Current as of March 24, 2011

Immigration control measures for extension of the period of stay and other related matters in accordance with the occurrence of the Tohoku Region Pacific Coast Earthquake Disaster.

1. The expiration date of the period of stay shall be extended through a Ministry of Justice public notice (Ministry of Justice Public Notice No. 123 of March 16, 2011) pursuant to the provisions of Article 3, paragraph 2 of the Act on Special Measures for Preservation of Rights and Interests of the Victims of Specified Disasters (Act No. 85 of 1996; hereinafter referred to as "Special Measures Act") in accordance with the 2011 Tohoku Region Pacific Coast Earthquake. The details are as given below.

(1) Applicable foreign nationals

Those foreign nationals who came under all of the following at the time of the occurrence of the 2011 Tohoku Region Pacific Coast Earthquake (hereinafter referred to as "this earthquake"):

a) Those foreign nationals residing in Japan in possession of a status of residence.
b) Those foreign nationals whose period of stay is due to expire by August 30, 2011.
c) "Those foreign nationals who were in Aomori prefecture, Iwate prefecture, Miyagi prefecture, Fukushima prefecture or Ibaraki prefecture (hereinafter known as "specified districts")" or "those foreign nationals who were registered pursuant to the provisions of Article 4, paragraph 1 of the Alien Registration Act, and whose places of residence registered in the registration card stipulated in the same paragraph are in the specified districts".

Moreover, this shall also apply to those cases where the foreign national was residing pursuant to a special provision on the period of stay (see note) at the time of the occurrence of this earthquake, and those cases where the foreign national whose place of residence in terms of the Alien Registration Act was in a specified district at the time of the occurrence of this earthquake and who was outside of Japan on a re-entry permit, re-enters Japan by August 30, 2011 (limited to cases of re-entry within the valid period of the re-entry permit).

(Note) Special provision on the period of stay (Article 20, paragraph 5, Immigration Control Act

(including cases applied *mutatis mutandis* in Article 21, paragraph 4 of the same Act))

In cases where an application for change of the status of residence or an application for extension of the period of stay was made within the period of stay, if the disposition for the application is not made by the time of the expiration date of the period of stay corresponding to the status of residence held by the foreign national concerned, residence will be continued for a certain extended period.

(2) Measures

With regard to the foreign nationals to whom the abovementioned (1) applies, the expiration date of the period of stay corresponding to the status of residence held by such foreign national shall be extended until August 31, 2011. The details for the handling of such shall be as given below.

a) Since the applicable foreign national's period of stay has been extended until August 31, 2011, such foreign national will be able to lawfully stay and depart from Japan without the need to acquire an extension of the period of stay and without falling under illegal residence until such time.

However, if such foreign national intends to depart from Japan after the expiration of the original period of stay, which became subject to the extension measures, such foreign national will need to receive confirmation at the immigration examination point that such person is indeed a foreign national to whom the extension measures apply, and therefore, such foreign national is kindly asked to speak to the immigration inspector.

b) In cases where the applicable foreign national departs from Japan in the future and re-enters Japan by August 31, 2011, if this foreign national applies for re-entry permit beforehand, the foreign national will be able to acquire such permit.

c) On the other hand, please take due note that this does not mean the valid period of the re-entry permit, which the applicable foreign national has already received, will be extended.

d) In addition, please take due note that this does not mean that the period for permission to engage in an activity other than that permitted by the status of residence previously granted, will be extended.

e) If the applicable foreign national wishes to continue to reside beyond August 31, 2011, it is necessary for the foreign national to apply for permission for change of the status of residence or permission for extension of the period of stay. In such

case, the foreign national must apply for permission for change of the status of residence or permission for extension of the period of stay by August 31, 2011.

f) Moreover, with regard to the special provision on the period of stay of those foreign nationals who applied for permission for change of the status of residence or permission for extension of the period of stay by August 31, 2011 (Article 20, paragraph 5, Immigration Control Act (including cases applied *mutatis mutandis* in Article 21, paragraph 4 of the same Act)), if the disposition for the application has not been made by such date, such foreign national will be able to reside in Japan continuously under such status of residence from September 1, 2011 to the time at which the disposition on the application is made or the date on which two months have passed, whichever comes first.

(3) Confirmation of whether the foreign national comes under the measures

Those foreign nationals who currently hold an alien registration certificate are asked to present the certificate to the official in charge at the time of the application or other procedure of the abovementioned (2).

With regard to those foreign nationals, who do not have an alien registration certificate or whose place of residence given in the alien registration certificate is not included in a specified district, such foreign nationals are asked to inform the official in charge either in writing or orally at the time of making the application or other procedure of the abovementioned (2) that they were in the districts to which these measures apply or that they have a place of residence there.

2. Victims of this earthquake will be able to extend the expiration date of the applicable permission etc. such as landing permission for crew members after following certain procedures pursuant to Article 3, paragraph 3 of the Special Measures Act. The specific details are as given below.

(1) Applicable foreign nationals

Any foreign national who comes under all of the following:

a) A foreign national who received any one of the types of permission etc. listed in the below mentioned (2) either on or before March 11, 2011 and the expiration date of such permission falls either on or after March 11, 2011.

b) A foreign national who was unable to depart from Japan or file an application by the permission expiration date of the aforementioned a) owing to having

become a victim in this earthquake (including those foreign nationals who are expected not to be able to depart by the expiration date of their permission).

(2) Measures

The expiration date for the following types of permission etc. will be extended until a specified date up until August 31, 2011.

- Permission for Landing at a Port of Call
- Permission for Landing in Transit
- Landing Permission for Crew Members
- Permission for Emergency Landing
- Permission for Landing Due to Distress
- Landing Permission for Temporary Refuge
- Departure Period Pertaining to Revocation of the Status of Residence
- Period Pertaining to a Request for a Hearing
- Period Pertaining to the Filing of an Objection
- Time Limit for Departure of a Departure Order
- Period of Stay Pertaining to Permission for Provisional Stay

(3) Procedures

Foreign nationals will be asked to submit their permit as well as a written document describing the reasons for why the extension of the permission expiration date is required. The form for the written document will be available at the regional immigration bureaus, district immigration offices and immigration branch offices, and therefore, such foreign national is kindly asked to speak to the official in charge.

In addition to the abovementioned matters, with regard to the applications stipulated in the Alien Registration Act, the provision on exemption of disaster victims stipulated in Article 4 of the Special Measures Act shall apply.