

## Developments in the Law in 2021: Civil Law

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### Abstract

This article reviews the major developments of Taiwanese civil law in 2021. It mainly focuses on the legislative amendments and judicial practices. By the modifications of some provisions of the Civil Code Part I General Principles, Part II Obligations and Part IV Family, the majority age has been reduced to eighteenth year of age, the betrothal age has been unified as seventeenth year of age equally for a male and female, the marriage age has been unified as eighteenth year of age equally for a male and female, the statutory limit of interest rate has been reduced to 16 percent per annum, and the conditions and reference factors for the court to adjust or waive the share of distribution of the remainder property upon dissolution of the statutory marital property regime, when the equal distribution appears unfair, have been clarified in details.

As regard to the judicial practices, the Supreme Court judgments proposed many creative opinions in order to cater to the social changes. They made a considerable number of inspiring decisions concerning diverse issues of civil law. The main issues dealt with by the Court concerned as followed: effect of a contract opposable to a third party, contractual and tortious liabilities and their compensation regime, juridical act (esp. violation of mandatory regulations and formalities for a juridical act), lease(esp. duration of leasing a land for building a house when the period of lease is not specified), unjust enrichment (esp. the scope of its application and the concept of prejudice), right of first purchasing (esp. the owner and object of the right of first purchasing and the liability for its infringement) etc. Due to the limit of pages, this article only deals with the latter

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4 issues. From these decisions, the Court demonstrated how they adapted to the changing needs of modern society.

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