

日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法施行令
Order for Enforcement of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan

(平成二十三年十二月二十六日政令第四百二十号)
(Cabinet Order No. 420 of December 26, 2011)

(特別永住者証明書の交付に係る市町村の事務)
(Administrative Affairs of Municipalities Concerning Issuance of Special Permanent Resident Certificates)

第一条 市町村（特別区を含むものとし、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っては、区又は総合区。以下同じ。）の長は、日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（以下「法」という。）第七条第二項の規定により特別永住者証明書を交付する場合には、当該特別永住者証明書にその交付年月日を記載するものとする。

Article 1 When the head of municipalities (including special wards, and for the designated cities referred to in Article 252-19, paragraph (1) of the Local Autonomy Act (Act No. 67 of 1947), wards or administratively consolidated wards; the same applies hereinafter) issues a special permanent resident certificate pursuant to the provisions of Article 7, paragraph (2) of the Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (hereinafter referred to as the "Act"), the head is to state the date of issuance in the special permanent resident certificate.

第二条 市町村の長は、法第七条第二項又は第十一条第二項（法第十二条第三項、第十三条第二項及び第十四条第四項の規定において準用する場合を含む。）の規定により特別永住者証明書を交付したときは、その旨、交付年月日及び当該特別永住者証明書の番号を出入国在留管理庁長官に通知するものとする。

Article 2 (1) When the head of municipalities issues a special permanent resident certificate pursuant to the provisions of Article 7, paragraph (2) or Article 11, paragraph (2) of the Act (including as applied mutatis mutandis pursuant to Article 12, paragraph (3), Article 13, paragraph (2), and Article 14, paragraph (4) of the Act), the head is to notify the Commissioner of the Immigration Services Agency to that effect and of the date of issuance and the number of the special permanent resident certificate.

2 前項の規定による通知は、出入国在留管理庁長官が市町村の長に使用させる電子計算機（入出力装置を含む。）から電気通信回線を通じて出入国在留管理庁長官の使用に係る電子計算機に送信する方法その他の法務省令で定める方法により行うものとする。

(2) The notice pursuant to the provisions of the preceding paragraph is given by the method specified by Ministry of Justice Order, such as a method of transmitting the notice from the computer (including input-output devices) which the Commissioner of the Immigration Services Agency has the head of municipalities use, to the computer used by the Commissioner via a telecommunications line.

（法第十条第一項等の届出の経由に係る市町村の事務）

(Administrative Affairs of Municipalities Concerning Conveyance of Notifications Referred to in Article 10, Paragraph (1) of the Act)

第三条 市町村の長は、法第十条第一項の規定による届出（同条第四項の規定により同条第一項の規定による届出とみなされる届出を含む。以下同じ。）又は同条第二項の規定による届出（同条第五項の規定により同条第二項の規定による届出とみなされる届出を含む。以下同じ。）があったときは、当該届出に係る次に掲げる事項を、出入国在留管理庁長官が市町村の長に使用させる電子計算機（入出力装置を含む。）から電気通信回線を通じて出入国在留管理庁長官の使用に係る電子計算機に送信する方法その他の法務省令で定める方法により、出入国在留管理庁長官に伝達するものとする。

Article 3 When a notification pursuant to the provisions of Article 10, paragraph (1) of the Act (including a notification which is deemed to be a notification under the provisions of paragraph (1) of that Article pursuant to the provisions of paragraph (4) of that Article; the same applies hereinafter) or a notification under the provisions of paragraph (2) of that Article (including a notification which is deemed to be a notification under the provisions of paragraph (2) of that Article pursuant to the provisions of paragraph (5) of that Article; the same applies hereinafter) is made, the head of municipalities is to convey the following particulars related to the notification to the Commissioner of the Immigration Services Agency by the method specified by Ministry of Justice Order, such as a method of transmitting the particulars from the computer (including input-output devices) which the Commissioner has the head of municipalities use, to the computer used by the Commissioner via a telecommunications line.

一 届出をした特別永住者の氏名、生年月日、性別、国籍の属する国又は出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第二条第五号ロに規定する地域及び住居地

(i) the name, date of birth, and sex of the special permanent resident having made the notification, the country to which their nationality pertains or region prescribed in Article 2, item (v), (b) of the Immigration Control and

- Refugee Recognition Act (Cabinet Order No. 319 of 1951), and the place of their residence;
- 二 届出をした特別永住者が提出した特別永住者証明書の番号
- (ii) the number of the special permanent resident certificate submitted by the special permanent resident having made the notification;
- 三 届出の年月日
- (iii) the date of notification;
- 四 届出が法第十条第一項の規定による届出又は同条第二項の規定による届出であること。ただし、次のイ又はロに掲げる場合には、これに代え、当該イ又はロに定める事項
- (iv) the fact that the notification is a notification pursuant to the provisions of Article 10, paragraph (1) of the Act or a notification pursuant to the provisions of paragraph (2) of that Article; provided, however, that, in the case set forth in (a) or (b) below, particulars specified in sub-item (a) or (b) in lieu of that fact:
- イ 法第十条第四項の規定により同条第一項の規定による届出とみなされる届出があった場合 当該届出が住民基本台帳法（昭和四十二年法律第八十一号）第三十条の四十六の規定によるものであること。
- (a) when a notification which is deemed to be a notification under the provisions of Article 10, paragraph (1) of the Act pursuant to the provisions of paragraph (4) of that Article is made: the fact that the notification is pursuant to the provisions of Article 30-46 of the Residential Basic Book Act (Act No. 81 of 1967); or
- ロ 法第十条第五項の規定により同条第二項の規定による届出とみなされる届出があった場合 当該届出が住民基本台帳法第二十二條、第二十三條又は第三十条の四十六のいずれの規定によるものであるかの別
- (b) when a notification which is deemed to be a notification under the provisions of Article 10, paragraph (2) of the Act pursuant to the provisions of paragraph (5) of that Article is made: whether the notification is pursuant to the provisions of Article 22, Article 23, or Article 30-46 of the Residential Basic Book Act;
- 五 法第十条第一項の規定による届出があった場合における住居地を定めた年月日
- (v) the date of settling on the place of residence when a notification under the provisions of Article 10, paragraph (1) of the Act has been made; and
- 六 法第十条第二項の規定による届出があった場合における新住居地（変更後の住居地をいう。）に移転した年月日及び当該届出の直前に定めていた住居地（同条第五項の規定により同条第二項の規定による届出とみなされる住民基本台帳法第三十条の四十六の規定による届出があった場合における当該届出の直前に定めていた住居地を除く。）
- (vi) the date of transfer to the new place of residence (meaning the place of residence after the change), when a notification under the provisions of

Article 10, paragraph (2) of the Act has been made, and the place of residence was settled immediately before that notification (when a notification under the provisions of Article 30-46 of the Residential Basic Book Act which is deemed to be a notification under the provisions of Article 10, paragraph (2) of the Act pursuant to the provisions of paragraph (5) of that Article has been made, excluding the place of residence that was settled immediately before that notification).

(住居地届出日の特別永住者証明書への記載)

(Stating the Date of Notification of Place of Residence in the Special Permanent Resident Certificates)

第四条 市町村の長は、法第十条第三項の規定により特別永住者証明書に住居地又は新住居地の記載をする場合には、併せて、当該特別永住者証明書を提出してした届出の年月日を記載するものとする。

Article 4 When the head of municipalities is to record the place of residence or the new place of residence on a special permanent resident certificate pursuant to the provisions of Article 10, paragraph (3) of the Act, the head is to record the date of notification made by submitting the special permanent resident certificate, together with the place of residence.

(法第十一条第一項の届出等の経由に係る市町村の事務)

(Administrative Affairs of Municipalities Concerning Conveyance of Notifications Referred to in Article 11, Paragraph (1) of the Act)

第五条 市町村の長は、法第十一条第一項の規定による届出又は法第十二条第一項若しくは第二項、第十三条第一項若しくは第十四条第一項若しくは第三項の規定による申請があったときは、法務省令で定めるところにより、当該届出又は申請に当たって特別永住者から提示された書類の写しを作成し、当該写しを出入国在留管理庁長官に送付するものとする。

Article 5 When a notification pursuant to the provisions of Article 11, paragraph (1) of the Act is made or an application pursuant to the provisions of Article 12, paragraph (1) or (2), Article 13, paragraph (1), or Article 14, paragraph (1) or (3) is filed, the head of municipalities is to make copies of the documents presented by the special permanent resident in making the notification or filing the application and send those copies to the Commissioner of the Immigration Services Agency, pursuant to the provisions of Ministry of Justice Order.

(特別永住者証明書の汚損等を知った場合の市町村の事務)

(Administrative Affairs of Municipalities in Cases of Learning the Defacement of Special Permanent Resident Certificates)

第六条 市町村の長は、特別永住者が、著しく毀損し、若しくは汚損し、又は法第八条

第五項の規定による記録が毀損した特別永住者証明書を所持することを知ったとき（当該特別永住者が法第十四条第一項の規定による申請をするときを除く。）は、速やかに、その旨及び当該特別永住者に係る次に掲げる事項を出入国在留管理庁長官に書面で通知するとともに、当該特別永住者証明書の状態に関する資料を出入国在留管理庁長官に送付するものとする。

Article 6 When the mayor of a municipality learns that a special permanent resident possesses a special permanent resident certificate which has been noticeably damaged or defaced, or in which the record under the provisions of Article 8, paragraph (5) of the Act has been damaged (except when the special permanent resident submits the application under the provisions of Article 14, paragraph (1) of the Act), the mayor is to promptly notify the Commissioner of the Immigration Services Agency to that effect and of the following particulars concerning the special permanent resident in writing and is to send the material concerning the state of that special permanent resident certificate to the Commissioner:

一 氏名、生年月日、性別、国籍の属する国又は出入国管理及び難民認定法第二条第五号ロに規定する地域及び住居地

(i) their name, date of birth, and sex, the country to which their nationality pertains or region prescribed in Article 2, item (v), (b) of the Immigration Control and Refugee Recognition Act, and the place of their residence; and

二 特別永住者証明書の番号

(ii) the number of their special permanent resident certificate.

(手数料の額)

(Amount of Fees)

第七条 法第十四条第五項の規定により納付しなければならない特別永住者証明書の交付についての手数料の額は、千六百円とする。

Article 7 The amount of fee for the issuance of a special permanent resident certificate which is required to be paid pursuant to the provisions of Article 14, paragraph (5) of the Act is 1,600 yen.

(事務の区分)

(Category of Administrative Affairs)

第八条 第一条、第二条及び第四条から第六条までの規定により市町村が処理することとされている事務は、地方自治法第二条第九項第一号に規定する第一号法定受託事務とする。

Article 8 The administrative affairs which a municipality are to handle pursuant to the provisions of Article 1, Article 2, and Articles 4 through 6 are to be Type 1 statutory entrusted functions prescribed in Article 2, paragraph (9), item (i) of the Local Autonomy Act.