



Process of international marriage procedures

Marriage between a Japanese national and a foreigner

The Japanese national fulfills the conditions for marriage as stipulated under Japan law. The foreigner fulfills the conditions for marriage in his or her own country.

Documents
you need to
prepare

- 1 Marriage notification (This application form is available at the administrative office of your municipality. It requires signatures and seals from 2 witnesses over 20 years old.)
- 2 Family register (of the Japanese national)
- 3 Certificate of legal capacity to contract marriage, or substitute document (of the foreigner)
- 4 Passport, etc. (to prove nationality)

Submit at the administrative office of the municipality that is the address of either one of the two people concerned who intend to marry, or the registered domicile of the Japanese national

Once these are received, the marriage will be brought about in Japan

At this point, you will be issued with the acceptance of marriage notification

The foreigner undertakes the procedures for marriage in his or her own country

The method of procedures varies from country to country, so confirm with the embassy or consulate of your country in Japan

When this is received, the marriage will be brought about in the foreigners own country

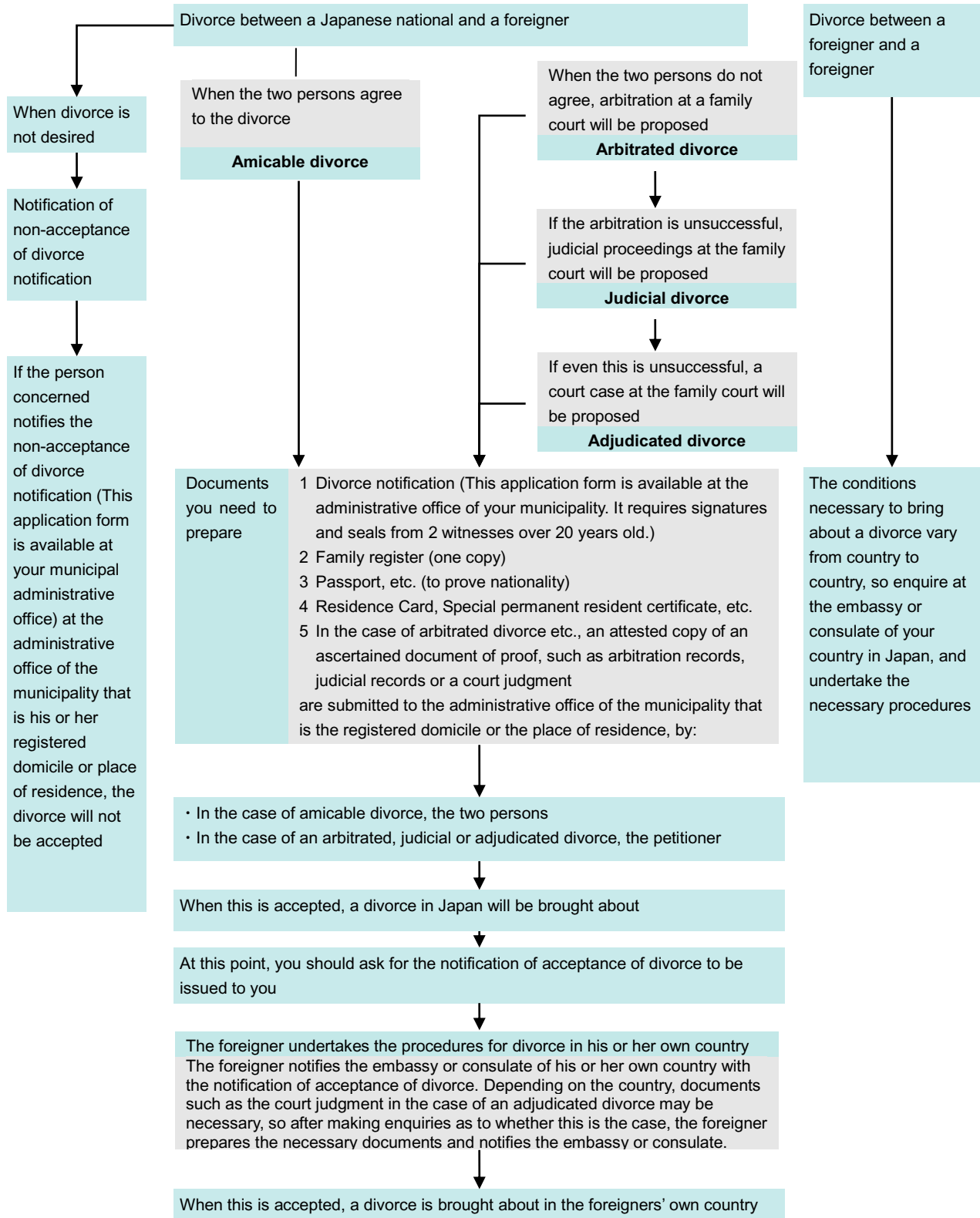
Persons wishing to change their of residence to that of a spouse of a Japanese national should consult their local immigration bureau

Marriage between a foreigner and a foreigner

The conditions necessary for a marriage to be brought about vary from country to country, so please enquire at the embassy of the countries in Japan, and undertake the procedures.
In the event that the procedures for marriage are to be undertaken at the administrative office of a municipality in Japan, please enquire at your municipality's administrative office



Process of international divorce procedures



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Here, we will describe marriage and divorce of foreigners according to Japanese law. The major difference from Japanese nationals is that in addition to providing a notification in Japan, a notification must be sent to the foreigner's own country as well. It is also necessary to undertake other kinds of notification for the marriage or divorce.

1 Marriage

An international marriage must confirm to the law of each country of the two persons who are marrying. It is important to undertake the procedures for marriage in both countries.

Specifically, the various notifications in addition to marriage notification (refer to [3 Notifications for marriage/divorce](#)) are stipulated in the relevant laws; please remember to undertake these procedures. In these cases, there are many instances where notifications are issued through places of work or schools, so please inform your place of work or school.

1-1 Marriage in Japan

The following conditions for marriage are stipulated under Japanese law. All of these conditions must be fulfilled.

- The minimum age for marriage is 18 in the case of men, 16 in the case of women (Article 731 of the Civil Law)
- In the case of persons under 20, parental consent is necessary (Article 737 of the Civil Law)
- Polygamy is prohibited (Article 732 of the Civil Law)
- In the case of a woman remarrying, legally 100 days or more must have elapsed since the day of her divorce (Article 733 of the Civil Law)
- A person cannot marry a close relative (a direct blood relative or close blood relative to the third degree) (Article 734 of the Civil Law)



1 Marriage

1-2 Marriage notification

Marriage notification means the notification which is submitted to the administrative office of the persons' municipality when they marry. The factors necessary for a marriage to be brought about vary from country to country, so it is necessary for the Japanese person to fulfill the Japanese requirements (condition) for marriage, and for the foreigner to fulfill those for his or her own country. Therefore, when a foreigner marries, they must submit a certificate of legal capacity to contract marriage which proves that he or she fulfills the factors for marriage.

The certificate of legal capacity to contract marriage for the foreigner is issued by the embassy or consulate of his or her country in Japan. If it is printed in a foreign language, a translation signed by and impressed with the seal of the translator is attached to the certificate. In the case of a country which does not issue certificates of legal capacity to contract marriage, alternative documentation must be prepared; for details, please enquire at the administrative office in your municipality.

Necessary documents	Where to submit application/enquiries	From when/until when	Person(s) who must submit the notification
1 Marriage notification (This application form is available at the administrative office of your municipality. It requires signatures and seals from 2 witnesses over 20 years old.) 2 Family register (of the Japanese national) 3 Certificate of legal capacity to contract marriage, or substitute document (of the foreigner) 4 Passport, etc. (to prove nationality)	The administrative office of the municipality of either one of the two persons, or at the administrative office of the municipality which is the registered domicile of the Japanese national	At your discretion	The two persons who are getting married

* If the acceptance of marriage notification is necessary, you can have this issued after the acceptance of the documents



(1) Between a foreign national and a Japanese national

When a Japanese national and a foreigner marry in Japan, hand in the marriage notification according to the regulations of the family register. With this, the preparations on the Japanese side are completed, and the foreigner should notify his or her own country. The acceptance of marriage notification is necessary for this, so you should ask for the acceptance of marriage notification to be issued to you when you submit the marriage notification. The method of procedures varies from country to country, so confirm with the embassy or consulate of your country in Japan. Persons wishing to change their status of residence to that of a spouse of a Japanese national should consult their local immigration bureau.

How to fill in the marriage notification

The marriage notification is to be filled in the same manner as Japanese nationals, except for the points given below.

- The name, date of birth and address of the person

Fill these in katakana, in surname-first name order. Please put a pause mark • between the surname and first name. The date of birth may be in Western style.

The address should be the place given in the resident registration.

- Registered domicile

The nationality of the person alone should be put.

- Signature/seal

The signature alone will suffice.

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Sample

婚姻届		受理 平成 年 月 日	発出 平成 年 月 日
氏 名		第 号	第 号
住所		第 号	第 号
本 籍		第 号	第 号
父母の氏名		第 号	第 号
婚姻後の夫婦の氏・新しい本籍		第 号	第 号
同居を始めたとき		第 号	第 号
結婚・再婚の別		第 号	第 号
同居を始める前の夫婦のそれぞれの世帯のおもな仕事と		第 号	第 号
夫婦の職業		第 号	第 号
その他		第 号	第 号
届出人		第 号	第 号
事件簿番号		第 号	第 号

字は略さず丁寧に書いてください。

住所を定めた年月日

夫 年 月 日

妻 年 月 日

連絡先 自宅・勤務先・携帯



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記入の注意

鉛筆や消えやすいインキで書かないでください。

この届は、あらかじめ用意して、結婚式をあげる日または同居を始める日に出すようにしてください。その日が日曜日や祝日でも届けることができます。【この場合、市道等で取扱うので、前日までに、戸籍担当係で下調べをしておいてください。】

届書は、1通でさしつかえありません。

この届書を本籍地でない役所に出すときは、戸籍抄本（転入事項証明書）、戸籍謄本（全部事項証明書）が必要ですから、あらかじめ用意してください。

戸 籍 人	
姓 名	印
生 年 月 日	年 月 日
住 所	番 地 番 号
本 籍	番 地 番 号

→ 「婚姻者の氏名」には、戸籍のはじめに記載されている人の氏名を書いてください。

→ 父母がいまだ婚姻しているときは、母の氏を書かないで、名だけを書いてください。
養父母についても同じように書いてください。

→ □には、あてはまるものに□のようにしるしをつけてください。
外国人と結婚する人が、まだ戸籍の婚姻者となっていない場合には、新しい戸籍がつくられますので、希望する本籍を書いてください。

→ 再婚のときは、直前の婚姻について書いてください。
内縁のものはふくまれません。

届け出られた事項は、人口動態調査（統計法に基づく指定統計第5号、厚生労働省所管）にも用いられます。

○署名は必ず本人が自署してください。

○印は各自別々の印を押してください。

○届出人の印をご持参ください。

(2) Between foreign nationals

In cases where two foreigners wish to marry in Japan, the method of procedures varies from country to country, so confirm with the embassy or consulate of your country in Japan. In the event that you undertake the procedures for marriage at the administrative office of your municipality, confirm with this office as to what documents are necessary (you should ask for the acceptance of marriage notification to be issued to you when the documents have been accepted). In addition, you will need to notify your respective countries.



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(3) Nationality after marriage

When a foreigner marries a Japanese national, this does not mean that he or she automatically acquires Japanese nationality. In order to acquire Japanese nationality, you must obtain permission for naturalization from the Minister of Justice (please refer to [D Other notifications, 3](#))



2 Divorce

Foreigners who live in Japan must also submit a divorce notification if they want to divorce in Japan. They must also submit a divorce notification to their own country. As at the time of marriage, the various notifications are stipulated in the relevant laws; please remember to undertake these procedures (refer to [3 Various notifications for marriage/divorce](#)).

2-1 Divorce notification

Divorce notification is a notification to be handed in at the administrative office of the municipality where you live. There are three types of divorce: amicable divorce, which is undertaken through discussion between the parties; arbitrated divorce, which is brought about through involvement of the family court; judicial divorce; and adjudicated divorce.

(1) In cases where the counterpart is a foreign national

If both persons agree to the divorce, the divorce comes under Japanese law. However, whether the divorce will be valid in the country of the other party will vary depending on that country's law. In addition, the method of procedures varies from country to country, so confirm with the embassy or consulate of your country in Japan. If you need the acceptance of divorce notification, you should ask for this to be issued to you.

In cases where there are children, you will need to submit notification of the persons with custody of the children, and the names of children falling under each persons with parental authority

Necessary documents	Where to submit application/enquiries	From when/until when	Person(s) who must submit the notification
1 Divorce notification (acquire this at the administrative office of your municipality) * Two witnesses over the age of 20 must sign it and impress it with their seals 2 Family register (of the Japanese national) 3 Passport 4 Residence Card, special permanent resident certificate, etc. (please refer to A New Residency Management System & Resident Registration System for Foreign Residents 4-2) 5 In the case of arbitrated divorce etc., an attested copy of an ascertained document of proof, such as arbitration records, judicial records or a court judgment	The address of one of either the husband of wife, or the administrative office of the municipality which is the registered domicile of the Japanese national.	(In the case of an amicable divorce) Can be submitted as necessary (In the case of an arbitrated, judicial or adjudicated divorce) Notify within 10 days of the day when the arbitration etc. is settled	(In the case of an amicable divorce) Husband and wife (In the case of an arbitrated, judicial or adjudicated divorce) The petitioner

* If the acceptance of the divorce notification is necessary, you can have this issued after the acceptance of the



documents

● When divorce is not desired

If you are under pressure from your Japanese partner for a divorce, a divorce will be brought about if your partner chooses to sign the divorce notification themselves, and submits it to the administrative office.

If you do not wish to divorce, you should hand in a notification of non-acceptance of divorce notification (meaning that you do not accept the divorce) at the administrative office of the municipality which is your (Japanese) partner's registered domicile or his or her place of residence. Once a spouse submits a notification of non-acceptance of divorce, unless the notification of non-acceptance of divorce is withdrawn, the divorce notification by the other spouse will not be accepted for an indefinite period of time.

● Change of status of residence

When a foreigner has divorced his or her Japanese spouse, it does not necessarily mean that because they cease to have the identity of "spouse of Japanese national" that they will have to go back to their own country immediately. However, the person will need to undertake the procedures for change in status of residence at the immigration bureau. As the person no longer has the status of residence of "Spouse or child of Japanese national" it is not possible to extend the period of stay under this status of residence. If you wish to continue living in Japan, you will have to acquire a different status of residence (please refer to [B Status of residence, 2-8](#))

● Couples who have completed the international marriage procedures in both countries

If you undertake the procedures for divorce only in Japan and forget to undertake them in your own country, you will still be legally married in your own country, and this can be the source of further trouble should you wish to remarry. Remember to carry out the procedures for divorce in your own country as well.

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離婚届		受理 平成 年 月 日	発送 平成 年 月 日
平成 年 月 日届出		氏印	
長 殿		世帯別番号	戸籍記載
		記載済否	異 動 別 冊 別 冊 世帯別 異 動 別
(1) 氏 名	夫 氏 氏 妻 氏 氏		
生 年 月 日	年 月 日 年 月 日		
住 所	番地 番 号 番地 番 号		
(住居登録をして いるところ)	戸籍上 の氏名 戸籍上 の氏名		
(2) 本 籍	妻籍 番 号		
(外国人のときは 国籍だけを書いてください)	配偶者 の氏名		
父 母 の 氏 名 父 母 の 氏 名	夫の父 続き柄 妻の父 続き柄		
(父 母 の 氏 名 父 母 の 氏 名)	母 男 母 女		
(3) 離婚の理由	<input type="checkbox"/> 協議離婚 <input type="checkbox"/> 調停 <input type="checkbox"/> 審判 <input type="checkbox"/> 裁判	<input type="checkbox"/> 和解 <input type="checkbox"/> 請求の認諾 <input type="checkbox"/> 判決	年 月 日成立 年 月 日成立 年 月 日成立
(4) 離婚後の氏名	<input type="checkbox"/> 夫 <input type="checkbox"/> 妻 <input type="checkbox"/> もとの戸籍にもどる <input type="checkbox"/> 新しい戸籍をつくる		
離婚後の氏名	番地 番 号 (住所) 配偶者 の氏名		
(5) 未成年の子の氏名	夫が親権 を行う子 妻が親権 を行う子		
(6) 同居の期間	昭和 年 月 から 昭和 年 月 まで		
(7) 同居する前の住所	(同居を始めたとき) (別居したとき)		
(8) 別居する前の住所	番地 番 号		
(9) 別居する際の扶養のおもな仕事と	<input type="checkbox"/> 1. 農業だけまたは農業とその他の仕事を営んでいる世帯 <input type="checkbox"/> 2. 自由業・商工業・サービス業等を個人で営んでいる世帯 <input type="checkbox"/> 3. 企業・個人商店等(自営又は専任)の家族経営者等(勤め先の従業員数が1人から9人までの世帯(日本または日本未満の契約の雇用者を含む)) <input type="checkbox"/> 4. 3に当てはまらない雇用労働者世帯及び自営・家族経営の世帯(日本または日本未満の契約の雇用者を含む) <input type="checkbox"/> 5. 1から4に当てはまらないその他の仕事をしている者のいる世帯 <input type="checkbox"/> 6. 仕事を営んでいる者のいない世帯		
(10) 夫妻の職業	夫の職業 妻の職業		
その他			
届 出 人	夫 妻		
署名 押 印	印 印		
事件簿番号	住所を定めた年月日	連絡先	電話 郵便連絡が取れるところ 自宅・勤務先・携帯
夫 年 月 日 妻 年 月 日			

字は略さず丁寧に書いてください。



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記入の注意

紛争や困りやすいインキで書かないでください。

筆跡者の氏名欄には、戸籍のはじめに記載されている人の氏名を書いてください。

届出は、1通できつつかえありません。

この届書を本籍地でない住所に出すときは、戸籍謄本（全部事項証明書）が必要ですから、あらかじめ用意してください。

そのほかに必要なもの

- 調停離婚のとき → 調停調書の謄本
- 審判離婚のとき → 審判書の謄本と確定証明書
- 和解離婚のとき → 和解調書の謄本
- 認諾離婚のとき → 認諾調書の謄本
- 判決離婚のとき → 判決書の謄本と確定証明書

証 人		(協議離婚のときだけ必要です)	
署 押	名 印		
生 年 月 日		年 月 日	年 月 日
住 所		番 地 番 号	番 地 番 号
本 籍		番 地 番 号	番 地 番 号

→ 父母がいま婚姻しているときは、母の氏を書かないで、名だけをかいてください。

養父母についても同じように書いてください。

□には、あてはまるものに記号のようにしるしをつけてください。

→ 今後も離婚の際に称していた氏を称する場合には、左の欄には何も記載しないでください。

(この場合にはこの離婚届と同時に別の届書を提出する必要があります。)

→ 同居を始めたときの年月は、結婚式をあげた年月または同居を始めた年月のうち早いほうを書いてください。

→ 届け出られた事項は、人口動態調査（統計法に基づく法定統計第五号、厚生労働省所管）にも用いられます。

◎署名は必ず本人が自署してください。

◎印は各自別々の印を押してください。

◎届出人の印をご持参ください。

(2) In cases where both members of a couple are foreign nationals

The factors necessary for a marriage to be brought about vary from country to country, so please enquire about the method of procedures etc. at the embassy of the countries in Japan.



Council of Local Authorities for International Relations



2 Divorce

2-2 Divorce and children

According to Japanese law, in cases where there are children under the age of 20, the divorce notification cannot be accepted unless the person with custody has been decided.

A child born within 300 days of a divorce is, in principle, considered to be the child of the father in the family register prior to the divorce (Civil Law, Article 772). If this father is not the real father, a suit to confirm parent-child relationship does not exist must be filed. If certain conditions are fulfilled, (e.g. "having a certificate from a medical doctor, etc.") the child may be registered as the legitimate child of the father after divorce (details are not given here).

If, after a divorce, a parent who does not have authorized parental custody, etc., takes a child out of the country and the other parent applies for the return of the child, as a general rule, according to the Hague Convention, the child is returned to the original country immediately (Hague Convention on the Civil Aspects of International Child Abduction, 1980). Such an act is subject to criminal penalty such as the crime of abduction.

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3 Various Notifications on one's marriage/divorce

When a marriage notification or divorce notification is submitted, the following notifications need to be submitted in line with this. In these cases, there are many notifications which need to be submitted not only at the administrative office of your municipality, but at places of work, schools etc.; so you will need to inform your place of work or school.

Necessary documents	Where to submit application/enquiries
Notification of separation from spouse due to divorce or death	Regional immigration bureau office
Change in residence status	Regional immigration bureau office
Notification of change of address	Administrative office of your municipality
Notification of moving in	Administrative office of your municipality which is your new place of residence
Change in address/name for national health insurance/national pension	Administrative office of your municipality
Change in address/name for driver's license	Police station/driver's license center
Changes in transfer of personal information	Place of work
Change in address/name for financial deposits	Financial institution
Change of contracts for telephone, gas and water	Electricity company, gas company, water company
Relocation/setting up of telephone	Telephone company
Notification of address to post office to forward items to	Post offices

