

Publication Law (April 14, 1893, Law No. 15)

Article I

To print documents and drawings by machine or any other means whatever, and to sell or distribute them is called publication; those who write or compile such documents or produce such drawings are called authors; those who take charge of the sale and distribution thereof are called publishers; those who take charge of printing are called printers.

Article II

The publication of documents and drawings, except newspapers and the periodically published magazines, shall all be subject to this law. However, magazines on science, arts, statistics and advertisement shall be permitted to be published according to this law.

Article III

In the publication of documents and drawings, a report, together with two copies of the bound book, shall be submitted to the Home Ministry, three days before the date of publication, excluding the number of days necessary for its arrival.

Article IV

In the publication of documents and drawings by government offices, two copies of the bound book shall be submitted to the Home Ministry by the said government offices prior to the publication thereof.

Article V

Report of publication shall be submitted by the author, or under the joint signatures of the successor and publisher; but as to articles not for sale, the report may be submitted by only the author or the publisher. In the publication of documents and drawings with no protection of copyright, or in case the author or the successor is unknown, the publisher shall submit a report to that effect. Documents and drawings published under the name of a school, a company, an association, etc., shall be reported under the joint signatures

of the publisher and the representative of the school, company, or the association, etc.

Article VI

The publishers of documents and drawings shall be confined to those engaged in the business of selling documents and drawings; but authors or their successors shall be allowed to be concurrently publishers.

Article VII

The publishers of documents and drawings shall mention their names, addresses and dates of publication at the end of their publications.

Article VIII

The printers of documents and drawings shall mention their names, addresses and dates of printing at the end of such documents and drawings; in case their addresses are not the same as that of their printing offices, the address of the printing offices also shall be mentioned. In case the printing office is owned jointly by several persons, those who represent the printing office in business shall be regarded printers. If the printing offices mentioned in the above two clauses have customary business names, such names shall also be mentioned.

Article IX

Letters, communications, reports, company regulations, private school regulations, handbills, programs of various performances, various blank forms, bonds, and photographs need not be subject to Articles III, VI, VII and VIII, but those which come under Articles III, VI, VII and VIII shall come under the jurisdiction of this law.

Article X

In the publication of documents and drawings in successive volumes, it shall be subject to the procedures stipulated in Article III at the publication of each volume; but as to magazines, such procedures may be omitted by procuring a permission from the Home Minister. In case the magazines to be published according to this law are never published during twelve months, they shall be regarded as discontinued.

Article XI

The republication of documents and drawings, the publication report of which has already been submitted,



shall not be subjected to another report; but in case any revision or addition of comments, supplements, pictures, etc., is made, it shall be subject to Article III.

#### Article XII

As to notes of speeches or lectures, the speakers or the lecturers shall be regarded as authors; but in case the copyists themselves should publish the said notes by the consent of the speakers or the lecturers, the copyists shall be regarded as authors. In this case, if the mentioned items should conflict with Articles XVI, XVII, XVIII, XIX, XXI, XXVI, XXVII, the speakers or the lecturers together with the copyists shall be charged with the same crime. If notes of speeches made in public are taken by reporters of newspapers or magazines and are published in such newspapers or magazines without the consent of the speakers or the lecturers, the speakers or the lecturers shall not be responsible for the writings. No one shall be allowed to publish notes on speeches without the consent of the speakers or lecturers, except when such speeches are made in public. However, those who contradict with this clause shall be responsible according to the copyright law.

#### Article XIII

In case more than two varieties of writings or notes of speeches or lectures are compiled into a book, the compiler shall be regarded as an author. The last part of Clause I, and Clauses II and III in the preceding Article shall be applicable in this Article.

#### Article XIV

As to translations, the translators shall be regarded as authors.

#### Article XV

In case documents and drawings are published under the name of a school, a company, an association, etc., the representative who signs the publication report shall be regarded as the author.

#### Article XVI

Such documents as instigating or screening crimes or protecting, praising or entrapping those who are under criminal trials, shall not be allowed to be published.

Article XVII

Matters relating to preliminary examination of grave offence as well as minor offence shall not be allowed to be published prior to the commitment for trials. Matters of lawsuit conducted in camera shall not be allowed to be published.

Article XVIII

Official documents and official proceedings relating to diplomacy, military affairs and other official secrecy, all of which are not made public, shall not be allowed to be published unless permitted by the authorities concerned. Proceedings of public meetings conducted in camera by law shall not be allowed to be published.

Article XIX

In case documents and drawings, regarded as disturbing the peace and order or injurious to public morals, are published, the Home Minister can prohibit the sale and distribution thereof, and seize the printing blocks and forms thereof.

Article XX

In case documents and drawings printed abroad are regarded as disturbing the peace and order or injurious to public morals, the Home Minister can, within this country, prohibit the sale and distribution thereof and seize the forms thereof.

Article XXI

Documents and drawings relating to military secret shall not be allowed to be published unless permitted by the authorities concerned.

Article XXII

Those who publish documents and drawings without making any report as stipulated in Article III shall be fined from five to fifty yen.

Article XXIII

Those who violate Article VI shall be sentenced to (light imprisonment) from eleven days to three months, or fined from five to fifty yen.



Article XXIV

In case publishers do not mention or falsely mention their own names, addresses and dates of publications, or the printers' names, addresses and dates of printing, in their publications, such publishers shall be fined from two to thirty yen.

Article XXV

In case printers do not mention or falsely mention their own names, addresses and dates of printing in the documents and drawings printed by them, such printers shall be punished as in the preceeding Article. In case the residence and printing office are not located in the same place, and the printing office has its own customary business title, the printer shall mention the address of the printing office and its title, or be punished as in the preceeding clause.

Article XXVI

In case documents and drawings, impairing the dignity of the Throne, disintegrating the form of government, or disturbing the national constitution, are published, the authors, publishers as well as printers shall be sentenced to (light imprisonment) from two months to two years, together with a fine of twenty to two hundred yen.

Article XXVII

In case documents and drawings, disturbing the peace and order, or detrimental to public morals, are published, the authors and publishers shall be sentenced to (light imprisonment) from eleven days to six months, or fined from ten yen to one hundred yen.

Article XXVIII

In case documents and drawings conflicting with Articles XVI, XVII, XVIII and XX are published, the authors and publishers shall be sentenced to (light imprisonment) from eleven days to one year, or fined from ten yen to two hundred yen. Those who sell and distribute documents and drawings prohibited in Article XIX and XX, shall be punished as in the preceeding clause. Those documents and drawings not yet sold and distributed shall be confiscated.

Article XXIX

In the cases of Articles XXVI, XXVII and XXVIII, the prosecutor can provisionally seize the printing blocks and forms.

Article XXX

In the seizure of the printing blocks and forms in the preceding Article, the portion to be seized may be divided from the rest if possible.

Article XXXI

In case a libel is sued after the publication of documents and drawings, and when the Court of Justice recognizes that the exclusive motive of such publication is for the public interest, the accused shall be allowed to prove the fact, except in the case of private conduct. When the fact has been proved, the accused shall be acquitted of the crime. It shall be dealt with likewise when a suit for damages is instituted.

Article XXXII

To those who violate this law, remission by self-surrender (aggravation of repetition of an offence, concurrence of offences) of the criminal law shall not be applied.

Article XXXIII

Prescription of arraignment relating to this law shall be completed by the lapse of one year.

Article XXXIV

In case magazines published according to this law should mention items beyond the limits of Article II, the Home Minister can suspend the publication thereof. In this case, such magazines shall not be allowed to be published according to this law for one year.

Article XXXV

All documents and drawings printed for the purpose of sale and distribution, though not immediately sold and distributed, shall be subject to this law.

Article XXXVI

This law shall be applicable to sounds recorded for mechanical reproduction for the purpose of sale and distribution. The authors in this case shall be those who record such sounds.



Additional Rules (Law No. 47 in 1937)

The date of enforcement of this law shall be decided by an Imperial Ordinance (According to the Imperial Ordinance No. 224 of 1937, this law shall be enforced from August 1, 1937).

Revision: Law No. 47 of 1937.