

2. Law of Property and Obligations

The Japan Association of Private Law held its 46th annual meeting at Hosei University on Oct. 10 and 11, 1982.

The symposium on "Problems on Security Interests in Contemporary Japan" was chaired by Prof. Eiichi Hoshino of Tokyo University and Prof. Takio Takagi of Kobe University.

"Introductory Remark," by Prof. Eiichi Hoshino of Tokyo University.

"On Questionnaires Concerning Securities," by Prof. Kenji Iwaki of Niigata University.

"Securities on Real Estates," by Prof. Rokuya Suzuki of Tohoku University.

"Securities on Movables," by Prof. Akira Yonekura of Tokyo University.

"Securities on Other Rights," by Prof. Toshio Tsubaki of Meiji University.

"Personal Securities," by Prof. Susumu Ito of Meiji University.

"Roundup," by Prof. Eiichi Hoshino.

The symposium on "Central Depositary System of Securities" was chaired by Prof. Akio Takeuchi of Tokyo University. Reporters were Prof. Ichiro Kawamoto of Kobe University and Prof. Satoshi Maeda of Gakushuin University.

Prof. Tsuneo Ohtori of Tokyo University chaired the symposium on "Law of Personal Accident Insurance Contract." Reporters were Prof. Akio Takeuchi of Tokyo University and Prof. Masaaki Nakanishi of Osaka University.

Reporters also submitted their reports on various subject matters at three different meetings held over the two days.

[First Section] – Oct. 10

"De la créance née à l'occasion de la chose," by Prof. Kiyoshi

Tanaka of Akita University of Economics.

“Sicherungsabtretung von Rechten,” by Lect. Shigeru Toriyabe of Kinki University.

“Die Rechtsstruktur der Zwangshypothek in deutschen Recht,” by Prof. Kazuo Saito of Keio University.

“Entwicklung des österreichischen Hypothekenwesens,” by Lect. Yukio Uehara of Musashino Women’s College.

“The Land Problems in Okinawa — Especially on Lands of Unknown Ownership,” by Prof. Minoru Otsubo of Kagoshima University.

[Second Section] — Oct. 10

“Preisgleiklausel im Bauvertrag,” by Assoc. Prof. Tetsuo Kurita of Rikkyo University.

“Über die neuere Tendenz der Anspruchskonkurrenzrechtsprechung im japanischen Recht,” by Prof. Yoshiaki Ueno of Yamagata University.

“Duty to Inform and Guaranty of Right to Choose in Product Liability,” by Prof. Kanichi Yokota of Yamaguchi University.

“Financial Consequences of Divorce and Wife’s Non-Financial Contributions in English Law,” by Prof. Naoto Ogata of Okayama University.

“Characteristics of the New ‘Marriage Act’ in the People’s Republic of China,” by Lect. Mihoko Kato of Chuo University.

[Third Section] — Oct. 10

“The *raison d’être* of Extinctive Prescription and the Basis of Interruption of It,” by Prof. Miyohiko Matsuhisa of Otaru University of Commerce.

“Typologie im Gesellschaftsrecht,” by Prof. Shiro Shinoda of Meijo University.

“Sur les effets généraux de l’inscription au registre du commerce — Ce que suggère la législation française,” by Assoc. Prof. Toru Kato of Wakayama University.

[Fourth Section] — Oct. 11

“Über die ‘Gutschrift’ im deutschen Girogeschäft,” by Prof. Masahiko Matsui of Ottemon Gakuin University.

“Die Wechselbürgschaft ohne die Angabe des Avalierten,” Assoc. Prof. Kensuke Tachiki of Fukuoka University.

“Über die wechselseitige Beteiligung — Die gesetzgeberischen Vorschläge,” by Prof. Eiichi Izumida of Toyama University.

The Japan Association of Land Law held its spring meeting at the Osaka Bar Hall on Apr. 30 and May 1. There was a symposium on “Reevaluation of the Real Estate Transactions Law,” on the first day. Reporters were as follows:

“On Crimes Surrounding Real Estate Transactions,” by Akihisa Nagumo, chief of Police Agency’s Second Investigation Section.

“Reevaluation of Real Estate Transactions Law,” by Prof. Kaoru Kamata of Waseda University.

“Regulations for Real Estate Transactions by Public Law,” by Prof. Tokiyasu Fujita of Tohoku University.

There was also a symposium on the “Reevaluation of Environmental Rights” on the second day. Reporters were as follows:

“Original Concept of Environmental Right Theory,” by Attorney Toshio Kawamura.

“Environmental Rights in Judicial Precedents,” by Prof. Kazuo Shiomi of Konan University.

“Development and Future of Environmental Rights,” by Prof. Shoji Shinozuka of Waseda University.

“Criticism on Environmental Rights,” by Attorney Takahiko Kinomiya.

The association held its autumn meeting at the Tokyo Ro-on Kaikan Hall on Oct. 8 and 9. The first day’s symposium was entitled “Compound Housing and Compartmented Ownership Act.” Reporters were as follows:

“Direction of Revision of Compartmented Ownership Act,” by Norio Hamazaki, councilor of the Civil Affairs Bureau, Ministry of Justice.

“Housing Ownership in Germany,” by Prof. Hideki Maruyama

of Chiba University.

“Compartmented Ownership in France,” by Prof. Shinichi Konuma of Aoyama Gakuin University.

“Roundup,” by Prof. Nagahisa Uei of Meiji University.

The symposium on “Law Suits on Unconstitutionality of Fixed Asset Taxes” was held on the second day. Reporters were:

“Process and Problems of the Law Suits,” by Attorney Yusaku Tsurumi.

“From Standpoint of Environmental Engineering,” by Prof. Kazuo Hayakawa of Kobe University.

“Regarding Unconstitutionality Case involving Fixed Asset Tax — from the standpoint of local finance,” by Prof. Kenichi Miyamoto of Osaka Municipal University.

“From Standpoint of Civil Code,” by Prof. Hiroshi Mizumoto of Rikkyo University.

“Roundup,” by Prof. Hirohisa Kitano of Nihon University.

The Japan Association of Sociology of Law held its annual meeting on May 11 and 12 at Hiroshima Shudo University. The first-day meeting centered on free reports.

[First Subcommittee Session]

Chairman: Tsumoru Ushiyama of Waseda University.

“An Essay on the Decision-making Process in the Environmental Impact Assessment System,” by Naoki Katayama, Assistant of Hiroshima University.

“Problems on Reclamation of Mizushima Littoral Industrial Zone,” by Prof. Mitsue Kobayashi of Ibaraki University.

[Second Subcommittee Session]

Chairman: Prof. Hidetoshi Nakao of Seinan Gakuin University.

“Land Problems in Okinawa,” by Prof. Osamu Tazato of Okinawa University.

“Farm Lands of Whole Village Communities,” by Prof. Masaomi Takei of Shimane University and Prof. Kaisaku Kumagaya of Osaka University.

[Third Subcommittee Session]

Chairmen: Prof. Shigeyoshi Harashima of Kyushu University and Prof. Zenji Ishimura of Fukuoka University.

"The Issue of Requisitioned Land for Military Bases in Okinawa," by Prof. Susumu Aragaki of Ryukyu University.

"Present Vietnam Laws and Law-Consciousness of Vietnamese," by Prof. Tsuneo Inako of Nagoya University and Lect. Masatoshi Aikyo of Nagoya University.

"University Students' Understanding of the Constitution of Japan and the Positive Role of Education in the Constitutional Law," by Assoc. Prof. Kanta Ohwada and Assoc. Prof. Toshiko Takeuchi, both of Kochi University.

"A Study of the Method of the Sociology of Law," by Prof. Manduku Ha of Korean University.

[Fourth Subcommittee Session]

Chairmen: Prof. Shin Oikawa of Kansei Gakuin University and Prof. Takehisa Awaji of Rikkyo University.

The main theme of the fourth subcommittee session was "Law and Present State of Conservation of the Environment, centering on the Seto Inland Sea."

"Present State of the Special Law for Conservation of the Environment of the Seto Inland Sea," by Prof. Moriya Ito of Hiroshima University.

"Perspective of Action Concerning Environmental Disruption as well as the Supreme Court Decision in the Osaka International Airport Case," by Assoc. Prof. Toshiyasu Tomii of Hiroshima University.

"The Kaita-Bay Case (Hiroshima) on the Reclamation Project and the Customary Right of Effluence," by Attorneys Yoshiatsu Takamura and Nobuhiro Yamada.

"Man and Sea — Living in Over-Developed Seto Inland Sea Area," by Prof. Hiroshi Kokubu of Kagawa University.

The second day was devoted to the symposium on the unified theme, "Study of Law-Consciousness." The symposium was presided by Prof. Saburo Kuroki of Waseda University, Prof. Shigeki

Tanaka of Kansei Gakuin University and Prof. Nobuyoshi Toshitani of Tokyo University. Reporters were:

“Introduction,” by Prof. Nobuyoshi Toshitani of Tokyo University.

“Problems in the Study of Law-Consciousness,” by Prof. Toshio Hironaka of Tohoku University.

“The Law-Consciousness of the Japanese,” by Prof. Kahei Rokumoto of Tokyo University.

“Historical Foundation of the Japanese Law-Consciousness,” by Prof. Takeshi Mizubayashi of Tokyo Metropolitan University.

The afternoon session of the second day dealt with various problems raised in respective fields of law studies. Chairmen: Prof. Michitaro Kahi of Osaka Municipal University, Prof. Nobuyoshi Toshitani of Tokyo University, Prof. Zensuke Ishimura of Tokyo Metropolitan University and Prof. Takao Tanase of Kyoto University.

Reporters:

Prof. Naoki Kobayashi of Senshu University dealing with the field of constitutional law.

Prof. Morikatsu Imabayashi of Ibaraki University dealing with the field of administrative law.

Prof. Takao Yamada of Yokohama National University dealing with private law.

Prof. Noboru Kataoka of Kyoto University dealing with labor law.

Prof. Kazuhiko Tokoro of Rikkyo University dealing with criminal law.

Comments were made on their reports, followed by roundup discussions.

The Association of Law of Agriculture held its annual meeting at Ritsumeikan University on May 13, 1982.

The symposium on “Problems of Beneficial Expenses in Connection with Agrarian Land Lease” was chaired by Prof. Yonosuke Inamoto of Tokyo University and Prof. Michitaro Kahi of Osaka Municipal University. Titles and reporters were as follows.

“Actual Situation of Agrarian Land Lease and Beneficial Expenses,” by Mitsuaki Furue, Second Management Section, Farmers Pension Fund.

“Legal Composition of the Right to Request Redemption of Beneficial Expenses,” by Prof. Katsumi Yoshida of Niigata University.

Reports on individual subjects were also made.

“Problems regarding Regulations of Ownership Transfer by Agrarian Land Law, centering on the Actual Situation of the Southern District of Kyoto Prefecture,” by Kazumi Matsumoto, Chief of the Agrarian Administration, Kyoto Prefectural Agricultural Conference.

“Agrarian Land Lease and System of Changing Paddy Field Cultivation — centering on the differences in the Agrarian Land Lease Market,” by Takashi Takebe, Assistant, Kyoto University.

By Prof. KATSUICHI UCHIDA
NAOYA SUZUKI

3. Law of Civil Procedure and Bankruptcy

The 52nd general meeting of *the Japanese Association of the Law of Civil Procedure* was held at the School of Law, Kyushu University, on May 15, 1982. The following reports were made on the respective subjects:

1. “Einfach erweiterter Eigentumsvorbehalt und Kontokorrentvorbehalt im Konkurs des Vorbehaltskäufers,” by Lect. Takehiko Mikami of Otsuki Municipal Junior College.
2. “The Position of a Creditor Who Has a Right of Set-Off in Corporate Reorganization Proceedings,” by Assoc. Prof. Makoto Ito of Nagoya University.
3. “Die Einheit des Anspruchs auf Eintragsbewilligung,” by Shuhei Shiotsuki, judge of the Osaka District Court.