



JAPAN AMENDS IMMIGRATION CONTROL ACT

The law for partial amendment to the Immigration Control and Refugee Recognition Act was promulgated by the Japanese government on 15 July 2009. The amended law introduced a new system of residence management which includes, among others, the issuance of Special Permanent Resident Certificates, revision of training and technical internship programs, integration of the status of residence of college and pre-college students and the establishment of the Immigration Detention Facilities Visiting Committee.

The major points of the amended law are as follows:

1. Introduction of a new system of residence management. *(to take effect within 3 years from date of promulgation)*
 - *The period of stay of foreign nationals residing legally in Japan from medium to long term is extended from 3 to 5 years*
 - *A foreign national will be exempt from filing an application for re-entry in case he/she will re-enter Japan within one year from departure*
 - *The validity of re-entry permit is extended from 4 to 6 years*

2. Issuance of Special Permanent Resident Certificates to qualified foreign residents. A Residence Card shall be issued to applicable persons in addition to landing permission, permission for change of status of residence and permission for extension of the residence period. The card is equipped with an IC chip to prevent forgery and alteration, as well as records all or part of the information printed on the card. *(to take effect within 3 years from date of promulgation)*
 - *In lieu of the Alien Registration Certificate which certifies the legal status of foreign workers, a Special Permanent Residence Certificate will be issued.*
 - *A Special Permanent Resident with a valid passport and a Special Residence Certificate will be exempt from applying for a re-entry permit in case he/she will re-enter Japan within two (2) years from departure.*
 - *The validity of re-entry permit is extended from 4 to 6 years.*

3. Revision of the training and technical internship programs *(to take effect within 1 year from date of promulgation)*

For the protection of trainees and technical interns, a new status of residence referred to as "Technical Intern Training" shall be established, that will enable holders thereof to engage in the following activities:

- *Activities to acquire knowledge through "group training courses" and activities to acquire skills through "employment agreements"*
- *Activities for a person who has acquired knowledge and skills to engage in business that requires such knowledge and skills through an employment agreement*

The Japanese labor laws such as the Labor Standards Law and the Minimum Wage Act shall be applied to activities for acquiring skills through employment agreements.

4. Establishment of a special exception on the period of stay for those who filed applications such as extension of the period of stay *(to take effect within 1 year from date of promulgation)*
5. New requirement for seafarers with landing permission to carry and present identification such as a valid crew member's pocket-ledger *(to take effect within 6 months from date of promulgation)*
6. Establishment of conditions for deportation in order to appropriately deal with activities involving encouragement of illegal employment *(to take effect within 1 year from date of promulgation)*