

## **Provisional Minutes of the 36th Meeting of the Family Law Subcommittee of the Legislative Council (provisional translation)**

On January 9, 2024, the 36th 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.

The Subcommittee held discussions to summarize the proposed outline based on the advanced draft of the proposed outline for the review of the family law presented at the previous meeting.

First, the "basic rules concerning the parent-child relationship" included in the advanced draft of the proposed outline were discussed, and the rules concerning parental duties and responsibilities for child rearing was discussed, including how to establish the rules requiring parents to properly respect the child's views and preferences when they raise their child.

Second, some members submitted a written opinion stating that the Subcommittee should adopt an additional resolution to the proposed outline. In response to this, members and non-voting members exchanged views on the contents of the additional resolution. During this discussion, some members commented that the family court is expected to play a major role in reviewing the family law, and suggested that various types of support should be provided to parents raising children. On the other hand, in light of the fact that the Family Law Subcommittee was established by the Legislative Council, which is an advisory panel to the Minister of Justice, some members pointed out that the Subcommittee's power to adopt an additional resolution is restricted to certain particulars. Accordingly, it was decided that the secretariat is to draft the contents of the additional resolution within the power of the Legislative Council.

Moreover, with regard to the proposals included in the advanced drafts of the proposed outline, some members and non-voting members pointed out that some proposals included in the advanced drafts of the proposed outline need to be modified based on the previous deliberations. In addition, they made suggestions regarding the interpretation of technical terms included in the advanced drafts of the proposed outline, and the caveats in applying them to specific cases.

The secretariat is to present the revised version of the advanced drafts of the proposed outline based on the deliberations at previous meetings and the draft of the additional resolution at the next or subsequent meeting, and the Subcommittee is to discuss the pending issues to summarize these drafts at the next meeting.

※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.