

an Investigator in West Germany after the Abolition of Instruction Préparatoire, by Shunsuke Tawa (Professor, Shimane University).

4. A Study of Police Searches — Using American Law as a Basis, by Osamu Watanabe (Lecturer, Kobe Gakuin University).

5. The Structure of the Retrial Procedure, by Yoshitomo Ohide (Associate Professor, Shizuoka University).

[Lecture]

“Criminal Law Science in Japan Viewed from the Perspective of the South Korean System”, by Jhong-Won Kim (Professor Sung Kyum Kwan University, President of the Criminal Law Society of Korea).

[Workshop]

Participants took part in discussions on five topics: (1) General Provisions of the Criminal Law, (2) The System of Punishment as It Ought to be, (3) Treatment of Mentally Disabled Criminals, (4) Crimes Against Personal Interests, and (5) Crimes Against Societal Order and State Interests.

**By Prof. TAKEHIKO SONE
TOSHIMASA NAKAZORA
TETSUO YONEYAMA**

5. Commercial Law

1. The Japan Association of Private Law, Commercial Law Division

The 47th Congress of *the Japan Association of Private Law* was held at Ritsumeikan University on Oct. 9 and 10, 1983.

A legislative project is now in progress in the Commercial

Law Division of the Legislative Council. It seeks to establish a framework for proper regulation of small or closely-held corporations (see, *supra* "Major Legislation, 4 Commercial Law"). In this area, the Commercial Law Division of *the Japan Association of Private Law* held a symposium under the title, "the Legislative Reform of Rules for Small or Closely-Held Corporations." Discussions centered on the following reports:

"An Introduction to the Legislative Reform of Small or Closely-Held Corporations," by Masahira Kitazawa (Professor, Nagoya University).

"The Formation of Small or Closely-Held Corporations," by Harumi Shimura (Professor, Ritsumeikan University).

"The Withdrawal of Invested Capital and the Retention of Status as a Closed Corporation in Small or Closely-Held Corporations," by Michiyo Hamada (Associate Professor, Nagoya University).

"The Management Structure of Small or Closely-Held Corporations," by Misao Tatsuta (Professor, Kyoto University).

"Accounting and Disclosure of Small or Closely-Held Corporations," by Misao Tatsuta.

Other individual reports delivered are listed below:

"Réflexions sur la sécurité de la responsabilité civile du transporteur de personnes en Allemagne et au Québec," by Takashi Yoneyama (Professor, Wakayama University).

"Die Regelung der Geschäfte zwischen verbundenen Unternehmen," by Masashi Yamato (Lecturer, Kansai University).

"On the Function of 'Capital' for Protecting Corporate Creditors," by Tadahiro Yamamoto (Lecturer, Meijo University).

"Ways to Achieve Financial Fairness in Coping with Internal Dissension in the Closely-Held Corporation," by Zenichi Shishido (Lecturer, Seikei University).

"The Legal Structure of Small Companies," by Masamichi Ohno (Associate Professor, Toyama University).

"Konsumentenkredit und Einwendungs- und Forderungsdurchgriff," by Emiko Chiba (Assistant, Hokkaido University).

"Die Entwicklung des Factorings," by Kazuo Fujimura (Lec-

turer, Gunma University).

“Eine Wechselerklärungstheorie in den Japanischen Wechseltheorien,” by Jun Kajiyama (Professor, Yawata University).

“Das Wesen des Blankowechsels,” by Hiroyuki Komiyama (Associate Professor, Josai University).

“On the Provisions of the Commercial Code,” by Masashi Sho (Professor, Seijo University).

2. The Association of Economic Jurisprudence

The 1983 Congress of *the Association of Economic Jurisprudence* was held at Kyoto Sangyo University on Oct. 8. The Act Providing Temporary Measures for Structural Improvements in Specific Industries was enacted in April 1983 (see, *supra* “Major Legislation, 4 Commercial Law”), and attracted much public attention in connection with the new law’s relationship to the Antimonopoly Act. Therefore, a symposium was conducted on “Competition Policy on Trial in the Context of Coping with Industrial Crisis.”

Discussions centered on the following reports:

“Competition Policy on Trial in the Context of Coping with Industrial Crisis: An Overview,” by Misao Tatsuta (Professor, Kyoto University).

“Measures for Depressed Industries and the Anti-Monopoly Law,” by Akira Kaneko (Professor, Keio University).

“Legal Remedies for Structurally Depressed Industries and the Anti-Monopoly Policy,” by Mitsuo Matsushita (Professor, Sophia University).

“The Small and Medium-Sized Enterprises Organization Act and Depression Cartels,” by Kin-ya Kimoto (Professor, Meiji University).

In addition, the following reports were submitted as individual reports:

“Anti-Monopoly Law and the Approach of Economic Analysis,” by Ichiro Noguchi (Commissioner, the Fair Trade Commission).

“Capitalism in Prewar Japan and Economic Freedom,” by

Shigeki Honma (Associate Professor, Shizuoka University).

By Prof. YOICHI NAGAHAMA

Prof. TAKAYASU OKUSHIMA

KYOICHI TORIYAMA

6. Labor Law

The Japan Labor Law Association holds its congress twice a year. In 1983, the 65th Congress was held at Niigata University on May 12, on the topic "Industrial Customs and Practices". The 66th Congress at Kyoto University on Oct. 6 was held on the topic "Legal Problems of Transfers among Enterprises". The reports and discussions at the 65th and 66th Congresses appeared in the *Journal of Labor Law*, Vols. 62 and 63 respectively.

1. 65th Congress: Industrial Customs and Practices

(1) Legal Problems of Industrial Customs and Practices, by Masafumi Kaneko (Professor, Hosei University).

(2) The Legal Theory of Customs and Practices Related to Working Hours in Industrial Relations, by Akira Nomura (Associate Professor, Nihon Fukushi University).

(3) On the Legal Theory of Customs in Employment, Transfer and Dismissal, by Takayoshi Yoroi (Professor, Ryukoku University).

(4) Some Legal Problems Involving Customs and Practices of Union Activities, by Kazuo Nakamura (Lecturer, Chuo University).

(5) Legal Problems Concerning Withdrawal of Customs and Practices, by Nobuo Fukaya (LL.M. of Waseda University).

Discussed at the symposium of the 65th Congress were legal problems of industrial customs and practices on various matters: working hours, holiday with pay, personnel matters, union