

国籍法施行規則

Enforcement Regulation of the Nationality Act

(昭和五十九年十一月一日法務省令第三十九号)

(Order of the Ministry of Justice No. 39 of November 1, 1984)

国籍法施行規則（昭和二十五年法務府令第六十九号）の全部を次のように改正する。

The entirety of the Enforcement Regulation of the Nationality Act (Order of the Attorney-General's Office [Homu-fu] No. 69 of 1950) is hereby amended as follows.

(国籍取得の届出)

(Notification of Acquisition of Nationality)

第一条 国籍法（昭和二十五年法律第一百四十七号。以下「法」という。）第三条第一項又は第十七条第二項の規定による国籍取得の届出は、国籍の取得をしようとする者が日本に住所を有するときはその住所地を管轄する法務局又は地方法務局長を経由して、その者が外国に住所を有するときはその国に駐在する領事官（領事官の職務を行う大使館若しくは公使館の長又はその事務を代理する者を含む。以下同じ。）を経由してしなければならない。ただし、その者が外国に住所を有する場合であつても日本に居所を有するときは、その居所地を管轄する法務局又は地方法務局長を経由してすることができる。

Article 1 (1) With regard to a notification of acquisition of nationality under the provisions of Article 3, paragraph (1) or Article 17, paragraph (2) of the Nationality Act (Act No. 147 of 1950; hereinafter referred to as the "Act"), if a person who intends to acquire nationality has domicile in Japan, it must be made through the Director of the Legal Affairs Bureau or District Legal Affairs Bureau having jurisdiction over the domicile of said person, or if said person has domicile in a foreign country, it must be made through a consular officer (including the head of an embassy or legation who performs the duties of a consular officer or a person who administers affairs on behalf of such head; the same applies hereinafter) who is stationed in the foreign country; provided, however, that if said person has domicile in a foreign country but has residence in Japan, the person may make this notification through the Director of the Legal Affairs Bureau or District Legal Affairs Bureau having jurisdiction over the place of residence.

2 法第十七条第一項の規定による国籍取得の届出は、国籍の取得をしようとする者の住所地を管轄する法務局又は地方法務局長を経由してしなければならない。

(2) A notification of acquisition of nationality under the provisions of Article 17 of the Act, paragraph (1) must be made through the Director of the Legal Affairs Bureau or District Legal Affairs Bureau having jurisdiction over the place of

domicile of the person who intends to acquire nationality.

3 前二項の届出は、届出をしようとする者が自ら法務局、地方法務局又は在外公館に出頭して、書面によつてしなければならない。

(3) The notification set forth in the preceding two paragraphs must be made in writing by way of the person who intends to make the notification appearing in person at the Legal Affairs Bureau, District Legal Affairs Bureau, or overseas diplomatic establishment.

4 届書には、次の事項を記載して届出をする者が署名しなければならない。

(4) A written notification must state the following matters and be signed by the person who makes the notification:

一 国籍の取得をしようとする者の氏名、現に有する国籍、出生の年月日及び場所、住所並びに男女の別

(i) the name, current nationality, date and place of birth, domicile, and sex of the person who intends to acquire nationality;

二 父母の氏名及び本籍、父又は母が外国人であるときは、その氏名及び国籍

(ii) the names and the registered domicile of the parents of the person who intends to acquire nationality, and if the mother or father is a foreign national, their name and nationality; and

三 国籍を取得すべき事由

(iii) the grounds for acquiring nationality.

5 法第三条第一項の規定による国籍取得の届出をする場合においては、前項の届書に次に掲げる書類を添付しなければならない。ただし、やむを得ない理由により、第三号又は第四号の書類を添付することができないときは、その理由を記載した書類を提出するものとし、認知の裁判が確定しているときは、第三号から第五号までの書類の添付を要しないものとする。

(5) In the case of making a notification of acquisition of nationality pursuant to the provisions of Article 3, paragraph (1) of the Act, the following documents must be attached to the written notification set forth in the preceding paragraph; provided, however, that if it is not possible to attach the document set forth in item (iii) or item (iv) for unavoidable reasons, a document stating such reasons is to be submitted, and if a judicial decision on acknowledgment of parentage has become final and binding, the documents listed in items (iii) through (v) are not required to be attached:

一 認知した父又は母の出生時からの戸籍及び除かれた戸籍の謄本又は全部事項証明書

(i) certified copies or certificates of all matters of all of the family registers and removed family registers since the birth of the mother or father who has acknowledged parentage;

二 国籍の取得をしようとする者の出生を証する書面

(ii) a document certifying the birth of the person who intends to acquire nationality;

三 認知に至った経緯等を記載した父母の申述書

(iii) a written statement made by the mother and father explaining matters such as the background to the acknowledgment of parentage;

四 母が国籍の取得をしようとする者を懐胎した時期に係る父母の渡航履歴を証する書面

(iv) documents certifying the records of overseas travels of the mother and father regarding the time when the mother conceived the person who intends to acquire nationality; and

五 その他実親子関係を認めるに足りる資料

(v) other materials sufficiently showing the existence of a natural parent-child relationship.

6 法第十七条の規定による国籍取得の届出をする場合においては、第四項の届書に国籍取得の条件を備えていることを証するに足りる書類を添付しなければならない。

(6) In the case of making a notification of acquisition of nationality pursuant to the provisions of Article 17 of the Act, a document sufficiently proving that the person who intends to acquire nationality meets the conditions for acquisition of nationality must be attached to the written notification set forth in paragraph (4).

(帰化の許可の申請)

(Application for Permission of Naturalization)

第二条 帰化の許可の申請は、帰化をしようとする者の住所地を管轄する法務局又は地方法務局長を経由してしなければならない。

Article 2 (1) An application for permission of naturalization must be made through the Director of the Legal Affairs Bureau or District Legal Affairs Bureau having jurisdiction over the place of domicile of a person who intends to nationalize.

2 前項の申請は、申請をしようとする者が自ら法務局又は地方法務局に出頭して、書面によつてしなければならない。

(2) The application set forth in the preceding paragraph must be made in writing by way of the person who intends to make the application appearing in person at the Legal Affairs Bureau or District Legal Affairs Bureau.

3 申請書には、次の事項を記載して申請をする者が署名し、帰化に必要な条件を備えていることを証するに足りる書類を添付しなければならない。

(3) A written application must state the following matters and be signed by the person who makes the application, and a document sufficient to certify that the person who intends to nationalize meets the necessary conditions for naturalization must be attached thereto:

一 帰化をしようとする者の氏名、現に有する国籍、出生の年月日及び場所、住所並びに男女の別

(i) the name, current nationality, date and place of birth, domicile, and sex of

- the person who intends to naturalize;
- 二 父母の氏名及び本籍、父又は母が外国人であるときは、その氏名及び国籍
- (ii) the names and the registered domicile of the parents of the person who intends to nationalize, and if the mother or father is a foreign national, their name and nationality; and
- 三 帰化の許否に関し参考となるべき事項
- (iii) matters that will be a helpful reference for determining whether or not to permit naturalization.

(国籍離脱の届出)

(Notification of renunciation of nationality)

第三条 国籍離脱の届出については、第一条第一項及び第三項の規定を準用する。

Article 3 (1) The provisions of Article 1, paragraphs (1) and (3) apply mutatis mutandis to a notification of renunciation of nationality.

2 届書には、次の事項を記載して届出をする者が署名し、国籍離脱の条件を備えていることを証するに足りる書類を添付しなければならない。

(2) A written notification shall must the following matters and be signed by the person who makes the notification, and a document sufficiently proving that the person who intends to renounce nationality meets the conditions for renunciation of nationality must be attached thereto:

- 一 国籍の離脱をしようとする者の氏名、出生の年月日、住所及び戸籍の表示
- (i) the name, date of birth, and domicile of the person who intends to renounce nationality, and the indication of the person's register; and
- 二 現に有する外国の国籍
- (ii) the person's current nationality.

(法定代理人がする届出等)

(Notification by Statutory Agent)

第四条 法第十八条の規定により法定代理人が国籍取得若しくは国籍離脱の届出又は帰化の許可の申請をするときは、届書又は申請書に法定代理人の氏名、住所及び資格を記載し、その資格を証する書面を添付しなければならない。

Article 4 When a statutory agent makes a notification of acquisition of nationality or renunciation of nationality or an application for permission of naturalization pursuant to the provisions of Article 18 of the Act, the name, address, and qualification of the statutory agent must be stated in a written notification or written application, and a document certifying the agent's qualification must be attached thereto.

(訳文の添付)

(Attachment of Translation)

第五条 届書又は申請書の添付書類が外国語によつて作成されているときは、その書類

に翻訳者を明らかにした訳文を添付しなければならない。

Article 5 If attached documents of a written notification or written application are prepared in a foreign language, translations of these documents must be attached to them, with the translator being identified.

(国籍の選択の催告)

(Notice Regarding Selection of Nationality)

第六条 法第十五条第一項に規定する催告は、これを受けるべき者が外国に在るときは、その国に駐在する領事官を経由してすることができる。

Article 6 (1) The notice prescribed in Article 15, paragraph (1) of the Act may be provided through a consular officer who is stationed in a foreign country if the person who is to receive the notice is in the foreign country.

2 法務大臣は、法第十五条第一項又は第二項の規定による催告をしたときは、法務局又は地方法務局長に、その催告を受けた者の氏名及び戸籍の表示並びに催告が到達した日を、本籍地の市町村長（東京都の特別区の存する区域及び地方自治法（昭和二十二年法律第六十七号）第二百五十二条の十九第一項の指定都市にあつては、区長）に対して通知させるものとする。

(2) The Minister of Justice, when having provided the notice pursuant to the provisions of Article 15, paragraph (1) or paragraph (2) of the Act, is to have the Director of the Legal Affairs Bureau or District Legal Affairs Bureau notify the mayor of municipality (in the case of the areas of the Tokyo Metropolis that are divided into special wards and the designated cities set forth in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), the ward mayor) having jurisdiction over the place of registered domicile of the person who received the notice, with regard to the name of said person and indication of the person's family register, as well as the day on which the notice arrived at the person.

(聴聞の通知)

(Notice of Hearing)

第七条 法第十六条第二項の宣告に係る聴聞の通知は、これを受けるべき者が外国に在るときは、その国に駐在する領事官を経由してすることができる。

Article 7 A notice of a hearing pertaining to the pronouncement set forth in Article 16, paragraph (2) of the Act may be provided through a consular officer who is stationed in a foreign country if the person who is to receive the notice is in the foreign country.

附 則

Supplementary Provisions

(施行期日)

(Effective Date)

1 この省令は、昭和六十年一月一日から施行する。

(1) This Order comes into effect as of January 1, 1985.

(特例による国籍取得の届出)

(Notification of Acquisition of Nationality under Special Provisions)

2 国籍法及び戸籍法の一部を改正する法律（昭和五十九年法律第四十五号）附則第五条第一項又は第六条第一項の規定による国籍取得の届出については、第一条第一項、第三項、第四項及び第六項、第四条並びに第五条の規定を準用する。

(2) The provisions of Article 1, paragraphs (1), (3), (4), and (6), Article 4, and Article 5 apply mutatis mutandis to a notification of acquisition of nationality under the provisions of Article 5, paragraph (1) or Article 6, paragraph (1) of the Supplementary Provisions of the Act Partially Amending the Nationality Act and the Family Register Act (Act No. 45 of 1984).

附 則 〔平成二十年十二月十八日法律第七十三号〕

Supplementary Provisions [Act No. 73 of December 18, 2008]

(施行期日)

(Effective Date)

第一条 この省令は、国籍法の一部を改正する法律（平成二十年法律第八十八号。以下「改正法」という。）の施行の日（平成二十一年一月一日）から施行する。

Article 1 This Order comes into effect as of the date on which the Act Partially Amending the Nationality Act (Act No. 88 of 2008; hereinafter referred to as the "Amendment Act") (January 1, 2009) comes into effect

(経過措置及び特例による国籍取得の届出)

(Notification of Acquisition of Nationality under Transitional Measures and Special Provisions)

第二条 改正法附則第二条第一項又は第五条第一項の規定による国籍取得の届出については、この省令による改正後の国籍法施行規則（以下「改正規則」という。）第一条第一項、第三項、第四項及び第六項、第四条並びに第五条の規定を準用し、同法附則第四条第一項の規定による国籍取得の届出については、改正規則第一条第一項及び第三項から第五項まで、第四条並びに第五条の規定を準用する。

Article 2 With regard to a notification of acquisition of nationality under the provisions of Article 2, paragraph (1) or Article 5, paragraph (1) of the Supplementary Provisions of the Amendment Act, the provisions of Article 1, paragraphs (1), (3), (4), and (6), Article 4, and Article 5 of the Enforcement Regulation of the Nationality Act amended by this Order (hereinafter referred to as the "Amendment Regulation") apply mutatis mutandis, and with regard to a notification of acquisition of nationality under the provisions of Article 4,

paragraph (1) of the Supplementary Provisions of said Act, the provisions of Article 1, paragraph (1) and paragraphs (3) through (5), Article 4, and Article 5 of the Amended Regulation apply mutatis mutandis.

(国籍取得の届書の記載事項等)

(Matters to Be Stated in Written Notification of Acquisition of Nationality)

第三条 戸籍法施行規則（昭和二十二年司法省令第九十四号）第五十八条の二の規定は、改正法附則第二条第一項、第四条第一項又は第五条第一項の規定によって国籍を取得した場合の国籍取得の届出について準用する。

Article 3 The provisions of Article 58-2 of the Enforcement Regulation of the Family Register Act (Order of the Ministry of Justice [Shiho-sho] No. 94 of 1947) apply mutatis mutandis to a notification of acquisition of nationality in the case where nationality is acquired pursuant to the provisions of Article 2, paragraph (1), Article 4, paragraph (1), or Article 5, paragraph (1) of the Amendment Act.