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# Country Information Library: Japan

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 **NOTE:** Please use the information below with discretion as it may be out of date.

- In general, foreign nationals can reside legally in Japan for a maximum of five years. Those qualifying in the new “Highly Skilled Professional” immigration category, though, will be granted an indefinite period of stay.
- Special Korean residents of Japan are issued a Special Permanent Resident Certificate instead of a Residence Card. They are not required to apply for re-entry permit if overseas stay is within two years.
- Infants born in Japan must file an application to obtain "Status of Residence" at a regional immigration office within 30 days if the infant will be residing in Japan more than 60 days.

## Unified tax and benefit number system

- As of May 24, 2015, individuals residing in Japan (foreigners included) are given a 16-digit single unified identification number akin to a US Social Security number.
- The current plan calls for paper cards to be issued with the option of exchanging it for a regular plastic IC card complete with photo, birth date, etc. It is not yet clear if number cards will include biometric data other than a photo.

## ▼ Civil documents / proof of relationship

### Family Registry

- Japan has a family registry system (*koseki*) to keep a public record of events such as birth, death, marriage and divorce of Japanese citizens.
- *koseki* is an official document that records and certifies the identity and family relationships of Japanese citizens, on the basis of family law. It is based on families rather than each individual (only one family name can be listed for married couples). It is issued by the Municipal Office of the holder's legal domicile (*honseki-chi*).
- The *koseki* simultaneously fills the function of separate birth, adoption, custody, marriage, divorce, death records. A child is listed on his or her parent's *koseki* until they create their own. This typically happens when they get married.
- Each *koseki* has a "head" of the family unit, or "*hittousya*", listed at the far right. A typical *koseki* has one page for the household's parents and their first two children: additional children are recorded on additional pages. Any changes to this information have to be sealed by an official registrar.
- Though some individuals move to a large city or completely different prefecture than that in which they were born, they may choose to maintain their *koseki* in their hometown or place of birth.
- There are two main types of *koseki*:
  - The *koseki touhon* is the full *koseki* with all family members, dates of deaths and births, etc.
  - The *koseki shouhon* contains the information for one individual family member.

- **Note: Always request the *koseki touhon*.** The *koseki shouhon* usually omits outdated records such as annulled adoptions, a former marriage, divorce or the death of a former spouse. Further, in the case of a person who was removed from one *koseki* and placed into another by adoption or marriage, the current *koseki* sometimes does not indicate the person's place of birth. If the omitted portion is required, an extract from the canceled *koseki* (*joseki shouhon*) can be obtained from the Municipal Office holding the applicant's previous family register.
- The principal items recorded and certified in a family register are:
  - Individual's full name.
  - Gender.
  - Birth date and place.
  - Parental relations (names of parents, relations to them, etc.).
  - Spousal relations (name of spouse, date of marriage, date of divorce, etc.).
  - Information related to the death of an individual (date, time, place of death).
  - Name of legal custodian or legal guardian.
  - Information related to inheritance, such as the disinheritance of a presumed heir.

## Birth documents / proof of parentage

- For children born in Japan, parents are required to report the birth to the municipal office (city hall) of the actual place of birth, the home address, or registered domicile, within 14 days. The documents required for the notification of birth are as follows:
  - Form of notification of birth
  - Personal seal (*inkan/hanko*; may be substituted by signature for non-Japanese nationals)
  - Birth certificate (attached to the form of notification of birth; to be filled out and signed by a doctor or a midwife)
  - Others (health insurance certificate (*hokensho*) / mother-child record book (*boshi kenko techo*))
- The birth record is contained in the *koseki shouhon*, showing date/place of birth and parents' names.
- The law requires birth entries in the family registry to specify whether a child is born in or out of wedlock.

## Acquisition of citizenship

**Dual citizenship:** Not Recognized (exception under age 22 - one nationality must be chosen by age 22)

**Basis of citizenship** Strict *jus sanguinis* (citizenship by blood) state

**By birth**

- Either parent must be citizen of Japan, regardless of country of birth
- Child born in Japan to unknown or stateless parents

**By acknowledgement**

- Paternity of illegitimate child born to Japanese father is acknowledged
- Child must be under 20 years of age

**By naturalization**

- Permanent residency is not required
- Continuous residence in Japan for five years or more
- At least 20 years old and otherwise legally competent
- Sufficient capital or skills, either personally or within family, to support oneself
- Stateless or willing to renounce foreign citizenship

**Marriage documents**

- Marriage consists of a civil marriage registration by the couple at a municipal government office. Ceremonies performed by religious bodies are not considered legal marriages.
- *A form of marriage certificate (konin todoke juri shomeisho* or Certificate of Acceptance of Notification of Marriage) exists, but it is very difficult to re-obtain. The *koseki touhon* or *kaiseigen koseki touhon* replace this document as proof of marriage.
  - The *konin todoke juri shomeisho* can be issued by request from the ward/municipal office upon the couple registering their marriage. Approximately one month after registration, the information is transferred to the Ministry of Justice and is no longer available at the ward/municipal office.
  - Individuals can request to obtain the *konin todoke juri shomeisho* from the Ministry of Justice. Only the person who submitted the documents can make the request and must also be present to pick-up the document. This is often a very lengthy and tedious process.

**Divorce documents**

- A certificate of declaration of divorce (*Rikon Todoke Juri Shomei sho*) is available at the city / ward office where the divorce was registered.
- Citizens and foreign nationals can get divorced; there are four types:
  - **Divorce by agreement** (*Kyōgi Rikon*) is based on mutual agreement to divorce. Most cases are consensual and involve minimal legal process.
  - **Divorce by mediation in a family court** (*Chōtei Rikon*) for cases in which a divorce by mutual agreement cannot be reached.
  - **Divorce by decision of the family court** (*Shinpan Rikon*) for cases where a decision cannot be established through mediation.

- **Divorce by judgment of a district court (*Saiban Rikon*)** for divorces that cannot be established by the family court. An application must be made to the district court for a decision (application for arbitration is a prerequisite). Once the case is decided, the court will issue a certified copy and certificate of settlement to be attached to the Divorce Registration.
- Under civil code article 710, there are five grounds for unilateral divorce if one cannot be reached by mutual agreement:
  - Infidelity.
  - Malicious desertion.
  - Uncertainty whether the spouse is dead or alive for three years or more.
  - Serious mental illness.
- A woman may not remarry within 6 months of the day of dissolution or cancellation of the previous marriage, except the case in which she both gets pregnant before the day and gives birth to the child.

### **Custody of children following a divorce**

- Custody is generally awarded to the mother unless there is an overriding reason to award custody to the father.
- Joint custody of children is not recognized. Japanese family law also has no provision for visitation rights and has no legal mechanism to enforce visitation rights or other court-negotiated settlements. One parent is usually designated as the custodian whether or not the divorce was consensual.
- In a divorce by agreement, the husband and wife must determine which parent will have custody of each child. In other types of divorce, custody is determined by the mediator or judge.

### **Civil documents for non-Japanese citizens**

- Records of civil actions pertaining to non-Japanese citizens, such as marriage, adoption, divorce or death are available from the Municipal Office where the action was registered, in the same manner as the birth record of a non-Japanese citizen. Marriage and adoption records are maintained for 50 years. Divorce and death records are kept for 10 years.

### **Death certificate**

- Notification of death has to be submitted to the municipal office (city hall) of the place of death or the deceased address. The notification has to be made by a family member, a cohabiter, or another concerned individual of the deceased within seven days of the day this individual was informed of the death. The required documents for the notification of death are as follows:
  - Death notification form.
  - Death certificate (attached to the notification form; to be filled out and signed by a doctor).
  - Resident card, special permanent resident certificate, etc. (to be mailed to Tokyo Regional Immigration Bureau within fourteen days).

- Personal seal (*inkan/hanko*; may be substituted by signature for non-Japanese nationals).

## ▼ Police certificates

**FLAG:** A limited validity Japanese passport may be indicative of a criminal history in Japan, despite a police certificate not showing a criminal background.

- For more Police Certificate information and examples, please visit the [Police Certificate Image Library](#).

## ▼ Proof of education / enrollment

- Documents are reliable and verifiable.
- Certified true copies of diplomas do not exist in Japan; however, a Japanese notary (*koshonin*) can certify the authenticity of copies of diplomas or other documents. This person can issue a document called *touhon ninsho*, which can replace a certified true copy. For more information, consult the [Japan National Notaries Association's website](#).

### School system

- The basic school system in Japan is composed of elementary school (lasting six years), middle school (three years), high school (three years), and university (four years). Education is compulsory only for the nine years of elementary and middle school, but 98% of students go on to high school. Private education is popular at the upper secondary and university levels.

## ▼ Proof of funds

- Documents are reliable and verifiable.
- Most employees do not need to submit a tax return as taxes are subtracted and submitted by the employer.
  - Employees only file a tax return if: self-employed, employed outside Japan, leave Japan before the end of the tax year, more than one employer, annual income greater than 20,000,000 yen, or have side income greater than 200,000 yen).
  - Tax Returns are based on self-assessment (where taxpayers calculate their taxable income, file tax returns and pay their taxes). This system presupposes taxpayer's willingness to continue accurate bookkeeping behaviour and calculate taxable income based on objective data.