

List of Works by Luke Richard Nottage

7 October 2009

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A. Books

- **Product Safety and Liability Law in Japan: From Minamata to Mad Cows** (2004, Routledge/Curzon, London) 308 pp
- **Japanese Business Law in Western Languages: An Annotated Selective Bibliography** (with Harald Baum: 1998, Fred B Rothman & Co, Littleton Colorado) 223 pp

B. Edited Books

- **Who Judges Japan? Popular Participation in the Japanese Legal Process** (with Leon Wolff and Kent Anderson; forthcoming December 2010, Edward Elgar, Cheltenham) approx 220pp
- Takao Tanase (translated/edited with Leon Wolff), **Law and Community: A Critique of American Liberalism and Japanese Modernity** (forthcoming December 2009, Edward Elgar, Cheltenham) approx 200 pp
- **Corporate Governance in the 21st Century: Japan's Gradual Transformation** (with Leon Wolff and Kent Anderson, eds; November 2008, Edward Elgar, Cheltenham) 288 pp
- Since July 2007: Contributing Editor, *CCH Japan Business Law Guide* (looseleaf, 2 volumes, Singapore; four chapters included in **CCH Business Law in Japan, Volume 1** (2008, CCH Singapore/Tokyo, ISBN 978-4-915845-08-6, www.cch-japan.jp/product/08BLJ.htm)
- **The Multiple Worlds of Japanese Law: Disjunctions and Conjunctions** (with Tom Ginsburg and Hiroo Sono, eds: 2001, University of Victoria, Canada) 199 pp

C. Book Chapters

2010:

- "Japan" in Jean du Plessis et al *Corporate Governance* (2nd ed, Cambridge University Press) forthcoming
- "Consumer Protection and Rights in Japan" in Parissa Haghairian (ed) *Japanese Consumerism* (Palgrave, London) forthcoming

2009:

- “Conclusions” (with David Harland) in Jocelyn Kellam (ed) *Product Liability in the Asia-Pacific* (3rd ed 2009, Federation Press, Sydney) forthcoming
- “Japan” (with Hiroyuki Kano) in Jocelyn Kellam (ed) *Product Liability in the Asia-Pacific* (3rd ed 2009, Federation Press, Sydney) forthcoming
- “Japanese Business Law in Western Languages since 1998” (with Harald Baum, in German) in Harald Baum (ed) *Handbuch des japanischen Handels- und Wirtschaftsrechts [Handbook of Japanese Commercial and Economic Law]* (Carl Heymann, Cologne) forthcoming
 - Extract in English at <http://blogs.usyd.edu.au/japaneselaw/2009/03/post.html>
- “The Myth of the Careful Consumer: Law, Culture, Economics and Politics in the Rise and Fall of Unsecured Lending in Japan” (with Souichirou Kozuka) in Johanna Niemi-Kiesilainen, Iain Ramsay & William Whitford (eds) **Consumer Credit, Debt and Bankruptcy: Comparative and International Perspectives** (Hart, Oxford) 199-224
 - Longer version available as Sydney Law School Research Paper 09/50, <http://ssrn.com/abstract=1413464>
- “Product Safety” in Geraint Howells, Iain Ramsay & Thomas Wilhelmsson (eds) **Handbook of International Consumer Law and Policy** (Edward Elgar, Cheltenham) forthcoming

2008:

- “Introduction: Japan’s Gradual Transformation in Corporate Governance” (with Leon Wolff and Kent Anderson) in Luke Nottage, Leon Wolff, Kent Anderson (eds) **Corporate Governance in the 21st Century: Japan’s Gradual Transformation** (Edward Elgar, Cheltenham) 1-20
 - Adapted as Luke Nottage, Leon Wolff Kent Anderson, “Japan’s Gradual Transformation in Corporate Governance” *Sydney Law School Research Paper* 08/29 / ANU College of Law Research Paper 08-03 at <http://ssrn.com/abstract=1121510> (April 2007).
- “Re-regulating Unsecured Consumer Credit in Japan: Over-indebted Borrowers, the Supreme Court, and New Legislation” (with Souichirou Kozuka) in Christian Twigg-Flessner et al (eds) **The Yearbook of Consumer Law 2009** (Ashgate, Aldershot) 197-230
 - Also *Sydney Law School Research Paper* 07/62 at <http://ssrn.com/abstract=1019392> (September 2007, updated January 2008)]
- “*Kokyo o koeru Seikai Teikei ni muketa Kokusai Chusai Kyoiku to Shotorihikiho Kyoiku* [International Arbitration and Commercial Law Education for an International World]” in Masahisa Deguchi (ed) *Gurobaru na Shakai ni okeru Minji Tetzuzukiho no Keiju* [The Reception and Transmission of Civil Procedure Law in the Global Society] (Shinzansha, Tokyo)
 - English version in Masahisa Deguchi & Marcel Storme (eds), *The Reception and Transmission of Civil Procedural Law in the Global Society* (Maklu, Antwerp/Apeldoorn, February/March 2008, ISBN 978-90-466-0151-8)

2007:

- “Product Safety Regulation Reform in Australia and Japan: Harmonising Towards European Models?” in Christian Twigg-Flessner et al (eds) **The Yearbook of Consumer Law 2008** (Ashgate) 429-46
- “Legal Harmonization” in David Clark (ed) **Encyclopedia of Law and the Social Sciences: American and Global Perspectives** (New York: Sage) 686-92

- “Product Liability and Safety Regulation” in Gerald McAlinn (ed) **Japanese Business Law** (Kluwer, The Hague) 221-262
- “Globalization of Japanese Corporations and the Development of Corporate Legal Departments: Problems and Prospects” (with Toshimitsu Kitagawa), in William Alford (ed) **Raising the Bar: The Emerging Legal Profession in East Asia** (Harvard University Press) 201-85
- “Comparing Product Liability and Safety in Japan: Path-Dependent Globalization” in Harry Scheiber and Laurent Mayali (eds) **Emerging Rights in Japanese Law** (Berkeley: The Robbins Collection) 143-67
- “*Tetsuzukikihan to shite no Lex Mercatoria: Kokusai Shoji Chusai no Kako, Genjo, Mirai* [The Procedural *Lex Mercatoria*: The Past, Present and Future of International Commercial Arbitration]” (Nakabayashi and Nasu, trans) in Akira Saito et al (eds) **Kokusai Keiyaku Ruru no Tanjo [The Birth of International Contract Law Rules]** (Dobunkan, Tokyo) 113-56

2006:

- “Consumer Product Safety Regulation Reform in Australia: Ongoing Processes and Possible Outcomes” in Geraint Howells (gen ed) **2007 Yearbook of Consumer Law** 327-44 [published December 2006]
- “Commercial Regulation” in Jan Smits (ed) **Encyclopedia of Comparative Law** (Cheltenham: Edward Elgar) 135-44
- “Japanese Law” (with Masaki Abe) in Jan Smits (ed) **Encyclopedia of Comparative Law** (Cheltenham: Edward Elgar) 357-77

2005:

- “Redirecting Japan's Multi-level Governance” in Harald Baum and Klaus Hopt (eds), **Changes of Governance in Europe, Japan, and the US: Corporations, State, Markets, and Intermediaries** (Oxford: Oxford University Press) 571-98
- “Corporate Governance and Law Reform in Japan: From the Lost Decade to the End of History?” (with Leon Wolff) in Rene Haak et al (eds) **Japanese Management: In Search of a New Balance between Continuity and Change** (Palgrave Macmillan, New York) 133-66
- “Comparing Product Liability and Safety in Japan: From Minamata to Mad Cows - to Mitsubishi” in Duncan Fairgrieve (ed) **Product Liability in Comparative Perspective** (Cambridge: Cambridge University Press) 334-40

2004:

- “Convergence, Divergence, and the Middle Way in Unifying or Harmonising Private Law” in Russell Miller & Peer Zumbansen (eds) **1 Annual of German and European Law** 166-245

2001:

- “The Still-Birth and Re-Birth of Product Liability in Japan” in D Nelken & J Feest (eds), **Adapting Legal Cultures** (Hart Publishing, Oxford, 2001) 147-185

2000 and earlier:

- “Japan” in **CCH Doing Business in Asia** (looseleaf, CCH Singapore; first part of complete update published in August 2000; second in November 2000; biannual updates in 2001 as sole Contributing Editor, and from 2002 as joint Contributing Editor)
- “Product Liability” (with Masanobu Kato) in M Matsushita (exec ed), **Japan Business**

Law Guide (looseleaf, Sydney, CCH Australia: first instalment published in December 1999, second instalment in June 2000; updated – alone – in 2007)

- “Japanese Section” (with Leon Wolff) in I Kavass & M Prince (eds), **World Dictionary of Legal Abbreviations** (looseleaf, June 2000: New York, William S Hein)
- “Contract Law, Theory and Practice in Japan: Plus ca change, plus c'est la meme chose?”, in V Taylor (ed), **Asian Legal Systems through Australian Eyes** 316-337 (1997, Sydney: The Law Book Co)
- “Contract Theory and Practice in Japan: An Antipodean Perspective” in H Baum (ed), **Japan: Economic Success and Legal System** 197-223 (1997, Berlin: de Gruyter)
 - (reprinted in revised and updated form in) 31/3 *Hikakuho Zasshi* [Comparative Law Review, Chuo University] (1997) 55-113

D. Refereed Articles

2010:

- “The Top Twenty Things to Change In or Around Australia’s International Arbitration Act” 6 *Asian International Arbitration Law Journal* forthcoming (May 2010, with Richard Garnett)
 - Also: Sydney Law School Research Paper No. 09/19, <http://ssrn.com/abstract=1378722>
 - summarised in: 9 *Australian ADR Reporter (Chartered Institute of Arbitrators – Australian Branch)* 7-9 (via www.arbitrators.org.au)

2009:

- “The Cultural (Re)Turn in Japanese Law Studies”, 39(4) *Victoria University of Wellington Law Review* 755-77
- “‘Back to the Future’ for Investor-State Arbitrations: Revising Rules in Australia and Japan for Public Interests” (with Kate Miles) 26(1) *Journal of International Arbitration* 25-58
 - Also: Sydney Law School Research Paper No 08/62 at <http://ssrn.com/abstract=1151167> (June 2008); with an earlier abridged version
 - in 20 *JCAA Newsletter* 1-8 (July 2008) also at <http://www.jcaa.or.jp/e/arbitration-e/syuppan-e/newslet/news20.pdf>;
 - translated (by Akira Sawai) in *JCA Jyanaru* (October 2009) forthcoming

2008:

- “Europeanisation of Product Liability in the Asia-Pacific Region: A Preliminary Empirical Benchmark” (with Jocelyn Kellam) 31(2) *Journal of Consumer Policy* 217-41 <http://www.springerlink.com/content/g5342g1342w1v156/>

2007:

- “Happy 15th Birthday, TPA Part VA! Australia’s Product Liability Morass” (with Jocelyn Kellam) 15(1) *Competition and Consumer Law Journal* 26-73
- “Form and Substance in Changed Circumstances: English, New Zealand, U.S., Japanese, and International Contract Law and Practice” 14 *Indiana Journal of Global Legal Studies* 385-419

2006:

- “Nothing New in the (North) East? Interpreting the Rhetoric and Reality of Corporate

Governance in Japan” 359 *Asia Pacific Economic Papers* [52 pp; shortened version as “Perspectives and Approaches: A Framework for Comparing Japanese Corporate Governance” in Nottage et al (eds) *Corporate Governance in the 21st Century: Japan’s Gradual Transformation* (Edward Elgar, Cheltenham, 2008) 21-52]

- “The ABCs of Product Safety Re-regulation in Japan: Asbestos, Buildings, Consumer Electrical Goods, and Schindler’s Lifts” 15(2) *Griffith Law Review* 242-86
- (Hitoshi Nasu, trans) “Shohiseikatsuyohin no ototeki Saikisei - Osutoraria to Nihon ni okeru Hado-ro to Sofuto-ro” 7 *Soft Law Kenkyu* 111-44 (based on: “Responsive Re-regulation of Consumer Product Safety: Hard and Soft Law in Australia and Japan” (2006) COESOFTLAW-2006-5 *University of Tokyo Soft Law COE Discussion Paper* at <http://www.j.u-tokyo.ac.jp/coelaw/COESOFTLAW-2006-5.pdf>)

2005:

- “Build Postgraduate Law Schools in Kyoto, and Will They Come - Sooner *and* Later?” 7 *Australian Journal of Asian Law* 241-63
- “Who’s Afraid of the Vienna Sales Convention (CISG)? A New Zealander’s View from Australia and Japan” 36 *Victoria University of Wellington Law Review* 815-45
- “Changing the (JCAA) Rules: Improving International Commercial Arbitration in Japan” (with Gerald McAlinn) 18 *Journal of Japanese Law / Zeitschrift fuer Japanisches Recht / Journal of Japanese Law* 23-36

2004:

- “Japan’s New Arbitration Law: Domestication Reinforcing Internationalisation?” [March 2004] *International Arbitration Law Review* 54-60

2003:

- “Comparative Law, Asian Law, and Japanese Law” 15 *Zeitschrift fuer Japanisches Recht / Journal of Japanese Law* 41-61
- “IT and Legal Practice and Education in Japan and Australia” (with Makoto Ibusuki), 4 *UTS Law Review* 31-54 (December 2002)

2002:

- Is (International) Commercial Arbitration ADR?” 20 *The Arbitrator and Mediator* [Australian Institute of Arbitrators and Mediators] (May 2002) 83-92
 - (abridged for) [Winter 2002] *Bar News* (Bar Association of New South Wales) 27-30
 - (in turn reprinted in) David Spencer (ed) **Dispute Resolution in Australia: Cases, Commentary and Materials** (Pyrmont: Law Book Co)
- Japanese Corporate Governance at a Crossroads: Variation in ‘Varieties of Capitalism’?” 27/2 *North Carolina Journal of International Law and Commercial Regulation* (Winter 2001) 255-299 [published February 2002]
 - (reprinted in) T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (University of Victoria, 2001) 66-97

2001:

- *Japanisches Recht, Japanese Law, and Nihon-ho*” 12 *Zeitschrift fuer Japanisches Recht* 17-21;
 - (reprinted in) T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (2001) 20-24
- “Reformist Conservatism and Failures of Imagination in Japanese Legal Education” 2 *Asian-Pacific Law & Policy Journal* 28-65 (June 2001:

<http://www.hawaii.edu/aplpj/2/16.html>);

- (reprinted in) T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (2001) 132-157
- (and in) 8 *Ritsumeikan Journal of Asia-Pacific Studies* (December 2001) 115-144;
- (with an shorter and earlier version at) 9 *Zeitschrift fuer Japanisches Recht* 23-47 (2000)
- “Comment on *Civil Law and Common Law: Two Different Paths Leading to the Same Goal*” 32 *Victoria University of Wellington Law Review* (2001) 843-851
 - (reprinted in) 7 *Revue Juridique Polynesienne* (2001) 843-851(<http://www.upf.pf/recherche/RJP7.htm#7>);
 - (and in) NZ Association for Comparative Law (ed) **Yearbook 6: 2000** (2001) 843-851

2000 and earlier:

- “The Present and Future of Product Liability Dispute Resolution in Japan” 27/1 *William Mitchell Law Review* (October 2000) 215-235
- “The Vicissitudes of Transnational Commercial Arbitration and the *Lex Mercatoria*: A View from the Periphery” 16 *Arbitration International* (2000) 53-78
 - (with a much shorter and earlier version published as) “*Kokusai Shoji Chusai to Lex Mercatoria no Hensen* [The Vicissitudes of Transnational Commercial Arbitration and the *Lex Mercatoria*]” 113 *Ho no Shihai* 100-111 (Noboru Kashiwagi, trans; April 1999)
- “Japan” in **CCH Doing Business in Asia** (looseleaf, CCH Singapore; first part of complete update published in August 2000; second in November 2000; biannual updates in 2001 as sole Contributing Editor, and from 2002 as joint Contributing Editor)
- “Japan's New Product Liability ADR Centers: Bureaucratic, Industry, or Consumer Informalism?” (with Yoshitaka Wada) 6 *Zeitschrift fuer japanisches Recht* 40-81 (1998)
 - (reprinted in) 65/3-4 *Hosei Kenkyu* F1-50 (December 1998)
- “Planning and Renegotiating Long-Term Contracts in New Zealand and Japan: An Interim Report on an Empirical Research Project” [1997] *New Zealand Law Review* 482-530
- “Economic Dislocation and Contract Renegotiation in New Zealand and Japan: A Preliminary Empirical Study” 27/1 *Victoria University of Wellington Law Review* 59-97 (May, 1997)
 - (reprinted in) NZ Association for Comparative Law (ed) **Yearbook 2: 1996** 59-97 (1997).
- “Annotated Select Bibliography of Japanese Business Law in Western Languages”, with Harald Baum, 27/1 *Victoria University of Wellington Law Review* 121-174 (May, 1997)
 - (fully reprinted in) NZ Association for Comparative Law (ed) **Yearbook 2: 1996** 121-174 (1997);
 - (with one section published as) “Finding Japanese Law on the Internet: A Sample Odyssey” 3 *Zeitschrift fuer Japanisches Recht* 45-6 (1997)
- “Form and Substance in US, English, New Zealand, and Japanese Law: A Framework for Better Comparisons in the Law of Unfair Contracts”, 26/2 *Victoria University of Wellington Law Review* 247-292 (May 1996)
 - (reprinted in) NZ Association for Comparative Law (ed) **Yearbook 2: 1996** 247-292 (1997)

E. Other Academic Articles

2010:

- “Law, Public Policy and Economics in Japan and Australia: Reviewing Bilateral Relations and Commercial Regulation in 2009”, 27 *Ritsumeikan Law Review* forthcoming
 - also: Sydney Law School Research Paper No. 09/71, <http://ssrn.com/abstract=1446523>.

2009:

- “The 2005 Rules of the Australian Centre for International Commercial Arbitration – Revisited” (with Simon Greenberg and Romesh Weeramantry)
 - Sydney Law School Research Paper No. 09/101, <http://ssrn.com/abstract=1479348>
- “Consumer Law Reform in Australia: Contemporary and Comparative Constructive Criticism”
 - Sydney Centre for International Law Working Paper No. 24, http://www.law.usyd.edu.au/scil/pdf/2009/SCILWP24_Nottage.pdf
 - Part 3 also forthcoming (in Japanese) as “Australia’s Consumer Law Revival: Unfair Terms in Consumer Contracts”, Shohishaho Nyusu, forthcoming
- “Economics, Politics, Public Policy and Law in Japan, Australasia and the Pacific: Corporate Governance, Financial Crisis, and Consumer Product Safety in 2008”, 26 *Ritsumeikan Law Review* 1-45
 - also: Sydney Law School Research Paper No. 08/134, <http://ssrn.com/abstract=1295064>
- “Product Safety Regulation in the New Australian Consumer Law: Proper Disclosure Please” 19(10) *Australian Product Liability Reporter*, 146-9
- “Consumer ADR and the Proposed ‘Consumer Law’ in Australia: Room for Improvement”, Sydney Law School Research Paper 09/10, <http://ssrn.com/abstract=1370106>
- “Comparing ADR in Australia and New Zealand: Introduction and Update”, SCIL Working Paper No 22, http://www.law.usyd.edu.au/scil/pdf/2009/SCILWP22_Nottage.pdf
- “Investment Arbitration for Japan and Asia: Five Perspectives on Law and Practice” (with Romesh Weeramantry) SCIL Working Paper No 21, http://www.law.usyd.edu.au/scil/pdf/2009/SCILWP21_NottageWeeramantry.pdf

2008:

- “Afterthoughts”, in Bonell/Finn/Robertson/Nottage, “The UNIDROIT Principles of International Commercial Contracts: What Do They Mean for Australia?”, SCIL Working Paper No 7, <http://www.law.usyd.edu.au/scil/pdf/SCILWP7Finalised.pdf>
- “Chinese Dumplings and Dodgy Foods in Japan: Implications for the Australia-Japan FTA” (with Joel Rheuben) 19(4) *Australian Product Liability Reporter* 50-6
 - Also: SCIL Working Paper No 5, <http://www.law.usyd.edu.au/scil/pdf/SCILWP5July08.pdf>
- “Australia’s Consumer Policy Framework - Inquiry Report: Few Surprises” 19(3) *Australian Product Liability Reporter* 33-6
- “Reforming International Commercial Arbitration (ICA) Law: The U.N., New Zealand – Why Not Australia?” 7 *Australian ADR Reporter (Chartered Institute of Arbitrators – Australian Branch)* 15-19.
- “The Productivity Commission’s Inquiry into Australia’s Consumer Policy Framework: A Partial Response” 18(9) *Australian Product Liability Reporter* 122-7.
- “Corporate Governance and M&A in Australia: An Overview for Assessing the Americanisation Thesis”, *Sydney Law School Research Paper* No 08/28 at

<http://ssrn.com/abstract=1105639> (March 2008)

2007:

- “Japan – Overview, and (assisted by Joel Rheuben) Case Notes” in British Institute of International and Comparative Law (ed) “Product Liability Forum Database” at <http://www.biicl.org/plf/> [parts being revised for the *Australian Product Liability Reporter*]
- “Australia – Overview, and Case Notes” (with Jocelyn Kellam) in British Institute of International and Comparative Law (ed) “Product Liability Forum Database” at <http://www.biicl.org/plf/> [parts being revised for the *Australian Product Liability Reporter*]
- “Arb-Med in Australia: The Time Has Come” 5 *ADR Reporter* (Chartered Institute of Arbitrators – Australian Branch), December 2007, 8-19

2006:

- “Re-regulating Japan: Asbestos, Defectively Designed Buildings, and Secondhand Electrical Goods” in 22 *Journal of Japanese Law / Zeitschrift fuer Japanisches Recht* 89-114
- (Hitoshi Nasu, trans) 'Shihoseikatsuyohin no Saikisei in mukete - Nihon, Osutoraria, Oshu o torimaku Kaikaku no Arashi [Towards Consumer Product Safety Re-regulation: The Law Reform Tempest Enveloping Japan, Australia and Europe]' (2006) 847 *N.B.L.* 4-7 [English version: “Consumers Beware! Product Safety Regulation Reforms in Japan, Australia and Europe” in [2007] *New Zealand Law Journal*]
- “Report on Clayton Utz Asia Pacific Product Liability Survey” (with Jocelyn Kellam) 17(9) *Australian Product Liability Reporter* 121-40
 - (translated as) “Studie: Produkthaftung in Azienpazifik” [2007] *Haftpflicht International – Recht & Versicherung* 22-8
- “Translating Tanase: Challenging Paradigms of Japanese Law and Society” Sydney Law School Research Paper 2006 / UC Berkeley Working Paper special issue, https://www.law.berkeley.edu/centers/ilr/pub_sho_sato_2005/nottage_translatingtanase.pdf
- “The Latest Round in Australia's Review of Consumer Product Safety Regulation: The Productivity Commission's Final Research Report” (2006) 17 *Australian Product Liability Reporter* 1-8

2005:

- “Teaching Arbitration in Australia: Towards Transnational Associations” CDAMS Discussion Paper 04/30E www.cdams.kobe-u.ac.jp/archive/dp04-30.pdf
 - (translated by Hitoshi Nasu) “Osutoraria ni okeru Chusai Kyoiku - Kokkyo o koeru Teikei ni mukete” (2005) 04/30J CDAMS Discussion Paper www.cdams.kobe-u.ac.jp/archive/dp04-30j.pdf
 - (abridged) “Osutoraria ni okeru Chusai Kyoiku - Kokkyo o koeru Teikei ni mukete” 52(4) *JCA Jyanaru* 50-4
- “Civil Procedure Reforms in Japan: The Latest Round” 22 *Ritsumeikan Law Review* 81-6
- “Reviewing Product Safety Regulation in Australia - and Japan?” 16 *Australian Product Liability Reporter* 100-6 (Part 1), 124-8 (Part 2)
- “A Decade of Strict-liability Litigation under Japan's Product Liability Law of 1994” 16(1) *Australian Product Liability Reporter* 65-9

2004:

- “*Nihon no Hosō Yoso Seido Kaikaku e no Teigen – Osutorariaho no Shiten kara* [Proposals for Reforming Japan’s System for Training Legal Professionals: From the Perspective of Australian Law” (with Takahiro Saito) 76(2) *Horitsu Jiho* 30-36 (February 2004)

2003:

- “The Procedural *Lex Mercatoria*: The Past, Present and Future of International Commercial Arbitration” Kobe University CDAMS Discussion Paper 03/1E (September 2003) at <<http://www.cdams.kobe-u.ac.jp/archive/dp03-1.pdf>> [37pp]
- “Mad Cows and Japanese Consumers” (with Melanie Trezise) 14(9) *Australian Product Liability Reporter* 125-36 (December 2003)
- “*Osutorariaho wa Beikokuka shita no ka? Nihon no Hosō Yosei Seido Kaikaku e no Shisa* [Has Australian Law been Americanised? Implications for Japan’s System for Educating the Legal Profession]” (with Takahiro Saito) [September 2003] *Causa* 66-69
- “Reviewing the Arbitration Act 1996” [February 2003] *New Zealand Law Journal* 34-8

2001:

- “Digitalising Legal Education: Japan and the World(s)” in T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (2001) 167-186
- “The Worlds, Vicissitudes and Futures of Japan’s Law” (with Tom Ginsburg and Hiroo Sono) in T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (2001) 1-14
- “Stakeholders in Japanese Corporate Governance” [February 2001] *New Zealand Law Journal* 35-40
- “Convergence, Divergence, and the Middle Way in Unifying or Harmonising Private Law” EUI Working Paper in Law No 2001/1 (European University Institute, Florence, <http://www.iue.it/LAW/publicat.htm>)

2000 and earlier:

- “Practical and Theoretical Implications of the *Lex Mercatoria* for Japan: CENTRAL’s Empirical Study on the Use of Transnational Law” 4/2 *Vindobona Journal of International Commercial Law and Arbitration* 132-146 (2000);
 - (updated for translation by Shunichiro Nakano and Asako Makoba) 30(9) *Kokusai Shoji Homu* (Journal of the Japanese Institute of International Business Law) (September 2002) 1229-35 (Part One), 30(1) (October 2002) 1387-92
- “*Uin Hanbai Joyaku (CISG) to Hogaku Kyoiku: Dainanakai Willem C Vis Mogi Kokusai Shoji Chusai Taikai Sankaki* [The Vienna Sales Convention (CISG) and Legal Education: Chronicle of Participation in the Seventh Annual Willem C Vis Commercial Arbitration Moot Competition]” (with Hiroo Sono) 67 *Hosei Kenkyu* (December 2000)
- “New Concerns and Challenges for Product Safety in Japan”, 11/8 *Australian Product Liability Reporter* 100-110 (October/November 2000); reprinted in
 - (reprinted in) T Ginsburg et al (eds) **The Multiple Worlds of Japanese Law** (2001) 54-65
- “*Nyujirando no Hogaku Kyoiku ni okeru Hoshiteki na Kaikakushugi* [Conservative Reformism in New Zealand’s Legal Education]” 6 *Shihokaikaku Zasshi* 61-68 (March 2000);
 - (abridged version published as) “*Nyujirando no Hogakukyoikushi: Nihon ni okeru Hogakukyoiku e no Shisa: A History of New Zealand Legal Education: Implications for Reforming Legal Education in Japan*” in 3 *Toyo Bunka Kenkyu* [Gakushuin University] 87-108 (April 2001);

- (slightly revised for reprinting in) **Legal Education in Australia**, Report of the Sapporo Bar Association (2002, in Japanese)
- “*Uin Hanbai Joyaku (CISG) to Hogaku Kyoiku* [The Vienna Sales Convention (CISG) and Legal Education]”, with Hiroo Sono, 1186 *Juristo* 24 (September 2000)
- “*Sozoryoku o Hatarakaseyo - Nihon ni okeru Hogakukyoiku/Shiho Kaikaku o Kangaete* [Let's Use Our Imagination: Thoughts on Reform of Legal Education and the Administration of Justice in Japan]” 1170 *Juristo* 148-150 (January 2000)
- “Japan's First Judgment under its PL Law of 1994: Echoes of *Donaghue v Stevenson*” (with Toshimitsu Kitagawa; appending my annotated translation of the judgment) 10/10 *Australian Product Liability Reporter* 121-132 (December 1999/January 2000)
- “Japanese Business Law in Cyberspace: Preliminary Usage Patterns for the *Japanese Law Links* Webpage” 1 *Australian Journal of Asian Law* 91-106 (November 1999)
- “New Zealand Law through the Internet: The Commonwealth Law Tradition and Socio-Legal Experimentation”, 12 *Forum of International Development Studies* [Nagoya University] 55-85 (March 1999)
 - (in slightly updated form, with a new concluding Part IV) in 6/1 *Murdoch University Electronic Journal of Law* (May-April 1999);
 - (with shorter versions in Japanese of Part II only, as) “*Nyujirando ho* [New Zealand Law]”, in M Ibusuki (ed), *Intanetto de Gaikokuho [The Internet: Gateways to Foreign Law]* 83-93 (1998, Nihon Hyoronsha, Tokyo)
- “Educating Transnational Commercial Lawyers for the 21st Century: Towards the Vis Arbitration Moot in 2000” 66/1, 66/3 *Hosei Kenkyu* [Kyushu University] F1-30 (Part One: May 1999), F1-32 (Part Two, December 1999)
- “Global Harmony and Disharmony in Accident Compensation: Japan's New Product Liability Legislation compared to the EC Directive and Part VA of the Australian Trade Practices Act” 66/2 *Hosei Kenkyu* F1-40 (July 1999)
- “Cyberspace and the Future of Law, Legal Practice and Legal Education”, 65/1 *Hosei Kenkyu* F1-F32 (July 1998)
 - (in much expanded form, as) “Cyberspace and the Future of Law, Legal Education and Practice in Japan“, [1998/5] *Web Journal of Current Legal Issues*.
- “Top Ten Changes and Continuities in Japanese Law and Society“, in NZ Association for Comparative Law (ed) **Yearbook 3: 1997** 611-623 (May 1998)
- “Bargaining in the Shadow of the Law and Law in the Light of Bargaining: Contract Planning and Renegotiation in the US, New Zealand, and Japan“, in J Feest & V Gessner (eds), **Interaction of Legal Cultures: Pre-publications of the Workshop on Changing Legal Cultures**, Oñati International Institute for the Sociology of Law 113-38 (May 1998)
- (trans and ed, from German original) Norbert Horn, “Banks' Duties to Inform and Give Advice under German Law” [December 1998] *European Business Law Review* 367-80
- “*Saibasupesu jidai ni okeru ho to hojitsumu no genjo to mirai* [The Present and Future of Law and Legal Practice in a Cyberspace Era]” 520 *Hogaku Seminar* 131-132 (April 1998)
 - (and in slightly longer and updated form as) “*Nettowaku Jidai no Horitsu Sabisu* [Legal Services in a Network Era]” in M Ibusuki (ed), *Saibasupesu Hogaku Nyumon [Introduction to Transnational Cyberspace Law]* 61-65 (Tokyo: Nihon Hyoronsha, 2000).
- “*Teiju Gaikokujin no Senkyoken - Nyujirando/Eirenpo Shokoku kara mita Nihonho* [Foreign Permanent Residents' Right to Vote - A New Zealand & Commonwealth Perspective on Japanese Law]” 1108 *Juristo* 2 (March 1997)
- “What Do Courts Do?” (with Christian Wollschlaeger) [October 1996] *New Zealand Law Journal* 369-373
- “Trade Law Harmonisation in the Asia-Pacific Region: A Realist's View from New

- Zealand - and a Way Forward?“ [September 1995] *New Zealand Law Journal* 295-301
- “‘The Day After’ the Kobe ‘Quake: Renegotiating Contracts with Japanese Suppliers ‘In the Shadow of the Law’“ 432 *Lawtalk* (New Zealand Law Society) 6-10 (April 1995)
- **Law in Japan Today: A Changing Interface with Business and Government** (Centre for Asia-Pacific Law and Business, Victoria University of Wellington, Monograph No 4, May 1995) 32 pp
- “*Ho - Shakai no Henka o Kangaete* [On Law and Social Change]” 134 *Hogaku Kyoshitsu* 52 (November 1991)
- **Japanese Agricultural Policies: The ABARE Study and Beef and Dairy Policies** (East Asia Project, Working Paper No 2, Institute of Policy Studies, Victoria University of Wellington, 1989) 42 pp

F. Other Articles, Essays and Looseleaf Contributions

- Since mid-2008: regular contributor to the “East Asia Forum” blog at <http://eastasiaforum.org/author/lukenottage/> and partially overlapping “Japanese Law and the Asia-Pacific” blog at <http://blogs.usyd.edu.au/japaneselaw/>;
 1. July-Nov 2008 blogs edited/updated into: “Economics, Politics, Public Policy and Law in Japan, Australasia and the Pacific: Corporate Governance, Financial Crisis, and Consumer Product Safety in 2008”, *Ritsumeikan Law Review* 1-45;
 2. Blogs until July 2009 edited updated into: “Law, Public Policy and Economics in Japan and Australia: Reviewing Bilateral Relations and Commercial Regulation in 2009”, 27 *Ritsumeikan Law Review* forthcoming
- Since 2008: Contributing Editor (with Jocelyn Kellam), *Australian Sales and Fair Trading Law Reporter* (CCH)
- Since July 2007: Contributing Editor, *CCH Japan Business Law Guide* (looseleaf, 2 volumes, Singapore)
 1. September 2007: update to “Product Liability” chapter (originally with Masanobu Kato)
 2. December 2007: update to “Contract Law” chapter (with Masanobu Kato, last revised by Veronica Taylor)

Both included in *CCH Business Law in Japan, Volume 1* (CCH Singapore/Tokyo, ISBN 978-4-915845-08-6, www.cch-japan.jp/product/08BLJ.htm).
- Since 2006: Contributing Author (with David Jay) for the “Sales and Product Liability” tab of the **Butterworths Forms and Precedents** looseleaf/online service, Sydney (May 2007 update: “International Sales”; February 2008: “Consumer Protection”; 2009, both)
- 2004 and 2007: Contributor on Japan with Jocelyn Kellam, “Asia and the Pacific Rim” in DRI (ed) **Product Liability Defenses: A State-by-State Compendium** (CDROM service, Defence Research Institute, Chicago)
- 2000-2006: Contributing Author (with Leon Wolff) for the “Japan” tab of the *CCH Doing Business in Asia* looseleaf/CD-ROM (CCH Pte Ltd, Singapore), including many contributions to the *CCH Asiawatch* Newsletter, eg:
 - “Americanisation of Japanese – and Australian – Law?”: No 60, September 2003, 11-12;
 - “Japan, Inc Goes Global: Elective Corporate Governance Reform”: No 57, April 2003, 6-8;
 - “Re-tilting Japan’s Civil Litigation Landscape”: No 54, August 2002, 10-11;
 - “Japan’s E-Initiatives, 2000-2001”: No 52, March 2002, 7-9;
 - “Japan’s Impending Reforms of the Administration of Justice: Far From Final”: No

- 48, October 2001, 4-7;
- “Japan and the WTO Game”: No 47, May 2001, 1-4;
- “Japanese Law Related Internet Resources”: No 46, February 2001, 8-11.
- “Tax Policy in Japan for the 21st Century: Decentralisation and Digitalisation”: No 45, December 2000;
- “Bridging the Gaps in Japan’s Regulatory Framework”: No 43, August 2000, 6-7;
- “Pressure Mounts on Japanese Corporate Governance”: No 42, June 2000, 6-8;
- “Taking a Leaf from Japan’s Product Liability Claims”: No 41, April 2000, 10-11.
- Contributions to *Toki no Horei* (law journal supported by the Japanese Government):
 - “*Kanada no Ro Sukuru* [Canada’s Law Schools]” No 1638 (March 2001), 2-3;
 - “*Kitsune to Harinezumi* [The Fox and the Hedgehog]” No 1636 (February 2001), 4-5;
 - “*Horitsuka ni naranakatta Leonardo* [Leonardo – Not a Jurist]” No 1634, 2-3 (January 2001).
 - “*Ho to Machiavelli* [Law and Machiavelli]” No 1632, 4-5 (December 2000);
 - “*Ho to Bijutsu* [Law and Art]” No 1630, 2-3 (November 2000);
 - ◇ with an expanded version combining these two, in [February 2001] Council Brief (Wellington District Law Society) 8.
 - “*Honto no Daigakuin Daigaku ni okeru Hogaku Kyoiku* [Legal Education in a Real Graduate School of Law]” No 1628, 4-5 (October 2000);
 - “*Saibasupesu to Minshushugi* [Cyberspace and Democracy]” No 1626, 2-3 (September 2000);
 - ◇ (with an expanded version, entitled “The Promise of Internet Democracy Yet to be Fulfilled”) in [December 2000] Council Brief (Wellington District Law Society) 6.
 - “*Saibasupesu ni okeru Bukkenteki na Yoso to Kyodotai* [Pseudo Property Rights and Community in Cyberspace]” No 1624, 4-5 (August 2000);
 - “*Saibasupesu ni okeru Keiyaku to Shinrai* [Contract and Trust in Cyberspace]” No 1622, 2-3 (July 2000);
 - ◇ (with an expanded version, under the same title in English) in 549 *Lawtalk* (New Zealand Law Society, October 2000);
 - “*Nihon-Nyujirando Shohishakeiyakuho* [Consumer Contract Law in Japan and New Zealand]” No 1620, 4-5 (June 2000);
 - “*Eibeicho no Ei-bei no Bunri* [The Anglo and the American in Anglo-American Law]”: No 1618, 2-3 (May 2000).
- “*Keiyaku Ishiki Chosa Yoto (No 5) - Nyujirando ni okeru Ho/Shakai Jikkenshugi to Keishiki Shiko* [Contract Consciousness Survey Notes (No 5): Socio-legal Experimentalism and Formalism in New Zealand]” 475 *Shosai no Mado* 48-52 (June 1998)

G. Book Reviews

- “Christine de Matos, *Australia, Social Justice and Labour Reform in Occupation Japan*” *Japanese Studies*, forthcoming
- “Charlotte Epstein, *The Power of Words in International Relations: Birth of An Anti-whaling Discourse*” 12(1) *Asia Pacific Journal of Environmental Law* 240-6 (2009); also at <http://blogs.usyd.edu.au/japaneselaw/2009/02/whaling.html>
- “Daniel Foote (ed), *Japan: A Turning Point*” 25 *Journal of Japanese Studies* 261-5 (2008)
- “Trevor Ryan, *Dear Judge Ichiro*” 28(2) *Japanese Studies* 131-2 (2008)
- “Klaus Peter Berger, *Private Dispute Resolution in International Business: Negotiation, Mediation, Arbitration*”, 13 *Australian Journal of International Law* 293-8 (2006).

- “William Roehl (ed) A History of Japanese Law Since 1868” 22 *Journal of Japanese Law / Zeitschrift fuer Japanisches Recht* 283-91 (2006).
- “Dimitri Vanoverbeke, Community and State in the Japanese Farm Village: Farm Tenancy Conciliation (1924-1938)” 18 *Journal of Japanese Law / Zeitschrift fuer Japanisches Recht* 255-6 (2005).
- “Juergen Basedow et al (eds) Economic Regulation and Competition: Regulation of Services in the EU, Germany and Japan” 16 *Zeitschrift fuer Japanisches Recht* 281-4 (2003).
- “Michael Pryles (ed) Dispute Resolution in Asia” [December 2003] *Uniform Law Review* 794-7.
- “Yasunobu Sato, Commercial Dispute Processing and Japan” [2002] *International Arbitration Law Review* 133-5.
- “Linda Willmott et al, Contract Law” 18 *Journal of Contract Law* 145-51 (2002).
- “Klaus Peter Berger (ed), The Practice of Transnational Law” 19(1) *Journal of International Arbitration* 67-71 (2002).
- “Beatrice Jazulot, *La bonne foi dans les contrats*” 12 *Zeitschrift fuer Japanisches Recht* 271-3 (December 2001).
- “Patrick Parkinson, Tradition and Change in Australian Law” 50/4 *International and Comparative Law Quarterly* 998-1000 (2001).
- “Soili Nysten-Haarala, The Long-Term Contract” 9 *Maastricht Journal of Comparative and International Law* 331-5 (2001)

Before 2000:

- “L Beer (ed), Constitutional Systems in Late Twentieth Century Asia” 9 *Public Law Review* 76-79 (1998).
- “Y Yanagida (et al), Law and Investment in Japan: Cases and Materials” 17/2 *New Zealand Universities Law Review* 223-227 (December 1996).
- “Song (ed), Korean Law in the Global Economy” [review essay] 26/3 *Victoria University of Wellington Law Review* 600-609 (September 1996).

H. Refereed Full-length Conference Papers

- “You Say Tomato, I Say Tomahto, Let’s Call the Whole Thing Off: The Chicago School of Law and Economics Comes to Japan” (with Craig Freedman), Refereed papers from the 5th Australian Society of Heterodox Economists Conference, 11-12 December 2006, UNSW;
 - Also published as Macquarie University Centre for Japanese Economic Studies Research Paper 2006-4 [40 pp]
 - Earlier version presented as “The Chicago School of Economics and (Japanese) Law: Resisting the Invasions of Stigler and Ramseyer” at the ANJeL conference, “War of the Worlds in Japanese Law? Implications for Business Law Harmonisation”, UNSW, **28 February 2006**; and at the 2006 biennial Asian Studies Association of Australia conference, University of Wollongong, **29-30 June 2006** (then published also in their online refereed Proceedings via <http://coombs.anu.edu.au/ASAA/conference>)

I. Other Conference Presentations

(selected; * when invited)

2010:

- “The Role of Practice in Legal Education in Australia” (with Justice James Douglas et al), for the 18th Congress of the International Academy of Comparative Law, Washington DC, **25 July 2010**
- [“International Investment and Commercial Arbitration in Australia and Japan: Shared Challenges, Different Solutions?”](#), for the Investment Treaty Law and Arbitration conference, Sydney, **19-20 February 2010**

2009:

- “Asia-Pacific Product Safety Regulation in an FTA Era”, NZCIEL conference on “Trade Agreements: Where Do We Go from Here?”, Wellington, **21-3 October 2009**
- * “Investment Arbitration for Japan and Asia: Five Perspectives on Law and Practice” (with Romesh Weeramantry), Asian Society of International Law conference, Tokyo, **1-2 August 2009**; Australia-NZ Society of International Law, Wellington, **1-4 July 2009**
- “Consumer Law and Policy in the Asia-Pacific”, for “Rights, Regulation and Responsibility: Australian and Singaporean Perspectives” symposium, Sydney Law School, **29-30 July 2009**
- Panelist for “Bridging the gap between Japanese language and Japanese legal studies” and co-presenter (with Stephen Green and Prof Nishikawa) on “Who Defends Japan? Government Lawyers and Judicial System Reform in Japan and Australia”, Sydney, **13-16 July 2009**
- “Reforming unsecured consumer credit markets in Japan and worldwide: Empirically informed normativism” (with Souichirou Kozuka), International Association of Consumer Law / NALSAR conference, Hyderabad, **25-7 February 2009**

2008:

- * “IT in Australian Legal Education” (in Japanese), presenter/panelist for IT Network and Law Association annual conference, Tokyo University of Technology, **6 December 2008** (edited transcript forthcoming in the Association’s law journal)
- “Back to the Future for Investor-State Arbitrations” (with Kate Miles), Sydney Centre for International Law, **2 April 2008**; revised for ANZSIL conference, Canberra, **28 June 2008**.
- * “Re-regulating Unsecured Consumer Credit Markets: Empirically-Informed Normativism”, Monash University Law Faculty staff seminar, **3 June 2008**; revised as ‘The Public/Private Interface in Regulating Unsafe Consumer Products - and Credit Services?’ for the Obligations IV conference, National University of Singapore, **23 July 2008**.
- * “ADR Forum” presentation on Arb-Med hybrids, NSW Young Lawyers Annual One-Day Conference on Civil Litigation, Intercontinental Hotel Sydney, **29 March 2008**.
- “Consumer’s Beware! Australia’s Consumer Policy Review”, commentator (and co-organiser) at ANJeL’s 6th international conference, “Beyond ‘Country and Western’ Law: Towards New Australia-Japan Partnerships in Legal Research”, Ritsumeikan Law School, Kyoto, **16 February 2008**.
- “Japan’s Gradual Transformation in Corporate Governance: Interpreting the Securities Law Prosecutions of Hostile Takeover Pioneers” (with Leon Wolff and Kent Anderson), Corporate Law Teachers Association conference, UNSW, Sydney, **5 February 2008**; and USydney Japanese Studies Dept, **15 May 2008**; and Sydney Law School/ANJeL CLE Seminar, Sydney, **21 July 2008**.

2007:

- * “Corporate Governance and M&A in Australia: An Overview for Assessing the Americanisation Thesis”, presentation for the Comparative Corporate Governance symposium, Doshisha Law School, **15-16 December 2007**.
- * “Comparing the Regulatory Mix for Consumer Credit in Japan, Australia and Beyond”, paper for the 2nd Consumer Law Roundtable, Griffith University, Brisbane, **4 December 2007**.
- * “Re-regulating Consumer Credit in Japan: The Culture, Economics and Politics of Contemporary Law Reform” (with Souichirou Kozuka), paper presented at the Law and Society Association/RCSL joint conference, Berlin, **25-8 July 2007**; and the symposium on “Approaches to Law and Development in the Asia Pacific Region”, Centre for Comparative Law and Development Studies in Asia and the Pacific, University of Wollongong, **17 September 2007**
- “Re-regulating Consumer Credit in Japan: Implications for Corporate Governance” (with Souichirou Kozuka), paper for the Japanese Studies Association of Australia 15th Biennial conference, ANU, **1-4 July 2007**.
- * Panel presentation at the conference on “Beyond Borders in the Classroom: The Possibility of Transnational Legal Education”, Ritsumeikan Law School, Kyoto, **10 February 2007** (transcribed for special issue of the *Ritsumeikan Law Review*, 2008).
- * Panel presentation, and keynote address on “International Arbitration and Business Law Education: Leveraging IT for Transnational Linkages” (in Japanese), at the conference on “New Possibilities in Collaborative Education in Postgraduate Law School”, Kagoshima / Kumamoto / Kyushu Law Schools, Japan (by four-way videolink, including Sydney), **28 January 2007**.

2006:

- * “Australia’s Takeovers Panel: Taking Over from The UK?”, Presentation at the Comparative Takeovers Regulation conference, Doshisha Law School, Kyoto, **22 November 2006**.
- * “Changing Contract Lenses: Renegotiations in English, New Zealand, Japanese, US and International Sales Law and Practice”, Paper for the 2nd International CLPE Conference, “Governing Contracts: Public and Private Perspectives”, Osgoode Hall Law School, Toronto, **9-10 November 2006**.
- * “Consumer Product Safety in Australia, Japan and Beyond”, Presentation for the UWS/Meiji University “Research Seminar: Consumer Protection Law in Japan and Australia”, **2 November 2006**.
- * “Addressing Consumer Product Safety in Australia, Japan and Beyond: Markets, Private Law, Regulation, Prosecutions or Inquiries, and Corporate Governance“, Paper for the “Consumer Law Round Table”, University of Sydney School of Business / Griffith University Centre for Credit and Consumer Law, **29 September 2006**.
- * “International Arbitration and Commercial Law Education for an International World”, Paper for the International Association of Procedural Law conference, Ritsumeikan University, Kyoto, **20 September 2006**
- * “A Tentative Typology of Law Reform Processes in the New Japan”, Govnet Workshop on “The Political Economy of East Asia Ten Years after the Crisis”, ANU, **21-22 July 2006**; updating (in light of further ARC Discovery Grant research) a presentation at the ANJeL Japanese Law Conference, USydney, February 2005.
- “The Substantive and the Procedural *Lex Mercatoria* in the Pacific Rim: The Past, Present and Future of International Commercial Contract and Arbitration Law and Practice”, Paper for the Australian NZ Society of International Law conference, Wellington, **30 June-1 July 2006**.

- * “Comparing Safety Problems in Australia”, Commentary for the RISTEX conference, University of Tokyo, **14-15 February 2006**.

2005:

- * “Nothing New in the East? Corporate and Securities Law Reform in Japan”, Paper for the 1st International CLPE Conference, “The Corporate Governance Matrix: Unfolding the New Agenda”, Osgoode Hall Law School, Toronto, **20-21 October 2005**; revised version presented at a University of Wollongong Legal Intersections Research Centre seminar, **10 November 2005**, then the CLTA conference, University of Queensland, **6-7 February 2006**.
- * “Reviewing Product Safety Regulation in Australia and Japan: Towards Regional Collaboration and Leadership”, Paper for the conference on “Globalization, Localization and Japanese Studies in the Asia-Pacific Region”, Chinese University of Hong Kong, **1-2 October 2005**; revised version presented at the Japanese Law Symposium, University of Washington Asian Law Center, **22-23 October 2005**.
- * Roundtable discussant at the conference on “Law and the Asia-Pacific Region amidst Globalisation”, Ritsumeikan University, Japan, **10 September 2005** (remarks in Japanese published in conference proceedings/DVD).
- * “Build it in Kyoto, or Virtually, and Will They Come - Sooner *and* Later?”, Paper for the conference on “Build It and They Will Come - The First Anniversary of Law Schools in Japan”, University of Melbourne, **26 February 2005** [earlier version presented at the Kyoto Comparative Law Centre, 6 January].
- * “Who's Afraid of the Vienna Sales Convention (CISG)? A New Zealander's View from Australia and Japan”, Paper for the International Trade Law conference, Victoria University of Wellington, **18 February 2005** [VUWLR publication version presented as a staff seminar at Auckland University, 26 September].
- * “Comparing Product Liability and Safety in Japan”, Paper for the 6th Sho Sato Conference, “Emerging Concepts of Rights in Japanese Law”, UC Berkeley, **11-13 February 2005**.

2004:

- * “Teaching Arbitration in Australia”, presentation for the Arbitration Education symposium, Kobe University CDAMS, **6 November 2004**.
- * 'Redirecting Japan's Multi-Level Governance', Paper presented at the symposium on "Changes of Governance in Europe, Japan, and the US: Corporations, State, Markets, and Intermediaries", Japan-German Center Berlin, **9-11 September 2004**.
- * “Corporate governance and law reform in Japan: from the lost decade to the end of history?“, Paper for seminar presentation at the Asia Pacific School of Economics and Government, ANU, **14 October 2003**; conference presentation at the annual meeting of the Australian Law and Society Association, University of Newcastle, **9-10 December**, and at the Corporate Law Teachers Association conference, ANU, **8-10 February 2004**.

2003:

- * “The Procedural *Lex Mercatoria*: The Past, Present and Future of International Commercial Arbitration”, Paper for seminar presentation at Kobe University Law Faculty, **5 September 2003**; workshop presentation at the inaugural symposium of the Research Center for Legal Dynamism of Advanced Market Societies (CDAMS), Kobe University, **29 September 2003**.
- (Invited) “Special Report, focusing on Australia and New Zealand”, Paper for the 4th Meijo University Symposium on International Commercial Arbitration in the Asia-

Oceania Region – “Conditions and Policies for the Enhancement of International Commercial Arbitration”, Tokyo, **11-13 September 2003**; and for a CLE on “International Dispute Resolution” (Transnational Legal Practice), USydney Law Faculty, **12 November 2003**.

- * “Comparing ADR in Australia and New Zealand”, Paper for the biennial Lawasia Conference, Tokyo, **1-5 September 2003**.
- “Restructuring Legal Services Markets: Lawyers and Corporate Legal Departments”, Paper for the (co-organised) CLE Seminar “Americanisation of Japanese Law? Civil Justice Reform and the Business World”, Sydney University Law Faculty, **7 July 2003**.
- “Comparing Japan’s Shifting Product Liability / Public Safety Regulation Interface”, Paper for the biennial conference of the Japanese Studies Association of Australia, **4 July 2003**.

2002:

- “The Public/Private Interface: Product Liability and Safety Regulation in Japan, Australia, the EU and the US”, Paper for the 20th Annual Law and Society Conference, Wollongong, **9 December 2002**.
- “Compromising Arbitration in Japan”, Paper for the Colloquium “Into the Grove of Japanese Law: Perspectives and Paradigms”, Sydney, **22 July 2002**.
- * “National Report for Japan” (with Masanobu Kato), Paper for the “Liability for Defective Products and Services” session of the **XVIth Congress of Comparative Law, Brisbane, July 14-20 2002**.
- “Comparative Law, Asian Law, and Japanese Law”, Paper presented at the annual Law and Society Association Conference, Vancouver BC, **30 May 2002**.
- * Commentary at the “International Symposium on Civil and Commercial Law: ADR in Asian and Pacific Countries – Now and in the Future”, Osaka, **15 February 2002** (transcript, in Japanese, in an **NBL Bessatsu** from Shoji Homu Kenkyukai, Tokyo).
- “Japanese Corporate Governance at a Crossroads”, Paper for the Corporate Law Teachers Association Conference, Melbourne, **11 February 2002**.
- * “The Richness and Poverty of Contract Law Theory: The US and Japan versus England and New Zealand ... and Australia?”, Paper presented at the Australian Law and Society conference, Melbourne, 10 December 2001; and (invited) at the ANU RSSL Law Program’s Contract Workshop, Canberra, **6-8 February 2002**.
- “IT and Transformations in Legal Practice and Education in Japan and Australia“ (with Makoto Ibusuki), Paper for the Austlii “Law over the Internet 2001” conference, University of Technology Sydney, **28-30 November 2001**.

Before mid-2001:

- “Japanese Corporate Governance at a Crossroads”, Paper presented at the conference on “Economic Law Reform in the Aftermath of the Asian Crisis: Experiences of Japan and Thailand”, Thammasat University, **20-21 March 2000**.
- “The Centennial of Japan's Civil Code and the Future of New Zealand Contract Law: Form, Substance and Neo-Proceduralism”, Paper presented at the Australasian Law Teachers' Association Conference, Wellington, **4-7 June 1999**.
- “The Future of Accident Compensation in New Zealand: A View from Japan”, Paper presented at the Colloquium on Accident Compensation, Victoria University of Wellington, **7 June 1999**.
- “Proceduralization of Japanese Law in Comparative Perspective: Product Liability and Contract“, Paper presented at the Law & Society Association Annual Meeting, Chicago, **27-30 May 1999**.

- “Globalization of Japanese Corporations and the Development of Corporate Legal Departments: Problems and Prospects” (with Toshimitsu Kitagawa), Paper presented at the conference on “The Emergence of an Indigenous Legal Profession in the Pacific Basin”, Harvard Law School, **11-14 December 1998**;
- “The Future of Formal Requirements for Contract Formation in a Digital World“, Paper presented at “Japanese Law Online: A Symposium”, Nagoya/Kyoto, **9/10 March 1999** (revisions completed May 1999, for the Copymart project at the Kyoto Comparative Law Center)
- *”Nyuujirando kara mita Hanshin Daishinsai go no Keiyaku no Saikoshō ni kansuru Ho to Jitsumu - Funoron oyobi Jijo Henko no Gensoku wo chushin ni shite* [A New Zealand Perspective on the Law and Practice of Contractual Renegotiation after the Kobe Earthquake - Focusing on the Doctrine of Changed Circumstances and Non-Imputable Impossibility]”, Paper presented at the Kobe Conference in Socio-Legal Studies: “Urban Planning, Urban Disaster and Urban Reconstruction” & “Frontiers of Socio-Legal Studies”, **5-7 August 1995**, co-sponsored by Kobe University and the Kobe International Association.
- “Form and Substance in New Zealand, US and Japanese Law: What Role for Grand Theory in the World of International Contracting?”, Paper presented at the 1995 Annual Meeting of the Research Committee on Sociology of Law (International Sociological Association): “Legal Culture: Encounters and Transformations”, Tokyo, **1-4 August 1995**.
- “Keeping Lawyers in Comparative and Social Science Perspective: The Issue of Foreign Lawyers in Japan”, Paper presented at the Kobe International Seminar on The Role of Lawyers in Contemporary Societies, **9-11 August 1993**, co-sponsored by the Research Committee on Sociology of Law (International Sociological Association) and Kobe University Law Faculty.

J. Other Lectures or Seminars

(selected. * when invited)

2009:

- Organiser/chair of “4th Consumer Law Roundtable: Consumer Law and Policy in the Asia-Pacific: Product Safety, Consumer Credit, Unfair Contracts, and Consumer Access to Justice”, Sydney Law School, **4 December 2009**
- Co-organiser/chair of “Human Rights in Asia” conference, Sydney Law School, **27-9 November 2009**
- Co-organiser and panelist, Australian Forum for International Arbitration, Sydney Law School, **7 August 2009**
- * Panelist for Arb-Med symposium, Chartered Institute of Arbitrators, Sydney, **9 July 2009**
- * “Consumer Law Update”, NSW Legal Studies Association conference, Rydges Hotel Parramatta, **2 April 2009**
- Co-organiser and presenter (contracts, dispute resolution) at the inaugural ANJEL Australia Japan Business Law CLE Seminar, Tokyo, **14 February 2009**
- “Are Foreign Investors Afraid to Institute Claims against the Chinese Government?”, staff seminar, City University of Hong Kong, **9 February 2009**

2008:

- * “Lessons from Product Safety Regulation for Reforming Unsecured Consumer Credit Markets in Japan, the US and Beyond: Empirically-Informed Normativism”, Seminar for

- the University of Tokyo Soft Law COE, **4 December 2008**
- * “The Present and Future of International Commercial Arbitration & Investor-State Arbitration in the Asia-Pacific”, Seminar for the Japan Commercial Arbitration Association / Japanese Arbitrators Association, Osaka, **18 November 2008**
- * “The Private/Public Interface in Regulating Consumer Product Safety - and Credit Services”, Public Lecture for NZCIEL/NZACL, Wellington, **15 September 2008**
- Chair/organiser at a CLE Seminar on “The UNIDROIT Principles of International Commercial Contracts: What Do They Mean for Australia?”, Sydney Law School, **25 June 2008** (afterthoughts and other presenters’ materials available via www.law.usyd.edu.au/scil as SCIL Working Paper No 7)
- * “Consumer Law Update”, NSW Legal Studies Association conference, Rydges Hotel Parramatta, **28 March 2008**.

Mid-2001 until 2007:

- Chair/organiser and commentator at a CLE Seminar on “International Arbitration and Mediation: Potential and Pitfalls”, Sydney Law School, **10 October 2007** (the day after the Clayton Utz/USydney International Arbitration Lecture, also involving Professor Gabrielle Kaufmann-Kohler from the University of Geneva)
- * “Schindler in Japan: Product Liability and Product Safety Re-regulation in Global Context”, Law Faculty staff seminar, Luzern University, Switzerland, **15 November 2006**.
- * Participant in the International Trade Law symposium, Attorney-General’s Department / Law Council of Australia, Canberra, **3-4 March 2006**.
- * “Traction or Turbulence in Japanese Regulatory Style?” College of Law staff seminar, University of Illinois, Urbana-Champaign, **20 September 2004**.
- * “Comparing Product Liability and Safety Law in Japan: From Minamata to Mad Cows - to Mitsubishi”, Seminar presentation for the British Institute of International and Comparative Law, London, **7 September 2004**; earlier version for the National Product Liability Association, Melbourne, 2004 [subsequently published in their Newsletter].
- “Compromising Arbitration in Japan”, organiser and joint presenter for Sydney University Law Faculty Continuing Legal Education Seminar at on “Arbitration and ADR in Australasia”, **12 June 2002**.
- * “Comparative Law, Asian Law, and Japanese Law”, Lecture for the University of Washington, Seattle, **28 May 2002**; updated (after publication) for a lecture to the Max-Planck-Institute for Foreign Private and Private international Law, Hamburg, and the DJJV (German-Japanese Association of Jurists), **26 August 2004**.
- * “The Practice of the *Lex Mercatoria*”, Seminar for Kobe University Law Faculty, **19 February 2002**.
- * “Convergence, Divergence, and the Middle Way in Unifying or Harmonising Private Law”, Seminar for ANU’s Regnet series, **October 2001**; and the University of Melbourne’s Contemporary Europe Research Centre, **2002**.
- “Japanese Corporate Governance at the Crossroads”, sole presenter for Sydney University Law Faculty Continuing Legal Education Seminar”, **August 2001**.

Before mid-2001:

- * “Transnationalisation of Contract Law”, Lecture given at Chonnam National University Law Faculty, Korea, **21 May 2001**.
- * “Legal Sites in Japan and Other Asian Countries”, Lecture to the New Zealand Law Librarians’ Group, Bell Gully, Wellington, **1 August 2000** / Auckland District Law Society, **24 August 2000**.

- “Arbitration Law Reform: UNCITRAL in the Asia-Pacific”, Lecture to the New Zealand Association for Comparative Law, Wellington, **19 July 2000**;
- * “Separating the Anglo from the American in Anglo-American Law: Implications for Japanese Legal Education Reform”, Seminar (in Japanese/English) for the Institute Center of Comparative Law and Politics, Tokyo University, **8 May 2000**; abstract in the ICCLP Review;
- * “Cyberspace and the Future of Comparative Law: Japanese and New Zealand Law on the Internet as Case Studies”, Seminar (in Japanese/English) for the ICCLP, Tokyo University, **18 June 1998**; abstract in Vol 1 Issue 2 of the ICCLP Review (September 1998).

K. Submissions, External Reviews, Major Consultancies (since 2001)

- Expert witness on Japanese private law in numerous proceedings in Australian courts
- Treasury, “National Consumer Credit Reform Package”, Submission of 19 May 2008; also at http://blogs.usyd.edu.au/japaneselaw/2009/05/responsible_consumer_lending_r.html
- Treasury, “An Australian Consumer Law”, Submissions of 16 March 2009 and (with the Consumer Law Roundtable) 24 **March 2009**, (via <http://www.treasury.gov.au/contentitem.asp?NavId=035&ContentID=1484>; see also).
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- An interview about ANJeL appeared in the July 2006 edition of the Japan Foundation's Omusubi Newsletter (http://www.jpf.org.au/06_newsletter/anjel.htm, also available in Japanese at http://www.law.usyd.edu.au/anjel/documents/ANJeL_interview_Japanese.pdf)
- Since June 2008: Invited contributor to the *East Asia Forum: Economics, Politics and Public Policy in East Asia and the Pacific*, at <http://www.eastasiaforum.org/author/lukenottage> eg
 1. Taking the Australia-Japan FTA Negotiations to New Levels (3 July 2008), based on letter to the *Australian Financial Review*, 13 June 2008, 73.
 2. Whaling: What Can Law Add to Science, Economics, Ethics and Politics? (4 July 2008)
 3. Australia Also Should "Rail at Australian's Tabloid Trash" About Japan (5 July 2008)
 4. Consumer Over-indebtedness in Japan, Australia and the US (8 July 2008)
... Multilateralism and Australia and Japan as America's deputies (12 May 2009)
- Overlapping now with my own Blog, "Japanese Law and the Asia-Pacific", <http://blogs.usyd.edu.au/japaneselaw/>, adding eg:
 1. Birth (and Transfiguration?) of an Anti-Whaling Discourse (1 February 2009)
 2. Japanese Law in English through the Internet: Take Two (20 March 2009)
 3. Responsible Consumer Lending Rules for Australia Too: Submission on the National Consumer Credit Protection Bill (17 May 2009)