

# Nationality Act

(Act No. 147 of May 4, 1950)

(Purpose of This Act)

Article 1 The requirements of Japanese citizenship are governed by the provisions of this Act.

(Acquisition of Nationality by Birth)

Article 2 A child is a Japanese citizen in the following cases:

- (i) if the father or mother is a Japanese citizen at the time of birth;
- (ii) if the father died before the child's birth and was a Japanese citizen at the time of death; or
- (iii) if born in Japan and both of the parents are unknown or are without nationality.

(Acquisition of Nationality by Acknowledged Children)

Article 3 (1) In cases where a child acknowledged by the father or mother is under twenty years of age (excluding a child who was once a Japanese citizen) and the acknowledging father or mother was a Japanese citizen at the time of the birth of the child, Japanese nationality may be acquired through notification to the Minister of Justice if that father or mother is currently a Japanese citizen or was so at the time of death.

(2) The person making notification under the preceding paragraph will acquire Japanese nationality at the time of the notification.

(Naturalization)

Article 4 (1) A person who is not a Japanese citizen (hereinafter referred to as "foreign national") may acquire Japanese nationality through naturalization.

(2) To undergo naturalization, permission of the Minister of Justice must be obtained.

Article 5 (1) The Minister of Justice may not permit naturalization for a foreign national who has not met the following conditions:

- (i) having continuously had a domicile in Japan for five years or more;
- (ii) being twenty years of age or more and having the capacity to act according to the person's national law;
- (iii) being a person of good conduct;
- (iv) being able to make a living through the person's own assets or skills, or through those of their spouse or another relative of them who shares living

- expenses;
- (v) not having a nationality or having to give up their nationality due to the acquisition of Japanese nationality; and
  - (vi) on or after the date on which the Constitution of Japan comes into effect, not having planned or advocated the destruction of the Constitution of Japan or the government established thereunder with force, and not having formed or joined a political party or other organization planning or advocating the same.
- (2) In cases where a foreign national is unable to give up their nationality despite their intention, the Minister of Justice may permit naturalization if special circumstances are found concerning a familial relationship or circumstances with a Japanese citizen even if that foreign national has not met the conditions listed in the preceding paragraph, item (v).

Article 6 The Minister of Justice may permit naturalization for a foreign national currently having a domicile in Japan who falls under one of the following items even if that person has not met the conditions listed in the preceding Article, paragraph (1), item (i):

- (i) a child (excluding an adopted child) of a Japanese citizen, the former continuously having a domicile or residence in Japan for three years or more;
- (ii) a person born in Japan, and continuously having a domicile or residence in Japan for three years or more or whose father or mother (excluding an adoptive parent) was born in Japan;
- (iii) a person having a residence in Japan continuously for ten years or more.

Article 7 The Minister of Justice may permit naturalization of a foreign national who is a spouse of a Japanese citizen continuously has a domicile or residence in Japan for three years or more, and currently has a residence in Japan even if that person does not meet the conditions of Article 5, paragraph (1), item (i) and item (ii). The same applies to a foreign national with a spouse who is a Japanese citizen, for whom three years have elapsed since the date of their marriage, which foreign national has continuously maintained a domicile in Japan for one year or more.

Article 8 The Minister of Justice may permit naturalization of a foreign national who falls under one of the following items even if that person has not met the conditions listed in Article 5, paragraph (1), item (i), item (ii) and item (iv):

- (i) a person who is a child (excluding an adopted child) of a Japanese citizen and has a domicile in Japan;
- (ii) a person who is an adopted child of a Japanese citizen, continuously has a domicile in Japan for one year or more, and was a minor according to their

- national law at the time of adoption;
- (iii) a person who has lost their Japanese nationality (excluding a person who has lost their Japanese nationality after naturalization in Japan) and has a domicile in Japan; or
  - (iv) a person who was born in Japan but has never had any nationality since the time of birth, and continuously has a domicile in Japan for three years or more since that time.

Article 9 The Minister of Justice may obtain approval from the Diet and permit naturalization of a foreign national having provided a special distinguished service in Japan notwithstanding the provisions of Article 5, paragraph (1).

Article 10 (1) When permitting naturalization, the Minister of Justice must provide public notice thereof in the official gazette.

(2) Naturalization becomes effective from the date of the public notice set forth in the preceding paragraph.

(Loss of Nationality)

Article 11 (1) If a Japanese citizen acquires the nationality of a foreign country at their own choice, that Japanese citizen loses Japanese nationality.

(2) A Japanese citizen having the nationality of a foreign country loses Japanese nationality when they select the nationality of that foreign country according to the laws and regulations thereof.

Article 12 A Japanese citizen who acquired the nationality of a foreign country through birth and who was born abroad retroactively loses Japanese nationality to the time of birth unless they indicate an intention to reserve Japanese nationality pursuant to the provisions of the Family Register Act (Act No. 224 of 1947).

Article 13 (1) A Japanese citizen having foreign nationality may renounce Japanese nationality by notification to the Minister of Justice.

(2) The person making the notification provided for in the provisions set forth in the preceding paragraph loses Japanese nationality at the time of the notification.

(Selection of Nationality)

Article 14 (1) A Japanese citizen having a foreign nationality must select one of the nationalities, where they obtain foreign and Japanese nationalities prior to their becoming twenty years old, before their reaching twenty-two years old, and where that time when they obtained foreign and Japanese nationalities

comes after their reaching twenty years old, within two years from that time.

- (2) In addition to renouncement of the foreign nationality, the selection of Japanese nationality may be accomplished through selecting Japanese nationality and declaring the renunciation of the foreign nationality (hereinafter referred to as "selection declaration") pursuant to the provisions of the Family Register Act.

Article 15 (1) The Minister of Justice may provide written notice that nationality must be selected to any Japanese citizen having a foreign nationality who has not selected Japanese nationality within the assigned time as provided for in the preceding Article, paragraph (1).

- (2) In the unavoidable event that the whereabouts of the intended recipient of the notice prescribed in the preceding paragraph may not be ascertained or notice in writing is otherwise not possible, the notice may be published in the official gazette. In such cases, the notice is deemed to have arrived on the day after publication in the official gazette.
- (3) The person receiving the notice provided for in the provisions of the preceding two paragraphs loses Japanese nationality when the period has elapsed if the selection of Japanese nationality is not made within one month of receiving the notice; provided, however, that this does not apply in cases where the person is unable to select Japanese nationality within the period due to a natural disaster or some other grounds not attributable to that person, and the selection is made within two weeks of the time when the selection may be made.

Article 16 (1) A Japanese citizen who makes the selection declaration must endeavor to renounce their foreign nationality.

- (2) In cases where a Japanese citizen having made the selection declaration and not having lost foreign nationality assumes the post of a public employee (with the exception of a post that may be assumed by a person not having the nationality of that country) at their own discretion, the Minister of Justice may pronounce a judgment of loss of Japanese nationality if it is found that the assumption of the post is markedly contrary to the purport of the selection of Japanese nationality.
- (3) The proceedings on the date of the hearing pertaining to the pronouncement of judgment set forth in the preceding paragraph must be conducted open to the public.
- (4) The judgment pronouncement of paragraph (2) must be placed in a public notice in the official gazette.
- (5) The person receiving the pronouncement of judgment of paragraph (2) loses Japanese nationality on the day of the public notice set forth in the preceding paragraph.

(Reacquisition of Nationality)

- Article 17 (1) A person who loses Japanese nationality pursuant to the provisions of Article 12 and is under twenty years of age may acquire Japanese nationality, if they have a Japanese domicile, through notification to the Minister of Justice.
- (2) A person who receives the notice pursuant to the provisions of Article 15, paragraph (2) and loses Japanese nationality pursuant to the provisions of that same Article, paragraph (3) may acquire Japanese nationality if they meet the conditions listed in Article 5, paragraph (1), item (v) through notification to the Minister of Justice within one year from the date of knowing of the loss of Japanese nationality; provided, however, that if notification cannot be made within that period due to a natural disaster or some other grounds not attributable to that person, that period is one month from the time when the notification can be made.
- (3) The person making notification provided for in the provisions of the preceding two paragraphs acquires Japanese nationality at the time of the notification.

(Notification by a Statutory Agent)

Article 18 The notification of acquisition of nationality provided for in the provisions in Article 3, paragraph (1) or the preceding Article, paragraph (1), application for permission to naturalize, selection declaration, or notification of nationality renouncement is made by a statutory agent if the person desiring nationality acquisition, selection, or renouncement is under fifteen years of age.

(Delegation to Ministerial Order)

Article 19 Procedures relating to acquisition and renouncement of nationality as well as other required matters relating to the enforcement of this Act not provided herein are prescribed by Ministry of Justice Order.

(Penal Provisions)

- Article 20 (1) In cases of notification provided for in the provisions of Article 3, paragraph (1), a person making a false notification is punished by not more than one year of imprisonment with work or a fine of not more than two hundred thousand yen.
- (2) The offense set forth in the preceding paragraph is governed by the Penal Code (Act No. 45 of 1907), Article 2.

**Supplementary Provisions [Extract]**

- (1) This Act comes into effect as of July 1, 1950.

- (2) The Nationality Act (Act No. 66 of 1899) is hereby abolished.
- (5) For the application of the provisions of Article 6, item (iv) of the Nationality Act, for the child of a person naturalized in Japan before enforcement of this Act, which child having acquired Japanese nationality as provided for in the provisions of Article 15, paragraph (1) of the former Nationality Act, that child is deemed naturalized in Japan. The same applies to a person who became an adopted child of or a man marrying a Japanese citizen before the enforcement of this Act.

**Supplementary Provisions [Act No. 268 of July 31, 1952 Extract]  
[Extract]**

- (1) This Act comes into effect as of August 1, 1952.

**Supplementary Provisions [Act No. 45 of May 25, 1984 Extract] [Extract]**

(Effective Date)

Article 1 This Act comes into effect as of January 1, 1985.

(Transitional Measure on Naturalization and Renouncement of Nationality)

Article 2 With regard to the naturalization or renouncement of nationality of a person having applied for permission of naturalization or made notification of renouncement of nationality prior to the enforcement of this Act, the provisions then in force remain applicable.

(Transitional Measure on Nationality Selection)

Article 3 For the application of the provisions of Article 14, paragraph (1) of the Nationality Act amended by the provisions of Article 1 (hereinafter referred to as "New Nationality Act"), a Japanese citizen currently having foreign nationality at the time of enforcement of this Act is deemed as having foreign and Japanese nationality at the time of the enforcement of this Act. In such cases, the person is deemed to have made the selection declaration provided in paragraph (2) of the same Article when the assigned time arrives if the person has not selected a nationality within the assigned time as set forth in paragraph (1) of the same Article.

(Transitional Measures for Reacquisition of Nationality)

Article 4 The provisions of Article 17, paragraph (1) of the New Nationality Act also apply to a person under twenty years of age who has lost Japanese nationality pursuant to the provisions of Article 9 of the Nationality Act prior to the amendment under Article 1.

(Special Provisions of Nationality Acquisition)

- Article 5 (1) A person (excluding a person who was once a Japanese citizen) born between January 1, 1965 and before the date of enforcement of this Act (hereinafter referred to as "enforcement date") whose mother was a Japanese citizen at the time of birth may acquire Japanese nationality within three years from the enforcement date through notification to the Minister of Justice pursuant to the provisions of Ministry of Justice Order if the mother is currently a Japanese citizen or was a Japanese citizen at the time of her death.
- (2) The notification prescribed in the preceding paragraph is carried out by a statutory agent on behalf of the person desiring to acquire nationality if the person is under fifteen years of age.
- (3) If the person desiring to make notification as provided in paragraph (1) is unable to make notification within the time period provided for in the same paragraph due to a natural disaster or some other grounds not attributable to that person, the time period of the notification is three months from the time when notification is possible.
- (4) The person making notification provided for in the provisions of paragraph (1) acquires Japanese nationality at the time of the notification.

- Article 6 (1) If a father or mother has acquired Japanese nationality pursuant to the provisions of the preceding Article, paragraph (1), the child (excluding a child who was once a Japanese citizen) may acquire Japanese nationality within the time period set forth in the same paragraph through notification to the Minister of Justice pursuant to the provisions of Ministry of Justice Order; provided, however, that this does not apply if the father or mother is an adoptive parent or the child was acknowledged after the time of birth.
- (2) The provisions from the preceding Article, paragraph (2) to paragraph (4) apply mutatis mutandis to the case set forth in the preceding paragraph.

**Supplementary Provisions [Act No. 89 of November 12, 1993 Extract]  
[Extract]**

(Effective Date)

- Article 1 This Act comes into effect as of the date on which the Administrative Procedure Act (Act No. 88 of 1993) comes into effect.

(Transitional Measure on Adverse Disposition with Consultation)

- Article 2 In cases where a consultation or other request is made to go through the procedures corresponding to the procedures for giving the opportunity of the hearing or explanation provided in the Administrative Procedure Act,

Article 13 or other procedure for an opinion statement to a council or any other panel based on the laws and regulations prior to the enforcement of this Act, the provisions then in force remain applicable to the procedures for adverse disposition pertaining to the consultation or other request notwithstanding the provisions of related Acts amended by this Act.

(Transitional Measures Relating to Penal Provisions)

Article 13 With regard to the application of penal provisions for acts committed prior to the enforcement of this Act, the provisions then in force remain applicable.

(Transitional Measure Accompanying Arrangement of Provisions on Hearings)

Article 14 Procedures for hearings (excluding those pertaining to adverse dispositions) implemented pursuant to the provisions of Acts prior to the enforcement of this Act or procedures incidental thereto are deemed to have been implemented under corresponding provisions of related Acts amended by this Act.

(Delegation to Cabinet Orders)

Article 15 Other than those set forth from the supplementary provisions, Article 2, to the preceding Article, transitional measures required in relation to the enforcement of this Act are as prescribed by Cabinet Order.

**Supplementary Provisions [Act No. 147 of December 1, 2004 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day specified by Cabinet Order within a period not exceeding six months from the date of promulgation.

**Supplementary Provisions [Act No. 88 of December 12, 2008 Extract]  
[Extract]**

(Effective Date)

Article 1 This Act comes into effect as of the day on which twenty days have elapsed from the date of promulgation; provided, however, that the provisions listed in the following items come into effect as of the day provided therein:

- (i) the provisions of the supplementary provisions, Article 3, paragraph (2): the date of promulgation;
- (ii) the provisions of the supplementary provisions, Article 12: the date of promulgation of this Act or the date of promulgation of the Act Partially

Amending the Administrative Procedure Act (Act No. of 2008), whichever is later.

(Transitional Measures Relating to the Acquisition of Nationality of a Person Making the Former Notification)

- Article 2 (1) A person making a former notification (referring to the act of notification pertaining to acquisition of Japanese nationality by a child acknowledged by a father or mother not falling under children having acquired the status of a child born in wedlock through the marriage of the father and mother and their acknowledgment provided in Article 3, paragraph (1) of the Nationality Act prior to amendment by this Act pursuant to the provisions of the same paragraph before the day of enforcement of this Act (hereinafter referred to as "enforcement date"); the same applies hereinafter) falling under the requirements (except for notification to the Minister of Justice; the same applies in Article 4, paragraph (1) of the supplementary provisions) provided in Article 3, paragraph (1) of the Nationality Act amended by this Act (referred to as the "New Act" in Article 4, paragraph (1) of the supplementary provisions), if the provisions of Article 3, paragraph (1) apply (except for a person who was once a Japanese citizen) at the time of the former notification, may acquire Japanese nationality through notification to the Minister of Justice within three years of the enforcement date.
- (2) The notification set forth in the preceding paragraph is carried out by a statutory agent on behalf of the person desiring to acquire nationality if the person is under fifteen years of age.
- (3) The person making a notification provided for in the provisions in paragraph (1) acquires Japanese nationality at the time of the notification; provided, however, that if the former notification is made on or after January 1, 2003, Japanese nationality is acquired retroactively to the time of the former notification.

(Special Provisions for Cases where a Former Notification Was Made on or after June 5, 2008)

- Article 3 (1) Except where a contrary intention is indicated to the Minister of Justice, a person making a former notification on or after June 5, 2008 is deemed to have made the notification provided for in the provisions of paragraph (1) of the preceding Article on the enforcement date, and the provisions of the same paragraph and the proviso of paragraph (3) of the same Article apply.
- (2) The indication of contrary intention prescribed in the preceding paragraph must be made on or before the enforcement date.

(Transitional Measures on Acquisition of Nationality by a Child Acknowledged by Other than a Person Making a Former Notification)

Article 4 (1) Other than as provided for in the provisions of Article 2, paragraph (1) of the supplementary provisions, a child acknowledged by the father or mother who falls under the requirements provided in Article 3, paragraph (1) of the New Act should the provisions of the same paragraph apply during the period from January 1, 2003 until the day before the enforcement date (except for a person who once was a Japanese citizen and a person able to make notification provided for in the provisions in the same paragraph) may acquire Japanese nationality if the father or mother is currently a Japanese citizen or was so at the time of death through notification to the Minister of Justice limited to within three years of the enforcement date.

(2) The person making notification provided for in the provisions set forth in the preceding paragraph acquires Japanese nationality at the time of the notification.

(Special Provisions on Nationality Acquisition of a Child of a Person Having Acquired Nationality)

Article 5 (1) If a father or a mother has acquired Japanese nationality pursuant to the provisions of the supplementary provisions, Article 2, paragraph (1) (excluding cases in which the provisions of the same Article, paragraph (3), proviso applies), a child (except one who was once a Japanese citizen) born before the father or mother acquired Japanese nationality, at or after the time of a former notification by the father or mother, may acquire Japanese nationality through notification to the Minister of Justice limited to within three years of the enforcement date; provided, however, that this does not apply if the father or mother is an adoptive parent or the child was acknowledged after the time of birth.

(2) The person making notification provided for in the provisions set forth in the preceding paragraph acquires Japanese nationality at the time of the notification.

(3) The provisions of the supplementary provisions, Article 2, paragraph (2) apply mutatis mutandis to the notification provided for in the provisions of paragraph (1).

(Special Provisions of the Notification Period)

Article 6 If the person desiring to make notification as provided in the supplementary provisions, Article 2, paragraph (1), Article 4, paragraph (1), or the preceding Article, paragraph (1) is unable to make notification within the time period provided in these provisions due to a natural disaster or some other grounds not attributable to that person, the time period of the

notification is three months from the time when notification is possible.

(Special Provisions on Nationality Selection)

Article 7 For the application of the provisions of the Nationality Act, Article 14, paragraph (1) where a person having a foreign nationality has acquired Japanese nationality pursuant to the provisions of Article 2, paragraph (1) of the supplementary provisions (limited to where the provisions of the same Article, paragraph (3), proviso applies), that person is deemed to have had foreign and Japanese nationality at the time of notification provided for in the provisions of Article 2, paragraph (1) of the supplementary provisions (on the enforcement date in cases where the notification is deemed to be made pursuant to the provisions of Article 3, paragraph (1) of the supplementary provisions).

(Special Provisions of Notification of Acquisition of Nationality)

Article 8 The provisions of Article 102 of the Family Register Act (Act No. 224 of 1947) apply mutatis mutandis to notification of acquisition of nationality in cases where Japanese nationality was acquired pursuant to the provisions of Article 2, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) of the supplementary provisions. In this case, the term "the date of that acquisition" in Article 102, paragraph (1) of the same Act is deemed to be replaced with "the date of that acquisition (in cases of application of the provisions of the proviso of Article 2, paragraph (3) of the supplementary provisions of the Act Partially Amending the Nationality Act (Act No. 88 of 2008), the date of notification pursuant to the provisions of paragraph (1) of the same Article (in cases where the notification is deemed to have been made pursuant to the provisions of Article 3, paragraph (1) of the Supplementary Provisions of the same Act, the date on which the same Act comes into effect))."

(Special Provisions for Reserving Nationality Pertaining to a Child of a Person Having Acquired Nationality)

Article 9 For application of the provisions of Article 104 of the Family Register Act where a child born before the time of notification provided for in the provisions of the supplementary provisions, Article 2, paragraph (1) at or after the time of acquisition of Japanese nationality by the father or mother through acquisition of Japanese nationality retroactive to the time of former notification by the father or mother through the application of the provisions of the proviso of Article 2, paragraph (1) and paragraph (3) of the supplementary provisions receives application of the provisions of Article 2 and Article 12 of the Nationality Act, the term "the date of birth" in that same Article, paragraph (1) is "the date of notification by the father or mother provided for

in the provisions of Article 2, paragraph (1) of the supplementary provisions of the Act Partially Amending the Nationality Act (Act No. 88 of 2008), (in cases where the notification is deemed to be made pursuant to the provisions of Article 3, paragraph (1) of the supplementary provisions of the same Act, the date on which the same Act comes into effect)."

(Delegation to Ministerial Order)

Article 10 The procedures of notification provided for in the provisions of the supplementary provisions, Article 2, paragraph (1), Article 4, paragraph (1), and Article 5, paragraph (1) as well as matters required relating to the enforcement of this Act are provided by Ministry of Justice Order.

(Penal Provisions)

Article 11 (1) In cases of notification provided for in the provisions of Article 2, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) of the supplementary provisions, a person making a false notification is punished by not more than one year of imprisonment with work or a fine of not more than two hundred thousand yen.

(2) The offense of the preceding paragraph is governed by the Penal Code (Act No. 45 of 1907), Article 2.