



2 Period, extension, change, permanent residence, permission to engage in an activity other than that permitted by the status of residence previously granted, re-entry, and acquisition

2-3 Illegal stay

If you overstay your period of stay by as little as one day, this will be considered “Illegal stay (overstaying).” As a general principle, you will not be admitted to Japan again for a certain period. For illegal overstayers to return to their countries, the following procedures are carried out.

<p>Return to own country in normal manner</p>	<p>In the event of unavoidable circumstances or a very brief illegal overstay, it may be possible for the procedures for extension of period of stay to be carried out, and if this is recognized, you can leave Japan in the normal fashion. In such cases, please notify your nearest regional as quickly as possible.</p>
<p>Return to own country under a departure order</p>	<p>Out of persons in breach of immigration law, for those for those illegal overstayers who fit certain stated requirements, the system for return home to one’s own country in which the person can return home via straightforward procedures without the person being taken into custody is the “departure order system” Persons applicable for the departure order are overstayers meeting all of the following criteria:</p> <ul style="list-style-type: none"> (1) Are willing to leave Japan and return to their own country promptly, and have appeared before their regional immigration bureau (2) Do not correspond to reasons for forced repatriation from Japan apart from the illegal overstaying (3) Following entry into Japan, have never served prison time or penal servitude for any crime corresponding to property crime (4) Have never been forcibly repatriated or returned to their own country under orders in the past (5) Where it is believed that the person is sure to leave Japan promptly
<p>Forced repatriation (deportation)</p>	<p>In the event that the illegal overstay is arrested, the person will be taken into custody at a detention center etc. Following this, in the event that the person is handed over to their regional immigration bureau and the procedures for forced repatriation are carried out, the person may be prosecuted and taken to court. Persons who leave Japan through forced repatriation are not admitted to Japan for the next five years. In the event that the person has already been forcibly repatriated in the past, this is increased to 10 years, and there are cases where people have been permanently forbidden from entering Japan again.</p> <p>NB: Special permission for residence: It is possible even for people who meet the criteria for forced repatriation to be granted permission to stay in Japan by the Minister of Justice in the light of special circumstances. In this special permission for residence, the Minister of Justice decides whether the person will be allowed to stay. The person can continue to live in Japan having received status of residence only in cases where this permission is given.</p>