

Minimum Wage Act

(Act No. 137 of April 15, 1959)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of this Act is to improve the working conditions of low-paid workers by guaranteeing a minimum level of wage for them, thereby contributing to securing the worker's livelihoods, the improvement of the quality of the labor force, and ensuring fair business competition as well as to the sound development of the national economy.

(Definitions)

Article 2 In this Act, the meanings of the terms set forth in the following items shall be as prescribed respectively in those items:

- (i) The term "worker" means workers as prescribed in Article 9 of the Labor Standards Act (Act No. 49 of 1947) (excluding those employed by businesses or offices which only employing only relatives living together and household employees);
- (ii) The term "employer" means employers as prescribed in Article 10 of the Labor Standards Act;
- (iii) The term "wage" means the wage prescribed in Article 11 of the Labor Standards Act.

Chapter II Minimum Wages

Section 1 General Provisions

(Minimum Wage Rate)

Article 3 The minimum wage rate (meaning the amount of wages set as the minimum wages; the same shall apply hereinafter) shall be set by the hour.

(Effect of Minimum Wages)

Article 4 (1) Employers shall pay wages of not less than the minimum wage rate to whom minimum wages are applicable.

(2) A labor contract between workers to whom minimum wages are applicable and their employer, which stipulates wages less than the minimum wages rate shall be invalid with respect to such portions. In such cases, the invalid portions shall be deemed to provide for wages equal to the rate of the minimum wages.

- (3) The following wages shall not be included in the wages prescribed in the preceding two paragraphs:
- (i) Wages other than those paid for each period not exceeding one month defined by the Ordinance of the Ministry of Health, Labour and Welfare;
 - (ii) Wages other than those normally paid for working hours or working days defined by the Ordinance of the Ministry of Health, Labour and Welfare;
 - (iii) Wages prescribed not to be included in the minimum wages.
- (4) In cases where a worker does not work prescribed working hours or working days for personal reasons or in cases where an employer keeps a worker from working prescribed working hours or days under justifiable grounds, the provisions of paragraphs (1) and (2) shall not preclude an employer from not paying wages for the hours or days the worker has not worked.

(Valuation of Benefits in Kind, etc.)

Article 5 In cases where wages are paid in something other than currency or in cases where the cost of items, such as meals, provided by an employer to his/her workers are deducted from their said worker's wages, such things shall be properly valued with regard to the application of minimum wages.

(Conflict of Minimum wages)

- Article 6 (1) If two or more different minimum wages are applicable to a worker, the provisions of Article 4 shall apply based on the highest minimum wages rate.
- (2) In the case referred to in the preceding paragraph, the provisions of paragraph (1) of Article 4 and Article 40 shall apply to the regional minimum wages rates prescribed in paragraph (1) of Article 9.

(Special Provisions for the Reduction of Minimum wages)

- Article 7 In cases where an employer has obtained permission from the Director of the Prefectural Labor Bureau as provided for by the Ordinance of the Ministry of Health, Labour and Welfare, the provisions of Article 4 shall apply to the following workers based on the minimum wage rate, deducting the amount obtained by multiplying the minimum wage rate by the rate specified by the Ordinance of the Ministry of Health, Labour and Welfare in consideration of their capability for work or other circumstances:
- (i) Workers who have significantly low capability for work due to mental or physical disability;
 - (ii) Workers serving during a probationary period;
 - (iii) Workers who receive vocational training in basic vocational skills and gain related knowledge conducted with the accreditation set forth in paragraph (1) of Article 24 of the Human Resources Development Promotion Act (Act No.

- 64 of 1969) and who are specified by the Ordinance of the Ministry of Health, Labour and Welfare;
- (iv) Workers specified by the Ordinance of the Ministry of Health, Labour and Welfare, such as workers engaged in light work.

(Obligation to Notify Workers of Minimum Wages)

Article 8 As provided for by the Ordinance of the Ministry of Health, Labour and Welfare, an employer to whom minimum wages apply shall implement measures to notify workers of the general outline of the minimum wages by keep displaying such information in noticeable at all times in the workplace , or through other means.

Section 2 Regional Minimum Wages

(Principles of Regional Minimum Wages)

- Article 9 (1) In order to guarantee the payment of minimum wages level for low-paid workers, regional minimum wages (meaning minimum wages for certain region; the same shall apply hereinafter) shall be set for every region of Japan.
- (2) Regional minimum wages shall be set in consideration of the living expenses of workers, wages of workers and the ordinary enterprises' ability to pay the wages in the region.
- (3) In consideration of the living expenses of workers set forth in the preceding paragraph, the consistency between regional minimum wages and public assistance policies shall be considered to ensure that workers can maintain the minimum standards of wholesome and cultured living.

(Decision on Regional Minimum Wages)

- Article 10 (1) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau shall call for study and deliberation by the Central Minimum Wage Council or the Local Minimum Wage Council (hereinafter referred to as the "Minimum Wage Councils") and decide on regional minimum wages for each region based on the opinion thereof.
- (2) In cases where the Minimum Wage Council submits its opinions pursuant to the Provisions of the preceding paragraph, The Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau shall call for re-deliberation to the Minimum Wage Council with his/her reason, when he/she finds it difficult to act in accordance with the opinions..

(Objections to the Opinions of Minimum Wage Councils)

- Article 11 (1) As provided for by the Ordinance of the Ministry of Health, Labour and Welfare, the Minister of Health, Labour and Welfare or the Director of the

Prefectural Labor Bureau shall give public notice of the gist of the opinions submitted by the Minimum Wage Council pursuant to the provisions of paragraph (1) of the preceding Article.

- (2) Workers in the region pertaining to the opinions of a Minimum Wage Council under the provisions of paragraph (1) of the preceding Article or employers employing such workers may file an objection with the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau within 15 days from the date of public notice pursuant to the provisions of the preceding paragraph.
- (3) When the objection pursuant to the provisions of the preceding paragraph has been raised, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau shall seek the opinions of the Minimum Wage Council with regard to the objection.
- (4) The Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau may not make the decision to set the regional minimum wage set forth in paragraph (1) of the preceding Article until 15 days have elapsed from the date of public notice pursuant to the provisions of paragraph (1). The same shall apply until the Minimum Wage Council submits its opinion pursuant to the provisions of the preceding paragraph concerning a filed objection pursuant to the provisions of paragraph (2).

(Revisions, etc. to Regional Minimum Wages)

Article 12 The Minister of Health, Labour and Welfare or the Director of the Prefectural Labour Bureau shall decide either to revise or abolish regional minimum wages in accordance with the procedure to decide on it in case the minister or director deemed necessary in consideration of the living expenses, wages of workers and the ordinary enterprises' ability to pay the wages in the regions accordingly.

(Regional Minimum Wages for Dispatched Workers)

Article 13 The provisions of Article 4 shall apply to dispatched workers prescribed in paragraph (1) of Article 44 of the Act for Securing the Proper Operation of Worker Dispatching Undertakings and Improved Working Conditions for Dispatched Workers (Act No. 88 of 1985) (referred to as "dispatched workers " in Article 18) on the basis of the set regional minimum wages rate for the region, where the workplace of the client engaged in the undertaking is located (meaning the client engaged in the undertaking prescribed in paragraph (1) of Article 44 thereof; the same shall apply in Article 18).

(Public Notice and Effectuation of Regional Minimum Wages)

Article 14 (1) In cases where the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau has made a decision on matters with regard to theregional minimum wages, he/she shall give public notice of the decided matters provided for by the Ordinance of the Ministry of Health, Labour and Welfare.

(2) A decision on regional minimum wages under the provisions of paragraph (1) of Article 10 and a decision to revise regional minimum wages under the provisions of Article 12 shall become effective on the day on which 30 days have elapsed from the date of public notice pursuant to the provisions of the preceding paragraph (or any other day specified by such decision which comes after the day on which 30 days have elapsed from the date of public notice). A decision to abolish regional minimum wages under the provisions of Article 12 shall become effective on the date of public notice pursuant to the provisions of the preceding paragraph (or any other day specified by such decision which comes after the date of public notice).

(Decisions on Specified Minimum Wages, etc.)

Article 15 (1) As provided for by the Ordinance of the Ministry of Health, Labour and Welfare, a person who represents all or part of workers or employers may request the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau to decide on a minimum wage for a certain kind of business or occupation which is applicable to such workers or employers (hereinafter referred to as a "specified minimum wage"), or to decide to revise or abolish a current specified minimum wage applicable to such workers or employers.

(2) The Minister of Health, Labour and Welfare or the Directors of the Prefectural Labour Bureau may call for study and deliberation by the Minimum Wage Council and decide on specified minimum wages pertaining to the request, or decide to revise or abolish the specified minimum wages pertaining to the request based on the opinion thereof when the minister or director deemed necessary, in cases where the request pursuant to the provisions of preceding paragraph has been made.

(3) The provisions of paragraph (2) of Article 10 and Article 11 shall apply mutatis mutandis to cases where the Minimum Wage Council submits its opinions pursuant to the provisions of the preceding paragraph. In this case, the term "region" in paragraph (2) of Article 11 shall be deemed to be replaced with "business or occupation."

(4) In the event that the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau makes a decision pursuant to the provisions of paragraph (2), in cases where a request is made pursuant to the provisions of paragraph (2) of Article 11, as applied mutatis mutandis pursuant to the

preceding paragraph, the minister or director may suspend the application of the relevant specified minimum wage within a certain scope of business for a limited period of time, or decide on a different rate for the relevant specified minimum wage, based on the opinion of the Minimum Wage Council under the provisions of paragraph (3) of Article 11, as applied mutatis mutandis pursuant to the preceding paragraph.

(5) The provisions of paragraph (2) of Article 10 shall apply mutatis mutandis to cases where the Minimum Wage Council submits its opinions pursuant to the provisions of the preceding paragraph.

Article 16 The rate of a specified minimum wage decided on or revised pursuant to the provisions of paragraph (2) of the preceding Article shall exceed the regional minimum wages rate established for the region where the workplace of the employer to whom such specified minimum wage is applicable.

Article 17 Notwithstanding the provisions of paragraphs (1) and (2) of Article 15, the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau may decide to abolish specified minimum wages decided on or revised pursuant to the provisions of paragraph (2), thereof in accordance with the procedure to decide on the specified minimum wages in cases where said specified minimum wages decided on or revised are found to be significantly inappropriate .

(Specified Minimum Wages for Dispatched Workers)

Article 18 In cases where a specified minimum wage applies to the same type of business as the client undertakings of a dispatched worker , or to the occupation of workers carrying out the same type of work as dispatched workers employed at the same workplace, the provisions of Article 4 shall apply to said dispatched worker on the basis of the rate of the specified minimum wage .

(Public Notice and Effectuation of Specified Minimum Wages)

Article 19 (1) In cases where the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau has made a decision on matters with regard to specified minimum wages , the minister or director shall give public notice of the decided matters provided for by the Ordinance of the Ministry of Health, Labour and Welfare.

(2) A decision on a specified minimum wage under the provisions of paragraph (2) of Article 15 and a decision to revise specified minimum wages thereunder shall become effective on the day on which 30 days have elapsed from the date of public notice pursuant to the provisions of the preceding paragraph (or any

other day specified by such decision which comes after the day on which 30 days have elapsed from the date of public notice). A decision to abolish specified minimum wages under the provisions of paragraph (2) of Article 15 and Article 17 shall become effective on the date of public notice pursuant to the provisions of the preceding paragraph (or any other day specified by such decision which comes after the date of public notice).

Chapter III Minimum Wage Councils

(Establishment)

Article 20 A Central Minimum Wage Council shall be established in the Ministry of Health, Labour and Welfare, and Local Minimum Wage Councils shall be established in the relevant prefectural labor bureaus.

(Authority)

Article 21 Minimum Wage Councils shall take charge of matters within their authority under the provisions of this Act. The Local Minimum Wage Councils may study and deliberate on important matters concerning minimum Wages in response to consultation by the director of the prefectural labor bureau, and may propose the matters necessary for minimum wages to the Director of the Prefectural Labor Bureau.

(Organization)

Article 22 As provided for by the Cabinet Order, Minimum Wage Councils shall be composed of members representing workers , members representing employers , and members representing public interest in equal numbers.

(Council Members)

- Article 23 (1) Council members shall be appointed by the Minister of Health, Labour and Welfare or the Director of the Prefectural Labor Bureau as provided for by Cabinet Order.
- (2) The term of office of a council member shall be two years; provided, however, that the term of office of a council member appointed to fill a vacancy shall be the remaining term of said council member's predecessor.
- (3) A council member whose term of office expires shall continue to perform duties until said council member's successor is appointed.
- (4) A council member shall serve on a part-time basis.

(Chairpersons)

- Article 24 (1) Minimum Wage Councils shall have a chairperson.
- (2) The chairperson of a Minimum Wage Council shall be elected by council

members from among members who represent the public interest.

(3) The chairperson of a Minimum Wages Council shall preside over its affairs.

(4) In cases where the chairperson of a Minimum Wages Council is unable to perform his/her duties, a person pre-elected in accordance with the same procedure as the procedure set forth in paragraph (2) shall act on behalf of said chairperson.

(Expert Committees, etc.)

Article 25 (1) If necessary, a Minimum Wage Council may set up an expert committee for the study and deliberation of technical matters concerning a certain type of business or occupation.

(2) Minimum Wage Councils shall set up an expert committee in cases where requested to study and deliberate on a decision to set minimum wages or a decision to revise minimum wages.

(3) As provided for by the Cabinet Order, an expert committee shall be composed of members representing relevant workers, members representing relevant employers, and members representing the public interest in equal numbers.

(4) The provisions of paragraphs (1) and (4) of Article 23 and the preceding Article shall apply mutatis mutandis to expert committees.

(5) As provided for by Ordinance of the Ministry of Health, Labour and Welfare, a Minimum Wage Council shall hear the opinions of the relevant workers and relevant employers in cases where it studies and deliberates on a decision to set minimum wages or a decision to revise or abolish minimum wages.

(6) In addition to what is provided for in the preceding paragraph, a Minimum Wage Councils shall hear the opinions of the relevant persons such as relevant workers and relevant employers in cases deemed necessary for deliberation.

(Delegation to Cabinet Order)

Article 26 In addition to what is provided for in this Act, other necessary matters for Minimum Wage Councils shall be prescribed by Cabinet Order.

Chapter IV Miscellaneous Provisions

(Support)

Article 27 The government shall endeavor to provide employers and workers with the relevant materials and other support necessary for the smooth implementation of the minimum wages system.

(Surveys)

Article 28 The Minister of Health, Labour and Welfare shall endeavor to ensure the smooth implementation of the minimum wages system by conducting

necessary surveys on wages and other actualities of workers .

(Reports)

Article 29 As provided for by Ordinance of the Ministry of Health, Labour and Welfare, the Minister of Health, Labour and Welfare and the Director of the Prefectural Labor Bureau may order employers or workers to report matters concerning wages within necessary limits to achieve the purpose of this Act.

(Authority, etc.)

Article 30 (1) The authority of the Minister of Health, Labour and Welfare or a Director of the Prefectural Labor Bureau prescribed in paragraph (1) of Article 10, Article 12, paragraph (2) of Article 15, and Article 17 shall be exercised by the Minister of Health, Labour and Welfare for cases related to the jurisdiction districts of two or more prefectural labor bureaus, and cases related only to the jurisdiction district of one prefectural labor bureau designated by the Minister of Health, Labour and Welfare as cases of national importance pursuant to the provisions of the Ordinance of the Ministry of Health, Labour and Welfare.

With regard to cases related only to the jurisdiction district of one prefectural labor bureau (excluding those within the authority of the Minister of Health, Labour and Welfare), such authority shall be exercised by the director of such prefectural labor bureau.

(2) The Minister of Health, Labour and Welfare may order the Director of the Prefectural Labor Bureau to decide to revise or abolish minimum wages decided on by the director in cases where such minimum wages are found to be significantly inappropriate .

(3) The Minister of Health, Labour and Welfare shall hear the opinions of the Central Minimum Wages Council prior to issuing an order pursuant to the provisions of the preceding paragraph.

(4) The provisions of paragraph (2) of Article 10 shall apply mutatis mutandis to cases where the Central Minimum Wage Council submits its opinions pursuant to the provisions of the preceding paragraph.

(Directors of Labor Standards Offices and Labor Standards Inspectors)

Article 31 Directors of labor standards offices and labor standards inspectors shall take charge of affairs related to the enforcement of this Act as provided for by the Ordinance of the Ministry of Health, Labour and Welfare.

(Authority of Labor Standards Inspectors)

Article 32 (1) Labor standards inspectors may enter the workplace of employers to inspect items, such as books and documents, or question the relevant persons within the necessary limits to achieve the purpose of this Act.

- (2) Labor standards inspectors who conduct an on-site inspection pursuant to the provisions of the preceding paragraph shall carry and present to the relevant persons their identification.
- (3) The authority to conduct on-site inspections pursuant to the provisions of paragraph (1) shall not be construed as being granted for criminal investigation purposes.

Article 33 Labor standards inspectors shall perform the duties of judicial police officers under the Code of Criminal Procedure (Act No. 131 of 1948) for offenses concerning violation of the provisions of this Act.

(Reporting to Supervising Bodies)

- Article 34 (1) A worker may report any violation at their workplace of the provisions of this Act or orders given hereunder to the Director of the Prefectural Labor Bureau, the director of a labor standards office, or a labor standards inspector, and request said person to take appropriate measures for rectification.
- (2) An employer shall not dismiss workers or shall not give workers other disadvantageous treatment on the basis of reason of such worker having made a report set forth in the preceding paragraph.

(Special Provisions for Mariners)

- Article 35 (1) The provisions of paragraph (2) of Article 6, Section 2 of Chapter II, Article 16, and Article 17 shall not apply to mariners subject to the Mariners Act (Act No. 100 of 1947) (hereinafter referred to as "mariners").
- (2) With regard to mariners, all matters within the authority of the Minister of Health, Labour and Welfare, directors of prefectural labor bureaus, or directors of labor standards offices, or labor standards inspectors prescribed in this Act shall be performed by the Minister of Land, Infrastructure, Transport and Tourism, directors of district transport bureaus (including directors of transport supervision departments), or officers in charge of the labor affairs of mariners. With regard to mariners, the term "the Ordinance of the Ministry of Health, Labour and Welfare" in this Act shall be deemed to be replaced with "the Ordinance of the Ministry of Land, Infrastructure, Transport and Tourism"; the term "hour" in Article 3 shall be deemed to be replaced with "hour, week, or month"; the term "workers engaged in light work" in item (iv) of Article 7 shall be deemed to be replaced with "workers whose prescribed working hours are particularly short and workers engaged in light work"; the terms "paragraph (2) of Article 15" and "paragraph (2) of Article 15 and Article 17" in paragraph (2) of Article 19 shall be deemed to be replaced with "paragraph (2) of Article 15 and paragraphs (3) and (7) of Article 35" and

"paragraph (2) of Article 15 and paragraph (7) of Article 35," respectively; and the terms "paragraph (1) of Article 10, Article 12, paragraph (2) of Article 15, and Article 17," "the jurisdiction districts of two or more prefectural labor bureaus," and "the jurisdiction district of one prefectural labor bureau" in paragraph (1) of Article 30 shall be deemed to be replaced with "paragraph (2) of Article 15 and paragraphs (3) and (7) of Article 35," "the jurisdiction districts of two or more district transport bureaus or the transport supervision department (for the district transport bureaus specified by the Cabinet Order, excluding the jurisdiction district of the transport supervision department)," and "the jurisdiction district of one district transport bureau or the transport supervision department (for the district transport bureaus specified by the Cabinet Order, excluding the jurisdiction district of the transport supervision department)," respectively.

- (3) The Minister of Land, Infrastructure, Transport and Tourism or the director of a district transport bureau (including the director of the transport supervision department) may call for study and deliberation by the Council for Transport Policy or the council specified by the Cabinet Order to be established in the district transport bureau (hereinafter referred to as the "Council for Transport Policy, etc.") and set a specified minimum wage applicable to mariners based on the opinion thereof in case deemed necessary, in consideration of the living expenses of mariners , the wages of similar mariners , and the ordinary enterprises' ability to pay the wages , in order to improve the working conditions of low-paid mariners.
- (4) The provisions of paragraph (2) of Article 10 and Article 11 shall apply mutatis mutandis to cases where a Council for Transport Policy, etc. submits its opinions pursuant to the provisions of the preceding paragraph. In this case, the term "region" in paragraph (2) of Article 11 shall be deemed to be replaced with "business or occupation".
- (5) In the event that the Minister of Land, Infrastructure, Transport and Tourism or the director of a district transport bureau (including the director of the transport supervision department) makes a decision pursuant to the provisions of paragraph (3), in cases where a request is made pursuant to the provisions of paragraph (2) of Article 11, as applied mutatis mutandis pursuant to the preceding paragraph, said minister or director may suspend the application of the relevant specified minimum wage within a certain scope of business for a limited period, or decide on a different rate of the relevant specified minimum wage, based on the opinions of the Council for Transport Policy, etc. under the provisions of paragraph (3) of Article 11, as applied mutatis mutandis pursuant to the preceding paragraph.
- (6) The provisions of paragraph (2) of Article 10 shall apply mutatis mutandis to cases where a Council for Transport Policy, etc. submits its opinions pursuant

to the provisions of the preceding paragraph.

- (7) The Minister of Land, Infrastructure, Transport and Tourism or the director of a district transport bureau (including the director of the transport supervision department) may decide either to revise or abolish the specified minimum wage applicable to mariners decided on pursuant to the provisions of paragraph (2) of Article 15 or paragraph (3) of this Article in accordance with the procedure to decide on such specified minimum wages in cases which said minister or director deemed necessary in consideration of the living expenses of mariners , the wages of similar mariners , and the ordinary expenses' ability to pay the wages .
- (8) With regard to a dispatched mariner boarding a vessel as prescribed in paragraph (1) of Article 89 of the Mariners' Employment Security Act (Act No. 130 of 1948), in cases where a specified minimum wage applies to the business of the person receiving the services of the dispatched mariner or to the occupation of the same type of mariners employed by the person receiving the services of the dispatched mariner, the provisions of Article 4 shall apply on the basis of the rate of such specified minimum wage.

Article 36 With regard to mariners , matters within the authority of a Minimum Wages Council prescribed in this Act shall be performed by the relevant Council for Transport Policy, etc.

Article 37 (1) If necessary, a Council for Transport Policy, etc. may set up an expert committee for minimum wages to have it study and deliberate on technical matters concerning a certain type of business or occupation.

(2) A Council for Transport Policy, etc. shall set up an expert committee for minimum wages in cases where requested to study and deliberate on a decision to set a minimum wage or a decision to revise minimum wages .

(3) The provisions of paragraphs (5) and (6) of Article 25 shall apply mutatis mutandis to Councils for Transport Policy, etc.

(Delegation to the Ministerial Ordinance)

Article 38 In addition to what is provided for in this Act, the matters necessary for the enforcement of this Act shall be prescribed by the Ordinance of the Ministry of Health, Labour and Welfare.

Chapter V Penal Provisions

Article 39 A person who violates the provisions of paragraph (2) of Article 34 shall be punished by imprisonment with work for not more than six months or a fine of not more than 300,000 yen.

Article 40 A person who violates the provisions of paragraph (1) of Article 4 (limited to regional minimum wages and specified minimum wages applicable to mariners) shall be punished by a fine of not more than 500,000 yen.

Article 41 A person who falls under any of the following items shall be punished by a fine of not more than 300,000 yen:

- (i) A person who violates the provisions of Article 8 (limited to regional minimum wages and specified minimum wages applicable to mariners);
- (ii) A person who fails to give a report or gives a false report pursuant to the provisions of Article 29;
- (iii) A person who refuses, prevents, or evades an entry or inspection, or fails to give an answer or gives a false answer to a question, pursuant to the provisions of paragraph (1) of Article 32.

Article 42 In cases where the representative of a juridical person , or an agent, employee, or other worker of a corporation or individual, commits any of the violations set forth in the preceding three Articles with regard to the business of the juridical person or individual, not only the offender but also the juridical person or individual shall be punished by the fine prescribed in the respective Articles.