

suits of this kind which actually belong to the jurisdiction of the summary court.

(5) In case the value cannot be computed, it was deemed as exceeding ¥300,000 prior to the amendment, but in connection with the current amendment of the subject-matter jurisdiction the value is also revised up to ¥900,000. (Amendment of the Civil Procedure Code §22(2))

(6) The fee for filing an action is calculated on the basis of the value of the claim, but in case the value cannot be computed, the value of the claim which was deemed ¥350,000 previously is now valued at ¥950,000 in order to make it compatible with the minimum fee for filing an action belonging to the jurisdiction of the district court. By the same token, where such sum cannot be computed in a civil reconciliation (*Minji-chotei*) case, it is amended to deem the sum as ¥950,000. (Amendment of the Civil Litigation Costs etc. Act, §4(2) and (7))

By Prof. KOICHI SAKURAI
NORIYUKI HONMA

4. Commercial Law

1. Amendment and enactment of Justice Ministry Ordinances in connection with the amendment of the Commercial Code in 1981.

One of the main purposes of the “Act of Amendment to Parts of the Commercial Code,” enacted in June 1981 and put into force as from October 1982, was to ensure the proper management of stock corporations by strengthening their independent self control functions.

In order to achieve this aim, it was important to reinforce the disclosure of business and financial situations of these stock corpo-

rations, but at the time of the amendment of the Commercial Code in 1981, it was decided that realization of such reinforcement in concrete terms be left to the Justice Ministry ordinances. In this regard, the amendment of the current Justice Ministry Ordinance and the new Justice Ministry Ordinance were proclaimed on Apr. 24, 1982.

Firstly, "Regulations concerning Balance Sheets, Profit-Loss Statements, Business Reports and Annexed Specifications Statements" were amended, and the following methods were established: the method of describing business reports, the method of making summaries of balance sheets for public notice, and, for *large corporations* (corporations whose stated capital is not less than ¥500 million or whose total amount of debts is ¥20 billion or more), the method of making summaries of balance sheets and profit-loss statements for public notice.

Secondly, "Regulations concerning Auditing Reports of Large Corporations" were established. As to *large corporations*, they provide for the method of describing auditing reports by the overseer and by the accounting auditor (certified public accountants or audit corporations).

Thirdly, "Regulations concerning Reference Documents to be accompanied with the Notice of Convocation of Shareholders Meetings in *Large Corporations*" were enacted. With regard to the system of voting by written instrument introduced in 1981 for *large corporations* who have 1,000 or more shareholders, they provide for the matters to be entered in those documents and the form of the document for exercise of voting rights.

2. Amendment of the Act on the Limitation of Liability of Owners of Seagoing Ships.

Following the ratification of the "Convention on Limitation of Liability for Maritime Claims, 1976," a bill for a partial amendment of the "Act on the Limitation of Liability of Owners of Seagoing Ships" was passed on May 14, 1982, at the plenary session of the House of Councilors.

As a result, the limit of liability for shipowners was raised, while

at the same time it was decided to measure ship tonnage, the basis for calculating the limited amount of liability, according to the international unified standards.

By Prof. TAKAYASU OKUSHIMA
KYOICHI TORIYAMA

5. Labor Law

There was no legislation or abolition of important laws throughout 1982. Regarding ministry ordinances there was an amendment of the enforcement ordinance of the Labor Standards Act which plays an important part concerning regulations involving overtime work.

Labor Standards Act Enforcement (Amendment) Ordinance

Labor Ministry Ordinance No. 25. Promulgated on June 30, 1982. Put into force on Jan. 1, 1983.

[Points of the Amendment]

(1) Article 16, Paragraph 1 of the Labor Standards Act Enforcement Ordinance.

“In reaching a written agreement as provided for in Article 36 of the Labor Standards Act, the employer shall make an agreement with a trade union etc. on legitimate reasons requiring overtime work or engaging workers on weekly rest days, the type of work, the number of workers, *and the hours that can be extended in a day or the fixed period of time exceeding one day* or the rest days when workers can be employed.” (Italicized is the newly amended part.)

The old provision simply says, “. . . the number of workers *and* the hours that can be extended . . .” (See the difference