

ภาคผนวก จ

The Imperial Household Law of 1947

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I hereby give my sanction, with the advice of the Privy Council, to the Imperial Household Law, for which the concurrence of the Imperial Diet had been obtained, and cause the same to promulgated.

Signed: HIROHITO, Seal of the Emperor

This fifteenth day of the first month of the twenty-second year of Showa

Countersigned:

Yoshida Shigeru, *Prime Minister and concurrently Minister of Foreign Affairs*

Baron Shidehara Kijuro, *Minister of State*

Kimura Tokutarō, *Minister of Justice*

Omura Seiichi, *Minister for Home Affairs*

Tanaka Kotaro, *Minister of Education*

Wada Hiroo, *Minister of Agriculture and Forestry*

Saito Takao, *Minister of State*

Hitotsumatsu Sadayoshi, *Minister of Communication*

Hoshijima Jiro, *Minister of Commerce and Industry*

Kawai Yoshinari, *Minister of Welfare*

Uehara Etsujiro, *Minister of State*

Hiratsuka Tsunejiro, *Minister of Transportation*

Ishibashi Tanzan, *Minister of Finance*

Kanamori Tokujiro, *Minister of State*

Zen Keinosuke, *Minister of State*

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Chapter I. Succession to the Imperial Throne

Article 1. The Imperial Throne of Japan shall be succeeded to by male descendants in the male line of Imperial Ancestors.

Article 2. The Imperial Throne shall be passed to the members of the Imperial Family according to the following order:

1. The eldest son of the Emperor
2. The eldest son of the Emperor's eldest son
3. Other descendants of the eldest son of the Emperor
4. The second son of the Emperor and his descendants
5. Other descendants of the Emperor
6. Brothers of the Emperor and their descendants
7. Uncles of the Emperor and their descendants

In case there is no members of the Imperial Family as under the numbers of the preceding paragraph, the Throne shall be passed to the member of the Imperial family next nearest in lineage. In cases of the two preceding paragraphs, precedence shall be given to the senior line, and in the same degree, to the senior member.

Article 3. When the Imperial heir is suffering from an incurable disease of mind or body, or when any other weighty cause exists, the order of succession may be changed by decision of the Imperial Household Council and in accordance with the order stipulated in the preceding article.

Article 4. Upon the demise of the Emperor, the Imperial heir shall ascend to the throne.

Chapter II. The Imperial Family

Article 5. The Empress, the Grand Empress Dowager, the Empress Dowager, the *Kotaishi* and his consort, the *Kotaison* and his consort, the *shinnô* and their consorts, the *naishinnô*, the *ô* and their consorts, and the *nyoô* shall be members of the Imperial Family.

Article 6. The legitimate children of an Emperor and the legitimate grandchildren of an Emperor in the male line shall be *shinnô* in the case of males and *naishinnô* in the case of females. The legitimate descendants of an Emperor in the third and later generations in the male line shall be *ô* in the case of males and *nyoô* in the case of females.

Article 7. In case an *ô* succeeds to the Throne, his brothers and sisters who are *ô* and *nyoô* shall be specially granted the title of *shinnô* or *naishinnô*.

Article 8. The son of the Emperor who is the Imperial Heir is called *Kotashi* and in case there is no *Kotashi*, the grandson of the Emperor who is Imperial Heir shall be called *Kotaison*.

Article 9. The Emperor and the members of the Imperial Family may not adopt children.

Article 10. The institution of the Empress and the marriage of any male member of the Imperial Family shall be passed by the Imperial Household Council.

Article 11. An *ô*, *naishinnô* or *nyoô* of fifteen years of age or more, shall leave the status of Imperial Family member according to her or his own desire and by decision of the Imperial Household Council.

Beside the case as mentioned in the preceding paragraph, a *shinnô* (excepting the *Kotashi* and the *Kotaison*), *ô*, *naishinnô* or *nyoô* shall in the case of special and unavoidable circumstances, leave the status of Imperial Family member by decision of the Imperial Household Council.

Article 12. In case a female of the Imperial Family marries a person other than the Emperor or a member of the Imperial Family, she shall lose the status of Imperial Family member.

Article 13. The consorts of a *shinnô* or an *ô* who leaves the status of Imperial Family member, and his direct descendants and their consorts, excepting those females who are married to other members of the Imperial Family and their direct descendants, shall lose simultaneously the status of the Imperial Family member. However, as regards

his direct descendants and their consorts, it may be so decided by the Imperial Household Council that they do not lose the status of Imperial Family member.

Article 14. A female, not of the Imperial Family, who is married to a *shinnô* or *ô* may, upon the loss of her husband, leave the status of the Imperial Family member according to her own desire.

When a female, mentioned in the preceding paragraph, has lost her husband, she shall, in the case of special and unavoidable circumstances, leave the status of Imperial Family member by decision of the Imperial Household Council.

In case a female, mentioned in the first paragraph, is divorced she shall lose the status of Imperial Family member.

The provision of the first paragraph and the preceding paragraph shall apply to females married to other members of the Imperial Family mentioned in the preceding Article.

Article 15. Any person outside the Imperial Family and his or her descendants shall not become a member thereof except in the cases where a female becomes Empress or marries a member of the Imperial Family.

Chapter III. Regency

Article 16. In case the Emperor is a minor a Regency shall be instituted. In case the Emperor is affected with a serious disease, mentally or physically, or there is a serious hindrance and unable to perform his acts in matters of state, a Regency shall be instituted by decision of the Imperial Household Council.

Article 17. The Regency shall be assumed by a member of the Imperial Family of age according to the following order:

1. The *Kotaishi* or *Kotaison*
2. A *shinnô* or an *ô*
3. The Empress
4. The Empress Dowager

5. The Grand Empress Dowager

6. A *naishinnô* or a *nyoô*

In the case of No. 2 in the preceding paragraph the order of succession to the Throne shall apply, and in the case of No. 6 in the same paragraph, the order of succession to the Throne shall apply *mutatus mutandis*.

Article 18. In case the Regent, or a person falling in the order of assumption of Regency, is affected with a serious disease, mentally or physically, or there is a serious hindrance, the Imperial Household Council may decide to change the Regent or the order of assumption of Regency, according to the order stipulated in the preceding Article.

Article 19. When, on account of the minority of the nearest member of the Imperial Family, or for some other cause, another member has to assume the Regency, the latter shall not, upon the arrival at the majority of the above-mentioned nearest related member, or upon the disappearance of the aforesaid cause, resign his or her post in favor of any person other than of the *Kotaishi* or of the *Kotaison*.

Article 20. In case the obstacles mentioned in Article 16, paragraph 2 have been removed, the regency shall be abolished by decision of the Imperial Household Council.

Article 21. The Regent, while in office, shall not be subject to legal action. However, the right to take the action is not impaired hereby.

Chapter IV. Majority; Honorific Titles; Ceremony of Accession; Imperial Funeral; Record of Imperial Lineage; and Imperial Mausoleums

Article 22. The Emperor, the *Kotaishi*, and the *Kotaison* shall attain their majority at eighteen full years of age.

Article 23. The style of address for the Emperor, the Grand Empress Dowager, the Empress Dowager, and of the Empress shall be "His," "Her" or "Your Imperial Majesty."

The style of address for other members of the Imperial Family, other than those mentioned in the preceding paragraph, shall be "His," "Her," or "Your Imperial Highness" or "Highnesses."

Article 24. When the throne is succeeded to, the ceremony of Accession shall be held.

Article 25. When the Emperor dies, the Rites of Imperial Funeral shall be held.

Article 26. The matters relating to the family status of the Emperor and the members of the Imperial Family shall be registered in the Record of Imperial Lineage.

Article 27. The graves of the Emperor, the Empress, the Grand Empress Dowager, and the Empress Dowager shall be called *Ryo*, and those of all other Imperial Family members shall be called *Bo*; the matters relating to *Ryo* and *Bo* shall be entered respectively in the *Ryo* Register and the *Bo* Register.

Chapter V. the Imperial Household Council

Article 28. The Imperial Household Council shall be composed of ten members.

These members shall consist of two Imperial Family members, the Presidents and Vice Presidents of the House of Representatives and the House of Councilors, the Prime Minister, the head of the Imperial Household Office, the Chief Judge and one other judge of the Supreme Court.

The members of the Imperial Family and the judge, other than the Chief Judge of the Supreme Court, who are to become members of the Council, shall be chosen by mutual election from among the members of the Imperial family of age and from the judges other than the Chief Judge of the Supreme Court.

Article 29. The member of the Imperial Household Council, who is the Prime Minister, shall preside over its meeting.

Article 30. There shall be appointed ten reserve members in the Imperial Household Council.

As regards the reserve members for the Imperial Family members and the judge of the Supreme Court in the Council, the provision of Article 28, paragraph 3, shall apply mutatis mutadis. the reserve members for the President and the Vice Presidents of the House Representatives and of the House of Councillors in the Council shall be selected by mutual election from among the members of the House of Representatives and the House of Councillors.

The number of reserve members mentioned in the two preceding paragraphs shall be the same as the numbers of the members in the Council, and the order of assuming their functions shall be determined at the time of the mutual election.

The reserve member for the Prime Minister on the Council shall be the Minister of State who has been designated as the one to perform temporarily the functions of Prime Minister under the provisions of the Cabinet Law.

The Prime Minister from among the officials of the Imperial House Office shall designate the reserve member for the head of the Imperial House Office on the Council.

In case there is a hindrance with regard to a member of the Council, or he is missing, the reserve member for him shall perform his functions.

Article 31. As regards the President, the Vice President and members of the House of Representatives mentioned in Article 28 and the preceding paragraph, they shall be, in case the house has been dissolved and pending the selection of the successors, those persons who were respectively the President, the Vice President, and members of the House at the time of its dissolution.

Article 32. Terms of office for members of the Council, who are members of the Imperial Family and a judge other than the Chief Judge of the Supreme Court and their reserve members shall be four years.

Article 33. The President of the Council shall convene the Imperial Household Council.

The Imperial Household Council must be convoked, if demanded by four members or more, in the cases as under Article 3; Article 16, paragraph 2; Article 18; and Article 20.

Article 34. The Imperial Household Council, unless attended by six members or more, may not open deliberations and make decisions.

Article 35. The deliberations of the Imperial Household Council shall be decided by a majority vote of two-thirds or more of the members present, in the cases of Article 3; Article 16, paragraph 2; Article 18; and Article 20; and by a majority in all other cases.

In case of a tie in the case of the latter clause of the preceding paragraph, the President shall make the decision.

Article 36. A member may not participate in the deliberation of any matter in which he has a special interest.

Article 37. The Imperial Household Council shall exercise only those powers that are provided for by this and other laws.

Supplementary Provisions

The present law shall come into force from the day of the enforcement of the Constitution of Japan.

The present members of the Imperial Family shall be considered as members of the Imperial Family under this law; and with regard to the application of the provisions of Article 6, they shall be considered the legitimate offspring in the legitimate male line.

The present *Ryo* and *Bo* shall be considered as the *Ryo* and *Bo* as under Article 27.