

Chandrawat  
& Partners

# IMMIGRATION TO JAPAN



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# OVERVIEW



Japan's economy is strong and expanding, offering a wide range of job opportunities. Many businesses are actively looking for foreign workers to help fill workforce gaps. Japan is renowned for having a high standard of living and has received many honors for its high quality of life rankings. Its education system is highly regarded and boasts several prestigious universities and schools. Additionally, there are numerous scholarship options available to students from abroad. Japan is one of the many nations that can benefit greatly from immigration. A demographic challenge that Japan has been dealing with is an aging population and a low birth rate.

Immigration can help the economy grow and fill labor shortages in several industries. By starting businesses, producing jobs, and increasing consumption, immigrants can promote economic growth. Additionally, it can broaden Japan's cultural perspective and raise its stature internationally. Increased opportunities for international trade and collaboration as well as better relationships with other nations can all be attributed to immigration.

No matter their nationality or immigration status, all residents of Japan have access to a comprehensive healthcare system. It has a reputation for being a safe city with few crimes. Japan is renowned for having an effective transportation system that makes getting around the nation simple. The nation is renowned for its technological advancements, which can simplify daily life.

# PURPOSES FOR IMMIGRATION



**Work:** Many people immigrate to Japan to work, either as skilled professionals or to fill labor shortages in certain industries.

**Study:** Japan is home to many prestigious universities and language schools, making it a popular destination for international students.

**Family reunification:** People may immigrate to Japan to reunite with family members who are already living there.

**Marriage:** Individuals who are married to Japanese citizens or permanent residents may immigrate to Japan to be with their spouses.

**Business:** Entrepreneurs and investors may immigrate to Japan to start a business or invest in an existing one.

**Refugee status:** People who are fleeing persecution or war in their home country may seek asylum in Japan.

**Cultural exchange:** Some individuals may immigrate to Japan to experience its unique culture and language, or to participate in exchange programs.



# TYPES OF VISAS



## Highly skilled professional visa

- Highly skilled professional (Examples: highly-skilled human resources per “Points System”)
- Highly skilled foreign professional (Examples: dependents of the highly skilled foreign professional, etc.)

## General visa

- Cultural activities (Examples: unpaid internships, people studying the tea ceremony or Japanese flower arranging, etc.)
- Student (Examples: college students, pre-college students, etc.)
- Training (Examples: trainees in a local government, etc.)
- Dependent (Family stays) (Examples: The spouse and children of a foreign national with a working visa, etc.)

## Working visa

- Professor (Examples: university professor, assistant professor, assistant, etc.)
- Artist (Examples: composers, songwriters, artists, sculptors, craftspeople, photographers, etc.)
- Religious activities (Examples: religious people such as monks, bishops, missionaries, etc.)
- Journalist (Examples: newspaper journalists, magazine journalists, editors, news cameramen, announcers, etc.)
- Business manager (Examples: company presidents, directors, etc.)
- Legal/Accounting services (Examples: attorneys, judicial scriveners, public accountants, tax accountants, etc. certified in Japan)
- Medical services (Examples: physicians, dentists, pharmacists, nurses, etc. certified in Japan)
- Researcher (Examples: researchers, investigators, etc. at research institutes, etc.)
- Instructor (Examples: teachers, etc. at elementary schools, intermediate schools, and high schools)
- Engineer/Specialist in humanities/International services (Examples: scientific engineers, IT engineers, foreign language teachers, interpreters, copywriters, designers, etc.)
- Intra-company transferee (Examples: people transferred to the Japanese branch (head office of the same company, etc.)
- Nursing care (Example: certified care worker)
- Entertainers (Examples: musicians, actors, singers, dancers, sportspeople, models, etc.)
- Skilled labor (Examples: chefs specializing in the food of a foreign country, animal trainers, pilots, sports trainers, sommeliers, etc.)
- Specified skilled worker (Work-ready foreign nationals who possess certain expertise and skills in certain industrial fields.)
- Technical intern training (Examples: Technical intern)

## Diplomatic visa

- Diplomat (Examples: diplomatic agents, diplomatic couriers, etc.)

## Specified visa

- Spouse or child of Japanese national (Examples: spouse of a Japanese national, biological child of a Japanese national)
- Spouse of a permanent resident (Examples: spouse of a permanent resident)
- Long-term resident (Examples: persons with Japanese ancestry, Indochinese refugee settlers, the spouse or children of Japanese nationals left behind in China, etc.)
- Designated activities (Examples: foreign nationals who wish to enter Japan as personal help privately employed by diplomats, etc., foreign nationals who wish to enter Japan for a working holiday or paid internships, candidate nurses and care workers who wish to enter Japan based on an EPA, etc.)
- Designated activities (Long Stay for sightseeing and recreation)

## Start-up visa

- Start-up (Entrepreneur supported by municipalities in Japan and the spouse or children of the entrepreneur.)

## Official visa

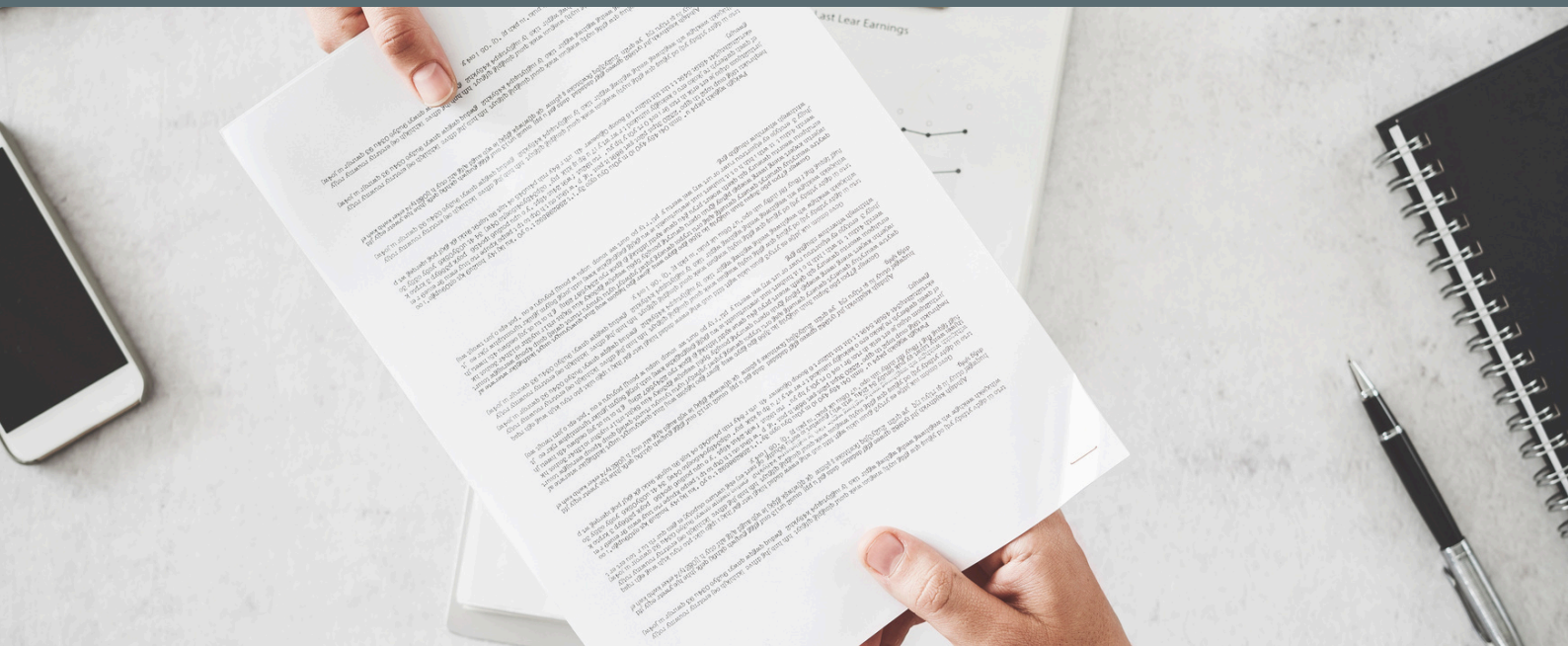
- Official (Examples: administrative and technical staff of diplomatic missions and members of the service staff, etc.)







# ELIGIBILITY CRITERIA



## Highly skilled professional visa

There are three categories under which the Highly Skilled Professional Visa for Japan is issued:

- a) Highly Skilled Professional Visas for Advanced Academic Research Activities are given to foreigners who are going to work in Japan's public or private sector in the areas of education, research, or research guidance.
- b) Highly Skilled Professional Visas for foreigners who have advanced knowledge or specialized skills in the humanities or natural sciences and who will work for a public or private organization in Japan.
- c) Highly Skilled Professional Visas are given to foreigners who will run or manage a public or private organization in Japan and are intended for advanced business management activities.

In addition, if a person falls under one of the categories listed above, still it's required to:

**Reach a score of at least 70 in the point-based system;**

Employed merely by the business that sponsored a person's visa. If a person wants to switch employers and a person's new job is still eligible for the Highly Skilled Programme, a person must apply for a new Certificate of Eligibility. If it doesn't, a person must switch to the standard Japan Work Visa category.

**The Japanese Highly Skilled Professional visa point requirements**

When a person applies for a Japan Highly Skilled Professional Visa, a person has to reach at least 70 points on the Point Evaluation Mechanism to qualify. One must fill out a Point Calculation Form (as described on the website of the Japan Immigration Bureau), where a person outlines all qualifications along with the corresponding points, and add them up to a total in the end.

The points a person receives are divided into four main categories:

- a)The academic background
- b)The professional career
- c)The annual salary
- d)The age

Then, a person will receive additional points after fulfilling certain requirements, such as:

- One should work for a company that is supported financially (10 points)
- One holds a degree from a Japanese institution of higher learning (10 points)
- One either graduated from a foreign university with a Japanese language major or a person who scored Level N1 on the Japanese Language Proficiency Test (15 points).
- One has a Level N2 of the Japanese Language Proficiency Test (10 points)
- One has a history of research success (15–20 points)

## Working visa

A Japan Work Visa is required for visitors to Japan who intend to work for pay. For Japan, there are three different types of work visas:

- The regular Japan Work Visa is granted for a variety of occupations, including professors and artists.
- The Japan Highly Skilled Professional Visa, which offers a longer stay period and more benefits than a standard Work Visa and is issued using a point-based system.
- The Japan Working Holiday Visa, which is given to citizens of nations that have a Working Holiday agreement with Japan.

## General visa

**Valid passport:** The applicant must have a valid passport with at least six months of remaining validity.

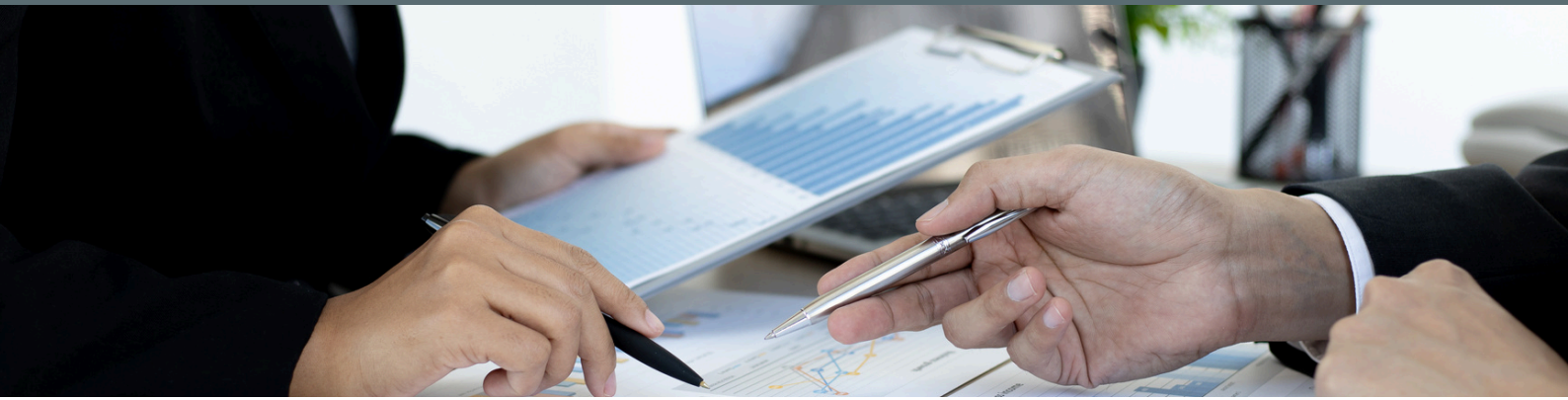
**Purpose of visit:** The applicant must have a clear and legitimate purpose for visiting Japan, such as tourism, business, study, or employment.

**Financial support:** The applicant must be able to demonstrate that they have sufficient financial resources to support themselves during their stay in Japan.

**No criminal record:** The applicant must have no criminal record and must not be a threat to public safety in Japan.

**Health:** The applicant must be in good health and not have any medical conditions that could pose a public health risk.

**Application documents:** The applicant must submit all required application documents, such as a visa application form, a passport photo, and any supporting documents specific to the type of visa being applied for.



## Specified visa

- A person who is at least 18 years old and who owns savings totaling more than 30 million Japanese yen with a person and the spouse.
- Accompanying spouse of the person mentioned in item 1 (the couple must travel to Japan together and share the same residence).

Note: Dependent children are not permitted to go along.

(Note) The applicant and the spouse must have savings totaling more than 60 million Japanese yen if a person wants the spouse to opt out of traveling with the person and stay apart under this plan. The accompanying spouse (referred to in paragraph 2 above) doesn't need to enter Japan with the person (referred to in paragraph 1 above), but he or she cannot enter Japan before the person. For more details on the requirements of an “accompanying spouse,” please contact the Immigration Bureau, Ministry of Justice.

## Diplomatic Visa

They must meet the following eligibility criteria.

- The applicant must have an official or diplomatic passport from their nation.
- Foreign nationals who currently reside in Japan and have diplomatic or official passports are eligible to apply for this visa.



## Start-up visa

### Eligible persons

Foreign business people planning to launch a venture in Japan

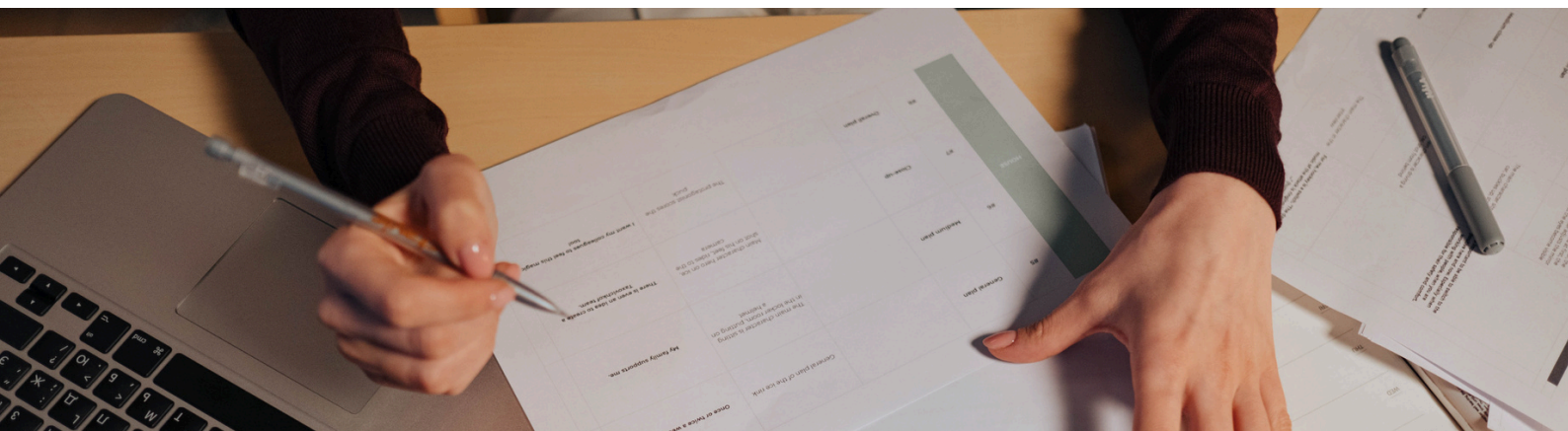
### Eligible businesses

- Knowledge-creating industries (robotics, fintech, semiconductor, software development, etc.)
- The development of medical technology, regenerative medicine, welfare equipment, and the health, medical, and welfare industries.  
Industries related to the environment and energy (Greentech, clean energy development, next-generation power storage technology, international information systems, etc.)
- Logistics-related industries (international delivery, drone logistics development, global SCM services, 3PL services, etc.)
- Trade Industries (companies expanding their international sales of Japanese-made products, businesses utilizing the ports, etc.)

## Official Visa

### Applicable activities

Activities carried out by those conducting official business for foreign governments or international organizations acknowledged by the Government of Japan, as well as by members of their household's family (except those covered by the section on diplomatic visas).



# PROCEDURE FOR OBTAINING THE VISAS

## Highly skilled professional visa

### **Applying for a Japan Highly Skilled Professional Visa from abroad**

- The sponsor (the company or organization that hired a person) must submit an application for the Certificate of Eligibility at their regional Immigration Bureau in Japan when a person applies for a Japan Highly Skilled Professional Visa while a person is abroad.
- One must send them any necessary supporting documentation, along with a Point Calculation Form outlining the qualifications and the corresponding points.
- The Certificate of Eligibility will be issued by the Immigration Bureau following their review of the application (and if they determine it to be acceptable).
- One can apply for a Japan visa based on "Highly Skilled Professional" through a Japanese Embassy or Consulate in the person's nation using the Certificate of Eligibility.

### **Applying for a Highly Skilled Professional Visa while in Japan**

- The applicant or the employer must apply for a Certificate of Eligibility to the neighborhood Japanese Immigration Bureau.
- Include a Point Calculation Form with all the required paperwork, outlining the qualifications and the points they are worth.
- The Immigration Bureau will issue a Certificate of Eligibility after reviewing the application and determining whether it is acceptable.
- Utilize the Certificate of Eligibility to submit an application for "Change of Status of Residence" at the neighborhood Japanese immigration office.

## Working visa

The application process for applying for a Work Visa in Japan is divided into two parts:

- Getting a Certificate of Eligibility
- Applying for a Japan Work Visa

### **Obtaining the Certificate of Eligibility in Japan**

Every foreigner entering Japan for an extended period must obtain a Certificate of Eligibility from the Japanese Immigration Services. Since the COE application must be submitted in Japan, it will be handled on the applicant's behalf by the sponsor (employer). Any pertinent documentation must be sent to them.

The Japan Work Visa is still required, and the Certificate of Eligibility for Japan is merely a prerequisite. One must still apply for a Japan Work Visa from the home country.

### **Applying for the Japan Work Visa**

- The employer is required to provide the applicant with the Certificate of Eligibility so that a person can use it to submit an application for a Work Visa at a Japanese Diplomatic Representative Office (Consulate or Embassy) in the nation after receiving it. Having to:
- Get in touch with the local consulate or embassy of Japan. Here is a list of all the consulates, embassies, and permanent missions of Japan.
- One may need to apply through a recognized travel or visa application agency if some Representative Offices do not accept direct visa applications.
- Compile the necessary paperwork for a Japan Work Visa.
- One can apply for a Japan Work Visa directly at an embassy or consulate, a travel agency, or a company that handles visa applications. If the Consulate or Embassy considers it necessary, a person may also have to go back for an interview or to submit additional documents.
- Collect the visa. Once the person's Japan Work Visa application has been processed, the person has to go back to receive the passport. If the application was approved, a person may enter Japan.

## General visa

**Step 1:** Determine if a person need a visa to go to Japan:

**Step 2:** If a person need a visa, check how and when a person can apply for a visa: If a person do NOT need a visa, skip to STEP #6.

**Step 3:** Prepare all the required documents:

**Step 4:** Visit the Embassy of Japan and submit all the documents:

**Step 5:** Visit the Embassy of Japan to pick up the visa and pay the visa fee:

**Step 6:** Check the current border restrictions on entering Japan:

## Specified visa

**Step 1:** Determine if a person need a visa to go to Japan:

**Step 2:** If a person need a visa, check how and when a person can apply for a visa: If a person do NOT need a visa, skip to STEP #6.

**Step 3:** Prepare all the required documents:

**Step 4:** Visit the Embassy of Japan and submit all the documents:

**Step 5:** Visit the Embassy of Japan to pick up the visa and pay the visa fee:

**Step 6:** Check the current border restrictions on entering Japan:



## Start-up visa

To obtain a start-up visa in Japan, the applicant needs to have a sponsor in Japan who can apply for a Japan Certificate of Eligibility on their behalf. The Japan Certificate of Eligibility is issued by the Immigration Services in Japan before entering the country.



## Diplomatic visa

A passport, a photo, and documents issued by a foreign government or international organization attesting to the applicant's identity and intended use of the trip to Japan are required to apply for a diplomatic visa in Japan. Additionally, the visa application form must be filled out. The applicant must participate in activities that are required of constituents of diplomatic missions or consular offices of foreign governments hosted by the Government of Japan, activities that are required of those who are granted similar privileges and/or immunities as are granted to diplomatic missions by treaties or by customary international practices, and activities that are required of their family members who live in the same home. The applicant must apply for the visa at the Japanese Embassy/Consulate General in their own country or country of residence.

## Official visa

One can apply for an official visa if a person is:

- A diplomat.
- An ambassador.
- A foreign minister.
- Public officer.
- Military personnel.
- An official guest of a foreign government.
- A family member of any of the above.

### **Official Visa Application Process**

To apply for an official visa, a person must get the paperwork ready, confirm that person meets the prerequisites, and then deliver the application to a foreign embassy or consulate in the country of residence.

However, a person should be aware that some nations do not permit a person to independently apply for an official visa; for instance, a person cannot independently apply for Australia's special purpose visa; instead, a person is given the visa when a person enters the nation.



# LICENSES AND DOCUMENTATION



## Highly skilled professional visa

- The valid passport, along with copies
- Passport-size pictures. They must be 4 by 3cm, taken in the last three months, with a white background. A person must maintain a neutral facial expression and a fully visible face while staring straight ahead.
- Documents explaining the position in the company, salary, and the duration of the work
- Proof of the academic qualifications
- Proof of previous professional background
- The current Residence Card and proof of previous Tax Payments. If a person is applying for a “Change of Status of Residence”:
- Documents related to the organization hiring a person, such as company registration, statement of profit and loss, etc.
- And any additional documents supporting the application



## Working visa

- The Eligibility Certificate
- The Japan work visa application form must be completed and signed by the applicant.
- A valid passport with a copy of it
- The photo of the applicant should be 3 \* 4 cm in size and should be on a white background. It must have been taken in the last three months. The applicant's face in the photo must be completely visible.
- Details of the job position, company name, salary, and length of work must be provided.
- Previous academic and work experiences
- Documents related to the company, including company registration, profit, and loss statement
- Artists must show documents that confirm their achievements.
- Religious workers must provide details of their religious organization. Documents related to a person's religious position must also be provided.
- Researchers must provide academic evidence.
- Researchers, instructors, and teachers must also provide their academic evidence and professional qualifications.
- For intra-company transferees, documents showing the relationship between the two companies should be submitted.

## General visa

- Passport
- One visa application form (nationals of Russia, CIS countries, or Georgia need to submit two visa application forms)
- One photograph (nationals of Russia, CIS countries, or Georgia need to submit two photographs)
- Certificate of Eligibility - the original and one copy



## Specified visa

- Passport
- One visa application form (nationals of Russia, CIS countries, or Georgia need to submit two visa application forms)
- One photograph (nationals of Russia, CIS countries, or Georgia need to submit two photographs)
- Certificate of Eligibility - the original and one copy

## Start-up visa

- The applicant's resume
- Copy of the applicant's passport
- New Business Implementation Confirmation Application Form
- New Business Implementation Plan
- Proof of where the applicant will be staying in Japan
- Copy of the applicant's recent bank statement

## Diplomatic visa

- Passport
- Photograph
- Note verbale and/or documents issued by the foreign government or international organization, certifying the identity of the person concerned and his or her purposes while visiting Japan
- Visa application form (In some cases this can be omitted)

## Official visa

- Japan Visa Application Form
- Your passport
- Passport-size picture
- Flight itinerary
- Daily itinerary
- Proof of accommodation
- Proof of financial solvency
- Letter of invitation
- Proof of travel purpose
- Certificate of Eligibility (COE), if applicable



# CRIMINALITY PERSPECTIVE



Any alien who falls under any one of the following items shall be denied permission for landing in Japan:

- A person who has been convicted of a violation of any law or regulation of Japan, or any other country, and has been sentenced to imprisonment with or without labor for 1 year or more, or an equivalent penalty except for those convicted of a political offense.
- A person who has been convicted of a violation of any law or regulation of Japan or any other country relating to the control of narcotics, marijuana, opium, stimulants, or psychotropic substances and sentenced to a penalty.

# RECENT CHANGES TO IMMIGRATION RULES



There have been recent changes in immigration to Japan. Japan is now open to travelers from all countries or regions with a valid vaccination certificate or a Covid-19 negative test certificate. The test must be conducted within 72 hours before the scheduled departure time.

The Immigration Services Agency of Japan has established Information Centers and One-Stop Consultation Centers to handle telephone, in-person, and e-mail inquiries in Japanese and foreign languages. The centers are located in different prefectures in Japan. The Technical Intern Training Act was announced on November 28, 2008, and there have been recent proposals for amendment to the Immigration Control Act.

Mid to long-term residents may submit notifications of changes related to their marital status, employment contract, or affiliated organization online at any time.



# HOW WE CAN HELP?



The firm can provide valuable assistance in the process of immigrating to Japan. Here are some ways how the firm can help:

**Legal advice:** The firm can provide the client with detailed legal advice on the immigration process to Japan, including the various visa options available, the requirements for each visa, and the documentation.

**Application assistance:** The firm can help the client to prepare and submit the application for a visa or other immigration-related documents. This includes reviewing the application and ensuring that all necessary documentation is included.

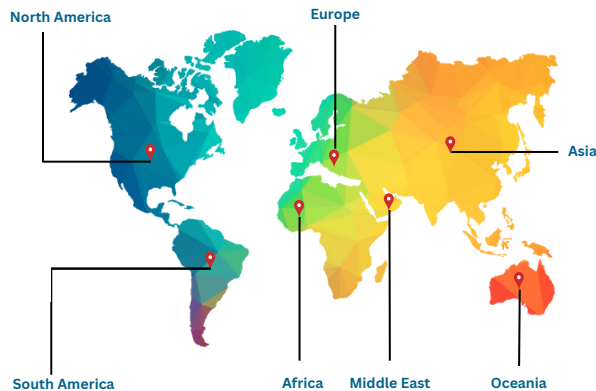
**Translation services:** If the documents are not in Japanese, The firm can provide translation services to ensure that the application is submitted in the correct format and with the correct information.

**Communication with immigration authorities:** The firm can communicate with the immigration authorities on the client's behalf, ensuring that all queries or concerns are addressed in a timely and professional manner.

Overall, the firm can provide valuable support throughout the immigration process, helping the client to navigate the complex legal requirements and ensuring that the application proceeds effectively.



## SERVING CLIENTS WORLDWIDE



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