

New Rules of Citation 2017 for the Journal of Japanese Law

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I. GENERAL REMARKS

1. *Name of Author*

The name of the author follows the title of the contribution and is accompanied by an asterisk (*) footnote indicating his professional affiliation and title(s). Acknowledgements, if any, follow in a second paragraph.

2. *Names and Titles*

Japanese names are cited in the *western* order, i.e. the first name is followed by the family name. Names of persons and institutions start with capital letters; in the case of titles of laws and publications this refers only to the first word.

3. *Transcription*

The transcription of Japanese names and terms is based on the modified *Hepburn*-system. *Kanji* and *kana* may be used, but a *rōma-ji* transcription must be added. Long vowels are indicated by a long vowel mark on top of the vowel; example: *Tōkyō*.

4. *Headings and Subdivisions*

The text should be subdivided by headings using the numbering I., 1., a). Further subdivisions should be avoided.

5. *Editorial Changes*

The editors reserve the right to edit the text if necessary and to make adaptations regarding the form of citation.

II. LITERATURE

1. *First Citing of a Title*a) *Books*

AUTHOR {first name {{initials only}} LAST NAME} / if necessary further NAMES (if edited volume “ed./eds.”), title of book {if Japanese: *in italics* followed by [an English translation]} (edition, place and year of publication) cited page.

N. KOBAYASHI, *Insurance Law in Japan* (3rd ed., Alphen aan den Rijn 2016) 25.

T. KAWASHIMA, *Aru hōgaku-sha no kiseki* [The Way of a Legal Scholar] (Tōkyō 1978) 118.

b) *Articles in Western Languages*

AUTHOR {first name {{initials only}} LAST NAME}, title of article, full name of the periodical/journal, number of issue or volume and (year) or year only {depending on usage}, first page, where applicable cited page.

Y. HIRAI, *Japanese Tort Law in Comparative Perspective*, *Japanese Annual of International Law* 1990, 91, 93.

C. MILHAUPT / M. WEST, *Is the Japanese Bureaucracy Hollowing out? Evidence from the Market for Legal Talent*, *ZJapanR / J.Japan.L.* 15 (2003) 5.

c) *Articles in Japanese*

AUTHOR {first name {{initials only}} LAST NAME}, *Japanese title of article* [English translation], full name of the periodical/journal, number of the issue {if numbered consecutively or within a year} or volume (year) first page, where applicable cited page.

M. SHISEKI, *Heisei 14-nen shōhō kaisei no gaiyō* [An Outline of the 2002 Reform of the Commercial Code], *Jurisuto* 1229 (2002) 7, 7.

d) Publications in Edited Volumes

AUTHOR {first name {{initials only}} LAST NAME}, title of contribution, in: editor {last name only}, book title (number of edition, place and year of publication) first page, where applicable cited page.

J. O. HALEY, The Japanese Judiciary, in: Foote (ed.), *Law in Japan. A Turning Point* (Washington 2007) 99, 101.

N. SEGAWA, *Shōhi shakai no kōzō to seizō-butsu sekinin-hō* [The Structure of the Consumer Society and the Product Liability Law], in: Kamata et al. (eds.), *Shōhi seikatsu to hō* [Consumer Life and the Law] (Tōkyō 1997) 187.

e) Signed Newspaper Articles

AUTHOR {first name {{initials only}} LAST NAME} title of contribution, full name of the newspaper, date, page.

L. NOTTAGE, *Newest Trends in Product Liability in Japan*, *New York Times*, 19 January 2005, 4.

f) Newspaper Articles – Anonymous Reporter

“Title of contribution”, full name of the newspaper, date, page number.

“Asbestos Law Passed”, *Sydney Morning Herald*, 1 June 2006, 6.

2. Further Citing of a Title

AUTHOR’S LAST NAME, *supra* footnote of first citing, where applicable cited page.

KAWASHIMA, *supra* note 2, 28.

3. Additional Notes

- (1) Please do *not* use *any* periodical abbreviations (other than ZJapanR / J.Japan.L.) out of consideration for our international readership.
- (2) When citing more than one page, use the precise designation (for instance: “23–25”), or add “*et seq.*” to the page number.

III. JAPANESE LAWS, ORDINANCES, REGULATIONS, ETC.

1. *First Citing of Laws*a) *Either*

The usual *Japanese abbreviation* (and translation – followed by any commonly used English abbreviation); in a footnote: full *Japanese name of the law*, number of the law/year of enactment.

In the text:

Minpō (Civil Code, hereinafter: CivC)³²

In the footnote:

³² *Minpō*, Law No. 89/1896.

b) *Or (especially in case of Japanese laws with long titles)*

Short English translation; in a footnote: *full name of the Japanese law* [long English translation], number of the law/year of enactment.

In the text:

Electronic Consumer Contracts Law³²

In the footnote:

³² *Denshi shōhi-sha keiyaku oyobi denshi shōdaku tsūchi ni kansuru minpō no tokurei ni kansuru hōritsu* [Act on Special Provisions to the Civil Code Concerning Electronic Consumer Contracts and Electronic Acceptance Notice], Law No. 95/2001.

Note:

When translating the name of a Japanese law, please try by all means to avoid any confusion with existing laws of other countries such as the U.S., Great Britain, etc. This is of particular importance with regard to the choice of English abbreviations.

2. *Citing Ordinances*

English translation, followed by any appropriate abbreviation in parenthesis; in a footnote: *full Japanese name of the ordinance*, the name of any issuing authority, the number/year of issue of the ordinance.

In the text:

Implementing Ordinance Referring to the Installment Sales Act
(Ord. Inst. Sales Act)¹⁷

In the footnote:

¹⁷ *Kappu hanbai-hō shikō-rei*, Ordinance No. 341/1961.

3. Citing Other Regulations

Other regulations such as ministerial regulations (*kisoku*), municipal regulations (*jōrei*), or internal administrative provisions (*tsūtatsu*) and the like should be cited in a way similar to the examples given above for citing ordinances. If possible, number and year of issue of the ordinance should be given.

In the text:

Regulations for Enforcement of the Act on Specified Commercial Transactions²³

In the footnote:

²³ *Tokutei shō-torihiki ni kansuru hōritsu shikō kisoku*, Ordinance of the Ministry of International Trade and Industry No. 89/1976.

4. Citing Provisions of a Law, Ordinances, etc.

Art. 3 para. 2 no. 1

Provisions inserted later should be numbered by adding a hyphen:

Correct designation: Art. 3-2

Thus, the complete citation of a provision would be as follows:

Art. 859-2 para. 3 CivC

IV. JAPANESE COURT DECISIONS

Official Law Reports: Court name, date of the judgment, abbreviation of the name of the law report, volume {not number of the issue}, first page, where applicable cited page.

Periodicals: Court name, date of the judgment, name of the periodical, number of the issue (year) first page, where applicable cited page.

Supreme Court, 15 April 1969, *Minshū* 23, 755.

Tōkyō District Court, 13 December 1961, *Hanrei Jihō* 286 (1962) 25.

The abbreviations listed below may be used instead of the English translation of the name of the court.

Court Names

Name of the Court	English Translation	Abbreviation
<i>Saikō Saiban-sho</i>	Supreme Court	SC
<i>Kōtō Saiban-sho</i>	High Court	HC
<i>Chihō Saiban-sho</i>	District Court	DC
<i>Kan'i Saiban-sho</i>	Summary Court	SumC
<i>Daishin-in</i>	Imperial Court	ImpC