

February 10, 2017

To

Director of the Civil Administration Department of the Legal Affairs Bureau
District Legal Affairs Bureau Directors

From

Director of the Commercial Affairs Division of the Civil Affairs Bureau of the Ministry of Justice
(Official seal is omitted)

Re: Partial revision to “Re: Handling in the case where a person who shall affix a seal to a written application for registration is a foreign national, and a certificate issued by a mayor of a municipality regarding the person’s seal impression cannot be attached, etc.” (Designated Notice)

Regarding the above-mentioned matter, the notice by Director-General of the Civil Affairs Bureau dated as of February 10, 2017(the Ministry of Justice, *Min-sho*, No. 15) has been issued, and therefore, the notice by Director-General of the Civil Affairs Bureau dated as of June 28, 2016 (the Ministry of Justice, *Min-sho*, No. 100) (hereinafter the “Notice”) has been partially revised. In implementing the Notice, please make any arrangement, as appropriate, to inform and direct each registrar as follows:

1 The followings are the examples of the cases where, as unavoidable circumstances such as reasons associated with the legal system of a foreign national’s own country stipulated in III of the Notice exist, a statement prepared by a person who shall affix his/her seal to a written application for registration and a certificate issued by a Japanese notary or a government agency of a country where the foreign national currently resides that certifies that the signature is the foreign national’s signature may be attached in lieu of a certificate of a seal impression issued by a mayor of a municipality:

(1) In the case where there is no system in the foreign national’s own country to certify that a signature is an authentic one, and therefore, any certificate that certifies a signature is an authentic one cannot be obtained at any competent government agencies of the said country (including a consul and any other competent government agencies in Japan of the said country; the same shall apply hereinafter);

In this case, description of the fact that the competent government agencies of the said country answered, in response to the person’s inquiry, that they do not issue any certificate certifying that a signature is an authentic one may suffice as description that shall be included in the statement prepared by the person who shall affix his/her seal to the written application for registration.

(2) In the case where, though a certificate certifying that a signature is an authentic one can be obtained in the foreign national’s own country, such certificate cannot be obtained from any competent government agency of the foreign national’s own country located in a country, etc., other than the foreign national’s own country, where the foreign national resides; and

In this case, description of the fact that the competent government agencies of the foreign national's own country located in the country, etc., other than the foreign national's own country, where the foreign national resides answered, in response to the person's inquiry, that they do not issue any certificate certifying that a signature is an authentic one may suffice as description that shall be included in the statement prepared by the person who shall affix his/her seal to the written application for registration .

(3) In the case where there is no competent government agency of the foreign national's own country in a country, etc., other than the foreign national's own country, where the foreign national resides (including the case where a competent government agency of the foreign national's own country located in a third country has joint administrative authority regarding the country, etc. where the foreign national resides).

In this case, description of the fact that there is no competent government agency of the foreign national's own country in the country, etc., other than the foreign national's own country, where the foreign national resides may suffice as description that shall be included in the statement prepared by the person who shall affix his/her seal to the written application for registration.

2 It has been made clear that, in the case where a certificate of an authentic signature cannot be obtained because a consul in Japan and any other competent government agencies in Japan of the foreign national's own country do not issue such certificate, or in the case where there is no competent government agency of the foreign national's own country in Japan (including the case where a competent government agency of the foreign national's own country located in a third country has joint administrative authority regarding the country, etc. where the foreign national resides), it may be considered as unavoidable circumstances such as reasons associated with the legal system of the foreign national's own country exist, even though the said certificate can be obtained from a competent government agency in countries other than Japan. In this case, a statement prepared by a person who shall affix his/her seal to a written application for registration and a certificate issued by a Japanese notary that certifies that the signature is the person's signature may be attached in lieu of a certificate of a seal impression issued by a mayor of a municipality.

In this case, description of the fact that the consul in Japan and any other competent government agencies in Japan of the foreign national's own country answered, in response to the person's inquiry, that they do not issue any certificate certifying that a signature is an authentic one, or description of the fact that there is no competent government agency of the foreign national's own country in Japan may suffice as description that shall be included in the statement prepared by the person who shall affix his/her seal to the written application for registration.