

## 2. Law of Property and Obligations

The *Japan Association of Private Law* held its 80th General Meeting at University of Tokyo on October 8 and 9, 2016

### First Day:

#### Reports:

#### First Section:

1. “A Study on the Protection of Guarantors”  
Shintaro Osawa (Associate Professor, Chiba University)
2. “Legal Rules in the Pre-contractual Stage”  
Kazuma Yamashiro (Associate Professor, Waseda University)
3. “Buyer’s Right to Perfect Performance and its Scope”  
Yoshihiro Tabata (Lecturer, Osaka University of Economics)
4. “The Agent’s Duty of Loyalty”  
Eriko Taoka (Associate Professor, Kokushikan University)

#### Second Section:

1. “Recent Development of Matrimonial Property in Europe”  
Kazuhiko Matsuhisa (Associate Professor, Kindai University)
2. “Protection and Restriction of ‘Property Right (Eigentum)’ in German Copyright Law”  
Masahiro Kurita (Associate Professor, Ryukoku University)
3. “Legal Framework of the Disposal of Human Bodies”  
Sayaka Kushihashi (Associate Professor, Hokkaido University)
4. “Modern Development of Punitive Damages”  
Kenshin Yoshimura (Associate Professor, Hirosaki University)

#### Third Section:

1. “A Basic Theory of Default Rules”  
Takafumi Matsuda (Lecturer, Kyoto Prefectural University)
2. “Revaluation of Undisclosed Agency”  
Yusuke Nishiuchi (Associate Professor, Kindai University)

3. “Historical Development of the Theory of Delegation in German and French Law”  
Fumito Sumitani (Lecturer, Ryutsu Keizai University)
4. “A Study of Liability Insurers’ Duty to Defend and Duty to Settle”  
Yasuhiro Fukazawa (Associate Professor, Iwate University)

#### **Fourth Section:**

1. “Corporate Disclosure”  
Shinichi Yuhara (Associate Professor, Seikei University)
2. ”Control Transaction Governance”  
Kenju Watanabe (Lawyer in N. Y.)
3. ”Corporate Control and Corporate Governance by Controlling Shareholders”  
Sho Ogata (Associate Professor, Takasaki City University of Economics)
4. ”Regulation of Executive Compensation in Listed Companies in Japan”  
Yuichi Ozaki (Associate Professor, Tokyo Metropolitan University)

#### **Workshops:**

##### **1. Analysis of Foundation for Form Contract Regulation**

Reporter: Yasuhito Nishiuchi (Associate Professor, Kyoto University)

Chairperson: Yoshiyuki Tamura (Professor, Hokkaido University)

##### **2. Strict Liability Rules for Special Types of Activities: Theoretical Analysis in View of the Space Activities Act and the Law on Compensation for Nuclear Damages**

Reporter: Soichiro Kozuka (Professor, Gakushuin University)

#### **Second Day:**

##### **Symposia:**

##### **1. Multilateral or Triangle Transaction and Civil Law**

Chairperson: Shoji Kawakami (Professor, University of Tokyo)

Hiroki Nakaya (Professor, Meiji University)

- (1) Introduction

- Hiroki Nakaya (Professor, Meiji University)
- (2) Subcontract, Selling the Units in a Condominium, Sublease  
Jun Nagasaka (Professor, Meiji University)
- (3) Third Party Sales Credit, Finance Lease, and Franchise: From Contract To Network  
Masanori Fujiwara (Professor, Hokkaido University)
- (4) Possibility to Compose Legally the Multilateral Transaction by Thinking Multilaterally  
Hiroki Nakaya (Professor, Meiji University)
- (5) Meaning, Mechanism, Nature and Function of the Multilateral Transaction  
Shoji Kawakami (Professor, University of Tokyo)
- (6) Summary  
Hiroki Nakaya (Professor, Meiji University)
- Commentator: Masao Ikeda (Professor, Musashino University)  
Toshio Tsubaki

## **2. The Corporate Governance in Japan in Transition**

- Chairperson: Kenichi Osugi (Professor, Chuo University)
- (1) The Background of the 2014 Revision of the Company Act and the Focuses of This Symposium  
Kenichi Osugi (Professor, Chuo University)
- (2) A Reflection on Regulatory Mechanisms in Corporate Governance: Soft Law as an Analytical Focal Point  
Hiroshi Noda (Professor, Chuo University)
- (3) The Role of Institutional Investors in the Era of Engagement: In Search of a Manager-Investor Relationship That Should Form the Basis of Constructive Dialogue  
Takaaki Eguchi (Steering Committee Member, Forum of Investors, Japan)
- (4) Activist Hedge Funds and Corporate Governance  
Masakazu Shirai (Associate Professor, Doshisha University)
- (5) The Analysis of Information that the Latest Regulation has Required Listed Companies to Disclose  
Minoru Sawaguchi (Lawyer)
- (6) Corporate Governance Reform from the Viewpoint of the Theory of

Business Administration

Kazuhiro Mishina (Professor, Kobe University)

### 3. Family Law

The *Japan Association of Socio-Legal Studies on Family Law* held its 33rd Annual Meeting at Sophia University Yotsuya Campus on November 5-6, 2016.

〈Day 1〉

1. Young Scholar's Colloquium:

- (1) "Post-divorce Parental Responsibility and Welfare of the Child in German Case Law"

Tomoko Inagaki (Associate Professor, Mie University).

- (2) "Procedure to Decide Residence and Visitation for the Adult who has Insufficient Ability of Decision Making –Referring to Recent Trends in British Law and the Requirement in the Convention on the Rights of Persons with Disabilities–"

Yuki Hashimoto (Assistant Professor, Waseda University)

- (3) "Management of the Residence in Marriage and 'the Interests of the Child' –Reference to German Law–"

Toshihide Ikoma (University of Fukui, Associate Professor)

2. Symposium: "Amendments of Family Law –Its Task and Legislative Proposal"

- (1) "Aim of the Symposium"

Yoshiro Miyazaki (Professor, Seinan Gakuin University)

- (2) "About the Parent-Child Relationship Law"

a. Parent-Child Relationship Based on Birth: Shuhei Ninomiya (Professor, Ritsumeikan University)

b. Parent-Child Relationship with Medically Assisted Reproduction: Michiko Ishii (Professor, Meiji University)

c. Parent-Child Relationship by Adoption: Fumio Tokotani (Professor, Osaka University)

- (3) "About the Parental Authority Law and Others"