

Nationality Act

(Act No. 147 of May 4, 1950)

(Purpose of This Act)

Article 1 The requirements for 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 the child was born in Japan, either both of the parents are unknown or if known, both of them are without nationality.

(Acquisition of Nationality by Acknowledged Children)

Article 3 (1) If a child acknowledged by the father or mother is under eighteen 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 citizenship may be acquired by notification to the Minister of Justice if that father or mother is currently a Japanese citizen or was such at the time of death.

(2) The person making notification pursuant to the provisions of the preceding paragraph will acquire Japanese citizenship at the time of the notification.

(Naturalization)

Article 4 (1) A person who is not a Japanese citizen (hereinafter referred to as a "foreign national") may acquire Japanese citizenship 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 eighteen years of age or older and having the capacity to act independently 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 the spouse or other relatives who share living expenses

- among them;
- (v) not having a nationality or having to give up the person's nationality upon the acquisition of Japanese citizenship; 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) If 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 former Japanese citizen, who has continuously had a domicile or residence in Japan for three years or more;
- (ii) a person born in Japan and continuously having had 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 who has resided 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 and continuously has had a domicile or residence in Japan for three years or more, and currently has a domicile 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 whose spouse is a Japanese citizen, and three years have passed since the date of their marriage, and the 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 had a domicile in Japan for one year or more, and was a minor according to

- the person's national law at the time of adoption;
- (iii) a person who has lost their Japanese citizenship (excluding a person who has lost their Japanese citizenship after naturalization to Japanese citizenship) and has a domicile in Japan; or
- (iv) a person who was born in Japan without any nationality and has continuously domiciled in Japan for three years or more since that time.

Article 9 The Minister of Justice may obtain approval of the Diet and permit naturalization of a foreign national who has distinguished contributions to Japan, notwithstanding the provisions of Article 5, paragraph (1).

- Article 10 (1) When permitting naturalization, the Minister of Justice must provide a public notice thereof in the Official Gazette.
- (2) Naturalization becomes effective as of the date of the public notice set forth in the preceding paragraph.

(Loss of Citizenship)

- Article 11 (1) If a Japanese citizen acquires the nationality of a foreign country at their own choice, that Japanese citizen loses Japanese citizenship.
- (2) A Japanese citizen having the nationality of a foreign country loses Japanese citizenship when they select the nationality of that foreign country according to its laws and regulations.

Article 12 A Japanese citizen who acquired the nationality of a foreign country by birth and who was born abroad loses Japanese citizenship retroactive to the time of birth unless they indicate an intention to reserve Japanese citizenship 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 citizenship by notification to the Minister of Justice.
- (2) The person making the notification pursuant to the provisions set forth in the preceding paragraph loses Japanese citizenship at the time of the notification.

(Selection of Citizenship)

- Article 14 (1) A Japanese citizen having a foreign nationality must select either one of the two before reaching twenty years of age if they obtain the foreign nationality and Japanese citizenship prior to becoming eighteen years of age, or within two years from that time if it is after.
- (2) Other than by renouncing the foreign nationality, the selection of Japanese citizenship may be accomplished by selecting Japanese citizenship 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 make a written demand to any Japanese citizen having a foreign nationality, who has not selected Japanese citizenship within the prescribed time period as provided in the preceding Article, paragraph (1), that either selection must be made.

(2) The demand prescribed in the preceding paragraph may be made by publishing the matters demanded in the Official Gazette, if the whereabouts of the intended recipient is unknown or otherwise it cannot be accomplished by sending documents due to unavoidable circumstances. In such cases, the demand is deemed to have arrived on the day after the publication in the Official Gazette.

(3) The recipient of the demand made pursuant to the provisions of the preceding two paragraphs loses Japanese citizenship if such selection is not made within one month of receiving the demand upon expiration of the time period; provided, however, that this does not apply if the recipient is unable to select Japanese citizenship within the time period due to a natural disaster or other circumstances beyond the recipient's control, and the selection is made within two weeks of the time when the ability to make such selection is regained.

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

(2) If a Japanese citizen having made the selection declaration and not having lost foreign nationality assumes the post of a government employee of that foreign country (with the exception of a post that may be assumed by a person not having the nationality of that country) on their own will, the Minister of Justice may pronounce loss of Japanese citizenship against the person if it is found that the assumption of the post is directly contrary to the gist of the selection of Japanese citizenship.

(3) The proceedings on the date of the hearing pertaining to the pronouncement set forth in the preceding paragraph must be conducted open to the public.

(4) The pronouncement set forth in paragraph (2) must be made by placing a public notice in the Official Gazette.

(5) The person subjected to the pronouncement set forth in paragraph (2) loses Japanese citizenship as of the day of the public notice set forth in the preceding paragraph.

(Reacquisition of Nationality)

Article 17 (1) A person who has lost Japanese citizenship pursuant to the provisions of Article 12 and is under eighteen years of age may acquire Japanese citizenship by notification to the Minister of Justice while domiciled

in Japan.

- (2) A person who receives the demand pursuant to the provisions of Article 15, paragraph (2) and loses Japanese citizenship pursuant to the provisions of that same Article, paragraph (3) may acquire Japanese citizenship if they meet the conditions listed in Article 5, paragraph (1), item (v) by notification to the Minister of Justice within one year from the date of knowing the loss of Japanese citizenship; provided, however, that if notification cannot be made within that time period due to a natural disaster or other circumstances beyond the person's control, that time period is one month from the time when the ability to make such notification is regained.
- (3) The person making notification pursuant to the provisions of the preceding two paragraphs acquires Japanese citizenship at the time of the notification.

(Notification by a Legal Representative)

Article 18 The notification of acquisition of citizenship pursuant to the provisions in Article 3, paragraph (1) or the preceding Article, paragraph (1), application for naturalization permission, selection declaration, or notification of citizenship renouncement is made by a legal representative if the person acquiring nationality, making selection, or renouncing is under fifteen years of age.

(Exclusion from Application of the Administrative Procedure Act)

Article 18-2 The provisions of Article 36-3 of the Administrative Procedure Act (Act No. 88 of 1993) do not apply to a demand pursuant to the provisions of Article 15, paragraph 1.

(Delegation to Ministerial Order)

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

(Penal Provisions)

- Article 20 (1) regarding notification provided pursuant to the provisions of Article 3, paragraph (1), a person making a false notification is punishable by not more than one year of imprisonment 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) As to applicability of the provisions of Article 6, item (iv) of the Nationality Act, the child of a person naturalized in Japan before the effective date of this Act is deemed naturalized in Japan, if the child acquired Japanese citizenship pursuant to the provisions of Article 15, paragraph (1) of the former Nationality Act. The same applies to a person who became an adopted child of or a man who married a Japanese citizen prior to the effective date 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 Citizenship)

Article 2 With regard to the naturalization or renouncement of citizenship of a person who submitted an application or notification therefor prior to the effective date of this Act, the provisions then in force remain applicable.

(Transitional Measure on Citizenship Selection)

Article 3 As to applicability of the provisions of Article 14, paragraph (1) of the Nationality Act as amended by the provisions of Article 1 (hereinafter referred to as "new Nationality Act"), a Japanese citizen already in possession of foreign nationality as of the effective date of this Act is deemed to come into possession of the foreign nationality and Japanese citizenship as of the effective date of this Act. In such cases, the person is deemed to have made the selection declaration as provided in paragraph (2) of the same Article upon expiration of the time period, as provided in the same paragraph, within which to select nationality or citizenship.

(Transitional Measures for Reacquisition of Citizenship)

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 citizenship pursuant to the provisions of Article 9 of the Nationality Act prior to its amendment as provided under Article 1.

(Special Provisions of Citizenship Acquisition)

- Article 5 (1) A person (excluding a person who was once a Japanese citizen) born between January 1, 1965 and the day before the effective date of this Act (hereinafter referred to as "effective date") whose mother was a Japanese citizen at the time of birth may acquire Japanese citizenship within three years of the effective date by 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 legal representative 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 do so within the time period as provided in the same paragraph due to a natural disaster or other circumstances beyond the person's control, the time period for the notification is three months after the ability to do so is regained.
- (4) The person making notification pursuant to the provisions of paragraph (1) acquires Japanese citizenship as of the time of the notification.

- Article 6 (1) If a father or mother has acquired Japanese citizenship pursuant to the provisions of the preceding Article, paragraph (1), the child (excluding a child who was once a Japanese citizen) may acquire Japanese citizenship within the time period set forth in the same paragraph by 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) through 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 after Consultation)

- Article 2 If a consultation or other request is made to go through the procedures corresponding to the procedures for getting the opportunity for the hearing or response provided in the Administrative Procedure Act, Article 13 or other procedure for presenting an opinion to a council or any other panel based on

the laws and regulations prior to the effective date 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 as amended by this Act.

(Transitional Measures Relating to Penal Provisions)

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

(Transitional Measure Accompanying Arrangement of Provisions on Hearings)

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

(Delegation to Cabinet Orders)

Article 15 Other than those set forth in the Supplementary Provisions, Article 2 through the preceding Article, transitional measures necessary to effectuate 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 Citizenship by 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 citizenship by a child acknowledged by a father or mother not falling under the children having acquired the status of a child born in wedlock through the marriage of the father and mother and their acknowledgment thereof as provided in Article 3, paragraph (1) of the Nationality Act prior to the amendment by this Act pursuant to the provisions of the same paragraph before the effective date of this Act (hereinafter referred to as the "effective 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 as 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 at issue, may acquire Japanese citizenship by notification to the Minister of Justice only within three years of the effective date.
- (2) The notification set forth in the preceding paragraph is carried out by a legal representative on behalf of the person desiring to acquire citizenship if the person is under fifteen years of age.
- (3) The person making a notification pursuant to the provisions in paragraph (1) acquires Japanese citizenship at the time of the notification; provided, however, that if the former notification is made on or after January 1, 2003, Japanese citizenship is acquired retroactive to the time of the former notification.

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

- Article 3 (1) Except if an objection was made to the Minister of Justice, a person making a former notification on or after June 5, 2008 is deemed to have made the notification pursuant to the provisions of paragraph (1) of the preceding Article as of the effective date, and the provisions of the same paragraph and the proviso of paragraph (3) of the same Article apply.
- (2) The objection prescribed in the preceding paragraph must be made prior to the effective date.

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

- Article 4 (1) Other than as provided in Article 2, paragraph (1) of the

Supplementary Provisions, a child acknowledged by the father or mother, who met 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 effective date (except for a person who once was a Japanese citizen and a person who is able to make notification pursuant to the provisions in the same paragraph) may acquire Japanese citizenship if the father or mother is currently a Japanese citizen or was such at the time of death by notification to the Minister of Justice as long as it is made within three years of the effective date.

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

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

Article 5 (1) If a father or a mother has acquired Japanese citizenship pursuant to 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 citizenship, since the time of a former notification by the father or mother, may acquire Japanese citizenship by notification to the Minister of Justice as long as it is made within three years of the effective 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 pursuant to the provisions set forth in the preceding paragraph acquires Japanese citizenship 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 a person desiring to make notification pursuant to the supplementary provisions, Article 2, paragraph (1), Article 4, paragraph (1), or the preceding Article, paragraph (1) is unable to make notification within the prescribed time period due to a natural disaster or other circumstances beyond the person's control, the time period for the notification is three months after the ability to do so is regained.

(Special Provisions on Citizenship Selection)

Article 7 As to applicability of the provisions of the Nationality Act, Article 14,

paragraph (1) if a person having a foreign nationality has acquired Japanese citizenship pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions (limited to when the provisions of the same Article, paragraph (3), proviso applies), that person is deemed to come to possess foreign nationality and Japanese citizenship at the time of notification pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions (as of the effective date if 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 Citizenship)

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 citizenship if Japanese citizenship 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 (if 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) apply, the date of notification pursuant to the provisions of paragraph (1) of the same Article (if 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 effective date of the same Act))".

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

Article 9 As to applicability of the provisions of Article 104 of the Family Register Act if a child born before the time of notification pursuant to the provisions of the Supplementary Provisions, Article 2, paragraph (1) at or after the time of acquisition of Japanese citizenship by the father or mother through acquisition of Japanese citizenship 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 pursuant to the provisions of Article 2, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Nationality Act (Act No. 88 of 2008), (if 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 as provided in the Supplementary Provisions, Article 2, paragraph (1), Article 4, paragraph (1), and Article 5, paragraph (1) as well as matters required relating to effectuating this Act are provided by Ministry of Justice Order.

(Penal Provisions)

Article 11 (1) In cases of notification as provided in Article 2, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) of the Supplementary Provisions, a person making a false notification is punishable by not more than one year of imprisonment 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.