

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 May 10, 1991)

(Purpose)

Article 1 The purpose of this Act is to specify special measures relating to the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as the "Immigration Control Act") regarding persons who have lost Japanese nationality under the Treaty of Peace with Japan, and child of persons who have lost Japanese nationality under the Treaty of Peace with Japan, as defined in the Article below,.

(Definitions)

Article 2 (1) In this Act, "Persons who have lost Japanese nationality under the Treaty of Peace with Japan" means those who have lost their Japanese nationality in accordance with the provisions of the same treaty, on the date on which the treaty first took effect, and to whom either of the following items applies:

- (i) the person is one who has been residing in Japan continuously since September 2, 1945 or earlier.
- (ii) the person is one who was born in Japan in the period from September 3, 1945 to the date on which the peace treaty first took effect; who has continued to reside in Japan since then; and whose biological father or mother has resided in Japan continuously since September 2, 1945 or earlier, until the relevant time of birth (if the father or mother was deceased at the time of birth, at the relevant time of death) and satisfies either of (a) or (b) below:
 - (a) has lost Japanese nationality in accordance with the provisions of the Treaty of Peace with Japan, on the date on which the peace treaty first took effect;
 - (b) has died by the date on which the peace treaty first took effect or lost Japanese nationality after birth by the date on which the peace treaty took effect; and but for such death or loss, would have been deemed to have lost Japanese nationality pursuant to the provisions of the Treaty of Peace with Japan on the date on which the peace treaty took effect.

(2) In this Act, "child of persons who have lost Japanese nationality under the Treaty of Peace with Japan" means those persons: who were born in Japan as lineal descendants of persons who have lost Japanese nationality under the

Treaty of Peace with Japan; who continue to reside in Japan since birth; and to whom either of the following items applies:

- (i) the person is the child of a person who has lost Japanese nationality under the Treaty of Peace with Japan.
- (ii) excluding where the preceding item applies, the person belongs to a generation of the family of the relevant person residing in Japan, up to the grandchildren of the relevant person who lost Japanese nationality under the Treaty of Peace with Japan (where the relevant person residing in Japan is a grandchild of the relevant person who has lost Japanese nationality under the Treaty of Peace with Japan, the relevant grandchild; hereinafter the same in this item), and that person's father or mother: was born in Japan as a lineal descendant of persons who have lost Japanese nationality under the Treaty of Peace with Japan; and has since then continued to reside in Japan until the birth of the person from the relevant generation (if deceased at the time of birth, at the relevant time of death).

(Statutory Special Permanent Resident)

Article 3 A Person who has lost Japanese nationality under the Treaty of Peace with Japan or who is the child of a person who has lost Japanese nationality under the Treaty of Peace with Japan may, if that person satisfies at least one of the following items, permanently reside in Japan as a special permanent resident provided for in this Act.

- (i) the person satisfies any one of the following.
 - (a) the person is one who stays in Japan pursuant to the provisions of Article 2, paragraph (6) of the Act on Measures for Ministry of Foreign Affairs Order Issued pursuant to Imperial Ordinance on Orders Issued Incidental to Acceptance of the Potsdam Declaration (Act No. 126 of 1952) (herein after referred to as the "Old Act No. 126 of 1952") prior to its revision by the provisions of Article 10 of the supplementary provisions.
 - (b) the person is one who was granted permission for permanent residence in accordance with the provisions of the Special Act on the Control of Immigration following the Implementation of the Treaty between Japan and the Republic of Korea concerning the Legal Standing and Treatment of Korean Nationals residing in Japan (Act No. 146 of 1965) (hereinafter referred to as the "Old Japan-Korea Special Act") prior to its repeal by the provisions of Article 6 of the supplementary provisions.
 - (c) the person is one who stays in Japan by virtue of the status of permanent residence as set out in the left-hand column of the Appended Table II of the Immigration Control Act prior to its revision by the provisions of Article 7 of the supplementary provisions (hereinafter referred to as the "Old Immigration Control Act").

(ii) the person is one who stays in Japan by virtue of the status of residence of a child of persons who have lost Japanese nationality under the Treaty of Peace with Japan, as set out in the left-hand column of the Appended Table II of the Old Immigration Control Act.

(Special Permission for Permanent Residence)

Article 4 (1) A person who is the child of persons who have lost Japanese nationality under the Treaty of Peace with Japan, and who, due to birth and other reasons, is set to stay in Japan without going through the procedures for landing specified in Chapter III of the Immigration Control Act may, with the permission of the Commissioner of the Immigration Services Agency, permanently reside in Japan as a special permanent resident as provided for in this Act.

(2) If a person as specified in the preceding paragraph applies for permission under that paragraph within 60 days due to birth or any other relevant reason, the Commissioner of the Immigration Services Agency is to grant such permission.

(3) An application for permission under paragraph (1) must, in accordance with the Ministry of Justice Order, be made to the mayor of the municipality (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 (Act No. 67 of 1947)) in which the place of residence is situated, by producing the application for special permission for permanent residence and other documents.

(4) The mayor of municipality must, if documents are submitted under the preceding paragraph, verify whether the person seeking to receive the permission under paragraph (1) resides in the place of residence declared in the application, and the truthfulness of the submitted documents, and then forward those documents to the Commissioner of the Immigration Services Agency.

Article 5 (1) A person who has lost Japanese nationality under the Treaty of Peace with Japan or an child of persons who have lost Japanese nationality under the Treaty of Peace with Japan, who stays in Japan by virtue of a status of residence as set out in the left-hand column of the Appended Table II of the Immigration Control Act (excluding the residence status of permanent resident) may, with the permission of the Commissioner of the Immigration Services Agency, permanently reside in Japan as a special permanent resident provided for in this Act.

(2) If a person specified in the preceding paragraph applies for permission under the same paragraph, the Commissioner of the Immigration Services Agency is

to grant such permission. In such a case, any determination as to the status of residence and the duration of stay made in respect of the person who has been granted the relevant permission will cease to have effect.

- (3) An application for permission under paragraph (1) must, in accordance with the Ministry of Justice Order, be made to the Commissioner of the Immigration Services Agency, by producing the application form for permission for special permanent residence and other documentation.

(Issuance of Special Permanent Residence Permits)

Article 6 (1) If permission is to be granted under Article 4, paragraph (1), the Commissioner of the Immigration Services Agency is to issue a document stating that permission is granted to permanently reside in Japan as a special permanent resident (hereinafter referred to as the "special permanent residence permit"), via the mayor of the municipality in which the place of residence is situated.

- (2) If permission is to be granted under paragraph (1) of the preceding Article, the Commissioner of the Immigration Services Agency is to have the immigration inspector issue a special permanent residence permit.

(Issuance of the Special Permanent Resident Certificate)

Article 7 (1) The Commissioner of the Immigration Services Agency will issue to special permanent resident a special permanent resident certificate.

- (2) If permission is granted under Article 4, paragraph (1), the Commissioner of the Immigration Services Agency issues to special permanent resident a special permanent resident certificate, via the mayor of the municipality in which the place of residence is situated.
- (3) If permission was granted under Article 5, paragraph (1), the Commissioner of the Immigration Services Agency has the immigration inspector issue to the special permanent resident a special permanent resident certificate.

(Particulars to be recorded on Special Permanent Resident Certificates)

Article 8 (1) . The particulars to be recorded on special permanent resident certificates are as follows; provided, however, that if the special permanent resident who is to receive a special permanent resident certificate does not have a place of residence (referring to the primary of place of residence in Japan; hereinafter the same), the matter set out in item (ii) need not be recorded.

- (i) the name, date of birth, gender, country of nationality or the region referred to in Article 2, paragraph (5), item (ii) of the Immigration Control Act.
- (ii) place of residence.
- (iii) the number of the special permanent resident certificate, issue date, and

expiry date of the period of validity.

- (2) The number of the special permanent resident certificate referred to in item (iii) of the preceding Article will, in accordance with the Ministry of Justice Order, vary each time the special permanent resident certificate is issued (including where it is re-issued).
- (3) The special permanent resident certificate is to, in accordance with the Ministry of Justice Order, carry the photograph of the special permanent resident. In such a case, the Commissioner of the Immigration Services Agency may use the photograph provided by the relevant special permanent resident in accordance with the provisions of the laws specified by the Ministry of Justice Order.
- (4) Beyond those particulars which are specified in the preceding three paragraphs, the format of the special permanent resident certificate, indications to be included in the special permanent resident certificate, and other necessary matters concerning the special permanent resident certificate are specified by the Ministry of Justice Order.
- (5) The Commissioner of the Immigration Services Agency may, in accordance with the Ministry of Justice Order, record the particulars listed in each item of paragraph (1) and items to be shown pursuant to the provisions of the preceding two paragraphs, in whole or part, on the special permanent resident certificate in an electronic or magnetic form (referring to electronic form, magnetic form or any other form that cannot be recognized by human perception).

(Special Permanent Resident Certificate Period of Validity)

Article 9 The period of validity of the special permanent resident certificate will, depending on how the special permanent resident who is to be issued with it is classified in accordance with the items below, be the period until the date specified in the relevant item is reached.

- (i) persons who are under 16 on the date on which the special permanent resident certificate is to be issued (excluding those who receive their special permanent resident certificate pursuant to the provisions of Article 11, paragraph (2), as applied mutatis mutandis in Article 12, paragraph (3)): 16th birthday (where the relevant permanent resident's birthday is February 29, the relevant permanent resident's birthdays in years other than a leap year are deemed to be February 28; hereinafter the same).
- (ii) persons other than those to whom the preceding item applies: with respect to special permanent resident certificate which relates to notifications filed pursuant to the provisions of Article 11, paragraph (1), or applications made pursuant to the provisions of Article 13, paragraph (1), or Article 14, paragraph (1) or paragraph (3), the 7th birthday following the date of the

relevant notification or application; and with respect to special permanent resident certificate which relates to applications made pursuant to the provisions of Article 12, paragraph (1) or paragraph (2), the 7th birthday following the date on which the period of validity of the special permanent resident certificate held by the relevant applicant at the time of application expires.

(Notification of Place of Residence)

- Article 10 (1) A special permanent resident who has been issued with a special permanent resident certificate which does not bear the place of residence must, within 14 days of settling on a place of residence, in accordance with the procedures prescribed by the Ministry of Justice Order, produce the relevant special permanent resident certificate to the mayor of the municipality in which the place of residence is situated, and notify the place of residence to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated.
- (2) A special permanent resident must, if their place residence has changed, within 14 days of moving to the new place of residence (referring to the place of residence after the change; hereinafter the same), in accordance with the procedures prescribed by the Ministry of Justice Order, produce the special permanent resident certificate to the mayor of the municipality of the new place of residence, and notify the new place of residence to the Commissioner of the Immigration Services Agency, via the relevant mayor of the municipality.
- (3) The mayor of municipality is to, if a special permanent resident certificate is produced under the provisions of the preceding two paragraphs, record the place of residence or the new place of residence onto the relevant special permanent resident certificate (including by recording in accordance with the provisions of Article 8, paragraph (5)), and return the same to the relevant special permanent resident.
- (4) If a special permanent resident specified 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 producing a special permanent resident certificate, the relevant notification is deemed to have been filed in accordance with the provisions of the same paragraph.
- (5) If a special permanent resident (excluding those special permanent residents who are specified 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 producing a special permanent resident certificate, the relevant notification is deemed to have been filed in accordance with the provisions of paragraph (2).

(Notification of Changes to Particulars other than the Place of Residence)

- Article 11 (1) A special permanent resident must, if the particulars listed in Article 8, paragraph (1), item (i) have changed, within 14 days of such change arising, in accordance with the procedures prescribed by the Ministry of Justice Order, file a notification regarding the change to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated.
- (2) The Commissioner of the Immigration Services Agency is to, if a notification is filed under the preceding paragraph, issue to the relevant special permanent resident a new special permanent resident certificate.
- (3) The mayor of municipality is to, if a special permanent resident certificate is to be issued pursuant to the provisions of the preceding paragraph, record the issue date on the relevant special permanent resident certificate.

(Renewal of the Period of Validity of Special Permanent Resident Certificates)

- Article 12 (1) A special permanent resident who has been issued with a special permanent resident certificate must, in the period starting 2 months (where the date of expiry of the period of validity is the relevant special permanent resident's 16th birthday, 6 months) prior to the expiry of the period of validity of the special permanent resident certificate and ending on the date of expiry of the period of validity (referred to as the "renewal period" in the paragraph below), in accordance with procedures prescribed by the Ministry of Justice Order, apply to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated, to renew the period of validity of the special permanent resident certificate.
- (2) A person who, due to unavoidable reasons, foresees a difficulty in making the application within the renewal period in accordance with the provisions of the preceding paragraph may, in accordance with the procedures prescribed by the Ministry of Justice Order, prior to the renewal period, apply to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated, to renew the period of validity of the special permanent resident certificate.
- (3) The provisions of paragraph (2) and paragraph (3) of the preceding Article are applied mutatis mutandis where an application is made in accordance with the provisions of the two preceding paragraphs.

(Re-issuance of Special Permanent Resident Certificates Due to Loss)

- Article 13 (1) If a special permanent resident who has been issued with a special permanent resident certificate loses possession of the special permanent resident certificate due to loss, theft, destruction, or any other cause, the special permanent resident must, within 14 days of the date of learning of such

fact (if the relevant fact was learnt whilst outside Japan, the date of subsequent return to Japan), in accordance with the procedures prescribed by the Ministry of Justice Order, apply to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated, for the re-issuance of the special permanent resident certificate.

- (2) The provisions of Article 11, paragraph (2) and paragraph (3) apply *mutatis mutandis* where an application is made in accordance with the provisions of the preceding paragraph.

(Re-issuance of Special Permanent Resident Certificate Due to Defacement)

Article 14 (1) A special permanent resident who has been issued with a special permanent resident certificate may, if the relevant special permanent resident certificate has become noticeably damaged or soiled, or the particulars recorded on it pursuant to the provisions of Article 8, paragraph (5) have become damaged (hereinafter referred to as "cases of damage, etc." within this paragraph), in accordance with the procedures prescribed by the Ministry of Justice Order, apply to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated, for the re-issuance of the special permanent resident certificate. The same will apply where the special permanent resident requests a replacement of the special permanent resident certificate in cases other than cases of damage, etc. (except where it is deemed that there is no justifiable reason).

- (2) The Commissioner of the Immigration Services Agency may order the special permanent resident who possesses a special permanent resident certificate which has become noticeably damaged or soiled, or which has its particulars recorded pursuant to the provisions of Article 8, paragraph (5) damaged, to apply for the re-issuance of the special permanent resident certificate.
- (3) A special permanent resident who has received an order pursuant to the provisions of the preceding paragraph must, within 14 days of receiving the relevant order, in accordance with the procedures prescribed by the Ministry of Justice Order, apply to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated, for the re-issuance of the special permanent resident certificate.
- (4) The provisions of Article 11, paragraph (2) and paragraph (3) are applied *mutatis mutandis* where an application is made in accordance with the provisions of paragraph (1) or the preceding paragraph.
- (5) If a special permanent resident is to be re-issued with a special permanent resident certificate, following an application made based on the provisions of the latter part of paragraph (1), in accordance with the provisions of Article 11, paragraph (2) which are applied *mutatis mutandis* in the preceding paragraph,

the special permanent resident must pay a fee specified by Cabinet Order which takes into account the actual cost.

(Loss of Validity of Special Permanent Resident Certificates)

Article 15 special permanent resident certificates will lose their validity if any one of the following applies:

- (i) the special permanent resident who was issued with the special permanent resident certificate ceases to be a special permanent resident.
- (ii) the period of validity of the special permanent resident certificate has expired.
- (iii) the special permanent resident who was issued with the special permanent resident certificate (excluding those who are granted re-entry permission pursuant to the provisions of Article 26, paragraph (1) of the Immigration Control Act (including those who are deemed to be granted re-entry permission pursuant to the provisions of Article 26-2, paragraph (1) of the Immigration Control Act, as applied mutatis mutandis to Article 23, paragraph (2); hereinafter the same)) has, in accordance with the provisions of Article 25, paragraph (1) of the Immigration Control Act, received confirmation of departure from an immigration inspector at the port of entry of departure used for departure.
- (iv) the special permanent resident who was issued with the special permanent resident certificate, being a person who was granted re-entry permission pursuant to the provisions of Article 26, paragraph (1), has departed from Japan and failed to re-enter Japan within the period of validity for re-entry.
- (v) the special permanent resident who was issued with the special permanent resident certificate has been issued with a new special permanent resident certificate.
- (vi) the special permanent resident who was issued with the special permanent resident certificate has died.

(Return of Special Permanent Resident Certificates)

Article 16 (1) A special permanent resident who was issued with a special permanent resident certificate must, if the special permanent resident certificate in that special permanent resident's possession has lost its validity in accordance with item (i), item (ii), or item (iv) of the preceding Article, within 14 days of the relevant circumstances arising, return the relevant special permanent resident certificate to the Commissioner of the Immigration Services Agency.

(2) A special permanent resident who was issued with a special permanent resident certificate must, if the special permanent resident certificate in that special permanent resident's possession has lost its validity in accordance with

item (iii) of the preceding Article, immediately return the relevant special permanent resident certificate to the Commissioner of the Immigration Services Agency.

- (3) A special permanent resident who was issued with a special permanent resident certificate must, if the special permanent resident certificate in that special permanent resident's possession has lost its validity in accordance with item (v) of the preceding Article, immediately return the relevant special permanent resident certificate to the Commissioner of the Immigration Services Agency, via the mayor of the municipality in which the place of residence is situated.
- (4) A special permanent resident who was issued with a special permanent resident certificate must, if the possession of the special permanent resident certificate was lost and then discovered after the relevant special permanent resident certificate lost its validity pursuant to the provisions of the preceding Article (excluding item (vi)), within 14 days of its discovery, return the relevant special permanent resident certificate to the Commissioner of the Immigration Services Agency.
- (5) If a special permanent resident certificate has lost its validity pursuant to the provisions of item (vi) of the preceding Article, the relative or the cohabitant of the deceased special permanent resident must, within 14 days of the date of death (if the special permanent resident certificate is discovered after the death, the date of its discovery), return the relevant special permanent resident certificate to the Commissioner of the Immigration Services Agency.

(Showing Special Permanent Resident Certificates)

- Article 17 (1) A special permanent resident must take receipt of the special permanent resident certificate which is issued by the Commissioner of the Immigration Services Agency, or which is returned by the mayor of the municipality.
- (2) A special permanent resident must, if an immigration inspector, immigration control officer, police officer, coast guard officer, or any other official of the national government or a local government specified in the Ministry of Justice Order requests, so in pursuance of their duties, show their special permanent resident certificate.
 - (3) Officials as specified in the preceding paragraph must, when requesting the production of the special permanent resident certificate, carry the proof of their identity on them, and present it if they are asked to do so.
 - (4) The provisions of the main text of Article 23, paragraph (1) of the Immigration Control Act will not be applicable to special permanent residents.

(Obligation to Appear in Person and Applying through a Representative)

Article 18 (1) Applications for permission under Article 4, paragraph (1), or the receipt of the special permanent resident certificate to be issued pursuant to the provisions of Article 6, paragraph (1), must be made or take place in person at the office of the municipality in which the place of residence is situated, whilst an application for permission under Article 5, paragraph (1), or the receipt of the special permanent resident certificate to be issued pursuant to the provisions of Article 6, paragraph (2), must be made or take place in person at the regional immigration services bureau.

(2) If a person who seeks to make the application or receive the special permanent resident certificate as specified in the preceding Article is less than 16, the relevant application or the receipt of the special permanent resident certificate must be made by or take place through the person who has parental authority over that person or the guardian of that person, on behalf of that person.

(3) If the person who seeks to make the application or receive the special permanent resident certificate specified in paragraph (1) is, due to illness and other reasons, unable to make the application in person or receive the special permanent resident certificate in person, this may be carried out by a relative or a cohabitant of that person, on their behalf.

(4) A person who receives the special permanent resident certificate pursuant to the provisions of the two preceding paragraphs must, at the relevant time, take receipt of the special permanent resident certificate issued pursuant to the provisions of Article 7, paragraph (2) or paragraph (3).

(Obligation to Appear in Person and notification through a Representative)

Article 19 (1) A notification to be filed pursuant to the provisions of Article 10, paragraph (1) or paragraph (2), or Article 11, paragraph (1); the receipt of the special permanent resident certificate to be returned pursuant to the provisions of Article 10, paragraph (3), or to be issued pursuant to the provisions of Article 11, paragraph (2) (including where they are to be applied *mutatis mutandis* to Article 12, paragraph (3), Article 13, paragraph (2), and Article 14, paragraph (4); and an application to be made pursuant to the provisions of Article 12, paragraph (1) or paragraph (2), Article 13, paragraph (1), or Article 14, paragraph (1) or paragraph (3) (hereinafter referred to as "notification, etc." within this Article and Article 34) must be made or take place in person at the office of the municipality in which the place of residence is situated (with respect to notification to be filed pursuant to the provisions of Article 10, paragraph (1) or paragraph (2), or the receipt of the special permanent resident certificate to be returned pursuant to the provision of paragraph (3) of the same Article, the registered place of residence).

(2) If the special permanent resident is under 16, or is, due to illness and other

reasons, unable to make the notification, etc. in person, a person who is listed in the following items (excluding those who are under 16) and who cohabits with the special permanent resident must, in the order of the relevant items, make the notification, etc. on behalf of the relevant special permanent resident.

(i) the special permanent resident's spouse.

(ii) the special permanent resident's child.

(iii) the special permanent resident's father or mother.

(iv) a relative of the special permanent resident other than those who are listed in the preceding three items.

(3) In circumstances other than that which is specified in the preceding paragraph, if notification, etc. is to be made by someone other than a person listed in each of the items in the same paragraph (excluding those who are under 16) and who cohabits with the relevant special permanent resident on behalf of the relevant special permanent resident, at the request of the relevant special permanent resident, then as long as this is provided for in the Ministry of Justice Order, the relevant special permanent resident need not, notwithstanding the provisions of paragraph (1), appear in person to make the notification, etc.

(Exceptions Regarding Inspections for Landing)

Article 20 Insofar as a special permanent resident who has been granted re-entry permission pursuant to the provisions of Article 26, paragraph (1) of the Immigration Control Act is concerned, the reference to "items (i) and (iv)" in Article 7, paragraph (1) of the Immigration Control Act is treated as a reference to "item (i)".

(Exceptions Regarding Permissible Periods of Stay)

Article 21 Insofar as a person who is specified in Article 4, paragraph (1) is concerned: the part of Article 20-2, paragraph (1) of the Immigration Control Act which reads "60 days" is read as "60 days (if the last day of this period falls on a holiday for the local government as specified in Article 4-2, paragraph (1) of the Local Autonomy Act, the period until the day which follows the holiday for the local government)"; and the part of Article 70, paragraph (1), item (viii) of the Immigration Control Act which reads "pursuant to the provisions of Article 22, paragraph (2), as applied mutatis mutandis to Article 22-2, paragraph (4)" is read as "pursuant to the provisions of Article 4, 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".

(Exceptions Regarding Deportation)

Article 22 (1) Insofar as a special permanent resident is concerned, a deportation

pursuant to the provisions of Article 24 of the Immigration Control Act may be carried out only if one of the following items applies to that person.

- (i) a person who was sentenced to imprisonment without work or a heavier punishment, for an offence specified in Part II, Chapter II or Chapter III of the Penal Code (Act No.45 of 1907); provided, however, that a person for whom the execution of the sentence is suspended and a person who was sentenced for an offence under Article 77, paragraph (1), item (iii) of the same Act is excluded.
 - (ii) a person who was sentenced to imprisonment without work or a heavier punishment, for an offence specified in Part II, Chapter IV of the Penal Code.
 - (iii) a person who was sentenced to imprisonment without work or heavier punishment, for an offence against the head of state, diplomatic mission, or the official residence of a foreign nation, and whose criminal act was determined by the Minister of Justice as having harmed the significant diplomatic interests of Japan.
 - (iv) a person who was sentenced to life imprisonment, imprisonment for more than 7 years or more, or imprisonment without work for 7 years or more, and whose criminal act was determined by the Minister of Justice as having harmed the significant interests of Japan.
- (2) The Minister of Justice must, if the Minister of Justice plans to make a determination under item (iii) of the preceding paragraph, consult the Minister of Foreign Affairs in advance.
- (3) Insofar as a special permanent resident is concerned: the part of Article 27, Article 31, paragraph (3), Article 39, paragraph (1), Article 43, paragraph (1), Article 47, paragraph (1), Article 48, paragraph (6), Article 49, paragraph (4) and Article 62, paragraph (1) of the Immigration Control Act which reads "the items under Article 24"; the part of Article 45, paragraph (1) of the Immigration Control Act which reads "foreign national subject to deportation (a foreign national who falls under any of the items of Article 24 but who does not fall into the category of a foreign national subject to a departure order)"; and the part of Article 47, paragraph (3), Article 55-2, paragraph (4), and Article 63, paragraph (1) which reads "the category of foreign national subject to deportation" is read as "the items under Article 22, 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".

(Exceptions Regarding the Period Validity of Re-entry Permission)

Article 23 (1) Insofar as a special permanent resident is concerned, the part of Article 26, paragraph (3) of the Immigration Control Act which reads "5 years" is read as "6 years", and the part of paragraph 5 of the same Article which reads "6 years" is read as "7 years".

- (2) The provisions of Article 26-2 of the Immigration Control Act are applied mutatis mutandis to special permanent residents who depart from Japan whilst in possession of a valid passport and a special permanent resident certificate. In this case, the part of paragraph (2) of the same Article which reads "one year from the date of departure from Japan (where the expiration date of the period of stay comes prior to the date of the elapse of one year from the date of departure from Japan, the period until the expiration of the period of stay)" is read as "2 years from the date of departure from Japan".
- (3) The Commissioner of Immigration Services Agency must, in applying the provisions of Article 26 of the Immigration Control Act and in applying the provisions of Article 26-2 of the Immigration Control Act mutatis mutandis under the preceding paragraph, respect the aim of this Act, which is to contribute to the stabilization of the special permanent resident's life in Japan.

(Allocation of Administrative Tasks)

Article 24 Administrative tasks which are to be handled by the municipality in accordance with the provisions of Article 4, paragraph (3) and paragraph (4), Article 6, paragraph (1), Article 7, paragraph (2), Article 10, paragraph (1) through paragraph (3), Article 11, paragraph (1) as well as paragraph (2) and paragraph (3) (including where those provisions are to be applied mutatis mutandis to Article 12, paragraph (3), Article 13, paragraph (2), and Article 14, paragraph (4)), Article 12, paragraph (1) and paragraph (2), Article 13, paragraph (1), Article 14, paragraph (1) and paragraph (3), and Article 16, paragraph (3) of the Immigration Control Act, are classified as Type 1 of the statutory entrusted functions specified in Article 2, paragraph (9), item (i) of the Local Autonomy Act.

(Delegation to Cabinet Orders)

Article 25 Important matters in relation to procedures for the implementation and execution of this Act are specified by the Ministry of Justice Order (with respect to administrative affairs to be carried out by the mayor of the municipality, by Cabinet Order).

(Penal Provisions)

- Article 26 (1) A person who, for the purpose of uttering, has forged or altered a special permanent resident certificate, is subject to imprisonment for a term of more than 1 year up to a maximum of 10 years.
- (2) A person who has made use of a special permanent resident certificate which was forged or altered is penalized in the same way in accordance with the preceding paragraph.
- (3) A person who, for the purpose of uttering, has provided or received a special

permanent resident certificate which was forged or altered, is penalized in the same way as that in paragraph (1).

(4) Attempts of the offences in the preceding three paragraphs is subject to punishment.

Article 27 A person who, for the purpose of uttering, has possessed a special permanent resident certificate, is subject to imprisonment for a term not exceeding 5 years, or a fine not exceeding 500,000 yen.

Article 28 A person who has prepared machinery or materials, for the purpose of providing them for use in the criminal act specified in Article 26, paragraph (1), is subject to imprisonment for a term not exceeding 3 years, or a fine not exceeding 500,000 yen.

Article 29 (1) A person to whom any of the following items applies, is subject to imprisonment for a term not exceeding 1 year, or a fine not exceeding 200,000 yen.

(i) a person who has made use of another person's special permanent resident certificate.

(ii) a person who, for the purpose of uttering, has provided, received, or possessed another person's special permanent resident certificate.

(iii) a person who, for the purpose of uttering, has provided that person's own special permanent resident certificate.

(2) Attempts of the offences in the preceding paragraph (except for the part relating to possession) is punished.

Article 30 The offences in Article 26 through the preceding Article is treated in same way as the offences which are listed in Article 2 of the Penal Code.

Article 31 A person to whom any of the following items applies, is subject to imprisonment for a term not exceeding 1 year, or a fine not exceeding 200,000 yen.

(i) a person who, in connection with a notification to be filed pursuant to the provisions of Article 10, paragraph (1) or paragraph (2), or Article 11, paragraph (1), has filed a false notification.

(ii) a person who has contravened the provisions of Article 12, paragraph (1), Article 13, paragraph (1), or Article 14, paragraph (3).

(iii) a person who, contrary to the provisions of Article 17, paragraph (1), has failed to take receipt of the special permanent resident certificate.

(iv) a person who, contrary to the provisions of Article 17, paragraph (2), has refused to produce the special permanent resident certificate.

Article 32 A person to whom any of the following items applies, is subject to a fine not exceeding 200,000 yen.

- (i) a person who, contrary to the provisions of Article 10, paragraph (1), has failed to give notification of their place of residence.
- (ii) a person who, contrary to the provisions of Article 10, paragraph (2), has failed to give notification of their new place of residence.
- (iii) a person who has contravened the provisions of Article 11, paragraph (1), or Article 16 (excluding paragraph (5)).

(Civil Fines)

Article 33 A person who has contravened the provisions of Article 18, paragraph (4) is subject to a civil fine not exceeding 50,000 yen.

Article 34 If any of the persons who are listed in the individual items of Article 19, paragraph (2), has failed to make a notification, etc. (excluding an application to be made pursuant to the provisions of Article 12, paragraph (2) of Article 14, paragraph (1)), that person is subject to a civil fine not exceeding 50,000 yen.