

ポツダム宣言の受諾に伴い発する命令に関する件に基
く外務省関係諸命令の措置に関する法律
**Act on Measures for Ministry of Foreign Affairs
Orders Issued pursuant to the "Imperial Ordinance
on Orders Issued Incidental to Acceptance of the
Potsdam Declaration"**

(昭和二十七年四月二十八日法律第百二十六号)

(Act No. 126 of April 28, 1952)

(出入国管理令の一部改正)

(Partial Revision of the Immigration Control Order)

第一条 出入国管理令（昭和二十六年政令第三百十九号）の一部を次のように改正する。

Article 1 (1) The Immigration Control Order (Cabinet Order No. 319 of 1951) is revised in part as follows.

第二条第二号を次のように改める。

Article 2, item (ii) is revised as follows.

二 外国人 日本国籍を有しない者をいう。

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

第四章第一節中第二十二条の次に次の一条を加える。

The following Article is added after Article 22 in Chapter IV, Section 1.

(在留資格の取得)

(Acquisition of Status of Residence)

第二十二条の二 日本国籍を離脱した者又は出生その他の事由に因り第三章に規定する上陸の経路を経ることなく本邦に在留することとなる外国人は、第十九条第一項の規定にかかわらず、それぞれ日本国籍を離脱した日又は出生その他当該事由が生じた日から六十日を限り、引き続き在留資格を有することなく本邦に在留することができる。

Article 22-2 Any person who has renounced their Japanese nationality, or any foreign national staying in Japan who hasn't followed the procedures for landing provided in Chapter III due to birth or for any other reason, may continue to stay in Japan without acquiring a status of residence for a period not exceeding 60 days from the date of renunciation of Japanese nationality for those who have done so, or from the date of that foreign national's birth or the occurrence of any other relevant reason, notwithstanding the provisions of Article 19, paragraph (1).

2 前項に規定する外国人で同項の期間をこえて本邦に在留しようとするものは、日本

の国籍を離脱した日又は出生その他当該事由が生じた日から三十日以内に、外務省令で定めるところにより、長官に対し在留資格の取得を申請しなければならない。

(2) A foreign national as described under the preceding paragraph who wishes to stay in Japan beyond the period set forth in the same paragraph must apply to the Commissioner for a status of residence in accordance with the procedures specified by the Ministry of Foreign Affairs Order within 30 days from the date of renouncement of Japanese nationality for those who have done so, or from the date of that foreign national's birth or the occurrence of any other relevant reason.

3 第二十条第三項から第七項までの規定は、前項に規定する在留資格の取得の申請（第四条第一項第十四号に該当する者としての在留資格の取得の申請を除く。）の手續に準用する。この場合において、第二十条第三項中「在留資格への変更」とあり、又は同条第五項中「在留資格の変更」とあるのは「在留資格の取得」と、同条第六項中「旅券に記載された在留資格及び在留期間の書換」とあるのは「旅券に在留資格及び在留期間の記載」と、同条第七項中「書換」とあるのは「記載」と読み替えるものとする。

(3) The provisions of Article 20, paragraphs (3) through (7) apply mutatis mutandis to procedures for applications to acquire a status of residence prescribed in the preceding paragraph (except for applications to acquire the status of residence as a person to whom the provisions of Article 4, paragraph (1), item (xiv) apply). In this case: the phrase "switch to a status of residence" in Article 20, paragraph (3) or the phrase "change of status of residence" in paragraph (5) of the same Article is to be replaced with "acquisition of status of residence"; the phrase "renewal of the status of residence and period of stay endorsed on the passport" in paragraph (5) of the same Article is to be replaced with "endorsing the status of residence and period of stay on the passport"; and the term "renewal" in paragraph (7) of the same Article is to be replaced with "endorsement".

4 前条の規定は、第二項に規定する在留資格の取得の申請中第四条第一項第十四号に該当する者としての在留資格の取得の申請の手續に準用する。この場合において、前条第一項中「在留資格を変更」とあるのは「在留資格を取得」と、「在留資格への変更」とあるのは「在留資格の取得」と、同条第三項中「旅券に記載された在留資格及び在留期間のまつ消を受け、且つ、当該旅券に永住許可の証印」とあるのは「旅券に永住許可の証印」と読み替えるものとする。

(4) The provisions of the preceding Article apply mutatis mutandis to procedures for an application to acquire status of residence as a person to whom the provisions of Article 4, paragraph (1), item (xiv) apply, during the application to acquire the status of residence as prescribed in paragraph (2). In this case: the phrase "change the status of residence" and "switch to a status of residence" in paragraph (1) of the preceding Article are to be replaced with "acquire the status of residence" and "acquisition of the status of residence"

respectively; and "have the status of residence and period of stay endorsed on the passport erased, and additionally, have the seal of verification of permission for permanent residence endorsed on the relevant passport" in paragraph (3) of the same Article is to be replaced with "have the seal of verification of permission for permanent residence endorsed on the passport".

第二十三条第一項中「外国人登録令（昭和二十二年勅令第二百七号）による登録証明書」を「外国人登録法（昭和二十七年法律第二百二十五号）による外国人登録証明書」に改める。

The phrase "registration certificate issued under the Alien Registration Order (Imperial Order No. 207 of 1948)" in Article 23, paragraph (1) is changed to "alien registration certificate issued under the Alien Registration Act (Act No. 125 of 1952)".

第二十四条第一項第四号へ中「外国人登録令」を「外国人登録に関する法令」に改める。

The term "Alien Registration Order" in Article 24, paragraph (1), item (iv),(f) is changed to "laws and regulations regarding to alien registration".

第二十四条第一項に次の一号を加える。

The following single item (vii) is added to Article 24, paragraph (1).

七 第二十二條の二第三項において準用する第二十條第六項の規定による在留資格及び在留期間の記載を受けず、又は第二十二條の二第四項において準用する第二十二條第三項の規定による永住許可の証印を受けないで、第二十二條の二第一項に規定する期間を経過して本邦に残留する者

(vii) a person who stays in Japan beyond the period prescribed in Article 22-2, paragraph (1), without receiving: the endorsement of status of residence and period of stay pursuant to the provisions of the of Article 20, paragraph (6), as applied mutatis mutandis to Article 22-2, paragraph (3); or the endorsement with seal of verification of permission for permanent residence pursuant to the provisions of Article 22, paragraph (3), as applied mutatis mutandis to Article 22-2, paragraph (4).

第七十條に次の一号を加える。

The following item (viii) is added to Article 70.

八 第二十二條の二第三項において準用する第二十條第六項の規定による在留資格及び在留期間の記載を受けず、又は第二十二條の二第四項において準用する第二十二條第三項の規定による永住許可の証印を受けないで、第二十二條の二第一項に規定する期間を経過して本邦に残留する者

(viii) a person who stays in Japan beyond the period prescribed in Article 22-2, paragraph (1), without receiving: the endorsement of status of residence and period of stay pursuant to the provisions of the of Article 20, paragraph (6), as applied mutatis mutandis to Article 22-2, paragraph (3); or the endorsement with a seal of verification of permission for permanent residence pursuant to the provisions of Article 22, paragraph (3), as

applied mutatis mutandis to Article 22-2, paragraph (4).

附則第一項但書を削る。

The proviso in paragraph (1) of the Supplementary Provisions is deleted.

附則第三項から第十八項までを削り、附則第十九項を附則第三項とし、以下順次十六項ずつ繰り上げる。

Paragraphs (3) through (18) of the Supplementary Provisions are deleted, paragraph (19) of the Supplementary Provisions becomes paragraph (3) of the Supplementary Provisions, and the numbering of each of the subsequent paragraphs are moved up by 16.

(出入国管理令の一部改正に伴う経過規定)

(Transitional Provisions Accompanying the Partial Revision of the Immigration Control Order)

第二条 この法律施行の際現に本邦に在留する外国人で左の各号の一に該当するものが引き続き在留資格を有することなく本邦に在留することができる期間は、出入国管理令第二十二條の二第一項の規定にかかわらず、この法律施行の日から六月とする。

Article 2 (1) The period for which a foreign national who is already residing in Japan at the time this Act comes into effect and to whom any of the items below applies may continue to reside in Japan without holding status of residence is to be, notwithstanding the provisions of Article 22-2, paragraph (1) of the Immigration Control Order, 6 months from the date on which this Act comes into effect.

一 連合国最高司令官の許可を得て本邦に入国した者

(i) a person who has entered Japan with the permission of the Supreme Commander for the Allied Powers.

二 昭和二十九年九月二日以前から引き続き外国人として本邦に在留する者

(ii) a person who has resided in Japan as a foreign national continuously since before September 2, 1954.

三 日本国との平和条約の規定に基き同条約の最初の効力発生の日において日本の国籍を離脱する者で、昭和二十年九月三日以後本邦に入国して引き続き在留し、且つ、外国人登録法（昭和二十七年法律第百二十五号）による外国人登録証明書を所持するもの

(iii) a person who: has lost Japanese nationality pursuant to the provisions of the Treaty of Peace with Japan, on the date on which that Treaty came into effect; has been residing in Japan continuously since before September 3, 1945; and holds an alien registration certificate issued under the Alien Registration Act (Act No. 125 of 1952)".

2 前項に規定する外国人で同項の期間をこえて本邦に在留しようとするものの法務大臣に対する在留資格の取得の申請の期間は、出入国管理令第二十二條の二第二項の規定にかかわらず、この法律施行の日から三月以内とする。

(2) With respect to a foreign national as described under the preceding paragraph

who wishes to stay in Japan beyond the period set forth in the same paragraph, the period for making an application for status of residence to the Minister of Justice is to be, notwithstanding the provisions of Article 22-2, paragraph (2) of the Immigration Control Order, 3 months within the date on which this Act comes into effect.

3 この法律施行の際現に連合国最高司令官から入国の許可を受けている外国人でまだ本邦に上陸していないものが所持する連合国最高司令官から入国の許可があつたことを示す文書は、当該許可を受けた日から六月を限り、出入国管理令の適用については、同令第六条第一項に規定する日本国領事館等の査証とみなす。

(3) A document carried by a foreign national who was already granted leave to enter by the Supreme Commander for the Allied Powers at the time this Act comes into effect but has not yet landed in Japan, which shows that leave to enter was granted by the Supreme Commander for the Allied Powers, limited to 6 months from the date on which the relevant leave was granted, and for the purposes of the application of the Immigration Control Order, is deemed to be a visa issued by the Consulates in Japan specified in Article 6, paragraph (1) of the same Order.

4 この法律施行の際現に連合国最高司令官から再入国の許可を受けている外国人の所持する旅券にされている再入国許可の証印は、当該証印に明記された有効期間中は、出入国管理令の適用については、同令第二十六条第二項に規定する再入国許可書とみなす。

(4) A seal of verification for re-entry permission endorsed on a passport carried by a foreign national who was granted re-entry permission by the Supreme Commander for the Allied Powers at the time this Act comes into effect is, for the period of validity made clear by the relevant seal of verification, and for the purposes of the application of the Immigration Control Order, deemed to be a re-entry permit specified in Article 26, paragraph (2) of the same Order.

5 前項に規定する連合国最高司令官の再入国許可を受けて本邦から出国しようとする外国人又は当該許可を受けて現に出国している外国人については、出入国管理令第九条第三項但書の規定にかかわらず、再入国に際し上陸許可の証印をするときに当該外国人の在留資格及び在留期間を決定するものとする。

(5) Foreign nationals who, having received the re-entry permission of the Supreme Commander for the Allied Powers specified in the preceding paragraph, seek to depart from Japan, or foreign nationals who have already departed from Japan having received such permission, notwithstanding the provisions of the proviso within Article 9, paragraph (3) of the Immigration Control Order, are to have their status of residence and period of stay determined when landing permission is endorsed at the time of their re-entry.

(入国管理庁設置令の一部改正)

(Partial Revision of the Order for Establishment of the Immigration Control

Agency)

第三条 入国管理庁設置令（昭和二十六年政令第三百二十号）の一部を次のように改正する。

Article 3. The Order for the Establishment of the Immigration Control Agency (Cabinet Order No. 320 of 1951) is revised as follows.

第三条第一項を次のように改める。

Article 3, paragraph (1) is changed as follows.

入国管理庁は、出入国管理令（昭和二十六年政令第三百十九号）による出入国の管理及び外国人登録法（昭和二十七年法律第二百二十五号）による外国人の登録に関する事務を行うことを任務とする。

The tasks the Immigration Control Agency is to perform: the management of immigration in accordance with the Immigration Control Order (Cabinet Order No. 319 of 1951); and the administrative tasks pertaining to the registration of foreign nationals in accordance with the Alien Registration Act (Act No. 125 of 1952).

第四条第十五号、第十六号及び第十八号中「出入国管理令（外国人登録令第十六条第二項において準用する場合を含む。）」を「出入国管理令」に改め、同条第十七号を削り、同条第十八号を同条第十七号とし、以下順次一号ずつ繰り上げる。

"the Immigration Control Order (including where it is applied mutatis mutandis in Article 16, paragraph (2) of the Alien Registration Order)" in Article 14, items (xv), (xvi) and (xviii) is changed to "Immigration Control Order"; item (xvii) of the same Article is omitted; item (xviii) of the same Article becomes item (xvii) of the same Article; and the numbering of each of the subsequent items are moved up by one.

第七条第四号中「、外国人登録令及び臨時措置令」を削り、同条第七号中「外国人登録令」を「外国人登録法」に改める。

The phrase ", Alien Registration Order and Emergency Measures Order" within Article 7, item (iv) is omitted, and "Alien Registration Order" within item (vii) of the same Article is changed to "Alien Registration Act".

第八条第八号中（七）を削る。

Sub-item (7) within item (viii) of Article 8 is omitted.

第十六条第二項の表中「

Within the table in Article 16, paragraph (2), the following row

仙台出張所 Sendai Branch Office	仙台市 Sendai City	北海道 宮城県 福島県 岩手県 青森県 山形県 秋田県 Hokkaido, Miyagi Prefecture, Fukushima Prefecture, Iwate Prefecture, Aomori Prefecture, Yamagata Prefecture, Akita Prefecture
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」を「

is replaced with the following rows:

札幌出張所 Sapporo Branch Office	札幌市 Sapporo City	北海道 Hokkaido
仙台出張所 Sendai Branch Office	仙台市 Sendai City	宮城県 福島県 岩手県 青森県 山形県 秋田県 Miyagi Prefecture, Fukushima Prefecture, Iwate Prefecture, Aomori Prefecture, Yamagata Prefecture, Akita Prefecture

」に改める。

(将来存続すべき命令)

(Orders to Remain in Force)

第四条 第一条及び前条に規定する命令は、この法律施行後も法律としての効力を有するものとする。

Article 4. Orders which are specified in Article 1 and the preceding Article are to remain in force as law after this Act comes into effect.

(命令の廃止)

(Repeal of Orders)

第五条 左の命令は、廃止する。

Article 5. The Orders below are repealed.

一 朝鮮人、中華民国人、本島人及本籍を北緯三十度以南（口之島を含む）の鹿児島県又は沖縄県に有する者登録令（昭和二十一年厚生省令、内務省令、司法省令第一号）

(i) Order for the Registration of Korean Nationals, Nationals of the Republic of China, Persons of Chinese Descent who were Residents of Taiwan under Japanese Rule, and Persons who have their Registered Domicile in the Kagoshima Prefecture below the 30th Parallel North (including Kuchinoshima) or the Okinawa Prefecture (Ministry of Health Order, Home Ministry Order, Ministry of Justice Order No. 1, 1946)

二 北緯二十九度以南の南西諸島に本籍を有する者の渡航制限に関する臨時措置令（昭和二十五年政令第二百二十七号）

(ii) Emergency Measures Order pertaining to the Restriction on Travel by Persons who Have their Registered Domicile in the Nansei Shotou below the 29th Parallel North (Cabinet Order No. 227, 1950)