出入国管理及び難民認定法

Immigration Control and Refugee Recognition Act

（昭和二十六年十月四日政令第三百十九号）

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

第一章　総則

Chapter I General Provisions

（目的）

(Purpose)

第一条　出入国管理及び難民認定法は、本邦に入国し、又は本邦から出国する全ての人の出入国及び本邦に在留する全ての外国人の在留の公正な管理を図るとともに、難民の認定手続を整備することを目的とする。

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.

（定義）

(Definition)

第二条　出入国管理及び難民認定法及びこれに基づく命令において、次の各号に掲げる用語の意義は、それぞれ当該各号に定めるところによる。

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.

一　削除

(i) Deleted.

二　外国人　日本の国籍を有しない者をいう。

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

三　乗員　船舶又は航空機（以下「船舶等」という。）の乗組員をいう。

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

三の二　難民　難民の地位に関する条約（以下「難民条約」という。）第一条の規定又は難民の地位に関する議定書第一条の規定により難民条約の適用を受ける難民をいう。

(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;

四　日本国領事官等　外国に駐在する日本国の大使、公使又は領事官をいう。

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

五　旅券　次に掲げる文書をいう。

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

イ　日本国政府、日本国政府の承認した外国政府又は権限のある国際機関の発行した旅券又は難民旅行証明書その他当該旅券に代わる証明書（日本国領事官等の発行した渡航証明書を含む。）

(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;

ロ　政令で定める地域の権限のある機関の発行したイに掲げる文書に相当する文書

(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;

六　乗員手帳　権限のある機関の発行した船員手帳その他乗員に係るこれに準ずる文書をいう。

(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;

七　人身取引等　次に掲げる行為をいう。

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

イ　営利、わいせつ又は生命若しくは身体に対する加害の目的で、人を略取し、誘拐し、若しくは売買し、又は略取され、誘拐され、若しくは売買された者を引き渡し、収受し、輸送し、若しくは蔵匿すること。

(a) the kidnapping, buying or selling of persons for the purpose of profit, indecency or threats to a person's life or body, or transferring, receiving, transporting or hiding persons who have been kidnapped, bought or sold;

ロ　イに掲げるもののほか、営利、わいせつ又は生命若しくは身体に対する加害の目的で、十八歳未満の者を自己の支配下に置くこと。

(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, indecency or threats to a person's life or body;

ハ　イに掲げるもののほか、十八歳未満の者が営利、わいせつ若しくは生命若しくは身体に対する加害の目的を有する者の支配下に置かれ、又はそのおそれがあることを知りながら、当該十八歳未満の者を引き渡すこと。

(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, indecency or threat to their lives or bodies;

八　出入国港　外国人が出入国すべき港又は飛行場で法務省令で定めるものをいう。

(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;

九　運送業者　本邦と本邦外の地域との間において船舶等により人又は物を運送する事業を営む者をいう。

(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;

十　入国審査官　第六十一条の三に定める入国審査官をいう。

(x) the term "immigration inspector" means an immigration inspector as provided in Article 61-3;

十一　主任審査官　上級の入国審査官で出入国在留管理庁長官が指定するものをいう。

(xi) the term "supervising immigration inspector" means an immigration inspector of a supervisory rank designated by the Commissioner of the Immigration Services Agency;

十二　特別審理官　口頭審理を行わせるため出入国在留管理庁長官が指定する入国審査官をいう。

(xii) the term "special inquiry officer" means an immigration inspector designated and authorized by the Commissioner of the Immigration Services Agency to hold hearings;

十二の二　難民調査官　第六十一条の三第二項第二号（第六十一条の二の八第二項において準用する第二十二条の四第二項に係る部分に限る。）及び第三号（第六十一条の二の十四第一項に係る部分に限る。）に掲げる事務を行わせるため出入国在留管理庁長官が指定する入国審査官をいう。

(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));

十三　入国警備官　第六十一条の三の二に定める入国警備官をいう。

(xiii) the term "immigration control officer" means an immigration control officer as provided in Article 61-3-2;

十四　違反調査　入国警備官が行う外国人の入国、上陸又は在留に関する違反事件の調査をいう。

(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;

十五　入国者収容所　法務省設置法（平成十一年法律第九十三号）第三十条に定める入国者収容所をいう。

(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);

十六　収容場　第六十一条の六に定める収容場をいう。

(xvi) the term "detention house" means a detention facility provided for in Article 61-6.

（在留資格及び在留期間）

(Status of Residence and Period of Stay)

第二条の二　本邦に在留する外国人は、出入国管理及び難民認定法及び他の法律に特別の規定がある場合を除き、それぞれ、当該外国人に対する上陸許可若しくは当該外国人の取得に係る在留資格（高度専門職の在留資格にあつては別表第一の二の表の高度専門職の項の下欄に掲げる第一号イからハまで又は第二号の区分を含み、特定技能の在留資格にあつては同表の特定技能の項の下欄に掲げる第一号又は第二号の区分を含み、技能実習の在留資格にあつては、同表の技能実習の項の下欄に掲げる第一号イ若しくはロ、第二号イ若しくはロ又は第三号イ若しくはロの区分を含む。以下同じ。）又はそれらの変更に係る在留資格をもつて在留するものとする。

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　在留資格は、別表第一の上欄（高度専門職の在留資格にあっては二の表の高度専門職の項の下欄に掲げる第一号イからハまで又は第二号の区分を含み、特定技能の在留資格にあつては同表の特定技能の項の下欄に掲げる第一号又は第二号の区分を含み、技能実習の在留資格にあつては同表の技能実習の項の下欄に掲げる第一号イ若しくはロ、第二号イ若しくはロ又は第三号イ若しくはロの区分を含む。以下同じ。）又は別表第二の上欄に掲げるとおりとし、別表第一の上欄の在留資格をもつて在留する者は当該在留資格に応じそれぞれ本邦において同表の下欄に掲げる活動を行うことができ、別表第二の上欄の在留資格をもつて在留する者は当該在留資格に応じそれぞれ本邦において同表の下欄に掲げる身分若しくは地位を有する者としての活動を行うことができる。

(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　第一項の外国人が在留することのできる期間（以下「在留期間」という。）は、各在留資格について、法務省令で定める。この場合において、外交、公用、高度専門職及び永住者の在留資格（高度専門職の在留資格にあつては、別表第一の二の表の高度専門職の項の下欄第二号に係るものに限る。）以外の在留資格に伴う在留期間は、五年を超えることができない。

(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.

（特定技能の在留資格に係る制度の運用に関する基本方針）

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

第二条の三　政府は、特定技能の在留資格に係る制度の適正な運用を図るため、特定技能の在留資格に係る制度の運用に関する基本方針（以下「基本方針」という。）を定めなければならない。

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　基本方針は、次に掲げる事項について定めるものとする。

(2) The basic policy establishes the following particulars.

一　特定技能の在留資格に係る制度の意義に関する事項

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

二　人材を確保することが困難な状況にあるため外国人により不足する人材の確保を図るべき産業上の分野に関する基本的な事項

(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;

三　前号の産業上の分野において求められる人材に関する基本的な事項

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

四　特定技能の在留資格に係る制度の運用に関する関係行政機関の事務の調整に関する基本的な事項

(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;

五　前各号に掲げるもののほか、特定技能の在留資格に係る制度の運用に関する重要事項

(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　法務大臣は、基本方針の案を作成し、閣議の決定を求めなければならない。

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

４　法務大臣は、前項の規定による閣議の決定があつたときは、遅滞なく、基本方針を公表しなければならない。

(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　前二項の規定は、基本方針の変更について準用する。

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

（特定技能の在留資格に係る制度の運用に関する分野別の方針）

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

第二条の四　法務大臣は、基本方針にのつとり、人材を確保することが困難な状況にあるため外国人により不足する人材の確保を図るべき産業上の分野を所管する関係行政機関の長並びに国家公安委員会、外務大臣及び厚生労働大臣（以下この条において「分野所管行政機関の長等」という。）と共同して、当該産業上の分野における特定技能の在留資格に係る制度の適正な運用を図るため、当該産業上の分野における特定技能の在留資格に係る制度の運用に関する方針（以下「分野別運用方針」という。）を定めなければならない。

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　分野別運用方針は、次に掲げる事項について定めるものとする。

(2) The field-specific operation policy stipulates the following particulars.

一　当該分野別運用方針において定める人材を確保することが困難な状況にあるため外国人により不足する人材の確保を図るべき産業上の分野

(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;

二　前号の産業上の分野における人材の不足の状況（当該産業上の分野において人材が不足している地域の状況を含む。）に関する事項

(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);

三　第一号の産業上の分野において求められる人材の基準に関する事項

(iii) the particulars on the criteria for the human resources required in the industrial fields of item (i);

四　第一号の産業上の分野における第七条の二第三項及び第四項（これらの規定を同条第五項において準用する場合を含む。）の規定による同条第一項に規定する在留資格認定証明書の交付の停止の措置又は交付の再開の措置に関する事項

(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);

五　前各号に掲げるもののほか、第一号の産業上の分野における特定技能の在留資格に係る制度の運用に関する重要事項

(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　法務大臣及び分野所管行政機関の長等は、分野別運用方針を定めようとするときは、あらかじめ、分野所管行政機関の長等以外の関係行政機関の長に協議しなければならない。

(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　法務大臣及び分野所管行政機関の長等は、分野別運用方針を定めたときは、遅滞なく、これを公表しなければならない。

(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　前二項の規定は、分野別運用方針の変更について準用する。

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to any changes to the field-specific operation policy.

（特定技能雇用契約等）

(Employment Contracts for a Specified Skilled Worker)

第二条の五　別表第一の二の表の特定技能の項の下欄第一号又は第二号に掲げる活動を行おうとする外国人が本邦の公私の機関と締結する雇用に関する契約（以下この条及び第四章第一節第二款において「特定技能雇用契約」という。）は、次に掲げる事項が適切に定められているものとして法務省令で定める基準に適合するものでなければならない。

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.

一　特定技能雇用契約に基づいて当該外国人が行う当該活動の内容及びこれに対する報酬その他の雇用関係に関する事項

(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;

二　前号に掲げるもののほか、特定技能雇用契約の期間が満了した外国人の出国を確保するための措置その他当該外国人の適正な在留に資するために必要な事項

(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　前項の法務省令で定める基準には、外国人であることを理由として、報酬の決定、教育訓練の実施、福利厚生施設の利用その他の待遇について、差別的取扱いをしてはならないことを含むものとする。

(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　特定技能雇用契約の相手方となる本邦の公私の機関は、次に掲げる事項が確保されるものとして法務省令で定める基準に適合するものでなければならない。

(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.

一　前二項の規定に適合する特定技能雇用契約（第十九条の十九第二号において「適合特定技能雇用契約」という。）の適正な履行

(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));

二　第六項及び第七項の規定に適合する第六項に規定する一号特定技能外国人支援計画（第五項及び第四章第一節第二款において「適合一号特定技能外国人支援計画」という。）の適正な実施

(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　前項の法務省令で定める基準には、同項の本邦の公私の機関（当該機関が法人である場合においては、その役員を含む。）が、特定技能雇用契約の締結の日前五年以内に出入国又は労働に関する法令に関し不正又は著しく不当な行為をしていないことを含むものとする。

(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　特定技能所属機関（第十九条の十八第一項に規定する特定技能所属機関をいう。以下この項において同じ。）が契約により第十九条の二十七第一項に規定する登録支援機関に適合一号特定技能外国人支援計画の全部の実施を委託する場合には、当該特定技能所属機関は、第三項（第二号に係る部分に限る。）の規定に適合するものとみなす。

(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　別表第一の二の表の特定技能の項の下欄第一号に掲げる活動を行おうとする外国人と特定技能雇用契約を締結しようとする本邦の公私の機関は、法務省令で定めるところにより、当該機関が当該外国人に対して行う、同号に掲げる活動を行おうとする外国人が当該活動を安定的かつ円滑に行うことができるようにするための職業生活上、日常生活上又は社会生活上の支援（次項及び第四章第一節第二款において「一号特定技能外国人支援」という。）の実施に関する計画（第八項、第七条第一項第二号及び同款において「一号特定技能外国人支援計画」という。）を作成しなければならない。

(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　一号特定技能外国人支援には、別表第一の二の表の特定技能の項の下欄第一号に掲げる活動を行おうとする外国人と日本人との交流の促進に係る支援及び当該外国人がその責めに帰すべき事由によらないで特定技能雇用契約を解除される場合において他の本邦の公私の機関との特定技能雇用契約に基づいて同号に掲げる活動を行うことができるようにするための支援を含むものとする。

(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　一号特定技能外国人支援計画は、法務省令で定める基準に適合するものでなければならない。

(8) The support plan for specified skilled workers (i) must conform to the criteria specified by the Ministry of Justice Order.

９　法務大臣は、第一項、第三項、第六項及び前項の法務省令を定めようとするときは、あらかじめ、関係行政機関の長と協議するものとする。

(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.

第二章　入国及び上陸

Chapter II Entry and Landing

第一節　外国人の入国

Section 1 Entry of a Foreign National

（外国人の入国）

(Entry of a Foreign National)

第三条　次の各号のいずれかに該当する外国人は、本邦に入つてはならない。

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

一　有効な旅券を所持しない者（有効な乗員手帳を所持する乗員を除く。）

(i) a person who does not possess a valid passport (excluding a crew member who possess a valid crew member's pocket-ledger); or

二　入国審査官から上陸許可の証印若しくは第九条第四項の規定による記録又は上陸の許可（以下「上陸の許可等」という。）を受けないで本邦に上陸する目的を有する者（前号に掲げる者を除く。）

(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　本邦において乗員となる外国人は、前項の規定の適用については、乗員とみなす。

(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.

第二節　外国人の上陸

Section 2 Landing of a Foreign National

第四条　削除

Article 4 Deleted

（上陸の拒否）

(Denial of Landing)

第五条　次の各号のいずれかに該当する外国人は、本邦に上陸することができない。

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

一　感染症の予防及び感染症の患者に対する医療に関する法律（平成十年法律第百十四号）に定める一類感染症、二類感染症、新型インフルエンザ等感染症若しくは指定感染症（同法第七条の規定に基づき、政令で定めるところにより、同法第十九条又は第二十条の規定を準用するものに限る。）の患者（同法第八条（同法第七条において準用する場合を含む。）の規定により一類感染症、二類感染症、新型インフルエンザ等感染症又は指定感染症の患者とみなされる者を含む。）又は新感染症の所見がある者

(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;

二　精神上の障害により事理を弁識する能力を欠く常況にある者又はその能力が著しく不十分な者で、本邦におけるその活動又は行動を補助する者として法務省令で定めるものが随伴しないもの

(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;

三　貧困者、放浪者等で生活上国又は地方公共団体の負担となるおそれのある者

(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;

四　日本国又は日本国以外の国の法令に違反して、一年以上の懲役若しくは禁錮又はこれらに相当する刑に処せられたことのある者。ただし、政治犯罪により刑に処せられた者は、この限りでない。

(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;

五　麻薬、大麻、あへん、覚醒剤又は向精神薬の取締りに関する日本国又は日本国以外の国の法令に違反して刑に処せられたことのある者

(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;

五の二　国際的規模若しくはこれに準ずる規模で開催される競技会若しくは国際的規模で開催される会議（以下「国際競技会等」という。）の経過若しくは結果に関連して、又はその円滑な実施を妨げる目的をもつて、人を殺傷し、人に暴行を加え、人を脅迫し、又は建造物その他の物を損壊したことにより、日本国若しくは日本国以外の国の法令に違反して刑に処せられ、又は出入国管理及び難民認定法の規定により本邦からの退去を強制され、若しくは日本国以外の国の法令の規定によりその国から退去させられた者であつて、本邦において行われる国際競技会等の経過若しくは結果に関連して、又はその円滑な実施を妨げる目的をもつて、当該国際競技会等の開催場所又はその所在する市町村（特別区を含むものとし、地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市にあつては、区又は総合区）の区域内若しくはその近傍の不特定若しくは多数の者の用に供される場所において、人を殺傷し、人に暴行を加え、人を脅迫し、又は建造物その他の物を損壊するおそれのあるもの

(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;

六　麻薬及び向精神薬取締法（昭和二十八年法律第十四号）に定める麻薬若しくは向精神薬、大麻取締法（昭和二十三年法律第百二十四号）に定める大麻、あへん法（昭和二十九年法律第七十一号）に定めるけし、あへん若しくはけしがら、覚せい剤取締法（昭和二十六年法律第二百五十二号）に定める覚せい剤若しくは覚せい剤原料又はあへん煙を吸食する器具を不法に所持する者

(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;

七　売春又はその周旋、勧誘、その場所の提供その他売春に直接に関係がある業務に従事したことのある者（人身取引等により他人の支配下に置かれていた者が当該業務に従事した場合を除く。）

(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);

七の二　人身取引等を行い、唆し、又はこれを助けた者

(vii)-2 a person who has committed human trafficking or incited or aided another person to commit human trafficking;

八　銃砲刀剣類所持等取締法（昭和三十三年法律第六号）に定める銃砲若しくは刀剣類又は火薬類取締法（昭和二十五年法律第百四十九号）に定める火薬類を不法に所持する者

(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);

九　次のイからニまでに掲げる者で、それぞれ当該イからニまでに定める期間を経過していないもの

(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:

イ　第六号又は前号の規定に該当して上陸を拒否された者　拒否された日から一年

(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.

ロ　第二十四条各号（第四号オからヨまで及び第四号の三を除く。）のいずれかに該当して本邦からの退去を強制された者で、その退去の日前に本邦からの退去を強制されたこと及び第五十五条の三第一項の規定による出国命令により出国したことのないもの　退去した日から五年

(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 (l) 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.

ハ　第二十四条各号（第四号オからヨまで及び第四号の三を除く。）のいずれかに該当して本邦からの退去を強制された者（ロに掲げる者を除く。）　退去した日から十年

(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 (l) through (o), and item (iv)-3): 10 years from the date of deportation.

ニ　第五十五条の三第一項の規定による出国命令により出国した者　出国した日から一年

(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;

九の二　別表第一の上欄の在留資格をもつて本邦に在留している間に刑法（明治四十年法律第四十五号）第二編第十二章、第十六章から第十九章まで、第二十三章、第二十六章、第二十七章、第三十一章、第三十三章、第三十六章、第三十七章若しくは第三十九章の罪、暴力行為等処罰に関する法律（大正十五年法律第六十号）第一条、第一条ノ二若しくは第一条ノ三（刑法第二百二十二条又は第二百六十一条に係る部分を除く。）の罪、盗犯等の防止及び処分に関する法律（昭和五年法律第九号）の罪、特殊開錠用具の所持の禁止等に関する法律（平成十五年法律第六十五号）第十五条若しくは第十六条の罪又は自動車の運転により人を死傷させる行為等の処罰に関する法律（平成二十五年法律第八十六号）第二条若しくは第六条第一項の罪により懲役又は禁錮に処する判決の宣告を受けた者で、その後出国して本邦外にある間にその判決が確定し、確定の日から五年を経過していないもの

(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;

十　第二十四条第四号オからヨまでのいずれかに該当して本邦からの退去を強制された者

(x) a person who has been deported from Japan for falling under any of Article 24, item (iv), sub-items (1) through (o);

十一　日本国憲法又はその下に成立した政府を暴力で破壊することを企て、若しくは主張し、又はこれを企て若しくは主張する政党その他の団体を結成し、若しくはこれに加入している者

(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;

十二　次に掲げる政党その他の団体を結成し、若しくはこれに加入し、又はこれと密接な関係を有する者

(xii) a person who organizes, or is a member of, or is closely affiliated with any of the following political parties or organizations:

イ　公務員であるという理由により、公務員に暴行を加え、又は公務員を殺傷することを勧奨する政党その他の団体

(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;

ロ　公共の施設を不法に損傷し、又は破壊することを勧奨する政党その他の団体

(b) a political party or organization which encourages illegal damage to or destruction of public facilities;

ハ　工場事業場における安全保持の施設の正常な維持又は運行を停廃し、又は妨げるような争議行為を勧奨する政党その他の団体

(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;

十三　第十一号又は前号に規定する政党その他の団体の目的を達するため、印刷物、映画その他の文書図画を作成し、頒布し、又は展示することを企てる者

(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

十四　前各号に掲げる者を除くほか、法務大臣において日本国の利益又は公安を害する行為を行うおそれがあると認めるに足りる相当の理由がある者

(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　法務大臣は、本邦に上陸しようとする外国人が前項各号のいずれにも該当しない場合でも、その者の国籍又は市民権の属する国が同項各号以外の事由により日本人の上陸を拒否するときは、同一の事由により当該外国人の上陸を拒否することができる。

(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.

（上陸の拒否の特例）

(Special Cases of Denial of Landing)

第五条の二　法務大臣は、外国人について、前条第一項第四号、第五号、第七号、第九号又は第九号の二に該当する特定の事由がある場合であつても、当該外国人に第二十六条第一項の規定により再入国の許可を与えた場合その他の法務省令で定める場合において、相当と認めるときは、法務省令で定めるところにより、当該事由のみによつては上陸を拒否しないこととすることができる。

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.

第三章　上陸の手続

Chapter III Procedures for Landing

第一節　上陸のための審査

Section 1 Examination for Landing

（上陸の申請）

(Application for Landing)

第六条　本邦に上陸しようとする外国人（乗員を除く。以下この節において同じ。）は、有効な旅券で日本国領事官等の査証を受けたものを所持しなければならない。ただし、国際約束若しくは日本国政府が外国政府に対して行つた通告により日本国領事官等の査証を必要としないこととされている外国人の旅券、第二十六条第一項の規定により再入国の許可を受けている者（第二十六条の二第一項又は第二十六条の三第一項の規定により再入国の許可を受けたものとみなされる者を含む。以下同じ。）の旅券又は第六十一条の二の十二第一項の規定により難民旅行証明書の交付を受けている者の当該証明書には、日本国領事官等の査証を要しない。

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　前項本文の外国人は、その者が上陸しようとする出入国港において、法務省令で定める手続により、入国審査官に対し上陸の申請をして、上陸のための審査を受けなければならない。

(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　前項の申請をしようとする外国人は、入国審査官に対し、申請者の個人の識別のために用いられる法務省令で定める電子計算機の用に供するため、法務省令で定めるところにより、電磁的方式（電子的方式、磁気的方式その他人の知覚によつては認識することができない方式をいう。以下同じ。）によつて個人識別情報（指紋、写真その他の個人を識別することができる情報として法務省令で定めるものをいう。以下同じ。）を提供しなければならない。ただし、次の各号のいずれかに該当する者については、この限りでない。

(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:

一　日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（平成三年法律第七十一号）に定める特別永住者（以下「特別永住者」という。）

(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");

二　十六歳に満たない者

(ii) a person who is under 16 years of age;

三　本邦において別表第一の一の表の外交の項又は公用の項の下欄に掲げる活動を行おうとする者

(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;

四　国の行政機関の長が招へいする者

(iv) a person who is invited by the head of a national administrative organ; or

五　前二号に掲げる者に準ずる者として法務省令で定めるもの

(v) a person provided for by Ministry of Justice Order as equivalent to a person set forth in the two preceding items.

（入国審査官の審査）

(An Examination by an Immigration Inspector)

第七条　入国審査官は、前条第二項の申請があつたときは、当該外国人が次の各号（第二十六条第一項の規定により再入国の許可を受けている者又は第六十一条の二の十二第一項の規定により交付を受けた難民旅行証明書を所持している者については、第一号及び第四号）に掲げる上陸のための条件に適合しているかどうかを審査しなければならない。

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)):

一　その所持する旅券及び、査証を必要とする場合には、これに与えられた査証が有効であること。

(i) the passport possessed by the foreign national and the visa affixed thereto must be valid, when a visa is required;

二　申請に係る本邦において行おうとする活動が虚偽のものでなく、別表第一の下欄に掲げる活動（二の表の高度専門職の項の下欄第二号に掲げる活動を除き、五の表の下欄に掲げる活動については、法務大臣があらかじめ告示をもつて定める活動に限る。）又は別表第二の下欄に掲げる身分若しくは地位（永住者の項の下欄に掲げる地位を除き、定住者の項の下欄に掲げる地位については、法務大臣があらかじめ告示をもつて定めるものに限る。）を有する者としての活動のいずれかに該当し、かつ、別表第一の二の表及び四の表の下欄に掲げる活動を行おうとする者については我が国の産業及び国民生活に与える影響その他の事情を勘案して法務省令で定める基準に適合すること。（別表第一の二の表の特定技能の項の下欄第一号に掲げる活動を行おうとする外国人については、一号特定技能外国人支援計画が第二条の五第六項及び第七項の規定に適合するものであることを含む。）

(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));

三　申請に係る在留期間が第二条の二第三項の規定に基づく法務省令の規定に適合するものであること。

(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

四　当該外国人が第五条第一項各号のいずれにも該当しないこと（第五条の二の規定の適用を受ける外国人にあつては、当該外国人が同条に規定する特定の事由によつて同項第四号、第五号、第七号、第九号又は第九号の二に該当する場合であつて、当該事由以外の事由によつては同項各号のいずれにも該当しないこと。以下同じ。）。

(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　前項の審査を受ける外国人は、同項に規定する上陸のための条件に適合していることを自ら立証しなければならない。この場合において、別表第一の二の表の高度専門職の項の下欄第一号イからハまで又は同表の特定技能の項の下欄第一号若しくは第二号に掲げる活動を行おうとする外国人は、前項第二号に掲げる条件に適合していることの立証については、次条第一項に規定する在留資格認定証明書をもつてしなければならない。

(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　法務大臣は、第一項第二号の法務省令を定めようとするときは、あらかじめ、関係行政機関の長と協議するものとする。

(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　入国審査官は、第一項の規定にかかわらず、前条第三項各号のいずれにも該当しないと認める外国人が同項の規定による個人識別情報の提供をしないときは、第十条の規定による口頭審理を行うため、当該外国人を特別審理官に引き渡さなければならない。

(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.

（在留資格認定証明書）

(Certificate of Eligibility)

第七条の二　法務大臣は、法務省令で定めるところにより、本邦に上陸しようとする外国人（本邦において別表第一の三の表の短期滞在の項の下欄に掲げる活動を行おうとする者を除く。）から、あらかじめ申請があつたときは、当該外国人が前条第一項第二号に掲げる条件に適合している旨の証明書（以下「在留資格認定証明書」という。）を交付することができる。

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　前項の申請は、当該外国人を受け入れようとする機関の職員その他の法務省令で定める者を代理人としてこれをすることができる。

(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　特定産業分野（別表第一の二の表の特定技能の項の下欄第一号に規定する特定産業分野をいう。以下この項及び第二十条第一項において同じ。）を所管する関係行政機関の長は、当該特定産業分野に係る分野別運用方針に基づき、当該特定産業分野において必要とされる人材が確保されたと認めるときは、法務大臣に対し、一時的に在留資格認定証明書の交付の停止の措置をとることを求めるものとする。

(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　法務大臣は、前項の規定による求めがあつたときは、分野別運用方針に基づき、一時的に在留資格認定証明書の交付の停止の措置をとるものとする。

(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　前二項の規定は、一時的に在留資格認定証明書の交付の停止の措置がとられた場合において、在留資格認定証明書の交付の再開の措置をとるときについて準用する。この場合において、第三項中「確保された」とあるのは「不足する」と、前二項中「ものとする」とあるのは「ことができる」と読み替えるものとする。

(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.

（船舶等への乗込）

(Boarding on a Vessel or Aircraft)

第八条　入国審査官は、第七条第一項の審査を行う場合には、船舶等に乗り込むことができる。

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

（上陸許可の証印）

(Seal of Verification for Landing)

第九条　入国審査官は、審査の結果、外国人が第七条第一項に規定する上陸のための条件に適合していると認定したときは、当該外国人の旅券に上陸許可の証印をしなければならない。

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　前項の場合において、第五条第一項第一号又は第二号の規定に該当するかどうかの認定は、厚生労働大臣又は出入国在留管理庁長官の指定する医師の診断を経た後にしなければならない。

(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　第一項の証印をする場合には、入国審査官は、当該外国人の在留資格及び在留期間を決定し、旅券にその旨を明示しなければならない。ただし、当該外国人が第二十六条第一項の規定により再入国の許可を受けている者又は第六十一条の二の十二第一項の規定により交付を受けた難民旅行証明書を所持している者である場合は、この限りでない。

(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　入国審査官は、次の各号のいずれにも該当する外国人が第七条第一項に規定する上陸のための条件に適合していると認定したときは、氏名、上陸年月日、上陸する出入国港その他の法務省令で定める事項を上陸許可の証印に代わる記録のために用いられるファイルであつて法務省令で定める電子計算機に備えられたものに記録することができる。この場合においては、第一項の規定にかかわらず、同項の証印をすることを要しない。

(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:

一　第八項の規定による登録を受けた者（同項第一号ハに該当するものとして登録を受けた者にあつては、次条第一項又は第八項の規定により交付を受けた特定登録者カードを所持している者に限る。）であること。

(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

二　上陸の申請に際して、法務省令で定めるところにより、電磁的方式によつて個人識別情報を提供していること。

(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　入国審査官は、次条第一項又は第八項の規定により交付を受けた特定登録者カードを所持する外国人について前項の規定による記録をする場合には、当該外国人について短期滞在の在留資格及び在留期間を決定し、当該特定登録者カードにその旨を明示しなければならない。

(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　第一項の規定による上陸許可の証印又は第四項の規定による記録をする場合を除き、入国審査官は、第十条の規定による口頭審理を行うため、当該外国人を特別審理官に引き渡さなければならない。

(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　外国人は、第四節に特別の規定がある場合を除き、第一項、第十条第八項若しくは第十一条第四項の規定による上陸許可の証印又は第四項の規定による記録を受けなければ上陸してはならない。

(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　出入国在留管理庁長官は、本邦に在留する外国人で本邦に再び上陸する意図をもつて出国しようとするものが、次の各号（特別永住者にあつては、第三号を除く。）のいずれにも該当し、かつ、その上陸しようとする出入国港において第四項の規定による記録を受けることを希望するときは、法務省令で定めるところにより、その旨の登録をすることができる。

(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.

一　次のイからハまでのいずれかに該当する者であること。

(i) a person who falls under any of the following sub-items (a) to (c):

イ　第二十六条第一項の規定により再入国の許可を受けている者

(a) a person who has received re-entry permission pursuant to the provisions of Article 26, paragraph (1);

ロ　第六十一条の二の十二第一項の規定により交付を受けた難民旅行証明書を所持している者

(b) a person who possesses a refugee travel document issued pursuant to the provisions of Article 61-2-12, paragraph (1);

ハ　次の（１）から（４）までのいずれにも該当する者

(c) a person who falls under all of the following (1) to (4):

（１）　本邦に再び上陸するに当たり、本邦において別表第一の三の表の短期滞在の項の下欄に掲げる活動を行おうとする者であること（イに該当する者を除く。）。

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）　第一項、第十条第八項若しくは第十一条第四項の規定による上陸許可の証印又は第四項の規定による記録を受けた回数が、法務省令で定める回数以上であること。

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）　過去に本邦からの退去を強制されたこと又は第五十五条の三第一項の規定による出国命令により出国したことがないこと。

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）　その他出入国の公正な管理に必要なものとして法務省令で定める要件に該当する者であること。

4. the foreign national falls under other requirements provided for in Ministry of Justice Order as necessary for impartial immigration control.

二　法務省令で定めるところにより、電磁的方式によつて個人識別情報を提供していること。

(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

三　当該登録の時において、第五条第一項各号のいずれにも該当しないこと。

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

（特定登録者カード）

(Registered User Card)

第九条の二　出入国在留管理庁長官は、前条第八項第一号ハに該当する外国人について同項の規定による登録をする場合には、入国審査官に、当該外国人に対し、特定登録者カードを交付させるものとする。

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　特定登録者カードの記載事項は、次に掲げる事項とする。

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

一　氏名、生年月日、性別及び国籍の属する国又は第二条第五号ロに規定する地域

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

二　特定登録者カードの番号、交付年月日及び有効期間の満了の日

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

３　特定登録者カードには、法務省令で定めるところにより、前条第八項の規定による登録をした外国人の写真を表示するものとする。この場合において、出入国在留管理庁長官は、第六条第三項の規定その他法務省令で定める法令の規定により当該外国人から提供された写真を利用することができる。

(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　前二項に規定するもののほか、特定登録者カードの様式その他特定登録者カードについて必要な事項は、法務省令で定める。

(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　出入国在留管理庁長官は、法務省令で定めるところにより、第二項各号に掲げる事項及び第三項の規定により表示されるものについて、その全部又は一部を、特定登録者カードに電磁的方式により記録することができる。

(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　特定登録者カードの有効期間は、その交付の日から起算して三年を経過する日又は当該特定登録者カードの交付を受けた外国人が所持する旅券の有効期間満了の日のいずれか早い日が経過するまでの期間とする。

(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　特定登録者カードの交付を受けた外国人は、次の各号のいずれかに該当するときは、法務省令で定める手続により、出入国在留管理庁長官に対し、特定登録者カードの再交付を申請することができる。

(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:

一　紛失、盗難、滅失その他の事由により特定登録者カードの所持を失つたとき。

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

二　特定登録者カードが著しく毀損し、若しくは汚損し、又は第五項の規定による記録が毀損したとき。

(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　出入国在留管理庁長官は、前項の規定による申請があつた場合には、入国審査官に、当該外国人に対し、新たな特定登録者カードを交付させるものとする。この場合における第六項の規定の適用については、同項中「その交付の日」とあるのは「当該特定登録者カードの交付を受けた外国人に対し第一項の規定により特定登録者カードが交付された日」と、「当該特定登録者カードの交付を受けた外国人」とあるのは「当該外国人」とする。

(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".

第二節　口頭審理及び異議の申出

Section 2 Hearing and Filing of an Objection

（口頭審理）

(Hearing)

第十条　特別審理官は、第七条第四項又は第九条第六項の規定による引渡しを受けたときは、当該外国人に対し、速やかに口頭審理を行わなければならない。

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　特別審理官は、口頭審理を行つた場合には、口頭審理に関する記録を作成しなければならない。

(2) If the special inquiry officer conducts an oral hearing, its record must be prepared.

３　当該外国人又はその者の出頭させる代理人は、口頭審理に当つて、証拠を提出し、及び証人を尋問することができる。

(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　当該外国人は、特別審理官の許可を受けて、親族又は知人の一人を立ち会わせることができる。

(4) The foreign national may have the attendance of one of their relatives or acquaintances with the permission of the special inquiry officer.

５　特別審理官は、職権に基き、又は当該外国人の請求に基き、法務省令で定める手続により、証人の出頭を命じて、宣誓をさせ、証言を求めることができる。

(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　特別審理官は、口頭審理に関し必要がある場合には、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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　特別審理官は、口頭審理の結果、第七条第四項の規定による引渡しを受けた外国人が、第六条第三項各号のいずれにも該当しないと認定したときは、当該外国人に対し、速やかにその旨を知らせて、本邦からの退去を命ずるとともに、当該外国人が乗つてきた船舶等の長又はその船舶等を運航する運送業者にその旨を通知しなければならない。ただし、当該外国人が、特別審理官に対し、法務省令で定めるところにより、電磁的方式によつて個人識別情報を提供したときは、この限りでない。

(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　特別審理官は、口頭審理の結果、当該外国人（第七条第四項の規定による引渡しを受けた外国人にあつては、第六条第三項各号のいずれかに該当すると認定した者又は特別審理官に対し法務省令で定めるところにより電磁的方式によつて個人識別情報を提供した者に限る。第十項において同じ。）が第七条第一項に規定する上陸のための条件に適合していると認定したときは、直ちにその者の旅券に上陸許可の証印をしなければならない。

(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　第九条第三項の規定は、前項の証印をする場合に準用する。

(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　特別審理官は、口頭審理の結果、当該外国人が第七条第一項に規定する上陸のための条件に適合していないと認定したときは、その者に対し、速やかに理由を示してその旨を知らせるとともに、次条の規定により異議を申し出ることができる旨を知らせなければならない。

(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　前項の通知を受けた場合において、当該外国人が同項の認定に服したときは、特別審理官は、その者に対し、異議を申し出ない旨を記載した文書に署名させ、本邦からの退去を命ずるとともに、当該外国人が乗つてきた船舶等の長又はその船舶等を運航する運送業者にその旨を通知しなければならない。

(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.

（異議の申出）

(Filing of an Objection)

第十一条　前条第十項の通知を受けた外国人は、同項の認定に異議があるときは、その通知を受けた日から三日以内に、法務省令で定める手続により、不服の事由を記載した書面を主任審査官に提出して、法務大臣に対し異議を申し出ることができる。

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　主任審査官は、前項の異議の申出があつたときは、前条第二項の口頭審理に関する記録その他の関係書類を法務大臣に提出しなければならない。

(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　法務大臣は、第一項の規定による異議の申出を受理したときは、異議の申出が理由があるかどうかを裁決して、その結果を主任審査官に通知しなければならない。

(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　主任審査官は、法務大臣から異議の申出が理由があると裁決した旨の通知を受けたときは、直ちに当該外国人の旅券に上陸許可の証印をしなければならない。

(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　第九条第三項の規定は、前項の証印をする場合に準用する。

(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　主任審査官は、法務大臣から異議の申出が理由がないと裁決した旨の通知を受けたときは、速やかに当該外国人に対しその旨を知らせて、本邦からの退去を命ずるとともに、当該外国人が乗つてきた船舶等の長又はその船舶等を運航する運送業者にその旨を知らせなければならない。

(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.

（法務大臣の裁決の特例）

(Special Cases of Decisions by the Minister of Justice)

第十二条　法務大臣は、前条第三項の裁決に当たつて、異議の申出が理由がないと認める場合でも、当該外国人が次の各号のいずれかに該当するときは、その者の上陸を特別に許可することができる。

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:

一　再入国の許可を受けているとき。

(i) the foreign national has been granted re-entry permission;

二　人身取引等により他人の支配下に置かれて本邦に入つたものであるとき。

(ii) the foreign national has entered Japan under the control of another person due to human trafficking; or

三　その他法務大臣が特別に上陸を許可すべき事情があると認めるとき。

(iii) the Minister of Justice finds that circumstances exist that warrant the granting of special permission for landing.

２　前項の許可は、前条第四項の適用については、異議の申出が理由がある旨の裁決とみなす。

(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.

第三節　仮上陸等

Section 3 Provisional Landing and Other Related Particulars

（仮上陸の許可）

(Permission for Provisional Landing)

第十三条　主任審査官は、この章に規定する上陸の手続中において特に必要があると認める場合には、その手続が完了するときまでの間、当該外国人に対し仮上陸を許可することができる。

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　前項の許可を与える場合には、主任審査官は、当該外国人に仮上陸許可書を交付しなければならない。

(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　第一項の許可を与える場合には、主任審査官は、当該外国人に対し、法務省令で定めるところにより、住居及び行動範囲の制限、呼出しに対する出頭の義務その他必要と認める条件を付し、かつ、二百万円を超えない範囲内で法務省令で定める額の保証金を本邦通貨又は外国通貨で納付させることができる。

(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　前項の保証金は、当該外国人が第十条第八項若しくは第十一条第四項の規定により上陸許可の証印を受けたとき、又は第十条第七項若しくは第十一項若しくは第十一条第六項の規定により本邦からの退去を命ぜられたときは、その者に返還しなければならない。

(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　主任審査官は、第一項の許可を受けた外国人が第三項の規定に基き附された条件に違反した場合には、法務省令で定めるところにより、逃亡し、又は正当な理由がなくて呼出に応じないときは同項の保証金の全部、その他のときはその一部を没取するものとする。

(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　主任審査官は、第一項の許可を受けた外国人が逃亡する虞があると疑うに足りる相当の理由があるときは、収容令書を発付して入国警備官に当該外国人を収容させることができる。

(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　第四十条から第四十二条第一項までの規定は、前項の規定による収容に準用する。この場合において、第四十条中「前条第一項の収容令書」とあるのは「第十三条第六項の収容令書」と、「容疑者」とあるのは「仮上陸の許可を受けた外国人」と、「容疑事実の要旨」とあるのは「収容すべき事由」と、第四十一条第一項中「三十日以内とする。但し、主任審査官は、やむを得ない事由があると認めるときは、三十日を限り延長することができる。」とあるのは「第三章に規定する上陸の手続が完了するまでの間において、主任審査官が必要と認める期間とする。」と、同条第三項及び第四十二条第一項中「容疑者」とあるのは「仮上陸の許可を受けた外国人」と読み替えるものとする。

(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."

（退去命令を受けた者がとどまることができる場所）

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

第十三条の二　特別審理官又は主任審査官は、それぞれ第十条第七項若しくは第十一項又は第十一条第六項の規定により退去を命ずる場合において、当該外国人が船舶等の運航の都合その他その者の責めに帰することができない事由により直ちに本邦から退去することができないと認めるときは、法務省令で定めるところにより、当該外国人に対して、その指定する期間内に限り、出入国港の近傍にあるその指定する施設にとどまることを許すことができる。

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　特別審理官又は主任審査官は、前項の指定をしたときは、当該外国人及びその者が乗つてきた船舶等の長又はその船舶等を運航する運送業者に対しその旨を通知しなければならない。

(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.

第四節　上陸の特例

Section 4 Special Cases of Landing

（寄港地上陸の許可）

(Permission for Landing at a Port of Call)

第十四条　入国審査官は、船舶等に乗つている外国人で、本邦を経由して本邦外の地域に赴こうとするもの（乗員を除く。）が、その船舶等の寄港した出入国港から出国するまでの間七十二時間の範囲内で当該出入国港の近傍に上陸することを希望する場合において、その者につき、その船舶等の長又はその船舶等を運航する運送業者の申請があつたときは、当該外国人に対し寄港地上陸を許可することができる。ただし、第五条第一項各号のいずれかに該当する者（第五条の二の規定の適用を受ける者にあつては、同条に規定する特定の事由のみによつて第五条第一項各号のいずれかに該当する場合を除く。以下同じ。）に対しては、この限りでない。

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　入国審査官は、前項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項の許可を与える場合には、入国審査官は、当該外国人の所持する旅券に寄港地上陸の許可の証印をしなければならない。

(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　第一項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該外国人に対し、上陸時間、行動の範囲その他必要と認める制限を付することができる。

(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.

（船舶観光上陸の許可）

(Landing Permission for Cruise Ship Tourists)

第十四条の二　入国審査官は、指定旅客船（本邦と本邦外の地域との間の航路に就航する旅客船であつて、乗客の本人確認の措置が的確に行われていることその他の事情を勘案して出入国在留管理庁長官が指定するものをいう。以下同じ。）に乗つている外国人（乗員を除く。）が、当該指定旅客船が本邦にある間、観光のため、当該指定旅客船が寄港する本邦の出入国港において下船する都度当該出入国港から当該指定旅客船が出港するまでの間に帰船することを条件として、出国するまでの間三十日（本邦内の寄港地の数が一である航路に就航する指定旅客船に乗つている外国人にあつては、七日）を超えない範囲内で上陸することを希望する場合において、法務省令で定める手続により、その者につき、当該指定旅客船の船長又は当該指定旅客船を運航する運送業者の申請があつたときは、当該外国人に対し船舶観光上陸を許可することができる。

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　入国審査官は、指定旅客船に乗つている外国人（乗員を除く。）が、三十日を超えない期間内において、数次にわたり、当該指定旅客船が本邦にある間、観光のため、当該指定旅客船が寄港する本邦の出入国港において下船する都度当該出入国港から当該指定旅客船が出港するまでの間に帰船することを条件として上陸することを希望する場合において、法務省令で定める手続により、その者につき、当該指定旅客船の船長又は当該指定旅客船を運航する運送業者の申請があつたときであつて、相当と認めるときは、当該外国人に対しその旨の船舶観光上陸の許可をすることができる。

(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　入国審査官は、前二項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、当該外国人に船舶観光上陸許可書を交付しなければならない。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該外国人に対し、上陸期間、行動範囲その他必要と認める制限を付することができる。

(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　前条第一項ただし書の規定は、第一項及び第二項の場合に準用する。

(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　入国審査官は、第二項の許可を受けている外国人が当該許可に基づいて上陸しようとする場合において、必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　入国審査官は、第二項の許可を受けている外国人が当該許可に基づいて上陸しようとする場合において、当該外国人が第五条第一項各号のいずれかに該当する者であることを知つたときは、直ちに当該許可を取り消すものとする。

(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　前項に定める場合を除き、入国審査官は、第二項の許可を受けている外国人に対し、引き続き当該許可を与えておくことが適当でないと認める場合には、法務省令で定める手続により、当該許可を取り消すことができる。この場合において、当該外国人が本邦にあるときは、当該外国人が出国するために必要な期間を指定するものとする。

(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.

（通過上陸の許可）

(Permission for Landing in Transit)

第十五条　入国審査官は、船舶に乗つている外国人（乗員を除く。）が、船舶が本邦にある間、臨時観光のため、その船舶が寄港する本邦の他の出入国港でその船舶に帰船するように通過することを希望する場合において、その者につき、その船舶の船長又はその船舶を運航する運送業者の申請があつたときは、当該外国人に対し通過上陸を許可することができる。

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　入国審査官は、船舶等に乗つている外国人で、本邦を経由して本邦外の地域に赴こうとするもの（乗員を除く。）が、上陸後三日以内にその入国した出入国港の周辺の他の出入国港から他の船舶等で出国するため、通過することを希望する場合において、その者につき、その船舶等の長又はその船舶等を運航する運送業者の申請があつたときは、当該外国人に対し通過上陸を許可することができる。

(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　入国審査官は、前二項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、当該外国人の所持する旅券に通過上陸の許可の証印をしなければならない。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該外国人に対し、上陸期間、通過経路その他必要と認める制限を付することができる。

(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　第十四条第一項ただし書の規定は、第一項又は第二項の場合に準用する。

(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.

（乗員上陸の許可）

(Landing Permission for Crew Members)

第十六条　入国審査官は、外国人である乗員（本邦において乗員となる者を含む。以下この条において同じ。）が、船舶等の乗換え（船舶等への乗組みを含む。）、休養、買物その他これらに類似する目的をもつて十五日を超えない範囲内で上陸を希望する場合において、法務省令で定める手続により、その者につき、その者が乗り組んでいる船舶等（その者が乗り組むべき船舶等を含む。）の長又はその船舶等を運航する運送業者の申請があつたときは、当該乗員に対し乗員上陸を許可することができる。

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　入国審査官は、次の各号のいずれかに該当する場合において相当と認めるときは、当該各号に規定する乗員に対し、その旨の乗員上陸の許可をすることができる。

(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:

一　本邦と本邦外の地域との間の航路に定期に就航する船舶その他頻繁に本邦の出入国港に入港する船舶の外国人である乗員が、許可を受けた日から一年間、数次にわたり、休養、買物その他これらに類似する目的をもつて当該船舶が本邦にある間上陸することを希望する場合であつて、法務省令で定める手続により、その者につき、その者が乗り組んでいる船舶の長又はその船舶を運航する運送業者から申請があつたとき。

(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

二　本邦と本邦外の地域との間の航空路に定期に航空機を就航させている運送業者に所属する外国人である乗員が、許可を受けた日から一年間、数次にわたり、その都度、同一の運送業者の運航する航空機の乗員として同一の出入国港から出国することを条件として休養、買物その他これらに類似する目的をもつて本邦に到着した日から十五日を超えない範囲内で上陸することを希望する場合であつて、法務省令で定める手続により、その者につき、当該運送業者から申請があつたとき。

(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　入国審査官は、前二項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、当該乗員に乗員上陸許可書を交付しなければならない。

(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　第一項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該乗員に対し、上陸期間、行動範囲（通過経路を含む。）その他必要と認める制限を付することができる。

(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　第十四条第一項ただし書の規定は、第一項及び第二項の場合に準用する。

(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　入国審査官は、第二項の許可を受けている乗員が当該許可に基づいて上陸しようとする場合において、必要があると認めるときは、法務省令で定めるところにより、当該乗員に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　入国審査官は、第二項の許可を受けている乗員が当該許可に基づいて上陸しようとする場合において、当該乗員が第五条第一項各号のいずれかに該当する者であることを知つたときは、直ちに当該許可を取り消すものとする。

(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　前項に定める場合を除き、入国審査官は、第二項の許可を受けている乗員に対し、引き続き当該許可を与えておくことが適当でないと認める場合には、法務省令で定める手続により、当該許可を取り消すことができる。この場合において、その乗員が本邦にあるときは、当該乗員が帰船又は出国するために必要な期間を指定するものとする。

(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.

（緊急上陸の許可）

(Permission for Emergency Landing)

第十七条　入国審査官は、船舶等に乗つている外国人が疾病その他の事故により治療等のため緊急に上陸する必要を生じたときは、当該外国人が乗つている船舶等の長又はその船舶等を運航する運送業者の申請に基づき、厚生労働大臣又は出入国在留管理庁長官の指定する医師の診断を経て、その事由がなくなるまでの間、当該外国人に対し緊急上陸を許可することができる。

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　入国審査官は、前項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項の許可を与える場合には、入国審査官は、当該外国人に緊急上陸許可書を交付しなければならない。

(3) In granting the permission set forth in paragraph (1), the immigration inspector must issue an emergency landing permit to the foreign national.

４　第一項の許可があつたときは、同項の船舶等の長又は運送業者は、緊急上陸を許可された者の生活費、治療費、葬儀費その他緊急上陸中の一切の費用を支弁しなければならない。

(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.

（遭難による上陸の許可）

(Landing Permission Due to Distress)

第十八条　入国審査官は、遭難船舶等がある場合において、当該船舶等に乗つていた外国人の救護のためその他緊急の必要があると認めたときは、水難救護法（明治三十二年法律第九十五号）の規定による救護事務を行う市町村長、当該外国人を救護した船舶等の長、当該遭難船舶等の長又は当該遭難船舶等に係る運送業者の申請に基づき、当該外国人に対し遭難による上陸を許可することができる。

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　入国審査官は、警察官又は海上保安官から前項の外国人の引渡しを受けたときは、同項の規定にかかわらず、直ちにその者に対し遭難による上陸を許可するものとする。

(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　入国審査官は、第一項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。前項の規定による引渡しを受ける場合において必要があると認めるときも、同様とする。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、当該外国人に遭難による上陸許可書を交付しなければならない。

(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　第一項又は第二項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該外国人に対し、上陸期間、行動の範囲その他必要と認める制限を付することができる。

(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.

（一時庇護のための上陸の許可）

(Landing Permission for Temporary Refuge)

第十八条の二　入国審査官は、船舶等に乗つている外国人から申請があつた場合において、次の各号に該当すると思料するときは、一時庇護のための上陸を許可することができる。

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:

一　その者が難民条約第一条Ａ（２）に規定する理由その他これに準ずる理由により、その生命、身体又は身体の自由を害されるおそれのあつた領域から逃れて、本邦に入つた者であること。

(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

二　その者を一時的に上陸させることが相当であること。

(ii) it would be appropriate to grant temporary landing permission to the person.

２　入国審査官は、前項の許可に係る審査のために必要があると認めるときは、法務省令で定めるところにより、当該外国人に対し、電磁的方式によつて個人識別情報を提供させることができる。

(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　第一項の許可を与える場合には、入国審査官は、当該外国人に一時庇護許可書を交付しなければならない。

(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　第一項の許可を与える場合には、入国審査官は、法務省令で定めるところにより、当該外国人に対し、上陸期間、住居及び行動範囲の制限その他必要と認める条件を付することができる。

(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.

第四章　在留及び出国

Chapter IV Residence and Departure

第一節　在留

Section 1 Residence

第一款　在留中の活動

Subsection 1 Activities during Residence

（活動の範囲）

(Scope of Activities)

第十九条　別表第一の上欄の在留資格をもつて在留する者は、次項の許可を受けて行う場合を除き、次の各号に掲げる区分に応じ当該各号に掲げる活動を行つてはならない。

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:

一　別表第一の一の表、二の表及び五の表の上欄の在留資格をもつて在留する者　当該在留資格に応じこれらの表の下欄に掲げる活動に属しない収入を伴う事業を運営する活動又は報酬（業として行うものではない講演に対する謝金、日常生活に伴う臨時の報酬その他の法務省令で定めるものを除く。以下同じ。）を受ける活動

(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

二　別表第一の三の表及び四の表の上欄の在留資格をもつて在留する者　収入を伴う事業を運営する活動又は報酬を受ける活動

(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　出入国在留管理庁長官は、別表第一の上欄の在留資格をもつて在留する者から、法務省令で定める手続により、当該在留資格に応じ同表の下欄に掲げる活動の遂行を阻害しない範囲内で当該活動に属しない収入を伴う事業を運営する活動又は報酬を受ける活動を行うことを希望する旨の申請があつた場合において、相当と認めるときは、これを許可することができる。この場合において、出入国在留管理庁長官は、当該許可に必要な条件を付することができる。

(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　出入国在留管理庁長官は、前項の許可を受けている者が同項の規定に基づき付された条件に違反した場合その他その者に引き続き当該許可を与えておくことが適当でないと認める場合には、法務省令で定める手続により、当該許可を取り消すことができる。

(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　第十六条から第十八条までに規定する上陸の許可を受けた外国人である乗員は、解雇により乗員でなくなつても、本邦にある間は、引き続き乗員とみなす。

(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.

（就労資格証明書）

(Certificate of Authorization for Employment)

第十九条の二　出入国在留管理庁長官は、本邦に在留する外国人から申請があつたときは、法務省令で定めるところにより、その者が行うことができる収入を伴う事業を運営する活動又は報酬を受ける活動を証明する文書を交付することができる。

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　何人も、外国人を雇用する等に際し、その者が行うことができる収入を伴う事業を運営する活動又は報酬を受ける活動が明らかな場合に、当該外国人が前項の文書を提示し又は提出しないことを理由として、不利益な取扱いをしてはならない。

(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.

第二款　中長期の在留

Subsection 2 Mid- to Long-Term Residence

（中長期在留者）

(Mid- to Long-Term Residents)

第十九条の三　出入国在留管理庁長官は、本邦に在留資格をもつて在留する外国人のうち、次に掲げる者以外の者（以下「中長期在留者」という。）に対し、在留カードを交付するものとする。

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:

一　三月以下の在留期間が決定された者

(i) a person who has been granted a period of stay of not more than 3 months;

二　短期滞在の在留資格が決定された者

(ii) a person who has been granted the status of residence of "Temporary Visitor";

三　外交又は公用の在留資格が決定された者

(iii) a person who has been granted the status of residence of "Diplomat" or "Official"; or

四　前三号に準ずる者として法務省令で定めるもの

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

（在留カードの記載事項等）

(Required Information on the Residence Card)

第十九条の四　在留カードの記載事項は、次に掲げる事項とする。

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

一　氏名、生年月日、性別及び国籍の属する国又は第二条第五号ロに規定する地域

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

二　住居地（本邦における主たる住居の所在地をいう。以下同じ。）

(ii) place of residence (meaning the location of the main place of residence in Japan; the same applies hereinafter);

三　在留資格、在留期間及び在留期間の満了の日

(iii) status of residence, period of stay and expiration date of the period of stay;

四　許可の種類及び年月日

(iv) type and date of permission;

五　在留カードの番号、交付年月日及び有効期間の満了の日

(v) number and date of issuance, expiration date of the validity period of the residence card;

六　就労制限の有無

(vi) whether or not there are any restrictions on work; and

七　第十九条第二項の規定による許可を受けているときは、その旨

(vii) if the permission pursuant to the provisions of Article 19, paragraph (2) has been granted to that effect.

２　前項第五号の在留カードの番号は、法務省令で定めるところにより、在留カードの交付（再交付を含む。）ごとに異なる番号を定めるものとする。

(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　在留カードには、法務省令で定めるところにより、中長期在留者の写真を表示するものとする。この場合において、出入国在留管理庁長官は、第六条第三項の規定その他法務省令で定める法令の規定により当該中長期在留者から提供された写真を利用することができる。

(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　前三項に規定するもののほか、在留カードの様式、在留カードに表示すべきものその他在留カードについて必要な事項は、法務省令で定める。

(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　出入国在留管理庁長官は、法務省令で定めるところにより、第一項各号に掲げる事項及び前二項の規定により表示されるものについて、その全部又は一部を、在留カードに電磁的方式により記録することができる。

(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.

（在留カードの有効期間）

(Validity Period of the Residence Card)

第十九条の五　在留カードの有効期間は、その交付を受ける中長期在留者に係る次の各号に掲げる区分に応じ、当該各号に定める日が経過するまでの期間とする。

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:

一　永住者（次号に掲げる者を除く。）又は高度専門職の在留資格（別表第一の二の表の高度専門職の項の下欄第二号に係るものに限る。）をもつて在留する者　在留カードの交付の日から起算して七年を経過する日

(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;

二　永住者であつて、在留カードの交付の日に十六歳に満たない者（第十九条の十一第三項において準用する第十九条の十第二項の規定により在留カードの交付を受ける者を除く。第四号において同じ。）　十六歳の誕生日（当該外国人の誕生日が二月二十九日であるときは、当該外国人のうるう年以外の年における誕生日は二月二十八日であるものとみなす。以下同じ。）

(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);

三　前二号に掲げる者以外の者（次号に掲げる者を除く。）　在留期間の満了の日

(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

四　第一号又は第二号に掲げる者以外の者であつて、在留カードの交付の日に十六歳に満たない者　在留期間の満了の日又は十六歳の誕生日のいずれか早い日

(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　前項第三号又は第四号の規定により、在留カードの有効期間が在留期間の満了の日が経過するまでの期間となる場合において、当該在留カードの交付を受けた中長期在留者が、第二十条第六項（第二十一条第四項において準用する場合を含む。以下この項、第二十四条第四号ロ及び第二十六条第四項において同じ。）の規定により、在留期間の満了後も引き続き本邦に在留することができることとなる場合にあつては、当該在留カードの有効期間は、第二十条第六項の規定により在留することができる期間の終了の時までの期間とする。

(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).

（新規上陸に伴う在留カードの交付）

(Issuance of a Residence Card Due to New Landing)

第十九条の六　出入国在留管理庁長官は、入国審査官に、前章第一節又は第二節の規定による上陸許可の証印又は許可（在留資格の決定を伴うものに限る。）を受けて中長期在留者となつた者に対し、法務省令で定めるところにより、在留カードを交付させるものとする。

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.

（新規上陸後の住居地届出）

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

第十九条の七　前条に規定する中長期在留者は、住居地を定めた日から十四日以内に、法務省令で定める手続により、住居地の市町村（特別区を含むものとし、地方自治法第二百五十二条の十九第一項の指定都市にあつては、区又は総合区。以下同じ。）の長に対し、在留カードを提出した上、当該市町村の長を経由して、出入国在留管理庁長官に対し、その住居地を届け出なければならない。

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 though 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　市町村の長は、前項の規定による在留カードの提出があつた場合には、当該在留カードにその住居地の記載（第十九条の四第五項の規定による記録を含む。）をし、これを当該中長期在留者に返還するものとする。

(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　第一項に規定する中長期在留者が、在留カードを提出して住民基本台帳法（昭和四十二年法律第八十一号）第三十条の四十六の規定による届出をしたときは、当該届出は同項の規定による届出とみなす。

(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.

（在留資格変更等に伴う住居地届出）

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

第十九条の八　第二十条第三項本文（第二十二条の二第三項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第二十一条第三項、第二十二条第二項（第二十二条の二第四項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第五十条第一項又は第六十一条の二の二第一項若しくは第二項の規定による許可を受けて新たに中長期在留者となつた者は、住居地を定めた日（既に住居地を定めている者にあつては、当該許可の日）から十四日以内に、法務省令で定める手続により、住居地の市町村の長に対し、在留カードを提出した上、当該市町村の長を経由して、出入国在留管理庁長官に対し、その住居地を届け出なければならない。

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 though 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　前条第二項の規定は、前項の規定による在留カードの提出があつた場合に準用する。

(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　第一項に規定する中長期在留者が、在留カードを提出して住民基本台帳法第三十条の四十六又は第三十条の四十七の規定による届出をしたときは、当該届出は同項の規定による届出とみなす。

(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　第二十二条の二第一項又は第二十二条の三に規定する外国人が、第二十二条の二第二項（第二十二条の三において準用する場合を含む。）の規定による申請をするに際し、法務大臣に対し、住民基本台帳法第十二条第一項に規定する住民票の写し又は住民票記載事項証明書を提出したときは、第二十二条の二第三項（第二十二条の三において準用する場合を含む。）において準用する第二十条第三項本文の規定による許可又は第二十二条の二第四項（第二十二条の三において準用する場合を含む。）において準用する第二十二条第二項の規定による許可があつた時に、第一項の規定による届出があつたものとみなす。

(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.

（住居地の変更届出）

(Notification of Change of the Place of Residence)

第十九条の九　中長期在留者は、住居地を変更したときは、新住居地（変更後の住居地をいう。以下同じ。）に移転した日から十四日以内に、法務省令で定める手続により、新住居地の市町村の長に対し、在留カードを提出した上、当該市町村の長を経由して、出入国在留管理庁長官に対し、その新住居地を届け出なければならない。

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　第十九条の七第二項の規定は、前項の規定による在留カードの提出があつた場合に準用する。

(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　第一項に規定する中長期在留者が、在留カードを提出して住民基本台帳法第二十二条、第二十三条又は第三十条の四十六の規定による届出をしたときは、当該届出は同項の規定による届出とみなす。

(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.

（住居地以外の記載事項の変更届出）

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

第十九条の十　中長期在留者は、第十九条の四第一項第一号に掲げる事項に変更を生じたときは、その変更を生じた日から十四日以内に、法務省令で定める手続により、出入国在留管理庁長官に対し、変更の届出をしなければならない。

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　出入国在留管理庁長官は、前項の届出があつた場合には、入国審査官に、当該中長期在留者に対し、新たな在留カードを交付させるものとする。

(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.

（在留カードの有効期間の更新）

(Extension of the Validity Period of the Residence Card)

第十九条の十一　在留カードの交付を受けた中長期在留者は、当該在留カードの有効期間が当該中長期在留者の在留期間の満了の日までとされている場合を除き、当該在留カードの有効期間の満了の日の二月前（有効期間の満了の日が十六歳の誕生日とされているときは、六月前）から有効期間が満了する日までの間（次項において「更新期間」という。）に、法務省令で定める手続により、出入国在留管理庁長官に対し、在留カードの有効期間の更新を申請しなければならない。

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　やむを得ない理由のため更新期間内に前項の規定による申請をすることが困難であると予想される者は、法務省令で定める手続により、更新期間前においても、出入国在留管理庁長官に対し、在留カードの有効期間の更新を申請することができる。

(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　前条第二項の規定は、前二項の規定による申請があつた場合に準用する。

(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.

（紛失等による在留カードの再交付）

(Reissuance of the Residence Card Due to Loss)

第十九条の十二　在留カードの交付を受けた中長期在留者は、紛失、盗難、滅失その他の事由により在留カードの所持を失つたときは、その事実を知つた日（本邦から出国している間に当該事実を知つた場合にあつては、その後最初に入国した日）から十四日以内に、法務省令で定める手続により、出入国在留管理庁長官に対し、在留カードの再交付を申請しなければならない。

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　第十九条の十第二項の規定は、前項の規定による申請があつた場合に準用する。

(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.

（汚損等による在留カードの再交付）

(Reissuance of the Residence Card Due to Defacement)

第十九条の十三　在留カードの交付を受けた中長期在留者は、当該在留カードが著しく毀損し、若しくは汚損し、又は第十九条の四第五項の規定による記録が毀損したとき（以下この項において「毀損等の場合」という。）は、法務省令で定める手続により、出入国在留管理庁長官に対し、在留カードの再交付を申請することができる。在留カードの交付を受けた中長期在留者が、毀損等の場合以外の場合であつて在留カードの交換を希望するとき（正当な理由がないと認められるときを除く。）も、同様とする。

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　出入国在留管理庁長官は、著しく毀損し、若しくは汚損し、又は第十九条の四第五項の規定による記録が毀損した在留カードを所持する中長期在留者に対し、在留カードの再交付を申請することを命ずることができる。

(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　前項の規定による命令を受けた中長期在留者は、当該命令を受けた日から十四日以内に、法務省令で定める手続により、出入国在留管理庁長官に対し、在留カードの再交付を申請しなければならない。

(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　第十九条の十第二項の規定は、第一項又は前項の規定による申請があつた場合に準用する。

(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.

（在留カードの失効）

(Invalidation of the Residence Card)

第十九条の十四　在留カードは、次の各号のいずれかに該当する場合には、その効力を失う。

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

一　在留カードの交付を受けた中長期在留者が中長期在留者でなくなつたとき。

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

二　在留カードの有効期間が満了したとき。

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

三　在留カードの交付を受けた中長期在留者（第二十六条第一項の規定により再入国の許可を受けている者を除く。）が、第二十五条第一項の規定により、出国する出入国港において、入国審査官から出国の確認を受けたとき。

(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);

四　在留カードの交付を受けた中長期在留者であつて、第二十六条第一項の規定により再入国の許可を受けている者が出国し、再入国の許可の有効期間内に再入国をしなかつたとき。

(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;

五　在留カードの交付を受けた中長期在留者が新たな在留カードの交付を受けたとき。

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

六　在留カードの交付を受けた中長期在留者が死亡したとき。

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

（在留カードの返納）

(Returning of the Residence Card)

第十九条の十五　在留カードの交付を受けた中長期在留者は、その所持する在留カードが前条第一号、第二号又は第四号に該当して効力を失つたときは、その事由が生じた日から十四日以内に、出入国在留管理庁長官に対し、当該在留カードを返納しなければならない。

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　在留カードの交付を受けた中長期在留者は、その所持する在留カードが前条第三号又は第五号に該当して効力を失つたときは、直ちに、出入国在留管理庁長官に対し、当該在留カードを返納しなければならない。

(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　在留カードの交付を受けた中長期在留者は、在留カードの所持を失つた場合において、前条（第六号を除く。）の規定により当該在留カードが効力を失つた後、当該在留カードを発見するに至つたときは、その発見の日から十四日以内に、出入国在留管理庁長官に対し、当該在留カードを返納しなければならない。

(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　在留カードが前条第六号の規定により効力を失つたときは、死亡した中長期在留者の親族又は同居者は、その死亡の日（死亡後に在留カードを発見するに至つたときは、その発見の日）から十四日以内に、出入国在留管理庁長官に対し、当該在留カードを返納しなければならない。

(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).

（所属機関等に関する届出）

(Notification Relating to the Organization of Affiliation)

第十九条の十六　中長期在留者であつて、次の各号に掲げる在留資格をもつて本邦に在留する者は、当該各号に掲げる在留資格の区分に応じ、当該各号に定める事由が生じたときは、当該事由が生じた日から十四日以内に、法務省令で定める手続により、出入国在留管理庁長官に対し、その旨及び法務省令で定める事項を届け出なければならない。

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:

一　教授、高度専門職（別表第一の二の表の高度専門職の項の下欄第一号ハ又は第二号（同号ハに掲げる活動に従事する場合に限る。）に係るものに限る。）、経営・管理、法律・会計業務、医療、教育、企業内転勤、技能実習、留学又は研修　当該在留資格に応じてそれぞれ別表第一の下欄に掲げる活動を行う本邦の公私の機関の名称若しくは所在地の変更若しくはその消滅又は当該機関からの離脱若しくは移籍

(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;

二　高度専門職（別表第一の二の表の高度専門職の項の下欄第一号イ若しくはロ又は第二号（同号イ又はロに掲げる活動に従事する場合に限る。）に係るものに限る。）、研究、技術・人文知識・国際業務、介護、興行（本邦の公私の機関との契約に基づいて当該在留資格に係る活動に従事する場合に限る。）、技能又は特定技能　契約の相手方である本邦の公私の機関（高度専門職の在留資格（同表の高度専門職の項の下欄第一号イに係るものに限る。）にあつては、法務大臣が指定する本邦の公私の機関）の名称若しくは所在地の変更若しくはその消滅又は当該機関との契約の終了若しくは新たな契約の締結

(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

三　家族滞在（配偶者として行う日常的な活動を行うことができる者に係るものに限る。）、日本人の配偶者等（日本人の配偶者の身分を有する者に係るものに限る。）又は永住者の配偶者等（永住者の在留資格をもつて在留する者又は特別永住者（以下「永住者等」という。）の配偶者の身分を有する者に係るものに限る。）　配偶者との離婚又は死別

(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.

（所属機関による届出）

(Notification by the Organization of Affiliation)

第十九条の十七　別表第一の在留資格をもつて在留する中長期在留者が受け入れられている本邦の公私の機関その他の法務省令で定める機関（次条第一項に規定する特定技能所属機関及び労働施策の総合的な推進並びに労働者の雇用の安定及び職業生活の充実等に関する法律（昭和四十一年法律第百三十二号）第二十八条第一項の規定による届出をしなければならない事業主を除く。）は、法務省令で定めるところにより、出入国在留管理庁長官に対し、当該中長期在留者の受入れの開始及び終了その他の受入れの状況に関する事項を届け出るよう努めなければならない。

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.

（特定技能所属機関による届出）

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

第十九条の十八　特定技能雇用契約の相手方である本邦の公私の機関（以下この款及び第八章において「特定技能所属機関」という。）は、次の各号のいずれかに該当するときは、法務省令で定めるところにより、出入国在留管理庁長官に対し、その旨及び法務省令で定める事項を届け出なければならない。

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:

一　特定技能雇用契約の変更（法務省令で定める軽微な変更を除く。）をしたとき、若しくは特定技能雇用契約が終了したとき、又は新たな特定技能雇用契約の締結をしたとき。

(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;

二　一号特定技能外国人支援計画の変更（法務省令で定める軽微な変更を除く。）をしたとき。

(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);

三　第二条の五第五項の契約の締結若しくは変更（法務省令で定める軽微な変更を除く。）をしたとき、又は当該契約が終了したとき。

(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;

四　前三号に掲げるもののほか、法務省令で定める場合に該当するとき。

(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　特定技能所属機関は、前項の規定により届出をする場合を除くほか、法務省令で定めるところにより、出入国在留管理庁長官に対し、次に掲げる事項を届け出なければならない。

(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.

一　受け入れている特定技能外国人（特定技能の在留資格をもつて本邦に在留する外国人をいう。以下この款及び第八章において同じ。）の氏名及びその活動の内容その他の法務省令で定める事項

(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;

二　第二条の五第六項の規定により適合一号特定技能外国人支援計画を作成した場合には、その実施の状況（契約により第十九条の二十七第一項に規定する登録支援機関に適合一号特定技能外国人支援計画の全部の実施を委託したときを除く。）

(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));

三　前二号に掲げるもののほか、特定技能外国人の在留管理に必要なものとして法務省令で定める事項

(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.

（特定技能所属機関に対する指導及び助言）

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

第十九条の十九　出入国在留管理庁長官は、次に掲げる事項を確保するために必要があると認めるときは、特定技能所属機関に対し、必要な指導及び助言を行うことができる。

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:

一　特定技能雇用契約が第二条の五第一項から第四項までの規定に適合すること。

(i) that the employment contract for specified skilled workers conforms to the provisions of Article 2-5, paragraph (1) to paragraph (4);

二　適合特定技能雇用契約の適正な履行

(ii) the proper implementation of a suitable employment contract for specified skilled workers;

三　一号特定技能外国人支援計画が第二条の五第六項及び第七項の規定に適合すること。

(iii) that the support plan for specified skilled workers (i) conforms to the provisions of Article 2-5, paragraph (6) and paragraph (7);

四　適合一号特定技能外国人支援計画の適正な実施

(iv) the proper implementation of a suitable support plan for specified skilled workers (i);

五　前各号に掲げるもののほか、特定技能所属機関による特定技能外国人の受入れが出入国又は労働に関する法令に適合すること。

(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.

（報告徴収等）

(Collection of Reports)

第十九条の二十　出入国在留管理庁長官は、前条各号に掲げる事項を確保するために必要な限度において、特定技能所属機関若しくは特定技能所属機関の役員若しくは職員（以下この項において「役職員」という。）に対し、報告若しくは帳簿書類の提出若しくは提示を命じ、若しくは特定技能所属機関若しくは役職員に対し出頭を求め、又は入国審査官若しくは入国警備官に関係人に対して質問させ、若しくは特定技能所属機関に係る事業所その他特定技能外国人の受入れに関係のある場所に立ち入り、その設備若しくは帳簿書類その他の物件を検査させることができる。

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　前項の規定による質問又は立入検査を行う場合においては、入国審査官又は入国警備官は、その身分を示す証票を携帯し、関係人の請求があるときは、これを提示しなければならない。

(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　第一項の規定による権限は、犯罪捜査のために認められたものと解釈してはならない。

(3) The authority pursuant to the provisions of paragraph (1) must not be construed as authorization for the purpose of a criminal investigation.

（改善命令等）

(Improvement Orders)

第十九条の二十一　出入国在留管理庁長官は、第十九条の十九各号に掲げる事項が確保されていないと認めるときは、特定技能所属機関に対し、期限を定めて、その改善に必要な措置をとるべきことを命ずることができる。

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　出入国在留管理庁長官は、前項の規定による命令をした場合には、その旨を公示しなければならない。

(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.

（特定技能所属機関による一号特定技能外国人支援等）

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

第十九条の二十二　特定技能所属機関は、適合一号特定技能外国人支援計画に基づき、一号特定技能外国人支援を行わなければならない。

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　特定技能所属機関は、契約により他の者に一号特定技能外国人支援の全部又は一部の実施を委託することができる。

(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.

（登録支援機関の登録）

(Registration of Registered Support Organizations)

第十九条の二十三　契約により委託を受けて適合一号特定技能外国人支援計画の全部の実施の業務（以下「支援業務」という。）を行う者は、出入国在留管理庁長官の登録を受けることができる。

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　前項の登録は、五年ごとにその更新を受けなければ、その期間の経過によつて、その効力を失う。

(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　第一項の登録（前項の登録の更新を含む。以下この款において同じ。）を受けようとする者は、実費を勘案して政令で定める額の手数料を納付しなければならない。

(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.

（登録の申請）

(Application for Registration)

第十九条の二十四　前条第一項の登録を受けようとする者は、法務省令で定めるところにより、次に掲げる事項を記載した申請書を出入国在留管理庁長官に提出しなければならない。

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:

一　氏名又は名称及び住所並びに法人にあつては、その代表者の氏名

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

二　支援業務を行う事務所の所在地

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

三　支援業務の内容及びその実施方法その他支援業務に関し法務省令で定める事項

(iii) the content of the support work and its implementation method, and other particulars specified in Ministry of Justice Order concerning support work.

２　前項の申請書には、前条第一項の登録を受けようとする者が第十九条の二十六第一項各号のいずれにも該当しないことを誓約する書面その他の法務省令で定める書類を添付しなければならない。

(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.

（登録の実施）

(Conducting Registration)

第十九条の二十五　出入国在留管理庁長官は、前条第一項の規定による登録の申請があつたときは、次条第一項の規定により登録を拒否する場合を除き、次に掲げる事項を登録支援機関登録簿に登録しなければならない。

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:

一　前条第一項各号に掲げる事項

(i) particulars set forth under the items of paragraph (1) of the preceding Article;

二　登録年月日及び登録番号

(ii) date of registration and registration number;

２　出入国在留管理庁長官は、前項の規定による登録をしたときは、遅滞なく、その旨を申請者に通知しなければならない。

(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.

（登録の拒否）

(Refusal of Registration)

第十九条の二十六　出入国在留管理庁長官は、第十九条の二十三第一項の登録を受けようとする者が次の各号のいずれかに該当するとき、又は第十九条の二十四第一項の申請書若しくはその添付書類のうちに重要な事項について虚偽の記載があり、若しくは重要な事実の記載が欠けているときは、その登録を拒否しなければならない。

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:

一　禁錮以上の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(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;

二　出入国管理及び難民認定法若しくは外国人の技能実習の適正な実施及び技能実習生の保護に関する法律（平成二十八年法律第八十九号。以下「技能実習法」という。）の規定その他出入国若しくは労働に関する法律の規定（第四号に規定する規定を除く。）であつて政令で定めるもの又はこれらの規定に基づく命令の規定により、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(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;

三　暴力団員による不当な行為の防止等に関する法律（平成三年法律第七十七号）の規定（同法第五十条（第二号に係る部分に限る。）及び第五十二条の規定を除く。）により、又は刑法第二百四条、第二百六条、第二百八条、第二百八条の二、第二百二十二条若しくは第二百四十七条の罪若しくは暴力行為等処罰に関する法律の罪を犯したことにより、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(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;

四　健康保険法（大正十一年法律第七十号）第二百八条、第二百十三条の二若しくは第二百十四条第一項、船員保険法（昭和十四年法律第七十三号）第百五十六条、第百五十九条若しくは第百六十条第一項、労働者災害補償保険法（昭和二十二年法律第五十号）第五十一条前段若しくは第五十四条第一項（同法第五十一条前段の規定に係る部分に限る。）、厚生年金保険法（昭和二十九年法律第百十五号）第百二条、第百三条の二若しくは第百四条第一項（同法第百二条又は第百三条の二の規定に係る部分に限る。）、労働保険の保険料の徴収等に関する法律（昭和四十四年法律第八十四号）第四十六条前段若しくは第四十八条第一項（同法第四十六条前段の規定に係る部分に限る。）又は雇用保険法（昭和四十九年法律第百十六号）第八十三条若しくは第八十六条（同法第八十三条の規定に係る部分に限る。）の規定により、罰金の刑に処せられ、その執行を終わり、又は執行を受けることがなくなつた日から起算して五年を経過しない者

(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;

五　心身の故障により支援業務を適正に行うことができない者として法務省令で定めるもの

(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;

六　破産手続開始の決定を受けて復権を得ない者

(vi) a person who is subject to a decision on the commencement of bankruptcy proceedings and has not had their rights restored;

七　第十九条の三十二第一項の規定により第十九条の二十三第一項の登録を取り消され、当該取消しの日から起算して五年を経過しない者

(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;

八　第十九条の三十二第一項の規定により第十九条の二十三第一項の登録を取り消された者が法人である場合において、当該取消しの処分を受ける原因となつた事項が発生した当時現に当該法人の役員（業務を執行する社員、取締役、執行役又はこれらに準ずる者をいい、相談役、顧問その他いかなる名称を有する者であるかを問わず、法人に対し業務を執行する社員、取締役、執行役又はこれらに準ずる者と同等以上の支配力を有するものと認められる者を含む。第十二号において同じ。）であつた者で、当該取消しの日から起算して五年を経過しないもの

(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;

九　第十九条の二十三第一項の登録の申請の日前五年以内に出入国又は労働に関する法令に関し不正又は著しく不当な行為をした者

(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);

十　暴力団員による不当な行為の防止等に関する法律第二条第六号に規定する暴力団員（以下この号において「暴力団員」という。）又は暴力団員でなくなつた日から五年を経過しない者（第十三号において「暴力団員等」という。）

(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));

十一　営業に関し成年者と同一の行為能力を有しない未成年者であつて、その法定代理人が前各号又は次号のいずれかに該当するもの

(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:

十二　法人であつて、その役員のうちに前各号のいずれかに該当する者があるもの

(xii) a corporation whose officer falls under any of the preceding items;

十三　暴力団員等がその事業活動を支配する者

(xiii) a person whose business activities are controlled by a member of an organized crime group, etc.;

十四　支援業務を的確に遂行するための必要な体制が整備されていない者として法務省令で定めるもの

(xiv) a person specified in Ministry of Justice Order as not having the necessary system in place to appropriately perform the support work.

２　出入国在留管理庁長官は、前項の規定により登録を拒否したときは、遅滞なく、その理由を示して、その旨を申請者に通知しなければならない。

(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.

（変更の届出等）

(Notification of Changes)

第十九条の二十七　第十九条の二十三第一項の登録を受けた者（以下「登録支援機関」という。）は、第十九条の二十四第一項各号に掲げる事項に変更があつたときは、法務省令で定めるところにより、その旨を出入国在留管理庁長官に届け出なければならない。

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　出入国在留管理庁長官は、前項の規定による届出を受理したときは、当該届出に係る事項が前条第一項第十二号又は第十四号に該当する場合を除き、当該事項を登録支援機関登録簿に登録しなければならない。

(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　第十九条の二十四第二項の規定は、第一項の規定による届出について準用する。

(3) The provisions of Article 19-24, paragraph (2) apply mutatis mutandis to the notification prescribed in the provisions of paragraph (1).

（登録支援機関登録簿の閲覧）

(Public Inspection of the Registered Support Organization Registry)

第十九条の二十八　出入国在留管理庁長官は、登録支援機関登録簿を一般の閲覧に供しなければならない。

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

（支援業務の休廃止の届出）

(Notification of Abolishment or Suspension of Support Work)

第十九条の二十九　登録支援機関は、支援業務を休止し、又は廃止したときは、法務省令で定めるところにより、その旨を出入国在留管理庁長官に届け出なければならない。

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　前項の規定により支援業務を廃止した旨の届出があつたときは、当該登録支援機関に係る第十九条の二十三第一項の登録は、その効力を失う。

(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.

（支援業務の実施等）

(Implementation of Support Services)

第十九条の三十　登録支援機関は、委託に係る適合一号特定技能外国人支援計画に基づき、支援業務を行わなければならない。

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　登録支援機関は、法務省令で定めるところにより、支援業務の実施状況その他法務省令で定める事項を出入国在留管理庁長官に届け出なければならない。

(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.

（登録支援機関に対する指導及び助言）

(Guidance and Advice to Registered Support Organizations)

第十九条の三十一　出入国在留管理庁長官は、登録支援機関の支援業務の適正な運営を確保するために必要があると認めるときは、登録支援機関に対し、必要な指導及び助言を行うことができる。

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.

（登録の取消し）

(Cancellation of Registration)

第十九条の三十二　出入国在留管理庁長官は、登録支援機関が次の各号のいずれかに該当するときは、その登録を取り消すことができる。

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:

一　第十九条の二十六第一項各号（第七号を除く。）のいずれかに該当するに至つたとき。

(i) \_if it has come to fall under any of the items of Article 19-26, paragraph (1) (except for item (vii));

二　第十九条の二十七第一項、第十九条の二十九第一項又は第十九条の三十第二項の規定に違反したとき。

(ii) if it has violated the provisions of Article 19-27, paragraph (1), Article 19-29, paragraph (1) or Article 19-30, paragraph (2);

三　第十九条の三十第一項の規定に違反したとき。

(iii) if it has violated the provisions of Article 19-30, paragraph (1);

四　不正の手段により第十九条の二十三第一項の登録を受けたとき。

(iv) if it has received the registration set forth under Article 19-23, paragraph (1) through wrongful means;

五　第十九条の三十四の規定による報告若しくは資料の提出をせず、又は虚偽の報告若しくは資料の提出をしたとき。

(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　第十九条の二十六第二項の規定は、前項の規定により第十九条の二十三第一項の登録を取り消した場合について準用する。

(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.

（登録の抹消）

(Deletion of Registration)

第十九条の三十三　出入国在留管理庁長官は、第十九条の二十三第二項若しくは第十九条の二十九第二項の規定により第十九条の二十三第一項の登録がその効力を失つたとき、又は前条第一項の規定により第十九条の二十三第一項の登録を取り消したときは、当該登録を抹消しなければならない。

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.

（報告又は資料の提出）

(Submission of Report or Materials)

第十九条の三十四　出入国在留管理庁長官は、支援業務の適正な運営を確保するために必要な限度において、登録支援機関に対し、その業務の状況に関し報告又は資料の提出を求めることができる。

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.

（法務省令への委任）

(Delegation to Ministry of Justice Order)

第十九条の三十五　第十九条の二十二から前条までに規定するもののほか、登録支援機関及び支援業務に関し必要な事項は、法務省令で定める。

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.

（中長期在留者に関する情報の継続的な把握）

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

第十九条の三十六　出入国在留管理庁長官は、中長期在留者の身分関係、居住関係、活動状況及び所属機関の状況（特定技能外国人（別表第一の二の表の特定技能の項の下欄第一号に掲げる活動を行う者に限る。以下この項において同じ。）については、一号特定技能外国人支援の状況（登録支援機関への委託の状況を含む。以下この項において同じ。）を含む。）を継続的に把握するため、出入国管理及び難民認定法その他の法令の定めるところにより取得した中長期在留者の氏名、生年月日、性別、国籍の属する国、住居地、所属機関その他在留管理に必要な情報（特定技能外国人については、一号特定技能外国人支援の状況に関する情報を含む。以下この条及び次条第一項において「中長期在留者に関する情報」という。）を整理しなければならない。

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　出入国在留管理庁長官は、中長期在留者に関する情報を正確かつ最新の内容に保つよう努めなければならない。

(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　法務大臣及び出入国在留管理庁長官は、在留管理の目的を達成するために必要な最小限度の範囲を超えて、中長期在留者に関する情報を取得し、又は保有してはならず、当該情報の取扱いに当たつては、個人の権利利益の保護に留意しなければならない。

(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.

（事実の調査）

(Inquiry into Facts)

第十九条の三十七　出入国在留管理庁長官は、中長期在留者に関する情報の継続的な把握のため必要があるときは、この款の規定により届け出ることとされている事項について、その職員に事実の調査をさせることができる。

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　入国審査官又は入国警備官は、前項の調査のため必要があるときは、関係人に対し、出頭を求め、質問をし、又は文書の提示を求めることができる。

(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　出入国在留管理庁長官、入国審査官又は入国警備官は、第一項の調査について、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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).

第二節　在留資格の変更及び取消し等

Section 2 Change or Revocation of the Status of Residence

（在留資格の変更）

(Change of Status of Residence)

第二十条　在留資格を有する外国人は、その者の有する在留資格（これに伴う在留期間を含む。以下第三項まで及び次条において同じ。）の変更（高度専門職の在留資格（別表第一の二の表の高度専門職の項の下欄第一号イからハまでに係るものに限る。）を有する者については、法務大臣が指定する本邦の公私の機関の変更を含み、特定技能の在留資格を有する者については、法務大臣が指定する本邦の公私の機関又は特定産業分野の変更を含み、特定活動の在留資格を有する者については、法務大臣が個々の外国人について特に指定する活動の変更を含む。）を受けることができる。

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　前項の規定により在留資格の変更を受けようとする外国人は、法務省令で定める手続により、法務大臣に対し在留資格の変更を申請しなければならない。ただし、永住者の在留資格への変更を希望する場合は、第二十二条第一項の定めるところによらなければならない。

(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　前項の申請があつた場合には、法務大臣は、当該外国人が提出した文書により在留資格の変更を適当と認めるに足りる相当の理由があるときに限り、これを許可することができる。ただし、短期滞在の在留資格をもつて在留する者の申請については、やむを得ない特別の事情に基づくものでなければ許可しないものとする。

(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　法務大臣は、前項の規定による許可をすることとしたときは、出入国在留管理庁長官に、当該外国人に対し、その旨を通知させるものとする。この場合において、その通知は、出入国在留管理庁長官が、入国審査官に、次の各号に掲げる区分に応じ、当該各号に定める措置をとらせることにより行うものとする。

(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:

一　当該許可に係る外国人が引き続き中長期在留者に該当し、又は新たに中長期在留者に該当することとなるとき　当該外国人に対する在留カードの交付

(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;

二　前号に掲げる場合以外の場合において、当該許可に係る外国人が旅券を所持しているとき　当該旅券に新たな在留資格及び在留期間の記載

(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

三　第一号に掲げる場合以外の場合において、当該許可に係る外国人が旅券を所持していないとき　当該外国人に対する新たな在留資格及び在留期間を記載した在留資格証明書を交付又は既に交付を受けている在留資格証明書に新たな在留資格及び在留期間の記載

(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　第三項の規定による法務大臣の許可は、それぞれ前項各号に定める措置があつた時に、その効力を生ずる。

(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　第二項の規定による申請があつた場合（三十日以下の在留期間を決定されている者から申請があつた場合を除く。）において、その申請の時に当該外国人が有する在留資格に伴う在留期間の満了の日までにその申請に対する処分がされないときは、当該外国人は、その在留期間の満了後も、当該処分がされる時又は従前の在留期間の満了の日から二月を経過する日が終了する時のいずれか早い時までの間は、引き続き当該在留資格をもつて本邦に在留することができる。

(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.

（高度専門職の在留資格の変更の特則）

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

第二十条の二　高度専門職の在留資格（別表第一の二の表の高度専門職の項の下欄第二号に係るものに限る。）への変更は、前条第一項の規定にかかわらず、高度専門職の在留資格（同表の高度専門職の項の下欄第一号イからハまでに係るものに限る。）をもつて本邦に在留していた外国人でなければ受けることができない。

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　法務大臣は、外国人から前条第二項の規定による高度専門職の在留資格（別表第一の二の表の高度専門職の項の下欄第二号に係るものに限る。）への変更の申請があつたときは、当該外国人が法務省令で定める基準に適合する場合でなければ、これを許可することができない。

(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　法務大臣は、前項の法務省令を定めようとするときは、あらかじめ、関係行政機関の長と協議するものとする。

(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.

（在留期間の更新）

(Extension of the Period of Stay)

第二十一条　本邦に在留する外国人は、現に有する在留資格を変更することなく、在留期間の更新を受けることができる。

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

２　前項の規定により在留期間の更新を受けようとする外国人は、法務省令で定める手続により、法務大臣に対し在留期間の更新を申請しなければならない。

(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　前項の規定による申請があつた場合には、法務大臣は、当該外国人が提出した文書により在留期間の更新を適当と認めるに足りる相当の理由があるときに限り、これを許可することができる。

(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　第二十条第四項及び第五項の規定は前項の規定による許可をする場合について、同条第六項の規定は第二項の規定による申請があつた場合について、それぞれ準用する。この場合において、同条第四項第二号及び第三号中「新たな在留資格及び在留期間」とあるのは、「在留資格及び新たな在留期間」と読み替えるものとする。

(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".

（永住許可）

(Permission for Permanent Residence)

第二十二条　在留資格を変更しようとする外国人で永住者の在留資格への変更を希望するものは、法務省令で定める手続により、法務大臣に対し永住許可を申請しなければならない。

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　前項の申請があつた場合には、法務大臣は、その者が次の各号に適合し、かつ、その者の永住が日本国の利益に適合すると認めたときに限り、これを許可することができる。ただし、その者が日本人、永住許可を受けている者又は特別永住者の配偶者又は子である場合においては、次の各号に適合することを要しない。

(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:

一　素行が善良であること。

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

二　独立の生計を営むに足りる資産又は技能を有すること。

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

３　法務大臣は、前項の規定による許可をすることとしたときは、出入国在留管理庁長官に、当該外国人に対し、その旨を通知させるものとする。この場合において、その通知は、出入国在留管理庁長官が、入国審査官に、当該許可に係る外国人に対し在留カードを交付させることにより行うものとする。

(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　第二項の規定による法務大臣の許可は、前項の規定による在留カードの交付があった時に、その効力を生ずる。

(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.

（在留資格の取得）

(Acquisition of Status of Residence)

第二十二条の二　日本の国籍を離脱した者又は出生その他の事由により前章に規定する上陸の手続を経ることなく本邦に在留することとなる外国人は、第二条の二第一項の規定にかかわらず、それぞれ日本の国籍を離脱した日又は出生その他当該事由が生じた日から六十日を限り、引き続き在留資格を有することなく本邦に在留することができる。

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　前項に規定する外国人で同項の期間をこえて本邦に在留しようとするものは、日本の国籍を離脱した日又は出生その他当該事由が生じた日から三十日以内に、法務省令で定めるところにより、法務大臣に対し在留資格の取得を申請しなければならない。

(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　第二十条第三項本文、第四項及び第五項の規定は、前項に規定する在留資格の取得の申請（永住者の在留資格の取得の申請を除く。）の手続について準用する。この場合において、同条第三項本文中「在留資格の変更」とあるのは、「在留資格の取得」と読み替えるものとする。

(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　前条の規定は、第二項に規定する在留資格の取得の申請中永住者の在留資格の取得の申請の手続に準用する。この場合において、同条第一項中「変更しよう」とあるのは「取得しよう」と、「在留資格への変更」とあるのは「在留資格の取得」と読み替えるものとする。

(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.

第二十二条の三　前条第二項から第四項までの規定は、第十八条の二第一項に規定する一時庇護のための上陸の許可を受けた外国人で別表第一又は別表第二の上欄の在留資格のいずれかをもつて在留しようとするものに準用する。この場合において、前条第二項中「日本の国籍を離脱した日又は出生その他当該事由が生じた日から三十日以内」とあるのは、「当該上陸の許可に係る上陸期間内」と読み替えるものとする。

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."

（在留資格の取消し）

(Revocation of Status of Residence)

第二十二条の四　法務大臣は、別表第一又は別表第二の上欄の在留資格をもつて本邦に在留する外国人（第六十一条の二第一項の難民の認定を受けている者を除く。）について、次の各号に掲げるいずれかの事実が判明したときは、法務省令で定める手続により、当該外国人が現に有する在留資格を取り消すことができる。

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:

一　偽りその他不正の手段により、当該外国人が第五条第一項各号のいずれにも該当しないものとして、前章第一節又は第二節の規定による上陸許可の証印（第九条第四項の規定による記録を含む。次号において同じ。）又は許可を受けたこと。

(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);

二　前号に掲げるもののほか、偽りその他不正の手段により、上陸許可の証印等（前章第一節若しくは第二節の規定による上陸許可の証印若しくは許可（在留資格の決定を伴うものに限る。）又はこの節の規定による許可をいい、これらが二以上ある場合には直近のものをいうものとする。以下この項において同じ。）を受けたこと。

(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);

三　前二号に掲げるもののほか、不実の記載のある文書（不実の記載のある文書又は図画の提出又は提示により交付を受けた在留資格認定証明書及び不実の記載のある文書又は図画の提出又は提示により旅券に受けた査証を含む。）又は図画の提出又は提示により、上陸許可の証印等を受けたこと。

(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;

四　偽りその他不正の手段により、第五十条第一項又は第六十一条の二の二第二項の規定による許可を受けたこと（当該許可の後、これらの規定による許可又は上陸許可の証印等を受けた場合を除く。）。

(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);

五　別表第一の上欄の在留資格をもつて在留する者が、当該在留資格に応じ同表の下欄に掲げる活動を行つておらず、かつ、他の活動を行い又は行おうとして在留していること（正当な理由がある場合を除く。）。

(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);

六　別表第一の上欄の在留資格をもつて在留する者が、当該在留資格に応じ同表の下欄に掲げる活動を継続して三月（高度専門職の在留資格（別表第一の二の表の高度専門職の項の下欄第二号に係るものに限る。）をもつて在留する者にあつては、六月）以上行わないで在留していること（当該活動を行わないで在留していることにつき正当な理由がある場合を除く。）。

(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;

七　日本人の配偶者等の在留資格（日本人の配偶者の身分を有する者（兼ねて日本人の特別養子（民法（明治二十九年法律第八十九号）第八百十七条の二の規定による特別養子をいう。以下同じ。）又は日本人の子として出生した者の身分を有する者を除く。）に係るものに限る。）をもつて在留する者又は永住者の配偶者等の在留資格（永住者等の配偶者の身分を有する者（兼ねて永住者等の子として本邦で出生しその後引き続き本邦に在留している者の身分を有する者を除く。）に係るものに限る。）をもつて在留する者が、その配偶者の身分を有する者としての活動を継続して六月以上行わないで在留していること（当該活動を行わないで在留していることにつき正当な理由がある場合を除く。）。

(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);

八　前章第一節若しくは第二節の規定による上陸許可の証印若しくは許可、この節の規定による許可又は第五十条第一項若しくは第六十一条の二の二第二項の規定による許可を受けて、新たに中長期在留者となつた者が、当該上陸許可の証印又は許可を受けた日から九十日以内に、出入国在留管理庁長官に、住居地の届出をしないこと（届出をしないことにつき正当な理由がある場合を除く。）。

(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;.

九　中長期在留者が、出入国在留管理庁長官に届け出た住居地から退去した場合において、当該退去の日から九十日以内に、出入国在留管理庁長官に、新住居地の届出をしないこと（届出をしないことにつき正当な理由がある場合を除く。）。

(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

十　中長期在留者が、出入国在留管理庁長官に、虚偽の住居地を届け出たこと。

(x) a mid-to long-term resident who has notified the Commissioner of the Immigration Services Agency of a false place of residence.

２　法務大臣は、前項の規定による在留資格の取消しをしようとするときは、その指定する入国審査官に、当該外国人の意見を聴取させなければならない。

(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　法務大臣は、前項の意見の聴取をさせるときは、あらかじめ、意見の聴取の期日及び場所並びに取消しの原因となる事実を記載した意見聴取通知書を当該外国人に送達しなければならない。ただし、急速を要するときは、当該通知書に記載すべき事項を入国審査官又は入国警備官に口頭で通知させてこれを行うことができる。

(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　当該外国人又はその者の代理人は、前項の期日に出頭して、意見を述べ、及び証拠を提出することができる。

(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　法務大臣は、当該外国人が正当な理由がなくて第二項の意見の聴取に応じないときは、同項の規定にかかわらず、意見の聴取を行わないで、第一項の規定による在留資格の取消しをすることができる。

(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　在留資格の取消しは、法務大臣が在留資格取消通知書を送達して行う。

(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　法務大臣は、第一項（第一号及び第二号を除く。）の規定により在留資格を取り消す場合には、三十日を超えない範囲内で当該外国人が出国するために必要な期間を指定するものとする。ただし、同項（第五号に係るものに限る。）の規定により在留資格を取り消す場合において、当該外国人が逃亡すると疑うに足りる相当の理由がある場合は、この限りでない。

(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　法務大臣は、前項本文の規定により期間を指定する場合には、法務省令で定めるところにより、当該外国人に対し、住居及び行動範囲の制限その他必要と認める条件を付することができる。

(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　法務大臣は、第六項に規定する在留資格取消通知書に第七項本文の規定により指定された期間及び前項の規定により付された条件を記載しなければならない。

(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).

（在留資格の取消しの手続における配慮）

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

第二十二条の五　法務大臣は、前条第一項に規定する外国人について、同項第七号に掲げる事実が判明したことにより在留資格の取消しをしようとする場合には、第二十条第二項の規定による在留資格の変更の申請又は第二十二条第一項の規定による永住許可の申請の機会を与えるよう配慮しなければならない。

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).

第三節　在留の条件

Section 3 Conditions for Residence

（旅券等の携帯及び提示）

(Carrying and Presentation of Passports)

第二十三条　本邦に在留する外国人は、常に旅券（次の各号に掲げる者にあつては、当該各号に定める文書）を携帯していなければならない。ただし、次項の規程により在留カードを携帯する場合は、この限りでない。

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:

一　第九条第五項の規定により短期滞在の在留資格及び在留期間を決定された者　特定登録者カード

(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;

二　仮上陸の許可を受けた者　仮上陸許可書

(ii) a person who has been granted permission for provisional landing: provisional landing permit;

三　船舶観光上陸の許可を受けた者　船舶観光上陸許可書

(iii) a person who has been granted landing permission for cruise ship tourists: landing permit for cruise ship tourists;

四　乗員上陸の許可を受けた者　乗員上陸許可書及び旅券又は乗員手帳

(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;

五　緊急上陸の許可を受けた者　緊急上陸許可書

(v) a person who has been granted permission for emergency landing: emergency landing permit;

六　遭難による上陸の許可を受けた者　遭難による上陸許可書

(vi) a person who has been granted landing permission due to distress: landing permit due to distress;

七　一時庇護のための上陸の許可を受けた者　一時庇護許可書

(vii) a person who has been granted landing permission for temporary refuge: landing permit for temporary refuge; or

八　仮滞在の許可を受けた者　仮滞在許可書

(viii) a person who has been granted permission for provisional stay: permit for provisional stay.

２　中長期在留者は、出入国在留管理庁長官が交付し、又は市町村の長が返還する在留カードを受領し、常にこれを携帯していなければならない。

(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　前二項の外国人は、入国審査官、入国警備官、警察官、海上保安官その他法務省令で定める国又は地方公共団体の職員が、その職務の執行に当たり、これらの規定に規定する旅券、乗員手帳、特定登録者カード、許可書又は在留カード（以下この条において「旅券等」という。）の提示を求めたときは、これを提示しなければならない。

(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　前項に規定する職員は、旅券等の提示を求める場合には、その身分を示す証票を携帯し、請求があるときは、これを提示しなければならない。

(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　十六歳に満たない外国人は、第一項本文及び第二項の規定にかかわらず、旅券等を携帯することを要しない。

(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.

（退去強制）

(Deportation)

第二十四条　次の各号のいずれかに該当する外国人については、次章に規定する手続により、本邦からの退去を強制することができる。

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:

一　第三条の規定に違反して本邦に入つた者

(i) a person who has entered Japan in violation of the provisions of Article 3;

二　入国審査官から上陸の許可等を受けないで本邦に上陸した者

(ii) a person who has landed in Japan without obtaining permission for landing, etc. from an immigration inspector;

二の二　第二十二条の四第一項（第一号又は第二号に係るものに限る。）の規定により在留資格を取り消された者

(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));

二の三　第二十二条の四第一項（第五号に係るものに限る。）の規定により在留資格を取り消された者（同条第七項本文の規定により期間の指定を受けた者を除く。）

(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);

二の四　第二十二条の四第七項本文（第六十一条の二の八第二項において準用する場合を含む。）の規定により期間の指定を受けた者で、当該期間を経過して本邦に残留するもの

(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;

三　他の外国人に不正に前章第一節若しくは第二節の規定による証明書の交付、上陸許可の証印（第九条第四項の規定による記録を含む。）若しくは許可、同章第四節の規定による上陸の許可又は前二節若しくは次章第三節の規定による許可を受けさせる目的で、文書若しくは図画を偽造し、若しくは変造し、虚偽の文書若しくは図画を作成し、若しくは偽造若しくは変造された文書若しくは図画若しくは虚偽の文書若しくは図画を行使し、所持し、若しくは提供し、又はこれらの行為を唆し、若しくはこれを助けた者

(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;

三の二　公衆等脅迫目的の犯罪行為のための資金の提供等の処罰に関する法律（平成十四年法律第六十七号）第一条に規定する公衆等脅迫目的の犯罪行為（以下この号において「公衆等脅迫目的の犯罪行為」という。）、公衆等脅迫目的の犯罪行為の予備行為又は公衆等脅迫目的の犯罪行為の実行を容易にする行為を行うおそれがあると認めるに足りる相当の理由がある者として法務大臣が認定する者

(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;

三の三　国際約束により本邦への入国を防止すべきものとされている者

(iii)-3 a person whose entry into Japan is required to be prevented pursuant to an international agreement;

三の四　次のイからハまでに掲げるいずれかの行為を行い、唆し、又はこれを助けた者

(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:

イ　事業活動に関し、外国人に不法就労活動（第十九条第一項の規定に違反する活動又は第七十条第一項第一号、第二号、第三号から第三号の三まで、第五号、第七号から第七号の三まで若しくは第八号の二から第八号の四までに掲げる者が行う活動であつて報酬その他の収入を伴うものをいう。以下同じ。）をさせること。

(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;

ロ　外国人に不法就労活動をさせるためにこれを自己の支配下に置くこと。

(b) placing a foreign national under their control for the purpose of having the foreign national engage in illegal work;

ハ　業として、外国人に不法就労活動をさせる行為又はロに規定する行為に関しあつせんすること。

(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;

三の五　次のイからニまでに掲げるいずれかの行為を行い、唆し、又はこれを助けた者

(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:

イ　行使の目的で、在留カード若しくは日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法第七条第一項に規定する特別永住者証明書（以下単に「特別永住者証明書」という。）を偽造し、若しくは変造し、又は偽造若しくは変造の在留カード若しくは特別永住者証明書を提供し、収受し、若しくは所持すること。

(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;

ロ　行使の目的で、他人名義の在留カード若しくは特別永住者証明書を提供し、収受し、若しくは所持し、又は自己名義の在留カードを提供すること。

(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;

ハ　偽造若しくは変造の在留カード若しくは特別永住者証明書又は他人名義の在留カード若しくは特別永住者証明書を行使すること。

(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;

ニ　在留カード若しくは特別永住者証明書の偽造又は変造の用に供する目的で、器械又は原料を準備すること。

(d) preparing instruments or materials for the purpose of using them to forge or alter a residence card or special permanent residence card.

四　本邦に在留する外国人（仮上陸の許可、寄港地上陸の許可、船舶観光上陸の許可、通過上陸の許可、乗員上陸の許可又は遭難による上陸の許可を受けた者を除く。）で次のイからヨまでに掲げる者のいずれかに該当するもの

(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):

イ　第十九条第一項の規定に違反して収入を伴う事業を運営する活動又は報酬を受ける活動を専ら行つていると明らかに認められる者（人身取引等により他人の支配下に置かれている者を除く。）

(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);

ロ　在留期間の更新又は変更を受けないで在留期間（第二十条第六項の規定により本邦に在留することができる期間を含む。第二十六条第一項及び第二十六条の二第二項（第二十六条の三第二項において準用する場合を含む。）において同じ。）を経過して本邦に残留する者

(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;

ハ　人身取引等を行い、唆し、又はこれを助けた者

(c) a person who has committed human trafficking or has incited or aided another person to commit human trafficking;

ニ　旅券法（昭和二十六年法律第二百六十七号）第二十三条第一項（第六号を除く。）から第三項までの罪により刑に処せられた者

(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);

ホ　第七十四条から第七十四条の六の三まで又は第七十四条の八の罪により刑に処せられた者

(e) a person who has been punished for violation of the provisions of Articles 74 through 74-6-3, or 74-8;

ヘ　第七十三条の罪により禁錮以上の刑に処せられた者

(f) a person who has been sentenced to imprisonment without work or a heavier punishment for violation of the provisions of Article 73;

ト　少年法（昭和二十三年法律第百六十八号）に規定する少年で昭和二十六年十一月一日以後に長期三年を超える懲役又は禁錮に処せられたもの

(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;

チ　昭和二十六年十一月一日以後に麻薬及び向精神薬取締法、大麻取締法、あへん法、覚せい剤取締法、国際的な協力の下に規制薬物に係る不正行為を助長する行為等の防止を図るための麻薬及び向精神薬取締法等の特例等に関する法律（平成三年法律第九十四号）又は刑法第二編第十四章の規定に違反して有罪の判決を受けた者

(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);

リ　ニからチまでに掲げる者のほか、昭和二十六年十一月一日以後に無期又は一年を超える懲役若しくは禁錮に処せられた者。ただし、刑の全部の執行猶予の言渡しを受けた者及び刑の一部の執行猶予の言渡しを受けた者であつてその刑のうち執行が猶予されなかつた部分の期間が一年以下のものを除く。

(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;

ヌ　売春又はその周旋、勧誘、その場所の提供その他売春に直接に関係がある業務に従事する者（人身取引等により他人の支配下に置かれている者を除く。）

(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).

ル　次に掲げる行為をあおり、唆し、又は助けた者

(k) a person who has instigated, incited, or aided the following acts:

（１）　他の外国人が不法に本邦に入り、又は上陸すること。

1. the illegal entry or landing of another foreign national into Japan;

（２）　他の外国人が偽りその他不正の手段により、上陸の許可等を受けて本邦に上陸し、又は前節の規定による許可を受けること。

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.

ヲ　日本国憲法又はその下に成立した政府を暴力で破壊することを企て、若しくは主張し、又はこれを企て若しくは主張する政党その他の団体を結成し、若しくはこれに加入している者

(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.

ワ　次に掲げる政党その他の団体を結成し、若しくはこれに加入し、又はこれと密接な関係を有する者

(m) a person who organizes, is a member of, or is closely affiliated with any of the following political parties or other organizations:

（１）　公務員であるという理由により、公務員に暴行を加え、又は公務員を殺傷することを勧奨する政党その他の団体

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）　公共の施設を不法に損傷し、又は破壊することを勧奨する政党その他の団体

2. a political party or organization which encourages illegal damage or destruction of public facilities;

（３）　工場事業場における安全保持の施設の正常な維持又は運行を停廃し、又は妨げるような争議行為を勧奨する政党その他の団体

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.

カ　オ又はワに規定する政党その他の団体の目的を達するため、印刷物、映画その他の文書図画を作成し、頒布し、又は展示した者

(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);

ヨ　イからカまでに掲げる者のほか、法務大臣が日本国の利益又は公安を害する行為を行つたと認定する者

(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;

四の二　別表第一の上欄の在留資格をもつて在留する者で、刑法第二編第十二章、第十六章から第十九章まで、第二十三章、第二十六章、第二十七章、第三十一章、第三十三章、第三十六章、第三十七章若しくは第三十九章の罪、暴力行為等処罰に関する法律第一条、第一条ノ二若しくは第一条ノ三（刑法第二百二十二条又は第二百六十一条に係る部分を除く。）の罪、盗犯等の防止及び処分に関する法律の罪、特殊開錠用具の所持の禁止等に関する法律第十五条若しくは第十六条の罪又は自動車の運転により人を死傷させる行為等の処罰に関する法律第二条若しくは第六条第一項の罪により懲役又は禁錮に処せられたもの

(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;

四の三　短期滞在の在留資格をもつて在留する者で、本邦において行われる国際競技会等の経過若しくは結果に関連して、又はその円滑な実施を妨げる目的をもつて、当該国際競技会等の開催場所又はその所在する市町村の区域内若しくはその近傍の不特定若しくは多数の者の用に供される場所において、不法に、人を殺傷し、人に暴行を加え、人を脅迫し、又は建造物その他の物を損壊したもの

(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;

四の四　中長期在留者で、第七十一条の二又は第七十五条の二の罪により懲役に処せられたもの

(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;

五　仮上陸の許可を受けた者で、第十三条第三項の規定に基づき付された条件に違反して、逃亡し、又は正当な理由がなくて呼出しに応じないもの

(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);

五の二　第十条第七項若しくは第十一項又は第十一条第六項の規定により退去を命ぜられた者で、遅滞なく本邦から退去しないもの

(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;

六　寄港地上陸の許可、船舶観光上陸の許可、通過上陸の許可、乗員上陸の許可、緊急上陸の許可、遭難による上陸の許可又は一時庇護のための上陸の許可を受けた者で、旅券又は当該許可書に記載された期間を経過して本邦に残留するもの

(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;

六の二　船舶観光上陸の許可を受けた者で、当該許可に係る指定旅客船が寄港する本邦の出入国港において下船した後当該出入国港から当該指定旅客船が出港するまでの間に帰船することなく逃亡したもの

(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;

六の三　第十四条の二第九項の規定により期間の指定を受けた者で、当該期間内に出国しないもの

(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;

六の四　第十六条第九項の規定により期間の指定を受けた者で、当該期間内に帰船し又は出国しないもの

(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;

七　第二十二条の二第一項に規定する者で、同条第三項において準用する第二十条第三項本文の規定又は第二十二条の二第四項において準用する第二十二条第二項の規定による許可を受けないで、第二十二条の二第一項に規定する期間を経過して本邦に残留するもの

(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);

八　第五十五条の三第一項の規定により出国命令を受けた者で、当該出国命令に係る出国期限を経過して本邦に残留するもの

(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;

九　第五十五条の六の規定により出国命令を取り消された者

(ix) a person whose departure order has been revoked pursuant to the provisions of Article 55-6; or

十　第六十一条の二の二第一項若しくは第二項又は第六十一条の二の三の許可を受けて在留する者で、第六十一条の二の七第一項（第一号又は第三号に係るものに限る。）の規定により難民の認定を取り消されたもの

(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)).

第二十四条の二　法務大臣は、前条第三号の二の規定による認定をしようとするときは、外務大臣、警察庁長官、公安調査庁長官及び海上保安庁長官の意見を聴くものとする。

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　外務大臣、警察庁長官、公安調査庁長官又は海上保安庁長官は、前条第三号の二の規定による認定に関し法務大臣に意見を述べることができる。

(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.

（出国命令）

(Departure Order)

第二十四条の三　第二十四条第二号の四、第四号ロ又は第六号から第七号までのいずれかに該当する外国人で次の各号のいずれにも該当するもの（以下「出国命令対象者」という。）については、同条の規定にかかわらず、次章第一節から第三節まで及び第五章の二に規定する手続により、出国を命ずるものとする。

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:

一　速やかに本邦から出国する意思をもつて自ら出入国在留管理官署に出頭したこと。

(i) the foreign national has voluntarily appeared at an immigration services office with the intention of promptly departing from Japan;

二　第二十四条第三号から第三号の五まで、第四号ハからヨまで、第八号又は第九号のいずれにも該当しないこと。

(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;

三　本邦に入つた後に、刑法第二編第十二章、第十六章から第十九章まで、第二十三章、第二十六章、第二十七章、第三十一章、第三十三章、第三十六章、第三十七章若しくは第三十九章の罪、暴力行為等処罰に関する法律第一条、第一条ノ二若しくは第一条ノ三（刑法第二百二十二条又は第二百六十一条に係る部分を除く。）の罪、盗犯等の防止及び処分に関する法律の罪、特殊開錠用具の所持の禁止等に関する法律第十五条若しくは第十六条の罪又は自動車の運転により人を死傷させる行為等の処罰に関する法律第二条若しくは第六条第一項の罪により懲役又は禁錮に処せられたものでないこと。

(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;

四　過去に本邦からの退去を強制されたこと又は第五十五条の三第一項の規定による出国命令により出国したことがないこと。

(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

五　速やかに本邦から出国することが確実と見込まれること。

(v) the foreign national is definitely expected to promptly depart from Japan.

第四節　出国

Section 4 Departure

（出国の手続）

(Procedures for Departure)

第二十五条　本邦外の地域に赴く意図をもつて出国しようとする外国人（乗員を除く。次条において同じ。）は、その者が出国する出入国港において、法務省令で定める手続により、入国審査官から出国の確認を受けなければならない。

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　前項の外国人は、出国の確認を受けなければ出国してはならない。

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

（出国確認の留保）

(Deferment Reservation of Confirmation of Departure)

第二十五条の二　入国審査官は、本邦に在留する外国人が本邦外の地域に赴く意図をもつて出国しようとする場合において、関係機関から当該外国人が次の各号のいずれかに該当する者である旨の通知を受けているときは、前条の出国の確認を受けるための手続がされた時から二十四時間を限り、その者について出国の確認を留保することができる。

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:

一　死刑若しくは無期若しくは長期三年以上の懲役若しくは禁錮に当たる罪につき訴追されている者又はこれらの罪を犯した疑いにより逮捕状、勾引状、勾留状若しくは鑑定留置状が発せられている者

(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;

二　禁錮以上の刑に処せられ、その刑の全部につき執行猶予の言渡しを受けなかつた者で、刑の執行を終わるまで、又は執行を受けることがなくなるまでのもの（当該刑につき仮釈放中の者及びその一部の執行猶予の言渡しを受けて執行猶予中の者を除く。）

(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

三　逃亡犯罪人引渡法（昭和二十八年法律第六十八号）の規定により仮拘禁許可状又は拘禁許可状が発せられている者

(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　入国審査官は、前項の規定により出国の確認を留保したときは、直ちに同項の通知をした機関にその旨を通報しなければならない。

(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.

（再入国の許可）

(Re-entry Permission)

第二十六条　出入国在留管理庁長官は、本邦に在留する外国人（仮上陸の許可を受けている者及び第十四条から第十八条までに規定する上陸の許可を受けている者を除く。）がその在留期間（在留期間の定めのない者にあつては、本邦に在留し得る期間）の満了の日以前に本邦に再び入国する意図をもつて出国しようとするときは、法務省令で定める手続により、その者の申請に基づき、再入国の許可を与えることができる。この場合において、出入国在留管理庁長官は、その者の申請に基づき、相当と認めるときは、当該許可を数次再入国の許可とすることができる。

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　出入国在留管理庁長官は、前項の許可をする場合には、入国審査官に、当該許可に係る外国人が旅券を所持しているときは旅券に再入国の許可の証印をさせ、旅券を所持していない場合で国籍を有しないことその他の事由で旅券を取得することができないときは、法務省令で定めるところにより、再入国許可書を交付させるものとする。この場合において、その許可は、当該証印又は再入国許可書に記載された日からその効力を生ずる。

(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　出入国在留管理庁長官は、再入国の許可を与える場合には、当該許可が効力を生ずるものとされた日から五年を超えない範囲内においてその有効期間を定めるものとする。

(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　出入国在留管理庁長官は、再入国の許可を受けている外国人から、法務大臣に対する第二十条第二項又は第二十一条第二項の規定による申請があつた場合において、相当と認めるときは、当該外国人が第二十条第六項の規定により在留できる期間の終了の時まで、当該許可の有効期間を延長することができる。

(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　出入国在留管理庁長官は、再入国の許可を受けて出国した者について、当該許可の有効期間内に再入国することができない相当の理由があると認めるときは、その者の申請に基づき、一年を超えず、かつ、当該許可が効力を生じた日から六年を超えない範囲内で、当該許可の有効期間の延長の許可をすることができる。

(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　前項の許可は、旅券又は再入国許可書にその旨を記載して行うものとし、その事務は、日本国領事官等に委任するものとする。

(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　出入国在留管理庁長官は、再入国の許可を受けている外国人に対し、引き続き当該許可を与えておくことが適当でないと認める場合には、その者が本邦にある間において、当該許可を取り消すことができる。

(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　第二項の規定により交付される再入国許可書は、当該再入国許可書に係る再入国の許可に基づき本邦に入国する場合に限り、旅券とみなす。

(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.

（みなし再入国許可）

(Special Re-entry Permission)

第二十六条の二　本邦に在留資格をもつて在留する外国人（第十九条の三第一号及び第二号に掲げる者を除く。）で有効な旅券（第六十一条の二の十二第一項に規定する難民旅行証明書を除く。）を所持するもの（中長期在留者にあつては、在留カードを所持するものに限る。）が、法務省令で定めるところにより、入国審査官に対し、再び入国する意図を表明して出国するときは、前条第一項の規定にかかわらず、同項の再入国の許可を受けたものとみなす。ただし、出入国の公正な管理のため再入国の許可を要する者として法務省令で定めるものに該当する者については、この限りでない。

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　前項の規定により外国人が受けたものとみなされる再入国の許可の有効期間は、前条第三項の規定にかかわらず、出国の日から一年（在留期間の満了の日が出国の日から一年を経過する日前に到来する場合には、在留期間の満了までの期間）とする。

(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　第一項の規定により外国人が受けたものとみなされる再入国の許可については、前条第五項の規定は、適用しない。

(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).

（短期滞在に係るみなし再入国許可）

(Special Re-entry Permission Pertaining to Temporary Visitors)

第二十六条の三　本邦に短期滞在の在留資格をもつて在留する外国人で有効な旅券を所持するものが、法務省令で定めるところにより、入国審査官に対し、指定旅客船で再び入国する意図を表明して当該指定旅客船で出国するときは、第二十六条第一項の規定にかかわらず、同項の再入国の許可を受けたものとみなす。ただし、出入国の公正な管理のため再入国の許可を要する者として法務省令で定めるものに該当する者については、この限りでない。

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　前条第二項及び第三項の規定は、前項の規定により外国人が受けたものとみなされる再入国の許可について準用する。この場合において、同条第二項中「一年」とあるのは、「十五日」と読み替えるものとする。

(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."

第五章　退去強制の手続

Chapter V Procedures for Deportation

第一節　違反調査

Section 1 Investigation into Violation

（違反調査）

(Investigation into Violation)

第二十七条　入国警備官は、第二十四条各号の一に該当すると思料する外国人があるときは、当該外国人（以下「容疑者」という。）につき違反調査をすることができる。

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").

（違反調査について必要な取調べ及び報告の要求）

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

第二十八条　入国警備官は、違反調査の目的を達するため必要な取調べをすることができる。ただし、強制の処分は、この章及び第八章に特別の規定がある場合でなければすることができない。

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　入国警備官は、違反調査について、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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.

（容疑者の出頭要求及び取調）

(Request for Appearance and Interrogation of Suspects)

第二十九条　入国警備官は、違反調査をするため必要があるときは、容疑者の出頭を求め、当該容疑者を取り調べることができる。

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　前項の場合において、入国警備官は、容疑者の供述を調書に記載しなければならない。

(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　前項の調書を作成したときは、入国警備官は、容疑者に閲覧させ、又は読み聞かせて、署名をさせ、且つ、自らこれに署名しなければならない。

(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　前項の場合において、容疑者が署名することができないとき、又は署名を拒んだときは、入国警備官は、その旨を調書に附記しなければならない。

(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.

（証人の出頭要求）

(Request for Appearance of Witnesses)

第三十条　入国警備官は、違反調査をするため必要があるときは、証人の出頭を求め、当該証人を取り調べることができる。

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　前項の場合において、入国警備官は、証人の供述を調書に記載しなければならない。

(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　前条第三項及び第四項の規定は、前項の場合に準用する。この場合において、前条第三項及び第四項中「容疑者」とあるのは「証人」と読み替えるものとする。

(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."

（臨検、捜索及び押収）

(Official Inspection, Search and Seizure)

第三十一条　入国警備官は、違反調査をするため必要があるときは、その所属官署の所在地を管轄する地方裁判所又は簡易裁判所の裁判官の許可を得て、臨検、捜索又は押収をすることができる。

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　前項の場合において、急速を要するときは、入国警備官は、臨検すべき場所、捜索すべき身体若しくは物件又は押収すべき物件の所在地を管轄する地方裁判所又は簡易裁判所の裁判官の許可を得て、同項の処分をすることができる。

(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　入国警備官は、第一項又は前項の許可を請求しようとするときは、容疑者が第二十四条各号の一に該当すると思料されるべき資料並びに、容疑者以外の者の住居その他の場所を臨検しようとするときは、その場所が違反事件に関係があると認めるに足りる状況があることを認めるべき資料、容疑者以外の者の身体、物件又は住居その他の場所について捜索しようとするときは、押収すべき物件の存在及びその物件が違反事件に関係があると認めるに足りる状況があることを認めるべき資料、容疑者以外の者の物件を押収しようとするときは、その物件が違反事件に関係があると認めるに足りる状況があることを認めるべき資料を添付して、これをしなければならない。

(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　前項の請求があつた場合においては、地方裁判所又は簡易裁判所の裁判官は、臨検すべき場所、捜索すべき身体又は物件、押収すべき物件、請求者の官職氏名、有効期間及び裁判所名を記載し、自ら記名押印した許可状を入国警備官に交付しなければならない。

(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　入国警備官は、前項の許可状を他の入国警備官に交付して、臨検、捜索又は押収をさせることができる。

(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.

（必要な処分）

(Necessary Dispositions)

第三十二条　入国警備官は、捜索又は押収をするため必要があるときは、錠をはずし、封を開き、その他必要な処分をすることができる。

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.

（証票の携帯）

(Carrying of an Identification Card)

第三十三条　入国警備官は、取調、臨検、捜索又は押収をする場合には、その身分を示す証票を携帯し、関係人の請求があるときは、これを呈示しなければならない。

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.

（捜索又は押収の立会）

(Attendance at a Search or Seizure)

第三十四条　入国警備官は、住居その他の建造物内で捜索又は押収をするときは、所有者、借主、管理者又はこれらの者に代るべき者を立ち会わせなければならない。これらの者を立ち会わせることができないときは、隣人又は地方公共団体の職員を立ち会わせなければならない。

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.

（時刻の制限）

(Restriction on Hours)

第三十五条　入国警備官は、日出前、日没後には、許可状に夜間でも執行することができる旨の記載がなければ、捜索又は押収のため、住居その他の建造物内に入つてはならない。

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　入国警備官は、日没前に捜索又は押収に着手したときは、日没後でも、その処分を継続することができる。

(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　左の場所で捜索又は押収をするについては、入国警備官は、第一項に規定する制限によることを要しない。

(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:

一　風俗を害する行為に常用されるものと認められる場所

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

二　旅館、飲食店その他夜間でも公衆が出入することができる場所。但し、公開した時間内に限る。

(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.

（出入禁止）

(Prohibition of Entry and Exit)

第三十六条　入国警備官は、取調、臨検、捜索又は押収をする間は、何人に対しても、許可を得ないでその場所に出入することを禁止することができる。

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.

（押収の手続）

(Procedures for Seizure)

第三十七条　入国警備官は、押収をしたときは、その目録を作り、所有者、所持者若しくは保管者又はこれらの者に代るべき者にこれを交付しなければならない。

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　入国警備官は、押収物について、留置の必要がないと認めたときは、すみやかにこれを還付しなければならない。

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

（調書の作成）

(Preparation of Written Evidence)

第三十八条　入国警備官は、臨検、捜索又は押収をしたときは、これらに関する調書を作成し、立会人に閲覧させ、又は読み聞かせて、署名をさせ、且つ、自らこれに署名しなければならない。

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　前項の場合において、立会人が署名することができないとき、又は署名を拒んだときは、入国警備官は、その旨を調書に附記しなければならない。

(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.

第二節　収容

Section 2 Detention

（収容）

(Detention)

第三十九条　入国警備官は、容疑者が第二十四条各号の一に該当すると疑うに足りる相当の理由があるときは、収容令書により、その者を収容することができる。

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　前項の収容令書は、入国警備官の請求により、その所属官署の主任審査官が発付するものとする。

(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.

（収容令書の方式）

(Format of a Written Detention Order)

第四十条　前条第一項の収容令書には、容疑者の氏名、居住地及び国籍、容疑事実の要旨、収容すべき場所、有効期間、発付年月日その他法務省令で定める事項を記載し、且つ、主任審査官がこれに記名押印しなければならない。

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.

（収容の期間及び場所並びに留置の嘱託）

(Period and Place of Detention and Commission of Custody)

第四十一条　収容令書によつて収容することができる期間は、三十日以内とする。但し、主任審査官は、やむを得ない事由があると認めるときは、三十日を限り延長することができる。

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　収容令書によつて収容することができる場所は、入国者収容所、収容場その他出入国在留管理庁長官又はその委任を受けた主任審査官が指定する適当な場所とする。

(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　警察官は、主任審査官が必要と認めて依頼したときは、容疑者を留置施設に留置することができる。

(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.

（収容の手続）

(Procedures for Detention)

第四十二条　入国警備官は、収容令書により容疑者を収容するときは、収容令書を容疑者に示さなければならない。

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　入国警備官は、収容令書を所持しない場合でも、急速を要するときは、容疑者に対し、容疑事実の要旨及び収容令書が発付されている旨を告げて、その者を収容することができる。但し、収容令書は、できるだけすみやかに示さなければならない。

(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.

（要急事件）

(Cases of Emergency)

第四十三条　入国警備官は、第二十四条各号の一に明らかに該当する者が収容令書の発付をまつていては逃亡の虞があると信ずるに足りる相当の理由があるときは、収容令書の発付をまたずに、その者を収容することができる。

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　前項の収容を行つたときは、入国警備官は、すみやかにその理由を主任審査官に報告して、収容令書の発付を請求しなければならない。

(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　前項の場合において、主任審査官が第一項の収容を認めないときは、入国警備官は、直ちにその者を放免しなければならない。

(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.

（容疑者の引渡）

(Handing Over the Suspect)

第四十四条　入国警備官は、第三十九条第一項の規定により容疑者を収容したときは、容疑者の身体を拘束した時から四十八時間以内に、調書及び証拠物とともに、当該容疑者を入国審査官に引き渡さなければならない。

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.

第三節　審査、口頭審理及び異議の申出

Section 3 Examination, Hearing and Filing of an Objection

（入国審査官の審査）

(Examination by an Immigration Inspector)

第四十五条　入国審査官は、前条の規定により容疑者の引渡しを受けたときは、容疑者が退去強制対象者（第二十四条各号のいずれかに該当し、かつ、出国命令対象者に該当しない外国人をいう。以下同じ。）に該当するかどうかを速やかに審査しなければならない。

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　入国審査官は、前項の審査を行つた場合には、審査に関する調書を作成しなければならない。

(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.

（容疑者の立証責任）

(Burden of Proof on the Suspect)

第四十六条　前条の審査を受ける容疑者のうち第二十四条第一号（第三条第一項第二号に係る部分を除く。）又は第二号に該当するとされたものは、その号に該当するものでないことを自ら立証しなければならない。

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.

（審査後の手続）

(Procedures after Examination)

第四十七条　入国審査官は、審査の結果、容疑者が第二十四条各号のいずれにも該当しないと認定したときは、直ちにその者を放免しなければならない。

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　入国審査官は、審査の結果、容疑者が出国命令対象者に該当すると認定したときは、速やかに主任審査官にその旨を知らせなければならない。この場合において、入国審査官は、当該容疑者が第五十五条の三第一項の規定により出国命令を受けたときは、直ちにその者を放免しなければならない。

(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　入国審査官は、審査の結果、容疑者が退去強制対象者に該当すると認定したときは、速やかに理由を付した書面をもつて、主任審査官及びその者にその旨を知らせなければならない。

(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　前項の通知をする場合には、入国審査官は、当該容疑者に対し、第四十八条の規定による口頭審理の請求をすることができる旨を知らせなければならない。

(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　第三項の場合において、容疑者がその認定に服したときは、主任審査官は、その者に対し、口頭審理の請求をしない旨を記載した文書に署名させ、速やかに第五十一条の規定による退去強制令書を発付しなければならない。

(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.

（口頭審理）

(Hearing)

第四十八条　前条第三項の通知を受けた容疑者は、同項の認定に異議があるときは、その通知を受けた日から三日以内に、口頭をもつて、特別審理官に対し口頭審理の請求をすることができる。

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　入国審査官は、前項の口頭審理の請求があつたときは、第四十五条第二項の調書その他の関係書類を特別審理官に提出しなければならない。

(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　特別審理官は、第一項の口頭審理の請求があつたときは、容疑者に対し、時及び場所を通知して速やかに口頭審理を行わなければならない。

(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　特別審理官は、前項の口頭審理を行つた場合には、口頭審理に関する調書を作成しなければならない。

(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　第十条第三項から第六項までの規定は、第三項の口頭審理の手続に準用する。

(5) The provisions of Article 10, paragraphs (3) through (6) apply mutatis mutandis to the hearing proceedings set forth in paragraph (3).

６　特別審理官は、口頭審理の結果、前条第三項の認定が事実に相違すると判定したとき（容疑者が第二十四条各号のいずれにも該当しないことを理由とする場合に限る。）は、直ちにその者を放免しなければならない。

(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　特別審理官は、口頭審理の結果、前条第三項の認定が事実に相違すると判定したとき（容疑者が出国命令対象者に該当することを理由とする場合に限る。）は、速やかに主任審査官にその旨を知らせなければならない。この場合において、特別審理官は、当該容疑者が第五十五条の三第一項の規定により出国命令を受けたときは、直ちにその者を放免しなければならない。

(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　特別審理官は、口頭審理の結果、前条第三項の認定が誤りがないと判定したときは、速やかに主任審査官及び当該容疑者にその旨を知らせるとともに、当該容疑者に対し、第四十九条の規定により異議を申し出ることができる旨を知らせなければならない。

(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　前項の通知を受けた場合において、当該容疑者が同項の判定に服したときは、主任審査官は、その者に対し、異議を申し出ない旨を記載した文書に署名させ、速やかに第五十一条の規定による退去強制令書を発付しなければならない。

(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.

（異議の申出）

(Filing of an Objection)

第四十九条　前条第八項の通知を受けた容疑者は、同項の判定に異議があるときは、その通知を受けた日から三日以内に、法務省令で定める手続により、不服の事由を記載した書面を主任審査官に提出して、法務大臣に対し異議を申し出ることができる。

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　主任審査官は、前項の異議の申出があつたときは、第四十五条第二項の審査に関する調書、前条第四項の口頭審理に関する調書その他の関係書類を法務大臣に提出しなければならない。

(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　法務大臣は、第一項の規定による異議の申出を受理したときは、異議の申出が理由があるかどうかを裁決して、その結果を主任審査官に通知しなければならない。

(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　主任審査官は、法務大臣から異議の申出（容疑者が第二十四条各号のいずれにも該当しないことを理由とするものに限る。）が理由があると裁決した旨の通知を受けたときは、直ちに当該容疑者を放免しなければならない。

(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　主任審査官は、法務大臣から異議の申出（容疑者が出国命令対象者に該当することを理由とするものに限る。）が理由があると裁決した旨の通知を受けた場合において、当該容疑者に対し第五十五条の三第一項の規定により出国命令をしたときは、直ちにその者を放免しなければならない。

(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　主任審査官は、法務大臣から異議の申出が理由がないと裁決した旨の通知を受けたときは、速やかに当該容疑者に対し、その旨を知らせるとともに、第五十一条の規定による退去強制令書を発付しなければならない。

(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.

（法務大臣の裁決の特例）

(Special Case of Decisions by the Minister of Justice)

第五十条　法務大臣は、前条第三項の裁決に当たつて、異議の申出が理由がないと認める場合でも、当該容疑者が次の各号のいずれかに該当するときは、その者の在留を特別に許可することができる。

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:

一　永住許可を受けているとき。

(i) the suspect has obtained permission for permanent residence;

二　かつて日本国民として本邦に本籍を有したことがあるとき。

(ii) the suspect has had a registered domicile in Japan as a Japanese national in the past;

三　人身取引等により他人の支配下に置かれて本邦に在留するものであるとき。

(iii) the suspect resides in Japan under the control of another person due to human trafficking; or

四　その他法務大臣が特別に在留を許可すべき事情があると認めるとき。

(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　前項の場合には、法務大臣は、法務省令で定めるところにより、在留資格及び在留期間を決定し、その他必要と認める条件を附することができる。

(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　法務大臣が第一項の規定による許可（在留資格の決定を伴うものに限る。）をする場合において、当該外国人が中長期在留者となるときは、出入国在留管理庁長官は、入国審査官に、当該外国人に対し、在留カードを交付させるものとする。

(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　第一項の許可は、前条第四項の規定の適用については、異議の申出が理由がある旨の裁決とみなす。

(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.

第四節　退去強制令書の執行

Section 4 Enforcement of Written Deportation Order

（退去強制令書の方式）

(Format of the Written Deportation Order)

第五十一条　第四十七条第五項、第四十八条第九項若しくは第四十九条第六項の規定により、又は第六十三条第一項の規定に基づく退去強制の手続において発付される退去強制令書には、退去強制を受ける者の氏名、年齢及び国籍、退去強制の理由、送還先、発付年月日その他法務省令で定める事項を記載し、かつ、主任審査官がこれに記名押印しなければならない。

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.

（退去強制令書の執行）

(Enforcement of Written Deportation Order)

第五十二条　退去強制令書は、入国警備官が執行するものとする。

Article 52 (1) A written deportation order is to be enforced by an immigration control officer.

２　警察官又は海上保安官は、入国警備官が足りないため主任審査官が必要と認めて依頼したときは、退去強制令書の執行をすることができる。

(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　入国警備官（前項の規定により退去強制令書を執行する警察官又は海上保安官を含む。以下この条において同じ。）は、退去強制令書を執行するときは、退去強制を受ける者に退去強制令書又はその写しを示して、速やかにその者を次条に規定する送還先に送還しなければならない。ただし、第五十九条の規定により運送業者が送還する場合には、入国警備官は、当該運送業者に引き渡すものとする。

(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　前項の場合において、退去強制令書の発付を受けた者が、自らの負担により、自ら本邦を退去しようとするときは、入国者収容所長又は主任審査官は、その者の申請に基づき、これを許可することができる。この場合においては、退去強制令書の記載及び次条の規定にかかわらず、当該申請に基づき、その者の送還先を定めることができる。

(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　入国警備官は、第三項本文の場合において、退去強制を受ける者を直ちに本邦外に送還することができないときは、送還可能のときまで、その者を入国者収容所、収容場その他出入国在留管理庁長官又はその委任を受けた主任審査官が指定する場所に収容することができる。

(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　入国者収容所長又は主任審査官は、前項の場合において、退去強制を受ける者を送還することができないことが明らかになつたときは、住居及び行動範囲の制限、呼出に対する出頭の義務その他必要と認める条件を附して、その者を放免することができる。

(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　入国警備官は、退去強制令書の執行に関し必要がある場合には、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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.

（送還先）

(Deportation Destinations)

第五十三条　退去強制を受ける者は、その者の国籍又は市民権の属する国に送還されるものとする。

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

２　前項の国に送還することができないときは、本人の希望により、左に掲げる国のいずれかに送還されるものとする。

(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:

一　本邦に入国する直前に居住していた国

(i) the country in which they had been residing immediately before entering Japan;

二　本邦に入国する前に居住していたことのある国

(ii) the country in which they have resided before entering Japan;

三　本邦に向けて船舶等に乗つた港の属する国

(iii) the country of the port or airport where they boarded the vessel or aircraft to depart for Japan;

四　出生地の属する国

(iv) the country where their place of birth is located;

五　出生時にその出生地の属していた国

(v) the country to which their birthplace belonged at the time of their birth; or

六　その他の国

(vi) any other country.

３　前二項の国には、次に掲げる国を含まないものとする。

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

一　難民条約第三十三条第一項に規定する領域の属する国（法務大臣が日本国の利益又は公安を著しく害すると認める場合を除く。）

(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);

二　拷問及び他の残虐な、非人道的な又は品位を傷つける取扱い又は刑罰に関する条約第三条第一項に規定する国

(ii) countries prescribed in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Article 3, paragraph (1); or

三　強制失踪からのすべての者の保護に関する国際条約第十六条第一項に規定する国

(iii) countries prescribed in the International Convention for the Protection of All Persons from Enforced Disappearances, Article 16, paragraph (1).

第五節　仮放免

Section 5 Provisional Release

（仮放免）

(Provisional Release)

第五十四条　収容令書若しくは退去強制令書の発付を受けて収容されている者又はその者の代理人、保佐人、配偶者、直系の親族若しくは兄弟姉妹は、法務省令で定める手続により、入国者収容所長又は主任審査官に対し、その者の仮放免を請求することができる。

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　入国者収容所長又は主任審査官は、前項の請求により又は職権で、法務省令で定めるところにより、収容令書又は退去強制令書の発付を受けて収容されている者の情状及び仮放免の請求の理由となる証拠並びにその者の性格、資産等を考慮して、三百万円を超えない範囲内で法務省令で定める額の保証金を納付させ、かつ、住居及び行動範囲の制限、呼出しに対する出頭の義務その他必要と認める条件を付して、その者を仮放免することができる。

(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　入国者収容所長又は主任審査官は、適当と認めるときは、収容令書又は退去強制令書の発付を受けて収容されている者以外の者の差し出した保証書をもつて保証金に代えることを許すことができる。保証書には、保証金額及びいつでもその保証金を納付する旨を記載しなければならない。

(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.

（仮放免の取消）

(Revocation of Provisional Release)

第五十五条　入国者収容所長又は主任審査官は、仮放免された者が逃亡し、逃亡すると疑うに足りる相当の理由があり、正当な理由がなくて呼出に応ぜず、その他仮放免に附された条件に違反したときは、仮放免を取り消すことができる。

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　前項の取消をしたときは、入国者収容所長又は主任審査官は、仮放免取消書を作成し、収容令書又は退去強制令書とともに、入国警備官にこれを交付しなければならない。

(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　入国者収容所長又は主任審査官は、逃亡し、又は正当な理由がなくて呼出に応じないことを理由とする仮放免の取消をしたときは保証金の全部、その他の理由によるときはその一部を没取するものとする。

(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　入国警備官は、仮放免を取り消された者がある場合には、その者に仮放免取消書及び収容令書又は退去強制令書を示して、その者を入国者収容所、収容場その他出入国在留管理庁長官又はその委任を受けた主任審査官が指定する場所に収容しなければならない。

(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　入国警備官は、仮放免取消書及び収容令書又は退去強制令書を所持しない場合でも、急速を要するときは、その者に対し仮放免を取り消された旨を告げて、その者を収容することができる。但し、仮放免取消書及び収容令書又は退去強制令書は、できるだけすみやかに示さなければならない。

(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.

第五章の二　出国命令

Chapter V-2 Departure Orders

（出国命令に係る審査）

(Examination Pertaining to Departure Orders)

第五十五条の二　入国警備官は、容疑者が出国命令対象者に該当すると認めるに足りる相当の理由があるときは、第三十九条の規定にかかわらず、当該容疑者に係る違反事件を入国審査官に引き継がなければならない。

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　入国審査官は、前項の規定により違反事件の引継ぎを受けたときは、当該容疑者が出国命令対象者に該当するかどうかを速やかに審査しなければならない。

(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　入国審査官は、審査の結果、当該容疑者が出国命令対象者に該当すると認定したときは、速やかに主任審査官にその旨を知らせなければならない。

(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　入国審査官は、当該容疑者が退去強制対象者に該当すると疑うに足りる相当の理由があるときは、その旨を入国警備官に通知するとともに、当該違反事件を入国警備官に差し戻すものとする。

(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.

（出国命令）

(Departure Order)

第五十五条の三　主任審査官は、第四十七条第二項、第四十八条第七項、第四十九条第五項又は前条第三項の規定による通知を受けたときは、速やかに当該通知に係る容疑者に対し、本邦からの出国を命じなければならない。この場合において、主任審査官は、十五日を超えない範囲内で出国期限を定めるものとする。

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　主任審査官は、前項の規定により出国命令をする場合には、当該容疑者に対し、次条の規定による出国命令書を交付しなければならない。

(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　主任審査官は、第一項の規定により出国命令をする場合には、法務省令で定めるところにより、当該容疑者に対し、住居及び行動範囲の制限その他必要と認める条件を付することができる。

(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.

（出国命令書の方式）

(Format of the Written Departure Order)

第五十五条の四　前条第二項の規定により交付される出国命令書には、出国命令を受ける者の氏名、年齢及び国籍、出国命令の理由、出国期限、交付年月日その他法務省令で定める事項を記載し、かつ、主任審査官がこれに記名押印しなければならない。

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.

（出国期限の延長）

(Extension of the Deadline for Departure)

第五十五条の五　主任審査官は、法務省令で定めるところにより、第五十五条の三第一項の規定により出国命令を受けた者から、当該出国命令に係る出国期限内に出国することができない旨の申出があつた場合には、船舶等の運航の都合その他その者の責めに帰することができない事由があると認めるときに限り、当該出国期限を延長することができる。

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.

（出国命令の取消し）

(Revocation of Departure Order)

第五十五条の六　主任審査官は、第五十五条の三第一項の規定により出国命令を受けた者が同条第三項の規定に基づき付された条件に違反したときは、当該出国命令を取り消すことができる。

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.

第六章　船舶等の長及び運送業者の責任

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

（協力の義務）

(Duty to Cooperate)

第五十六条　本邦に入る船舶等の長及びその船舶等を運航する運送業者は、入国審査官の行う審査その他の職務の遂行に協力しなければならない。

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.

（旅券等の確認義務）

(Duty to Check Passports or Other Documents)

第五十六条の二　本邦に入る船舶等を運航する運送業者（運送業者がないときは、当該船舶等の長）は、外国人が不法に本邦に入ることを防止するため、当該船舶等に乗ろうとする外国人の旅券、乗員手帳又は再入国許可書を確認しなければならない。

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.

（報告の義務）

(Duty to Report)

第五十七条　本邦に入る船舶等の長は、法務省令で定めるところにより、あらかじめ、その船舶等が到着する出入国港の入国審査官に対し、その乗員及び乗客に係る氏名その他の法務省令で定める事項を報告しなければならない。

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　本邦から出る船舶等の長は、その船舶等が出発する出入国港の入国審査官の要求があつたときは、その乗員及び乗客に係る前項に規定する事項を報告しなければならない。

(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　本邦に入る船舶等の長は、有効な旅券、乗員手帳又は再入国許可書を所持しない外国人がその船舶等に乗つていることを知つたときは、直ちにその旨をその出入国港の入国審査官に報告しなければならない。

(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　本邦に入る指定旅客船の船長は、当該指定旅客船に第十四条の二第二項の許可を受けている者が乗つているときは、当該指定旅客船が出入国港に到着する都度、直ちに、その者の氏名その他法務省令で定める事項をその出入国港の入国審査官に報告しなければならない。

(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　本邦に入る船舶等の長は、当該船舶等に第十六条第二項の許可を受けている乗員が乗り組んでいるときは、当該船舶等が出入国港に到着する都度、直ちに、当該乗員の氏名その他法務省令で定める事項をその出入国港の入国審査官に報告しなければならない。

(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　本邦の出入国港から出発する指定旅客船の船長は、当該出入国港の入国審査官の要求があつたときは、第十四条の二第一項又は第二項の許可を受けた者がその指定旅客船に帰船しているかどうかを報告しなければならない。

(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　本邦から出る船舶等の長は、その船舶等の出発する出入国港の入国審査官の要求があつたときは、第十五条第一項の規定による通過上陸の許可を受けた者がその船舶に帰船しているかどうか、乗員上陸の許可を受けた者で当該船舶等に乗り組むべきものが乗り組んでいるかどうか及び第二十五条第二項又は第六十条第二項の規定に違反して出国しようとする者が乗つているかどうかを報告しなければならない。

(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　入国審査官は、第七条第一項その他の出入国管理及び難民認定法の規定の実施を確保するため必要があると認めるときは、本邦に入る航空機を運航する運送業者その他の法務省令で定める者に対し、当該航空機が出入国港に到着する前に、当該航空機に係る予約者（航空券の予約をした者をいう。以下この項において同じ。）、当該予約者に係る予約の内容、当該予約者の携帯品及び当該予約者が当該航空機に搭乗するための手続に関する事項で法務省令で定めるものを報告することを求めることができる。

(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　前項の規定により報告を求められた者は、法務省令で定めるところにより、当該報告をしなければならない。この場合において、当該者が、当該報告に代えて、入国審査官が電磁的記録（電磁的方式で作られる記録であつて、電子計算機による情報処理の用に供されるものをいう。）を利用してその情報を閲覧することができる状態に置く措置であつて法務省令で定めるものを講じたときは、当該報告をしたものとみなす。

(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.

（上陸防止の義務）

(Duty to Prevent Landing)

第五十八条　本邦に入る船舶等の長は、前条第三項に規定する外国人がその船舶等に乗つていることを知つたときは、当該外国人が上陸することを防止しなければならない。

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.

（送還の義務）

(Duty of Repatriation)

第五十九条　次の各号のいずれかに該当する外国人が乗つてきた船舶等の長又はその船舶等を運航する運送業者は、当該外国人をその船舶等又は当該運送業者に属する他の船舶等により、その責任と費用で、速やかに本邦外の地域に送還しなければならない。

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:

一　第三章第一節又は第二節の規定により上陸を拒否された者

(i) a person denied landing pursuant to the provisions of Chapter III, Section 1 or 2;

二　第二十四条第五号から第六号の四までのいずれかに該当して本邦からの退去強制を受けた者

(ii) a person deported for falling under any of items (v) through (vi)-4 of Article 24;

三　前号に規定する者を除き、上陸後五年以内に、第二十四条各号のいずれかに該当して退去強制を受けた者のうち、その者の上陸のときに当該船舶等の長又は運送業者がその者について退去強制の理由となつた事実があることを明らかに知つていたと認められるもの

(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　前項の場合において、当該運送業者は、その外国人を同項に規定する船舶等により送還することができないときは、その責任と費用で、すみやかに他の船舶等により送還しなければならない。

(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　主任審査官は、前二項の規定にかかわらず、これらの規定により船舶等の長又はその船舶等を運航する運送業者が負うべき責任と費用の負担のうち、第十三条の二第一項の規定によりとどまることができる場所として法務省令で定める施設（第六十一条の七の六において「出国待機施設」という。）の指定を受けている第一項第一号に該当する外国人を当該指定に係る施設にとどめておくことに伴うものについては、有効な旅券で日本国領事官等の査証を受けたものを所持する外国人に係るものに限り、その全部又は一部を免除することができる。

(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.

第六章の二　事実の調査

Chapter VI-2 Inquiry into Facts

（事実の調査）

(Inquiry into Facts)

第五十九条の二　法務大臣又は出入国在留管理庁長官は、在留資格認定証明書の交付、第九条第八項の規定による登録（同項第一号ハに該当する者に係るものに限る。）又は第十二条第一項、第十九条第二項、第二十条第三項本文（第二十二条の二第三項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第二十一条第三項、第二十二条第二項（第二十二条の二第四項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第二十六条第一項、第五十条第一項若しくは第六十一条の二の十一の規定による許可に関する処分を行うため必要がある場合には入国審査官に、第二十二条の四第一項の規定による在留資格の取消しに関する処分を行うため必要がある場合には入国審査官又は入国警備官に、それぞれ事実の調査をさせることができる。

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　入国審査官又は入国警備官は、前項の調査のため必要があるときは、外国人その他の関係人に対し出頭を求め、質問をし、又は文書の提示を求めることができる。

(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　法務大臣、出入国在留管理庁長官、入国審査官又は入国警備官は、第一項の調査について、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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).

第七章　日本人の出国及び帰国

Chapter VII Departure from and Return to Japan of Japanese Nationals

（日本人の出国）

(Departure of Japanese Nationals)

第六十条　本邦外の地域に赴く意図をもつて出国する日本人（乗員を除く。）は、有効な旅券を所持し、その者が出国する出入国港において、法務省令で定める手続により、入国審査官から出国の確認を受けなければならない。

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　前項の日本人は、出国の確認を受けなければ出国してはならない。

(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.

（日本人の帰国）

(Return to Japan of Japanese Nationals)

第六十一条　本邦外の地域から本邦に帰国する日本人（乗員を除く。）は、有効な旅券（有効な旅券を所持することができないときは、日本の国籍を有することを証する文書）を所持し、その者が上陸する出入国港において、法務省令で定める手続により、入国審査官から帰国の確認を受けなければならない。

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.

第七章の二　難民の認定等

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

（難民の認定）

(Recognition of Refugee Status)

第六十一条の二　法務大臣は、本邦にある外国人から法務省令で定める手続により申請があつたときは、その提出した資料に基づき、その者が難民である旨の認定（以下「難民の認定」という。）を行うことができる。

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　法務大臣は、難民の認定をしたときは、法務省令で定める手続により、当該外国人に対し、難民認定証明書を交付し、その認定をしないときは、当該外国人に対し、理由を付した書面をもつて、その旨を通知する。

(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.

（在留資格に係る許可）

(Permission Pertaining to Status of Residence)

第六十一条の二の二　法務大臣は、前条第一項の規定により難民の認定をする場合であつて、同項の申請をした外国人が在留資格未取得外国人（別表第一又は別表第二の上欄の在留資格をもつて本邦に在留する者、一時庇護のための上陸の許可を受けた者で当該許可書に記載された期間を経過していないもの及び特別永住者以外の者をいう。以下同じ。）であるときは、当該在留資格未取得外国人が次の各号のいずれかに該当する場合を除き、その者に定住者の在留資格の取得を許可するものとする。

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:

一　本邦に上陸した日（本邦にある間に難民となる事由が生じた者にあつては、その事実を知つた日）から六月を経過した後前条第一項の申請を行つたものであるとき。ただし、やむを得ない事情がある場合を除く。

(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;

二　本邦にある間に難民となる事由が生じた場合を除き、その者の生命、身体又は身体の自由が難民条約第一条Ａ（２）に規定する理由によつて害されるおそれのあつた領域から直接本邦に入つたものでないとき。

(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;

三　第二十四条第三号から第三号の五まで又は第四号ハからヨまでに掲げる者のいずれかに該当するとき。

(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

四　本邦に入つた後に、刑法第二編第十二章、第十六章から第十九章まで、第二十三章、第二十六章、第二十七章、第三十一章、第三十三章、第三十六章、第三十七章若しくは第三十九章の罪、暴力行為等処罰に関する法律第一条、第一条ノ二若しくは第一条ノ三（刑法第二百二十二条又は第二百六十一条に係る部分を除く。）の罪、盗犯等の防止及び処分に関する法律の罪、特殊開錠用具の所持の禁止等に関する法律第十五条若しくは第十六条の罪又は自動車の運転により人を死傷させる行為等の処罰に関する法律第二条若しくは第六条第一項の罪により懲役又は禁錮に処せられたものであるとき。

(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　法務大臣は、前条第一項の申請をした在留資格未取得外国人について、難民の認定をしない処分をするとき、又は前項の許可をしないときは、当該在留資格未取得外国人の在留を特別に許可すべき事情があるか否かを審査するものとし、当該事情があると認めるときは、その在留を特別に許可することができる。

(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　法務大臣は、前二項の規定による許可をすることとしたときは、出入国在留管理庁長官に、当該外国人に対し、その旨を通知させるものとする。この場合において、その通知は、出入国在留管理庁長官が、入国審査官に、次の各号に掲げる区分に応じ、当該各号に定める措置をとらせることにより行うものとする。

(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:

一　当該許可に係る外国人が中長期在留者となるとき　当該外国人に対する在留カードの交付

(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

二　前号に掲げる場合以外の場合　当該外国人に対する在留資格及び在留期間を記載した在留資格証明書の交付

(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　第一項又は第二項の規定による法務大臣の許可は、それぞれ前項各号に定める措置があつた時に、その効力を生ずる。

(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　法務大臣は、第一項又は第二項の規定による許可をする場合において、当該在留資格未取得外国人が仮上陸の許可又は第三章第四節の規定による上陸の許可を受けているときは、当該仮上陸の許可又は上陸の許可を取り消すものとする。

(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.

第六十一条の二の三　法務大臣は、難民の認定を受けている外国人（前条第二項の許可により在留資格を取得した者を除く。）から、第二十条第二項の規定による定住者の在留資格への変更の申請があつたとき、又は第二十二条の二第二項（第二十二条の三において準用する場合を含む。）の規定による定住者の在留資格の取得の申請があつたときは、第二十条第三項本文（第二十二条の二第三項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）の規定にかかわらず、当該外国人が前条第一項第一号に該当する場合を除き、これを許可するものとする。

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.

（仮滞在の許可）

(Permission for Provisional Stay)

第六十一条の二の四　法務大臣は、在留資格未取得外国人から第六十一条の二第一項の申請があつたときは、当該在留資格未取得外国人が次の各号のいずれかに該当する場合を除き、その者に仮に本邦に滞在することを許可するものとする。

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:

一　仮上陸の許可を受けているとき。

(i) the foreign national has been granted permission for provisional landing;

二　寄港地上陸の許可、船舶観光上陸の許可、通過上陸の許可、乗員上陸の許可、緊急上陸の許可又は遭難による上陸の許可を受け、旅券又は当該許可書に記載された期間を経過していないとき。

(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;

三　第二十二条の二第一項の規定により本邦に在留することができるとき。

(iii) the foreign national is permitted to stay in Japan pursuant to the provisions of Article 22-2, paragraph (1);

四　本邦に入つた時に、第五条第一項第四号から第十四号までに掲げる者のいずれかに該当していたとき。

(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;

五　第二十四条第三号から第三号の五まで又は第四号ハからヨまでに掲げる者のいずれかに該当すると疑うに足りる相当の理由があるとき。

(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);

六　第六十一条の二の二第一項第一号又は第二号のいずれかに該当することが明らかであるとき。

(vi) it is obvious that the foreign national falls under either Article 61-2-2, paragraph (1), item (i) or (ii);

七　本邦に入つた後に、刑法第二編第十二章、第十六章から第十九章まで、第二十三章、第二十六章、第二十七章、第三十一章、第三十三章、第三十六章、第三十七章若しくは第三十九章の罪、暴力行為等処罰に関する法律第一条、第一条ノ二若しくは第一条ノ三（刑法第二百二十二条又は第二百六十一条に係る部分を除く。）の罪、盗犯等の防止及び処分に関する法律の罪、特殊開錠用具の所持の禁止等に関する法律第十五条若しくは第十六条の罪又は自動車の運転により人を死傷させる行為等の処罰に関する法律第二条若しくは第六条第一項の罪により懲役又は禁錮に処せられたものであるとき。

(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;

八　退去強制令書の発付を受けているとき。

(viii) a written deportation order has been issued to the foreign national; or

九　逃亡するおそれがあると疑うに足りる相当の理由があるとき。

(ix) there are reasonable grounds to suspect that the foreign national is likely to flee.

２　法務大臣は、前項の許可をする場合には、法務省令で定めるところにより、当該許可に係る滞在期間（以下「仮滞在期間」という。）を決定し、入国審査官に、当該在留資格未取得外国人に対し当該仮滞在期間を記載した仮滞在許可書を交付させるものとする。この場合において、その許可は、当該交付のあつた時に、その記載された内容をもつて効力を生ずる。

(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　法務大臣は、第一項の許可をする場合には、法務省令で定めるところにより、当該在留資格未取得外国人に対し、住居及び行動範囲の制限、活動の制限、呼出しに対する出頭の義務その他必要と認める条件を付し、かつ、必要があると認める場合は、指紋を押なつさせることができる。

(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　法務大臣は、第一項の許可を受けた外国人から仮滞在期間の更新の申請があつたときは、これを許可するものとする。この場合においては、第二項の規定を準用する。

(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　第一項の許可を受けた外国人が次の各号に掲げるいずれかの事由に該当することとなつたときは、当該外国人に係る仮滞在期間（前項の規定により更新された仮滞在期間を含む。以下同じ。）は、当該事由に該当することとなつた時に、その終期が到来したものとする。

(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:

一　難民の認定をしない処分につき第六十一条の二の九第一項の審査請求がなくて同条第二項の期間が経過したこと。

(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;

二　難民の認定をしない処分につき第六十一条の二の九第一項の審査請求があつた場合において、当該審査請求が取り下げられ、又はこれを却下し若しくは棄却する旨の裁決があつたこと。

(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;

三　難民の認定がされた場合において、第六十一条の二の二第一項及び第二項の許可をしない処分があつたこと。

(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);

四　次条の規定により第一項の許可が取り消されたこと。

(iv) the permission set forth in paragraph (1) has been revoked pursuant to the provisions of the next Article; or

五　第六十一条の二第一項の申請が取り下げられたこと。

(v) the application set forth in Article 61-2, paragraph (2) has been withdrawn.

（仮滞在の許可の取消し）

(Revocation of the Permission for Provisional Stay)

第六十一条の二の五　法務大臣は、前条第一項の許可を受けた外国人について、次の各号に掲げるいずれかの事実が判明したときは、法務省令で定める手続により、当該許可を取り消すことができる。

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:

一　前条第一項の許可を受けた当時同項第四号から第八号までのいずれかに該当していたこと。

(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;

二　前条第一項の許可を受けた後に同項第五号又は第七号に該当することとなつたこと。

(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;

三　前条第三項の規定に基づき付された条件に違反したこと。

(iii) the foreign national has violated the conditions imposed pursuant to the provisions of paragraph (3) of the preceding Article;

四　不正に難民の認定を受ける目的で、偽造若しくは変造された資料若しくは虚偽の資料を提出し、又は虚偽の陳述をし、若しくは関係人に虚偽の陳述をさせたこと。

(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

五　第二十五条の出国の確認を受けるための手続をしたこと。

(v) the foreign national has carried out the procedures to receive confirmation of the departure as set forth in Article 25.

（退去強制手続との関係）

(Relation to Deportation Procedures)

第六十一条の二の六　第六十一条の二の二第一項又は第二項の許可を受けた外国人については、当該外国人が当該許可を受けた時に第二十四条各号のいずれかに該当していたことを理由としては、第五章に規定する退去強制の手続（第六十三条第一項の規定に基づく退去強制の手続を含む。以下この条において同じ。）を行わない。

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　第六十一条の二第一項の申請をした在留資格未取得外国人で第六十一条の二の四第一項の許可を受けたものについては、第二十四条各号のいずれかに該当すると疑うに足りる相当の理由がある場合であつても、当該許可に係る仮滞在期間が経過するまでの間は、第五章に規定する退去強制の手続を停止するものとする。

(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　第六十一条の二第一項の申請をした在留資格未取得外国人で、第六十一条の二の四第一項の許可を受けていないもの又は当該許可に係る仮滞在期間が経過することとなつたもの（同条第五項第一号から第三号まで及び第五号に該当するものを除く。）について、第五章に規定する退去強制の手続を行う場合には、同条第五項第一号から第三号までに掲げるいずれかの事由に該当することとなるまでの間は、第五十二条第三項の規定による送還（同項ただし書の規定による引渡し及び第五十九条の規定による送還を含む。）を停止するものとする。

(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　第五十条第一項の規定は、第二項に規定する者で第六十一条の二の四第五項第一号から第三号までのいずれかに該当することとなつたもの又は前項に規定する者に対する第五章に規定する退去強制の手続については、適用しない。

(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.

（難民の認定の取消し）

(Revocation of the Recognition of Refugee Status)

第六十一条の二の七　法務大臣は、本邦に在留する外国人で難民の認定を受けているものについて、次の各号に掲げるいずれかの事実が判明したときは、法務省令で定める手続により、その難民の認定を取り消すものとする。

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:

一　偽りその他不正の手段により難民の認定を受けたこと。

(i) the foreign national has been recognized as a refugee due to deceit or other wrongful means;

二　難民条約第一条Ｃ（１）から（６）までのいずれかに掲げる場合に該当することとなつたこと。

(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

三　難民の認定を受けた後に、難民条約第一条Ｆ（ａ）又は（ｃ）に掲げる行為を行つたこと。

(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　法務大臣は、前項の規定により難民の認定を取り消す場合には、当該外国人に対し、理由を付した書面をもつて、その旨を通知するとともに、当該外国人に係る難民認定証明書及び難民旅行証明書がその効力を失つた旨を官報に告示する。

(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　前項の規定により難民の認定の取消しの通知を受けたときは、難民認定証明書又は難民旅行証明書の交付を受けている外国人は、速やかに出入国在留管理庁長官にこれらの証明書を返納しなければならない。

(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.

（難民の認定を受けた者の在留資格の取消し）

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

第六十一条の二の八　法務大臣は、別表第一又は別表第二の上欄の在留資格をもつて本邦に在留する外国人で難民の認定を受けているものについて、偽りその他不正の手段により第六十一条の二の二第一項各号のいずれにも該当しないものとして同項の許可を受けたことが判明したときは、法務省令で定める手続により、当該外国人が現に有する在留資格を取り消すことができる。

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　第二十二条の四第二項から第九項まで（第七項ただし書を除く）の規定は、前項の規定による在留資格の取消しに準用する。この場合において、同条第二項中「入国審査官」とあるのは「難民調査官」と、同条第七項本文中「第一項（第一号及び第二号を除く。）」とあるのは「第六十一条の二の八第一項」と読み替えるものとする。

(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)."

（審査請求）

(Request for Administrative Review)

第六十一条の二の九　次に掲げる処分又は不作為についての審査請求は、法務大臣に対し、法務省令で定める事項を記載した審査請求書を提出してしなければならない。

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:

一　難民の認定をしない処分

(i) denial of recognition of refugee status;

二　第六十一条の二第一項の申請に係る不作為

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

三　第六十一条の二の七第一項の規定による難民の認定の取消し

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

２　前項第一号及び第三号に掲げる処分についての審査請求に関する行政不服審査法（平成二十六年法律第六十八号）第十八条第一項本文の期間は、第六十一条の二第二項又は第六十一条の二の七第二項の通知を受けた日から七日とする。

(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　法務大臣は、第一項の審査請求に対する裁決に当たつては、法務省令で定めるところにより、難民審査参与員の意見を聴かなければならない。

(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　法務大臣は、第一項の審査請求について行政不服審査法第四十五条第一項若しくは第二項又は第四十九条第一項若しくは第二項の規定による裁決をする場合には、当該裁決に付する理由において、前項の難民審査参与員の意見の要旨を明らかにしなければならない。

(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　難民審査参与員については、行政不服審査法第十一条第二項に規定する審理員とみなして、同法の規定を適用する。

(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　第一項の審査請求については、行政不服審査法第九条第一項、第十四条、第十七条、第十九条、第二十九条、第四十一条第二項（第一号イに係る部分に限る。）、第二章第四節及び第五十条第二項の規定は適用しないものとし、同法の他の規定の適用については、次の表の上欄に掲げる同法の規定中同表の中欄に掲げる字句は、同表の下欄に掲げる字句とするほか、必要な技術的読替えは、政令で定める。

(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

|  |  |  |
| --- | --- | --- |
| 読み替えられる行政不服審査法の規定 The Provisions of the Administrative Complaint Review Act to be Replaced | 読み替えられる字句 Term to be Replaced | 読み替える字句 Term to be Used as a Replacement |
| 第十八条第三項 Article 18, paragraph (3) | 次条 the following Article | 出入国管理及び難民認定法（昭和二十六年政令第三百十九号。以下「入管法」という。）第六十一条の二の九第一項 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") |
| 第二十三条 Article 23 | 第十九条 Article 19 | 入管法第六十一条の二の九第一項 Article 61-2-9, paragraph (1) of the Immigration Control Act |
| 第三十条第一項 Article 30, paragraph (1) | 前条第五項の規定により送付された弁明書に記載された事項に対する反論を記載した書面（以下「反論書」という。） 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") | 入管法第六十一条の二の九第一項各号に掲げる処分又は不作為に対する意見その他の審査請求人の主張を記載した書面（以下「申述書」という。） 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 |
| 反論書を a counterargument | 申述書を a written statement |
| 第三十条第三項 Article 30, paragraph (3) | 反論書 counterargument | 申述書 written statement |
| 第三十一条第一項ただし書 proviso to Article 31, paragraph (1) | 場合 when | 場合又は申述書に記載された事実その他の申立人の主張に係る事実が真実であっても、何らの難民となる事由を包含していないことその他の事情により当該意見を述べる機会を与えることが適当でないと認められる場合 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 |
| 第三十一条第二項 Article 31, paragraph (2) | 審理員が期日及び場所を指定し、全ての審理関係人を招集してさせるものとする。 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. | 審理員が、あらかじめ審査請求に係る事件に関する処分庁等に対する質問の有無及びその内容について申立人から聴取した上で、期日及び場所を指定し、全ての審理関係人を招集してさせるものとする。ただし、次の各号のいずれかに該当する場合には、処分庁等を招集することを要しない。 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: |
| 一　申立人から処分庁等の招集を要しない旨の意思の表明があったとき。 (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; |
| 二　前号に掲げる場合のほか、当該聴取の結果、処分庁等を招集することを要しないと認めるとき。 (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. |
| 第四十一条第二項第一号ロ Article 41, paragraph (2), item (i) (b) | 反論書 counterargument | 申述書 written statement |
| 第四十四条 Article 44 | 行政不服審査会等から諮問に対する答申を受けたとき（前条第一項の規定による諮問を要しない場合（同項第二号又は第三号に該当する場合を除く。）にあっては審理員意見書が提出されたとき、同項第二号又は第三号に該当する場合にあっては同項第二号又は第三号に規定する議を経たとき） 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), | 審理員意見書が提出されたとき when the review officer's written opinion has been submitted |
| 第五十条第一項第四号 Article 50, paragraph (1), item (iv) | 審理員意見書又は行政不服審査会等若しくは審議会等の答申書 the review officer's written opinion or the written report from the Administrative Complaint Review Board, etc. or the Council, etc. | 審理員意見書 the review officer's written opinion |
| 第八十三条第二項 Article 83, paragraph (2) | 第十九条（第五項第一号及び第二号を除く。） Article 19 (excluding paragraph (5), items (i) and (ii)) | 入管法第六十一条の二の九第一項 Article 61-2-9, paragraph (1) of the Immigration Control Act |
|  |  |  |

（難民審査参与員）

(Refugee Examination Counselors)

第六十一条の二の十　法務省に、前条第一項の規定による審査請求について、難民の認定に関する意見を提出させるため、難民審査参与員若干人を置く。

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　難民審査参与員は、人格が高潔であつて、前条第一項の審査請求に関し公正な判断をすることができ、かつ、法律又は国際情勢に関する学識経験を有する者のうちから、法務大臣が任命する。

(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　難民審査参与員の任期は、二年とする。ただし、再任を妨げない。

(3) The term of a refugee examination counselor is 2 years, and they may be reappointed.

４　難民審査参与員は、非常勤とする。

(4) The refugee examination counselors are to serve on a part-time basis.

（難民に関する永住許可の特則）

(Special Provisions on Permission for Permanent Residence for Refugees)

第六十一条の二の十一　難民の認定を受けている者から第二十二条第一項の永住許可の申請があつた場合には、法務大臣は、同条第二項本文の規定にかかわらず、その者が同項第二号に適合しないときであつても、これを許可することができる。

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.

（難民旅行証明書）

(Refugee Travel Document)

第六十一条の二の十二　出入国在留管理庁長官は、本邦に在留する外国人で難民の認定を受けているものが出国しようとするときは、法務省令で定める手続により、その者の申請に基づき、難民旅行証明書を交付するものとする。ただし、出入国在留管理庁長官においてその者が日本国の利益又は公安を害する行為を行うおそれがあると認める場合は、この限りでない。

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　前項の規定により難民旅行証明書の交付を受ける外国人で、外国の難民旅行証明書を所持するものは、その交付を受ける際に当該外国の難民旅行証明書を出入国在留管理庁長官に提出しなければならない。

(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　第一項の難民旅行証明書の有効期間は、一年とする。

(3) The validity period of the refugee travel document set forth in paragraph (1) is to be 1 year.

４　第一項の難民旅行証明書の交付を受けている者は、当該証明書の有効期間内は本邦に入国し、及び出国することができる。この場合において、入国については、第二十六条第一項の規定による再入国の許可を要しない。

(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　前項の場合において、出入国在留管理庁長官が特に必要があると認めるときは、三月以上一年未満の範囲内で、当該難民旅行証明書により入国することのできる期限を定めることができる。

(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　出入国在留管理庁長官は、第一項の難民旅行証明書の交付を受けて出国した者について、当該証明書の有効期間内に入国することができない相当の理由があると認めるときは、その者の申請に基づき、六月を超えない範囲内で、当該証明書の有効期間を延長することができる。

(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　前項の延長は、難民旅行証明書にその旨を記載して行うものとし、その事務は、日本国領事官等に委任するものとする。

(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　出入国在留管理庁長官は、第一項の難民旅行証明書の交付を受けている者が日本国の利益又は公安を害する行為を行うおそれがあると認めるときは、その者が本邦にある間において、法務省令で定めるところにより、その者に対して、期限を付して、その所持する難民旅行証明書の返納を命ずることができる。

(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　前項の規定により返納を命ぜられた難民旅行証明書は、その返納があつたときは当該返納の時に、同項の期限までに返納がなかつたときは当該期限を経過した時に、その効力を失う。この場合において、同項の期限までに返納がなかつたときは、出入国在留管理庁長官は、当該難民旅行証明書がその効力を失つた旨を官報に告示する。

(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.

（退去強制令書の発付に伴う難民認定証明書等の返納）

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

第六十一条の二の十三　本邦に在留する外国人で難民の認定を受けているものが、第四十七条第五項、第四十八条第九項若しくは第四十九条第六項の規定により、又は第六十三条第一項の規定に基づく退去強制の手続において退去強制令書の発付を受けたときは、当該外国人は、速やかに出入国在留管理庁長官にその所持する難民認定証明書及び難民旅行証明書を返納しなければならない。

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.

（事実の調査）

(Inquiry into Facts)

第六十一条の二の十四　法務大臣は、難民の認定、第六十一条の二の二第一項若しくは第二項、第六十一条の二の三若しくは第六十一条の二の四第一項の規定による許可、第六十一条の二の五の規定による許可の取消し、第六十一条の二の七第一項の規定による難民の認定の取消し又は第六十一条の二の八第一項の規定による在留資格の取消しに関する処分を行うため必要がある場合には、難民調査官に事実の調査をさせることができる。

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　難民調査官は、前項の調査のため必要があるときは、関係人に対し出頭を求め、質問をし、又は文書の提示を求めることができる。

(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　法務大臣又は難民調査官は、第一項の調査について、公務所又は公私の団体に照会して必要な事項の報告を求めることができる。

(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).

第八章　補則

Chapter VIII Supplementary Rules

（入国審査官）

(Immigration Inspector)

第六十一条の三　入国者収容所及び地方出入国在留管理局に、入国審査官を置く。

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

２　入国審査官は、次の事務を行う。

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

一　上陸及び退去強制についての審査及び口頭審理並びに出国命令についての審査を行うこと。

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

二　第二十二条の四第二項（第六十一条の二の八第二項において準用する場合を含む。）の規定による意見の聴取、第二十二条の四第三項ただし書（第六十一条の二の八第二項において準用する場合を含む。次条第二項第六号において同じ。）の規定による通知並びに第六十一条の九の二第四項及び第五項の規定による交付送達を行うこと。

(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);

三　第十九条の三十七第一項、第五十九条の二第一項及び第六十一条の二の十四第一項に規定する事実の調査を行うこと。

(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);

四　第十九条の二十第一項の規定による関係人に対する質問並びに特定技能所属機関に係る事業所その他特定技能外国人の受入れに関係のある場所への立入り及びその設備又は帳簿書類その他の物件の検査を行うこと

(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;

五　収容令書又は退去強制令書を発付すること。

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

六　収容令書又は退去強制令書の発付を受けて収容されている者を仮放免すること。

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

七　第五十五条の三第一項の規定による出国命令をすること。

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

３　地方出入国在留管理局に置かれた入国審査官は、必要があるときは、その地方出入国在留管理局の管轄区域外においても、職務を行うことができる。

(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.

（入国警備官）

(Immigration Control Officer)

第六十一条の三の二　入国者収容所及び地方出入国在留管理局に、入国警備官を置く。

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

２　入国警備官は、次に掲げる事務を行う。

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

一　入国、上陸又は在留に関する違反事件を調査すること。

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

二　収容令書及び退去強制令書を執行するため、その執行を受ける者を収容し、護送し、及び送還すること。

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

三　入国者収容所、収容場その他の施設を警備すること。

(iii) to guard immigration detention centers, detention houses and other facilities;

四　第十九条の三十七第一項及び第五十九条の二第一項に規定する事実の調査を行うこと。

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

五　第十九条の二十第一項の規定による関係人に対する質問並びに特定技能所属機関に係る事業所その他特定技能外国人の受入れに関係のある場所への立入り及びその設備又は帳簿書類その他の物件の検査を行うこと。

(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;

六　第二十二条の四第三項ただし書の規定による通知並びに第六十一条の九の二第四項及び第五項の規定による交付送達を行うこと。

(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　前条第三項の規定は、入国警備官に準用する。

(3) The provisions of paragraph (3) of the preceding Article apply mutatis mutandis to an immigration control officer.

４　入国警備官は、国家公務員法（昭和二十二年法律第百二十号）の規定の適用については、警察職員とする。

(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　入国警備官の階級は、別に政令で定める。

(5) The ranks of immigration control officers are separately provided for in the provisions of Cabinet Order.

（武器の携帯及び使用）

(Carrying and Use of Weapons)

第六十一条の四　入国審査官及び入国警備官は、その職務を行うに当り、武器を携帯することができる。

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

２　入国審査官及び入国警備官は、その職務の執行に関し、その事態に応じ、合理的に必要と判断される限度において、武器を使用することができる。但し、左の各号の一に該当する場合を除く外、人に危害を加えてはならない。

(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:

一　刑法第三十六条又は第三十七条に該当するとき。

(i) the case falls under Article 36 or 37 of the Penal Code; or

二　収容令書又は退去強制令書の執行を受ける者がその者に対する入国審査官若しくは入国警備官の職務の執行に対して抵抗しようとする場合又は第三者がその者を逃がそうとして入国審査官若しくは入国警備官に抵抗する場合において、これを防止するために他の手段がないと入国審査官又は入国警備官において信ずるに足りる相当の理由があるとき。

(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.

（制服及び証票）

(Uniform and Identification Card)

第六十一条の五　入国審査官及び入国警備官がその職務を執行する場合においては、法令に特別の規定がある場合のほか、制服を着用し、又はその身分を示す証票を携帯しなければならない。

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　前項の証票は、職務の執行を受ける者の要求があるときは、その者にこれを呈示しなければならない。

(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　第一項の制服及び証票の様式は、法務省令で定める。

(3) The format of the uniform and identification card set forth in paragraph (1) is to be provided for by Ministry of Justice Order.

（収容場）

(Detention House)

第六十一条の六　地方出入国在留管理局に、収容令書の執行を受ける者を収容する収容場を設ける。

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.

（被収容者の処遇）

(Treatment of Detainees)

第六十一条の七　入国者収容所又は収容場（以下「入国者収容所等」という。）に収容されている者（以下「被収容者」という。）には、入国者収容所等の保安上支障がない範囲内においてできる限りの自由が与えられなければならない。

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　被収容者には、一定の寝具を貸与し、及び一定の糧食を給与するものとする。

(2) Detainees are to be provided with standardized bedding and supplied with standardized food.

３　被収容者に対する給養は、適正でなければならず、入国者収容所等の設備は、衛生的でなければならない。

(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　入国者収容所長又は地方出入国在留管理局長（以下「入国者収容所長等」という。）は、入国者収容所等の保安上又は衛生上必要があると認めるときは、被収容者の身体、所持品又は衣類を検査し、及びその所持品又は衣類を領置することができる。

(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　入国者収容所長等は、入国者収容所等の保安上必要があると認めるときは、被収容者の発受する通信を検査し、及びその発受を禁止し、又は制限することができる。

(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　前各項に規定するものを除く外、被収容者の処遇に関し必要な事項は、法務省令で定める。

(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.

（入国者収容所等視察委員会）

(Immigration Detention Facilities Visiting Committee)

第六十一条の七の二　法務省令で定める出入国在留管理官署に、入国者収容所等視察委員会（以下「委員会」という。）を置く。

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　委員会は、入国者収容所等の適正な運営に資するため、法務省令で定める担当区域内にある入国者収容所等を視察し、その運営に関し、入国者収容所長等に対して意見を述べるものとする。

(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.

（組織等）

(Organization)

第六十一条の七の三　委員会は、委員十人以内で組織する。

Article 61-7-3 (1) The committee is to be composed of a maximum of 10 members.

２　委員は、人格識見が高く、かつ、入国者収容所等の運営の改善向上に熱意を有する者のうちから、法務大臣が任命する。

(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　委員の任期は、一年とする。ただし、再任を妨げない。

(3) The term of the committee members is 1 year and they may be reappointed.

４　委員は、非常勤とする。

(4) The committee members are to serve on a part-time basis.

５　前各項に定めるもののほか、委員会の組織及び運営に関し必要な事項は、法務省令で定める。

(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.

（委員会に対する情報の提供及び委員の視察等）

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

第六十一条の七の四　入国者収容所長等は、入国者収容所等の運営の状況について、法務省令で定めるところにより、定期的に、又は必要に応じて、委員会に対し、情報を提供するものとする。

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　委員会は、入国者収容所等の運営の状況を把握するため、委員による入国者収容所等の視察をすることができる。この場合において、委員会は、必要があると認めるときは、入国者収容所長等に対し、委員による被収容者との面接の実施について協力を求めることができる。

(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　入国者収容所長等は、前項の視察及び面接について、必要な協力をしなければならない。

(3) Directors of immigration detention facilities must provide cooperation necessary for inspections and interviews as set forth in the preceding paragraph.

４　第六十一条の七第五項の規定にかかわらず、被収容者が委員会に対して提出する書面については、検査し、又はその提出を禁止し、若しくは制限してはならない。

(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.

（委員会の意見等の公表）

(Publication of the Opinions of the Committee)

第六十一条の七の五　法務大臣は、毎年、委員会が入国者収容所長等に対して述べた意見及びこれを受けて入国者収容所長等が講じた措置の内容を取りまとめ、その概要を公表するものとする。

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.

（出国待機施設の視察等）

(Inspections of the Departure Waiting Facility)

第六十一条の七の六　委員会は、第六十一条の七の二第二項に規定する事務を行うほか、出国待機施設の適正な運営に資するため、法務省令で定める担当区域内にある出国待機施設を視察し、その運営に関し、当該出国待機施設の所在地を管轄する地方出入国在留管理局の長に対して意見を述べるものとする。

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　前二条の規定は、前項に規定する事務を行う場合に準用する。

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

（関係行政機関との関係）

(Relationship with the Relevant Administrative Organs)

第六十一条の七の七　出入国在留管理庁長官又は入国者収容所長等は、出入国及び在留の管理並びに難民の認定に関する事務の遂行に当たり、当該事務の遂行が他の行政機関の事務に関連する場合には、関係行政機関と情報交換を行うことにより緊密に連絡し、及び協力して行うものとする。

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.

（関係行政機関の協力）

(Cooperation of Related Administrative Organs)

第六十一条の八　出入国在留管理庁長官又は入国者収容所長等は、警察庁、都道府県警察、海上保安庁、税関、公共職業安定所その他の関係行政機関に対し、出入国及び在留の管理並びに難民の認定に関する事務の遂行に関して、必要な協力を求めることができる。

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　前項の規定による協力を求められた関係行政機関は、本来の任務の遂行を妨げない範囲において、できるだけその求に応じなければならない。

(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.

（住民票の記載等に係る通知）

(Notification on Matters Stated in Certificate of Residence)

第六十一条の八の二　市町村の長は、住民基本台帳法第三十条の四十五に規定する外国人住民に係る住民票について、政令で定める事由により、その記載、消除又は記載の修正をしたときは、直ちにその旨を出入国在留管理庁長官に通知しなければならない。

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.

（情報提供）

(Provision of Information)

第六十一条の九　出入国在留管理庁長官は、出入国管理及び難民認定法に規定する出入国及び在留の管理並びに難民の認定の職務に相当する職務を行う外国の当局（以下この条において「外国出入国在留管理当局」という。）に対し、その職務（出入国管理及び難民認定法に規定する出入国及び在留の管理並びに難民の認定の職務に相当するものに限る。次項において同じ。）の遂行に資すると認める情報を提供することができる。

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　前項の規定による情報の提供については、当該情報が当該外国出入国在留管理当局の職務の遂行に資する目的以外の目的で使用されないよう適切な措置がとられなければならない。

(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　出入国在留管理庁長官は、外国出入国在留管理当局からの要請があつたときは、前項の規定にかかわらず、次の各号のいずれかに該当する場合を除き、第一項の規定により提供した情報を当該要請に係る外国の刑事事件の捜査又は審判（以下この項において「捜査等」という。）に使用することについて同意をすることができる。

(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:

一　当該要請に係る刑事事件の捜査等の対象とされている犯罪が政治犯罪であるとき、又は当該要請が政治犯罪について捜査等を行う目的で行われたものと認められるとき。

(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;

二　当該要請に係る刑事事件の捜査等の対象とされている犯罪に係る行為が日本国内において行われたとした場合において、その行為が日本国の法令によれば罪に当たるものでないとき。

(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

三　日本国が行う同種の要請に応ずる旨の要請国の保証がないとき。

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

４　出入国在留管理庁長官は、前項の同意をする場合においては、あらかじめ、同項第一号及び第二号に該当しないことについて法務大臣の確認を、同項第三号に該当しないことについて外務大臣の確認を、それぞれ受けなければならない。

(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.

（送達）

(Service)

第六十一条の九の二　第二十二条の四第三項又は第六項（第六十一条の二の八第二項においてこれらの規定を準用する場合を含む。）の規定による書類の送達は、郵便若しくは民間事業者による信書の送達に関する法律（平成十四年法律第九十九号）第二条第六項に規定する一般信書便事業者若しくは同条第九項に規定する特定信書便事業者による同条第二項に規定する信書便（以下「信書便」という。）による送達又は交付送達により、その送達を受けるべき者の住居地に送達して行う。

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　通常の取扱いによる郵便又は信書便によつて前項に規定する書類を発送した場合には、その郵便物又は民間事業者による信書の送達に関する法律第二条第三項に規定する信書便物は、通常到達すべきであつた時に送達があつたものと推定する。

(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　法務大臣は、前項に規定する場合には、その書類の名称、その送達を受けるべき者の氏名、あて先及び発送の年月日を確認するに足りる記録を作成しなければならない。

(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　交付送達は、入国審査官又は入国警備官が、第一項の規定により送達すべき場所において、その送達を受けるべき者に書類を交付して行う。ただし、その者に異議がないときは、その他の場所において交付することができる。

(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　次の各号に掲げる場合には、交付送達は、前項の規定による交付に代え、当該各号に定める行為により行うことができる。

(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:

一　送達すべき場所において書類の送達を受けるべき者に出会わない場合　同居の者であつて送達を受けるべき者に受領した書類を交付することが期待できるものに書類を交付すること。

(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

二　書類の送達を受けるべき者及び前号に規定する者が送達すべき場所にいない場合又はこれらの者が正当な理由がなく書類の受領を拒んだ場合　送達すべき場所に書類を差し置くこと。

(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　前各項の規定により送達すべき書類について、その送達を受けるべき者の住居地が明らかでない場合には、法務大臣は、その送達に代えて公示送達をすることができる。ただし、第六十一条の二の八第二項において準用する第二十二条の四第三項及び第六項の規定による書類の送達については、この限りでない。

(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　公示送達は、送達すべき書類の名称、その送達を受けるべき者の氏名及び法務大臣がその書類をいつでも送達を受けるべき者に交付する旨を法務省の掲示場に掲示して行う。

(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　前項の場合において、掲示を始めた日から起算して二週間を経過したときは、書類の送達があつたものとみなす。

(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.

（本人の出頭義務と代理人による届出等）

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

第六十一条の九の三　外国人が次の各号に掲げる行為をするときは、それぞれ当該各号に定める場所に自ら出頭して行わなければならない。

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:

一　第十九条の七第一項、第十九条の八第一項若しくは第十九条の九第一項の規定による届出又は第十九条の七第二項（第十九条の八第二項及び第十九条の九第二項において準用する場合を含む。）の規定により返還される在留カードの受領　住居地の市町村の事務所

(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;

二　第十九条の十第一項の規定による届出、第十九条の十一第一項若しくは第二項、第十九条の十二第一項若しくは第十九条の十三第一項若しくは第三項の規定による申請又は第十九条の十第二項（第十九条の十一第三項、第十九条の十二第二項及び第十九条の十三第四項において準用する場合を含む。）の規定により交付される在留カードの受領　地方出入国在留管理局

(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

三　第二十条第二項、第二十一条第二項、第二十二条第一項（第二十二条の二第四項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）若しくは第二十二条の二第二項（第二十二条の三において準用する場合を含む。）の規定による申請又は第二十条第四項第一号（第二十一条第四項及び第二十二条の二第三項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第二十二条第三項（第二十二条の二第四項（第二十二条の三において準用する場合を含む。）において準用する場合を含む。）、第五十条第三項若しくは第六十一条の二の二第三項第一号の規定により交付される在留カードの受領　地方出入国在留管理局

(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　外国人が十六歳に満たない場合又は疾病その他の事由により自ら前項第一号又は第二号に掲げる行為をすることができない場合には、当該行為は、次の各号に掲げる者（十六歳に満たない者を除く。）であつて当該外国人と同居するものが、当該各号の順位により、当該外国人に代わつてしなければならない。

(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:

一　配偶者

(i) spouse;

二　子

(ii) child;

三　父又は母

(iii) father or mother; or

四　前三号に掲げる者以外の親族

(iv) relatives other than the persons set forth in the preceding three items.

３　第一項第一号及び第二号に掲げる行為については、前項に規定する場合のほか、同項各号に掲げる者（十六歳に満たない者を除く。）であつて外国人と同居するものが当該外国人の依頼により当該外国人に代わつてする場合その他法務省令で定める場合には、第一項の規定にかかわらず、当該外国人が自ら出頭してこれを行うことを要しない。

(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　第一項第三号に掲げる行為については、外国人の法定代理人が当該外国人に代わつてする場合その他法務省令で定める場合には、同項の規定にかかわらず、当該外国人が自ら出頭してこれを行うことを要しない。

(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.

（出入国在留管理基本計画）

(Basic Plan for Immigration and Residency Management)

第六十一条の十　法務大臣は、出入国及び在留の公正な管理を図るため、外国人の入国及び在留の管理に関する施策の基本となるべき計画（以下「出入国在留管理基本計画」という。）を定めるものとする。

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　出入国在留管理基本計画に定める事項は、次のとおりとする。

(2) The Basic Plan for Immigration and Residency Management is to provide for the following particulars:

一　本邦に入国し、在留する外国人の状況に関する事項

(i) particulars related to foreign nationals' entry into and residence in Japan;

二　外国人の入国及び在留の管理の指針となるべき事項

(ii) particulars related to guidelines for the control of entry and residence of foreign nationals; and

三　前二号に掲げるもののほか、外国人の入国及び在留の管理に関する施策に関し必要な事項

(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　法務大臣は、出入国在留管理基本計画を定めるに当たつては、あらかじめ、関係行政機関の長と協議するものとする。

(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　法務大臣は、出入国在留管理基本計画を定めたときは、遅滞なく、その概要を公表するものとする。

(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　前二項の規定は、出入国在留管理基本計画の変更について準用する。

(5) The provisions of the preceding two paragraphs apply mutatis mutandis to changes in the Basic Plan for Immigration and Residency Management.

第六十一条の十一　法務大臣は、出入国在留管理基本計画に基づいて、外国人の出入国及び在留を公正に管理するよう努めなければならない。

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.

（通報）

(Reporting Information)

第六十二条　何人も、第二十四条各号の一に該当すると思料する外国人を知つたときは、その旨を通報することができる。

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　国又は地方公共団体の職員は、その職務を遂行するに当つて前項の外国人を知つたときは、その旨を通報しなければならない。

(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　矯正施設の長は、第一項の外国人が刑の執行を受けている場合において、刑期の満了、刑の執行の停止その他の事由（仮釈放を除く。）により釈放されるとき、又は少年法第二十四条第一項第三号若しくは売春防止法（昭和三十一年法律第百十八号）第十七条の処分を受けて退院するときは、直ちにその旨を通報しなければならない。

(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　地方更生保護委員会は、第一項の外国人が刑の執行を受けている場合又は少年法第二十四条第一項第三号の処分を受けて少年院に在院している場合若しくは売春防止法第十七条の処分を受けて婦人補導院に在院している場合において、当該外国人について仮釈放又は仮退院の許可決定をしたときは、直ちにその旨を通報しなければならない。

(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　前四項の通報は、書面又は口頭をもつて、所轄の入国審査官又は入国警備官に対してしなければならない。

(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.

（刑事手続との関係）

(Relation to Criminal Procedures)

第六十三条　退去強制対象者に該当する外国人について刑事訴訟に関する法令、刑の執行に関する法令又は少年院若しくは婦人補導院の在院者の処遇に関する法令の規定による手続が行われる場合には、その者を収容しないときでも、その者について第五章（第二節並びに第五十二条及び第五十三条を除く。）の規定に準じ退去強制の手続を行うことができる。この場合において、第二十九条第一項中「容疑者の出頭を求め」とあるのは「容疑者の出頭を求め、又は自ら出張して」と、第四十五条第一項中「前条の規定により容疑者の引渡しを受けたときは」とあるのは「違反調査の結果、容疑者が退去強制対象者に該当すると疑うに足りる理由があるときは」と読み替えるものとする。

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　前項の規定に基き、退去強制令書が発付された場合には、刑事訴訟に関する法令、刑の執行に関する法令又は少年院若しくは婦人補導院の在院者の処遇に関する法令の規定による手続が終了した後、その執行をするものとする。但し、刑の執行中においても、検事総長又は検事長の許可があるときは、その執行をすることができる。

(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　入国審査官は、第四十五条又は第五十五条の二第二項の審査に当たつて、容疑者が罪を犯したと信ずるに足りる相当の理由があるときは、検察官に告発するものとする。

(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.

（身柄の引渡）

(Handing Over of the Suspect)

第六十四条　検察官は、第七十条の罪に係る被疑者を受け取つた場合において、公訴を提起しないと決定するときは、入国警備官による収容令書又は退去強制令書の呈示をまつて、当該被疑者を釈放して当該入国警備官に引き渡さなければならない。

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　矯正施設の長は、第六十二条第三項又は第四項の場合において、当該外国人に対し収容令書又は退去強制令書の発付があつたときは、入国警備官による収容令書又は退去強制令書の呈示をまつて、釈放と同時にその者を当該入国警備官に引き渡さなければならない。

(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.

（刑事訴訟法の特例）

(Special Cases under the Code of Criminal Procedure)

第六十五条　司法警察員は、第七十条の罪に係る被疑者を逮捕し、若しくは受け取り、又はこれらの罪に係る現行犯人を受け取つた場合には、収容令書が発付され、且つ、その者が他に罪を犯した嫌疑のないときに限り、刑事訴訟法（昭和二十三年法律第百三十一号）第二百三条（同法第二百十一条及び第二百十六条の規定により準用する場合を含む。）の規定にかかわらず、書類及び証拠物とともに、当該被疑者を入国警備官に引き渡すことができる。

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　前項の場合には、被疑者が身体を拘束された時から四十八時間以内に、当該被疑者を引き渡す手続をしなければならない。

(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.

（報償金）

(Reward for Providing Information)

第六十六条　第六十二条第一項の規定による通報をした者がある場合において、その通報に基いて退去強制令書が発付されたときは、法務大臣は、法務省令で定めるところにより、その通報者に対し、五万円以下の金額を報償金として交付することができる。但し、通報が国又は地方公共団体の職員がその職務の遂行に伴い知り得た事実に基くものであるときは、この限りでない。

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.

（手数料）

(Fees)

第六十七条　外国人は、次に掲げる許可を受ける場合には、当該許可に係る記載、交付又は証印の時に、一万円を超えない範囲内において別に政令で定める額の手数料を納付しなければならない。

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:

一　第二十条第三項本文の規定による在留資格の変更の許可

(i) permission for a change of status of residence pursuant to the provisions of the main clause of Article 20, paragraph (3);

二　第二十一条第三項の規定による在留期間の更新の許可

(ii) permission for extension of the period of stay pursuant to the provisions of Article 21, paragraph (3);

三　第二十二条第二項の規定による永住許可

(iii) permission for permanent residence pursuant to the provisions of Article 22, paragraph (2); or

四　第二十六条第一項の規定による再入国の許可（同条第五項の規定による有効期間の延長の許可を含む。）

(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).

第六十七条の二　外国人は、第九条の二第一項若しくは第八項の規定により特定登録者カードの交付を受け、第十九条の二第一項の規定により就労資格証明書の交付を受け、又は第十九条の十三第一項後段の規定による申請に基づき同条第四項において準用する第十九条の十第二項の規定により在留カードの交付を受けるときは、実費を勘案して別に政令で定める額の手数料を納付しなければならない。

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.

第六十八条　外国人は、第六十一条の二の十二第一項の規定により難民旅行証明書の交付を受け、又は同条第七項の規定により難民旅行証明書に有効期間の延長の記載を受けるときは、手数料を納付しなければならない。

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　前項に規定する手数料の額は、難民条約附属書第三項の定めるところにより、別に政令で定める。

(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.

（事務の区分）

(Category of Administrative Affairs)

第六十八条の二　第十九条の七第一項及び第二項（第十九条の八第二項及び第十九条の九第二項において準用する場合を含む。）、第十九条の八第一項並びに第十九条の九第一項の規定により市町村が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

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.

（政令等への委任）

(Delegation to Cabinet Order)

第六十九条　第二章からこの章までの規定の実施のための手続その他その執行について必要な事項は、法務省令（市町村の長が行うべき事務については，政令）で定める。

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).

（権限の委任）

(Delegation of Authority)

第六十九条の二　出入国管理及び難民認定法に規定する法務大臣の権限は、政令で定めるところにより、出入国在留管理庁長官に委任することができる。ただし、第二条の三第三項及び第四項（これらの規定を同条第五項において準用する場合を含む。）、第二条の四第一項、同条第三項及び第四項（これらの規定を同条第五項において準用する場合を含む。）並びに第七条の二第三項及び第四項（これらの規定を同条第五項において準用する場合を含む。）に規定する権限については、この限りでない。

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　出入国管理及び難民認定法に規定する出入国在留管理庁長官の権限（前項の規定により委任された権限を含む。）は、法務省令で定めるところにより、地方出入国在留管理局長に委任することができる。

(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.

（経過措置）

(Transitional Measures)

第六十九条の三　出入国管理及び難民認定法の規定に基づき命令を制定し、又は改廃する場合においては、その命令で、その制定又は改廃に伴い合理的に必要と判断される範囲内において、所要の経過措置（罰則に関する経過措置を含む。）を定めることができる。

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.

第九章　罰則

Chapter IX Penal Provisions

第七十条　次の各号のいずれかに該当する者は、三年以下の懲役若しくは禁錮若しくは三百万円以下の罰金に処し、又はその懲役若しくは禁錮及び罰金を併科する。

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:

一　第三条の規定に違反して本邦に入つた者

(i) a person who enters Japan in violation of the provisions of Article 3;

二　入国審査官から上陸の許可等を受けないで本邦に上陸した者

(ii) a person who lands in Japan without obtaining permission for landing, etc. from an immigration inspector;

二の二　偽りその他不正の手段により、上陸の許可等を受けて本邦に上陸し、又は第四章第二節の規定による許可を受けた

(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;

三　第二十二条の四第一項（第一号又は第二号に係るものに限る。）の規定により在留資格を取り消された者で本邦に残留するもの

(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;

三の二　第二十二条の四第一項（第五号に係るものに限る。）の規定により在留資格を取り消された者（同条第七項本文の規定により期間の指定を受けた者を除く。）で本邦に残留するもの

(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;

三の三　第二十二条の四第七項本文（第六十一条の二の八第二項において準用する場合を含む。）の規定により期間の指定を受けた者で、当該期間を経過して本邦に残留するもの

(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;

四　第十九条第一項の規定に違反して収入を伴う事業を運営する活動又は報酬を受ける活動を専ら行つていると明らかに認められる者

(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);

五　在留期間の更新又は変更を受けないで在留期間（第二十条第六項（第二十一条第四項において準用する場合を含む。）の規定により本邦に在留することができる期間を含む。）を経過して本邦に残留する者

(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;

六　仮上陸の許可を受けた者で、第十三条第三項の規定に基づき付された条件に違反して、逃亡し、又は正当な理由がなくて呼出しに応じないもの

(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);

七　寄港地上陸の許可、船舶観光上陸の許可、通過上陸の許可、乗員上陸の許可、緊急上陸の許可、遭難による上陸の許可又は一時庇護のための上陸の許可を受けた者で、旅券又は当該許可書に記載された期間を経過して本邦に残留するもの

(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;

七の二　第十四条の二第九項の規定により期間の指定を受けた者で当該期間内に出国しないもの

(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;

七の三　第十六条第九項の規定により期間の指定を受けた者で当該期間内に帰船し又は出国しないもの

(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;

八　第二十二条の二第一項に規定する者で、同条第三項において準用する第二十条第三項本文の規定又は第二十二条の二第四項において準用する第二十二条第二項の規定による許可を受けないで、第二十二条の二第一項に規定する期間を経過して本邦に残留するもの

(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);

八の二　第五十五条の三第一項の規定により出国命令を受けた者で、当該出国命令に係る出国期限を経過して本邦に残留するもの

(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;

八の三　第五十五条の六の規定により出国命令を取り消された者で本邦に残留するもの

(viii)-3 a person whose departure order is revoked pursuant to the provisions of Article 55-6 who remains in Japan;

八の四　第六十一条の二の四第一項の許可を受けた者で、仮滞在期間を経過して本邦に残留するもの

(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

九　偽りその他不正の手段により難民の認定を受けた者

(ix) a person who was recognized as a refugee due to deceit or other wrongful means.

２　前項第一号又は第二号に掲げる者が、本邦に上陸した後引き続き不法に在留するときも、同項と同様とする。

(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.

第七十条の二　前条第一項第一号から第二号の二まで、第五号若しくは第七号又は同条第二項の罪を犯した者については、次の各号に該当することの証明があつたときは、その刑を免除する。ただし、当該罪に係る行為をした後遅滞なく入国審査官の面前において、次の各号に該当することの申出をした場合に限る。

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:

一　難民であること。

(i) the person is a refugee;

二　その者の生命、身体又は身体の自由が難民条約第一条Ａ（２）に規定する理由によつて害されるおそれのあつた領域から、直接本邦に入つたものであること。

(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

三　前号のおそれがあることにより当該罪に係る行為をしたものであること。

(iii) the act pertaining to the crime was committed because there was a risk that the situation prescribed in the preceding item will occur.

第七十一条　第二十五条第二項又は第六十条第二項の規定に違反して出国し、又は出国することを企てた者は、一年以下の懲役若しくは禁錮若しくは三十万円以下の罰金に処し、又はその懲役若しくは禁錮及び罰金を併科する。

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.

第七十一条の二　次の各号のいずれかに該当する者は、一年以下の懲役又は二十万円以下の罰金に処する。

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:

一　第十九条の七第一項、第十九条の八第一項、第十九条の九第一項、第十九条の十第一項又は第十九条の十六の規定による届出に関し虚偽の届出をした者

(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

二　第十九条の十一第一項、第十九条の十二第一項又は第十九条の十三第三項の規定に違反した者

(ii) a person who violates the provisions of Article 19-11, paragraph (1), Article 19-12, paragraph (1) or Article 19-13, paragraph (3).

第七十一条の三　第十九条の二十一第一項の規定による処分に違反した者は、六月以下の懲役又は三十万円以下の罰金に処する。

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.

第七十一条の四　次の各号のいずれかに該当する者は、三十万円以下の罰金に処する。

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:

一　第十九条の十八第一項（第一号に係る部分に限る。）若しくは第二項（第一号に係る部分に限る。）の規定による届出をせず、又は虚偽の届出をした者

(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

二　第十九条の二十第一項の規定による報告若しくは帳簿書類の提出若しくは提示をせず、若しくは虚偽の報告若しくは虚偽の帳簿書類の提出若しくは提示をし、又は同項の規定による質問に対して答弁をせず、若しくは虚偽の答弁をし、若しくは同項の規定による検査を拒み、妨げ、若しくは忌避した者

(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:

第七十一条の五　次の各号のいずれかに該当する者は、二十万円以下の罰金に処する。

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:

一　第十九条の七第一項又は第十九条の八第一項の規定に違反して住居地を届け出なかつた者

(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);

二　第十九条の九第一項の規定に違反して新住居地を届け出なかつた者

(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

三　第十九条の十第一項、第十九条の十五（第四項を除く。）又は第十九条の十六の規定に違反した者

(iii) a person who violates the provisions of Article 19-10, paragraph (1), Article 19-15 (except for paragraph (4)) or Article 19-16.

第七十二条　次の各号のいずれかに該当する者は、一年以下の懲役若しくは二十万円以下の罰金に処し、又はこれを併科する。

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:

一　収容令書又は退去強制令書によつて身柄を拘束されている者で逃走したもの

(i) if a person escapes, after being taken into custody pursuant to a written detention order or deportation order;

二　船舶観光上陸の許可を受けた者で、当該許可に係る指定旅客船が寄港する本邦の出入国港において下船した後当該出入国港から当該指定旅客船が出港するまでの間に帰船することなく逃亡したもの

(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;

三　一時庇護のための上陸の許可を受けた者で、第十八条の二第四項の規定に基づき付された条件に違反して逃亡したもの

(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);

四　第五十二条第六項の規定により放免された者で、同項の規定に基づき付された条件に違反して、逃亡し、又は正当な理由がなくて呼出しに応じないもの

(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;

五　第五十五条の三第一項の規定により出国命令を受けた者で、同条第三項の規定に基づき付された条件に違反して逃亡したもの

(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;

六　第六十一条の二の四第一項の許可を受けた者で、同条第三項の規定に基づき付された条件に違反して、逃亡し、又は正当な理由がなくて呼出しに応じないもの

(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;

七　第六十一条の二の七第三項又は第六十一条の二の十三の規定に違反して難民認定証明書又は難民旅行証明書を返納しなかつた者

(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

八　第六十一条の二の十二第八項の規定により難民旅行証明書の返納を命ぜられた者で、同項の規定により付された期限内にこれを返納しなかつたもの

(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.

第七十三条　第七十条第一項第四号に該当する場合を除き、第十九条第一項の規定に違反して収入を伴う事業を運営する活動又は報酬を受ける活動を行つた者は、一年以下の懲役若しくは禁錮若しくは二百万円以下の罰金に処し、又はその懲役若しくは禁錮及び罰金を併科する。

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.

第七十三条の二　次の各号のいずれかに該当する者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

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:

一　事業活動に関し、外国人に不法就労活動をさせた者

(i) a person who has a foreign national engage in illegal work in relation to their business activities; or

二　外国人に不法就労活動をさせるためにこれを自己の支配下に置いた者

(ii) a person who places a foreign national under their control for the purpose of having the foreign national engage in illegal work;

三　業として、外国人に不法就労活動をさせる行為又は前号の行為に関しあつせんした者

(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　前項各号に該当する行為をした者は、次の各号のいずれかに該当することを知らないことを理由として、同項の規定による処罰を免れることができない。ただし、過失のないときは、この限りでない。

(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:

一　当該外国人の活動が当該外国人の在留資格に応じた活動に属しない収入を伴う事業を運営する活動又は報酬を受ける活動であること。

(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;

二　当該外国人が当該外国人の活動を行うに当たり第十九条第二項の許可を受けていないこと。

(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

三　当該外国人が第七十条第一項第一号、第二号、第三号から第三号の三まで、第五号、第七号から第七号の三まで又は第八号の二から第八号の四までに掲げる者であること。

(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.

第七十三条の三　行使の目的で、在留カードを偽造し、又は変造した者は、一年以上十年以下の懲役に処する。

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　偽造又は変造の在留カードを行使した者も、前項と同様とする。

(2) The preceding paragraph also applies to a person who uses a forged or altered residence card.

３　行使の目的で、偽造又は変造の在留カードを提供し、又は収受した者も、第一項と同様とする。

(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　前三項の罪の未遂は、罰する。

(4) An attempt to commit the crime referred to in the preceding three paragraphs is punishable.

第七十三条の四　行使の目的で、偽造又は変造の在留カードを所持した者は、五年以下の懲役又は五十万円以下の罰金に処する。

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.

第七十三条の五　第七十三条の三第一項の犯罪行為の用に供する目的で、器械又は原料を準備した者は、三年以下の懲役又は五十万円以下の罰金に処する。

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.

第七十三条の六　次の各号のいずれかに該当する者は、一年以下の懲役又は二十万円以下の罰金に処する。

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:

一　他人名義の在留カードを行使した者

(i) a person who uses a residence card in another person's name;

二　行使の目的で、他人名義の在留カードを提供し、収受し、又は所持した者

(ii) a person who provides, receives or possesses a residence card in another person's name for the purpose of uttering; or

三　行使の目的で、自己名義の在留カードを提供した者

(iii) a person who provides their own residence card for the purpose of uttering.

２　前項（所持に係る部分を除く。）の罪の未遂は、罰する。

(2) An attempt to commit the crime referred to in the preceding paragraph (except for the part pertaining to possession) is punishable.

第七十四条　自己の支配又は管理の下にある集団密航者（入国審査官から上陸の許可等を受けないで、又は偽りその他不正の手段により入国審査官から上陸の許可等を受けて本邦に上陸する目的を有する集合した外国人をいう。以下同じ。）を本邦に入らせ、又は上陸させた者は、五年以下の懲役又は三百万円以下の罰金に処する。

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　営利の目的で前項の罪を犯した者は、一年以上十年以下の懲役及び千万円以下の罰金に処する。

(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　前二項の罪（本邦に上陸させる行為に係る部分に限る。）の未遂は、罰する。

(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.

第七十四条の二　自己の支配又は管理の下にある集団密航者を本邦に向けて輸送し、又は本邦内において上陸の場所に向けて輸送した者は、三年以下の懲役又は二百万円以下の罰金に処する。

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　営利の目的で前項の罪を犯した者は、七年以下の懲役及び五百万円以下の罰金に処する。

(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.

第七十四条の三　第七十四条第一項若しくは第二項又は前条の罪を犯す目的で、その用に供する船舶等を準備した者は、二年以下の懲役又は百万円以下の罰金に処する。情を知つて、その用に供する船舶等を提供した者も、同様とする。

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.

第七十四条の四　第七十四条第一項又は第二項の罪を犯した者からその上陸させた外国人の全部若しくは一部を収受し、又はその収受した外国人を輸送し、蔵匿し、若しくは隠避させた者は、五年以下の懲役又は三百万円以下の罰金に処する。当該外国人の全部若しくは一部を、これを収受した者から収受し、又はその収受した外国人を輸送し、蔵匿し、若しくは隠避させた者も、同様とする。

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　営利の目的で前項の罪を犯した者は、一年以上十年以下の懲役及び千万円以下の罰金に処する。

(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　前二項の罪の未遂は、罰する。

(3) An attempt to commit the crime referred to in the preceding two paragraphs is punishable.

第七十四条の五　前条第一項又は第二項の罪を犯す目的で、その予備をした者は、二年以下の懲役又は百万円以下の罰金に処する。

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.

第七十四条の六　営利の目的で第七十条第一項第一号若しくは第二号に規定する行為（以下「不法入国等」という。）又は同項第二号の二に規定する行為の実行を容易にした者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

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.

第七十四条の六の二　次の各号のいずれかに該当する者は、三年以下の懲役若しくは三百万円以下の罰金に処し、又はこれを併科する。

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:

一　他人の不法入国等の実行を容易にする目的で、偽りその他不正の手段により、日本国の権限のある機関から難民旅行証明書、渡航証明書、乗員手帳又は再入国許可書の交付を受けた者

(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;

二　他人の不法入国等の実行を容易にする目的で、次に掲げる文書を所持し、提供し、又は収受した者

(ii) a person who, for the purpose of facilitating another person to commit illegal entry or landing, possesses, provides or receives the following documents:

イ　旅券（旅券法第二条第一号及び第二号に規定する旅券並びに同法第十九条の三第一項に規定する渡航書を除く。以下この項において同じ。）、乗員手帳又は再入国許可書として偽造された文書

(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;

ロ　当該不法入国等を実行する者について効力を有しない旅券、乗員手帳又は再入国許可書

(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;

三　第七十条第一項第一号又は第二号の罪を犯す目的で、偽りその他不正の手段により、日本国の権限のある機関から難民旅行証明書、渡航証明書、乗員手帳又は再入国許可書の交付を受けた者

(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

四　第七十条第一項第一号又は第二号の罪を犯す目的で、次に掲げる文書を所持し、又は収受した者

(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:

イ　旅券、乗員手帳又は再入国許可書として偽造された文書

(a) documents that are falsified to serve as a passport, crew member's pocket-ledger or re-entry permit.

ロ　自己について効力を有しない旅券、乗員手帳又は再入国許可書

(b) a passport, crew member's pocket-ledger or re-entry permit that is not valid for oneself.

２　営利の目的で前項第一号又は第二号の罪を犯した者は、五年以下の懲役及び五百万円以下の罰金に処する。

(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.

第七十四条の六の三　前条の罪（所持に係る部分を除く。）の未遂は、罰する。

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.

第七十四条の七　第七十三条の二第一項第二号及び第三号、第七十三条の三から第七十三条の六まで、第七十四条の二（本邦内における輸送に係る部分を除く。）、第七十四条の三並びに前三条の罪は、刑法第二条の例に従う。

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.

第七十四条の八　退去強制を免れさせる目的で、第二十四条第一号又は第二号に該当する外国人を蔵匿し、又は隠避させた者は、三年以下の懲役又は三百万円以下の罰金に処する。

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　営利の目的で前項の罪を犯した者は、五年以下の懲役及び五百万円以下の罰金に処する。

(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　前二項の罪の未遂は、罰する。

(3) An attempt to commit the crime referred to in the preceding two paragraphs is punishable.

第七十五条　第十条第五項（第四十八条第五項において準用する場合を含む。）の規定に違反して、正当な理由がなくて出頭せず、宣誓若しくは証言を拒み、又は虚偽の証言をした者は、二十万円以下の罰金に処する。

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.

第七十五条の二　次の各号のいずれかに該当する者は、一年以下の懲役又は二十万円以下の罰金に処する。

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:

一　第二十三条第二項の規定に違反して在留カードを受領しなかつた者

(i) a person who does not receive a residence card in violation of the provisions of Article 23, paragraph (2); or

二　第二十三条第三項の規定に違反して在留カードの提示を拒んだ者

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

第七十五条の三　第二十三条第二項の規定に違反して在留カードを携帯しなかつた者は、二十万円以下の罰金に処する。

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,

第七十六条　次の各号のいずれかに該当する者は、十万円以下の罰金に処する。

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

一　第二十三条第一項の規定に違反した者

(i) a person who violates the provisions of Article 23, paragraph (1); or

二　第二十三条第三項の規定に違反して旅券、乗員手帳、特定登録者カード又は許可書の提示を拒んだ者

(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).

（両罰規定）

(Dual Liability)

第七十六条の二　法人の代表者又は法人若しくは人の代理人、使用人その他の従業者が、その法人又は人の業務に関して第七十一条の三、第七十一条の四、第七十三条の二若しくは第七十四条から第七十四条の六までの罪、第七十四条の六の二（第一項第三号及び第四号を除く。）の罪若しくはその未遂罪又は第七十四条の八の罪を犯したときは、行為者を罰するほか、その法人又は人に対しても、各本条の罰金刑を科する。

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.

（過料）

(Civil Fine)

第七十七条　次の各号のいずれかに該当する者は、五十万円以下の過料に処する。

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

一　第五十六条の規定に違反して入国審査官の行う審査その他入国審査官の職務の執行を拒み、又は妨げた者

(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;

一の二　第五十六条の二の規定に違反して、外国人の旅券、乗員手帳又は再入国許可書の確認をしないで当該外国人を本邦に入らせた者

(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;

二　第五十七条第一項若しくは第二項の規定に違反して報告をせず、若しくは虚偽の報告をし、同条第三項の規定に違反して報告をせず、又は同条第四項から第七項まで若しくは第九項前段の規定に違反して報告をせず、若しくは虚偽の報告をした者

(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;

三　第五十八条の規定に違反して上陸することを防止しなかつた者

(iii) a person who has failed to prevent a foreign national from landing in violation of the provisions of Article 58; or

四　第五十九条の規定に違反して送還を怠つた者

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

第七十七条の二　第十九条の十八第一項（第一号を除く。）若しくは第二項（第一号を除く。）の規定による届出をせず、又は虚偽の届出をした者は、十万円以下の過料に処する。

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.

第七十七条の三　第六十一条の九の三第二項各号に掲げる者が、同項の規定に違反して、第十九条の七第一項、第十九条の八第一項、第十九条の九第一項若しくは第十九条の十第一項の規定による届出、第十九条の七第二項（第十九条の八第二項及び第十九条の九第二項において準用する場合を含む。）の規定により返還され、若しくは第十九条の十第二項（第十九条の十一第三項、第十九条の十二第二項及び第十九条の十三第四項において準用する場合を含む。）の規定により交付される在留カードの受領又は第十九条の十一第一項、第十九条の十二第一項若しくは第十九条の十三第三項の規定による申請をしなかつたときは、五万円以下の過料に処する。

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.

（没収）

(Confiscation)

第七十八条　第七十条第一項第一号、第七十四条、第七十四条の二又は第七十四条の四の犯罪行為の用に供した船舶等又は車両で、犯人の所有又は占有に係るものは、没収する。ただし、その船舶等又は車両が犯人以外の者の所有に係り、かつ、その者が次の各号のいずれかに該当する場合は、この限りでない。

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:

一　第七十条第一項第一号、第七十四条、第七十四条の二又は第七十四条の四の犯罪が行われることをあらかじめ知らないでその犯罪が行われた時から引き続きその船舶等又は車両を所有していると認められるとき。

(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

二　前号に規定する犯罪が行われた後、その情を知らないでその船舶等又は車両を取得したと認められるとき。

(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.

附　則

Supplementary Provisions

省　略

Omitted

|  |  |
| --- | --- |
| 一 (1) |  |
| 在留資格 Status of Residence | 本邦において行うことができる活動 Authorized Activities in Japan |
| 外交 Diplomat | 日本国政府が接受する外国政府の外交使節団若しくは領事機関の構成員、条約若しくは国際慣行により外交使節と同様の特権及び免除を受ける者又はこれらの者と同一の世帯に属する家族の構成員としての活動 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. |
| 公用 Official | 日本国政府の承認した外国政府若しくは国際機関の公務に従事する者又はその者と同一の世帯に属する家族の構成員としての活動（この表の外交の項の下欄に掲げる活動を除く。） 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). |
| 教授 Professor | 本邦の大学若しくはこれに準ずる機関又は高等専門学校において研究、研究の指導又は教育をする活動 Activities for research, research guidance, or education, at a university, an equivalent educational institution, or a technical college. |
| 芸術 Artist | 収入を伴う音楽、美術、文学その他の芸術上の活動（二の表の興行の項の下欄に掲げる活動を除く。） Artistic activities that involve income, such as acitivies on music, fine arts, literature, etc. (except for the activities listed in the right-hand column under the "Entertainer" column in Table (2)). |
| 宗教 Religious Activities | 外国の宗教団体により本邦に派遣された宗教家の行う布教その他の宗教上の活動 Missionary and other religious activities conducted by foreign religious workers sent by a foreign religious organization. |
| 報道 Journalist | 外国の報道機関との契約に基づいて行う取材その他の報道上の活動 News coverage and other journalistic activities conducted based on a contract with foreign news media. |
| 二 (2) |  |
| 在留資格 Status of Residence | 本邦において行うことができる活動 Authorized Activities in Japan |
| 高度専門職 Highly Skilled Professional | 一　高度の専門的な能力を有する人材として法務省令で定める基準に適合する者が行う次のイからハまでのいずれかに該当する活動であつて、我が国の学術研究又は経済の発展に寄与することが見込まれるもの (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: |
|  | イ　法務大臣が指定する本邦の公私の機関との契約に基づいて研究、研究の指導若しくは教育をする活動又は当該活動と併せて当該活動と関連する事業を自ら経営し若しくは当該機関以外の本邦の公私の機関との契約に基づいて研究、研究の指導若しくは教育をする活動 (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; |
|  | ロ　法務大臣が指定する本邦の公私の機関との契約に基づいて自然科学若しくは人文科学の分野に属する知識若しくは技術を要する業務に従事する活動又は当該活動と併せて当該活動と関連する事業を自ら経営する活動 (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; |
|  | ハ　法務大臣が指定する本邦の公私の機関において貿易その他の事業の経営を行い若しくは当該事業の管理に従事する活動又は当該活動と併せて当該活動と関連する事業を自ら経営する活動 (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. |
|  | 二　前号に掲げる活動を行つた者であつて、その在留が我が国の利益に資するものとして法務省令で定める基準に適合するものが行う次に掲げる活動 (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: |
|  | イ　本邦の公私の機関との契約に基づいて研究、研究の指導又は教育をする活動 (a) activities of research, research instruction or education based on a contract signed with a public or private organization in Japan; |
|  | ロ　本邦の公私の機関との契約に基づいて自然科学又は人文科学の分野に属する知識又は技術を要する業務に従事する活動 (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; |
|  | ハ　本邦の公私の機関において貿易その他の事業の経営を行い又は当該事業の管理に従事する活動 (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; |
|  | ニ　イからハまでのいずれかの活動と併せて行う一の表の教授の項から報道の項までの下欄に掲げる活動又はこの表の法律・会計業務の項、医療の項、教育の項、技術・人文知識・国際業務の項、介護の項、興行の項若しくは技能の項の下欄若しくは特定技能の項の下欄第二号に掲げる活動（イからハまでのいずれかに該当する活動を除く。） (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). |
| 経営・管理 Business Manager | 本邦において貿易その他の事業の経営を行い又は当該事業の管理に従事する活動（この表の法律・会計業務の項の下欄に掲げる資格を有しなければ法律上行うことができないこととされている事業の経営又は管理に従事する活動を除く。） 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). |
| 法律・会計業務 Legal/ Accounting Services | 外国法事務弁護士、外国公認会計士その他法律上資格を有する者が行うこととされている法律又は会計に係る業務に従事する活動 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. |
| 医療 Medical Services | 医師、歯科医師その他法律上資格を有する者が行うこととされている医療に係る業務に従事する活動 Activities to engage in medical treatment services which are to be undertaken only by physicians, dentists, or those with other legal qualifications. |
| 研究 Researcher | 本邦の公私の機関との契約に基づいて研究を行う業務に従事する活動（一の表の教授の項の下欄に掲げる活動を除く。） 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)). |
| 教育 Instructor | 本邦の小学校、中学校、高等学校、中等教育学校、特別支援学校、専修学校又は各種学校若しくは設備及び編制に関してこれに準ずる教育機関において語学教育その他の教育をする活動 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. |
| 技術・人文知識・国際業務 Engineer/ Specialist in Humanities/ International Services | 本邦の公私の機関との契約に基づいて行う理学、工学その他の自然科学の分野若しくは法律学、経済学、社会学その他の人文科学の分野に属する技術若しくは知識を要する業務又は外国の文化に基盤を有する思考若しくは感受性を必要とする業務に従事する活動（一の表の教授の項、芸術の項及び報道の項の下欄に掲げる活動並びにこの表の経営・管理の項から教育の項まで、企業内転勤の項及び興行の項の下欄に掲げる活動を除く。） 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. |
| 企業内転勤 Intra-Company Transferee | 本邦に本店、支店その他の事業所のある公私の機関の外国にある事業所の職員が本邦にある事業所に期間を定めて転勤して当該事業所において行うこの表の技術・人文知識・国際業務の項の下欄に掲げる活動 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. |
| 介護 Nursing Care | 本邦の公私の機関との契約に基づいて介護福祉士の資格を有する者が介護又は介護の指導を行う業務に従事する活動 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. |
| 興行 Entertainer | 演劇、演芸、演奏、スポ―ツ等の興行に係る活動又はその他の芸能活動（この表の経営・管理の項の下欄に掲げる活動を除く。） 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). |
| 技能 Skilled Labor | 本邦の公私の機関との契約に基づいて行う産業上の特殊な分野に属する熟練した技能を要する業務に従事する活動 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. |
| 特定技能 Specified Skilled Worker | 一　法務大臣が指定する本邦の公私の機関との雇用に関する契約（第二条の五第一項から第四項までの規定に適合するものに限る。次号において同じ。）に基づいて行う特定産業分野（人材を確保することが困難な状況にあるため外国人により不足する人材の確保を図るべき産業上の分野として法務省令で定めるものをいう。同号において同じ。）であつて法務大臣が指定するものに属する法務省令で定める相当程度の知識又は経験を必要とする技能を要する業務に従事する活動 (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; |
|  | 二　法務大臣が指定する本邦の公私の機関との雇用に関する契約に基づいて行う特定産業分野であつて法務大臣が指定するものに属する法務省令で定める熟練した技能を要する業務に従事する活動 (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. |
| 技能実習 Technical Intern Training | 一　次のイ又はロのいずれかに該当する活動 (i) Activities which fall under either of the following item (a) or (b): |
|  | イ　技能実習法第八条第一項の認定（技能実習法第十一条第一項の規定による変更の認定があつたときは、その変更後のもの。以下同じ。）を受けた技能実習法第八条第一項に規定する技能実習計画（技能実習法第二条第二項第一号に規定する第一号企業単独型技能実習に係るものに限る。）に基づいて、講習を受け、及び技能、技術又は知識（以下「技能等」という。）に係る業務に従事する活動 (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); |
|  | ロ　技能実習法第八条第一項の認定を受けた同項に規定する技能実習計画（技能実習法第二条第四項第一号に規定する第一号団体監理型技能実習に係るものに限る。）に基づいて、講習を受け、及び技能等に係る業務に従事する活動 (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. |
|  | 二　次のイ又はロのいずれかに該当する活動 (ii) Activities which fall under either of the following (a) or (b): |
|  | イ　技能実習法第八条第一項の認定を受けた同項に規定する技能実習計画（技能実習法第二条第二項第二号に規定する第二号企業単独型技能実習に係るものに限る。）に基づいて技能等を要する業務に従事する活動 (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; |
|  | ロ　技能実習法第八条第一項の認定を受けた同項に規定する技能実習計画（技能実習法第二条第四項第二号に規定する第二号団体監理型技能実習に係るものに限る。）に基づいて技能等を要する業務に従事する活動 (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. |
|  | 三　次のイ又はロのいずれかに該当する活動 (iii) Activities which fall under either of the following sub-item (a) or (b): |
|  | イ　技能実習法第八条第一項の認定を受けた同項に規定する技能実習計画（技能実習法第二条第二項第三号に規定する第三号企業単独型技能実習に係るものに限る。）に基づいて技能等を要する業務に従事する活動 (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; |
|  | ロ　技能実習法第八条第一項の認定を受けた同項に規定する技能実習計画（技能実習法第二条第四項第三号に規定する第三号団体監理型技能実習に係るものに限る。）に基づいて技能等を要する業務に従事する活動 (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. |
| 三 (3) |  |
| 在留資格 Status of Residence | 本邦において行うことができる活動 Authorized Activities in Japan |
| 文化活動 Cultural Activities | 収入を伴わない学術上若しくは芸術上の活動又は我が国特有の文化若しくは技芸について専門的な研究を行い若しくは専門家の指導を受けてこれを修得する活動（四の表の留学の項から研修の項までの下欄に掲げる活動を除く。） 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)). |
| 短期滞在 Temporary Visitor | 本邦に短期間滞在して行う観光、保養、スポ―ツ、親族の訪問、見学、講習又は会合への参加、業務連絡その他これらに類似する活動 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. |
| 備考　法務大臣は、特定技能の項の下欄の法務省令を定めようとするときは、あらかじめ、関係行政機関の長と協議するものとする。 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. | |
| 四 (4) |  |
| 在留資格 Status of Residence | 本邦において行うことができる活動 Authorized Activities in Japan |
| 留学 Student | 本邦の大学、高等専門学校、高等学校（中等教育学校の後期課程を含む。）若しくは特別支援学校の高等部、中学校（義務教育学校の後期課程及び中等教育学校の前期課程を含む。）若しくは特別支援学校の中学部、小学校（義務教育学校の前期課程を含む。）若しくは特別支援学校の小学部、専修学校若しくは各種学校又は設備及び編制に関してこれらに準ずる機関において教育を受ける活動 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. |
| 研修 Trainee | 本邦の公私の機関により受け入れられて行う技能等の修得をする活動（二の表の技能実習の項の下欄第一号及びこの表の留学の項の下欄に掲げる活動を除く。） 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). |
| 家族滞在 Dependent | 一の表、二の表又は三の表の上欄の在留資格（外交、公用、特定技能（二の表の特定技能の項の下欄第一号に係るものに限る。）、技能実習及び短期滞在を除く。）をもつて在留する者又はこの表の留学の在留資格をもつて在留する者の扶養を受ける配偶者又は子として行う日常的な活動 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. |
| 五 (5) |  |
| 在留資格 Status of Residence | 本邦において行うことができる活動 Authorized Activities in Japan |
| 特定活動 Designated Activities | 法務大臣が個々の外国人について特に指定する活動 Activities which are specifically designated by the Minister of Justice for individual foreign nationals |
| 別表第二（第二条の二、第七条、第二十二条の三、第二十二条の四、第六十一条の二の二、第六十一条の二の八関係） Appended Table II (Re. Art. 2-2 ,7, 22-3, 22-4, 61-2-2, and 61-2-8) | |
| 在留資格 Status of Residence | 本邦において有する身分又は地位 Personal status or position for which residence is authorized |
| 永住者 Permanent Resident | 法務大臣が永住を認める者 Those who are permitted permanent residency by the Minister of Justice |
| 日本人の配偶者等 Spouse or Child of Japanese National | 日本人の配偶者若しくは特別養子又は日本人の子として出生した者 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 |
| 永住者の配偶者等 Spouse or Child of Permanent Resident | 永住者等の配偶者又は永住者等の子として本邦で出生しその後引き続き本邦に在留している者 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 |
| 定住者 Long-Term Resident | 法務大臣が特別な理由を考慮し一定の在留期間を指定して居住を認める者 Those who are authorized to reside in Japan with a period of stay designated by the Minister of Justice in consideration of special circumstances |