



## 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, such as that of alien registration; 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   |
|--|--|--|--|
| <p><b>1 Divorce notification (acquire this at the administrative office of your municipality)</b><br/>                     * Two witnesses over the age of 20 must sign it and impress it with their seals</p> <p><b>2 Family register (of the Japanese national)</b></p> <p><b>3 Passport</b></p> <p><b>4 Certificate of registered items in the Foreign Resident Registry</b><br/>                     (please refer to <a href="#">B Alien registration, 2</a>)</p> <p><b>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</b></p> | <p>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.</p> | <p>(In the case of an amicable divorce) Can be submitted as necessary<br/>                     (In the case of an arbitrated, judicial or adjudicated divorce) Notify within 10 days of the day when the arbitration etc. is settled</p> | <p>(In the case of an amicable divorce) Husband and wife<br/>                     (In the case of an arbitrated, judicial or adjudicated divorce) The petitioner</p> |



\* 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. Doing this will block the acceptance of the divorce notification for a six-month period from the time of submission. Even when the six-month period is exceeded, if the problems have not been resolved, the notification of non-acceptance of divorce notification will need to be submitted once again in the same manner.

### ● 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 [A 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.



# Multilingual Living Information



## C Marriage/Divorce

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Sample

記入の注意

和筆や消えやすいインキで書かないでください。  
筆順者の氏名欄には、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通でかきつかえありません。  
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 名     | 印         | 署 名             | 印         |
| 生 年 月 日 | 年 月 日     | 生 年 月 日         | 年 月 日     |
| 住 所     | 番地<br>番 号 | 住 所             | 番地<br>番 号 |
| 本 籍     | 番地<br>番 号 | 本 籍             | 番地<br>番 号 |

- 父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□の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) 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.

