling any lives, physical bodies or properties of the people.</i> 3. <i>In making entry under the provisions of the preceding two paragraphs, a police officer shall not interfere arbitrarily with the lawful operation of the business of the person concerned.</i> 4. <i>In making entry under the provision of either paragraph 1 or paragraph 2, a police officer, if requested, shall tell the manager or proprietor, or the person in any corresponding position, the reason for his entry, and moreover show such person his certificate of identification.</i>
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<p>Duties and rights</p>	<p><i>Use of Weapon</i></p> <p>ARTICLE 7</p> <p>1. <i>A police officer may use his weapon in case there is reasonable ground to deem it necessary for the apprehension of a criminal or the prevention of his or her escape, self-protection or protection of others or suppression of resistance against the execution of his official duty within the limits judged reasonably necessary in the situation. However, he shall not inflict any injury upon any person except the case falling under the category of the provisions of Article 36 (Legal Defence) of the Criminal Law (Law No. 45, 1907) or of Article 37 (Emergency Refuge) of the same law, or the case falling under any of the following categories;</i></p> <p>(1) <i>In case a person, who is actually in the act of committing, or has sufficient ground to be suspected of having committed, a violent and dangerous crime which deserves a death penalty, perpetual penal servitude or imprisonment, or penal servitude or imprisonment for a maximum period of not less than three years, resists the police officer against the execution of his duty to the subject person or attempts to escape or a third person resists the police officer with the object of letting the subject person escape; provided there is reasonable ground on the part of the police officer to believe that there exists no other means but to do so either for the prevention of such resistance or escape or for the apprehension of such persons.</i></p> <p>(2) <i>In case of apprehending a person under a warrant of arrest, or serving a warrant of production or detention, if the subject person resists the police officer against the execution of his duty to the subject person or attempts to escape, or a third person resists the police officer with the object of letting the subject person escape; provided there is reasonable ground on the part of the police officer to believe that there exists no other means but to do so either for the prevention of such resistance or escape or for the apprehension of the subject person.</i></p> <p><i>Authorities and Duties under other Laws and Regulations</i></p> <p>ARTICLE 8</p> <p>1. <i>A police officer shall carry out duties and exercise his powers granted under the laws and regulations concerning criminal procedure and others, as well as police regulations, in addition to the provisions in this law.</i></p>
<p>Accountability and transparency</p>	<p>Duties and Authority</p> <p>Article 5 Para. 2</p> <p>In order to perform the duties provided for in the preceding paragraph, the National Public Safety Commission shall supervise the National Police Agency [...]</p> <p>Performance of Duty, etc, of Members of Commission</p> <p>ARTICLE 10</p> <p>2. No member of the Commission shall become concurrently the personnel in full time service of national or local public entities or in part time service prescribed in the provision of paragraph 1, Article 81-5 of the National Public Service Law and the provision of paragraph 1, Article 28-5 of the Local Public Service Law (Law No. 261 - 1950).</p> <p>3. No member of the Commission shall become an executive member of a political party or any other political body, or shall make actively political movements.</p> <p>4. The pay of a member of the Commission shall be otherwise provided for by law.</p>

<p>Accountability and transparency</p>	<p>Direction of Inspection</p> <p>ARTICLE 12-2</p> <ol style="list-style-type: none"> 1. According to the provision of paragraph 2 of Article 5, the National Public Safety Commission may direct the National Police Agency in a specific or individual case of inspection prescribed in the item 24, paragraph 2 of Article 5, if necessary. 2. In the case in which the National Public Safety Commission made a direction according to the previous paragraph, the Commission may order one of the committees nominated by the Commission to monitor the implementation of the direction, if necessary. 3. The National Public Safety Commission may order a personnel of the National Police Agency to assist the committee in the monitor activity prescribed in the previous paragraph. <p>Commissioner General</p> <p>ARTICLE 16 Para. 2</p> <p>The Commissioner General of the National Police Agency (hereinafter referred to as “the Commissioner General”) shall, subject to the supervision of the National Public Safety Commission, control the affairs of the National Police Agency, appoint and dismiss the personnel under his command, and control and supervise the performance of their duties, as well as direct and supervise the Prefectural Police concerning the functions of the National Police Agency.</p> <p>Organisation and Authority</p> <p>ARTICLE 38 Para. 3</p> <p>The Prefectural Public Safety Commission shall supervise the Prefectural Police.</p> <p>Direction of Inspection</p> <p>ARTICLE 43-2</p> <ol style="list-style-type: none"> 1. According to the provision of paragraph 3 of Article 38, the Prefectural Public Safety Commission may direct the prefectural police in detail or in a specific individual case of inspection of police personnel’s misconducts, if necessary. 2. In the case in which the Prefectural Public Safety Commission made a direction according to the previous paragraph, the Commission may order one of the committees nominated by the Commission to monitor the implementation of the direction, if necessary. 3. The Prefectural Public Safety Commission may order a personnel of the prefectural police including a personnel of the National Police Agency who is dispatched to the prefectural police under paragraph 1 of Article 60 to assist the committee in the monitor activity prescribed in the previous paragraph. <p>Complaint</p> <p>ARTICLE 79</p> <ol style="list-style-type: none"> 1. Whoever has a complaint against the execution of duties by the personnel of the Prefectural Police may lodge a complaint in document to the Prefectural Public Safety Commission through the procedure prescribed in the National Public Safety Commission Ordinance.
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<p>Accountability and transparency</p>	<p>2. The Prefectural Public Safety Commission which received a complaint provided for in the previous paragraph shall faithfully handle it in accordance with laws and local ordinance, and shall notice its result to the complainant in document, except in the following cases.</p> <ul style="list-style-type: none"> (1) The complaint can be recognized as provided in order to obstruct lawful execution of the duties of the Prefectural Police. (2) The current resident of the complainant is unknown. (3) The complaint can be recognized as provided jointly with other complainants and other complainants have already been notified with the result of the joint complaint. <p>Participation in Lawsuit for Complaint</p> <p>ARTICLE 80</p> <p>1. The Prefectural Public Safety Commission shall represent the Prefectural Government in the lawsuit provided for in paragraph 1, Article 11 of the Administrative Lawsuit Procedure Law (Law No. 139, 1962) (includes the case which is applied mutatis mutandis in paragraph 1, Article 38 in the same law (includes the case which is applied mutatis mutandis in paragraph 2, Article 43 in the same law) or in paragraph 1, Article 43), in which that Prefectural Government is complained relating to the Commission's administrative disposition (means in this article administrative disposition provided for in paragraph 2, Article 3 of the same law) or determination (means in this article ruling provided for in paragraph 3, Article 3 of the same law) or relating to disposition or determination made by an Area Public Safety Commission or police personnel supervised by the Prefectural Public Commission.</p>
<p>Other</p>	

The Japanese Police Law, presented in its original form

THE POLICE LAW

Law No. 162 - June 8, 1954, Last Revised by Law No. 22 – March 31, 2007

CHAPTER I

GENERAL PROVISIONS

Object of this Law

ARTICLE 1

The object of this law is to establish the organisation of police capable of securing both the administration and the operation of police based upon the principle of democracy, at the same time efficiently performing the police duties so as to protect the rights and liberties of an individual and maintain public safety and order.

Responsibilities and Duties of Police

ARTICLE 2

1. Responsibilities and duties of the police are to protect the life, physical body and property of an individual, and take charge of prevention, suppression and investigation of crimes, as well as apprehension of suspects, traffic control and other affairs concerning the maintenance of public safety and order.
2. Activities of the police shall be strictly limited to the extent provided for in the preceding paragraph, and in performing their duties, they shall make it their principle to be impartial, nonpartisan, unprejudiced and fair, and their authorities shall never be abused in any way such as to interfere with the rights and liberties of an individual guaranteed in the Constitution of Japan.

Contents of Oath of Office

ARTICLE 3

The oath of office shall be taken by all the personnel, who perform the police duties in accordance with this law, to be faithful to the obligation to defend and uphold the Constitution

and laws of Japan, and perform their duties impartially, equitably, fairly and without prejudice.

CHAPTER II

NATIONAL PUBLIC SAFETY COMMISSION

Establishment and Organisation

ARTICLE 4

1. There shall be established the National Public Safety Commission under the jurisdiction of the Prime Minister.
2. The National Public Safety Commission shall be composed of a chairman and five members.

Duties and Authority

ARTICLE 5

1. The National Public Safety Commission shall take charge of the protection of rights and freedom of an individual and the maintenance of public safety and order through operating police organisations relating to the public safety of the nation, administering the affairs concerning police education, police communication, information technology analysis, criminal identification, criminal statistics, and police equipments, as well as coordinating the affairs concerning police administration.
2. In order to perform the duties provided for in the preceding paragraph, the National Public Safety Commission shall supervise the National Police Agency with respect to the following affairs:
 - a. Matters concerning the planning and research of institutions relating to the police;
 - b. Matters concerning the national budget relating to the police;
 - c. Matters concerning the policy evaluation on national police;
 - d. Matters concerning the police operation relating to the affairs affecting national

- public safety among the following;
- i. Matters concerning a large-scale disaster which may cause general unrest;
 - ii. Matters concerning disturbance which may impair provincial tranquility;
 - iii. Matters concerning high-jacking, coercion with hostages, possession of explosives and other similar crimes which may heavily influence international relationships or may offend important interests of Japan;
- e. Matters concerning the preparation and execution of plans to cope with the state of the national emergency provided for in Article 71;
 - f. Matters concerning the securing of the police force for nation-wide organised crimes and other cases among the following (hereinafter referred to as "nation-wide organised crimes");
 - i. Matters concerning crimes with which the life, physical body and property of an individual or public safety and order was harmed or may be harmed;
 - ii. Matters concerning crimes with which the life, physical body and property of a Japanese national or an important interest of Japan was harmed or may be harmed;
 - g. Matters concerning the traffic control on national highways;
 - h. Matters concerning collection, arrangement, analysis of information on criminal proceeds, and provision of such information to relevant organisations;
 - i. Matters concerning liaison with the International Criminal Police Organisation, police authorities of other countries and other international organisations relating to the police;
 - j. Matters concerning the assistance for international criminal investigation assistance;
 - k. Matters concerning international disaster relief activities;
 - l. Matters concerning international cooperation relating to the other affairs prescribed in this article;
 - m. Matters concerning making statements and other activities prescribed in the Special Law for Debt-Collecting Business (Law No.126, 1998);
 - n. Matters concerning making statements and other activities prescribed in the Law Controlling the Group Which Committed Mass-Murder (Law No.147, 1999);
 - o. Matters concerning the Imperial Guard;
 - p. Matters concerning the maintenance and management of police educational facilities and other affairs relating to police education;
 - q. Matters concerning the maintenance and management of police communication facilities and other affairs relating to police communication;
 - r. Matters concerning information technology analysis including investigative analysis of electric information processing system and electric data (records for information processing in a computer, made by electric, magnetic or other methods which cannot be directly recognized by a human being);
 - s. Matters concerning the maintenance and management of the criminal identification facilities and other affairs relating to criminal identification;
 - t. Matters concerning criminal statistics;
 - u. Matters concerning police equipments;
 - v. Matters concerning the standards of appointment, performance of duties and activities of police personnel;
 - w. Matters concerning the coordination relating to police administration besides those provided for in the preceding item;
 - x. Matters concerning necessary inspection relating to the performance of the affairs provided for in the preceding items;
 - y. Matters concerning the affairs which fall under its jurisdiction pursuant to the provisions of laws (including ordinances authorised by laws) besides those provided for in the preceding item.

3. In addition to those provided for in the preceding paragraph, the National Public Safety Commission shall take charge of the affairs which fall under its jurisdiction pursuant to the provisions of laws (including ordinances authorised by laws) in order for the duties prescribed in paragraph 1.
4. The National Public Safety Commission shall at all times maintain close contact with the Prefectural Public Safety Commission.

Chairman

ARTICLE 6

1. The Chairman of the Commission shall be the Minister of State.
2. The Chairman shall preside over the affairs of the Commission and represent the National Public Safety Commission.
3. The National Public Safety Commission shall previously select by mutual vote of the members a proxy Chairman to act in place of the Chairman in the event where the Chairman is unable to execute his duties.

Appointment of Members of Commission

ARTICLE 7

1. Members of the Commission shall be appointed by the Prime Minister with the consent of both Houses of the Diet from among the persons who have no career of professional public servants in police or prosecutive service during the preceding five years.
2. In case the term of office of any of the members has expired or a vacancy has occurred, and the consent of both Houses of the Diet has not been obtained owing to the closing of the Diet or the dissolution of the House of Representatives, the Prime Minister may appoint a member from among the persons who have the qualifications as specified in the preceding paragraph despite the provision of the same paragraph.
3. In case of the preceding paragraph, an ex post facto consent of both Houses of the Diet shall be obtained at the first session of the Diet convoked following his appointment. In this case, if the ex post facto consent of both Houses of the Diet cannot be obtained, the Prime Minister shall immediately dismiss the said member of the Commission.

4. A person falling under any of the following items shall not be able to become a member of the Commission:
 - a. A bankrupt who has not been rehabilitated;
 - b. A person who has been sentenced to imprisonment without hard labor or any of the other heavier punishments.
5. The appointment of members of the Commission shall be made lest three or more of them belong to the same political party.

Term of Office of Members

ARTICLE 8

1. The term of office of members of the Commission shall be five years, however a member filling a vacancy shall remain in office during the remaining term of office of his predecessor.
2. A member of the Commission may be re-appointed once.

Release and Dismissal of Members

ARTICLE 9

1. In case a member of the Commission happens to fall under any of the items of paragraph 4, Article 7, he shall ipso facto be released of his office.
2. The Prime Minister may dismiss a member of the Commission with the consent of both Houses of the Diet in case he deems that such member has been incapacitated from performing his duties because of a mental or a physical defect or that he has violated his official obligations or committed a misconduct ill befitting to a member of the Commission.
3. The Prime Minister shall dismiss the following members of the Commission with the consent of both Houses of the Diet:
 - a. In case three members or more of the Commission have newly come to belong to the same political party, to which one of the members thereof has so far belonged, all such members except two of them;
 - b. In case two members or more of the Commission have newly come to belong to the political party to which one of the members thereof has already belonged, all such members except one of them.

4. The Prime Minister shall immediately dismiss any member of the Commission who has newly come to belong to the political party, to which two members of the Commission have already belonged.
5. Except for the cases provided for in paragraph 3, Article 7, and those in the preceding three paragraphs, no member of the Commission shall be dismissed against his will.

Performance of Duty, etc, of Members of Commission

ARTICLE 10

1. The provisions of paragraph 1, Article 96; Article 97; paragraph 1, Article 98, Article 99, paragraphs 1 and 2, Article 100; paragraphs 1 and 3, Article 103, and Article 104 of the National Public Service Law (Law No. 120 - 1947) shall be applied mutatis mutandis to the performance of duty of members of the Commission. In this context, the "Cabinet Order" in Article 97 of the same law shall read as "Cabinet Office Ordinance"; "preceding two paragraphs" in the paragraph 3, Article 103 of the same law shall read as "paragraph 11; and "approval of the National Personnel Authority for an application of the head of the competent authorities as provided for in the Rules of the National Personnel Authority" in the same paragraph and article of the same Law, or "permission of the Prime Minister and the head of the competent authority who has jurisdiction over its personnel" in Article 104 of the same Law, shall read as "approval of the Prime Minister".
2. No member of the Commission shall become concurrently the personnel in full time service of national or local public entities or in part time service prescribed in the provision of paragraph 1, Article 81-5 of the National Public Service Law and the provision of paragraph 1, Article 28-5 of the Local Public Service Law (Law No.261 - 1950).
3. No member of the Commission shall become an executive member of a political party or any other political body, or shall make actively political movements.
4. The pay of a member of the Commission shall be otherwise provided for by law.

Conference

ARTICLE 11

1. The National Public Safety Commission shall be convened by the Chairman of the Commission. The National Public Safety Commission shall not be held nor shall it make any decisions unless the Chairman and no less than three members of the commission are present.
2. The proceedings of the National Public Safety Commission shall be decided by the majority of members who are present, and in case of a tie the decision shall be made by the Chairman.
3. In case the Chairman is unable to perform his duties, the acting Chairman provided for in paragraph 3, Article 6, shall perform the duties of the Chairman provided for in the preceding two paragraphs, and as for counting the quorum to hold the conference and the proceedings provided for in these paragraphs, a member of the Commission shall take charge.

Establishment of Regulations

ARTICLE 12

1. The National Public Safety Commission, concerning the functions under its jurisdiction, may establish the Regulations of the National Public Safety Commission in accordance with the commission authorised by laws, cabinet orders and cabinet office ordinances.

Direction of Inspection

ARTICLE 12-2

1. According to the provision of paragraph 2 of Article 5, the National Public Safety Commission may direct the National Police Agency in a specific or individual case of inspection prescribed in item 24, paragraph 2 of Article 5, if necessary.
2. In the case in which the National Public Safety Commission made a direction according to the previous paragraph, the Commission may order one of the committees nominated by the Commission to monitor the implementation of the direction, if necessary.
3. The National Public Safety Commission may order a personnel of the National Police Agency to assist the committee in the monitor activity prescribed in the previous paragraph.

Expert Members

ARTICLE 12-3

1. In the National Public Safety Commission, there shall be a few expert members for the purpose of investigating and deliberating on expert matters relating to a request for review of the judgment rendered pursuant to the provisions of the Crime Victims Benefit Payment Law (Law No. 36-1980).
2. The appointment and term of office of the expert members and other necessary matters concerning the expert members shall be provided for by the Cabinet Order.

General Affairs of the National Public Safety Commission

ARTICLE 13

1. The general affairs of the National Public Safety Commission shall be handled by the National Police Agency.

Operation of the National Public Safety Commission

ARTICLE 14

1. Necessary matters concerning the operation of the National Public Safety Commission shall be laid down by the National Public Safety Commission unless provided for in this Law.

CHAPTER III

NATIONAL POLICE AGENCY

Section 1. General Provisions

Establishment

ARTICLE 15

1. There shall be established the National Police Agency under the National Public Safety Commission.

Commissioner General

ARTICLE 16

1. The Commissioner General of the National Police Agency shall be the head of the National Police Agency, and he shall be appointed and dismissed by the National Public Safety Commission with the approval of the Prime Minister.

2. The Commissioner General of the National Police Agency (hereinafter referred to as "the Commissioner General") shall, subject to the supervision of the National Public Safety Commission, control the affairs of the National Police Agency, appoint and dismiss the personnel under his command, and control and supervise the performance of their duties, as well as direct and supervise the Prefectural Police concerning the functions of the National Police Agency.

Duties

ARTICLE 17

1. The National Police Agency shall take charge of the affairs provided for in the items of paragraph 2, Article 5 under the supervision of the National Public Safety Commission, and shall assist the National Public Safety Commission with respect to the affairs provided for in paragraph 3 of the same Article.

Deputy Commissioner General

ARTICLE 18

1. In the National Police Agency, there shall be appointed a Deputy Commissioner General.
2. The Deputy Commissioner General shall assist the Commissioner General, regulate the affairs of the Agency, and supervise the affairs of each internal bureau, as well as local and attached organisations.

Section 2. Internal Bureaus

Internal Bureaus

ARTICLE 19

1. In the National Police Agency, there shall be a Secretariat and the following five Bureaus:
 - Community Safety Bureau
 - Criminal Investigation Bureau
 - Traffic Bureau
 - Security Bureau
 - Information and Communications Bureau
2. There shall be the Organised Crime Department in the Criminal Investigation Bureau, and the Foreign Affairs and Intelligence Department in the Security Bureau.

Director General of Secretariat, Director Generals of Bureaus and Director General of Departments

ARTICLE 20

1. The Secretariat shall have a Director General of Secretariat, and each Bureau shall have a Director General of Bureau.
2. The Director General of Secretariat or the Director General of each Bureau shall administer the affairs of the Secretariat or the Bureau subject to the direction.
3. The Safety Department shall have a Director General of Department.
4. The Director General of Department shall administer the affairs of the Department subject to the direction.

Functions of Secretariat

ARTICLE 21

1. The Secretariat shall take charge of the following affairs concerning the functions of the National Police Agency:
 - a. Matters concerning confidential affairs;
 - b. Matters concerning the keeping of official seals of the Commissioner General and the National Police Agency;
 - c. Matters concerning receipt, delivery, compilation, preservation of official documents;
 - d. Matters concerning the planning, research, and comprehensive adjustment of the administration concerned;
 - e. Matters concerning the policy evaluation on the duties of the National Police Agency;
 - f. Matters concerning the examination of the draft of laws and orders;
 - g. Matters concerning public relations;
 - h. Matters concerning disclosure;
 - i. Matters concerning protection of personal data and information;
 - j. Matters concerning personnel affairs and authorised strength of the police personnel;
 - k. Matters concerning inspection;

- l. Matters concerning budget, settlement of accounts, and general accounts;
- m. Matters concerning the maintenance and disposition of the state properties and goods;
- n. Matters concerning the audit and accounts;
- o. Matters concerning police education;
- p. Matters concerning the welfare of the police personnel;
- q. Matters concerning the disaster benefit for the person who cooperated with the police officer's duties;
- r. Matters concerning crime victims benefit;
- s. Matters concerning police equipment;
- t. Matters concerning general affairs of international cooperation within the duties of the National Police Agency;
- u. In addition to those provided for in the preceding items, such affairs as not handled by other bureaus or organisations.

Functions handled by Community Safety Department

Article 22

1. The community Safety Department shall administer the following affairs concerning the functions of the National Police Agency:
 - a. Matters concerning the safety of citizens related to crime, accident, and others;
 - b. Matters concerning the community police, patrol, and others;
 - c. Matters concerning crime prevention;
 - d. Matters concerning safety police.

Functions of Criminal Investigation Bureau

ARTICLE 23

1. The Criminal Investigation Bureau shall take charge of the following affairs concerning functions of the National Police Agency:
 - a. Matters concerning criminal police;
 - b. Matters concerning criminal identification;
 - c. Matters concerning criminal statistics;
 - d. Matters concerning anti-Boryokudan measures;

- e. Matters concerning control on drugs and firearms;
 - f. Matters concerning control on organised crime except affairs relating to other Bureau's duties;
 - g. Matters concerning prevention of transfer of criminal proceeds;
 - h. Matters concerning international criminal investigation assistance.
2. The Organised Crime Department shall take charge of the following affairs included in item 1 of the proceeding paragraph and the affairs provided for in item 4-8 of that paragraph:
- a. Matters concerning international criminal investigation;
 - b. Matters concerning liaison with the International Criminal Police Organisation.

Functions of Traffic Bureau

ARTICLE 23-2

1. The Traffic Bureau shall take charge of the matters relating to traffic police concerning functions of the National Police Agency.

Functions of Security Bureau

Article 24

1. The Security Bureau shall take charge of the following affairs concerning functions of the National Police Agency:
 - a. Matters concerning security police;
 - b. Matters concerning imperial guard;
 - c. Matters concerning the protection of very important persons;
 - d. Matters concerning security implementation;
 - e. Matters concerning the formation and execution of plans to cope with the state of national emergency provided for in Article 71.
2. The Foreign Affairs and Intelligence Department shall take charge of the affairs concerning foreign nationals and Japanese nationals whose bases of activity are located in foreign countries.

Functions of Information and Communications Bureau

Article 25

1. The Information and Communications Bureau takes charge of the following affairs concerning the function of the National Police Agency:
 - a. Matters concerning police communications;
 - b. Matters concerning the planning and technical research of information management and the operation of computer systems with regard to the administration concerned;
 - c. Matters concerning information technology analysis for criminal investigations;
 - d. Matters concerning the improvement in efficiency of the administrative affairs concerned;
 - e. Matters concerning police statistics excluding criminal statistics.

Establishment of Divisions and their Functions

ARTICLE 26

1. The establishment of divisions of the National Police Agency (including an office and others similar to a division) and the scope of functions shall be provided for by the Cabinet Order.

Section 3. Attached Organisations

National Police Academy

ARTICLE 27

1. There shall be attached the National Police Academy to the National Police Agency.
2. The National Police Academy shall conduct necessary education and training for police personnel to make them senior staff officers, and shall take charge of scientific researches relating to police matters.
3. In the National Police Academy, there shall be a President.
4. The location and the internal organisation of the National Police Academy shall be provided for by the Cabinet Office Ordinance.

National Research Institute of Police Science

ARTICLE 28

1. There shall be attached the National Research Institute of Police Science to the National Police Agency.
2. The National Research Institute of Police Science shall take charge of the following affairs:
 - a. Researches and experiments for scientific criminal investigation, as well as the identification, judgment and examination by the application of such researches and experiments;
 - b. Researches and experiments for the prevention of juvenile delinquency and other crimes;
 - c. Researches and experiments for the prevention of traffic accidents and for other traffic police activities.
3. In the National Research Institute of Police Science, there shall be a Director.
4. The location and the internal organisation of the National Research Institute of Police Science shall be provided for by the Cabinet Office Ordinance.

Imperial Guard Headquarters

ARTICLE 29

1. The Imperial Guard Headquarters shall be attached to the National Police Agency.
2. The Imperial Guard Headquarters shall take charge of the escort service for the Emperor, the Empress, the Crown Prince and other Imperial families, and the guard for the Imperial Palace and Imperial Villas, as well as the other affairs relating to the Imperial Guard.
3. In the Imperial Guard Headquarters, there shall be a Chief.
4. In the Imperial Guard Headquarters, there shall be established an Imperial Guard School, and it shall conduct necessary education and training for the personnel of the Imperial Guard.
5. The location and the internal organisation of the Imperial Guard Headquarters shall be provided for by the Cabinet Office Ordinance.

Section 4. Local Organisations

Establishment of Regional Police Bureau

ARTICLE 30

1. In the National Police Agency, there shall be established Regional Police Bureaus as local organisations for the purpose of taking charge of part of the functions provided for in items 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 18, 19, 22, 23, 24, and 25 of paragraph 2, Article 5.
2. The name, location and jurisdictional area of the respective Regional Police Bureaus shall be as shown in the following table:

Name	Location	Jurisdictional Area
Tohoku Regional Police Bureau	Sendai City	Aomori Pref., Iwate Pref., Miyagi Pref., Akita Pref., Yamagata Pref. Fukushima
Kanto Regional Police Bureau	Saitama City	Ibaragi Pref., Tochigi Pref., Gunma Pref., Saitama Pref., Chiba Pref., Kanagawa Pref., Niigata Pref., Yamanashi Pref., Nagano Pref., Shizuoka Pref.
Chubu Regional Police Bureau	Nagoya City	Toyama Pref., Ishikawa Pref. Fukui Pref., Gifu Pref., Aichi Pref., Mie Pref.
Kinki Regional Police Bureau	Osaka City	Shiga Pref., Kyoto Pref., Hyogo Pref., Osaka Pref., Nara Pref., Wakayama Pref.
Chugoku Regional Police Bureau	Hiroshima City	Tottori Pref., Shimane Pref., Okayama Pref., Hiroshima Pref., Yamaguchi Pref.
Shikoku Regional Police Bureau	Takamatsu City	Tokushima Pref., Kagawa Pref., Ehime Pref., Kochi Pref.
Kyushu Regional Police Bureau	Fukuoka City	Fukuoka Pref., Saga Pref., Nagasaki Pref., Kumamoto Pref., Oita Pref., Miyazaki Pref., Kagoshima Pref., Okinawa Pref.

Director General of Regional Police Bureau, etc.

ARTICLE 31

There shall be appointed a Director General in the Regional Police Bureau.

1. The Director General of the Regional Police Bureau shall control the affairs of the Regional Police Bureau, direct and supervise the police personnel under his command, as well as direct and supervise, subject to the direction of the Commissioner General, the Prefectural Police with respect to the functions of the Regional Police Bureau.
2. The internal organisation of the Regional Police Bureau shall be provided for by the Cabinet Order.

Regional Police School

ARTICLE 32

1. A Regional Police School shall be attached to the Regional Police Bureau.
2. The Regional Police School shall conduct, for police personnel, necessary education and training to make them staff officers and other necessary education and training.
3. In the Regional Police School, there shall be a Director.
4. The location and the internal organisation of the Regional Police School shall be provided for by the Cabinet Office Ordinance.

Tokyo Metropolitan Police Information and Communications Division and Hokkaido Prefectural Police Information and Communications Division

ARTICLE 33

1. In the National Police Agency, there shall be established the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division as local organisations for the purpose of taking charge of part of the functions provided for in item 17 and 18, paragraph 2, Article 5 as to the areas of these two prefectures.
2. In the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division, there shall be a Chief, respectively.

3. The locations and the internal organisations of the Tokyo Metropolitan Police Information and Communications Division and the Hokkaido Prefectural Police Information and Communications Division shall be provided for by the Cabinet Office Ordinance.

Section 5. Personnel

Personnel

ARTICLE 34

1. To the National Police Agency, there shall be assigned police officers, imperial guard officers, clerical officials, technical officials and other necessary personnel.
2. The imperial guard officers shall be assigned to the Imperial Guard Headquarters.
3. The Commissioner General shall be a police officer, and the Deputy Commissioner General, the Director General of Secretariat, the Director Generals of Bureaus (except for the Director General of Information and Communications Bureau), the Director Generals of Regional Police Bureaus and the personnel of other posts provided for by the Cabinet Order shall be police officers and the Chief of the Imperial Guard Headquarters shall be an imperial guard officer.

ARTICLE 35

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CHAPTER IV

PREFECTURAL POLICE

Section 1. General Provisions

Establishment and Responsibilities

ARTICLE 36

1. There shall be established a Prefectural Police in each prefecture.
2. The Prefectural Police shall be responsible for the affairs provided for in Article 2, as to the areas of the respective prefecture.

Expense

ARTICLE 37

1. Among the following expenses needed by the Prefectural Police those which are provided for

by the Cabinet Order shall be borne by the National Treasury:

- (1) Expenses needed for salaries and other allowances of police officers with the rank of and higher than Senior Police Superintendent, the obligatory fund for the Mutual Relief Association of the Local Public Service Personnel and compensations for accidents occurring in line of duty;
 - (2) Expenses needed for the maintenance and management of the police educational facilities, and those for education and training in the police school;
 - (3) Expenses needed for the maintenance and management of the police communication facilities and other expenses needed for police communication;
 - (4) Expenses needed for the maintenance and management of the criminal identification facilities and other expenses needed for criminal identification;
 - (5) Expenses needed for criminal statistics;
 - (6) Expenses needed for the purchase, completion and maintenance of police vehicles, boats and police security equipment;
 - (7) Expenses needed for escorting and guarding;
 - (8) Expenses needed for the investigation of crimes affecting national public safety and other crimes of special type;
 - (9) Expenses needed for counteractive measures against military attack, emergent measures under the national emergencies, and joint trainings for these measures with national organisations;
 - (10) Expenses needed for handling the affairs concerning crime victim benefit.
2. Except for those which are defrayed by the National Treasury in accordance with the provisions of the preceding paragraph, expenses needed for Prefectural Police shall be borne by the prefecture concerned.

3. With respect to the expenses needed for Prefectural Police, which are borne by prefecture, they shall be partially borne by the State in accordance with the provision of the Cabinet Order within the limits of budgetary appropriation.

Section 2. Prefectural Public Safety Commission

Organisation and Authority

ARTICLE 38

1. There shall be established the Prefectural Public Safety Commission under the jurisdiction of the prefectural governor.
2. In the case of To, Do, Fu, and such a prefecture (hereinafter referred to as "the designated prefecture") that covers the city designated under the provision of paragraph 1, Article 252-1 9 of the Local Autonomy Law (Law No. 67 - 1947) (hereinafter referred to as "the designated city"), the Prefectural Public Safety Commission shall be composed of five members, while in the case of Ken except for the designated prefecture, three members.
3. The Prefectural Public Safety Commission shall supervise the Prefectural Police.
4. The provision of paragraph 3, Article 5 shall be applied mutatis mutandis to the affairs of the Prefectural Public Safety Commission.
5. The Prefectural Public Safety Commission, concerning the affairs under its jurisdiction, may establish the Regulations of the Prefectural Public Safety Commission in accordance with the commission authorised by laws, ordinances or by-laws.
6. The Prefectural Public Safety Commission shall at all times maintain close contact with the National Public Safety Commission and other Prefectural Public Safety.

Commissions

Appointment of Members of Commission

ARTICLE 39

1. Members of the Commission shall be appointed by the prefectural governor with the consent of the prefectural assembly from among the persons who have the right to be elected as members of the prefectural

assembly and who have no career of professional public servant either in police or prosecutive service during the preceding five years. In the case of Hokkaido Pref., Kyoto Pref., Osaka Pref., and the designated prefecture, however, two members of the Commission, who have been recommended by the mayor of the designated city covered by these prefectures concerned with the consent of the city assembly from among the persons who have the right to be elected as members of the city assembly concerned and who have no previous career as professional public servants either in police or prosecutive service during the preceding five years, shall be appointed by the governor of these prefectures.

2. A person falling under any of the following items shall not be able to become a member of the Commission:
 - (1) A bankrupt who has not been rehabilitated,
 - (2) A person who has been sentenced to imprisonment without hard labor or other heavier punishments.
3. The appointment of members of the Commission shall be made lest two or more of them (three or more of them in the case of To, Do, 14/ and the designated prefecture) belong to the same political party.

Term of Office of Members

ARTICLE 40

1. The term of office of members of the Commission shall be three years, however a member filing a vacancy shall remain in office during the rest of the term of office of his predecessor.
2. A member of the Commission may be re-appointed up to two times.

Release and Dismissal of Members

ARTICLE 41

1. In case a member of the Commission has come to fall under any of the following items, he shall ipso facto be released of his office. However, in the case where a member of the Commission has lost his right to be elected as a member of the prefectural assembly due to the change of his residence, he shall not be

released for that reason so long as his residence is still in the same prefecture:

- (1) In case he has come to fall under any of the items of paragraph 2, Article 39;
 - (2) In case he has lost his right to be elected as a member of the prefectural assembly concerned (as to the member of the Commission provided for in the proviso of paragraph 1, Article 39, in case he has lost his right to be elected as a member of the assembly of the designated city concerned).
2. The prefectural governor may dismiss a member of the Commission with the consent of the prefectural assembly concerned. In case he deems that such member has been incapacitated from performing his duties because of a mental or physical defect or that he has violated his official obligations or committed a misconduct ill befitting to a member of the Commission. However, with respect to the dismissal of a member of the Commission provided for in the proviso of paragraph 1, Article 39, the governor of Hokkaido Pref., Kyoto Pref., Osaka Pref. or the designated prefectures may dismiss that member of the Commission, after the governor asked the mayor of the designated city concerned to get the consent of the city assembly and obtained the consent.
 3. In case two or more members of the Commission have come to belong to the same political party, the governor of Ken except for the designated prefecture shall dismiss all such members except one of them with the consent of the assembly of the Ken concerned.
 4. In case three or more members of the Commission have come to belong to the same political party, the governor of Tokyo Pref., Hokkaido Pref., Kyoto Pref., Osaka Pref., and the designated prefecture shall dismiss those exceeded members in number following the example of the provision of each item of paragraph 3, Article 9, with the consent of the respective assemblies of Tokyo Pref., Hokkaido Pref., Kyoto Pref., Osaka Pref., or the designated prefectures. However, in case the members of the Commission who have newly come to belong to the same political party involve those who are provided for in the proviso of paragraph 1, Article 39, any member to be

dismissed shall be determined by lot.

5. The prefectural governor shall immediately dismiss any member of the Commission who has come to newly belong to the political party to which one (two in the case of Tokyo Pref., Hokkaido Pref., Kyoto Pref., Osaka Pref., and the designated prefecture) of the members has already belonged.
6. Except for the cases provided for in the preceding four paragraphs, no member of the Commission shall be dismissed against his will.

Performance of Duty, etc, of Members of Commission

ARTICLE 42

1. The provisions of Articles 30 through 34 and paragraph 1, Article 38 of the Local Public Service Law shall be applied mutatis mutandis to the performance of duty of members of the Commission. However, the prefectural governor shall grant permission as provided for in paragraph 1, Article 38 of the said law, except when the governor deems it hinders the performance of the duties of a member of the Commission that he concurrently holds the position or does the act provided for in the said paragraph.
2. No member of the Commission shall become concurrently a member of the assembly or the personnel in full-time service of local public entities or be engaged in part-time service prescribed in the provision of paragraph 1, Article 28-5 of the Local Public Service Law.
3. No member of the Commission shall become an executive member of a political party or any other political body, or shall actively engage in political movements.

Chairman

ARTICLE 43

1. There shall be a chairman in each of the Prefectural Public Safety Commissions. The chairman shall be elected by mutual vote of the members.
2. The term of office of the chairman shall be one year, provided that he may be re-appointed.
3. The chairman shall preside over the affairs of the Commission, and represent the Prefectural Public Safety Commission.

Direction of Inspection

ARTICLE 43-2

1. According to the provision of paragraph 3 of Article 38, the Prefectural Public Safety Commission may direct the prefectural police in detail or in a specific individual case of inspection of police personnel's misconducts, if necessary.
2. In the case in which the Prefectural Public Safety Commission made a direction according to the previous paragraph, the Commission may order one of the committees nominated by the Commission to monitor the implementation of the direction, if necessary.
3. The Prefectural Public Safety Commission may order a personnel of the prefectural police (including a personnel of the National Police Agency who is dispatched to the prefectural police under the paragraph 1 of Article 60) to assist the committee in the monitor activity prescribed in the previous paragraph.

General Affairs of Prefectural Public Safety Commission

ARTICLE 44

1. The general affairs of the Prefectural Public Safety Commission shall be handled by the Metropolitan Police Department or the Headquarters of the other Prefectural Police.

Operation of the Prefectural Public Safety Commission

ARTICLE 45

1. Necessary matters concerning the operation of the Prefectural Public Safety Commission shall be laid down by the Prefectural Public Safety Commission unless provided for in this law.

Area Public Safety Commission

ARTICLE 46

1. As an organisation to supervise the Area Headquarters provided for in Article 51, there shall be established an Area Public Safety Commission in each of the Areas where such Headquarters is established in accordance with the same Article.
2. The provisions of paragraphs 2 and 6, Article 38 and Articles 39 through 45 which relate to the Ken Public Safety Commission of Ken except for the designated prefecture shall be

applied mutatis mutandis to the Area Public Safety Com missions. In this context, “and other Prefectural Public Safety Commissions” in paragraph 6, Article 38, shall read as “and other Area Public Safety Commissions and Prefectural Public Safety Commissions”; “prefectural police” in Article 43-2 shall read as “Area Headquarters”; “Paragraph 3 of Article 38” shall read as “Paragraph 1 of Article 46”.

Exceptional provision relating to the organisation, etc, of the Ken Public Safety Commission of the prefecture covering the city newly designated as a designated city

ARTICLE 46-2

3. Such exceptions to the provisions of this section as relate to the number of the members of the Ken Public Safety Commission of the prefecture covering the city newly designated as a designated city until the first appointment of the members provided for in the provision of paragraph, Article 39 is made and the term of office of the said members shall be provided for by the Cabinet Order.

Section 3. Organisation of the Prefectural Police

Metropolitan Police Department and other Prefectural Police Headquarters

ARTICLE 47

1. There shall be established Metropolitan Police Department as headquarters of To Police, and a Prefectural Police Headquarters as headquarters of the other Prefectural Police.
2. The Metropolitan Police Department and the other Prefectural Police Headquarters shall respectively take charge of the affairs of To Police and the other Prefectural Police under the supervision of the respective Prefectural Public Safety Commissions, and shall assist the respective Prefectural Public Safety Commissions with respect to the affairs provided for in paragraph 3, Article 5 which shall be applied mutatis mutandis pursuant to paragraph 4, Article 38.
3. The Metropolitan Police Department shall be located within the Special Ward, while the other Prefectural Police Headquarters, at the seats of the respective prefectural offices.

4. The internal organisations of the Metropolitan Police Department and the other Prefectural Police Headquarters shall be provided for by by-law in accordance with the standard provided for by the Cabinet Order.

Superintendent General and Chiefs of the Prefectural Police

ARTICLE 48

1. There shall be appointed a Superintendent General for To Police, and a Chief of the Prefectural Police in other Prefectural Police.
2. The Superintendent General and Chiefs of the Prefectural Police (hereinafter referred to as “a Chief of Police”) shall respectively, subject to the supervision of the respective Prefectural Public Safety Commissions, control the affairs of the Metropolitan Police Department and the other Prefectural Police Headquarters, and direct and supervise the police personnel of the To Police and the other Prefectural Police.

Appointment and Dismissal of Superintendent General

ARTICLE 49

1. The Superintendent General shall be appointed and dismissed by the National Public Safety Commission with the approval of the Prime Minister after obtaining the consent of the To Public Safety Commission.
2. The To Public Safety Commission may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of the Superintendent General.

Appointment and Dismissal of Chiefs of Police

ARTICLE 50

1. Chiefs of Police shall be appointed and dismissed by the National Public Safety Commission with the consent of the respective Prefectural Public Safety Commissions.
2. The respective Prefectural Public Safety Commissions may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of Chiefs of the Prefectural Police.

Area Headquarters

ARTICLE 51

1. Do shall be divided into five or less jurisdictional areas, in each of which an Area Headquarters shall be established for the purpose of handling the police affairs as to the area. However, there shall not be established an Area Headquarters in the area where Do Police Headquarters is located.
2. In each Area Headquarters, there shall be appointed a Chief of the Area Headquarters.
3. The Chief of the Area Headquarters shall, subject to the supervision of the Area Public Safety Commission, control the affairs of the Area Headquarters, and direct and supervise the police personnel of the Area Headquarters subject to the directions of the Chief of Do Police.
4. The provision of the preceding Article shall be applied mutatis mutandis to the Chief of the Area Headquarters.
5. The number, name, and boundary of the area as well as the location of the Area Headquarters shall be provided for by by-law after asking the opinion of the National Public Safety Commission.
6. The internal organisation of the Area Headquarters shall be provided for by by-law in accordance with the standard provided for by the Cabinet Order.

City Police Department

ARTICLE 52

1. There shall be established a City Police Department within the area of the designated city for the purpose of taking charge of part of the functions of Do, Fu and Ken Police headquarters as to the area of the designated city concerned.
2. In each City Police Department, there shall be appointed a Chief.
3. The Chief of the City Police Department shall control the affairs of the City Police Department, and direct and supervise the police personnel of the City Police Department subject to the directions of the Chief of Do, Fu and Ken Police.

Police Stations, etc.

ARTICLE 53

1. The area of each Prefecture shall be divided into districts, and in each of which a Police Station shall be established to exercise jurisdiction over the district.
2. In each Police Station, there shall be appointed a Chief.
3. The Chief of a Police Station shall, subject to the direction and supervision of the Superintendent General, a Chief of the Prefectural Police, a Chief of Area Headquarters or a Chief of the City Police Department, handle the police affairs as to its jurisdictional district, and direct and supervise the police personnel under his command.
4. The name, location and jurisdictional district of each Police Station shall be provided for by prefectural ordinance in accordance with the standard provided for by the Cabinet Order.
5. There may be established police-boxes including Koban or residential police-boxes as lower organisations of Police Stations.

Police Station Consultative Group

ARTICLE 53-2

1. In each Police Station, there shall be a Police Station Consultative Group. However, there may be no Police Station in areas with limited population within its jurisdiction or other considerable reasons.
2. The Police Station Consultative Group shall respond to inquiries relating to police affairs within the Police Station's jurisdiction by the Chief of the Police Station, and shall provide proposals to the Chief.
3. The Prefectural Public Safety Commission shall appoint the committees of the Police Station Consultative Group.
4. The establishment, the number of the committees, the term of the committees, and other relating affairs to the Police Station Consultative Group shall be provided for by prefectural ordinance. Affairs relating to the meeting procedure of the Consultative Group shall be provided for by the Regulation of the Prefectural Public Safety Commission.

Police Schools

ARTICLE 54

1. There shall be attached a Metropolitan Police School to the Metropolitan Police Department, and a Prefectural Police School to each Headquarters of the other Prefectural Police.
2. The Metropolitan Police School and other Prefectural Police Schools (except Hokkaido Police School) shall conduct pre-service education and training, as well as other necessary education and training for police personnel.
3. Hokkaido Police School shall conduct, for police personnel pre-service education and training, necessary education and training to make them staff officers, and other necessary education and training.

Personnel

ARTICLE 55

1. To the Prefectural Police, there shall be assigned police officers and other necessary personnel.
2. The Superintendent General, a Chief of Prefectural Police, a Chief of the Area Headquarters, a Chief of the City Police Department, and a Chief of a Police Station shall be police officers.
3. Among the personnel mentioned in paragraph 1, the police officers who are in the rank of and higher than Senior Superintendent shall be appointed or dismissed by the National Public Safety Commission, except for the Superintendent General, a Chief of the Prefectural Police and a Chief of the Area Headquarters, with the consent of the respective Prefectural Public Safety Commissions; while the other personnel, by the Superintendent General or the Chief of the Prefectural Police after asking the opinions of the respective Prefectural Public Safety Commissions.
4. The Prefectural Public Safety Commission may make necessary recommendations to the National Public Safety Commission concerning disciplinary punishment or dismissal of police officers who are in the rank of and higher than Senior Superintendent except for the Superintendent General,

the Chief of the Prefectural Police and the Chief of the Area Headquarters. Concerning disciplinary punishment or dismissal of the other personnel, it may make recommendations to the Superintendent General or the Chief of the Prefectural Police.

Personnel Administration

ARTICLE 56

1. Among the prefectural police personnel, the police officers who are in the rank of and higher than Senior Superintendent (hereinafter referred to as "local senior police officers") shall be ordinary national public servants.
2. With respect to the matters to be provided for by prefectural ordinance or regulations of the Local Personnel Commission in accordance with the provisions of the Local Public Service Law concerning the appointment, pay, office hours and other service conditions, performance of duties, of the prefectural police personnel (hereinafter referred to as "local police personnel") except for the personnel mentioned in the preceding paragraph, the said by-law or the Regulations of the Local Personnel Commission shall be laid down basing on the instances of personnel provided for in paragraph 1, Article 34.
3. When the Superintendent General or a Chief of Prefectural Police receives a Prefectural Safety Commission's direction provided for in paragraph 1, Article 43-2 or finds a suspicious case relating to the following misconducts of a prefectural police personnel, the Superintendent General or a Chief of Prefectural Police shall promptly inspect the case. If the personnel's misconduct is clarified by the inspection, the Superintendent General or a Chief of Prefectural Police shall report the inspection result to the Prefectural Public Safety Commission through the procedure decided by the Prefectural Public Safety Commission.
 - (1) Violation of laws or local ordinances during their duties
 - (2) Neglect of their obligation or duties, other than violation prescribed in the previous item
 - (3) Misconduct which deteriorates the public confidence in public servants

Authorised Strength of Personnel

ARTICLE 57

1. The authorised strength of the local senior police officers throughout the Prefectural Police shall be provided for by the Cabinet Order, and the authorised strength in each rank of the police officers of each Prefectural Police shall be provided for by the Prime Minister's office Ordinance.
2. The authorised strength of local police personnel (with regard to police officers, the authorised strength in each rank is included) shall be provided for by by-law. In this case, the authorised strength of police officers shall be subject to the standards provided for by the Cabinet Order.

Detailed Matters of Organisation

ARTICLE 58

1. The organisation of the Prefectural Police shall be provided for by the Regulations of the Prefectural Public Safety Commission, unless provided for in this Section.

Section 4. Relationship among the Prefectural Police

Obligation of Cooperation

ARTICLE 59

1. The Prefectural Police shall be obliged to cooperate with each other.

Request for Assistance

ARTICLE 60

1. The Prefectural Public Safety Commission may request the National Police Agency or other Prefectural Police for assistance.
2. In case a Prefectural Public Safety Commission wishes to make a request to other Prefectural Police for assistance in accordance with the provision of the preceding paragraph, it must inform the National Police Agency beforehand (an ex post facto notification in an unavoidable case) of the necessary matters.
3. The police officers of the National Police Agency or the Prefectural Police dispatched in compliance with the request for assistance provided for in paragraph 1 may exercise their authorities under the supervision of the Prefectural Public Safety Commission

concerned within the jurisdictional area of the Prefectural Police supervised by the Prefectural Public Safety Commission who made the request for assistance.

Authorities on the Cases on or near the Boundaries of the Prefectural Jurisdiction

ARTICLE 60-2

1. The Prefectural Police, whose jurisdictional areas are adjacent or close to each other, may extend their authorities to the jurisdiction of the other Prefectural Police concerned by mutual agreement in order to handle any cases within the jurisdiction on or near the boundaries upon which it is deemed necessary, judging from the social and economical integrity and geographical conditions, to extend authority (limited to the areas whose distance from the boundaries has been provided for by the Cabinet Order).

Authorities on Nation-wide Organised Crimes

Article 60-3

1. A Prefectural Police may extend their authorities to the jurisdiction of the other Prefectural Police as far as necessary in order to handle nation-wide organised crimes.

Authority Outside of Jurisdictional Area

ARTICLE 61

1. The Prefectural Police may also extend their authorities even beyond the limit of their jurisdictional area within the scope of necessity for protection of the life, physical body, and property of the concerned parties within jurisdiction including residents and visitors, suppression and investigation of crimes, apprehension of suspects and other affairs concerning the maintenance of public safety within their jurisdictional area.
2. In the case of the preceding paragraph, the Prefectural Police shall maintain close contact with the other Prefectural Police having jurisdiction over the area to which it extends their authorities.

Direction and communication concerning joint action of a case

Article 61-2

1. The Superintendent General or Chief of Prefectural Police Headquarters may, in

case the concerned Prefectural Police execute authority over jurisdiction of other Prefectural Police, or take a joint action with other Prefectural Police, when it is deemed necessary, cause a police officer of the concerned Prefectural Police to take command to the Prefectural Police officials, with regard to the disposition of the concerned case, within the scope of policy previously set up by discussion.

2. The provision of Paragraph 2, Article 60 shall apply in case the discussion is to be held as provided for in the preceding paragraph.
3. Prefectural Police Headquarters shall, when executing authority over jurisdiction of other Prefectural Police, keep close contact with the concerned Prefectural Police.

Measures against Nation-wide Organised Crimes

Article 61-3

1. If necessary for the implementation of the measures against nation-wide organised crimes, the Commissioner General of the National Police Agency may direct the Prefectural Police in affairs relating to the arrangement of responsibilities for the measures among the relevant Prefectural Police and other affairs relating to the framework of police force for the measures.
2. If necessary to follow the direction provided for in the previous paragraph, the Prefectural Police shall implement the measures prescribed in this section, including request for dispatching necessary police force against nation-wide organised crimes provided for in paragraph 1, Article 60, and extension of authorities to the jurisdiction of the other Prefectural Police in order to handle such crimes provided for in Article 60-3.

CHAPTER V

POLICE PERSONNEL

Ranks of Police Officers

ARTICLE 62

1. The ranks of police officers (except for the Commissioner General) shall be Superintendent General, Superintendent Supervisor, Chief Superintendent, Senior Superintendent, Superintendent, Police Inspector, Assistant Police Inspector, Police Sergeant and Policeman.

Duties of Police Officers

ARTICLE 63

1. The police officers shall handle the police affairs under the direction and supervision of their superiors.

Exercise of Authorities of Police Officers

ARTICLE 64

1. The police officers of the Prefectural Police shall, unless otherwise specially provided for in this Law, exercise their authorities within their jurisdiction of the Prefectural Police concerned.

Exercise of Authority over Offenders in flagrante delicto (red-handed)

ARTICLE 65

1. The police officers may, regardless of the area, exercise police authority in relation to the apprehension of offenders in flagrante delicto provided for in Article 212 of the Code of Criminal Procedure (Law No. 131 - 1948).

Exercise of Authority of Mobile Police

ARTICLE 66

1. With respect to the mobile police responsible for the transportation service covering the jurisdictional areas of two or more Prefectural Police, the police officers may exercise their authority within the jurisdictional areas of the Prefectural Police concerned in accordance with the agreement reached by the Prefectural Police concerned.
2. In case it is deemed necessary to secure smooth traffic and prevent dangers within the areas provided for by the Cabinet Order of the driveway provided for in paragraph 8, Article 2

of the Road Transportation Law (Law No. 183 - 1951) and the area provided for by the Cabinet Order of the road stipulated by the Cabinet Order that is provided for in paragraph 1, Article 2 of the Road Law (Law No. 180 - 1952), both of which extend over the jurisdictional areas of two or more Prefectural Police, police officers may, following the way provided for by the preceding paragraph, exercise their authorities over any incidents occurring within the areas of the roads concerned within the jurisdictional areas of the Prefectural Police concerned.

Possession of Small-Sized Weapons

ARTICLE 67

1. The police officers may possess small-sized weapons in order to perform their duties.

Supply of Clothing, etc.

ARTICLE 68

1. The State shall, as provided for by the Cabinet Order, supply the police officers of the National Police Agency with clothing and loan them equipments necessary for the performance of their duties.
2. The Prefecture shall, as provided for by by-law in accordance with the Cabinet Order referred to in the preceding paragraph, supply the police officers of the Prefectural Police with clothing and loan them equipments necessary for the performance of their duties.

Ranks and Duties of Imperial Guard Officers

ARTICLE 69

1. The ranks of the imperial guard officers shall be Imperial Guard Superintendent Supervisor, Imperial Guard Chief Superintendent, Imperial Guard Senior Superintendent, Imperial Guard Superintendent, Imperial Guard Inspector, Imperial Guard Assistant Inspector, Imperial Guard Sergeant and Imperial Guardsman.
2. The imperial guard officers shall handle the affairs of Imperial Guard under the direction and supervision of their superiors.
3. The imperial guard officers shall implement their duties provided for in the Criminal Procedure Law, through the procedure decided by the National Public Safety Commission, relating to crimes against the life,

physical body or property of the Emperor, the Empress, the Prince and other Imperial Family members, crimes against the property of the Imperial Household, crimes committed inside the Imperial Palace, Imperial Residents, other facilities belong to the Imperial Household, and facilities being used for hosting the Emperor, the Empress, the Prince and other Imperial Family members.

4. The provisions of Article 67 and paragraph 1 of the preceding Article shall apply mutatis mutandis to the imperial guard officers.
5. The provisions of Article 2, Article 5, paragraph 1, 3 and 4 of Article 6, and Article 7 of the Police Duties Execution Law (Law No. 136, 1948) shall apply mutatis mutandis to the imperial guard officers. In this context, "or residential police box" in paragraph 2, Article 2 of the same law shall read as "residential police box or relevant facilities of the Imperial Guard Headquarters"; "or a residential police box" in paragraph 3 of the same article shall read as "a residential police box or relevant facilities of the Imperial Guard Headquarters"; "the Public Safety Commission concerned" in paragraph 2, Article 4 of the same law shall read as "the National Public Safety Commission"; and "the Public Safety Commission" in the same paragraph shall read as "the National Public Safety Commission."
6. The imperial guard officers and police officers shall cooperate with each other for their duties.

Codes of Etiquette, etc.

ARTICLE 70

1. The necessary matters relating to codes of etiquette, uniforms and official commendation of police personnel shall be provided for by the Regulation of the National Public Safety Commission.

CHAPTER VI

SPECIAL MEASURES IN A STATE OF NATIONAL EMERGENCY

Proclamation

ARTICLE 71

1. If deemed especially necessary for the maintenance of peace and order in the event of a large-scale disaster or disturbance, and other national emergency, the Prime Minister may, upon the recommendation of the National Public Safety Commission, issue a proclamation of a state of national emergency in respect to the country as a whole or any part thereof.
2. The proclamation mentioned in the preceding paragraph shall set forth the area, outline of the situation and the date on which the same will be effective.

Control of Prime Minister

ARTICLE 72

1. When the proclamation provided for in the preceding Article has been issued, the Prime Minister shall temporarily control the police forces in accordance with the provisions of this Chapter. In such case, the Prime Minister shall directly direct and supervise the Commissioner General within the limits of necessity to deal with the state of emergency.

Order and Commands of Commissioner General

ARTICLE 73

1. When the proclamation of a state of national emergency provided for in Article 71 has been issued, the Commissioner General shall give necessary orders to or command the Superintendent General or the Chief of the Prefectural Police who exercises jurisdiction over the area (hereinafter referred to as "the area of the proclamation" in this Article) set forth in the proclamation; while the Director General of the Regional Police Bureau shall also give necessary orders to or command the Chief of the Fu and Ken Police who exercises jurisdiction over the area of the proclamation.
2. When the proclamation of a state of national emergency provided for in Article 71 has

been issued, the Commissioner General may order any of the Prefectural Police except for those exercising jurisdiction over the area of the proclamation to dispatch police officers to the area of the proclamation and other necessary areas.

3. When the proclamation of a state of national emergency provided for in Article 71 has been issued, the police officers dispatched to the area of the proclamation (in case dispatched to the area except for the area of the proclamation in accordance with the provision of the preceding paragraph, the area concerned) may exercise their authorities in any part of such area. (Approval of the Diet and Repeal of Proclamation)

ARTICLE 74

1. When a state of national emergency has been proclaimed in accordance with the provisions of Article 71, the Prime Minister shall refer it to the Diet for its approval within twenty days from the date of the proclamation. If the Diet is closed or the House of Representatives is dissolved, such approval must be obtained at the subsequent first session of the Diet.
2. In the case referred to in the preceding paragraph, should the Diet disapprove the proclamation of a state of national emergency or resolve the repeal of such proclamation or should such proclamation be no longer required, the Prime Minister shall promptly proclaim the repeal of such proclamation.

Obligation of Advice of National Public Safety Commission

ARTICLE 75

1. The National Public Safety Commission shall at all times give necessary advice to the Prime Minister on the exercise of his authority provided for in this Chapter.

CHAPTER VII

MISCELLANEOUS PROVISIONS

Relation with Public Prosecutors

ARTICLE 76

1. The relationship between the Public Prosecutors and the Prefectural Public Safety Commission and the police officers shall be

subject to those provided for by the Code of Criminal Procedure.

2. The National Public Safety Commission and the Commissioner General shall at all times maintain close contact with the Public Prosecutor General.

Pension

ARTICLE 77

1. The local police personnel provided for in the following items shall be regarded as the public servants provided for in Article 19 of the Pension Law (Law No. 48 - 1923), and the provisions of the same Law shall be applied mutatis mutandis to them.
 - (1) Police officers with the rank of Assistant Police Inspector, Police Sergeant or Policeman
 - (2) Police officers with the rank of Superintendent or Police Inspector
 - (3) Clerical or technical officials.
2. In case the provisions of the preceding paragraph are applied to, the personnel mentioned in item 1 of the same paragraph shall be regarded as police and prison personnel as provided for in Article 23 of the Pension Law; while the personnel mentioned in items 2 and 3 of the same paragraph shall be regarded as civil officials as provided for in paragraph 1, Article 20 of the same Law.
3. In case the local police personnel mentioned in each item of paragraph 1 have consecutively become the public servants mentioned in Article 19 of the Pension Law or the local police personnel mentioned in each item of the same paragraph of other Prefectural Police, or the public servants provided for in the same Article or the personnel who are regarded as public servants have consecutively become the local police personnel mentioned in each item of the same paragraph, they shall be regarded as having been in continuous service in the application of the laws and regulations concerning pension. However, it shall not be objected to apply mutatis mutandis paragraph 2. Article 26 of the same Law.

Use of State Property without Compensation

ARTICLE 78

1. Irrespective of the provisions of Article

22 of the State Property Law (Law No. 73 - 1948) (includes the case which is applied mutatis mutandis in Article 19) and also of the provision of paragraph 1, Article 9 of the Financial Law (Law No. 34 - 1947), the State may allow the Prefectural Police the authorised use without compensation of any police educational or training facilities, police communication facilities, criminal identification facilities and other State properties for purposes of police activity which are necessary for the use of the Prefectural Police (meaning the State properties provided for in paragraph 1, Article 2 of the State Property Law), and other State owned goods.

2. The National Police Agency or Prefectural Police may mutually use the police communication facilities for liaison.

Complaint

ARTICLE 79

1. Whoever has complaint against execution of duties by the personnel of the Prefectural Police may lodge a complaint in document to the Prefectural Public Safety Commission through the procedure prescribed in the National Public Safety Commission Ordinance.
2. The Prefectural Public Safety Commission which received a complaint provided for in the previous paragraph shall faithfully handle it in accordance with laws and local ordinance, and shall notice its result to the complainant in document, except in the following cases.
 - (1) The complaint can be recognized as provided in order to obstruct lawful execution of the duties of the Prefectural Police.
 - (2) The current resident of the complainant is unknown.
 - (3) The complaint can be recognized as provided jointly with other complainants and other complainants have already been notified with the result of the joint complaint.

Participation in Lawsuit for Complaint

ARTICLE 80

1. The Prefectural Public Safety Commission shall represent the Prefectural Government in the lawsuit provided for in paragraph 1, Article 11 of the Administrative Lawsuit Procedure Law (Law No. 139, 1962) (includes the case which is applied mutatis mutandis in paragraph 1, Article 38 in the same law (includes the case which is applied mutatis mutandis in paragraph 2, Article

43 in the same law) or in paragraph 1, Article 43), in which that Prefectural Government is complained relating to the Commission's administrative disposition (means in this article administrative disposition provided for in paragraph 2, Article 3 of the same law) or determination (means in this article ruling provided for in paragraph 3, Article 3 of the same law) or relating to disposition or determination made by an Area Public Safety Commission or police personnel supervised by the Prefectural Public Commission.

Delegation to Cabinet Order

ARTICLE 81

1. Unless otherwise specially provided for in this Law, the necessary matters for the enforcement of this Law shall be provided for by the Cabinet Order.

The Police Duties Execution Law, presented in its original form

THE POLICE DUTIES EXECUTION LAW

(Law No. 136, July 12, 1948 as revised by: Law No. 163, June 8, 1954, Law No.94, June 23, 2006)

Object of this Law

ARTICLE 1

1. The object of this law is to provide for the necessary measures to be taken by a police officer for faithfully carrying out his authorities and duties of protecting lives, physical bodies and properties of individuals, preventing crimes, maintaining public safety as those provided for in the Police Law (Law No. 162, 1954), as well as the enforcement of other laws and regulations.
2. Any measures which are provided for in this law should be resorted to within the limits of minimum necessity for the purpose of the preceding paragraph, and any abuse thereof is strictly prohibited.

Questioning

ARTICLE 2

1. A police officer may stop and question any person who has reasonable ground to be suspected of having committed or being about to commit a crime judging reasonably from his or her unusual behaviors and/or other surrounding circumstances, or who is deemed to have some information on the crime which has already been committed or is about to be committed.
2. In case a police officer considers that such questioning on the spot as that provided for in the preceding paragraph will disadvantage the subject person or impede traffic, he may ask him or her to come with him to a nearby police station, police box or residential police box for that purpose.
3. Any person provided for in the preceding two paragraphs shall not be detained by the authorities, or be taken into a police station, a

police box or a residential police box by force, or be coerced to answer his questions against his or her will as long as it is not based on the laws concerning criminal proceedings.

4. With regard to the person who is under arrest in accordance with the law concerning criminal procedure, a police officer may search his or her personal belongings for any possible weapons.

Protection

ARTICLE 3

1. In case a police officer finds a person, who is deemed to fall clearly under any of the following categories, judging reasonably from his or her unusual behaviors and/or other surrounding circumstances, and moreover has reasonable ground to believe that he or she needs emergency aid and protection, he must give him or her immediate protection at any such proper places as a police-station, a hospital, relief facilities, etc. (1) A person who is likely to inflict an injury on his or her own or others' lives, physical bodies or properties on account of his or her mental derangement or drunkenness. (2) A stray child, a sick person and an injured person or the like who are not attended by any proper guardian and are considered as requiring emergency aid and protection (except the cases where such persons refuse to be given any immediate protection).
2. In case a police officer has taken the measures provided for in the preceding paragraph, he shall inform the family, acquaintances or other persons concerned as soon as possible to that effect, and make the necessary arrangements for handing the subject person over to them. In the event there is no responsible relative or acquaintance to be found, the police officer should immediately turn the case over to the proper public health or public welfare service or any of the other official services charged with the disposition of such persons by the law and regulations.

3. The police protection under the provision of paragraph 1 shall last no longer than 24 hours except in cases where a warrant of a judge of the summary court (hereinafter refers to the summary court having jurisdiction over the precincts of the police station to which the police officer who has given the said protection is assigned) authorising further protection is obtained.
4. The warrant referred to in the provision of the preceding paragraph shall be issued by the judge at the request of a police officer only in the case when he deems the circumstances to be inevitable to issue such a warrant, and the extended period shall not exceed 5 days in total. In this warrant, the inevitable circumstances which are deemed to exist must be stated expressly.
5. The police officer shall notify the summary court every week of the names and addresses of the persons who are placed under police protection in accordance with the provision of paragraph 1, reason or reasons for protection, and dates of protection and delivery, as well as the names of the persons or services to whom or which such persons are handed over.

Measures for Refuge, etc.

ARTICLE 4

1. In case of a dangerous situation, such as a natural calamity, incident, destruction of a structure, traffic accident, explosion of a dangerous matter, appearance of a mad dog or runaway horse, excessive congestion of people, or the like, which is likely to endanger the lives or physical bodies of people or cause serious damage to their properties, a police officer may give the necessary warning to the person or persons who happen to be at the scene, the keeper of the goods and other persons concerned; and in case of extreme urgency, he may keep back the person from the impending danger or make such persons take refuge within the limits of necessity for escaping from the impending danger, or order the persons who happen to be at the scene, keeper of the subject thing and any other persons concerned to take the measures generally considered necessary for the prevention of dangers, or take such measures himself.
2. With regard to the action taken by the police officer under the provision of the preceding

paragraph), it shall be necessary for him to report the effect to the Public Safety Commission concerned through due channels. In such cases, the Public Safety Commission shall take proper action in order to ask other public services for their cooperation which are deemed necessary for the subsequent actions.

Prevention and Suppression of Crimes

ARTICLE 5

1. A police officer may, when he notices a crime is about to occur, give the necessary warning to the person or persons concerned for the prevention of its occurrence, and check such acts of the person or persons in case it may endanger any lives or physical bodies of people or cause serious damage to property, and moreover the case admits no delay.

Entry

ARTICLE 6

1. In case any dangerous situation provided for in the preceding two Articles has occurred, and any lives, physical bodies or property of the people are in jeopardy, a police officer, if he deems it inevitably necessary in order to prevent the danger, hold the spread of damage in check, or give relief to sufferers, may enter any person's land, building, vessel or vehicle, within the limits reasonably judged necessary.
2. The manager or proprietor, or any person in any corresponding position, of a place of performance, hotel, restaurant, railway-station or any other place whereto a crowd of people access, cannot, without good reason, deny a police officer to enter his or her premises during its business hours if he or she is demanded the entry by the police officer for the purpose of preventing a crime or a danger imperiling any lives, physical bodies or properties of the people.
3. In making entry under the provisions of the preceding two paragraphs, a police officer shall not interfere arbitrarily with the lawful operation of the business of the person concerned.
4. In making entry under the provision of either paragraph 1 or paragraph 2, a police officer, if requested, shall tell the manager or proprietor,

or the person in any corresponding position, the reason for his entry, and moreover show such person his certificate of identification.

Use of Weapon

ARTICLE 7

1. A police officer may use his weapon in case there is reasonable ground to deem it necessary for the apprehension of a criminal or the prevention of his or her escape, self-protection or protection of others or suppression of resistance against the execution of his official duty within the limits judged reasonably necessary in the situation. However, he shall not inflict any injury upon any person except the case falling under the category of the provisions of Article 36 (Legal Defence) of the Criminal Law (Law No. 45, 1907) or of Article 37 (Emergency Refuge) of the same law, or the case falling under any of the following categories;
 - (1) In case a person, who is actually in the act of committing, or has sufficient ground to be suspected of having committed, a violent and dangerous crime which deserves a death penalty, perpetual penal servitude or imprisonment, or penal servitude or imprisonment for a maximum period of not less than three years, resists the police officer against the execution of his duty to the subject person or attempts to escape or a third person resists the police officer with the object of letting the subject person escape; provided there is reasonable ground on the part of the police officer to believe that there exists no other means but to do so either for the prevention of such resistance or escape or for the apprehension of such persons.
 - (2) In case of apprehending a person under a warrant of arrest, or serving a warrant of production or detention, if the subject person resists the police officer against the execution of his duty to the subject person or attempts to escape, or a third person resists the police officer with the object of letting the subject person escape; provided there is reasonable ground on the part of the police officer to believe that there exists no other means but to do so either for the prevention of such resistance or escape or for the apprehension of the subject person.

Authorities and Duties under other Laws and Regulations

ARTICLE 8

1. A police officer shall carry out duties and exercise his powers granted under the laws and regulations concerning criminal procedure and others, as well as police regulations, in addition to the provisions in this law.

مركز جنيف للرقابة الديموقراطية على القوات المسلحة
شارع المعارف ٣٤
رام الله / البيرة
الضفة الغربية
فلسطين

هاتف: +٩٧٢ (٢) ٢٩٥ ٦٢٩٧

فاكس: +٩٧٢ (٢) ٢٩٥ ٦٢٩٥

مركز جنيف للرقابة الديموقراطية على القوات المسلحة
مركز جيفنور - بلوك C - الطابق السادس
شارع كليمنسو
بيروت
لبنان

هاتف: +٩٦١ (٠) ١٧٣٨ ٤٠١

فاكس: +٩٦١ (٠) ١٧٣٨ ٤٠٢

DCAF Head Office, Geneva

By Post:

Geneva Centre for the Democratic Control of Armed Forces (DCAF)
P.O.Box 1360
CH-1211 Geneva 1
Switzerland

For Visitors:

Geneva Centre for the Democratic Control of Armed Forces (DCAF)
Rue de Chantepoulet 11
CH-1201 Geneva 1
Switzerland

Tel: +41 (0) 22 741 77 00

Fax: +41 (0) 22 741 77 05

DCAF Ramallah

Al-Maaref Street 34
Ramallah / Al-Bireh
West Bank
Palestine

Tel: +972 (2) 295 6297

Fax: +972 (2) 295 6295

DCAF Beirut

Gefinor Center - Block C - 6th Floor
Clemenceau Street
Beirut
Lebanon

Tel: +961 (0) 1 738 401

Fax: +961 (0) 1 738 402

www.dcaf.ch