

Family Register Act

(Act No. 224 of December 22, 1947)

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Chapter I General Provisions

- Article 1 (1) Clerical work related to family registers shall be administered by the mayor of the municipality.
- (2) The affairs set forth in the preceding paragraph shall be Item I statutory entrusted functions as prescribed in Article 2, paragraph (9), item (i) of the

Local Autonomy Act (Act No. 67 of 1947).

Article 2 The mayor of a municipality may not perform his/her duties with regard to any matters involving a family register that concern himself/herself or his/her spouse, lineal ascendants, or lineal descendants.

Article 3 (1) The Ministry of Justice may set standards with which the mayors of municipalities must comply in the course of processing any clerical work related to family registers.

(2) When the head of the Legal Affairs Bureau or District Legal Affairs Bureau with jurisdiction over the location of a city office or town/village office finds it necessary to the processing of clerical work related to family registers, he/she may request reports from or give advice or make recommendations to the mayor of a municipality. In this case, the head of such bureau may give instructions to the mayor of a municipality when he/she finds it particularly necessary to ensure proper processing of clerical work related to family registers.

(3) With regard to clerical work related to family registers, the provisions of Article 245-4, Article 245-7, paragraph (2), item (i), and paragraphs (3) and (4), Article 245-8, paragraphs (12) and (13), and Article 245-9, paragraph (2), item (i), and paragraphs (3) and (4) of the Local Autonomy Act shall not apply.

Article 4 In the areas of the metropolitan district of Tokyo that are divided into wards, the provisions of this Act concerning cities, city mayors, and city offices shall apply mutatis mutandis to wards, ward mayors, and ward offices, respectively. The same shall apply to the designated cities set forth in Article 252-19, paragraph (1) of the Local Autonomy Act.

Article 5 Deleted

Chapter II Family Register Book

Article 6 A family register shall be created for each unit consisting of a husband and wife, and any children thereof with the same surname, who have their registered domicile within the area of a municipality; provided, however, that when a new family register is created for a person who has entered into marriage with a person who is not a Japanese national (hereinafter referred to as a "foreign national"), or for a person who does not have a spouse, it shall be created for each unit consisting of such person and any children thereof with the same surname.

Article 7 Family registers shall be compiled into a registry.

Article 8 (1) An original and a duplicate shall be made for each family register.
(2) The original shall be kept at the city office or town/village office, and the duplicate shall be preserved by the competent Legal Affairs Bureau or District Legal Affairs Bureau or a branch office thereof.

Article 9 A family register shall be referred to by means of the name and registered domicile of the person entered at the head of the register. The family register shall continue to be referred to by such means even after said person's name has been removed from the family register.

Article 10 (1) A person entered in a family register (including a person whose name has been removed from the family register (excluding a person regarding whom all of the entries therein have been made at the error of the mayor of the municipality and then corrected pursuant to the provisions of Article 24, paragraph (2))), or his/her spouse, lineal ascendant, or lineal descendant may request the issuance of a transcript or extract of the family register, or a certificate of the matters entered in the family register (hereinafter referred to as a "transcript of a family register, etc.")).
(2) The mayor of a municipality may refuse the request set forth in the preceding paragraph when it is clear that the request has been made for an unjust purpose.
(3) A person who wishes to make the request set forth in paragraph (1) may request that a transcript, etc. of the family register be sent to him/her by postal mail or by any other method specified by Ordinance of the Ministry of Justice.

Article 10-2 (1) A person other than the person prescribed in paragraph (1) of the preceding Article may request the issuance of a transcript of a family register, etc. only in the cases listed in the following items. In this case, the person who makes the request shall clarify the matters specified respectively in those items:
(i) where the person needs to confirm the matters entered in the family register in order to exercise his/her own right or perform his/her own obligation: the cause and content of the right or the obligation, as well as the reasons for which he/she needs to confirm the matters entered in the family register in order to exercise said right or perform said obligation;
(ii) where the person needs to submit a transcript of the family register, etc. to a national or local government agency: the national or local government agency to which he/she must submit a transcript of the family register, etc.,

and the reasons for which he/she needs to submit it to said agency; and
(iii) in addition to the cases listed in the preceding two items, where the person has justifiable grounds for using the matters entered in the family register: the purpose for which and way in which he/she will use the matters entered in the family register, as well as the reasons for which he/she needs to use such matters.

- (2) Notwithstanding the provisions of the preceding paragraph, a national or local government agency may request the issuance of a transcript of a family register, etc. if the agency needs it in order to perform clerical work prescribed by law and regulations. In this case, the official with the authority to take charge of making the request shall clarify his/her government position, the type of clerical work, and the clauses of the governing law and regulations that are the grounds therefor, as well as the purpose for which the matters entered in the family register will be used.
- (3) Notwithstanding the provisions of paragraph (1), an attorney (including a legal professional corporation; the same shall apply in the following paragraph), judicial scrivener (including a judicial scrivener corporation; the same shall apply in the following paragraph), land and house investigator (including a land and house investigation corporation; the same shall apply in the following paragraph), certified public tax accountant (including a certified public tax accounting corporation; the same shall apply in the following paragraph), social and labor insurance public consultant (including a social and labor insurance public consultancy corporation; the same shall apply in the following paragraph), patent attorney (including a patent professional corporation; the same shall apply in the following paragraph), marine procedure commission agent, or administrative scrivener (including an administrative scrivener corporation) may request the issuance of a transcript of a family register, etc. if he/she needs it in order to execute business concerning a case or clerical work that he/she has undertaken. In this case, the person who makes the request shall clarify his/her qualifications, the type of the business, the name of the client in the case or the clerical work, and the matters specified in the items of paragraph (1) regarding said client.
- (4) Notwithstanding the provisions of paragraph (1) and the preceding paragraph, an attorney, judicial scrivener, land and house investigator, certified public tax accountant, social insurance and labor public consultant, or patent attorney may request the issuance of a transcript of a family register, etc. if he/she needs it in order to execute the following business with regard to a case that he/she has undertaken. In this case, the person who makes the request shall clarify his/her qualifications, the type of case, the procedures which he/she is carrying out or wishes to carry out as an agent in the course of his/her business, and the purpose for which the matters entered in the family register will be

used:

- (i) in the case of an attorney, representation services for court proceedings or for out-of-court proceedings involving civil or administrative dispute resolution (in the case of a legal professional corporation, excluding representation services prescribed in the items of Article 30-6, paragraph (1) of the Attorney Act (Act No. 205 of 1949));
- (ii) in the case of a judicial scrivener, representation services prescribed in Article 3, paragraph (1), item (iii) and items (vi) to (viii) of the Judicial Scrivener Act (Act No. 197 of 1950) (excluding consultation services prescribed in items (vii) and (viii) of said paragraph; in the case of a judicial scrivener corporation, excluding representation services prescribed in item (vi) of said paragraph);
- (iii) in the case of a land and house investigator, representation services for handling the procedures for a request for examination prescribed in Article 3, paragraph (1), item (ii) of the Land and House Investigator Act (Act No. 228 of 1950) and representation services prescribed in items (iv) and (vii) of said paragraph;
- (iv) in the case of a certified public tax accountant, representation services for handling an appeal prescribed in Article 2, paragraph (1), item (i) of the Certified Public Tax Accountant Act (Act No. 237 of 1951) and any claim or statement concerning such an appeal;
- (v) in the case of a social insurance and labor public consultant, representation services for handling a request for examination, objection, or request for re-examination prescribed in Article 2, paragraph (1), item (i)-3 of the Act on Public Consultants on Social and Labor Insurance (Act No. 89 of 1968) and any claim or statement to be submitted to the administrative organ, etc. with respect to the investigation or disposition conducted or made by the administrative organ, etc. in response to such a request, etc., and representation services prescribed in items (i)-4 to (i)-6 of said paragraph (excluding consultation services prescribed in paragraph (3), item (i) of said Article); and
- (vi) in the case of a patent attorney, representation services for procedures with the Japan Patent Office (limited to appeals) and procedures involving the Minister of Economy, Trade and Industry with regard to an objection or award (limited to revocation of an award), as prescribed in Article 4, paragraph (1) of the Patent Attorney Act (Act No. 49 of 2000), representation services for procedures involving a Director-General of Customs or the Minister of Finance, as prescribed in paragraph (2), item (i) of said Article (limited to appeals), representation service prescribed in paragraph (2), item (ii) of said Article, representation services for proceedings in lawsuits prescribed in Article 6 of said Act, and representation services for

- proceedings in specific infringement lawsuits prescribed in Article 6-2, paragraph (1) of said Act (in the case of a patent professional corporation, excluding representation services for proceedings in lawsuits prescribed in Article 6 of said Act and representation services for proceedings in specific infringement lawsuits prescribed in Article 6-2, paragraph (1) of said Act).
- (5) Notwithstanding the provisions of paragraphs (1) and (3), an attorney may request the issuance of a transcript of a family register, etc. if he/she needs it in order to perform his/her services in acting as a defense counsel in a criminal case, in acting as an attendant in a juvenile protection case or a treatment case prescribed in Article 3 of the Act on Medical Care and Treatment for Persons Who Have Caused Serious Harm to Others While in a State of Insanity (Act No. 110 of 2003), in acting as an assistant in court in a case involving a request for examination on the extradition of a fugitive, in acting as an agent appointed by the court pursuant to the provisions of Article 14, paragraph (2) of the Act on Protection of Personal Liberty (Act No. 199 of 1948), in acting as a counsel appointed by the presiding judge pursuant to the provisions of Article 13, paragraphs (2) and (3) of the Personal Status Litigation Act (Act No. 109 of 2003), or in acting as a special agent prescribed in Article 35, paragraph (1) of the Code of Civil Procedure (Act No. 109 of 1996). In this case, the person who makes the request shall clarify his/her qualifications as an attorney, the category of services concerned, and the purpose for which the matters entered in the family register will be used.
- (6) The provisions of paragraph (3) of the preceding Article shall apply mutatis mutandis to a person who wishes to make a request set forth in the preceding paragraphs.

Article 10-3 (1) When a request set forth in Article 10, paragraph (1), or paragraphs (1) to (5) of the preceding Article is made, the person taking charge of actually making the request shall clarify to the mayor of the municipality his/her name and other matters specified by Ordinance of the Ministry of Justice that are necessary for identifying the person taking charge of actually making the request, by showing his/her driver's license or by any other method specified by Ordinance of the Ministry of Justice.

- (2) In the case referred to in the preceding paragraph, if the person taking charge of actually making the request is an agent of the person making the request (in the case of the request set forth in paragraph (2) of the preceding Article, if the person taking charge of actually making the request is an agent of the official with the authority to take charge of making the request; hereinafter referred to as the "requester" in this paragraph and the following Article) or any person other than the requester, the person who is taking charge of making the request shall submit, to the mayor of municipality, a document clarifying that

he/she is the person taking charge of making the request at the requester's behest or pursuant to the provisions of laws and regulations, by a method specified by Ordinance of the Ministry of Justice.

Article 10-4 Where a request set forth in Article 10-2, paragraphs (1) to (5) has been made, and when the mayor of the municipality finds that the matters that the requester is to clarify pursuant to these provisions have not been clarified, he/she may ask for the necessary explanations from the requester.

Article 11 When the whole or a part of a family register book is lost or is likely to be lost, the Minister of Justice shall give instructions to take the necessary measures for its replication or supplementation. In this case, if a family registry is lost, the Minister of Justice shall give public notice to that effect.

Article 11-2 (1) With regard to a family register in which an entry has been made based on a false notification, etc. (meaning a notification, a report, an application, a request or a commission, a certified copy of a certificate or of a logbook, or a judicial decision; hereinafter the same shall apply in this paragraph) or a notification, etc. made by mistake, or due to an error made by the mayor of the municipality, and then such entry has been corrected pursuant to the provisions of Article 24, paragraph (2), Article 113, Article 114 or Article 116, when a person entered in the family register (including a person whose name has been removed from such family register; the same shall apply in the following paragraph) requests the replication of an abridged edition of the family register without the entries containing the matters related to such corrections, the Minister of Justice shall give instructions to take the necessary measures for the replication thereof; provided, however, that this shall not apply when a replicated family register would contain a mistake or omission in its entries.

(2) The provisions of the main clause of the preceding paragraph shall also apply where, with regard to a family register for which the mayor of the municipality has corrected, added, or deleted a character(s) when making an entry therein, a person entered in the family register requests the replication of an abridged edition of the family register without the entries containing the matters related to such correction, addition, or deletion.

Article 12 (1) When the names of all of the persons in a family register are removed therefrom, the family register shall be removed from the relevant family register book and compiled into another registry, which shall be preserved as a registry of removed family registers.

(2) The provisions of Article 9, Article 11, and the preceding Article shall apply

mutatis mutandis to a registry of removed family registers and to those family registers removed.

Article 12-2 The provisions of Articles 10 to 10-4 shall apply mutatis mutandis to cases in which the issuance of a transcript or extract of a removed family register or a certificate of the matters entered in a removed family register (hereinafter referred to as a "transcript of a removed family register, etc.") is requested.

Chapter III Entries in a Family Register

Article 13 In addition to the registered domicile, the following matters shall be entered in a family register for each person in the family register:

- (i) his/her name;
- (ii) his/her date of birth;
- (iii) the cause and date of his/her entry in the family register;
- (iv) the names of his/her natural parents and his/her relationship with his/her natural parents;
- (v) in the case of an adopted child, the name(s) of his/her adoptive parent(s) and his/her relationship with his/her adoptive parent(s);
- (vi) for a husband and wife, a statement that they are husband and wife;
- (vii) for a person whose name has been moved from another family register, reference to the former family register; and
- (viii) other matters specified by Ordinance of the Ministry of Justice.

Article 14 (1) Names shall be entered in the following order:

First: the name of the husband when the husband and wife take the husband's surname, or the name of the wife when they take the wife's surname;

Second: the name of the spouse;

Third: the name(s) of any child(ren).

(2) The names of any children shall be entered in the order of their birth.

(3) The name of a person for whom the cause of entry in a family register has occurred after the family register was created shall be entered at the end of the family register.

Article 15 Entries in a family register shall be made based on a notification, a report, an application, a request or commission, a certified copy of a certificate or of a logbook, or a judicial decision.

Article 16 (1) When a notification of marriage is made, a new family register shall be created for the husband and wife; provided, however, that this shall

not apply where the husband and wife take the husband's surname and the husband's name is entered at the head of his family register, or where they take the wife's surname and the wife's name is entered at the head of her family register.

- (2) In the case referred to in the proviso to the preceding paragraph, the name of the wife who takes her husband's surname shall be entered in the husband's family register, and the name of the husband who takes his wife's surname shall be entered in the wife's family register.
- (3) When a notification of marriage between a Japanese national and a foreign national is made, a new family register shall be created for the Japanese national; provided, however, that this shall not apply where the Japanese national is entered at the head of his/her family register.

Article 17 When a person other than the person entered at the head of a family register and his/her spouse comes to have a child or adopted child who takes the same surname as his/her, a new family register shall be created for that person.

Article 18 (1) The name of a child who takes the surname of his/her parents shall be entered in the parents' family register.

- (2) Except for the case referred to in the preceding paragraph, the name of a child who takes the surname of his/her father shall be entered in the father's family register, and the name of a child who takes the surname of his/her mother shall be entered in the mother's family register.
- (3) The name of an adopted child shall be entered in the family register of his/her adoptive parent(s).

Article 19 (1) When a person who has taken a new surname as a result of marriage or adoption reverts to the surname used before marriage or adoption as a result of divorce, dissolution of an adoptive relationship, or annulment of marriage or adoption, the name of such person shall be entered in the family register in which he/she was entered before marriage or adoption; provided, however, that when his/her previous family register has already been removed, or when he/she requests the creation of a new family register, a new family register shall be created.

- (2) The provisions of the preceding paragraph shall apply mutatis mutandis to cases where a person reverts to the surname used before marriage pursuant to the provisions of Article 751, paragraph (1) of the Civil Code, and where a person reverts to his/her previous surname pursuant to the provisions of Article 791, paragraph (4) of said Code.
- (3) Where a notification has been submitted to the effect that a person will use

the surname that he/she used at the time of his/her divorce or annulment of marriage, or at the time of the dissolution of his/her adoptive relationship or annulment of his/her adoption pursuant to the provisions of Article 767, paragraph (2) of the Civil Code (including the cases where applied mutatis mutandis pursuant to Articles 749 and 771 of said Code) or Article 816, paragraph (2) of said Code (including the cases where applied mutatis mutandis pursuant to Article 808, paragraph (2) of said Code), when there is no family register in which the person is entered at the head, or when there is any other person in the family register in which the person who has made the notification is entered at the head, a new family register shall be created for such person.

Article 20 When a person whose name must be entered in another family register pursuant to the provisions of the preceding two Articles has a spouse, a new family register shall be created for such person and his/her spouse, notwithstanding the provisions of the preceding two Articles.

Article 20-2 (1) Where a notification has been submitted to the effect that a person is changing his/her surname pursuant to the provisions of Article 107, paragraph (2) or paragraph (3), when there is any other person in the family register of the person who has submitted the notification, a new family register shall be created for the person who has submitted the notification.

(2) When a notification has been submitted to the effect that a person is changing his/her surname pursuant to the provisions of Article 107, paragraph (1) as applied mutatis mutandis pursuant to paragraph (4) of said Article, a new family register shall be created for the party to the event under notification.

Article 20-3 (1) When a notification of the dissolution of an adoptive relationship has been submitted pursuant to the provisions of Article 68-2, a new family register shall first be created for the adopted child; provided, however, that this shall not apply when the adopted child is in the family register of an adoptive parent.

(2) The provisions of Article 14, paragraph (3) shall apply mutatis mutandis to the case referred to in the proviso to the preceding paragraph.

Article 20-4 Where the adjudication of a change of gender designation has been rendered pursuant to the provisions of Article 3, paragraph (1) of the Act on Special Cases Involving the Handling of Gender for People with Gender Identity Disorder (Act No. 111 of 2003), when there is any other person in the family register of the person to whom the adjudication of the change of gender designation applies (including a person whose name has been removed from

such family register), a new family register shall be created for the person to whom the adjudication of the change of gender designation applies.

- Article 21 (1) A person who has attained the age of majority may separate from his/her family register; provided, however, that this shall not apply to the person entered at the head of a family register and his/her spouse.
- (2) When a notification of separation from a family register has been submitted, a new family register shall be created.

Article 22 Except for a person whose name is entered in the family register of his/her father or mother, when a person for whom there is no entry in a family register should be newly entered in a family register, a new family register shall be created.

Article 23 The name of a person for whom a new family register is to be created or whose name is to be entered in another family register pursuant to the provisions of Articles 16 to 21 shall be removed from his/her previous family register. The same shall apply to a person who has died, a person subject to an adjudication of disappearance, or a person who has lost Japanese nationality.

- Article 24 (1) Where the mayor of a municipality finds any entry in a family register that is impermissible under law, or any mistake or omission in the entries in a family register, he/she shall notify the notifier or the party to the event under notification to that effect without delay; provided, however, that this shall not apply when such a mistake or omission is due to an error made by the mayor of the municipality.
- (2) When the mayor of a municipality is unable to notify the relevant person as set forth in the preceding paragraph or when no person applies for the correction of the family registry in response to his/her notice, he/she may correct the family register, with the permission of the head of the competent Legal Affairs Bureau or District Legal Affairs Bureau. The same shall apply to the case referred to in the proviso to the preceding paragraph.
- (3) When a court or any other government agency, public prosecutor, or public official becomes aware, in the course of duty, of any entry in a family register that is impermissible under law, or of any mistake or omission in the entries in a family register, said entity or person shall give notice to the mayor of the municipality in the locality of the registered domicile of the party(ies) to the event under notification to that effect without delay.

Chapter IV Notifications

Section 1 General Rules

Article 25 (1) A notification shall be submitted in the locality of the registered domicile of any of the parties to the event under notification or in the locality of any of the notifiers' addresses.

(2) A notification involving a foreign national shall be submitted in the locality of any of the notifiers' addresses.

Article 26 Where a notification was submitted with regard to a person whose registered domicile is unclear or who has no registered domicile, and subsequently his/her registered domicile is clarified or he/she comes to have a registered domicile, the notifier or the party to the event under notification shall, within ten days from the day on which he/she has become aware of such fact, reference the event under notification and notify the mayor of the municipality who accepted said notification to that effect.

Article 27 A notification may be submitted in writing or orally.

Article 27-2 (1) Where a notification for an acknowledgment of parentage, adoption, dissolution of an adoptive relationship, marriage, or divorce (hereinafter referred to as a "notification of adoption, etc." in this Article) that will become effective upon notification is submitted by a person who has appeared at a city office or town/village office, the mayor of the municipality shall, as provided for in Ordinance of the Ministry of Justice, require the person who has appeared to present his/her driver's license or any other documentation showing his/her name and other matters specified by Ordinance of the Ministry of Justice that are necessary for identifying him/her, or may require said person to explain these matters, in order to confirm whether or not the person who has appeared is any one of the parties to the event under notification (for an acknowledgment of parentage, the person acknowledging parentage; for an adoption as prescribed in Article 797, paragraph (1) of the Civil Code, the person who will become the adoptive parent and the statutory agent of the person who will be adopted; and for the dissolution of an adoptive relationship as prescribed in Article 811, paragraph (2) of said Code, an adoptive parent and the person who is to become the statutory agent of the adopted child; the same shall apply in the following paragraph and paragraph (3)).

(2) Where a notification of adoption, etc. has been submitted, when, with regard to any one of the parties to the event under notification, the mayor of the municipality is unable to confirm, by taking the measures under the provisions of the preceding paragraph, that said party has appeared at the city office or town/village office to submit the notification, he/she shall, without delay after

accepting the notification of adoption, etc. and by a method specified by Ordinance of the Ministry of Justice, notify said party to the effect that the mayor of municipality has accepted the notification of adoption, etc.

- (3) Any person may, in advance and by a method specified by Ordinance of the Ministry of Justice, make a request of the mayor of the municipality in the locality of his/her registered domicile that, even where a notification of adoption, etc. has been submitted with regard to a event under notification to which he/she is a party, the mayor of the municipality not accept said notification of adoption, etc. if he/she is unable to confirm, by taking the measures under the provisions of paragraph (1), that said person himself/herself has appeared at the city office or town/village office to submit the notification.
- (4) Where a notification of adoption, etc. related to a request under the provisions of the preceding paragraph has been submitted, when the mayor of the municipality has been unable to confirm, by taking the measures under the provisions of paragraph (1), that the person who made that request has appeared at the city office or town/village office to submit the notification, the mayor of the municipality shall not accept the notification of adoption, etc.
- (5) Where the mayor of a municipality has been unable to accept a notification of adoption, etc. pursuant to the provisions of the preceding paragraph, he/she shall, without delay and by a method specified by Ordinance of the Ministry of Justice, notify the person who made a request under the provisions of paragraph (3) to the effect that a notification of adoption, etc. has been submitted.

Article 28 (1) The Minister of Justice may specify the forms for notifications by type of event.

- (2) In the case referred to in the preceding paragraph, a notification for each type of event shall be submitted using the relevant forms specified therefor; provided, however, that this shall not apply if there are any unavoidable grounds for the failure to conform with such forms.

Article 29 The following matters shall be entered in a written notification, and the notifier shall sign and affix his/her seal thereto:

- (i) the event under notification;
- (ii) the date of notification;
- (iii) the date of birth, address, and reference to the family register of the notifier; and
- (iv) when the notifier is different from the party to the event under notification, the name, date of birth, address, and reference to the family register of the party to the event under notification, and the qualifications of the notifier.

Article 30 (1) As a result of an event under notification, when the name of the notifier or of the party to the event under notification should be entered in another family register, a reference to the first family register shall be entered in the written notification; when the name of the notifier or the party should be removed from his/her previous family register, a reference to the previous family register shall be entered in the written notification; and when a new family register should be created for such a notifier or such a party, the cause of the creation of a new family register and the new registered domicile shall be entered in the written notification.

(2) When, as a result of an event under notification, a person other than the notifier or the party to the event under notification should be entered in another family register or when a new family register should be created for such person, in addition to entering the name, date of birth, and address of the person, the matters listed in the preceding paragraph shall be entered in the written notification, depending on whether the person is being entered in another family register or a new family register is being created for the person,.

(3) When a new family register should be created for a person other than the notifier, the same location as the person's previously registered domicile shall be deemed to have been designated as his/her new registered domicile.

Article 31 (1) When the person who should submit a notification is a minor or adult ward, a person with parental authority over said person or said person's guardian shall be the one whose duty it is to submit the notification; provided, however, that this shall not preclude a minor or adult ward from submitting the notification him/herself.

(2) Where a person with parental authority or a guardian submits a notification, he/she shall enter the following matters in the written notification:

(i) the name, date of birth, and registered domicile of the person who should be submitting the notification:

(ii) the cause of the limitation of the relevant person's capacity to act; and

(iii) the fact that the notifier is a person who has parental authority over the relevant person or is the relevant person's guardian.

Article 32 With regard to any act that a minor or adult ward may perform without obtaining the consent of his/her statutory agent, the minor or adult ward shall submit a notification himself/herself.

Article 33 With regard to notification related to an event for which a witness is required, a witness shall enter in the written notification his/her date of birth, address, and registered domicile, and shall affix his/her seal thereto.

Article 34 (1) When there is any matter which should be entered in a written notification but which does not exist or which is not known, such fact shall be entered therein.

(2) The mayor of a municipality may not receive a written notification in which such matters as he/she finds to be particularly important have not been entered.

Article 35 In a written notification, anything that is necessary for clarifying the matters that should be entered in a family register shall be entered, in addition to the matters provided for in this Act and other laws and regulations.

Article 36 (1) Where an entry in a family register should be made at two or more city offices or town/village offices, written notifications shall be submitted in the same number as that of the city office or town/village offices concerned.

(2) When a notification is submitted other than in the locality of the registered domicile, another written notification shall be submitted in addition to those to be submitted pursuant to the provisions of the preceding paragraph.

(3) In the cases referred to in the preceding two paragraphs, the mayor of municipality shall, when he/she finds it appropriate, make a certified copy of a written notification and substitute it for the written notification.

Article 37 (1) In order to submit a notification orally, the notifier shall appear at the city office or town/village office and make an oral statement of the matters that must be entered in a written notification.

(2) The mayor of municipality shall write down the notifier's oral statement, enter the date of the notification in the document, and read aloud the written content to the notifier, and shall also have the notifier sign and affix his/her seal thereto.

(3) When a notifier is unable to appear due to illness or for any other reasons, he/she may submit a notification by proxy; provided, however, that this shall not apply to the notifications set forth in Article 60, Article 61, Article 66, Article 68, Articles 70 through 72, Article 74, and Article 76.

Article 38 (1) When an event under notification requires the consent or approval of the parents or any other person, a document proving such consent or approval shall be attached to the written notification; provided, however, that it is sufficient to have the person who gives consent or approval add a supplementary note to that effect in the written notification, and have him/her sign and affix his/her seal thereto.

(2) When an event under notification requires a judicial decision or the

permission of a government agency, a transcript of the judicial decision or a copy of the original permit shall be attached to the written notification.

Article 39 The provisions concerning a written notification shall apply *mutatis mutandis* to the documents set forth in Article 37, paragraph (2) and in paragraph (1) of the preceding Article.

Article 40 A Japanese national who is living in a foreign country may submit a notification to the Japanese ambassador, minister, or consul stationed in that country, in accordance with the provisions of this Act.

Article 41 (1) When a Japanese national who is living in a foreign country has, in accordance with the formalities of that country, caused a certificate to be made with regard to an event under notification, he/she shall submit a copy of said certificate to the Japanese ambassador, minister, or consul stationed in that country within three months.

(2) Where there is no ambassador, minister or consul stationed in that country, the Japanese national shall send a copy of the certificate to the mayor of the municipality in the locality of his/her registered domicile within three months.

Article 42 When an ambassador, minister, or consul has received a document pursuant to the provisions of the preceding two Articles, he/she shall send it to the mayor of the municipality in the locality of the relevant person's registered domicile via the Minister of Foreign Affairs without delay.

Article 43 (1) The period for submitting a notification shall commence from the day on which an event under notification takes place.

(2) Where the period should be calculated from the day on which a judicial decision becomes final and binding, when a judicial decision becomes final and binding before it is served or issued, the period shall commence from the day of the service or issuance.

Article 44 (1) When the mayor of a municipality becomes aware of any person who has failed to submit a notification, he/she shall specify a reasonable period and notify the person whose duty it is to submit the notification that he/she must submit that notification within that period.

(2) If the person whose duty it is to submit a notification fails to submit that notification within the period set forth in the preceding paragraph, the mayor of the municipality may further specify a reasonable period and notify him/her thereof.

(3) The provisions of Article 24, paragraph (2) shall apply *mutatis mutandis* to

the case where the notice set forth in the preceding two paragraphs cannot be given, and the provisions of paragraph (3) of said Article shall apply mutatis mutandis to the case where a court or any other government agency, public prosecutor, or public official becomes aware, in the course of duties, of any person who has failed to submit a notification.

Article 45 Where the mayor of a municipality has accepted a notification, when he/she is unable to make an entry in a family register due to a defect in the written notification, he/she shall have the person who has submitted the notification add further information to complete the notification. In this case, the provisions of the preceding Article shall apply mutatis mutandis.

Article 46 The mayor of a municipality shall accept a notification even if it is made after the expiration of the period for submitting the notification.

Article 47 (1) The mayor of a municipality shall receive a written notification even after the death of the notifier, if such a notification was sent by the person before his/her death by postal mail or by correspondence delivery as prescribed in Article 2, paragraph (2) of the Act on Correspondence Delivery by Private Business Operators (Act No. 99 of 2002) through a general correspondence delivery operator as prescribed in paragraph (6) of said Article or through a specified correspondence delivery operator as prescribed in paragraph (9) of said Article.

(2) When a written notification has been received pursuant to the provisions of the preceding paragraph, the notification shall be deemed to have been submitted at the time of the notifier's death.

Article 48 (1) A notifier may request a certificate of acceptance or non-acceptance of a notification.

(2) A interested person may request to inspect a written notification or any other document received by the mayor of a municipality or may request a certificate of the matters stated in such document, only when there are special reasons for doing so.

(3) The provisions of Article 10, paragraph (3) and Article 10-3 shall apply mutatis mutandis to the cases referred to in the preceding two paragraphs.

Section 2 Birth

Article 49 (1) A notification of birth shall be submitted within 14 days thereof (if the birth took place abroad, within three months).

(2) The following matters shall be entered in the written notification:

- (i) the gender of the child, and whether the child is born in or out of wedlock;
 - (ii) the date, time, and place of birth;
 - (iii) the names and registered domiciles of the parents, and if the father or mother is a foreign national, his/her name and nationality; and
 - (iv) other matters specified by Ordinance of the Ministry of Justice.
- (3) Where a doctor, midwife, or any other person attended the birth, a birth certificate prepared by one person from among the doctor, midwife, or other person, in that order, in the manner provided for in Ordinance of the Ministry of Justice or Ordinance of the Ministry of Health, Labour and Welfare shall be attached to the written notification; provided, however, that this shall not apply if there are unavoidable grounds.

Article 50 (1) For the given name of a child, characters that are simple and in common use shall be used.

- (2) The scope of characters that are simple and in common use shall be defined by Ordinance of the Ministry of Justice.

Article 51 (1) A notification of birth may be submitted in the locality of birth.

- (2) A notification of birth may be submitted, when the birth took place within a train or aboard any other mode of transportation (excluding a ship; the same shall apply hereinafter), in the locality in which the mother exited that mode of transportation, or when the birth took place within a ship where no logbook is kept, in the locality at which the ship first entered port.

Article 52 (1) A notification of the birth of a child born in wedlock shall be submitted by the father or mother, and where the parents were divorced before the birth of the child, it shall be submitted by the mother.

- (2) A notification of the birth of a child born out of wedlock shall be submitted by the mother.

(3) Where the person who should submit the notification pursuant to the provisions of the preceding two paragraphs is unable to submit the notification, one of the following persons shall do so, in accordance with the following order:

First: a member of the same household as the person who should submit the notification; or

Second: the doctor, midwife, or other person who attended the birth.

- (4) Where the person who should submit the notification pursuant to the provisions of paragraph (1) or paragraph (2) is unable to submit the notification, another statutory agent may also submit the notification.

Article 53 A notification of birth shall be submitted even when an action to rebut the presumption of a child in wedlock has been filed.

Article 54 (1) When the court is to determine the paternity of a child pursuant to the provisions of Article 773 of the Civil Code, the notification of birth shall be submitted by the mother. In this case, she shall enter the grounds that paternity has not yet been ascertained in the written notification.

(2) The provisions of Article 52, paragraphs (3) and (4) shall apply *mutatis mutandis* to the case referred to in the preceding paragraph.

Article 55 (1) When a birth has taken place at sea, the captain of the ship shall, within 24 hours, enter the matters listed in Article 49, paragraph (2) in a logbook, and sign and affix his/her seal thereto.

(2) When the ship arrives at a port in Japan after the procedure set forth in the preceding paragraph has been performed, the captain shall, without delay, send a copy of the portion of the logbook concerning the birth to the mayor of the municipality in which that port is located.

(3) When the ship arrives at a port in a foreign country, the captain shall send a copy of the portion of the logbook concerning the birth to the Japanese ambassador, minister, or consul stationed in that country without delay, and the ambassador, minister, or consul shall send it to the mayor of the municipality in the locality of the registered domicile via the Minister of Foreign Affairs without delay.

Article 56 Where a birth has taken place in a hospital, penal institution, or any other public institution, and if both parents are unable to submit the notification, the head or manager of such public institution shall submit the notification.

Article 57 (1) A police official who has found an abandoned child or has received a report that an abandoned child was found shall inform the mayor of the municipality to that effect within 24 hours.

(2) When having received information as set forth in the preceding paragraph, the mayor of a municipality shall give a name to the child and designate his/her registered domicile, and shall enter in a record any belongings of that child, the place where, the date and time when, and other circumstances surrounding how the child was found, his/her gender, the presumed date of birth, and the registered domicile. Such record shall be deemed to be a written notification.

Article 58 If the abandoned child dies before the procedures prescribed in paragraph (1) of the preceding Article have been performed, a notification of death shall be submitted and the relevant procedures shall be carried out.

Article 59 The father or mother who has taken in an abandoned child shall submit a notification of birth and apply for a correction of his/her family register within one month from the day on which he/she took in the child.

Section 3 Acknowledgment of Parentage

Article 60 A person who wishes to acknowledge parentage of a child shall submit a notification to that effect, entering the following matters in a written notification:

- (i) where the father acknowledges paternity, the name and registered domicile of the mother;
- (ii) where the person acknowledges parentage of a child who has died, the date of the child's death, as well as the name, date of birth, and registered domicile of any of the child's lineal descendant(s).

Article 61 Where a person acknowledges parentage of an unborn child, he/she shall submit a notification acknowledging parentage in the locality of the registered domicile of the mother, stating to that effect in a written notification and entering therein the name and registered domicile of the mother.

Article 62 When parents submit a notification for the birth of a child in wedlock with regard to a child who is to acquire the status of a child in wedlock pursuant to the provisions of Article 789, paragraph (2) of the Civil Code, such notification shall have the effect of a notification acknowledging parentage.

Article 63 (1) When a judicial decision of filiation has become final and binding, the person who filed the action shall submit a notification to that effect within ten days from the day on which the judicial decision became final and binding, attaching a transcript of the judicial decision to the written notification. The date that the judicial decision became final and binding shall be entered in the written notification.

(2) When the person who filed the action does not submit a notification under the provisions of the preceding paragraph, the other party of the case may submit a notification to the effect that a judicial decision of filiation has become final and binding, attaching a transcript of the judicial decision to the written notification. In this case, the provisions of the second sentence of said paragraph shall apply *mutatis mutandis*.

Article 64 In the case of an acknowledgment of parentage made in a will, the

executor shall submit a notification acknowledging parentage pursuant to the provisions of Article 60 or Article 61 within ten days from the day on which he/she assumed the role, attaching a copy of the will in which the acknowledgment is made.

Article 65 If an acknowledged child is stillborn, the person whose duty it is to submit a notification of birth shall submit a notification to that effect within 14 days from the day on which he/she became aware of such fact, in the locality in which the notification acknowledging parentage was submitted; provided, however, that where an executor has submitted the notification set forth in the preceding Article, the executor shall submit this notification.

Section 4 Adoption

Article 66 A person who intends to adopt another shall submit a notification to that effect.

Article 67 Deleted

Article 68 Where consent is given for adoption pursuant to the provisions of Article 797 of the Civil Code, the notification of adoption shall be submitted by the person who gives consent.

Article 68-2 The provisions of Article 63, paragraph (1) shall apply mutatis mutandis to the case where a judicial decision of adoption has become final and binding.

Article 69 The provisions of Article 63 shall apply mutatis mutandis to the case where a judicial decision of annulment of adoption has become final and binding.

Article 69-2 The provisions of Article 73-2 shall apply mutatis mutandis to the case where a person intends to take the surname he/she was using at the time of the annulment of his/her adoption pursuant to the provisions of Article 816, paragraph (2) of the Civil Code as applied mutatis mutandis pursuant to Article 808, paragraph (2) of said Code.

Section 5 Dissolution of Adoptive Relationship

Article 70 A person who wishes to dissolve an adoptive relationship shall submit a notification to that effect.

Article 71 Where an adoptive relationship is being dissolved by agreement pursuant to the provisions of Article 811, paragraph (2) of the Civil Code, a notification on the dissolution of the adoptive relationship shall be submitted by the persons who have agreed on the dissolution.

Article 72 Where an adoptive relationship is to be dissolved pursuant to the provisions of Article 811, paragraph (6) of the Civil Code, a notification on the dissolution of the adoptive relationship may be submitted by the surviving parties alone.

Article 73 (1) The provisions of Article 63 shall apply mutatis mutandis to the case where a judicial decision for the dissolution of an adoptive relationship or for the annulment of an adoption has become final and binding.
(2) The provisions of Article 75, paragraph (2) shall apply mutatis mutandis to the case where a public prosecutor has requested a judicial decision for the dissolution of an adoptive relationship.

Article 73-2 A person who intends to take the surname he/she was using at the time of the dissolution of his/her adoptive relationship, pursuant to the provisions of Article 816, paragraph (2) of the Civil Code shall submit a notification to that effect, entering the date of the dissolution of the adoptive relationship in a written notification.

Section 6 Marriage

Article 74 Persons who wish to marry shall submit a notification to that effect, entering the following matters in the written notification:
(i) the surname that the husband and wife will take; and
(ii) other matters specified by Ordinance of the Ministry of Justice.

Article 75 (1) The provisions of Article 63 shall apply mutatis mutandis to the case where a judicial decision of annulment of a marriage has become final and binding.
(2) Where a public prosecutor filed the action, he/she shall request an entry to be made in a family register without delay after the judicial decision has become final and binding.

Article 75-2 The provisions of Article 77-2 shall apply mutatis mutandis to the case where a person intends to take the surname he/she was using at the time of the annulment of his/her marriage, pursuant to the provisions of Article 767,

paragraph (2) of the Civil Code as applied mutatis mutandis pursuant to Article 749 of said Code.

Section 7 Divorce

Article 76 Persons who wish to divorce shall submit a notification to that effect, entering the following matters in the written notification:

- (i) the name of the party who will have parental authority, and the name of the child(ren) who will be subject to that party's parental authority; and
- (ii) other matters specified by Ordinance of the Ministry of Justice.

Article 77 (1) The provisions of Article 63 shall apply mutatis mutandis to the case where a judicial decision of divorce or annulment of a divorce has become final and binding.

(2) The following matters shall also be entered in a written notification regarding a divorce as set forth in the preceding paragraph:

- (i) the name of the party who will have parental authority, and the name of the child(ren) who will be subject to that party's parental authority; and
- (ii) other matters specified by Ordinance of the Ministry of Justice.

Article 77-2 A person who intends to use the surname he/she was using at the time of divorce pursuant to the provisions of Article 767, paragraph (2) of the Civil Code (including the case where applied mutatis mutandis pursuant to Article 771 of said Code) shall submit a notification to that effect, and enter the date of his/her divorce in the written notification.

Section 8 Parental Authority and Guardianship over Minors

Article 78 Persons who intend to determine the party who will have parental authority by agreement pursuant to the proviso to Article 819, paragraph (3) or paragraph (4) of said Article of the Civil Code shall submit a notification to that effect.

Article 79 The provisions of Article 63, paragraph (1) shall apply mutatis mutandis to the person who has parental authority in the case where a judicial decision in lieu of an agreement as set forth in the proviso to Article 819, paragraph (3) or paragraph (4) of said Article of the Civil Code has become final and binding or where a judicial decision changing the party who has parental authority has become final and binding, or in the case where either of the parents has been issued an adjudication of loss of parental authority or loss of the right to administer property and the other parent has been vested with

such authority or right, and shall apply mutatis mutandis to the person who demanded the judicial decision in the case where a judicial decision revoking an adjudication of loss of parental authority or loss of the right to administer property has become final and binding.

Article 80 A person who wishes to surrender or resume parental authority or the right to administer property shall submit a notification to that effect.

Article 81 (1) A notification of the commencement of guardianship that will commence in the case prescribed in Article 838, item (i) of the Civil Code (hereinafter referred to as "guardianship over a minor") shall be submitted by the guardian of a minor within ten days from the day on which he/she assumed the role of guardian.

(2) The following matters shall be entered in the written notification:

- (i) the cause and date of the commencement of guardianship; and
- (ii) the date that the guardian of the minor assumed that role.

Article 82 Where a guardian of a minor has been dismissed from that role, his/her successor shall submit a notification to that effect within ten days from the day on which he/she assumed the role. In this case, the provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis.

Article 83 (1) Where a guardian of a minor is designated by will, a copy of the will in which the designation is made shall be attached to the written notification.

(2) Where a judicial decision appointing the guardian of a minor has been rendered, a transcript of the judicial decision shall be attached to the written notification.

Article 84 A notification of the termination of guardianship over a minor shall be submitted by the guardian of the minor within ten days. The cause and date of the termination of his/her guardianship over the minor shall be entered in the written notification.

Article 85 The provisions of this Section concerning the guardian of a minor shall apply mutatis mutandis to the supervisor of the guardian of a minor.

Section 9 Death and Disappearance

Article 86 (1) A notification of death shall be submitted by the person whose duty is to submit said notification within seven days from the day on which

he/she became aware of the fact of death (when the death took place abroad, within three months from the day on which the person became aware of that fact).

- (2) The following matters shall be entered in the written notification, and a medical certificate or autopsy report shall be attached thereto:
 - (i) the date and time and place of death; and
 - (ii) other matters specified by Ordinance of the Ministry of Justice.
- (3) When a medical certificate or autopsy report is unavailable due to unavoidable circumstances, a document proving the fact of death may be substituted therefor. In this case, the grounds for the lack of availability of a medical certificate or autopsy report shall be entered in the written notification.

Article 87 (1) In accordance with the following order, one of the following persons shall submit a notification of death; provided, however, that any of them may submit the notification, irrespective of such order:

First: a relative who was a member of the same household;

Second: any other person who was a member of the same household; and

Third: the owner or manager of the house in which or land on which the deceased person resided.

- (2) A notification of death may also be submitted by a relative other than one who was a member of the same household, and may be made by the guardian, curator, assistant, and voluntary guardian of the deceased person.

Article 88 (1) A notification of death may be submitted in the locality of the death.

- (2) A notification of death may be submitted, when the locality of death is unclear, in the locality where the body was first found, or when the death took place within a train or aboard any other mode of transportation, in the locality where the body was unloaded from the mode of transportation, or when the death took place aboard a ship where no logbook was kept, in the locality at which the ship first entered port.

Article 89 Where a person has died due to a flood, fire, or any other accident or disaster, the government agency or public office that carried out any investigation thereof shall report the death to the mayor of the municipality in the locality of the death; provided, however, that where a death has taken place in a foreign country or any other territory specified by Ordinance of the Ministry of Justice, the death shall be reported to the mayor of the municipality in the locality of the deceased person's registered domicile.

Article 90 (1) Where the death penalty has been executed, the head of the penal

institution shall report the death to the mayor of the municipality in the locality of the penal institution's address without delay.

- (2) The provisions of the preceding paragraph shall apply mutatis mutandis to the case where there is no person who claims the body of a person who has died during his/her detention at a penal institution. In this case, a medical certificate or autopsy report shall be attached to the written report of death.

Article 91 The matters listed in Article 86, paragraph (2) shall be stated in the written report of death prescribed in the preceding two Articles.

Article 92 (1) Where the registered domicile of a deceased person is not apparent or a deceased person cannot be identified, a police official shall report the death to the mayor of the municipality in the locality of said person's death without delay, preparing a postmortem inspection report and attaching it to the written report of death.

- (2) When the registered domicile of a deceased person has been clarified or a deceased person has been identified, a police official shall report to that effect without delay.

- (3) If any of the persons listed in Article 87, paragraph (1), item (i) or item (ii) has identified a deceased person after the report set forth in paragraph (1) was made, such person shall submit a notification of death within ten days from the day on which he/she identified the deceased person.

Article 93 The provisions of Articles 55 and 56 shall apply mutatis mutandis to a notification of death.

Article 94 The provisions of Article 63, paragraph (1) shall apply mutatis mutandis in the case where an adjudication of disappearance or an adjudication revoking an adjudication of disappearance has become final and binding, to the person who demanded the adjudication. In this case, the date on which a person is deemed to have died pursuant to the provisions of Article 31 of the Civil Code shall also be entered in the written notification of the adjudication of the person's disappearance.

Section 10 Surviving Spouse Reverting to Previous Surname and End of Relationship by Affinity

Article 95 A person who intends to revert to the surname used before marriage pursuant to the provisions of Article 751, paragraph (1) of the Civil Code shall submit a notification to that effect.

Article 96 A person who wishes to manifest his/her intention to end the relationship between relatives by affinity pursuant to the provisions of Article 728, paragraph (2) of the Civil Code shall submit a notification to that effect, entering the name and registered domicile of the deceased spouse and the date of death in the written notification.

Section 11 Disinheritance of Presumptive Heirs

Article 97 The provisions of Article 63, paragraph (1) shall apply mutatis mutandis in the case where a judicial decision disinheriting a presumptive heir or revoking disinheritance has become final and binding, to the person who demanded the judicial decision.

Section 12 Entry of Names in a Family Register

Article 98 (1) A person who intends to take the surname of his/her mother or father pursuant to the provisions of Article 791, paragraphs (1) to (3) of the Civil Code shall submit a notification to that effect, entering the name and registered domicile of the father or mother.

(2) Where a person who intends to take the surname of his/her mother or father pursuant to the provisions of Article 791, paragraph (2) of the Civil Code has a spouse, he/she shall submit the notification jointly with his/her spouse.

Article 99 (1) A person who intends to revert to his/her previous surname pursuant to the provisions of Article 791, paragraph (4) of the Civil Code shall submit a notification to that effect, entering in the written notification the date of reversion to his/her surname pursuant to the provisions of paragraphs (1) to (3) of said Article.

(2) Where the person set forth in the preceding paragraph has a spouse, he/she shall submit the notification jointly with his/her spouse.

Section 13 Separation from a Family Register

Article 100 (1) A person who intends to separate from his/her family register shall submit a notification to that effect.

(2) Where the person designates as his/her new registered domicile a place in another city, town or village, he/she shall attach a copy of his/her family register to the written notification.

Article 101 In the case referred to in paragraph (2) of the preceding Article, a notification of separation from a family register may be submitted in the

locality where the relevant person's new family register is created.

Section 14 Acquisition or Loss of Japanese Nationality

Article 102 (1) A notification of the acquisition of Japanese nationality in the case of acquisition of Japanese nationality pursuant to the provisions of Article 3, paragraph (1) or Article 17, paragraph (1) or paragraph (2) of the Nationality Act (Act No. 147 of 1950) shall be submitted within one month from the date of acquisition (if the person was abroad on that date, within three months).

(2) The following matters shall be entered in a written notification, and a document certifying the acquisition of Japanese nationality shall be attached thereto:

- (i) the date of acquisition of Japanese nationality;
- (ii) the foreign nationality that the person had at the time of his/her acquisition of Japanese nationality;
- (iii) the names and registered domicile(s) of his/her parents, or if the mother or father is a foreign national, his/her name and nationality;
- (iv) the name and registered domicile of any spouse, or if his/her spouse is a foreign national, his/her name and nationality; and
- (v) other matters specified by Ordinance of the Ministry of Justice.

Article 102-2 A notification of naturalization shall be submitted by the naturalized person, within one month from the date of public notice. The provisions of paragraph (2) of the preceding Article shall apply mutatis mutandis to the matters to be entered in a written notification in this case.

Article 103 (1) A notification of the loss of Japanese nationality shall be submitted by the party to the event under notification, or his/her spouse or relative within the fourth degree of kinship, within one month from the day on which such person became aware of the fact of loss of Japanese nationality (when the person who should submit the notification was abroad on the day on which he/she became aware of the fact, within three months from that day).

(2) The following matters shall be entered in a written notification, and a document certifying the loss of Japanese nationality shall be attached thereto:

- (i) the cause and date of the loss of Japanese nationality; and
- (ii) when the person has newly acquired nationality in a foreign country, such nationality.

Article 104 (1) The manifestation of the intention to reserve Japanese nationality prescribed in Article 12 of the Nationality Act shall be made by a person who may submit a notification of birth (excluding the persons who

should submit a notification pursuant to the provisions of Article 52, paragraph (3)) within three months from the date of birth, by submitting a notification of the intention to reserve Japanese nationality.

(2) The notification set forth in the preceding paragraph shall be submitted along with the notification of birth.

(3) When the person prescribed in paragraph (1) is unable to submit a notification during the period set forth in said paragraph due to a natural disaster or any other grounds not attributable to him/her, that period shall be 14 days from the time when it has become possible to submit a notification.

Article 104-2 (1) A declaration of the selection of Japanese nationality under the provisions of Article 14, paragraph (2) of the Nationality Act shall be made by the person who wishes to make the declaration via a notification to that effect.

(2) The person's foreign nationality shall be entered in the written notification.

Article 104-3 When the mayor of a municipality, in the course of administering clerical work related to family registers, considers that a person who should select his/her nationality pursuant to the provisions of Article 14, paragraph (1) of the Nationality Act has not made such selection within the period set forth in said paragraph, he/she shall give notice of the name and registered domicile of the person and other matters specified by Ordinance of the Ministry of Justice to the head of the competent Legal Affairs Bureau or District Legal Affairs Bureau.

Article 105 (1) When a government agency or public office becomes aware, in the course of its duties, of any person who has lost Japanese nationality, it shall report the loss of Japanese nationality to the mayor of the municipality in the locality of said person's registered domicile without delay, attaching a document certifying the loss of Japanese nationality.

(2) The matters listed in Article 103, paragraph (2) shall be entered in a written report.

Article 106 (1) When a Japanese national who has nationality in a foreign country has lost nationality in that foreign country, he/she shall submit a notification to that effect within one month from the day on which he/she became aware of such loss (if the person was abroad on the day on which he/she became aware of the fact, within three months from that day).

(2) The cause and date of the loss of foreign nationality shall be entered in the written notification, and a document certifying such loss shall be attached thereto.

Section 15 Change of Name

- Article 107 (1) When a person entered at the head of a family register and his/her spouse intend to change their surname due to unavoidable grounds, they shall submit a notification to that effect, after obtaining the permission of the family court.
- (2) When a person who has married a foreign national intends to change his/her surname to the surname used by his/her spouse, he/she may submit a notification to that effect, within the limit of six months from the date of their marriage, without obtaining the permission of the family court.
- (3) When a person who has changed his/her surname pursuant to the provisions of the preceding paragraph intends, on or after the day of his/her divorce, annulment of his/her marriage, or the death of his/her spouse, to change his/her surname back to the surname he/she was using at the time that he/she first changed his/her surname, he/she may submit a notification to that effect, within the limit of three months from such day, without obtaining the permission of the family court.
- (4) The provisions of paragraph (1) shall apply mutatis mutandis to a person (excluding a person entered at the head of a family register or his/her spouse) whose mother or father is a foreign national and who intends to change his/her surname to the surname used by his/her mother or father.

Article 107-2 A person who wishes to change his/her given name on justifiable grounds shall submit a notification to that effect, with the permission of the family court.

Section 16 Transfer of Registered Domicile and Registration of Unregistered Persons

- Article 108 (1) When a person entered at the head of a family register and his/her spouse intend to transfer their registered domicile to another place, they shall submit a notification to that effect, entering their new registered domicile in the written notification.
- (2) Where the registered domicile is transferred to a place in another city, town, or village, a copy of the family register shall be attached to the written notification.

Article 109 A notification of the transfer of registered domicile may be submitted in the locality of the new registered domicile.

Article 110 (1) A person who has no registered domicile shall obtain the

permission of the family court and submit a notification for the registration of an unregistered person within ten days from the day on which he/she obtained the permission.

(2) In the written notification, the date of permission for the registration of an unregistered person shall be entered in addition to the matters listed in Article 13.

Article 111 The provisions of the preceding Article shall apply mutatis mutandis to the case where a notification for the registration of an unregistered person should be made based on a final and binding judgment. In this case, a transcript of the judgment shall be attached to the written notification.

Article 112 A notification for the registration of an unregistered person may be submitted in the locality where the person is registered.

Chapter V Correction of a Family Register

Article 113 Where an interested person finds any entry in a family register that is impermissible under law or any mistake or omission in the entries in a family register, he/she may apply for the correction of the family register, with the permission of the family court.

Article 114 Where, after an entry has been made in the family concerning any act that becomes effective through notification, the person who submitted the notification or a party to the event under notification discovers that such act is void, he/she may apply for correction of the family register, with the permission of the family court.

Article 115 Where a judicial decision has granted the permission set forth in the preceding two Articles, the relevant person shall apply for correction of the family register within one month, attaching a transcript of the judicial decision.

Article 116 (1) When correction of a family register should be made based on a final and binding judgment, the person who filed the action shall apply for correction of the family register within one month from the day on which the judgment has become final and binding, attaching a transcript of the judgment.
(2) Where a public prosecutor filed the action, he/she shall request correction of the family register without delay after the judgment has become final and binding.

Article 117 The provisions of Article 25, paragraph (1), Articles 27 to 32, Articles

34 to 39, Articles 43 to 48, and the first sentence of Article 63, paragraph (2) shall apply mutatis mutandis to an application for the correction of a family register.

Chapter VI Special Provisions on the Handling of Clerical Work Related to Family Registers by Electronic Data Processing Systems

Article 118 (1) The mayors of the municipalities designated by the Minister of Justice may handle the whole or a part of the clerical work related to family registers by means of an electronic data processing system, as provided for by Ordinance of the Ministry of Justice.

(2) The designation set forth in the preceding paragraph shall be made by public notice, at the request of the mayor of a municipality.

Article 119 (1) In the case referred to in paragraph (1) of the preceding Article, family registers shall be recorded on and prepared by means of magnetic disks (including an object that can record certain matters securely using an equivalent method; the same shall apply hereinafter).

(2) In the case referred to in the preceding paragraph, family registers prepared by means of magnetic disks shall be accumulated and compiled into family register books, and family registers prepared by means of magnetic disks and removed from a family registry shall be accumulated and compiled into registries of removed family registers.

Article 120 (1) Where a family register or a removed family register is prepared by means of a magnetic disk pursuant to the provisions of the preceding Article, the request set forth in Article 10, paragraph (1) or Article 10-2, paragraphs (1) to (5) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 12-2) may be made to obtain a document certifying all or part of the matters recorded in the family register or the removed family register prepared by means of a magnetic disk, in lieu of obtaining a copy of the family register, etc. or a copy of the removed family register, etc.

(2) For the purpose of the application of the provisions of Article 100, paragraph (2) and Article 108, paragraph (2) as well as the provisions of the Passport Act (Act No. 267 of 1951) and other laws and regulations, the document certifying all or part of the matters recorded in the family register or the removed family register prepared by means of a magnetic disk, as set forth in the preceding paragraph, shall be deemed to be a copy or extract of the family register or the removed family register.

Chapter VII Appeals

Article 121 A person who considers a disposition made by the mayor of a municipality with regard to a matter involving a family register (excluding an event related to the request prescribed in Article 124) to be unjust may file an appeal with the family court.

Article 122 For the purpose of the application of the Act on Judicial Proceedings for Domestic Relations (Act No. 152 of 1947), the permission set forth in Article 107, paragraph (1) (including the cases where applied mutatis mutandis pursuant to paragraph (4) of said Article), Article 107-2, Article 110, paragraph (1), Article 113, or Article 114, and the appeal set forth in the preceding Article shall be deemed to be matters listed as Ko-Type in Article 9, paragraph (1) of said Act.

Article 123 No appeal may be filed under the Administrative Appeal Act (Act No. 160 of 1962) against a disposition made by the mayor of a municipality with regard to a matter involving a family register (including a matter related to the request prescribed in the following Article).

Article 124 A person who is dissatisfied with a disposition made by the mayor of a municipality with regard to the request set forth in Article 10, paragraph (1) or Article 10-2, paragraphs (1) to (5) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 12-2), the request under the provisions of Article 48, paragraph (2), or the request set forth in Article 120, paragraph (1) may make a request for review to the head of the Legal Affairs Bureau or District Legal Affairs Bureau that has jurisdiction over the location of the city office or town/village office.

Article 125 An action to revoke a disposition set forth in the preceding Article may not be filed until after a determination has been obtained on a request for the review of the disposition.

Chapter VIII Miscellaneous Provisions

Article 126 The mayor of a municipality or the head of a Legal Affairs Bureau or District Legal Affairs Bureau may provide information on the matters entered in a family register or a removed family register or information on the matters entered in a written notification or any other document received by the mayor of the municipality, according to the standards and procedures specified by Ordinance of the Ministry of Justice, for the production of statistics or academic research that is found to be highly conducive to the public interest

and for which the use of such information is found to be necessary in order for the purpose of such statistics or research to be achieved, to the extent of such necessity.

Article 127 The provisions of Chapters II and III of the Administrative Procedure Act (Act No. 88 of 1993) shall not apply to a disposition made by the mayor of a municipality with regard to a matter involving a family register.

Article 128 The provisions of the Act on Access to Information Held by Administrative Organs (Act No. 42 of 1999) shall not apply to a duplicate of a family register or a removed family register or a document prescribed in Article 48, paragraph (2).

Article 129 The provisions of Chapter IV of the Act on the Protection of Personal Information Held by Administrative Organs (Act No. 58 of 2003) shall not apply to the retained personal information (meaning the retained personal information prescribed in Article 2, paragraph (3) of said Act) recorded in a duplicate of a family register or a removed family register or a document prescribed in Article 48, paragraph (2).

Article 130 (1) Notwithstanding the provisions of Chapters IV and V, the place of notification for notifications submitted using the electronic data processing system prescribed in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology in Administrative Procedures (Act No. 151 of 2002; hereinafter referred to as the "Act on Use of Information and Communications Technology" in this Article) pursuant to the provisions of said paragraph, and the place of application for applications filed using the electronic data processing system prescribed in said paragraph pursuant to the provisions of said paragraph, shall be governed by the provisions of Ordinance of the Ministry of Justice.

(2) The provisions of Article 47 shall apply mutatis mutandis to the notifications and applications submitted using the electronic data processing system prescribed in Article 3, paragraph (1) of the Act on Use of Information and Communications Technology pursuant to the provisions of said paragraph.

(3) The provisions of Article 3 of the Act on Use of Information and Communications Technology shall not apply to a notification under the provisions of Article 40, nor shall they apply to a notification under Article 741 or Article 801 of the Civil Code, or the submission of a copy of a certificate under the provisions of Article 41.

(4) The provisions of Article 6 of the Act on Use of Information and Communications Technology shall not apply to a family register or a removed

family register.

Article 131 In addition to what is provided for in this Act, the matters necessary for the handling of written notifications and other clerical work related to family registers shall be prescribed by Ordinance of the Ministry of Justice.

Chapter IX Penal Provisions

Article 132 A person who has submitted a false notification with regard to matters which are not required to be entered or recorded in a family register shall be punished by imprisonment with work for not more than one year or a fine of not more than 200,000 yen. The same shall apply to a person who has submitted a false notification with regard to matters that involve a foreign national.

Article 133 A person who has been issued a copy of a family register, etc. prescribed in Article 10 or Article 10-2, a copy of a removed family register, etc. prescribed in Article 12-2, or a document prescribed in Article 120, paragraph (1) through deception or by other wrongful means shall be punished by a fine of not more than 300,000 yen.

Article 134 A person who has conducted an inspection under the provisions of Article 48, paragraph (2) (including the cases where applied mutatis mutandis pursuant to Article 117) or received a certificate issued under the provisions of said paragraph through deception or by other wrongful means shall be subject to a non-criminal fine of not more than 100,000 yen.

Article 135 A person who has not submitted a notification or application that he/she should have submitted during the prescribed period without justifiable grounds shall be subject to a non-criminal fine of not more than 50,000 yen.

Article 136 Where the mayor of a municipality has specified a period and given notice regarding a notification or application pursuant to the provisions of Article 44, paragraph (1) or paragraph (2) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 117), the person who has not submitted the notification or application within that period without justifiable grounds shall be subject to a non-criminal fine of not more than 100,000 yen.

Article 137 In the following cases, the mayor of the municipality shall be subject to a non-criminal fine of not more than 100,000 yen:

- (i) where he/she does not accept a notification or application and is without justifiable grounds for doing so;
- (ii) where he/she has failed to make an entry or record in a family register;
- (iii) where he/she has refused to make a written notification or any other document received thereby available for inspection without justifiable grounds;
- (iv) where he/she does not issue a copy of a family register, etc., a copy of a removed family register, etc., a certificate set forth in Article 48, paragraph (1) or paragraph (2) (including the cases where these provisions are applied mutatis mutandis pursuant to Article 117), or a document set forth in Article 120, paragraph (1), and is without justifiable grounds for doing so; and
- (v) where he/she has otherwise neglected his/her duties with regard to a matter involving a family register.

Article 138 Judicial decisions on non-criminal fines shall be made by the summary court.