

# Immigration Control and Refugee Recognition Act Enforcement Order

(Cabinet Order No. 178 of May 22, 1998)

(Regions Specified by Cabinet Order under Article 2, Paragraph (5), Item (ii) of the Act)

Article 1 The regions to be specified by Cabinet Order pursuant to Article 2, item (v) (b) of the Immigration Control and Refugee Recognition Act (hereinafter referred to as "the Act") are Taiwan, and the West Bank and the Gaza Strip.

(Administrative Affairs of Municipalities pertaining to the Relaying of Notifications filed under Article 19-7, Paragraph (1))

Article 2 The mayor of a 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); the same applies hereinafter) is to, in case a notification filed under the provisions of Article 19-7, paragraph (1) of the Act (including notifications which are, pursuant to the provisions of paragraph (3) of the same Article, deemed to be filed under paragraph (1) of the same Article; the same applies hereinafter), a notification filed under the provisions of Article 19-8, paragraph (1) of the Act (including notifications which are, pursuant to the provisions of paragraph (3) of the same Article, deemed to be filed under paragraph (1) of the same Article; the same applies hereinafter), or a notification filed under the provisions of Article 19-9, paragraph (1) of the Act (including notifications which are, pursuant to the provisions of paragraph (3) of the same Article, deemed to be filed under paragraph (1) of the same Article; the same applies hereinafter) is received, relay the following details of that notification from the computer (including any input or output device) which the Commissioner of the Immigration Services Agency makes available for use to the mayor of the municipality to the Commissioner of the Immigration Services Agency via telecommunication line, or other method specified in a Ministry of Justice Order:

- (i) the name, date of birth, sex, country of nationality or the region referred to in Article 2, item (v) (b) of the Act, and the place of residence of the mid-to long-term resident who submitted the application;
- (ii) the number of the residence card submitted by the mid-to long-term resident who filed the notification;
- (iii) the date of filing of the notification;

- (iv) distinction as to whether the notification is a notification filed under the provisions of Article 19-7, paragraph (1) of the Act, a notification filed under the provisions of Article 19-8, paragraph (1) of the Act, or a notification filed under the provisions of Article 19-9, paragraph (1) of the Act; provided, however, that if the following sub-items (a) through (c) apply, the relevant matters specified in (a) to (c) apply instead:
- (a) if a notification pursuant to the provisions of Article 19-7, paragraph (3) of the Act, deemed to be filed under the provisions of paragraph (1) of the same Article, is received: that the relevant notification is filed pursuant to the provisions of Article 30-46 of the Residential Basic Book Act (Act No. 81 of 1967);
  - (b) if a notification pursuant to the provisions of Article 19-8, paragraph (3) of the Act, which is deemed to be filed under the provisions of paragraph (1) of the same Article, is received: distinction as to whether the relevant notification is filed pursuant to the provisions of Article 30-46 or Article 30-47 of the Residential Basic Book Act;
  - (c) if a notification pursuant to the provisions of Article 19-3, paragraph (3) of the Act, which is deemed to be filed under the provisions of paragraph (1) of the same Article, is received: distinction as to whether the relevant notification is filed in pursuant to the provisions of Article 22, Article 23, or Article 30-46 of the Residential Basic Book Act;
- (v) if a notification is filed pursuant to the provisions of Article 19-7, paragraph (1) of the Act or the provisions of Article 19-8, paragraph (1) of the Act (excluding notifications which, pursuant to the provisions of paragraph (3) of the same Article, are deemed to be filed under the provisions of paragraph (1) of the same Article, and are thus filed pursuant to the provisions of Article 30-47 of the Residential Basic Book Act), the date of settling on a place of residence (excluding the date on which the person specified in Article 19-8, paragraph (1) of the Act who has already settled on a place of residence has settled on the relevant place of residence); and
- (vi) if a notification is filed pursuant to the provisions of Article 19-9, paragraph (1) of the Act, the date on which the move to the new place of residence (referring to the place of residence following the change) took place as well as the place of residence immediately prior to the filing of the relevant notification (excluding the place of residence immediately prior to the notification being filed where, pursuant to the provisions of paragraph (3) of the same Article, the notification is deemed to be filed under paragraph (1) of the same Article, and is thus filed pursuant to the provisions of Article 30-46 of the Residential Basic Book Act).

(Entry in the Residence Card of the Day the Notification of the Place of

Residence is Filed)

Article 3 The mayor of a municipality must also enter the date on which the notification was filed by submitting the relevant residence card when entering the place of residence onto the residence card pursuant to the provisions of Article 19-7, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 19-8, paragraph (2) and Article 19-9, paragraph (2) of the Act).

(Amount of Fees Relating to the Registration as a Registered Support Organization)

Article 4 The amount of fees that must be paid pursuant to the provisions of Article 19-23, paragraph (3) of the Act is to be, in accordance with the classification of the person set out in the items below, the amount set out in the relevant item.

- (i) a person who seeks to receive the registration under Article 19-23, paragraph (1) of the Act: 28,400 yen; and
- (ii) a person who seeks to renew the registration received under Article 19-23, paragraph (1) of the Act: 11,100 yen.

(Provisions of Laws Relating to Immigration or Labor Referred to in Article 19-26, Paragraph (1), Item (ii) of the Act Specified in Cabinet Order)

Article 5 The provisions of laws relating to immigration or labor referred to in Article 19-26, paragraph (1), item (ii) of the Act which are specified in Cabinet Order are as follows:

- (i) the provisions of the Labor Standards Act (Act No. 49 of 1947) Article 117 (including as applied pursuant to the provisions of Article 89, paragraph (1) of the Mariners' Employment Security Act (Act No. 130 of 1948) or Article 44, paragraph (1) of the Act on Securing the Proper Operation of Worker Dispatching Businesses and Protecting Dispatched Workers (Act No. 88 of 1985; hereinafter referred to as the "Worker Dispatch Act")); Article 118, paragraph (1) (limited to the parts relating to the provisions of Article 6 and Article 56 of the Labor Standards Act); Article 119 (limited to the parts relating to item (i) (limited to the parts relating to Article 16, Article 17, Article 18, paragraph (1), and Article 37 of the same Act)); Article 120 (limited to the parts relating to item (i) (limited to the parts relating to Article 18, paragraph (7), and Articles 23 through 27 of the same Act)), and the provisions of Article 121 of the same Act relating to those provisions;
- (ii) the provisions of the Mariners Act (Act No. 100 of 1947) Article 129 (limited to the parts relating to Article 85, paragraph (1) of the same Act); Article 130 (limited to the parts relating to Article 33, paragraph (1) of Article 34, Article 35, Article 45, and Article 66 (including as applied mutatis mutandis

- pursuant to the provisions of Article 88-2-2, paragraph (4) and paragraph (5), and Article 88-3, paragraph (4) of the same Act)); Article 131 (limited to the parts relating to item (i) (limited to the parts relating to Article 53, paragraph (1) and paragraph (2), Article 54, Article 56, and Article 58, paragraph (1) of the same Act) and to item (iii)); and the provisions of Article 135, paragraph (1) of the same Act relating to those provisions (including as applied pursuant to the provisions of Article 92, paragraph (1) of the Mariners' Employment Security Act);
- (iii) the provisions of the Employment Security Act (Act No. 141 of 1947) Article 63, Article 64, Article 65 (excluding item (i)); Article 66; and the provisions of Article 67 of the same Act relating to those provisions;
  - (iv) the provisions of the Mariners' Employment Security Act Articles 111 through 115;
  - (v) the provisions of the Minimum Wage Act (Act No. 137 of 1959) Article 40, as well as the provisions of Article 42 of the same Act relating to those provisions;
  - (vi) the provisions of the Act on Comprehensive Promotion of Labor Measures, and Stabilization of Employment of Employees, Enrichment of Their Working Lives (Act No. 132 of 1966) Article 40; paragraph (1) (limited to the parts relating to item (ii)); and the provisions of paragraph (2) of the same Article relating to those provisions;
  - (vii) the provisions of the Act on the Improvement of Employment of Construction Workers (Act No. 33 of 1976) Article 49; Article 50; and Article 51 (excluding item (ii) and item (iii)); and the provisions of Article 52 of the same Act relating to those provisions;
  - (viii) the provisions of the Act on Ensuring Wage Payment (Act No. 34 of 1976) Article 18, as well as the provisions of Article 20 of the same Act relating to those provisions;
  - (ix) the provisions of the Worker Dispatch Act Articles 58 through 62;
  - (x) the provisions of the Port Labor Act (Act No. 40 of 1988) Article 48, Article 49 (excluding item (i)), and Article 51 (limited to the parts relating to item (ii) and item (iii)), as well as the provisions of Article 52 of the same Act relating to those provisions;
  - (xi) the provisions of the Act on the Promotion of Improvement of Employment Management in Small and Medium-sized Enterprises for Securing Manpower and Creating Quality Jobs (Act No. 57 of 1991) Article 19, Article 20, and Article 21 (excluding item (iii)), as well as the provisions of Article 22 of the same Act relating to those provisions;
  - (xii) the provisions of the Act on Childcare Leave, Caregiver Leave, and Other Measures for the Welfare of Workers Caring for Children or Other Family Members (Act No. 76 of 1991) Articles 62 through 65;

(xiii) the provisions of the Act Concerning the Securing of Forestry Work Force (Act No. 45 of 1996) Article 32; Article 33; Article 34 (excluding item (iii)); and the provisions of Article 35 of the same Act relating to those provisions; and

(xiv) the provisions of Article 118, Article 119, and Article 121 of the Labor Standards Act which are applied pursuant to the provisions of Article 44, paragraph 4 of the Worker Dispatch Act; the provisions of Articles 129 through 131 of the Mariners Act which are applied pursuant to the provisions of Article 89, paragraph 7 of the Mariners' Employment Security Act; and the provisions of Article 119 and Article 122 of the Industrial Safety and Health Act (Act No. 57 of 1972) which are applied pursuant to the provisions of Article 45-7 of the Worker Dispatch Act.

(Technical Replacement of Terms in Connection with Request for Administrative Review)

Article 6 (1) With respect to the application of the provisions of the Administrative Complaint Review Act (Act No. 68 of 2014) pursuant to the provisions of Article 61-2-9, paragraph (6) of the Act, the technical replacement of the terms are to be as per the following table.

Provisions of the Administrative Complaint Review Act to be Replaced	Term to be Replaced	Term to be Used as Replacement
Article 37, paragraph (1) and paragraph (3)	Article 31	Article 31 and Article 32 to be applied following the deemed replacement of terms pursuant to the provisions of Article 61-2-9, paragraph (6) of the Immigration Control Act

(2) With respect to the application of the provisions of Article 61-2-9, paragraph (1) of the Order for Enforcement of the Administrative Complaint Review Act (Cabinet Order No. 391 of 2015), the terms in the middle column of the following table which are used in the provisions listed in the left-hand column of the same table is deemed to be replaced with the terms listed in the right-hand column of the table.

Provisions of the Administrative Complaint Review Act to be Replaced	Term to be Replaced	Term to be Used as Replacement
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Article 7, paragraph (1)	the written counterargument is	The written statement specified in Article 30, paragraph (1) of the Act to be applied following the deemed replacement of terms pursuant to the provisions of Article 61-2-9, paragraph (6) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951; hereinafter referred to as "Immigration Control Act") (hereinafter simply referred to as "written statement") is
	the relevant written counterargument	the relevant written statement
Article 7, paragraph (2)	Article 30, paragraph (3) of the Act	Article 30, paragraph (3) of the Act to be applied following the deemed replacement of terms pursuant to the provisions of Article 61-2-9, paragraph (6) of the Immigration Control Act
	written counterargument	written statement
Article 15, paragraph (1), item (iii), and paragraph (3)	written counterargument	written statement

(Ranks of Immigration Control Officers Specified by Cabinet Order Pursuant to Article 61-3-2, Paragraph (5) of the Act)

Article 7 The ranks of immigration control officers specified by Cabinet Order pursuant to Article 61-3-2, paragraph (5) of the Act are to be the Director General of Immigration Security, Director of Immigration Security, Chief Immigration Security Officer, Immigration Security Officer, Assistant Immigration Security Officer, Chief Security Guard, and Security Guard.

(The Grounds Specified by Cabinet Order Pursuant to Article 61-8-2)

Article 8 (1) . The grounds specified by Cabinet Order pursuant to Article 61-8-2 are to be the grounds specified in the Order for the Enforcement of the Residential Basic Book Act (Cabinet Order No. 292 of 1967) Article 12, paragraph (2) as applied following the deemed replacement of the terms pursuant to the provisions of Article 11, Article 12, paragraph (1) and

paragraph (3), Article 12, paragraph (2), and Article 30-21 of the same Cabinet Order (excluding where notices filed pursuant to the provisions of Article 30-50 of the Residential Basic Book Act are received, and with respect to grounds for correction of the entry, limited to those that relate to correction of matters listed in items (i) through (iv) of the following paragraph).

(2) The mayor of a municipality is to, when notifying the Commissioner of the Immigration Services Agency pursuant to the provisions of Article 61-8-2 of the Act, with respect to an entry in the resident card relating to a foreign resident specified in Article 30-45 of the Residential Basic Book Act (hereinafter referred to as "foreign resident") any addition, deletion, or correction made to that entry (hereinafter referred to as "entry, etc."), notify the details of the relevant foreign resident listed in items (i) through (iv), as well as the details of the relevant entry, etc. listed in items (v) through (viii).

(i) the name, date of birth, sex, country of nationality or the region referred to in Article 2, paragraph (5), item (ii) of the Act, and the domicile of the foreign resident;

(ii) distinction as to whether the foreign resident is a mid-to long-term resident; a special permanent resident (a special permanent resident as defined by the Special Act on the Immigration Control of, Inter Alia, Those who have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991, hereinafter referred to as the "Special Act"); the same applies hereinafter); a person temporarily permitted to seek refuge (a person who has been granted permission under Article 18-2, paragraph (1) of the Act); a temporarily permitted visitor (a person who has been granted permission under Article 61-2-4, paragraph (1) of the Act); or a visitor staying for a transitional period (a person who was born in Japan who does not possess Japanese nationality or a person who has lost Japanese nationality, who is permitted to remain pursuant to the provisions of Article 22-2, paragraph (1) of the Act);

(iii) if the foreign resident is a mid-to long-term resident, the number of the residence card of the mid-to long-term resident;

(iv) if the foreign resident is a special permanent resident, the number of that resident's special permanent resident certificate provided for in Article 7, paragraph (1) of the Special Act;

(v) distinction as to whether it is an addition, deletion, or correction made to an entry;

(vi) if any of the matters set out in items (i) through (iv) is corrected, distinction as to which of those matters the correction of the relevant entry relates to, and if correction is made in relation to the domicile recorded in the entry, the domicile recorded immediately prior to the correction of the relevant entry;

- (vii) if, pursuant to the provisions of Article 11 of the Order for the Enforcement of the Residential Basic Book Act, entry, etc. is made to the residence certificate pursuant to any of the provisions of Articles 22 through 24, Article 30-46, or Article 30-47 of the Residential Basic Book Act, distinction as to on which of those provisions the relevant entry, etc. is based, and if deletion is made based on the notice filed pursuant to the provisions of Article 24 of the same Act, the planned date of departure;
- (viii) if the entry, etc. is made pursuant to the provisions of the Order for the Enforcement of the Residential Basic Book Act Article 12, paragraph (2) as applied following the deemed replacement of the terms pursuant to the provisions of Article 12, paragraph (1) or paragraph (3), Article 30-21 of the same Cabinet Order, the fact that the relevant entry, etc. is based on those provisions, as well as the date on which the relevant entry, etc. is made; provided, however, that in the cases set forth in the following sub-items (a) through (d), in lieu of the date on which the relevant entry, etc. is made, the relevant date specified in the sub-items (a) through (d):
  - (a) if addition is made due to birth (except where Japanese nationality is acquired by birth) or loss of Japanese nationality, or deletion is made due to death or acquisition of Japanese nationality: the date of occurrence of the relevant event;
  - (b) if deletion is made due to confirmation of a court ruling for the declaration of disappearance specified in Article 30, paragraph (1) of the Civil Code (Act No. 89 of 1896): the date on which the period specified in the same paragraph expires;
  - (c) if deletion is made due to confirmation of a court ruling for the declaration of disappearance specified in Article 30, paragraph (2) of the Civil Code: the date on which the danger specified in the same paragraph has passed; and
  - (d) if addition is made due to confirmation of a court ruling for the rescission of declaration of disappearance: the date on which the notification pursuant to the provisions of Article 63, paragraph (1) of the Family Register Act (Act No. 224 of 1947) as applied mutatis mutandis to Article 94 of the same Act is submitted.
- (3) The notification to be made pursuant to the provisions of the preceding paragraph is to be made from the computer (including any input or output device) which the Commissioner of the Immigration Services Agency makes available for use to mayor of the municipality, via telecommunication line using a method for transmission to the computer used by the Commissioner of the Immigration Services Agency or other methods specified in the Ministry of Internal Affairs and Communications Orders or Ministry of Justice Orders.



(Amount of Fees for the Permission to Change the Residence Status)

Article 9 The amount of fees that must be paid pursuant to the provisions of Articles 67 through 68 the Act is to be the amount set out in the following items, in accordance with the classification of the permission or the issuance set out in the relevant items:

- (i) permission for a change of status of residence: 4,000 yen;
- (ii) permission for extension of the period of stay: 4,000 yen;
- (iii) permission for permanent residence: 8,000 yen;
- (iv) re-entry permission (excluding multiple re-entry): 3,000 yen;
- (v) multiple re-entry permission: 6,000 yen;
- (vi) issuance of registered user card (excluding reissuance): 2,200 yen;
- (vii) reissuance of registered user card (excluding reissuance): 1,100 yen;
- (viii) issuance of certificate of authorization for employment: 1,200 yen;
- (ix) issuance of residence card: 1,600 yen; and
- (x) issuance of refugee travel document: 5,000 yen.

(Delegation of Authority)

Article 10 The following authorities of the Minister of Justice are delegated to the Commissioner of the Immigration Services Agency; provided, however, that this does not prevent the Minister of Justice from personally exercising these authorities:

- (i) authority specified in Article 5, paragraph (2) of the Act;
- (ii) authority specified in Article 5-2 of the Act;
- (iii) authority specified in Article 7-2, paragraph (1) of the Act;
- (iv) authority specified in Article 11, paragraphs (1) through (3) of the Act;
- (v) authority specified in Article 12, paragraph (1) of the Act;
- (vi) authority specified in Article 20, paragraphs (2) through (4) of the Act;
- (vii) authority specified in Article 20, paragraph (4) of the Act as applied mutatis mutandis to Article 21, paragraph (2) and paragraph (3) of the Act, as well as paragraph (4) of the same Article;
- (viii) authority specified in Article 22, paragraphs (1) through (3) of the Act;
- (ix) authority specified in Article 22-2, paragraph (2) of the Act, the main text of paragraph (3) and paragraph (4) of Article 20 of the Act as applied mutatis mutandis pursuant to paragraph (3) of the same Article of the Act, and paragraphs (1) through (3) of Article 22 of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (4) of the Act;
- (x) authority specified in the following provisions as applied mutatis mutandis pursuant to Article 22-3 of the Act:
  - (a) Article 22-2, paragraph (2) of the Act;
  - (b) the main text of paragraph (3) and paragraph (4) of Article 20 of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (3) of the

- Act;
- (c) Article 22, paragraphs (1) through (3) of the Act as applied mutatis mutandis pursuant to Article 22-2, paragraph (4) of the Act;
  - (xi) authority specified in Article 22-4, paragraphs (1) through (3), and paragraphs (5) through (9) of the Act;
  - (xii) authority specified in Article 49, paragraphs (1) through (3) of the Act;
  - (xiii) authority specified in Article 50, paragraph (1) and paragraph (2) of the Act;
  - (xiv) authority specified in Article 61-2 of the Act;
  - (xv) authority specified in Article 61-2-2, paragraphs (1) through (3), and paragraph (5) of the Act;
  - (xvi) authority specified in Article 61-2-3 of the Act;
  - (xvii) authority specified in Article 61-2-4, paragraphs (1) through (3), and paragraph (2) of the same Article of the Act as applied mutatis mutandis pursuant to the first sentence and the second sentence of Article 61-2-4, paragraph (4) of the Act;
  - (xviii) authority specified in Article 61-2-5 of the Act;
  - (xix) authority specified in Article 61-2-7, paragraph (1) and paragraph (2) of the Act;
  - (xx) authority specified in Article 22-4, paragraph (2), paragraph (3), and paragraphs (5) through (9) (excluding the proviso of paragraph (7)) of the Act as applied mutatis mutandis pursuant to Article 61-2-8, paragraph (1) and paragraph (2) of the Act;
  - (xxi) authority specified in Article 61-2-11 of the Act; and
  - (xxii) authority specified in Article 61-2-14, paragraph (1) and paragraph (3) of the Act.

(Category of Administrative Affairs)

Article 11 The administrative affairs which are to be handled by the municipalities under the provisions of Article 3 are to be classified as Type 1 statutory entrusted functions provided in Article 2, paragraph (9), item (i) of the Local Autonomy Act.