

TOP 10 TAKEAWAY TIPS FOR THE ADVENTURE OF GROWING OLD IN JAPAN WM. PENN

1. Beware! Japan is one of those countries where individuals (not the estate but individuals) can inherit debt. But you do have three months from the time of the death to file forms to decline the debt by giving up your right of inheritance (*hoki suru* 放棄する).

2. Even if the deceased has no debt, be careful not to get into inheritance tax debt unknowingly. An *Isan Bunkatsu Kyogisho* [遺産分割協議書] is a document showing how the estate will be divided. All heirs must agree to it and sign it to settle the estate. Make sure the agreement specifies all taxes due are to be paid before the assets are divided between the inheritors because...

3. There is a joint payment obligation (*rentai nofu gimu* 連帯納付義務) on inheritance tax. If three brothers inherit and agree to each pay their own share of the tax separately, they all are still at risk of a tax bill. For if Taro doesn't pay up, the tax office will come after Jiro and Saburo to get the money due even though they may have already paid their fair share.

4. *Kokumin Nenkin* (everyone pays) *Kosei Nenkin* (salaried workers through employer) Make the best pension decisions possible because once your pension choices are made they cannot be changed later. If you are now a permanent resident and you were in Japan **between April 1, 1964 and December 31, 1981**, you can get pension credit for those years.

5. Be aware that retirement homes can go bankrupt even right after you have just paid them millions of yen in entrance fees. If they do go under, even in a best case scenario, residents will get no more than 5 million yen back. Note that "service" in *Service-tsuki Koreisha-muke Jutaku* (housing for seniors with service included) really means the owners are only legally required to check to see that you are still alive (*anpi kakunin* 安否確認).

6. Widows are not required to take care of their in-laws. *Inzoku Kankei Shuryo Todoke* (姻族関係終了届) is a form one

can file with the municipal office should one want to terminate relations with their in-laws after their spouse's death. More and more women are doing this. Their children retain inheritance rights as they are blood relatives of the in-laws.

7. Inheritance Law Changes: From this July, daughters-in-law who have provided care to their in-laws, can ask the inheritors for compensation for their service. As of this July it is also now possible for inheritors to file paperwork to take up to 1.5 million yen out of the deceased's bank account before the estate is settled. From July 10, 2020, handmade holographic Wills can be stored at the nearest *homukyoku* (法務局) Legal Bureau Office.

8. Living Wills are basically unenforceable in Japan. One can make one and communicate it to the doctor or hospital or your family, but there is no guarantee that when the time comes it will be followed. Still, it is advisable to make a Living Will.

9. The easiest way is by joining the *Songenshi Kyokai* (尊厳死協会, the Japan Society for Dying with Dignity). Dues are 2,000 yen a year and anyone over age 15 can join. Members will receive a Living Will and a Living Will card to carry in their wallet. Those with a Living Will also can ask their doctor to place a copy of it in their hospital file. The Living Will allows the person to express their desire to: refuse life support and other treatments, free doctors from responsibility for side effects caused by painkillers and opt for hospices with ample pain relief and palliative care.

10. Since 2018, you also can make a Living Will at a notary public. It is a notary deed called a *songenshi sengen kosei shosho* [尊厳死宣言公正証書] and costs about ¥11,000. These have quickly grown in popularity since they look so official but these too have no real binding legal power.