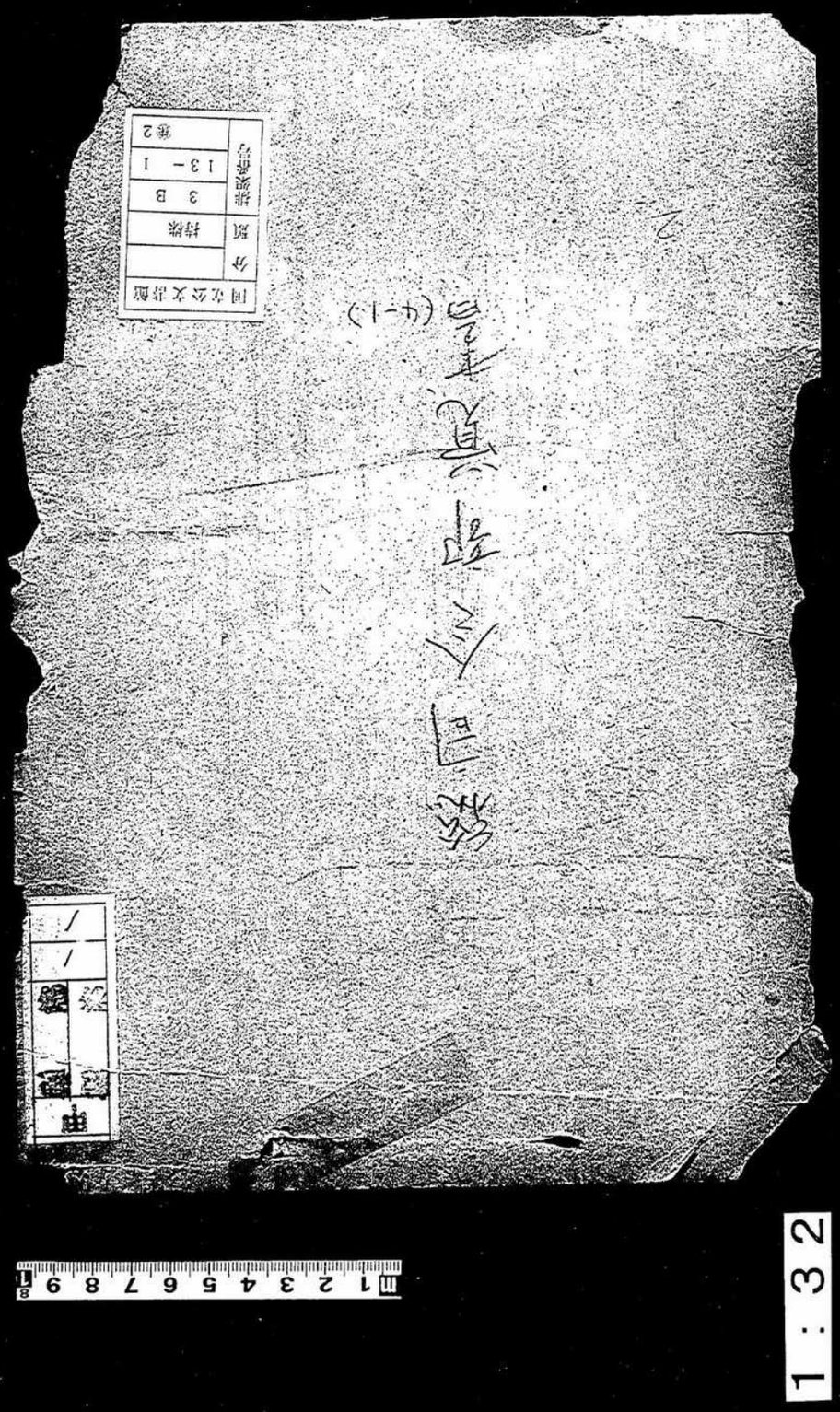

CONTENTS OF G.H.Q. MEMORANDA

No.	Date	Sign of Memoranda	Subject	Memoranda to
1.	19 Dec.'46		Statement made by Mr. Berkeley W. Henderson at a meeting, 19 Dec. '46.	Commissioners of HCLC
2.	20 Mar. '47		Statement made by Mr.Berkeley W. Henderson (inclusived insert A)	"
3.	30 Apr.'47	AG095(30 Apr. '47)ESS/AC (SCAPIN-1641)	Re: Removal from the Schedule of Restricted Concerns of Tokai Transportation Co.,Ltd.	
4.	23 Aug.'47		Routing of HCLC Application (Copy)	Chief, Antitrust Div.
5.	"		Standards for Transfer of Assets (Copy)	"
6.	18 Sept.'47		Advance of Funds	HCLC
7.	21 Oct. '47		HCLC No.123, 1 October 1947, Sumitomo Honsha.	"
8.	31 Oct. '47		Holding Company Liquidation Commission(Statement to be issued by the Employees Union of the HCLC)	"
9.	23 Oct. '47		Dissolution Instructions for Mitsui & Mitsubishi Trading Co.	"
10.	4 Dec. '47		Advisors to HCLC	"
11.	"		Pricing Policy	"
12.	12 Dec. '47		Remuneration Commissioners	"
13.	"		Remuneration to Employees	"
14.	6 Jan. '48		Investigative Function of the Fair Trade Commission under the Economic Deconcentration Law (Original absents)	HCLC & FTC
15.	14 Jan. '48		Instruction by Mr. E.C. Welsh regarding to Deconcentration Law	HCLC
	30 Jan. '48		Status Report of HCLC	Mr. I. Noda
	4 Feb. '48		Designation, Article 3 of Public Law No. 207	HCLC
	No date		HCLC Policy regarding consideration of Company Reorganization and information with respect thereto (Original absents)	HCLC

No.	Date	Sign of Memorandum	Subject	Memorandum to
19.	19 Feb.'48		Points for Guidance of HCLC Staff	HCLC
20.	20 Feb.'48		Designation, Article 3 of Public Law No.207 (Original absents)	"
21.	11 Mar.'48		Efficiency of Holding Company Liquidation Commission	"
22.	27 Mar.'48		Remuneration to Employees and Officers (Original absent)	"
23.	"		Payment of Dividends by Designated Companies (Original absent)	"
24.	17 Apr.'48	602.1(17 Apr. '48)ESS/AC	Payment of Retirement Allowances by Designated Companies(Original absent)	"
25.	20 Apr.'48	602.1(20 Apr. '48)ESS/AC	Revision of Holding Company Liquidation Commission Salary Schedule	"
26.	24 Apr.'48	602.1(24 Apr. '48)ESS/AC	Excessive Dues Paid to Associations (Original absent)	"
27.	29 Apr.'48	602.1(29 Apr. '48)ESS/AC	Applications submitted by Designated Companies (include that Standards to be applied in considering Applications for Designated Companies) (Original absent)	"
28.	30 Apr.'48	602.1(30 Apr. '48)ESS/AC	Adjustment of Special Cost of Living Allowance	"
29.	11 May '48	602.1(11 May '48)ESS/AC	Forms (Forms submitted under Cabinet Order No. 83)	"
30.	19 May '48	602.1(19 May '48)ESS/AC	Schedule for administration of Law No. 207	"
31.	21 May '48	602.1(21 May '48)ESS/AC	Suggested Form and Information Required under Article 12 of Cabinet Ordinance No. 83	"
32.	7 June'48	602.1(7 June '48)ESS/AC	Provisions regarding the Issuance of Capital Stock by Designated Companies under Law No.207	"
33.	20 July'48	240(20 July '48)ESS/AC	Review of Employee's Salary Schedule	"
34.	2 Aug.'48	337(2 Aug.'48) ESS/AC	Conference with Representatives of Designated Companies(Law No.207) or with other Interested Parties (Original absent)	"
35.	26 Aug.'48	431(26 Aug. '48)ESS/AC	Donations by Designated Companies to the Helen Keller Campaign Committee(Original absent)	"

36.	11 Sept.'48		Statement by Public Information Office, General Headquarters, Far East Command concerning the Four Basic Principles to be followed in Implementing the Deconcentration Law (Original absent)	HCLC
37.	12 Oct.'48	602.1(12 Oct. '48)ESS/AC	Donations by Designated Companies to the Community Chest and/or Red Cross Society of Japan (Original absent)	"
38.	21 Oct.'48	010(21 Oct. '48)ESS/AC	Implementation of Law No. 207	"
39.	"	"	Interpretation	"
40.	30 Oct.'48		Nippon Soda Company, Ltd. and Nissan Chemical Industry Company, Ltd.	"
41.	12 Nov.'48	010(12 Nov. '48)ESS/AC	Nippon Kokan K.K., Fuso Kinzoku Kogyo K.K., K.K.Kobe Seikosho (Original absent)	"
42.	12 Nov.'48	010 (12 Nov.'48) ESS/AC	Re-Examination of the Files of 175 Companies (Original absent)	"
43.	18 Nov.'48		Advance of Funds to Designated Persons	"
44.	2 Dec.'48		Lease of Oil Storage Facilities Owned by Mitsubishi Trading Company, Ltd.	"
45.	14 Dec.'48	602.1(14 Dec. '48)ESS/AC	Issuance of Final Orders by the Commission (Original absent)	"
46.	20 Dec.'48	602.1(20 Dec. '48)ESS/AC	Cost of Living Adjustment Allowance	Chairman, HCLC & SCLC
47.	23 Dec.'48		Letters from Deconcentration Review Board	Chairman, HCLC
48.	47 Dec.'48	602.1(27 Dec. '48)ESS/AC	Reorganization of Oji Seishi K.K. (Original absent)	HCLC
49.	29 Dec.'48		Reorganization of Dai Nippon Biiru K.K.(Original absent)	"
50.	6 Jan.'49	602.1(6 Jan. '49)ESS/AC	Work Week for Holding Company Liquidation Commission	"
51.	6 Jan.'49	602.1(6 Jan. '49)ESS AC	Examination of HCLC Salary Scale	"

46.	11 Sept.'49		Statement by Public Information Officer, General Headquarters, that Essay Commission concerning the Yoji Gakko Institute of the Japanese Government in accordance with the Supreme Commander's Instructions (Copy)	SCAP
47.	15 Oct.'49	602.1(15 Oct. '49)ESS/AC	Nomination by Nozaki Tetsuji, Company to the Commission of the Nippon Kogyo Kaisha to be Kaisha Kogyo Kaisha (Original Letter Issued)	"
48.	15 Oct.'49	602.1(15 Oct. '49)ESS/AC	Information to Law No. 205	"
49.	"	"	Interpretation	"
50.	20 Oct.'49		Nippon Koge Company, Ltd. and Nippon Mining Chemical Industry Company, Ltd.	"
51.	11 Nov.'49	602.1(11 Nov. '49)ESS/AC	Nippon Koken K.K., Tokyo Shimbun Kogyo K.K., Nippon Seikosho K.K. (Original Letter Issued)	"
52.	18 Nov.'49	602.1(18 Nov. '49)ESS/AC	To assist GOJ to formulate Law No. 207 (Copy)	"
53.	22 Nov.'49		Report of Joint Committee of Designated Enterprises	"
54.	5 Dec.'49		Cases to GOJ for Clarification of Information Regarding Company, Ltd.	"
55.	14 Dec.'49	602.1(14 Dec. '49)ESS/AC	Permission to Permit Orders by GOJ Commission (Original Letter Issued)	"
56.	20 Dec.'49	602.1(20 Dec. '49)ESS/AC	Good to Ministry of Agriculture, Forestry and Fisheries	Ministry of Agriculture, Forestry and Fisheries
57.	22 Dec.'49		Report from Deconcentration Review Board	DCLC
58.	14 Dec.'49	602.1(14 Dec. '49)ESS/AC	Recommendation to GOJ to Meet Kyoto Prefectural Government (Original Letter Issued)	HCLC
59.	05 Dec.'49		Recommendation to Dai Nippon Seitetsu K.K. (Original Letter Issued)	"
60.	6 Jan.'50	602.1(6 Jan. '50)ESS/AC	Tokyo Gas Company Ordered to Meet Law No. 207 Requirements	"
61.	9 Jan.'50		Essay Urged GOJ to Meet Law No. 207 Requirements	"

52.	18 Jan.'49	602.1(18 Jan. '49)ESS/AC	Cancellation of Designations under Law No.207 (Copy)	HCLC
53.	4 Feb.'49	602.1(4 Feb. '49)ESS/AC	Revision of the Salary Scale for HCLC Employees	"
54.	15 Feb.'49		Actions to be taken by the Commission at its Special Meeting on 17 February 1949 (Copy)	"
55.	17 Feb.'49		Issuance of Proposed Order to Tokyo Shibaura Denki K.K. and K.K.Hitachi Seisakusho pursuant to Law No.207 of 1947	"
56.	21 Feb.'49		Issuance of Proposed Order to Teikoku Sekiyu K.K. pursuant to Law No.207 of 1947	"
57.	16 Mar.'49		Issuance of Final Order to K.K. Hitachi Seisakusho pursuant to Law No.207 of 1947	"
58.	"		Issuance of Orders under Law No.207 of 1947 to Nippon Shuppan Haikyu K.K. and Taihei Mokuzai K.K.	"
59.	18 Mar.'49		Law No.207 Action Re "Big Ten" Spinning Companies	"
60.	26 Mar.'49	602.1(26 Mar. '49)ESS/AC	Sale of Land by Takakimi Mitsui	"
61.	29 Mar.'49	602.1(29 Mar. '49)ESS/AC	Amendment of Articles of Incorporation to provide for Credit to share subscribes subscribers	"
62.	13 Apr.'49	602.1(13 Apr. '49)ESS/AC	Gunze Seishi K.K.(Gunze Silk Manufacturing Co.,Ltd.).	"
63.	13 Apr.'49	602.1(13 Apr. '49)ESS/AC	Cancellation of Designations under Law No.207 of 1947	"
64.	14 Apr.'49	602.1(14 Apr. '49)	Issuance of Final Orders to Daiken Sangyo K.K. and Teikoku Sekiyu K.K.(Copy)	"
65.	23 Apr.'49		Shares Held by Kanegafuchi Cotton Spinning Co.,Ltd. (Copy)	"
66.	25 Apr.'49	602.1(25 Apr. '49)ESS/AC	Issuance of Proposed Orders to Mitsubishi Jukogyo K.K. and Nippon Kayaku K.K. pursuant to Law No.207 of 1947 も	"
67.	25 Apr.'49	602.1(25 Apr. '49)ESS/AC	Cancellation of Designations under Law No.207 of 1947	"

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68.	26 Apr.'49	602.1(26 Apr. '49)ESS/AC	Tohoku Kogyo K.K.(Tohoku Industrial Development Co., Ltd.)	HCLC
69.	"	"	Nihon Shio Kaiso K.K.(Japan Salt Transportation Co., Ltd.)	"
70.	"	"	Cancellation of Designation under Law No.207 of 1947	"
71.	27 Apr.'49	602.1(27 Apr. '49)ESS/AC	Cancellation of Designation under Law No.207 of 1947	"
72.	29 Apr.'49	602.1(29 Apr. '49)ESS/AC	Issuance of Proposed Order to Mitsubishi Jukogyo K.K. pursuant to Law No.207 of 1947	"
73.	"	"	Issuance of Proposed Order to Nippon Kayaku K.K. pursuant to Law No.207 of 1947	"
74.	16 May'49	602.1(16 May '49)ESS/AC	Cancellation of Designation under Law No.207 of 1947	"
75.	31 May'49	602.1(31 May '49)ESS/AC	Cancellation of Designation under Law No.207 of 1947	"
76.	1 June'49	602.1(1 Jun. '49)ESS/AC	Issuance of Final Orders under Law No.207 of 1947 to Tokyo Shibaura Denki K.K., Mitsubishi Jukogyo K.K., and Nippon Kayaku K.K.	"
77.	2 June'49	602.1(2 Jun. '49)ESS/AC	HCLC Proposed Procedure for Processing of Applications Submitted under Ordinance No.233	"
78.	7 June'49	602.1(7 Jun. '49)ESS/AC	Quarterly Status Report	"
79.	10 June'49		Issuance of Proposed Order to Toyo Seikan Kabushiki Kaisha pursuant to Law No.207 of 1947	"
80.	13 June'49		Actions under Law No.207 of 1947	"
81.	14 June'49	602.1(14 Jun. '49)ESS/AC	Actions under Law No.207 of 1947	"
82.	15 June'49	602.1(15 Jun. '49)ESS/AC	Actions under Law No.207 of 1947	"
83.	17 June'49	602.1(17 Jun. '49)ESS/AC	Oji Paper Co., Ltd. Reorganization	"
84.	23 June'49	602.1(23 Jun. '49)ESS/AC	Issuance of Proposed Order to Hokkaido Rakuno Kyodo Kabushiki Kaisha pursuant to Law No.207 of 1947	"
85.	24 June'49	602.1(24 Jun. '49)ESS/AC	Issuance of Proposed Order to Seika Kogyo K.K. pursuant to Law No.207 of 1947	"

86.	27 June'49	602.1(27 Jun. '49)ESS/AC	Amendment of Ordinance No.233 and its Enforcement Regulations	HCLC
87.	28 June'49	602.1(28 Jun. '49)ESS/AC	Reorganization Plan of Dai Nippon Biiru K.K.	"
88.	5 July'49	602.1(5 Jul. '49)ESS/AC	Actions under Law No.207 of 1947	"
89.	8 July'49	602.1(8 Jul. '49)ESS/AC	Issuance of Proposed Order to Teikoku Sen-i Kabushiki Kaisha (Imperial Fiber Company,Ltd.) pursuant to Law No.207 of 1947	"
90.	11 July'49	602.1(11 Jul. '49)ESS/AC	In the Matter of the Toyo Seikan Kabushiki Kaisha Final Order of Reorganization	"
91.	13 July'49	602.1(13 Jul. '49)ESS/AC	Issuance of Proposed Orders to Toho Kabushiki Kaisha (Toho Co., Ltd.)and Shochiku Kabushiki Kaisha (Shochiku Co.,Ltd.) pursuant to Law No.207 of 1947	"
92.	"	"	Application of K. Okura	"
93.	20 July'49	602.1(20 Jul. '49)ESS/AC	Cancellation of Designation under Law No.207 of 1947	"
94.	26 July'49	602.1(26 Jul. '49)ESS/AC	Reorganization Plan of Hitachi Seisakusho K.K.(Hitachi Engineering Works,Ltd.)	"
95.	28 July'49	602.1(28 Jul. '49)ESS/AC	Issuance of Proposed Orders to Mitsubishi Kogyo K.K. and Mitsui Kozan K.K. pursuant to Law No.207 of 1947	HCLC
96.	4 Aug.'49	602.1(4 Aug. '49)ESS/AC	Special Report	HCLC
97.	10 Aug.'49	300.6(10 Aug. '49)ESS/AC	Application of Imperial Ordinance No.567 of 1946 to Seven Insurance Companies	"
98.	23 Aug.'49	602.1(23 Aug. '49)ESS/AC	Trade Marks and Trade Names(Copy)	"
99.	26 Aug.'49	602.1(26 Aug. '49)ESS/AC	Issuance of Final Orders to Toho K.K.(Toho Co.,Ltd.), Shochiku K.K. (Shochiku Co.,Ltd.), Mitsui Kozan K.K. (Mitsui Mining Co.,Ltd.), and Mitsubishi Kogyo K.K.(Mitsubishi Mining Co.,Ltd.)	"
100.	8 Sept.'49	602.1(8 Sep. '49)ESS/FTP	Daibatsu Trade Marks and Trade Names (Copy)	"

7

101.	15 Sept.'49	072(15 Sep. '49)ESS/FTP	Trade Names, Etc.,of Mitsui, Mitsubishi and Sumitomo Combines (Copy)	HCLC
102.	22 Sept.'49	602.1(22 Sep. '49)ESS/FTP	Issuance of Final Order to Seika Kogyo K.K.	"
103.	"	"	Reorganization Plan of Teikoku Sekiyu K.K.	"
104.	6 Oct.'49	602.1(6 Oct. '49)ESS/FTP (ESS/AC)	Dissolution of Teisen Kokuki Kogyo K.K.	"
105.	11 Oct.'49	602.1(11 Oct. '49)ESS/FTP (ESS/AC)	Reorganization Plan of Daiken Industry Co.,Ltd.	"
106.	17 Nov.'49	091.1(17 Nov. '49)ESS/FTP	Shares withheld to Protect United Nations National's Interests	"
107.	29 Nov.'49	602.1(29 Nov. '49)ESS/FTP	Reorganization Plan of Mitsubishi Heavy Industries, Ltd.	"
108.	16 Dec.'49		Hayashikane Shoten K.K.(HCLC File No.751)HCLC Communication dated 6 July 1949	HCLC J.G.
109.	21 Dec.'49	602.1(21 Dec. '49)ESS/FTP	Reorganization Plan of Tokyo Shibaura Electric Co.,Ltd.	HCLC
110.	23 Dec.'49	602.1(23 Dec. '49)ESS/FTP	Reorganization Plan of Toyo Seikan	"
111.	"	"	Reorganization of Hokkaido Rakuno Kyodo K.K. pursuant to Law No. 207 of 1947	"
112.	5 Jan.'50	602.1(5 Jan. '50)ESS/FTP	Reorganization of Teikoku Sen-i K.K. under Law No.207 of 1947	"
113.	6 Jan.'50	602.1(6 Jan. '50)ESS/FTP	Zaibatsu Trade-Marks and Trade Names	"
114.	7 Jan.'50		Sale of Stocks in Yokohama Rubber Company to B.F. Goodrich Company	"
115.	18 Jan.'50	602.1(18 Jan. '50)ESS/FTP (ESS/AC)	Reorganization of Teikoku Sen-i K.K. pursuant to Law No.207 of 1947	"
116.	"	"	Issuance of Final Order to Nippon Tsuun K.K.	"
117.	25 Jan.'50	602.1(25 Jan. '50)ESS/FTP (ESS/AC)	Payment of Dividends by Designated Companies	"

118.	11 Mar.'50	602.1(11 Mar. '50)ESS/FTP (AC)	Reorganization Plans of Mitsui Mining Co.,Ltd., Seika Mining Co., Ltd., and Mitsubishi Mining Co.,Ltd.	HCLC
119.	14 Mar.'50	602.1(14 Mar. '50)ESS/FTP (AC)	Reorganization Plan of Japan Iron and Steel Co.,Ltd.	"
120.	5 Apr.'50	602.1(5 Apr. '50)ESS/FTP (AC)	Reorganization Plan of Nippon Tsuun K.K. (Japan Express Co.,Ltd.)	"
121.	19 Apr.'50	602.1(19 Apr. '50)ESS/FTP (AC)	Cancellation of Designation under Law No.207 of 1947 to Katakura Kogyo K.K., Toyo Koatsu Kogyo K.K., Mitsui Kagaku Kogyo K.K., Showa Denko K.K., Mitsubishi Kasei Kogyo K.K., and Nisshin Kagaku Kogyo K.K.(Original absent)	"
122.	29 Apr.'50	602.1(29 Apr. '50)ESS/FTP (AC)	Zaibatsu Trade-Marks and Trade Names	"
123.	5 June '50	602.1(5 Jun. '50)ESS/FTP (AC)	Zaibatsu Trade-Marks and Trade Names	"
124.	9 June '50	602.1(9 Jun. '50)ESS/FTP	Zaibatsu Trade-Marks and Trade Names	"
125.	5 Jan.'51	602.1(5 Jan. '51)ESS/FTP	Delegation of Authority under Law No.207 of 1947 to the Public Utilities Commission	"
126.	15 Mar.'51	602.1(15 Mar. '51)ESS/FTP	Cancellation of Designation of Holding Companies	"
127.	4 May'51	602.1(5 May '51)ESS/FTP	Applications Submitted under Imperial Ordinance No.233 of 1946.	"
128.	25 Nov. 50	602.1 (25 Nov '50) ESS/FTP	Proposed Merger of Three Forestry Second Companies of Sumitomo Honsha.	
129.	18 Apr. 49	602.1 (18 Apr. 49) ESS/AC	Petition of Dai Nippon Bōeki K.K. for Modification of Final Order Issued under Law No. 207.	
130.	7 Apr. 49	602.1 (19 Apr. 49) ESS/AC	Cancellation of Designation under Law No. 207 of 1947 - Katakura Kogyo K.K., Toyo Koatsu K.K., Mitsui Kagaku Kogyo K.K., Showa Denko K.K., Mitsubishi Kasei Kogyo K.K., Nisshin Kagaku Kogyo K.K.	

UNOFFICIAL

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

(19) December 1946

Statement made by Major Robert M. Cooper to the following members of the Holding Company Liquidation Commission:

Tadao Sasayama, Chairman
Iwajiro Noda, Executive Commissioner
Goro Kashima, Executive Commissioner
Kanichi Moroi, Commissioner
Yoshitaro Wakimoto, Commissioner
Ryokichi Minobe, Commissioner
Umataro Kurumatani, Auditing Commissioner

at a meeting, 19 December 1946.

The Supreme Commander has authorized and requested me to convey on his behalf the following statement to the Holding Company Liquidation Commission in regard to the jurisdiction of the Civil Property Custodian over foreign national property.

1. The Civil Property Custodian exercises primary jurisdiction over all property which was owned by a foreign (non-Japanese) national or foreign company on 7 December 1941. Accordingly, the Holding Company Liquidation Commission will identify and separately handle and hold foreign-owned patents, industrial machinery and other property, of whatever description, tangible or intangible, which may come into its possession, subject to the primary jurisdiction of the Civil Property Custodian over such property.

2. In putting into effect the principles outlined in paragraph 1 above, the liquidation commission will observe the following procedure:

a. Before disposing of securities in its possession, investigation should be made to ascertain whether they were owned by a foreign (non-Japanese) national or foreign company at any time on or after 7 December 1941.

b. In the event securities are so owned, the proceeds realized from their liquidation will be paid into a special cash reserve fund set up for that purpose, and priority of claim thereto will be recognized in the foreign national owner.

c. Investigation will be made of all securities formerly owned and held by designated holding companies in subsidiary concerns in order to determine whether they were owned by a foreign (non-Japanese) national or foreign company at any time on or after 7 December 1941. In the event it is found that securities have been so owned, they will be identified, and separately handled and held pending receipt of instructions from the Civil Property Custodian regarding their disposition.

d. If the subsidiary concern is to be dissolved or otherwise liquidated, the proceeds realized will be paid into a special cash reserve fund set up for that purpose, and priority of claim thereto recognized in the foreign national owner.

3. The Commission is requested to report to me within ten (10) days the steps taken and procedures placed in operation to give effect to the principles set forth in this statement.

ROBERT M. COOPER, Major
Chief, Liquidation Branch
Economic and Scientific Section

極秘

昭和十一年十二月十九日

陸軍省軍務局
海軍省軍令部
外務省情報部

非公式

ロバート、E、クーパー少佐ノ昭和十一年十二月十九日開催サレタ特殊会議出席者ノ談話ニ基ク左記委員ニ対シ談ヲ聞ク

委員長　荒木貞夫
委員　山岡重厚
委員　岩村清一
委員　末次信正
委員　加藤隆義
委員　野村直邦
委員　嶋田繁太郎
委員　山本五十六
委員　井上成美
委員　豊田貞次郎
委員　谷口尚真
委員　永野修身

聯合軍最高司令官ハ持株會社整理委員會ニ對シ「民間財産保管人」ノ外國人所有財産ニ對シテ有スル管轄權ニ關シ彼ニ代ツテ次ノ證明ヲ爲スコトヲ余ニ委任シ要求シタ。

「昭和十六年十二月七日現在ニ於テ外國人（日本人ニ非サル者）又ハ外國會社ニ依リ所有サレテ居タ總テノ財産ニ對シ民間財産保管人ハ首位的管轄權ヲ行ハスルモノデアル。從ツテ持株會社整理委員會ハソノ占有ニ歸スルコトアルヘキ外國所有ノ有形無形ノ凡ユル種類ノ特許權、産業、機械又ソノ他ノ財産ヲ檢證シ該財産ヲ民間財産保管人ノ首位的管轄權ノ下ニ於テ之ヲ別個ニ取扱イ且保有サレタイ。

二 前項ニ略述シタ原則ヲ實行スルニ當リ整理委員會ハ次ノ手續ヲ遵守サレタイ。

(イ)委員會ハソノ占有スル證券ヲ處分スル以前ニハ該證券カ外國人（日本人ニ非サル者）又ハ外國會社ニ依リ昭和十六年十二月七日又ハソノ以後ニ於テ所有サレテ居タカ否カヲ確メル爲調査シナサイ。

(ロ)證券カソノ樣ニ所有サレテ居タ場合ニハ委員會ハ該證券ノ整理ニ依リ得タル賣上金ヲ其ノ目的ノ爲ニ設定サレタ特別現金積立金ニ拂込マレタイ。而シテ右積立金ニ對シテハ外國人所有者ニ優先的請求權ヲ認メラレタイ。

(ハ)委員會ハ指定セラレタ持株會社カ其ノ子會社ニ於テ以前所有且保有シテ居タ總テノ證券ニツイテソノ證券カ昭和十六年十二月七日又ハ其以後ニ於テ外國人（日本人ニ非サル者）又ハ外國會

社ニ依リ所有サレテ居タカ否カヲ確メル爲調査シ該證券カソノ樣ニ所有サレテ居タ場合ニハ委員會ハ該會社ニ對シ「民間財産保管人」ノ外國人所有財産ニ對シテ有スル管轄權ニ關シ彼ニ代ツテ次ノ證明ヲ爲スコトヲ余ニ委任シ要求シタ。

「昭和十六年十二月七日現在ニ於テ外國人（日本人ニ非サル者）又ハ外國會社ニ依リ所有サレテ居タ總テノ財産ニ對シ民間財産保管人ハ首位的管轄權ヲ行ハスルモノデアル。從ツテ持株會社整理委員會ハソノ占有ニ歸スルコトアルヘキ外國所有ノ有形無形ノ凡ユル種類ノ特許權、産業、機械又ソノ他ノ財産ヲ檢證シ該財産ヲ民間財産保管人ノ首位的管轄權ノ下ニ於テ之ヲ別個ニ取扱イ且保有サレタイ。

二 前項ニ略述シタ原則ヲ實行スルニ當リ整理委員會ハ次ノ手續ヲ遵守サレタイ。

(イ)委員會ハソノ占有スル證券ヲ處分スル以前ニハ該證券カ外國人（日本人ニ非サル者）又ハ外國會社ニ依リ昭和十六年十二月七日又ハソノ以後ニ於テ所有サレテ居タカ否カヲ確メル爲調査シナサイ。

(ロ)證券カソノ樣ニ所有サレテ居タ場合ニハ委員會ハ該證券ノ整理ニ依リ得タル賣上金ヲ其ノ目的ノ爲ニ設定サレタ特別現金積立金ニ拂込マレタイ。而シテ右積立金ニ對シテハ外國人所有者ニ優先的請求權ヲ認メラレタイ。

(ハ)委員會ハ指定セラレタ持株會社カ其ノ子會社ニ於テ以前所有且保有シテ居タ總テノ證券ニツイテソノ證券カ昭和十六年十二月七日又ハ其以後ニ於テ外國人（日本人ニ非サル者）又ハ外國會

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

20 March 1947

Statement made by Mr. Berkeley W. Henderson to the following members of the Holding Company Liquidation Commission:

Tadao Sasgyama	Chairman
Iwajiro Noda	Executive Commissioner
Goro Kashima	Executive Commissioner
Kanichi Moroi	Commissioner
Yoshitaro Wakimoto	Commissioner
Ryokichi Minobe	Commissioner
Umataro Kurumatani	Auditing Commissioner

1. The jurisdiction of the Holding Company Liquidation Commission "to receive, take over, hold, manage and administer the property and assets of whatever description individually, jointly or otherwise held of designated families or family members" is not confined to the families named in paragraph 3 of Memorandum for the Imperial Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 095 (26 Nov 46) ESS/AC, (SCAPIN - 1363).

2. Any family or member thereof determined to have been identified with the concentration of economic power heretofore existing in Japan is subject to the jurisdiction of the Holding Company Liquidation Commission over its or his property as such jurisdiction is outlined in paragraph 2 of SCAPIN 1363.

3. Imperial Ordinance 233, 1946, as well as the Articles of Incorporation and the Regulations concerning the enforcement of the Holding Company Liquidation Commission ordinance have been amended so that further legislative action is unnecessary in order to carry out the provisions of paragraphs 1 and 2 hereof.

Berkeley W. Henderson

BERKELEY W. HENDERSON
Chief, Liquidation Branch
Antitrust and Cartels Division

Original

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SERVICES

20 March 1947

Statement made by Mr. Berkeley W. Henderson to the following members of the Holding Company Liquidation Commission:

Tsuneo Sonoyama	Chairman
Ryujiro Hoda	Executive Commissioner
Goro Kashima	Executive Commissioner
Kanichi Narui	Commissioner
Yoshitaro Yahimoto	Commissioner
Ryohichi Nimbo	Commissioner
Masaru Kurumatani	Auditing Commissioner

1. The jurisdiction of the Holding Company Liquidation Commission "to receive, take over, hold, manage and administer the property and assets of whatever description individually, jointly or otherwise held of designated families or family members" is not confined to the families named in paragraph 3 of Memorandum for the Imperial Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 005 (26 Nov 46) NSS/AG, (SCAPIN - 1985).

2. Any family or member thereof determined to have been identified with the concentration of economic power heretofore existing in Japan is subject to the jurisdiction of the Holding Company Liquidation Commission over its or his property as such jurisdiction is outlined in paragraph 3 of SCAPIN 1985.

3. Imperial Ordinance 255, 1946, as well as the Articles of Incorporation and the Regulations concerning the enforcement of the Holding Company Liquidation Commission ordinance have been amended so that further legislative action is unnecessary in order to carry out the provisions of paragraphs 1 and 2 hereof.

Berkeley W. Henderson

BERKELEY W. HENDERSON
Chief, Liquidation Branch
Antitrust and Cartels Division

Original (20 March, 1947)

INSERT A

(4) 14

The Antitrust Division has recently received numerous complaints to the effect that many undesirable persons are still holding positions of responsibility in large companies in Japan. By undesirable persons I mean persons either related to or having close connection with Zaibatsu and purgees. I believe that this Commission should take some action regarding these persons without waiting for the annual shareholders meetings. It is my opinion that the prestige of this Commission is such that you can force retirement of persons found to be undesirable without exercising the voting rights which you hold in these companies. However, if necessary, I urge you to use your voting rights so that the work of this Commission can be above criticism. So long as it is generally known that these people are occupying responsible positions, the work of the Commission cannot be said to be completely successful and its present standing will be correspondingly impaired.

16

File

(6.) 1N

AGO 95 (30 April '47) ESS/AC
SCAPIN 1641

Tokai Motor Transportation Co., Ltd. is hereby removed from the Schedule of Restricted Concerns referred to in paragraph 1b, above, provided the company report to the Holding Company Liquidation Commission any transfer of shares of stocks together with such other report as the Holding Company Liquidation Commission may require.

.... oOo .....

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

23 August 1947

MEMORANDUM FOR: Chief, Antitrust Division

SUBJECT: Routing of HCLC Applications

1. All applications presented to HCLC in compliance with their instructions for the conveyance of property, conversion of property, the termination or dissolution of any contract, enterprise, establishment or relationship, or dissolution or reorganization of any enterprise shall be in writing and shall be accompanied by all facts bearing on the application.

2. HCLC will investigate all matters pertaining to the application regardless of whether such application was received voluntarily or as a result of an order by HCLC.

3. All findings of fact in connection with such application shall be presented in writing by the HCLC to the Liquidation Branch, ESS/AC.

4. Any applications requiring discussion or concurrence with any other branch of ESS/AC shall be routed to that branch carrying such comments as deemed necessary by Liquidation Branch.

5. After discussion, objection or concurrence from interested branch, applications will be returned to Liquidation Branch.

6. Additional comment, if required, will be made, thence application with recommendation will be routed to Chief of the Division, ESS/AC.

7. Chief of Division will either act favorably or unfavorably giving appropriate comment where necessary. Thence application will be returned to Liquidation Branch.

8. Liquidation Branch will return application to the HCLC giving them any verbal instructions not contained in writing by Chief of Division.

9. HCLC will issue necessary instructions to applicant based on instructions issued from Chief of Division, ESS/AC.

10. All information pertinent to the application and a copy of such application will be filed in the files of the Liquidation Branch.

L. A. RANDALL
Liquidation Branch

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

23 August 1947

MEMORANDUM FOR: Chief, Antitrust and Cartels Division

SUBJECT: Standards for Transfer of Assets

1. Securities to be used for the payment in kind of capital levy taxes shall be transferred from the HCLC to the Minister of Finance.

a. Delivery will be made to the Central Tax Collection office in Tokyo.

b. The Central Tax Collection office will notify the tax office in the locality in which the tax was levied.

c. The tax office will give the HCLC a receipt for such payment and send a copy of such receipt to the person against whom the tax is levied.

d. HCLC will notify the applicant of action taken.

e. In no case will the individual or company concerned be permitted access to the securities involved.

2. Disposal of assets other than negotiable instruments.

a. Disposal will be made whenever practicable through the use of public auction.

b. When (a) appears to be impracticable, properties will be sold at fair appraisal value.

c. The HCLC will determine the relationship between buyer and seller.

d. No person having any previous business or social ties with seller will be permitted to purchase such property.

3. In all cases where applicant is a designated person or a designated enterprise, the HCLC will actually handle all phases of the transaction, including funds resulting from such transaction. In no case will such a person or enterprise be permitted the use of such funds without the approval of the HCLC.

L. A. RANDALL
Liquidation Branch

18 September 1947

MEMORANDUM FOR: HCLC

SUBJECT: Advance of Funds

1. Holding Companies to be dissolved and liquidated.

All properties of holding companies to be dissolved shall be brought under HCLC control. All properties of such companies, other than shares, to be disposed of and proceeds deposited. The companies shall be permitted to pay only necessary liquidating expenses. All such expenses will be paid by check which will be accompanied by certified vouchers and countersigned by HCLC.

2. Holding Companies which are operating companies.

No advances will be made except for expenses in connection with old account. All such expenses will be paid by check and upon receipt of certified voucher which will state nature of expense in detail. Upon approval of reorganization plan payment of accumulated balances will be made in accordance therewith.

3. Advances to Families.

Families will be notified to submit immediately minimum property requirements necessary for living. Balance of property will be disposed of immediately under HCLC supervision. HCLC will review minimum property requirements to determine whether excessive. No advances will be made to any family until property is reduced to minimum requirements determined to be adequate. All proceeds of liquidation of properties will be placed in bank account under HCLC control. Withdrawal from such accounts shall be permitted only to extent of determined living allowances.

L. A. Randall
L. A. RANDALL
Liquidation Branch

108

外事課長

特殊清算部
第一課長

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

APO 500
21 October 1947

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: HOLC No. 123, 1 October 1947, Sumitomo Honsha.

1. In the liquidation of the Sumitomo Honsha, consideration has been given for some period of time to the best manner of disposing of the Honsha's forestry enterprises. Initially, it was the opinion of the Antitrust and Cartels Division that various pieces of property which composed the Sumitomo Honsha forestry business should be disposed of at individual sales and that no approval should be given to the organization of a company to take over this forestry business. Subsequently, both the Sumitomo Honsha and the Holding Company Liquidation Commission have recommended the reorganization of the forestry enterprise into two separate forestry companies.

2. Throughout the initial discussions with the Antitrust and Cartels Division reference had been made to the amount of forest holdings, the age of the standing timber in those holdings, and the possible profitability of each of such holdings. Recently more detailed examination of the situation by the Antitrust and Cartels Division has brought out the fact that these various forestry holdings were, in fact, operating enterprises with sawmills, in addition to standing timber. Actually, the lumber division of Sumitomo Honsha was a horizontal combination rather than a single operating unit. The breakdown of the lumber division reveals that there are eight (8) producers, three (3) jobbers, one (1) office scheduled to be closed, and three (3) small forest plots which apparently have no production.

3. Since the eight (8) producing operations would seem to be able to carry on business independently and since the three (3) jobbers, or reselling offices, seem to have potentialities as independent operating concerns, it is recommended that unfavorable consideration be given to the Sumitomo Honsha proposal to set up two (2) separate companies. It appears that the two (2) head offices in Tokyo and Osaka can be eliminated. Likewise, the Kanagawa and the Kyoto offices closed.

4. It is recommended, therefore, that the Holding Company Liquidation Commission advise Sumitomo Honsha that the various parts of their lumber division holdings be treated as separate properties and be disposed of as such. In consultation with the Sumitomo Honsha, the Holding Company Liquidation Commission can decide in each individual instance as to whether the individual property should be offered for public sale or whether a separate company should be organized for its operation. It should be made clear, however, that if any separate companies are organized that there be

Basic: Memo from GHQ, SCAP, ESS, to HCLC, subject: HCLC No. 123, 1 Oct 47, Sumitomo Honsha, dtd 21 Oct 47

neither any relationship to the Sumitomo interest nor any inter-ownership relationship between the separate companies so organized from these forestry holdings. Likewise, it should be clear that if any of the holdings are disposed of through public sale that no individual, group of individuals or company may acquire more than one of the properties which comprise the lumber division of the Sumitomo Honsha.

5. Careful consideration of all of the facts involved in this problem of disposing of the forest property of Sumitomo Honsha causes the Antitrust and Cartels Division to conclude that the recommendation contained in this memorandum is practical and is the only type of action which can be taken in this case in accord with our reorganization standards. If in following out this recommendation there is any particular phase of this manner of disposal which can be shown to be impractical, the Antitrust and Cartels Division would be pleased to be so advised and will consider any facts which support such position. However, it is expected that the Holding Company Liquidation Commission will proceed promptly to dispose of Sumitomo Honsha's forestry holdings in accordance with the plan outlined herein.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

APO 500
31 October 1947

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

1. It has come to my attention that there is under consideration by members of the Commission's staff a plan to issue a statement regarding the policies, personnel, and democratic operation of the Holding Company Liquidation Commission.

2. The mission of the Holding Company Liquidation Commission is essential to the democratic future of Japan and is a basic objective of the Occupation. Any statement which would hinder the Commission's effective operation at this time must be considered as being contrary to and in opposition to the Occupation's policies and objectives. The statement proposed to be issued in the name of the Employees Union of the Holding Company Liquidation Commission is considered by this headquarters to be such a hindrance.

3. I, therefore, request that no statement be issued regarding the Holding Company Liquidation Commission's operations, policies, or personnel without my express approval. If this requirement cannot be observed rigidly, it will be necessary to make such changes in the Holding Company Liquidation Commission as to assure compliance with instructions from this headquarters.

4. As I informed both the Commissioners and the responsible members of the Commission's staff, I am willing at all times to receive recommendations for the improvement of the Holding Company Liquidation Commission's operations.

5. It must be kept clearly in mind that the Holding Company Liquidation Commission is at all times under the direct supervision of SCAP.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

聯合軍最高司令官總司令部
持株會社整理委員會宛覺書

反トラスト・カルテルス課
課長　エッドワード、シー、ウエルシュ

APO五〇〇　一九四七年十月三十一日

一、委員會委員ニ依リ持株會社整理委員會ノ方針、人事及民主的運營ニ關スル聲明ヲ發スル計畫ガ考慮サレテキルコトヲ知ツタ

二、持株會社整理委員會ノ使命ハ日本ノ民主的將來ニ緊要デアリ且占領ノ根本目的デアル、此際委員會ノ有效ナ運營ニ障害ヲ來スガ如キ聲明ハイカナルモノト雖モ占領政策並ニ占領目的ニ違反シ且反抗スルモノト認メナケレバナラナイ。

持株會社整理委員會ノ委員組合ノ名ニ於テ發表方ヲ提案サレテキル前記聲明ハ斯樣ナ妨害デアルト當司令部ハ考エル

三、從ツテ持株會社整理委員會ノ運營、方針又ハ人事ニ關シテハ私ノ明示的承認ナクシテ聲明ヲ發表

スベカラザルコトヲ要求スル、若シ此ノ要請ガ誠實ニ遵守サレナイ時ハ當司令部ノ指令ノ勵行ヲ確保スル爲ニ持株會社整理委員會内ニ變更ヲ加ヘルコトヲ必要トスルデアロウ

一、吾ガ委員並ニ委員會職員ノ責任者ニ對シテ述ベタ如ク持株會社整理委員會ノ運營ノ改善ニ關スル責任ハ何時デモ受取ルモノデアル

一、持株會社整理委員會ハ終始聯合軍最高司令官ノ直接監督下ニ置カレテヰルコトヲ常ニ判然ト銘記シテ置カネバナラヌ

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Tozai Mitsubishi

DISSOLUTION INSTRUCTIONS

1. Any manufacturing business, not directly connected with trading, may be continued. Plans for immediate disposal of such businesses shall be submitted.

2. No new contracts to purchase or to supply goods or services shall be entered into, except in direct connection with the fulfillment of contracts existing at time of issuance of dissolution order.

3. Any existing contracts for the purchase or supply of goods or services shall be carried out until terminated. A list of all such contracts shall be filed with HCLC within two (2) weeks of issuance of dissolution order.

but to be cancelled & negotiated not been able to continue!

4. No inventories of the company shall be disposed of except in fulfillment of existing contracts or with the authorization of HCLC. Complete schedules of inventories shall be prepared immediately and their disposal provided for. The officers of the company shall be held responsible for removal of all goods stored in warehouses, in violation of these instructions.

5. No loans or advances shall be made.

6. All branch officers and employees shall be informed immediately of the contents of these instructions.

7. The number of employees required to carry out liquidation shall be decided upon immediately and plans for release of balance of employees submitted. As soon as those plans are agreed upon, the employees affected shall be notified.

8. A list of all officers, directors, auditors, branch managers, department or section heads of preceding ten (10) years shall be submitted to HCLC within two (2) weeks.

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

APO 500
4 December 1947

MEMORANDUM TO: Holding Company Liquidation Commission

SUBJECT: Advisors to HCLC

1. In the interest of taking action in the most practical manner possible, the HCLC has been considering the best methods of obtaining useful information and technical advice from the economic fields to be affected by the deconcentration program. It is essential that each action taken by HCLC be an appropriate and practical action and, consequently, information and advice from persons outside the HCLC must be relied upon from time to time.

2. It is, however, the recommendation of the Antitrust and Cartels Division, ESS, GHQ, SCAP, that HCLC refrain from appointing or otherwise identifying individuals to act as members of an advisory committee or committees for assisting in the effectuation of the deconcentration program. It is considered that such committee would, despite the best intentions of all parties concerned, interfere with the objective and equitable administration of the deconcentration program. On the other hand, it is recommended that the HCLC consult with the best informed available persons on the various problems as the cases arise. Such persons, however, would be considered only as technical experts who had been called in for the particular problem and would have no continuing or official status with the HCLC or its operations. This procedure would be similar to that of an investigating body or a court calling in an expert witness for the purpose of obtaining needed information or analysis.

In no circumstance, however, should any information be revealed to such experts which information would affect the competitive relationship of companies in any economic field or which would give any informational or other personal advantage to the expert or to any enterprise in which such expert is connected.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

E. C. WELSH, Chief of SCAP's Antitrust and Cartels Division, stated: "By this major action, efficiency and speed now take the place of uncertainty and delay. The HCLC is to be complimented for its practical judgment ~~and its strong determination~~ to eliminate excessive concentrations in a manner which will speed up and assist Japan's democratization and economic recovery."

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

4 December 1947

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Pricing Policy

Prior to establishing a price or negotiating at a price, the stockholders who owned or own the stocks to be disposed of should be notified to the following effect: "A plan is being prepared for disposal of _____ securities. Appreciate your observations or recommendations re value of such securities to assist in our analysis, within ten days of receipt of this notice."

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

28

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

12 December 1947

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Remuneration to Commissioners

The chairman and commissioners of the HCLC and the CILC will be paid at this time a remuneration equal to one-sixth (1/6) of their year's remuneration.

L. A. Randall.
L. A. RANDALL
Liquidation Branch

The HCLC commissioners are to receive 1/6 one month's salary along with other employees of the Commission.
C. Mitsillis
29 Jan. 1948

29

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

12 December 1947

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Remuneration to Employees

The employees of the HCLC, in unison with the employees of the SCLC, CILC and the Liquidation Agency of the Bank of Japan will be paid AN extra remuneration in accordance with the same percentage and at the same time as the year end allowance granted by the Japanese Government to its employees.

L. A. Randall.
L. A. RANDALL
Liquidation Branch

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

APO 500
6 January 1948

MEMORANDUM TO: Holding Company Liquidation Commission
Fair Trade Commission

SUBJECT: Investigative Function of the Fair Trade Commission Under the Economic Deconcentration Law

1. References to the Fair Trade Commission occur in Articles 8, 10, 19, 20, 26, and 27 of the Economic Deconcentration Law. Fair Trade Commission functions under these provisions may be summarized as follows:

a. Proposed orders of the Holding Company Liquidation Commission are required to be submitted in writing to all interested persons and to the Fair Trade Commission. Within a period of fifteen (15) days, interested persons may submit objections or recommendations at a hearing convened for that purpose. If the proposed order conflicts with the Antitrust Act, the Fair Trade Commission will indicate such conflict to Holding Company Liquidation Commission. The Holding Company Liquidation Commission may make necessary changes in its proposed order on the basis of the objections or recommendations of interested persons, or the indications of conflict noted by the Fair Trade Commission.

b. "Matters concerning the enforcement of the final order issued by the Holding Company Liquidation Commission" are committed to the care and responsibility of the Fair Trade Commission. Petitions for modification of such a final order may be addressed to the Fair Trade Commission. It can be modified only with the concurrence and prior approval of the Holding Company Liquidation Commission, as long as the Holding Company Liquidation Commission's functions under the law have not yet been transferred to the Fair Trade Commission.

c. The Holding Company Liquidation Commission may delegate to the Fair Trade Commission a part of its function under the law. The Holding Company Liquidation Commission's functions, powers, records, and personnel necessary to attain the purposes of the law, will be transferred to the Fair Trade Commission in accordance with conditions specified in a separate statute to be enacted between 1 September and 31 December 1948.

d. Provisions of the Economic Deconcentration Law and the Holding Company Liquidation Commission's functions thereunder, are not to modify the Antitrust Act and the Fair Trade Commission's functions thereunder.

2. Pursuant to Article 19 of the Economic Deconcentration Law ("matters

concerning the enforcement of the final order issued by the Holding Company Liquidation Commission"), the Fair Trade Commission will perform a general investigative function to determine whether there is compliance with the Holding Company Liquidation Commission's orders in the carrying out of an approved plan of reorganization. It will not superintend the execution of the plan as such, but will maintain surveillance over and investigate circumstances of possible violation. The Holding Company Liquidation Commission itself, through receivers appointed for that purpose under clause 8 of Article 7, and other appropriate means, will supervise the actual execution of the approved reorganization plan, disposal of assets, dissolution, or liquidation of juridical persons or other organizations involved, and/or other measures adopted to eliminate excessive economic concentrations.

Operating procedures under the law will provide for the transmission of a copy of the Holding Company Liquidation Commission's final order to the Fair Trade Commission. The Fair Trade Commission will investigate matters involving non-compliance, including any disputes or questions arising over the proper interpretation of the Holding Company Liquidation Commission's orders, and certify them promptly to the Holding Company Liquidation Commission. The Holding Company Liquidation Commission, and not the Fair Trade Commission, will issue all official interpretations in regard to the Economic Deconcentration Law, and the Holding Company Liquidation Commission's final orders thereunder. The Holding Company Liquidation Commission, and not the Fair Trade Commission, will supervise and direct receivers appointed to oversee the execution of an approved plan. However, the Fair Trade Commission may, in the course of exercising its investigative function, report to the Holding Company Liquidation Commission on all instructions, directions, and interpretations issued by receivers, as well as other activities on their part, affecting efficient and correct compliance with the Holding Company Liquidation Commission's orders.

On the basis of their investigations, the Fair Trade Commission will certify violations of the Holding Company Liquidation Commission orders to the local Procurator's Office or to the Procurator General for prosecution under the criminal provisions of Articles 21 and 25 of the Economic Deconcentration Law. In connection with enforcement, the Fair Trade Commission may make spot investigations, interrogate interested persons, or require the submission of reports necessary to the conduct of an investigation. 1/

1/ FTC has authority under its own basic statute (Antitrust Act) to interrogate interested persons and to require the submission of necessary reports in connection with the investigation of cases. In order to make the criminal provisions of Article 25 of the Economic Deconcentration Law applicable to cases investigated under the new law, rather than the penalties provided by the Antitrust Act for violations of FTC's orders, it may be advisable, insofar as enforcement matters are concerned, for HCLC to delegate to FTC its general investigative authority under clauses 2, 3 and 4 of Article 7.

Basic: Memo to HCLC and FTC, subj: Investigative Function of the Fair Trade Commission under the Economic Deconcentration Law, 6 Jan 48

In case of a direct violation of a Holding Company Liquidation Commission order, the Fair Trade Commission may notify the offender and formally direct him to comply therewith. Persistent violation of the Holding Company Liquidation Commission's order, as well as the Fair Trade Commission's orders of direction or inquiry based thereon, may entail the assessment of criminal penalties under Article 21 of the Economic Deconcentration Law and the provisions of the Antitrust Act relating to non-compliance with the Fair Trade Commission orders.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

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n/c January 1948

The "Elimination of Concentration of Excessive Economic Power" law applies to any private enterprise conducted for profit, or combination of such enterprises, which by reason of its relative size in any line, or the cumulative power of its position in many lines, restricts competition or impairs the opportunity for others to engage in business independently, in any important segment of business. This law, passed by the Diet last month, does not allow for exceptions for any such enterprises and the HCLC is determined to carry out its responsibility of faithfully and objectively administering this law.

It is clearly a responsibility of the HCLC to eliminate as much uncertainty as possible as quickly as possible, regarding this law, its applicability, its administration, and its coverage. During recent days, a report has grown to the effect that banks are not subject to this law and that those banks which are excessive concentrations are not to be reorganized under this law. This report must have confused the Diet, since they did not so amend the law. Likewise, it must have confused those who know that the banks were the major tool used by the Zaibatsu is building up and controlling the excessive concentrations in industry and commerce. Few combines any place in the world are as excessive in dominating control as are certain of the large banks in Japan. There must be no doubt that excessive concentrations in banking are subject to the law. Likewise, there must be no doubt that ~~reorganization~~ elimination of ~~such~~ excessive concentrations will take place in such fashion as to avoid weakening the credit structure of the country. In fact, sound competitive banks, serving the credit needs of the country, must take the place of banking combines which spread their tentacles throughout all of Japan.

1/14 per Mr. Welsh instruction

Sign to [illegible]

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過度經濟力集中排除法ハ營利ヲ目的トスル私企業又ハソノ結合体デ、一ノ分野ニ於テソノ有スル相對的規模ガ大デアリ、又ハ二以上ノ分野ニオイテソノ占メル地位ヲ集積シタ力ガ大デアルタメニ、事業ノ重要ナ部分ニオイテ、競爭ヲ制限シ、又ハ他ノ企業ガ獨立シテ事業ヲ營ムコトヲ阻害スルモノニ適用スル。去月議會ヲ通過シタ本法ハコレラノ企業ニ對シテ例外ヲ許サナイシ、又持株會社整理委員會ハ本法ヲ忠實ニ且ツ客觀的ニ運用スル義務ヲ遂行スル決意ヲ有スルモノデアル。本法ノ適用、運用及ビ範圍ニ關スル不安ヲ出來ルダケ且ツ可及的速ニ除去スルコトハ明ニ持株會社整理委員會ノ義務デアル。

最近ニ於テ銀行ハ本法ノ適用ヲ受ケナイシ又過度ノ集中デアル銀行ハ本法ニ基イテ再編成サレナイト報道サレテキルガコノ報道ハ議會ヲ困惑シタデアロウ、何トナレバ議會ハ本法ヲ斯クノ如ク修正シタノデハナイ。銀行ハ產業及ビ商業ニ於ケル過度ノ集中ヲ作リ上ゲ、且ツ支配スルタメニ財閥ニ利用サレタ重要ナ手先デアツタトイフコトヲ知ツテキル人々モ同樣ニ困惑シタデアロウ。日本ノ或大銀行ニ於ケル支配力集中程過度ノモノハ世界ノ何處ノ企業合同ニモ稀ニ見ルトコロデアル。

金融業ニ於ケル過度集中ガ本法ノ適用ヲ受ケルコトハ疑問ガナイ。斯カル集中ノ過度ナ性格ノ排除ハコノ國ノ信用機構ヲ弱メルコトヲサケル方法ニヨツテ行ハレルトイフコトハ同樣ニ疑問ガナイ。實際コノ國ノ信用上ノ必要ヲ充タス健全ナル競爭的銀行ハ日本全國ニ觸手ヲ伸バシタ金融結

仰臣ハ次ノ通リ報告ヲ乞フ。

RMG/per
30 Jan 48

35

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

30 January 1948

MEMORANDUM FOR: Mr. J. Noda

FROM: R. M. Gillies, Liquidation Branch, Antitrust and Cartels Division

SUBJECT: Status Report of HCLC

The HCLC has been submitting a monthly activities and statistical report which has been informative and usefull. It is requested, however, that in order to obtain a clear understanding of just where HCLC stands with respect to its overall responsibilities that a report be submitted as soon as possible supplying the following information:

1. Designations.
   a. Number of holding companies designated.
   b. Number of persons designated.
2. Holding Companies.
   a. Number of holding companies to be completely dissolved., that is, without transfer of assets to newly established companies. Under this heading indicate number of companies being liquidated under court procedure and those being liquidated directly under HCLC supervision.
   b. Number of designated holding companies to be reorganized (Disregard the question of those which may be reorganized under Law No. 207)

   In the case of both a and b above, indicate percentage of liquidation completed.
3. Assets to be Liquidated.
   a. Yen value of assets to be liquidated in the case of a., holding companies and b., designated persons broken down

to show securities, immovable properties and other assets.

4. Securities. Indicate for securities the following:

   a. Number of shares and value transferred to HCLC.

   b. Number of shares and value in custody of HCLC.

   c. Number of shares and value disposed of with percentage.

   e. Similar information for other securities such as public bonds, debentures, etc.

5. Stock Disposal Plans under Ordinance 567.

   a. Indicate number of plans submitted to HCLC and amount of stock disposed of thereunder in accordance with HCLC action on such plans.

6. Indicate amount approved for personal expense budgets for designated persons on an annual basis.

7. Any other statistical or descriptive information which the Commission can supply and which would be informative in determining its current position with respect to the job before it.

FOR THE CHIEF, ANTITRUST AND CARTELS DIVISION:

R. M. GILLIES,
Liquidation Branch

[illegible]独占及トラスト・カルテル綴

昭和二十三年一月三十日　　（外務[illegible]）

発信

宛先　安田善次郎

件名　持株会社整理委員会[illegible]の件

持株会社整理委員会は従来安田と緊密な関係を維持して来たが、それは有益且つ役立つものであった。併しながら持株会社整理委員会の全般的な責任に鑑し、その将来の状態の明確な措置を行ふ為めに同委員会は次の各項の措置を決定することを決定する。

一　指定

(1)指定持株会社の数

(2)指定者の数

二　持株会社

(1)完全に解体される持株会社、即ち解散されるか又は[illegible]を行はざるものの数

此の見出しの下に特別清算（裁判所手続）により清算される会社の数と~~持株会社の数と~~持株会社整理委員会の監督の下に直接清算される会社の数を示すこと

(ロ)再編成される指定持株会社の数（法律第二〇七號に基き再編成される指定持株会社の関係は除くものとす）

上記(イ)(ロ)両項とも清算完了の百分比を示すこと

三、清算される資産

(イ)持株会社、特殊指定者の場合、清算される資産の評価額を証券、不動産その他の資産別により示すこと

四、証　券

証券は次のことを表示すること

(イ)持株会社整理委員会へ譲渡された株券の数量と価額

(ロ)持株会社整理委員会に保管されている株券の数量と価額

(ハ)処分された株券の数量と価額（百分比と共に）

(ニ)公社債等他の証券類についても上と同様の事項

五、勅令第五六七號に基く株式処分計画案

持株会社整理委員会に提出された処分計画案の数と、同案に對し持株会社整理委員会がとりたる処置に従い同案に基き処分された株式の数量を示すこと

六、一ケ年基準で指定者の個人生活費の承認額を示すこと

七、持株会社整理委員会が提供し得る、又その計画遂行に際し委員会が現在如何なる状況にあるかを決定するに役立つ、その他の統計或いは記述的報告

反トラスト・カルテル部長のために
反トラスト・カルテル部清算課
アール・エム・ギリース

39

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

FEB. 9. 1948

APO 500
4 February 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Designation, Article 3 of Public Law No. 207

1. At the time of issuance of the designation list for industrial companies, it is recommended that a statement similar to the following accompany the list itself:

"In accordance with Article 3 of Public Law No. 207, the Holding Company Liquidation Commission designates the following list of industrial concentrations. Careful attention has been given by the Commission to designate industrial companies which come within the scope of the Law and which must be given careful consideration as to their excessive power or control. Designation does not in itself mean that the company designated will necessarily be reorganized, but it does place specific responsibility upon each designated company to submit specified information to the Holding Company Liquidation Commission.

"Each company so listed must file a statement and obtain instructions from the Holding Company Liquidation Commission prior to _____. Authorized representatives of each designated company must appear at the Holding Company Liquidation Commission offices at Sanwa Building, No. 1, 2-Chome, Uchisaiwaicho, Chiyoda-ku, Tokyo, prior to _____. to obtain copies of procedure, standards, etc.

"This list covers industrial companies only. Designation of distributing and service companies will be made [illegible] (2) [illegible] date and the same procedure will be required on the part of each designated company to appear at the Holding Company Liquidation Commission offices. ~~At some subsequent dates, insurance companies and banks will likewise be designated.~~

"It is intended that the following list include all of the industrial companies to be designated under Article 3 of Public Law No. 207 so that there may be no uncertainty as to what

Basic: Memo to HCLC from GHQ, SCAP, ESS, subj: Designation, Article 3 of Public Law No. 207, 3 Feb 48

industrial companies are affected by the Law. Although there may be a very few additional companies which will have to be considered for addition to the following list, it is intended that such additions, if any, will be kept to a minimum.

"A complete text of the Commission's rules of procedure will be published at an early date in the Official Gazette and will be available for distribution to designees at the time of their appearance at the Commission's offices. The rules are now posted at the Commission's principal office. Under the rules, designees are immediately subject to the following restrictions with respect to disposal of properties and other transactions not in the normal course of business:

'Article 7. Excepting companies which have been designated pursuant to Article 1-2 of Imperial Ordinance No. 657 of 1945, companies and other associations or individuals designated (hereinafter referred to as designee) pursuant to Article 3, paragraph 3, of the Law [Law No. 207] shall not commit the acts listed in any one of the following items unless the prior approval of the Commission shall have been obtained:

1. Alteration of the name and/or objects.

2. Dissolution, amalgamation, or increase or reduction of capital.

3. The transfer to or receipt of transfer from others or abolition of the whole or part of the business, the loaning or borrowing of the whole or part of business, and the assignment or acceptance of assignment of the management of the whole or part of business.

4. Disposal or alteration of the operating installations, operating equipment or shares.

5. Construction, expansion, or removal or interchange of any installations or equipment.

6. Payment of bonuses to officers.

'Article 8. Designees shall obtain the prior approval of

Basic: Memo to HCLC from GHQ, SCAP, ESS, subj: Designation, Article 3 of Public Law No. 207, 3 Feb 48

the Commission with respect to matters listed in any one of the following items:

1. Payment of bonuses or retirement allowances to their employees and other than retirement allowances paid in accordance with company regulations filed with the Commission.

2. The holding of any post of officer of another company by any of their officers or employees.

3. Matters to be submitted to their shareholders' (including partners') meetings.

4. Such other matters as may be designated by the Commission.'

"Companies designated under Law No. 207 which are also designated under Imperial Ordinance No. 657 shall continue to submit applications to the Ministry of Finance. Companies designated only under Law No. 207 will make application directly to the Commission for approval of any of the foregoing transactions."

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

APO 500
4 February 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Designation, Article 3 of Public Law No.207

1. At the time of issuance of the designation list for industrial companies, it is recommended that a statement similar to the following accompany the list itself:

"In accordance with Article 3 of Public Law No.207, the Holding Company Liquidation Commission designates the following list of industrial concentrations. Careful attention has been given by the Commission to designate industrial companies which come within the scope of the Law and which must be given careful consideration as to their excessive power or control. Designation does not in itself mean that the company designated will necessarily be reorganized, but it does place specific responsibility upon each designated company to submit specified information to the Holding Company Liquidation Commission.

"Each company so listed must file a statement and obtain instruction from the Holding Company Liquidation Commission prior to _____. Authorized representatives of each designated company must appear at the Holding Company Liquidation Commission offices at Sanwa Building, No.1, 2-chome, Uchisaiwaicho, Chiyoda-ku, Tokyo, prior to _____, to obtain copies of procedure, standards, etc.

"This list covers industrial companies only. Designation of distributive and service companies and companies in other fields of activities will be made as soon as practicable and the same procedure will be required on the part of each designated company to appear at the Holding Company Liquidation Commission offices.

"It is intended that the following list include all of the industrial companies to be designated under Article 3 of Public Law No.207 so that there may be no uncertainty as to what industrial companies are affected by the Law. Although there may be a very few additional companies which will have to be considered for addition to the following list, it is intended that such additions, if any, will be kept to a minimum.

"A complete text of the Commission's rules of procedure will be published at an early date in the Official Gazette and will be available for distribution to designees at the time of their appearance at the Commission's offices. The rules are now posted at the Commission's principal office. Under the rules, designees are immediately subject to the following restrictions with respect to disposal of properties and other transactions not in the normal course of business:

'Article 7. Excepting companies which have been designated pursuant to Article 1-2 of Imperial Ordinance No.657 of 1945, companies and other associations or individuals designated (hereinafter referred to as designee) pursuant to Article 3, paragraph 3, of the Law (Law No.207) shall not commit the acts listed in any one of the following items unless the prior approval of the Commission shall have been obtained:

1. Alteration of the name/or objects.

2. Dissolution, amalgamation, or increase or reduction of capital.

3. The transfer to or receipt of transfer from others or abolition of the whole or part of the business, the loaning or borrowing of the whole or part of business, and the assignment or acceptance of assignment of the management of the whole or part of business.

4. Disposal or alteration of the operating installations, operating equipment or shares.

5. Construction, expansion, or removal or interchange of any installations or equipment.

6. Payment of bonuses to officers.

'Article 8. Designees shall obtain the prior approval of the Commission with respect to matters listed in any one of the following items:

1. Payment of bonuses or retirement allowances to their employees and other than retirement allowances paid in accordance with company regulations filed with the Commission.

2. The holding of any post of officer of another company by any of their officers or employees.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

APO 500

A Reprint Less

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Designation, Article 3 of Public Law No.207

1. At the time of issuance of the designation list for industrial companies, it is recommended that a statement similar to the following accompany the list itself:

"In accordance with Article 3 of Public Law No.207, the Holding Company Liquidation Commission designates the following list of industrial concentrations. Certain affiliation has been given by the Commission to designate industrial companies which come within the scope of the law and which must be given certain consideration as to their excessive power or control. Designation does not in itself mean that the company designated will necessarily be required, but it does bring specific responsibility upon each designated company to submit specified information to the Holding Company Liquidation Commission.

"Each company so listed must file a statement and application with the Holding Company Liquidation Commission for authorized representatives to each designated company must be sent to the Holding Company Liquidation Commission offices at Sanno Building, No.1, S-chome, Nishiyamacho, Chiyoda-ku, Tokyo, prior to the _____ of application copies of procedure, standards, etc.

"This list covers industrial companies only. Designation of distributive and service companies and companies in other fields of activities will be made as soon as practicable and the same procedure will be followed on the part of each designated company to appear at the Holding Company Liquidation Commission offices.

"It is intended that the following list include all of the industrial companies to be designated under Article 3 of the Public Law No.207 so that there may be no uncertainty as to which industrial companies are affected by the law. Although there may be a very wide additional companies which may have to be considered for addition to the following list, it is intended that such additions, if any, will be kept to a minimum.

3. Matters to be submitted to their shareholders' (including partners') meetings.

4. Such other matters as may be designated by the Commission.'

"Companies designated under Law No.207 which are also designated under Imperial Ordinance No.657 shall continue to submit applications to the Ministry of Finance. Companies designated only under Law No.207 will make application directly to the Commission for approval of any of the foregoing transactions."

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

Received 19 Feb 1948 from Mr. Gillis

POINTS FOR GUIDANCE OF HCLC STAFF

The HCLC is responsible under Law No. 207 for elimination of excessive concentrations of economic power, with the FTC having certain collateral responsibilities. At the same time HCLC is responsible to SCAP for proper administration of the law and effective discharge of its responsibilities. ESS/AC acts for SCAP in supervision and guidance of HCLC.

It is essential to proper functioning of the HCLC that the deportment of its staff be such as to create a sense of respect for and confidence in the Commission on the part of those who must transact business with it. The kind of impression which the general public, the Japanese Government and GHQ form of the Commission will depend in large measure upon the degree to which its staff exhibit integrity, objectivity, intelligence, tact and a belief in the policies and objectives being administered. Those attributes cannot be prescribed by specific rules but can be developed through training of supervisory personnel, staff meetings, distribution of informational and policy materials, periodic check-ups on performance, etc. There are, however, certain specific points that might well be brought to the attention of the staff for observance in public relations especially in connection with Law No. 207.

1. The Commission has no preconceived plan or plans for the reorganization of any company. Standards and procedures have been established under which designees are to submit information and proposed reorganization plans and interested parties and others may submit pertinent information and suggestions. Until all such data is in the hands of the Commission and has been analyzed no determination can be made concerning the form or merits of any particular plan of reorganization. It necessarily follows that the Commission also has no opinion as to the form any particular reorganization will take. That information is imparted in the final order.

2. All designees and other parties are to receive similar treatment within the framework of the law and standards and rules issued thereunder. No favoritism or special treatment is to be accorded any party.

3. Designations and subsequent actions of the Commission shall be confined to such measures as have for their purpose elimination of excessive concentrations of economic power. Petitions to the Commission for resolution of management problems, dissolution of mergers and other actions having an object other than elimination of excessive concentrations shall be referred to other appropriate agencies of the Japanese Government such as the FTC.

4. Actions taken by the Commission should be attributed to application of the law, standards and rules to the facts at hand and not to directives from ESS/AC or other parts of GHQ. This does not mean that consultation, advice and guidance will not be given the Commission and its staff, but the position indicated above should prove helpful in the interest of maintaining the dignity of the Commission and preserving proper channels of communication.

3. Matters to be submitted to their superiors, (including matters ?) meetings.

4. Such other matters as may be designated by the Commission.

"Companies designated under Law No. 207 which are also designated under Imperial Ordinance No. 655 shall continue to submit applications to the Ministry of Finance. Companies designated only under Law No. 207 will make application directly to the Commission for approval of one of the foregoing transactions."

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Institutes and Cartels Division

46

25

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

APO 500
11 March 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Efficiency of Holding Company Liquidation Commission

1. Both the Commissioners and the staff of HCLC have applied themselves energetically to the implementation of the Deconcentration Law (Law No. 207). This industrious application to major responsibilities revealed itself clearly during the preparation and issuance of standards and procedures.

2. I want to take this means of commending the Commissioners and staff for their fine work as they begin to carry out the Deconcentration Law. At the same time, I want to emphasize that there can be no relaxation until reorganizations are completed. On the contrary, even greater efforts must be made to get the job done quickly.

3. It is requested that the staff of HCLC be informed, through the Chairman of the Commission, of the contents of this memorandum. In transmitting such information it is requested that the HCLC staff be informed that the need for even greater efforts prevents the Commission from authorizing any leaves or vacations for groups of employees and requires the Commission to limit any leaves or vacations by employees to the essential minimum at all times. It is requested that the entire HCLC cooperate fully with the statement and intent of this memorandum.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍
APO 500 司令部
昭和二十年十三年十一月
完
仲谷
清水島
社長
国際
法務
軍事
部

一、帝国政府ハ「ポツダム」宣言ノ条項ヲ誠実ニ履行シ、且ツ右宣言ノ目的ヲ達成スルノ為、連合国ノ要求ニ応ジ、帝国軍隊ノ無条件降伏ヲ宣言シ、且ツ右軍隊ノ指揮ノ為ノ必要ナル一切ノ命令ヲ発スルコトヲ約ス

二、帝国政府ハ、「ポツダム」宣言ノ条項ヲ実行スルニ当リ、帝国ノ陸海空軍ノ全ノ指揮ノ為ノ一切ノ命令ヲ発シ、ソノ他ノ軍隊ノ指揮ノ為ノ一切ノ命令ヲ発スルコトヲ約ス

三、帝国政府ハ、「ポツダム」宣言ノ条項ヲ実行スルニ当リ、帝国ノ陸海空軍ノ全ノ指揮ノ為ノ一切ノ命令ヲ発シ、ソノ他ノ軍隊ノ指揮ノ為ノ一切ノ命令ヲ発スルコトヲ約ス

司令部
ポツダム宣言ノ条項ヲ実行スルニ当リ、帝国ノ陸海空軍ノ全ノ指揮ノ為ノ一切ノ命令ヲ発シ、ソノ他ノ軍隊ノ指揮ノ為ノ一切ノ命令ヲ発スルコトヲ約ス

且又委員會ハ従業員ノ職場ヲ離レルコト又ハ休暇ヲ必要最少限度ニ止メサルヲ得ナイ旨委員會職員ニ通知スル様ニ要請スル、委員會ノ全職員カ此ノ覚書ノ内容及主旨ニ十分協力サレンコトヲ要請スル

經濟科學局局長ニ代リテ
反トラスト及カルテルス部
部長　エドワード、シー、ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

APO 500
27 March 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Remuneration to Employees and Officers

1. HCLC application No. 133 from Nippon Soda Company requests authority to pay a bonus to employees. The application does not indicate whether officers are to participate in such bonus.

2. The necessity for and propriety of increased employee remuneration are essentially matters for determination by shareholders and the management of companies with such employee participation as is provided by law. No objection will be offered to applications for increased employee remuneration provided it is clearly understood that such action shall not be construed as approval of GHQ or HCLC of an increase in production cost which would form a basis for increases in the official prices of commodities produced or distributed. Each HCLC notification of action on such applications should include the preceding statement.

3. No increase of remuneration to officers of designees (in the form of salaries or bonuses) shall be authorized by HCLC except in accordance with the provisions of Ministry of Finance notification No. 203 (3 September 1947). The provisions of that regulation shall be administratively applied by HCLC to all designees under Law No. 207. Bonuses or salary increases shall depend upon showing of increase in production.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

X9

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

27 March 1948

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Payment of Dividends by Designated Companies

1. HCLC applications Nos. 137 and 138 from Nikkatsu K. K. and Daiei K. K., respectively, request authority to declare and pay stock dividends and pay bonuses to officers.

2. The following policy shall govern actions on applications for payment of dividends:

a. Funds may not be borrowed for payment of dividends.

b. Payment may be made only from earned surplus or current earnings.

c. Payment will not place the company in the position of having to borrow for working capital or other purposes.

d. Company is not delinquent in payment of its liabilities, including taxes.

e. Amount of dividends shall be based on the rate specified in the articles of incorporation or, in the absence of such specification, on company practices and in no case shall the rate exceed ten (10) percent.

3. In determining amount of earned income or surplus available for declaration of dividends, profit resulting from revaluation of inventories or other properties shall be excluded.

4. Appropriate findings should be made by HCLC in connection with the subject applications and a report made to this Division on such findings and final action taken on the applications.

5. The question of payment of bonuses to officers will be treated in a separate communication. Until receipt of that communication no payment of bonuses to officers may be made.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

APO 500
17 April 1948

602.1(17 Apr 48)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Payment of Retirement Allowances by Designated Companies

1. HCLC applications No. 182 and No. 242 submitted by Toho Gas Company request authority to pay bonuses and retirement allowances to employees of the company.

2. Action on these applications with respect to payment of bonuses shall conform with the policy set forth in memorandum of 29 March 1948, subject: "Payment of Remuneration to Officers and Employees of Designated Companies."

3. Action with respect to payment of retirement allowances shall be taken in accordance with the following:

a. Amount of retirement allowance shall be such as is specified in the company's articles of incorporation or, in the absence of such specification, in conformance with established schedules approved by shareholders' in regular meeting.

b. After receipt of retirement allowance, recipient thereof may not receive further salary, bonus or similar remuneration from the same company.

4. All future applications for payment of retirement allowances shall be processed in accordance with the foregoing criteria.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

APO 500
20 April 1948

602.1(20 Apr 48)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Revision of Holding Company Liquidation Commission Salary Schedule

1. Reference is made to Holding Company Liquidation Commission memorandum 9 April 1948 recommending a revision of the Commission's salary schedule by increasing the present salary level of employees approximately 250%.

2. The Commission's recommendations are under consideration and notification of final decision in this matter will be given at the earliest possible date.

3. It is appropriate to direct attention of the Commission to the following points:

a. Action was taken within the past month to increase the basic salary schedule and allowances by 62%.

b. The Holding Company Liquidation Commission while not having the same status as Ministries of the Japanese Government is a Japanese Government agency. A reasonable relation between regular government remuneration and that paid by the Commission must be maintained.

c. It is not appropriate to attempt upward revision of the Commission's salaries to the point where the Commission can compete successfully with private employers from the standpoint of salary alone.

d. Every effort will be made to arrive at an equitable decision in this matter within the limitations indicated above.

4. Since it has been agreed that action with respect to salaries in HCLC, CILC, Liquidation Office, Bank of Japan and SCLC will be coordinated, notice of final decision in this matter will be given simultaneously to each of those agencies.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

62

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS

602.1(24 Apr 48)ESS/AC

APO 500
24 April 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Excessive Dues Paid to Associations

1. It has come to the attention of Antitrust and Cartels Division that many companies in which the Holding Company Liquidation Commission holds stock are paying excessive dues to associations for services which may be useful but are not necessarily essential.

2. In view of the above, it is requested that the Holding Company Liquidation Commission inform all companies whose stocks it holds that payment of dues to associations will be placed on the agenda of the next stockholders meeting to determine whether such payments, if any, are exorbitant, unwise or impairing the standing of creditors.

3. This memorandum is not to be construed as instructions that such companies may not pay dues. Its purpose is to have stockholders examine dues which are being paid associations in light of paragraph 2, above.

Edward C Welsh

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

43

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

602.1(9 Apr 48)ESS/AC

APO 500
29 April 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Applications Submitted by Designated Companies

1. Reference is made to HCLC No. 257, 24 March 1948, outlining suggested procedure for processing applications for designated companies submitted under Articles 7 and 8 of the Rules of Procedure.

2. Reorganization plans and other actions affecting designees will be under concurrent consideration in GHQ and HCLC and status of such actions will vary as between companies. In light of those conditions and the need for complete information at all times on the part of those handling matters under Law No. 207, it is considered expedient, as a general rule, that applications from designees be submitted to ESS/AC for prior approval. There are, however, certain types of action which, by reason of their remote relationship to reorganization, may be taken by HCLC with a subsequent report thereof to ESS/AC. At present it is considered that the following types of actions fall in that category:

a. Declaration of stock or share dividends which conform with the policy set forth in memorandum dated 27 March 1948, subject: "Payment of Dividend by Designated Companies."

b. Payment of increased remuneration to employees of designated companies, provided that the provisions of memorandum dated 29 March 1948, subject: "Increased Remuneration to Employees and Officers of Designated Companies," are applied.

c. Appointment of executive officers of designated companies, provided the standards generally being applied in the case of holding companies are observed.

d. Exercise of voting rights by HCLC, provided approval is not given for any transaction specifically requiring prior approval under Articles 7 or 8 of the Rules of Procedure, except for a, b and c, above.

3. A weekly report shall be submitted by HCLC to ESS/AC of actions taken in accordance with paragraph 2, above.

4. There are attached copies of the standards which are to be applied in considering applications from designated companies.

BASIC: Memo for HCLC, subj: Applications Submitted by Designated Companies, 9 Apr 48

These standards are similar to those which govern actions taken with respect to applications from restricted concerns. HCLC should assure that all information necessary for determination of action under the standards is contained in each application. Unfavorable action may be taken by HCLC in those cases where the application is clearly ineligible under the standards. The report indicated in paragraph 3, above, should include unfavorable actions taken by HCLC.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Edward C. Welsh

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

STANDARDS TO BE APPLIED IN CONSIDERING
APPLICATIONS FOR DESIGNATED COMPANIES

1. Sales of Securities

It is general policy to approve applications for sale of securities held by designated companies which are not restricted companies and therefore subject to Ordinance 567. Where the securities to be sold are issued by a designated or special accounting company all prospective purchasers shall be informed of the fact that securities of any company subject to reorganization under any existing law cannot be guaranteed or implied and that they may be altered, modified, subject to change, or the par value may be reduced.

2. Sales of Capital Assets

Applications for the sale of capital assets, such as land, buildings, machinery and equipment, shall not be approved unless the following facts are affirmatively established in the application:

a. The asset proposed for disposition is not currently in use or is surplus to the operating needs of the applicant.

b. There is no foreseeable future use to which the asset could be put by the applicant with production or efficiency benefit.

c. The proposed disposition is not inconsistent with any reorganization plan.

d. Proceeds from the sale will be deposited in account.

e. There is no relationship between the purchaser and the seller which would raise doubt as to the good faith or purpose of the proposed transaction.

f. The application is supported by a current appraisal signed and dated by a bank or other qualified agency. (Such approval should

represent the most accurate obtainable estimate of current market value as distinguished from appraisals for special purposes such as tax appraisals.)

g. The book value (with date of acquisition) is indicated. (This factor should be given weight only if the asset was acquired within three years prior to the date of the application. Where such acquisition was within that period, the difference between the book value and appraised value should not exceed the approximate increase in price levels during the period.)

h. Sales to designated companies must be at appraised value. Sales to others may not be below appraised value or more than 110 percent of appraised value.

i. Applications for the sale of land for other than agricultural purposes must include a statement by the Holding Company Liquidation Commission that such land is not suitable for agricultural purposes.

j. In cases where the vendor and the vendee are both designated companies, applications for the sale and purchase, respectively, should be submitted simultaneously or both parties join in a single application.

3. Sales of Materials and Supplies

The sale of raw materials and supplies is not a usual transaction for an industrial concern and consequently few applications of this type should be received. All such applications shall be denied unless it is conclusively established that:

a. The commodities offered for sale are surplus to the operating requirements of the applicant.

b. The sales price is such that a dissipation of assets will not result, i.e., priced at market value.

c. The use to which materials or supplies will be put is not inconsistent with any allocation program of the government such as construction or repair of a place of amusement.

4. Purchase of Capital Assets

Application for the purchase of capital assets shall not be approved unless it is conclusively established that:

a. The purchase will not result in the acquisition of new operating or operable units.

b. The purchase is not for the special benefit of any executive officers; thus, the purchase of housing facilities for operating employees would be preferred over the provision of apartments or other housing facilities for office or supervisory help. In such cases it must be shown that adequate housing facilities are provided for operating employees before any consideration is given to other housing projects.

c. The purchase price does not exceed the appraised value.

5. Purchase of Materials and Supplies

Usually the purchase of materials and supplies by an industrial concern will be a transaction in the normal course of business and consequently prior GHQ approval is not required. If, however, the purchase is of a peculiar nature requiring prior approval, the application shall be denied unless it is established that:

a. The purchase is necessary to increasing production of the company.

b. The purchase price is not excessive thereby resulting in

dissipation of assets.

6. Construction, Rehabilitation and Repairs

Application for construction, rehabilitation and repair shall not be approved unless the following are affirmatively established. (Minor repairs and rehabilitation of a maintenance character which do not appreciate capital assets are considered in the normal course of business and will not require prior GHQ approval.)

a. The proposed construction, rehabilitation or repair is essential for the maintenance of operations at usual current rate or will result in increased production or efficiency.

b. No suitable facilities similar to those proposed for construction or repair are available for purchase at approximately the same cost.

c. The estimate covers the total expected cost of the project. (This is particularly important with respect to long-term projects since rising labor and materials costs might occasion the submission of successive applications for the same project.)

d. The materials to be used, such as lumber, hardware, tile, etc., are indicated together with the number of units, measurements, weight or other specifications for each type.

e. A statement accompanies the application indicating that the materials specified will be available for allocation when required.

f. The proposed project is not inconsistent with any reorganization.

7. Leases and Rentals

The construction of permanent facilities on leased property shall

not be approved unless the term of the lease is of sufficient duration to amortize the investment. Construction of portable or semi-permanent type housing on leased property may be permitted where the applicant does not own suitable property providing renewal and severance clauses are included in the lease.

8. Donations

Applications requesting the approval of donations shall be denied. An exception may be considered when such donation is to the Community Chest.

9. Payment of Membership Fees in Control Organizations, Trade Associations, etc.

Applications for the payment of membership fees in trade or other control associations shall not be approved unless the association comes under one of the following categories:

a. The association has been designated by the Economic Stabilization Board for temporary continuance; the period of designation is equal to or exceeds the period for which the company requests permission to pay fees, (the fee shall cover a time period not inconsistent with any reorganization plan affecting the applicant); and the association is not expected to be closed within forty-five days.

b. The association has not been designated by the Economic Stabilization Board; doesnot perform any control functions; and its functions conform to the proposed Trade Association Law.

c. The association has been closed; is being liquidated by the Closed Institutions Liquidation Commission and the Closed Institutions Liquidation Commission has notified the company that the fees are neces-

sary to cover legitimate obligations of the association.

10. Change in Company Name

All applications for changes in company names shall be denied.

11. Change in Scope of Activities

Applications for modification of corporate charters to permit changes in scope of activities shall not be approved unless:

a. The change in scope of activities is currently necessary for operations.

b. Such changes are not inconsistent with any reorganization plan.

12. Calling Unpaid Capital

Applications requesting authority to call unpaid capital shall be approved providing such funds are placed in the old account.

13. Paying Calls on Unpaid Capital

Applications requesting authority to meet calls on unpaid capital shall be approved provided the company meeting the call is not a special accounting company.

14. Financing of Projects by Designated Companies

a. Designated companies shall be required to finance projects by withdrawals from bank accounts when financial position of the applicant permits financing in such manner. If such financing is impossible the applicant may borrow from appropriate sources. Financing of required expenditures through increase of capital is favored over borrowing.

61

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division

602.1(30 Apr 48)ESS/AC

APO 500
30 April 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Adjustment of Special Cost of Living Allowance

1. Reference is made to memorandum of 23 April 1948 requesting that authority be given for granting employees in the Tokyo area the same cost of living allowance as is currently being paid to employees in the Osaka area. Such cost of living allowance consists of a thirty (30) percent differential on base salary and dependents' allowance.

2. Based on the facts that (a) consumer prices have risen in the Tokyo area to a level approximately the same as that existing in Osaka; and (b) the Japanese Government has raised the salaries of employees in the Tokyo area to the same level as that in the Osaka area, this Division has no objection to HCLC taking action as follows.

3. Increase of thirty (30) percent in salary and dependents' allowances in Tokyo effective 1 May. Such action will result in uniform salary and dependents' allowance schedules in Tokyo and Osaka.

4. A report is requested of action taken in pursuance to the authority granted herein.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

62

委員室

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

602.1(11 May 46)ESS/AC 11 May 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Forms

1. Corrections in forms submitted under Cabinet Order No. 83 are as follows:

FORM # 1

In case of financial institution state so -

If a Special Accounting Company.

(a) Date of submission of reorganization plan.

(b) Whether there is a special law which will require a decrease of capital.

(c) Whether a second company is to be established.

FORM # 11

2) (If average market price in Tokyo, or Osaka on day or three days preceding day of offering is desired, so state.)

3) a. Payment in cash upon completion of transfer.

b. Payment in installments in accordance with provision of employee share purchase agreement.

c. Other method of receiving payment. (State details.)

FORM # 111

4) Note: The share transfer price will be a single price and may be the weighted average of the share transfer price submitted by the respective shareholders; where such price is used indicate the computation of such price.

6) N.B.: I

The above plan shall be prepared as a consolidated plan for each stockholder and submitted in quadruplicate (including two (2) copies in English).

証券部長

総務部長

文書課長

文書

23 5 12

BASIC: Memo for HCLC, subj: Forms, dated 11 May 1948

APPENDIX No. 11
of FORM No. 111

Total number of shares for which offer is received.

FORM NO. IV

3) Transfer price of such stocks, and whether or not such purchase is to be carried out in accordance with the provisions for reduction of capital under the Commercial Code.

FORM NO. 111 should read -

Form No. IV shall be applied mutatis mutandis to the Stock Disposal Plan prescribed by Article 31 of Cabinet Order No. 83.

L. A. Randall
L. A. RANDALL
Chief, Securities Branch

64

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

602.1(19 May 48)ESS/AC

APO 500
19 May 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Schedule for Administration of Law No. 207

1. Examination of the current position of HCLC with respect to processing of company actions under the Deconcentration Law reveals the following:

a. Orders of cancellation of designation have been issued to fifty (50) companies.

b. Determination has been made that structural reorganization is not required under the standards, in the case of 144 additional companies, but that other measures must be taken by most of these companies. Orders have not yet been issued to any of the 144 companies.

c. The 131 remaining companies are subject to structural reorganization unless further analysis discloses that other measures will suffice for eliminating features of excessive concentration of economic power.

2. As an aid to early completion of the action to be taken in case of the 144 companies indicated in paragraph 1b, above, the following schedule has been established:

a. The joint conferences being held between ESS/AC and HCLC will be completed no later than 26 May. This will necessitate examination of approximately fifteen (15) cases at each daily session between now and that date.

b. Letters inviting submission of amended company plans are to be issued by HCLC by 20 May in the case of those companies already examined at the daily conferences. Hereafter, HCLC will issue such letters within two (2) days after decision at the daily conference. All letters inviting amended plans shall be issued by 28 May.

c. As acceptable amended plans are received by HCLC, proposed orders will be drawn up and, after clearance with this Division, transmitted to interested parties with notification of a hearing date.

d. HCLC has indicated that it expects to receive some amended plans by 22 May. Based on that assumption, the first hearing can be

BASIC: Memo for HCLC, subj: Schedule for Administration of Law No. 207, dated 19 May 1948

scheduled for 10 June. In any case, hearings should be scheduled at the earliest possible date after receipt of the amended plans.

e. A more accurate judgment than is now possible as to the time required for each hearing can be made after receipt of objections, counter reorganization plans and other filings which can be made by interested parties under the rules of procedure, and after actual experience is gained in conduct of the hearings. Tentatively, however, it is desired that arrangements be made for holding eight (8) hearings each full work day between 10 June and 6 July.

f. Final orders will be issued to companies as hearings are completed. All final orders to be issued by 15 July.

3. In order to complete the work at hand in an efficient and timely fashion, it is expected that the schedule outlined above will be adherred to and departure therefrom made only after modification of the schedule based on joint consideration of the problems involved.

4. It is also desired that concurrently with the treatment of the 144 company cases, analysis and other processing be carried on in regard to companies requiring structural reorganization. The cases to be handled in this respect will be agreed upon after discussion with your staff.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION

602.1 (21 May 48) ESS/AC

APO 500
21 May 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Suggested Form and Information Required under Article 12 of Cabinet Ordinance No. 83

The following information should be requested as a part of the information required under Article 12 of said Ordinance.

1. a. Nature of company's business.

b. If company produces any of the products listed in attached chart to Ordinance, specify such items and total yen value of production of item listed for preceding year and its percentage to total yen value of production of all products.

2. If the company has had its plan of reorganization approved under the Enterprise Reconstruction and Reorganization Law, state the following facts:

a. Reduction in capital.

b. Proposed increase of capital stating amount and time of increase and method.

c. Details of establishment of any second companies showing provision for disposal of capital of such second companies.

d. Details of disposal of fixed assets, showing provision for payment.

e. Details of any approved mergers of or by other companies showing provisions for exchange of capital shares.

f. Details of modification of conditions of old claims.

3. Exclusive of such matters as are mentioned under the foregoing item, any proposal for increase in capital showing amount of increase, time of proposed increase and method of disposal or proposal for mergers showing details.

4. Indicate following with respect to price of shares for both Tokyo

Basic: Memo for HCLC, subj: Suggested Form and Information Required under Article 12 of Cabinet Ordinance No. 83, 21 May 48

and Osaka markets and for any other market in which shares were traded for last month indicating dates:

a. Highest price at which sale was made with date.

b. Lowest price at which sale was made with date.

c. Most recent price at which sale was made with date.

5. Any other facts pertinent to the determination of disposal price for shares.

Note: Attach Balance Sheets, Profit and Loss Statements and Property Inventory Statement for last three years. Balance Sheets and Profit and Loss Statements should be prepared in form (refer to Financial Statements prepared in connection with Enterprise Law).

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

68

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

240(20 Jul 48)ESS/AC 20 July 1948

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Review of Employees' Salary Schedule

1. Reference is made to memorandum of 13 July 1948 presented by the CILC, SCLC, HCLC and Bank of Japan Liquidation Office setting forth a study of the current salary schedule in light of purported current cost of living ratios, as well as to the request made by four representative employees' unions of the above agencies, that salaries and allowances be increased 50% over the present scale, retroactive to May 1948.

2. Comparative studies of government, quasi-governmental and other related institutions' salary schedules, with consideration given to cost of living trends, supports the conclusion that it would be equitable to follow the Japanese Government's salary schedule adjustment, passed through the Diet on 6 July 1948, and already enforced and retroactive to 1 June 1948.

3. No objection, therefore, would be interposed to the HCLC's adoption of the Japanese Government's percentage increase up to 30% retroactive to 1 June 1948.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
APO 500

337 (2 Aug 48)ESS/AC 2 August 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Conferences with Representatives of Designated Companies (Law No. 207) or with other Interested Parties

1. Increasing emphasis must be placed upon expeditious handling of problems involving companies designated under Public Law No. 207 with the objective of getting appropriate orders issued to such companies as quickly as possible. In order to carry out this responsibility and at the same time to maintain courteous and useful relationships with the companies, it is particularly important that the maximum of informational value be obtained in each meeting with representatives of the companies and with other interested parties.

2. As a consequence of the general administrative principles stated above, it is advised that the Holding Company Liquidation Commission inform appropriate representatives of designated companies as follows:

a. Both the Holding Company Liquidation Commission and the Antitrust and Cartels Division of GHQ are available for consultation regarding the questions arising under the Deconcentration Law.

b. General conferences, not supported by adequate and provable facts, are not useful and only serve to delay actions which will ultimately result in removing the companies from the coverage of the Deconcentration Law.

c. Whenever practicable companies should present in writing to the Holding Company Liquidation Commission or to the Antitrust and Cartels Division of GHQ the questions and the points which they wish to form the basis for a conference. To allow the maximum efficient use of the time of all parties concerned, it is recommended that such written statement be presented at least twenty-four (24) hours prior to the time for which the conference has been scheduled.

d. Companies should request such conferences only when they have points to present which have not been adequately taken up in previous meetings.

e. Except when representatives of a company have been requested to appear at the offices of the Antitrust and Cartels Division of GHQ at some other time, such offices are open for scheduled conferences only on

Basic: Memo to HCLC, subj: Conferences with Representatives of Designated Companies (Law No. 207) or with other Interested Parties, 2 Aug 49

the afternoons of Monday, Tuesday, Thursday and Friday, and the mornings of Wednesday and Saturday. No conferences should be requested by representatives of the companies or other interested parties by appearance at the Antitrust and Cartels Division offices without appointments which have been obtained by telephone or otherwise.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

31

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

431 (26 Aug 48)ESS/AC

26 August 1948

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Donations by Designated Companies to the Helen Keller Campaign Committee

1. References are:

a. Law No. 207 of 1947 providing for elimination of excessive concentrations of economic power.

b. Rules of Procedure issued as HCLC Public Notice No. 1, Articles 7 and 8.

2. The Helen Keller Campaign Committee is raising funds by public subscription to construct facilities, purchase equipment and otherwise extend assistance and relief to the physically handicapped of Japan. The Committee has requested that designated companies be given authority to make donations without prior approval of SCAP as required by reference, paragraph 1b, above.

3. No objection is made to donations by designated companies to the Helen Keller Campaign Committee in amounts which are not in excess of ¥250,000. from any one company provided, however, that such amounts are obtainable from free yen accounts. In the event designated companies are required to borrow funds, donations shall not exceed ¥100,000.

4. Designated companies shall submit a report concurrently with any donations made under the provisions of this memorandum. Such report is required as notification to appropriate Japanese governmental authorities and to this Headquarters.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Edward C. Welsh

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division
APO 500

602.1(12 Oct 48)ESS/AC

12 October 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Donations by Designated Companies to the Community Chest and/or Red Cross Society of Japan

1. References are:

a. Law No. 207 providing for elimination of excessive concentration of economic power.

b. Rules of Procedure issued as HCLC Public Notice No. 1, Articles 7 and 8.

2. The provisions of reference memoranda paragraphs 1a and 1b, above, require designated companies to obtain prior approval of the Supreme Commander for the Allied Powers for transactions not in the normal course of business. Expenditures in the form of donations are construed to be within the purview of this requirement.

3. No objections will be made by the Supreme Commander for the Allied Powers to donations by designated companies to the Community Chest and/or the Red Cross Society of Japan in amounts which are not in excess of ¥100,000 for any one company provided, however, that such amounts are obtainable from such company's free yen account.

4. Designated companies shall submit a report to the Supreme Commander for the Allied Powers concerning any donations made pursuant to the provisions of this memorandum.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Edward C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

010(21 Oct 48)ESS/AC 21 October 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Implementation of Law 207

1. In the interest of expeditious and orderly implementation of Law 207 the Holding Company Liquidation Commission is advised to act in accordance with the following:

a. The Holding Company Liquidation Commission will re-examine the files of each of the one hundred seventy-five (175) companies which previously had been included in announcements to the effect that they were found to be excessive concentrations and that no structural reorganization was required.

b. In making such re-examination of those one hundred seventy-five (175) companies, the Holding Company Liquidation Commission will determine in each case whether facts readily available to the Commission present a prima facie case of restraint of trade. In those instances in which no such case is found, orders will be issued to such companies, removing them from designation and, hence, from coverage of the Deconcentration Law. In those instances in which a prima facie case of restraint of trade is found, the finding should be prepared and presented through appropriate channels to the Headquarters for review.

c. The Holding Company Liquidation Commission will re-examine the files of the forty-one (41) companies in the attached list in the same fashion and will act in the same manner as outlined for the one hundred seventy-five (175) companies referred to above.

d. The Holding Company Liquidation Commission will re-examine the files of the fifty-nine (59) designated companies which are not included above. Such re-examination will result in the Holding Company Liquidation Commission's presenting findings of restraint of trade where prima facie cases are readily available and removing from designation those companies where such findings are not readily available.

e. In each instance in which a company is removed from designation the Holding Company Liquidation Commission will transfer a complete file to the Fair Trade Commission with the recommendation that the latter

make necessary investigations regarding restraints of trade and take appropriate actions wherever the Fair Trade Commission finds such restraints.

f. In each instance in which the Holding Company Liquidation Commission fails to find a prima facie case of restraint of trade, the Holding Company Liquidation Commission will inform the Fair Trade Commission that the absence of such finding is simply evidence of the fact that the facts readily available to the Holding Company Liquidation Commission did not result in such finding and that the absence of such finding should in no respect prejudice the investigation, decision, or action of the Fair Trade Commission. Likewise, the order removing a company from designation will contain a similar statement so that the company is fully aware of the fact that its removal from designation in no respect affects its liability to action by the Fair Trade Commission.

2. As soon as the Holding Company Liquidation Commission has arrived at its considered recommendations regarding actions under each of the points in paragraph 1, above, it will transmit such recommendations to the Antitrust and Cartels Division, Economic and Scientific Section, and will take action only after having received approval from this Headquarters.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

Asahi Kasei Kogyo K. K.

Daiwa Boseki K. K.

Denki Kagaku Kogyo K. K.

Fuji Denki Seizo K. K.

Fuji Shashin Film K. K.

Gunze Seishi K. K.

Hokkaido Tanko Kisen K. K.

Kawanami Kogyo K. K.

K.K. Kawanishi Kikai Seisakusho K. K.

Kawasaki Sangyo K. K.

Kisha Seizo K. K.

Konishi-Roku Shashin Kogyo K. K.

K.K. Kubota Tekkosho K. K.

K.K. Kyosan Seisakusho K. K.

Nichiro Gyogyo K. K.

Nissan Jukogyo K. K.

Nisshin Boseki K. K.

Nittetsu Kogyo K. K.

Nippon Itagarasu K. K.

Nippon Keori K. K.

Nippon Kogaku Kogyo K. K.

Nihon Musen K. K.

Nippon Sharyo Seizo K. K.

Nippon Tire K. K.

Nippon Yusen K. K.

Oki Denki K. K.

Osaka Shosen K. K.

Shikishima Boseki K. K.

K.K. Shimadzu Seisakusho K. K.

Teikoku Jinzo Kenshi K. K.

Teikoku Kogyo Kaihatsu K. K.

Tohoku Kogyo K. K.

Toyo Rayon K. K.

Toyota Jidosha Kogyo K. K.

Yokohama Gomu Seizo K. K.

Daiei K. K.

Meiji Nyugyo K. K.

Nihon Shio Kaiso K. K.

Nikkatsu K. K.

Toppan Insatsu K. K.

Toyoko Eiga K. K.

沿海州に二〇万人ほどの朝鮮人が居住しており、平壌をはじめとする北朝鮮地域の住民の大多数は、ロシアの国籍を有している。

イ、ロシアの対朝鮮政策の変遷

ロシアは、日清戦争の結果、朝鮮における清国の宗主権を排除するに成功したが、日露戦争の結果、朝鮮における日本の優越的地位を認めざるを得なくなった。

ロ、日露戦争後の日本の対朝鮮政策

日露戦争後、日本は、朝鮮に対する保護国化を進め、一九一〇年、朝鮮を日本の植民地とした。

ハ、日本の対ロシア政策

日露戦争後、日本は、ロシアに対する警戒を強めつつ、ロシアとの関係を調整する方針をとった。

ニ、日本の対朝鮮政策

日露戦争後、日本は、朝鮮に対する保護国化を進め、一九一〇年、朝鮮を日本の植民地とした。

ホ、朝鮮人の対日本政策

朝鮮人は、日本の朝鮮支配に対し、抵抗を続けた。

ヘ、朝鮮人の対ロシア政策

朝鮮人は、ロシアに対し、日本の朝鮮支配に対する抵抗を援助するよう求めた。

ト、ロシアの対日本政策

ロシアは、日本の朝鮮支配に対する抵抗を援助することにより、日本の朝鮮支配を妨害しようとした。

チ、日本の対ロシア政策

日本は、ロシアの朝鮮における影響力を排除しようとした。

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division
APO 500

010 (21 Oct 48)ESS/AC — 21 October 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Interpretation

In response to certain questions of interpretation presented to the Deconcentration Review Board, the Board prepared the following statements which it has suggested be made available to the Holding Company Liquidation Commission:

"1. The first matter has to do with the meaning of the words 'restricts competition or impairs the opportunity for others to engage in business independently in any important segment of business,' as stated in Par 4a of our memorandum of 28 August to the Supreme Commander. Mr. Welsh points out that Government policies and directives limit free competition in many fields. In view of this situation he wishes to know whether the Board is saying that unless there is a showing that a company restricts competition at the present time and under present conditions a company must be removed from designation.

"This language in our memorandum was taken from Article 3 of the statute. In construing Article 3 it is the opinion of the Board that it was not intended by the framers of the law to exclude a company from designation under the statute merely because competition has been limited, as a result of governmental action or Occupation directive.

"2. The second matter relates to the purpose to be served by the standards for determining excessive concentration. The Board believes that standards adopted pursuant to Article 6 of the law cannot be employed to enlarge the definition in Article 3. It is the opinion of the Board that the purpose to be served by the standards is to assist in testing or determining whether an enterprise falls within the statutory definition. The Board raises no objection to the use of the present standards for this purpose."

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

経済科学局覚書

反トラスト・カルテル課宛

2月10日付持株会社整理委員会宛覚書「解釈」に関する問題について、経済科学局反トラスト・カルテル課は、持株会社整理委員会に対する次の解釈を提供することを提案している。

第一の問題は、覚書の中の「他人が重要な分野で自由に事業を営むことを妨げる」という言葉の意味に関する。ウェルシュ氏は、政府の政策や指令が多くの分野で自由な競争を制限していることを指摘している。この状況を考慮して、ウェルシュ氏は、委員会は、現在の状況下で競争を制限していることを示すことがない限り、ある会社は指定から除外されなければならないと言っているのかどうかを知りたがっている。

覚書のこの文言は、法令の第3条から取られたものである。第3条を解釈するにあたって、委員会は、法令の起草者は、政府の行為または占領指令の結果として競争が制限されたという理由だけで、ある会社を法令の第3条の定義から除外することを意図していなかったという意見である。

第二の問題は、過度の集中を決定する基準の目的に関する。委員会は、第6条に従って採用された基準は、第3条の定義を拡大するために用いることはできないと信じている。委員会の意見では、基準の目的は、ある企業が法令の定義の範囲内に入るかどうかを試験または決定するのを助けることである。委員会は、この目的のために現在の基準を使用することに異議を唱えない。

経済科学局長代理
ウェルシュ
反トラスト・カルテル課長

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division
APO 500

30 October 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Nippon Soda Company, Ltd. and Nissan Chemical Industry Company, Ltd.

1. Chief of Anti-Trust and Cartels Division, Economic and Scientific Section, takes this means of advising the Holding Company Liquidation Commission that the Deconcentration Review Board of this Headquarters has examined the files and pertinent papers before it and finds therein insufficient evidence for prima facie cases of restraint of trade on the part of subject companies to justify their designation as excessive concentrations under Law No. 207.

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing subject companies from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission, in accordance with the procedure and policy outlined in Memorandum of 21 October 1948 from Chief, Antitrust and Cartels Division, Economic and Scientific Section, to the Holding Company Liquidation Commission.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSE
Chief, Antitrust and Cartels Division

東京都千代田區内幸町二丁目一番地
持株會社整理委員會
電話銀座(57)六七八〇―二番

昭和　年　月　日

連合軍最高司令部経済科学局及トラスト・カルテル部

APO五〇〇　　昭和二十三年十月三十日

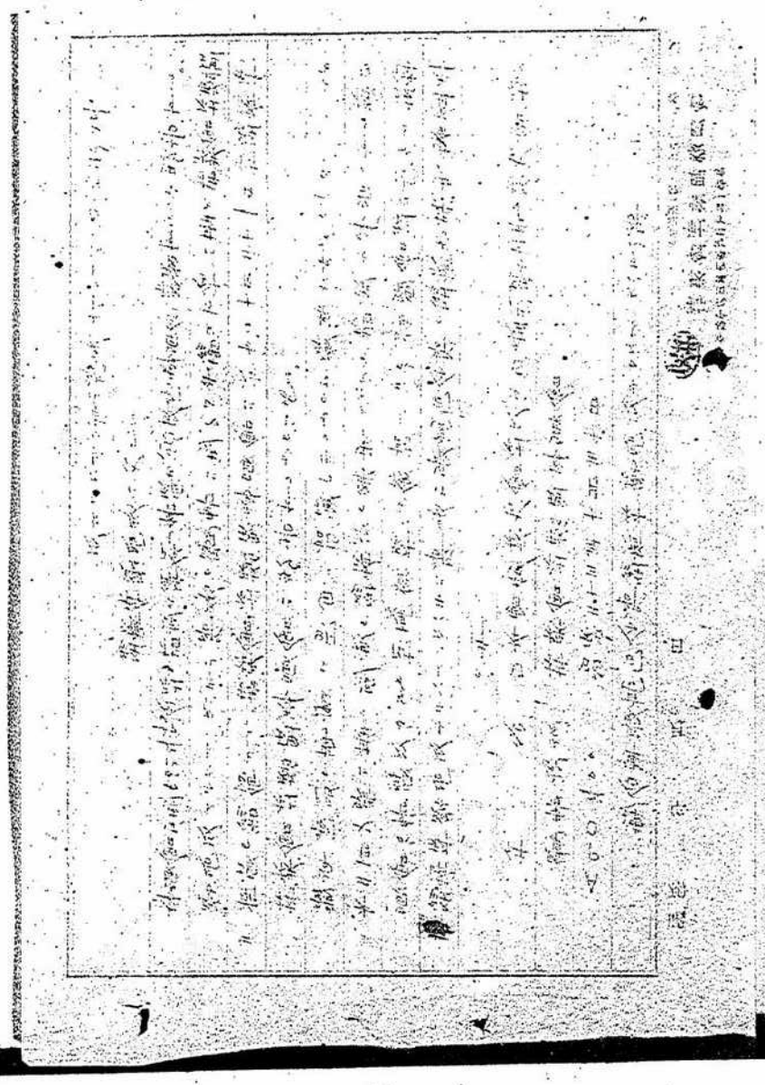
覚書宛先　持株會社整理委員會

件　名　日本曹達株式會社及び日産化学工業株式會社の件

一、経済科学局及トラスト・カルテル部及び最高司令部の経済力集中審査委員會が書類及びそれに附属資料を検討したが、当該會社に関する法律第二百七號に基く過度の経済力の集中として指定を正当とする様な競争制限の事實を明白に記録づけるものは発見されなかつたということを持株會社整理委員會に通告するものである。

二、前項の結論として、持株會社整理委員會に対する十月二十一日付経済科学局及トラスト・カルテル部長の覚書に述べた手續と方針に基き、持株會社整理委員會は速やかに上記會社の指定を解除し、書類を公正取引委員會に移牒することを勧告する。

経済科学局長に代りて
及トラスト・カルテル部長エドワード・C・ウエルシユ



80

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division
APO 500

010(12 Nov 48)ESS/AC 12 November 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Nippon Kokan K. K., Fuso Kensoku K. K., Kobe Seikosho K. K.

1. Chief of Anti-Trust and Cartels Division, Economic and Scientific Section, takes this means of advising the Holding Company Liquidation Commission that the Deconcentration Review Board of this Headquarters has examined the Proposed Orders of HCLC issued to the subject companies, including supporting files and papers, and finds that the Plans providing for the separation of the companies' unrelated lines of business are not actions required by the provisions of Law No. 207. The Board, therefore, recommends that the designation of these companies be cancelled and the HCLC files thereof be transferred to the FTC.

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing subject companies from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with the procedure and policy outlined in memorandum of 21 October 1948 from Chief, Anti-Trust and Cartels Division, Economic and Scientific Section, to the Holding Company Liquidation Commission. In this connection the Commission should transmit to the Fair Trade Commission such information as it has indicating restraints of trade on the part of subject companies, including a translation of the memorandum prepared by Anti-Trust and Cartels Division indicating that subject companies were parties to agreements embodying price fixing, division of territories, division of products, etc.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Edward C. Welsh

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

81

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division
APO 500

010(12 Nov 48)ESS/AC 12 November 1948

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Re-Examination of the Files of 175 Companies.

1. The Holding Company Liquidation Commission has submitted recommendation for cancellation of the designation with respect to 175 companies which previously had been included in announcements to the effect that although found to be excessive concentrations no structural reorganization would be required. Such re-examination was made by the Commission in accordance with instructions in paragraphs 1a and b of memorandum dated 21 October 1948 from Chief, Anti-Trust and Cartels Division, Economic and Scientific Section, to the Holding Company Liquidation Commission.

2. Examination of the recommendations referred to in paragraph 1, above, has been made and the Commission is hereby advised that no objection is offered to the action proposed by the Commission with respect to 142 of the 175 companies.

3. It is the conclusion of this Division that action with respect to the remaining 33 companies, identified in attached sheet, requires further consideration and submission of additional data. In this connection attention of the Commission is directed to the fact that a finding of non-existence of restraints of trade can hardly be made with respect to monopolies such as the Haidens. After completion of further examination and submission of additional data appropriate action will be decided with respect to the 33 companies.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Edward C. Welsh

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

1 Incl
List of 33 companies

Dai-Nippon Seruroido K. K.
✓ Fuji Sangyo K. K.
Hokkaido Iwo K. K.
Kirin Beer K. K.
Matsuo Kogyo K. K.
Nozawa Sekimen Kogyo K. K.
✓ Nippon Chisso Hiryo K. K.
Nippon Denchi K. K.
Nippon Felt K. K.
Nippon Gaishi K. K. ✓
Nippon Gakki Seizo K. K.
Nippon Kanaami K. K.
Nippon Keikinzoku K. K.
Nippon Seni Kogyo K. K.
✓ Nippon Shono K. K.
Nippon Typewriter K. K.
✓ Sumitomo Denki Kogyo K. K.
✓ Tokuyama Soda K. K.
Toye Bearing Seizo K. K.
Toyo Toki K.K.
Yuasa Chikudenchi Seizo K. K.
✓ Chubu Haiden K. K.
✓ Chugoku Haiden K. K.
✓ Hokkaido Haiden K. K.
✓ Hokuriku Haiden K. K.
✓ Kansai Haiden K. K.
✓ Kanto Haiden K. K.
✓ Kyushu Haiden K. K.
✓ Nippon Koryo Yakuhin K. K.
✓ Nippon Shono Seizo K. K.
✓ Saisei Shono K. K.
✓ Shikoku Haiden K. K.
✓ Tohoku Haiden K. K.

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division

18 November 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Advance of Funds to Designated Persons

1. Reference is made to the revision proposed by the Commission in its standards governing advance of funds to designated persons submitted under HCLC's Slip No. 1029.

2. This headquarters has no objection to amendment of the Commission's standards governing advance of funds to designated persons, as follows:

a. The Commission shall determine the amount of property to which each designated person's holdings shall be reduced. Such amount shall be an amount reasonably required for living. Reduction of the holdings of designated persons to the amounts so determined by the Commission shall be effected as soon as practicable.

b. Except as provided in Item d, funds required by designated persons will be obtained from disposal proceeds of properties not transferred to the Commission.

c. All proceeds from disposal of designated persons' properties will be placed in bank accounts under the Commission's control. Withdrawal from such accounts shall be permitted only in amounts determined by the Commission as necessary to cover living allowances, property maintenance expenses, payments of taxes, and repayment of debts.

d. In case designated persons have no available funds and the Commission finds it impractical for such persons to raise funds by the disposal of properties not transferred to the Commission, advances may be made from the accounts of designated persons in such amounts determined by the Commission as necessary to cover living allowances, property maintenance expenses, payment of taxes and repayment of debts.

3. There is no basis, however, for actions which will guarantee designated persons living conditions comparable to those to which they were formerly accustomed.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

2 December 1948

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Lease of Oil Storage Facilities Owned by Mitsubishi Trading Company, Ltd.

1. Reference is memorandum dated 9 November 1948 from the Holding Company Liquidation Commission to Chief, Antitrust and Cartels Division, subject: "Application from the Mitsubishi Trading Company for the Lease of Oil Storage Facilities at Hikoshima and Nagasaki."

2. Examination of subject application reveals that oil storage facilities at Hikoshima and Nagasaki which have been leased to the Petroleum Distribution Company were returned to Mitsubishi Shoji as of 2 November 1948 and as the Mitsubishi Shoji is being liquidated it is therefore not in a position to undertake operation of the storage facilities. The Holding Company Liquidation Commission recommends that Mitsubishi Shoji lease such facilities to the Mitsubishi Oil Company. The Holding Company Liquidation Commission's reason for proposing to lease these facilities to the Mitsubishi Oil Company devolves from a contract which was entered into by the Mitsubishi Shoji and Mitsubishi Oil Company. Terms of this contract state that in consideration of the Mitsubishi Oil Company's distributing oil products of the Mitsubishi Shoji that the Mitsubishi Shoji would sell the reference oil storage facilities to the Mitsubishi Oil Company if at any time it decided to discontinue business. The Holding Company Liquidation Commission recommends that Mitsubishi Shoji lease the oil storage facilities to the Mitsubishi Oil Company since the lease could be used as a bargaining point at a later date when it becomes necessary to sell the oil storage facilities to the Mitsubishi Oil Company.

3. Antitrust and Cartels Division does not favor the lease of the oil storage facilities to the Mitsubishi Oil Company, unless it is proven impossible to obtain other management of such facilities. The reasons for this are as follows:

a. The Mitsubishi Oil Company was designated under Law No. 207 as an excessive concentration and it is considered that action of dissolving one Mitsubishi company should not result in expansion of another company in the same chain of capital, if such can practically be avoided.

b. The Mitsubishi Oil Company is a restricted concern under Ordinance 657 and the Holding Company Liquidation Commission holds voting stock of this company. As a major stockholder of the Mitsubishi Oil Company, the Holding Company Liquidation Commission can properly decide

Memo for HCLC, subj: Lease of Oil Storage Facilities Owned by Mitsubishi Trading Company, dtd 2 Dec 48

not to take advantage of the clause in the contract between Mitsubishi Shoji and Mitsubishi Oil Company giving the Mitsubishi Oil Company the right to purchase the oil storage facilities. Likewise, as the agency responsible for liquidation of Mitsubishi Shoji, the Holding Company Liquidation Commission is responsible for seeing to it that such liquidation is effected in a manner which will not create or augment excessive concentrations of power, notwithstanding previous contractual arrangements between the parties concerned.

4. In view of paragraph 3, above, it is recommended that the Holding Company Liquidation Commission notify the Mitsubishi Oil Company that it does not approve of that company's proposed action to purchase or lease the oil storage facilities concerned. It is further desired that the liquidators of Mitsubishi Shoji be notified to sell such facilities to the highest qualified bidder as soon as possible.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

86

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

14 December 1948

602.1(14 Dec 48)ESS/LC

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Issuance of Final Orders by the Commission

1. This Division has examined the actions proposed by the Commission at its Special General Meeting to be held on Thursday, 16 December 1948 and has arrived at the following conclusions with respect thereto:

a. The ~~draft of the~~ final order to be issued to Nippon Seitetsu as developed by the Commission after discussion with the Deconcentration Review Board may be issued with the following alterations:

(1) Paragraph 7 shall be amended to read as follows:

"That the new company shall, in consideration for the investment and transfer of assets by Nittetsu as hereinbefore recited, issue to Nittetsu their entire initial capital stock, in the form of fully paid, common voting shares with a par value to be approved by the Commission."

b. No objection is offered to the cancellation of designation in the case of those companies identified on the attachments to this memorandum. The findings presented by the Commission uniformly contain the following recommendations:

"No prima facie case for restraint of trade or impairing the opportunities for others to engage in business independently in any important segment of business can be found from the facts readily available to this Commission."

Such conclusion is uniformly inconsistent with the facts developed by the Commission purportedly in support of that conclusion since such facts also uniformly contain specific instances of restraints of trade. Permission to cancel the designation is given because no structural reorganization of the companies is involved and because it is expected that proper government action can more appropriately be taken by the Fair Trade Commission. The orders of cancellation of designation shall be drawn in the same form as those issued in the case of Nippon Kokan, Kobe Seikosho and Fuso Kinzoku.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

87

14 December 1948

PROPOSED LIST OF H.C.L.C. ORDERS (No. 2)

HCLC No.	Name of Company
64	Kawanami Kogyo K. K.
65	K. K. Kawanishi Kikai Seizakusho
67	Kawasaki Sangyo K. K.
69	Kisha Seizo K. K.
78	K. K. Kubota Tekkosha
82	K. K. Kyosan Seizakusho
115	Nichiro Gyogyo K. K.
158	Nippon Kusen K. K.
170	Nippon Sharyo Seizo K. K.
175	Nippon Tire K. K.
180	Nippon Yusen K. K.
194	Osaka Shosen K. K.
203	K. K. Shimadzu Seizakusho
255	Yokohama Gomu Seizo K. K.
264 -	Daiei K. K.
293	Nikkatsu K. K.
319	Toppan Insatsu K. K.
323	Toyoko Eiga K. K.

14 December 1948

PROPOSED LIST OF H.C.L.C. ORDERS (No. 1)

HCLC No.	Name of Company
17	Dai-Nippon Seruroido K. K.
47	Hokkaido Iwo K. K.
68	Kirin Beer K. K.
84	Matsuo Kogyo K. K.
131	Nozawa Sekimen Kogyo K. K.
133	Nippon Chisso Hiryo K. K.
135	Nippon Denchi K. K.
139	Nippon Felt K. K.
140	Nippon Gaishi K. K.
141	Nippon Gakki Seizo K. K.
149	Nippon Kanaami K. K.
151	Nippon Keikinzoku K. K.
169	Nippon Seni Kogyo K. K.
177	Nippon Typewriter K. K.
213	Sumitomo Denki Kogyo K. K.
233	Tokuyama Soda K. K.
238	Toyo Bearing Seizo K. K.
245	Toyo Toki K. K.
256	Yuasa Chikudenchi Seizo K. K.

89

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

20 December 1948

602.1(20 Dec 48)ESS/AC

MEMORANDUM FOR: Mr. Tadao Sasayama, Chairman
Holding Company Liquidation Commission and
Securities Coordinating Liquidation Committee

SUBJECT: Cost of Living Adjustment Allowance

The Holding Company Liquidation Commission and the Securities Coordinating Liquidation Committee may pay a cost of living adjustment allowance to each employee and Commissioner of these agencies in an amount not to exceed the amount paid or payable to him in base pay and allowances for the month of December 1948.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

DECONCENTRATION REVIEW BOARD

23 December 1948

Mr. Tadao Sasayama, Chairman
Holding Company Liquidation Commission
Tokyo, Japan

Dear Sir:

This will acknowledge receipt of your letter of 16 December 1948, in which you state your interpretation of Subparagraph "a" of Paragraph "2" of our Memorandum to SCAP of 11 September 1948, and request an expression of the Board's views in the matter.

In reply to your inquiry, the Board feels that companies presently designated and falling within the category described in the closing paragraph of your letter should be reviewed by the Board.

Very truly yours,

DECONCENTRATION REVIEW BOARD

By: R S Campbell
Roy S. Campbell, Chairman

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(27 Dec 48)ESS/AC

27 December 1948

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Reorganization of Oji Seishi K. K.

1. The Deconcentration Review Board has submitted recommendations regarding reorganization of the subject company. Such redommendations read in part as follows:

"The Board believes that a division of Oji into three companies based upon the principles specified below would provide a reasonable degree of competition in the paper industry of Japan with reasonable assurance that the new companies would be able to operate successfully:

(a) Company A - having the Tomakomai mill and facilities

Company B - having as a nucleus Oji's Kushiro and Kyushu mills and facilities

Company C - having as a nucleus Oji's Fuji, Iwabuchi and Nakatsu mills and facilities

(b) The remaining six mills and facilities to be divided between Company B and Company C to produce the most economically feasible and competitive grouping, having in mind such matters as operating efficiency, pulp supply, rehabilitation costs and post war conditions.

(c) The timber and pulp wood resources of Oji to be divided among the three companies on an economic and equitable basis.

(d) The chemical plant at Nagoya to be transferred to either Company B or C.

(e) Consideration should be given to transferring the timber assets of certain of Oji's subsidiaries to the new companies.

(f) The laboratory facilities at the Jujo mill to be allocated to whichever successor company acquires that mill. It is the Board's opinion that the proposal to creat a research organization as provided in paragraphs 4 and 17 of the Proposed Order employing the Jujo equipment for this purpose is impracticable and should be abandoned.

92

602.1(27 Dec 48)ESS/AC
Subj: Reorganization of Oji Seishi K. K.

2. A draft of a final order should be prepared in accordance with the foregoing and submitted to this division for review at the earliest possible date.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

— Edward C. Welsh —
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Antitrust and Cartels Division
APO 500

29 December 1948

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization of Dai Nippon Biiru K. K.

1. This Headquarters has concurred in the findings of Holding Company Liquidation Commission that subject company is an excessive concentration of economic power within the meaning of Article 3 of Law No. 207.

2. The Commission shall prepare a final order in the same general form as that issued to Nippon Seitetsu requiring the preparation of a definitive plan of reorganization giving effect to the division of Dai Nippon assets as described in paragraphs 5 and 6 of the Proposed Order.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

6 January 1949

602.1(6 Jan 49)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Work Week for Holding Company Liquidation Commission

The Holding Company Liquidation Commission is herewith advised that beginning immediately the work week for the Commission and the employees of the Commission will constitute forty-eight (48) hours. It is expected that this increase in the number of productive hours at base rate pay should result in a substantial increase in the efficiency and output of the Holding Company Liquidation Commission.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

6 January 1949

602.1(6 Jan 49)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Examination of HCLC Salary Scale

1. Reference is made to the application of 22 November 1948 from the Holding Company Liquidation Commission to Antitrust and Cartels Division, Economic and Scientific Section for consideration of a proposal to increase the salary scale for employees and Commissioners of such agency.

2. Subsequent conference on this matter resulted in the advice to the Commissioners that consideration would be given to examining the adequacy of the present salary scale of the Commission. The attention which will be given to the present salary scale of the Commission is that of ascertaining if the remunerations received by the Commissioners and the employees, respectively, are sufficient to allow for a minimum necessary standard of living to permit Commissioners and employees to perform properly their respective functions in the Commission.

3. As a consequence of this consideration being given your petition, it is requested that you withdraw such petition and resubmit a statement regarding the adequacy of the salary scale in light of the action taken to increase the work week to forty-eight (48) hours per week. The sooner such statement is received and the more complete the analysis and justification for such statement, the sooner will it be possible for this headquarters to arrive at a conclusion regarding it.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

18 January 1949

602.1(18 Jan 49)ESS/AC

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Cancellation of Designations under Law No. 207

1. The Commission has indicated a desire to take action with respect to the cancellation of designations of the remaining 37 companies to which orders of structural reorganization will not be issued, such action to be taken at the Commission's regular general meeting scheduled for 20 January 1949.

2. General Headquarters, Supreme Commander for the Allied Powers, Economic and Scientific Section offers no objection to cancellation of the designations in the case of the 16 companies listed on the attached sheet.

3. The orders of cancellation of designation should be issued in the same form as those cancelled at the last special meeting of the Commission.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

1 Incl
as indicated

Attached sheet.

4. Asahi Kasei Kogyo K. K.
21. Denki Kagaku Kogyo K. K.
25. Fuji Denki Seizo K. K.
28. Fuji Shashin Film K. K.
48. Hokkaido Tanko Kisen K. K.
77. Konishi-Roku Shashin Kogyo K. K.
121. Nissan Jukogyo K. K.
127. Nittetsu Kogyo K. K.
145. Nippon Itagarasu K. K.
154. Nippon Kogaku Kogyo K. K.
185. Oki Denki K. K.
220. Teikoku Jinzo Kenshi K. K.
221. Teikoku Kogyo Kaihatsu K. K.
243. Toyo Rayon K. K.
248. Toyota Jidosha Kogyo K. K.
283. Meiji Nyugyo K. K.

98

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

4 February 1949

602.1(4 Feb 49)ESS/AC

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Revision of the Salary Scale for HCLC Employees

1. Reference is made to the Commission's memorandum of 14 January 1949 presenting a plan for revision of the current salary and allowance scales for employees of the Commission. Antitrust and Cartels Division, Economic and Scientific Section, has no objection to revision of the salary and allowance scales, as follows:

a. Increase by 66-2/3% the basic salary and specialist's allowance.

b. Establish a uniform special allowance rate of 40% in place of the current graduated scale of 30%, 40% and 50% respectively in the various classifications.

c. Establish the same dependent allowance as provided in the current regular Government salary plan.

d. Establish the same area differentials as those given regular Government employees.

2. Revisions in the salary and allowance scales as outlined above may be made effective 1 February 1949.

3. A table indicating the revised salary and allowance payments to be made to each class of employee shall be prepared and submitted to Antitrust and Cartels Division, Economic and Scientific Section, for approval prior to any actual payment to employees under the new scale.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

ECONOMIC AND SCIENTIFIC SECTION
Antitrust and Cartels Division

15 February 1949

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Actions To Be Taken By The Commission At Its Special Meeting On 17 February 1949

1. The Commission has recommended cancellation of designation of the following companies: Nippon Seikiyu K.K., Mitsubishi Denki K.K., Matsushita Denki Sangyo K.K. and Nippon Denki K.K.

2. The Commission is authorized to take such action at its next official meeting on 17 February 1949.

3. The form of the orders of cancellation should correspond with the orders of cancellation issued to Nippon Kokan and other companies subsequently released from designation.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

17 February 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Orders to Tokyo Shibaura Denki K. K. and K. K. Hitachi Seisakusho pursuant to Law No. 207 of 1947

Drafts of Proposed Orders in the above matters having been presented by the Holding Company Liquidation Commission, Antitrust and Cartels Division, Economic and Scientific Section authorizes their issuance.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

101

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

21 February 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Teikoku Sekiyu K. K. pursuant to Law No. 207 of 1947

Draft of Proposed Order in the above matter having been presented by the Holding Company Liquidation Commission, Antitrust and Cartels Division, Economic and Scientific Section authorizes its issuance on 23 February 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

15 March 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Order to K.K. Hitachi Seisakusho Pursuant to Law No. 207 of 1947

Draft of Final Order in the above matter having been presented by the Holding Company Liquidation Commission, Antitrust and Cartels Division, Economic and Scientific Section authorizes issuance of an Order in the same form as the draft presented.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E.C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(16 Mar 49)ESS/AC 16 March 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Orders Under Law No. 207 of 1947 to Nippon Shuppan Haikyu K.K. and Taihei Mezukai K.K.

1. The Closed Institutions Liquidating Commission has adopted resolutions providing for designation of the subject companies for closure under Ordinance No. 74 of 1947: The Closed Institutions Ordinance.

2. The HCLC should at its General Meeting on 17 March 1949 adopt resolutions authorizing the issuance of orders cancelling the designations of these companies under Law No. 207 of 1947. Such HCLC orders should be issued and be made effective on the same date as the effective date of the order of designation issued by the CILC.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

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ギリスキ 吉田信子

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

160 (18 Mar 49)ESS/AC 18 March 1949

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Law No. 207 Action re "Big Ten" Spinning Companies

1. Reference is made to:

a. Law No. 207 and the official standards issued under Article 6 of such Law.

b. Deconcentration Review Board principles, as issued to the Holding Company Liquidation Commission in August, 1948.

c. Designation of "Big Ten" Spinning Companies by the Holding Company Liquidation Commission in February, 1948.

2. In accordance with the provisions of reference Law and the standards issued thereunder, the following companies were designated as excessive concentrations by the Holding Company Liquidation Commission in February, 1948:

Nitto Boseki K.K.	Toyo Boseki K.K.
Kurashiki Boseki K.K.	Daiken Sangyo K.K.
Fuji Boseki K.K.	Daiwa Boseki K.K.
Kanegafuchi Boseki K.K.	Nisshin Boseki K.K.
Dai Nippon Boseki K.K.	Shikishima Boseki K.K.

3. Prior to the date of designation, as well as since such date, the history and operations of the above-listed companies have been studied by both the Holding Company Liquidation Commission and this Headquarters. Conspiracies in restraint of trade, control association activities, wartime mergers, holding company activities, etc., of these companies were examined along with the physical location of their plants, the production relationship of the various operating units of the respective companies, the effects of structural reorganization upon production, etc. Various political pressures, as well as inadequate and oft-times inaccurate data supplied by the companies, have made the application by the Holding Company Liquidation Commission of the principles of Law No. 207 difficult.

4. In accordance with the decision of the Deconcentration Review Board re the companies enumerated in paragraph 2, above, the Holding Company Liquidation Commission will issue proposed orders effectuating the following:

1of

Basic: Memo to HCLC, subj: Law No. 207 Action re "Big Ten" Spinning Companies, dtd 18 Mar 49

a. Removal from designation under Law No. 207 of

Nitto Boseki K.K.	Toyo Boseki K.K.
Kurashiki Boseki K.K.	Daiwa Boseki K.K.
Fuji Boseki K.K.	Nisshin Boseki K.K.
Kanegafuchi Boseki K.K.	Shikishima Boseki K.K.
Dai Nippon Boseki K.K.	

b. Issue proposed order to Daiken Sangyo K.K. requiring it to reorganize into independent companies which will separately own Daiken's trading and manufacturing departments.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Mar 49)ESS/AC 26 March 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Sale of Land by Takakimi Mitsui

1. Under date of 8 September 1948, the Commission forwarded to this division an application for sale of land by Takakimi Mitsui to the Japanese Government. The land involved was an area of 9,664.34 tsubo, located at Imai-cho, Azabu, Minato-ku, Tokyo. This division offered no objection to the proposed sale at a price of ¥450 per tsubo.

2. In addition to the foregoing parcel of land sold to the Japanese Government, T. Mitsui owns an adjoining 3,783.04 tsubo which a non-Japanese government desires to purchase in accordance with provisions of policy controlling such purchases.

3. Negotiations between the prospective purchaser and Mitsui disclose that Mitsui desires to acquire equivalent property, either by way of exchange or purchase by utilization of proceeds from this sale.

4. This division offers no objection to sale for cash by Mitsui, at appraised value, or by exchange of property, provided the property acquired is of relatively the same value as that he now owns and is acquired in compliance with the standards of the Commission.

5. It is requested that the Commission immediately determine the status of T. Mitsui's negotiations in this matter, and assist in completing arrangements for disposal of the property in question under terms consistent with the foregoing and with the policy of the Headquarters and the Commission.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(29 Mar 49)ESS/AC

29 March 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Amendment of Articles of Incorporation to Provide for Credit to Share Subscribers

1. It has come to the attention of this division that companies are proposing amendment of their Articles of Incorporation to delete present provisions requiring payment of share subscriptions within a specified period of time, or to insert new provisions granting subscribers considerable period of time in which to pay their subscriptions.

2. As a general rule, such amendments should not be permitted because officers and employees could subscribe to a much larger proportion of share issues than they could appropriately finance, and such practice would reduce the amount of working capital available to companies as a result of new issues of stock.

3. All such proposals should be submitted to this Division for consideration.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

三月廿一日 委員会
やはり特定
二ノ三号ニ、三三項、株式会社
及株式会社法第八條ノ二ノ方針トスベキモノ
ヨリ変更スル事ニ決定

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS.
Economic and Scientific Section
APO 500

502.1(13 Apr 49)ESS/AC

13 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Gunze Seishi K.K.
(Gunze Silk Manufacturing Co., Ltd.)

1. The Holding Company Liquidation Commission is hereby advised that this Headquarters offers no objection to the recommendation of the Commission that the designation of the above company as an excessive concentration of economic power under Law No. 207 be cancelled.

2. The Holding Company Liquidation Commission is further advised to take prompt action for removing Gunze Seishi K.K. from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(13 Apr 49)ESS/AC

13 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designations Under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board of this Headquarters has examined the files and pertinent papers with regard to the companies listed below and recommends cancellation of the designation as excessive concentrations of economic power under Law No. 207 in each case:

Katakura Kogyo K.K.
Toyo Koatsu Kogyo K.K.
Mitsui Kagaku Kogyo K.K.
Showa Denko K.K.
Mitsubishi Kasei Kogyo K.K.
Nisshin Kagaku Kogyo K.K.

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing the companies listed above from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy. Certain recommendations of the Board to the Holding Company Liquidation Commission for recommendations to be made by the Commission to the Fair Trade Commission will be transmitted to the Holding Company Liquidation Commission in a separate communication in order that the Board's recommendations may be reflected in the transmittal letters of the HCLC to the FTC.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

COPY

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(14 Apr 49)ESS/AC 14 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Orders to Daiken Sangyo K.K. and Teikoku Seikyu K.K.

1. The Holding Company Liquidation Commission is hereby advised that this Headquarters offers no objection to the proposal of the Commission to issue Final Orders to subject companies, pursuant to resolution adopted at a general meeting of the commissioners on 14 April 1949, containing the same provisions as were included in Proposed Orders issued to those companies.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

COPY

Economic and Scientific Section
Antitrust and Cartels Division

23 April 1949

MEMORANDUM TO: Holding Company Liquidation Commission

SUBJECT: Shares Held by Kanegafuchi Cotton Spinning Co., Ltd

1. Reference memorandum from HCLC regarding stock held by subject company dated 20 April 1949.

2. The HCLC will order the Kanegafuchi Cotton Spinning Co., Ltd to deliver the stock of Kanegafuchi Cotton Spinning Co., Ltd now held by Kanegafuchi Cotton Spinning Co., Ltd to the HCLC in accordance with Law No. 233.

3. The above stock will be treated as stock held by a holding company subject to the liquidation provisions of Law No. 233.

4. The HCLC will notify the appropriate office of the Japanese Government of the violation of the Commercial Code by the directors of Kanegafuchi Cotton Spinning Co., Ltd in connection with their purchase of the stock issued by Kanegafuchi Cotton Spinning Co., Ltd. The violation is not excused through the attempt at evasion by the issuing company in registering the shares they purchase in the name of its subsidiary, Minsei Industrial Co.

FOR THE CHIEF, ANTITRUST AND CARTELS DIVISION:

L. A. RANDALL
Chief, Securities Branch

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

25 April 1949

602.1(25 Apr 49)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Orders to Mitsubishi Jukogyo K. K. and Nippon Kayaku K. K. Pursuant to Law No. 207 of 1947

Drafts of the proposed orders in the above matter having been presented by the Holding Company Liquidation Commission, Antitrust and Cartels Division, Economic and Scientific Section offers no objections to their issuance.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E. C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

Economic and Scientific Section
Antitrust and Cartels Division

25 April 1949

MEMORANDUM TO: Holding Company Liquidation Commission

SUBJECT: Shares Held by Kanegafuchi Cotton Spinning Co., Ltd

1. Reference memorandum from HCLC regarding stock held by subject company dated 05 April 1949.

2. The HCLC will order the Kanegafuchi Cotton Spinning Co., Ltd to deliver the stock of Kanegafuchi Cotton Spinning Co., Ltd non held by Kanegafuchi Cotton Spinning Co., Ltd to the HCLC in accordance with Law No. 225.

3. The above stock will be transfered as stock held by a holding company subject to the liquidation provisions of Law No. 225.

4. The HCLC will notify the appropriate office of the Japanese Government of the application of the commercial code by the directors of Kanegafuchi Cotton Spinning Co., Ltd in connection with their business of the stock issued by Kanegafuchi Cotton Spinning Co., Ltd. The application is not exceeded further than appears as notice by the issuing company in Industrial Co.

FOR THE CHIEF, VENTURES AND CARTELS DIVISION:

L. A. BANDAIT
Chief, Securities Branch

連合軍總司令部經濟科學局

APO五〇〇　　昭和二十四年四月二十五日

六〇二・一（二九四二五）ESS／AC

覺書宛先　持株會社整理委員會

件　名　昭和二十二年法律第二百七號に基く三菱重工業株式會社及び日本化藥株式會社に對する指令案の通達

掲題に關する指令案の草案が、持株會社整理委員會によつて提示されたが、經濟科學局反トラスト・カルテル部は、當該指令案の通達に異議はない。

經濟科學局長に代りて
反トラスト・カルテル部部長
エドワード・C・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(25 Apr 49)ESS/AC

26 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designations under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, General Headquarters, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and recommends cancellation of the designation as excessive concentration of economic power under Law No. 207 in each case: Nihon Kogyo K. K. and Yamazaki Jukogyo K. K.

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing the companies listed above from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E. C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

115

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Apr 49)ESS/AC 26 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Tohoku Kogyo K.K.
(Tohoku Industrial Development Co., Ltd.)

1. The Holding Company Liquidation Commission is hereby advised that this Headquarters offers no objection to the recommendation of the Commission that the designation of the above company as an excessive concentration of economic power under Law No. 207 be cancelled.

2. The Holding Company Liquidation Commission is further advised to take prompt action for removing Tohoku Kogyo K.K. from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E. C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Apr 49)ESS/AC

26 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Nihon Shio Kaiso K.K.
(Japan Salt Transportation Co., Ltd.)

1. The Holding Company Liquidation Commission is hereby advised that this Headquarters offers no objection to the recommendation of the Commission that the designation of the above company as an excessive concentration of economic power under Law No. 207 be cancelled.

2. The Holding Company Liquidation Commission is further advised to take prompt action for removing Nihon Shio Kaiso K.K. from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Apr 49)ESS/AC 26 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947

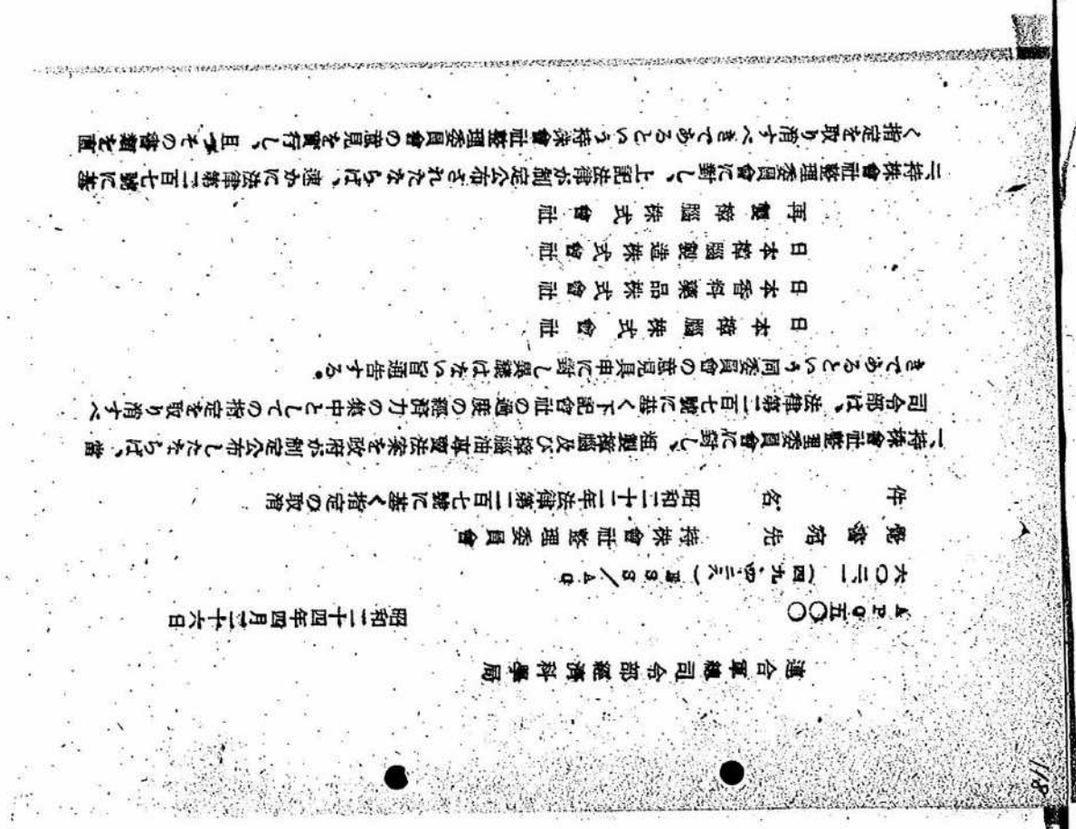
1. The Holding Company Liquidation Commission is hereby advised that, upon the enactment and promulgation by the Japanese Government of the proposed "Law for the Amendment of the Crude Camphor and Camphor Oil Monopoly Law", this Headquarters will offer no objection to the recommendations of the Commission that the designations of the following companies as excessive concentrations of economic power under Law No. 207 be cancelled:

Nippon Shono K.K.
Nippon Koryo Yakuhin K.K.
Nippon Shono Seizo K.K.
Saisei Shono K.K.

2. The Holding Company Liquidation Commission is further advised that, upon enactment and promulgation of the above legislation, the recommendations of the Commission for cancellation of the designations under Law No. 207 be carried out promptly, and that the files be transmitted immediately thereafter to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division



連合軍總司令部經濟科學局

APO五〇〇

昭和二十四年四月二十六日

六〇二一（四九、四、二六）ESS/AG

發翰宛先　持株會社整理委員會

件　　名　昭和二十二年法律第二百七號に基く指定の取消

一、持株會社整理委員會に對し、粗製樟腦及び樟腦油專賣法案を政府が制定公布したならば、當司令部は、法律第二百七號に基く下記會社の過度の經濟力の集中としての指定を取り消すべきであるという同委員會の意見具申に對し異議はない旨通告する。

日本樟腦株式會社
日本香料藥品株式會社
日本樟腦製造株式會社
再製樟腦株式會社

二、持株會社整理委員會に對し、上記法律が制定公布されたならば、速かに法律第二百七號に基く指定を取り消すべきであるという持株會社整理委員會の意見を實行し、且つその書類を當

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(27 Apr 49)ESS/AC 27 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947

1. Fuji Sangyo K.K. is in the process of reorganization pursuant to Memorandum for the Japanese Government from General Headquarters, Supreme Commander for the Allied Powers, AG 095(29 Jun 46)ESS/AC, SCAPIN 1601-A, 29 June 1946, subject: Plan of Reorganization of Fuji Industrial Company, Ltd. (Fuji Sangyo K.K.), and all of the purposes of Law No. 207 are thereby being accomplished.

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for cancellation of designation of said Fuji Sangyo K.K.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E. C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

経済科学局長官殿

民ケン第・ニ〇・ニ〇八号

昭廿四・四・二七

持株会社整理委員会

次に現行の手続規則及び方針による正規別委員会議決定に基き貴方宛通牒致す。

/20

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(29 Apr 49)ESS/AC

29 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Mitsubishi Jukogyo K.K. Pursuant to Law No. 207 of 1947.

1. The Supplementary Recommendation of the Commission, dated 26 April 1949, that the Proposed Order to the above company specify the plants to be allotted to the three new companies, was transmitted to the Deconcentration Review Board.

2. This Section was notified under date of 28 April 1949 that the Board approves the Commission's recommendation, dated 26 April 1949, designating the plants to be allotted to the three new companies.

3. Economic and Scientific Section offers no objection to the issuance of the Proposed Order in accordance with the Commission's recommendation, set forth above.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

E. C. Welsh
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍総司令部経済科学局

昭和二十四年四月十九日

経第一〇〇〇号

（四九、四、一九）

E&S/A

件名　海運業務遂行に関する指令第二百七号

海運業務遂行に関する指令

上記業務遂行に関する指令第二百七号を別紙の通り発出する。

経済科学局長

ヒューバート・ヒューズ

反トラスト・カルテル局長

ウィリアム・ヒル

上記指令は、海運業務遂行に関する指令の適用に関し最終的権限を有する。

海運業務遂行に関する指令

海運業務遂行に関する指令第二百七号

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

連合国最高司令官は、日本政府に対し、海運業務遂行に関する指令の適用に関する最終的権限を有する。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(29 Apr 49)ESS/AC

29 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Nippon Kayaku K.K.
Pursuant to Law No. 207 of 1947

1. The Supplementary Recommendation of the Commission, dated 26 April 1949, that the Proposed Order to the above company be modified to provide that the shareholdings of the company in Nikka Jitsugyo K.K. be excluded from the shares which must be disposed of, was transmitted to the Deconcentration Review Board.

2. This Section was notified under date of 28 April 1949 by the Board that the Board has no objection to the Commission's proposal to amend the Proposed Order of Reorganization of Nippon Kayaku K.K. to provide that shareholdings in Nikka Jitsugyo K.K. be excluded from the shares which must be disposed of in accordance with the Proposed Order.

3. Economic and Scientific Section offers no objection to the issuance of the Proposed Order in accordance with the Commission's recommendation, set forth above.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

122

国会図書館蔵書印を回避する為

四六十二四三四六十二四三

OOH0ヨ4

602/ESS (29 Apr 49)

日本化学工業株式会社　代表取締役

株式会社日本興業銀行　頭取　[illegible]

東京都千代田区丸の内二丁目一番一号

ドルイド・C・ウェルシュ

経済科学局　カルテル・トラスト課

123

連合軍総司令部経済科学局

昭和二十四年四月二十九日

△ア〇五〇〇

六〇三一（四九四二九）ESS／AC

覚書宛先　持株会社整理委員会

件　名　日本化薬株式会社に對する昭和二十二年法律第二百七號に基く指令案の通達

一、上記會社に對する指令案を上記會社の所有する日化實業株式會社の株式は、同社の處分株式から除外することに修正すべきであるという四月二十六日附の委員會の追加意見は集中排除審査委員會に通知した。

二、當經濟科學局は、四月二十八日附を以て、集中排除審査委員會から、同委員會は、日本化藥株式會社の再編成に關する指令案を、同社の所有する日化實業株式會社の株式は指令案による處分株式から除外するように修正すべきであるという委員會の提案に異議ない旨の通知を受けた。

三、經濟科學局は、上記委員會の意見による指令案の通達に對し異議はない。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(16 May 49)ESS/AC 16 May 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, General Headquarters, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the company listed below and recommends cancellation of the designation as excessive concentration of economic power under Law No. 207:

Furakawa Denki Kogyo K.K.
(Furakawa Electric Company, Ltd.)

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing the company listed above from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

ハウス・ア・ー・ウ・ア・ド
解散会社古河電気工業株式会社
パンフレット

125

連合軍總司令部經濟科學局

昭和二十四年五月十六日

APO 五〇〇

六〇三一（四九．五．一六）　ESS/AC

發 信 宛 先　持株會社整理委員會

件　　　名　昭和二十二年法律第二百七號に基く指定の取消

一、持株會社整理委員會に對し、連合軍總司令部集中排除審査委員會が、下記會社に關する書類及び附屬書類を檢討した結果、法律第二百七號に基く下記會社の過度の經濟力の集中としての指定を取り消す意見具申をしたことを通告する。

古河電氣工業株式會社

二、前項の結果、持株會社整理委員會が速かに上記會社を法律第二百七號に基く指定から解除し、且つ現行の手續規則及び方針に從って、その書類を公正取引委員會に移管するように勸告する。

經濟科學局長に代りて

反トラスト・カルテル部

部長　エドワード・C・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

31 May 1949

602.1(31 May 49)ESS/AC

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, General Headquarters, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and recommends cancellation of the designation as excessive concentration of economic power under Law No. 207:

Misshin Seifun K.K.
(Misshin Flour Milling Co., Ltd.)

Nippon Seifun K.K.
(Nippon Flour Mill Co., Ltd.)

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing the companies listed above from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

126

国会図書館蔵の写本

昭和二十四年六月十日付

〇〇財〇〇発

ESS/AC (K1号文書) 1.1.0.K

日本国政府

外務総裁 吉田茂殿

連合国最高司令官総司令部

経済科学局長 W・L・ニューボルド 殿

持株会社整理委員会の解散

1. 連合国最高司令官総司令部の経済科学局の下部組織である、持株会社整理委員会は、下記の会社に関する書類を調査した結果、第207号法令に基づき、指定を取消すべきであると認める。

記

(1) 日清製粉株式会社

(2) 日本製粉株式会社

2. 上記の会社を第207号法令に基づく指定から除外するよう、また、書類を公正取引委員会に送付するよう、公正取引委員会に対し、適当な手続きを取ることを勧告する。

経済科学局長代理

経済カルテル課長

エドワード・C・ウェルシュ

連合軍総司令部経済科学局

昭和二十四年五月三十一日

六〇三・一（四九・五・三一）ESS／AC

覚書宛先　持株会社整理委員会

件名　昭和二十三年法律第二百七號に基く指定の取消

一、持株会社整理委員会に対し、當司令部経済力集中排除審査委員会が下記会社に関する書類及び附属書類を検討した結果、法律第二百七號に基く過度の経済力の集中なしとして上記会社の指定を取り消すべき旨意見を表示したことを通告する。

日清製粉株式会社
日本製粉株式会社

二、前項の結果、持株会社整理委員会に対し、速やかに上記会社を法律第二百七號に基く指定から解除し、且つ現行の手續及び方針によってその書類を公正取引委員会に移管するよう勧告する。

経済科学局長に代りて
反トラスト・カルテル部長　エドワード・C・ウエルシュ

128

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(1 Jun 49)ESS/AC 1 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Orders under Law No. 207 of 1947 to Tokyo Shibaura Denki K.K., Mitsubishi Jukogyo K.K., and Nippon Kayaku K.K.

1. The Holding Company Liquidation Commission has issued Proposed Orders to the subject companies, held public hearings with interested parties on such Proposed Orders, and examined, analyzed and given consideration to the comments, recommendations and objections of interested parties with respect to such Proposed Orders.

2. If the Holding Company Liquidation Commission has duly concluded that facts presented since the preparation of the Proposed Orders do not warrant re-consideration or substantial change in the language or provisions thereof, this division offers no objection to the issuance of Final Orders to subject companies at the special meetings of commissioners to be held on 3 June 1949 and 16 June 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

129

Notified Affiliates 18 Jun '49

HOLDING COMPANY LIQUIDATION COMMISSION

. . . . . .

In the Matter of:	Date 17 June 1949
Tokyo Shibaura Denki Kabushiki Kaisha (Tokyo Shibaura Electric Company, Ltd.)	HCLC No. 237
Designated under Art. 3 of Law No. 207 of 1947	FINAL ORDER OF REORGANIZATION

1. The Holding Company Liquidation Commission, hereinafter referred to as the "Commission," having designated Tokyo Shibaura Denki Kabushiki Kaisha hereinafter referred to as "Shibaura," as an excessive concentration of economic power on 8 February 1948, pursuant to the powers granted to it by virtue of the provisions of Article 3 and in accordance with the standards adopted under the provisions of Article 6 of Law No. 207 of 1947: Elimination of Excessive Concentrations of Economic Power Law; Shibaura having entered its appearance to the proceedings by the filing of formal notice pursuant to Article 14 of the Rules of Procedure issued under said Law; and having filed its statements with respect to the applicability of the Standards for Excessive Concentrations in Industrial Fields adopted pursuant to said Law.

2. NOW, THEREFORE, having considered such statements, documents, and recommendations as were filed by parties to the proceedings, and all of the facts before it, the Commission finds and orders:

3. That Shibaura is an excessive concentration of economic power within the meaning of Law No. 207 of 1947: Elimination of Excessive Concentrations of Economic Power Law.

4. That Shibaura shall dispose of the following plants by sale, investment or otherwise, with the exception of such tools or equipment as may be necessary to meet current Occupation objectives: Asahikawa, Nagai, Kamo, Odawakae, Tsukagoshi, Moji, Imabari, Tondabayashi, Same, Akita, Matsukawa, Niitsu, Nuttari, Maebashi, Gumma, Mobara, Adachi, Ebara, Shonan, Chito, Kawagishi, Kobe, Aboshi, Gosen, Washizu, Cigawa, Kariya and Bio-physical and Chemical Laboratory; provided that the disposition of the above plants shall be supervised by and shall be subject to the approval of the Commission.

5. That Shibaura may reacquire the shares of stock in Toshiba Sharyo Kabushiki Kaisha now held by the Commission for the purpose of effecting a merger with Toshiba Sharyo K.K. provided such merger can be effected pursuant to the provisions of applicable Law.

130

6. That Shibaura shall submit its plan of financial reorganization pursuant to the provisions and requirements of Law No. 40 of 1946: Enterprise Reconstruction and Reorganization Law, within 30 days after Final Order or such other period as shall be approved by the Commission; which plan of financial reorganization, when approved, shall become a part of the Final Order in this Matter and Shibaura are hereby ordered and directed to carry out and abide by said plan of financial reorganization as approved.

7. That upon execution of the Final Order in this Matter and the closing of proceedings pursuant to Article 51 of the Rules of Procedure issued under Law No. 207 of 1947, the file in this Matter shall be transferred to the Fair Trade Commission for surveillance. This Order shall be without prejudice to any investigation or course of action which the Fair Trade Commission or the Public Procurator General shall commence or to any decision, judgment or other ruling which the said Commission or the High Court of Tokyo may render under Law No. 54 of 1947: Anti-Monopoly Law; and shall not constitute a defense or evidence in refutation of charges, if any, made in any proceedings under said Law or Cabinet Orders issued thereunder.

8. For the purpose of supervising execution of this Order, any duly authorized representative of the Commission or its successor, on reasonable notice to Shibaura, its successors or assigns, shall be allowed (1) reasonable access to its books, ledgers, accounts, correspondence, memoranda and other records and documents, (2) to interview its officers or employees, who may have counsel present, and (3) to request reports as may from time to time be reasonably necessary for the execution of this Order.

9. That this Order shall have no effect on rights of preference of creditors who have claims on loans which have arisen for business between the date of designation and the date of Final Order, as provided for in Article 5 of Law No. 208 of 1947. All creditors claiming such preference shall file notice of their claims with the Commission within fifteen (15) days after the date of Final Order, specifying the amount, date, purpose and unpaid balance. Preferred claims, if any, shall be stipulated by separate order.

10. Jurisdiction of this Matter is retained for the purpose of enabling any interested party to apply to the Commission or its successor for such further orders or directions as may be appropriate for the construction or execution of this Order, for the amendment, modification or termination of any of the provisions thereof, and for punishment of violations thereof.

(Tadao Sasayama)

Chairman

Holding Company Liquidation Commission.

131

連合軍總司令部經濟科學局

ＡＰＯ五〇〇　　　　昭和二十四年六月一日

六〇二、一（四九、六、一）ＥＳＳ／ＡＣ

發翰宛先　持株會社整理委員會

件　　名　昭和二十二年法律第二百七號に基く東京芝浦電氣株式會社、三菱重工業株式會社及び日本化藥株式會社に對する決定指令の通達

一、持株會社整理委員會は、指図會社に對し指令案を通達し、その指令案に關し利害關係人に對する聽聞會を開催し、これらの指令案に關する利害關係人の説明、意見具申及び異議を審査し、分析し、考慮した。

二、持株會社整理委員會が、これらの指令案が作成された後に提出された事實についてその用語又は規定を再考し又はそれらについて重要な變更をなす必要がないという結論に到達したならば、當經濟科學局は、六月三日開催されるべき臨時委員總會において指図會社に對し決定指令を通達することに異議はない。

6/6

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(2 Jun 49)ESS/AC

2 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: HCLC Proposed Procedure for Processing of Applications Submitted under Ordinance No. 233

1. Reference is made to proposal submitted by HCLC, under date of 13 May 1949, for modification of existing procedure covering processing of applications of designated holding companies and designated persons submitted under Ordinance No. 233.

2. This division offers no objection to the Commission's proposal to take action on the following types of applications without prior submission thereof to this division:

a. Disposal of movable or immovable property by public sale to a Japanese national or a Japanese company owned and controlled wholly by Japanese nationals.

b. Negotiated sale of immovable property to the tenant or lessee of such property provided there is no relationship between the vendor and vendee other than landlord and tenant, and provided that the sale price is not less than the appraised value.

c. Sale of immovable property pursuant to condemnation proceedings or operation of law, such as the Agricultural Land Adjustment Law. (Sale of agricultural land for purposes other than farming will require prior approval.)

3. Report of all actions taken by the Commission will be included in the Commission's monthly business report, giving, with respect to each action, the following information: name of vendor and vendee; object of sale; appraised value; and sales price.

4. Under this grant of authority, it is expected that the Commission will take action in accordance with precedent and principles which have been established and are known to the Commission. Any application involving an unusual circumstance or condition or one not covered by precedent will be submitted to this division for prior decision, even though within the categories specified under paragraph 2, above.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

133

連合軍総司令部経済科学局

昭和二十四年六月二日

AG〇五〇〇
六〇二・一（一九四九・六・二）ESS／AC

宛先　持株会社整理委員会

件名　持株会社整理委員会の提案せる勅令第二三三号に基き提出せられる申請の取扱方法に関する件

一、昭和二十四年五月十三日附を以つて持株会社整理委員会より提出せられた、勅令第二三三号に基き指定持株会社及び指定者により提出せられる申請の取扱に関する現行手続、修正の提案を参照せられたい。

二、当部は、次の種類の申請に付き委員会が、豫め当部の承認に附することなく処理せんとする提案に対し異存がない。

(イ)公売による動産又は不動産の、日本人又は日本人に所有せられ且つ完全に日本人に支配せられる法人に対する処分。

(ロ)不動産の居住者又は賃借人に対する相対売買。但し、売主と買主との間に家主と店子以外

の關係のないこと及び賣買價格が評價額を下らざることを條件とする。

(ロ)農地調整法の如き、收容手續又は法律の運用に基く不動産の處分。（農耕以外の目的による農地の賣却は、豫め承認を要す。）

三、委員會により採られた全ての措置に關する報告は、委員會の毎月の業務報告に含められ、各個の處置につき次の各項を記載するものとする。

賣主及び買主の氏名
賣買の目的物
評價額
賣買價格

四、此の權限の賦與に付き委員會は、既に確立せられ且つ委員會により知られている先例及び原則に從つて行動することを豫期せられる。通常以外の事情若しくは條件又は先例のない申請は、前掲第二項に示される種類に入るものでも豫め、判定を得る爲當部に提出せられなければならない。

經濟科學局長に代りて
反トラスト・カルテル部長
エドワード・シー・ウエルシュ

134

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(7 Jun 49)ESS/AC 7 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Quarterly Status Report

1. Reference is made to memorandum dated 30 January 1948 requesting the Commission to submit quarterly reports concerning progress of programs pertaining to liquidation of Zaibatsu influence and controls and dissolution of holding companies. In addition to statistical data, the Commission includes in such reports an evaluation of its progress in prosecution of such program.

2. Hereafter, the submission of quarterly reports will not be required provided the Commission will include an evaluation statement in each of its monthly summary reports.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

受付
24.7.-2

連合軍總司令部經濟科學局

昭和二十四年六月七日

ＡＰＯ五〇〇

六〇二一（四九六七）ＥＳＳ／ＡＣ

覺　書　宛　先　持株會社整理委員會

件　名　四半期業務報告の件

一、財閥勢力及び支配力の解消並びに持株會社の淸算業務の進捗に關する四半期報告の提出を委員會に要請せる一九四八年一月三十日附覺書を參照せられたい。委員會は右に基く報告の中で、數字的資料の外にその業務遂行の進捗に關する説明も行つている。

二、委員會がその毎号の業務報告でその説明を行うならば、今後四半期報告は提出するに及ばない。

經濟科學局長に代りて
反トラスト・カルテル部長
エドワード・シー・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

10 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Toyo Seikan Kabushiki Kaisha Pursuant to Law No. 207 of 1947

Draft of the Proposed Order in the above matter having been presented by the Holding Company Liquidation Commission, the Antitrust and Cartels Division, Economic and Scientific Section offers no objection to its issuance.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍総司令部
民間諸部局

昭和二十四年六月十日

連合軍総司令部
ATC五〇〇

宛先

件名　特殊公職追放審査委員会

次の通達を十二時後に発信する。

貴官は、特殊公職追放審査委員会によって作成された指令に関する

貴官は、反ナチスト・カルテル部長

ヒルベニ
エドワード・ウ・カルテル

貴官は、反ナチスト・カルテル部長（次官）を直接ただちに解職せよ。

特殊公職追放審査委員会

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

13 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Actions Under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and has recommended cancellation of their designation as excessive concentrations of economic power under Law No. 207 of 1947:

Mitsubishi Soko K.K.
(Mitsubishi Warehouse Co., Ltd.)
Mitsui Soko K.K.
(Mitsui Warehouse Co., Ltd.)
Sumitomo Soko K.K.
(Sumitomo Warehouse Co., Ltd.)

2. Accordingly, the Holding Company Liquidation Commission is advised to take prompt action for cancellation of designations of the companies listed above under said Law No. 207, and for transmitting the files in each case to the Fair Trade Commission in accordance with established policy and procedure.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍司令官
総司令部経済科学局
APO 500

宛先
持株会社整理委員会

件名
昭和二十三年法律第二百七號に基く指令

一、持株会社整理委員会に對し、貴司令部軍政中枢委員会は下記会社の株式及び所有
類を変じて処分し、法律第二百七號に基く適度の顧問力の兼中止しこの下記会社の指定を取り
消すべき旨宣告したことを通告する。

三菱倉庫株式会社
三井倉庫株式会社
住友倉庫株式会社

二、後つて、持株会社整理委員会は、速やかに法律第二百七號に基く上記会社の指定を取り消し、且
つ、現行の方針及び手續によつてそれらの会社の事業を公正取引委員會に委ねるように勧告
する。

経済科学局長に代りて
反トラスト・カルテル部長
エドワード・O・ウエルシュ

昭和二十四年六月十三日

140

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(14 Jun 49)ESS/AC 14 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Actions Under Law No. 207 of 1947

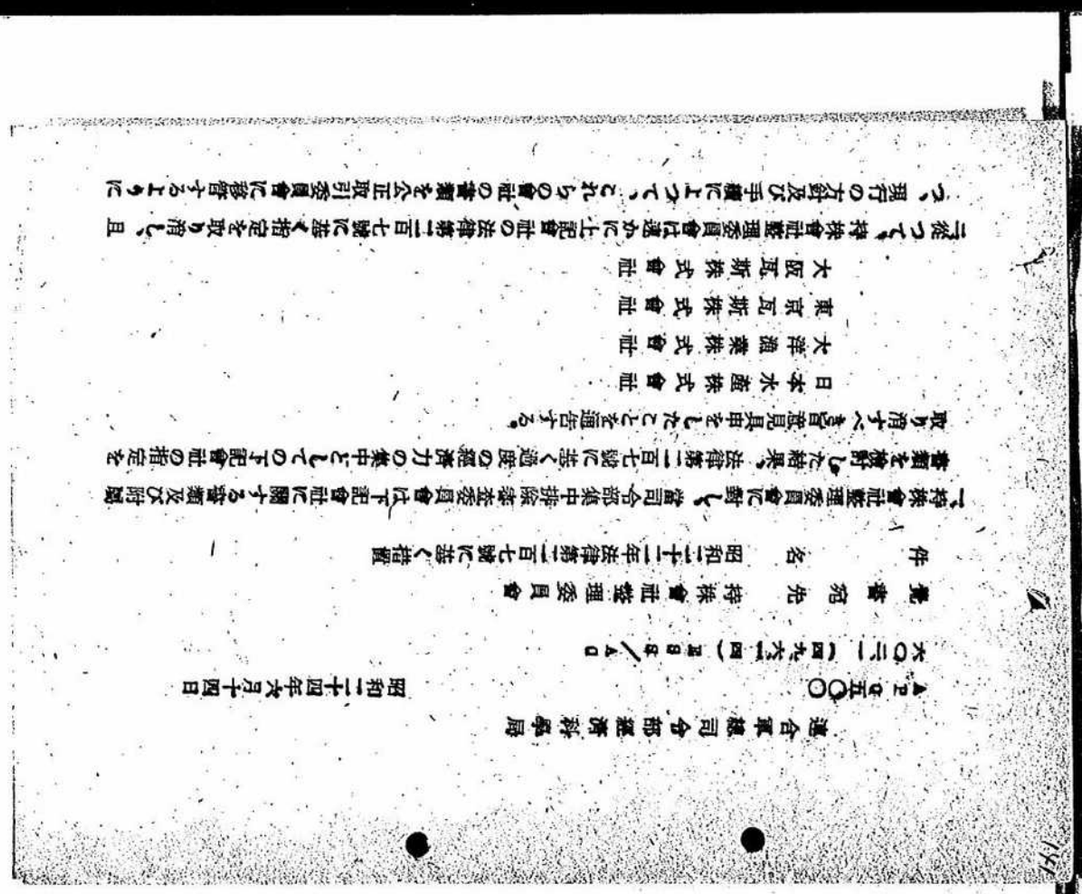
1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and has recommended cancellation of their designation as excessive concentrations of economic power under Law No. 207 of 1947:

Nippon Suisan K.K.
(Japan Marine Products Co., Ltd.)
Taiyo Gyogyo K.K.
(Taiyo Fishing Co., Ltd.)
Tokyo Gasu K.K.
(Tokyo Gas Co., Ltd.)
Osaka Gasu K.K.
(Osaka Gas Co., Ltd.)

2. Accordingly, the Holding Company Liquidation Commission is advised to take prompt action for cancellation of designations of the companies listed above under said Law No. 207, and for transmitting the files in each case to the Fair Trade Commission in accordance with established policy and procedure.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division



東京都千代田区霞ヶ関一丁目一番地
特殊事件調査委員会
電話 (代表) 三五〇〇番

昭和二十年十二月十四日

仲 東 殿

宛 先 特殊事件調査委員会

名 昭和二十年法律第百七號に基く請願

特殊事件調査委員会に於ける請願及び陳情の取扱に関する件

一、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件を別紙の通り定めたるに付、貴庁に於ても之に準じ取扱方を定められたき旨、貴庁に通牒する。

二、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件は、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を公正取引委員会に於ても取扱はしめんとするものなり。

三、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件は、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を公正取引委員会に於ても取扱はしめんとするものなり。

日本水産株式會社
大洋漁業株式會社
東京瓦斯株式會社
大阪瓦斯株式會社

取り消す入手資産を以て補償し、特殊事件調査委員会に於ては、特殊事件調査委員会に於ては、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を別紙の通り定めたるに付、貴庁に於ても之に準じ取扱方を定められたき旨、貴庁に通牒する。

特殊事件調査委員会に於ける請願及び陳情の取扱に関する件

一、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件は、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を公正取引委員会に於ても取扱はしめんとするものなり。

二、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件は、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を公正取引委員会に於ても取扱はしめんとするものなり。

三、特殊事件調査委員会に於ける請願及び陳情の取扱に関する件は、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を公正取引委員会に於ても取扱はしめんとするものなり。

日本水産株式會社
大洋漁業株式會社
東京瓦斯株式會社
大阪瓦斯株式會社

取り消す入手資産を以て補償し、特殊事件調査委員会に於ては、特殊事件調査委員会に於ては、昭和二十年法律第百七號に基く請願及び陳情の取扱に関する件を別紙の通り定めたるに付、貴庁に於ても之に準じ取扱方を定められたき旨、貴庁に通牒する。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(15 Jun 49)ESS/AC 15 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Actions Under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and has recommended cancellation of their designation as excessive concentrations of economic power under Law No. 207 of 1947:

Nippon Semento K.K.
(Japan Cement Company, Ltd.)

Onoda Semento K.K.
(Onoda Cement Company, Ltd.)

2. Accordingly, the Holding Company Liquidation Commission is advised to take prompt action for cancellation of designations of the companies listed above under said Law No. 207, and for transmitting the files in each case to the Fair Trade Commission in accordance with established policy and procedure.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍總司令部經濟科學局

昭和二十四年六月十五日

APO五〇〇

六〇二、一（四九、六、一五）ESS／AC

覺書宛先　持株會社整理委員會

件　名　昭和二十二年法律第二百七號に基く指定

下、持株會社整理委員會に對し、當司令部集中排除審査委員會は下記會社に關する書類及び附屬書類を檢討した結果、法律第二百七號に基く過度の經濟力の集中としての下記會社の指定を取り消すべき旨意見具申をしたことを通告する。

日本セメント株式會社

小野田セメント製造株式會社

『從つて、持株會社整理委員會は、速かに上記會社の法律第二百七號に基く指定を取り消し、且つ、現行の手續及び方針によつてこれらの會社の書類を公正取引委員會に移管するように勸告する。

經濟科學局長に代りて

反トラスト・カルテル部長　エドワード・G・ウエルシュ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(17 Jun 49)ESS/AC 17 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Oji Paper Co., Ltd. Reorganization

1. This is to advise the Commission that the plan of reorganization submitted by Oji Paper Company pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division subject to the following conditions:

a. Assets be disposed of at not less than estimated values;

b. Old account liabilities transferred to the second companies be liquidated within six (6) months from the date of establishment of each second company by utilization of premium on the shares of Oji Paper Company, Ltd., and profit in the new account, both of which be transferred to the second companies in accordance with a schedule to be submitted by Oji Paper Co., Ltd., to, and approved by, the Ministry of Finance;

c. Copies of inventory and balance sheet required by Article 419 of the Commercial Code be submitted; and

d. Upon completion of dissolution and liquidation a report be submitted showing receipts and disposal of assets.

2. The Ministry of Finance was notified of the action of this division in letter dated 10 June 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

147

連合軍総司令部経済科学局

昭和二十四年六月十七日

ＡＰＯ五〇〇
六〇二、一（四九、六、一七）ＥＳＳ／ＡＣ

文書宛先　　持株会社整理委員会
件　　名　　王子製紙株式会社の整備計画に関する件

一、決定指令並びに昭和二十一年法律第四十號（企業再建整備法）の規定に基き王子製紙株式会社が提出した整備計画は左記を條件として承認する旨委員会に通告する。

Ａ、資産は評価額を下らざる範囲で配分すること。

Ｂ、第二会社に承継される指定債務は第二会社の設立後六ヵ月以内に王子製紙の株式プレミヤム及新勘定の利益によつて償還すること。

右株式プレミヤム及新勘定利益は王子製紙が大蔵大臣に提出し、その承認を受けた計画に従つて新会社に承継されるものとする。

ミッチェル・ウィーラー

反トラスト・カルテル課

経済科学局局長に代りて

三、本件に関する措置に対しては昭和二十四年六月十日付覚書を以て大蔵大臣に通報されたい。

二、解散及整理が完了した暁には敗人及敗産会社を表示する報告を提出されたい。

一、賠償及整理委員会令第十九條に規定する解散目録及敗産証券の写を提出されたい。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(23 Jun 49)ESS/AC

23 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Hokkaido Bakuno Eyodo Kabushiki Kaisha Pursuant to Law No. 207 of 1947

1. The Holding Company Liquidation Commission is advised that the attached Proposed Order has been reviewed by General Headquarters, Supreme Commander for the Allied Powers.

2. The Holding Company Liquidation Commission is advised to take prompt action for the issuance of such Proposed Order.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍総司令部経済科学局

ＡＰＯ五〇〇　　　　昭和二十四年六月二十三日

六〇二、一（四九、六、二三）ＥＳＳ／ＡＣ

発送宛先　持株会社整理委員会

件　　名　北海道酪農協同株式会社に対する昭和二十二年法律第二百七号に基く指令案の通達

一、持株会社整理委員会に対し、連合軍総司令部が別紙指令案を審査したことを通告する。

二、持株会社整理委員会に対し、速かにかゝる指令案を通達するように通告する。

経済科学局長に代わりて

反トラスト・カルテル部長

エドワード・Ｃ・ウエルシュ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(24 Jun 49)ESS/AC 24 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Seika Kogyo K.K. pursuant to Law No. 207 of 1947

Draft of Proposed Order in the above matter having been presented by the Holding Company Liquidation Commission, Antitrust and Cartels Division, Economic and Scientific Section authorizes its issuance.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E.C. Welsh.
EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍總司令部經濟科學局

昭和二十四年六月二十四日

ＡＰＯ五〇〇

六〇二、一（四九、六、二四）ＥＳＳ／ＡＣ

發信宛先　持株會社整理委員會

件　　名　井華鑛業株式會社に對する昭和二十二年法律第二百七號に基く指令案の通達

經濟科學局反トラスト・カルテル部は、持株會社整理委員會によつて作成された標題に關する指令案を通達することを認める。

經濟科學局長に代りて

反トラスト・カルテル部長

エドワード・ロ・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(27 Jun 49)ESS/AC 27 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Amendment of Ordinance No. 233 and Its Enforcement Regulations

1. The Commission has recommended certain amendments in the provisions of subject Ordinance and regulations governing advance of funds and payment of proceeds of liquidated properties and final liquidation dividends to holders of transferred property receipts and shareholders of liquidated companies.

2. Economic and Scientific Section, Antitrust and Cartels Division offers no objection to the preparation and submission to the Division for prior approval of amendments based on the following principles:

a. Advance of Funds. Advance of funds to designated persons and designated holding companies in liquidation pursuant to Ordinance No. 233 or SCAP directive may be made by the Commission only under the present provision of Articles 14 and 15 of the Ordinance and the enforcement regulation. Advance of funds to operating holding companies may be made pursuant to paragraph b(1) below.

b. Payment of Proceeds from Liquidation and Final Liquidation Dividends. Payment of proceeds from liquidation and final liquidation dividends to designated holding companies and shareholders thereof and to designated persons shall conform with the following:

(1) Operating Holding Companies. Payments from proceeds of liquidation of transferred properties may be made in cash to operating holding companies provided

(a) Those payees which are special accounting companies utilize such proceeds in accordance with the Enterprise Reconstruction and Reorganization Law and reorganization plans approved thereunder and,

(b) No special dividends are paid from such proceeds to shareholders of the payee.

(2) Holding Companies in Liquidation. Proceeds from Liquidation of transferred property shall, except for advance of funds pursuant to paragraph 2a above, be paid to

602.1(27 Jun 49)ESS/AC, 27 June 1949
subj: Amendment of Ordinance No. 233 and Its Enforcement Regulations

holding companies in liquidation pursuant to Ordinance No. 233 or SCAP directive only as final liquidation dividends. Designated persons or members of their immediate families as shareholders in the liquidating holding company shall be paid such final liquidation dividends only in the form of non-negotiable Government bonds.

(3) Family Holding Companies. Proceeds from liquidation of properties transferred by family holding companies in the fifth designation shall, except for advance of funds pursuant to paragraph 2a above, be paid by the Commission to such companies only as final liquidation dividends. Family members controlling such company shall be paid final liquidation dividends only in the form of non-negotiable Government bonds.

(4) Designated Persons. Final liquidation dividends will be paid to designated Zaibatsu persons only in the form of non-negotiable Government bonds.

c. Form of Payment. Except where payment in non-negotiable bonds is specified above, payment may be made in negotiable bonds or cash.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

152

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(28 Jun 49)ESS/AC 28 June 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Dai Nippon Biiru K.K.

This is to advise the Commission that the plan of reorganization submitted by Dai Nippon Biiru K.K. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

件　秘密法
名　（昭和十二・六・二八）

大日本帝國憲法第九條ニ基ク
特殊會計審査委員會
大日本帝國憲法第九條ニ基ク
特殊會計審査委員會
官制

右ノ通リ定ム

昭和十二年六月十八日

陸軍大臣　寺内寿一
海軍大臣　吉田善吾
内閣書記官長　風見章

150

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(5 Jul 49)ESS/AC 5 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Actions Under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the companies listed below and has recommended cancellation of their designation as excessive concentrations of economic power under Law No. 207 of 1947:

Nippon Reizo K.K.
(Japan Cold Storage Co., Ltd.)

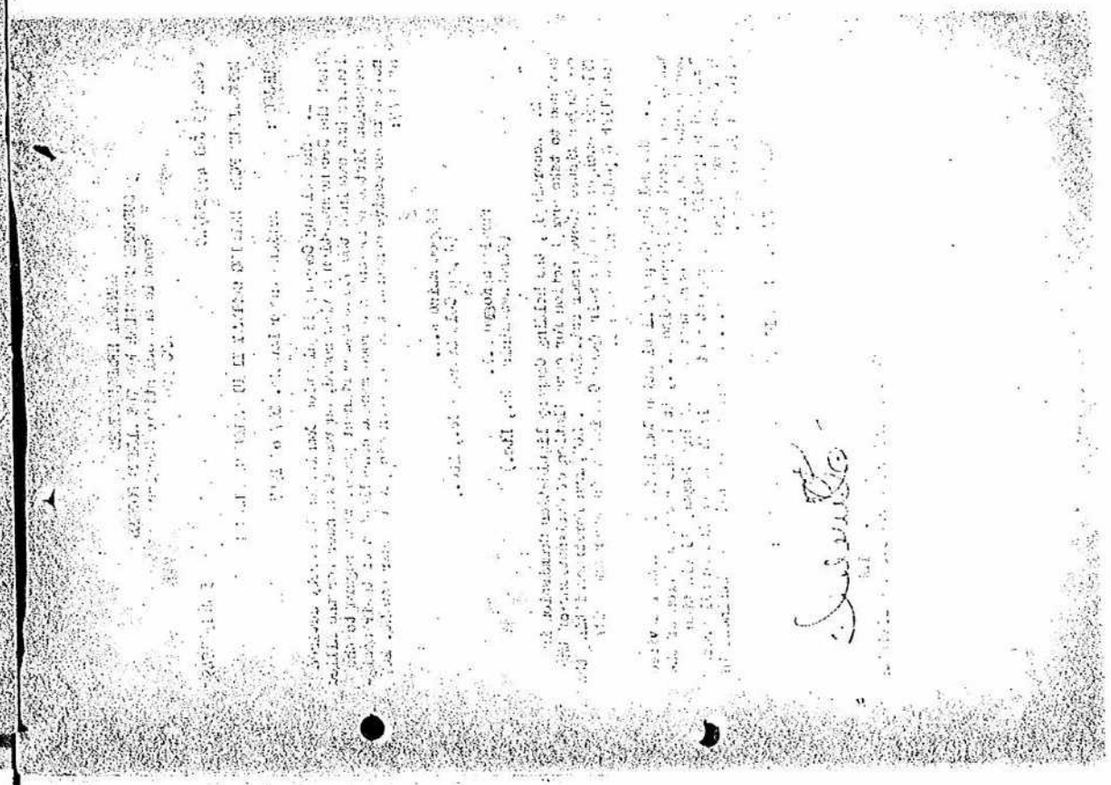
Furukawa Kogyo K.K.
(Furukawa Mining Co., Ltd.)

2. Accordingly, the Holding Company Liquidation Commission is advised to take prompt action for cancellation of designations of the companies listed above under said Law No. 207, and for transmitting the files in each case to the Fair Trade Commission in accordance with established policy and procedure.

3. The Holding Company Liquidation Commission is further advised that, in respect to Nippon Reizo K.K., it is the recommendation of the Deconcentration Review Board that the Holding Company Liquidation Commission specifically report to the Fair Trade Commission all areas in Japan where Nippon Reizo K.K. appears to monopolize the business in which it is engaged.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division



155

連合軍總司令部經濟科學局

ＡＰＯ五〇〇

昭和二十四年七月五日

六〇二、一（四九七五）ＥＳＳ／ＡＣ

覺書宛先　持株會社整理委員會

件　　名　昭和二十二年法律第二百七號に基く行爲

一、持株會社整理委員會に對し、玆に、連合軍總司令部集中排除審査委員會が下記會社に關する書類及び附屬書類を檢討した結果、法律第二百七號に基く過度の經濟力の集中としての下記會社の指定を取り消すように意見具申していることを通告する。

日本冷藏株式會社

古河鑛業株式會社

二、從つて持株會社整理委員會に對し、速かに上記會社の法律第二百七號に基く指定を取り消し、且つ、現行の方針及び手續によつて各件に關する書類を公正取引委員會に移管するように通告する。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(8 Jul 49)ESS/AC 8 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Order to Teikoku Sen-i Kabushiki Kaisha (Imperial Fiber Company, Ltd.) Pursuant to Law No. 207 of 1947

1. The Holding Company Liquidation Commission is advised that the attached Proposed Order has been reviewed by General Headquarters, Supreme Commander for the Allied Powers.

2. The Holding Company Liquidation Commission is advised to take prompt action for the issuance of such Proposed Order.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

経済科学局長代理殿

反トラスト・カルテル部
部長 エドワード・C・ウェルシュ

貴覧に、持株会社整理委員会に対し、集中排除審査委員会が、持株会社整理委員会が各親会社株式の本業者つき調査を終了したと考えると日本の各組織について、公正取引委員会に報告するよう要員申しでいることを通告する。

HOLDING COMPANY LIQUIDATION COMMISSION

. . . . . .

In the Matter of:	Date: July 1949
	HCLC No. 226
Teikoku Sen-I Kabushiki Kaisha (Imperial Fiber Company, Ltd.)	
Designated under Art. 3 of Law No. 207 of 1947	PROPOSED ORDER OF REORGANIZATION

1. The Holding Company Liquidation Commission, hereinafter referred to as the "Commission," having designated Teikoku Sen-I Kabushiki Kaisha, hereinafter referred to as "Teikoku," as an excessive concentration of

economic power on 8 February 1948, pursuant to the powers granted to it by virtue of the provisions of Article 3 and in accordance with the standards adopted under the provisions of Article 6 of Law No. 207 of 1947: Elimination of Excessive Concentrations of Economic Power Law; Teikoku having entered its appearance to the proceedings by the filing of formal notice pursuant to Article 14 of the Rules of Procedure issued under said Law; and having filed its statements with respect to the applicability of the Standards for Excessive Concentrations in Industrial Fields adopted pursuant to said Law.

2. NOW, THEREFORE, having considered such statements, documents, and recommendations as were filed by parties to the proceedings, and all of the facts before it, the Commission finds and orders:

3. That Teikoku is an excessive concentration of economic power within the meaning of Law No. 207 of 1947: Elimination of Excessive Concentrations of Economic Power Law.

4. That such excessive concentration of economic power be eliminated in the interest of public welfare by the establishment of three independent and separate companies, the appointment of independent and non-interlocking directorates, the transfer of certain assets and liabilities to each new company, the disposition of remaining assets, the allocation and disposition of the capital of the new separate companies, and by provision for other financial matters; so that each company may commence business in a solvent condition capable of efficient operation and production in a competitive market.

5. That the separate and independent companies, referred to as the

"new companies," their establishment, assets and liabilities, shall be as follows:

a. A first new company shall be established with such corporate title as shall be approved by the Commission, and shall receive from Teikoku the latter's Obihiro, Memuro, Ikeda, Otofuke, Taiki, Yamuwakka, Makubetsu, Shintoku, Shibecha, and Honbetsu Flax Scutching Mills; and Sapporo, Otsu and Daishoji Flax Yarn Mills; and appurtenances; which are in the principal business of scutching flax fiber and producing flax fiber yarn and yarn products; and other assets and liabilities, all of which are to be more precisely described and evaluated in Teikoku's plan of financial reorganization which shall be subject to approval by the Commission.

b. A second new company shall be established with such corporate title as shall be approved by the Commission, and shall receive from Teikoku the latter's Nayoro, Hahoro, Biei, Furano, Kuriyama, Tsukigata, Kotoni, Rusutsu, Abuta, and Date Flax Scutching Mills; and Kanuma, Kanuma (2nd), and Ogaki Flax Yarn Mills; and appurtenances; which are in the principal business of scutching flax fiber and producing flax fiber yarn and yarn products; and other assets and liabilities; all of which are to be more precisely described and evaluated in Teikoku's plan of financial reorganization which shall be subject to approval by the Commission.

c. A third new company shall be established with such corporate title as shall be approved by the Commission, and shall receive from Teikoku the latter's Tokushima Rayon Staple Mill; and appurtenances; which are in the principal business of producing rayon staple fiber and yarn;

and other assets and liabilities; all of which are to be more precisely described and evaluated in Teikoku's plan of financial reorganization which shall be subject to approval by the Commission.

d. Provided that only the companies described in subparagraphs 5a and 5b above need necessarily be newly organized companies; and in the event that the company described in subparagraph 5c above is not newly organized, then it shall, nevertheless, be subject to all of the provisions of this Order applicable to new companies.

6. That Teikoku submit to the Commission for its approval a plan for the equitable and practical allocation of Teikoku's Sapporo, Kanuma and Tokushima Laboratories and Tokyo Head Office Buildings to the three new companies.

7. That the new companies shall not use, and shall refrain from use in the future, of the company or trade name Teikoku Sen-I Kabushiki Kaisha; and the new companies shall not refer to themselves as successor or in any way related to Teikoku, or in any way related to each other.

8. That Teikoku shall dispose of all shares of stock in other companies, owned by it directly or indirectly, and shall submit to the Commission within 30 days after Final Order, its plan for the disposal of such shares of stocks, and the proceeds thereof shall be subject to and shall be disposed of in accordance with the provisions and requirements of Law No. 40 of 1946: Enterprise Reconstruction and Reorganization Law and the plan submitted and approved pursuant thereto, referred to in paragraph 11 hereof.

9. All assets remaining after the transfers to the new companies of

the particular assets hereinabove directed to be transferred to such new companies, shall be disposed of; provided that prior approval shall be obtained from the Commission for the disposal of all such remaining assets.

10. That the newly organized companies shall, in consideration for the investment and transfer of assets by Teikoku as hereinbefore recited, issue to Teikoku their entire initial capital, in the form of fully-paid, common voting shares of stock with a par value to be approved by the Commission and such other securities as may be approved by the Commission; such shares or securities to be disposed of expeditiously in accordance with a plan to be submitted to the Commission for its approval.

11. That Teikoku shall submit its plan of financial reorganization pursuant to the provisions and requirements of Law No. 40 of 1946: Enterprise Reconstruction and Reorganization Law, within 30 days after Final Order or such other period as shall be approved by the Commission, which plan of financial reorganization, when approved, shall become a part of the Final Order in this Matter and Teikoku and the new companies are hereby ordered and directed to carry out and abide by said plan of financial reorganization as approved.

12. For the purpose of supervising execution of this Order, any duly authorized representative of the Commission or its successor, on reasonable notice to Teikoku or any one of the new companies, their successors or assigns, shall be allowed (1) reasonable access to their books, ledgers, accounts, correspondence, memoranda and other records and documents, (2) to interview their officers or employees, who may have counsel present, and (3) to request reports as may from time to time be reasonably necessary

for the execution of this Order.

13. That this Order shall have no effect on rights of preference of creditors who have claims on loans which have arisen for business between the date of designation and the date of Final Order, as provided for in Article 5 of Law No. 208 of 1947. All creditors claiming such preference shall file notice of their claims with the Commission within fifteen (15) days after the date of Final Order, specifying the amount, date, purpose and unpaid balance. Preferred claims, if any, shall be stipulated by separate order.

14. Jurisdiction of this Matter is retained for the purpose of ordering the new companies to issue and dispose of additional shares of stock in order to raise capital, enabling any interested party to apply to the Commission or its successor for such further orders or directions as may be appropriate for the construction or execution of this Order, for the amendment, modification or termination of any of the provisions thereof, and for punishment of violations thereof.

(Tadao Sasayama)

Chairman

Holding Company Liquidation Commission

機密第二〇五〇〇号

昭和二十年十一月十七日

在ボストン　日本帝国総領事

宛先　東京　外務大臣

各　在ニューヨーク　日本帝国総領事

在ロサンゼルス　日本帝国総領事

国際情報の件

一、華盛頓駐在陸海軍武官ヨリ左ノ如キ情報ヲ入手シタリトテ、当館武官ヨリ本邦ノ国情ニ関シ今後ニ於テ公表セラルベキ旨ノ通報ヲ受ケタルニ付テハ、別紙ノ如ク国情報告ヲ為シ置ク。

二、本報告ハ貴官ノ参考ニ供シ、其ノ内容ニ関シ公表ヲ為サザル様ご配慮ヲ願ハレタシ。

機密第二〇五〇〇号

別紙

国情報告

昭和二十年十一月十七日

陸軍武官　ウィリアム・ジー・ウォルシュ

海軍武官　ヒュー・ディ・ウォルシュ

164

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(11 Jul 49)ESS/AC 11 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: In the Matter of the Toyo Seikan Kabushiki Kaisha
Final Order of Reorganization

1. The Holding Company Liquidation Commission must be certain to give full recognition to the essential features of its responsibilities for the elimination of excessive concentrations of economic power when examining for approval the plans of reorganization submitted pursuant to the provisions and requirements of Law No. 40 of 1946: Enterprise Reconstruction and Reorganization Law.

2. It is considered that the elimination of the company or trade-name Toyo Seikan Kabushiki Kaisha, as well as the disposal of all securities held by said company, whether held directly or indirectly, are basic to the fulfillment of such responsibilities by the Commission.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

165

連合軍総司令部経済科学局

昭和二十四年七月十一日

APO五〇〇

AGC/SS (四九・七・一一)・一〇〇文

宛先　持株会社整理委員会

件名　東洋製缶株式会社の再開設に関する決定指令の件

一　持株会社整理委員会は、昭和二十一年法律第四十號（企業再建整備法）の規定と該規定に従つて、承認を受けるために提出される整理計画を審査するに当り、過度経済力集中排除法に関する委員会の有する責任の本質を充分に認識して行わるべきものとする。

二　右の委員会の責任を遂行するには、同社の直接、間接に保有しているすべての證券の處分と共に、東洋製缶株式会社という社名及び極端の排除は、基本的なものであると思われる。

経済科学局長に代りて
反トラスト・カルテル部長
エドワード・ウェルシュ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(13 Jul 49)ESS/AC 13 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Orders to Toho Kabushiki Kaisha (Toho Co., Ltd.) and Shochiku Kabushiki Kaisha (Shochiku Co., Ltd.) Pursuant to Law No. 207 of 1947

1. The Holding Company Liquidation Commission is advised that the attached Proposed Orders have been reviewed by General Headquarters, Supreme Commander for the Allied Powers.

2. The Holding Company Liquidation Commission is advised to take prompt action for the issuance of such Proposed Orders.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

SCAP宛
（四九、七、一三）
SCAP

宛先　特殊事件審査委員会

件名　田村二等書記官ほか二名の逮捕状執行方

松井特別事件審査委員会ヨリ指令ノ逮捕状執行ノ為メ田村二等書記官ほか二名ノ逮捕ニ当ル

一、特殊事件審査委員会ハ別紙指令ノ通リ司法警察官ニ対シ逮捕状執行ノ為メ指令ス

二、特殊事件審査委員会ハ、右指令ノ通リ司法警察官ニ逮捕状執行ノ為メ指令ス

特殊事件審査委員会
議長　ジョン・ウェルシュ

反ラストナ・カルテル部長
エドワード・ジー・ウェルシュ

逮捕状執行方

逮捕状執行方

昭和二十四年七月十三日

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(20 Jul 49)ESS/AC

20 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947

1. The Holding Company Liquidation Commission is hereby advised that the Deconcentration Review Board, General Headquarters, Supreme Commander for the Allied Powers has examined the files and pertinent papers with regard to the company listed below and recommends cancellation of the designation as excessive concentration of economic power under Law No. 207:

Nippon Kogyo K.K.
(Nippon Mining Company, Ltd.)

2. As a consequence of the above, the Holding Company Liquidation Commission is advised to take prompt action for removing the company listed above from designation under Law No. 207 and for transmitting the files to the Fair Trade Commission in accordance with established procedure and policy.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

24.7.20

連合軍總司令部經濟科學局　ＡＧ〇五〇〇

昭和二十四年七月二十日

六〇二三（四九、七、二〇）ESS/AC

宛　先　持株會社整理委員會

件　名　昭和二十二年法律第二百七號に基く指定取消の件

一、持株會社整理委員會に對し、連合軍總司令部集中排除審査委員會が、下記會社に關する一件書類及びその附屬書類を審査し、法律第二百七號に基て、過度の經濟力の集中としての指定を取り消すよう意見具申したことを茲に通告する。

日本鑛業株式會社

二、右の結果により、持株會社整理委員會は、速かに上記會社の法律第二百七號に基く指定を取り消し、所定の手續及び方針に從つて一件書類を公正取引委員會に移管せられたい。

經濟科學局長に代り
反トラスト・カルテル部長
エドワード・シー・ウエルシュ

170

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Jul 49)ESS/AC 26 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Hitachi Seisakusho K.K. (Hitachi Engineering Works, Ltd.)

1. This is to advise the Commission that the plan of reorganization submitted by Hitachi Seisakusho K.K. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division subject to the following conditions:

a. Assets be disposed of at not less than estimated values;

b. Proceeds from unpaid capital called, interim capital increase, and disposal of assets be used to liquidate old account debt; and

c. Payment of old account debt be made immediately after merger of the old and new accounts.

2. The Ministry of Finance was notified of the action of this division in letter dated 8 July 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

受付
24.7.27
海運部

連合軍総司令部経済科学局

昭和二十四年九月二十六日

▲、PHOOO

文書番号 ○○PHOOO（文書は上に○○）

宛先 特殊報告

発信 経済科学局長代理

件名 特殊報告日立製作所の設備計画

「公定賃金昭和二十一年法律第四十號（企業再建整備法）の適用に基き特殊会社日立製作所は譲渡しを整備計画を作成して承認を請求するとの通知を受けた。

A、資産は評価損益を下らざる範囲で最小限とすること。

B、未払込株金の徴収、中間債権及び資産の処分による収入は、清算債の債務の償還の為に使用すること。

C、適切の債務の支弁は、新勘定の併合後直ちにすること。

此本件に関する情況については、昭和二十四年十月八日経済科学局長代理に通知されたい。

経済科学局長代理

エドワード・ジー・ウエルチ

ハンドラー・ジー・ウエルチ 殿

172

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(28 Jul 49)ESS/AC 28 July 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Proposed Orders to Mitsubishi Kogyo K.K. and Mitsui Kozan K.K. Pursuant to Law No. 207 of 1947

1. The Holding Company Liquidation Commission is advised that the attached Proposed Orders have been reviewed by General Headquarters, Supreme Commander for the Allied Powers.

2. The Holding Company Liquidation Commission is advised to take prompt action for the issuance of such Proposed Orders.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

受付
昭7.29
総務部
総務課

173

連合軍総司令部経済科学局

昭和二十四年七月二十八日

宛先　各　先

AGO五〇〇

（ハ）

特殊会社整理委員会

特殊会社

昭和二十二年法律第二百七號に基く三菱鉱業株式會社及び三井鉱山株式會社に対する指令案の通達

連合軍総司令部経済科学局

民政局

エドワード・ダビー・ウェルシュ

三井鉱山株式會社

三菱鉱業株式會社

昭和二十四年七月二十八日付を以て貴方に対し指令を発せられたる特殊会社に対する指令案の通達に関し、別紙指令案の通りこれを発せられたる。

貴方に於ては指令案を可及的速やかに通達されたい。

貴社に於ては指令案を可及的速やかに通達されたい。

貴社に於ては指令案を可及的速やかに通達されたい。

貴方に於ては指令案を可及的速やかに通達されたい。

174

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(4 Aug 49)ESS/AC 4 August 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Special Report

1. It is requested that the Commission make investigation and report the relationship of Mitsubishi Kasei Kogyo K.K. to Hanno Koki K.K., which is operating a plant formerly owned by Marunaka Textile Manufacturing Company and sold to Konishiroku Film Company during the war.

2. It is specifically desired that the amount and date of all loans made by Mitsubishi Kasei to Hanno Koki be ascertained, and whether such loans were made with or without appropriate authorization.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍総司令部経済科学局

昭和二十四年八月四日

ＡＰ・五〇〇
六〇二・一　（四九、八、四）　ＥＳＳ／ＡＣ

宛先　持株会社整理委員会
件名　特別報告

一、三菱化成工業株式会社と、以前は丸中織物製造株式会社が所有していたが、戦時中小西六写真工業株式会社に売られた工場設備を現在管理している極能光機株式会社との関係を、委員会が調査し報告する事を要求する。

二、特に、極能光機に対する三菱化成のすべての貸附金の金額と貸附日及びそれらの貸附金が正当な認可によつてなされているか否かを確める事を要求する。

経済科学局長に代りて
反トラスト・カルテル課長
ワード・Ｃ・ウエルシユ

176

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

300.6(10 Aug 49)ESS/AC 10 August 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Application of Imperial Ordinance No. 567 of 1946 to Seven Insurance Companies

1. Reference is made to Holding Company Liquidation Commission Memorandum No. 746 of 23 June 1949 and to previous memoranda on subject matter. It will be recalled that interested parties had raised question as to whether or not such seven mutual insurance companies were in fact successor companies in accordance with Imperial Ordinance No. 567.

2. The presidents of such companies had in a letter to the Supreme Commander for the Allied Powers presented a petition requesting that their companies not be considered successor companies and not be required to divest themselves of securities in accordance with Imperial Ordinance No. 567. Attached is a copy of this Headquarters reply to such petition. It will be noted therefrom that question no longer arises as to the appropriateness of full application of the provisions of Ordinance No. 567 to such insurance companies as successor companies.

3. It is requested that the Holding Company Liquidation Commission take immediate action to inform such insurance companies of the decision that they are in fact successor companies and that they will be required to comply with both the intent and the language of such Ordinance. It is likewise requested that such companies be required to present plans for divestiture of securities and that such plans be implemented as promptly as possible, while giving full and practical consideration to market conditions and other economic factors involved. In order to make certain that all pertinent available information is brought to bear in such consideration, it is requested that the company plans and the recommendations of the Holding Company Liquidation Commission concerning such plans be presented promptly to this Division for examination.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

Incl:
Cpy GHQ,SCAP, Reply
10 Aug 49 to Pet of
7 Life Ins Cos

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

WFM/ECW/jm
10 August 1949

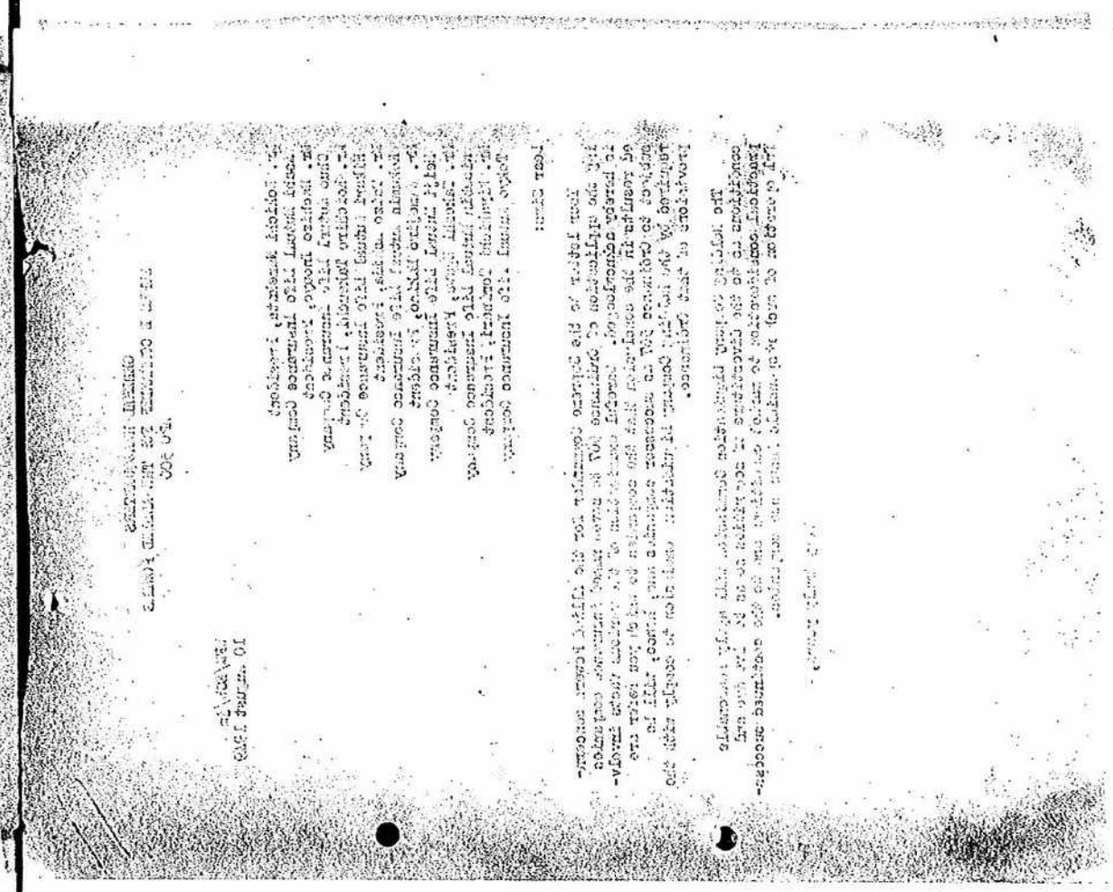
Mr. Kokichi Namekata, President
Asahi Mutual Life Insurance Company
Mr. Hachizo Inouye, President
Chuo Mutual Life Insurance Company
Mr. Koichiro Takeuchi, President
Hikari Mutual Life Insurance Company
Mr. Taizo Ashida, President
Kokumin Mutual Life Insurance Company
Mr. Kamejiro Makino, President
Meiji Mutual Life Insurance Company
Mr. Takeshi Egawa, President
Nisshin Mutual Life Insurance Company
Mr. Miyakichi Tominari, President
Tokyo Mutual Life Insurance Company

Dear Sirs:

Your letter to the Supreme Commander for the Allied Powers concerning the application of Ordinance 567 to seven named insurance companies is hereby acknowledged. Careful examination of the various facts involved results in the conclusion that the companies to which you refer are subject to Ordinance 567 as successor companies and, hence, will be required by the Holding Company Liquidation Commission to comply with the provisions of that Ordinance.

The Holding Company Liquidation Commission will apply reasonable conditions as to the divestiture of securities so as to give due and practical consideration to market conditions and to the continued successful operation of such responsible insurance companies.

Very truly yours,



電信

外務大臣

駐ポルトガル（リスボン）特命全権公使

発電　昭二十四年八月十日

宛先　ポルトガル

着電　昭二十四年八月十日

本日ポルトガル政府ニ対シ日本国ト連合国トノ間ニ戦争状態ノ終結ヲ宣言シ日本国ニ対スル戦争ヲ終結スルコトヲ提案シタル旨ノ通告ヲ行ヒタリ

右ノ通告ニ対シ日本国ト連合国トノ間ニ戦争状態ノ終結ヲ宣言シ日本国ニ対スル戦争ヲ終結スルコトヲ提案シタル旨ノ通告ヲ行ヒタリ

中略

右ノ通告ニ対シ日本国ト連合国トノ間ニ戦争状態ノ終結ヲ宣言シ日本国ニ対スル戦争ヲ終結スルコトヲ提案シタル旨ノ通告ヲ行ヒタリ

右ノ通告ニ対シ日本国ト連合国トノ間ニ戦争状態ノ終結ヲ宣言シ日本国ニ対スル戦争ヲ終結スルコトヲ提案シタル旨ノ通告ヲ行ヒタリ

右ノ通告ニ対シ日本国ト連合国トノ間ニ戦争状態ノ終結ヲ宣言シ日本国ニ対スル戦争ヲ終結スルコトヲ提案シタル旨ノ通告ヲ行ヒタリ

連合軍總司令部

APO五〇〇

昭和二十四年八月十日
WFM／ECW／J.M

宛先

朝日生命保險相互會社社長　行方孝吉
中央生命保險相互會社社長　井上八三
光生命保險相互會社社長　武内浩一郎
國民生命保險相互會社社長　芦田泰三
明治生命保險相互會社社長　牧野鎗治郎
日新生命保險相互會社社長　江川武
東京生命保險相互會社社長　宮成宮吉

拝啓　保險會社七社に對する勅令第五百六十七號の適用に關する連合軍最高司令官宛の貴書簡をまさに受領いたしました。

題は最早起らないということがはっきりするであろう。

三、持株會社整理委員會に對しこれらの保險會社が事實上承繼會社であり、且つ同勅令の主旨及び文言に從うことを要する旨の決定をこれらの會社に通知する處置を直ちにとることを要請する。

同時にこれらの會社に證券の處分案の提出を命じ、且つ右處分案を市況その他の經濟的要素を十分且つ實際的に考慮して、可及的速かに實施することを要請する。

右考慮に際して、入手し得るあらゆる適切な情報を十分考慮に入れている事を確認するために、會社案及びその案に關する持株會社整理委員會の意見を、檢討の爲直ちに當部に提出することを要請する。

經濟科學局長に代りて
反トラスト・カルテル部
部長　エドワード・シー・ウエルシュ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(23 Aug 49)ESS/AC 23 August 1949

INFORMAL
MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Trade Marks and Trade Names

1. References are:

a. SCAPIN 1923, subject: Trade Marks, Trade Names and Company Names and Marks Used in Common by Companies in the Same Chain of Capital with Designated Holding Companies and Designated Excessive Economic Concentrations.

b. Cabinet Order No. 240 of 1948, same subject.

2. Pursuant to discussions which have been held relating to the above subject, it is stated for your guidance that the position of this Headquarters, in the light of the views of the United States Government, is that the use of any trade mark, trade name, or company name of any combine, the top holding company of which has been dissolved, or of any company which has been deconcentrated under the provisions of Law No. 207 of 1947, should not be permitted to more than one of the remaining enterprises.

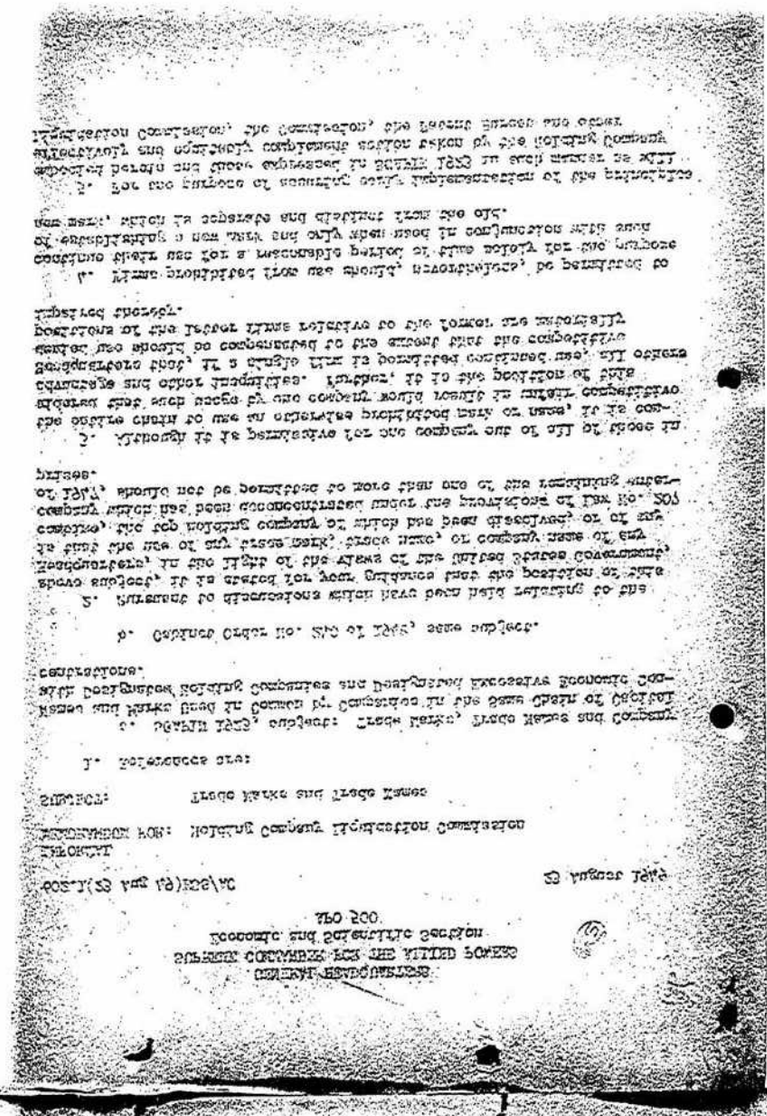
3. Although it is permissive for one company out of all of those in the entire chain to use an otherwise prohibited mark or name, it is considered that such usage by one company would result in unfair competitive advantage and other inequities. Further, it is the position of this Headquarters that, if a single firm is permitted continued use, all others denied use should be compensated to the extent that the competitive positions of the latter firms relative to the former are materially impaired thereby.

4. Firms prohibited from use should, nevertheless, be permitted to continue their use for a reasonable period of time solely for the purpose of establishing a new mark and only when used in conjunction with such new mark, which is separate and distinct from the old.

5. For the purpose of assuring early implementation of the principles embodied herein and those expressed in SCAPIN 1923 in such manner as will effectively and equitably complement action taken by the Holding Company Liquidation Commission, the Commission, the Patent Bureau and other

関係諸当局を慎重に検討した結果、同書のあつたる社は、承継会社として劣勢当日以降十七箇の適用を受け、後つて持株会社整理委員会によりて同勢会社の今後の使用を禁止せられるべきものなるとの結論に達した。持株会社整理委員会は、懸案の問題に関し十分且つ実際的な考慮を払つたるものなるべし。

敬具



402.1(23 Aug 49)ESS/AC, 23 August 1949
subj: Trade Marks and Trade Names

appropriate agencies of the Japanese Government will be advised promptly of a meeting to be held with Headquarters representatives on that subject.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

連合軍總司令部經濟科學局

昭和二十四年八月二十三日

▲P○五〇〇

六〇二、一（四九、八、廿三）SCAP／▲G

覺書宛先　持株會社整理委員會

件　名　商標及び商號に關する件

一、左記參照

イ、SCAPIN一九二三、指定持株會社及び過度經濟力集中指定企業者と同一資本系統の會社が、共通に使用する商標、商號及び社名、社標に關する件

ロ、昭和廿三年政令第二百四號

二、本件に關して行つた協議に基き、貴委員會の指導のために、當司令部の立場を次の通り示す。即ち米國政府の意向に鑑み、承認された持株會社を最高とする結合体若しくは昭和廿三年法律第二百七號の規定に基き集排指定を受けた會社の商標、商號又は社名の使用は、爾余の企業の二つ以上に、これを許してはならない。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(26 Aug 49)ESS/AC

26 August 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Orders to:
Tobo K.K. (Tobo Co., Ltd.)
Shochiku K.K. (Shochiku Co., Ltd.)
Mitsui Kosan K.K. (Mitsui Mining Co., Ltd.)
Mitsubishi Kogyo K.K. (Mitsubishi Mining Co., Ltd.)

Drafts of Final Orders to the above companies pursuant to the provisions of Law No. 207 of 1947 having been presented by the Commission, the Antitrust and Cartels Division of the Economic and Scientific Section offers no objection to the issuance of such Final Orders.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

182

言その実現に資するものとすべきものの中、一社会社の集合体乃至は組織を使用することは許されるが、一社にとつてかかる使用は、大戦を戦争上の利益その他の大公共を生ずるものと思われる。

更に、賠償会議の意見では、一社が事業使用を許されること、その使用を認められた社のすべての会社は、これによつてその戦争能力が直接に比して実質的に増強された程度、補償されるべきである。

四しかしながら、その使用を禁止された会社は、新組織を構立する目的のためにのみ、且つ事業開始または既存の新組織と共用する場合にのみ、潜在の賠償引渡要求その使用を許されるべきである。

言特殊会社整理委員会が保つた指定を存続する方法によつて、本文第及びsoの公正に規定する方法によつて、本文第及びsoの目的を達するために、委員会、特許局、その他の日本政府の関係機関と協力に適当の機会を持つべきである。

連合国最高司令官に代り
民政局長
チャールズ・L・ケーディス

連合軍総司令部経済科學局

昭和二十四年八月二十六日

APO五〇〇

六〇二・一（四九、八、二六）ESS／AC

宛　先　持株會社整理委員會

件　名　東寳株式會社、松竹株式會社、三井鑛山株式會社及び
　　　　三菱鑛業株式會社に對する決定指令の還達

昭和二十二年法律第二百七號の規定に基く右の會社に對する決定指令（案）が委員會によつて提出されたが、反トラスト・カルテル部は同決定指令の還達に對して異議はない。

經濟科學局長に代りて
反トラスト・カルテル部長
エドワード・シー・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(8 Sep 49)ESS/FTP(ESS/AC) 8 September 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. The Commission has stated that, in the execution of orders to companies in the Zaibatsu holding company chains of capital requiring cessation of free use of certain trade-marks and trade names by 1 July 1950, situations may arise wherein compliance by such time limit may require certain companies to expend exorbitant sums of money.

2. It is considered not to be in conflict with established procedures in this matter for the Commission to accept and weigh the merits of individual cases in which the companies concerned petition for short extensions of time after 1 July 1950 in order to comply with provision of the order requiring cessation of free use of certain trade-marks and trade names. Each such petition must be supported with substantial evidence to show that a time extension is necessary and that the utmost diligence and ingenuity had been employed by the company to meet the required deadline and that the company had failed in such effort either because of insurmountable technological factors or exorbitant expenses which will not be incurred if a time extension is allowed.

3. No extension of time past 1 July 1950 should be permitted for more than sixty (60) days and no company should be permitted more than one such extension. Likewise, each such petition for the exceptional treatment of an extension of time past 1 July 1950 must be presented to this headquarters in accord with established procedure prior to action by the Commission on such petition.

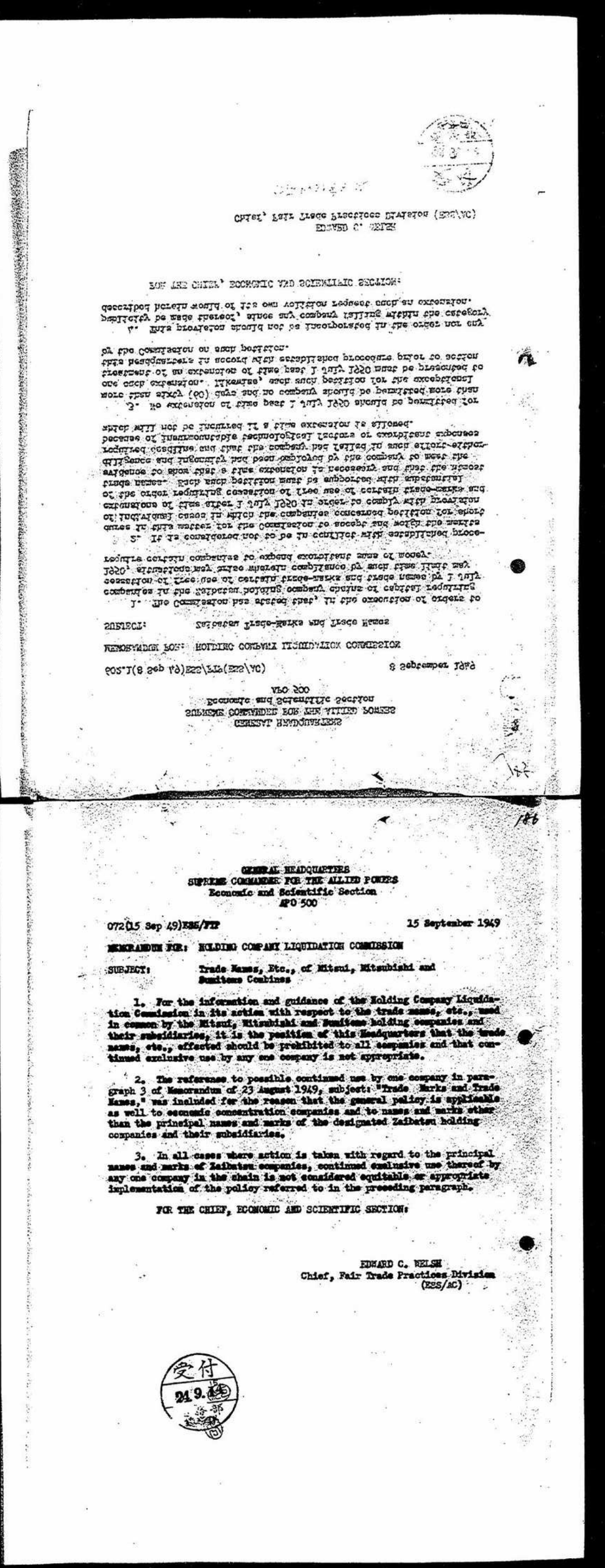
4. This provision should not be incorporated in the order nor any publicity be made thereof, since any company falling within the category described herein would of its own volition request such an extension.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

公正取引実施課

受付
昭9.12



GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

072(15 Sep 49)ESS/FTP — 15 September 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Trade Names, Etc., of Mitsui, Mitsubishi and Sumitomo Combines

1. For the information and guidance of the Holding Company Liquidation Commission in its action with respect to the trade names, etc., used in common by the Mitsui, Mitsubishi and Sumitomo holding companies and their subsidiaries, it is the position of this Headquarters that the trade names, etc., affected should be prohibited to all companies and that continued exclusive use by any one company is not appropriate.

2. The reference to possible continued use by one company in paragraph 3 of Memorandum of 23 August 1949, subject: "Trade Marks and Trade Names," was included for the reason that the general policy is applicable as well to economic concentration companies and to names and marks other than the principal names and marks of the designated Zaibatsu holding companies and their subsidiaries.

3. In all cases where action is taken with regard to the principal names and marks of Zaibatsu companies, continued exclusive use thereof by any one company in the chain is not considered equitable or appropriate implementation of the policy referred to in the preceding paragraph.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division
(ESS/AC)

連合軍總司令部經濟科學局

昭和二十四年九月十五日

ＡＰ〇五〇〇

〇七二（四九、九、一五）ＥＳＳ／ＦＴＰ

覺書宛先　持株會社整理委員會

件　　名　三井、三菱及び住友系會社の商號等に關する件

一、三井、三菱及び住友系持株會社並びにその從屬會社等により共通に使用されている商號等について委員會が措置する上の參考及び指導の爲に、當司令部の見解を示せば當該商號等はすべての會社に對し禁止せらるべきであつて、獨占的繼續使用は一社にも許さるべきでないと考える。

二、昭和二十四年八月二十三日附覺書「商標及び商號に關する件」の第二項に一社に可能な繼續使用について言及した理由は一般方針は經濟力集中會社にも適用し且つ指定財閥持株會社並びにその從屬會社の主要な商號及び商標以外の商號及び商標にも適用するからである。

三、財閥會社の主要な商號及び商標について措置するすべての場合、同一系統に屬する會社の中、

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(22 Sep 49)ESS/FTP(ESS/AC) 22 September 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Order to Seika Kogyo K.K.

The Holding Company Liquidation Commission is hereby advised that this Headquarters offers no objection to the proposal of the Commission to issue Final Order to subject company, pursuant to resolution adopted at a general meeting of the commissioners on 2 August 1949, containing the same provisions as were included in Proposed Order issued to that company.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

一部分これを事前的に傾斜使用するとともに軍需に転換する方針の公共団体会社とは考えられない。

総務科長局長代り
公正取引委施部部長
ヒアワード・シ・ウエルシュ

機密第一二〇号

昭和二十年八月二十二日

在ハノイ（仏印）日本大使
在ハノイ（仏印）日本公使
在ハノイ（仏印）日本領事
在ハノイ（仏印）日本武官
在ハノイ（仏印）日本海軍武官
在ハノイ（仏印）日本陸軍武官
在ハノイ（仏印）日本海軍武官補佐官
在ハノイ（仏印）日本陸軍武官補佐官
在ハノイ（仏印）日本海軍武官補佐官

外務大臣　東郷茂徳

仏印ニ於ケル武装解除ノ件

昭和二十年八月十日ノ条件ニ基キ仏印ニ於ケル武装解除ノ件ハ既ニ貴電ヲ以テ通報シタル通リ本日ヨリ実施セラレタリト認ム

仏印ニ於ケル日本軍ノ武装解除ハ既ニ貴電ヲ以テ通報シタル通リ本日ヨリ実施セラレタリト認ム

190

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(22 Sep 49)ESS/FTP(ESS/AC) 22 September 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Teikoku Seikiyu K.K.

This is to advise the Commission that the plan of reorganization submitted by Teikoku Seikiyu K.K. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

連合国最高司令官
総司令部
経済科学局

昭和二十四年九月二十二日

ATPO 三五〇〇
大蔵省（国税庁）
外務省
特殊会社整理委員会
（SSS／PEE／SSS／ACD）

帝国石油株式会社の事業の整理計画

各　位

貴官宛

本件指令及び別紙十二号覚書に基いて、帝国石油株式会社の事業の整理計画を承認する。

この指令は、覚書第十項に基いて実施された措置を確認するものである。

連合国最高司令官
総司令部
経済科学局
公正取引課長
ウィリアム・ジー・ウィルビー

原本　三ドクター・ジー・ウィルビー

172

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(6 Oct 49)ESS/FTP(ESS/AC) 6 October 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Dissolution of Teisen Kokuki Kogyo K.K.

1. Reference is made to the Commission's letter of 5 October 1949 regarding dissolution of subject company.

2. In view of the inability of the employees and officers of the company to agree on an appropriate stock disposal plan for shares issued by the company and now held by the HCLC for disposal, the fact that the company has not operated since its formation in 1945, has no plant within which to conduct operations, and a condition exists in which there is manipulation and maneuvering regarding acquisition of its machinery and equipment, it has been determined that dissolution of the company is the best solution.

3. The Commission is advised to take prompt action to call a shareholders' meeting for the purpose of dissolving the company and appointing liquidators and auditors to execute the liquidation plan.

4. It is requested that this Division be furnished with a copy of the resolution adopted at the shareholders' meeting and a monthly report regarding progress of liquidation.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

受付
24.12.19
総務部
総務課

第二回世界大戦後の国際関係研究会

昭和二十四年十二月

ヘモロ三〇：

大〇二・一（国民・一〇・六）ESS／ESS（ESS／ESS）

海軍省
海軍大臣官房
第一課
第二課
第三課
第四課
第五課
第六課
第七課
第八課
第九課
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第二百課

194

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(11 Oct 49)ESS/FTP(ESS/AC) 11 October 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Daiken Industry Co., Ltd.

1. This is to advise the Commission that the plan of reorganization submitted by Daiken Industry Co., Ltd. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division subject to the following conditions:

a. Shares held which are subject to Imperial Ordinance 567 be disposed of in accordance with the provisions of such ordinance.

b. Assets be disposed of at not less than estimated values.

c. Copies of inventory and balance sheet required by Article 419 of the Commercial Code be submitted.

d. Upon completion of dissolution and liquidation a report be submitted showing receipts and disposal of assets.

e. Old account debt to be liquidated pursuant to amended payment plan.

f. Proceeds from disposal of shares of second companies and disposal of other assets be used to liquidate old account debt.

2. The Ministry of Finance was notified of the action of this division in letter dated 7 October 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

同会社清算人殿

同会社ニ対スル指令

公正取引委員会

経済科学局長代理

臨時青島軍事警察部

昭和二十四年十月十二日

大〇二一・二（昭元・一〇・一二）ＥＥＥＥ／ＥＥＥＥ（ＥＥＥＥ／ＡＯ）

ＡＥＯ四〇〇

作成年月日　昭和二十年九月

名称　大連市内の共産党員の動向

内容

大連市内の共産党員の動向

一、大連市内の共産党員は、昭和二十年八月十五日以降、ソ連軍の大連市内に進駐するに伴い、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公然活動を開始し、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公然活動を開始し、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公然活動を開始し、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公然活動を開始し、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公然活動を開始し、ソ連軍の支援の下に、次の通り、大連市内の各所に於て、公

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
Fair Trade Practices Division

091.1(17 Nov 49)ESS/FTP 17 November 1949

MEMORANDUM FOR: Chairman, Holding Company Liquidation Commission

SUBJECT: Shares Withheld to Protect United Nations Nationals' Interests

1. The Holding Company Liquidation Commission will release all shares previously reserved to satisfy United Nations nationals' demands for restitution, subject to the provisions of the Ministry of Finance Cabinet Order concerning restoration of United Nations shares (Cabinet Order No. 310 of 1949).

2. A report of the actions taken in each case where shares are released will be furnished to Fair Trade Practices Division.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

R. M. Gillies
R. M. GILLIES
Acting Chief,
Fair Trade Practices Division (ESS/AC)

十一月十七日午後四時半
司令官に於て Mr. Randall より手渡さる

三井大財閥解体の為の持株会社整理委員会の保有株式の処分に関する件

公正取引課長殿

総務課長

三井物産株式会社の保有株式の処分に関する件

貴課に於て御参考迄に御送付致します。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(29 Nov 49)ESS/FTP 29 November 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Mitsubishi Heavy Industries, Ltd.

1. This is to advise the Commission that the plan of reorganization submitted by Mitsubishi Heavy Industries, Ltd. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this division subject to the following conditions:

a. Unpaid capital to be called.

b. Assets to be disposed of at not less than estimated values.

c. Proceeds from share capital in second companies, unpaid capital called and disposal of assets be used to liquidate old account debt pursuant to amended plan.

d. Provisions for extension of payment of old company's liabilities beyond one year be deleted.

e. Payment of War Indemnity Tax in kind by transfer of shares of second companies to the government may be concluded only in the event the appraised value of the stock as established by the Government will not prejudice the rights of creditors and stockholders of the old company.

f. Copies of inventory and balance sheet required by Article 419 of the Commercial Code be submitted.

g. Upon completion of dissolution and liquidation, a report be submitted showing receipts and disposal of assets.

2. The Ministry of Finance was notified of the action of this division in letter dated 18 November 1949.

R. M. GILLIES, Acting Chief
Fair Trade Practices Division

連合軍総司令部経済科学局

AG〇五〇〇　　　　　　　　　昭和二十四年十一月二十九日

六〇二・一（四九・一一・二九）ESS/FTC

受領先　　持株会社整理委員会

件名　　三菱重工業株式会社の整備計画

本部は、三菱重工業株式会社が、政府指令及び昭和二十一年法律第四十号企業再建整備法に基いて提出した整備計画を、左記条件により承認したことを通告する。

イ、未払込金を徴収すること。

ロ、資産の処分は評価額を下らないこと。

ハ、第二会社の株式、未払込金の徴収及び資産の処分による代金は、整理計画に基く旧勘定の債務弁済に使用すること。

ニ、一ケ年を超える旧会社の債務弁済延期に関する協定は禁止すること。

ホ、第二会社の株式による債務弁済の場合は、その際旧会社の債権者及び株主の権利を行わない場合に限ること。

16 Dec 49 799

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

MEMORANDUM FOR: The Holding Corporation Liquidation Commission
Japanese Government

SUBJECT: Kyashikano Shoten K.K. (HCLC File #751). HCLC Communication dated 6 July 1949

1. Proposal presented by HCLC above subject and date to approve application for merger of Kyashikano Shoten K.K. and Taiyo Gyogyo is approved.

2. There is no objection to approval of liquidation through merger as proposed, with appropriate release of securities from your custody.

W. F. Marquat
W. F. MARQUAT
Major General, U. S. Army
Chief, Economic and Scientific Section

12/26. 許可通知出す

JI-0.4.4.1 持株会社整理委員会
資産 関係 引 渡 目 録

貴機関に四月十六日付を以て分離される予定の株式の内、別紙目録第一に掲げる株式は、ノンレベル日債券局の承認書類を以て別紙第二に掲げる目録に変化した。

200

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(21 Dec 49)ESS/FTP 21 December 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Tokyo Shibaura Electric Co., Ltd.

1. This is to advise the Commission that the plan of reorganization submitted by Tokyo Shibaura Electric Co., Ltd. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this Division subject to the following conditions:

a. Increase in share capital to ¥2,600,000,000 is made.

b. Old account debt to be liquidated pursuant to amended payment plan and application of new account profit if necessary.

2. The Ministry of Finance was notified of the action of this Division in memorandum dated 19 December 1949.

E. C. WELSH
Chief, Fair Trade Practices Division

連合軍総司令部覚書

SCAP/GCC　　昭和二十四年十二月二十一日

KC11・1/四九・三・三三)　E&S/FEP

受書官庁　株式会社東京証券取引所

件　名　東京証券取引所株式会社の解散計画

一、当部は、東京証券取引所株式会社が、決定指令及び企業再建整理法（昭和二十一年法律第四十号）に基いて提出した解散計画を、次の様件で、承認したことを通告する。

イ、二十大綱領に適合すること。

ロ、清算人の職務の終結は、総正株式計画に基いて、又必要あらば、新規定の所令を充たしてなすこと。

二、本件昭和二十四年十二月十九日閣議決定により、大蔵大臣に通達済

公正取引委員会事務局長

エドワード・C・ウェルシュ

202

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(23 Dec 49)ESS/FTP 23 December 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Toyo Seikan

1. The information submitted by the Commission on 8 December 1949 (Slip No. 1740) in regard to continued use by Toyo Seikan of that name and adoption by the new company of the name Hokkai Seikan has been examined.

2. ESS/FTP offers no objection to approval of the plan with use by the continuing company of the name Toyo Seikan and adoption by the second company of the name Hokkai Seikan.

3. This decision is reached in view of the following factors as presented by the Commission:

a. The merger of the former Toyo Seikan and Hokkai Seikan in 1941 was a forced merger.

b. Prior to the merger these two companies were competitors and had for more than 20 years operated independently and developed good will in the names now proposed for allocation to the two separate companies.

c. Permission for use of Hokkai Seikan and denial of the use of Toyo Seikan would give the former a competitive advantage insofar as its company name is concerned.

d. The second company offers no objection to the use of Toyo Seikan by the continuing company providing it is permitted to use the name Hokkai Seikan.

e. Neither of the names has Zaibatsu connotation.

4. The Ministry of Finance will be notified promptly that the reorganization plan submitted pursuant to the HCLC Final Order is approved.

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

連合軍總司令部經濟科學局

▲P0五00
六〇二、一（四九、一二、二三）ESS／FTP

昭和二十四年十二月二十三日

覺書宛先　持株會社整理委員會

件　　名　東洋製罐の整備計畫

一、東洋製罐がその社名を繼續使用し、新會社が北海製罐という社名を採用することについて、委員會が提出した昭和二十四年十二月八日附書類を審査した。

二、當部は、存續會社が東洋製罐という社名を繼續使用し、第二會社が北海製罐という社名を採用することを含む整備計畫の承認について異議がない。

三、この決定は、委員會が提出した下記の要因を考慮して、下したものである。

(イ)昭和十六年における舊東洋製罐と北海製罐との合併は強制合併であつた。

(ロ)合併以前には、この兩社は競爭相手であり、二十年間以上各々獨立に操業し、夫々東洋製罐、北海製罐という社名の下に、發展を築いてきた。

(ハ)一方に北海製罐という社名の使用を許し他方に東洋製罐という社名の使用を禁止することは、社名に關する限り、前者に競爭上の利益を與えることになる。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section

602.1(23 Dec 49)ESS/FTP 23 December 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization of Hokkaido Rakuno Kyodo K.K. Pursuant to Law No. 207 of 1947

The proceedings in the above matter having been re-examined and it having been found that economic factors arising since the examination of the facts upon which the Proposed Order was issued have altered, the Holding Company Liquidation Commission is directed to issue the attached Order in the above matter.

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

(三) 第二会社は、北海酪農とうり社名の使用が認められれば、存続会社東洋乳製品と今世紀を繼續使用することに対して異議をもっていない。

(四) 第二会社名とも既設会社。

(五) 大蔵大臣に対して、会員者の決定指令に基いて提出された整備計畫が承認されたことを、

通知する。

公正取引委員会
H ヒグレー・O・ウ H ベンシ

連合軍司令官
総司令部
SCAP

大〇二二（四九・一一・一三）

覚書発出

件名　覚書発出

持株会社整理委員会
昭和二十二年法律第二百七号に基づき
解散命令

昭和二十四年十二月二十三日

公正取引委員会
事務局
エドワード・ビー・ウィルビー

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(5 Jan 50)ESS/FTP 5 January 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization of Teikoku Sen-i K.K. under Law No. 207 of 1947

1. The Commission was informed on 22 December 1949 by ESS/FTP that Headquarters' re-examination of the plan of reorganization of Teikoku Sen-i as specified in the Commission's outstanding Proposed Order, as well as consideration of other alternate reorganization plans, had been completed. That upon the basis of such re-examination and consideration, the Headquarters desired early settlement of the case by issuance of a Final Order to the company providing for the creation of three, separate and independent companies as follows:

a. A staple fiber company composed of Teikoku's Tokushima rayon plant;

b. A flax company composed of Teikoku's Sapporo, Kanuma No. 1 and Kanuma No. 2 flax spinning plants, together with appropriate number of scutching mills to supply such spinning plants, and the Eguchi bleaching and dyeing plant. (The Order to provide that approximately 1,400 fine flax spindles now stored in Osaka be allocated to this new company.);

c. A flax and silk company composed of Teikoku's Daishoji and Otsu flax spinning plants, Ogaki waste flax and cotton spinning plant, together with an appropriate number of Teikoku's flax scutching mills to supply those plants, and the Tamashima silk plant.

2. The Commission reported on 27 December that such reorganization plan had been studied and found to be feasible, and that the Commission would issue an order embodying such reorganization plan at the earliest possible date.

3. In the event the Commission has not completed all preparations necessary for immediate issuance of such a Final Order, the Commission is requested to inform appropriate officers of the company that a final decision has been reached and of the salient features of the decision as outlined in paragraph 1, above.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

受 15
25. 1. 18

cc - Mr. Calvin Verity
Deputy Chief, ESS

連合軍總司令部經濟科學局

昭和二十五年一月五日

AP五〇〇
六〇二、一（五〇、一、五）ESS／FTP

覺書宛先　持株會社整理委員會

件　　名　昭和廿二年法律第二百七號に基く帝國纎維株式會社の再編成に關する件

一、持株會社整理委員會は十二月廿二日、公正取引實施部より、連合軍總司令部が嚢に帝國纎維株式會社に對し委員會が發した指令案に基く再編成計畫の再檢討並びに右と異る別個の再編成計畫の考慮を完了したことを通告された。この再檢討と考慮の結果、總司令部は左記に述べる三つの別個の獨立會社の創設を内容とする決定指令を同社に對し發することに依つて、本件を早急に解決することを希望する。

A、帝國纎維德島スフ工場を主體とする一スフ會社

B、帝國纎維札幌、鹿沼第一、鹿沼第二各亞麻紡績工場、右諸工場に供給する適當な製線工場、並びに江口麻工場を主體とする一亞麻會社

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(6 Jan 50)ESS/FWP

6 January 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. Cabinet Order No. 240 of 1948 provides for the elimination of trade-marks and trade names used by designated holding companies in common with their subsidiaries, particularly those names and marks which include the letters or characters reading Mitsui, Mitsubishi, Sumitomo, Yasuda, Nomura, Okura, Asano, Nissan, Nakajima, and Furukawa.

2. Pursuant to the provisions of said Cabinet Order, on 21 September 1949 the Commission issued orders to the Mitsui, Mitsubishi, and Sumitomo Zaibatsu chains-of-capital.

3. It is noted that the Commission has not yet taken action pursuant to the provisions of said Cabinet Order against the remaining Zaibatsu chains-of-capital recited above.

4. In order to avoid the suggestion that the Commission will fail to carry out the provisions of the Cabinet Order and in order to dispel existing intimations of discriminatory action affecting one group of recognized Zaibatsu as against another, it is considered essential that the Commission submit for joint consideration a program for action regarding each of the combine trade-marks and trade names of said remaining Zaibatsu.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

受付
25.1.-9
経済科学局

208

ニュヨウ・ヒ・ウ・ヒ・ニ・ー・ド・ヒ・ヒ
金融財政局
経済科学局

連合軍総司令部経済科学局

APO五〇〇　　　　　　　　昭和二十五年一月六日
六〇二・一（一九五〇、一、六）ESS/FTP

発信宛先　持株会社整理委員会
件　　名　財閥商標及び商號

一、昭和二十三年政令第二百四十號は、持株会社又はその從屬会社等が共通に使用している商標又は商號、特に三井、三菱、住友、安田、野村、大倉、淺野、日産、中島、古河の文字若しくは記號を含む商號又は商標の排除を規定している。

二、前記政令に基いて、委員會は、昭和二十四年九月二十一日附で、三井、三菱、住友の三財閥の資本系統の会社に對して、指示を發した。

三、其他の前記財閥の資本系統の会社に對しては、委員會は、前記政令に基く措置を未だとっていない。

四、委員會が、政令の規定をこれ以上發動しないであろうという印象を一掃し、又前記三財閥と他の財閥との間に差別的措置をとっているという一般の懸念を払拭するために茲の

210

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
APO 500

Economic and Scientific Section

7 January 1950

MEMORANDUM FOR: Holding Corporation Liquidation Commission, Japanese Government

SUBJECT: Sale of Stocks in Yokohama Rubber Company to B. F. Goodrich Company

1. The Japanese Government and the Supreme Commander for the Allied Powers have validated the application of B. F. Goodrich Company to acquire 175,000 shares of Yokohama Rubber Company now held by the Holding Corporation Liquidation Commission.

2. You will be permitted to freely negotiate with and sell to the B. F. Goodrich Company such shares of stock in accordance with the terms of validation.

Calvin Verity
for
W. F. MARQUAT
Major General, U. S. Army
Chief, Economic and Scientific Section

受付
25. 1. 12
総務部

他の所属各財閥の株式は密接に関連する指定のフロクラムを、共同に検討する為
提出するように必要である。

経済科学局長代理
公正取引委員会
部長 ドクター・シー・ウエルシュ

連合軍総司令部
民政局
覚書

昭和二十五年一月十七日

ACJ
SCAP
民政局
外務省
在外公館
在外邦人
外務省
在外公館
在外邦人
陸海軍諸部隊
陸海軍諸部隊
在外邦人
グリーン少佐
ジョン・ヒル
ウィリアム・ヒル
ウィリアム・ヒル少佐に代り
ウィリアム・ヒル

一、日本政府及び連合軍総司令官は、現在抑留されている、日本国民、ロ、ハ、ニ、ホ、ヘ、グリーン少佐と自由に面談し、捕虜の繋留に関する事項を実施すべき。

二、従って、連合国軍に属し、グリーン少佐と自由に面談することを許可する。

陸海軍諸部隊
陸海軍諸部隊
陸海軍諸部隊
陸海軍諸部隊

212

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(18 Jan 50)ESS/FTP(ESS/AC) 18 January 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization of Teikoku Sen-i K.K. Pursuant to Law No. 207 of 1947

The proceedings in the above matter having been re-examined and it having been found that economic factors arising since the examination of the facts upon which the Proposed Order was issued have altered, the Holding Company Liquidation Commission is directed to issue the attached Order in the above matter.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)

受付
25.1.18

213

連合軍總司令部經濟科學局

六〇二一（五〇・一・一八）ＥＳＳ／ＦＴＰ（ＥＳＳ／ＡＣ）

昭和二十五年一月十八日

發送先　持株會社整理委員會

件　名　昭和二十二年法律第二百七號に基く帝國纖維株式會社の再編成に關する件

掲題の件に關し再檢討を遂げたる結果曩に指令案を發した當時に比しその認定の基礎となつた經濟上の諸事實が變更したことを發見した。仍つて持株會社整理委員會に對し掲題に關する別紙の指令を發することを指示する。

公正取引實施部

部長　エドワード・シー・ウエルシユ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(18 Jan 50)ESS/FTP(ESS/AC) 18 January 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Issuance of Final Order to Nippon Tsu-un K.K.

The Headquarters has reviewed the draft of the Commission's Final Order of Reorganization pursuant to Law No. 207 in the matter of subject company and finds that such Order is consistent with recommendations of the Deconcentration Review Board. The Commission is, therefore, advised to issue such Order promptly.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WALSH
Chief, Fair Trade Practices Division (ESS/AC)

連合軍総司令部法務局

宛先　日本通運株式会社整理委員会

件名　指令の通達

指令第一九五〇号

昭和二十五年一月十八日

連合軍総司令部法務局

公正取引委員会

法務総裁殿

指令第一九五〇号

日本通運株式会社に対する決定指令の通達

指令第一九五〇号（一九四九年一月十八日）

日本通運株式会社に対する決定指令を貴下に通達すること、および貴官の動向を報告すること。

連合軍総司令部法務局

公正取引委員会

法務総裁殿

E・D・ウィルビー

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(25 Jan 50)ESS/FTP(ESS/AC) 25 January 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

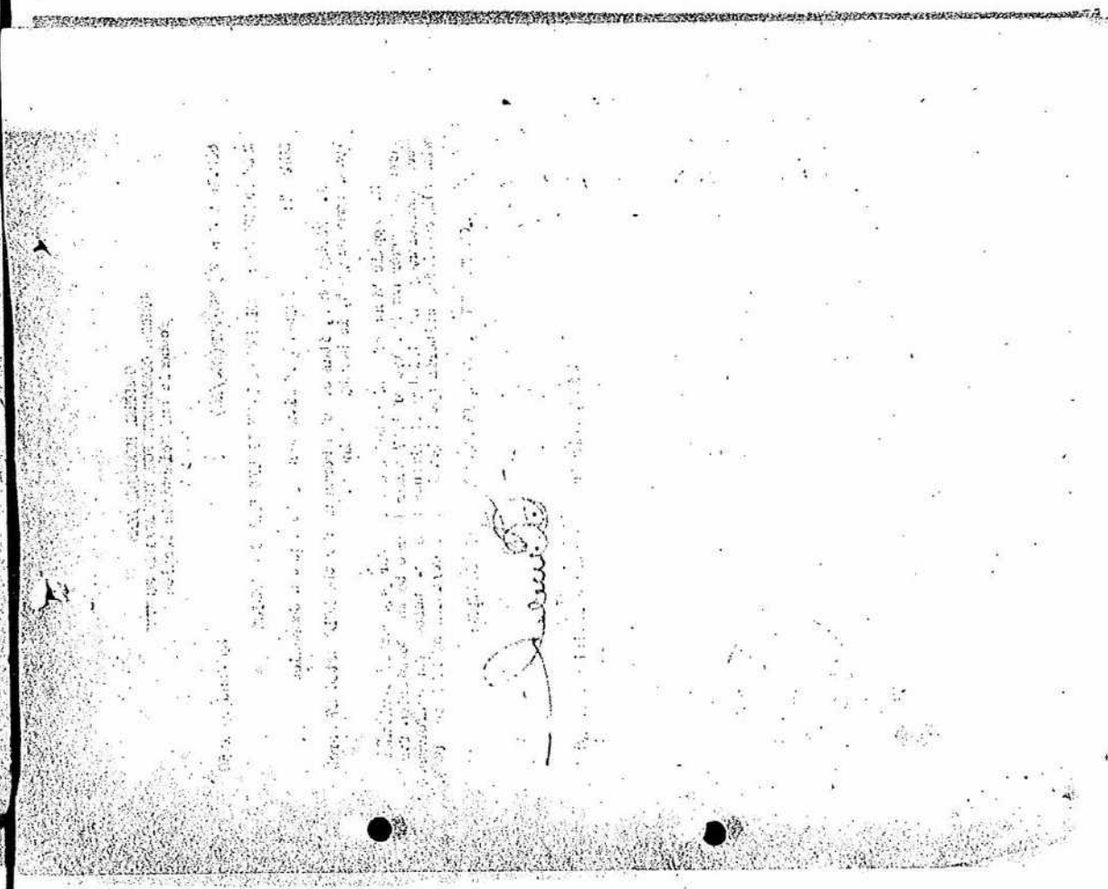
SUBJECT: Payment of Dividends by Designated Companies

1. Paragraph 2, item e, of memorandum for the HCLC dated 27 March 1948, same subject, is hereby rescinded.

2. Applications of designated companies for payment of dividends submitted under Law No. 190 of 1947 and referred to the Commission for recommendation by the Ministry of Finance shall be tested for conformance with all remaining criteria specified in the memorandum of 27 March 1948.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices Division (ESS/AC)



連合軍総司令部経済科学局

AEO五〇〇

（一九五〇・一・二五）

（SSS／ECF）

昭和二十五年一月十五日

宛先　各特殊会社整理委員会
指定企業の配置転換支援

件名　解雇

昭和二十三年三月十七日附特殊会社整理委員会に対する覚書に関する疑問点

一、昭和二十三年三月十七日附特殊会社整理委員会に対する覚書に関する疑問点は、次の通りである。

二、昭和二十三年三月十七日附特殊会社整理委員会に対する覚書（以下「覚書」という。）は、昭和二十三年三月三十一日までに実施されなければならない。

覚書に明確を期されている次の事項について、次の疑問点に従って実施されなければならない。

総理大臣から次官を通じて各特殊会社に対する指令

公正取引委員会

エドウィン・O・ウェルシュ

連合軍総司令部経済科学局

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(11 Mar.50)ESS/FTP(AC) 11 March 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plans of Mitsui Mining Co., Ltd., Seika Mining Co., Ltd, and Mitsubishi Mining Co., Ltd.

This is to advise the Commission that the plans of reorganization submitted by the above companies have been approved by this Division subject to the following conditions:

a. Mitsui Mining Co., Ltd. - Approved 3 March 1950, provided:

(1) Increase in share capital to ¥1,200,000,000 is made.

(2) Shares held which are subject to Imperial Ordinance No. 567 be disposed of in accordance with the provisions of such Ordinance.

(3) Payment of old account debt be made concurrently with increase in capital.

b. Seika Mining Co., Ltd. - Approved 16 January 1950, provided:

(1) Assets be disposed of at not less than estimated values.

(2) Proceeds from increase in share capital of continuing company and second companies and disposal of assets be used to liquidate old account debt.

c. Mitsubishi Mining Co., Ltd. - Approved 16 January 1950, provided:

(1) Shares held which are subject to Imperial Ordinance 567 be disposed of in accordance with the provisions of such Ordinance.

(2) Proceeds from increase in share capital and disposal of shares of second company be used to liquidate old account debt.

(3) Old account debt to be liquidated pursuant to amended payment plan.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices (AC) Division

連合軍總司令部經濟科學局

昭和二十五年三月十一日

APO 五〇〇

六〇二・一（一九五〇・三・一一）ESS／FTP（AC）

覺書宛先　持株會社整理委員會

件　名　三井鑛山、井華鑛業及び三菱鑛業の整備計畫

掲題會社より提出された整備計畫は、左記を條件として當部において承認された旨を委員會に通告する。

一、三井鑛山株式會社　三月三日承認

イ、一二億圓に增資すること

ロ、勅令第五六七號關係所有株式は同令の規定に從い處分すること

ハ、舊勘定債務の辨濟は增資と同時に行うこと

二、井華鑛業株式會社　一月十六日承認

イ、資產の處分價格は評價額を下らないこと

ロ、存續會社及び第二會社の增資並に資產處分による代金は、舊勘定の債務辨濟に使用す

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(14 Mar 50)ESS/FTP(AC) 14 March 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Japan Iron and Steel Co., Ltd.

1. This is to advise the Commission that the plan of reorganization submitted by Japan Iron and Steel Co., Ltd. pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law: Law No. 40 of 1946, has been approved by this Division subject to the following conditions:

a. Assets to be disposed of at not less than estimated values.

b. Proceeds from share capital in second companies and disposal of assets be used to liquidate old account debt.

c. Payment of War Indemnity Tax in kind by transfer of shares of second companies to the government may be concluded only in the event the appraisal value of the stock as established by the government will not prejudice the rights of creditors and stockholders of the old company.

d. Copies of inventory and balance sheet required by Article 419 of the Commercial Code be submitted.

e. Upon completion of dissolution and liquidation a report be submitted showing receipts and disposal of assets.

2. The Ministry of Finance was notified of the action of this Division in memorandum dated 27 December 1949.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

EDWARD C. WELSH
Chief, Fair Trade Practices (AC) Division

連合軍司令官
総司令部経理局

▲三〇〇
大〇二・一、（一五〇・三、一四）
Ｅｓｔｅｒｅｄ
（Ａｄｄｅｄ）

昭和二十五年三月十四日

宛先　各
件名　日本政府軍事費の総計書

特殊軍事援助
特殊軍需産業員会

1. 貴国は、日米安全保障条約第三条に基く行政協定第二条に規定する日本国内における合衆国軍隊の維持費の総計を、次の項目に関する詳細な報告を提出すること。

(a) 駐留軍の人員の数の内訳、駐留軍の家族の数の内訳及び駐留軍の軍人及び家族の数の内訳に関する詳細な報告を提出すること。

(b) 駐留軍の使用する施設及び区域の数、場所及び面積に関する詳細な報告を提出すること。

(c) 駐留軍の使用する施設及び区域の維持費、駐留軍の使用する施設及び区域の賃借料及び駐留軍の使用する施設及び区域の修繕費に関する詳細な報告を提出すること。

(d) 駐留軍の使用する施設及び区域の維持費、駐留軍の使用する施設及び区域の賃借料及び駐留軍の使用する施設及び区域の修繕費の額を示す報告を提出すること。

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(5 April 50)ESS/FTP(AC) 5 April 1950

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Reorganization Plan of Nippon Tsuun K. K. (Japan Express Co., Ltd.)

1. This is to advise the Commission that the plan of reorganization submitted by Nippon Tsuun pursuant to the requirements of the HCLC Final Order and the Enterprise Reorganization and Reconstruction Law, Law No. 40 of 1946, has been approved by this Division subject to the following conditions:

a. Assets to be disposed of at not less than estimated values.

b. Proceeds from disposal of old account assets and profit in the new account be used to liquidate old account debt.

2. The Ministry of Finance was notified of the action of this Division in letter dated 23 March 1950.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

E.C. Welsh
EDWARD C. WELSH
Chief, Fair Trade Practices (AC) Division

重要

司令部覚書

昭和二十年九月二十日

CCC

AGO

宛先　ATIS（ニューギニア）

発信　ATIS（ニューギニア）

件名　日本軍捕虜の取扱に関する連合国軍最高司令官の覚書

日本政府は、捕虜の取扱に関する連合国軍最高司令官の覚書（昭和二十一年二月一日付）に含まれた諸原則を実行するに当たり、次の事項を通知する。

一、日本政府は、捕虜の取扱に関する連合国軍最高司令官の覚書（昭和二十一年二月一日付）に含まれた諸原則を実行するに当たり、次の事項を通知する。

A、捕虜の中、傷病者、妊婦、産婦、乳児、子供、老人、及び、捕虜の中、傷病者、妊婦、産婦、乳児、子供、老人、及び、

B、捕虜の中、傷病者、妊婦、産婦、乳児、子供、老人、及び、

三、大阪市西区に所在した第十二師団司令部の建物は、昭和二十年三月十日の空襲で焼失した。

224

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(29 Apr 50)ESS/FTP(AC) 29 April 1950

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. Reference is Memorandum from Holding Company Liquidation Commission to ESS/FTP(AC) submitted on 7 March 1950, subject: "Zaibatsu Trade Names etc. Used Common," listing the companies in the Zaibatsu chains of capital which used in common the Zaibatsu names Okura, Furukawa, Asano, Nomura, Nissan, Nakajima, and Yasuda; some of which also used certain trade-marks in common.

2. Reference Memorandum shows common use of Zaibatsu names as follows:

a. Okura: by Okura Kogyo K.K., Okura Building K.K., K.K. Okura Sumatora Nojo, Hoten Okura Building K.K., Manshu Okura Doboku K.K., and Okura Jigyo K.K.

b. Furukawa: by Furukawa Kogyo K.K., Furukawa Denki Kogyo K.K., and Furukawa Chuzo K.K.

c. Asano: by K.K. Asano Honsha, and Asano Bussan K.K.

d. Nomura: by Nomura Kogyo K.K., Nomura Boeki K.K., Nomura Toindo Shokusan K.K., Nomura Shoken K.K., Nomura Kensetsu Kogyo K.K., and Nomura Gomei K.K.

e. Nissan: by Nissan Kasai Zaijo Hoken K.K., Nissan Doboku K.K., Nissan Kisen K.K., Nissan Jidosha K.K., Nissan Norin K.K., and Nissan Kagaku Kogyo K.K.

f. Nakajima: by Nakajima Sangyo K.K., Tokyo Nakajima Denki K.K., and Nakajima Seimitsu Tanzo K.K.

g. Yasuda: by Yasuda Hozensha and Yasuda Kasai Kaijo K.K.

3. Reference Memorandum also shows common use of Zaibatsu trade-marks as follows:

a. Furukawa: Triangle with base separated from and not reaching base points, depicted as follows: △ , by Furukawa Kogyo K.K. and Furukawa Denki Kogyo K.K.

602.1(29 Apr 50)ESS/FTP(AC)
Subj: Zaibatsu Trade-Marks and Trade Names

b. Asano: Inverted "Z" with vertical lines protruding from center of top and bottom lines, depicted as follows: ⅄ , by Nippon Semento K.K., Kanto Denki Kogyo K.K., and Nippon Kokan K.K.

c. Nissan: Two concentric circles, one smaller than the other, commonly known as "Janome," depicted as follows: ⊙ , by Nihon Yushi K.K., Nissan Kagaku Kogyo K.K., Nippon Suisan K.K., and Nippon Kogyo K.K.; and the trade-mark "Nissan" in both English and Japanese characters by Nissan Kagaku Kogyo K.K., Nissan Jidosha K.K., Nippon Suidan K.K., Nissan Norin Kogyo K.K., and Nihon Yushi K.K.

4. Article 14 of Imperial Ordinance No. 567 of 1946 provides for the issuance by the Holding Company Liquidation Commission of orders to Zaibatsu Holding Companies and their subsidiaries prohibiting trade names and trade-marks used by them in common; and in addition, lists the above Zaibatsu trade names specifically for prohibition.

5. On 21 September 1949, pursuant to this provision of the Law, the Holding Company Liquidation Commission issued orders to approximately 710 companies in the Mitsubishi, Mitsui, and Sumitomo chains of capital. These companies are now complying with the orders issued to them and are in the process of canceling their existing trade names and trade-marks and effecting new trade name and trade-mark registration in order to distinguish them from and eliminate their old Zaibatsu ties.

6. The Mitsubishi, Mitsui and Sumitomo companies are in some instances competitive with the companies which are listed in paragraphs 2 and 3, above, and which have not yet received orders despite the fact that they carry the Zaibatsu names specifically listed in said Article 14 of Imperial Ordinance No. 567 of 1946. Some companies bearing the first-mentioned names complain that the Holding Company Liquidation Commission has acted to their competitive prejudice and disadvantage in failing to carry out its functions and duties.

7. Issuance of appropriate orders by the Holding Company Liquidation Commission will not, by reason of the application of the provisions of Cabinet Orders Nos. 7 and 8 of 1950, affect non-Zaibatsu companies whose trade names and trade-marks were registered prior to 1 September 1945.

8. In order to comply with SCAP direction as implemented by the Japanese Government and as expressed in Article 14 of Imperial Ordinance No. 567 of 1946, and in order to carry out impartially and properly the functions and duties of the Holding Company Liquidation Commission pur-

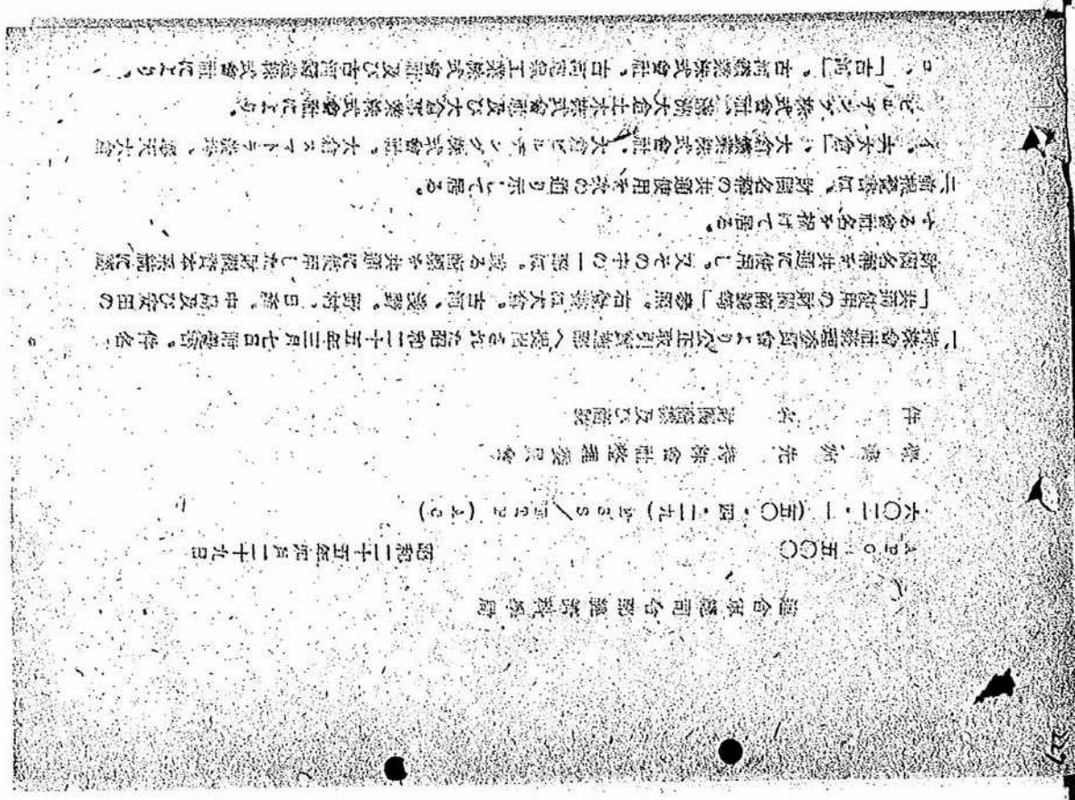
226

602.1(29 Apr 50(ESS/FTP)
Subj: Zaibatsu Trade-Marks and Trade Names

suant to such direction and implementation, the Holding Company Liquidation Commission should issue appropriate orders under said Article 14 to the companies listed in paragraphs 2 and 3, above, and to other companies in their Zaibatsu chains of capital.

9. It is requested that the Chairman of the Holding Company Liquidation Commission report to Chief, ESS/FTP(AC) immediately upon taking the initial steps required in order to comply with this Memorandum.

EDWARD C. WELSH
Chief, Fair Trade Practices Division (AC)



連合軍総司令部経済科学局

APO五〇〇　　　　　　　　　　　　昭和二十五年五月二十九日

六〇二・一（五〇・四・二七）[illegible]（AC）

宛　先　持株会社整理委員会

件　名　財閥名称及び商標

一、持株会社整理委員会より公正取引委員会へ提出された昭和二十五年三月十七日付書類、件名「共同使用の商標権登録」参照、旧財閥は大倉、古河、浅野、野村、日産、中島及び安田の旧財閥名称を共同に使用し、又その中の一部は、或る財閥が共同に使用した旧財閥持株会社に属する会社名を冠せて居る。

二、調査結果は、該財閥名称の共同使用を次の通り示して居る。

イ、「大倉」は大倉鉱業株式会社、大倉ビルヂング株式会社、大倉[illegible]株式会社、[illegible]ビルヂング株式会社、満洲大倉土木株式会社及び大倉商事株式会社により、

ロ、「古河」は古河鉱業株式会社、古河電気工業株式会社及び古河産業株式会社により、

又、英字及び日本字の「日産」の商標、

一日産化学工業株式會社、日産自動車株式會社、日本水産株式會社、日産農林工業株式會社、及び日本油脂株式會社に対し、

四一九四六年（昭和二十一年）勅令第五百六十七號第十四條は特殊會社整理委員會が財閥特殊會社及び其の子會社に對し、それらにより共通に使用される商號及び商標の使用を禁止する指令を通達することを規定し、更に前記の財閥商號を特に禁止すべきものとして掲げて居る。

五法律のこの規定に基き特殊會社整理委員會は、一九四九年九月十二日、三菱、三井及び住友資本系統の約七百十社に對し、指令を通達した。

これらの會社は目下指令に應じつゝあつて、財閥關係を斷切し、分離するために在來の商號及び商標を取捨し、新しい商號及び商標を開発する手續を採りつゝある。

六、三菱、三井及び住友の各社はある場合、前第二、三項に掲げられ、且つ一九四六年（昭和二十一年）勅令第五百六十七號第十四條に特に掲げられた財閥商號を用ゐることによる不利益な指令を受けていない會社と競爭關係にある。

前者の名稱を有する會社のあるものは、特殊會社整理委員會がその機能及び職務の遂行を含むことにより、後者に對し競走上損害及び不利益を與へたと訴へている。

七、持株會社整理委員會による適當な指令の通達は、一九五〇年（昭和二十五年）政令第七號及び第八號の規定の適用により、一九四五年（昭和二十年）九月二日以前にその商號及び商標が登記せられた非財閥會社には、影響を及ぼさない。

八、日本政府により法規化され、一九四六年（昭和二十一年）勅令第五百六十七號第十四條に示された連合軍最高司令官の指令に從い、且つ右指令及び法規に基く持株會社整理委員會の機能及び職務を、公平且つ適正に遂行するために、持株會社整理委員會は、二項、第三項に掲げられた會社及びその他の右財閥資本系統に屬する會社に對し、右勅令第十四條に基き適當な指令を通達すべきである。

九、此の要請を遂行するために要する手續を開始次第、持株會社整理委員會委員長は公正取引實施部長宛報告するよう要請する。

公正取引實施部

部長　エドワード・シー・ウエルシエ

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(5 Jun 50)ESS/FTP(AC)　　　　5 June 1950

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. Reference is made to my memorandum of 29 April 1950 advising you to "issue appropriate orders under said Article 14 to the companies listed in paragraphs 2 and 3 above, ...". Such memorandum further "requested that the Chairman of the Holding Company Liquidation Commission report to Chief, ESS/FTP(AC), immediately upon taking the initial steps required in order to comply with the memorandum".

2. This is now 5 June 1950.

3. The Supreme Commander, while permitting a one year extension in the implementation schedule of orders issued to the Mitsui, Mitsubishi, and Sumitomo companies in the matter of trade marks and names, has likewise and concurrently reaffirmed the policy itself.

4. You are hereby instructed to complete the issuance of orders in this program, as outlined in reference memorandum in paragraph 1 above. Such orders will contain the same time factor as has been accorded those companies whose orders have just recently been amended.

5. To avoid further delay and to eliminate compounding existing uncertainty, you are advised to hold a special meeting of the Commission, prior to 10 June 1950, in order to formalize the action requested above.

EDWARD C. WELSH
Chief, Fair Trade Practices (AC) Division

受付
25. 6. -5
総務部

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(5 Jun 50)ESS/FTP(AC) 5 June 1950

MEMORANDUM FOR: Holding Company Liquidation Commission

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. Reference is made to my memorandum of 29 April 1950 advising you to "issue appropriate orders under said Article 14 to the companies listed in paragraphs 2 and 3 above, ...". Such memorandum further "requested that the Chairman of the Holding Company Liquidation Commission report to Chief, ESS/FTP(AC), immediately upon taking the initial steps required in order to comply with the memorandum".

2. This is now 5 June 1950.

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5. To avoid further delay and to eliminate compounding existing uncertainty, you are advised to hold a special meeting of the Commission, prior to 10 June 1950, in order to formalize the action requested above.

EDWARD C. WELSH
Chief, Fair Trade Practices (AC) Division

231

連合軍最高司令部経済科学局

昭和二十五年六月五日

AG〇〇四
六〇二・一（五〇・六・五）ESS／ATT（AC）

受領先　持株会社整理委員会
件　　名　財閥商標及び商号

一、「・・・・書簡第二項、第五項に掲げられた　会社・・・・に関し右覚書第十四条に基き適当な指令を発すべきである」と勧告した一九五〇年（昭和二十五年）四月二十九日小官覚書参照。その覚書は更に「其の覚書を遂行するために要する手続を開始次第、持株会社整理委員会委員長は公正取引課課長宛報告するよう要請」してある。

二、本日は一九五〇年（昭和二十五年）六月五日である。

三、連合軍最高司令官は、三井、三菱及び住友関係会社に関し商標及び商号の件に関し発した指令の履行期限の一年間の延長を許容はしたが、他方同時に政策自体を再確認した。

貴官に対し前記第一項の参照覚書に示された本計画による指令の発出を完了する様指令する。

232

昭和二十五年六月十日

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

9 June 1950

602.1(9 Jun 50)ESS/FTP

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Zaibatsu Trade-Marks and Trade Names

1. The Commission was requested in Memorandum of 5 June 1950 to hold a special meeting prior to 10 June 1950 in order to formalize the action of issuance of trade-mark-trade name orders with respect to the remaining designated Zaibatsu names and marks.

2. This is to formally advise the Commission that such action should be postponed until further notice.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

RODERICK M. GILLIES
Acting Chief,
Fair Trade Practices Division

連合軍總司令部經濟科學局

昭和二十五年六月九日

文〇二・一（五〇・六・九）ESS／FTP

覺書宛先　持株會社整理委員會

件　名　財閥商標及び商號

一、持株會社整理委員會は、昭和二十五年六月五日附覺書によつて、殘余の指定財閥の商號及び商標に關する指示の通達を公式化する爲に六月十日以前に臨時委員總會を開く事を要求されて居た。

二、この措置は追つて通知するまで延期するよう委員會に正式に通告する。

經濟科學局長に代り

公正取引實施部長事務取扱

R・M・ギリース

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1 (5 Jan 51)ESS/FTP

5 January 1951

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Delegation of Authority under Law No. 207 of 1947 to the Public Utilities Commission

General Headquarters, Supreme Commander for the Allied Powers, offers no objection to delegation of authority by the Holding Company Liquidation Commission, in accordance with Article 20 of Law No. 207 of 1947, to the Public Utilities Commission, effective 8 January 1951.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Roderick M. Gillies

RODERICK M. GILLIES
Chief, Fair Trade Practices Division

庫令書

令和○○年○○月○○日

○○○○殿

内閣総理大臣

内閣官房長官

内閣法制局長官

内閣官房副長官

内閣人事局長

内閣官房内閣人事局

人事管理官

内閣官房内閣人事局人事管理官

内閣法制局第一部長

内閣法制局第二部長

内閣法制局第三部長

内閣法制局第四部長

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GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1 (15 Mar 51)ESS/FTP 15 March 1951

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation of Holding Companies

No objection is offered to cancellation of the designation of twenty-seven (27) Holding Companies under Imperial Ordinance No. 233 of 1946 as outlined in the Commission's communication dated 13 March 1951, HCLC No. 1075.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Roderick M. Gillies

RODERICK M. GILLIES
Chief, Fair Trade Practices Division

237

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(4 May 51)ESS/FTP 4 May 1951

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Applications Submitted under Imperial Ordinance No. 233 of 1946

Effective immediately the Holding Company Liquidation Commission need not forward to Economic and Scientific Section, Fair Trade Practices Division for consideration applications submitted by designated holding companies under Imperial Ordinance No. 233 of 1946. Until such time as there is closure of the proceedings, such applications should be acted upon by the Commission in accordance with previously established principles.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Roderick M. Gillies
RODERICK M. GILLIES
Chief, Fair Trade Practices Division

連合軍最高司令官総司令部
法務局

昭和二十六年五月四日

APO五〇〇

六〇二・一（一九五一・五・四）

宛先　持株会社整理委員会

件名　昭和二十一年勅令第二百三十三號に基く異議申立の件

貴委員会は、昭和二十一年勅令第二百三十三號に基く指定持株会社から提出されたる異議申立書、並びに法務局の意見書に対する貴委員会の意見を求めることを要したが、貴委員会は、この問題に関する世界法学者の意見を求めるべきものである。

法務局意見書について

公正取引事務局

連合国軍最高司令官
ポール・ヒ・ヒッチャー

239

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1 (25 Nov 50)ESS/FTP 25 November 1950

MEMORANDUM TO: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Proposed Merger of Three Forestry Second Companies of Sumitomo Honsha

1. Reference is HCLC Memorandum No. 974, Slip No. 1961, dated 19 July 1950, Subject: Application for Permission for Merger and Increase of Capital from Three Forestry Second Companies of Sumitomo Honsha.

2. Based upon data contained in reference application, opinion obtained from the Fair Trade Commission, and in consideration of the difficulty of disposal by Holding Company Liquidation Commission of shares of stock of the said second companies, no objection is offered to permitting those companies to hold shareholder meetings to vote on the proposed merger.

3. All minority shareholders are to be given specific and timely notice of the meetings which should held at locations readily accessible to such minority shareholders. A report of any objections to the mergers raised by any shareholders shall be presented to the Fair Trade Practices Division of Economic and Scientific Section immediately subsequent to conclusion of the shareholder meetings.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION:

Roderick M. Gillies
RODERICK M. GILLIES
Chief, Fair Trade Practices Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(18 Apr 49)ESS/AC 18 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Petition of Dai Nippon Biiru K.K. for Modification of Final Order Issued under Law No. 207

1. Petition, dated 12 April 1949, filed by Dai Nippon Biiru K.K. for modification of HCLC Final Order with respect to the division of assets of Nippon Garasu K.K. and HCLC recommendations with respect thereto were transmitted to the Deconcentration Review Board.

2. This division was notified, under date of 15 April, by the Board that the Board sees no reason for objecting to HCLC's proposal to deny the company's petition.

3. Consequently, the Commission should issue an order of denial on the petition and direct the company to prepare its plan in accordance with the provisions of the Final Order.

EDWARD C. WELSH
Chief, Antitrust and Cartels Division

GENERAL HEADQUARTERS
SUPREME COMMANDER FOR THE ALLIED POWERS
Economic and Scientific Section
APO 500

602.1(19 Apr 49)ESS/AC 19 April 1949

MEMORANDUM FOR: HOLDING COMPANY LIQUIDATION COMMISSION

SUBJECT: Cancellation of Designation under Law No. 207 of 1947 - Katakura Kogyo K.K., Toyo Koatsu Kogyo K.K., Mitsui Kagaku Kogyo K.K., Showa Denko K.K., Mitsubishi Kasei Kogyo K.K., Nisshin Kagaku Kogyo K.K.

1. Supplementing paragraph 2 of Memorandum for the Holding Company Liquidation Commission from E. C. Welsh, Chief, Antitrust and Cartels Division, Economic and Scientific Section, dated 13 April 1949, same subject, the Holding Company Liquidation Commission is hereby advised of certain recommendations of the Deconcentration Review Board in connection with the above cancellations of designation and of certain other factors which were considered by the Board in arriving at its recommendations. These are transmitted to the Holding Company Liquidation Commission for its guidance and for recommendation to the Fair Trade Commission, as the case may be:

a. Katakura Kogyo Kabushiki Kaisha. The Board presumes that whatever contracts and agreements now exist between the company and others will be made to conform to the present Japanese laws and Occupation directives. It also presumes that all of the company's holdings in other corporations have been taken over by the HCLC.

b. Toyo Koatsu Kogyo Kabushiki Kaisha. The Board states that as a restricted concern, Toyo will be required to submit a plan to the HCLC for the disposition of its security holdings in other companies. The Board also states that the company's activities in the future will be subject to the Anti-Monopoly Law and the Trade Association Law, that the company's connection with the Mitsui Zaibatsu has been severed under other laws and ordinances, and that some of the company's shares formerly owned by Mitsui interests are now in the hands of the Minister of Finance. The Board presumes that the Japanese Government will dispose of these shares in connection with the reorganization of the company under Law No. 40.

c. Mitsui Kagaku Kogyo Kabushiki Kaisha. The Board states that the HCLC has disposed of or is disposing of all the stock of the company formerly owned by the Mitsui interests as well as other securities owned by the company. Restraints of trade resulting from control association connections and cartel agreements have been or are being removed in compliance with post-war Japanese laws and ordinances or Occupation directives. The Board also states that the Amagasaki and Nishinari plants formerly were independent companies and were acquired by Mitsui as the

602.1(19 Apr 49)ESS/AC, 19 April 1949
subj: Cancellation of Designation under Law No. 207 of 1947 - Katakura Kogyo K.K., Toyo Koatsu Kogyo K.K., Mitsui Kagaku Kogyo K.K., Showa Denko K.K., Mitsubishi Kasei K.K., Nisshin Kagaku Kogyo K.K.

result of forced mergers during the war; that, although the files indicate that as late as February 1948 the former owners of the Amagasaki plant wished to recover their property, no provision is made in the reorganization plan to return the plants acquired by war-time merger to their former owners.

d. Showa Denko Kabushiki Kaisha. The Board recommends that the files on this company be referred by the HCLC to the Fair Trade Commission with the recommendation that the company be required to cancel or revise any contracts or agreements which it may have with other companies or associations which may be contrary to the provisions of the Anti-Monopoly or Trade Association Laws.

e. Mitsubishi Kasei Kogyo Kabushiki Kaisha. The Board recommends that the HCLC refer the files on this company to the Fair Trade Commission with the recommendation that the company be required to cancel or revise any contracts or agreements which it may have with other companies or associations that are in conflict with the provisions of the Anti-Monopoly or Trade Association Laws, and to take whatever action that may be necessary with respect to the exclusive use of patent rights required in the manufacture of glass.

f. Nisshin Kagaku Kogyo Kabushiki Kaisha. The Board recommends that the files on this company be transferred by the HCLC to the Fair Trade Commission with the recommendation that the company be required to cancel or revise any contracts or agreements that it may have with other companies or associations that may be contrary to the provisions of the Anti-Monopoly or Trade Association Laws.

The Board has also considered the fact that Nisshin's contracts under which it operates the business of the Sumitomo Joint Electric Power Company and the Sumitomo Aluminum Reduction Company will be subject to the Anti-Monopoly Law. The Board also states that Nisshin's present holdings of securities will be disposed of pursuant to HCLC regulations and that the relationships with the Sumitomo interests are being dissolved.

2. It is requested that the Commission present to ESS/AC its specific proposals for effectuating recommendations of Board as set forth in the preceding sub-paragraphs.

FOR THE CHIEF, ECONOMIC AND SCIENTIFIC SECTION

EDWARD C. WELSH
Chief, Antitrust and Cartels Division