

Immigration Control and Refugee Recognition Act

(Cabinet Order No. 319 of October 4, 1951)

Chapter I General Provisions

(Purpose)

Article 1 The purpose of the Immigration Control and Refugee Recognition Act is to provide for fair management over the entry and departure procedures of all persons in Japan, the residence of foreign nationals in Japan, as well as consolidate the recognition procedures of the refugee status.

(Definition)

Article 2 The terms in the following items as used in the Immigration Control and Refugee Recognition Act and the orders pursuant to the Act are to have the meanings as are defined in each item.

(i) Deleted.

(ii) the term "foreign national" means a person who does not have Japanese nationality;

(iii) the term "crew member" means a crew member of a vessel or aircraft;

(iii)-2 the term "refugee" means a refugee who falls under the provisions of Article 1 of the Convention Relating to the Status of Refugees (hereinafter referred to as the "Refugee Convention") or the provisions of Article 1 of the Protocol Relating to the Status of Refugees;

(iv) the term "Japanese consular officer, etc." means a Japanese ambassador, minister or consular officer who is stationed in a foreign country;

(v) the term "passport" means any of the following documents:

(a) a passport, a refugee travel document or any other certificate in lieu of the passport (including a travel certificate issued by a Japanese consular officer, etc.) issued by the Japanese Government, a foreign government recognized by the Japanese Government or any authorized international organization;

(b) a document which is equivalent to one of the documents set forth in sub-item (a), issued by any authorized organization of the region as provided for by Cabinet Order;

(vi) the term "crew member's pocket-ledger" means a mariner's pocket-ledger or any other equivalent document issued to a crew member by an authorized organization;

(vii) the term "human trafficking" means any of the following acts:

(a) the kidnapping, buying or selling of persons for the purpose of profit,

- indecenty or threats to a person's life or body, or transferring, receiving, transporting or hiding persons who have been kidnapped, bought or sold;
- (b) beyond what is provided for in sub-item (a), placing persons under 18 years of age under one's control for the purpose of profit, indecenty or threats to a person's life or body;
- (c) beyond what is provided for in sub-item (a), handing over persons under 18 years of age, knowing that they will be or are likely to be placed under the control of a person who has the purpose of profit, indecenty or threat to their lives or bodies;
- (viii) the term "port of entry or departure" means a seaport or airport at which a foreign national enters or departs from Japan, as provided for by Ministry of Justice Order;
- (ix) the term "carrier" means a person who is engaged in the business of transporting persons or goods by means of vessels or aircraft between Japan and areas outside of Japan;
- (x) the term "immigration inspector" means an immigration inspector as provided in Article 61-3;
- (xi) the term "supervising immigration inspector" means an immigration inspector of a supervisory rank designated by the Commissioner of the Immigration Services Agency;
- (xii) the term "special inquiry officer" means an immigration inspector designated and authorized by the Commissioner of the Immigration Services Agency to hold hearings;
- (xii)-2 the term "refugee inquirer" means an immigration inspector designated by the Commissioner of the Immigration Services Agency to execute the duties prescribed in Article 61-3, paragraph (2), item (ii) (limited to the parts pertaining to Article 22-4, paragraph (2), as applied mutatis mutandis to Article 61-2-8, paragraph (2)) and in item (iii) (limited to the parts pertaining to Article 61-2-14, paragraph (1));
- (xiii) the term "immigration control officer" means an immigration control officer as provided in Article 61-3-2;
- (xiv) the term "investigation into violations" means an investigation conducted by an immigration control officer into violations of laws or regulations upon entry, landing or residence of a foreign national;
- (xv) the term "immigration detention center" means an immigration detention center provided for in Article 30 of the Act for Establishment of the Ministry of Justice (Act No. 93 of 1999);
- (xvi) the term "detention house" means a detention facility provided for in Article 61-6.

(Status of Residence and Period of Stay)

- Article 2-2 (1) Except as otherwise provided in the Immigration Control and Refugee Recognition Act and other laws, a foreign national is to reside in Japan under the status of residence (in the case of the status of residence of "Highly Skilled Professional", including the category of item (i), sub-items (a) through (c) or item (ii) set forth in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2); in the case of the "Specified Skilled Worker" status of residence, including the category of item (i) and (ii) set forth in the right-hand column under "Specified Skilled Worker" of the same Table; in the case of the status of residence of "Technical Intern Training", including the category of item (i), sub-item (a) or (b), item (ii), sub-item (a) or (b) or item (iii), sub-item (a) or (b) set forth in the right-hand column under "Technical Intern Training" of the same Table; the same applies hereinafter) associated with that foreign national's permission for landing, under the status of residence that the foreign national has acquired, or under the status of residence following a change to either of these.
- (2) The categories of status of residence are to be as set forth in the left-hand column of Appended Table I (in the case of the status of residence of "Highly Skilled Professional", including the category of item (i), sub-items (a) through (c) or item (ii) set forth in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2); in the case of the "Specified Skilled Worker" status of residence, including the category of item (i) and (ii) set forth in the right-hand column under "Specified Skilled Worker" of the same Table; in the case of the status of residence of "Technical Intern Training", including the category of item (i), sub-item (a) or (b), item (ii), sub-item (a) or (b) or item (iii), sub-item (a) or (b) set forth in the right-hand column under "Technical Intern Training" of the same Table; the same applies hereinafter) and the Appended Table II. A foreign national residing in Japan under a status of residence set forth in the left-hand column of Table I may engage in the activities set forth in the right-hand column corresponding to that status, while a foreign national residing under a status of residence set forth in the left-hand column of Table II may engage in the activities of a person with the status or position set forth in the right-hand column corresponding to that status.
- (3) The period during which a foreign national may reside as set forth in paragraph (1) (hereinafter referred to as "period of stay") is determined for each status of residence by Ministry of Justice Order; and if the status of residence is one other than that of "Diplomat", "Official", "Highly Skilled Professional" or "Permanent Resident" (in the case of the status of residence of "Highly Skilled Professional", limited to those pertaining to item (ii) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)), the period of stay does not exceed 5 years.

(Basic Policy on Operation of the System Pertaining to the "Specified Skilled Worker" Status of Residence)

Article 2-3 (1) The government must establish a basic policy on the operation of the system pertaining to the status of residence of the "Specified Skilled Worker" (hereinafter referred to as "basic policy") in order to ensure the proper operation of the system pertaining to the "Specified Skilled Worker" status of residence.

(2) The basic policy establishes the following particulars.

(i) the particulars on the significance of the system pertaining to the "Specified Skilled Worker" status of residence;

(ii) the basic particulars on industrial fields that need to supplement a shortage of human resources through the employment of foreign nationals due to the difficulty in securing human resources;

(iii) the basic particulars on human resources required in the industrial fields under the preceding item;

(iv) the basic particulars on adjustment of the administrative affairs of the related administrative organs relating to operation of the system pertaining to the "Specified Skilled Worker" status of residence;

(v) in addition to those particulars set forth in the preceding items, important particulars on operation of the system pertaining to the "Specified Skilled Worker" status of residence.

(3) The Minister of Justice must prepare a draft basic policy and request the approval of the Cabinet.

(4) If the Cabinet approval is received pursuant to the provisions of the preceding paragraph, the Minister of Justice must publish the basic policy without delay.

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to any changes to the basic policy.

(Policy by Field on Operation of the System Pertaining to the "Specified Skilled Worker" Status of Residence)

Article 2-4 (1) The Minister of Justice must, pursuant to the basic policy, establish a policy on the operation of the system pertaining to the "Specified Skilled Worker" status of residence in the industrial fields (hereinafter referred to as "field-specific operation policy") in cooperation with the heads of the administrative organs with jurisdiction over the industrial fields which need to secure human resources to supplement the labor shortage through the employment of foreign nationals owing to the difficulty in securing human resources, the National Public Safety Commission, the Minister of Foreign Affairs and the Minister of Health, Labor and Welfare (hereinafter referred to as the "heads of the administrative organs and others" in this Article) in order to ensure proper operation of the system pertaining to the "Specified Skilled

Worker" status of residence in the applicable industrial field.

- (2) The field-specific operation policy stipulates the following particulars.
 - (i) the industrial fields, which need to secure human resources to supplement the labor shortage through the employment of foreign nationals due to the difficulty in securing human resources, to be specified in the field-specific operation policy;
 - (ii) the particulars on the situation of the shortage of human resources in the industrial fields under the preceding item (including the situation of the region in which there is a shortage of human resources in the applicable industrial field);
 - (iii) the particulars on the criteria for the human resources required in the industrial fields of item (i);
 - (iv) the particulars on the measures for suspension of issuance of the certificates of eligibility or the measures for recommencement of issuance provided for in Article 7-2, paragraph (1) pursuant to the provisions of paragraph (3) and paragraph (4) of the same Article (including cases in which these provisions are applied mutatis mutandis pursuant to paragraph (5) of the same Article) in the industrial fields of item (i);
 - (v) in addition to those particulars set forth in each of the preceding items, important particulars on operation of the system pertaining to the "Specified Skilled Worker" status of residence in the industrial fields of item (i).
- (3) In seeking to establish a field-specific operation policy, the Minister of Justice and the heads of the administrative organs with jurisdiction over the fields must consult the heads of the administrative organs other than the heads of the administrative organs with jurisdiction over the fields and others in advance.
- (4) When a field-specific operation policy has been established, the Minister of Justice and the heads of the administrative organs with jurisdiction over the fields and others must publicly announce the policy without delay.
- (5) The provisions of the preceding two paragraphs apply mutatis mutandis to any changes to the field-specific operation policy.

(Employment Contracts for a Specified Skilled Worker)

Article 2-5 (1) Contracts on employment to be entered into by a foreign national who seeks to engage in the activities set forth in item (i) or item (ii) of the right-hand column under "Specified Skilled Worker" of the Appended Table 1 (2) (hereinafter referred to as the "employment contract for specified skilled workers" in this Article and Chapter IV, Section 1, Subsection 2) with a public or private organization in Japan must conform to the criteria specified in Ministry of Justice Order as having the following particulars properly prescribed.

- (i) the content of the activities to be engaged in by the foreign national based on the employment contract for a specified skilled worker, and particulars concerning employment relationship, such as remuneration for the activities;
 - (ii) in addition to those particulars set forth in the preceding item, measures to secure the departure of foreign nationals whose period of the employment contract for a specified skilled worker has expired, and other particulars necessary to contribute to the proper residence of foreign nationals.
- (2) The criteria specified in the Ministry of Justice Order set forth under the preceding paragraph are to include the fact that discriminatory treatment with regard to decisions on remuneration, implementation of education and training, use of welfare facilities and other treatment on the grounds that the worker is a foreign national is not permitted.
- (3) The public or private organization in Japan that is the other party to an employment contract for a specified skilled worker must conform to the standards specified by Ministry of Justice Order as ensuring the following particulars.
- (i) the proper implementation of the employment contract for specified skilled workers conforming to the provisions of the preceding two paragraphs (referred to as "proper employment contract for a specified skilled worker" in Article 19-19, item (ii));
 - (ii) the proper implementation of the support plan for specified skilled workers
 - (i) provided for in paragraph (6) conforming to the provisions of paragraph (6) and paragraph (7) (hereinafter referred to as "support plan for specified skilled workers (i)" in paragraph (5) and Chapter IV, Section 1, Subsection 2).
- (4) The criteria specified in the Ministry of Justice Order set forth under the preceding paragraph are to include the fact that the public or private organization in Japan set forth under the same paragraph (including officers if the organization is a corporation) has not conducted a wrongful or significantly unjustifiable act in relation to the laws and regulations on immigration or labor within five years prior to the date of entering into the employment contract for a specified skilled worker.
- (5) If the organization of affiliation of the specified skilled worker (meaning the organization of affiliation of specified skilled worker prescribed in Article 19-18, paragraph (1); the same applies hereinafter in this paragraph) has entrusted the implementation of all of the suitable support plan for specified skilled workers (i) to the registered support organization provided for in Article 19-27, paragraph (1) based on a contract, the organization of affiliation of the specified skilled workers is deemed to conform to the provisions of paragraph (3) (limited to the part pertaining to item (ii)).
- (6) A public or private organization in Japan, which seeks to enter into an employment contract for a specified skilled worker, with a foreign national who

seeks to engage in the activities set forth in item (i) of the right-hand column under "Specified Skilled Worker" of the Appended Table I (2) must, pursuant to the Ministry of Justice Order, prepare a plan (hereinafter referred to as "support plan for specified skilled workers (i)" in paragraph (8), Article 7, paragraph (1), item (ii) and Subsection 2) concerning the implementation of support (referred to as "support for specified skilled workers (i)" in the following paragraph and Chapter IV, Section 1, Subsection 2) to be provided by the organization for the foreign national's work life, day-to-day living and social life in order to enable foreign nationals, who intend to engage in the activities set forth in the same item, to engage in their activities stably and smoothly.

- (7) The support plan for specified skilled workers (i) is to include support pertaining to the promotion of exchanges between the foreign national who seeks to engage in the activities set forth in item (i) of the right-hand column under "Specified Skilled Worker" of the Appended Table I (2) and Japanese nationals, and support that enables the foreign national to engage in the activities set forth in the same item based on an employment contract for specified skilled workers with another public or private organization in Japan if the employment contract for specified skilled workers are cancelled through grounds not attributable to the fault of the foreign national.
- (8) The support plan for specified skilled workers (i) must conform to the criteria specified by the Ministry of Justice Order.
- (9) The Minister of Justice is to consult with the heads of the related administrative organs in advance if the Minister seeks to establish the Ministry of Justice Order set forth under paragraph (1), paragraph (3), paragraph (6) and the preceding paragraph.

Chapter II Entry and Landing

Section 1 Entry of a Foreign National

(Entry of a Foreign National)

Article 3 (1) A foreign national who falls under any of the following items must not enter Japan:

- (i) a person who does not possess a valid passport (excluding a crew member who possess a valid crew member's pocket-ledger); or
- (ii) a person who seeks to land in Japan without receiving a seal of verification for landing or undergoing the recording of the prescribed data pursuant to the provisions of Article 9, paragraph (4), or without obtaining authorized permission for landing (hereinafter referred to as "permission for landing, etc."), from an immigration inspector (except for those set forth in the preceding item).

- (2) A foreign national who becomes a crew member in Japan is deemed to be a crew member with regard to the application of the provisions of the preceding paragraph.

Section 2 Landing of a Foreign National

Article 4 Deleted

(Denial of Landing)

Article 5 (1) A foreign national who falls under any of the following items is denied permission to land in Japan:

- (i) a patient with category 1 infectious diseases, category 2 infectious diseases, pandemic influenza or designated infectious diseases provided for by the Act on Prevention of Infectious Diseases and Medical Care for Patients with Infectious Diseases (Act No. 114 of 1998) (limited to infectious diseases to which the provisions of Article 19 or 20 of the same Act applies mutatis mutandis, pursuant to the provisions of a Cabinet Order pursuant to the provisions of Article 7 of the same Act), including a person who is deemed to be a patient of category 1 infectious diseases or category 2 infectious disease, pandemic influenza, or designated infectious diseases pursuant to the provisions of Article 8 of the same Act (including as applied mutatis mutandis pursuant to Article 7 of the same Act), or any person who has symptoms of a new infectious disease;
- (ii) a person who, due to a mental disability, has a habitual condition of being unable to understand right from wrong or whose capacity for understanding is significantly lacking, and is not accompanied by those persons provided for by Ministry of Justice Order for that person's assistance in engaging in activities in Japan;
- (iii) a person who is indigent or without a fixed dwelling place and is likely to become a burden on the Japanese Government or a local public entity because of an inability to make a living;
- (iv) a person who has been convicted of a violation of any law or regulation of Japan or of any other country, and has been sentenced to imprisonment with or without work for 1 year or more, or to an equivalent penalty; provided, however, that this does not apply to those convicted of a political offense;
- (v) a person who has been convicted of a violation of any law or regulation of Japan or of any other country relating to the control of narcotics, marijuana, opium, stimulant drugs or psychotropic drugs, and has been sentenced to a punishment;
- (v)-2 a person who has been convicted of a violation of any law or regulation of Japan or of any other country or has been deported from Japan pursuant to

the provisions of the Immigration Control and Refugee Recognition Act or deported from any other country pursuant to the provisions of any law or regulation of that country for killing, injuring, assaulting or threatening a person, or damaging a building or other objects in relation to the process or results of an international competition or a competition of an equivalent scale or an international conference (hereinafter referred to as "international competition, etc.") or with the intent of preventing the smooth operation thereof, and is likely to kill, injure, assault or threaten a person, or damage a building or other objects in relation to the process or results of an international competition, etc. held in Japan or with the intent of preventing the smooth implementation thereof, at the venue of the international competition, etc. or within the area of the municipality where the venue is located (including special wards, and wards or administratively consolidated wards in designated cities prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947)) or to neighboring places provided for use to unspecified or a large number of persons;

- (vi) a person who illegally possesses any narcotics or psychotropic substances as prescribed in the Narcotics and Psychotropic Control Act (Act No. 14 of 1953), marijuana as prescribed in the Cannabis Control Act (Act No. 124 of 1948), or opium poppy, opium or poppy as prescribed in the Opium Control Act (Act No. 71 of 1954), stimulant drugs or stimulants' raw materials as prescribed in the Stimulants Control Act (Act No. 252 of 1951), or any apparatus used to smoke opium;
- (vii) a person who has engaged in prostitution, or intermediation or solicitation of prostitution, provision of a place for prostitution, or any other business directly connected to prostitution (except for those who have engaged in these businesses under the control of another person due to human trafficking);
- (vii)-2 a person who has committed human trafficking or incited or aided another person to commit human trafficking;
- (viii) a person who illegally possesses firearms, swords or other weapons as prescribed in the Act for Controlling the Possession of Firearms or Swords and Other Weapons (Act No. 6 of 1958) or explosives as provided for by the Explosives Control Act (Act No. 149 of 1950);
- (ix) a person who falls under any of sub-items (a) through (d) for whom the period set forth in the relevant provisions has not yet elapsed:
 - (a) a person who has been denied landing for any of the reasons prescribed in the provisions of either item (vi) or the preceding item: 1 year from the date of denial.
 - (b) a person who has been deported from Japan for any of the reasons set forth in the items under Article 24 (excluding item (iv), sub-items (1)

- through (o), and item (iv)-3) and who has not previously been deported from Japan or has not departed from Japan under a departure order pursuant to the provisions of Article 55-3, paragraph (1), before the aforesaid date of deportation: 5 years from the date of deportation.
- (c) a person (except for the person set forth in sub-item (b)) who has previously been deported from Japan for falling under any of the items of Article 24 (excluding item (iv), sub-items (1) through (o), and item (iv)-3): 10 years from the date of deportation.
 - (d) a person who has departed from Japan under a departure order pursuant to the provisions of Article 55-3, paragraph (1): 1 year from the date of departure;
 - (ix)-2 a person who has been sentenced to imprisonment with or without work on the charge of a crime provided for in Part II, Chapters XII, XVI through XIX, XXIII, XXVI, XXVII, XXXI, XXXIII, XXXVI, XXXVII or XXXIX of the Penal Code (Act No. 45 of 1907), or in Article 1, 1-2 or 1-3 (excluding the parts pertaining to Article 222 or 261 of the Penal Code) of the Act on Punishment of Physical Violence and Others (Act No. 60 of 1926), the Act on the Prevention and Punishment of Burglary, Robbery, Theft, etc. (Act No. 9 of 1930), or Article 15 or 16 of the Act on Prohibition of Possession of Special Picking Tools, and Other Related Matters (Act No. 65 of 2003), or Article 2 or Article 6, paragraph (1) of the Act on Punishment of Acts of Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc. (Act No. 86 of 2013) during their stay in Japan with the status of residence set forth in the left-hand column of Appended Table I, who subsequently left Japan and whose sentence became final and binding while the relevant person was outside of Japan, and for whom 5 years have not yet elapsed from the date that the sentence became final and binding;
 - (x) a person who has been deported from Japan for falling under any of Article 24, item (iv), sub-items (1) through (o);
 - (xi) a person who schemes or advocates the overthrow of the Constitution of Japan or the government formed thereunder by means of force or violence, or who organizes or is a member of a political party or any organization which schemes or advocates the same;
 - (xii) a person who organizes, or is a member of, or is closely affiliated with any of the following political parties or organizations:
 - (a) a political party or organization which encourages acts of violence or the assault, killing, or injury of officials of the government or of local public entities for the reason of being officials;
 - (b) a political party or organization which encourages illegal damage to or destruction of public facilities;
 - (c) a political party or organization which encourages acts of dispute to

interrupt or prevent the normal maintenance or operation of the security facilities of a factory or other workplaces;

(xiii) a person who schemes to prepare, distribute, or exhibit printed particulars, motion pictures, or any other documents or drawings to attain the objectives of any political party or organization prescribed in item (xi) or the preceding item; or

(xiv) other than those persons set forth in items (i) through (xiii), a person whom the Minister of Justice has reasonable grounds to believe is likely to commit an act which could be detrimental to the interests or public security of Japan.

(2) Even if a foreign national seeking to land in Japan does not fall under any of the items of the preceding paragraph, if the country of which the foreign national is a national or citizen denies landing to a Japanese national for any ground other than those set forth in the items of the preceding paragraph, the Minister of Justice may deny their landing for the same ground.

(Special Cases of Denial of Landing)

Article 5-2 Even when there is a specific ground that falls under the provisions of paragraph (1), items (iv), (v), (vii), (ix) or (ix)-2 of the preceding Article for a foreign national, if the Minister of Justice grants the foreign national re-entry permission pursuant to the provisions of Article 26, paragraph (1) or other cases provided for by the provisions of Ministry of Justice Order and if the Minister finds reasonable grounds to do so, the Minister may decide not to deny the foreign national landing in Japan due to only that specific ground.

Chapter III Procedures for Landing

Section 1 Examination for Landing

(Application for Landing)

Article 6 (1) Any foreign national (except for a crew member; hereinafter the same applies in this Section) who seeks to land in Japan must possess a valid passport with a visa issued by a Japanese consular officer, etc.; provided, however, that a visa is not required for the passport of a foreign national for whom a visa issued by a Japanese consular officer, etc. is unnecessary pursuant to an international agreement or through notification to that effect from the Japanese Government to a foreign government for the passport of a person for whom re-entry permission pursuant to the provisions of Article 26, paragraph (1) (including those persons who are deemed to have been granted re-entry permission pursuant to the provisions of Article 26-2, paragraph (1) or Article 26-3, paragraph (1); the same applies hereinafter) has been granted or for the refugee travel document of a person who has been issued a document

pursuant to the provisions of Article 61-2-12, paragraph (1).

- (2) The foreign national set forth in the main clause of the preceding paragraph must apply for landing with an immigration inspector at the port of entry or departure in which the national seeks to land and undergo an examination for landing in accordance with the procedures provided for by Ministry of Justice Order.
- (3) A foreign national who seeks to apply for landing as set forth in the preceding paragraph is to provide an immigration inspector with personal identification information (fingerprints, photographs or other information as provided for by Ministry of Justice Order that serves to identify the individual; the same applies hereinafter) in an electronic or magnetic means (an electronic means, a magnetic means or any other means that cannot be recognized by human perception; the same applies hereinafter) for use by a computer as provided for by Ministry of Justice Order which is utilized for personal identification of the applicant, pursuant to the provisions of Ministry of Justice Order; provided, however, that this does not apply to a person who falls under any of the following items:
- (i) a special permanent resident provided for by the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991) (hereinafter referred to as "special permanent resident");
 - (ii) a person who is under 16 years of age;
 - (iii) a person who seeks to engage in Japan in an activity set forth in the right-hand column under "Diplomat" or "Official" of (1) of the Appended Table I;
 - (iv) a person who is invited by the head of a national administrative organ; or
 - (v) a person provided for by Ministry of Justice Order as equivalent to a person set forth in the two preceding items.

(An Examination by an Immigration Inspector)

Article 7 (1) If the application set forth in paragraph (2) of the preceding Article is filed, an immigration inspector must conduct an examination on whether or not the foreign national conforms to each of the following conditions for landing in Japan (regarding a person who has been granted re-entry permission pursuant to the provisions of Article 26, paragraph (1) or a person who possesses a refugee travel document issued pursuant to the provisions of Article 61-2-12, paragraph (1), only the conditions set forth in the following items (i) and (iv)):

- (i) the passport possessed by the foreign national and the visa affixed thereto must be valid, when a visa is required;
- (ii) the activities stated in the application to be conducted while in Japan are not false, and fall under either of the activities set forth in the right-hand

- column of the Appended Table I (excluding activities set forth in item (ii) of the right-hand column under "Highly Skilled Professional"; regarding the activities set forth in the right-hand column of Appended Table I (5), limited to the activities designated by the Minister of Justice in public notice in advance), or the activities of a person with a status or position set forth in the right-hand column of the Appended Table II (excluding the position set forth in the right-hand column under "Permanent Resident"; regarding the position set forth under "Long-Term Resident," limited to a position designated by the Minister of Justice in public notice in advance), and regarding those who intend to engage in activities set forth in the right-hand column of the Appended Table I (2) and (4), the activities are to conform to the conditions provided for by Ministry of Justice Order in taking into account the impact on Japanese industry and public welfare (regarding foreign nationals who intend to engage in the activities set forth in item (i) of the right-hand column of "Specified Skilled Worker" of the Appended Table I(2), including cases in which the support plan for specified skilled workers (i) conforms to the provisions of Article 2-5, paragraph (6) and paragraph (7));
- (iii) the period of stay stated in the application must conform to the provisions of Ministry of Justice Order pursuant to the provisions of Article 2-2, paragraph (3); or
 - (iv) the foreign national must not fall under any of the items of Article 5, paragraph (1) (in the case of a foreign national for whom the provisions of Article 5-2 are to be applied, due to the specific grounds prescribed in the same Article, the foreign national falls under items (iv), (v), (vii), (ix) or (ix)-2 of the same paragraph, and the foreign national does not fall under any of the items of the same paragraph due to grounds other than the specified grounds; the same applies hereinafter).
- (2) The foreign national subject to the examination set forth in the preceding paragraph must themselves prove that they conform to the conditions for landing prescribed therein. In this case, a foreign national who seeks to engage in an activity set forth in item (i), sub-items (a) through (c) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2) or items (i) or (ii) of the right-hand column of "Specified Skilled Worker" in the same Table must use the certificate of eligibility as provided for in paragraph (1) of the following Article to prove that they conform to the conditions set forth in item (ii) of the preceding paragraph.
- (3) The Minister of Justice is to consult with the heads of the related administrative organs in advance when prescribing the Ministry of Justice Order set forth in paragraph (1), item (ii).
- (4) Notwithstanding the provisions of paragraph (1), if an immigration inspector

acknowledges a foreign national who does not fall under any item of paragraph (3) of the preceding Article and the foreign national fails to provide personal identification information pursuant to the provisions of the same paragraph, the officer must transfer the foreign national to a special inquiry officer for conducting a hearing pursuant to the provisions of Article 10.

(Certificate of Eligibility)

Article 7-2 (1) Upon receiving an advance application from a foreign national seeking to land in Japan (except for those who seek to engage in the activities set forth in the right-hand column corresponding to "Temporary Visitor" specified in Appended Table I (3)), the Minister of Justice, pursuant to the provisions of Ministry of Justice Order, may issue a certificate (hereinafter referred to as "certificate of eligibility") stating that the foreign national conforms to the conditions set forth in Article 7, paragraph (1), item (ii).

(2) The application as set forth in the preceding paragraph may be made by a staff member of the organization that will accept the foreign national, or by other persons prescribed by the Ministry of Justice Order to act as an agent.

(3) If the head of the administrative organ with jurisdiction over the specified industrial field (meaning the "specified industrial fields" provided for in item (i) of the right-hand column under "Specified Skilled Worker" of the Appended Table I (2); hereinafter the same applies in this paragraph and Article 20, paragraph (1)) finds that the necessary human resources in a specified industrial field have been secured based on the field-specific operation policy pertaining to the specified industrial field, the head is to make a request to the Minister of Justice to take measures to temporarily suspend the issuance of certificates of eligibility.

(4) If a request has been made pursuant to the provisions of the preceding paragraph, the Minister of Justice is to take measures to temporarily suspend the issuance of certificates of eligibility based on the field-specific operation policy.

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to cases in which measures to recommence the issuance of certificates of eligibility are taken if measures to temporarily suspend the issuance of certificates of eligibility have been taken. In this case, the term "have been secured" in paragraph (3) is replaced with "are experiencing a shortage", and the term "is to" is replaced with "may" in the preceding two paragraphs.

(Boarding on a Vessel or Aircraft)

Article 8 An immigration inspector may, when conducting an examination set forth in Article 7, paragraph (1), board a vessel or aircraft.

(Seal of Verification for Landing)

- Article 9 (1) If, as a result of the examination, an immigration inspector finds that a foreign national conforms to the conditions for landing prescribed in Article 7, paragraph (1), the inspector must affix a seal of verification for landing permission to the passport of the foreign national..
- (2) In the case referred to in the preceding paragraph, the determination of whether the foreign national falls under Article 5, paragraph (1), item (i) or (ii) must be made subject to a medical examination by a physician designated by the Minister of Health, Labour and Welfare or by the Commissioner of the Immigration Services Agency.
- (3) The immigration inspector, when affixing the seal set forth in paragraph (1), must decide the status of residence and period of stay of the foreign national and clearly state that fact in their passport; provided, however, that this does not apply in cases of a person who has been granted re-entry permission pursuant to the provisions of Article 26, paragraph (1), or a person who possesses a refugee travel document issued pursuant to the provisions of Article 61-2-12, paragraph (1).
- (4) If an immigration inspector has found that a foreign national who falls under all of the following items conforms to the conditions for landing prescribed in Article 7, paragraph (1), the inspector may record the foreign national's name, date of landing, the port of entry or departure at which the foreign national lands and other information as provided by Ministry of Justice Order in a file kept on a computer as provided for by Ministry of Justice Order to be used as a record and in lieu of the seal of verification for landing. In this case, notwithstanding the provisions of paragraph (1) of this Article, the immigration inspector does not have to affix the seal of verification set forth in the same paragraph:
- (i) the foreign national is registered pursuant to the provisions of paragraph (8) (for those persons who are registered as falling under item (i), sub-item (c) of the same paragraph, limited to those who possess a registered user card issued pursuant to the provisions of paragraph (1) or (8) of the following Article); and
 - (ii) the foreign national has provided personal identification information in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order in applying for landing.
- (5) If the immigration inspector records the prescribed data pursuant to the provisions of the preceding paragraph for a foreign national possessing a registered user card issued pursuant to the provisions of paragraph (1) or paragraph (8) of the following Article, the immigration inspector must clearly state that fact in the registered user card.
- (6) Except for cases in which a seal of verification for landing is affixed pursuant

to the provisions of paragraph (1) or in which the prescribed information is recorded pursuant to the provisions of paragraph (4), the immigration inspector must transfer the foreign national to a special inquiry officer for conducting a hearing pursuant to the provisions of Article 10.

- (7) Except for cases in which there are special provisions in Section 4, a foreign national must not land unless they have had a seal of verification for landing affixed to their passport pursuant to the provisions of paragraph (1) of this Article, Article 10, paragraph (8), or Article 11, paragraph (4), or in which they have had their prescribed information recorded pursuant to the provisions of paragraph (4) of this Article.
- (8) If a foreign national residing in Japan seeks to depart from Japan with the intention of re-entering Japan and falls under all of the following items (except for item (iii) in the case of a special permanent resident) and wishes to have their prescribed information recorded pursuant to the provisions of paragraph (4) of this Article at the port of entry or departure at which the foreign national lands, the Commissioner of the Immigration Services Agency may register that fact pursuant to the provisions of Ministry of Justice Order.
- (i) a person who falls under any of the following sub-items (a) to (c):
- (a) a person who has received re-entry permission pursuant to the provisions of Article 26, paragraph (1);
 - (b) a person who possesses a refugee travel document issued pursuant to the provisions of Article 61-2-12, paragraph (1);
 - (c) a person who falls under all of the following (1) to (4):
 - 1. the foreign national seeks to engage in the activities set forth in the right-hand column corresponding to "Temporary Visitor" specified in the Appended Table I (3) in Japan when returning to Japan.
 - 2. the number of times of receiving the seal of verification for landing pursuant to the provisions of paragraph (1) of this Article, Article 10, paragraph (8) or Article 11, paragraph (4), or of the prescribed information being recorded pursuant to the provisions of paragraph (4) of this Article is more than the number of times specified in Ministry of Justice Order;
 - 3. the foreign national has no past record of being deported from Japan or of departing from Japan under a departure order pursuant to the provisions of Article 55-3, paragraph (1); and
 - 4. the foreign national falls under other requirements provided for in Ministry of Justice Order as necessary for impartial immigration control.
- (ii) the foreign national has provided personal identification information in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order; and

(iii) the foreign national does not fall under any of the items of Article 5, paragraph (1) at the time of registration.

(Registered User Card)

Article 9-2 (1) If the Commissioner of the Immigration Services Agency registers the prescribed information on a foreign national who falls under Article (8), item (i), sub-item (c) of the preceding Article pursuant to the provisions of the same paragraph, the Commissioner is to have an immigration inspector issue a registered user card to the foreign national.

(2) The information to be stated in the registered user card are the following:

(i) name, date of birth, sex, country of nationality or the region provided for in Article 2, item (v), sub-item(b);

(ii) the number, date of issuance and expiration date of the validity period, of the registered user card;

(3) In accordance with the provisions of Ministry of Justice Order, the registered user card is to display a photograph of the foreign national registered pursuant to the provisions of paragraph (8) of the preceding Article. In this case, the Commissioner of the Immigration Services Agency may use the photograph that was provided by the foreign national pursuant to the provisions of Article 6, paragraph (3) and other provisions of the laws and regulations prescribed by Ministry of Justice Order.

(4) Beyond what is provided for in the preceding two paragraphs, the format of the registered user card, the particulars to be stated in the registered user card and other necessary particulars regarding the registered user card are to be provided for by Ministry of Justice Order.

(5) The Commissioner of the Immigration Services Agency may record all or a part of the particulars set forth in the items of paragraph (2) and the information which is to be indicated pursuant to the provisions of the paragraph (3) on the registered user card in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order.

(6) The validity period of a registered user card is to be until the date on which three years have passed since the day of issuance or the expiration date of the passport possessed by the foreign national who was issued the registered user card, whichever comes earlier.

(7) A foreign national who has been issued with a registered user card may apply to the Commissioner of the Immigration Services Agency for reissuance of the registered user card through the procedures specified in Ministry of Justice Order if the case falls under any of the following items:

(i) the foreign national no longer has the registered user card in their possession due to loss, theft, destruction or other grounds; or

(ii) the registered user card has been noticeably damaged or soiled, or if the

- record pursuant to the provisions of paragraph (5) has been damaged.
- (8) The Commissioner of the Immigration Services Agency is to have an immigration inspector issue a new registered user card to the foreign national if an application has been filed pursuant to the provisions of the preceding paragraph. With regard to the application of the provisions of paragraph (6) in this case, "the date of issuance" in the same paragraph is replaced with "the date of issuance of the registered user card pursuant to the provisions of paragraph (1) with regard to foreign nationals issued with a registered user card" and "the foreign national who was issued with a registered user card" is replaced with "the foreign national".

Section 2 Hearing and Filing of an Objection

(Hearing)

- Article 10 (1) If a foreign national is transferred to a special inquiry officer pursuant to the provisions of Article 7, paragraph (4) or Article 9, paragraph (6), the special inquiry officer must promptly conduct an oral hearing for the foreign national.
- (2) If the special inquiry officer conducts an oral hearing, its record must be prepared.
- (3) The foreign national or an agent appearing upon their request may, in the course of the oral hearing, produce evidence and interrogate witnesses.
- (4) The foreign national may have the attendance of one of their relatives or acquaintances with the permission of the special inquiry officer.
- (5) The special inquiry officer may, ex officio or upon the request of the foreign national, order the appearance of witnesses, put them under oath and seek testimony in accordance with the procedures provided for by Ministry of Justice Order.
- (6) The special inquiry officer may make inquiries to public offices or to public or private organizations and request necessary facts to be reported, if necessary for the oral hearing.
- (7) If the special inquiry officer finds, as a result of the hearing, that the foreign national who has been transferred to the officer pursuant to the provisions of Article 7, paragraph (4) does not fall under any of the items of paragraph (3) of Article 6, the officer is to promptly notify the foreign national of their findings and order the foreign national to depart Japan, and must also inform the captain of the vessel or aircraft or the aircraft who operates the vessel or aircraft by which the foreign national arrived; provided, however, that this does not apply if the foreign national provides the special inquiry officer with personal identification information in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order.

- (8) If the special inquiry officer finds, as a result of the oral hearing, that the foreign national (in the case of a foreign national who has been transferred to the officer pursuant to the provisions of Article 7, paragraph (4), this only applies to a foreign national who the special inquiry officer finds to under any item of Article 6, paragraph (3) or to a foreign national who provides the special inquiry officer with personal identification information in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order; hereinafter the same applies in paragraph (10)) conforms to the conditions for landing as prescribed in Article 7, paragraph (1), the special inquiry officer must immediately affix the seal of verification for landing to the foreign national's passport.
- (9) The provisions of Article 9, paragraph (3) apply mutatis mutandis to the seal of verification for landing set forth in the preceding paragraph.
- (10) If the special inquiry officer finds, as a result of the oral hearing, that the foreign national does not conform to the conditions for landing prescribed in Article 7, paragraph (1), the officer is to promptly notify the foreign national of their findings and the reasons therefor, and must inform the foreign national that they may file an objection pursuant to the provisions of the following Article.
- (11) If the foreign national, upon receipt of the notice set forth in the preceding paragraph, accepts the findings set forth in the preceding paragraph, the special inquiry officer is to order the foreign national to depart from Japan after the foreign national has signed a statement that they will not file an objection, and must also inform the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft by which the foreign national arrived to that effect.

(Filing of an Objection)

- Article 11 (1) If a foreign national who has received the notice set forth in paragraph (10) of the preceding Article has an objection to the findings, the foreign national may file an objection with the Minister of Justice within 3 days from the receipt of the notice by submitting a document stating the grounds of complaint to the supervising immigration inspector in accordance with the procedures provided for by Ministry of Justice Order.
- (2) If the objection set forth in the preceding paragraph is filed, the supervising immigration inspector must submit to the Minister of Justice the records of the hearing as set forth in paragraph (2) of the preceding Article and other pertinent documents.
- (3) If the Minister of Justice has received the objection pursuant to the provisions of paragraph (1), the Minister must decide whether or not the objection is within reason and notify the supervising immigration inspector of the decision.

- (4) The supervising immigration inspector, upon receiving a notice of decision from the Minister of Justice to the effect that the objection is within reason, must immediately affix the seal of verification for landing to the foreign national's passport.
- (5) The provisions of Article 9, paragraph (3) apply mutatis mutandis to the case of affixing the seal of verification for landing set forth in the preceding paragraph.
- (6) If the supervising immigration inspector has received a notice from the Minister of Justice regarding a decision to the effect that the objection is unreasonable, the Inspector must promptly inform the foreign national of the decision and order them to depart from Japan, and also inform the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft by which the foreign national arrived to that effect.

(Special Cases of Decisions by the Minister of Justice)

Article 12 (1) In making a decision as set forth in paragraph (3) of the preceding Article, the Minister of Justice may grant special permission for landing to the foreign national if they fall under any of the following items, even if the Minister finds that the objection filed is unreasonable:

- (i) the foreign national has been granted re-entry permission;
 - (ii) the foreign national has entered Japan under the control of another person due to human trafficking; or
 - (iii) the Minister of Justice finds that circumstances exist that warrant the granting of special permission for landing.
- (2) Regarding the application of paragraph (4) of the preceding article, the permission set forth in the preceding paragraph is deemed as a decision to the effect that the filed objection was within reason.

Section 3 Provisional Landing and Other Related Particulars

(Permission for Provisional Landing)

- Article 13 (1) If a supervising immigration inspector finds it specifically necessary during the process of the procedures for landing prescribed in this Chapter, the inspector may grant permission for provisional landing to a foreign national until completion of the procedures.
- (2) If the supervising immigration inspector grants the permission set forth in the preceding paragraph, the inspector must issue a provisional landing permit to the foreign national.
 - (3) In granting the permission set forth in paragraph (1), the supervising immigration inspector may impose restrictions on the foreign national's place of residence and scope of activities, impose obligation to appear upon receiving

summons, and other conditions found necessary pursuant to the provisions of Ministry of Justice Order, and have the foreign national pay a deposit for an amount provided for by Ministry of Justice Order not exceeding 2 million yen in Japanese currency or an equivalent amount in a foreign currency.

- (4) The deposit set forth in the preceding paragraph must be returned to the foreign national if the foreign national receives a seal of verification for landing pursuant to the provisions of Article 10, paragraph (8) or Article 11, paragraph (4), or if the foreign national is ordered to depart from Japan pursuant to the provisions of Article 10, paragraph (7) or (11) or Article 11, paragraph (6).
- (5) If the foreign national who has been granted the permission set forth in paragraph (1) has violated the conditions imposed pursuant to the provisions of paragraph (3), and if the foreign national has fled or failed to respond to a summons without legitimate grounds, the supervising immigration inspector is to confiscate the whole or a part of the deposit set forth in the same paragraph pursuant to the provisions of Ministry of Justice Order.
- (6) If the supervising immigration inspector has reasonable grounds to suspect that a foreign national who has been granted the permission set forth in paragraph (1) is likely to flee, the inspector may issue a written detention order and have the foreign national detained by an immigration control officer.
- (7) The provisions of Articles 40, 41 and Article 42, paragraph (1) apply mutatis mutandis to the detention pursuant to the provisions of the preceding paragraph. In this case, "the written detention order set forth in paragraph (1) of the preceding Article" in Article 40 is replaced with "the written detention order set forth in Article 13, paragraph (6)"; "the suspect" with "the foreign national granted permission for provisional landing"; and "the summary of the facts of the suspected offense" with "grounds for detention", respectively. In Article 41, paragraph (1), the passage, "is to be within 30 days; provided, however, if a supervising immigration inspector finds that there are compelling reasons, they may extend the period for an additional 30 days" is replaced with "for a period of time preceding the completion of procedures for landing provided for in Chapter III which the supervising immigration inspector finds to be necessary"; and in paragraph (3) of the same Article and Article 42, paragraph (1), "a suspect" is deemed to be replaced with "a foreign national granted permission for provisional landing."

(Place of Stay for a Foreign National given an Exclusion Order)

Article 13-2 (1) In the event that a special inquiry officer or a supervising immigration inspector orders exclusion pursuant to the provisions of Article 10, paragraph (7) or (11) or Article 11, paragraph (6) respectively, if they find that the foreign national cannot immediately depart from Japan due to the

operating schedule of the vessel or aircraft or for other reasons not attributable to the foreign national, the special inquiry officer or the supervising immigration inspector may permit the foreign national to stay in a designated facility in the vicinity of the port of entry or departure for a designated period, pursuant to the provisions of Ministry of Justice Order.

- (2) The special inquiry officer or the supervising immigration inspector, when they designate the facility and the period set forth in the preceding paragraph, must inform the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft by which the foreign national arrived to that effect.

Section 4 Special Cases of Landing

(Permission for Landing at a Port of Call)

Article 14 (1) An immigration inspector may grant a foreign national (except for crew members) aboard a vessel or aircraft permission for landing at a port of call if the foreign national seeks to go to an area outside of Japan via Japan and wishes to land and stay for not more than 72 hours in an area in the vicinity of the port of entry or departure upon an application from the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft; provided, however, that this does not apply to a foreign national who falls under any of the items of Article 5, paragraph (1) (this excludes the case in which the provisions of Article 5-2 apply to a foreign national who falls under any of the items of Article 5, paragraph (1) based on the specific grounds set forth in Article 5-2 and no other grounds; the same applies hereinafter).

- (2) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding paragraph, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order.

- (3) In granting the permission set forth in paragraph (1), the immigration inspector must affix a seal of verification for landing at the port of call in the passport possessed by the foreign national.

- (4) In granting the permission set forth in paragraph (1), the immigration inspector may impose restrictions on the foreign national's period of landing, scope of activities and other conditions found necessary pursuant to the provisions of Ministry of Justice Order.

(Landing Permission for Cruise Ship Tourists)

Article 14-2 (1) An immigration inspector may grant a foreign national (except for crew members) aboard a designated passenger ship (a passenger ship in service on a route between Japan and an area outside of Japan which is

designated by the Commissioner of the Immigration Services Agency taking into account the fact that measures of verifying the identity of the passengers are appropriately taken and other circumstances; the same applies hereinafter) landing permission for cruise ship tourists upon an application by the captain of the designated passenger ship or the carrier who operates the designated passenger ship, in accordance with the procedures provided for by Ministry of Justice Order, if the foreign national wishes to land and stay for no more than 30 days (7 days for foreign nationals aboard a designated passenger ship in service on a route in which the number of ports of call within Japan is one) until the time of departure from Japan, for the purpose of sightseeing while the designated passenger ship is in Japan, on the condition that the foreign national returns to the ship by the time the designated passenger ship is to depart from the port of entry or departure for each occasion they disembark from the ship at a Japanese port of entry or departure at which the designated passenger ship makes a port of call.

- (2) An immigration inspector may, on finding it to be appropriate, grant a foreign national (except for crew members) aboard a designated passenger ship, landing permission for cruise ship tourists upon an application by the captain of the designated passenger ship or the carrier who operates the designated passenger ship, in accordance with the procedures provided for by Ministry of Justice Order, if the foreign national wishes to land on multiple occasions and stay within 30 days for the purpose of sightseeing while the designated passenger ship is in Japan, on the condition that the foreign national returns to the ship by the time the designated passenger ship is to depart from the port of entry or departure for each occasion they disembark from the ship at a Japanese port of entry or departure at which the designated passenger ship makes a port of call.
- (3) If an immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding two paragraphs, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
- (4) In granting the permission set forth in paragraph (1) or (2), the immigration inspector must issue a landing permit for cruise ship tourists to the foreign national.
- (5) In granting the permission set forth in paragraph (1) or (2), the immigration inspector may impose restrictions on the foreign national's period of landing, scope of activities and other conditions found necessary pursuant to the provisions of Ministry of Justice Order.
- (6) The provisions of the proviso to paragraph (1) of the preceding Article apply mutatis mutandis to the cases referred to in paragraphs (1) and (2).

- (7) If the foreign national who has been granted the permission set forth in paragraph (2) seeks to land based on this permission, when the immigration inspector finds it necessary, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
- (8) In the case the foreign national who has been granted the permission set forth in paragraph (2) intends to land based on the permission, if the immigration inspector learns that the foreign national falls under any of the items of Article 5, paragraph (1), the inspector is to immediately cancel the permission.
- (9) Except as provided for in the preceding paragraph, an immigration inspector may cancel the permission, in accordance with the procedures provided for by Ministry of Justice Order, if the inspector finds it inappropriate to continue to grant the permission to the foreign national who has been granted the permission set forth in paragraph (2). In this case, if the foreign national is in Japan, the officer is to designate a period necessary for the foreign national to depart from Japan.

(Permission for Landing in Transit)

- Article 15 (1) An immigration inspector may grant a foreign national (except for crew members) aboard a vessel permission for landing in transit upon application by the captain of the vessel or the carrier who operates the vessel, if the foreign national wishes to land temporarily for the purpose of sightseeing while the vessel is in Japan, and to return to the vessel at another port of entry or departure at which the vessel is scheduled to call.
- (2) An immigration inspector, upon application by the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft, may grant a foreign national (except for crew members) aboard the vessel or aircraft permission for landing in transit if the foreign national wishes to go to an area outside of Japan via Japan and to depart from Japan within 3 days of their entry into Japan from another port of entry or departure in the vicinity of the port at which the foreign national entered Japan on board a vessel or aircraft other than the one on which the foreign national arrived in Japan.
 - (3) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding two paragraphs, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
 - (4) In granting the permission set forth in paragraph (1) or (2), the immigration inspector must affix a seal of verification for landing in transit to the passport possessed by the foreign national.

- (5) In granting the permission set forth in paragraph (1) or (2), the immigration inspector may impose restrictions on the foreign national's period of landing, transit route and other conditions found necessary pursuant to the provisions of Ministry of Justice Order.
- (6) The provisions of the proviso to paragraph (1) of Article 14 apply mutatis mutandis to the cases referred to in paragraphs (1) and (2) of this Article.

(Landing Permission for Crew Members)

Article 16 (1) An immigration inspector may grant landing permission to crew members who are foreigners (including those who become crew members in Japan; hereinafter the same applies in this Article) who wish to land for a period not exceeding 15 days for the purpose of transferring to another vessel or aircraft (including the boarding of a vessel or aircraft), rest, shopping or other similar purposes upon application by the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft (including the vessel or aircraft they are to board) in accordance with the procedures provided for by Ministry of Justice Order.

- (2) An immigration inspector may grant landing permission to crew members who fall under any of the following items, if it is found appropriate to do so:
 - (i) in case a foreign crew member of a vessel in regular service between Japan and other countries or of other vessels that frequently enter Japanese ports of entry and departure wishes to land in Japan for rest, shopping or other similar purposes on multiple occasions for a period within 1 year from the date of permission, upon application by the captain of the vessel or the carrier who operates the vessel on which the foreign crew member is aboard, in accordance with the procedures provided for by Ministry of Justice Order; or
 - (ii) in case a foreign crew member of an aircraft in regular service between Japan and other countries wishes to land in Japan for a period not exceeding fifteen days from each arrival date for rest, shopping or other similar purposes and to depart from the same port of entry or departure as a crew member of an aircraft belonging to the same carrier on multiple occasions within 1 year from the date of permission, upon application by the carrier, in accordance with the procedures provided for by Ministry of Justice Order.
- (3) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding two paragraphs, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
- (4) In granting the permission set forth in paragraph (1) or (2), the immigration inspector must issue a crew member's landing permit to the crew member.

- (5) In granting the permission set forth in paragraph (1), the immigration inspector may impose restrictions on the crew member's period of landing, scope of activities (including the route to be taken in transit) and other conditions found necessary, pursuant to the provisions of Ministry of Justice Order.
- (6) The provisions of the proviso to Article 14, paragraph (1), apply mutatis mutandis to the cases referred to in paragraphs (1) and (2) of this Article.
- (7) If the crew member who has been granted the permission set forth in paragraph (2) of this Article seeks to land based on that permission, the immigration inspector may, if found necessary, require the crew member to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
- (8) In the case the crew member who has been granted the permission set forth in paragraph (2) intends to land based on that permission, and if the immigration inspector learns that the crew member falls under any of the items of Article 5, paragraph (1), the inspector is to immediately cancel the permission.
- (9) Except as provided for in the preceding paragraph, the immigration inspector may cancel the permission, in accordance with the procedures provided for by Ministry of Justice Order, if the inspector finds it inappropriate to continue to grant the permission. In this case, if the crew member is in Japan, the inspector is to designate a period necessary for the crew member to return to their ship or depart from Japan.

(Permission for Emergency Landing)

- Article 17 (1) In the case of disease or any other accident which requires emergency landing of a foreign national aboard a vessel or aircraft for the purpose of medical treatment, an immigration inspector may grant permission for emergency landing to the foreign national based on an application by the captain of the vessel or aircraft or the carrier who operates the vessel or aircraft until the grounds cease to exist, subject to a medical examination by a physician designated by the Minister of Health, Labour and Welfare or the Commissioner of the Immigration Services Agency.
- (2) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding paragraph, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
 - (3) In granting the permission set forth in paragraph (1), the immigration inspector must issue an emergency landing permit to the foreign national.
 - (4) If the permission set forth in paragraph (1) is granted, the captain of the

vessel or aircraft or the carrier set forth in the same paragraph must pay the living expenses, medical treatment expenses, and funeral expenses and any other expenses incurred during the emergency landing period for the person granted emergency landing permission.

(Landing Permission Due to Distress)

- Article 18 (1) If a vessel or aircraft is in distress and an immigration inspector finds it necessary for the rescue and protection of foreign national on board the vessel or aircraft or for any other urgent necessity, the inspector may grant the foreign national, landing permission due to distress based on an application by the mayor of the city, town or village who gives aid to the victims pursuant to the provisions of the Sea Casualties Rescue Act (Act No. 95 of 1899), on an application by the captain of a vessel or aircraft who gave aid to the foreign national, or the captain of the vessel or aircraft in distress or the carrier who operates the vessel or aircraft.
- (2) The immigration inspector is to immediately grant permission for landing due to distress, notwithstanding the provisions of the preceding paragraph, if the foreign national set forth in the preceding paragraph has been transferred by a police officer or a coast guard officer.
- (3) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in paragraph (1) of this Article, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order. The same applies if the inspector finds it necessary when the foreign national is handed over pursuant to the provisions of the preceding paragraph.
- (4) In granting the permission set forth in paragraph (1) or (2), the immigration inspector must issue a landing permit due to distress to the foreign national.
- (5) In granting the permission set forth in paragraph (1) or paragraph (2), the immigration inspector may impose restrictions on the foreign national's period of landing, scope of activities and other conditions found necessary pursuant to the provisions of Ministry of Justice Order.

(Landing Permission for Temporary Refuge)

- Article 18-2 (1) An immigration inspector may grant landing permission for temporary refuge upon an application by a foreign national aboard a vessel or aircraft who is considered to fall under all of the following items:
- (i) a person who has entered Japan for the reasons prescribed in Article 1, paragraph A-(2) of the Refugee Convention or other reasons equivalent thereto after fleeing from a territory where their life, body or physical freedom were threatened; and

- (ii) it would be appropriate to grant temporary landing permission to the person.
- (2) If the immigration inspector finds it necessary for an examination pertaining to the permission set forth in the preceding paragraph, the inspector may require the foreign national to provide their personal identification information in an electronic or magnetic means, pursuant to the provisions of Ministry of Justice Order.
- (3) In granting the permission set forth in paragraph (1), the immigration inspector must issue a landing permit for temporary refuge to the foreign national.
- (4) In granting the permission set forth in paragraph (1), the immigration inspector may impose restrictions on the foreign national's period of landing, place of residence, scope of activities and other conditions found necessary, pursuant to the provisions of Ministry of Justice Order.

Chapter IV Residence and Departure

Section 1 Residence

Subsection 1 Activities during Residence

(Scope of Activities)

Article 19 (1) Any foreign national who is a resident under a status of residence set forth in the left-hand column of the Appended Table I must not engage in the activities set forth in the following items in accordance with the categories identified therein, except for cases in which they engage in the activities with permission prescribed in paragraph (2) of this Article:

- (i) a foreign national who is a resident with a status of residence set forth in the left-hand column of the Appended Tables I (1), I (2) and I (5): activities of managing a business involving income not included in those activities set forth in the right-hand column of those tables in accordance with the status of residence or activities for which they receive remuneration (excluding fees for lectures not given on a regular basis, incidental remuneration received in the course of everyday life and other remuneration provided for by Ministry of Justice Order; the same applies hereinafter); or
 - (ii) a foreign national who is a resident with a status of residence set forth in the left-hand column of the Appended Tables I (3) and I (4): activities of managing a business involving income or activities for which they receive remuneration.
- (2) If an application has been submitted by a foreign national who is a resident with a status of residence set forth in the left-hand column of the Appended Table I, in accordance with the procedures provided for by Ministry of Justice Order, to engage in activities of managing business involving income or

activities for which they receive remuneration to the extent that there is no impediment to the original activities under the status of residence, the Commissioner of the Immigration Services Agency may grant permission if the Commissioner finds reasonable grounds to do so. In this case, the Commissioner of the Immigration Services Agency may impose conditions necessary for the permission.

- (3) The Commissioner of the Immigration Services Agency may cancel the permission in accordance with the procedures provided for by Ministry of Justice Order if a foreign national, to whom permission was granted based on the preceding paragraph, violates conditions imposed on the foreign national pursuant to the provisions of the same paragraph, or in the event that it is found to be inappropriate to continue granting permission to the foreign national.
- (4) A foreign crew member who has been granted permission for landing pursuant to the provisions of Articles 16 through 18 continues to be regarded as a crew member, even after ceasing to be a crew member through dismissal, as long as they remain in Japan.

(Certificate of Authorization for Employment)

Article 19-2 (1) If an application has been submitted by a foreign national residing in Japan, the Commissioner of the Immigration Services Agency may issue a document which certifies the eligibility of the applicant for activities of managing business involving income or activities for which the foreign national receives remuneration, pursuant to the provisions of Ministry of Justice Order.

- (2) No one may give disadvantageous treatment to a foreign national for failure to show or submit the certificate set forth in the preceding paragraph in employing the foreign national, if the activities of managing business involving income or activities for which the foreign national receives remuneration that can be conducted by the foreign national is obvious.

Subsection 2 Mid- to Long-Term Residence

(Mid- to Long-Term Residents)

Article 19-3 The Commissioner of the Immigration Services Agency is to issue a residence card to foreign nationals who are residing with a status of residence in Japan (hereinafter referred to as "mid- to long-term residents"), which by definition does not include:

- (i) a person who has been granted a period of stay of not more than 3 months;
- (ii) a person who has been granted the status of residence of "Temporary Visitor";
- (iii) a person who has been granted the status of residence of "Diplomat" or

"Official"; or

- (iv) a person provided for by Ministry of Justice Order as equivalent to a person set forth in any of the preceding three items.

(Required Information on the Residence Card)

Article 19-4 (1) The required information on the residence card is the following particulars:

- (i) name, date of birth, sex, country of nationality or a region provided for in Article 2, item (v), sub-item (b);
 - (ii) place of residence (meaning the location of the main place of residence in Japan; the same applies hereinafter);
 - (iii) status of residence, period of stay and expiration date of the period of stay;
 - (iv) type and date of permission;
 - (v) number and date of issuance, expiration date of the validity period of the residence card;
 - (vi) whether or not there are any restrictions on work; and
 - (vii) if the permission pursuant to the provisions of Article 19, paragraph (2) has been granted to that effect.
- (2) The number of the residence card set forth in item (v) of the preceding paragraph is to be established as a different number for each residence card issued (including reissuance), pursuant to the provisions of Ministry of Justice Order.
- (3) The residence card is to display a photograph of the mid- to long-term resident pursuant to the provisions of Ministry of Justice Order. In this case, the Commissioner of the Immigration Services Agency may use the photograph that was provided by the mid- to long-term resident pursuant to the provisions of Article 6, paragraph (3) and other provisions of the laws and regulations prescribed by Ministry of Justice Order.
- (4) Beyond what is provided for in the preceding three paragraphs, the form of the residence card, the particulars to be indicated on the residence card and other necessary particulars regarding the residence card is provided for by Ministry of Justice Order.
- (5) The Commissioner of the Immigration Services Agency may record all or part of the particulars set forth in any of the items of paragraph (1) and the information which are to be indicated pursuant to the provisions of the preceding two paragraphs on the residence card in an electronic or magnetic means pursuant to the provisions of Ministry of Justice Order.

(Validity Period of the Residence Card)

Article 19-5 (1) The validity period of the residence card is to last until the end of the last day prescribed in the respective item in accordance with the

categories set forth in the following items pertaining to the mid- to long-term resident who is to be issued the residence card:

- (i) a permanent resident (except for those persons set forth in the following items) or a person residing with the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (ii) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)): the date on which 7 years have elapsed following the date of issuance of the residence card;
 - (ii) a permanent resident who is under 16 years of age on the date of issuance of the residence card (excluding persons who were issued a residence card pursuant to the provisions of Article 19-10, paragraph (2) as applied mutatis mutandis pursuant to Article 19-11, paragraph (3); the same applies in item (iv)): the sixteenth birthday (in the case the birthday of the foreign national falls on February 29, the birthday of the foreign national is deemed to be on February 28 in years other than leap years; the same applies hereinafter);
 - (iii) a person other than the foreign nationals set forth in the preceding two items (except for those listed in the following item): the expiration date of the period of stay; or
 - (iv) a person, other than the foreign nationals set forth in item (i) or item (ii), who is under 16 years of age on the date of issuance of the residence card: the expiration date of the period of stay or the sixteenth birthday, whichever comes first.
- (2) If the validity period of the residence card lasts until the end of the last day of the person's period of stay pursuant to the provisions of item (iii) or item (iv) of the preceding paragraph, and if the mid-to long-term resident who was issued with the residence card is permitted to continue residing in Japan after the expiration of the period of stay pursuant to the provisions of Article 20, paragraph (6) (including as applied mutatis mutandis pursuant to the provisions of Article 21, paragraph (4); the same applies hereinafter in this paragraph, Article 24, item (iv), sub-item (b) and Article 26, paragraph (4)), the validity period of the residence card is to last until the end of the period during which the foreign national is permitted to reside in Japan pursuant to the provisions of Article 20, paragraph (6).

(Issuance of a Residence Card Due to New Landing)

Article 19-6 The Commissioner of the Immigration Services Agency is to have an immigration inspector issue a residence card pursuant to the provisions of Ministry of Justice Order to a person who has become a mid- to long-term resident who was granted a seal of verification for landing or permission (limited to those with a decision on the status of residence) pursuant to the provisions of Section 1 or Section 2 of the preceding Chapter.

(Notification of the Place of Residence Following a New Landing)

- Article 19-7 (1) The mid- to long-term resident provided for in the preceding Article must notify the Commissioner of the Immigration Services Agency of their place of residence through the mayor of the municipality upon submitting their residence card to the mayor of the municipalities (including special wards, and wards or administratively consolidated wards in the designated cities prescribed in Article 252-19, paragraph (1) of the Local Autonomy Act; the same applies hereinafter) in accordance with the procedures provided for in Ministry of Justice Order, within 14 days of the date of settling on a place of residence.
- (2) The mayor of the municipalities, if the residence card has been submitted pursuant to the provisions of the preceding paragraph, is to enter the place of residence onto the residence card (including the record pursuant to the provisions of Article 19-4, paragraph (5)) and is to return it to the mid- to long-term resident.
- (3) If the mid- to long-term resident referred to in paragraph (1) has filed a notification pursuant to the provisions of Article 30-46 of the Residential Basic Book Act (Act No. 81 of 1967) by submitting their residence card, the notification is deemed to be the notification pursuant to the provisions of the same paragraph.

(Notification of the Place of Residence Due to Changes of Status of Residence)

- Article 19-8 (1) A person who has newly become a mid- to long-term resident by being granted permission pursuant to the provisions of the main clause of Article 20, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 22-2, paragraph 3 (including as applied mutatis mutandis pursuant to the provisions of Article 22-3)), Article 21, paragraph (3), Article 22, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 22-2, paragraph (4) (including as applied mutatis mutandis pursuant to the provisions of Article 22-3)), Article 50, paragraph (1) or Article 61-2-2, paragraph (1) or paragraph (2) must notify the Commissioner of the Immigration Services Agency of their place of residence through the mayor of the municipality of the place of residence upon submitting their residence card to the mayor in accordance with the procedures provided for in Ministry of Justice Order within 14 days of the date of settling on a place of residence (with regard to persons who have already settled on a place of residence, the date of the respective permission).
- (2) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to cases in which the residence card is submitted pursuant to the provisions of the preceding paragraph.

- (3) Where the mid- to long-term resident provided for in paragraph (1) has filed a notification pursuant to the provisions of Article 30-46 or Article 30-47 of the Residential Basic Book Act by submitting their residence card, the notification is deemed to be the notification pursuant to the provisions of the same paragraph.
- (4) If the foreign national provided for in Article 22-2, paragraph (1) or Article 22-3 has submitted a copy of the certificate of residence or a certificate of items stated in resident register provided for in Article 12, paragraph (1) of the Residential Basic Book Act to the Minister of Justice when filing an application pursuant to the provisions of Article 22-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 22-3), the notification provided for in paragraph (1) is deemed to have been filed at the time of the permission pursuant to the provisions of the main clause of Article 20, paragraph (3) as applied mutatis mutandis pursuant to Article 22-2, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 22-3) or the permission provided for in Article 22, paragraph (2) as applied mutatis mutandis pursuant to Article 22-2, paragraph (4) (including as applied mutatis mutandis pursuant to the provisions of Article 22-3) being granted.

(Notification of Change of the Place of Residence)

Article 19-9 (1) If the mid-to long-term resident has changed their place of residence, they must notify the Commissioner of the Immigration Services Agency of the new place of residence (meaning the place of residence following the change; the same applies hereinafter) through the mayor of the municipality of the new place of residence upon submitting their residence card to the mayor in accordance with the procedures provided for in Ministry of Justice Order within 14 days of the date of relocating to a new place of residence.

- (2) The provisions of Article 19-7, paragraph (2) apply mutatis mutandis to cases in which the residence card is submitted pursuant to the provisions of the preceding paragraph.
- (3) Where the mid- to long-term resident provided for in paragraph (1) has filed a notification pursuant to the provisions of Article 22, Article 23, or Article 30-46 of the Residential Basic Book Act by submitting their residence card, the notification is deemed to be the notification pursuant to the provisions of the same paragraph.

(Notification of Change of an Entry Other than the Place of Residence)

Article 19-10 (1) The mid- to long-term resident must notify the Commissioner of the Immigration Services Agency of the change in accordance with the procedures provided for in Ministry of Justice Order if a change has occurred in

the particulars set forth in Article 19-4, paragraph (1), item (i), within 14 days of the date of the occurrence of the change.

- (2) Where the notification set forth in the preceding paragraph has been filed, the Commissioner of the Immigration Services Agency is to have an immigration inspector issue a new residence card to the mid- to long-term resident.

(Extension of the Validity Period of the Residence Card)

Article 19-11 (1) A mid- to long-term resident who has been issued with a residence card must file an application to the Commissioner of the Immigration Services Agency for a renewal of the validity period of the residence card in accordance with the procedures provided for in Ministry of Justice Order during the period two months prior (six months prior if the date of the expiration of the validity period is the sixteenth birthday) to the expiration date of the validity period (referred to in the following paragraph as "extension period") except when the validity period is stated as the expiration date of the period of stay in the residence card of the mid- to long-term resident.

- (2) A person who is expected to have difficulty in filing the application pursuant to the provisions of the preceding paragraph within the extension period due to compelling reasons may file an application to the Commissioner of the Immigration Services Agency for an extension of the validity period of the residence card prior to the extension period in accordance with the procedures provided for in Ministry of Justice Order.
- (3) The provisions of paragraph (2) of the preceding Article apply mutatis mutandis to cases in which the application is filed pursuant to the provisions of the preceding two paragraphs.

(Reissuance of the Residence Card Due to Loss)

Article 19-12 (1) Where a mid- to long-term resident who has been issued with a residence card no longer has the residence card in their possession due to loss, theft, destruction or any other cause, they must file an application to the Commissioner of the Immigration Services Agency for the reissuance of the residence card in accordance with the procedures provided for in Ministry of Justice Order within 14 days of the date of becoming aware of that fact (in case the mid-to long-term resident was out of Japan when they became aware of that fact, the first day they entered Japan upon return).

- (2) The provisions of Article 19-10, paragraph (2) apply mutatis mutandis to cases in which the application was filed pursuant to the provisions of the preceding paragraph.

(Reissuance of the Residence Card Due to Defacement)

Article 19-13 (1) In case a residence card has been noticeably damaged or soiled or the record pursuant to the provisions of Article 19-4, paragraph (5) has been damaged (hereinafter referred to in this paragraph as "cases of damage, etc."), the mid- to long-term resident, who was issued with the residence card, may apply to the Commissioner of the Immigration Services Agency for the reissuance of the residence card in accordance with the procedures provided for in Ministry of Justice Order. The same applies to cases in which the mid- to long-term resident wishes to exchange the residence card in cases other than cases of damage, etc. (excluding cases in which no justifiable grounds are found).

(2) The Commissioner of the Immigration Services Agency may order the mid- to long-term resident in possession of a residence card that has been noticeably damaged or soiled, or the record pursuant to the provisions of Article 19-4, paragraph (5) has been damaged, to apply for the reissuance of the residence card.

(3) A mid- to long-term resident who has received an order pursuant to the provisions of the preceding paragraph must file an application to the Commissioner of the Immigration Services Agency for reissuance of the residence card in accordance with the procedures provided for in Ministry of Justice Order within 14 days of the date of receiving the order.

(4) The provisions of Article 19-10, paragraph (2) apply mutatis mutandis to cases in which the application is filed pursuant to the provisions of paragraph (1) or the preceding paragraph.

(Invalidation of the Residence Card)

Article 19-14 The residence card ceases to be effective in cases that fall under any of the following items:

(i) when the mid- to long-term resident who was issued with a residence card is no longer a mid- to long-term resident;

(ii) when the validity period of the residence card has expired;

(iii) when the mid- to long-term resident who was issued with a residence card (except for persons who have been granted re-entry permission pursuant to the provisions of Article 26, paragraph (1)) has received confirmation of departure from an immigration inspector at the port of entry or departure from which they are to depart pursuant to the provisions of Article 25, paragraph (1);

(iv) when the mid- to long-term resident who was issued with a residence card and has been granted re-entry permission pursuant to the provisions of Article 26, paragraph (1) departed from Japan, and did not re-enter Japan within the validity period of the re-entry permission;

(v) when the mid- to long-term resident who was issued with a residence card

has been issued with a new residence card; or
(vi) when the mid- to long-term resident who was issued with a residence card has died.

(Returning of the Residence Card)

Article 19-15 (1) If a residence card in the possession of a mid- to long-term resident who was issued with the residence card has ceased to be effective due to falling under item (i), item (ii) or item (iv) of the preceding Article, the mid- to long-term resident must return the residence card to the Commissioner of the Immigration Services Agency within 14 days from the day when the grounds arose.

(2) The mid- to long-term resident who was issued a residence card must immediately return the residence card to the Commissioner of the Immigration Services Agency, if the residence card in their possession has ceased to be effective due to falling under item (iii) or item (v) of the preceding Article.

(3) If the mid- to long-term resident who was issued with a residence card comes to find their residence card after the residence card has ceased to be effective pursuant to the provisions of the preceding Article (excluding item (vi)), they must return the residence card to the Commissioner of the Immigration Services Agency within 14 days of the date of finding it.

(4) If the residence card has ceased to be effective pursuant to the provisions of item (vi) of the preceding Article, a relative or person living with the deceased mid- to long-term resident must return the residence card to the Commissioner of the Immigration Services Agency within 14 days of the date the mid- to long-term resident died (if the relevant person came to find the residence card after the death of the foreign national, the date of finding it).

(Notification Relating to the Organization of Affiliation)

Article 19-16 If any ground provided for in the following items occurs in accordance with the category of the status of residence set forth therein, a mid- to long resident who is residing in Japan with a status of residence set forth in the respective items must notify the Commissioner of the Immigration Services Agency to that effect and of the particulars provided for in the Ministry of Justice Order, in accordance with the procedures provided for in Ministry of Justice Order, within 14 days of the date of the occurrence of the ground:

(i) "Professor", "Highly Skilled Professional" (limited to those pertaining to item (i), sub-item (c) or item (ii) (limited to those engaging in the activities set forth in sub-item (c) of the same item) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)), "Business Manager," "Legal/Accounting Services," "Medical Services," "Instructor," "Intra-company Transferee" "Technical Intern Training," "Student," or

"Trainee": change in the name or location, or extinction of the public or private organization in Japan at which the activities set forth respectively in the right-hand column of the Appended Table I with regard to the status of residence are being carried out, or if leaving or being transferred from the organization;

- (ii) "Highly Skilled Professional" (limited to those pertaining to item (i), sub-item (a) or (b) or item (ii) (limited to cases of engaging in the activities set forth in sub-item (a) or (b) of the same item) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)), "Researcher," "Engineer /Specialist in Humanities/ International Services," "Nursing Care," "Entertainer" (limited to cases of engaging in the activities pertaining to the status of residence based on a contract with a public or private organization in Japan), "Skilled Labor" or "Specified Skilled Worker": change in the name or location, or extinction of the public or private organization in Japan which is the other party to the contract (with regard to the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (i), sub-item (a) in the right-hand column under "Highly Skilled Professional" of the same Table), the public or private organization in Japan designated by the Minister of Justice), or the termination of the contract or conclusion of a new contract with the organization; or
- (iii) "Dependent" (limited to those pertaining to persons who are able to engage in daily activities as a spouse), "Spouse or Child of Japanese National" (limited to those pertaining to persons with the status of the spouse of a Japanese national) or "Spouse or Child of Permanent Resident" (limited to those pertaining to persons with the status of the spouse of a person residing with the status of residence of "Permanent Resident" or "Special Permanent Resident" (hereinafter referred to as "Permanent Resident, etc."): death of or divorce from the spouse.

(Notification by the Organization of Affiliation)

Article 19-17 A public or private organization in Japan which has accepted the mid- to long-term resident residing with a status of residence under the Appended Table I or any other organization as prescribed in Ministry of Justice Order (excluding employers who are required to submit a notification pursuant to the provisions of Article 28, paragraph (1) of the Act Relating to Comprehensive Promotion of the Organizations of Affiliation of Specified Skilled Workers and Labor Policies, and Improvement of the Employment Security and Working Life of Workers provided for in paragraph (1) of the following Article (Act No. 132 of 1966)) must endeavor to notify the Commissioner of the Immigration Services Agency of the commencement and termination of the acceptance of the mid- to long-term resident, and other

particulars related to the situation of acceptance pursuant to the provisions of Ministry of Justice Order.

(Notifications by an Organization of Affiliation of the Specified Skilled Worker)

Article 19-18 (1) If a public or private organization in Japan (hereinafter referred to as "organization of affiliation of the specified skilled worker" in this Subsection and Chapter VIII), which is the other party to the employment contract for specified skilled workers falls under any of the following items, it must notify the Commissioner of the Immigration Services Agency to that effect, and must submit a notification of the particulars specified in the Ministry of Justice Order in accordance with the provisions of Ministry of Justice Order:

- (i) if a change has been made to an employment contract for a specified skilled worker (excluding minor changes specified in Ministry of Justice Order), or an employment contract for a specified skilled worker has expired, or a new employment contract for a specified skilled worker has been concluded;
 - (ii) if a change has been made to a support plan for specified skilled workers (i) (excluding minor changes specified in Ministry of Justice Order);
 - (iii) if the contract set forth under Article 2-5, paragraph (5) has been concluded or changed (excluding minor changes specified in Ministry of Justice Order), or if the contract has expired;
 - (iv) beyond what is provided for in the preceding three items, if the case falls under the cases specified in Ministry of Justice Order.
- (2) The organization of affiliation of the specified skilled worker must notify the Commissioner of the Immigration Services Agency of the following particulars in accordance with the provisions of Ministry of Justice Order in addition to cases in which notification is made pursuant to the provisions of the preceding paragraph.
- (i) the name of the foreign national with the "Specified Skilled Worker" status of residence who was accepted (meaning the foreign national residing in Japan with the "Specified Skilled Worker" status of residence; the same applies hereinafter in this Subsection and Chapter VIII), and the content of the foreign national's activities and other particulars provided for by Ministry of Justice Order;
 - (ii) in cases of preparing a support plan for specified skilled workers (i) pursuant to the provisions of Article 2-5, paragraph (6), its implementation status (except if the registered support organization provided for in Article 19-27, paragraph (1) based on a contract has been entrusted with the implementation of all of the suitable support plans specified skilled workers (i));
 - (iii) beyond what is provided for in the preceding two items, the particulars

specified by Ministry of Justice Order as necessary for the residence management of specified skilled workers.

(Guidance and Advice for the Organizations of Affiliation of the Specified Skilled Worker)

Article 19-19 If the Commissioner of the Immigration Services Agency finds it necessary for securing the particulars set forth in the following items, the Commissioner may provide necessary guidance and advice to the organization of affiliation of the specified skilled worker:

- (i) that the employment contract for specified skilled workers conforms to the provisions of Article 2-5, paragraph (1) to paragraph (4);
- (ii) the proper implementation of a suitable employment contract for specified skilled workers;
- (iii) that the support plan for specified skilled workers (i) conforms to the provisions of Article 2-5, paragraph (6) and paragraph (7);
- (iv) the proper implementation of a suitable support plan for specified skilled workers (i);
- (v) beyond what is provided for in each of the preceding items, that the acceptance of specified skilled worker by the organization of affiliation of the specified skilled worker complies with the laws and regulations relating to immigration and labor.

(Collection of Reports)

Article 19-20 (1) The Commissioner of the Immigration Services Agency may order the organization of affiliation of the specified skilled worker or an officer or employee of the organization of affiliation of the specified skilled worker (hereinafter referred to as "officer or employee" in this paragraph) to submit or present books and records, request the appearance of the organization of affiliation of the specified skilled worker or its officer or employee, or have immigration officers or immigration control officers ask questions to the persons concerned, or enter the premises of the places of business of the organization of affiliation of the specified skilled worker or other places related to the acceptance of specified skilled workers to inspect their facilities, books, records, or other objects to the extent necessary to secure the particulars set forth in the items of the preceding Article.

- (2) In the cases of conducting questioning or on-site inspection pursuant to the provisions of the preceding paragraph, the immigration inspector or immigration control officer must carry an identification card showing their official status and present it to the person concerned upon request.
- (3) The authority pursuant to the provisions of paragraph (1) must not be construed as authorization for the purpose of a criminal investigation.

(Improvement Orders)

Article 19-21 (1) If the Commissioner of the Immigration Services Agency finds that the particulars set forth in the items of Article 19-19 have not been secured, the Commissioner may order the organization of affiliation of the specified skilled worker to take measures necessary to improve the situation by a set deadline.

(2) If the Commissioner of the Immigration Services Agency has issued an order pursuant to the provisions of the preceding paragraph, the Commissioner must issue public notice to that effect.

(Support for Specified Skilled Workers (i) by the Organization of Affiliation of the Specified Skilled Worker)

Article 19-22 (1) The organization of affiliation of the specified skilled worker must provide support for specified skilled workers (i) based on a suitable support plan for specified skilled workers (i).

(2) The organization of affiliation of the specified skilled worker may entrust the implementation of all or part of the support plan for specified skilled worker (i) to another person based on a contract.

(Registration of Registered Support Organizations)

Article 19-23 (1) A person who has been entrusted to perform the work of implementation of all of the suitable support plans for specified skilled workers (i) (hereinafter referred to as "support work") based on a contract may register with the Commissioner of the Immigration Services Agency.

(2) The registration set forth under the preceding paragraph loses its effect upon the passing of the period unless it is extended every five years.

(3) A person who seeks to receive the registration set forth under paragraph (1) (including the extension of registration set forth under the preceding paragraph; the same applies hereinafter in this Subsection) must pay the fee specified by Cabinet Order in consideration of actual expenses.

(Application for Registration)

Article 19-24 (1) A person who seeks to obtain the registration set forth under paragraph (1) of the preceding Article must submit a written application stating the particulars set forth in the following items to the Commissioner of the Immigration Services Agency pursuant to the provisions of Ministry of Justice Order:

(i) the name and address, and in the case of a corporation, the name of its representative;

(ii) the location of the business office that is to engage in the support work;

- (iii) the content of the support work and its implementation method, and other particulars specified in Ministry of Justice Order concerning support work.
- (2) A document pledging that the person seeking to register as provided for in paragraph (1) of the preceding Article does not fall under any of the items of Article 19-26, paragraph (1) and other documents specified in Ministry of Justice Order must be attached to the written application set forth under the preceding paragraph.

(Conducting Registration)

Article 19-25 (1) If the written application for registration pursuant to the provisions of paragraph (1) of the preceding Article has been filed, the Commissioner of the Immigration Services Agency must register the following particulars in the registered support organization registry except for cases of refusing registration pursuant to the provisions of paragraph (1) of the following Article:

- (i) particulars set forth under the items of paragraph (1) of the preceding Article;
 - (ii) date of registration and registration number;
- (2) If the registration pursuant to the provisions of the preceding paragraph has been made, the Commissioner of the Immigration Services Agency must notify the applicant to that effect without delay.

(Refusal of Registration)

Article 19-26 (1) If a person who seeks to be registered as provided for under Article 19-23, paragraph (1) falls under any of the following items, or if there is a false statement with regard to the important particulars in the written application or attached documents set forth under Article 19-24, paragraph (1), or statement of an important fact is missing, the Commissioner of the Immigration Services Agency must refuse the registration:

- (i) a person who has been sentenced to imprisonment without work or a greater punishment, and for whom five years have not yet passed since the completion of the sentence or since the day on which the person ceased to be subject to the sentence;
- (ii) a person who has been sentenced to a fine pursuant to the provisions of the Immigration Control or Refugee Recognition Act or the Act on Proper Technical Intern Training and Protection of Technical Intern Trainees (Act No. 89 of 2016; hereinafter referred to as the "Technical Intern Training Act") or the provisions of other laws and regulations relating to immigration or labor (except for the provisions prescribed in item (iv)), which are specified by Cabinet Order or the provisions of an order based on these provisions, and for whom five years have not yet passed since the date of having paid the fine

- or having ceased to be liable to pay the fine;
- (iii) a person who has been sentenced to a fine pursuant to the provisions of the Act on Prevention of Unjust Acts by Organized Crime Group Members (Act No. 77 of 1991) (excluding the provisions of Article 50 (limited to the part pertaining to item (ii)) and Article 52 of the same Act), or for having committed a crime under Article 204, Article 206, Article 208, Article 208-2, Article 222 or Article 247 of the Penal Code or a crime under the Act on Punishment of Physical Violence and Others, and for whom five years have not yet passed since the date of having paid the fine or having ceased to be liable to pay the fine;
 - (iv) a person who has been sentenced to a fine pursuant to the provisions of Article 208, Article 213-2 or Article 214, paragraph (1) of the Health Insurance Act (Act No. 70 of 1922), Article 156, Article 159 or Article 160, paragraph (1) of the Mariners Insurance Act (Act No. 73 of 1939), the first sentence of Article 51 or Article 54, paragraph (1) (limited to the part pertaining to the provisions of the first sentence of Article 51 of the same Act) of the Industrial Accident Compensation Insurance Act (Act No. 50 of 1947), Article 102, Article 103-2 or Article 104, paragraph (1) (limited to the part pertaining to the provisions of Article 102 or Article 103-2 of the same Act) of the Employees' Pension Insurance Act (Act No. 115 of 1954), the first sentence of Article 46 or Article 48, paragraph (1) (limited to the part pertaining to the provisions of the second sentence of Article 46 of the same Act) of the Act on the Collection of Insurance Premiums of Labor Insurance (Act No. 84 of 1969) or Article 83 or Article 86 (limited to the part pertaining to the provisions of Article 83 of the same Act) of the Employment Insurance Act (Act No. 116 of 1974), and for whom five years have not yet passed from the date of having paid the fine or having ceased to be liable to pay the fine;
 - (v) a person who is specified in Ministry of Justice Order as being unable to properly perform the support work due to a mental or physical disability;
 - (vi) a person who is subject to a decision on the commencement of bankruptcy proceedings and has not had their rights restored;
 - (vii) a person whose registration set forth under Article 19-23, paragraph (1) has been canceled pursuant to the provisions of Article 19-32, paragraph (1), and for whom five years have not yet passed since the day of the cancellation;
 - (viii) in cases of a person whose registration set forth under Article 19-23, paragraph (1) was canceled pursuant to the provisions of Article 19-32, paragraph (1), and that person is a corporation, an officer (meaning a member executing business, director, executive officer or any equivalent person, and including an advisor, consultant, or any other person, irrespective of the title, who is found to have at least the same amount of authority over the corporation as a member, director, executive officer, or

- any equivalent person; hereinafter the same applies in item (xii) of the corporation at the time of the occurrence of the matter which became the cause of being subject to the cancellation, and for whom five years have not yet passed since the day of the cancellation;
- (ix) a person who has committed a wrongful or significantly unjustifiable act in relation to the laws and regulations relating to immigration or labor within five years prior to the day of applying for the registration set forth under Article 19-23, paragraph (1);
 - (x) an organized crime group member stipulated in Article 2, item (vi) of the Act on Prevention of Unjust Acts by Organized Crime Group Members (hereinafter referred to as "organized crime group member" in this item) or a person for whom five years have not passed since the person ceased to be an organized crime group member (hereinafter referred to as "crime group member or former crime group member" in item (xiii));
 - (xi) a minor who does not possess the same capacity to act as an adult in relation to business, and whose legal representative comes under any of the preceding items or following items:
 - (xii) a corporation whose officer falls under any of the preceding items;
 - (xiii) a person whose business activities are controlled by a member of an organized crime group, etc.;
 - (xiv) a person specified in Ministry of Justice Order as not having the necessary system in place to appropriately perform the support work.
- (2) If the Commissioner of the Immigration Services Agency has refused the registration pursuant to the provisions of the preceding paragraph, the Commissioner must notify the applicant to that effect without delay.

(Notification of Changes)

- Article 19-27 (1) If there has been a change in the particulars set forth in any of the items of Article 19-24, paragraph (1), the person who has obtained the registration set forth under Article 19-23, paragraph (1) (hereinafter referred to as "registered support organization") must notify the Commissioner of the Immigration Services Agency to that effect in accordance with the provisions of Ministry of Justice Order.
- (2) If the Commissioner of the Immigration Services Agency has accepted a notification pursuant to the provisions of the preceding paragraph, the Commissioner must register the particulars in the registered support organization registry except in the cases in which the particulars pertaining to the notification fall under paragraph (1), item (xii) or item (xiv) of the preceding Article.
 - (3) The provisions of Article 19-24, paragraph (2) apply mutatis mutandis to the notification prescribed in the provisions of paragraph (1).

(Public Inspection of the Registered Support Organization Registry)

Article 19-28 The Commissioner of the Immigration Services Agency must provide the registered support organization registry for public inspection.

(Notification of Abolishment or Suspension of Support Work)

Article 19-29 (1) If a registered support organization suspends or abolishes its support services, it must make a notification to the Commissioner of the Immigration Services Agency to that effect pursuant to the provisions of Ministry of Justice Order.

(2) If a notification has been made pursuant to the provisions of the preceding paragraph to the effect that the support services has been abolished, the registration set forth under Article 19-23, paragraph (1) pertaining to the registered support organization loses its effect.

(Implementation of Support Services)

Article 19-30 (1) The registered support organization must perform the support services based on a suitable support plan for specified skilled workers (i) pertaining to the entrustment of the services.

(2) The registered support organization must make a notification to the Commissioner of the Immigration Services Agency of the implementation status of the support services and other particulars specified in Ministry of Justice Order in accordance with the provisions of Ministry of Justice Order.

(Guidance and Advice to Registered Support Organizations)

Article 19-31 If the Commissioner of the Immigration Services Agency finds it to be necessary to secure the proper operation of the support services of the registered support organization, the Commissioner may give necessary guidance and advice to the registered support organization.

(Cancellation of Registration)

Article 19-32 (1) If the registered support organization falls under any of the following items, the Commissioner of the Immigration Services Agency may cancel its registration:

- (i) if it has come to fall under any of the items of Article 19-26, paragraph (1) (except for item (vii));
- (ii) if it has violated the provisions of Article 19-27, paragraph (1), Article 19-29, paragraph (1) or Article 19-30, paragraph (2);
- (iii) if it has violated the provisions of Article 19-30, paragraph (1);
- (iv) if it has received the registration set forth under Article 19-23, paragraph (1) through wrongful means;

(v) if it has not submitted the report or materials pursuant to the provisions of Article 19-34, or has submitted a false report or materials.

(2) The provisions of Article 19-26, paragraph (2) apply mutatis mutandis to cases in which the registration set forth under Article 19-23, paragraph (1) has been canceled pursuant to the provisions of the preceding paragraph.

(Deletion of Registration)

Article 19-33 If the registration set forth under Article 19-23, paragraph (1) has ceased to be effective pursuant to the provisions of Article 19-23, paragraph (2) or Article 19-29, paragraph (2), or if the registration set forth under Article 19-23, paragraph (1) has been canceled pursuant to the provisions of paragraph (1) of the preceding Article, the Commissioner of the Immigration Services Agency must delete the registration.

(Submission of Report or Materials)

Article 19-34 The Commissioner of the Immigration Services Agency may request the registered support organization to submit a report or materials on the status of its business to the extent necessary to ensure proper performance of the support services.

(Delegation to Ministry of Justice Order)

Article 19-35 In addition to the particulars provided for in Article 19-22 to the preceding Article, the necessary particulars concerning the registered support organizations and support services are to be prescribed by Ministry of Justice Order.

(Continuously Keeping Track of Information on Mid- to Long-Term Residents)

Article 19-36 (1) The Commissioner of the Immigration Services Agency must organize information (in the case of specified skilled workers, including information on the status of support for specified skilled workers (i); hereinafter referred to as "information on mid-to long-term residents" in this Article and paragraph (1) of the following Article) on the name, date of birth, sex, country of nationality, place of residence and organization of affiliation of the mid- to long-term resident and other information necessary for residency management, which was acquired pursuant to the provisions of the Immigration Control and Refugee Recognition Act and other laws and regulations, in order to continuously keep track of the family relationship, residence, state of activities and state of the organization of affiliation of mid-to long-term residents (including the status of support for specified skilled workers (i) (including the status of support for specified skilled workers (i) (including the status of entrustment to registered support organizations;

hereinafter the same applies in this paragraph) with regard to the specified skilled workers (limited to persons engaged in the activities set forth in item (i) of the right-hand column of "Specified Skilled Worker" of the Appended Table I (2)).

- (2) The Commissioner of the Immigration Services Agency must endeavor to keep the information on mid- to long-term residents accurate and up-to-date.
- (3) The Minister of Justice and the Commissioner of the Immigration Services Agency must not acquire nor retain the information on mid- to long-term residents beyond the minimum extent necessary to achieve the purpose of the residency management, and must take heed to protect the rights and interests of individuals when handling the information.

(Inquiry into Facts)

Article 19-37 (1) If it is necessary for continuously keeping track of information on mid- to long-term residents, the Commissioner of the Immigration Services Agency may have an officer inquire into facts with regard to the information which is to be notified pursuant to the provisions of this Subsection.

- (2) The immigration inspector or immigration control officer may require persons concerned to appear, ask them questions, or request them to present documents, if it is necessary for the inquiry set forth in the preceding paragraph.
- (3) The Commissioner of the Immigration Services Agency, immigration inspector or immigration control officer may make inquiries to public offices or public or private organizations and require submission of reports on necessary information in relation to the inquiry set forth in paragraph (1).

Section 2 Change or Revocation of the Status of Residence

(Change of Status of Residence)

Article 20 (1) A foreign national with a status of residence may have their status of residence (including the period of stay for the status; hereinafter the same applies from this paragraph to paragraph (3) and in the following Article) changed (in the case of a foreign national residing with the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (i), sub-items (a) through (c) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)), including a change to a different public or private organization in Japan designated by the Minister of Justice, in the case of a foreign national residing with the "Specified Skilled Worker" status of residence including a change in the public or private organization in Japan designated by the Minister of Justice or specified industrial field, and in the case of a foreign national residing with the status of residence of

- "Designated Activities," including a change in the activities specifically designated by the Minister of Justice regarding the person concerned).
- (2) A foreign national who seeks to have their status of residence changed pursuant to the provisions of the preceding paragraph must apply to the Minister of Justice for the change of the status of residence in accordance with the procedures provided for by Ministry of Justice Order; provided, however, that if the foreign national wishes to have their status of residence changed to that of "Permanent Resident," they must comply with the procedures pursuant to the provisions of Article 22, paragraph (1).
 - (3) If an application for a change of status of residence has been filed as set forth in the preceding paragraph, the Minister of Justice may grant permission only if the Minister finds that there are reasonable grounds to grant the change of the status of residence based on the documents submitted by the foreign national; provided, however, that in the case of an application submitted by a person whose status of residence is "Temporary Visitor," permission is not to be granted unless the application is made based on special unavoidable circumstances.
 - (4) If the Minister of Justice has decided to give permission pursuant to the provisions of the preceding paragraph, the Minister is to have the Commissioner of the Immigration Services Agency notify the foreign national to that effect. In this case, the notification is to be made by the Commissioner by having the immigration inspector take the measures specified in the following items in accordance with the categories set forth in the following items:
 - (i) if the foreign national who has been granted permission continues to fall under a mid-to long-term resident or newly comes to fall under a mid- to long-term resident: to issue a residence card for the foreign national;
 - (ii) if the foreign national who has been granted permission possesses a passport in cases other than the cases set forth in the preceding item: to enter a new status of residence and period of stay in the passport; or
 - (iii) if the foreign national who has been granted permission does not possess a passport in cases other than the cases set forth in item (i): to issue the foreign national a certificate of status of residence that states the new status of residence and period of stay, or to enter the new status of residence and period of stay in the certificate of status of residence which has already been issued.
 - (5) The permission of the Minister of Justice pursuant to the provisions of paragraph (3) becomes effective if the measures specified in each respective item of the preceding paragraph have been taken.
 - (6) If an application pursuant to the provisions of paragraph (2) is filed (excluding an application filed by a foreign national who was granted

permission for a period of stay of not more than 30 days), and the disposition for the application has not been made by the expiration date of the period of stay for the status of residence which the foreign national had at the time of the application, the foreign national may, even after the expiration date of the period of stay, continue to reside in Japan until the disposition is made or the day on which 2 months have passed from the date of the expiration of the previous period of stay, whichever comes first.

(Special Provision on Changes to the Status of Residence of "Highly Skilled Professional")

Article 20-2 (1) Notwithstanding the provisions of paragraph (1) of the preceding Article, the change to the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (ii) of the right-hand column under "Highly Skilled Professional" in the Appended Table I (2)) may not be granted, unless it is for a foreign national residing in Japan with the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (i), sub-items (a) through (c) in the right-hand column pertaining to "Highly Skilled Professional" in the same Table).

(2) If the Minister of Justice receives an application from a foreign national for a change to the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (ii) in the right-hand column pertaining to "Highly Skilled Professional" in the Appended Table I (2)) pursuant to the provisions of paragraph (2) of the preceding Article, the Minister may not grant permission for the change unless the foreign national conforms to the standards provided for by Ministry of Justice Order.

(3) The Minister of Justice is to consult with the heads of the related administrative organs in advance, when seeking to establish the Ministry of Justice Order set forth in the preceding paragraph.

(Extension of the Period of Stay)

Article 21 (1) A foreign national residing in Japan may, without changing their existing status of residence, have their period of stay extended.

(2) A foreign national who seeks to have their period of stay extended pursuant to the provisions of the preceding paragraph must file an application to the Minister of Justice for an extension of that period in accordance with the procedures provided for by Ministry of Justice Order.

(3) If the application set forth in the preceding paragraph has been filed, the Minister of Justice may grant permission only if the Minister finds that there are reasonable grounds to grant the extension of the period of stay based on the documents submitted by the foreign national.

(4) The provisions of Article 20, paragraph (4) and paragraph (5) apply mutatis

mutandis to the permission granted pursuant to the provisions of the preceding paragraph, and the provisions of the same Article, paragraph (6) apply mutatis mutandis to an application filed pursuant to the provisions of paragraph (2), respectively. In these cases, "new status of residence and period of stay" in items (ii) and (iii) is deemed to be replaced with "status of residence and new period of stay".

(Permission for Permanent Residence)

Article 22 (1) A foreign national who seeks to change their status of residence to that of "Permanent Resident" must file an application to the Minister of Justice for permission for permanent residence by taking the procedures provided for by Ministry of Justice Order.

(2) If an application as set forth in the preceding paragraph has been filed, the Minister of Justice may grant permission only if the Minister finds that the foreign national conforms to the following items and that their permanent residence conforms to the interests of Japan; provided, however, that in the case of spouses or children of Japanese nationals of residents with permanent residence status or of special permanent resident, they do not need to conform to the following items:

(i) the foreign national's behavior is good; and

(ii) the foreign national has sufficient assets or skills to make an independent living.

(3) If the Minister of Justice decides to grant the permission provided for in the preceding paragraph, the Minister is to have the Commissioner of the Immigration Services Agency notify the foreign national to that effect. In that case, this notification is to be made by the Commissioner of the Immigration Services Agency by having an immigration officer issue a residence card to the foreign national pertaining to the permission.

(4) The permission of the Minister of Justice pursuant to the provisions of paragraph (2) becomes effective when the residence card under the provisions of the preceding paragraph has been issued.

(Acquisition of Status of Residence)

Article 22-2 (1) Notwithstanding the provisions of Article 2-2, paragraph (1), a person who has renounced Japanese nationality, or a foreign national who is to stay in Japan without following the procedures for landing provided in the preceding Chapter, through birth or for any other grounds, may continue to stay in Japan without acquiring a status of residence for a period not exceeding 60 days from the date of their renouncement of Japanese nationality, birth, or the day other grounds arose.

(2) A foreign national prescribed by the preceding paragraph who seeks to stay in

Japan beyond the period set forth in the same paragraph must file an application with the Minister of Justice for the acquisition of a status of residence within 30 days from the date of their renouncement of Japanese nationality, birth, or the day other grounds arose, pursuant to Ministry of Justice Order.

- (3) The provisions of the main clause of Article 20, paragraph (3), paragraph (4) and paragraph (5) apply mutatis mutandis to the procedures for filing an application to acquire a status of residence prescribed in the preceding paragraph (except for an application to acquire the status of residence of permanent resident). In this case, "change of a status of residence" in the main clause of paragraph (3) of the same Article is deemed to be replaced with "acquisition of a status of residence."
- (4) The provisions of the preceding Article apply mutatis mutandis to the procedures for an application to acquire the status of residence of permanent resident, out of the applications to acquire the status of residence as prescribed in paragraph (2). In this case, "seeks to change" is deemed to be replaced with "seeks to acquire"; and "change their status of residence to that," is deemed to be replaced with "acquire their status of residence," in paragraph (1) of the same Article.

Article 22-3 The provisions of paragraphs (2) through (4) of the preceding Article apply mutatis mutandis to a foreign national who has been granted permission for landing for the temporary refuge prescribed in Article 18-2, paragraph (1), only if the foreign national is to reside under any status of residence set forth in the left-hand column of the Appended Table I or II. In this case, "within 30 days from the date of their renouncement of Japanese nationality, birth, or the day other grounds arose" in paragraph (2) of the preceding Article is deemed to be replaced with "within the period of landing pertaining to the permission for landing."

(Revocation of Status of Residence)

Article 22-4 (1) If any of the following facts are found regarding a foreign national residing in Japan under the status of residence set forth in the left-hand column of the Appended Table I or II (except for those certified as refugees as set forth in Article 61-2, paragraph (1)), the Minister of Justice may revoke the foreign national's status of residence in accordance with the procedures provided for by Ministry of Justice Order:

- (i) the foreign national has been granted, by deceit or other wrongful means, a seal of verification for landing (including the recording of the prescribed information pursuant to the provisions of Article 9, paragraph (4); hereinafter the same applies in the following item) or permission pursuant to

- the provisions of Chapter III, Section 1 or 2, being considered that they do not fall under any of the items of Article 5, paragraph (1);
- (ii) beyond what is provided for in the preceding item, the foreign national has been granted, by deceit or other wrongful means, a seal of verification for landing, etc. (a seal of verification for landing or permission pursuant to the provisions of Chapter III, Section 1 or 2 (limited to those with a decision of status of residence) or permission pursuant to the provisions of this Section, and in the case two or more seals or permissions have been granted, the most recent one; hereinafter the same applies in this paragraph);
 - (iii) beyond what is provided for in the preceding two items, the foreign national has been granted, by submitting or presenting a document that contains a false entry (including a certificate of eligibility obtained by submitting or presenting a document or drawing that contains a false entry or a visa obtained for the passport by submitting or presenting a document or drawing that contains a false entry), or a drawing that contains a false entry, or receiving a seal of verification for landing;
 - (iv) the foreign national has been granted permission pursuant to the provisions of Article 50, paragraph (1) or Article 61-2-2, paragraph (2) due to deceit or other wrongful means (excluding cases of receiving permission or a seal of verification for landing, etc. pursuant to these provisions after receiving that permission);
 - (v) the foreign national residing with a status of residence in the left-hand column of the Appended Table I has not engaged in the activities set forth in the right-hand column of the same Table in accordance with the status of residence, and is residing while engaging in or seeking to engage in other activities (except when there are legitimate grounds);
 - (vi) a person residing with a status of residence in the left-hand column of the Appended Table I who has been residing for three months or more (with regard to a person residing with the status of residence of "Highly Skilled Professional" (limited to those pertaining to item (ii) in the right-hand column under "Highly Skilled Professional" of the Appended Table I (2)), six months) without engaging in the activities (except when there are legitimate grounds for residing without engaging in the activities) set forth in the right-hand column of the same Table in accordance with the status of residence;
 - (vii) a person residing with the status of residence of "Spouse or Child of Japanese National" (limited to those pertaining to persons with the status of the spouse of a Japanese national (except for foreign nationals residing simultaneously with the status of a child specially adopted by a Japanese national (meaning the child specially adopted by a Japanese national pursuant to the provisions of Article 817-2 of the Civil Code (Act No. 89 of 1896))); the same applies hereinafter) or born as the child of a Japanese

- national) or the status of residence of "Spouse or Child of Permanent Resident" (limited to those pertaining to persons with the status of a spouse of a permanent resident, etc. (except for foreign nationals residing simultaneously with the status of a person who was born in Japan as the child of a permanent resident, etc. and is continuing to reside in Japan)), who has been residing for six months or more without continuously engaging in activities as a person with the status of a spouse (except when there are legitimate grounds for residing without engaging in the activities);
- (viii) a person who has newly become a mid-to long-term resident through receiving a seal of verification for landing or permission pursuant to the provisions of Section 1 or Section 2 of the preceding Chapter, permission pursuant to the provisions of this Section or pursuant to the provisions of Article 50, paragraph (1) or Article 61-2-2, paragraph (2), who has not notified the Commissioner of the Immigration Services Agency of the place of residence (except when there are legitimate grounds for not making a notification) within 90 days from the date of receiving the seal of verification for landing or permission;
 - (ix) a mid-to long-term resident who has not notified the Commissioner of the Immigration Services Agency of their new place of residence within 90 days of leaving the previous place of residence, which had been previously notified to the Commissioner (except when there are legitimate grounds for not making a notification); or
 - (x) a mid-to long-term resident who has notified the Commissioner of the Immigration Services Agency of a false place of residence.
- (2) If revoking the status of residence pursuant to the provisions of the preceding paragraph, the Minister of Justice must have an immigration inspector that the Minister has designated hear the opinion of the foreign national.
- (3) The Minister of Justice is to serve the foreign national with a written notice of hearing of opinions in advance, stating the date and place of the hearing as well as the facts supporting the grounds for the revocation in having a designated immigration inspector hear the foreign national's opinions pursuant to the provisions of the preceding paragraph; provided, however, that in cases of urgency, the Minister may have an immigration inspector or immigration control officer orally give notice of the particulars to be stated in the written notice.
- (4) The foreign national or their representative may make an appearance on the date set forth in the preceding paragraph to state opinions and submit evidence.
- (5) Notwithstanding the provisions of paragraph (2), if the foreign national fails to appear at the hearing set forth in the same paragraph without legitimate grounds, the Minister of Justice may revoke the status of residence pursuant to

the provisions of paragraph (1) without hearing the opinions.

- (6) The revocation of the status of residence is made by the Minister of Justice by serving the written notice of revocation of the status of residence.
- (7) If revoking the status of residence pursuant to the provisions of paragraph (1) (excluding items (i) and (ii)), the Minister of Justice is to designate a period necessary for the foreign national to depart from Japan not exceeding 30 days; provided, however, that this does not apply if there are reasonable grounds to suspect that the foreign national will attempt to flee in cases of revocation of the status of residence pursuant to the provisions of the same paragraph (limited to those pertaining to item (v)).
- (8) If designating the period pursuant to the provisions of the main clause of the preceding paragraph, the Minister of Justice may impose restrictions on the foreign national's residence and scope of activities, and impose other conditions found necessary pursuant to the provisions of Ministry of Justice Order.
- (9) The Minister of Justice must state the period designated pursuant to the provisions of the main clause of paragraph (7) and the conditions imposed pursuant to the provisions of the preceding paragraph in the written notice of revocation of the status of residence provided for in paragraph (6).

(Consideration on the Procedures for Revocation of the Status of Residence)

Article 22-5 Where the Minister of Justice intends to revoke the status of residence of a foreign national provided for in paragraph (1) of the preceding Article due to having found the facts set forth in item (vii) of the same paragraph, the Minister must give consideration to granting an opportunity to file an application for a change of the status of residence pursuant to the provisions of Article 20, paragraph (2) or an application for permanent residence pursuant to the provisions of Article 22, paragraph (1).

Section 3 Conditions for Residence

(Carrying and Presentation of Passports)

- Article 23 (1) A foreign national residing in Japan must carry their passport with them at all times (for a foreign national set forth in any of the following items, the document specified in the respective items); provided, however, that this does not apply if the foreign national carries the residence card as provided for in the following paragraph:
- (i) a person for whom a decision has been made on the status of residence of "Temporary Visitor" and the period of stay pursuant to the provisions of Article 9, paragraph (5): registered user card;
 - (ii) a person who has been granted permission for provisional landing: provisional landing permit;

- (iii) a person who has been granted landing permission for cruise ship tourists: landing permit for cruise ship tourists;
 - (iv) a person who has been granted landing permission for crew members: crew member's landing permit and passport or crew member's pocket-ledger;
 - (v) a person who has been granted permission for emergency landing: emergency landing permit;
 - (vi) a person who has been granted landing permission due to distress: landing permit due to distress;
 - (vii) a person who has been granted landing permission for temporary refuge: landing permit for temporary refuge; or
 - (viii) a person who has been granted permission for provisional stay: permit for provisional stay.
- (2) A mid- to long-term resident is to receive a residence card which has been issued by the Commissioner of the Immigration Services Agency or returned by the head of municipalities, and must carry it with them at all times.
- (3) The foreign national set forth in the preceding two paragraphs must present their passport, crew member's pocket-ledger, registered user card, permit or residence card (hereinafter referred to as "passport, etc." in this Article) as set forth in these provisions to an immigration inspector, immigration control officer, police officer, coast guard officer or any other official of a state or local public entity as provided for by Ministry of Justice Order, if the official requests the presentation of the passport, etc. in executing their duties.
- (4) In requesting persons to present their passport, etc., the official prescribed in the preceding paragraph must carry with them an identification card showing their official status and present it upon request if asked to do so.
- (5) Notwithstanding the provisions of the main clause of paragraphs (1) and paragraph (2), a foreign national who is under 16 years of age is not required to carry their passport, etc. with them.

(Deportation)

Article 24 A foreign national who falls under any of the following items may be deported from Japan in accordance with the procedures provided for in the following Chapter:

- (i) a person who has entered Japan in violation of the provisions of Article 3;
- (ii) a person who has landed in Japan without obtaining permission for landing, etc. from an immigration inspector;
- (ii)-2 a person whose status of residence has been revoked pursuant to the provisions of Article 22-4, paragraph (1) (limited to those provisions pertaining to item (i) or (ii));
- (ii)-3 a person whose status of residence has been revoked (except for persons designated a period of stay pursuant to the provisions of the main clause of

- paragraph (7) of Article 22-4) pursuant to the provisions of paragraph (1) of the same Article (limited to those provisions pertaining to item (v) of the same paragraph);
- (ii)-4 a person who has been granted a designated period of stay pursuant to the provisions of the main clause of Article 22-4, paragraph (7) (including as applied mutatis mutandis to Article 61-2-8, paragraph (2)) and will stay in Japan beyond the designated period;
 - (iii) a person who has forged or altered a document or drawing, has prepared a false document or drawing, has used, possessed or offered a forged, altered, or a false document or drawing, or has incited or aided another to engage in any of the those acts with the intent of helping another foreign national to illegally obtain a certificate, a seal of verification for landing (including the recording of the prescribed information pursuant to the provisions of Article 9, paragraph (4)) or permission pursuant to the provisions of Chapter III, Section 1 or 2, permission for landing pursuant to the provisions of Chapter III, Section 4 or the permission pursuant to the provisions of the preceding two sections or Section 3 of the following Chapter;
 - (iii)-2 a person who the Minister of Justice finds as having reasonable grounds to be likely to commit a criminal act for the purpose of intimidating the general public and governments (hereinafter to be referred to in this item as a "criminal act for the purpose of intimidating the general public and governments") provided for in Article 1 of the Act on Punishment of the Financing of Criminal Acts for the Purpose of Intimidation of the General Public and of Governments (Act No. 67 of 2002), to commit a preliminary act of a criminal act for the purpose of intimidating the general public and governments, or likely to conduct an act that facilitate a criminal act for the purpose of intimidating the general public and governments;
 - (iii)-3 a person whose entry into Japan is required to be prevented pursuant to an international agreement;
 - (iii)-4 a person who has engaged in any of the acts set forth in the following sub-items (a) through (c), or has incited or aided another person to engage in any of the acts set forth therein:
 - (a) having foreign nationals engage in illegal work (activities which violate the provisions of Article 19, paragraph (1), or activities conducted by persons set forth in Article 70, paragraph (1), items (i), (ii), (iii) through (iii)-3, (v), (vii) through (vii)-3 or from (viii)-2 through (viii)-4, and for which the person is to receive remuneration or other income) in relation to business activities;
 - (b) placing a foreign national under their control for the purpose of having the foreign national engage in illegal work;
 - (c) an act of forcing a foreign national to engage in illegal work as a business

- or arranging an act set forth in the sub-item (b) as a business;
- (iii)-5 a person who has engaged in any of the acts set forth in the following sub-items (a) through (d), or has incited or aided another person to engage in any of the acts set forth therein:
- (a) forging or altering a residence card or the special permanent resident certificate provided for in Article 7, paragraph (1) of the Special Act on the Immigration Control of, Inter Alia, Those who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (hereinafter referred to simply as "special permanent resident certificate"), or providing, receiving or possessing a residence card or special permanent resident certificate, which has been forged or altered, for the purpose of uttering;
 - (b) providing, receiving or possessing a residence card or special permanent resident certificate in another person's name, or providing one's own residence card, for the purpose of uttering;
 - (c) using a residence card or special permanent resident certificate, which has been forged or altered, or a residence card or special permanent resident certificate in another person's name;
 - (d) preparing instruments or materials for the purpose of using them to forge or alter a residence card or special permanent residence card.
- (iv) a foreign national residing in Japan (excluding those who were granted permission for provisional landing, permission for landing at a port of call, landing permission for cruise ship tourists, permission for landing in transit, landing permission for crew members, or landing permission due to distress) who falls under any of the following sub-items (a) through (o):
- (a) a person who is clearly found to be exclusively engaged in activities of managing a business involving income or activities for which they receive remuneration in violation of the provisions of Article 19, paragraph (1) (except for those under the control of another person due to human trafficking);
 - (b) a person who has stayed in Japan beyond the authorized period of stay (including the period for which a person may reside in Japan pursuant to the provisions of Article 20, paragraph (6); the same applies in Article 26, paragraph (1) and Article 26-2, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 26-3, paragraph (2))) without obtaining a renewal or change of period of stay;
 - (c) a person who has committed human trafficking or has incited or aided another person to commit human trafficking;
 - (d) a person who has been punished for violation of the provisions of paragraph (1) (except for item (vi)) through paragraph (3) of Article 23 of the Passport Act (Act No. 267 of 1951);
 - (e) a person who has been punished for violation of the provisions of Articles

74 through 74-6-3, or 74-8;

- (f) a person who has been sentenced to imprisonment without work or a heavier punishment for violation of the provisions of Article 73;
- (g) a person who is a juvenile as defined by the Juvenile Act (Act No. 168 of 1948) and who was sentenced on or after November 1, 1951, to imprisonment with or without work for a period exceeding 3 years;
- (h) a person who was convicted on or after November 1, 1951, for violation of provisions of the Narcotics and Psychotropics Control Act, the Cannabis Control Act, the Opium Control Act, the Stimulants Control Act, the Act on Special Provisions for the Narcotics and Psychotropics Control Act, etc. and Other Particulars for the Prevention of Activities Encouraging Illicit Conduct and Other Activities Involving Controlled Substances through International Cooperation (Act No. 94 of 1991) or Part II, Chapter XIV of the Penal Code (Act No. 45 of 1907);
- (i) in addition to the persons set forth in sub-items (d) through (h), a person who was sentenced on or after November 1, 1951, to imprisonment with or without work for life or for a period exceeding 1 year; provided, however, that this excludes persons for whom the entire sentence was subject to suspended execution, or persons for whom part of the sentence was subject to suspended execution, and the period of the sentence that was not subject to suspended execution was not more than one year;
- (j) a person who engages in prostitution, or intermediation or solicitation of prostitution, or provision of a place for prostitution, or any other business directly connected to prostitution (except for those under the control of another person due to human trafficking).
- (k) a person who has instigated, incited, or aided the following acts:
 - 1. the illegal entry or landing of another foreign national into Japan;
 - 2. the act of another foreign national landing in Japan by acquiring landing permission or other permission, or acquiring permission pursuant to the provisions of the preceding Section through deceit or other wrongful means.
- (l) a person who schemes or advocates the overthrow of the Constitution of Japan or the government formed thereunder by means of force or violence, or who organizes or is a member of a political party or any other organization which schemes or advocates the overthrow.
- (m) a person who organizes, is a member of, or is closely affiliated with any of the following political parties or other organizations:
 - 1. a political party or organization which encourages acts of violence or the assault, killing, or the injury of officials of the government or local public entities by reason of being a public servant;
 - 2. a political party or organization which encourages illegal damage or

- destruction of public facilities;
3. a political party or organization which encourages acts of dispute, such as stopping or preventing the normal maintenance or operation of the security facilities of a factory or other workplaces.
- (n) a person who has prepared, distributed or exhibited printed materials, motion pictures, or any other documents or drawings whose purpose is to attain the objectives of any political party or organization prescribed in sub-item (l) or (m);
- (o) in addition to those persons set forth in sub-items (a) through (n), any other person who the Minister of Justice finds to have committed acts detrimental to the interests or public security of Japan;
- (iv)-2 a person who is staying in Japan with a status of residence set forth in the left-hand column of the Appended Table I and has been convicted of a crime provided in Part II, Chapter XII, XVI through XIX, XXIII, XXVI, XXVII, XXXI, XXXIII, XXXVI, XXXVII or XXXIX of the Penal Code, in Article 1, 1-2 or 1-3 (except for the parts pertaining to Article 222 or 261 of the Penal Code) of the Act on Punishment of Physical Violence and Others, in the Act on Prevention and Punishment of Robbery and Theft Act, in Article 15 or 16 of the Act on Prohibition of Possession of Special Picking Tools, and Other Related Matters or in Article 2 or Article 6, paragraph (1) of the Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc., and has been sentenced to imprisonment with or without work;
- (iv)-3 a person whose status of residence is "Temporary Visitor" who has illegally killed, injured, assaulted or threatened a person, or damaged or destroyed a building or other objects in relation to the process or results of an international competition, etc. held in Japan or with the intent of preventing the smooth operation thereof, at the venue of an international competition, etc. or within the area of the municipality where the venue is located or to neighboring places provided for use by unspecified or a large number of persons;
- (iv)-4 a mid- to long-term resident who has been sentenced to imprisonment on the charge of a crime provided for in Article 71-2 or Article 75-2;
- (v) a person who has been granted permission for provisional landing and flees or fails to appear at summons without legitimate grounds in violation of conditions imposed pursuant to the provisions of Article 13, paragraph (3);
- (v)-2 a person who has been ordered to depart from Japan pursuant to the provisions of Article 10, paragraph (7) or (11), or Article 11, paragraph (6) but does not depart without delay;
- (vi) a person who has been granted permission for landing at a port of call, landing permission for cruise ship tourists, permission for landing in transit, landing permission for crew members, permission for emergency landing,

- landing permission due to distress or landing permission for temporary refuge, but stays in Japan beyond the period stated in their passport or landing permit;
- (vi)-2 a person who has been granted landing permission for cruise ship tourists but did not return to the ship by the time of the designated passenger ship departing from the port of entry or departure after they disembarked at the Japanese port of entry or departure at which the designated passenger ship pertaining to the permission made a port of call, and has fled;
 - (vi)-3 a person who has been designated a period pursuant to the provisions of Article 14-2, paragraph (9), but does not depart from Japan within that period;
 - (vi)-4 a person who has been designated a period for departure pursuant to the provisions of Article 16, paragraph (9), but does not return to their vessel or depart from Japan within that period;
 - (vii) a person prescribed in Article 22-2, paragraph (1) who stays in Japan beyond the period prescribed in the same paragraph without receiving permission pursuant to the provisions of the main clause of Article 20 paragraph (3), as applied mutatis mutandis to Article 22-2, paragraph (3) or pursuant to the provisions of Article 22-2, paragraph (2), as applied mutatis mutandis to Article 22, paragraph (4);
 - (viii) a person who has been given a departure order pursuant to the provisions of Article 55-3, paragraph (1), but stays in Japan beyond the deadline for departure pertaining to the departure order;
 - (ix) a person whose departure order has been revoked pursuant to the provisions of Article 55-6; or
 - (x) a person staying in Japan with permission granted pursuant to the provisions of Article 61-2-2, paragraph (1), or Article 61-2-3, whose recognition of refugee status has been revoked pursuant to the provisions of Article 61-2-7, paragraph (1) (limited to the provisions pertaining to item (i) or item (iii)).

Article 24-2 (1) The Minister of Justice is to hear the opinions of the Minister of Foreign Affairs, the Commissioner General of the National Police Agency, the Director-General of the Public Security Intelligence Agency, and the Commandant of the Japan Coast Guard prior to making the decision prescribed in the provisions of item (iii)-2 of the preceding Article.

(2) The Minister of Foreign Affairs, the Commissioner General of the National Police Agency, the Director-General of the Public Security Intelligence Agency, or the Commandant of the Japan Coast Guard may express their opinion to the Minister of Justice pertaining to the decision prescribed in the provisions of

item (iii)-2 of the preceding Article.

(Departure Order)

Article 24-3 A foreign national who falls under any of item (ii)-4, item (iv), sub-item (b) or item (vi) through item (vii) and also falls under all of the following items (hereinafter referred to as a "foreign national subject to a departure order"), notwithstanding the provisions of the same Article, is to be ordered to depart from Japan in accordance with the procedures provided for in Chapter V, Section 1 through Section 3 and Chapter V-2:

- (i) the foreign national has voluntarily appeared at an immigration services office with the intention of promptly departing from Japan;
- (ii) the foreign national does not fall under any of items (iii) through (iii)-5, sub-items (c) through (o) of item (iv), item (viii) or item (ix) of Article 24;
- (iii) after entering Japan, the foreign national has not been convicted of a crime provided in Part II, Chapter XII, XVI through XIX, XXIII, XXVI, XXVII, XXXI, XXXIII, XXXVI, XXXVII or XXXIX of the Penal Code, Articles 1, 1-2 or 1-3 (except for the parts pertaining to Article 222 or 261 of the Penal Code) of the Act on Punishment of Physical Violence and Others, the Act on Prevention and Punishment of Robbery and Theft Act, in Articles 15 or 16 of the Act on Prohibition of Possession of Special Picking Tools, and Other Related Matters or in Article 2 or Article 6, paragraph (1) of the Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc., and sentenced to imprisonment with or without work;
- (iv) the foreign national has no past record of being deported from Japan, or of departing from Japan under a departure order pursuant to the provisions of Article 55-3, paragraph (1); or
- (v) the foreign national is definitely expected to promptly depart from Japan.

Section 4 Departure

(Procedures for Departure)

Article 25 (1) A foreign national (except for crew members; the same applies in the following Article) who is to depart from Japan with the intention of going to an area outside of Japan is to receive confirmation of the departure from an immigration inspector in accordance with the procedures provided for by Ministry of Justice Order at the port of entry or departure from which they depart Japan.

(2) The foreign national set forth in the preceding paragraph must not depart from Japan unless they have received confirmation of the departure.

(Deferment Reservation of Confirmation of Departure)

Article 25-2 (1) An immigration inspector may withhold confirmation of the departure limited to 24 hours after the application for confirmation set forth in the preceding Article has been filed by a foreign national who seeks to depart from Japan with the intention of going to an area outside of Japan, when they receive notice from a related organization that the foreign national falls under any of the following items:

(i) a person who is being prosecuted for a crime for which the death penalty or for whom a life sentence, or imprisonment with or without work for 3 years or more, has been imposed; or a person for whom an arrest warrant, writ of physical escort, detention warrant, or writ of confinement for expert examination has been issued;

(ii) a person who has been sentenced to imprisonment without work or a severer penalty and has not been granted suspension of execution of the entire sentence, until the person has completed the sentence or until they cease to be subject to the execution of the sentence (excluding those released on parole, and those for whom part of the sentence was subject to suspended execution and are currently under suspension of execution of the sentence);
or

(iii) a person for whom a provisional detention permit or a detention permit has been issued pursuant to the provisions of the Act of Extradition (Act No. 68 of 1953).

(2) If an immigration inspector has withheld confirmation of departure pursuant to the provisions of the preceding paragraph, the immigration inspector must immediately notify the relevant organization that made the notice prescribed in the preceding paragraph to that effect.

(Re-entry Permission)

Article 26 (1) The Commissioner of the Immigration Services Agency may grant re-entry permission to a foreign national in accordance with the procedures provided for by Ministry of Justice Order based on an application filed by the foreign national residing in Japan (excluding a foreign national who has been granted permission for provisional landing and one who has been granted the permission for landing provided for in Articles 14 through 18) who is to depart from Japan with the intention of re-entering Japan prior to the date of expiration of their period of stay (the period within which the foreign national is eligible to stay if they have no fixed period of stay). In this case, the Commissioner may grant multiple re-entry permissions based on an application filed by the foreign national if the Commissioner finds it appropriate to do so.

(2) The Commissioner of the Immigration Services Agency, when granting the permission set forth in the preceding paragraph, is to have an immigration

inspector affix a seal of verification for re-entry in the passport of the foreign national if the foreign national has their passport in their possession, or issue a re-entry permit pursuant to the provisions of Ministry of Justice Order if the foreign national does not have their passport in their possession and is unable to acquire one for reason of being without nationality or for any other reason. In this case, the permission becomes effective as of the date stated on the seal of verification or the re-entry permit.

- (3) In granting a re-entry permission, the Commissioner of the Immigration Services Agency must set a validity period that does not exceed 5 years from the date on which the permission becomes valid.
- (4) Where an application pursuant to the provisions of Article 20, paragraph (2) or Article 21, paragraph (2) has been filed to the Minister of Justice by a foreign national who has been granted re-entry permission, the Commissioner of the Immigration Services Agency can extend the validity period of the permission until the end of the period during which the foreign national may reside pursuant to the provisions of Article 20, paragraph (6) if the Commissioner finds it appropriate to do so.
- (5) The Commissioner of the Immigration Services Agency may grant an extension of the validity period, if the Commissioner finds that a person who has left Japan with the re-entry permission has reasonable grounds for not being able to re-enter within the validity period of the permission based on an application from the foreign national, of up to 1 year and within 6 years from the effective date of the permission.
- (6) The permission set forth in the preceding paragraph is to be stated in the passport or the re-entry permit, and the administrative work is to be entrusted to a Japanese consular officer, etc.
- (7) If the Commissioner of the Immigration Services Agency finds that it is not appropriate to grant further re-entry permission to a foreign national with re-entry permission, the permission may be revoked while the foreign national is in Japan.
- (8) The re-entry permit issued pursuant to the provisions of paragraph (2) is to be treated as a passport, only in cases of entering Japan based on the re-entry permission pertaining to the re-entry permit.

(Special Re-entry Permission)

Article 26-2 (1) A foreign national residing with a status of residence in Japan (excluding those persons set forth in Article 19-3, items (i) and (ii)) who possess (for mid-to long-term residents, limited to those who possess a residence card) a valid passport (except for the refugee travel document provided for in Article 61-2-12, paragraph (1)), if they depart from Japan by expressing the intention of re-entering Japan pursuant to the provisions of Ministry of Justice Order to

an immigration inspector, is deemed to have been granted the re-entry permission set forth in paragraph (1) of the preceding Article, notwithstanding the provisions of the same paragraph; provided, however, that this does not apply to those persons who fall under the provisions of Ministry of Justice Order as persons who are required to acquire re-entry permission for the purpose of impartial control over immigration.

- (2) The validity period of the re-entry permission deemed to have been granted to the foreign national pursuant to the provisions of the preceding paragraph is to be for one year from the date of departure from Japan (if the expiration date of the period of stay comes prior to the date one year has elapsed from the date of departure from Japan, the period until the expiration of the period of stay), notwithstanding the provisions of paragraph (3) of the preceding Article.
- (3) The provisions of paragraph (5) of the preceding Article do not apply to the re-entry permission deemed to have been granted to the foreign national pursuant to the provisions of paragraph (1).

(Special Re-entry Permission Pertaining to Temporary Visitors)

Article 26-3 (1) A foreign national with the status of residence of "Temporary Visitor" in Japan who possesses a valid passport is deemed to have been granted the re-entry permission set forth in Article 26, paragraph (1), if they depart from Japan on a designated passenger ship by expressing the intention of re-entering Japan on the designated passenger ship to an immigration inspector pursuant to the provisions of Ministry of Justice Order, notwithstanding the provisions of paragraph (1), Article 26; provided, however, that this does not apply to those persons who fall under the provisions of Ministry of Justice Order as persons required to acquire re-entry permission for the purpose of impartial control over immigration.

- (2) The provisions of paragraphs (2) and (3) of the preceding Article apply mutatis mutandis to the re-entry permission deemed to have been granted to the foreign national pursuant to the provisions of the preceding paragraph. In this case, the term "one year" in paragraph (2) of the same Article is deemed to be replaced with "15 days."

Chapter V Procedures for Deportation

Section 1 Investigation into Violation

(Investigation into Violation)

Article 27 If an immigration control officer considers that a foreign national falls under any of the items of Article 24, the officer may conduct an investigation into any violation that may have been committed by that foreign national (hereinafter referred to as "suspect").

(Necessary Interrogation for Investigation into Violation and Request for Its Reports)

- Article 28 (1) An immigration control officer may conduct necessary interrogation in order to attain the objectives of an investigation into possible violation; provided, however, that mandatory disposal may not be enforced unless special provisions are provided in this Chapter and Chapter VIII.
- (2) An immigration control officer may make inquiries to public offices or to public or private organizations and request reports on necessary facts for investigation into violations.

(Request for Appearance and Interrogation of Suspects)

- Article 29 (1) An immigration control officer may request the appearance of a suspect and interrogate them, if it is necessary for an investigation into violation.
- (2) In the case referred to in the preceding paragraph, the immigration control officer must enter the suspect's statement on the written evidence.
- (3) In preparing the written evidence as set forth in the preceding paragraph, the immigration control officer must have the suspect inspect the written evidence or the immigration control officer must read it aloud to the suspect, and have them sign it, and the officer must affix their own signature thereto.
- (4) In the case referred to in the preceding paragraph, if the suspect is unable to sign or refuses to sign the statement, the immigration control officer must make an additional entry to that effect in the written evidence.

(Request for Appearance of Witnesses)

- Article 30 (1) An immigration control officer may request the appearance of a witness and interview them, if it is necessary for an investigation into violation.
- (2) In the case referred to in the preceding paragraph, the immigration control officer must enter the witness's statement in the written evidence.
- (3) The provisions of paragraphs (3) and (4) of the preceding Article apply mutatis mutandis to the case referred to in the preceding paragraph. In this case, "suspect" in paragraphs (3) and (4) of the preceding Article is deemed to be replaced with "witness."

(Official Inspection, Search and Seizure)

- Article 31 (1) An immigration control officer may, if it is necessary for conducting an investigation into violation, carry out an official inspection, search or seizure with permission from a judge of the district court or summary court with jurisdiction over the area where their office is located.
- (2) In the case referred to in the preceding paragraph, in cases of urgency, the

immigration control officer may take the actions as set forth in the preceding paragraph with permission from a judge of the district court or summary court with jurisdiction over the place subject to official inspection, or the place the persons or objects subject to search or the objects subject to seizure are located.

- (3) If an immigration control officer seeks to request the permission set forth in paragraph (1) or in the preceding paragraph, the officer is to file an application together with materials indicating that the suspect falls under any of the items of Article 24, and if the officer is to officially inspect a place that is the residence of a person other than the suspect or other such places, the officer must submit materials indicating the existence of circumstances which sufficiently show that the place is related to the violation. If the officer is to search the body, property, residence or any other place of a person other than the suspect, they must submit materials indicating the existence of objects that should be seized and of circumstances which sufficiently indicate that the object is related to the violation; and if the officer is to seize an object of a person other than the suspect, they must submit materials that indicate the existence of circumstances which sufficiently show that the article is related to the violation.
- (4) If a request as set forth in the preceding paragraph is made, a district court or summary court judge must issue a permit stating the place to be officially inspected, the person or objects subject to search, the objects to be seized, the title and name of the officer making the request, the validity period of the permit, and the name of the court with the name and seal of the judge, and deliver it to the immigration control officer.
- (5) An immigration control officer may deliver the permit set forth in the preceding paragraph to another immigration control officer and have them carry out the official inspection, search or seizure.

(Necessary Dispositions)

Article 32 An immigration control officer may, if it is necessary for conducting a search or seizure, remove locks, open seals, or carry out any other necessary dispositions.

(Carrying of an Identification Card)

Article 33 An immigration control officer must carry their identification card with them and show it upon request by the person concerned while conducting questioning, official inspection, search or seizure.

(Attendance at a Search or Seizure)

Article 34 An immigration control officer must, in conducting a search or seizure at a residence or other buildings, ensure that the owner, lessee, administrator

or other persons who acts in the capacity of that person is present. If this cannot be done, they must ensure that a neighbor or an official of the local government is present.

(Restriction on Hours)

Article 35 (1) An immigration control officer must not enter any residence or other buildings to conduct a search or seizure before sunrise or after sunset, unless the permit indicates that it may be conducted at night.

(2) An immigration control officer may, in the event that they have begun the search or seizure before sunset, continue the act after sunset.

(3) An immigration control officer is not required to act pursuant to the restrictions prescribed in paragraph (1) while conducting a search or seizure at the following places:

(i) any place which is considered to be commonly used for acts prejudicial to public morals; or

(ii) a hotel, restaurant or any other place which the public is able to enter and leave at night; provided however, that this applies only during the hours that the place is open to the public.

(Prohibition of Entry and Exit)

Article 36 An immigration control officer may prohibit any person from entering or exiting the premises without permission while conducting interrogation, official inspection, search or seizure.

(Procedures for Seizure)

Article 37 (1) In the event that an immigration control officer has carried out a seizure, they must make an inventory of the objects seized and deliver it to the owner, holder, custodian or a person who acts in the capacity of that person.

(2) An immigration control officer must promptly return the seized objects, if they find that there is no need to retain them.

(Preparation of Written Evidence)

Article 38 (1) In the event that the immigration control officer has conducted an official inspection, search or seizure, the officer must prepare an written evidence thereof and have the observer inspect it, or read it aloud to the observer and have them sign it, and the officer must affix their own signature thereto.

(2) In the case referred to in the preceding paragraph, if the observer is unable to sign or refuses to sign the written evidence, the immigration control officer must make an additional entry to that effect in the written evidence.

Section 2 Detention

(Detention)

Article 39 (1) An immigration control officer may, if the officer has reasonable grounds to suspect that a suspect falls under any of the items of Article 24, detain the suspect pursuant to a written detention order.

(2) The written detention order set forth in the preceding paragraph is to be issued by a supervising immigration inspector of the office to which the immigration control officer belongs, upon request by the immigration control officer.

(Format of a Written Detention Order)

Article 40 The name, place of residence, and nationality of the suspect, facts of the suspected offense, place of detention, validity period and date of issuance of the order, and other particulars provided for by Ministry of Justice Order are to be stated in the written detention order set forth in paragraph (1) of the preceding Article, and a supervising immigration inspector must sign their name and affix their seal thereto.

(Period and Place of Detention and Commission of Custody)

Article 41 (1) The period of detention set pursuant to the written detention order is to be within 30 days; provided, however, that if a supervising immigration inspector finds that there are compelling reasons, they may extend that period once for an additional 30 days.

(2) The place where the foreign national may be detained pursuant to the written detention order is to be an immigration detention center, detention house, or any other appropriate place designated by the Commissioner of the Immigration Services Agency or by a supervising immigration inspector entrusted by the Commissioner.

(3) A police officer may place a suspect in custody in a detention facility upon the request of a supervising immigration inspector who finds it necessary.

(Procedures for Detention)

Article 42 (1) If an immigration control officer detains a suspect pursuant to a written detention order, they must show the detention order to the suspect.

(2) In urgent cases, an immigration control officer may detain a suspect by giving the suspect the facts of the suspected offense and informing them that the order has been issued even if the officer is not in possession of a written detention order; provided, however, that the order must be shown to the suspect as soon as possible.

(Cases of Emergency)

Article 43 (1) If an immigration control officer finds that there are reasonable grounds to believe that a person clearly falling under any of the items of Article 24 is likely to flee before the issuance of a written detention order, the officer may detain the person without a written detention order.

(2) If detention has been carried out as set forth in the preceding paragraph, the immigration control officer must promptly notify a supervising immigration officer of the grounds for the detention and request the issuance of a written detention order.

(3) In the case referred to in the preceding paragraph, if the supervising immigration inspector does not approve the detention set forth in paragraph (1), the immigration control officer must immediately release the person detained.

(Handing Over the Suspect)

Article 44 If an immigration control officer has detained a suspect pursuant to the provisions of Article 39, paragraph (1), the officer must hand over the suspect to an immigration inspector together with the written evidence and evidences within 48 hours from the time they have taken the suspect into custody.

Section 3 Examination, Hearing and Filing of an Objection

(Examination by an Immigration Inspector)

Article 45 (1) If a suspect has been transferred to an immigration inspector pursuant to the provisions of the preceding Article, the immigration inspector must promptly examine whether the suspect falls under the category of a foreign national subject to deportation (a foreign national who falls under any of the items of Article 24 but does not fall under the category of a foreign national subject to a departure order; the same applies hereinafter).

(2) In the event that the immigration inspector has conducted the examination set forth in the preceding paragraph, they must prepare a written evidence thereof.

(Burden of Proof on the Suspect)

Article 46 A suspect subject to the examination set forth in the preceding Article who is considered to fall under Article 24, item (i) (except for the part pertaining to Article 3, paragraph (1), item (ii)), or Article 24, item (ii), must themselves give proof to establish that they do not fall under these items.

(Procedures after Examination)

- Article 47 (1) An immigration inspector must immediately release the suspect if they find that the suspect does not fall under any of the items of Article 24, as a result of an examination.
- (2) If an immigration inspector finds that the suspect falls under the category of a foreign national subject to a departure order, as a result of an examination, the inspector must promptly notify a supervising immigration inspector of that finding. In this case, if the suspect has been given a departure order pursuant to the provisions of Article 55-3, paragraph (1), the immigration inspector must immediately release the suspect.
- (3) If an immigration inspector finds that the suspect falls under the category of a foreign national subject to deportation as a result of examination, they must promptly notify a supervising immigration inspector and the suspect of their findings in writing, stating the reasons for those findings.
- (4) In making the notice set forth in the preceding paragraph, the immigration inspector must notify the suspect that the suspect may request a hearing pursuant to the provisions of Article 48.
- (5) In the case referred to in paragraph (3), if the suspect has no objection to the findings, the supervising immigration inspector must have the foreign national sign a document with a statement that they will not request a hearing, and promptly issue a written deportation order pursuant to the provisions of Article 51.

(Hearing)

- Article 48 (1) A suspect who has received the notice set forth in paragraph (3) of the preceding Article may orally request a hearing to a special inquiry officer within 3 days from the date of receiving the notice, if they have an objection to the findings set forth in the same paragraph.
- (2) If a request has been made for the hearing set forth in the preceding paragraph, an immigration inspector must submit the written evidence set forth in Article 45, paragraph (2) and other pertinent documents to a special inquiry officer.
- (3) If a request is made for the hearing set forth in paragraph (1), the special inquiry officer must notify the suspect of the time and place of the hearing and promptly conduct the hearing.
- (4) If the special inquiry officer conducts a hearing as set forth in the preceding paragraph, the officer must prepare a written evidence of the hearing.
- (5) The provisions of Article 10, paragraphs (3) through (6) apply mutatis mutandis to the hearing proceedings set forth in paragraph (3).
- (6) If a special inquiry officer determines that the findings set forth in paragraph (3) of the preceding Article are different from the facts (limited to cases in which the suspect does not fall under any of the items of Article 24) as a result

of the hearing, they must immediately release the suspect.

- (7) If a special inquiry officer determines that the findings set forth in paragraph (3) of the preceding Article are different from the facts (limited to cases in which the suspect falls under the category of a foreign national subject to a departure order) as a result of the hearing, they must promptly notify a supervising immigration inspector to that effect. In this case, if the suspect has been given a departure order pursuant to the provisions of Article 55-3, paragraph (1), the special inquiry officer must immediately release the suspect.
- (8) If a special inquiry officer determines that there is no error in the findings set forth in paragraph (3) of the preceding Article as a result of the hearing, they must promptly notify the supervising immigration inspector and the suspect to that effect, and at the same time inform the suspect that they may file an objection pursuant to the provisions of Article 49.
- (9) If the suspect, upon receipt of the notice set forth in the preceding paragraph, has no objection to the findings set forth in the same paragraph, the supervising immigration inspector is to have the suspect sign a document containing a statement that they will not file an objection and the supervising immigration inspector must promptly issue a written deportation order pursuant to the provisions of Article 51.

(Filing of an Objection)

- Article 49 (1) Upon receipt of the notice set forth in paragraph (8) of the preceding Article, if the suspect has an objection to the findings set forth in the same paragraph, they may file an objection with the Minister of Justice by submitting a written statement containing the grounds for dissatisfaction to the supervising immigration inspector in accordance with the procedures provided for by Ministry of Justice Order within 3 days from the date of receipt of the notice.
- (2) If an objection as set forth in the preceding paragraph has been filed, a supervising immigration inspector must submit the written evidence of the examination set forth in Article 45, paragraph (2), the written evidence of the hearing set forth in paragraph (4) of the preceding Article, and other pertinent documents to the Minister of Justice.
- (3) If the Minister of Justice has received an objection filed pursuant to the provisions of paragraph (1), the Minister must make a decision on whether the objection is within reason and notify a supervising immigration inspector of the decision.
- (4) The supervising immigration inspector must immediately release the suspect if they receive a notice of the decision from the Minister of Justice that the objection filed is within reason (limited to cases in which the reason is that the suspect does not fall under any of the items of Article 24).

- (5) If the supervising immigration inspector has received a notice of the decision from the Minister of Justice that the objection is within reason (limited to cases in which the reason is that the suspect falls under the category of a foreign national subject to a departure order), and issued a departure order to the suspect pursuant to the provisions of Article 55-3, paragraph (1), the inspector must immediately release the suspect.
- (6) If the supervising immigration inspector has received a notice of the decision from the Minister of Justice that the objection is unreasonable, the inspector must promptly notify the suspect to that effect and issue a written deportation order pursuant to the provisions of Article 51.

(Special Case of Decisions by the Minister of Justice)

- Article 50 (1) Even if the Minister of Justice finds that the objection filed is unreasonable, in making the decision set forth in paragraph (3) of the preceding Article, the Minister may grant the suspect special permission to stay in Japan if the suspect falls under any of the following items:
- (i) the suspect has obtained permission for permanent residence;
 - (ii) the suspect has had a registered domicile in Japan as a Japanese national in the past;
 - (iii) the suspect resides in Japan under the control of another person due to human trafficking; or
 - (iv) the Minister of Justice finds that there are grounds to grant special permission to stay other than those prescribed in the previous items.
- (2) In the case referred to in the preceding paragraph, the Minister of Justice may determine the status of residence and the period of stay, and impose conditions which the Minister finds necessary, pursuant to the provisions of Ministry of Justice Order.
- (3) If the Minister of Justice grants the permission set forth in paragraph (1) (limited to those related to the determination of the status of residence), the Commissioner of the Immigration Services Agency is to have an immigration officer issue a residence card to the foreign national, if they become a mid- to long-term resident.
- (4) The permission set forth in paragraph (1) is deemed to be a decision to the effect that the objection filed is within reason regarding the application of the provisions set forth in paragraph (4) of the preceding Article.

Section 4 Enforcement of Written Deportation Order

(Format of the Written Deportation Order)

- Article 51 A written deportation order issued pursuant to the provisions of Article 47, paragraph (5), Article 48, paragraph (9) or Article 49, paragraph (6),

or based on the deportation procedures pursuant to the provisions of Article 63, paragraph (1), is to state the name, age and nationality of the foreign national subject to deportation, the reason for the deportation, the destination, the date of issuance of the deportation order, and other particulars provided by Ministry of Justice Order, and the name and seal of a supervising immigration inspector must be affixed thereto.

(Enforcement of Written Deportation Order)

- Article 52 (1) A written deportation order is to be enforced by an immigration control officer.
- (2) Upon the request by a supervising immigration inspector who finds it necessary due to shortage of immigration control officers, a police officer or a coast guard officer may enforce a written deportation order.
- (3) In enforcing a written deportation order, an immigration control officer (including a police officer or a coast guard officer enforcing a written deportation order pursuant to the provisions of the preceding paragraph; hereinafter the same applies in this Article) must show the written deportation order or its copy to the foreign national subject to deportation and promptly deport the foreign national to the destination provided in the following Article; provided, however, that the immigration control officer is to hand over the foreign national to a carrier if the carrier is to send back the foreign national pursuant to the provisions of Article 59.
- (4) In the case referred to in the preceding paragraph, if a person for whom a deportation order was issued seeks to voluntarily depart Japan at their own expense, the director of the immigration detention center or the supervising immigration inspector may permit them to do so based on an application filed by the person. In this case, notwithstanding the entries in the written deportation order or the provisions of the following Article, the director of the immigration detention center or the supervising immigration inspector may decide the destination of the person based on their application.
- (5) In the case referred to in the main clause of paragraph (3), if the immigration control officer cannot immediately send the foreign national to be deported outside Japan, the officer may detain person in an immigration detention center, detention house, or any other place designated by the Commissioner of the Immigration Services Agency or by the supervising immigration inspector entrusted by the Commissioner, until the time deportation becomes possible.
- (6) In the case referred to in the preceding paragraph, if it becomes clear that the foreign national cannot be deported, the director of the immigration detention center or the supervising immigration inspector may release the person by placing restrictions on the place of residence and scope of activities, an obligation to appear upon receiving summons, as well as imposing other

conditions found to be necessary.

- (7) The immigration control officer may make inquiries to public offices or public or private organizations and request reports on necessary information if found necessary for the enforcement of the written deportation order.

(Deportation Destinations)

Article 53 (1) A person subject to deportation is to be sent to a country of which they are a national or citizen.

- (2) If the person cannot be deported to the relevant country as set forth in the preceding paragraph, that person is to be deported to any of the following countries pursuant to their wishes:

- (i) the country in which they had been residing immediately before entering Japan;
- (ii) the country in which they have resided before entering Japan;
- (iii) the country of the port or airport where they boarded the vessel or aircraft to depart for Japan;
- (iv) the country where their place of birth is located;
- (v) the country to which their birthplace belonged at the time of their birth; or
- (vi) any other country.

- (3) The countries set forth in the preceding two paragraphs are not to include any of the following countries:

- (i) territories of countries prescribed in the Refugee Convention, Article 33, paragraph (1) (except for cases in which the Minister of Justice finds it significantly detrimental to the interests and public security of Japan);
- (ii) countries prescribed in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3, paragraph (1);
or
- (iii) countries prescribed in the International Convention for the Protection of All Persons from Enforced Disappearances, Article 16, paragraph (1).

Section 5 Provisional Release

(Provisional Release)

Article 54 (1) A person detained pursuant to a written detention order or deportation order issued, their representative, curator, spouse, lineal relative or sibling may request their provisional release to the director of the immigration detention center or the supervising immigration inspector in accordance with the procedures provided for by Ministry of Justice Order.

- (2) The director of the immigration detention center or the supervising immigration inspector may grant provisional release to a foreign national detained pursuant to a written detention order or deportation order issued

upon the request set forth in the preceding paragraph or ex officio, taking into consideration the particular circumstances, the evidence produced in support of the request, the character and assets of the foreign national, and having the foreign national pay a deposit not exceeding 3 million yen as provided by Ministry of Justice Order, and by placing restrictions on the place of residence and scope of activities, obligation to appear upon receiving summons, as well as imposing other conditions found to be necessary, pursuant to Ministry of Justice Order.

- (3) If the director of the immigration detention center or the supervising immigration inspector finds it appropriate, they may permit a letter of guarantee submitted by a person other than the foreign national detained under a written detention order or deportation order issued in lieu of the deposit. The letter of guarantee must state the amount of the deposit and a statement that the deposit will be paid at any time.

(Revocation of Provisional Release)

Article 55 (1) The director of the immigration detention center or the supervising immigration inspector may revoke the provisional release if the foreign national accorded provisional release has fled, there are reasonable grounds to suspect that the foreign national will attempt to flee, the foreign national fails to comply with an order to appear upon receiving summons without legitimate grounds, or has violated any of other conditions attached to the provisional release.

- (2) If the director of the immigration detention center or the supervising immigration inspector has revoked the provisional release pursuant to the provisions of the preceding paragraph, they must prepare a written revocation of provisional release and deliver it to an immigration control officer with the written detention order or with the deportation order attached.
- (3) The director of the immigration detention center or the supervising immigration inspector is to confiscate all of the deposit if they revoke a provisional release on the grounds that the person has fled or has failed to comply with an order to appear upon receiving summons without legitimate grounds, and confiscate a part of the deposit if they revoke a provisional release due to any other reasons.
- (4) If the provisional release of a person has been revoked, an immigration control officer must show a written revocation of the provisional release and a detention order or a deportation order to the person and detain them at an immigration detention center, detention house, or any other place designated by the Commissioner of the Immigration Services Agency or the supervising immigration inspector entrusted by the Commissioner.
- (5) An immigration control officer may, in cases of emergency, detain a person

whose provisional release has been revoked without a written revocation of the provisional release and a detention order or a deportation order by informing them that the provisional release has been revoked; provided, however, that a written revocation of the provisional release and a detention order or a deportation order must be shown to the person as soon as possible.

Chapter V-2 Departure Orders

(Examination Pertaining to Departure Orders)

- Article 55-2 (1) If an immigration control officer finds that there are reasonable grounds to believe that a suspect falls under the category of a foreign national subject to a departure order, notwithstanding the provisions of Article 39, the officer must transfer the case concerning the violation pertaining to the suspect to an immigration inspector.
- (2) If the immigration inspector is transferred a case of a violation pursuant to the provisions of the preceding paragraph, they must promptly examine whether the suspect falls under the category of a foreign national subject to a departure order.
- (3) If the immigration inspector finds that the suspect falls under the category of a foreign national subject to a departure order as a result of the examination, they must promptly notify a supervising immigration inspector to that effect.
- (4) If the immigration inspector finds that there are reasonable grounds to suspect that the suspect falls under the category of a foreign national subject to deportation, the inspector is to notify the immigration control officer to that effect and send the case of the violation back to the immigration control officer.

(Departure Order)

- Article 55-3 (1) If a supervising immigration inspector receives a notice pursuant to the provisions of Article 47, paragraph (2), Article 48, paragraph (7), Article 49, paragraph (5), or paragraph (3) of the preceding Article, the inspector is to promptly order the suspect to whom the notice pertains to depart from Japan. In this case, the inspector must designate a period not exceeding 15 days within which the suspect must depart from Japan.
- (2) If the supervising immigration inspector gives a departure order pursuant to the provisions of the preceding paragraph, the inspector must deliver a written departure order to the suspect pursuant to the provisions of the following Article.
- (3) If the supervising immigration inspector gives a departure order pursuant to the provisions of paragraph (1), the inspector may, pursuant to Ministry of Justice Order, impose restrictions on the suspect's place of residence and scope of activities, and impose other conditions the inspector finds necessary.

(Format of the Written Departure Order)

Article 55-4 A written departure order delivered pursuant to the provisions of paragraph (2) of the preceding Article is to state the name, age and nationality of the foreign national who has been given the departure order, the reason for the departure order, the deadline for the departure, the date of issuance of the departure order and other particulars provided by Ministry of Justice Order, and the name and seal of the supervising immigration inspector must also be affixed thereto.

(Extension of the Deadline for Departure)

Article 55-5 Upon receiving notification from the foreign national who has been given a departure order pursuant to the provisions of Article 55-3, paragraph (1) that they are unable to depart from Japan within the deadline for departure pertaining to the departure order, the supervising immigration inspector may extend the deadline for departure pursuant to the provisions of Ministry of Justice Order, provided that the inspector finds grounds not attributable to that person, such as the operating schedule of the vessel or aircraft used for departure.

(Revocation of Departure Order)

Article 55-6 If a foreign national who has been given a departure order pursuant to the provisions of Article 55-3, paragraph (1) violates any of the conditions imposed pursuant to the provisions of paragraph (3) of the same Article, the supervising immigration inspector may revoke the departure order.

Chapter VI Responsibility of the Captain of a Vessel or Aircraft and the Carrier

(Duty to Cooperate)

Article 56 The captain of a vessel or aircraft entering Japan and the carrier who operates the vessel or aircraft must cooperate with an immigration inspector in executing their duties, such as examinations.

(Duty to Check Passports or Other Documents)

Article 56-2 For the purpose of preventing foreign nationals from illegally entering Japan, the carrier who operates a vessel or aircraft entering Japan (or the captain of the vessel or aircraft in the absence of the carrier) must check the passports, crew member's pocket-ledgers or re-entry permits possessed by foreign nationals who seek to board the vessel or aircraft.

(Duty to Report)

- Article 57 (1) Pursuant to the provisions of Ministry of Justice Order, the captain of a vessel or aircraft entering Japan must report to an immigration inspector at the port of entry or departure where the vessel or aircraft will arrive, the names of its crew members and passengers and other particulars provided by Ministry of Justice Order, in advance.
- (2) Upon the request of an immigration inspector at the port of entry or departure from which the vessel or aircraft departs, the captain of a vessel or aircraft departing from Japan must report particulars pertaining to its crew members and passengers as prescribed in the preceding paragraph.
- (3) If the captain of a vessel or aircraft entering Japan learns that a foreign national aboard the vessel or aircraft does not possess a valid passport, crew member's pocket-ledger or re-entry permit, the captain must immediately report this information to an immigration inspector at the port of entry or departure.
- (4) If a person who has been granted the permission set forth in Article 14-2, paragraph (2) is on board a designated passenger ship, the captain of the designated passenger ship entering Japan must immediately report the name of the person and other particulars provided by Ministry of Justice Order to an immigration inspector at the port of entry or departure each time the designated passenger ship arrives at a port of entry or departure.
- (5) If a crew member who has been granted the permission set forth in Article 16, paragraph (2) is on board the vessel or aircraft entering Japan, the captain of the vessel or aircraft must immediately report the name of the crew member and other particulars provided by Ministry of Justice Order to an immigration inspector each time the vessel or aircraft arrives at a port of entry or departure.
- (6) The captain of the designated passenger ship departing from a Japanese port of entry or departure must report, upon the request of an immigration inspector at the port of entry or departure, whether a person granted the permission set forth in Article 14-2, paragraph (1) or (2) has returned to the designated passenger ship.
- (7) At the request of an immigration inspector at the port of entry or departure from which the vessel or aircraft departs, the captain of the vessel or aircraft departing from Japan must report whether a person granted permission for landing in transit pursuant to the provisions of Article 15, paragraph (1) has returned to their vessel or aircraft, whether a person who was granted landing permission for crew members is aboard the vessel or aircraft, and whether a person seeking to depart Japan in violation of the provisions of Article 25, paragraph (2), or Article 60, paragraph (2) is aboard the vessel or aircraft.
- (8) If an immigration inspector finds it necessary in securing the enforcement of the provisions of Article 7, paragraph (1) or other provisions of the

Immigration Control and Refugee Recognition Act, they may request the carrier operating an aircraft entering Japan or any other person provided for by Ministry of Justice Order to give a report on the person who made the reservation on the aircraft (meaning the person who reserved the airline ticket; hereinafter the same applies in this paragraph), the details of the reservation of the person who made the reservation, the baggage of the person and the particulars provided for in Ministry of Justice Order regarding the procedures for boarding the aircraft, before the aircraft arrives at the port of entry or departure.

- (9) A person who has been requested to give a report pursuant to the provisions of the preceding paragraph must give the report pursuant to the provisions of Ministry of Justice Order. In this case, if this person takes the measures provided for in Ministry of Justice Order that make the information available in a manner that enables the immigration inspector to view the information using electronic or magnetic records (meaning records which were created in an electronic or magnetic means and are used for information processing by computers) in lieu of the report, the report is deemed to have been made.

(Duty to Prevent Landing)

Article 58 If the captain of a vessel or aircraft arriving in Japan has learned that a foreign national prescribed in paragraph (3) of the preceding Article is aboard the vessel or aircraft, the captain must prevent the foreign national from landing.

(Duty of Repatriation)

Article 59 (1) The captain of a vessel or aircraft or the carrier who operates a vessel or aircraft that has on board a foreign national falling under any of the following items must promptly send the foreign national outside of Japan at their own expense and responsibility via the same vessel or aircraft or any other vessel or aircraft owned by the same carrier:

- (i) a person denied landing pursuant to the provisions of Chapter III, Section 1 or 2;
 - (ii) a person deported for falling under any of items (v) through (vi)-4 of Article 24;
 - (iii) excluding those persons prescribed in the preceding item, out of those who were deported within 5 years of their landing date for falling under any of the items of Article 24, the person whom the captain of the vessel or aircraft or the carrier who operated the vessel or aircraft at the time of their landing is found to have obviously known the existence of grounds for deportation.
- (2) In the case referred to in the preceding paragraph, if the carrier cannot send the foreign national back via the vessel or aircraft prescribed in the same

paragraph, the carrier must promptly send the foreign national back via another vessel or aircraft at their own expense and responsibility.

- (3) Notwithstanding the provisions of the preceding two paragraphs, out of the expense and responsibility that should be borne by the captain of a vessel or aircraft or the carrier who operates the vessel or aircraft, a supervising immigration inspector may exempt the captain or the carrier from all or part of the expenses and responsibility arising from keeping a foreign national who falls under paragraph (1), item (i) at a facility (referred to as a "departure waiting facility" in Article 61-7-6) provided by Ministry of Justice Order as a place to stay pursuant to the provisions of Article 13-2, paragraph (1), provided that the foreign national possesses a valid passport with a visa issued by a Japanese consular officer, etc.

Chapter VI-2 Inquiry into Facts

(Inquiry into Facts)

- Article 59-2 (1) If necessary, the Minister of Justice or the Commissioner of the Immigration Services Agency may have an immigration inspector inquire into facts in order to conduct dispositions regarding the issuance of a certificate of eligibility, registration pursuant to the provisions of Article 9, paragraph (8) (limited to those pertaining to persons that fall under item (i), sub-item (c) of the same paragraph) or permission pursuant to the provisions of Article 12, paragraph (1), Article 19, paragraph (2), the main clause of Article 20, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-3)), Article 21, paragraph (3), Article 22, paragraph (2) (including as applied mutatis mutandis pursuant to Article 22-2, paragraph (4) (including as applied mutatis mutandis pursuant to Article 22-3)), Article 26, paragraph (1), Article 50, paragraph (1), or Article 61-2-11, or have an immigration inspector or immigration control officer inquire into the facts in order to conduct dispositions regarding revocation of the status of residence pursuant to the provisions of Article 22-4, paragraph (1).
- (2) If necessary, the immigration inspector or immigration control officer may require a foreign national and other persons concerned to appear, ask them questions, or request them to present documents for the inquiry set forth in the preceding paragraph.
- (3) The Minister of Justice, the Commissioner of the Immigration Services Agency, an immigration inspector or an immigration control officer may make inquiries to public offices or public or private organizations and request them to make reports on the facts necessary for the inquiry set forth in paragraph (1).

Chapter VII Departure from and Return to Japan of Japanese Nationals

(Departure of Japanese Nationals)

Article 60 (1) A Japanese national (except for crew members) who departs from Japan with the intention of going to an area outside of Japan, is to possess a valid passport and must receive confirmation of the departure from an immigration inspector in accordance with the procedures provided by Ministry of Justice Order, at the port of entry or departure from which the person departs.

(2) The Japanese national set forth in the preceding paragraph must not depart from Japan unless they have received confirmation of the departure from Japan.

(Return to Japan of Japanese Nationals)

Article 61 A Japanese national (except for crew members) who returns to Japan from an area outside of Japan is to possess a valid passport (a document that certifies Japanese nationality if they are unable to possess a valid passport) and must receive confirmation of their return to Japan from an immigration inspector in accordance with the procedures provided by Ministry of Justice Order, at the port of entry or departure at which the person lands.

Chapter VII-2 Recognition of Refugee Status and Other Related Particulars

(Recognition of Refugee Status)

Article 61-2 (1) If a foreign national in Japan files an application in accordance with the procedures provided by Ministry of Justice Order, the Minister of Justice may recognize that person as a refugee (hereinafter referred to as "recognition of refugee status") based on the materials submitted.

(2) If the recognition of refugee status has been made, the Minister of Justice is to issue a certificate of refugee status to the foreign national in accordance with the procedures provided by Ministry of Justice Order. If recognition of refugee status is denied, the foreign national is to be notified to that effect in writing with the reason attached.

(Permission Pertaining to Status of Residence)

Article 61-2-2 (1) If the Minister of Justice recognizes the foreign national as a refugee pursuant to the provisions of paragraph (1) of the preceding Article and the foreign national who has filed the application set forth in the same paragraph falls under the category of a foreign national without a status of

residence (those who are staying in Japan under a status of residence set forth in the left-hand column of the Appended Table I or II, those who have been granted permission for landing for temporary refuge who have not stayed in Japan beyond the period stated in the permit, and special permanent residents; the same applies hereinafter), the foreign national is to be permitted to acquire the status of residence of "Long-Term Resident", unless the foreign national falls under any of the following items:

- (i) the foreign national has filed the application set forth in paragraph (1) of the preceding Article 6 months after the date on which they landed in Japan (the date on which the foreign national learned that they have become a refugee, for those the grounds for becoming a refugee arose while they were in Japan); provided however, that this does not apply if there are compelling circumstances;
 - (ii) the foreign national has not entered Japan directly from a territory where their life, body or physical freedom was likely to be harmed on the grounds prescribed in Article 1, paragraph A-(2) of the Refugee Convention, unless the grounds for which they became a refugee arose while they were in Japan;
 - (iii) the foreign national falls under any of the persons set forth in Article 24, items (iii) through item (iii)-5 or Article 24, item (iv), sub-items (c) through (o); or
 - (iv) after entering Japan, the foreign national has been convicted of the crime provided in Part II, Chapter XII, XVI through XIX, XXIII, XXVI, XXVII, XXXI, XXXIII, XXXVI, XXXVII or XXXIX of the Penal Code, in Article 1, 1-2 or 1-3 (except for the parts pertaining to Article 222 or 261 of the Penal Code) of the Act on Punishment of Physical Violence and Others, the Act for Prevention and Punishment of Robbery and Theft Act, in Article 15 or 16 of the Act on Prohibition of Possession of Special Picking Tools, and Other Related Matters or in Article 2 or Article 6, paragraph (1) of the Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc., and sentenced to imprisonment with or without work.
- (2) If a foreign national without a status of residence has filed the application set forth in paragraph (1) of the preceding Article and the Minister of Justice denies recognition as a refugee, or does not grant the permission set forth in the preceding paragraph, the Minister is to examine whether there are grounds to grant special permission to stay to the foreign national without a status of residence, and if the Minister finds the grounds, may grant special permission to stay in Japan.
- (3) If the Minister of Justice has decided to grant permission pursuant to the provisions of the preceding two paragraphs, the Minister is to have the Commissioner of the Immigration Services Agency notify the foreign national to that effect. In such case, the notification must be made by the Commissioner

of the Immigration Services Agency by having an immigration inspector take the measures specified in the following items in accordance with the categories set forth in the following items:

- (i) if the foreign national pertaining to the permission becomes a mid- to long-term resident: the issuance of a residence card for the foreign national; or
 - (ii) in cases other than those set forth in the preceding item: issuance of a certificate of status of residence which gives the status of residence and the period of stay for the foreign national.
- (4) The permission of the Minister of Justice pursuant to the provisions of paragraph (1) or paragraph (2) becomes effective if the measures specified in each of the items of the preceding paragraph have been taken.
- (5) In granting the permission pursuant to the provisions of paragraph (1) or (2), the Minister of Justice is to revoke the permission for provisional landing or permission for landing pursuant to the provisions of Chapter III, Section 4, which has been granted to the foreign national.

Article 61-2-3 If a foreign national recognized as a refugee (except for a foreign national who has acquired a status of residence with the permission set forth in paragraph (2) of the preceding Article) files an application to change their status to that of "Long-Term Resident" pursuant to the provisions of Article 20, paragraph (2), or files an application to acquire the status of residence of "Long-Term Resident" pursuant to the provisions of Article 22-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 22-3), the Minister of Justice, notwithstanding the provisions of the main clause of Article 20, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-3)), is to grant permission to the foreign national, unless the foreign national falls under paragraph (1), item (i) of the preceding Article.

(Permission for Provisional Stay)

Article 61-2-4 (1) If a foreign national without a status of residence files the application set forth in Article 61-2, paragraph (1), the Minister of Justice is to permit the foreign national to provisionally stay in Japan, unless they fall under any of the following items:

- (i) the foreign national has been granted permission for provisional landing;
- (ii) the foreign national has been granted permission for landing at a port of call, landing permission for cruise ship tourists, permission for landing in transit, landing permission for crew members, permission for emergency landing or landing permission due to distress, and has not stayed in Japan beyond the period stated in their passport or permit;
- (iii) the foreign national is permitted to stay in Japan pursuant to the

- provisions of Article 22-2, paragraph (1);
- (iv) the foreign national fell under the category of any of the persons set forth in Article 5, paragraph (1), items (iv) through (xiv) when they entered Japan;
 - (v) there are reasonable grounds to suspect that the foreign national falls under the category of any of the persons set forth in Article 24, items (iii) through (iii)-5 or item (iv), sub-items (c) through(o);
 - (vi) it is obvious that the foreign national falls under either Article 61-2-2, paragraph (1), item (i) or (ii);
 - (vii) the foreign national, after entering Japan, has been convicted of the crime provided in Part II, Chapter XII, XVI through XIX, XXIII, XXVI, XXVII, XXXI, XXXIII, XXXVI, XXXVII or XXXIX of the Penal Code, or in Article 1, 1-2 or 1-3 (except for the parts pertaining to Article 222 or 261 of the Penal Code) of the Act on Punishment of Physical Violence and Others, the Act on Prevention and Punishment of Robbery and Theft Acts, in Article 15 or 16 of the Act on Prohibition of Possession of Special Picking Tools, and Other Related Matters or in Article 2 or Article 6, paragraph (1) of the Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc., and sentenced to imprisonment with or without work;
 - (viii) a written deportation order has been issued to the foreign national; or
 - (ix) there are reasonable grounds to suspect that the foreign national is likely to flee.
- (2) In granting the permission set forth in the preceding paragraph, the Minister of Justice is to determine the period of stay pertaining to the permission (hereinafter referred to as the "period of provisional stay"), and have an immigration inspector issue a permit for provisional stay that states the period of provisional stay to the foreign national without a status of residence, pursuant to the provisions of Ministry of Justice Order. In this case, the permission is to become effective with the content stated therein as of the time of issuance.
- (3) In granting the permission set forth in paragraph (1) the Minister of Justice may impose restrictions on the foreign national without a status of residence on their place of residence, scope of activities, activities, the obligation to appear upon receiving summons, and impose other conditions found necessary, pursuant to the provisions of Ministry of Justice Order and, if found necessary, may take their fingerprints,.
- (4) Upon receiving an application filed for extension of the period of provisional stay by a foreign national with the granted permission set forth in paragraph (1), the Minister of Justice is to grant the extension. In this case, the provisions of paragraph (2) apply mutatis mutandis.
- (5) If a foreign national with the granted permission set forth in paragraph (1) subsequently comes to fall under any of the following items, the period of

provisional stay (including the period of provisional stay extended pursuant to the provisions of the preceding paragraph; the same applies hereinafter) granted to the foreign national is found to have terminated at the time the foreign national came to fall under the item:

- (i) the administrative review as set forth in Article 61-2-9, paragraph (1) has not been requested with regard to a denial of recognition of refugee status, and the period set forth in paragraph (2) of the same Article has passed;
- (ii) the administrative review as set forth in Article 61-2-9, paragraph (1) has been requested for a denial of recognition of refugee status, but the administrative review has been withdrawn or a decision has been made to the effect of dismissing or rejecting the administrative review;
- (iii) the foreign national has been recognized as a refugee and it was decided not to grant the permission set forth in Article 61-2-2, paragraph (1) or (2);
- (iv) the permission set forth in paragraph (1) has been revoked pursuant to the provisions of the next Article; or
- (v) the application set forth in Article 61-2, paragraph (2) has been withdrawn.

(Revocation of the Permission for Provisional Stay)

Article 61-2-5 If any of the facts set forth in the following items is found regarding a foreign national who has been granted the permission set forth in paragraph (1) of the preceding Article, the Minister of Justice may revoke the permission in accordance with the procedures provided for by Ministry of Justice Order:

- (i) the foreign national fell under any of items (iv) through (viii) of paragraph (1) of the preceding Article at the time they were granted the permission set forth in the same paragraph;
- (ii) the foreign national came to fall under paragraph (1), item (v) or (vii) of the preceding Article after being granted the permission set forth in the same paragraph;
- (iii) the foreign national has violated the conditions imposed pursuant to the provisions of paragraph (3) of the preceding Article;
- (iv) the foreign national has submitted forged or altered materials or false materials, made false statements, or had persons concerned make false statements, with the intention of being recognized as a refugee; or
- (v) the foreign national has carried out the procedures to receive confirmation of the departure as set forth in Article 25.

(Relation to Deportation Procedures)

Article 61-2-6 (1) The procedures for deportation provided for in Chapter V (including the procedures for deportation pursuant to the provisions of Article 63, paragraph (1); hereinafter the same applies in this Article) will not be

carried out regarding a foreign national who has been granted the permission set forth in Article 61-2-2, paragraph (1) or paragraph (2), on the grounds that the foreign national fell under any of the items of Article 24 when they were granted the permission.

- (2) The procedures for deportation provided for in Chapter V are to be suspended regarding a foreign national without a status of residence who has filed the application set forth in Article 61-2, paragraph (1), and who has been granted the permission set forth in Article 61-2-4, paragraph (1), until the period of provisional stay pertaining to the permission has passed, even if there are reasonable grounds to suspect that the foreign national falls under any of the items of Article 24.
- (3) In carrying out the procedures for deportation provided for in Chapter V, deportation pursuant to the provisions of Article 52, paragraph (3) (including delivery pursuant to the proviso of the same paragraph and deportation pursuant to the provisions of Article 59) is to be suspended regarding a foreign national without a status of residence who has filed the application set forth in Article 61-2, paragraph (1) but has not been granted the permission set forth in Article 61-2-4, paragraph (1), or whose period of provisional stay pertaining to that permission has passed (excluding foreign nationals who fall under paragraph (5), items (i) through (iii) and item (v) of the same Article), until the foreign national comes to fall under any of the cases set forth in paragraph (5), items (i) through (iii) of the same Article.
- (4) The provisions of Article 50, paragraph (1) do not apply to the foreign national prescribed in paragraph (2) who has come to fall under any of items (i) through (iii) of Article 61-2-4, paragraph (5), or to the procedures for deportation provided in Chapter V for those prescribed in the preceding paragraph.

(Revocation of the Recognition of Refugee Status)

- Article 61-2-7 (1) If any of the facts set forth in the following items are found regarding a foreign national residing in Japan who has been recognized as a refugee, the Minister of Justice is to revoke the recognition of refugee status in accordance with the procedures provided for by Ministry of Justice Order:
- (i) the foreign national has been recognized as a refugee due to deceit or other wrongful means;
 - (ii) the foreign national has come to fall under any of the cases set forth in Article 1, C-(1) through (6) of the Refugee Convention; or
 - (iii) the foreign national has taken an action set forth in Article 1, F-(a) or (c) of the Refugee Convention after being recognized as a refugee.
- (2) If the Minister of Justice revokes the recognition of refugee status pursuant to the provisions of the preceding paragraph, the Minister is to notify the

foreign national to that effect in writing with the reason attached as well as publish in an official gazette the fact that the certificate of refugee status and the refugee travel document pertaining to the foreign national have expired.

- (3) If a foreign national who was issued a certificate of refugee status or a refugee travel document receives a notice of revocation of the recognition of refugee status pursuant to the provisions of the preceding paragraph, the foreign national must promptly return these certificates to the Commissioner of the Immigration Services Agency.

(Revocation of the Status of Residence of a Person Recognized as a Refugee)

Article 61-2-8 (1) If it is found that a foreign national residing in Japan under a status of residence set forth in the left-hand column of the Appended Table I or II and recognized as a refugee has obtained, by deceit or other wrongful means, the permission set forth in Article 61-2-2, paragraph (1) on the grounds that the foreign national does not fall under any of the items of the same paragraph, the Minister of Justice may revoke their current status of residence in accordance with the procedures provided for by Ministry of Justice Order.

- (2) The provisions of Article 22-4, paragraphs (2) through (9) (except for the proviso to paragraph (7)) apply mutatis mutandis to the revocation of the status of residence pursuant to the provisions of the preceding paragraph. In this case, "immigration inspector" in paragraph (2) of the same Article is deemed to be replaced with "refugee inquirer", and "paragraph (1) (except for items (i) and (ii))" in the main clause of paragraph (7) of the same Article is deemed to be replaced with "Article 61-2-8, paragraph (1)."

(Request for Administrative Review)

Article 61-2-9 (1) With regard to an administrative review for any of the following dispositions or failure to act, a foreign national must submit a request for an administrative review to the Minister of Justice that states the particulars provided by a Ministry of Justice Order:

(i) denial of recognition of refugee status;

(ii) failure to act pertaining to the application set forth in Article 61-2, paragraph (1); or

(iii) revocation of the recognition of refugee status pursuant to the provisions of Article 61-2-7, paragraph (1).

- (2) The period set forth in the main clause of Article 18, paragraph (1) of the Administrative Complaint Review Act (Act No. 68 of 2014) in relation to the request for an administrative review for the dispositions set forth in items (i) and (iii) of the preceding paragraph is 7 days from the date on which the foreign national received the notice set forth in Article 61-2, paragraph (2) or Article 61-2-7, paragraph (2).

- (3) If making a decision on the request for the administrative review set forth in paragraph (1), the Minister of Justice must hear the opinions of the refugee examination counselors, as provided by Ministry of Justice Order.
- (4) If making a decision pursuant to the provisions of Article 45, paragraph (1) or (2) or Article 49, paragraph (1) or (2) of the Administrative Complaint Review Act on the request for the administrative review set forth under paragraph (1), the Minister of Justice must clearly state the main points of the opinions of the refugee examination counselors set forth in the preceding paragraph, in the reason to be attached to the decision.
- (5) The refugee examination counselors are considered to be the review officers provided for in Article 11, paragraph (2) of the Administrative Complaint Review Act, and the provisions of the same Act are applied.
- (6) The provisions of Article 9, paragraph (1), Article 14, Article 17, Article 19, Article 29, Article 41, paragraph (2) (limited to the part pertaining to item (i)), Chapter II, Section 4 and Article 50, paragraph (2) of the Administrative Complaint Review Act do not apply to the request for an administrative review set forth under paragraph (1), and with regard to the application of other provisions of the same Act, the words and phrases in the middle column of the following table in the provisions of the same Act set forth in the left-hand column of the table is deemed to be replaced with those set forth in the right-hand column of the same Table, and any other necessary technical replacement is provided for by Cabinet Order

The Provisions of the Administrative Complaint Review Act to be Replaced	Term to be Replaced	Term to be Used as a Replacement
Article 18, paragraph (3)	the following Article	Article 61-2-9, paragraph (1) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as the "Immigration Control Act")
Article 23	Article 19	Article 61-2-9, paragraph (1) of the Immigration Control Act

Article 30, paragraph (1)	a document containing a counterargument against the particulars stated in the written explanation sent thereto pursuant to the provisions of paragraph (5) of the preceding Article (hereinafter referred to as a "written counterargument")	a document (hereinafter referred to as "written statement") stating the opinion and other assertions of the person of the person who requested the administrative review against the disposition or failure to act stated in each of the items of Article 61-2-9, paragraph (1) of the Immigration Control Act
	a counterargument	a written statement
Article 30, paragraph (3)	counterargument	written statement
proviso to Article 31, paragraph (1)	when	when ... or when even though the facts stated in the written statement or other facts pertaining to the assertions of the petitioner are true, it is found inappropriate to provide an opportunity to state an opinion due to the fact that no grounds are included to prove that person is a refugee or due to other circumstances

<p>Article 31, paragraph (2)</p>	<p>are to be undertaken on the date and at the venue designated by the review officer in participation of all of the persons concerned with the proceedings.</p>	<p>are to be undertaken on the date and at the venue designated by the review officer with the participation of all the persons concerned with the proceedings after hearing from the petitioner on whether or not the petitioner has any questions to ask the administrative agency rendering the disposition, and the contents thereof relating to the case pertaining to the administrative review; provided, however, that the administrative agency rendering the disposition does not have to be summoned in cases that fall under any of the following items:</p> <p>(i) where the intention has been expressed by the petitioner to the effect that they do not require the administrative agency rendering the disposition to be summoned;</p> <p>(ii) beyond what is provided for in the preceding item, as a result of the hearing, it has been found that it is not necessary to summon the administrative agency rendering the disposition.</p>
<p>Article 41, paragraph (2), item (i) (b)</p>	<p>counterargument</p>	<p>written statement</p>

Article 44	when ... has received a response to its consultation from the Administrative Complaint Review Board, etc. (when a review officer's written opinion has been submitted in the case where the consultation pursuant to the provisions of paragraph (1) of the preceding Article is not necessary (excluding the cases falling under item (ii) or (iii) of the same paragraph), or when deliberations prescribed in item (ii) or (iii) of the same paragraph have been held in the cases falling under item (ii) or (iii) of the same paragraph),	when the review officer's written opinion has been submitted
Article 50, paragraph (1), item (iv)	the review officer's written opinion or the written report from the Administrative Complaint Review Board, etc. or the Council, etc.	the review officer's written opinion
Article 83, paragraph (2)	Article 19 (excluding paragraph (5), items (i) and (ii))	Article 61-2-9, paragraph (1) of the Immigration Control Act

(Refugee Examination Counselors)

- Article 61-2-10 (1) The Ministry of Justice is to have in place one or more refugee examination counselors to present their opinions on the recognition of refugee status regarding the administrative review pursuant to the provisions of paragraph (1) of the preceding Article.
- (2) The refugee examination counselors are appointed by the Minister of Justice from the persons of reputable character who are capable of making a fair judgment on the administrative review pursuant to the provisions of paragraph (1) of the preceding Article and who have an academic background in law or international affairs.

- (3) The term of a refugee examination counselor is 2 years, and they may be reappointed.
- (4) The refugee examination counselors are to serve on a part-time basis.

(Special Provisions on Permission for Permanent Residence for Refugees)

Article 61-2-11 If a person recognized as a refugee has filed an application for permanent residence as set forth in Article 22, paragraph (1), the Minister of Justice may grant permission to the person even if the person does not conform to item (ii) of the same paragraph, notwithstanding the provisions of the main clause of paragraph (2) of the same Article.

(Refugee Travel Document)

- Article 61-2-12 (1) If a foreign national recognized as a refugee residing in Japan seeks to depart from Japan, the Commissioner of the Immigration Services Agency is to issue a refugee travel document based on an application by the foreign national in accordance with the procedures provided by Ministry of Justice Order; provided however, that this does not apply if the Commissioner of the Immigration Services Agency finds that there is a possibility of the person committing acts detrimental to the interests or public security of Japan.
- (2) A foreign national whose refugee travel document in Japan is to be issued pursuant to the provisions of the preceding paragraph while possessing a refugee travel document issued by a foreign country must submit the foreign refugee travel document to the Commissioner of the Immigration Services Agency before receiving the Japanese refugee travel document.
 - (3) The validity period of the refugee travel document set forth in paragraph (1) is to be 1 year.
 - (4) A person who has been issued the refugee travel document set forth in paragraph (1) may enter and depart from Japan within the validity period of the refugee travel document. In this case, the re-entry permission pursuant to the provisions of Article 26, paragraph (1) will not be required.
 - (5) In the case referred to in the preceding paragraph, if the Commissioner of the Immigration Services Agency finds it necessary, the validity period for re-entry with a refugee travel document may be established for 3 months or more and not exceeding 1 year.
 - (6) If a person who has departed from Japan with the refugee travel document set forth in paragraph (1) has reasonable grounds for not being able to re-enter Japan within the validity period of the refugee travel document, the Commissioner of the Immigration Services Agency may extend the validity period of the document by a period not exceeding 6 months based on the application from that person.
 - (7) The extension set forth in the preceding paragraph is to be stated in the

refugee travel document and the administrative work is to be entrusted to a Japanese consular officer, etc.

- (8) If the Commissioner of the Immigration Services Agency finds that there is a possibility of the person who has been issued the refugee travel document set forth in paragraph (1) to commit an act detrimental to the interests or public security of Japan, the Commissioner may order the person, while they are in Japan, to return the refugee travel document by setting a deadline pursuant to the provisions of Ministry of Justice Order.
- (9) The refugee travel document ordered to be returned pursuant to the provisions of the preceding paragraph ceases to be effective when it is returned or on the expiration date set forth in the same paragraph if it is not returned. In this case, the Commissioner of the Immigration Services Agency is to publish in an official gazette the fact that the refugee travel document has ceased to be effective if it is not returned within the deadline set forth in the same paragraph.

(Return of the Certificate of Refugee Status with the Issuance of a Deportation Order)

Article 61-2-13 If a foreign national recognized as a refugee residing in Japan is issued a deportation order pursuant to the provisions of Article 47, paragraph (5), Article 48, paragraph (9) or Article 49, paragraph (6), or through the procedures for deportation pursuant to the provisions of Article 63, paragraph (1), the foreign national must promptly return the certificate of refugee status and refugee travel document in their possession to the Commissioner of the Immigration Services Agency.

(Inquiry into Facts)

Article 61-2-14 (1) The Minister of Justice may have a refugee inquirer inquire into facts if necessary for the recognition of refugee status, the granting of permission pursuant to the provisions of Article 61-2-2, paragraph (1) or (2), Article 61-2-3 or Article 61-2-4, paragraph (1), the revocation of permission pursuant to the provisions of Article 61-2-5, the revocation of recognition of refugee status pursuant to the provisions of Article 61-2-7, paragraph (1), or the disposition of revocation of status of residence pursuant to the provisions of Article 61-2-8, paragraph (1).

- (2) If necessary for the investigation set forth in the preceding paragraph, the refugee inquirer may request the persons concerned to appear and ask them questions or request them to present documents.
- (3) The Minister of Justice or a refugee inquirer may make inquiries to public offices or public or private organizations and request them to make reports on the facts necessary for the investigation set forth in paragraph (1).

Chapter VIII Supplementary Rules

(Immigration Inspector)

Article 61-3 (1) Immigration detention centers and regional immigration services bureaus are to have in place immigration inspectors.

(2) The duties of an immigration inspector are as follows:

(i) to conduct examinations and hearings pertaining to landing and deportation as well as examination of departure orders;

(ii) to hear the opinions pursuant to the provisions of Article 22-4, paragraph (2) (including as applied mutatis mutandis pursuant to Article 61-2-8, paragraph (2)), to give notifications pursuant to the provisions of the proviso to Article 22-4, paragraph (3) (including as applied mutatis mutandis pursuant to the provisions of Article 61-2-8, paragraph (2); the same applies in paragraph (2), item (vi) of the following Article) and to perform personal delivery services pursuant to the provisions of Article 61-9-2, paragraphs (4) and (5);

(iii) to inquire into facts pursuant to the provisions of Article 19-37, paragraph (1), Article 59-2, paragraph (1) and Article 61-2-14, paragraph (1);

(iv) to ask questions to persons concerned pursuant to the provisions of Article 19-21, paragraph (1), to conduct on-site inspections of business offices pertaining to the organizations of affiliation of the specified skilled worker and other places related to the acceptance of specified skilled workers and to conduct inspections of their equipment, books, documents and other objects;

(v) to issue written detention orders or written deportation orders;

(vi) to provisionally release persons under written detention orders or written deportation orders; and

(vii) to deliver departure orders pursuant to the provisions of Article 55-3, paragraph (1).

(3) an immigration inspector of a regional immigration services bureau may, if they find it necessary, execute their duties outside the area where the regional immigration services bureau has jurisdiction over.

(Immigration Control Officer)

Article 61-3-2 (1) Immigration detention centers and regional immigration services bureaus are to have in place immigration control officers.

(2) The duties of an immigration control officer are as follows:

(i) to conduct investigations into cases of violations relating to entry, landing or residence;

(ii) to detain, escort and deport those persons who are subject to enforcement of written detention orders and deportation orders;

- (iii) to guard immigration detention centers, detention houses and other facilities;
 - (iv) to inquire into facts pursuant to the provisions of Article 19-37, paragraph (1) and Article 59-2, paragraph (1); and
 - (v) to ask questions to persons concerned pursuant to the provisions of Article 19-20, paragraph (1), to conduct on-site inspections of business offices pertaining to the organizations of affiliation of the specified skilled worker and other places related to the acceptance of specified skilled workers and to conduct inspections of their equipment, books, documents and other objects;
 - (vi) to give the notification pursuant to the provisions of the proviso to Article 22-4, paragraph (3) and to perform personal delivery services pursuant to the provisions of Article 61-9-2, paragraphs (4) and (5).
- (3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to an immigration control officer.
- (4) In applying provisions of the National Public Service Act (Act No. 120 of 1947), an immigration control officer is considered a member of the police force.
- (5) The ranks of immigration control officers are separately provided for in the provisions of Cabinet Order.

(Carrying and Use of Weapons)

Article 61-4 (1) Immigration inspectors and immigration control officers may carry weapons in executing their duties.

- (2) Immigration inspectors and immigration control officers may use their weapons regarding the execution of their duties to the extent determined to be reasonably necessary depending on the situation; provided however, that they must not injure a person except in any of the following cases:
- (i) the case falls under Article 36 or 37 of the Penal Code; or
 - (ii) the person subject to enforcement of the written detention order or deportation order attempts to resist the immigration inspector or immigration control officer executing their duties regarding the person, or a third party who puts up resistance to the immigration inspector or immigration control officer in an attempt to allow that person to escape, and the immigration inspector or the immigration control officer has reasonable grounds to believe that there are no alternative means of preventing escape or resistance.

(Uniform and Identification Card)

Article 61-5 (1) Immigration inspectors and immigration control officers must wear their uniforms or carry with them a proper identification card indicating their official status while executing their duties, except if otherwise provided for by laws and regulations.

- (2) The identification card set forth in the preceding paragraph must be presented upon request by the person against whom the immigration inspector or immigration control officer is executing their duties.
- (3) The format of the uniform and identification card set forth in paragraph (1) is to be provided for by Ministry of Justice Order.

(Detention House)

Article 61-6 Each regional immigration services bureau is to be equipped with a detention house to detain persons who are subject to enforcement of written detention orders.

(Treatment of Detainees)

Article 61-7 (1) A person (hereinafter referred to as "detainees") detained in an immigration detention center or a detention house (hereinafter referred to as "immigration detention facilities") is to be given as much freedom as possible to the extent that does not hinder the security of the immigration detention facilities.

- (2) Detainees are to be provided with standardized bedding and supplied with standardized food.
- (3) The supplies provided to detainees must be adequate and the accommodations at the immigration detention facilities must be maintained in a sanitary condition.
- (4) The director of an immigration detention center or director of a regional immigration services bureau (hereinafter referred to as "director of immigration detention facilities") may examine the body, personal belongings or clothing of detainees, and may retain detainees' personal belongings or clothing if the director considers it necessary for the security or sanitation purposes of the immigration detention facilities.
- (5) The director of immigration detention facilities may inspect communications sent or received by detainees, and may prohibit or restrict sending or receiving of the communications, if the director considers it necessary for the security of immigration detention facilities.
- (6) Beyond what is provided for in the preceding paragraphs, the necessary particulars pertaining to the treatment of detainees are to be prescribed by Ministry of Justice Order.

(Immigration Detention Facilities Visiting Committee)

Article 61-7-2 (1) An immigration detention facilities visiting committee (hereinafter referred to as "committee") is to be established at the immigration services offices provided for by Ministry of Justice Order.

- (2) In order to contribute to the proper administration of immigration detention

facilities, the committee is to inspect the immigration detention facilities in the area it is in charge of as provided by Ministry of Justice Order and state its opinion regarding their administration to the director of the immigration detention facilities.

(Organization)

- Article 61-7-3 (1) The committee is to be composed of a maximum of 10 members.
- (2) The Minister of Justice is to appoint committee members from the persons that possess high level of integrity and have enthusiasm for the improvement of the administration of immigration detention facilities.
- (3) The term of the committee members is 1 year and they may be reappointed.
- (4) The committee members are to serve on a part-time basis.
- (5) Beyond what is provided for in the preceding paragraphs, necessary particulars regarding the organization and administration of the committee are provided by Ministry of Justice Order.

(Provision of Information to the Committee and Inspection by the Committee Members)

- Article 61-7-4 (1) The director of immigration detention facilities is to provide the committee with information on the immigration detention facilities regarding its state of administration periodically or as needed, pursuant to the provisions of Ministry of Justice Order.
- (2) The committee may inspect the immigration detention facilities through visits by its committee members in order to gain an understanding of the situation of the administration of the immigration detention facilities. In this case, if the committee finds it necessary, it may seek cooperation from the director of the immigration detention facilities for conducting interviews of detainees by committee members.
- (3) Directors of immigration detention facilities must provide cooperation necessary for inspections and interviews as set forth in the preceding paragraph.
- (4) Notwithstanding the provisions of Article 61-7, paragraph (5), documents submitted by the detainees to the committee must not be inspected, and the submission of documents to the committee by detainees must not be prohibited or restricted.

(Publication of the Opinions of the Committee)

- Article 61-7-5 The Minister of Justice is to annually compile the opinions expressed by the committee to the directors of the immigration detention facilities and the content of measures taken by the directors of the immigration detention facilities in response and is to publicize their outline.

(Inspections of the Departure Waiting Facility)

Article 61-7-6 (1) In addition to conducting the duties prescribed in the provisions of Article 61-7-2, paragraph (2), the committee is to inspect the departure waiting facility in the area the committee is in charge of as provided by Ministry of Justice Order and state its opinion on the administration to the director of the regional immigration services bureau that has jurisdiction over the departure waiting facility, in order to contribute to its proper administration.

(2) The provisions of the preceding two Articles are applied mutatis mutandis in conducting the administrative affairs prescribed in the preceding paragraph.

(Relationship with the Relevant Administrative Organs)

Article 61-7-7 The Commissioner of the Immigration Services Agency or the directors of the immigration detention facilities, are to carry out the administrative affairs relating to immigration and residency management and recognition of refugee status and, if the administrative affairs are related to the administrative affairs of other administrative organs, is to communicate closely and cooperate with the related administrative organs by exchanging information.

(Cooperation of Related Administrative Organs)

Article 61-8 (1) The Commissioner of the Immigration Services Agency or the directors of an immigration detention facilities may request necessary cooperation from the National Police Agency, the prefectural police, the Japan Coast Guard, Customs, Public Employment Security Offices and other related administrative organs with regard to the execution of administrative affairs pertaining to immigration and residency management, and recognition of refugee status.

(2) A related administrative organ whose cooperation has been sought pursuant to the provisions of the preceding paragraph must comply with the request to the extent that the cooperation will not interfere with the performance of its proper duties.

(Notification on Matters Stated in Certificate of Residence)

Article 61-8-2 If the head of municipalities has made an entry, deleted or amended an entry in the certificate of residence of a foreign resident provided for in Article 30-45 of the Residential Basic Book Act, in accordance with the provisions of Cabinet Order, the head must immediately notify the Commissioner of the Immigration Services Agency to that effect.

(Provision of Information)

Article 61-9 (1) The Commissioner of the Immigration Services Agency may provide foreign authorities that perform duties corresponding to the duties of immigration and residency management and recognition of refugee status provided by the Immigration Control and Refugee Recognition Act (hereinafter referred to as "foreign immigration and residency administration authorities" in this Article) with information found helpful for the execution of their duties (limited to those corresponding to immigration, residency management and recognition of refugee status provided by the Immigration Control and Refugee Recognition Act; hereinafter the same applies in the next paragraph).

(2) Regarding the provision of information pursuant to the preceding paragraph, appropriate measures are to be taken to ensure that the information is not used for purposes other than helping the foreign immigration and residency administration authorities execute their duties.

(3) Upon receiving a request from foreign immigration and residency administration authorities, the Commissioner of the Immigration Services Agency, notwithstanding the provisions of the preceding paragraph, may agree to the information provided pursuant to the provisions of paragraph (1) to be used for investigation or adjudication of foreign criminal cases pertaining to the request (hereinafter referred to as "investigation, etc." in this paragraph), except in the following cases:

(i) the crime subject to the investigation, etc. of the criminal case pertaining to the request is a political crime or the request is found to have been made for the purpose of conducting the investigation, etc. of a political crime;

(ii) the act pertaining to the crime subject to the investigation, etc. of the criminal case pertaining to the request would not constitute a crime under Japanese laws or regulations if it were committed in Japan; or

(iii) the foreign country that has made the request has not ensured that it will accept a similar request from Japan.

(4) The Commissioner of the Immigration Services Agency must, when giving the consent set forth in the preceding paragraph, receive confirmation from the Minister of Justice that the request does not fall under item (i) or item (ii) of the same paragraph and confirmation from the Minister of Foreign Affairs that the request does not fall under item (iii) of the same paragraph, in advance.

(Service)

Article 61-9-2 (1) The service of documents pursuant to the provisions of Article 22-4, paragraph (3) or (6) (including as applied mutatis mutandis pursuant to Article 61-2-8, paragraph (2)) is made to the place of residence of the person who is to be served by correspondence delivery prescribed in Article 2, paragraph (2) of the Act on Letter Service by Private Business Operators (Act

- No. 99 of 2002) (hereinafter referred to as "correspondence delivery") by general correspondence delivery operator as prescribed in Article 2, paragraph (2) or by specified correspondence delivery operator as prescribed in Article (2), paragraph (9) of the same Act, or by personal delivery service.
- (2) Where the documents have been sent pursuant to the provisions of the preceding paragraph by ordinary mail or by correspondence delivery, the postal item or the correspondence item prescribed in Article 2, paragraph (3) of the Act on Letter Service by Private Business Operators is presumed to have been served at the time at which they should have arrived under normal conditions.
- (3) The Minister of Justice must prepare a record sufficient to confirm the name of the documents, the name and address of the person who is to be served with the documents, and the date of service the documents, in the cases provided for in the preceding paragraph.
- (4) The personal delivery service is to be made by an immigration inspector or an immigration control officer to deliver the documents to the person who is to be served at the place where the delivery is to be made pursuant to the provisions of paragraph (1); provided however, that if the person who is to be served has no objection, the document may be delivered to other places.
- (5) In the cases set forth in the following items, the personal delivery service may be made through the act prescribed in the respective item, in lieu of the delivery pursuant to the provisions of the preceding paragraph:
- (i) if the person to be served with the documents at the place where the delivery is to be made cannot be met: the documents are to be delivered to a person living together with the recipient, who can be expected to deliver the received documents to the person who is to be served; or
 - (ii) if the person who is to be served with the documents or the person prescribed in the preceding item is not at the place where the delivery is to be made, or the person refuses to receive the documents without legitimate grounds: the documents are to be placed at the place where the delivery is to be made.
- (6) If the place of residence of the person who is to be served is not clear with regard to the documents to be served pursuant to the provisions of any of the preceding paragraphs, the Minister of Justice may effect service by publication in lieu of that service; provided however, that this does not apply to the delivery of the documents pursuant to the provisions of Article 22-4, paragraphs (3) and (6) as applied mutatis mutandis pursuant to Article 61-2-8, paragraph (2).
- (7) The service by publication is to be made by posting a notice at the notice wall of the Ministry of Justice of the name of the documents to be served, the name of the person who is to be served and to the effect that the Minister will deliver the documents to the person who is to be served at any time.

(8) In the cases set forth in the preceding paragraph, the documents are deemed to have been served when two weeks have passed from the date of the posting of the notice.

(Obligation of Appearance by the Person Themselves and Notification by a Representative)

Article 61-9-3 (1) If the foreign national is to perform an act set forth in the following items, they must perform it by appearing at the place prescribed in the respective items:

- (i) a notification pursuant to the provisions of Article 19-7, paragraph (1), Article 19-8, paragraph (1) or Article 19-9, paragraph (1); or receipt of the residence card to be returned pursuant to the provisions of Article 19-7, paragraph (2) (including as applied mutatis mutandis pursuant to Article 19-8, paragraph (2) and Article 19-9, paragraph (2)): the office of the municipality of the place of residence;
 - (ii) a notification pursuant to the provisions of Article 19-10, paragraph (1), an application pursuant to the provisions of Article 19-11, paragraph (1) or (2), Article 19-12, paragraph (1), or Article 19-13, paragraph (1) or (3); or receipt of a residence card issued pursuant to the provisions of Article 19-10, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 19-11, paragraph (3), Article 19-12, paragraph (2) and Article 19-13, paragraph (4)): a regional immigration services bureau; or
 - (iii) an application pursuant to the provisions of Article 20, paragraph (2), Article 21, paragraph (2), Article 22, paragraph (1) (including as applied mutatis mutandis pursuant to the provisions of Article 22-2, paragraph (4) (including as applied mutatis mutandis pursuant to Article 22-3)) or Article 22-2, paragraph (2) (including as applied mutatis mutandis pursuant to Article 22-3) or receipt of a residence card issued pursuant to the provisions of Article 20, paragraph (4), item (i) (including as applied mutatis mutandis pursuant to Article 21, paragraph (4) and Article 22-2, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-3)), Article 22, paragraph (3) (including as applied mutatis mutandis pursuant to Article 22-2, paragraph (4) (including as applied mutatis mutandis pursuant to Article 22-3)), Article 50, paragraph (3) or Article 61-2-2, paragraph (3), item (i): a regional immigration services bureau.
- (2) If the foreign national is under 16 years of age or if they are unable to perform the act set forth in item (i) or (ii) of the preceding paragraph themselves, due to a disease or other grounds, the act must be performed on behalf of the foreign national by a person set forth in the following items (except for a person who is under 16 years of age) who is living with the foreign national in the order of the respective items:

- (i) spouse;
 - (ii) child;
 - (iii) father or mother; or
 - (iv) relatives other than the persons set forth in the preceding three items.
- (3) In addition to the cases prescribed in the preceding paragraph, for an act set forth in paragraph (1), items (i) and (ii), if a person set forth in any item of the same paragraph (except for a person under 16 years of age), who is living with the foreign national is to perform on behalf of the foreign national upon the request of the foreign national or in other cases prescribed in Ministry of Justice Order, the foreign national is not required to appear in person and perform the act, notwithstanding the provisions of paragraph (1).
- (4) Where the legal representative of the foreign national is to perform an act set forth in paragraph (1), item (iii) on behalf of the foreign national or in other cases prescribed in Ministry of Justice Order, the foreign national is not required to appear in person and perform the act, notwithstanding the provisions of the same paragraph.

(Basic Plan for Immigration and Residency Management)

- Article 61-10 (1) The Minister of Justice is to formulate a basic plan for the immigration and residency management of foreign nationals (hereinafter referred to as the "Basic Plan for Immigration and Residency Management"), in order to promote impartial control over immigration.
- (2) The Basic Plan for Immigration and Residency Management is to provide for the following particulars:
- (i) particulars related to foreign nationals' entry into and residence in Japan;
 - (ii) particulars related to guidelines for the control of entry and residence of foreign nationals; and
 - (iii) particulars necessary for implementation of the control of the entry and residence of foreign nationals, beyond what is provided for in the preceding two items.
- (3) Prior to the formulation of the Basic Plan for Immigration and Residency Management, the Minister of Justice is to consult with the heads of the related administrative organs.
- (4) The Minister of Justice is to announce the outline of the Basic Plan for Immigration and Residency Management without delay, when it has been formulated.
- (5) The provisions of the preceding two paragraphs apply mutatis mutandis to changes in the Basic Plan for Immigration and Residency Management.

Article 61-11 The Minister of Justice must endeavor to exercise impartial control over the entry into and departure from Japan and residency of foreign

nationals based on the Basic Plan for Immigration and Residency Management.

(Reporting Information)

- Article 62 (1) If any person has knowledge of a foreign national whom they consider to fall under any of the items of Article 24, that information may be reported.
- (2) If an official of the government or of a local public entity becomes aware of a foreign national set forth in the preceding paragraph through the execution of their duties, that information must be reported.
- (3) In cases of a foreign national set forth in paragraph (1) who is serving a sentence and is to be released due to completion of the sentence, stay of the execution of the sentence or for any other reason (except for release on parole), or in cases the foreign national is to be released from a juvenile prison or a women's guidance home after receiving the disposition prescribed in Article 24, paragraph (1), item (iii) of the Juvenile Act or in Article 17 of the Anti-Prostitution Act (Act No. 118 of 1956), the head of the correctional institution must immediately notify the fact.
- (4) In the case of granting release on parole or provisional release to a foreign national set forth in paragraph (1) who is serving a sentence or has been committed to a juvenile training school under a disposition prescribed in Article 24, paragraph (1), item (iii) of the Juvenile Act or to a women's guidance home under a disposition prescribed in Article 17 of the Anti-Prostitution Act, the regional parole board must immediately notify the fact.
- (5) The notification set forth in the preceding four paragraphs must be submitted, orally or in writing, to an immigration inspector or immigration control officer in charge.

(Relation to Criminal Procedures)

Article 63 (1) If procedures provided for by laws and regulations on criminal suits, enforcement of sentences, or treatment of the inmates of juvenile training school or women's guidance homes are carried out with regard to a foreign national subject to deportation, the deportation procedures may be taken against the foreign national pursuant to the provisions of Chapter V (except for Section 2, and Articles 52 and 53) applicable mutatis mutandis, even when they are not being detained. In this case, "request the appearance of the suspect" in Article 29, paragraph (1), is deemed to be replaced with "request the appearance of the suspect or personally visit them", and "when a suspect has been delivered to them pursuant to the provisions of the preceding Article" in Article 45, paragraph (1), is deemed to be replaced with "when, as a result of investigation into violations, they have reasonable grounds to consider that the suspect falls under the category of a foreign national subject to

deportation."

- (2) In cases of a written deportation order having been issued pursuant to the provisions of the preceding paragraph, the enforcement of order is to be carried out after the procedures pursuant to the provisions of laws and regulations related to criminal suits, enforcement of sentences or treatment of inmates of juvenile training schools or women's guidance homes have been completed; provided however, that the enforcement of that order may be carried out with the approval of the prosecutor-general or the superintending prosecutor even while the foreign national is serving their sentence.
- (3) In carrying out the examination set forth in Article 45 or Article 55-2, paragraph (2), if an immigration inspector finds reasonable grounds to believe that the suspect has committed a crime, the inspector is to file an accusation against the suspect with a public prosecutor.

(Handing Over of the Suspect)

- Article 64 (1) If a public prosecutor has received a suspect for an offense set forth in Article 70, and has decided not to institute prosecution, the prosecutor must release the suspect and hand them over to an immigration control officer upon presentation of a written detention order or deportation order by the immigration control officer.
- (2) In the case referred to in Article 62, paragraph (3) or (4), if a written detention order or deportation order has been issued for a foreign national, at the time of the foreign national's release from a correctional institution, the head of the correctional institution, must hand over the foreign national to the immigration control officer upon presentation of a written detention order or deportation order by the officer.

(Special Cases under the Code of Criminal Procedure)

- Article 65 (1) If a judicial police officer has arrested or taken custody of a foreign national suspected of committing any of the offenses set forth in Article 70, or of a flagrant offender regarding those offenses, and only if a written detention order has been issued and the person is not suspected of any other criminal offense, the judicial police officer may hand over the suspect to an immigration control officer together with the pertinent documents and evidence, notwithstanding the provisions of Article 203 of the Code of Criminal Procedure (Act No. 131 of 1948) (including as applied *mutatis mutandis* pursuant to the provisions of Articles 211 and 216 of the same Act).
- (2) In the case referred to in the preceding paragraph, the procedure for handing over a suspect to an immigration control officer must be taken within 48 hours from the time at which the suspect was taken into custody.

(Reward for Providing Information)

Article 66 If a person provides information pursuant to the provisions of Article 62, paragraph (1), and if that information leads to the issuance of a written deportation order, the Minister of Justice may grant that person a reward in an amount not exceeding 50,000 yen pursuant to the provisions of Ministry of Justice Order; provided, however, that this does not apply to cases in which the information was based on facts which an official of the government or a local public entity learned in course of executing their duties.

(Fees)

Article 67 A foreign national must pay a fee not exceeding 10,000 yen as separately provided by Cabinet Order to the government for obtaining any of the following permits at the time of making entries, obtaining issuance or a seal of verification pertaining to the permission:

- (i) permission for a change of status of residence pursuant to the provisions of the main clause of Article 20, paragraph (3);
- (ii) permission for extension of the period of stay pursuant to the provisions of Article 21, paragraph (3);
- (iii) permission for permanent residence pursuant to the provisions of Article 22, paragraph (2); or
- (iv) re-entry permission pursuant to the provisions of Article 26, paragraph (1) (including permission for extension of the validity period pursuant to the provisions of paragraph (5) of the same Article).

Article 67-2 A foreign national who is issued a registered user card pursuant to the provisions of Article 9-2, paragraph (1) or (8), or a certificate of authorization for employment pursuant to the provisions of Article 19-2, paragraph (1) or a residence card pursuant to the provisions of Article 19-10, paragraph (2) as applied *mutatis mutandis* pursuant to Article 19-13, paragraph (4) based on the application pursuant to the provisions of the second sentence of paragraph (1) of the same Article must pay a fee in an amount separately provided by Cabinet Order in consideration of actual expenses.

Article 68 (1) The foreign national must pay a fee when obtaining a refugee travel document pursuant to the provisions of Article 61-2-12, paragraph (1) or when obtaining an extension of the validity period entered in the refugee travel document pursuant to the provisions of paragraph (7) of the same Article.
(2) The amount of the fee prescribed in the preceding paragraph is to be separately provided by a Cabinet Order pursuant to the provisions of paragraph (3) of the annex to the Refugee Convention.

(Category of Administrative Affairs)

Article 68-2 The administrative affairs to be handled by municipalities pursuant to the provisions of Article 19-7, paragraphs (1) and (2) (including as applied mutatis mutandis pursuant to the provisions of Article 19-8, paragraph (2) and Article 19-9, paragraph (2)), Article 19-8, paragraph (1) and Article 19-9, paragraph (1) are to be Type 1 of the statutory entrusted functions provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(Delegation to Cabinet Order)

Article 69 The procedures necessary for the enforcement of the provisions of Chapter II through this Chapter and other particulars are provided for by Ministry of Justice Order (Cabinet Order for the administrative affairs to be performed by the head of municipalities).

(Delegation of Authority)

Article 69-2 (1) The authority of the Minister of Justice provided for by the Immigration Control and Refugee Recognition Act may be delegated to the Commissioner of the Immigration Services Agency pursuant to the provisions of Cabinet Order; provided however, that this does not apply to the authority prescribed in Article 2-3, paragraph (3) and paragraph (4) (including as applied mutatis mutandis pursuant to paragraph (5) of the same Article), Article 2-4, paragraph (1), paragraph (3) and paragraph (4) of the same Article (including as applied mutatis mutandis pursuant to paragraph (5) of the same Article) and Article 7-2, paragraph (3) and paragraph (4) (including as applied mutatis mutandis pursuant to paragraph (5) of the same Article).

(2) The authority of the Commissioner of the Immigration Services Agency (including the authority delegated pursuant to the provisions of the preceding paragraph) provided for by the Immigration Control and Refugee Recognition Act may be delegated to the director of the regional immigration services bureau, pursuant to Ministry of Justice Order.

(Transitional Measures)

Article 69-3 In cases of the enactment, amendment or repeal of an order pursuant to the provisions of the Immigration Control and Refugee Recognition Act, the order may provide for necessary transitional measures (including transitional measures regarding penal provisions) insofar as those measures are judged to be reasonably necessary for the enactment, amendment or repeal of the order.

Chapter IX Penal Provisions

Article 70 (1) A person falling under any of the following items is to be punished with imprisonment with or without work for not more than 3 years or a fine not exceeding 3 million yen, or is to be subject to the cumulative imposition of imprisonment with or without work and a fine:

- (i) a person who enters Japan in violation of the provisions of Article 3;
- (ii) a person who lands in Japan without obtaining permission for landing, etc. from an immigration inspector;
- (ii)-2 a person who lands in Japan having received permission for landing, etc. or permission pursuant to the provisions of Chapter IV, Section 2 through deceit or other wrongful means;
- (iii) a person whose status of residence has been revoked pursuant to the provisions of Article 22-4, paragraph (1) (limited to persons to whom item (i) or (ii) pertains) who remains in Japan;
- (iii)-2 a person (except for persons who receive a period designation pursuant to the provisions of the main clause of paragraph (7) of the same Article) whose status of residence has been revoked pursuant to the provisions of Article 22-4, paragraph (1) (limited to those pertaining to item (v)) who remains in Japan;
- (iii)-3 a person who receives a period designation pursuant to the provisions of the main clause of Article 22-4, paragraph (7) (including as applied mutatis mutandis pursuant to Article 61-2-8, paragraph (2)) who remains in Japan beyond the period designated;
- (iv) a person who is clearly found to be engaged solely in activities related to management of business involving income or activities for which they receive remuneration in violation of the provisions of Article 19, paragraph (1);
- (v) a person who remains in Japan beyond the permitted period of stay (including the period for which a person may reside in Japan pursuant to the provisions of Article 20, paragraph (6) (including as applied mutatis mutandis pursuant to Article 21, paragraph (4))) authorized without obtaining an extension or change of the period of stay;
- (vi) a person who is granted permission for provisional landing and flees or fails to appear at summons without legitimate grounds in violation of the conditions attached pursuant to the provisions of Article 13, paragraph (3);
- (vii) a person who is granted permission for landing at a port of call, landing permission for cruise ship tourists, permission for landing in transit, landing permission for crew members, permission for emergency landing, landing permission due to distress or landing permission for temporary refuge, who remains in Japan beyond the period entered in their passport or permit;
- (vii)-2 a person who is designated a period for departure pursuant to the provisions of Article 14-2, paragraph (9) and who does not depart from Japan within that period;

- (vii)-3 a person who is designated a period for departure pursuant to the provisions of Article 16, paragraph (9), who does not return to their vessel or depart from Japan within that period;
 - (viii) a person prescribed in Article 22-2, paragraph (1), who remains in Japan beyond the period prescribed in Article 22-2, paragraph (1), without receiving permission pursuant to the provisions of the main clause of Article 20, paragraph (3) as applied mutatis mutandis to Article 22-2, paragraph (3), or pursuant to the provisions of Article 22, paragraph (2), as applied mutatis mutandis to Article 22-2, paragraph (4);
 - (viii)-2 a person who is issued a departure order pursuant to the provisions of Article 55-3, paragraph (1), who remains in Japan beyond the departure deadline pertaining to the departure order;
 - (viii)-3 a person whose departure order is revoked pursuant to the provisions of Article 55-6 who remains in Japan;
 - (viii)-4 a person who is granted the permission set forth in Article 61-2-4, paragraph (1) who remains in Japan beyond the period of provisional stay; or
 - (ix) a person who was recognized as a refugee due to deceit or other wrongful means.
- (2) The preceding paragraph also applies to a person set forth in the item (i) or (ii) of the preceding paragraph who lands and illegally stays in Japan.

Article 70-2 A person who commits any of the offenses set forth in paragraph (1), items (i) through (ii)-2, item (v) or (vii) or paragraph (2) of the preceding Article may be exempt from the penalty if it is proved that the person corresponds to the following items; provided however, that this is to be limited to cases in which, after having committed the act pertaining to the crime, a proposal was made without delay in the presence of an immigration inspector that the person falls under the following items:

- (i) the person is a refugee;
- (ii) the person enters Japan directly from a territory in which their life, body or physical freedom was likely to be persecuted on the grounds prescribed in Article 1, paragraph A-(2) of the Refugee Convention; and
- (iii) the act pertaining to the crime was committed because there was a risk that the situation prescribed in the preceding item will occur.

Article 71 A person who departs or who attempted to depart from Japan in violation of the provisions of Article 25, paragraph (2), or Article 60, paragraph (2), is to be punished with imprisonment with or without work for not more than 1 year or a fine not exceeding 300,000 yen, or is to be subject to the cumulative imposition of imprisonment with or without work and a fine.

Article 71-2 A person who falls under any of the following items is to be punished with imprisonment for not more than 1 year or a fine not exceeding 200,000 yen:

- (i) a person who submits a false notification regarding the notification pursuant to the provisions of Article 19-7, paragraph (1), Article 19-8, paragraph (1), Article 19-9, paragraph (1), Article 19-10, paragraph (1) or Article 19-16; or
- (ii) a person who violates the provisions of Article 19-11, paragraph (1), Article 19-12, paragraph (1) or Article 19-13, paragraph (3).

Article 71-3 A person who violates the dispositions set forth in Article 19-21, paragraph (1) is punished with imprisonment with work for not more than 6 months or a fine not exceeding 300,000 yen.

Article 71-4 A person who falls under any of the following items is to be punished with a fine not exceeding 300,000 yen:

- (i) a person who fails to make a notification pursuant to the provisions of Article 19-18, paragraph (1) (limited to the part pertaining to item (i)) or paragraph (2) (limited to the part pertaining to item (i)), or makes a false notification; or
- (ii) a person who fails to make a report, or submit books or documents, pursuant to the provisions of Article 19-21, paragraph (1); makes a false report or submits false books or documents, or fails to answer questions pursuant to the provisions of the same paragraph; gives a false answer, or refuses, obstructs, or evades the inspection pursuant to the provisions of the same paragraph:

Article 71-5 A person who falls under any of the following items is to be punished with a fine not exceeding 200,000 yen:

- (i) a person who does not give notification of their place of residence in violation of the provisions of Article 19-7, paragraph (1) or Article 19-8, paragraph (1);
- (ii) a person who does not give notification of their new place of residence in violation of the provisions of Article 19-9, paragraph (1); or
- (iii) a person who violates the provisions of Article 19-10, paragraph (1), Article 19-15 (except for paragraph (4)) or Article 19-16.

Article 72 A person falling under any of the following items is to be punished with imprisonment for not more than 1 year or a fine not exceeding 200,000 yen, or is to be subject to the cumulative imposition of imprisonment and a fine:

- (i) if a person escapes, after being taken into custody pursuant to a written detention order or deportation order;
- (ii) if a person who is granted a landing permission for cruise ship tourists has fled without returning to the ship by the time of the designated passenger ship departing from the port of entry or departure after they disembarked at the Japanese port of entry or departure at which the designated passenger ship pertaining to the permission made a port of call;
- (iii) if a person permitted to land for temporary refuge escapes in violation of the conditions attached pursuant to the provisions of Article 18-2, paragraph (4);
- (iv) if a person released pursuant to the provisions of Article 52, paragraph (6) flees or fails to appear when summoned without legitimate grounds in violation of the conditions attached pursuant to the provisions of the same paragraph;
- (v) if a person who is given a departure order pursuant to the provisions of Article 55-3, paragraph (1) escapes in violation of the conditions attached pursuant to the provisions of paragraph (3) of the same Article;
- (vi) if a person who is given the permission set forth in Article 61-2-4, paragraph (1) flees or fails to appear without legitimate grounds upon receiving summons in violation of the conditions attached pursuant to the provisions of paragraph (3) of the same Article;
- (vii) if a person fails to return the certificate of refugee status or the refugee travel document in violation of the provisions of Article 61-2-7, paragraph (3), or Article 61-2-13; or
- (viii) if a person who is ordered to return the refugee travel document pursuant to the provisions of Article 61-2-12, paragraph (8) fails to return it within the period specified pursuant to the provisions of the same paragraph.

Article 73 Except for cases to which the provisions of Article 70, paragraph (1), item (iv) apply, a person who is engaged in activities related to management of business involving income or other activities for which they have receive remuneration in violation of the provisions of Article 19, paragraph (1) is punished with imprisonment with or without work for not more than 1 year or a fine not exceeding 2 million yen, or is to be subject to the cumulative imposition of imprisonment with or without work and a fine.

Article 73-2 (1) A person falling under any of the following items is punished with imprisonment for not more than 3 years or a fine not exceeding 3 million yen, or is to be subject to the cumulative imposition of imprisonment and a fine:

- (i) a person who has a foreign national engage in illegal work in relation to

- their business activities; or
- (ii) a person who places a foreign national under their control for the purpose of having the foreign national engage in illegal work;
 - (iii) a person who arranges on a regular basis for a foreign national to engage in illegal work or who makes arrangements for the act set forth in the preceding item.
- (2) A person who performs an act falling under any of the items of the preceding paragraph is not to be exempt from punishment pursuant to the provisions of the same Article on the grounds of not knowing that the act falls under any of the following items; provided however, that this does not apply if there is no negligence:
- (i) the activities of the foreign national relate to the management of a business that involves income or activities for which they receive remuneration, which are not included among those activities corresponding to the status of residence of the foreign national;
 - (ii) the foreign national is not granted the permission set forth in Article 19, paragraph (2) in engaging in the activities of the foreign national; or
 - (iii) the foreign national is a person set forth in Article 70, paragraph (1), items (i), (ii), (iii) through (iii)-3, item (v), items (vii) through (vii)-3 or items (viii)-2 through (viii)-4.

Article 73-3 (1) A person who forges or alters a residence card for the purpose of uttering, is to be punished with imprisonment for not less than 1 year but not more than 10 years.

- (2) The preceding paragraph also applies to a person who uses a forged or altered residence card.
- (3) Paragraph (1) also applies to a person who provides or receives a forged or altered a residence card for the purpose of uttering.
- (4) An attempt to commit the crime referred to in the preceding three paragraphs is punishable.

Article 73-4 A person possessing a forged or altered a residence card for the purpose of uttering is punished with imprisonment for not more than 5 years or a fine not exceeding 500,000 yen.

Article 73-5 A person who prepares instruments or materials for the purpose of use in committing the criminal act set forth in Article 73-3, paragraph (1) is punished with imprisonment for not more than 3 years or a fine not exceeding 500,000 yen.

Article 73-6 (1) A person falling under any of the following items is punished

with imprisonment for not more than 1 year or a fine not exceeding 200,000 yen:

- (i) a person who uses a residence card in another person's name;
 - (ii) a person who provides, receives or possesses a residence card in another person's name for the purpose of uttering; or
 - (iii) a person who provides their own residence card for the purpose of uttering.
- (2) An attempt to commit the crime referred to in the preceding paragraph (except for the part pertaining to possession) is punishable.

Article 74 (1) A person who causes a group of stowaways who are under their control (meaning a group of foreign nationals assembled for the purpose of landing in Japan without obtaining permission for landing, etc. from an immigration inspector, or for the purpose of landing and obtaining permission for landing, etc. from an immigration inspector by deceit or other wrongful means; the same applies hereinafter) to enter into Japan or land in Japan is punished with imprisonment for not more than 5 years or a fine not exceeding 3 million yen.

- (2) If a person commits the crimes set forth in the preceding paragraph for the purpose of profit, the person is punished with imprisonment for not less than 1 year but not more than 10 years and a fine not exceeding 10 million yen.
- (3) An attempt to commit the crime referred to in the preceding two paragraphs (limited to the part pertaining to the act of having the stowaways land in Japan) is punishable.

Article 74-2 (1) A person who transports a group of stowaways who are under their control destined for Japan, or who transports them to a place of landing in the territory of Japan, is punished with imprisonment for not more than 3 years or a fine not exceeding 2 million yen.

- (2) If a person commits the crime set forth in the preceding paragraph for the purpose of profit, the person is punished with imprisonment for not more than 7 years and a fine not exceeding 5 million yen.

Article 74-3 A person who prepares vessels or an aircraft for criminal use with the intention of committing the crime set forth in Article 74, paragraph (1) or (2), or the preceding Article is punished with imprisonment for not more than 2 years or a fine not exceeding 1 million yen. The same applies to a person who knowingly provides vessels or aircraft for criminal use.

Article 74-4 (1) A person who receives, from another person that committed the crime set forth in Article 74, paragraph (1) or (2), all or some of the foreign nationals who landed, or who transports, harbors, or enables the foreign

nationals received to escape, is punished with imprisonment for not more than 5 years or a fine not exceeding 3 million yen. The same applies to a person who subsequently receives all or some of the foreign nationals from the person who originally received them, or who transports, harbors or enables the foreign nationals received to escape after receiving them.

- (2) If a person commits the crime set forth in the preceding paragraph for the purpose of profit, the person is punished with imprisonment for not less than 1 year but not more than 10 years and a fine not exceeding 10 million yen.
- (3) An attempt to commit the crime referred to in the preceding two paragraphs is punishable.

Article 74-5 A person who makes preparations with the intention of committing the crime set forth in the preceding Article, paragraph (1) or (2), is punished with imprisonment for not more than 2 years or a fine not exceeding 1 million yen.

Article 74-6 A person who facilitates the acts prescribed in Article 70, paragraph (1), item (i) or (ii) (hereinafter referred to as "illegal entry or landing") or the act prescribed in item (ii)-2 of the same paragraph for the purpose of profit is punished with imprisonment for not more than 3 years or a fine not exceeding 3 million yen, or is subject to the cumulative imposition of imprisonment and a fine.

Article 74-6-2 (1) A person falling under any of the following items is punished with imprisonment for not more than 3 years or a fine not exceeding 3 million yen, or is subject to the cumulative imposition of imprisonment and a fine:

- (i) a person who is granted a refugee travel document, travel certificate, crew member's pocket-ledger or re-entry permit issued by an authorized organization of Japan using deceit or other wrongful means, for the purpose of facilitating another person to commit illegal entry or landing;
- (ii) a person who, for the purpose of facilitating another person to commit illegal entry or landing, possesses, provides or receives the following documents:
 - (a) documents that are falsified to serve as a passport (except for passports prescribed in Article 2, items (i) and (ii) of the Passport Act and travel certificates prescribed in Article 19-3, paragraph (1) of the same Act; hereinafter the same applies in this paragraph), crew member's pocket-ledger or re-entry permit;
 - (b) a passport, crew member's pocket-ledger, or re-entry permit that is not valid for the person who commits illegal entry or landing;
- (iii) a person who, for the purpose of violating the provisions of Article 70,

- paragraph (1), item (i) or (ii), is granted a refugee travel document, travel certificate, crew member's pocket-ledger or re-entry permit issued by an authorized organization in Japan by deceit or other wrongful means; or
- (iv) a person who, for the purpose of violating the provisions of Article 70, paragraph (1), item (i) or (ii), possesses or receives the following documents:
- (a) documents that are falsified to serve as a passport, crew member's pocket-ledger or re-entry permit.
 - (b) a passport, crew member's pocket-ledger or re-entry permit that is not valid for oneself.
- (2) A person who commits a crime set forth in the provisions of item (i) or (ii) of the preceding paragraph for the purpose of profit is punished with imprisonment for not more than 5 years and a fine not exceeding 5 million yen.

Article 74-6-3 An attempt to commit the crime referred to in the preceding Article (except for the part pertaining to possession) is punishable.

Article 74-7 The crimes set forth in Article 73-2, paragraph (1), items (ii) and (iii), Articles 73-3 through 73-6, Article 74-2 (except for the part pertaining to transportation within the territory of Japan), Article 74-3, and the preceding three Articles are to comply with the cases set forth in Article 2 of the Penal Code.

- Article 74-8 (1) A person who harbors or enables foreign nationals who fall under Article 24, item (i) or item (ii) to escape for the purpose of allowing them to avoid deportation, is punished with imprisonment for not more than 3 years or a fine not exceeding 3 million yen.
- (2) If a person commits the crime set forth in the preceding paragraph for the purpose of profit, the person is punished with imprisonment for not more than 5 years and a fine not exceeding 5 million yen.
- (3) An attempt to commit the crime referred to in the preceding two paragraphs is punishable.

Article 75 A person who fails to appear without legitimate grounds, refuses to testify or swear an oath or who gives false testimony in violation of the provisions of Article 10, paragraph (5) (including as applied *mutatis mutandis* pursuant to Article 48, paragraph (5)) is punished with a fine not exceeding 200,000 yen.

- Article 75-2 A person who falls under any of the following items is punished with imprisonment for not more than 1 year or a fine not exceeding 200,000 yen:
- (i) a person who does not receive a residence card in violation of the provisions

- of Article 23, paragraph (2); or
- (ii) a person who refuses to present their residence card in violation of the provisions of Article 23, paragraph (3).

Article 75-3 A person not carrying their residence card in violation of the provisions of Article 23, paragraph (2) is punished with a fine not exceeding 200,000 yen,

Article 76 A person who falls under any of the following items is punished with a fine not exceeding 100,000 yen:

- (i) a person who violates the provisions of Article 23, paragraph (1); or
- (ii) a person who refuses to present a passport, a crew member's pocket-ledger, registered user card or a permit in violation of the provisions of Article 23, paragraph (3).

(Dual Liability)

Article 76-2 If the representative of a corporation, an agent, employee or any other worker of a corporation or an individual, commits any of the crimes set forth in Article 71-3, Article 71-4, Article 73-2 or in Articles 74 through 74-6, any of the crimes or attempts to commit the crimes set forth in Article 74-6-2 (excluding paragraph (1), items (iii) and (iv)), or the crimes set forth in Article 74-8 in relation to the business of the corporation or individual, that corporation or individual, along with the person who commits the crime, are punished with the relevant fine under each of those provisions.

(Civil Fine)

Article 77 A person who falls under any of the following items is punished with a civil fine not exceeding 500,000 yen:

- (i) a person who refuses to undergo or obstructs an examination or any other duty to be executed by an immigration inspector in violation of the provisions of Article 56;
- (i)-2 a person who has allowed foreign nationals to enter Japan without checking their passports, crew member's pocket-ledgers, or re-entry permits, in violation of the provisions of Article 56-2;
- (ii) a person who fails to report, or falsely reports in violation of the provisions of Article 57, paragraph (1) or (2), fails to report in violation of the provisions of paragraph (3) of the same Article, or fails to report or falsely reports in violation of the provisions of paragraphs (4) through (7) or the first sentence of paragraph (9) of the same Article;
- (iii) a person who has failed to prevent a foreign national from landing in violation of the provisions of Article 58; or

(iv) a person who has neglected to send back a foreign national in violation of the provisions of Article 59.

Article 77-2 A person who has failed to make a notification pursuant to the provisions of Article 19-18, paragraph (1) (excluding item (i)) or paragraph (2) (excluding item (i)), or who has made a false notification is punished with a civil fine not exceeding 100,000 yen.

Article 77-3 A person set forth in any of the items of Article 61-9-3, paragraph (2), in violation of the provisions of the same Article, who does not file a notification pursuant to the provisions of Article 19-7, paragraph (1), Article 19-8, paragraph (1), Article 19-9, paragraph (1) or Article 19-10, paragraph (1), does not receive the residence card returned pursuant to the provisions of Article 19-7, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 19-8, paragraph (2) and Article 19-9, paragraph (2)) or the residence card issued pursuant to the provisions of Article 19-10, paragraph (2) (including as applied mutatis mutandis pursuant to the provisions of Article 19-11, paragraph (3), Article 19-12, paragraph (2) and Article 19-13, paragraph (4)) or does not file an application pursuant to the provisions of Article 19-11, paragraph (1), Article 19-12, paragraph (1) or Article 19-13, paragraph (3) is punished with a civil fine not exceeding 50,000 yen.

(Confiscation)

Article 78 A vessel, an aircraft or a vehicle used for committing a criminal act prescribed in Article 70, paragraph (1), item (i), Article 74, Article 74-2 or Article 74-4 which is owned or possessed by an offender is confiscated; provided however, that this does not apply if the vessel, aircraft or vehicle is owned by a person other than the offender that falls under either of the following sub-items:

- (i) if it is found that the person has no prior knowledge that the crime set forth in Article 70, paragraph (1), item (i), Article 74, Article 74-2 or Article 74-4 is to be committed, and continued to own the vessel, aircraft or vehicle from the time the crime was committed; or
- (ii) if it is found that the person came to acquire the vessel, aircraft, or vehicle after the crime prescribed in the preceding item was committed, without the knowledge that it was used in the commission of a crime.

Supplementary Provisions

Omitted

(1)

Status of Residence	Authorized Activities in Japan
Diplomat	Activities on the part of constituent members of diplomatic missions or consular offices of foreign governments hosted by the Japanese Government; activities on the part of those who are provided with similar privileges or immunities as are granted to diplomatic missions pursuant to treaties or international customary practices; and activities on the part of their family members belonging to the same household.
Official	Activities on the part of those who engage in the official business of foreign governments or international organizations recognized by the Japanese Government, and activities on the part of their family members belonging to the same household (except for the activities listed in the right-hand column under this Table's "Diplomat" column).
Professor	Activities for research, research guidance, or education, at a university, an equivalent educational institution, or a technical college.
Artist	Artistic activities that involve income, such as activities on music, fine arts, literature, etc. (except for the activities listed in the right-hand column under the "Entertainer" column in Table (2)).
Religious Activities	Missionary and other religious activities conducted by foreign religious workers sent by a foreign religious organization.
Journalist	News coverage and other journalistic activities conducted based on a contract with foreign news media.

(2)

Status of Residence	Authorized Activities in Japan
Highly Skilled Professional	(i) Activities that fall under any of the following items (a) through (c) to be carried out by a person meeting the requirements provided by Ministry of Justice Order as a professional with highly-skilled capabilities, and are expected to contribute to the development of academic research or economy of Japan: (a) activities of research, research instruction or education based on a contract signed with a public or private organization in Japan designated by the Minister of Justice, activities of personally operating a business related to the activities in conjunction with those activities, or activities of research, research instruction or education based on a contract signed with a public or private organization in Japan other than the organizations designated by the Minister of Justice;

	<p>(b) activities to engage in duties requiring knowledge or skills in the field of natural sciences or humanities based on a contract signed with a public or private organization in Japan designated by the Minister of Justice or activities to personally manage the business related to the activities in conjunction with those activities;</p> <p>(c) activities to operate international trade or some other business, or to engage in the management of such business at a public or private organization in Japan designated by the Minister of Justice, or in conjunction with these activities, activities to personally manage the business related to such activities.</p> <p>(ii) The following activities carried out by a person who has engaged in the activities listed in the preceding item and who meets the requirements provided by Ministry of Justice Order as a person whose stay contributes to the interests of Japan:</p> <p>(a) activities of research, research instruction or education based on a contract signed with a public or private organization in Japan;</p> <p>(b) activities to engage in duties requiring knowledge or skills in the field of natural sciences or humanities based on a contract signed with a public or private organization in Japan;</p> <p>(c) activities to operate business of international trade or other businesses at a public or private organization in Japan, or to engage in the management of those businesses;</p> <p>(d) activities (except for the activities that fall under any of the items (a) through (c)) listed in the right-hand column of the "Professor" section to the "Journalist" section in Table (1) or the activities listed in the right-hand column in the "Legal/Accounting Services," "Medical Services," "Instructor," "Engineer/Specialist in Humanities/ International Services," "Nursing Care," "Entertainer," or "Skilled Labor" sections, or in item (ii) of the right-hand column of the "Specified Skilled Worker" section in this Table, carried out in conjunction with any of the activities in items (a) through (c).</p>
Business Manager	Activities to operate business of international trade or other businesses, or to engage in the management of those businesses, in Japan (except for activities to engage in the operation or management of business which is legally prohibited to conduct without the qualifications listed in the right-hand column of the "Legal/Accounting Services" section in this table).
Legal/Accounting Services	Activities to engage in a legal or accounting business which are to be carried out only by registered foreign-qualified lawyers, registered foreign-qualified public accountants, or those with other legal qualifications.
Medical Services	Activities to engage in medical treatment services which are to be undertaken only by physicians, dentists, or those with other legal qualifications.
Researcher	Activities to engage in research based on a contract signed with a public or private organization in Japan (except for the activities listed in the right-hand column of the "Professor" section in Table (1)).

Instructor	Activities to engage in language teaching or other educational activities at an elementary school, junior high school, senior high school, school for secondary education, special-needs school, advanced vocational school, miscellaneous school, or other educational institutions equivalent to a miscellaneous educational institution in facilities and organization in Japan.
Engineer/ Specialist in Humanities/ International Services	Activities to engage in duties which require skills or knowledge in the field of physical science, engineering, or other natural science fields, or in the field of jurisprudence, economics, sociology or other humanities fields, or to engage in duties which require the ways of thinking or sensitivity founded on foreign culture (except for the activities listed in the right-hand column of the "Professor," "Artist," and "Journalist" sections in Table (1), and the activities listed in the right-hand column of the "Business Manager" through "Instructor" sections, "Intra-Company Transferee" and "Entertainer" sections in this Table), based on a contract entered into with a public or private organization in Japan.
Intra-Company Transferee	Activities which a staff member who is transferred to a business office in Japan for a limited period of time from a business office established in a foreign country of a public or private organization which has a head office, branch office or other business offices in Japan engages in, which are listed in the right-hand column of the "Engineer/ Specialist in Humanities/International Services" section in this Table, at the business office.
Nursing Care	Activities which persons with the qualification of certified care worker to engage in the services of nursing care or nursing care instructions based on a contract with a public or private organization in Japan.
Entertainer	Activities to engage in performances of acting, popular entertainment, playing a musical instrument, sports activities or any other form of show business (except for activities listed in the right-hand column of the "Business Manager" section in this Table).
Skilled Labor	Activities to engage in duties which require expert skills that belong to special industrial fields based on a contract signed with a public or private organization in Japan.
Specified Skilled Worker	(i) Activities to engage in duties that require skills for which a considerable degree of knowledge or experience provided for in Ministry of Justice Order which belong to a specified industrial field (meaning the field specified in Ministry of Justice Order as an industrial field for which shortage of labor should be secured by employing foreign nationals due to difficulty in securing human resources; the same applies in the following item) designated by the Minister of Justice is necessary, based on a contract (limited to those conforming to the provisions of Article 2-5, paragraph (1) through paragraph (4); the same applies in the following item) concerning employment signed with a public or private organization in Japan designated by the Minister of Justice;

	<p>(ii) activities to engage in duties that require expert skills specified in Ministry of Justice Order which belong to a specified industrial field designated by the Minister of Justice conducted based on a contract concerning employment signed with a public or private organization in Japan designated by the Minister of Justice.</p>
<p>Technical Intern Training</p>	<p>(i) Activities which fall under either of the following item (a) or (b):</p> <p>(a) activities to attend lectures and engage in services relating to skills, technique or knowledge (hereinafter referred to as "skills, etc.") based on the technical intern training plan (limited to those pertaining to individual-enterprise-type technical intern training (i) pursuant to the provisions of Article 2, paragraph (2), item (i) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received accreditation (where a change has been approved in accordance with the provisions of Article 11, paragraph (1) of the Technical Intern Training Act, the plan after the change; hereinafter the same applies) pursuant to Article 8, paragraph (1) of the Technical Intern Training Act);</p> <p>(b) activities to attend lectures and engage in duties related to skills, etc. based on the technical intern training plan (limited to those pertaining to supervising-organization-type technical intern training (i) pursuant to the provisions of Article 2, paragraph (4), item (i) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received the accreditation set forth under the same paragraph.</p> <p>(ii) Activities which fall under either of the following (a) or (b):</p> <p>(a) activities to engage in duties that require to skills, etc. based on the technical intern training plan (limited to those pertaining to individual-enterprise-type technical intern training (ii) pursuant to the provisions of Article 2, paragraph (2), item (ii) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received the accreditation set forth under the same paragraph;</p> <p>(b) activities to engage in duties that require skills, etc. based on the technical intern training plan (limited to those pertaining to supervising-organization-type technical intern training (ii) pursuant to the provisions of Article 2, paragraph (4), item (ii) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received the accreditation set forth under the same paragraph.</p> <p>(iii) Activities which fall under either of the following sub-item (a) or (b):</p>

	<p>(a) activities to engage in duties that require skills, etc. based on the technical intern training plan (limited to those pertaining to individual-enterprise-type technical intern training (iii) pursuant to the provisions of Article 2, paragraph (2), item (iii) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received the accreditation set forth under the same paragraph;</p> <p>(b) activities to engage in duties that require skills, etc. based on the technical intern training plan (limited to those pertaining to supervising-organization-type technical intern training (iii) pursuant to the provisions of Article 2, paragraph (4), item (iii) of the Technical Intern Training Act) provided for in Article 8, paragraph (1) of the Technical Intern Training Act, which received the accreditation set forth under the same paragraph.</p>
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(3)

Status of Residence	Authorized Activities in Japan
Cultural Activities	Academic or artistic activities that do not involve any income, or activities conducted to acquire culture or arts and crafts peculiar to Japan by conducting specialized research or through the guidance of experts (except for activities listed in the right-hand column of the "Student" through "Trainee" sections in the Appended Table (4)).
Temporary Visitor	Activities for sightseeing, recreation, sports, visiting relatives, tour of facilities, participating in lectures or meetings, business liaison or other similar activities during a short stay in Japan.
Remarks: If the Minister of Justice seeks to establish the Ministry of Justice Order in the right-hand column corresponding to "Specified Skilled Worker," the Minister is to consult with the head of the related administrative organs in advance.	

(4)

Status of Residence	Authorized Activities in Japan
Student	Activities to receive an education at a university, technical college, senior high school (including the second semester course at a school for secondary education), senior high school course of a special-needs school, junior high school (including the second semester course at a compulsory education school and the first semester course of at a school for secondary education) or a junior high school course of a special-needs school, elementary school (including the first semester course at a compulsory education school) or an elementary school course of a special-needs school, advanced vocational school, miscellaneous school or an equivalent educational institution in terms of facilities and organization in Japan.

Trainee	Activities to acquire skills, etc. by being accepted at a public or a private organization in Japan (except for the activities listed in the right-hand column of "Technical Intern Training" in item (i) in the Appended Table (2) and the right-hand column of the "Student" section in this Table).
Dependent	Daily activities of a spouse or child supported by the foreign national staying in Japan with the status of residence referred to in the left-hand column of the Tables (1), (2) or (3) (excluding "Diplomat," "Official," "Specified Skilled Worker" (limited to the those pertaining to item (i) of the right-hand column corresponding to "Specified Skilled Worker" of the Table (2)), "Technical Intern Training," and "Temporary Visitor") or staying with the status of residence of "Student" in this Table.

(5)

Status of Residence	Authorized Activities in Japan
Designated Activities	Activities which are specifically designated by the Minister of Justice for individual foreign nationals

Appended Table II (Re. Art. 2-2 ,7, 22-3, 22-4, 61-2-2, and 61-2-8)

Status of Residence	Personal status or position for which residence is authorized
Permanent Resident	Those who are permitted permanent residency by the Minister of Justice
Spouse or Child of Japanese National	The spouse of a Japanese national, or a child specially adopted by a Japanese national or those born as the child of a Japanese national
Spouse or Child of Permanent Resident	The spouse of a permanent resident, etc., or those born as the child of a permanent resident, etc. in Japan and who have continued to reside in Japan since birth

Long-Term Resident	Those who are authorized to reside in Japan with a period of stay designated by the Minister of Justice in consideration of special circumstances
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