

Provisional Minutes of the 20th Meeting of the Family Law Subcommittee of the Legislative Council (provisional translation)

On November 15, 2022, the 20th meeting of the Family Law Subcommittee of the Legislative Council was held at the Ministry of Justice (in person and online). Nearly all the members and non-voting members attended the meeting. The Chairman, Prof. OMURA Atsushi, presided over the meeting.

Firstly, the Subcommittee discussed finalizing the draft interim proposal with reference to the meeting materials (the draft interim proposal concerning the review of the family law). The meeting materials consisted of the draft interim proposal including revisions based on the discussions at the last meeting. Some members expressed concern about finalizing the draft interim proposal at the present stage, pointing out that (i) it is necessary to provide information and financial aid concerning legal services or to increase the number of officials in family courts, (ii) a cross-ministerial study panel should be set up to discuss and clarify the relations between the interim proposal and the social systems such as the tax system, social security system, and educational support programs. Accordingly, there were opinions that such matters should be included in the draft interim proposal. However, many of the other members and non-voting members pointed out that the role of this Subcommittee is to review the Basic Civil Legislation related to parenting of a child after divorce, and thus the matters mentioned in (i) and (ii) should not be studied or deliberated by the Subcommittee. There was also an opinion that it might be a good idea to add a supplementary explanation to the draft interim proposal that aforementioned concerns were raised before the Subcommittee. In addition, the members discussed the specific wording of the draft interim proposal shown as the meeting materials, but many members commented that the draft seems appropriate based on previous discussions.

As a result of the discussions, the Subcommittee unanimously decided to finalize the interim proposal as described in the meeting materials. In the meantime, the Subcommittee decided to leave minor corrections, such as the words and phrases that do not substantially affect the content, up to the Chairman's discretion. Public comments on the interim proposal will be requested in the near future.

Then the Subcommittee discussed the supplementary explanation to be added to the interim proposal with reference to the meeting materials of the last meeting, and each member expressed their opinion on the matters to be included in the supplementary explanation and how to describe them. When requesting public comments, the interim proposal is to be published together with the supplementary explanation prepared by the

Civil Affairs Bureau (Office of Counselors) of the Ministry of Justice.

※These provisional minutes are the summarized results of the subcommittee meeting and are to be provided by the Secretariat of the Subcommittee in both Japanese and English on an as-needed basis. The official meeting minutes (in Japanese) will be published at a later date.