Australian Guide to Legal Citation

Third Edition
AUSTRALIAN GUIDE TO LEGAL CITATION
Third Edition
The *Australian Guide to Legal Citation* has been adopted by:

- Adelaide Law Review
- Alternative Law Journal
- Australasian Journal of Natural Resource Law and Policy
- Australia and New Zealand Maritime Law Journal
- Australian Indigenous Law Review
- Australian International Law Journal
- Australian Law Librarian
- Bond Law Review
- Constitutional Law and Policy Review
- Deakin Law Review
- eLaw Journal: Murdoch University Electronic Journal of Law
- Elder Law Review
- Federal Law Review
- Flinders Law Journal
- Indigenous Law Bulletin
- James Cook University Law Review
- Journal of Applied Law and Policy
- Journal of the Australasian Law Teachers Association
- Journal of the Australasian Tax Teachers Association
- Journal of Jurisprudence
- Journal of Law and Financial Management
- Journal of Law, Information and Science
- Journal of Social Security and Workers Compensation
- Legal Education Review
- Legal Issues in Business
- Media and Arts Law Review
- Melbourne Journal of International Law
- Melbourne University Law Review
- Monash University Law Review
- New Zealand Armed Forces Law Review
- Newcastle Law Review
- Proctor
- Public Space: The Journal of Law and Social Justice
- Queensland University of Technology Law and Justice Journal
- Revenue Law Journal
- Sports Law eJournal
- Sydney Law Review
- University of New England Law Journal
- University of New South Wales Law Journal
- University of Notre Dame Australia Law Review
- University of Tasmania Law Review
- University of Western Sydney Law Review
The Melbourne University Law Review Association and the Melbourne Journal of International Law gratefully acknowledge the generous support of the sponsors of the third edition of the *Australian Guide to Legal Citation*.
Foreword to the Third Edition

The third edition of the *Australian Guide to Legal Citation* (‘*Guide*’) deserves celebration. The *Guide* is the successor to the *Melbourne University Law Review Style Guide*, the bane and *vade mecum* of student editors for many years. The first edition of the *Guide* appeared in 1998 and the second in 2002. This third edition is considerably longer and more detailed than its predecessors, offering guidance on the citation of new sources of law.

Until I worked on the *Melbourne University Law Review* as a student in the 1970s, I was oblivious to the delights, agonies and obsessions of editorial style and citation methods. That experience imparted enduring respect for well-tempered punctuation as well as accurate and judicious footnoting.

It is easy to dismiss rules of punctuation and legal citation as the province of pedants and to imply that attention to such matters privileges style over substance. Punctuation, however, can be critical to meaning and clarity. Lynne Truss acknowledges this significance in her charming meditation on punctuation, *Eats, Shoots and Leaves*, which she dedicates:

> To the memory of the striking Bolshevik printers of St Petersburg who, in 1905, demanded to be paid the same rate for punctuation marks as for letters, and thereby directly precipitated the first Russian Revolution.¹


As for citation, scholars have a responsibility to acknowledge the sources of their information and ideas carefully so that they can be readily traced by their readers. In this sense, citation practices are akin to musical scales — technical exercises that ground scholarly sonatas.

The third edition expands and updates earlier versions of the *Guide*. Now legal scholars have a stern but reliable guide to the vexing issue of the use of ellipses in quotations, or the citation of parties’ submissions in court cases. The distinction between em- and en-dashes is helpfully explicated. One particularly welcome change from earlier editions is the inclusion of examples for almost all rules. The third edition also contains a number of tables that present complex rules in a simple and accessible manner.

This volume mirrors the increasing significance of both comparative and international law in Australian legal scholarship. The earlier single chapter on the citation of international materials has now become seven chapters. The international section (Part IV) devotes considerable attention to treaties and the documents generated by international institutions. It includes an entirely new chapter on the citation of documents from international criminal tribunals, reflecting the astonishing growth in the law in this area over the past decade.
Part V introduces rules for citing legal materials from China, France, Germany, Malaysia, Singapore and South Africa and contains extensive revisions of rules relating to the United Kingdom and the United States. Such guidelines will enhance the accessibility of foreign legal sources and thus gently erode Australian legal parochialism.

The third edition is the product of intense and detailed work. It is meticulous without being stultifying. The authors are respectful sticklers working on behalf of readers everywhere and all Australian legal scholars will benefit from the careful scrutiny and sensibility of the three generations of the Guide’s authors.

Sticklers unite! Like the printers of St Petersburg, the authors of this Guide take the conventions of language and research seriously. May this compendium repay their hard work by encouraging precision in prose and clarity in citation.

Hilary Charlesworth
Professor of Law and ARC Federation Fellow
The Australian National University
Melbourne University Law Review Editor 1979
January 2010
Foreword to the First Edition

Many publishers and some publications have their own Style Guides. For years, the editors of the *Melbourne University Law Review* referred to the Style Guide published by the Review’s constituent body to solve problems of how to cite materials referred to in the articles and notes appearing in each issue. Now the Melbourne University Law Review Association has produced an *Australian Guide to Legal Citation*.

The project is ambitious. As its Preface says, the *Guide* ‘attempts to set down and clarify citation customs where they exist, and to determine the best practice where no particular custom has been established’. In so doing the Association seeks to emulate other, long established and authoritative citation guides published by university law reviews. Of these, the ‘Bluebook’ is, perhaps, the best known. Published by a group of law reviews led by the *Harvard Law Review*, *The Bluebook: A Uniform System of Citation* has become the standard work in the field in the United States and has now passed through many editions. Other university law reviews have entered the field, for example, the *University of Chicago Manual of Legal Citation* and, in Canada, the *Canadian Guide to Uniform Legal Citation* published by the *McGill Law Journal*.

Not all such works attract only praise. Judge Posner has written of the Bluebook that it ‘creates an atmosphere of formality and redundancy in which the drab, Latinate, plethoric, euphemistic style of law reviews and judicial opinions flourishes’. But this *Guide* is not, and does not pretend to be a guide to legal style any more than it is a guide to substantive law. The *Guide* is concerned only with how sources may be identified. Its principles require that they be identified clearly and accurately, simply and efficiently, and with due sensitivity. The way in which the material from those sources is then used and presented is for the author to choose.

It is for the author to develop a style that will engage the reader. Every reader will, no doubt, wish that the style chosen is not ‘drab, Latinate, plethoric [or] euphemistic’. If it is the fault will lie with the author not the *Guide*.

Justice K M Hayne
Justice of the High Court of Australia
*Melbourne University Law Review* Editor 1966
Melbourne
19 March 1998

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Preface to the Third Edition

The third edition of the *Australian Guide to Legal Citation* is the product of collaboration between the Melbourne University Law Review Association and the Melbourne Journal of International Law. This edition marks the first time that the Review and the Journal have worked together on the *AGLC*. This collaboration has made this edition a more comprehensive, thorough and rigorous citation guide. As in previous editions, the *AGLC* aims to codify and clarify Australian citation customs where they are settled and suggests best practice where no settled custom exists.

History of the *AGLC*

The *AGLC* was first published by the Melbourne University Law Review Association in 1998. The second edition, marking a significant revision and expansion of the *AGLC*, was published in 2002. Since its first publication, the *AGLC* has become the authoritative legal citation guide within Australia, used by practitioners, law students and academics alike. It is currently prescribed by law schools and law journals around Australia as their official legal citation guide, the list of law journals who have adopted the *AGLC* reflecting the enthusiasm with which it has been received.

The Third Edition

The third edition of the *AGLC* marks a comprehensive restructure and revision. For ease of use, the *AGLC* has been divided into six Parts, separated by tabs, to allow readers to reach relevant rules quickly. For ease of reference, tables have also been included where lists of information were previously provided. All examples from the second edition have been replaced, and further examples to illustrate the possible permutations under each rule have been added. This, along with the 14 new chapters included, is the main reason for the increased length of the third edition.

Importantly, the general rules chapter has been expanded and reordered to improve the flow and clarity of rules generally applicable. This has also allowed the removal of repetition from later chapters. The Australian cases and legislation chapters have been carefully updated in order to ensure that the *AGLC* remains comprehensive and current for Australian materials. A particularly significant change has been the vastly expanded and updated international law section (now Part IV of the *AGLC*) and the addition of several new chapters for materials from foreign jurisdictions (in Part V). Important inclusions are:

- clarified rules for subsequent references;
- rules on the use of paragraph numbers in pinpoint references for cases and secondary sources;
- a rule requiring publisher information in citations of books;
- a rule on citing definitions in legislative materials;
- revised and comprehensive rules on material from the United Nations, European supranational institutions and the World Trade Organization;
new rules for citing international criminal tribunal decisions and decisions in investor–state disputes;

new chapters for materials from China, Hong Kong, France, Germany, Malaysia, Singapore and South Africa; and

a chapter providing guidance on how to cite legal materials from jurisdictions not specifically covered by the AGLC.

Acknowledgements

Members of the Melbourne University Law Review Association and the Melbourne Journal of International Law have been involved in production of this edition of the AGLC over the last four years. Additionally, the third edition of the AGLC has been subject to a comprehensive external feedback process, which took place from September to December 2009. Of course, the Review and the Journal had previously received much feedback on the AGLC, which was also very helpful in compiling the third edition and for which we are grateful.

We thank first and foremost the past and present members of the ‘AGLC3 Committee’ for their work in revising and expanding the AGLC: Xiu Jing Chang, James Ellis, David Foster, Christopher Hibbard, Errol Lloyd, Luke Pallaras, Miranda Webster and Anna Zhang. The 2008 leaders of the Committee, May-Ling Low and Sunny Leow, deserve our gratitude for laying the groundwork for the third edition of the AGLC.

We would like to express our thanks to all those from the Melbourne Law School, from external bodies and organisations and past Members of the Review and Journal who took the time to provide us with feedback on an Exposure Draft of the third edition. This process resulted in a table of over 150 pages of suggestions for improvements to the AGLC, all of which we have carefully considered and many of which we have gratefully adopted. Our thanks go to Elizabeth Adeney, Renée Amyot, Alice Anderson, Adrian Bates, Laura Bellamy, Debbie Bennett, Bruce Bott, Sonia Brownhill, Adam Bushby, Howard Choo, Philip Chung, Katherine Cooke, the Hon Justice Clyde Croft, Danielle Davies, Michael Edwards, Stan Emmerson, Caroline Falshaw, Angela Fassoulas, Michele Frankeni, Robin Gardiner, Andrew Godwin, Tatum Hands, Rich Hewett, Carole L Hinchcliff, Rebecca Hughes, Tanya Josev, Chian Kee, Dakshinee Kodituwakku, Karen Kong, Jürgen Kurtz, Sunny Leow, Jeremy Leung, Dylan Lino, May-Ling Low, Bernard Lyons, Ian Malkin, Zach Meyers, Andrew D Mitchell, David Morgan, Lois Nichol, Morgan Nyland, Megan O’Brien, Ann O’Connell, Marianna Parry, Imelda Payne, Claire Riethmuller, Michelle Sanson, Dorothy Shea, Alison Shield, Alissa Sputore, Stacey Steele, Ruth Talbot-Stokes, Dominique Thiriet, Marcia Townsend, Kay Tucker, Tania Voon and Joseph Wenta. We thank especially David Foster and Xiu Jing Chang, who coordinated this external feedback process, and Ian Malkin, whose thorough, detailed and thoughtful feedback from a teaching and learning perspective was invaluable.
We would also like to express our sincere gratitude to Members of the Review and the Journal who, on a voluntary basis, have contributed in myriad ways to the production of the third edition. We are very grateful to Michelle Janczarski and Jordan Wilson-Otto for their tireless work revising the list of law report abbreviations in the Appendix. We acknowledge in this regard the assistance of Branko Ananijevski, Ella Biggs, Evgenia Bourova, Jeannette Chan, Olaf Ciolek, Martin Clark, David Davies, Shane Dawson, Kylie Finnin, Brendan Fitzgerald, Katherine Gardiner, Aditi Gorur, Liam Hickey, Rudi Kruse, Timothy Lau, Julian Law, Loretta Li, Lu Li, Amy Lim, Elliot Luke, Christopher Lum, Yin Lin Ma, Cassandra Marsh, Courtney McLennan, Laura Morfani, Stephen Muirhead, Kristina Ong, Emma Poole, Mary Quinn, Claire Roberts, Felicity Ryburn, Darryl Slabe, Julia Wang, Ingrid Weinberg and Renshao Xu. We are also grateful to Nicholas Butera, Matthew Jaensch, Duy Nguyen and Darryl Slabe for their assistance with the cover and layout of the AGLC. We express our gratitude to Nirmalan Amirthanesan, Blake Ericksen, Greg Roebuck, Jenny Si and Tessa Setiadi for their dedicated administrative work in facilitating publication.

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We wish to acknowledge the Melbourne Law School’s continuing support of the Review and the Journal and of the AGLC. We also wish to acknowledge the generous support of the sponsors of the third edition of the AGLC: Arnold Bloch Leibler, Freehills and Mallesons Stephen Jaques.

Our task in compiling the third edition of the AGLC was made infinitely easier by the very solid base from which we started. In this regard, we acknowledge the General Editor of the first edition, Andrew D Mitchell, and the General Editors of the second edition, Lucy Kirwan and Jeremy Masters, as well as all those from the Review who contributed to the publication of both previous editions. In addition, we thank David Brennan, Howard Choo, Michael Crommelin AO, Bruce ‘Ossie’ Oswald, John Tobin and the 2006, 2007 and 2008 Editors of the Review and the Journal for their efforts in bringing about the successful collaboration between the Review and the Journal that has led to this third edition.
Finally, like the General Editors of the second edition, we wish to thank all students, practitioners, academics, judges, court officers and staff, law school administrators, law librarians, law journal editors and others who have supported the *AGLC*. We look forward to the Review and Journal receiving feedback on possible improvements to the *AGLC* for its fourth edition.

Sara Dehm and David Heaton  
General Editors, *Australian Guide to Legal Citation* (3rd ed)  
Melbourne  
March 2010
How to Use This Guide

The rules in the AGLC have been drafted with maximum usability in mind, and slabs of text have been avoided where possible. However, some complexity in the rules is inevitable due to the variety of sources cited and the precision required in legal citation. Like most things in life, legal citation and the application of the rules in the AGLC should be undertaken with a good measure of common sense.

Conventions Adopted in the Rules

To avoid repetition, words in the singular usually include the plural and vice versa, except where different rules for the singular and plural are specified. Thus, ‘the author’s name’ means the names of one or all authors (depending on the source) in most rules. In contrast, ‘the last two authors’ in rule 1.14.2 refers to specific authors where there are several.

Examples have also been selected to illustrate the various aspects of each rule and are set out in the same order as these aspects are explained where possible.

Except where a rule specifies otherwise, the rule applies to text (that is, discursive text in the body or in the footnotes of a piece) and to citations.

The most specific rule for a source should be used (for example, the Charter of the United Nations should be cited according to rule 8.1, although it is a treaty and could be cited applying the rules in chapter 7).

Finally, brief descriptions of cross-referenced rules (usually preceded by ‘so’ or ‘in particular’) have been included for convenience and to highlight the reason for the cross-reference. However, these descriptions are only summaries and do not necessarily capture all requirements of the cross-referenced rule. The cross-referenced rule should be consulted and applied in its entirety as appropriate.

Suggested Approach to Using the AGLC

First-time users of the AGLC are advised to read through the general rules (chapter 1). The first time a source of a particular kind is cited, it is also advisable to read through the chapter containing the relevant rule.

Users of previous editions will notice that some parts of the AGLC have moved. The contents and index should be consulted when looking for a particular rule or a means of citing a particular source. Additionally, the Quick Reference Guide at the back of the AGLC has been updated to reflect the rules in the third edition. This provides examples of commonly cited sources, which users familiar with the underlying rules can employ as a model for citations.
Subsequent References

Rules regarding subsequent references have been clarified. ‘Ibid’ can now be used for all sources, including Acts of Parliament and treaties. Rule 1.4 establishes a system for subsequent references whereby:

- if a chapter contains a rule (generally the last rule in a chapter) on subsequent references, that rule should be followed for all materials within that chapter;
- for rules on foreign jurisdictions in Part V, subsequent references should adhere to the rule for the analogous source in Parts II–III; and
- if a chapter in Part III does not contain a rule on subsequent references, ‘above n’ should be used as described in rules 1.4.2–1.4.3.

Sources Not Included in the AGLC

Where there is no rule for a particular source in the AGLC, users should attempt to adapt the closest fitting rule. Such citations should be guided by common sense and the following principles (roughly in order of importance):

- clarity and accuracy — sufficient information to unambiguously identify the source and any pinpoint reference should be included;
- consistency with AGLC style and other rules — general rules should always be observed, as should common practice in identifying a certain type of source;
- pinpoint references should appear at the end of citations (and anything qualifying a pinpoint should appear immediately after the pinpoint); and
- aesthetic appeal — convoluted citations should be avoided where possible.

Chapter 25 provides source-specific rules to be applied when citing judicial and legislative materials from foreign jurisdictions that do not have their own chapter in Part V.

In addition, when citing a source for which the AGLC does not contain a rule it may be instructive to examine the practice of the Review and Journal in implementing these principles. The variety of legal sources that exist invariably means that the rules in the AGLC are constantly developed and applied by the Review and the Journal to new situations.

Users are encouraged to inform the Review and Journal of any sources that they think could usefully be included in future editions of the AGLC via the Suggestion Form or via email.
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1 General Rules

1.1 General Format of Footnotes

1.1.1 When to Footnote

Footnotes should be used to:

- provide authority for a proposition;
- acknowledge a source that is relevant to an argument and indicate how it is relevant (for example, to indicate that a source directly supports or directly contradicts an argument);
- provide information that enables the retrieval of relevant sources and quotations that appear in the text; and
- provide other (often tangential or extraneous) information that is not appropriate to include in the text.

Direct quotations should always be followed by a footnote unless their source is provided in full in the text.

The first citation of a source should appear in full.

Examples

Some judges have argued that a presumption of advancement applies wherever there is a ‘greater prima facie probability of a beneficial interest being intended’.

This situation is likely to occur only in the rarest of cases, since the court can always make a judgement about the relative credibility of evidence given by living parties.

---


... 

22 In *Gissing v Gissing* [1971] AC 886, 907, Lord Diplock commented that presumptions are easily rebutted if both parties are still alive and capable of giving evidence.
### 1.1.2 The Position of Footnote Numbers

| Rule | A footnote number should immediately follow the portion of text to which it is relevant. It should appear directly after any relevant punctuation (usually a full stop or a comma) other than an em-dash. |

| Examples | The court describes the best interests of the child as the ‘paramount or pre-eminent consideration’;\(^\text{12}\) it is the ‘final determinant’ of what orders the court must make.\(^\text{13}\) Bainbridge acknowledges that ‘the tort creditor has no ability to bargain out of the default rule’ of limited liability and that the company is likely to be the cheapest cost avoider (with the ability to organise insurance or take precautions to ensure the accident is prevented).\(^\text{28}\) The Gilbert + Tobin Centre of Public Law argued that s 80.2(5) was ‘welcome because it would criminalise … incitement to violence against racial, religious, national, or political groups’\(^\text{34}\) — consistent with international human rights treaty obligations. The Court of Appeal in *Burger King Corporation v Hungry Jack’s Pty Ltd* was also of the opinion that a duty of good faith should be implied in law.\(^\text{40}\) Their Honours went on to observe: The appellant has indeed behaved badly, but no worse than many of his age who have also lived as members of the Australian community all their lives but who happen to be citizens. The difference is the barest of technicalities. It is the chance result of an accident of birth, the inaction of the appellant’s parents and some contestable High Court decisions.\(^\text{55}\) |

### 1.1.3 Multiple Sources in Footnotes

| Rule | If a series of sources is cited within one footnote, a semicolon should be used to separate the sources. The word ‘and’ should not be used to separate the last two sources. |

| Examples | While a traditional approach insists strictly on offer and acceptance,\(^\text{89}\) modern authorities have on occasion relaxed this requirement.\(^\text{90}\) |
1.1.4 Full Stops at the End of Footnotes

**Rule**
A full stop (or other appropriate closing punctuation) should appear at the end of every footnote.

**Examples**

46 *R v Gomez* [1993] AC 442.


50 But what of the second proposition, namely, that Mr Ford was benefited by the receipt of the *means* of obtaining goods and services that he genuinely and subjectively desired?

1.1.5 Pinpoint References

**Rule**
A ‘pinpoint reference’ is a reference to a specific page, paragraph, footnote or other section of a source. Pinpoint references should not be preceded by ‘at’ (except in accordance with rule 1.4.4).

A pinpoint reference to a page should appear as a number. It should not be preceded by ‘p’ or ‘pg’.

A pinpoint reference to a paragraph should appear as a number in square brackets. It should not be preceded by ‘para’.

If both a page and a paragraph are referred to, the pinpoint should appear as follows:

```
Page  [Paragraph]
```

A pinpoint reference to a footnote or endnote within a source should include the page on and/or paragraph in which the footnote or endnote
Part I — General Rules

appears followed by:

n [Footnote/Endnote Number]

Multiple pinpoint references to the same source should be separated by commas.

Examples

[Not: … (9 May 2007) at [10].]
92 Futuretronics.com.au Pty Ltd v Graphix Labels Pty Ltd (2009) 81 IPR 1, 6 [23].
104 Davies v Gertig [No 2] (2002) 83 SASR 521, 528 [57] n 6, 529 [64].

Note

For rules on how pinpoint references involving more than a page, paragraph or footnote number (such as pinpoint references to legislation and treaties) should appear, see subsequent chapters of this Guide.

1.1.6 Spans of Pinpoint References

Rule

A span of pinpoint references should be separated by a non-spaced en-dash (–).

Spans of page, paragraph and footnote pinpoint references should appear as follows:

<table>
<thead>
<tr>
<th>Type of Pinpoint</th>
<th>Rule</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pages</td>
<td>Page – Page</td>
<td>431–2</td>
</tr>
<tr>
<td>Paragraphs</td>
<td>[Para] – [Para]</td>
<td>[57]–[63]</td>
</tr>
</tbody>
</table>
In spans of paragraphs, both paragraph numbers should appear separately, enclosed in square brackets (so their numerals should not be shortened according to rule 1.12.1 on number spans).

### Examples


79 *City of Swan v Lehman Brothers Australia Ltd* [2009] FCAFC 130 (25 September 2009) [50]–[59]. [Not: … [50–9].]


### 1.2 Introductory Signals for Citations

An introductory signal may be used before a citation to indicate the relationship between the source and a proposition in the text.

No introductory signal should be used where the source is quoted or directly supports the proposition in the text (for example, if paraphrased).

The following introductory signals may be used:

<table>
<thead>
<tr>
<th>Introductory Signal</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>See</td>
<td>The source provides qualified support for the proposition in the text.</td>
</tr>
<tr>
<td>See, eg.</td>
<td>The source is one of several authorities supporting the proposition.</td>
</tr>
<tr>
<td>See also</td>
<td>The source provides additional or general support for the proposition in the text.</td>
</tr>
<tr>
<td>See especially</td>
<td>The source is the strongest of several authorities supporting the proposition in the text.</td>
</tr>
</tbody>
</table>
See generally

The source provides background information on the topic discussed in the text.

Cf

The source provides a useful contrast to illustrate the proposition in the text. (‘Cf’ means ‘compare’.)

But see

The source is in partial disagreement with the proposition in the text.

Contra

The source directly contradicts the proposition in the text.

Exception for ‘contra’, introductory signals should not be italicised.

Examples

2. Cf *Legislative Instruments Act 2003* (Cth) s 5.

1.3 Sources Referring to Other Sources

**Rule**

The original of any source referred to should be consulted and cited. However, where it is important to show that one source is referred to in another source, the following clauses should be used to join the citations:

<table>
<thead>
<tr>
<th>Clause</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>quoting</td>
<td>The first-listed source directly quotes the second source.</td>
</tr>
<tr>
<td>quoted in</td>
<td>The first-listed source is quoted directly in the second source.</td>
</tr>
<tr>
<td>citing</td>
<td>The first-listed source refers to (but does not directly quote) the second source.</td>
</tr>
<tr>
<td>cited in</td>
<td>The first-listed source is referred to (but not quoted directly) in the second source.</td>
</tr>
</tbody>
</table>
These clauses should be preceded by a comma.

**Examples**


### 1.4 Subsequent References

#### 1.4.1 Ibid

*Ibid* should be used to refer to a source in the *immediately preceding* footnote. However, ‘ibid’ should not be used where there are multiple sources in the preceding footnote.

‘Ibid’ can be used regardless of how the source is cited in the preceding footnote (whether in full, using ‘ibid’ or using ‘above n’).

If the pinpoint reference is *identical* to that in the preceding footnote, ‘ibid’ should appear without (repeating) the pinpoint reference.

If the pinpoint reference is *different* from that in the preceding footnote, ‘ibid’ should be followed by the (different) pinpoint reference. There should not be a comma (or other punctuation) between ‘ibid’ and a pinpoint reference.

As ‘ibid’ directs the reader back to the immediately preceding footnote, it should not be used to refer to a source cited earlier in the *same* footnote. (Rather, ‘at’ should be used in accordance with rule 1.4.4.)

‘Ibid’ should be capitalised if it appears at the start of a footnote.

**Examples**


19. Ibid.

Part I — General Rules

21 Defamation Act 2005 (Vic) s 37.
22 Ibid s 38.

... 

157 Barendt, above n 18, 69. [Not: Ibid 69 or Barendt, ibid 69.]

... 

204 Higgins, above n 156, 220.
205 Ibid 222, 239.

1.4.2 Above and Below

‘Above n’ should be used where a source has been cited:

- in a previous footnote other than the immediately preceding footnote; or
- in the immediately preceding footnote, if it is not the only source in that footnote.

However, ‘above n’ should not be used for:

- cases, international judicial decisions and other materials in chapters 2, 9, 10, 11 (in accordance with rules 2.14, 9.5, 10.3, 11.4);
- legislation and other materials in chapter 3 (in accordance with rule 3.9);
- certain sources in chapter 6 (in accordance with rule 6.16);
- treaties (in accordance with rule 7.6); and
- UN, WTO, GATT and EU documents (in accordance with rules 8.5, 12.4, 13.3),

and analogous sources in Part V.

Citations using ‘above n’ should appear as follows:

Author’s Surname, above n Footnote Number, Pinpoint.
The ‘footnote number’ is the footnote in which the source is first cited.

Where the author is a body (such as a government department), the body’s name should be included in place of the author’s surname.

Where there is no author or editor, the title (or an abbreviated form of the title) should be included in place of the author’s surname.

Where works by different authors with the same surname are cited, the authors’ full names as they appear on the source should be included in place of the author’s surname (to avoid ambiguity).

Where multiple works by the same author are referred to, subsequent references should appear as follows:

\[ \text{Author’s Surname}, \text{ Title (Shortened if Necessary)} , \text{ above n [Footnote Number], [Pinpoint]}. \]

‘Above’ and ‘below’ may also be used to direct the reader to portions of the text (to particular footnotes, page numbers or numbered parts of the text). To direct the reader to more than one footnote, ‘above nn’ or ‘below nn’ should be used.

‘Op cit’, ‘loc cit’, ‘supra’ and ‘infra’ should not be used.

**Examples**


…

20 MacMillan, above n 9.

…


…

27 Seddon and Ellinghaus, above n 22, 20.

…

31 ‘Obama Moves to Bring Russia in from the Cold’, *The Age* (Melbourne), 21 September 2009, 10.

…

34 ‘Obama Moves to Bring Russia in from the Cold’, above n 31, 10.
1.4.3 Short Titles

Short titles are an abbreviated form of the title of a source. A short title should appear in italic text and be enclosed in (non-italic) inverted commas and parentheses after the initial citation of a source. It should appear after any pinpoints or parenthetical clauses in the citation. Only one short title should be included in the first citation of a source.

Cases, legislation, certain sources in chapter 6, treaties, international judicial decisions and UN, WTO, GATT and EU documents (and analogous sources in Part V) may be given short titles for subsequent references in accordance with rules 2.14, 3.9, 6.16, 7.6, 8.5, 9.5, 10.3,
11.4, 12.4, 13.3.

For reports and other similar secondary sources (and additionally where indicated throughout the Guide), a short title based on the title of the source may be used with an ‘above n’ reference instead of the author’s surname. Subsequent references should then appear as follows:

<table>
<thead>
<tr>
<th>Short Title</th>
<th>above n</th>
<th>Footnote Number</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

**Examples**


**1.4.4 At**

**Rule**

Where the same source is cited multiple times within the *same footnote*, the full citation should not be repeated and ‘at’ should precede subsequent pinpoint references. However, it is not necessary to repeat a pinpoint reference using ‘at’ if the subsequent pinpoint reference is the same as that immediately beforehand.

Where there are multiple sources in a footnote, ‘at’ should be used only to refer to the immediately preceding source.

‘At’ can be used regardless of how the source is first cited in a footnote (whether in full, using ‘ibid’ or using ‘above n’).

**Examples**

291 Commonwealth, *Parliamentary Debates*, Senate, 17 June 2008, 2626. The Minister explained that ‘[t]here may be a number of reasons that prevent a person’s immediate removal, … includ[ing] … issues surrounding the acquisition of the person’s travel documentation’: at 2627. [Not: … documentation’: ibid 2627.]

292 Ibid 2625. The Minister noted that his Department had ‘grouped the data to prevent the identification, or potential identification, of any one person.’ [Not: … any one person’: at 2625.]

1.5 Quotations

1.5.1 Short and Long Quotations

**Rule**

In the body of the text and in the footnotes, short quotations (of three lines or less) should be incorporated within single quotation marks.

Long quotations (of more than three full lines) should appear indented from the left margin, in a smaller font size, and without quotation marks. Legislative and treaty extracts, regardless of length, may also appear this way.

Where a long quotation appears in a footnote, the citation of the source should appear on the line directly preceding or following the quotation.

**Examples**

Priestley JA stated that ‘there is a close association of ideas between the terms unreasonableness, lack of good faith, and unconscionability.’

The Judge stated:

Thus elaborating, the first question is whether ‘a financial benefit is given’ within the meaning of s 229 of the Corporations Act (in relation to the prohibition on related party benefits without member approval). The second question is whether the exception for arm’s length terms in s 210 of the Corporations Act is made out …
The Constitution provides in s 92 that:

On the imposition of uniform duties of customs, trade, commerce, and intercourse among the States, whether by means of internal carriage or ocean navigation, shall be absolutely free.

The claims are inferred from the rhetorical question:

Do we respond [to the problems in remote communities] with more of what we have done in the past? Or do we radically change direction with an intervention strategy matched to the magnitude of the problem?

Commonwealth, Parliamentary Debates, House of Representatives, 7 August 2007, 10 (Malcolm Brough, Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs).

1.5.2 Punctuation Introducing Quotations

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>A short quotation should be integrated into the sentence. No specific punctuation is required to introduce it. It may be introduced by a colon.</td>
</tr>
</tbody>
</table>

No punctuation should be used where a sentence leads seamlessly into a long quotation. However, a colon is typically the appropriate punctuation to introduce a long quotation.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>
| This was most obvious in relation to proof of title to land, which 'necessitated tracing title back through an unbroken chain of events and documents, perhaps as far as the Crown grant.'

As the Privy Council commented: ‘it does not, in their Lordships’ opinion, assist to rationalise the defence … as concerned to protect security of receipts and then to derive from that rationalisation a limitation on the defence.’

However, he ultimately rejected the submission that the detention of these children was indefinite and explained that |
the period of detention had a clear terminus. This (putting it broadly) is the voluntary election of the children (through their parents) to leave Australia or the completion of the legal proceedings brought by the parents on the children’s behalf …

In 2005, the matter finally reached the House of Lords, whereupon Baroness Hale declared:

My Lords, this is, and has always been, a case about children, their rights and the rights of their parents and teachers. Yet there has been no one here or in the courts below to speak on behalf of the children. … The battle has been fought on ground selected by the adults.

1.5.3 Quotations within Quotations

Rule

In short quotations (integrated within the text), double quotation marks should be used for a quotation within the quoted text, single quotation marks for a further quotation inside that, and so forth.

In long quotations, single quotation marks should be used for a quotation within the quoted text, double quotation marks for a further quotation inside that, and so forth.

Quotation marks in quoted text should be changed to adhere to this rule.

Examples

He observed that ‘the threshold for determining that an international organisation has “effective control” over an operation ought to be high.’

They summarised Kolb’s view as follows:

Kolb describes good faith as a general principle of international law that has as its aim “to blunt the excessively sharp consequences sovereignty and its surrogates … may have in the international society, in ever-increasing need of cooperation” …

1.5.4 Punctuation within Quotations

Rule

Punctuation marks at the end of quoted text (full stops, commas, etc) should not be included in a quotation unless the punctuation mark forms part of and is important to the quotation. Other punctuation marks within a quotation should be retained in quoted text.
Hyphens, en-dashes and em-dashes in quotations should be altered to adhere to rule 1.6.3. Full stops in abbreviations in quotations should be omitted to adhere to rule 1.6.1.

**Examples**

As Walker observed, the ‘call for states to grant asylum to those persecuted because of prostitution or homosexuality was made over 20 years ago’. [Original: … over 20 years ago, and since then …]

Carmody J goes on to offer the following interpretation of the ‘paramount but not sole’ formulation appearing in previous cases:

> The best interests of the child(ren) concerned, both in the short and longer term, and not the interests or needs of the parents (let alone the interests of either one of them) are the paramount consideration. However, they are not the sole factor. [Original: … sole factor. The …]

The observation that ‘there is a sharp student–teacher dichotomy that ought to be observed’ was repeated. [Original: … a sharp student-teacher dichotomy …]

### 1.5.5 Capitalisation at the Start of Quotations

**Rule**

If a quotation begins a sentence, the first letter of the quotation should be capitalised. Otherwise, the first letter of the quotation should not be capitalised. Both may require use of square brackets to indicate amendment to the quotation (see rule 1.6.6).

Where a colon precedes a quotation, the first letter of the quotation should appear as it does in the original (whether capitalised or not).

**Examples**

According to the *Oxford English Dictionary*, an ‘exception’ is

[s]omething that is excepted; a particular case which comes within the terms of a rule, but to which the rule is not applicable; a person or thing that does not conform to the general rule affecting other individuals of the same class.30

Subsequently, in *Dextra*, the Privy Council asserted inequitability as the central rationale of the defence:

> The defence should be regarded as founded on a principle of justice designed to protect the defendant from a claim to restitution in respect of a benefit received … in circumstances in which it would be inequitable to pursue that claim, or to pursue it in full.34
### 1.5.6 Ellipses

**Rule**

Omissions from a quotation should be indicated by an ellipsis (…). A space should precede and follow an ellipsis (however, a space should not separate an ellipsis and a footnote number, in accordance with rule 1.1.2).

Where the omitted text immediately follows a complete sentence, a full stop (or other closing punctuation) at the end of that sentence should be included before an ellipsis.

A full stop should not be included after an ellipsis (whether to show that words before the end of the sentence have been omitted, or to show that an omission falls between complete sentences in the source).

‘Leaders’ (ellipses at the start of quotations) should not be included.

An ellipsis should be added to or replace any punctuation at the end of a long quotation if the quotation does not end with an appropriate closing punctuation mark.

**Examples**

In applying *Sullivan*, his Honour considered that the High Court had emphasised … that foreseeability of harm to the fathers was not sufficient to ground a duty of care. … *Sullivan v Moody* is not on all fours with the present case because it involved a statutorily imposed duty … Notwithstanding this difference, in my view *Sullivan v Moody* gives guidance … [Not: … imposed duty … . Notwithstanding …]

In *Australian Capital Television*, McHugh J noted:

If the institutions of representative and responsible government are to operate effectively … the business of government must be examinable and the subject of scrutiny, debate and ultimate accountability at the ballot box. The electors must be able to ascertain and examine the performances of their elected representatives …

### 1.5.7 Editing Quotations

**Rule**

If a quotation is altered, the alteration should be included within square brackets (in accordance with rule 1.6.6). Omissions from a quotation should be indicated by an ellipsis (in accordance with rule 1.5.6).
Spelling and capitalisation within quotations generally should not be changed (except as required by rule 1.5.5).

All case names, statute titles, treaty titles and titles of sources that should be italicised according to the rules in this Guide should also be italicised where they appear in quotations (in accordance with rule 1.8.2).

**Examples**

The Court observed that ‘the [Commonwealth] Act was clearly within power.’ [[Original: … the Act was clearly within power …]]

Additionally, in Tasmania, an as yet insufficiently tested provision in the *Anti-Discrimination Act 1998* (Tas) appears to enlarge the concept and application of anti-vilification laws in relation to conduct which ‘offends, humiliates, … insults or ridicules’. [[Original: … offends, humiliates, intimidates, insults or ridicules …]]

As Bunjevac has observed:

According to the International Organization of Securities Commissions, this perception was significant in structured finance ratings because the rating served as an independent informational input about complex transactions. [[Not: … Organisation …]]

### 1.5.8 [sic]

‘[sic]’ (meaning ‘thus’) should be inserted after a significant error in material being quoted. Insignificant errors should be left as they appear in the original and should not be followed by ‘[sic]’.

The term ‘[sic]’ should not be used to mark non-Australian English spelling or non-standard capitalisation.

Although a quotation is obviously the work of another author, ‘[sic]’ may be inserted after discriminatory or offensive expressions in quotations. The preferable solution, where possible, is to paraphrase the passage to avoid any such expression.

**Example**

He stated brazenly: ‘They underestimated [sic] me.’
1.5.9 Emphasis and Citations in Quotations

Any change of emphasis in or omission of citations from a quotation should be indicated in parenthetical clauses after the citation. The parenthetical clauses should follow any pinpoint reference.

Where italics appear in or are added to quoted text for emphasis, the following parenthetical clauses should be used:

<table>
<thead>
<tr>
<th>Parenthetical Clause</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>(emphasis in original)</td>
<td>The emphasis was in the original text and has not been changed.</td>
</tr>
<tr>
<td>(emphasis added)</td>
<td>There was no emphasis in the original text and emphasis has been added.</td>
</tr>
<tr>
<td>(emphasis altered)</td>
<td>The emphasis in the original text has been removed or changed.</td>
</tr>
</tbody>
</table>

Any omission of citations from a quotation should be indicated by ‘(citations omitted)’ immediately after the pinpoint (regardless of whether one or several citations have been omitted). However, where possible, a quotation within a quotation should be attributed to its original source in accordance with rule 1.3.

If multiple parenthetical clauses are necessary, they should be enclosed in separate sets of parentheses.

Examples


1.6 Punctuation

1.6.1 Full Stops

Rule

Full stops should be used only to mark the end of a sentence or
footnote.

Full stops should not be used in abbreviations, after initials or after heading numbers or letters.

If a quotation or an element of a citation includes full stops in abbreviations or after initials, the full stops should be omitted. This should not be indicated in the quotation or the citation element, with an ellipsis or otherwise.

### Examples

<table>
<thead>
<tr>
<th>Dr</th>
<th>Messrs</th>
<th>Mr</th>
<th>Mrs</th>
<th>Ms</th>
</tr>
</thead>
<tbody>
<tr>
<td>A-G</td>
<td>LLB</td>
<td>Cth</td>
<td>NSW</td>
<td>Qld</td>
</tr>
<tr>
<td>cf</td>
<td>eg</td>
<td>et al</td>
<td>ie</td>
<td>D H Lawrence</td>
</tr>
</tbody>
</table>

James Hadley, *Introduction to Roman Law in Twelve Academical Lectures* (D Appleton, 1873). [Not: ... (D. Appleton, 1873).]

### 1.6.2 Commas

#### Rule

Among other uses, commas should be used to separate items in a list of more than two (including the last two items where necessary to avoid ambiguity).

Commas should appear on both sides of a subordinate clause within a sentence or not at all. They should not be used only before, or only after, a subordinate clause.

#### Examples

It was agreed that there would be significant implications for solicitors, barristers and the judiciary.

Methods of transport included car, horse and cart, and hovercraft.

The effect of any equality guarantee would have been so far-reaching that, even if currently out of favour, it cannot be ignored. [Not: The effect of any equality guarantee would have been so far-reaching that even if currently out of favour, it cannot be ignored.]

### 1.6.3 Em-Dashes, En-Dashes, Hyphens and Slashes

#### Rule

An em-dash (—) may be used to indicate an interruption within a sentence or in place of a colon. Em-dashes may also be used on both sides of a parenthetical remark or apposition.
An en-dash (–) is half the length of an em-dash and may be used to indicate a span between two numbers (see rules 1.1.6, 1.12.1 and 1.13.2). An en-dash should be used in preference to a forward slash (/) to mark a tension or disjunction between two concepts. However, a forward slash may be used to separate alternatives.

A hyphen (-) is half the length of an en-dash and is used to connect the parts of a compound word. Hyphenation should adhere to rule 1.9.

Examples

There was no clear ratio in the decision — indeed, with seven judgments, this was to be expected. [em-dash]

Once again, those who might have thought otherwise — presumably including Judge McDonald in her dissent in Tadić — were in fact conflating two fundamentally different types of liability. [em-dashes]

There was much discussion on pages 14–22. [en-dash]
tort–contract dichotomy [en-dash]
a yes/no question [slash]
evidence-based policymaking [hyphen]

1.6.4 Quotation Marks

Rule

Single (and double) quotation marks should be used for quotations in accordance with rules 1.5.1 and 1.5.3.

Single quotation marks may be used to indicate that a word is being used in an unconventional sense.

Example

The State Department ‘confirmed’ the accuracy of the information by not formally objecting to its publication.

1.6.5 Parentheses

Rule

A full stop or other punctuation ending a sentence should be placed before a closing parenthesis only if the entire sentence appears within the parentheses.
There can be no doubt of the importance of such a law. (That does not mean, of course, that its comparative merits cannot be debated.) [Not: (That does not mean, of course, that its comparative merits cannot be debated).]

### 1.6.6 Square Brackets

**Rule**

Square brackets should be used to indicate an adjustment to a quotation (for example, where a letter that was upper-case in the original text has been changed to lower-case or vice versa). They may also be used to enclose comments that did not appear in the original text being quoted.

Square brackets should also be used to enclose information in citations of translations (see rule 5.6 and chapter 25).

**Example**

As Kirby J noted, ‘[t]he Minister did not appoint [Justice Mathews] as reporter until her consent was first signified.’

### 1.7 Capitalisation

**Rule**

Capitalisation should be consistent throughout a document. Generally, words should be capitalised only where they:

- appear at the beginning of a sentence, title or heading; or
- are proper nouns.

However, where it is important to expression or meaning, other words may be capitalised.

In the titles of all cited materials and in all headings, the first letter of the following should be capitalised:

- the first word in a title or heading (and a subtitle or subheading); and
• all other words in the title except articles (‘the’, ‘a’, ‘an’),
  conjunctions (for example, ‘and’, ‘but’) and prepositions (for
  example, ‘on’, ‘with’, ‘before’).

However, phrases in foreign languages appearing in titles and
headings should be capitalised in accordance with convention in that
language.

The following words should generally be capitalised wherever they
occur:

Act (or ‘Bill’) of Parliament  Attorney-General
Bar (that is, the group of practising  Cabinet
barristers)
Commonwealth  Crown
Executive Council (but ‘the  Governor
executive’)  Governor-General
Her Majesty, the Queen  her Honour, his Honour, their
Imperial  Honours
Minister (of the Crown)  Ombudsman
Parliament (but ‘parliamentary’)  Premier
Prime Minister

The following words should generally appear in lower case (except at
the beginning of a sentence, in a title or in a heading):

common law (and other names of  federal
government classification such as  government
‘administrative law’)  internet
judiciary  legislature
local government  press (that is, the media)
statute

‘Court’ should be capitalised when used to refer to a specific court
(such as the High Court or the Court of Appeal). However, ‘a court’
and ‘the court’ when used in a general sense (absent reference to a
specific court) should not be capitalised.

‘State’ and ‘Territory’ should be capitalised (whether used as a noun
or an adjective) when referring to a specific state or territory.
However, when used generally they should not be capitalised.

**Examples**

In a negligence claim, the court must judge the reasonableness of the
defendant’s act or omission.
The High Court had handed down its judgment in *Cole v Whitfield*, but not in *Bath v Alston Holdings Pty Ltd*. The Court’s decision in *Cole* nevertheless proved difficult to apply.

The State of New South Wales has always taken a different approach from that of other states.

### 1.8 Italicisation

#### 1.8.1 Italicisation for Emphasis

<table>
<thead>
<tr>
<th>Rule</th>
<th>Words within the text may be italicised for emphasis. If words in a quotation are italicised for emphasis, a parenthetical clause must be inserted in the footnote to indicate this (in accordance with rule 1.5.9).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>Rather, the suggested changes would act as a signalling mechanism to parent companies that their control, and their wrongdoing <em>through</em> that control, would result in a statutory piercing of the veil.</td>
</tr>
</tbody>
</table>

#### 1.8.2 Italicisation of Source Titles

<table>
<thead>
<tr>
<th>Rule</th>
<th>All case names, statute titles, treaty titles and titles of other materials that should be italicised according to the rules in this <em>Guide</em> should appear in italics in the text and footnotes (regardless of whether a full citation of the source is included). They should also be italicised in quotations and in citations (for example, within the titles of journal articles) whether or not they are italicised and/or cited in full in the original source. Where source titles are italicised in a quotation, this need <em>not</em> be indicated by a parenthetical clause in the footnote or by ‘[sic]’.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examples</td>
<td>However, there is one key provision — s 39(1) — of the <em>Charter</em> that is unique:</td>
</tr>
</tbody>
</table>
If, otherwise than because of this Charter, a person may seek any relief or remedy in respect of an act or decision of a public authority on the ground that the act or decision was unlawful, that person may seek that relief or remedy on a ground of unlawfulness arising because of this Charter.

[Original: … Charter … Charter …]


### 1.8.3 Italicisation of Foreign Words

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign words and phrases should be italicised unless they appear in the latest edition of the Macquarie Dictionary.</td>
</tr>
<tr>
<td>Accordingly, the following examples of foreign words and phrases should not be italicised:</td>
</tr>
<tr>
<td>ab initio</td>
</tr>
<tr>
<td>amicus curiae</td>
</tr>
<tr>
<td>de facto</td>
</tr>
<tr>
<td>ex gratia</td>
</tr>
<tr>
<td>habeas corpus</td>
</tr>
<tr>
<td>non est factum</td>
</tr>
<tr>
<td>prima facie</td>
</tr>
<tr>
<td>ratio decidendi</td>
</tr>
<tr>
<td>ultra vires</td>
</tr>
</tbody>
</table>

The following are examples of foreign words and phrases that should be italicised:

| contra proferentem | ex ante | jus ad bellum |
| lex fori | ne bis in idem | non-refoulement |
| quantum meruit | res ipsa loquitur | stare decisis |

### 1.9 Spelling and Hyphenation: Official Dictionary

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spelling should comply with the latest edition of the Macquarie Dictionary. Where alternative spellings are given, the first-listed should be used unless there is good reason to do otherwise.</td>
</tr>
</tbody>
</table>
Hyphenation should also comply with the latest edition of the *Macquarie Dictionary*. If a compound expression does not appear in the *Macquarie Dictionary*, it should be hyphenated (not spelt as one word).

Generally, if a hyphenated word should be capitalised according to rule 1.7, the letter following the hyphen should also be capitalised.

<table>
<thead>
<tr>
<th>Examples</th>
<th>home-buyer</th>
<th>peacekeeping</th>
<th>pre-industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>re-enact</td>
<td>reinvigorated</td>
<td>decision-maker</td>
</tr>
<tr>
<td></td>
<td>multidimensional</td>
<td>policymaker</td>
<td>nonpayment</td>
</tr>
</tbody>
</table>


### 1.10 Grammar: Official Guide

**Rule** Grammar should be guided by the latest edition of *Fowler’s Modern English Usage*.

### 1.11 Inclusive Language

**Rule** Gender-inclusive language should be used. The words ‘he’, ‘his’ and ‘him’ should not be employed as the supposedly neutral third-person singular. It is acceptable to use ‘he or she’, ‘she or he’ or any derivative form (‘his’, ‘her’ and ‘him’). It is also acceptable to use ‘they’ (and derivative forms ‘their’ and ‘them’) as neutral singular pronouns.

Authors should avoid terms such as ‘the reasonable man’, ‘chairman’ and ‘spokesman’. Neutral terms such as ‘the reasonable person’, ‘chairperson’ and ‘spokesperson’ should be substituted. However, it may be appropriate to retain gender-specific language where this accurately conveys the intended meaning in the relevant context (for example, in the sentence: ‘A plaintiff may be liable in negligence to her own foetus while driving.’)
1.12 Numbers and Currency

1.12.1 Numbers

Numbers under 10 should be written in words. Numerals should be used for:

- numbers over nine;
- numbers of sections, pages, paragraphs, clauses, editions and other elements of citations;
- ratios, mathematical expressions, decimal numbers, etc; and
- series of related quantities, numbers, ages, etc.

However:

- a sentence should never begin with a numeral (even if it is a date) — words should be used instead; and
- a number 10 or above may be written out in full where it forms part of a proper noun.

In numbers of five digits or more, a space (not a comma) should be used to separate each group of three digits.

In numbers expressed in terms of millions or billions, the relevant term should be written out in full (not abbreviated to ‘m’ or ‘bn’ etc).

Where a span of numbers is referred to, only the minimum number of digits necessary should be included in the second number (for example, 87–8, 436–62). However, for numbers whose last two digits are 10–19, the last two digits should always be included (for example, 11–14, 215–19).

The above rules also apply to ordinal numbers (for example, second, 40th). The letters in ordinal numbers over nine should appear in superscript.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>one</td>
</tr>
<tr>
<td>10 per cent</td>
</tr>
<tr>
<td>8700 [Not: 8,700 or 8,700]</td>
</tr>
<tr>
<td>2.6 million [Not: 2.6m or 2.6 m]</td>
</tr>
</tbody>
</table>

The High Court split 4:3.
The government announced a Ten Point Plan in response to \textit{Wik}.

In June 2008, the Minister informed the Senate that as of 7 May 2008 there were 25 people in immigration detention following the cancellation of their visas. Of those 25 persons, only 1 had been in Australia for less than 5 years, with the remaining 24 having been in Australia for between 11 and 45 years prior to visa cancellation.

1.12.2 Currency

<table>
<thead>
<tr>
<th>Rule</th>
<th>Currency amounts should appear in figures, immediately preceded by an appropriate symbol (or commonly used code) indicating denomination. The currency denomination need not be specified if it is obvious from the context.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examples</td>
<td>AUD100 $1600 AS$16 000 HK$1.3 million USD200 000 US$300 000 £150 ¥250 000 €47 373.75</td>
</tr>
</tbody>
</table>

The Court awarded $110 000 in damages under the \textit{Trade Practices Act 1974} (Cth).

The declared value of the cargo was US$6600.

1.13 Dates

1.13.1 Full Date

| Rule | The ‘full date’ should be written in the form:  

<table>
<thead>
<tr>
<th>Day</th>
<th>Month</th>
<th>Year</th>
</tr>
</thead>
</table>
| The day should not be an ordinal number.  
If the day of the week is included in addition to the full date, the name |
**Part I — General Rules**

The day should precede the full date and should not be followed by a comma.

**Examples**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>15 June 1985</td>
<td>15th June 1985</td>
</tr>
<tr>
<td>Thursday 6 March 1987</td>
<td>Thursday, 6 March 1987</td>
</tr>
</tbody>
</table>

### 1.13.2 Spans of Dates

**Rule**

Spans of years should include the first year in full, an en-dash, and the last two digits of the final year. However, if the final year occurs in a different century from the first, the final year should appear in full.

Spans of days in the same month should include both dates in full separated by an en-dash. Spans of dates over different months and spans of full dates should be separated by a spaced en-dash.

**Examples**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>21–22 September</td>
<td>17 July – 19 August</td>
</tr>
<tr>
<td>1 January – 29 February 1996</td>
<td>22 March 1946 – 27 August 1947</td>
</tr>
</tbody>
</table>

### 1.13.3 Decades and Centuries

**Rule**

When referring to decades, an apostrophe should *not* be placed between the year and the ‘s’. If only the last two digits of the year are included, an apostrophe should precede them.

Centuries should be indicated using ordinal numbers (which should adhere to rule 1.12.1).

**Examples**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1970s or ’70s [Not: 1970’s or ’70’s]</td>
<td>21st century</td>
</tr>
</tbody>
</table>

### 1.14 Names

#### 1.14.1 General Rule

**Rule**

Initials in names should be separated by a space and should not be
followed by full stops (see rule 1.6.1).

Conventional titles such as ‘Ms’ or ‘Mr’ may be included in discursive text before a person’s name (in both the body and the footnotes), but should not be included in authors’ names in citations.

Honorific titles or titles indicating qualification, such as ‘the Hon’, ‘Dr’ or ‘Professor’, may be included in discursive text (in both the body and the footnotes) before a person’s name. They should not be used in an author’s name in citations, except for ‘Sir’, ‘Dame’ and peerage titles (such as ‘Lord’, ‘Baroness’, ‘Earl’ and ‘Viscount’).

Postnominals, such as ‘AM’ (Member of the Order of Australia) and ‘LLB’ (Bachelor of Laws), should not be included after the name of an individual in either the text or the footnotes (unless relevant). They should never be included after the name of an author in a citation.

### Examples

<table>
<thead>
<tr>
<th>Referring to an individual discursively in the text or footnotes:</th>
<th>Referring to an author in a citation:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Associate Professor Tania Voon</td>
<td>Tania Voon</td>
</tr>
<tr>
<td>Dame Nellie Melba</td>
<td>Dame Nellie Melba</td>
</tr>
<tr>
<td>Lord Nicholls</td>
<td>Lord Nicholls</td>
</tr>
<tr>
<td>Professor Ian Malkin</td>
<td>Ian Malkin</td>
</tr>
<tr>
<td>Baroness Hale</td>
<td>Baroness Hale</td>
</tr>
<tr>
<td>Dr Cockburn</td>
<td>John Cockburn</td>
</tr>
<tr>
<td>Ms Sharon Rodrick</td>
<td>Sharon Rodrick</td>
</tr>
<tr>
<td>Mr Gageler SC</td>
<td>Stephen Gageler</td>
</tr>
<tr>
<td>H L A Hart</td>
<td>H L A Hart</td>
</tr>
</tbody>
</table>

### 1.14.2 Authors of Secondary Sources

**Rule**

In citations of secondary sources, authors’ names should appear exactly as they do on the source (subject to the other rules in this chapter). This may require the same author’s name to appear differently in citations of several of their works.
Where there are two or three authors, the names of all authors should be included and the word ‘and’ should separate the names of the last two authors. All surnames should be included in ‘above n’ references.

Where there are more than three authors, the name of the author appearing first on the source should be included, followed by ‘et al’. The first listed author’s surname and ‘et al’ should be included in ‘above n’ references.

**Examples**


...  

19 Bowrey and Fowell, above n 15, 187.

20 Cryer et al, above n 16, 124.

### 1.14.3 Publications Authored by or Produced on Behalf of a Body

**Rule**

If a publication is authored by a body (for example, a government department or a non-governmental organisation), the name of that body should appear as the author.

Where a government department is the author and the jurisdiction is not apparent from the department’s name, the abbreviated jurisdiction may be included in parentheses after the department’s name. The abbreviations in rule 3.1.3 should be used.

If a subdivision of a body or an individual writing on behalf of a body is the author, both the name of the subdivision or individual and the body should be included in the form:

**Individual/Subdivision, Body**
Where there are multiple subdivisions, only the most specific subdivision should be included (unless this creates ambiguity).

**Examples**


Department for Women (NSW), *Heroines of Fortitude: The Experiences of Women in Court as Victims of Sexual Assault* (1996).


### 1.14.4 Judges

**Rule**

Judges writing curially (that is, in a judgment) should be referred to by their surname and their judicial title (such as ‘Justice’) or peerage title (such as ‘Lord’), both in the text and in citations. Typically, but not always, the judicial title should be indicated by an abbreviation placed after the judge’s name (in accordance with rules 2.9.1, 9.2.8, 23.1.6 and 24.1.8). Honorifics (such as ‘the Hon’) should not be included when citing a judge writing curially. Where a judge’s first name or initials appear on a case and are necessary to unambiguously identify the judge, they should be included.

When citing a judge writing extra-curially (both in the text and in citations), the unabbreviated judicial or peerage title (such as ‘Justice’ or ‘Chief Justice’) should be included before the judge’s name, unless the judge has a title (such as ‘Sir’, ‘Dame’ or a peerage title) that makes a judicial title unnecessary.

When citing a former judge (writing extra-curially), their former judicial title should not be included. ‘Sir’, ‘Dame’ or any peerage title should be included. Honorifics may be included in the text, but not in citations (in accordance with rule 1.14.1).

In both curial and extra-curial writing, any territorial designation of a peer (such as ‘of Chieveley’) should not be included unless necessary to avoid confusion.
### Examples

<table>
<thead>
<tr>
<th>Context</th>
<th>Example(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citing a judge writing curially (in text):</td>
<td>As Dixon J noted in <em>Essendon Corporation v Criterion Theatres Ltd</em>, …</td>
</tr>
<tr>
<td>Citing a judge writing curially (in a citation):</td>
<td>58 <em>Essendon Corporation v Criterion Theatres Ltd</em> (1947) 74 CLR 1, 18 (Dixon J).</td>
</tr>
<tr>
<td>Citing a judge writing extra-curially (in text):</td>
<td>Opening the Law Librarians’ Symposium, Sir Daryl Dawson stated: ‘The modern law library is something which I could not have envisioned in my student days.’ … Justice Virginia Bell … Lord Hoffmann …</td>
</tr>
<tr>
<td>Citing a former judge (in text):</td>
<td>As pointed out by the Hon Mary Gaudron in a recent speech, …</td>
</tr>
<tr>
<td>Citing a former judge (in a citation):</td>
<td>104 Michael Kirby, ‘The Dreyfus Affair — Lessons for Today’ (Speech delivered at the Melbourne Law School, Melbourne, 1 September 2009).</td>
</tr>
<tr>
<td>Including the territorial designation of a peer</td>
<td>This was a different approach from that of Lord Nicholls. [Not: … Lord Nicholls of Birkenhead] But: Lord Keith of Avonholm had a very different view of negligence from that held by Lord Keith of Kinkel.</td>
</tr>
</tbody>
</table>
1.15 Headings and Titles

1.15.1 Title and Author

<table>
<thead>
<tr>
<th>Rule</th>
<th>Attribute</th>
</tr>
</thead>
<tbody>
<tr>
<td>Title and Author</td>
<td>Titles should be capitalised, centred and in bold type. The name(s) of the author(s) should be in large and small capitals and centred.</td>
</tr>
</tbody>
</table>

Example: REFLECTIONS ON THE WORLD TRADE ORGANIZATION AND THE PROSPECTS FOR ITS FUTURE

BRYAN MERCURIO*

1.15.2 Heading Levels

<table>
<thead>
<tr>
<th>Rule</th>
<th>Attribute</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heading Level</td>
<td>Heads should appear as follows:</td>
</tr>
<tr>
<td>Heading Level One</td>
<td>Upper-case Roman numeral not italicised; heading in large and small capitals and centred</td>
</tr>
<tr>
<td>Heading Level Two</td>
<td>Upper-case letter not italicised; heading italicised and centred</td>
</tr>
<tr>
<td>Heading Level Three</td>
<td>Arabic numeral not italicised; heading italicised and left-aligned</td>
</tr>
<tr>
<td>Heading Level Four</td>
<td>Lower-case letter and heading italicised and left-aligned</td>
</tr>
<tr>
<td>Heading Level Five</td>
<td>Lower-case Roman numeral and heading italicised and left-aligned</td>
</tr>
</tbody>
</table>

Capitalisation in headings should adhere to rule 1.7.

1.16 Bibliographies

<table>
<thead>
<tr>
<th>Rule</th>
<th>Attribute</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bibliographies</td>
<td>Where a bibliography is required, it should list all sources that were relied upon (not only those referred to in the text and footnotes).</td>
</tr>
</tbody>
</table>
The bibliography may be divided into the sections below. However, a section may be omitted and other categories or subdivisions may be included as needed (with appropriate renumbering).

A Articles/Books/Reports

B Cases

C Legislation

D Treaties

E Other

All sources listed in the bibliography should be cited as set out in these rules (cases should be set out as if referred to in the text). However:

- an author’s first name and surname should be inverted and separated by a comma — for works by two or more authors, only the first author’s name and surname should be inverted; and
- full stops should not follow the citations.

Sources should be listed in alphabetical order according to:

- the surname of the first-listed author;
- where the author is an institution, the first word of the name of the institution (excluding ‘the’); or
- where there is no author, the first word of the title.

Where two authors have the same surname, the authors should be sorted alphabetically according to their first names. Where more than one work by an author is listed, the works should be listed in chronological order.

Example

BIBLIOGRAPHY

A Articles/Books/Reports


**B Cases**

*Lane v Morrison* [2009] HCA 29 (26 August 2009)

*Northern Cameroons (Cameroon v United Kingdom) (Preliminary Objections)* [1963] ICJ Rep 15

**C Legislation**

*Aerodrome Landing Fees Act 2003* (Vic)

*Australian Constitution*

**D Treaties**

*Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, opened for signature 10 December 1984, 1465 UNTS 85 (entered into force 26 June 1987)

**E Other**

New South Wales, *Parliamentary Debates*, Legislative Assembly, 15 December 1909
2 Cases

<table>
<thead>
<tr>
<th>Rule</th>
<th>Case Name</th>
<th>Year</th>
<th>Volume</th>
<th>Law Report Series</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>R v Tang</td>
<td>(2008)</td>
<td>237</td>
<td>CLR 1</td>
<td>7</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bakker v Stewart</td>
<td>[1980]</td>
<td></td>
<td>VR 17</td>
<td>22</td>
<td></td>
</tr>
</tbody>
</table>

2.1 Case Name

2.1.1 Parties’ Names: General Rule

A citation of an Australian case should include the parties’ names in italics as they appear on the first page of the report, except that:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations);
- capitalisation should adhere to rule 1.7;
- where the parties are individuals, given names and initials should be omitted;
- only the first-named plaintiff and first-named defendant should be cited (‘& Anor’ or ‘& Ors’ should not be used to indicate other parties); and
- where the case involves more than one action, only the first action should be cited.

Examples

- *Hot Holdings Pty Ltd v Creasy* (1996) 185 CLR 149. [Not: Hot Holdings Pty Ltd v Creasy and Ors ...]
- *Tame v New South Wales* (2002) 211 CLR 317. [Not: Tame v New South Wales; Annetts v Australian Stations Pty Ltd ...]
2.1.2 Business Corporations and Firms

Where a party is a business corporation or firm, the following abbreviations should be used:

<table>
<thead>
<tr>
<th>Word</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>and</td>
<td>&amp;</td>
</tr>
<tr>
<td>Company</td>
<td>Co</td>
</tr>
<tr>
<td>Limited</td>
<td>Ltd</td>
</tr>
<tr>
<td>Proprietary</td>
<td>Pty</td>
</tr>
<tr>
<td>Incorporated</td>
<td>Inc</td>
</tr>
<tr>
<td>(in liquidation)</td>
<td>(in liq)</td>
</tr>
<tr>
<td>(in provisional liquidation)</td>
<td>(in prov liq)</td>
</tr>
<tr>
<td>(administrator appointed)</td>
<td>(admin apptd)</td>
</tr>
<tr>
<td>(manager appointed)</td>
<td>(mgr apptd)</td>
</tr>
<tr>
<td>(receiver appointed)</td>
<td>(rec apptd)</td>
</tr>
</tbody>
</table>

Other (including foreign) words and phrases designating corporate status (for example, GmbH, AG, plc, SA, Sarl, etc) or a special status under incorporation legislation (for example, rec and mgr apptd) should be abbreviated according to convention.

‘Trading as’ or ‘t/as’, trading names and former company names should not be included.

Where ‘the’ forms part of a company or firm name, it should be included.

Examples


The Mond Staffordshire Refining Co Ltd v Harem (1929) 41 CLR 475. [Not: Mond Staffordshire Refining Co Ltd v Harem trading as ‘Mulsol’ Laboratories …]
### 2.1.3 The Commonwealth and the States and Territories

**Rule**

Where the Commonwealth of Australia is a party, ‘Commonwealth’ should be used. Where a party is an Australian state or territory, only the name of that State or Territory should be used (for example, ‘Queensland’, not ‘State of Queensland’).

‘The’ should be omitted from such names.

**Examples**


### 2.1.4 The Crown

**Rule**

*Rex* (‘the King’) and *Regina* (‘the Queen’) should be abbreviated to ‘R’ where the Crown is the first-named party. Where the Crown is the respondent, ‘The King’ or ‘The Queen’ (as appropriate) should be written out in full.

**Examples**

- *R v Reid* [2007] 1 Qd R 64.
- *Nydam v The Queen* [1977] VR 430.
- *Kemp v The King* (1951) 83 CLR 341.

### 2.1.5 Governmental Entities, Foreign Governments and International Organisations

**Rule**

Where a governmental entity or instrumentality, a foreign government or an international organisation is a party, its name should appear in the conventional shortened form (if any exists), rather than the full elaborate form. However, the full form should be used where this is necessary to avoid ambiguity.

‘The’ should be omitted from such names.
Examples

BP Refinery (Westernport) Pty Ltd v Shire of Hastings (1977) 180 CLR 266. [Not: … President, Councillors and Ratepayers of the Shire of Hastings …]

Papua New Guinea v Daera Guba (1973) 130 CLR 353. [Not: Administration of the Territory of Papua New Guinea …]


2.1.6 Ministers and Officers of the Commonwealth, States and Territories, and Government Departments

Rule

Where a Minister of the Crown or government officer is a party, their title should appear in the conventional shortened form (if any exists), rather than the full elaborate form.

Where both the title and name of a Minister or officer are included in the report, only the title should be included (and the name omitted). However, where only their name is included in the report, this should be included.

Where the jurisdiction of the Minister or officer is included in their title (but not evident in the conventional shortened form), it should not appear in full, but should appear in parentheses in an abbreviated form after their title (using the abbreviations in rule 3.1.3).

Where a secretary, under secretary or officer of a government department is a party and the name of the department appears in the case name, their position and the name of the department (separated by a comma) should be included. If the jurisdiction of the department is included in its title, it should appear in parentheses in an abbreviated form after the department name (using the abbreviations in rule 3.1.3).

‘The’ should be omitted from such titles.
Examples


Hicks v Ruddock (2007) 156 FCR 574.


Houssein v Under Secretary, Department of Industrial Relations and Technology [1980] 2 NSWLR 398.

2.1.7 Attorneys-General and Directors of Public Prosecutions

Rule

Where an Attorney-General is a party, ‘Attorney-General’ should be used in the text and ‘A-G’ in a footnote citation.

Where a party is a Director of Public Prosecutions, ‘Director of Public Prosecutions’ should be used in the text and ‘DPP’ in a footnote citation.

Both should be followed by the abbreviated form of the relevant jurisdiction within parentheses (see rule 3.1.3), even if it is not included in the report.

‘The’ should not precede ‘A-G’ or ‘DPP’ in a citation.

Examples

In Director of Public Prosecutions (NSW) v RHB, the Court of Criminal Appeal of New South Wales reconsidered a sentence imposed for murder.


17 Bradshaw v A-G (Qld) [2000] 2 Qd R 7, 13.
## Part II — Domestic Sources

### 2.1.8 Re

**Rule**
Procedural phrases such as ‘In re’ and ‘In the matter of’ should be shortened to ‘Re’.

**Examples**
- *Re Palmer; George v McIntyre* (1902) 2 SR (NSW) 200.

**Note**
‘Re’ means ‘in the matter of’ and is commonly used when a court acts in an advisory or guardianship capacity, as it does in cases involving the interpretation of wills or trusts. For example, if *Re Smith* were a trusts case, Smith would be the testator or settlor. Extended case names such as *Roberts v Jones; Re Williams* can occur where, for example, Williams left property to Jones to hold on trust for Roberts and Roberts sues Jones to enforce the will. In speech, ‘Re’ should be rendered ‘in the matter of’.

### 2.1.9 Ex parte

**Rule**
‘Ex parte’ should not be abbreviated and ‘Ex’ should be capitalised.

**Examples**
- *J Boag & Son Brewing Ltd v Cascade Brewery Co Pty Ltd; Ex parte Banks Paton Australia Pty Ltd* (1997) 7 Tas R 119.
- *R v Kirby; Ex parte Boilermakers’ Society of Australia* (1956) 94 CLR 254.

**Notes**
‘Ex parte’ indicates that the party to an action is acting in the absence of the other party. For example, *Ex parte Wilson* indicates that Wilson brought the action. Extended case names such as *Ex parte Wilson; Re Ho* can occur where, for example, Wilson brings an action concerning the rights of Zhang (a third party) under Ho’s will.
Case names such as *R v Chan; Ex parte Owen* can refer to applications for prerogative writs (administrative law remedies) and contempt proceedings. In the case of a prerogative writ, the above citation would mean that Owen has made an application for a prerogative writ against Chan.

2.1.10 **ex rel**

<table>
<thead>
<tr>
<th>Rule</th>
<th>When citing a relator action, the first-named relator should always be included and should be introduced by the abbreviation ‘<em>ex rel</em>’.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>227 <em>A-G (Vic) ex rel Dale v Commonwealth</em> (1945) 71 CLR 237. [<em>Not: A-G (Vic) (at the relation of Dale and Others) …]</em></td>
</tr>
<tr>
<td>Note</td>
<td>The abbreviation ‘<em>ex rel</em>’ stands for ‘<em>ex relatione</em>’, which means ‘upon the relation or information of’. Where a legal action is brought by the Attorney-General at the request of a private individual who lacks the necessary standing to sue in their own name, the private individual is termed the ‘relator’ and the case ‘the relator action’. In pre-20th century law reports, ‘<em>ex rel</em>’ ordinarily denoted that the reporter did not personally witness the proceedings but obtained an account second-hand.</td>
</tr>
</tbody>
</table>

2.1.11 **v**

<table>
<thead>
<tr>
<th>Rule</th>
<th>A ‘<em>v</em>’ should generally separate the parties’ names. It should not be followed by a full stop and should be italicised.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>In speech, the ‘<em>v</em>’ between the parties’ names is rendered ‘and’ in a civil action and ‘against’ in a criminal action both in Australia and the United Kingdom. It is not pronounced ‘versus’ as it is in the United States of America.</td>
</tr>
</tbody>
</table>
### 2.1.12 Admiralty Cases

**Rule**

For admiralty cases in rem, only the name of the vessel in question should appear as the case name.

For admiralty cases in personam, the parties’ names (separated by ‘v’) followed by a semicolon and the name of the vessel at issue should appear as the case name.

‘The’ should be included in names of vessels.

**Examples**


**Note**

Admiralty cases in rem are proprietary actions brought against the ship itself, and the ship (not a person) is named as the respondent. Admiralty cases in personam are actions between private parties that relate to a ship.

### 2.1.13 Multiple Proceedings between the Same Parties

**Rule**

For multiple proceedings under the same name, the number of the decision should be indicated in square brackets if the number appears in the case name itself.

Where there are multiple proceedings under the same name, but the case names do not (all) include numbers, it may be appropriate to give the cases descriptive short titles to differentiate them (see rule 2.1.14).

**Examples**


*Kuwait Airlines Corporation v Iraqi Airways Co [Nos 4 and 5] [2002] 2 AC 883.*
The litigation commenced by Mrs Cubillo went through many stages.6


2.1.14 Abbreviated and Popular Case Names

Rule

Where a case is commonly referred to by a popular name or is referred to more than once, the popular name or an abbreviated version of the case name may be included as a short title and used in subsequent references to the case. A popular case name may also be included as a short title to identify a case (even where the case is not referred to subsequently).

The short title should adhere to rule 1.4.3 (so should be italicised and placed within single inverted commas and parentheses following the initial citation). It may be placed in the text or in the footnotes.

In subsequent references, the short title should replace the parties’ names. Otherwise, the citation should appear as normal.

Examples

Several Justices on the Court have shown an extreme aversion to ‘[t]op-down reasoning’.1 This aversion has emerged in several different contexts. … Those arguing for judicial acknowledgment of restitution for unjust enrichment have not been immune to this criticism.4

The external affairs power has been interpreted widely in many recent decisions, such as Commonwealth v Tasmania (1983) 158 CLR 1 (‘Tasmanian Dam Case’).9

1 See, eg, McGinty v Western Australia (1996) 186 CLR 140, 232 (McHugh J) (‘McGinty’). See also Roxborough v Rothmans of Pall Mall Australia Ltd (2001) 208 CLR 516, 544–5 (Gummow J) (‘Roxborough’).
2.1.15 Omitting the Case Name

The case name should be omitted in a footnote citation if the case name appears in full (or as a defined short title in accordance with rule 2.1.14) in the sentence accompanying the footnote.

**Examples**

In *Thomas v Mowbray*, the control order regime established under the schedule to the *Criminal Code Act 1995* (Cth) survived a constitutional challenge.

Toohey J, in *Mabo v Queensland [No 2]*, also discussed fiduciary obligations.

**But:** In *Al-Kateb*, several High Court Justices discussed the role of international law in Australian constitutional interpretation.

---


14 (1992) 175 CLR 1, 204.

2.2 Year and Volume

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volumes of law report series are organised either by year or by volume number. Where the volumes of a law report series are organised by volume number, the year in which the decision was handed down (often, but not necessarily, the year in which the case was reported) should appear in parentheses ‘( )’. Where the volumes of a law report series are organised by year, the year of the volume in which the case is reported should appear in square brackets ‘[ ]’. If more than one volume is produced in a single year, the volume number should be included between the year and the report series abbreviation.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>On occasion, a law report series may change from being organised by year to volume number or vice versa. The system used for the volume in which the relevant case appears should be used. Where a law report series organised by year contains decisions that were handed down before the year of the volume, the year of the volume (not that of the decision) should nevertheless be included. The discrepancy between the year of the volume and the year of decision may be explained discursively if it is important.</td>
</tr>
</tbody>
</table>
2.3 Law Report Series

2.3.1 Authorised/Unauthorised and Generalist/Specific Report Series

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
</table>

A reported version of a case should be cited in preference to an unreported version.

Where a case appears in an ‘authorised’ report series, this series should be cited in preference to any other reported version. Where a case has not been reported in an authorised report series, an unauthorised report series should be cited.

Generalist (unauthorised) report series should be cited in preference to subject-specific (unauthorised) report series, which sometimes include extracts rather than the full decision.

If the only report of a case is a partial report and the relevant part is not extracted, the case should be cited as unreported (in accordance with rule 2.8).

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>


<table>
<thead>
<tr>
<th>Note</th>
</tr>
</thead>
</table>

Authorised reports usually indicate that they are the ‘authorised reports’ of the court in the opening pages of each volume. Judgments reproduced therein have been approved by a judge or their associate.
2.3.2 Abbreviations for Report Series

The name of the report series should be abbreviated using the abbreviations contained in the Appendix to this Guide. The name of the report series should not appear in italics.

The following are the most commonly cited Australian authorised (or preferred) report series:

<table>
<thead>
<tr>
<th>Court/Jurisdiction</th>
<th>Report Series</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Court of Australia</td>
<td>CLR</td>
<td>1903–</td>
</tr>
<tr>
<td>Federal Court of Australia</td>
<td>FCR</td>
<td>1984–</td>
</tr>
<tr>
<td>Australian Capital Territory</td>
<td>ACTR (in ALR)</td>
<td>1973–2008</td>
</tr>
<tr>
<td></td>
<td>ACTLR</td>
<td>2007–</td>
</tr>
<tr>
<td>New South Wales</td>
<td>SR (NSW)</td>
<td>1901–59</td>
</tr>
<tr>
<td></td>
<td>NSWR</td>
<td>1960–70</td>
</tr>
<tr>
<td></td>
<td>NSWLR</td>
<td>1971–</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>NTR (in ALR)</td>
<td>1979–91</td>
</tr>
<tr>
<td></td>
<td>NTLR</td>
<td>1990–</td>
</tr>
<tr>
<td>Queensland</td>
<td>QSR</td>
<td>1902–57</td>
</tr>
<tr>
<td></td>
<td>Qd R</td>
<td>1958–</td>
</tr>
<tr>
<td>South Australia</td>
<td>SALR</td>
<td>1899–1920</td>
</tr>
<tr>
<td></td>
<td>SASR</td>
<td>1921–</td>
</tr>
<tr>
<td>Tasmania</td>
<td>Tas LR</td>
<td>1904–40</td>
</tr>
<tr>
<td></td>
<td>Tas SR</td>
<td>1941–78</td>
</tr>
<tr>
<td></td>
<td>Tas R</td>
<td>1979–</td>
</tr>
<tr>
<td>Victoria</td>
<td>VLR</td>
<td>1875–1956</td>
</tr>
<tr>
<td></td>
<td>VR</td>
<td>1957–</td>
</tr>
<tr>
<td>Western Australia</td>
<td>WALR</td>
<td>1898–1958</td>
</tr>
<tr>
<td></td>
<td>WAR</td>
<td>1958–</td>
</tr>
</tbody>
</table>

Commonly used unauthorised Australian report series are: ALR, ALJR, FLR, Fam LR, NTR.

Names of report series that do not appear in the Appendix should be written out in full and not italicised.

Example  
Arnold v Regent Press Pty Ltd [1957] QSR 211.
Part II — Domestic Sources

2.4 Starting Page

Rule
The first page of the case should appear after the abbreviated form of the report series. If the case is identified by a unique reference rather than a starting page, that reference (including accompanying symbols) should be used instead of a starting page number.

Examples
Borg v Commissioner, Department of Corrective Services [2002] EOC ¶93-198.

Note
CCH report series often use a unique reference instead of a starting page.

2.5 Pinpoint Reference

Rule
Pinpoint references should adhere to rules 1.1.5–1.1.6 and be preceded by a comma and a space. Where the pinpoint reference is to the first page of the report, the page number should be repeated. In accordance with rule 1.1.5, a series of pinpoint references should be separated by commas rather than ‘and’.

Where cases are paginated, pinpoint references should be to pages. Page numbers should adhere to rule 1.12.1.

Where a report has both page numbers and paragraph numbers, page numbers should always be included in a pinpoint reference. In accordance with rules 1.1.5–1.1.6, paragraph numbers may be included in addition.

Where pages and paragraph numbers are included in pinpoint references, both a page number and a paragraph number should be included after ‘ibid’ unless exactly the same page(s) and paragraph(s) are referred to in the ‘ibid’ citation.
Examples

Re Mackenzie Grant & Co (1899) 1 WALR 116, 116.

De L v Director-General, Department of Community Services (NSW) [No 2] (1997) 190 CLR 207, 211, 221–2.

Garry Rogers Motors (Aust) Pty Ltd v Subaru (Aust) Pty Ltd [1999] ATPR ¶41-703, 43 014.

Total Ice Pty Ltd v Maroochy Shire Council [2009] 1 Qd R 82, 89–92 [18]–[19], 93 [24].

At trial, it was held that ‘the appellants had not proved that they had suffered any loss or damage.’\(^\text{49}\) On appeal, it was pointed out that the appellants may have suffered loss ‘if the outgoings for which they were liable included sums of a kind which had not been taken into account in forming the estimate they were given.’\(^\text{50}\) This was so even though the appellants may have received value for their payments.\(^\text{51}\) Yet the case had been dismissed at first instance.\(^\text{52}\)

\(^{49}\) Murphy v Overton Investments Pty Ltd (2004) 216 CLR 388, 402 [29].

\(^{50}\) Ibid 404 [32].

\(^{51}\) Ibid.

\(^{52}\) Ibid 404 [33].

2.6 Court

Rule

Generally, the name of the court should not be included in a citation of a reported case. However, where it is important to identify the court and the court is not otherwise apparent (for instance, from the report series or the text), the name of the court may be included in parentheses, following any pinpoint references and parenthetical clauses.

The jurisdiction of the court should not be indicated where it is otherwise apparent (as is the case for authorised state law reports).
Examples

22 Aldrick v EM Investments (Qld) Pty Ltd [2000] 2 Qd R 346 (Court of Appeal).

23 Chief Executive Officer of Customs v Labrador Liquor Wholesale Pty Ltd (2001) 188 ALR 493, 498 (emphasis added) (Queensland Court of Appeal).

2.7 Parallel Citations

Rule

Parallel citations should not be used in citations of Australian cases. In accordance with rule 2.3.1, the most authoritative available version of a case should be cited.

Example


Note

Parallel citations are used in citations of the United Kingdom Nominate Reports (see rule 23.1.3) and early United States Supreme Court decisions (see rule 24.1.3).

2.8 Unreported Decisions

2.8.1 Decisions with a Medium Neutral Citation

Example


Element

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Year</th>
<th>Unique Court Identifier</th>
<th>Judgment Number</th>
<th>Full Date</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quarmby</td>
<td>2009</td>
<td>TASSC</td>
<td>80</td>
<td>(9 September 2009)</td>
<td>[11]</td>
</tr>
</tbody>
</table>

Rule

Unreported decisions with a medium neutral citation (a citation system that does not depend on publisher or medium) should be cited as shown above. However, a medium neutral citation should only be used where the medium neutral citation was allocated by the court itself. Where this is not the case, unreported judgments should be cited in accordance with rule 2.8.2.
Case names should adhere to rule 2.1. Pinpoint references should appear as paragraph numbers, and should adhere to rules 1.1.5–1.1.6. There should be no punctuation between the full date and any pinpoint.

The following are the current preferred unique court identifiers for Australian Supreme and superior Commonwealth courts, and the years for which the courts allocated judgment numbers themselves:

<table>
<thead>
<tr>
<th>Court Name</th>
<th>Unique Court Identifier</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>High Court of Australia</td>
<td>HCA</td>
<td>1998–</td>
</tr>
<tr>
<td>High Court of Australia — Special Leave Dispositions</td>
<td>HCASL</td>
<td>2008–</td>
</tr>
<tr>
<td>Federal Court of Australia</td>
<td>FCA</td>
<td>1999–</td>
</tr>
<tr>
<td>Federal Court of Australia — Full Court</td>
<td>FCA</td>
<td>1999–2001</td>
</tr>
<tr>
<td>Family Court of Australia</td>
<td>FamCA</td>
<td>1998–</td>
</tr>
<tr>
<td>Family Court of Australia — Full Court</td>
<td>FamCA</td>
<td>1998–2007</td>
</tr>
<tr>
<td>Supreme Court of the Australian Capital Territory (including Full Court)</td>
<td>ACTSC</td>
<td>1998–</td>
</tr>
<tr>
<td>Australian Capital Territory Court of Appeal</td>
<td>ACTCA</td>
<td>2002–</td>
</tr>
<tr>
<td>Supreme Court of New South Wales</td>
<td>NSWSC</td>
<td>1999–</td>
</tr>
<tr>
<td>New South Wales Court of Appeal</td>
<td>NSWCA</td>
<td>1999–</td>
</tr>
<tr>
<td>New South Wales Court of Criminal Appeal</td>
<td>NSWCCA</td>
<td>1999–</td>
</tr>
<tr>
<td>Supreme Court of the Northern Territory (including Full Court)</td>
<td>NTSC</td>
<td>1999–</td>
</tr>
<tr>
<td>Northern Territory Court of Appeal</td>
<td>NTCA</td>
<td>2000–</td>
</tr>
<tr>
<td>Northern Territory Court of Criminal Appeal</td>
<td>NTCCA</td>
<td>2000–</td>
</tr>
<tr>
<td>Supreme Court of Queensland</td>
<td>QSC</td>
<td>1998–</td>
</tr>
<tr>
<td>Queensland Court of Appeal</td>
<td>QCA</td>
<td>1998–</td>
</tr>
<tr>
<td>Supreme Court of South Australia (including Full Court until end of 2009)</td>
<td>SASC</td>
<td>1999–</td>
</tr>
<tr>
<td>Supreme Court of South Australia — Full Court</td>
<td>SASCFC</td>
<td>2010–</td>
</tr>
<tr>
<td>Supreme Court of Tasmania (including Full Court until end of 2009)</td>
<td>TASSC</td>
<td>1999–</td>
</tr>
</tbody>
</table>
Part II — Domestic Sources

<table>
<thead>
<tr>
<th>Tasmanian Court of Criminal Appeal</th>
<th>TASCCA</th>
<th>2010–</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court of Tasmania — Full Court</td>
<td>TASFC</td>
<td>2010–</td>
</tr>
<tr>
<td>Supreme Court of Victoria</td>
<td>VSC</td>
<td>1998–</td>
</tr>
<tr>
<td>Victorian Court of Appeal</td>
<td>VSCA</td>
<td>1998–</td>
</tr>
<tr>
<td>Supreme Court of Western Australia</td>
<td>WASC</td>
<td>1999–</td>
</tr>
<tr>
<td>Western Australian Court of Appeal (including Full Court until end 2004)</td>
<td>WASCA</td>
<td>1999–</td>
</tr>
</tbody>
</table>

A list of current, commonly used Australian unique court identifiers is set out in Table A.

**Examples**


**Notes**

In accordance with rule 2.3.1, a case should generally not be cited as unreported if it has been reported.

Although some online databases are allocating medium neutral designations retrospectively, such designations have not been used in past citations of unreported cases. To avoid confusion and to unambiguously identify decisions, medium neutral citations should not be used to cite decisions prior to the years listed above.

### 2.8.2 Decisions without a Medium Neutral Citation

<table>
<thead>
<tr>
<th>Example</th>
<th>Barton v Chibber (Unreported, Supreme Court of Victoria, Hampel J, 29 June 1989)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Case Name: Unreported Description Court: Judge(s) Full Date Pin-point</td>
</tr>
<tr>
<td>Rule</td>
<td>Unreported decisions without a medium neutral citation allocated by the court should be cited as shown above.</td>
</tr>
</tbody>
</table>
Case names should adhere to rule 2.1. Judges’ names should adhere to rule 2.9.1.

Pinpoint references are generally to page numbers and refer to the copy of the judgment itself (as delivered by the court). If paragraph numbers are used instead of or in addition to page numbers, they should appear in square brackets (in accordance with rules 1.1.5–1.1.6). There should be no punctuation between the closing parenthesis after the full date and any pinpoint.

Example

Ross v Chambers (Unreported, Supreme Court of the Northern Territory, Kriewaldt J, 5 April 1956) 77–8.

Notes

In accordance with rule 2.3.1, a case should generally not be cited as unreported if it has been reported.

Older unreported judgments are sometimes compiled by courts into bound volumes, but even if citing an unreported case from such a volume, there is no need to refer to the volume or include a starting page.

2.9 Identifying Judges and Counsel

2.9.1 Identifying Judicial Officers

Where appropriate, the judicial officer(s) whose judgment is being cited may be identified in parentheses after a pinpoint reference. However, a judicial officer should not be included in a footnote citation if their identity is otherwise apparent. ‘Per’ should not be used. Judicial officers’ names should appear in accordance with rule 1.14.4.

The following abbreviations of judicial offices in Australia should appear after judicial officers’ names in the text and in citations (including where the name appears at the start of a sentence). However, those titles marked with an asterisk (*) should always appear in full before judicial officers’ names.
## Part II — Domestic Sources

<table>
<thead>
<tr>
<th>Judicial Office</th>
<th>Abbreviation/Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Acting Chief Justice</td>
<td>ACJ</td>
</tr>
<tr>
<td>Acting Justice of Appeal</td>
<td>AJA</td>
</tr>
<tr>
<td>Acting Justices of Appeal</td>
<td>AJJA</td>
</tr>
<tr>
<td>Acting Justice</td>
<td>AJ</td>
</tr>
<tr>
<td>Acting Justices</td>
<td>AJJ</td>
</tr>
<tr>
<td>Acting President</td>
<td>AP</td>
</tr>
<tr>
<td>Associate Justice</td>
<td>AsJ</td>
</tr>
<tr>
<td>Auxiliary Judge</td>
<td>AUJ</td>
</tr>
<tr>
<td>Chief Judge Administrator</td>
<td>CJA</td>
</tr>
<tr>
<td>Chief Judge at Common Law</td>
<td>CJ at CL</td>
</tr>
<tr>
<td>Chief Judge in Equity</td>
<td>CJ in Eq</td>
</tr>
<tr>
<td>Chief Judge of the Commercial Division</td>
<td>CJ Comm D</td>
</tr>
<tr>
<td>Chief Justice</td>
<td>CJ</td>
</tr>
<tr>
<td>Commissioner</td>
<td>Commissioner*</td>
</tr>
<tr>
<td>Deputy Chief Justice/District Court Judge</td>
<td>DCJ</td>
</tr>
<tr>
<td>Federal Magistrate</td>
<td>FM</td>
</tr>
<tr>
<td>Judge</td>
<td>Judge*</td>
</tr>
<tr>
<td>Judicial Registrar</td>
<td>JR</td>
</tr>
<tr>
<td>Justice of Appeal</td>
<td>JA</td>
</tr>
<tr>
<td>Justices of Appeal</td>
<td>JJA</td>
</tr>
<tr>
<td>Justice</td>
<td>J</td>
</tr>
<tr>
<td>Justices</td>
<td>JJ</td>
</tr>
<tr>
<td>Magistrate</td>
<td>Magistrate*</td>
</tr>
<tr>
<td>Master</td>
<td>Master*</td>
</tr>
<tr>
<td>President</td>
<td>P</td>
</tr>
<tr>
<td>Senior Judge Administrator</td>
<td>SJA</td>
</tr>
<tr>
<td>Senior Judge</td>
<td>SJ</td>
</tr>
<tr>
<td>Senior Judges</td>
<td>SJJ</td>
</tr>
<tr>
<td>Senior Puisne Judge</td>
<td>SPJ</td>
</tr>
<tr>
<td>Vice-President</td>
<td>V-P</td>
</tr>
</tbody>
</table>

### Examples


### 2.9.2 Subsequent Elevation

**Rule**
When identifying a judge, their judicial office at the time of the decision should be used. The phrase ‘as he/she then was’ should not be included.

### 2.9.3 Statements Made during Argument

**Rule**
When citing a statement made during argument, the words ‘during argument’ should be included in separate parentheses after the judge’s or counsel’s name. ‘Arguendo’ should not be used.

When referring to statements by counsel during argument, their initials (if included in the report) and any designation as Queen’s Counsel (‘QC’), King’s Counsel (‘KC’) or Senior Counsel (‘SC’) should be included.

**Examples**

*Stephens v Abrahams [No 2] (1903) 29 VLR 229, 239 (Williams J) (during argument), 242–3 (Isaacs KC) (during argument).*

*Combet v Commonwealth (2005) 224 CLR 494, 497 (S J Gageler SC) (during argument).*
2.10 Case History

Rule
The subsequent history of a case may be indicated after a citation of the case by including the abbreviations ‘affd’ for ‘affirmed’ or ‘revd’ for ‘reversed’, preceded by a comma and followed by the citation of the subsequent decision.

If the case name remains the same or the parties’ names are merely reversed, the name of the subsequent decision should be omitted.

Examples


2.11 Quasi-Judicial Decisions

2.11.1 Administrative Decisions

Rule
Administrative decisions and determinations (including those of tribunals) should generally be cited in the same way as reported and unreported cases, except that:

- often ‘and’ is used to separate party names, rather than ‘v’ — this should appear as it does in the decision itself;
- the title of the decision may be a number or code, rather than party names;
- tribunal members may be referred to by a title other than ‘Mr’ or ‘Ms’ (such as ‘Dr’, ‘Prof’, etc);
- the titles ‘Member’, ‘Deputy Member’ and ‘Senior Member’ (in addition to those in rule 2.9.1, which should be used for judicial officers sitting in tribunals) are often used for administrative decision-makers and should appear before the name of the decision-maker (if they have no other title); and
• the initials or first names of tribunal members should be omitted, unless they are necessary to avoid ambiguity (in accordance with rule 1.14.4).

**Examples**

*Re Pochi and Minister for Immigration and Ethnic Affairs* (1979) 26 ALR 247.

*McMahon v Boroondara City Council* [2002] VCAT 626 (5 July 2002) [26]–[28] (Member Avery).

*Application by AAPT Ltd [No 2]* [2009] ACompT 6 (9 September 2009) [6.1]–[6.5] (Finkelstein J, Member Davey and Prof Round).

Dr Gerber stated:

> when dealing with rugby footballers, it seems to me to be a fruitless exercise to parse and analyse their every utterance in an attempt to comprehend their meaning. In the hands of rugby league footballers, the spoken word — like the game itself — is rough at the best of times …

21 *AAT Case 7422* (1991) 22 ATR 3450, 3456 [28]. He later commented (at 3458 [45]) that:

> Whatever the capital gains tax provisions sought to achieve is still firmly locked in the mind of the parliamentary draftsman who, for purposes of comprehension and enlightenment, might as well have enacted Pt IIIA in Swahili.

**Note**

Administrative decisions are often reported in the ALD, ATR and state administrative decision series. Many administrative tribunals have medium neutral unique ‘court’ identifiers, some of which are listed in Table A.

### 2.11.2 Arbitrations

**Rule**

Arbitral decisions should be cited as follows:

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Award Description</th>
<th>Forum</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case/Award</td>
<td>Number</td>
<td>Full Date</td>
</tr>
</tbody>
</table>

21
Only information appearing on the arbitral decision should be included. If the parties’ names are omitted from an arbitral decision, the other elements should be included but should not appear in parentheses. ‘Case/Award’ should be replaced by the appropriate designation used by the relevant forum. If there is no forum, the arbitrator’s name may be included instead.

Where the parties’ names are included, there should be no punctuation between the closing parenthesis after the full date and any pinpoint. If the parties’ names are not included, a comma should separate the full date and any pinpoint. Pinpoint references should be to pages, paragraphs or both (and should adhere to rules 1.1.5–1.1.6).

Where an arbitral decision is reproduced in a report series, book or periodical, a citation of the reproduction should be included after the above information, preceded by ‘reported in’. A starting page should be included. Pinpoints should be to the page numbers of the reproduction, and may also include paragraph numbers in addition.

**Examples**


Final Award, Netherlands Arbitration Institute, Case No 1930, 12 October 1999 reported in (2001) 26 *Yearbook — Commercial Arbitration* 181, 184 [5]–[6].
2.12 Transcripts of Proceedings

2.12.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transcripts of proceedings should be cited as follows:</td>
</tr>
<tr>
<td>Transcript of Proceedings, <em>Case Name</em> <em>(Court)</em></td>
</tr>
<tr>
<td><em>Proceeding Number</em>, <em>Judge(s)</em>, <em>(Full Date of Proceedings)</em></td>
</tr>
<tr>
<td>Pinpoint</td>
</tr>
</tbody>
</table>

A proceeding number (the number assigned by the court to the matter) should be included only if it appears on the transcript. The names of all judges hearing the matter should be included after the proceeding number.

Pinpoint references should be to page numbers or line numbers (where line numbering is continuous across a transcript). If a pinpoint is included, a speaker’s name may be included after it (in accordance with rule 2.9) but ‘(in argument)’ should not be included.

Examples

- Transcript of Proceedings, *Celano v Swan* (County Court of Victoria, 09/0867, Judge Lacava, 27 August 2009) 11 (S M Petrovich).
- Transcript of Proceedings, *R v MSK* (Supreme Court of New South Wales, Hidden J, 18 May 2005) 112, 143, 151, 156.

2.12.2 High Court of Australia from July 2003

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transcripts of proceedings in the High Court of Australia with ‘HCATrans’ numbers appearing on the transcript itself should be cited as follows:</td>
</tr>
<tr>
<td>Transcript of Proceedings, <em>Case Name</em> [Year] HCATrans <em>Number</em></td>
</tr>
<tr>
<td><em>(Full Date of Proceedings)</em></td>
</tr>
</tbody>
</table>

Pinpoint references should be to line numbers. If a pinpoint is included, a speaker’s name may be included after it (in accordance with rules 2.9.1–2.9.2), but ‘(in argument)’ should not be included.

Transcripts of other High Court proceedings should be cited according to rule 2.12.1.
| Note                                         | High Court transcripts contain ‘HCATrans’ numbers from July 2003. |

### 2.13 Submissions in Cases

**Rule**  
Submissions in cases should be cited as follows:  

```
Party Name, ‘Title of Submission’, Submission in Case Name, Proceeding Number, Full Date, Pinpoint.
```

A title of submission and a proceeding number (the number assigned by the court to the matter) should be included only if they appear in the submission.

Pinpoints may be to page numbers, paragraph numbers or both (see rules 1.1.5–1.1.6).

**Example**  

### 2.14 Subsequent References

**Rule**  
‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references, citations should appear in full each time a source is referred to. However, for citations of cases and quasi-judicial decisions, a short title may be used in place of the parties’ names (in accordance with rule 2.1.14).
Examples


15 Ibid 118 [24].

…

19 Moore (2008) 23 NTLR 112, 121 [34]. [Not: Moore, above n 14, 121 [34].]


21 Ibid (Mason CJ). His Honour commented that it would ‘be a sacrifice’ not to hear counsel’s arguments.
3 Legislative Materials

3.1 Statutes (Acts of Parliament)

<table>
<thead>
<tr>
<th>Example</th>
<th>Crimes Act</th>
<th>1958</th>
<th>(Vic)</th>
<th>s 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Title</td>
<td>Year</td>
<td>Jurisdiction</td>
<td>Pinpoint</td>
</tr>
<tr>
<td>Rule</td>
<td>3.1.1</td>
<td>3.1.2</td>
<td>3.1.3</td>
<td>3.1.4–3.1.6</td>
</tr>
</tbody>
</table>

3.1.1 Title

Rule

A citation of an Australian Act of Parliament should begin with the short title of the Act in italics. The long title of the Act should be used only if the Act does not contain a short title.

Titles should appear as they do in the statute book, subject to chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

Where multiple Acts have the same title but contain different numbers in their short titles (for example, ‘(No 1)’ and ‘(No 2)’), the number should be included and should appear in parentheses.

Examples

Evidence Act 1995 (NSW).
Social Welfare Ordinance 1964 (NT).
Law and Justice Legislation Amendment Act (No 2) 1992 (Cth).
Law and Justice Legislation Amendment Act (No 4) 1992 (Cth).

Note

Statutes of the Australian Capital Territory and the Northern Territory were previously referred to as ordinances. However, these ordinances became known as Acts after the ACT (in 1988) and the NT (in 1978) attained self-government.
3.1.2 Year

Rule

The year in which the Act was originally passed should appear in italics following the title. The year should be included whether or not the Act includes it in the short title.

Example


Notes

Citations of an Act refer to that Act as amended (and consolidated). Regardless of when a particular provision was introduced, the year included should be that of original enactment. Generally, a principal Act rather than an amending Act should be cited (but see rule 3.8).

For the ACT and the NT, the year is that in which the original ordinance (which may subsequently have become an Act) was promulgated.

3.1.3 Jurisdiction

Rule

An abbreviated form of the jurisdiction in which the Act was passed should appear in parentheses following the year. The jurisdiction should not be italicised.

The following abbreviations should be used for Australian jurisdictions:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth</td>
<td>Cth</td>
</tr>
<tr>
<td>Australian Capital Territory</td>
<td>ACT</td>
</tr>
<tr>
<td>New South Wales</td>
<td>NSW</td>
</tr>
<tr>
<td>Northern Territory</td>
<td>NT</td>
</tr>
<tr>
<td>Queensland</td>
<td>Qld</td>
</tr>
<tr>
<td>South Australia</td>
<td>SA</td>
</tr>
<tr>
<td>Tasmania</td>
<td>Tas</td>
</tr>
<tr>
<td>Victoria</td>
<td>Vic</td>
</tr>
<tr>
<td>Western Australia</td>
<td>WA</td>
</tr>
</tbody>
</table>

Examples

Misrepresentation Act 1972 (SA).

3.1.4 Pinpoint Reference

Pinpoint references to Acts usually comprise an abbreviation and a number, separated by a space.

Pinpoint references should use the following abbreviations (in the text and in citations), except where the pinpoint begins a sentence:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Abbreviation</th>
<th>Plural</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appendix</td>
<td>app</td>
<td>Appendices</td>
<td>apps</td>
</tr>
<tr>
<td>Article</td>
<td>art</td>
<td>Articles</td>
<td>arts</td>
</tr>
<tr>
<td>Chapter</td>
<td>ch</td>
<td>Chapters</td>
<td>chs</td>
</tr>
<tr>
<td>Clause</td>
<td>cl</td>
<td>Clauses</td>
<td>cls</td>
</tr>
<tr>
<td>Division</td>
<td>div</td>
<td>Divisions</td>
<td>divs</td>
</tr>
<tr>
<td>Paragraph</td>
<td>para</td>
<td>Paragraphs</td>
<td>paras</td>
</tr>
<tr>
<td>Part</td>
<td>pt</td>
<td>Parts</td>
<td>pts</td>
</tr>
<tr>
<td>Schedule</td>
<td>sch</td>
<td>Schedules</td>
<td>schs</td>
</tr>
<tr>
<td>Section</td>
<td>s</td>
<td>Sections</td>
<td>ss</td>
</tr>
<tr>
<td>Sub-clause</td>
<td>sub-cl</td>
<td>Sub-clauses</td>
<td>sub-cls</td>
</tr>
<tr>
<td>Subdivision</td>
<td>sub-div</td>
<td>Subdivisions</td>
<td>sub-divs</td>
</tr>
<tr>
<td>Sub-paragraph</td>
<td>sub-para</td>
<td>Sub-paragraphs</td>
<td>sub-paras</td>
</tr>
<tr>
<td>Subsection</td>
<td>sub-s</td>
<td>Subsections</td>
<td>sub-ss</td>
</tr>
</tbody>
</table>

The words ‘item’ and ‘items’ may be used to refer to items in a table or schedule, or numbered paragraphs in an amending Act. They should not be abbreviated.

Numbered or lettered subsections should appear in parentheses immediately following the section number. The section number and subsection number should not be separated by a space (for example, ‘s 3(a)’, not ‘s 3 (a)’).

In references to a section and a subsection, a paragraph and a sub-paragraph, etc, the abbreviation that corresponds to the highest ‘level’ of the section or paragraph etc in the pinpoint should be used (for example, ‘s 31(1)’, not ‘sub-s 31(1)’).

Where multiple combinations of an abbreviation and a number are needed to form one pinpoint reference, there should be no comma between each abbreviation–number combination (for example, ‘pt III div 2’, not ‘pt III, div 2’).
Where an Act uses a decimal numbering system (often in the form Chapter. Part. Section), pinpoints should contain the whole of the decimal number preceded by the abbreviation for the lowest ‘level’ of section, part, chapter, etc, cited (for example, ‘s 2.3.5’, not ‘ch 2.3.5’).

**Examples**

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>s 2</td>
<td>s 108</td>
<td>sub-s (3)</td>
</tr>
<tr>
<td>pt V</td>
<td>s 5(1)</td>
<td>s 2(3)</td>
</tr>
<tr>
<td>ch III</td>
<td>s 14(1)(a)</td>
<td>s 28(1)(a)(i)</td>
</tr>
<tr>
<td>pt 7 div 3 sub-div 8</td>
<td>s 13</td>
<td>cl 14(3)(a)</td>
</tr>
</tbody>
</table>

Despite there being no requirement to show fault, actions under Trade Practices Act 1974 (Cth) pt VA have been rare.

She drew attention to sub-s (1). Subsection (1) provides that ‘a registered trade mark is personal property’.

The judge referred to s 8(3) in argument. [Not: … sub-s 8(3) …]

**Social Security (Administration) Act 1999** (Cth) s 123TE.

**Aboriginal and Torres Strait Islander Act 2005** (Cth) pt 3A div 2.

**Civil Liability Act 2003** (Qld) ch 2 pt 1 div 4.

**Crimes at Sea Act 1999** (Vic) sch 1 cl 2.

**Aboriginal Land Rights (Northern Territory) Amendment Act 2006** (Cth) sch 1 item 46.

**A New Tax System (Goods and Services Tax) Act 1999** (Cth) s 38-10(1) items 1–2.

**Gambling Regulation Act 2003** (Vic) s 3.2.1.

**Legal Profession Act 2004** (Vic) pt 2.3.


**Notes**

The most specific pinpoint that is appropriate should be included. Thus ‘pt 3 div 7’ is appropriate where speaking generally of that division, but ‘s 58’ is appropriate where dealing with an individual section. Because section numbering is usually continuous throughout an Act, it is unnecessary to indicate chapters, parts, divisions, etc, when citing a section.
Some recent taxation statutes contain sections in the form of a division number immediately followed by a hyphen and a section number (for example, ‘s 26-52’). A hyphen (not an en-dash) should be used between the division and section numbers in such pinpoints.

### 3.1.5 Multiple Pinpoint References

**Rule**

The plural abbreviation of the highest ‘level’ of sections, subsections, etc, cited should precede multiple pinpoints (see rule 3.1.4).

Consecutive pinpoints should be separated by an en-dash (–) (for example, ‘sub-ss (2)–(3)’). Hyphens (–) should not be used (in accordance with rule 1.1.6).

Non-consecutive pinpoints should each be separated by a comma and a space (for example, ‘paras (3), (5)’). The word ‘and’ should not be used to separate the final two pinpoints (in accordance with rule 1.1.5).

Spans of section numbers should adhere to rule 1.12.1. In spans of alphanumeric sections, divisions, parts, etc, of an Act, the whole section number etc should be repeated (for example, ‘ss 22A–22D’, not ‘ss 22A–D’).

Where an Act uses a decimal numbering system, each section number, part number, etc, in spans and in non-consecutive pinpoints should be written out in full (for example, ‘ss 3.2.5–3.2.7’, not ‘ss 3.2.5–7’).

**Examples**

| ss 2–3 | ss 42–9 | ss 5, 7, 9 [Not: … 7 and 9] |
| ss 6(7)(b)–(d) [Not: s 6(7)(b)–(d)] | sub-ss (2)–(7) |
| ss 29(2)–(5) [Not: sub-ss 29(2)–(5)] | sub-paras (4)–(8) |
| ss 3(a)–(c) [Not: ss 3(a), (b), (c)] | cls (1)–(3) |
| ss 92(1), (4), (7) | divs 3–4 |
| ss 8(2), (5)(a)–(b) [Not: ss 8(2), 8(5)(a)–(b)] | ss 5, 7, 9, 28 |

HSI, as an ‘interested person’, sought a declaration and injunction against Kyodo for contravening ss 229–30 of the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).

Unpublished works are dealt with in sub-ss (2)–(3).

*Liquor Act 2007* (NSW) ss 5(1)(a)–(b).
Legislative Materials

Fair Trading (Reinstatement of Regulations) Act 2008 (Tas) ss 4(2)(a)–(b), (4), 5(b).

Gas Supply Act 2003 (Qld) ch 2 pt 1 div 3 sub-div 2, ch 3 pt 1.

Unlawful Assemblies and Processions Act 1958 (Vic) ss 5–6, 10–12, 26–9. [Not: … 26–29.]


See Gambling Regulation Act 2003 (Vic) s 3.2.1. Sections 3.2.1–3.2.2 allow the Commission to authorise gambling. [Not: … Sections 3.2.1–2 …]

3.1.6 Definitions

Rule
Unnumbered definitions should be cited as follows:

s [Section Number] (definition of ‘[Defined Term]’)

’s [Section Number]’ should be replaced with the schedule number (or other portion of an Act) containing the definition as appropriate.

If there are multiple paragraphs in the definition and a particular paragraph is referred to, a reference to that paragraph should be included, preceded by ‘para’. No comma should separate the defined term and ‘para’.

If definitions are contained in numbered sections of an Act, each definition should be cited as a normal section (in accordance with rules 3.1.4–3.1.5).

Examples

Property Law Act 1958 (Vic) s 3 (definition of ‘legal practitioner’).

Evidence Act 2008 (Vic) Dictionary pt 1 (definition of ‘civil proceeding’).

Greenhouse Gas Storage Act 2009 (Qld) sch 2 (definition of ‘GHG well’ para (1)). [Not: … (definition of ‘GHG well’, para (1)).]

Corporations Act 2001 (Cth) s 9 (definition of ‘administrator’ para (a)(i)). [Not: … (Cth) s 9(a)(i).]

Human Rights Act 2004 (ACT) s 5. [Not: … s 5 (definition of ‘human rights’).]
Definitions are usually contained in a single section or a schedule of an Act, but are usually not individually numbered. When Acts are amended, new terms are often inserted in alphabetical order between existing terms.

3.2 Australian Constitutions

The Constitution of the Commonwealth of Australia may be cited as the Australian Constitution, the Commonwealth Constitution, or simply the Constitution if there is no ambiguity as to which constitution is being cited.

Where necessary, the Australian Constitution may also be referred to within its enacting legislation as:

Commonwealth of Australia Constitution Act 1900 (Imp) 63 & 64 Vict, c 12, s 9.

Constitutions of the Australian states should be cited as normal statutes.

Examples

Australian Constitution s 51(ii).

Australian Capital Territory (Self-Government) Act 1988 (Cth) s 22(1); Northern Territory (Self-Government) Act 1978 (Cth) s 6; Constitution Act 1902 (NSW) s 5; Constitution Act 1867 (Qld) s 2; Constitution Act 1934 (SA) s 5; Constitution Act 1934 (Tas) s 9(1); Constitution Act 1975 (Vic) s 16; Constitution Act 1889 (WA) s 2(1).
3.3 Delegated Legislation

<table>
<thead>
<tr>
<th>Example</th>
<th>Police Regulations</th>
<th>2003</th>
<th>(Vic)</th>
<th>reg 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Title</td>
<td>Year</td>
<td>Jurisdiction</td>
<td>Pinpoint</td>
</tr>
</tbody>
</table>

3.3.1 General Rule

Rule
Delegated legislation (for example, regulations, rules and orders) should be cited in the same manner as primary legislation (in accordance with rule 3.1).

Examples
- *County Court (Court Fees) Order 2001* (Vic) O 3.

3.3.2 Pinpoint Reference

Rule
The abbreviations in rule 3.1.4 as well as the following additional abbreviations should be used to refer to pinpoints in delegated legislation:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Abbreviation</th>
<th>Plural</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order</td>
<td>O</td>
<td>Orders</td>
<td>OO</td>
</tr>
<tr>
<td>Regulation</td>
<td>reg</td>
<td>Regulations</td>
<td>regs</td>
</tr>
<tr>
<td>Rule</td>
<td>r</td>
<td>Rules</td>
<td>rr</td>
</tr>
<tr>
<td>Sub-regulation</td>
<td>sub-reg</td>
<td>Sub-regulations</td>
<td>sub-regs</td>
</tr>
<tr>
<td>Sub-rule</td>
<td>sub-r</td>
<td>Sub-rules</td>
<td>sub-rr</td>
</tr>
</tbody>
</table>

Examples
- *Migration Regulations 1994* (Cth) regs 2.01–2.02.
- *Federal Court Rules 1979* (Cth) OO 3, 5, 7 r 4A.
- *Supreme Court (General Civil Procedure) Rules 2005* (Vic) r 3.01.
- *High Court Rules 2004* (Cth) r 42.02.2.
In some court rules, for example the *Supreme Court (General Civil Procedure) Rules 2005* (Vic) and the *High Court Rules 2004* (Cth), the numbering of the rules is continuous, and the decimal rule number includes the number of the order. In such cases, only a rule number need be included as a pinpoint (for example, ‘r 8.01’). An order number is not needed, but may be used when referring generally to the order as a whole (for example, ‘O 8’).

In other court rules, for example the *Federal Court Rules 1979* (Cth), both the order number and the specific rule within the order (if the latter is cited) must be included (for example, ‘O 9 r 4’). In lists of pinpoints to such court rules, it may be necessary to repeat the order number to unambiguously identify the pinpoints cited.

### 3.4 Quasi-Legislative Materials

#### 3.4.1 Gazettes

Gazettes should be cited as follows:

```
Jurisdiction, Gazette Title, No Gazette Number, Full Date, Pinpoint.
```

Where multiple notices appear in the same gazette or on the same page, the author and title of the notice (if available) should also be included as follows:

```
Author, ‘Title of Notice’ in Jurisdiction, Gazette Title, No Gazette Number, Full Date, Starting Page, Pinpoint.
```

**Examples**


### 3.4.2 Orders and Rulings of Government Instrumentalities and Officers (ASIC Class Orders, Taxation Rulings, etc)

**Rule**

Orders and rulings of government instrumentalities and officers that are not appropriate to cite as delegated legislation (see rule 3.3) and are not published in a gazette (see rule 3.4.1) should be cited as follows:

- Instrumentality/Officer, [Instrument Title], Document Number, Full Date, Pinpoint.

Only the official title of an officer (not their name) should be included. Where a government department or an officer promulgates the instrument, the jurisdiction should be included in parentheses after the name of the department or officer if it is not obvious or otherwise apparent (using the abbreviations in rule 3.1.3).

A document number should be included only if it appears on the instrument. The document number should be reproduced using any abbreviations as they appear on the instrument (adhering to rule 1.6.1, so full stops should not be used in abbreviations).

**Examples**


### 3.4.3 Legislation Delegated to Non-Government Entities (ASX Listing Rules, Professional Conduct Rules, etc)

**Rule**

Delegated legislation and quasi-legislative instruments issued by non-government entities should be cited in the same way as orders and rulings of government instrumentalities and officers (in accordance with rule 3.4.2) as far as possible.
Terms designating the issuing body as a company (for example, ‘Pty’, ‘Ltd’, ‘Co’, ‘Inc’) should be omitted from its name, as should ‘the’ at the start of the name.

Where such delegated legislation does not include a document number or is frequently updated, the full date may be replaced with the date of the version cited (or the effective date of the provision cited) as follows:

| Issuing Body | Title | (at Full Date) | Pinpoint |

**Examples**


**Note**

If a source has provisions with different effective dates, the effective date of the provision cited should be included.

### 3.4.4 Court Practice Directions and Practice Notes

If a court practice direction or practice note is reproduced in a report series, it should be cited as follows:

```
Court, Practice Direction/Note No [Number] —
Title of Practice Direction/Note Citation of Report Series
Pinpoint.
```

The citation of the report series should adhere to rule 2.3. Pinpoint references should be to pages or pages and paragraphs (in accordance with rule 2.5).

Court practice directions and practice notes not published in a report series should be cited as follows:

```
Court, Practice Direction/Note No [Number] —
Title of Practice Direction/Note, Full Date, Pinpoint.
```
### Legislative Materials

#### Examples

| Federal Court of Australia, *Practice Note No 1 — Appeals to a Full Court, 3 January 2008, pt B.* |

#### Note

Practice directions and practice notes are often reproduced in the issuing court’s authorised report series and should be cited from there where available.

### 3.5 Bills

#### Rule

Bills should be cited in the same manner as Acts, except the title and year should not be italicised. ‘Clause’ and ‘sub-clause’ are usually the appropriate pinpoint designations.

#### Examples

| Corporations Amendment Bill (No 1) 2005 (Cth). |
| Carbon Pollution Reduction Scheme Bill 2009 (Cth) cl 83. |
| Migration Amendment (Immigration Detention Reform) Bill 2009 (Cth) sch 1 item 9. |

### 3.6 Explanatory Memoranda, Statements and Notes

#### Rule

Explanatory Memoranda (also known in some jurisdictions as Explanatory Statements or Explanatory Notes) should be cited as follows:

Explanatory Memorandum, [Citation of Bill] [Pinpoint].
‘Explanatory Memorandum’ should be replaced with ‘Explanatory Statement’ or ‘Explanatory Note(s)’ where appropriate. The citation of the Bill should appear in accordance with rule 3.5. Pinpoints should be to pages or pages and paragraphs of the memorandum, statement or note (and should adhere to rules 1.1.5–1.1.6).

**Example**

Explanatory Notes, Adoption Bill 2009 (Qld) 5–6, 29.

**Note**

Chapter 6 contains rules on citing other parliamentary documents. Second reading speeches are sections of parliamentary debates and should be cited in accordance with rule 6.1.1. Bills digests and alert digests should be cited in accordance with rule 6.1.5.

### 3.7 Order of Parallel Australian Statutes and Bills

**Rule**

When citing equivalent Acts or Bills across multiple Australian jurisdictions, Commonwealth Acts or Bills should appear first, followed by state and territory Acts or Bills in alphabetical order of jurisdiction.

Parallel Acts and Bills should be ordered in this way even if legislation from all Australian jurisdictions is not cited, unless there is good reason to do otherwise (for example, where the order is important to meaning).

**Examples**

*Trade Practices Act 1974 (Cth) s 52(1); Fair Trading Act 1992 (ACT) s 12(1); Fair Trading Act 1987 (NSW) s 42(1); Consumer Affairs and Fair Trading Act 1990 (NT) s 42(1); Fair Trading Act 1989 (Qld) s 38(1); Fair Trading Act 1987 (SA) s 56(1); Fair Trading Act 1999 (Tas) s 14(1); Fair Trading Act 1999 (Vic) s 9(1); Fair Trading Act 1987 (WA) s 10(1).*

*Oaths and Affirmations Act 1984 (ACT) s 14(1); Oaths Act 1939 (NT) s 8; Oaths Act 1867 (Qld) s 5; Oaths Act 1936 (SA) s 13; Oaths, Affidavits and Statutory Declarations Act 2005 (WA) s 5(1).*
3.8 Legislative History: Amendments, Repeals and Insertions

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
</table>
| Where it is appropriate or important, the legislative history of an Act or provision may be indicated by referring to both the original and the amending legislation. The following expressions should be used, preceded by a comma, to link the two Acts (thereby indicating the legislative history):

- ‘as amended by’/‘later amended by’/‘amending’;
- ‘as repealed by’/‘repealing’; and
- ‘as inserted by’/‘inserting’.

The term used will depend upon which Act amended, inserted or repealed the other Act or provision. They are not interchangeable.

‘Amending/repealing/inserting’ and ‘as amended by/as repealed by’ should also be used for Bills. |

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anti-Discrimination (Amendment) Act 1994 (NSW) sch 1 item 1, amending Anti-Discrimination Act 1977 (NSW) s 4(1).</td>
</tr>
<tr>
<td>Copyright Act 1968 (Cth) s 40(3), later amended by Copyright Amendment Act 2006 (Cth) sch 6 item 11.</td>
</tr>
<tr>
<td>Crimes Act 1914 (Cth) s 24A(g), as repealed by Anti-Terrorism Act (No 2) 2005 (Cth) sch 7 item 2.</td>
</tr>
<tr>
<td>Anti-Terrorism Act (No 2) 2005 (Cth) sch 7 item 2, repealing Crimes Act 1914 (Cth) s 24A(g).</td>
</tr>
<tr>
<td>Crimes Act 1958 (Vic) s 3B, as inserted by Crimes (Homicide) Act 2005 (Vic) s 3.</td>
</tr>
<tr>
<td>Crimes (Homicide) Act 2005 (Vic) s 3, inserting Crimes Act 1958 (Vic) s 3B.</td>
</tr>
</tbody>
</table>
Family Assistance and Other Legislation Amendment (2008 Budget and Other Measures) Bill 2009 (Cth) sch 2 item 1, repealing Social Security (Administration) Act 1999 (Cth) s 144(ka).

Social Security (Administration) Act 1999 (Cth) s 144(ka), repealed by Family Assistance and Other Legislation Amendment (2008 Budget and Other Measures) Bill 2009 (Cth) sch 2 item 1.

3.9 Subsequent References

3.9.1 Legislative Materials in Their Entirety

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references, citations should appear in full each time a source is referred to. However:

- Acts (see rule 3.1);
- delegated legislation (see rule 3.3);
- quasi-legislative materials except for gazettes (see rules 3.4.2–3.4.4); and
- Bills (see rule 3.5)

may be given a short title the first time they are cited. The short title should adhere to rule 1.4.3 (so should be italicised and placed within single inverted commas and parentheses following the initial citation). The short title may be placed in the text or in the footnotes. Subsequent references to these sources should appear as follows:

```
Short Title [Pinpoint].
```

‘Above n’ should not be used for any materials in this chapter.

Examples

9  Historic Shipwrecks Act 1976 (Cth).
10 Ibid s 7.
3.9.2 Individual Parts of Legislative Materials

| Rule | A short title may be given to a portion of an Act, a piece of delegated legislation or a Bill (in accordance with rule 1.4.3). The short title should be placed after the pinpoint to the relevant portion. In subsequent references, pinpoints following the short title refer to sections, items, etc, within that portion of an Act. (For example, if the citation ‘Trade Practices Act 1974 (Cth) sch pt 1 (‘Competition Code’)’ is included, a subsequent reference to ‘Competition Code s 45’ is a reference to the s 45 within the Competition Code — that is, within sch pt 1 of the Act.) In accordance with rule 1.4.3, only one short title should be introduced in a single citation. |
| Example | 16 Criminal Code Act 1995 (Cth) sch 1 (‘Criminal Code’). |
| Note | Short titles for a portion of an Act will often be appropriate for schedules of Acts, where the rest of the Act operates as ‘machinery’ to apply the schedule. |
4 Journal Articles

<table>
<thead>
<tr>
<th>Examples</th>
<th>Author</th>
<th>Title</th>
<th>Year</th>
<th>Volume and Issue</th>
<th>Journal</th>
<th>Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Andrew Kenyon,</td>
<td>‘Problems with</td>
<td>‘Defamation Damages?’</td>
<td>1998</td>
<td>24</td>
<td>Monash University Law</td>
<td>70</td>
<td>74</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Review</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martin Dockray,</td>
<td>‘Why Do We</td>
<td>‘Need Adverse Possession?’</td>
<td>1985</td>
<td></td>
<td>Conveyancer and Property</td>
<td>272</td>
<td>275</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Lawyer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.1 Author

4.1.1 Signed Articles

The name of the author of a journal article should appear in accordance with chapter 1. In particular:

- names should adhere to rules 1.14.1–1.14.2 (so should appear exactly as they do on the source, subject to other general rules, and initials should be separated by a space);
- authors’ titles should adhere to rule 1.14.1 (so all titles should be omitted except for ‘Sir’, ‘Dame’ and peerage titles);
- punctuation should adhere to rule 1.6.1 (so full stops should not be used after initials or in abbreviations);
- names of bodies should adhere to rule 1.14.3;
- names of judges should adhere to rule 1.14.4; and
- names of multiple authors should adhere to rule 1.14.2.

Examples

### 4.1.2 Unsigned Articles

**Rule**
For unsigned journal articles, the type of article (such as ‘Comment’ or ‘Note’) should appear in place of the author’s name.

**Example**

**Note**
‘Comments’ and ‘Notes’ are common in American law journals. They are usually short, anonymous pieces written by students.

### 4.2 Title

**Rule**
The title of a journal article should appear (unitalicised) within single quotation marks as it does on the first page of the article. It should appear in accordance with chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used after initials or in abbreviations);
- capitalisation should adhere to rule 1.7; and
- italicisation should adhere to rule 1.8.2 (so titles of cases, Acts, treaties, etc, in the article title should be italicised).

Where there is no punctuation in the source separating the title from a subtitle, a colon or an em-dash should be inserted.

**Examples**

4.3 Year

<table>
<thead>
<tr>
<th>Rule</th>
<th>For journals organised by volume number, the year of publication should appear in parentheses. For journals organised by year, the relevant year should appear in square brackets.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>For journals organised by volume number, where a volume spans multiple years (for example, the volume is for 1992–93), the year included should be that in which the article cited was published. For journals organised by year, where a volume spans multiple years, the span of years should be included in square brackets (and should appear in accordance with rule 1.13.2).</td>
</tr>
</tbody>
</table>

4.4 Volume and Issue

| Rule | For journals organised by volume number, the volume number should appear after the year, preceded by a space. (Journals organised by year have no volume number.) If all issues within a volume of a journal are consecutively paginated, the issue number should be omitted. If the issues within a volume are not consecutively paginated:  
- for journals organised by volume number, the issue number should appear in parentheses immediately after the volume number (for example, ‘33(2)’); and  
- for journals organised by year, the issue number should appear in parentheses, preceded by a space, after the year (for example, ‘[1999] (4)’). |

If one bound edition of a journal is designated as containing multiple issues (and under this rule the issue numbers must be included), the issues should be separated by an en-dash and enclosed inside parentheses after the volume number or year (as appropriate) (for example, ‘21(2–3)’ and ‘[1957] (5–6)’).

Where an issue identifier other than a number is used (for example, a season or a month) and the issue identifier must be included (that is, pagination is non-consecutive), this should appear preceded by a space and enclosed in parentheses after the volume number or year (for example, ‘31 (Winter)’ and ‘[1982] (Summer)’).

Examples


Notes

The issues within a volume are ‘consecutively paginated’ where issues subsequent to the first continue the pagination (that is, the numbering of subsequent issues does not begin again at page 1).

Where issues are published very frequently and/or are commonly indexed by full date, it may be more appropriate to use a newspaper-style citation (see rule 6.5).
4.5 Journal

**Rule**

The full title of the journal (as it appears on the title page) should appear in italics, following the year and any volume or issue number.

The journal title should not be abbreviated.

‘The’ should not be included at the start of a journal title.

**Examples**

*University of New South Wales Law Journal* [Not: UNSWLJ nor The University of New South Wales L J]


4.6 Starting Page

**Rule**

The number of the first page of an article should follow the title of the journal or periodical. No punctuation should separate the starting page from the title.

For forthcoming articles, the starting page should be replaced with ‘(forthcoming)’.

**Examples**


4.7  Pinpoint Reference

**Rule**

Pinpoint references should appear after the starting page, preceded by a comma and a space. They should adhere to rules 1.1.5–1.1.6. Generally, pinpoint references should be to page numbers. (Paragraph numbers may be included in addition to page numbers, but this is rarely necessary.)

Where the pinpoint reference is to the first page of an article, the page number should be repeated.

**Examples**


4.8  Articles Published in Parts

**Rule**

If an article has been published in multiple parts, a full citation should be given for each part cited.

‘(Pt [Number])’ should be inserted between the title and the year (regardless of whether the other parts are cited). Any reference to the part within the title of the article should be omitted.

**Examples**

R N Gooderson, ‘Claim of Right and Dispute of Title’ (Pt 1) [1966] *Cambridge Law Journal* 90; R N Gooderson, ‘Claim of Right and Dispute of Title’ (Pt 2) [1966] *Cambridge Law Journal* 216.

### 4.9 Articles Published in Electronic Journals

<table>
<thead>
<tr>
<th>Rule</th>
<th>Articles from electronic journals should only be cited where a printed edition (of the journal or the article cited) does not exist. Articles appearing in journals that are only available online should, as far as possible, be cited in the same manner as articles in printed journals. However, it will often not be possible to include a volume number, issue number or starting page. Pinpoint references should be to page numbers or paragraph numbers if available (in accordance with rules 1.1.5–1.1.6), but otherwise may be to numbered parts of the article. A URL should always follow the citation to electronic articles. The URL should adhere to rule 6.15.6 (so the date of retrieval should not be included).</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>If an article appears in a printed journal, even where a similar version is available online, the printed journal should be cited instead, in accordance with the other rules in this chapter.</td>
</tr>
</tbody>
</table>
4.10 Symposia

Where a symposium is referred to as a whole, it should be cited in the same manner as an article in a journal, except that:

- ‘Symposium’ should appear instead of an author’s name;
- the title of the symposium should appear in inverted commas; and
- the starting page should be that on which the first article in the symposium (or any symposium title page or introductory section) begins.

Individual articles within a symposium should be cited as regular journal articles (in accordance with the other rules in this chapter).

Example

5 Books

<table>
<thead>
<tr>
<th>Example</th>
<th>Author</th>
<th>Title</th>
<th>Publication Details</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

Element

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.1</td>
</tr>
<tr>
<td>5.2</td>
</tr>
<tr>
<td>5.3</td>
</tr>
<tr>
<td>5.4</td>
</tr>
</tbody>
</table>

5.1 Author

5.1.1 General Rule

The name of the author of a book should appear in accordance with chapter 1. In particular:

- names should adhere to rules 1.14.1–1.14.2 (so should appear exactly as they do on the source, subject to other general rules, and initials should be separated by a space);
- authors’ titles should adhere to rule 1.14.1 (so all titles should be omitted except for ‘Sir’, ‘Dame’ and peerage titles);
- punctuation should adhere to rule 1.6.1 (so full stops should not be used after initials or in abbreviations);
- names of bodies should adhere to rule 1.14.3;
- names of judges should adhere to rule 1.14.4; and
- names of multiple authors should adhere to rule 1.14.2.

Examples

### 5.1.2 Editors

**Rule**

The name of the editor of a book should appear in the same manner as an author’s name and should be followed by ‘(ed)’ for one editor or ‘(eds)’ for multiple editors.

**Examples**


### 5.2 Title

**Rule**

The title of a book should appear in italics as it appears on the title page of the book. It should appear in accordance with chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used after initials or in abbreviations); and
- capitalisation should adhere to rule 1.7.

Where there is no punctuation on the title page separating the title from a subtitle, a colon or an em-dash should be inserted.

**Examples**

5.3 Publication Details

5.3.1 Publisher

<table>
<thead>
<tr>
<th>Rule</th>
<th>A brief version of the publisher’s name should be included in parentheses after the title. It should be followed by a comma. Sufficient information to identify the publisher (and no more) should be included. The publisher’s name should appear as on the title page (or in the publication information), except that:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>* ‘the’ at the start of the name should be omitted;</td>
</tr>
<tr>
<td></td>
<td>* abbreviations related to the publisher’s corporate status (‘Pty’, ‘Ltd’, ‘Co’, etc) should be omitted;</td>
</tr>
<tr>
<td></td>
<td>* geographical designations (‘Australia’, ‘A/Asia’, etc) in company names should be omitted, unless they are an important part of the name; and</td>
</tr>
<tr>
<td></td>
<td>* subdivisions within companies should be omitted.</td>
</tr>
<tr>
<td></td>
<td>A publisher’s name should only be included if it appears in the book. A publisher’s name should <em>not</em> be included where the publisher’s and the author’s names are the same.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>David Brown and Meredith Wilkie (eds), <em>Prisoners as Citizens: Human Rights in Australian Prisons</em> (Federation Press, 2002). [<strong>Not:</strong> … The Federation Press …]</td>
</tr>
</tbody>
</table>


Notes

Usually, it is sufficient to include only the first two or three words of a publisher’s name, especially where the publisher is readily identifiable.

The name of a printer of a book (that is not also its publisher) should not be included, even if no publisher appears on the book.

A publisher’s name is often unnecessary for documents where a government or government department is the author, as these are usually self-published.

5.3.2 Edition Number and Date of First Publication

Rule

Where there are multiple editions of a book and an edition number (for example, ‘2nd edition’) appears in the book being cited, the edition number should be included after the publisher’s name. It should appear as follows:

```
Ordinal Edition Number ed,
```

The ordinal number of the edition should adhere to rule 1.12.1 (so the letters in the ordinal number should appear in superscript).

For older books, the year of first publication and the year of the publication being cited may be included instead of an edition number. This should appear as follows:

```
first published [Year of First Publication], [Year of Edition Cited] ed
```

Information concerning reprints should not be included. Where no edition number is indicated in the book, no edition number should be included.
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>Where the book does not contain an edition number but has been republished in multiple years, the year of first publication and year of the publication being cited should generally replace an edition number. This is typically the case for books published prior to the 20th century or popular books republished by several publishers.</td>
</tr>
</tbody>
</table>

### 5.3.3 Revised Editions

| Rule | Where a book is a ‘revised’, ‘expanded’ or ‘updated’ edition but the revision does not have a new edition number, this should be indicated by including ‘revised ed’:
- for a revision of a numbered edition, after the edition number and preceded by a space (for example, ‘2nd revised ed’); or
- for an unnumbered revised edition (generally a revision of the first edition), after the publisher’s name and preceded by a comma. |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>An unnumbered revised edition is generally a revision of the first edition of a work and should be designated ‘revised ed’. ‘1st revised ed’ should be used only where the edition number appears in the book.</td>
</tr>
</tbody>
</table>
Part III — Secondary Sources

5.3.4 Publication Year

| Rule | The year of publication should appear following the name of the publisher and any edition number. A completed multi-volume work that was published over a range of years should include the first and final years of publication as a span (in accordance with rule 1.13.1). If publication is still in progress, the first year and an en-dash should appear. |

5.4 Pinpoint Reference

5.4.1 General Rule

| Rule | A pinpoint reference should be preceded by a space. There should be no punctuation between the closing parenthesis (containing the publication details) and the pinpoint reference. Pinpoint references should adhere to rules 1.1.5–1.1.6. If a book has page numbers, pinpoint references should be to page numbers. If a book has page numbers and paragraphs, pinpoint references may be to page numbers and paragraph numbers. If the book has only numbered paragraphs, a pinpoint reference should be to a paragraph. When referring to a numbered chapter of a book, ‘chapter’ should be abbreviated ‘ch’ in footnote citations. |
5.4.2 Multi-Volume Books

If the book contains more than one volume, the number of the volume cited should appear after the publication details, preceded by ‘vol’.

A comma should separate the volume number from any further page or paragraph pinpoint references (for example, ‘vol 4, 466’ refers to page 466 in volume 4).

Examples


Note

Where the volumes of a book were published in different years, the span of years over which all volumes were published should be included in the publication information, in accordance with rule 5.3.4.
Part III — Secondary Sources

5.5 Chapters in Edited Books

<table>
<thead>
<tr>
<th>Example</th>
<th>Chapter Title</th>
<th>in</th>
<th>Book Title</th>
<th>Publication Details</th>
<th>Starting Page</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Peter Millett, ‘Proprietary Restitution’</td>
<td>Simone Degeling and James Edelman (eds), <em>Equity in Commercial Law</em> (Lawbook, 2005)</td>
<td>123</td>
<td>, 138</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Rule | Chapters in edited books should be cited as shown above. The chapter title should be enclosed in single inverted commas. There should be no other punctuation between the chapter title and ‘in’. The starting page is that on which the chapter cited begins. Where multiple chapters from an edited collection are cited, the details of the edited collection should be included in full in the first reference to each chapter. Subsequent (‘above n’) references to a chapter from an edited collection should use the names of the authors of the particular chapter and refer to the footnote in which the chapter is first cited. |

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>…</td>
</tr>
</tbody>
</table>
5.6 Translations

Example


Element

<table>
<thead>
<tr>
<th>Original Author</th>
<th>Translation Title</th>
<th>Translator</th>
<th>Translation Publication Information</th>
<th>Pinpoint</th>
<th>Original Title and Year</th>
</tr>
</thead>
</table>

Rule

Translations should be cited as shown above.

The original title may be included in square brackets after any pinpoint. However, if the translation title appears in the original language, it is not necessary to include the original title.

The year in which the original work (used by the translator) was first published, or its edition number and year of publication, may also be included in square brackets after any pinpoint. If the original title is included, the year (or year and edition number) should appear in parentheses after the original title. If the original title is not included, the year (or year and edition number) should appear in square brackets (without parentheses).

In accordance with rule 1.7, titles in a foreign language should be capitalised in accordance with convention in that language.

Examples


6 Other Sources

6.1 Government Documents

6.1.1 Parliamentary Debates

Rule
Parliamentary debates (or ‘Hansard’) should be cited as follows:

\[ \text{Jurisdiction}, \text{Parliamentary Debates}, \text{Chamber}, \text{Full Date of Debate}, \text{Pinpoint} (\text{Name of Speaker}). \]

Names of speakers should adhere to rule 1.14. If a speaker’s name is included, their first and last names should appear. ‘MP’, ‘MLC’, ‘MLA’, ‘Senator’ and other designations indicating membership of Parliament should not be included in the speaker’s name. If it is relevant, the position of the speaker within a ministry or shadow ministry (or any part of their position which is relevant) may be included after their name, preceded by a comma.

Examples

Victoria, Parliamentary Debates, Legislative Assembly, 4 May 2006, 1289–95 (Rob Hulls, Attorney-General).

The second reading speech for the Migration Amendment Bill 1983 (Cth) was incorporated by reference in the Senate.\textsuperscript{23}

\[ \text{Not:} \quad \text{… 373–4 (John Button, Minister for Industry and Commerce).} \]

6.1.2 Parliamentary Papers

Rule
Parliamentary papers should be cited as follows:

\[ \text{Jurisdiction, Title, Parl Paper No} \text{ Number} (\text{Year}) \text{ Pinpoint} \]

Example


6.1.3 Parliamentary Research Papers, Notes and Briefs

Rule

Parliamentary research papers, notes and briefs should be cited as follows:

**Author**, ‘**Title**’ (Research Paper No **Number**, Parliamentary Library, **Legislature**, **Year**) Pinpoint.

Where the document is a research note or brief, ‘Research Paper’ should be modified accordingly. Where the document is prepared by a body other than a parliamentary library, that body’s name should replace ‘Parliamentary Library’.

Examples


6.1.4 Parliamentary Committee Reports

Rule

Parliamentary committee reports should be cited as follows:

**Committee** **Legislature** **Title** (**Year**) Pinpoint.

Where a committee is from one chamber of Parliament and this is not apparent from the committee’s name, the name of the chamber should be added to the start of the committee’s name.

Pinpoint references should adhere to rules 1.1.5–1.1.6. Pinpoints should be to page numbers (if available). Where a committee report has page and paragraph numbers, paragraph numbers may be included in addition to page numbers. Where a report has only page numbers or paragraph numbers, pinpoints should be to page numbers or paragraph numbers as appropriate.
6.1.5 Bills Digests and Alert Digests

<table>
<thead>
<tr>
<th>Rule</th>
<th>Bills digests, alert digests and similar documents should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Author, Title, No Digest/Alert Number of Year, Full Date. Pinpoint.</td>
</tr>
</tbody>
</table>

Where a parliamentary committee is the author, the committee’s name should adhere to rule 6.1.4. Where a government department is the author and its jurisdiction is not apparent from its name, the abbreviated jurisdiction may be included in parentheses after the department name (in accordance with rule 1.14.3).

Pinpoint references should adhere to rule 6.1.4 (so should include page numbers and may include paragraph numbers in addition).

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Department of Parliamentary Services (Cth), Bills Digest, No 75 of 2008–09, 27 January 2009, 8.</td>
</tr>
</tbody>
</table>
### 6.1.6 Evidence to Parliamentary Committees

**Rule**

Evidence to a parliamentary committee given during a hearing can generally be found in a ‘Committee Hansard’ publication. It should be cited as follows:

\[
\text{Evidence to } \{\text{Committee, Legislature, Location, Full Date, Pinpoint}\} (\text{Name of Speaker}).
\]

The committee’s name should adhere to rule 6.1.4. Pinpoint references should adhere to rules 1.1.5–1.1.6 and should generally be to page numbers.

The position of the person giving evidence may be included after their name where it is relevant.

**Example**

Evidence to Senate Standing Committee on Foreign Affairs, Defence and Trade, Parliament of Australia, Canberra, 26 February 2007, 12 (Angus Houston, Air Chief Marshal).

**Note**

The page numbers in a Committee Hansard are often preceded by an abbreviation of the Committee name (for example, ‘SL&C’). Such abbreviations should be omitted from pinpoint references.

### 6.1.7 Royal Commission Reports

**Rule**

Royal commission reports should be cited as follows:

\[
\text{Jurisdiction, Name of Royal Commission, Title (Year) Pinpoint.}
\]

The jurisdiction is that of the enactment creating the Royal Commission. Where a Royal Commission is commissioned by multiple jurisdictions, all should be included in alphabetical order.

In accordance with rule 5.4.2, where a report contains multiple volumes the volume number should be included in pinpoint references (even where the volumes are consecutively paginated). Pinpoint references should adhere to rule 6.1.4 (so should include page numbers and may include paragraph numbers in addition).
6.1.8 Law Reform Commission Reports

**Rule**

Law reform commission reports should be cited as follows:

```
[Name of Law Reform Commission], [Title], [Report/Discussion Paper No] [Number] ([Year]) [Pinpoint].
```

The type of publication (‘Report’, ‘Discussion Paper’, ‘Issues Paper’, etc) should be included as appropriate.

In accordance with rule 5.4.2, where a report, discussion paper, etc, contains multiple volumes, the volume number should be included in pinpoint references (even where the volumes are consecutively paginated). Pinpoint references should adhere to rule 6.1.4 (so should include page numbers and may include paragraph numbers in addition).

**Examples**


**Note**

The Australian Law Reform Commission (‘ALRC’) was, prior to 1996, called the ‘Law Reform Commission’. Citations of ALRC reports should use the name of the body at the time of the report.
6.1.9 **Australian Constitutional Convention Debates**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Debates of the Australasian federal conventions should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Title</em>, <em>Location</em>, <em>Full Date</em>, <em>Pinpoint</em> (<em>Name of Speaker</em>).</td>
</tr>
<tr>
<td></td>
<td>Pinpoint references should adhere to rule 1.1.5–1.1.6 and be to page numbers.</td>
</tr>
<tr>
<td></td>
<td>Names of speakers should adhere to rules 1.14 and 6.1.1. In particular:</td>
</tr>
<tr>
<td></td>
<td>• first and last names should be included; and</td>
</tr>
<tr>
<td></td>
<td>• all titles (such as ‘the Hon’, ‘Mr’ and ‘Dr’) except ‘Sir’, ‘Dame’ and peerage titles should be omitted.</td>
</tr>
</tbody>
</table>

|----------|------------------------------------------------------------------------------------------------------------------|

| Note | The title of the relevant volume of debates should be included as it appears on the source. The titles vary slightly. |

6.2 **Submissions to Government Inquiries, Committees and Agencies**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Submissions to government inquiries, committees, agencies, etc, should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Author</em>, Submission No <em>Number</em> to <em>Government Body</em>, <em>Name of Inquiry</em>, <em>Full Date</em>, <em>Pinpoint</em>.</td>
</tr>
<tr>
<td></td>
<td>For submissions to parliamentary committees or inquiries, ‘Government Body’ should be replaced with the committee’s name and legislature, which should adhere to rule 6.1.4. Where the government body does not allocate a number to submissions, ‘No <em>Number</em>’ should be omitted. Where the name of the inquiry is not included on the submission, it should be omitted.</td>
</tr>
</tbody>
</table>
Where a full date is not available, as much of the full date as appears should be included.

Pinpoint references should adhere to rule 6.1.4 (so should include page numbers and may include paragraph numbers in addition).

**Examples**


**Note**

Submissions of parties in cases should be cited in accordance with rule 2.13.

### 6.3 Legal Encyclopedias

Legal encyclopedias should be cited as follows:

```
[Publisher]. [Title of Encyclopedia] vol [Volume Number] (at [Full Date]) [Title Number] Name of Title

‘Chapter Number’ [Name of Chapter] ‘[Paragraph]’.
```

The publisher’s name should adhere to rule 5.3.1.

Where a legal encyclopedia indicates the date of last update of a chapter, this date should be included. Otherwise, the date of retrieval should be included.
Pinpoint references should adhere to rules 1.1.5–1.1.6 and should be to paragraphs. Where a legal encyclopedia is viewed online, the volume number should be omitted.

Examples


6.4 **Looseleaf Services**

Rule

Looseleaf services should be cited as follows:

Publisher, *Title*, vol Volume Number
(at Most Recent Service Number for Pinpoint) Pinpoint

The publisher’s name should adhere to rule 5.3.1. Where an author of a looseleaf service is clearly identified, the author’s name should be included before the publisher, followed by a comma.

Pinpoints should adhere to rules 1.1.5–1.1.6 and should be to paragraphs. However, where a looseleaf service uses a paragraph symbol (¶), this should immediately precede paragraph numbers (which should then not appear in square brackets).

Where a looseleaf service is viewed online, the volume number and the comma after the title should be omitted.

Examples

LexisNexis Butterworths, *Civil Procedure: Victoria*, vol 1 (at Service 231) [21.01.1].


Notes
Printed looseleaf services are updated periodically by replacing old pages with updated pages. The service number is usually a numerical identifier (indicating the sequential number of the update) or a date, and generally appears in a corner of the page.

Electronic ‘looseleaf’ services may include the most recent service number or a date of last update. If not, the date on which the electronic looseleaf service was accessed should be used as the most recent service number.

6.5 Newspaper Articles

6.5.1 Printed Newspapers

Rule
Newspaper articles from printed newspapers should be cited as follows:

Author, ‘Title’, Newspaper (Place of Publication),
Full Date, Pinpoint.

The author’s name should adhere to rule 1.14.

The title of an article should appear (unitalicised) within single quotation marks as it does on the first page of the article. It should appear in accordance with chapter 1. In particular:

• punctuation should adhere to rule 1.6.1 (so full stops should not be used after initials or in abbreviations);
• capitalisation should adhere to rule 1.7; and
• italicisation should adhere to rule 1.8.2 (so titles of Acts etc in the article title should be italicised).

Where there is no punctuation in the source separating the title from a subtitle, a colon or an em-dash should be inserted.
The full name of the newspaper should be used, including ‘The’ where it appears in the masthead. If an article appears in a named section of a newspaper (for example, ‘Sport’) and the newspaper is not consecutively paginated, the name of the section should be included before that of the newspaper in the form:

*Section*, *Newspaper*

If an article appears in a section of a newspaper without a name and the newspaper is not consecutively paginated, this should be indicated in the pinpoint reference (for example, ‘C14’).

The place of publication should appear as it does on the masthead or publication information of the newspaper. A state or country may also be included to clarify the place of publication (for example, ‘Paris, Texas’) or where the place of publication may not be known to readers (for example, ‘Ouagadougou, Burkina Faso’).

**Examples**


### 6.5.2 Unsigned and Untitled Articles

**Rule**

For unsigned articles, the author’s name should be omitted. However, for editorials, ‘Editorial’ should replace the author’s name. Subsequent references to unsigned articles and editorials should include an abbreviated form of the title (in accordance with rule 1.4.2).
For untitled articles, a description of the piece (for example, ‘Letter to the Editor’) should replace the title. The description should not be enclosed in quotation marks.

Examples


6.5.3 Electronic Newspapers

Rule

Electronic newspapers should only be cited where an identical printed edition (of the newspaper or the article cited) does not exist. Citations of electronic newspaper articles should appear in the same manner as citations of printed newspapers (in accordance with rules 6.5.1–6.5.2). However:

- the place of publication should be replaced with ‘(online)’;
- a pinpoint reference should only be included where the article has pages or paragraphs; and
- a URL should be included after the full date (or any pinpoint reference) and should adhere to rule 6.15.6.

Example

### 6.6 Television and Radio Transcripts

**Rule** Television and radio transcripts should be cited as follows:

- **Broadcaster**, ‘**Title of Segment**’, **Name of Program**, **Full Date** ([Name of Speaker]).

The name of the speaker should be included unless it is otherwise apparent. It should adhere to rule 1.14.

A pinpoint reference may be included after the full date, preceded by a comma, if it appears in the transcript. A URL may be included after the speaker’s name (or any pinpoint) in the first reference to a transcript where the transcript is only available online or the URL would aid its retrieval. The URL should appear in accordance with rule 6.15.6.

**Example**


### 6.7 Films and Audiovisual Recordings

**Rule** Films and other audiovisual recordings should be cited as follows:

- **Title** (Directed by **Name of Director**, **Studio/Production Company**, **Year**) **Pinpoint**.

The name of the studio or production company should adhere to rule 5.3.1. Where there are multiple studios or companies, only the first-named studio or company should be included.

Pinpoint references should be to a point in time in the recording, and should appear (depending on the accuracy desired) in the format:

- **Hours**:Minutes:Seconds
### Examples

*Calling the Ghosts: A Story about Rape, War and Women* (Directed by Mandy Jacobson and Karmen Jelincic, Bowery Productions, 1996).

*To Kill a Mockingbird* (Directed by Robert Mulligan, Brentwood Productions, 1962) 1:43:00.

### 6.8 Press and Media Releases

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
</table>
| Press and media releases should be cited as follows:

[Author]. ‘Title’ ([Release Type], [Document Number], [Full Date])

Pinpoint. |
|---|

The name of the author should adhere to rule 1.14. The release type should appear as it does on the source (for example, ‘Press Release’, ‘Media Release’, ‘Press Statement’). A document number should be included only if it appears on the release. The document number should be reproduced using any abbreviations as they appear on the release (adhering to rule 1.6.1, so full stops should not be used in abbreviations).

A URL may be included after the first reference to a release where this would aid its retrieval. It should appear in accordance with rule 6.15.6.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>
| Department of Defence (Cth), ‘Highest East Timorese Honour for Army Officers’ (Media Release, MSPA 172/09, 22 May 2009).

6.9 Working Papers and Similar Documents of Various Bodies

Rule

Working papers and other similar documents of various bodies should be cited as follows:

\[
\text{Author}, \ '\ Title \ ' \ (\text{Document Type} \ No \ [\text{Number}], \\
\text{Institution Name} \ [\text{Full Date}] \ [\text{Pinpoint}].
\]

The document type should be reproduced as it appears on the source (for example, ‘Working Paper’, ‘Discussion Paper’, ‘Research Report’, etc). Where the document is not part of a numbered series, ‘No No[Number]’ should be omitted. The institution name should adhere to rule 1.14.3 (so generally only the most specific subdivision and the umbrella body’s name should be included). Where there is not a full date on the source, as much of the full date as appears should be included (for example, ‘September 1997’ or ‘1998’).

Pinpoint references should adhere to rule 6.1.4 (so should include page numbers and may include paragraph numbers in addition).

A URL may be included after the first reference to a working paper or similar document where this would aid its retrieval. It should appear in accordance with rule 6.15.6.

Examples


Paul Memmott and Peter Blackwood, ‘Holding Title and Managing Land in Cape York — Two Case Studies’ (Research Discussion Paper No 21, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2008) 37.


Note Where a document of a body is published as a book, it should be cited in accordance with chapter 5.

6.10 Theses

Rule Theses should be cited as follows:

```
[Author], [Title] ([Type of Thesis], [Institution], [Year]) Pinpoint.
```

A URL may be included after the first reference to a thesis where this would aid its retrieval. It should appear in accordance with rule 6.15.6.


6.11 Conference Papers

Rule Conference papers should be cited as follows:

```
[Author], ‘Title’ (Paper presented at [Name of Conference], [Location], [Full Date]) Pinpoint.
```

A URL may be included after the first reference to a conference paper where this would aid its retrieval. It should appear in accordance with rule 6.15.6.
### Example

### 6.12 Speeches

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Speeches should be cited as follows:</td>
</tr>
<tr>
<td>Speaker, ‘Title’ (Speech delivered at the Name of Forum, Location, Full Date).</td>
</tr>
<tr>
<td>A URL may be included after the first reference to a speech where this would aid its retrieval. It should appear in accordance with rule 6.15.6.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Example</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Where a speech has been published in a journal or book, it should be cited in accordance with chapters 4 or 5 respectively.</td>
</tr>
</tbody>
</table>

### 6.13 Interviews

#### 6.13.1 Interviews Conducted by the Author

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interviews conducted by the author should be cited as follows:</td>
</tr>
<tr>
<td>Interview with Name of Interviewee, (Location or Form of Interview, Full Date).</td>
</tr>
<tr>
<td>The position of the interviewee may also be included after their name, preceded by a comma.</td>
</tr>
</tbody>
</table>
Examples

Interview with Philip Dunn (Melbourne, 19 October 2005).

Interview with Ian Brownlee, Chief Policy Director, Office of the Director of Public Prosecutions (York, 3 August 2007).

Interview with Nicola Roxon, Shadow Attorney-General (Doorstop Interview, 2 November 2005).

6.13.2 Interviews Not Conducted by the Author

Rule

Interviews not conducted by the author should be cited as follows:

Name of Interviewer, Interview with Name of Interviewee (Location or Form of Interview, Full Date).

The position of the interviewee may also be included after their name, preceded by a comma. A URL may be included after the first reference to an interview where this would aid retrieval of the interview. The URL should appear in accordance with rule 6.15.6.

Example

Laurie Oakes, Interview with John Howard, Prime Minister of Australia (Television Interview, 30 October 2005).

Note

Where an interview has been published in a journal or book, it should be cited in accordance with chapters 4 or 5 respectively.

6.14 Written Correspondence

Rule

Written correspondence should be cited as follows:

Type of Correspondence from Author to Recipient, Full Date, Pinpoint.

Types of correspondence include letters, faxes and emails. The position of the correspondents may be included after their names.
Where correspondence is reproduced within another hard copy source, that source may be cited (in accordance with the appropriate rules of this Guide). It should appear after the full date (or any pinpoint) and be preceded by ‘in’. Alternatively, a URL may be included where this would aid retrieval of the correspondence (in accordance with rule 6.15.6). A URL should not be preceded by ‘in’.

Examples

Email from Jonathon Barrington to Deborah Horowitz, 17 May 2001.
Letter from Ellen Keen to George Rusden, 28 April 1867 in Rusden Papers (Leeper Library, Trinity College, The University of Melbourne) vol 11.

Note
Attachments sent via email may be cited in this manner, unless the attachment is covered by another rule in this Guide.

6.15 Internet Materials

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Author Document Title Full Date Website Name Uniform Resource Locator</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rule</td>
<td>6.15.1 6.15.2 6.15.3 6.15.4 6.15.6</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note
A source should be cited using this rule only if it does not exist in a published form and no other rule within this Guide applies to it.

Citations of articles in electronic journals should adhere to rule 4.9.
Citations of electronic newspapers should adhere to rule 6.5.3.
Citations of blogs should adhere to rule 6.15.7.
6.15.1 **Author**

<table>
<thead>
<tr>
<th>Rule</th>
<th>The author’s name should be included if it is apparent from the web page or document. It should adhere to rule 1.14.</th>
</tr>
</thead>
</table>

6.15.2 **Document Title**

<table>
<thead>
<tr>
<th>Rule</th>
<th>The title of the particular web page or web document cited should be included in italics after the author’s name.</th>
</tr>
</thead>
</table>

6.15.3 **Full Date**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Where available, the full date of last update of the web page should be included after the document name. If this is not shown, the full date of creation should be included. Where there is not a full date on the web page or document, as much of the full date as appears should be included. Where there is no date, the full date should be omitted.</th>
</tr>
</thead>
</table>

6.15.4 **Website Name**

<table>
<thead>
<tr>
<th>Rule</th>
<th>The name of the general website on which the web page or document resides should be included if available. The website name should not appear in italics.</th>
</tr>
</thead>
</table>

If the website name is preceded by a document title but no full date, the document title and website name should be separated by a comma. Where the author and website name are identical, the website name should not be included.

### Examples

<table>
<thead>
<tr>
<th>Author/Website Name</th>
<th>Document Title</th>
<th>URL</th>
</tr>
</thead>
</table>

**[Not: Innocence Project, Eyewitness Misidentification, Innocence Project ...]**

### 6.15.5 Pinpoint Reference

**Rule**

Any pinpoint reference should appear before the URL and be preceded by a comma. Pinpoint references should adhere to rule 6.1.4.

**Example**


**Note**

Web pages do not usually include pinpoints. Where they appear on a web page, pinpoints are usually paragraph numbers, which should be included in citations in square brackets (in accordance with rules 1.1.5–1.1.6).

### 6.15.6 Uniform Resource Locator (‘URL’)

**Rule**

The URL should be enclosed within ‘< >’ symbols.

Where the full URL of a document appears cumbersome and the document can be located easily from a general website, the URL of the general website may be included instead.

The date of retrieval should not be included after the URL.
### Examples

- **Australian Guide to Legal Citation**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Authors</th>
<th>Title</th>
<th>Date</th>
<th>URL</th>
</tr>
</thead>
</table>

### 6.15.7 Blogs and Online Forums

**Rule**

Posts on blogs and online forums should be cited as follows:

```latex
\text{Author of Post}, \text{‘Title of Post’ on Author of Blog/Forum, Blog/Forum Name (Full Date of Post) < URL of Post>}. 
```

Only elements that appear on the blog or forum should be included. The URL should adhere to rule 6.15.6 (so where a post is easily accessible from a general website, the URL of the general website may replace the URL of the post).

**Examples**


### 6.16 Subsequent References

**Rule**

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).
‘Above n’ should be used for all materials in this chapter (in accordance with rule 1.4.2), except for:

- parliamentary debates (rule 6.1.1);
- evidence to parliamentary committees (rule 6.1.6);
- Australian constitutional convention debates (rule 6.1.9);
- interviews (rule 6.13); and
- written correspondence (rule 6.14).

Subsequent references to these listed sources (other than those using ‘ibid’) should appear in full.

**Examples**

5 Commonwealth, *Parliamentary Debates*, House of Representatives, 26 October 2009, 10 858 (Kevin Rudd, Prime Minister).

6 Ibid.

... Commonwealth, *Parliamentary Debates*, House of Representatives, 26 October 2009, 10 858 (Kevin Rudd, Prime Minister). [Not: Commonwealth, above n 5, 10 858.]


18 Ibid 15.

... Rahman, Stephan and Tunny, above n 18, 14.


... *Mad Max 2*, above n 59, 0:55.

**Note**

In accordance with rule 1.4.3, short titles may be included in the initial citations of, and replace author names in ‘above n’ references to, reports and similar documents.
## 7 Treaties

<table>
<thead>
<tr>
<th>Examples</th>
<th>Treaty Title</th>
<th>Parties' Names</th>
<th>Date Opened for Signature or Signed</th>
<th>Treaty Series</th>
<th>Date of Entry into Force</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Treaty on the Non-Proliferation of Nuclear Weapons,</td>
<td></td>
<td>opened for signature 1 July 1968,</td>
<td>729 UNTS 161</td>
<td>(entered into force 5 March 1970)</td>
<td>art 3</td>
</tr>
<tr>
<td></td>
<td>Agreement regarding the Transfer of the Administration of Justice in the Territories of Northern Slesvig,</td>
<td>Denmark–Germany,</td>
<td>signed 12 July 1921,</td>
<td>8 LNTS 397</td>
<td>(entered into force 17 January 1922)</td>
<td>art 2</td>
</tr>
</tbody>
</table>

## 7.1 Treaty Title

**Rule**

A citation of a treaty should include the treaty title in italics as it appears on the first page of the treaty. However:

- purely procedural components of the title (which are not part of the substantive name, such as the date and place of signature) should be omitted;
- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

**Example**


**Note**

If parties’ names are included in the treaty title, they should be reproduced in citations exactly as they appear in that title, even if they appear in an elaborate form.

### 7.2 Parties’ Names

<table>
<thead>
<tr>
<th><strong>Rule</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>For multilateral treaties with more than three signatories, the names of states parties should not be included after the treaty title. If the names of states parties to a bilateral or trilateral treaty appear in the treaty title, they should not be repeated after the title. If they do not appear in the title, they should be included (unitalicised) after the treaty title, preceded and followed by a comma and joined by end-dashes. The conventional shortened forms of states parties’ names should be used (if any exist), rather than their full elaborate forms (for example, ‘Venezuela’, not ‘Bolivarian Republic of Venezuela’). However, the full form should be used if necessary to avoid ambiguity (for example, to differentiate the ‘Democratic Republic of the Congo’ from the ‘Republic of the Congo’).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Examples</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Convention Relating to the Non-Fortification and Neutralisation of the Aaland Islands,</em> opened for signature 20 October 1921, 9 LNTS 211 (entered into force 6 April 1922). [<em>Not: … Aaland Islands, Germany–Denmark–Estonia–Finland–France etc …</em>]</td>
</tr>
</tbody>
</table>


7.3 Date Opened for Signature or Signed and Date of Entry into Force

7.3.1 Opened for Signature (Open Multilateral Treaties)

Rule

Multilateral treaties that are opened for signature to states generally should be cited as follows:

[Treaty Title], opened for signature [Date of Conclusion], Treaty Series (entered into force [Date of Entry into Force]).

The date of entry into force is the date on which the treaty first commences for any state party.

Example


Note

Where a treaty is adopted by the United Nations General Assembly, the date of adoption is generally the date of conclusion.
7.3.2 Signed by All Parties (Closed Multilateral or Bilateral Treaties)

**Rule**

Treaties that are signed by all parties and are not opened for signature to others (often bilateral and trilateral treaties) should be cited as follows:

\[
\text{Treaty Title, signed \ [Date of Conclusion],} \\
\text{Treaty Series (entered into force \ [Date of Entry into Force]).}
\]

Where the date of conclusion and entry into force are the same, such treaties should be cited as follows:

\[
\text{Treaty Title, Treaty Series (signed and entered into force} \\
\text{\ [Date of Conclusion and Entry into Force]).}
\]

**Examples**


7.3.3 Treaties Not Yet in Force

**Rule**

For treaties that are not yet in force, ‘(not yet in force)’ should replace the date of entry into force.

**Example**


**Note**

Drafts of treaties should be cited in accordance with the appropriate rules of this Guide for the source type. They are commonly contained in UN documents (see chapter 8). Where it is not otherwise apparent that a reference is to a draft treaty, this should be clarified discursively.
Rule

A citation of a treaty series should be included and the series name should be abbreviated.

Where the treaty series is organised by volume, the citation should appear as follows:

<table>
<thead>
<tr>
<th>Volume Number</th>
<th>Treaty Series Abbreviation</th>
<th>Starting Page</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(for example, ‘23 UNTS 35’).

Where the treaty series is organised by year, the citation should appear as follows:

<table>
<thead>
<tr>
<th>[Year of Volume]</th>
<th>Treaty Series Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Starting Page or Treaty Number</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(for example, ‘[2010] ATS 5’).

Where the treaty series is organised by sequential order of deposit independent of year (that is, the treaty is the \textsuperscript{n} treaty ever deposited in the series), the citation should appear as follows:

<table>
<thead>
<tr>
<th>Treaty Series Abbreviation</th>
<th>No</th>
<th>Sequential Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(for example, ‘CETS No 207’).

Parallel citations should not be used.

For treaties to which Australia is a party, the following treaty series and abbreviations should be used:

<table>
<thead>
<tr>
<th>Treaty Series</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Nations Treaty Series</td>
<td>UNTS</td>
</tr>
<tr>
<td>League of Nations Treaty Series</td>
<td>LNTS</td>
</tr>
<tr>
<td>Australian Treaty Series</td>
<td>ATS</td>
</tr>
<tr>
<td>Australian Treaties Not Yet in Force</td>
<td>ATNIF</td>
</tr>
</tbody>
</table>

ATS or ATNIF should only be used where the treaty is not reported in the UNTS or LNTS. Where the treaty is not reported in these treaty series, the other treaty series listed below should be used.
Part IV — International Materials

For treaties to which Australia is not party, the following treaty series should be used in order of preference:

- UNTS or LNTS;
- an official treaty series of a state party; or
- another international or regional treaty series.

The latter two categories include:

<table>
<thead>
<tr>
<th>Treaty Series</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada Treaty Series</td>
<td>CTS</td>
</tr>
<tr>
<td>Consolidated Treaty Series</td>
<td>ConTS</td>
</tr>
<tr>
<td>Council of Europe Treaty Series</td>
<td>CETS</td>
</tr>
<tr>
<td>European Treaty Series</td>
<td>ETS</td>
</tr>
<tr>
<td>Pacific Islands Treaty Series</td>
<td>PITS</td>
</tr>
<tr>
<td>United States Treaties and Other International Agreements</td>
<td>UST</td>
</tr>
</tbody>
</table>

For treaties between members of the European Union that do not appear in the UNTS or an official treaty series of a member (as well as in accordance with rule 13.1.2), the *Official Journal of the European Union* should be cited.

If a treaty is not published in a treaty series, other sources containing the treaty, such as *International Legal Materials* (abbreviated ‘ILM’), should be cited.

**Examples**


*Military Convention between Bulgaria and Greece*, signed 22 September 1912, 217 ConTS 134 (entered into force 5 October 1912).

The very first page of a treaty (as it appears in a treaty series) should be included as the starting page, even though this page does not usually indicate a page number and contains only the title, party names and other formal details.

Although *International Legal Materials* is not technically a treaty series or report series, it may be abbreviated ‘ILM’ and treated for citation purposes as if it were both.

### 7.5 Pinpoint Reference

A pinpoint reference should follow the date of entry into force, preceded by a space. A pinpoint reference should not be preceded by any punctuation.

Pinpoint references should be to the articles, paragraphs, sections, etc, of a treaty. They should not be to the pages of the treaty series. Pinpoint references should adhere to rules 1.1.5–1.1.6. They should use the abbreviations in rule 3.1.4 (for example, ‘art’, ‘para’, ‘s’) as appropriate. In accordance with rule 3.1.4, the highest ‘level’ of article, paragraph, etc, in the pinpoint should be used (for example, ‘art 31.1’, not ‘para 31.1’). The designator ‘annex’ should always be written out in full.

**Examples**


Note

Articles are commonly separated from paragraphs by parentheses (for example, ‘art 33(1)’) or decimal points (for example, ‘art 33.1’). Both Roman numbering (for example, ‘art XX’) and Arabic numbering (for example, ‘art 12’) are common in treaties. The form of pinpoint reference in the treaty cited should be used in citations.

7.6 Subsequent References

Rule

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references, citations should appear in full each time a treaty is referred to. However, treaties referred to frequently may be given a short title the first time they are cited. The short title should adhere to rule 1.4.3 (so should be italicised and placed within single inverted commas and parentheses following the initial citation). The short title may be placed in the text or in the footnotes. Subsequent references should take the form:

[Short Title] [Pinpoint].

A short title may be given to a portion of a treaty (for example, an annex, an appendix or a schedule) in accordance with rule 1.4.3. The short title should be placed after the pinpoint to the relevant portion. Pinpoints following the short title in subsequent references refer to sections, paragraphs, etc, within that portion of a treaty.

‘Above n’ should not be used for treaties.

Examples


... 69 Timor Gap Treaty art 6(1).
Treaties


...

73 *Annex on Chemicals* pt B sch 2 para 2.
8 United Nations Materials

8.1 Constitutive Document

<table>
<thead>
<tr>
<th>Rule</th>
<th>The Charter of the United Nations should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>Charter of the United Nations art 51.</td>
</tr>
<tr>
<td>Note</td>
<td>The Statute of the International Court of Justice should be cited in accordance with rule 9.1.</td>
</tr>
</tbody>
</table>

8.2 Official Documents of the United Nations

A citation of a United Nations (‘UN’) document should include the elements listed in the table below that appear in the document. The elements should be included in the order shown below. (The examples in the table are not taken from a single document.)

<table>
<thead>
<tr>
<th>Element</th>
<th>Example</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>H S Amerasinghe,</td>
<td>8.2.1</td>
</tr>
<tr>
<td>Title</td>
<td>Informal Single Negotiating Text Part IV Presented by the President of the Conference,</td>
<td>8.2.2</td>
</tr>
<tr>
<td>Resolution or Decision Number</td>
<td>GA Res 3314,</td>
<td>8.2.3</td>
</tr>
<tr>
<td>Official Records</td>
<td>UN GAOR,</td>
<td>8.2.4</td>
</tr>
<tr>
<td>Committee Number</td>
<td>4th Comm,</td>
<td>8.2.5</td>
</tr>
<tr>
<td>Session (and Part) Number</td>
<td>34th sess, 28th sess, 1st pt,</td>
<td>8.2.6</td>
</tr>
<tr>
<td>Meeting Number</td>
<td>75th mtg,</td>
<td>8.2.7</td>
</tr>
</tbody>
</table>
Elements before the UN document number should be separated by (non-italic) commas. Elements after the UN document number should generally not be separated by any punctuation, but the full date should appear in parentheses.

In accordance with rule 1.12.1, all ordinal numbers in citations should appear in figures and their letters should be superscript.

In accordance with rule 1.6.1, full stops should not be used in abbreviations. However, full stops should be included within a UN document number (in accordance with rule 8.2.10).

**Example**


**Note**

For examples of commonly cited types of UN documents, see rule 8.6.

### 8.2.1 Author

**Rule**

Where an individual or body (other than a principal organ of the UN) is identified as the author of a document, the individual’s or body’s name should be included.

The author’s official position may be included if it is not evident from the document title. It should be included after their name, preceded by a comma.
8.2.2 Title

The title of a document should appear in italics.

Example


Note

Not every UN document has a title (for example, Security Council resolutions generally do not have titles).

8.2.3 Resolution or Decision Number

When citing a resolution or decision, the organ and the resolution or decision number should be included. They should appear using the abbreviations below:

<table>
<thead>
<tr>
<th>Organ and Type</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Economic and Social Council Decision</td>
<td>ESC Dec</td>
</tr>
<tr>
<td>Economic and Social Council Resolution</td>
<td>ESC Res</td>
</tr>
<tr>
<td>General Assembly Decision</td>
<td>GA Dec</td>
</tr>
<tr>
<td>General Assembly Resolution</td>
<td>GA Res</td>
</tr>
<tr>
<td>Security Council Decision</td>
<td>SC Dec</td>
</tr>
<tr>
<td>Security Council Resolution</td>
<td>SC Res</td>
</tr>
</tbody>
</table>
8.2.4 Official Records

Where a document is contained in the *Official Records* of a UN organ, this should be indicated using the following abbreviations:

<table>
<thead>
<tr>
<th>Organ and Official Records</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly Official Records</td>
<td>UN GAOR</td>
</tr>
<tr>
<td>Security Council Official Records</td>
<td>UN SCOR</td>
</tr>
<tr>
<td>Economic and Social Council Official Records</td>
<td>UN ESCOR</td>
</tr>
<tr>
<td>Trusteeship Council Official Records</td>
<td>UN TCOR</td>
</tr>
</tbody>
</table>

**Examples**


SC Res 1441, UN SCOR, 57th sess, 4644th mtg, UN Doc S/RES/1441 (8 November 2002).


SC Res 1734, UN SCOR, 61st sess, 5608th mtg, UN Doc S/RES/1734 (22 December 2006).


8.2.5 Committee Number

**Rule**
Where a UN document originates from a committee of the General Assembly, this should be indicated by including the committee number as follows:

<table>
<thead>
<tr>
<th>Ordinal Number of Committee Comm</th>
</tr>
</thead>
<tbody>
<tr>
<td>(for example, ‘2nd Comm’).</td>
</tr>
</tbody>
</table>

**Example**
*Summary Record of the 35th Meeting, UN GAOR, 3rd Comm, 47th sess, 35th mtg, Agenda Items 94 and 96, UN Doc A/C.3/47/SR.35 (4 December 1992) 11 [57].*

**Note**
The United Nations General Assembly has six main committees, numbered from the First to the Sixth Committee.

8.2.6 Session (and Part) Number

**Rule**
Where a document originates from a session of a UN organ, committee or other body, the session number should be included. It should appear as follows:

<table>
<thead>
<tr>
<th>Ordinal Number of Session sess</th>
</tr>
</thead>
<tbody>
<tr>
<td>(for example, ‘4th sess’).</td>
</tr>
</tbody>
</table>

If the session is organised into parts, the part number should also be included in the same form, preceded by a comma. ‘Part’ should be abbreviated ‘pt’ (for example, ‘4th sess, 3rd pt’).

**Examples**
*UN SCOR, 62nd sess, 5663rd mtg, UN Doc S/PV.5663 (17 April 2007).*

*UN GAOR, 6th Comm, 3rd sess, 1st pt, 77th mtg, UN Doc A/C.6/SR.77 (18 October 1948).*

8.2.7 Meeting Number

**Rule**
A meeting number should be included as follows:

<table>
<thead>
<tr>
<th>Ordinal Number of Meeting mtg</th>
</tr>
</thead>
<tbody>
<tr>
<td>(for example, ‘37th mtg’).</td>
</tr>
</tbody>
</table>
Where the meeting is a ‘plenary meeting’, ‘mtg’ should be replaced with ‘plen mtg’.

**Examples**

- SC Res 1546, UN SCOR, 59th sess, 4987th mtg, UN Doc S/RES/1546 (8 June 2004).


### 8.2.8 Agenda Item

**Rule**

An agenda item should be included as follows:

```
Agenda Item [Agenda Item Number]
```

(for example, ‘Agenda Item 137’).

Where more than one agenda item appears on a UN document, ‘Agenda Items’ should precede the agenda item numbers. The last two agenda item numbers should be separated by ‘and’.

**Examples**


- *International Migration and Development: Report of the Secretary-General*, UN GAOR, 60th sess, Agenda Item 54(c), UN Doc A/60/871 (18 May 2006).


**Note**

Documents marked with an ‘agenda item’ are created or distributed in pursuance of an item on a UN body’s official agenda.
8.2.9 **Supplement**

**Rule**

Where a UN document appears in a supplement to the *Official Records*, the supplement should be included as follows:

```
Supp No [Supplement Number]
```

(for example, ‘Supp No 98’).

**Example**

2005 World Summit Outcome, GA Res 60/1, UN GAOR, 60th sess, 8th plen mtg, Agenda Items 46 and 120, Supp No 49, UN Doc A/RES/60/1 (24 October 2005).

**Note**

UN reports, resolutions and decisions are published as supplements to the *Official Records* (which are independently paginated sections within or volumes of the *Official Records*).

From the 31st session (1976), General Assembly resolutions were published in Supp No 49.

8.2.10 **UN Document Number**

**Rule**

Almost all UN documents are assigned a unique document number, which should be included as follows:

```
UN Doc [Document Number]
```

(for example, ‘UN Doc A/RES/54/275’).

A document number should appear exactly as it does on the document cited (including slashes and full stops). Abbreviations in document numbers should appear in upper case.

Where multiple document numbers are necessary (for example, due to an addendum or corrigendum), ‘Doc’ should be replaced by ‘Docs’ and only as much of the second document number as is different should be included. The document numbers should be separated by ‘and’ (for example, ‘UN Docs A/63/804 and Corr.1’).

**Examples**

SC Res 1905, UN SCOR, 64th sess, 6249th mtg, UN Doc S/RES/1905 (21 December 2009).


The following abbreviations, which indicate the body under whose auspices the document was produced, often form the first component of a UN document number:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>General Assembly</td>
<td>CAT/C</td>
<td>Committee against Torture</td>
</tr>
<tr>
<td>CCPR/C</td>
<td>Human Rights Committee</td>
<td>CEDAW/C</td>
<td>Committee on the Elimination of Discrimination against Women</td>
</tr>
<tr>
<td>CERD/C</td>
<td>Committee on the Elimination of Racial Discrimination</td>
<td>CRC/C</td>
<td>Committee on the Rights of the Child</td>
</tr>
<tr>
<td>DP</td>
<td>UN Development Programme</td>
<td>E</td>
<td>Economic and Social Council</td>
</tr>
<tr>
<td>S</td>
<td>Security Council</td>
<td>ST</td>
<td>Secretariat</td>
</tr>
<tr>
<td>TD</td>
<td>UN Conference on Trade and Development</td>
<td>UNEP</td>
<td>United Nations Environment Programme</td>
</tr>
</tbody>
</table>

The following abbreviations, which indicate the specific body that authored or received the document, often form the second component of a UN document number:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>AC</td>
<td>Ad hoc committee</td>
<td>C</td>
<td>Standing, permanent or main committee</td>
</tr>
<tr>
<td>CONF</td>
<td>Conference</td>
<td>CN</td>
<td>Commission</td>
</tr>
<tr>
<td>GC</td>
<td>Governing council</td>
<td>PC</td>
<td>Preparatory committee</td>
</tr>
</tbody>
</table>
The following abbreviations, which indicate a description of the document type or its characteristics, often form the third (sometimes final) component of a UN document number:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRP</td>
<td>Conference room</td>
<td>INF</td>
<td>Information series</td>
</tr>
<tr>
<td></td>
<td>paper</td>
<td></td>
<td></td>
</tr>
<tr>
<td>L</td>
<td>Limited</td>
<td>NGO</td>
<td>Statement by non-</td>
</tr>
<tr>
<td></td>
<td>distribution</td>
<td></td>
<td>governmental</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>organisations</td>
</tr>
<tr>
<td>PET</td>
<td>Petition</td>
<td>PRST</td>
<td>Statement by the</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>President of the</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Security Council</td>
</tr>
<tr>
<td>PV</td>
<td>Verbatim record</td>
<td>R</td>
<td>Restricted</td>
</tr>
<tr>
<td></td>
<td>of meeting</td>
<td></td>
<td>distribution</td>
</tr>
<tr>
<td>RES</td>
<td>Resolution</td>
<td>SR</td>
<td>Summary record of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>meeting</td>
</tr>
<tr>
<td>WP</td>
<td>Working paper</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The following components, which indicate subsequent additions or changes to a document, often form a fourth (and final) component of a UN document number:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Add</td>
<td>Addendum</td>
<td>Amend</td>
<td>Amendment</td>
</tr>
<tr>
<td>Corr</td>
<td>Corrigendum</td>
<td>Rev</td>
<td>Revision</td>
</tr>
<tr>
<td>Summary</td>
<td>Summarised version</td>
<td>*</td>
<td>Reissuance of</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>document for</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>technical reasons</td>
</tr>
</tbody>
</table>

Document numbers of General Assembly resolutions prior to the 31st session (1976) include the session number (and, for special and emergency special sessions, an abbreviation for the type of session) in parentheses after the document number. Examples are ‘(XXV)’ for the 25th regular session, ‘(S-VI)’ for the sixth special session, and ‘(ES-V)’ for the fifth emergency special session.
### 8.2.11 Full Date

**Rule**

The full date of the document should be included in parentheses after the UN document number.

Where there are multiple dates on a document, the date that appears directly below the document number should be included.

Where the date of adoption differs from the document date and the date of adoption is important, the date of adoption may be included after the full date as follows:

\[(\text{Full Date}, \text{adopted Full Date of Adoption})\]

(for example, ‘(27 July 2001, adopted 14 June 2001)’).

Where there is not a full date on the document, as much of the full date as appears should be included.

**Examples**


**Note**

The date of a UN document (the date of issuance) often precedes or follows the date of its adoption.

### 8.2.12 Annex

**Rule**

Where an annex is included as a pinpoint reference, ‘annex’ should appear as the pinpoint. Where there are multiple annexes, a reference to one annex should include its number or other designation as it appears on the document (for example, ‘annex I’, ‘2nd annex’, ‘annex A’).
Where an annex to a UN document is effectively a document in its own right (for example, where the annex has separate pagination or pinpoints from the rest of the document or has a separate title) and reference is made to pinpoints within the annex, the first reference to the annex should appear as follows:

Citation of UN Document Containing Annex

annex (‘Title of Annex’).

Subsequent references should appear as follows:

Title of Annex, UN Doc

Document Number of UN Document Containing Annex,

annex Pinpoint.

Where there are multiple annexes, ‘annex’ should be replaced with the numbered annex as it appears on the source.

Examples


...  


8.2.13 Pinpoint Reference

Rule

Pinpoint references should appear at the end of the citation.

Where a UN document is a resolution, decision or in the nature of a treaty, pinpoint references should adhere to and appear using the
abbreviations in rule 3.1.4. In particular:

- ‘paragraph’ should be abbreviated ‘para’; and
- where multiple combinations of abbreviations and numbers form one pinpoint reference, commas should not separate them (for example, to refer to paragraph 2 in part B ‘pt B para 2’, not ‘pt B, para 2’, should be included).

Pinpoint references to operative paragraphs in resolutions and decisions should not be preceded by any designation. Pinpoint references to preambular paragraphs in resolutions and decisions should appear as follows:

Preamble para [Number]
(for example, ‘Preamble para 3’).

Where a UN document is in the nature of a report, judicial decision or secondary source, pinpoint references should adhere to rules 1.1.5–1.1.6. Where such a document has page and paragraph numbers, paragraph numbers must be included and page numbers may be included in addition. Where such a document has only page numbers or paragraph numbers, pinpoints should be to page numbers or paragraphs as appropriate. Paragraph numbers should appear in square brackets.

Examples

2005 World Summit Outcome, GA Res 60/1, UN GAOR, 60th sess, 8th plen mtg, Agenda Items 46 and 120, Supp No 49, UN Doc A/RES/60/1 (24 October 2005) paras 138–9.


Report of the Secretary-General Pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, 54th sess, Agenda Item 42, UN Doc A/54/549 (15 November 1999) 6 [3]–[4].

Note

Preambular paragraphs are usually not numbered. When citing preambular paragraphs, Arabic numerals should be assigned to them in order.

8.2.14 Documents of Multiple Organs

Rule

Where a document is considered by or addressed to multiple UN organs (for example, both the General Assembly and Security Council):

- parallel citations of the *Official Records* of both organs should be included, separated by a semi-colon; and
- both document numbers should be included, separated by ‘and’.

Example

*Letter Dated 5 November 2001 from the Chargé d’affaires ai of the Permanent Mission of the Syrian Arab Republic to the United Nations Addressed to the Secretary-General, UN GAOR, 56th sess, Agenda Items 42, 88 and 166; UN SCOR, 56th sess, UN Docs A/56/601 and S/2001/1045 (5 November 2001).*

8.3 UN Treaty Body Documents

8.3.1 Decisions of UN Treaty Bodies on Individual Communications

Rule

Decisions of UN treaty bodies on individual communications should be cited in accordance with rule 8.2. However, they should always be given a short title (in accordance with rule 8.5) as follows:

\[ ('\text{Complainant's Surname} \text{ v. Respondent State}') \]

Subsequent references should adhere to rule 8.5.

Example

8.3.2 Communications and Submissions to UN Treaty Bodies

Rule

Communications and submissions to UN treaty bodies should be cited as follows:

Author, ‘Document Title’, Document Type to the UN Treaty Body in Complainant’s Surname v Respondent State, Full Date, Pinpoint.

The document type should generally be ‘Submission’ or ‘Communication’ as appropriate. Pinpoint references should adhere to rules 1.1.5–1.1.6. Pinpoints should be to paragraph numbers where available, or otherwise to page numbers.

A URL may be included after the full date or any pinpoint reference where this would aid retrieval of the document. It should appear in accordance with rule 6.15.6.

Example


8.4 United Nations Yearbooks

Rule

Where material is available as a UN document, it should be cited in accordance with rule 8.2 (even if reproduced in a UN yearbook). Where material in a UN yearbook is not otherwise available, the yearbook should be cited.
Where the yearbook is organised by year, it should be cited as follows:

‘Title’ [Year] [Yearbook Title] Starting Page, Pinpoint.

Where there are multiple volumes for one year, the volume number should be included in Roman numerals after the year (for example, ‘[2002] II’). Where a volume is split into parts, the part number should be included, enclosed in parentheses, immediately after the volume number (for example, ‘[1999] II(2)’).

Where the yearbook is organised by volume, it should be cited as follows:

‘Title’ (Year) Volume Number

[Yearbook Title] Starting Page, Pinpoint

Where a volume is split into multiple issues or parts, the issue number should be included immediately following the volume number in parentheses (for example, ‘34(I)’).

In citations of UN yearbooks, an author’s name may be included before the document title, followed by a comma, where an individual or body is clearly identified as the author. A UN document number should not be included.

Examples


8.5 Subsequent References

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references to UN documents (see rule 8.2), citations should appear in full each time a source is referred to. However, where a UN document is frequently referred to, it may be given a short title. The short title should adhere to rule 1.4.3 (so should be italicised, and placed within single inverted commas and parentheses following the initial citation). Subsequent references should then appear as follows:

\[ \text{Short Title}, \text{UN Doc } \text{UN Document Number}, \text{Pinpoint}. \]

Other subsequent references to communications and submissions to UN treaty bodies (see rule 8.3.2) should appear in full.

In other subsequent references to UN yearbooks (see rule 8.4), ‘above n’ should be used (in accordance with rule 1.4.2). Otherwise, ‘above n’ should not be used for materials in this chapter.

Examples

22 SC Res 1325, UN SCOR, 4213th mtg, UN Doc S/RES/1325 (31 October 2000) (‘Resolution 1325’).

23 Ibid para 3.

27 Resolution 1325, UN Doc S/RES/1325, para 7.


31 ‘Legal Aspects of International Political Relations’, above n 28, 797.
### 8.6 Commonly Cited Documents

The table below sets out example citations of common types of UN documents. The citations apply the rules above.

<table>
<thead>
<tr>
<th>Document Type</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Record</td>
<td>UN GAOR, 63rd sess, 55th plen mtg, UN Doc A/63/PV.55 (19 November 2008).</td>
</tr>
</tbody>
</table>
9 International Court of Justice and Permanent Court of International Justice

9.1 Constitutive and Basic Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th>Statute of the International Court of Justice should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Statute of the International Court of Justice</em> Pinpoint.</td>
</tr>
<tr>
<td></td>
<td>The Statute of the Permanent Court of International Justice should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td><em>Statute of the Permanent Court of International Justice</em> Pinpoint.</td>
</tr>
<tr>
<td></td>
<td>The rules of the International Court of Justice should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td>International Court of Justice, <em>Rules of Court</em> (adopted Full Date) Pinpoint.</td>
</tr>
<tr>
<td></td>
<td>The rules of the Permanent Court of International Justice should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td>Permanent Court of International Justice, <em>Rules of Court</em> (adopted Full Date) Pinpoint.</td>
</tr>
</tbody>
</table>

Examples

*Statute of the International Court of Justice* art 24.

*Statute of the Permanent Court of International Justice* art 4.


### 9.2 Decisions

<table>
<thead>
<tr>
<th></th>
<th>Case Name</th>
<th>Parties’ Names or Advisory Opinion</th>
<th>Phase</th>
<th>Year</th>
<th>Report Series and Series Letter</th>
<th>Starting Page and Case Number</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Examples</strong></td>
<td>East Timor (Portugal v Australia) (Judgment)</td>
<td>[1995] ICJ Rep</td>
<td>90</td>
<td>93</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Western Sahara (Advisory Opinion)</td>
<td>[1975] ICJ Rep</td>
<td>12</td>
<td>17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mavrommatis Palestine Concessions (Greece v United Kingdom) (Jurisdiction)</td>
<td>[1924] PCJ (ser A) No 2</td>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### 9.2.1 Case Name

**Rule**: A citation of a decision of the International Court of Justice (‘ICJ’) or Permanent Court of International Justice (‘PCIJ’) should include the case name in italics as it appears on the first page of the report. However:

- ‘The’, ‘Case concerning’ and ‘Case concerning the’ at the start of a case name and ‘Case’ or ‘Cases’ at the end of a case name should be omitted;
- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

9.2.2 Parties' Names or Advisory Opinion

The names of the parties should be italicised and included (after the case name) as they appear on the first page of the report (even if in an elaborate form). They should be enclosed within parentheses and separated by ‘v’.

Where parties do not appear on the first page of the report, their names should be included in the conventional shortened form (if any exists), rather than the full elaborate form (for example, ‘Zimbabwe’, not ‘Republic of Zimbabwe’). However, the full form should be used where necessary to avoid ambiguity.

Where multiple cases are joined together, only the names of the parties to the first-listed case should be included.

For advisory opinions, ‘(Advisory Opinion)’ should appear instead of party names.

Examples


Factory at Chorzów (Germany v Poland) (Jurisdiction) [1927] PCIJ (ser A) No 9. [Not: … (Germany v Polish Republic) …]


Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) [2004] ICJ Rep 136.
9.2.3 Phase

The phase should be italicised and appear in parentheses (after the parties’ names). It should be included as it appears on the first or second page of the report, in accordance with chapter 1. However:

- any date in the phase should be omitted;
- where the phase is an order with respect to ‘provisional measures’, ‘interim measures of protection’ or similar matters, the phase should appear as ‘(Provisional Measures)’;
- where the phase is an order or judgment with respect to ‘preliminary objections’ or similar matters, the phase should appear as ‘(Preliminary Objection)’ or ‘(Preliminary Objections)’ as appropriate; and
- where the phase is expressed as ‘Jurisdiction of the Court’, it should appear as ‘(Jurisdiction)’.

For procedural orders of the court on a particular matter, the phase should be included in the following form:

(Order on Name of Matter)

The name of the matter should appear as it does on the first page of the case. The name of the subject matter of the application, and not the date of the order, should be used (for example, ‘(Order on Application by Malta for Permission to Intervene)’). However, where the date is the only description of the order on the first page of the case, the phase should be included in the following form:

(Order of Full Date)

Examples


Fisheries Jurisdiction (United Kingdom of Great Britain and Northern Ireland v Iceland) (Jurisdiction) [1973] ICJ Rep 3.
ICJ and PCIJ

Right of Passage over Indian Territory (Portugal v India) (Merits) [1960] ICJ Rep 6.

Asylum (Colombia v Peru) (Judgment) [1950] ICJ Rep 266.


Nuclear Tests (New Zealand v France) (Order on Application by Fiji for Permission to Intervene) [1973] ICJ Rep 324. [Not: … (Order of 12 July 1973 — Application by Fiji for Permission to Intervene) …]


Note

Cases before the ICJ and PCIJ may involve a number of separate decisions of the court. The ‘phase’ is the broad characterisation of the stage of the decision cited in the course of a case. The most common phases are:

- ‘(Provisional Measures)’;
- ‘(Preliminary Objections)’;
- ‘(Jurisdiction)’;
- ‘(Merits)’; and
- ‘(Judgment)’.

A phase should always be included in a contentious case. Where there are not multiple phases in a particular contentious case, the phase ‘(Judgment)’ will usually be appropriate.

9.2.4 Year

Rule

The year of the volume of the report series in which the case appears should be included (after the phase) in square brackets.

Examples

Certain German Interests in Polish Upper Silesia (Germany v Poland) (Judgment) [1925] PCIJ (ser A) No 6.

LaGrand (Germany v United States of America) (Judgment) [2001] ICJ Rep 466.
The official report series of both the ICJ and PCIJ are organised by year. The year therefore appears in square brackets (in accordance with rule 2.2).

### 9.2.5 Report Series and Series Letter

**Rule**

The report series abbreviation should appear (unitalicised) after the year.

For decisions of the PCIJ, the letter of the series (‘A’, ‘B’ or ‘A/B’) should also be included in the form:

\[(\text{ser } \text{Letter of Series})\]

(for example, ‘(ser B)’).

**Examples**


**Notes**

The ICJ publishes its decisions in *Reports of Judgments, Advisory Opinions and Orders* (abbreviated ‘ICJ Rep’).

The PCIJ published its decisions in series A, series B and series A/B of *Publications of the Permanent Court of International Justice* (abbreviated ‘PCIJ’).

### 9.2.6 Starting Page and Case Number

**Rule**

For decisions of the ICJ, the starting page should be included after the report series abbreviation.

For decisions of the PCIJ, the case number should be included (instead of a starting page) after the series.

**Examples**

- *Factory at Chorzów (Germany v Poland) (Merits)* [1928] PCIJ (ser A) No 17.
For decisions of the ICJ, the starting page is generally that on which the judgment begins. The page numbers of title page and the page containing information about mode of citation should not be used as the starting page. (However, the information on mode of citation indicates the correct starting page in its suggested citation of the decision.)

Decisions of the PCIJ were assigned a sequential number by the Court (for example, ‘No 3’). This number should be used to cite PCIJ decisions because the page numbering of each decision (even within a series) is non-consecutive (see rule 4.4 on non-consecutive pagination).

**9.2.7 Pinpoint Reference**

- Pinpoint references should adhere to rules 1.1.5–1.1.6 and 2.5. In particular:
  - where the pinpoint reference is to the first page of the report, the page number should be repeated;
  - a series of pinpoint references should be separated by commas rather than ‘and’;
  - where cases are paginated, pinpoint references should be to pages; and
  - where a report has both page numbers and paragraph numbers, page numbers should always be included in a pinpoint reference and paragraph numbers may be included in addition.

**Examples**

- *Certain Property (Liechtenstein v Germany) (Judgment)* [2005] ICJ Rep 6, 19 [26], 20 [31]–[32], 21–5 [34]–[45].
9.2.8 Identifying Judges

| Rule | Where a judgment of the court is referred to, neither a judge’s name nor ‘(The Court)’ should be included. Where a separate or dissenting opinion or a declaration is referred to, the name(s) of the relevant judge(s) (if not otherwise apparent) may be included in parentheses after the pinpoint reference. Judges’ names should appear in accordance with rules 1.14.4 and 2.9.1, except that ‘Judge(s)’, ‘President’ and ‘Vice-President’ should be written out in full before judges’ surnames. ‘Separate Opinion’, ‘Dissenting Opinion’ and ‘Declaration’ (and any abbreviations of these terms) should not be included with judges’ names. |
| Note | Where it is important that a judge made a declaration or gave a separate or dissenting opinion, this should be made clear in the text. |

9.3 Pleadings and Other Documents Originating in ICJ and PCIJ Proceedings

| Rule | Pleadings and other material of parties and of the court originating in proceedings before the ICJ should be cited as follows: |
Pleadings and other material of parties and of the court originating in proceedings before the PCIJ should be cited as follows:

\[
\text{[Document Title], Case Name (Parties' Names) [Year] PCIJ (ser C) No Number, Starting Page, Pinpoint (Speaker's Name).}
\]

The title of the document should appear as it does in the source, subject to chapter 1. Case names and parties’ names should adhere to rules 9.2.1–9.2.2. The year should be that of the volume cited. If the title page of a volume does not include a year, the year should be that of the decision (in the phase) to which the volume relates. Pinpoint references should adhere to rule 9.2.7, but should be to page numbers.

A speaker’s name (if not otherwise apparent) may be included after a pinpoint reference. Judges’ names should adhere to rule 9.2.8. Names of counsel, witnesses and other persons should adhere to rules 1.14 and 2.9.3.

For ICJ Pleadings, where more than one volume is published for a case, the volume number should precede ‘ICJ Pleadings’. It should appear in Roman numerals (for example, ‘[1985] II ICJ Pleadings’).

For PCIJ (ser C), the ‘number’ and the starting page of the document should be included (for example, ‘No 76, 12’). Where there are multiple parts within a ‘number’, the part should follow the number, preceded by ‘pt’. The part should appear in Roman numerals (for example, ‘No 17 pt II’).

**Examples**


‘Speech by Dr Budding’, Rights of Minorities in Upper Silesia (Germany v Poland) [1928] PCIJ (ser C) No 14 pt II, 20, 25–7.

Notes
The ICJ publishes Pleadings, Oral Arguments, Documents (abbreviated ‘ICJ Pleadings’), which contains documents and transmissions of the parties and the Court (such as the application instituting proceedings, submissions, minutes of oral argument and evidence). The ICJ Pleadings series is organised by case, then volume number.

The PCIJ published similar documents in series C of Publications of the Permanent Court of International Justice (abbreviated ‘PCIJ’). PCIJ (ser C) is organised by ‘numbers’ (for example, ‘No 2’). A ‘number’ sometimes contains multiple ‘parts’. Each ‘part’ is separately paginated and contains documents relating to a separate case.

9.4 Unreported Materials

9.4.1 Decisions
Decisions of the ICJ that are not reported should be cited as follows:

Case Name (Parties’ Names) (Phase) (International Court of Justice, General List No Number, Full Date) Pinpoint.

Case names and parties’ names should adhere to rules 9.2.1–9.2.2. The general list number should be included as it appears on the page on which the judgment commences. The full date is that of the judgment. Pinpoint references should be to paragraphs (and should adhere to rules 1.1.5–1.1.6). Judges’ names may be included after pinpoints in accordance with rule 9.2.8.
Examples

Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v France) (Judgment) (International Court of Justice, General List No 136, 4 June 2008).

Dispute regarding Navigational and Related Rights (Costa Rica v Nicaragua) (Judgment) (International Court of Justice, General List No 133, 13 July 2009) [34].

Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and South Ledge (Malaysia v Singapore) (Judgment) (International Court of Justice, General List No 130, 23 May 2008) [8] (Judge Parra-Aranguren).

Notes

Paragraph numbering generally begins afresh in a separate or dissenting opinion. Paragraph references to a separate or dissenting opinion are therefore to paragraphs within the opinion. A judge’s name must therefore be included in such references.

Decisions, pleadings and other material of the ICJ and PCIJ are available from the ICJ’s website at <http://www.icj-cij.org>. There is no need to include a URL (to the ICJ’s website or otherwise) after a citation of unreported ICJ decisions or other material.

9.4.2 Pleadings and Other Documents

Rule

Pleadings and other material of parties and of the court originating in proceedings before the ICJ that are not reported should be cited as follows:

‘[Document Title]’, [Case Name] (Parties’ Names), International Court of Justice, General List No [Number], [Full Date], [Pinpoint].

The title of the document should appear as it does in the source, subject to chapter 1. Case names and parties’ names should adhere to rules 9.2.1–9.2.2. The general list number should be included as it appears on the page on which the judgment commences. The full date is that of the document cited.

Pinpoint references should adhere to rules 1.1.5–1.1.6 and should be to paragraph numbers where available (and where these are continuous across an entire document). Where a document has only
Part IV — International Materials

Page numbers, pinpoints should be to page numbers. Pinpoint references to verbatim proceedings (and other transcripts) should be to page numbers.

Speakers’ names may be included after pinpoint references and should adhere to rule 9.3.

Examples


‘Request for the Indication of Provisional Measures Submitted by the Government of the Kingdom of Belgium’, *Questions Relating to the Obligation to Prosecute or Extradite (Belgium v Senegal)*, International Court of Justice, General List No 144, 17 February 2009, 2.


‘Verbatim Record’, *Dispute regarding Navigational and Related Rights (Costa Rica v Nicaragua)*, International Court of Justice, General List No 133, 2 March 2009, 12 (Edgar Ugalde-Alvarez).

9.5 Subsequent References

Rule

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references:

- citations of decisions of the ICJ and PCIJ should adhere to rule 2.14; and
- citations of pleadings and other documents should appear in full.

‘Above n’ should not be used for any materials in this chapter.
Examples


4 Ibid 179.

5 'Memorial of Nicaragua', Border and Transborder Armed Actions (Nicaragua v Costa Rica) [1987] ICJ Pleadings 9, 55.


... 


10 'Memorial of Nicaragua', Border and Transborder Armed Actions (Nicaragua v Costa Rica) [1987] ICJ Pleadings 9, 17. [Not: 'Memorial of Nicaragua', above n 5, 7.]
10 International Arbitral and Tribunal Decisions

10.1 State–State Decisions

10.1.1 Reported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Case Name</th>
<th>Parties’ Names</th>
<th>Phase</th>
<th>Year, Volume and Report Series</th>
<th>Starting Page</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Expropriated Religious Properties (France v Portugal) (Awards) (1932) 2 Hag Crt Rep 2d (Scott)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

State–state arbitral and tribunal decisions published in a report series should be cited in accordance with rule 9.2, as shown above. In particular:

- the case name should adhere to rule 9.2.1; and
- pinpoint references should adhere to rule 9.2.7.

However:

- the parties’ names should appear in the conventional shortened form, not the full elaborate form, regardless of how they appear on the decision;
- the phase should appear as it does on the decision cited, except that any date should be omitted from the phase unless it is necessary to unambiguously identify the decision;
- the year, volume and report series should adhere to rules 2.2–2.3; and
- the starting page should adhere to rule 2.4.

Judges’ or arbitrators’ names should be included in accordance with rule 9.2.8 (so should appear only after pinpoint references to separate or dissenting opinions or declarations). However, tribunal members
Int Arbitral Decisions may be referred to by a title other than ‘Mr’ or ‘Ms’ (such as ‘Dr’, ‘Prof’, etc).

**Examples**

*Cordillera of the Andes Boundary (Argentina v Chile) (Report of the Tribunal Appointed by the Arbitrator)* (1902) 9 RIAA 39.

*Southern Bluefin Tuna (Australia v Japan) (Jurisdiction and Admissibility)* (2000) 39 ILM 1359. [Not: … (Australia and New Zealand v Japan) …]

*Responsibility for the Death of Letelier and Moffitt (United States of America v Chile) (Decision)* (2005) 25 RIAA 1, 12–13 (Prof Orrego Vicuña).

**Notes**

Some commonly cited report series containing state–state arbitral decisions are the Arb Mat, Hague Ct Rep (Scott), Hague Ct Rep 2d (Scott), ILR and RIAA. In accordance with rule 2.3.2, the abbreviations for report series should appear as they do in the Appendix to this Guide.

Where an otherwise unreported case is published in the *International Legal Materials* (abbreviated ‘ILM’), the ILM should be cited.

### 10.1.2 Unreported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Element</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hoshin-maru (Japan v Russia) (Judgment)</td>
<td>Case Name</td>
<td>Unreported state–state arbitral and tribunal decisions should be cited as shown above. The case name, parties’ names and phase should adhere to rule 10.1.1. The name of the arbitral body or tribunal should appear as it does on</td>
</tr>
</tbody>
</table>
the title page of the decision (or, where cumbersome, in a conventional shortened form).

A case number should be included only if it appears in the decision. It should appear as it does on the title page, preceded by ‘Case No’ (in accordance with rule 8.2.10). If there is no full date, as much of the full date as appears should be included.

Pinpoint references should adhere to rules 1.1.5–1.1.6. Where a decision has paragraph numbers, pinpoints should be to paragraph numbers. Where a decision has only page numbers, pinpoints should be to page numbers.

Judges’ or arbitrators’ names should be included after pinpoint references in accordance with rule 9.2.8 (so should appear only after pinpoint references to separate or dissenting opinions or declarations).

**Examples**

Access to Information under Article 9 of the Ospar Convention (Ireland v United Kingdom) (Final Award) (Permanent Court of Arbitration, 2 July 2003) [146].


Ports — Ethiopia’s Claim 6 (Ethiopia v Eritrea) (Final Award) (Eritrea Ethiopia Claims Commission, 19 December 2005) [26].

### 10.2 Individual–State Decisions (including Investor–State Decisions)

#### 10.2.1 Reported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Olguín v Paraguay (Jurisdiction)</th>
<th>(2004) 6 ICSID Rep 154, 158</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Parties’ Names</td>
<td>Phase</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Rule

Reported individual–state arbitral and tribunal decisions should be cited as shown above. Parties’ names should adhere to rule 2.1. The phase should adhere to rule 10.1.1. The year, volume and report series should adhere to rules 2.2–2.3. The starting page should adhere to rule 2.4.

Pinpoint references should adhere to rule 9.2.7. Judges’ or arbitrators’ names should be included after pinpoint references in accordance with rule 10.1.1 (so should appear only after pinpoint references to separate or dissenting opinions or declarations).

### Examples

*Chas T Main International Inc v Mahab Consulting Engineers Inc (Award)* (1983) 3 Iran–US CTR 270.


### Notes

Some commonly cited report series containing investor–state arbitral decisions are the Iran–US CTR and ICSID Rep. In accordance with rule 2.3.2, the abbreviations for report series should appear as they do in the Appendix to this Guide.

Disputes between individuals and international organisations (in international forums applying international law) should also be cited in accordance with this rule or rule 10.2.2.

### 10.2.2 Unreported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Enron Corporation v Argentina (Jurisdiction)</th>
<th>(ICSID Arbitral Tribunal, Case No ARB/01/3, 14 January 2004)</th>
<th>[39]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Parties’ Names</td>
<td>Phase</td>
<td>Name of Arbitral Body or Tribunal</td>
</tr>
<tr>
<td>Rule</td>
<td>Unreported individual–state arbitral and tribunal decisions should be cited as shown above.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Parties’ names should adhere to rule 2.1. A phase should be included only if it appears in the decision and should adhere to rule 10.1.1. The name of the arbitral body or tribunal, case number and full date should adhere to rule 10.1.2.

Pinpoint references should adhere to rules 1.1.5–1.1.6. Where a decision has paragraph numbers, pinpoints should be to paragraph numbers. Where a decision has only page numbers, pinpoints should be to page numbers.

Judges’ or arbitrators’ names should be included after pinpoint references in accordance with rule 10.1.1 (so should appear only after pinpoint references to separate or dissenting opinions or declarations).

Examples

Keeney v Secretary-General of the United Nations (United Nations Administrative Tribunal, Judgement No 6, 4 September 1951).

Phoenix Action Ltd v Czech Republic (Award) (ICSID Arbitral Tribunal, Case No ARB/06/5, 15 April 2009) [54].

Trans-Global Petroleum Inc v Jordan (Consent Award) (ICSID Arbitral Tribunal, Case No ARB/07/25, 8 April 2009) [12].

CMS Gas Transmission Co v Argentina (Annulment) (ICSID Arbitral Tribunal, Case No ARB/01/8, 25 September 2007) [158]–[159].

Tokelés v Ukraine (Jurisdiction) (ICSID Arbitral Tribunal, Case No ARB/02/18, 29 April 2004) [27] (President Weil).

10.3 Subsequent References

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).
Other subsequent references should adhere to rule 2.14. In accordance with rule 2.14, it may be necessary to give an international arbitral or tribunal decision a short title incorporating its phase to distinguish it from other decisions with the same parties.

‘Above n’ should not be used for any materials in this chapter.

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>18 Ibid 16.</td>
</tr>
<tr>
<td></td>
<td>...</td>
</tr>
</tbody>
</table>
11 International Criminal Tribunals and Courts

11.1 Basic Documents

11.1.1 Constitutive Documents

| Rule | Constitutive documents of international criminal tribunals and courts should be cited in accordance with the appropriate rules of this Guide for the source type. Where the constitutive document of an international criminal tribunal or court was (partly) created by a UN Security Council resolution, an appropriate short title (usually that of the instrument or an abbreviated version, for example, ‘Statute of the International Tribunal for Rwanda’) should be included in accordance with rule 8.5 (or rule 8.2.12 for an annex) after the initial citation of the resolution or the relevant annex. Subsequent references should appear in the form: |
| Short Title | Pinpoint. |
| Where an amendment is important, or where it is important to indicate the state of a constitutive document at a particular point in time, the amending instrument should be included in the form: |
| Citation of Original Constitutive Document, as amended by Citation of Amending Instrument. |
| Where this is the first reference to a constitutive document, the short title should appear after the citation of the amending instrument. Pinpoint references should adhere to rule 7.5 and should generally be to articles and paragraphs. |

11.1.2 Rules

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>The rules of international criminal tribunals and courts should be cited as follows:</td>
</tr>
</tbody>
</table>

```
Name of Tribunal or Court, Title of Rules, Doc No Document Number (adopted Full Date) Pinpoint.
```

A document number should be included only where it appears on the rules. It should be preceded by ‘Doc No’ and adhere to rule 8.2.10. Where rules have been revised, the full date should be the date of adoption of the revision.

Pinpoint references should adhere to rule 7.5 and should generally be to rules and sub-rules.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>
Part IV — International Materials

11.2 Cases

<table>
<thead>
<tr>
<th>Element</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parties’ Names</td>
<td>11.2.1</td>
</tr>
<tr>
<td>Phase</td>
<td>11.2.2</td>
</tr>
<tr>
<td>Court</td>
<td>11.2.3</td>
</tr>
<tr>
<td>Chamber</td>
<td>11.2.4</td>
</tr>
<tr>
<td>Case Number</td>
<td>11.2.5</td>
</tr>
<tr>
<td>Full Date</td>
<td>11.2.6</td>
</tr>
<tr>
<td>Pin-point</td>
<td>11.2.7</td>
</tr>
</tbody>
</table>

### 11.2.1 Parties’ Names

Parties’ names should appear in italics in the form:

\[
\text{Prosecutor v } \text{Surname of Defendant}
\]

The order of the names should be reversed for appeals (if they are on the decision itself). Where there are multiple defendants or appellants, only the name of the first defendant or appellant should be included.

**Examples**

*Prosecutor v Nikolić (Sentencing Judgement) (International Criminal Tribunal for the Former Yugoslavia, Trial Chamber II, Case No IT-94-2-S, 18 December 2003).*

*Prosecutor v Lubanga (Decision on the Manner of Questioning Witnesses by the Legal Representatives of Victims) (International Criminal Court, Trial Chamber I, Case No ICC-01/04-01/06-2127, 16 September 2009) [6]. [Not: Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo …]*

*Simba v Prosecutor (Judgement) (International Criminal Tribunal for Rwanda, Appeals Chamber, Case No ICTR-01-76-A, 27 November 2007) [40]–[41].*

*Prosecutor v Prlić (Decision on Defence Motion to Reopen Its Case) (International Criminal Tribunal for the Former Yugoslavia, Trial Chamber III, Case No IT-04-74-T, 3 July 2009). [Not: The Prosecutor v Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić, Berislav Pušić … nor Prosecutor v Prlić et al …]*
### 11.2.2 Phase

**Rule**

The phase should be italicised and appear in parentheses. Capitalisation should adhere to rule 1.7. The phase should be included as it appears on the judgment (including any date in the name of the phase). However, the defendant’s name should be omitted from the phase if the name is included in accordance with rule 11.2.1.

**Examples**


Prosecutor v Al Bashir *(Warrant of Arrest)* (International Criminal Court, Pre-Trial Chamber I, Case No ICC-02/05-01/09-1, 4 March 2009). \[Not: … *(Warrant of Arrest for Omar Hassan Ahmad Al Bashir)* …]\]

### 11.2.3 Court

**Rule**

The name of the court should be included in its commonly used shortened form (if any exists), not its full elaborate form.

**Example**


### 11.2.4 Chamber

**Rule**

The name of the chamber should include both:

- the type of chamber (where an international criminal tribunal or court has multiple types of chambers); and
• any numerical designation given to the chamber, which should appear in Roman numerals.

Examples


Prosecutor v Ntaganda (Warrant of Arrest) (International Criminal Court, Pre-Trial Chamber I, Case No ICC-01/04-02/06-18, 22 August 2006).

Note

The International Criminal Court has three types of chambers: Pre-Trial Chambers, Trial Chambers and Appeals Chambers. Other international criminal tribunals and courts often have one or several Trial Chambers and an Appeals Chamber. Such chambers are typically numbered using Roman numerals (for example, ‘Trial Chamber II’).

11.2.5 Case Number

Rule

The case number should be preceded by the words ‘Case No’. Otherwise, it should adhere to rule 8.2.10. In particular:

• the case number should appear as it does on the judgment cited (including any component specific to that document, where available);

• full stops should not be used in abbreviations, but should be reproduced if they are used within a case number; and

• where there are multiple case numbers, all should be included (preceded by ‘Case Nos’).

Examples

Prosecutor v Renzaho (Decision on Motion for Extension of Time for the Filing of Notice of Appeal and Brief in Reply) (International Criminal Tribunal for Rwanda, Appeals Chamber, Case No ICTR-97-31-A, 22 September 2009) [6].

### 11.2.6 Full Date

**Rule**  
The full date of the judgment cited should be included.

**Example**  
*Prosecutor v Kambanda (Decision Ordering Continued Detention)*  
(International Criminal Tribunal for Rwanda, Trial Chamber I, Case No ICTR-97-23-T, 1 May 1998).

### 11.2.7 Pinpoint Reference

**Rule**  
Pinpoint references should adhere to rules 1.1.5–1.1.6 and should be to paragraph numbers.

**Example**  
*Prosecutor v Jokić (Judgement on Sentencing Appeal)*  
(International Criminal Tribunal for the Former Yugoslavia, Appeals Chamber, Case No IT-01-42/1-A, 30 August 2005) [24].  
*Not: … 9 [24].*

### 11.2.8 Identifying Judges

**Rule**  
Judges’ names should be included after pinpoint references in accordance with rule 9.2.8. In particular:

- where a judgment (including a ‘principal judgment’) of a tribunal or court is referred to, neither the judges’ names nor ‘(The Court)’ should be included after a pinpoint reference;
- judges’ names should be included after pinpoint references to separate or dissenting opinions; and
- ‘Judge’ should be written out in full before a judge’s name.

**Examples**  
*Prosecutor v Jelisić (Judgement)*  
(International Criminal Tribunal for the Former Yugoslavia, Trial Chamber I, Case No IT-95-10-T, 14 December 1999) [105].
**11.3 Reports of Cases**

**Rule**

It is generally unnecessary to cite reports of judgments of international criminal tribunals and courts due to their wide availability. However, where a judgment is difficult to locate or where there is good reason for doing so, a report of the judgment may be cited.

Reported judgments of international criminal tribunals should be cited as follows:

\[
\text{Parties' Names} \ (\text{Phase}) \ Year, \ Volume \ and \ Report \ Series \ \\
\text{Starting Page}, \ \text{Pinpoint}.
\]

Parties’ names and the phase should adhere to rules 11.2.1–11.2.2. The year, report series and starting page should adhere to rules 2.2–2.4. Pinpoint references should adhere to rule 9.2.7. The inclusion of judges’ names should adhere to rule 11.2.8.

The name of the international tribunal or court and the relevant chamber may be included after any pinpoint or judges’ names in accordance with rule 2.6. It should appear in the form:

\[
(\text{Conventional Shortened Name of Tribunal or Court}, \ Chamber)
\]

The name of the tribunal or court and the chamber should adhere to rules 11.2.3–11.2.4.

**Example**

### 11.4 Subsequent References

**Rule**

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

In other subsequent references:

- citations of the basic documents of international criminal tribunals and courts should adhere to rule 11.1 or the appropriate rules of this Guide for the source type; and
- citations of decisions of international criminal tribunals and courts (see rules 11.2–11.3) should adhere to rule 2.14.

In accordance with rule 2.14, it may be useful to give a decision of an international criminal tribunal or court a short title incorporating its phase or trial/appellate status to distinguish it from other decisions relating to the same parties.

‘Above n’ should not be used for any materials in this chapter.

**Examples**

<table>
<thead>
<tr>
<th>Number</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>...</td>
</tr>
<tr>
<td>26</td>
<td><em>ICTY Rules</em> r 3(F).</td>
</tr>
<tr>
<td>28</td>
<td>Ibid [21]–[22].</td>
</tr>
<tr>
<td></td>
<td>...</td>
</tr>
<tr>
<td>30</td>
<td><em>Serushago Appeal</em> (International Criminal Tribunal for Rwanda, Appeals Chamber, Case No ICTR-98-39-A, 6 April 2000) [27].</td>
</tr>
</tbody>
</table>
12 International Economic Materials

12.1 World Trade Organization

12.1.1 Constitutive and Basic Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th>The Marrakesh Agreement Establishing the World Trade Organization should be cited in accordance with chapter 7.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The other agreements and understandings of the World Trade Organization (‘WTO’) are annexed to the Marrakesh Agreement, and should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td>Marrakesh Agreement Establishing the World Trade Organization, opened for signature 15 April 1994, 1867 UNTS 3 (entered into force 1 January 1995) [Pinpoint to Relevant Annex (‘Title of Agreement or Understanding’)].</td>
</tr>
<tr>
<td></td>
<td>The title of the relevant agreement or understanding (or a commonly used abbreviated version) should appear after the pinpoint to the annex containing it (in accordance with rule 7.6). Agreements or understandings annexed to the Marrakesh Agreement should not be cited as separate treaties.</td>
</tr>
<tr>
<td></td>
<td>Subsequent references should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td>[Short Title of Agreement or Understanding] [Pinpoint].</td>
</tr>
</tbody>
</table>

|----------|----------------------------------------------------------------------------------------------------------------------------------|

Note

Annexes 1A and 4 to the Marrakesh Agreement both contain more than one agreement or understanding. It is thus necessary to include the name of the relevant agreement or understanding as a short title when referring to WTO agreements or understandings other than the Marrakesh Agreement itself (to avoid ambiguity).

12.1.2 Official WTO Documents

| Element | Document Title | Document Number | Full Date | Document Description | Pin-point |

Rule

An official WTO document (except an Appellate Body report, panel report or arbitrator’s decision) should be cited as shown above.

The title should appear in italics and be included as it appears in the document, subject to chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

The document number should adhere to rule 8.2.10 (so full stops should not be used in abbreviations but the document number should be reproduced exactly as it appears, with any punctuation).

Where there is not a full date in the document, as much of the full date as appears should be included. The date of adoption (if any) may be included in addition to the full date in the form:

( [Full Date of Document], adopted [Full Date of Adoption] )
A document description should be omitted if it does not appear in the WTO document.

Pinpoint references to resolutions, decisions, declarations, waivers and other documents in the nature of a treaty should adhere to rule 3.1.4 (and the pinpoint abbreviations in that rule should be used). Pinpoint references to documents in the nature of secondary sources should adhere to rules 1.1.5–1.1.6 and pinpoint references should be to paragraphs (in square brackets).

Annexes and schedules may be cited in accordance with rule 8.2.12.

### Examples

**India — Measures Affecting Customs Duties**, WTO Doc WT/DS150/1, G/L/266 (3 November 1998) (Request for Consultations by the European Communities).


**Notification**, WTO Doc G/TBT/N/BHR/188 (24 February 2010) [7].


**Past Negotiations and Consultations on Tropical Products**, WTO Doc TN/AG/S/17 (10 February 2005) (Note by the Secretariat) [32]–[33].


### Note

The document description of a WTO document ordinarily appears below the title. It usually appears underlined and in parentheses.
### 12.1.3 WTO Panel, Appellate Body and Arbitration Decisions

<table>
<thead>
<tr>
<th>Element</th>
<th>Document Description</th>
<th>Case Name</th>
<th>Document Number</th>
<th>Full Date</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examples</td>
<td>Panel Report, Colombia — Indicative Prices and Restrictions on Ports of Entry, WTO Doc WT/DS366 /R</td>
<td>(27 April 2009)</td>
<td>[7.1]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Rule**

A WTO panel report, Appellate Body report or decision of the arbitrator should be cited as shown above.

The document description should be ‘Panel Report’, ‘Appellate Body Report’ or ‘Decision by the Arbitrator’ as appropriate.

The case name should appear in italics and be included as it appears in the report, subject to chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

Case names of subsequent stages in proceedings between the same parties should include the second subtitle in the report, preceded by an em-dash (for example, ‘— Recourse to Article 21.5 by …’ or ‘— Recourse to Arbitration by … under …’).

Appellate Body reports and arbitration decisions should include their unique document designation (the numbers commencing ‘AB-’ and ‘ARB-’ respectively) after the WTO document number, preceded by a comma.

A date of adoption may be included in accordance with rule 12.1.2. Where a report has not been adopted, ‘unadopted’ may be included after the full date, preceded by a comma (for example, ‘(12 May 2007, unadopted)’).
A citation of the *Dispute Settlement Reports* (‘DSR’) may be included after the full date. It should appear in the form:

\[
\text{DSR Year, Volume, Starting Page}
\]

(for example, ‘DSR 1999:III, 1377’).

Pinpoint references should adhere to rules 1.1.5–1.1.6. They should be to paragraphs and should appear in square brackets. Even where a DSR citation is included, page numbers should not be included in pinpoint references. Pinpoint references should not be preceded by a comma, unless a DSR citation is included.

### Examples


12.2 General Agreement on Tariffs and Trade

12.2.1 Official GATT Documents

<table>
<thead>
<tr>
<th>Element</th>
<th>Document Title</th>
<th>Document Number</th>
<th>Full Date</th>
<th>Document Description</th>
<th>Pin-point</th>
</tr>
</thead>
</table>

A citation of an official document of the General Agreement on Tariffs and Trade (‘GATT’) should appear as shown above.

The title and full date (including any date of adoption) should adhere to rule 12.1.2.

The document number should adhere to rule 12.1.2, but should be included only if it appears in the document. If there is no document number, a comma should not follow the document title.

The document description should adhere to rule 12.1.2 (so should be included only if it appears in the document). However, if the document description includes the full date, that date should be omitted from the description.

Where a document is reproduced in Basic Instruments and Selected Documents (abbreviated ‘GATT BISD’), a citation of GATT BISD should be included after the full date. Citations of documents in the original volumes of GATT BISD should appear as follows (with the volume number in Roman numerals):

GATT BISD Volume No Starting Page
(for example, ‘GATT BISD I/120’).

Citations of GATT BISD supplements should appear as follows:

GATT BISD Supplement No S/ Starting Page
(for example, ‘GATT BISD 31S/114’).
Pinpoint references should adhere to rule 12.1.2. However, where a document does not have paragraph numbers, pinpoint references should be to page numbers. There should be no punctuation between the full date and the pinpoint. However, where a citation of GATT BISD is included, a comma should precede the pinpoint reference.

**Examples**


*Agreement on Trade in Civil Aircraft — Status of Acceptances on 1 July 1980*, GATT Doc AIR/12 (2 July 1980) (Note by the Secretariat) 2–3.

*Waiver in Respect of the Trust Territory of the Pacific Islands* (8 September 1948) (Decision) GATT BISD II/9, para 2.


**Notes**

Some early GATT documents do not have a GATT document number. Where possible, such documents should be cited in GATT BISD.

GATT BISD was first published in volumes I to IV. A revised volume of GATT BISD I (denoted ‘IR’) was also published. In 1952, the first Supplement (GATT BISD 1S) was published, and publication of GATT documents continued in the Supplements.

**12.2.2 GATT Panel Reports**

**Rule**

GATT Panel reports should be cited in the same manner as WTO panel reports (in accordance with rule 12.1.3). However, GATT BISD references should appear instead of DSR references where available (and should adhere to rule 12.2.1).
In accordance with rule 12.1.3, even where a GATT BISD reference is included, pinpoint references should be to paragraph numbers, which should appear in square brackets.

Examples


GATT Panel Report, *EEC — German Exchange Rate Scheme for Deutsche Airbus*, GATT Doc SCM/142 (4 March 1992, unadopted) [5.9].

**12.3 Investment and Trade Treaties and Investor–State Arbitrations**

Investment and trade treaties (such as bilateral investment treaties and free trade agreements) should be cited in accordance with chapter 7. Investor–state arbitrations should be cited in accordance with chapter 10.

Examples


*United Parcel Service of America Inc v Canada (Merits)* (North American Free Trade Agreement Chapter 11 Arbitral Tribunal, 24 May 2007) [119]–[120].

**12.4 Subsequent References**

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

Other subsequent references to treaties should adhere to rule 7.6.
Other subsequent references to WTO and GATT documents should appear in full each time a source is referred to. However, where a WTO or GATT document is referred to frequently, it may be given a short title. The short title should adhere to rule 1.4.3 (so should be italicised and placed within single inverted commas and parentheses following the initial citation). Subsequent references should then take the form:

**Short Title**, WTO/GATT Doc [Document Number], Pinpoint.

For subsequent references to WTO panel reports, Appellate Body reports or decisions by the arbitrator or GATT panel reports, the document description (the name of the reporting body) should be included before the short title, followed by a comma. The short title should be that commonly used for the report, unless there is good reason to do otherwise.

‘Above n’ should not be used for any materials in this chapter.

**Examples**


...  


19. Ibid [160].

...  

13  European Supranational Materials

13.1  European Union Materials

13.1.1  Official Journal of the European Union

<table>
<thead>
<tr>
<th>Example</th>
<th>Document Title</th>
<th>Year</th>
<th>Official Journal Series</th>
<th>Issue Number</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

A reference to a document of the European Union (‘EU’), European Communities (‘EC’) or predecessor organisations should include a citation of the **Official Journal of the European Union** (abbreviated ‘OJ’) where possible.

The document title should appear in italics and as it does on the document cited, subject to chapter 1. In particular:

- punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.

The year is that of publication in the OJ.

For documents published from 1 January 1968, the series should be included after ‘OJ’, preceded by a space. Legislative acts are contained in the ‘L’ series (abbreviated ‘OJ L’), and information and notices are contained in the ‘C’ series (abbreviated ‘OJ C’).

The issue number and starting page should be separated by an (unspaced) slash (for example, ‘22/34’).
Part of the C series is published only in electronic format. References to documents in this part of the C series should appear as follows:

<table>
<thead>
<tr>
<th>Document Title</th>
<th>Year</th>
<th>OJ C</th>
<th>Issue Number</th>
<th>E/ Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

For documents published before 1 January 1974, a parallel citation of the English language Special Edition of the *Official Journal* (‘OJ Spec Ed’), preceded by a semi-colon, should be included (where possible). It should appear in the form:

<table>
<thead>
<tr>
<th>Year</th>
<th>OJ Spec Ed</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

Pinpoint references should adhere to rules 1.1.5–1.1.6 and be preceded by a comma. Pinpoints may be to pages, paragraphs, articles or other internal divisions of the relevant document. Abbreviations in pinpoints should adhere to rule 3.1.4.

**Examples**


The Official Journal of the European Communities became the Official Journal of the European Union on 1 February 2003. Both, as well as previous equivalent publications, are abbreviated ‘OJ’.

Within the EU, legislative acts include regulations, directives and decisions of the various organs (other than EU courts).

The OJ Spec Ed is a non-binding official translation of some documents published in the OJ into the languages of non-member states or states to whom the document does not apply. From 1 January 1974, the official OJ was published in English, obviating the need to refer to the OJ Spec Ed from this date.

Until 30 June 1967, the pagination of the OJ was continuous. Thus, an issue number is not necessary to identify documents up to this date.

### 13.1.2 Constitutive Treaties of the European Union

The constitutive treaties of the EU and EC (and predecessor organisations) should be cited as treaties in accordance with chapter 7. However:

- a reference to the OJ (where available) should replace a reference to the UNTS or an official national treaty series; and
- a short title or amendment information must be included in accordance with this rule.

When referring to constitutive treaties of the EU and EC as in force (that is, as amended and renumbered from time to time):

- a citation of the latest consolidation of the treaty in the OJ should be included (if available); and
- the ‘short title for current references’ in the table below should be included in the first citation and used for subsequent references (in accordance with rule 7.6).
When referring to constitutive treaties of the EU and EC as made (prior to any amendment):

- a citation of the UNTS or the OJ containing the treaty as made should be included; and
- the ‘short title for historical references’ should be included in the first citation and used for subsequent references (in accordance with rule 7.6).

<table>
<thead>
<tr>
<th>Treaty</th>
<th>Short Title for Current References</th>
<th>Short Title for Historical References</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treaty on European Union</td>
<td>EU</td>
<td>Treaty on European Union</td>
</tr>
<tr>
<td>Treaty on the Functioning of the European Union</td>
<td>FEU</td>
<td>Treaty on the Functioning of the European Union</td>
</tr>
<tr>
<td>Treaty Establishing the European Community</td>
<td>EC</td>
<td>EC Treaty</td>
</tr>
<tr>
<td>Treaty Establishing the European Atomic Energy Community</td>
<td>EA</td>
<td>EAEC Treaty</td>
</tr>
<tr>
<td>Treaty Instituting the European Coal and Steel Community</td>
<td>CS</td>
<td>ECSC Treaty</td>
</tr>
</tbody>
</table>

Where the fact of amendment is important, or when referring to a foundational EU treaty after amendment by a specific intermediate amending treaty, amendment information may be included (in accordance with rule 3.8) in the form:

[ Citation of Foundational EU Treaty ], as amended by [ Citation of Amending Treaty ].

The dates of opening for signature and entry into force for all foundational EU treaties should adhere to rule 7.3 (so should be those of the treaty as made), regardless of whether the treaty is referred to as in force or historically.
Examples


*Treaty Instituting the European Coal and Steel Community*, signed 18 April 1951, 261 UNTS 140 (entered into force 23 July 1952) (‘ECSC Treaty’). [cited historically]


Notes

The system of short titles used in this rule is adapted from that used by the European Court of Justice, due to the amendment and renumbering of the provisions in the various constitutive EU treaties. The Treaty of Amsterdam (with effect from 1 May 1999) renumbered several provisions of the Treaty on European Union and the EC Treaty. The Treaty of Nice (with effect from 1 February 2003) inserted several new provisions into both treaties. The Treaty of Lisbon (with effect from 1 December 2009) recast the EC Treaty as the Treaty on the Functioning of the European Union and substantially amended and renumbered the Treaty on European Union.


13.1.3 Courts of the European Union

<table>
<thead>
<tr>
<th>Examples</th>
<th>Parties’ Names</th>
<th>Case Number</th>
<th>Year</th>
<th>Report Series</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Costa v ENEL (C-6/64) [1964] ECR 585, 594</td>
<td>Case Number</td>
<td>Year</td>
<td>Report Series</td>
<td>Starting Page</td>
<td>Pinpoint</td>
<td></td>
</tr>
<tr>
<td>Vainker v European Parliament (T-48/01) [2004] ECR-SC II-197, II-207</td>
<td>Case Number</td>
<td>Year</td>
<td>Report Series</td>
<td>Starting Page</td>
<td>Pinpoint</td>
<td></td>
</tr>
</tbody>
</table>

Rule

Reported decisions of the Court of Justice of the European Union (‘ECJ’), the General Court of the European Union (‘General Court’) and the European Union Civil Service Tribunal should be cited as shown above.

The parties’ names, including those of EU organs, should be included as they appear on the first page of the report, subject to chapter 1. They should be italicised and separated by ‘v’.
The case number (including the prefixes ‘C-’ for cases decided by the ECJ, ‘T-’ for cases decided by the General Court, and ‘F-’ for cases decided by the European Union Civil Service Tribunal) should be included after the parties’ names in parentheses. It should not be italicised.

Pinpoint references should adhere to rule 9.2.7. However, the starting page and page pinpoint references for decisions in the ECR since 1990 should include the prefix ‘I-’ (for decisions of the ECJ) and ‘II-’ (for decisions of the General Court). Page references to judgments in the ECR-SC should include the prefix ‘II-’. Spans of page numbers should adhere to rule 1.12.1. The prefixes ‘I-’ or ‘II-’ should not be repeated in the second number of a page span.

Decisions not reported in the ECR or ECR-SC should be cited as follows:

\[
\text{[Parties' Names] (Name of Court/Tribunal, Case Number, Full Date) Pinpoint.}
\]

The name of the court should be included as it appears on the decision. Pinpoint references should be to paragraphs.

**Examples**

- Grad v Finanzamt Traunstein (C-9/70) [1970] ECR 825, 833.
- Ireland v Council of the European Communities (C-151/73) [1974] ECR 285, 298 [21]–[23].
- Germany v Commission of the European Communities (C-301/96) [2003] ECR I-9919, I-9949–51. [**Not:** … I-9919, I-9949–I-9951.]
- Commission of the European Communities v Luxembourg (Court of Justice of the European Communities, C-34/07, 29 November 2007) [14]–[15].
- Clearwire Corp v Office for Harmonisation in the Internal Market (Court of First Instance of the European Communities, T-399/08, 19 November 2009).
Part IV — International Materials

**Vinci v European Central Bank** (European Union Civil Service Tribunal, F-130/07, 16 September 2009) [58].

**Notes**

The Court of Justice of the European Union is commonly referred to as the ‘European Court of Justice’. The General Court was the Court of First Instance of the European Communities (‘CFI’) until December 2009.

Decisions of the Court of Justice are published in *Reports of Cases before the Court* and, since 1990, *Reports of Cases before the Court of Justice and the Court of First Instance* (both abbreviated ‘ECR’). Decisions of the General Court are published (from 1990) in *Reports of Cases before the Court of Justice and the Court of First Instance*.

Since 1995, cases between staff and EU institutions heard by the CFI and (since its creation in 2005) the European Union Civil Service Tribunal are reported in *European Court Reports — Reports of European Community Staff Cases* (abbreviated ‘ECR-SC’). Judgments are printed in Section II of the ECR-SC. (Section I summarises decisions and orders. It is thus preferable to cite to Section II, unless the case in Section II is not in an accessible language.)

Other report series (such as the CMLR) that contain reports of cases decided by EU courts and tribunals should be used where a case is not reported in the ECR or ECR-SC (in preference to citing a case as unreported).

**13.2 Council of Europe**

**13.2.1 Basic Documents of the Council of Europe**

**Rule**

The Statute of the Council of Europe should be cited (in accordance with chapter 7) as follows:

*Statute of the Council of Europe*, opened for signature 5 May 1949, 8 UNTS 103 (entered into force 3 August 1949).
The Convention for the Protection of Human Rights and Fundamental Freedoms (commonly known as the ‘European Convention on Human Rights’ or ‘ECHR’) should be cited as follows:


Citations of substantive protocols should include details of amendments in the same manner. Citations of amending protocols should adhere to chapter 7 (and the ETS should be the treaty series cited, where available).

Examples


Notes

The European Treaty Series (abbreviated ‘ETS’), which included Nos 1 to 193, is continued from 2004 (No 194) by the Council of Europe Treaty Series (abbreviated ‘CETS’).

The most recent amending protocol to the ECHR is Protocol No 14bis. However, when referring to the ECHR as in force for a particular state party, it may be necessary to refer to a less recent amending protocol. All states parties have ratified Protocol No 11.
13.2.2 European Court of Human Rights

<table>
<thead>
<tr>
<th>Examples</th>
<th>Year</th>
<th>Volume</th>
<th>Report Series</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>Wemhoff v Federal Republic of Germany</em> (1968)</td>
<td>7</td>
<td>7</td>
<td>Eur Court HR (ser A)</td>
<td>23</td>
<td></td>
</tr>
<tr>
<td><em>Bouchelkia v France</em> (1997)</td>
<td>I</td>
<td>1</td>
<td>Eur Court HR</td>
<td>47, 67</td>
<td></td>
</tr>
</tbody>
</table>

**Rule**

Reported decisions of the European Court of Human Rights should be cited as shown above.

The parties’ names should appear in the form:

*Complainant’s Surname* v *Respondent State*

Where there are multiple complainants or respondents, only the first-named party should be included. The name of the respondent state should appear as it does on the first page of the report. If it does not appear on the first page of the report, the conventional shortened form (if any exists), rather than the full elaborate form, should be included. However, the full form should be used where this is necessary to avoid ambiguity.

Where there are multiple reported phases in a case, the phase should be included. It should be italicised and appear in parentheses after the parties’ names (for example, ‘(Preliminary Objections)’, ‘(Revision)’ and ‘(Just Satisfaction)’).

Citations of decisions until the end of 1995 (that is, decisions reported in Eur Court HR (ser A)) should not include a starting page. Where there are multiple decisions in one volume, the letter of the case should be included in the volume number, preceded by a hyphen (for example, ‘320-B’).

Citations of decisions from 1996 (that is, decisions reported in Eur Court HR) should include a volume number (in Roman numerals) after the year and a starting page.

Pinpoint references should adhere to rule 9.2.7. Judges should be identified after pinpoint references in accordance with rule 9.2.8.
Decisions of the Court not reported in Eur Court HR (ser A) or Eur Court HR should be cited in an unofficial report series (where available).

Unreported decisions of the Court should be cited as follows:

*Parties’ Names* (European Court of Human Rights, *Chamber*).

Application No *Number*, *Full Date* [Pinpoint].

The ‘Chamber’ of the Court refers to the manner of its configuration for a case (as the ‘Grand Chamber’ or a ‘Chamber’). Pinpoint references should be to paragraphs.

Citations of pleadings reported in Eur Court HR (ser B) should appear as follows:

‘Document Title’, *Complainant’s Surname* v *Respondent State*

*Year* Eur Court HR (ser B) *Starting Page*, [Pinpoint].

**Examples**

*Campbell v United Kingdom* (1992) 233 Eur Court HR (ser A).

*Boujilfa v France* [1997] VI Eur Court HR 2250, 2264.

*The Observer v United Kingdom* (1992) 216 Eur Court HR (ser A) 10–11. [**Not:** *The Observer and The Guardian v United Kingdom* …]

*Leander v Sweden* (1987) 116 Eur Court HR (ser A) 32 [84]. [**Not:** *Leander Case (1987)* …]

*Loizidou v Turkey (Preliminary Objections)* (1995) 310 Eur Court HR (ser A).


*Slivenko v Latvia* [2003] X Eur Court HR 229, 237–8 [15]–[21].


*S v United Kingdom* (European Court of Human Rights, Grand Chamber, Application Nos 30562/04 and 30566/04, 4 December 2008) [125].

Until the end of 1995, judgments of the European Court of Human Rights were published in *Series A: Judgments and Decisions* (abbreviated ‘Eur Court HR (ser A)’), which is organised by volume. The pagination begins again for each case (that is, in each volume or in each part of a volume denoted by a letter). From 1996, judgments of the Court have been published in *Reports of Judgments and Decisions* (abbreviated ‘Eur Court HR’), which is organised by year. Because the pagination is not consecutive across a volume, the volume number should be included in citations of Eur Court HR.

Decisions of the European Court of Human Rights are also published in the unofficial *European Human Rights Reports* (‘EHRR’), which should be cited if a case does not appear in Eur Court HR (ser A) or Eur Court HR.

Until 1988, the Court published *Series B: Pleadings, Oral Arguments and Documents* (abbreviated ‘Eur Court HR (ser B)’).

### 13.2.3 European Commission of Human Rights

<table>
<thead>
<tr>
<th>Element</th>
<th>Parties’ Names</th>
<th>Year</th>
<th>Volume</th>
<th>Report Series</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td><em>Klass v Federal Republic of Germany</em> (1974) 1 Eur Comm HR 20 , 29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Rule**

Reported decisions of the European Commission of Human Rights should be cited as shown above.

The parties’ names should adhere to rule 13.2.2. The year should be that of the decision. A volume number and starting page should always be included. Pinpoints should adhere to rules 1.1.5–1.1.6 and be to pages.

**Example**

*X v Austria* (1979) 17 Eur Comm HR 80, 85–6.

**Notes**

Decisions of the European Commission of Human Rights were published between 1960 and 1974 in *Collection of Decisions* and from 1974 to 1998 in *Decisions and Reports* (both abbreviated ‘Eur Comm HR’).

### 13.3 Subsequent References

**Rule**

‘Ibid’ should be used for all materials in this chapter (in accordance with rule 1.4.1).

Other subsequent references to treaties should adhere to rule 7.6. Other subsequent references to judicial decisions should adhere to rule 2.14. Other subsequent references to EU documents (that are not treaties or judicial decisions) should appear in full each time a source is referred to. However, where an EU document is referred to frequently, it may be given a short title. The short title should adhere to rule 1.4.3 (so should be italicised and placed within single inverted commas and parentheses following the initial citation). Subsequent references should then take the form:

<table>
<thead>
<tr>
<th>Short Title</th>
<th>OJ Citation</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

The OJ citation should adhere to rule 13.1.1.

‘Above n’ should not be used for any materials in this chapter.

**Examples**


...  

5 *ECHR* art 6.


...  

Part IV — International Materials


...  

14 Canada

14.1 Cases

14.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>Canadian cases should be cited in accordance with chapter 2.</th>
</tr>
</thead>
</table>

| Note | When citing cases from Canada, it may be useful to include the name of the court in a citation (in accordance with rule 2.6) where the court is not otherwise apparent. However, this is unnecessary for references to the \textit{Supreme Court Reports} (abbreviated ‘SCR’) and other report series specific to a particular court. |

14.1.2 Official and Unofficial Report Series

<table>
<thead>
<tr>
<th>Rule</th>
<th>In accordance with rule 2.3, citations of Canadian cases should include a citation of an authorised report series where possible. Where a decision is not reported in an official report series, a semi-official provincial report series or an unofficial report series, such as the \textit{Dominion Law Reports} (abbreviated ‘DLR’), should be cited.</th>
</tr>
</thead>
</table>
198  Part V — Foreign Domestic Materials

<table>
<thead>
<tr>
<th>Notes</th>
<th>Only federal Canadian reports are authorised. Those series are:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Court</strong></td>
</tr>
<tr>
<td></td>
<td>Supreme Court of Canada</td>
</tr>
<tr>
<td></td>
<td>Canadian Federal Courts</td>
</tr>
<tr>
<td></td>
<td>Exchequer Court of Canada</td>
</tr>
</tbody>
</table>

Semi-official provincial report series are published under the auspices of a provincial law society or Bar association. Commonly cited semi-official state report series include the AR, BCR, Nfld & PEIR, NWTR, OR, RJQ and YR (or various series of them).

## 14.2 Legislation

<table>
<thead>
<tr>
<th>Example</th>
<th>Copyright Act, RSC 1985, c C-42, s 25</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Title</td>
</tr>
<tr>
<td>Rule</td>
<td>14.2.1</td>
</tr>
</tbody>
</table>

### 14.2.1 Title

<table>
<thead>
<tr>
<th>Rule</th>
<th>Canadian statute titles should adhere to rule 3.1.1, but should be followed by a (non-italic) comma. ‘The’ should be omitted from the beginning of a statute title.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>Agri-Food Amendment Act, SS 1997, c 27. [Not: The Agri-Food Amendment Act, …]</td>
</tr>
</tbody>
</table>

### 14.2.2 Statute Volume and Jurisdiction

<table>
<thead>
<tr>
<th>Rule</th>
<th>An abbreviated form of the statute volume and jurisdiction should be included as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Statute Volume</strong></td>
</tr>
<tr>
<td></td>
<td>The statute volume and jurisdiction should <em>not</em> be separated by a space or any punctuation.</td>
</tr>
</tbody>
</table>
For the statute volume, a citation of the Revised Statutes or the Re-enacted Statutes (both abbreviated ‘RS’) should be included where available (for example, ‘RSC’). Otherwise, a citation of the sessional or annual volumes (abbreviated ‘S’) should be included (for example, ‘SC’).

An abbreviated version of the jurisdiction should be included (for example, ‘RSO’). The following abbreviations should be used:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canada (federal)</td>
<td>C</td>
</tr>
<tr>
<td>Alberta</td>
<td>A</td>
</tr>
<tr>
<td>British Columbia</td>
<td>BC</td>
</tr>
<tr>
<td>Lower Canada</td>
<td>LC</td>
</tr>
<tr>
<td>Manitoba</td>
<td>M</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>NB</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>N</td>
</tr>
<tr>
<td>Newfoundland and Labrador</td>
<td>NL</td>
</tr>
<tr>
<td>Northwest Territories</td>
<td>NWT</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>NS</td>
</tr>
<tr>
<td>Nunavut</td>
<td>Nu</td>
</tr>
<tr>
<td>Ontario</td>
<td>O</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>PEI</td>
</tr>
<tr>
<td>Province of Canada</td>
<td>Prov C</td>
</tr>
<tr>
<td>Quebec</td>
<td>Q</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>S</td>
</tr>
<tr>
<td>Upper Canada</td>
<td>UC</td>
</tr>
<tr>
<td>Yukon Territory</td>
<td>Y</td>
</tr>
</tbody>
</table>

Examples

*Criminal Code*, RSC 1985, c C-46, s 515.

*Controlled Drugs and Substances Act*, SC 1996, c 19, s 4.

### 14.2.3 Year

**Rule**

The year (or span of years) of the statute volume should be followed by a comma.

A session number (for example, ‘3\textsuperscript{rd} Sess’) should be included after the year if more than one parliamentary session occurred in that year and the statute volume is divided by session (with non-consecutive chapter numbering). A supplement number (for example, ‘\textsuperscript{2nd} Supp’) should be included after the year where a statute appears only in a supplement to the RS.

Session and supplement numbers should be ordinal and should adhere to rule 1.12.1 (so letters in ordinal numbers should be superscript). Session or supplement numbers should appear in parentheses. If a session or supplement number is included, the year should not be followed by a comma. Instead, the session or supplement number should be followed by a comma.

**Examples**

- *Clean Air Act*, SNB 1997, c C-5.2.
- *Criminal Law Amendment Act*, RSC 1985 (1\textsuperscript{st} Supp), c 27.

**Note**

Statutes generally appear in a supplement to the RS where they are passed in the year of a consolidation too late to be included in that consolidation.

### 14.2.4 Chapter

**Rule**

The chapter number of the statute (including any letters) should be included. Letters and numbers forming the chapter number should be separated by a hyphen.

‘Chapter’ should be abbreviated ‘c’.

**Examples**

14.2.5 Pinpoint Reference

<table>
<thead>
<tr>
<th>Rule</th>
<th>Pinpoint references should be preceded by a comma. They should adhere to (and use the abbreviations in) rules 3.1.4–3.1.6.</th>
</tr>
</thead>
</table>

| Example | *Tobacco Act*, SQ 1998, c 33, s 58. |

14.3 Constitutions

14.3.1 Federal

<table>
<thead>
<tr>
<th>Rule</th>
<th>The federal Canadian constitutional statutes should be cited as shown below. The short titles should be used for subsequent references in accordance with rules 3.9.1–3.9.2 (and should be included regardless of whether there are subsequent references):</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><em>Canada Act 1982 (UK) c 11, sch B</em> (<em>Constitution Act 1982</em>).</td>
</tr>
<tr>
<td></td>
<td><em>Constitution Act 1867 (Imp), 30 &amp; 31 Vict, c 3</em> (<em>Constitution Act 1867</em>).</td>
</tr>
</tbody>
</table>

Subsequent references should be cited as follows:

- *Constitution Act 1982* [Pinpoint].
- *Constitution Act 1867* [Pinpoint].

The *Canadian Charter of Rights and Freedoms* should be cited (in accordance with rule 3.9.2) as follows:

*Canada Act 1982 (UK) c 11, sch B pt I* (*Canadian Charter of Rights and Freedoms*).

Subsequent references should be cited as follows:

*Canadian Charter of Rights and Freedoms* [Pinpoint].

| Note | The Canadian constitution is contained in both the *Constitution Act 1982* (itself a schedule to a UK statute) and the *Constitution Act 1867* (an imperial statute). The *Canadian Charter of Rights and Freedoms* is part I of the *Constitution Act 1982*. |
### 14.3.2 Provincial and Territorial

**Rule** Provincial and territorial Canadian constitutions should be cited as regular legislation (in accordance with rule 14.2).

**Example** *Constitution Act*, RSBC 1996, c 66.

### 14.4 Delegated Legislation (Regulations)

#### 14.4.1 Revised Federal Regulations

**Rule** Revised federal regulations are published in the *Consolidated Regulations of Canada* (abbreviated ‘CRC’). They should be cited as follows:

*Title*, CRC, c [Chapter Number], [Pinpoint].

Pinpoint references should adhere to rules 3.1.4–3.1.6 and 3.3.2.

When referring to a consolidation other than the latest version, a year should be included in parentheses after the chapter number or any pinpoint reference.

**Examples** *Maple Products Regulations*, CRC, c 289, s 9.

*Air Regulations*, CRC, c 2, s 201 (1955).

**Note** The *Consolidated Regulations of Canada* is a consolidation of important federal regulations. There have been five consolidations to date (in 1874, 1889, 1949, 1955 and 1978).

#### 14.4.2 Unrevised Federal Regulations

**Rule** Unrevised federal regulations are published in the *Statutory Orders and Regulations* (abbreviated ‘SOR’). They should be cited as follows:

*Title*, SOR/Year–Regulation Number–Pinpoint.
Until 1999, only the last two digits of the year should be included. From 2000, the full year should be included.

Pinpoint references should adhere to rules 3.1.4–3.1.6 and 3.3.2.

**Examples**

*Regulations Amending the Food and Drug Regulations, SOR/98-580.*

*Sex Offender Information Registration Regulations (Canadian Forces), SOR/2008-247, s 2.*

### 14.4.3 Provincial and Territorial Regulations

Provincial and territorial regulations should be cited as follows:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Title</th>
<th>Citation of Regulation</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The title may be omitted. Pinpoint references should adhere to rules 3.1.4–3.1.6 and 3.3.2.

The citation of the regulation should appear as shown in the table below for the relevant jurisdiction (examples appear in parentheses):

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Unrevised Regulations</th>
<th>Revised Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alberta</td>
<td>Ala Reg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>(Ala Reg 62/2009)</td>
<td></td>
</tr>
<tr>
<td>British Columbia</td>
<td>BC Reg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>(BC Reg 278/2008)</td>
<td></td>
</tr>
<tr>
<td>Manitoba</td>
<td>Man Reg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>(Man Reg 351/87)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Man Reg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>(Man Reg 401/88R)</td>
<td></td>
</tr>
<tr>
<td>New Brunswick</td>
<td>NB Reg</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>Regulation No</td>
</tr>
<tr>
<td></td>
<td>(NB Reg 2006-23)</td>
<td></td>
</tr>
<tr>
<td>Region</td>
<td>Regulation Type</td>
<td>Regulation No / Year Details</td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-----------------</td>
<td>------------------------------</td>
</tr>
<tr>
<td>Newfoundland (until 5 December 2000)</td>
<td>Nfld Reg</td>
<td>Regulation No Year (Nfld Reg 19/97)</td>
</tr>
<tr>
<td>Newfoundland and Labrador (from 6 December 2000)</td>
<td>NLR</td>
<td>Regulation No Year (NLR 4/09)</td>
</tr>
<tr>
<td>North West Territories</td>
<td>NWT Reg</td>
<td>Regulation No Year (NWT Reg 26-2008)</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>NS Reg</td>
<td>Regulation No Year (NS Reg 235/2007)</td>
</tr>
<tr>
<td>Nunavut (from 1 April 1999)</td>
<td>Nu Reg</td>
<td>Regulation No Year (Nu Reg 040-99)</td>
</tr>
<tr>
<td>Ontario</td>
<td>O Reg</td>
<td>Regulation No Year (O Reg 361/08)</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>PEI Reg EC</td>
<td>Regulation No Year (PEI Reg EC2002-249)</td>
</tr>
<tr>
<td>Quebec</td>
<td>OC</td>
<td>Regulation No Year Full Date, Gazette Citation (OC 764-97, 25 June 1997, GOQ 1997.II.2737)</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>Sask Reg</td>
<td>Regulation No Year (Sask Reg 444/67)</td>
</tr>
<tr>
<td></td>
<td>RRS, c</td>
<td>Chapter No, Regulation No (RRS, c C-4.01, Reg 1)</td>
</tr>
<tr>
<td></td>
<td>RRQ, c</td>
<td>Chapter No, Rule No (RRQ 1981, c V-5, r 1)</td>
</tr>
</tbody>
</table>
Canada

Yukon Territory

<table>
<thead>
<tr>
<th>Year</th>
<th>Regulation No</th>
</tr>
</thead>
<tbody>
<tr>
<td>YOIC 1995/87</td>
<td></td>
</tr>
</tbody>
</table>

* Only the last two digits of the year should be used for regulations prior to 2000.

† Only the last two digits of the year should be used.

Unless otherwise indicated, the year should appear in full.

Where nothing is shown in the ‘revised regulations’ column, there are no revised regulations for that jurisdiction.

**Example**


### 14.5 Other

**Rule**

For further information on the citation of Canadian materials, see the latest edition of the *Canadian Guide to Uniform Legal Citation*. 

Canada
The rules in this chapter should be used when citing Chinese language materials. Published translations of Chinese primary materials should be cited in accordance with rule 25.1.2 and rule 15.1 in this chapter.

15.1 Specific Rules for Chinese Language Materials

In citations of Chinese primary materials, translations of elements appearing in Chinese should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

Where text in Chinese is included in a citation, it should appear as it does in the source (in simplified or traditional Chinese characters or pinyin). To avoid ambiguity, Chinese characters that appear in the source should not be transliterated into pinyin.

Chinese characters should not be italicised, in titles or otherwise. Instead, where an element of a citation would ordinarily be italicised according to the relevant rule of this Guide, Chinese characters forming that element should appear between guillemets (« »).

In the document, the word ‘interior’ (‘内地’) is used instead of ‘Chinese’ to reflect the fact that Hong Kong and Macau are part of the People’s Republic of China. [Not: … the word ‘interior’ (‘neidi’) … — Original: 内地]


## 15.2 Cases

### 15.2.1 General Rule

Reported Chinese cases should be cited as follows:

\[
\text{Case Name} \quad \text{[Year of Decision]} \quad \text{Issue Number}
\]

\[
\text{Official Gazette or Report Series} \quad \text{[Starting Page in Report Series]}
\]

\[
\text{Pinpoint}.
\]

Only those elements that appear in the report should be included.

A translation of parties’ names into English should be included where possible. Chinese names of natural persons should be transliterated into pinyin. Where the case name includes both the parties’ names and a description of the case, the translation of the case name should appear as follows:

\[
\text{[Parties’ Names — Case Description]}
\]

(for example, ‘[Xinjiang Yinhai Real Property Development Co Ltd v Xinjiang Hop Joint Stock Co Ltd — Company Transfer Contract Dispute Appeal Case]’).

The title of the report series should be translated into English where possible. Otherwise, it should be transliterated into pinyin.

### Examples


### Notes

When citing Chinese cases, it may be useful to include the name of the court at the end of a citation in parentheses where it is not otherwise apparent (in accordance with rule 2.6).
Chinese courts include the following (in order of hierarchy):

<table>
<thead>
<tr>
<th>Court Name in English</th>
<th>Simplified Chinese</th>
<th>Pinyin</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme People’s Court</td>
<td>最高人民法院</td>
<td>Zui Gao Ren Fa Yuan</td>
</tr>
<tr>
<td>High People’s Court</td>
<td>高级人民法院</td>
<td>Gao Ji Ren Fa Yuan</td>
</tr>
<tr>
<td>Intermediate People’s Court</td>
<td>中级人民法院</td>
<td>Zhong Ji Ren Fa Yuan</td>
</tr>
<tr>
<td>Basic People’s Court</td>
<td>基层人民法院</td>
<td>Ji Ceng Ren Fa Yuan</td>
</tr>
</tbody>
</table>

15.2.2 Report Series

Rule
Decisions of the Supreme People’s Court (最高人民法院 [Zui Gao Ren Min Fa Yuan]) should be cited from an official government gazette where available.

Other Chinese decisions should be cited from a report series where available.

Examples


Notes

The official report series of the Supreme People’s Court is 中华人民共和国最高人民法院公报 [Zhong Hua Ren Min Gong He Guo Zui Gao Ren Min Fa Yuan Gong Bao — Gazette of the Supreme People’s Court of the People’s Republic of China].

A commonly used report series is 人民法院案例选 [Ren Min Fa Yuan An Li Xuan — Selected Cases of the People’s Courts].
### 15.2.3 Unreported Judgments

**Rule**

Unreported Chinese judgments should be cited as follows:

```
[Case Name], [Court Name], [Case Number],
[Full Date], [Pinpoint].
```

The case name should adhere to rule 15.2.1.

‘People’s Republic of China’, ‘Republic of China’ or ‘Macau’ should be included in the translation of the court name if it is not otherwise apparent that the court is Chinese.

**Example**


### 15.3 Legislative Materials

#### 15.3.1 Chinese Legislative Acts

**Rule**

Chinese legislative acts should be cited as follows:

```
[Title of Law], [Jurisdiction], [Promulgating Body],
[Order/Decree/Opinion No], [Full Date of Promulgation],
[Pinpoint].
```

Only those elements that appear on the source should be included.

Generally, only the title of a legislative act should appear in Chinese with a translation. However, if there is good reason, the name of the promulgating body or the order, decree or opinion number may be included in Chinese with a translation.

The jurisdiction should be ‘People’s Republic of China’, ‘Republic of China’ or ‘Macau’ as appropriate.

To aid retrieval of the law, a citation of an official gazette or
Part V — Foreign Domestic Materials

publication may be included after the full date of promulgation and before any pinpoint reference.

Examples


«著作權法» [Copyright Act] (Republic of China) Legislative Yuan, 10 February 2010, art 10.


Notes

Legislative materials can take the form of codes, national laws, regulations, notices, guidelines or other governmental determinations.

Older legislative acts often do not have an order, decree or opinion number.

Materials from Hong Kong should be cited in English in accordance with chapter 18.

15.3.2 Constitutions

Rule

The constitution of the People’s Republic of China should be cited as follows:

«中华人民共和国宪法» [Constitution of the People’s Republic of China] [Pinpoint].
China

The constitution of the Republic of China should be cited as follows:
«中華民國憲法» [Constitution of the Republic of China] [Pinpoint].

The constitution of Macau should be cited as follows:
«中華人民共和國澳門特別行政區基本法» [Basic Law of the Macau Special Administrative Region of the People’s Republic of China] [Pinpoint].

Examples

The constitution of the Republic of China should be cited as follows:

The constitution of Macau should be cited as follows:
«中華人民共和國澳門特別行政區基本法» [Basic Law of the Macau Special Administrative Region of the People’s Republic of China] ch III.

Note

Where it is relevant or important, more information (such as a date of adoption or promulgating body) can be included in citations of constitutional documents. Such citations should adhere to rule 15.3.1.

15.4 Chinese Language Secondary Sources

15.4.1 General Rules

Citations of Chinese language secondary sources should adhere to rules 25.4 and 15.1. In particular:

- materials should be cited in accordance with the relevant rules of this Guide for the source type;
- a translation of a citation element should be included in square brackets after that element;
- where Chinese characters are used in a source, they should be reproduced in a citation (and where a source uses pinyin, this should be reproduced in a citation); and
• Chinese characters should not be italicised in titles or otherwise (and should appear between guillemets as appropriate).

Where a source includes a Chinese title and an English title, both should be included in a citation. The English title should be italicised where appropriate.

Examples

胡克，张卫，胡智锋 [Hu Ke, Zhang Wei and Hu Zhifeng], «当代电影理论选» [Selected Works of Contemporary Film Theory] (北京广播学院出版社 [Beijing Broadcasting Institute Press], 2000) 22.


15.4.2 Author Names and Subsequent ‘Above n’ References

Rule

Author names should be included as they appear on the source (in simplified or traditional Chinese characters or pinyin). The capitalisation and order of surnames and given names should not be changed from that in the source.

If a name appears in Chinese characters, a transliteration into pinyin should be included in square brackets after the characters.

Subsequent ‘above n’ references should adhere to rule 1.4.2. However, the full name of the author should always be included. If the name appears in Chinese characters, both the characters and the pinyin transliteration should be included in subsequent references.
### Examples

卫铄 [Wei Shuo] … [Original: 卫铄]

Cai Yuanpei … [Original: Cai Yuanpei]


…

20 方建伟 [Fang Jianwei], above n 17, 124.

### Note

In Chinese characters, the surname of an author always appears first. In names transliterated into pinyin, the surname sometimes appears first and sometimes last. The order of the names in a citation should replicate the order in the source.
16 France

Note
The rules in this chapter should be used when citing French language primary materials. Published translations of French primary materials should be cited in accordance with rule 25.1.2.

16.1 Cases

Rule
Decisions of the Cour de cassation should be cited as follows:

Cour de cassation [French Court of Cassation], Appeal Number, Full Date reported in (Year of Publication), Abbreviation of Publication n° Number of Volume/Issue, Pinpoint.

Cases from the Conseil constitutionnel should be cited as follows:

Conseil constitutionnel [French Constitutional Court], decision n° Number of Decision, Full Date reported in JO, Full Date of Publication, Pinpoint.

Cases from the Conseil d’État should be cited as follows:

Conseil d’État [French Administrative Court], Full Date reported in [Year of Publication] Rec Lebon Pinpoint.

Other cases should be cited as follows:

Name of Court (Including City), Case Number, Full Date reported in Report Series Citation, Pinpoint.

The words ‘reported in’ and a citation of a report series or publication should be included only where available.

A popular or commonly used name of a case may be included before the name of the court. It should appear italicised and be followed by a (non-italic) comma.

Translations of elements appearing in French should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).
Examples

Cour de cassation [French Court of Cassation], 06-81968, 5 December 2006 reported in (2006) Bull crim no 304, 1095.

Conseil constitutionnel [French Constitutional Court], decision n° 2005-527 DC, 8 December 2005 reported in JO, 13 December 2005, 19162.


Cour d’appel de Toulouse [Toulouse Court of Appeal], 2003/05292, 7 March 2005.

Notes

Official report series of the French Cour de cassation [Court of Cassation], Conseil constitutionnel [Constitutional Court] and Conseil d’État [Administrative Court] are set out in the table below:

<table>
<thead>
<tr>
<th>Court</th>
<th>Report Series</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cour de cassation — civil matters</td>
<td>Bulletin des arrêts de la Cour de cassation, Chambres civiles</td>
<td>Bull civ</td>
</tr>
<tr>
<td>Cour de cassation — criminal matters</td>
<td>Bulletin des arrêts de la Cour de cassation, Chambre criminelle</td>
<td>Bull crim</td>
</tr>
<tr>
<td>Conseil constitutionnel</td>
<td>Journal officiel de la République française</td>
<td>JO</td>
</tr>
<tr>
<td>Conseil d’État</td>
<td>Recueil des arrêts du Conseil d’État statuant au contentieux</td>
<td>Rec Lebon</td>
</tr>
</tbody>
</table>

For decisions of the Cour de cassation, the ‘appeal number’ is generally the number following ‘n° de pourvoi’ in the decision.

16.2 Legislative Materials

16.2.1 Individual Laws

Rule

French legislation and delegated legislation should be cited as follows:

Title of Law (France) JO, Full Date of Publication, Pinpoint.
The title of the law generally includes a number (preceded by ‘no’) and a date (preceded by ‘du’). Laws are gazetted in the Journal officiel (abbreviated ‘JO’).

Translations of elements appearing in French should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

**Examples**


*Décret n° 95-221 du 27 février 1995* [Decree No 95-221 of 27 February 1995] (France) JO, 2 March 1995, 3350.

### 16.2.2 Codes

**Rule**

French codes should be cited as follows:

*Title of Code* (France) [Pinpoint].

Translations of elements appearing in French should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

**Examples**

*Code civil* [Civil Code] (France) art 147.

*Code de procédure pénale* [Code of Criminal Procedure] (France) art 689.

### 16.2.3 Constitution

**Rule**

The French Constitution should be cited as follows:

*La Constitution du 4 octobre 1958* [French Constitution of 4 October 1958] [Pinpoint].

**Example**

17 Germany

Note

The rules in this chapter should be used when citing German language primary materials. Published translations of German primary materials should be cited in accordance with rule 25.1.2.

17.1 Cases

Rule

Cases should be cited as follows:

[Court Name], [Case Number, Full Date] reported in ([Year of Decision]) [Volume Number]

[Abbreviation of Report Series] [Starting Page], [Pinpoint].

A popular or commonly used name of a case may be included before the name of the court. It should appear italicised and be followed by a (non-italic) comma.

The words ‘reported in’ and a citation of a report series should be included only where available.

Translations of elements appearing in German should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

Examples


SOLANGE II, Bundesverfassungsgericht [German Constitutional Court], 2 BvR 197/83, 22 October 1986 reported in (1986) 73 BVerfGE 271.

PUMUCKL, Oberlandesgericht München [Munich Court of Appeal], 29 U 4743/02, 4 September 2003.
Note

The preferred report series of German final courts of appeal are as follows:

<table>
<thead>
<tr>
<th>Court</th>
<th>Name of Court in English</th>
<th>Report Series Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bundesverfassungsgericht</td>
<td>Federal Constitutional Court</td>
<td>BVerfGE</td>
</tr>
<tr>
<td>Bundesgerichtshof — Strafsachen</td>
<td>Federal Court of Justice — Criminal Matters</td>
<td>BGHSt</td>
</tr>
<tr>
<td>Bundesgerichtshof — Zivilsachen</td>
<td>Federal Court of Justice — Civil Matters</td>
<td>BGHZ</td>
</tr>
<tr>
<td>Bundessozialgericht</td>
<td>Federal Social Court</td>
<td>BSGE</td>
</tr>
<tr>
<td>Bundesfinanzhof</td>
<td>Federal Finance Court</td>
<td>BFHE</td>
</tr>
<tr>
<td>Bundesarbeitsgericht</td>
<td>Federal Labour Court</td>
<td>BAGE</td>
</tr>
</tbody>
</table>

17.2 Legislative Materials

17.2.1 Individual Laws

Rule

Legislation and delegated legislation should be cited as follows:

\[ Title of Law \] (Germany) \{Full Date of Enactment\}.  
\quad \{Abbreviated Gazette Name\}, \{Year\}, \{Starting Page\}, \{Pinpoint\}.

Translations of elements appearing in German should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

Example


17.2.2 Codes

Rule

German codes should be cited as follows:

\[ Title of Code \] (Germany) \{Pinpoint\}.

Where a code has a commonly used abbreviation, this abbreviation may be included in the first citation of the code as a short title and used in subsequent references, in accordance with rule 3.9.
Translations of elements appearing in German should adhere to rule 25.1.1 (so should appear in square brackets after the element translated).

<table>
<thead>
<tr>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bürgerliches Gesetzbuch [Civil Code] (Germany) § 823(1) (‘BGB’).</td>
</tr>
<tr>
<td>3. BGB § 826.</td>
</tr>
</tbody>
</table>

17.2.3 Constitution

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>The German Constitution should be cited as follows: Grundgesetz für die Bundesrepublik Deutschland [Basic Law of the Federal Republic of Germany] [Pinpoint].</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grundgesetz für die Bundesrepublik Deutschland [Basic Law of the Federal Republic of Germany] art 8(1).</td>
</tr>
</tbody>
</table>
18 Hong Kong

18.1 Cases

<table>
<thead>
<tr>
<th>Rule</th>
<th>Hong Kong cases should be cited accordance with chapter 2. However, names of individuals (both parties and judicial officers) should generally appear in full.</th>
</tr>
</thead>
</table>
| Examples | *Ng Ka Ling v Director of Immigration* [1999] 1 HKLRD 337.  
*Penny’s Bay Investment Co Ltd v Director of Lands* [2009] 1 HKC 391.  
*Hong Kong Special Administrative Region v Lau Wai Wo* (2003) 6 HKCFAR 624.  
*Discovery Bay Services Management Ltd v David Buxbaum* [1995] HKDCLR 7, 9 (Downey J).  
| Notes | The *Hong Kong Law Reports and Digest* (abbreviated ‘HKLRD’) and the *Hong Kong Court of Final Appeal Reports* (abbreviated ‘HKCFAR’) are authorised report series, so should be cited where available. Commonly cited unauthorised law report series are the HKC and HKLR, which should be cited where no authorised series is available.  
When citing cases from Hong Kong, it may be useful to include the name of the court in a citation (in accordance with rule 2.6).  
Names of individuals should generally appear in full in Hong Kong decisions to ensure that individuals are unambiguously identified. If given names are not necessary to identify an individual, they may be omitted. |
18.2 Legislative Materials

18.2.1 Principal and Delegated Legislation

**Rule**

Hong Kong principal and delegated legislation should be cited in accordance with rules 3.1–3.4. However:
- no year should be included;
- the jurisdiction should appear as ‘(Hong Kong)’; and
- a chapter number should be included after the jurisdiction.

The chapter number should appear as follows:

```
cap [Chapter Number]
```

(for example, ‘cap 3’).

Where a pinpoint reference is included, the chapter number should be followed by a comma.

Where principal or delegated legislation has not been allocated a chapter number (or when citing principal or delegated legislation historically, as enacted), the year should be included.

**Examples**

*Evidence Ordinance* (Hong Kong) cap 8, s 4.
*Dogs and Cats Regulations* (Hong Kong) cap 167A, reg 22.
*Rules of the High Court* (Hong Kong) cap 4A.
*Telephone Ordinance 1925* (Hong Kong).

**Note**

A piece of primary legislation in Hong Kong is usually called an ‘ordinance’.

18.2.2 Constitution

**Rule**

The Hong Kong Constitution should be cited as follows:

*Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China* [Pinpoint].

**Example**

*Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China* art 4.
## 19 Malaysia

### 19.1 Cases

#### 19.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>Malaysian cases should be cited in accordance with chapter 2. However:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• the names of individuals (both parties and judicial officers) should generally appear in full; and</td>
</tr>
<tr>
<td></td>
<td>• abbreviations of judicial titles should appear as they do in the case cited (but should adhere to rule 1.6.1, so full stops should not be used in abbreviations).</td>
</tr>
<tr>
<td></td>
<td>‘Sendirian Berhad’ (an expression indicating incorporation) should be abbreviated ‘Sdn Bhd’ in parties’ names. ‘Datuk’ (approximately equivalent to ‘Sir’) and ‘Haji’ (a religious status) should always be omitted from parties’ names.</td>
</tr>
</tbody>
</table>

**Examples**

- *Achieva Technology Sdn Bhd v Lam Yen Ling* [2009] 8 MLJ 625 (High Court).

**Notes**

When citing cases from Malaysia, it may be useful to include the name of the court in a citation (in accordance with rule 2.6).

Names of individuals should generally appear in full in Malaysian decisions to ensure that individuals are unambiguously identified. If given names are not necessary to identify an individual, they may be omitted.

#### 19.1.2 Report Series

| Rule | In Malaysia, the most commonly used and authoritative law report series is the Malayan Law Journal (abbreviated ‘MLJ’), which should be cited where possible. |

Where a case is not reported in the MLJ, the *Current Law Journal* (abbreviated ‘CLJ’) should be cited where possible.

### Examples

- *Polygram Records Sdn Bhd v The Search* [1994] 3 MLJ 127, 140 (Visu Sinnadurai J) (High Court of Malaya).
- *PP v Segaran S Mathavan* [2010] 2 CLJ 121 (High Court of Malaya).

### Note

The *Malayan Law Journal* contains both journal articles and cases from the Federal Court, Court of Appeal and High Court. Until 1965, volumes of the *Malayan Law Journal* were organised by volume. From 1966, the volumes are organised by year.

### 19.1.3 Unreported Cases

**Rule**

Unreported Malaysian decisions should be cited in accordance with rule 2.8.2.

**Example**

*Mohamed Musa bin Amanullah v Public Prosecutor* (Unreported, Malaysian Court of Appeal, Hasan Lah, Sulong Matjeraie and Mohd Hishamudin Yunus JCA, 1 March 2010) [45]–[46].

**Note**

Although some online databases do so, Malaysian courts do not allocate medium neutral citations. Medium neutral citations should thus not be used for unreported Malaysian cases, in accordance with rule 2.8.1.

### 19.2 Legislative Materials

#### 19.2.1 Statutes and Delegated Legislation

**Rule**

Malaysian statutes and delegated legislation should be cited in accordance with chapter 3. The jurisdiction should appear as ‘(Malaysia)’.
### Examples

- *Copyright Act 1987 (Malaysia)* s 7.
- *Digital Signature Regulations 1998 (Malaysia)* reg 58(a).

### 19.2.2 Constitution

**Rule**

The Malaysian Constitution should be cited as follows:

*Federal Constitution (Malaysia)*

**Example**

*Federal Constitution (Malaysia)* art 5.
20 New Zealand

20.1 Cases

20.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>New Zealand cases should be cited in accordance with chapter 2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td><em>Haylock v Patek</em> [2009] 1 NZLR 351.</td>
</tr>
<tr>
<td>Note</td>
<td>When citing cases from New Zealand, it may be useful to include the name of the court in a citation (in accordance with rule 2.6).</td>
</tr>
</tbody>
</table>

20.1.2 Official and Unofficial Report Series

<table>
<thead>
<tr>
<th>Rule</th>
<th>The <em>New Zealand Law Reports</em> (abbreviated ‘NZLR’), which are authorised, should be cited where possible in accordance with rule 2.3.1. Where a case is not reported in the NZLR, an unofficial report series should be cited (where available).</th>
</tr>
</thead>
</table>
| Examples | *Buchanan v Jennings* [2000] NZAR 113 (Randerson and Neazor JJ) (High Court).  

20.1.3 Unreported Cases

<table>
<thead>
<tr>
<th>Rule</th>
<th>Where a case is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.8.1. The following medium neutral unique court identifiers should be used from the years indicated:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Court</td>
<td>Unique Court Identifier</td>
</tr>
<tr>
<td>------</td>
<td>-------------------------</td>
</tr>
<tr>
<td>New Zealand Supreme Court</td>
<td>NZSC</td>
</tr>
<tr>
<td>New Zealand Court of Appeal</td>
<td>NZCA</td>
</tr>
</tbody>
</table>
Other unreported New Zealand decisions (including unreported decisions of the High Court of New Zealand) should be cited in accordance with rule 2.8.2.

**Examples**

*Ludgater Holdings Ltd v Gerling Australia Insurance Co Pty Ltd* [2009] NZSC 131 (16 December 2009) [1].

*Lowe v New Zealand Police* (Unreported, High Court of New Zealand, Clifford J, 2 March 2010) [11]–[12].

**Note**

Some New Zealand tribunals also assign medium neutral citations to their decisions. Such medium neutral citations should be used only where the tribunal itself has assigned that citation.

### 20.1.4 Māori Land Court and Māori Appellate Court

**Rule**

Decisions of the Māori Land Court and the Māori Appellate Court should be cited as follows:

<table>
<thead>
<tr>
<th>Parties’ Names</th>
<th>Block Name</th>
<th>(Year)</th>
<th>Case Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Registry</td>
<td>Minute Book Abbreviation</td>
<td>Starting Page</td>
<td>Pinpoint</td>
</tr>
</tbody>
</table>

Parties’ names should be separated by ‘v’. The block name should be included only where it appears in the decision. The following abbreviations should be used for the minute book abbreviation:

<table>
<thead>
<tr>
<th>Type of Minute Book</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minute Book</td>
<td>MB</td>
</tr>
<tr>
<td>Appellate Court Minute Book</td>
<td>ACMB</td>
</tr>
<tr>
<td>Chief Judge’s Minute Book</td>
<td>CJMB</td>
</tr>
</tbody>
</table>

Where minute book references are unavailable, Māori Land Court and Māori Appellate Court decisions should be cited as unreported decisions (in accordance with rule 2.8).

Pinpoint references should adhere to rule 2.5. Judges’ names should adhere to rule 2.9.1.

**Examples**


<table>
<thead>
<tr>
<th>Notes</th>
<th>The block name is usually preceded by the words ‘In the matter of’ in Māori Land Court and Māori Appellate Court decisions (and those words should be omitted in citations). Minute books are divided according to registry.</th>
</tr>
</thead>
</table>

### 20.1.5 Waitangi Tribunal

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reports of the Waitangi Tribunal should be cited as follows: Waitangi Tribunal, <em>[Title of Report]</em> <em>(Year)</em>. The ‘Wai number’ (sometimes used to identify reports of the Waitangi Tribunal) should not be included.</th>
</tr>
</thead>
</table>

### 20.2 Legislative Materials

#### 20.2.1 Statutes

<table>
<thead>
<tr>
<th>Rule</th>
<th>New Zealand statutes should be cited in accordance with rule 3.1. The jurisdiction should be abbreviated ‘NZ’.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td><em>Habeas Corpus Act 2001</em> (NZ).</td>
</tr>
</tbody>
</table>

#### 20.2.2 Delegated Legislation

<table>
<thead>
<tr>
<th>Rule</th>
<th>New Zealand delegated legislation should be cited in accordance with rule 3.3. However, the statutory rule number should be included after the jurisdiction and followed by a comma. It should appear in the form: [ \text{SR Year Instrument Number} ] (for example, ‘SR 2004/225’).</th>
</tr>
</thead>
</table>
For further information on the citation of New Zealand materials, see the latest edition of the *New Zealand Law Style Guide*.
21 Singapore

21.1 Cases

21.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>Singaporean cases should be cited in accordance with chapter 2. However:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• names of individuals (both parties and judicial officers) should</td>
</tr>
<tr>
<td></td>
<td>generally appear in full; and</td>
</tr>
<tr>
<td></td>
<td>• ‘Proprietary Limited’ is abbreviated ‘Pte Ltd’ (not ‘Pty Ltd’)</td>
</tr>
<tr>
<td></td>
<td>for Singaporean companies.</td>
</tr>
</tbody>
</table>

| Examples | Re Econ Corp Ltd [2004] 1 SLR 273.                                       |
|          | Lim Choo Suan v Goh Kok Hwa [2009] 4 SLR 193, 201–2 [15]–[16]          |
|          | (Woo Bih Li J) (High Court).                                            |
|          | Virtual Map (Singapore) Pte Ltd v Singapore Land Authority [2009] 2      |
|          | SLR 558, 563 (Court of Appeal).                                          |

| Notes | When citing cases from Singapore, it may be useful to include the      |
|       | name of the court in a citation (in accordance with rule 2.6).          |
|       | Names of individuals should generally appear in full in Singaporean     |
|       | decisions to ensure that individuals are unambiguously identified. If   |
|       | given names are not necessary to identify an individual, they may be    |
|       | omitted.                                                                |

21.1.2 Report Series

| Rule | The most commonly used and authoritative report series for cases from   |
|      | 1965 is the Singapore Law Reports (abbreviated ‘SLR’), which should be  |
|      | cited where available. For cases prior to 1965, the Malayan Law Journal |
|      | (abbreviated ‘MLJ’) should be cited where available.                    |

| Examples | PT Garuda Indonesia v Birgen Air [2002] 1 SLR 393.                      |
|          | Loo Seong Thye v Goh Teik Yah (1964) 30 MLJ 346.                        |
21.1.3 Unreported Cases

Where a decision is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.8.1. The following unique court identifiers should be used:

<table>
<thead>
<tr>
<th>Court</th>
<th>Unique Court Identifier</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court of Singapore — Court of Appeal</td>
<td>SGCA</td>
<td>2003–</td>
</tr>
<tr>
<td>Supreme Court of Singapore — High Court</td>
<td>SGHC</td>
<td>2003–</td>
</tr>
<tr>
<td>Singapore District Court</td>
<td>SGDC</td>
<td>2001–</td>
</tr>
<tr>
<td>Singapore Magistrates’ Court</td>
<td>SGMC</td>
<td>2001–</td>
</tr>
<tr>
<td>Singapore Juvenile Court</td>
<td>SGJC</td>
<td>2001–</td>
</tr>
<tr>
<td>Singapore Small Claims Tribunal</td>
<td>SGSCT</td>
<td>2001–</td>
</tr>
</tbody>
</table>

Other unreported Singaporean decisions should be cited in accordance with rule 2.8.2.

Examples


Note

The Supreme Court of Singapore consists of the High Court and the Court of Appeal.

21.2 Legislative Materials

21.2.1 Statutes and Subsidiary Legislation

Singaporean legislation and subsidiary legislation that has been assigned a chapter number should be cited as follows:

`Title` (Singapore, cap `Chapter Number`, Year rev ed) Pinpoint.
The title should adhere to rule 3.1.1. Where a statute or subsidiary legislation is cited as in force, the year is that of the most recent revision. For historical references, the appropriate year of revision should be included. Pinpoint references should adhere to rules 3.1.4–3.1.6 and 3.3.2.

Legislation and subsidiary legislation that has not been assigned a chapter number or been revised (as well as historical statutes and subsidiary legislation that preceded chapter numbering) should be cited as follows:

<table>
<thead>
<tr>
<th>Title</th>
<th>Year</th>
<th>(Singapore)</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

The year is that in which the statute was passed or the subsidiary legislation was promulgated originally (and should adhere to rule 3.1.2).

### Examples

- *Adoption of Children Act* (Singapore, cap 4, 1985 rev ed) s 5.
- *Road Traffic (Motor Vehicles, Driving Licences) (Amendment) Rules 2010* (Singapore).
- *Land Titles Ordinance 1956* (Singapore) ss 28(2)(b)–(e).

### Notes

In Singapore, all forms of delegated legislation are called ‘subsidiary legislation’.

The chapter number (abbreviated ‘cap’) refers to a statute or piece of subsidiary legislation as first passed or promulgated. Singaporean Acts and subsidiary legislation are regularly revised by the Law Revision Commission with the assent of the President and become official revised editions (abbreviated ‘rev ed’).

---

### 21.2.2 Constitutional Documents

**Rule**

Singaporean constitutional documents should be cited in accordance with rule 21.2.1. These documents do not have chapter numbers, but revision or reprint information should be indicated.
### Examples


### 21.3 Other

For further information on the citation of Singaporean materials, see the latest edition of *The Singapore Academy of Law Style Guide*.
22 South Africa

22.1 Cases

22.1.1 General Rule

Rule

South African cases should be cited in accordance with chapter 2.
Where a judicial officer is identified (in accordance with rule 2.9.1),
‘Judge President’ should be abbreviated ‘JP’ and appear after a judge’s
name.

In accordance with rule 2.6, the name of the court (for example,
‘Constitutional Court’) or name of the division of the Supreme Court
or High Court (for example, ‘Appellate Division’) may be included.
However, the location of a Supreme Court or High Court division
should be omitted (for example, ‘Provincial Division’, not ‘Transvaal
Provincial Division’).

Examples

Christian Education South Africa v Minister of Education [1999] 2 SA
83 (Constitutional Court).


Belvedere Sugar Co (Pty) Ltd v Sugar Industry Central Board [1962]
1 SA 221, 230 (Williamson JP).

S v Zinn [1969] 2 SA 537, 540 (Rumpff JA) (Appellate Division).

Soller No v G [2003] 5 SA 430, 437–8 [22]–[27] (Satchwell J) (Local
Division). [Not: … (Witwatersrand Local Division).]

Notes

’S’ is commonly used as an abbreviation for ‘State’ where the state is a
party to a criminal case.

The High Court of South Africa replaced the local and provincial
divisions of the Supreme Court of South Africa in 1997. The Supreme
Court of Appeal replaced the Appellate Division of the Supreme Court
in 1996. The Constitutional Court deals only with constitutional
matters. Accordingly, the following court names may be included in
accordance with rule 2.6:
Part V — Foreign Domestic Materials

<table>
<thead>
<tr>
<th>Court(s)</th>
<th>Court Name for Citations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitutional Court</td>
<td>(Constitutional Court)</td>
</tr>
<tr>
<td>The current Supreme Court of Appeal</td>
<td>(Supreme Court of Appeal)</td>
</tr>
<tr>
<td>The former Appellate Division of the Supreme Court</td>
<td>(Appellate Division)</td>
</tr>
<tr>
<td>All current locations of the High Court (for example, ‘North West High Court, Mafikeng’)</td>
<td>(High Court)</td>
</tr>
<tr>
<td>All former Supreme Court local and provincial divisions (for example, ‘Cape Provincial Division’)</td>
<td>(Local Division)/(Provincial Division)</td>
</tr>
<tr>
<td>All former Supreme Court divisions not designated ‘local’ or ‘provincial’ (for example, ‘Eastern Cape Division’)</td>
<td>(Supreme Court)</td>
</tr>
</tbody>
</table>

The names of other courts (such as the Magistrates’ Court, Land Claims Court, Labour Court, Labour Appeal Court and Competition Appeal Court) may be included as appropriate. Specific geographical locations should be omitted from such names.

22.1.2 Report Series

Rule: South Africa does not have authorised reports of judicial decisions. The most commonly used report series is the South African Law Reports (abbreviated ‘SA’), which should be cited where possible.

Example: *S v Manamela* [2000] 3 SA 1 (Constitutional Court).

Note: Decisions of the Supreme Court and High Court of Namibia and the Supreme Court and High Court of Zimbabwe are reported in the SA, and should be cited in accordance with this rule.
22.2 Legislative Materials

22.2.1 Statutes and Delegated Legislation

<table>
<thead>
<tr>
<th>Rule</th>
<th>South African legislation and delegated legislation should be cited in accordance with chapter 3. The following abbreviations and phrases should be used to indicate South African jurisdictions:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jurisdiction</td>
<td>Abbreviation/Phrase</td>
</tr>
<tr>
<td>South Africa</td>
<td>South Africa</td>
</tr>
<tr>
<td>Eastern Cape</td>
<td>EC</td>
</tr>
<tr>
<td>Free State</td>
<td>FS</td>
</tr>
<tr>
<td>Gauteng</td>
<td>G</td>
</tr>
<tr>
<td>KwaZulu-Natal</td>
<td>KZN</td>
</tr>
<tr>
<td>Limpopo</td>
<td>LP</td>
</tr>
<tr>
<td>Mpumalanga</td>
<td>MP</td>
</tr>
<tr>
<td>North West</td>
<td>NW</td>
</tr>
<tr>
<td>Northern Cape</td>
<td>NC</td>
</tr>
<tr>
<td>Western Cape</td>
<td>WC</td>
</tr>
</tbody>
</table>

In provincial legislation, where the jurisdiction appears at the beginning of the title of an Act, it should be omitted from the title and included in abbreviated form in accordance with rule 3.1.3.

Examples

Local Government Transition Act 1993 (South Africa).

Digital Terrestrial Television Regulations 2009 (South Africa) reg 5.


22.2.2 Constitutions

<table>
<thead>
<tr>
<th>Rule</th>
<th>The constitutions of South Africa and its provinces should be cited as regular legislation (in accordance with rule 22.2.1).</th>
</tr>
</thead>
</table>
22.3 Truth and Reconciliation Commission

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reports of the Truth and Reconciliation Commission of South Africa should be cited as books (in accordance with chapter 5).</th>
</tr>
</thead>
</table>
23 United Kingdom

23.1 Cases

23.1.1 General Rule

**Rule** United Kingdom cases should be cited in accordance with chapter 2.

‘Public Limited Company’ should be abbreviated ‘plc’ in parties’ names.

In judicial review cases from 2001 where the Crown is a party (often described as ‘R on the application of X’ in the report), the Crown and the party seeking judicial review should appear in the form:

\[ R \left( \text{Name of Party Seeking Judicial Review} \right) \]

(for example, ‘R (Anderson)’).

**Examples**

- CAS Nominees Ltd v Nottingham Forest FC plc [2001] 1 All ER 954.

23.1.2 Modern English Reports

**Rule** The *Law Reports*, published by the Incorporated Council of Law Reporting for England and Wales, should be cited where available.

The abbreviations for commonly used series in the *Law Reports* (and predecessor series) are in the table below. Where ‘LR’ appears in an abbreviation, the volume number should be included between ‘LR’ and the rest of the abbreviation (for example, ‘LR 7 QB’, not ‘7 LR QB’).

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviation</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Admiralty and Ecclesiastical Cases</td>
<td>LR Adm &amp; Eccl</td>
<td>1865–75</td>
</tr>
<tr>
<td>Appeal Cases</td>
<td>AC</td>
<td>1890–</td>
</tr>
<tr>
<td></td>
<td>App Cas</td>
<td>1875–90</td>
</tr>
</tbody>
</table>
### Part V — Foreign Domestic Materials

<table>
<thead>
<tr>
<th>Chancery</th>
<th>Ch</th>
<th>1891–</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Ch D</td>
<td>1875–90</td>
</tr>
<tr>
<td>Chancery Appeal Cases</td>
<td>LR Ch App</td>
<td>1865–75</td>
</tr>
<tr>
<td>Common Pleas</td>
<td>CPD</td>
<td>1875–80</td>
</tr>
<tr>
<td></td>
<td>LR CP</td>
<td>1865–75</td>
</tr>
<tr>
<td>Crown Cases Reserved</td>
<td>LR CCR</td>
<td>1865–75</td>
</tr>
<tr>
<td>English and Irish Appeals</td>
<td>LR HL</td>
<td>1865–75</td>
</tr>
<tr>
<td>and Peerage Claims</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Equity</td>
<td>LR Eq</td>
<td>1865–75</td>
</tr>
<tr>
<td>Exchequer</td>
<td>Ex D</td>
<td>1875–80</td>
</tr>
<tr>
<td></td>
<td>LR Ex</td>
<td>1865–75</td>
</tr>
<tr>
<td>Family</td>
<td>Fam</td>
<td>1972–</td>
</tr>
<tr>
<td>Privy Council</td>
<td>LR PC</td>
<td>1865–75</td>
</tr>
<tr>
<td>Probate and Divorce</td>
<td>P</td>
<td>1891–1971</td>
</tr>
<tr>
<td></td>
<td>PD</td>
<td>1875–90</td>
</tr>
<tr>
<td></td>
<td>LR P &amp; D</td>
<td>1865–75</td>
</tr>
<tr>
<td>Queen’s and King’s Bench</td>
<td>QB</td>
<td>1952–</td>
</tr>
<tr>
<td></td>
<td>KB</td>
<td>1901–51</td>
</tr>
<tr>
<td></td>
<td>QB</td>
<td>1891–1900</td>
</tr>
<tr>
<td></td>
<td>QBD</td>
<td>1875–90</td>
</tr>
<tr>
<td></td>
<td>LR QB</td>
<td>1865–75</td>
</tr>
<tr>
<td>Restrictive Practices</td>
<td>LR RP</td>
<td>1957–72</td>
</tr>
<tr>
<td>Scotch and Divorce Appeals</td>
<td>LR Sc &amp; Div</td>
<td>1865–75</td>
</tr>
</tbody>
</table>

### Examples

- **Beevis v Dawson** [1957] 1 QB 195.
- **Astley v Micklethwait** (1880) 15 Ch D 59.
- **Skinner v Orde** (1871) LR 4 PC 60.

### 23.1.3 Nominate Reports

**Rule**

Citations of nominate reports should include a parallel citation of the *English Reports* (abbreviated ‘ER’) or the *Revised Reports* (abbreviated ‘RR’) where available, after the citation of the nominate report (including any pinpoint references). The ER should be cited in preference to the RR.
Where necessary to avoid ambiguity, judges’ names should be repeated after both the nominate report and the ER or RR pinpoints.

**Examples**

*Russel v Lee* (1661) 1 Lev 86; 83 ER 310.

*Janvrin v De La Mare* (1861) 14 Moo 334, 345; 15 ER 332, 336 (Lord Kingsdown).

*Peters v Fleming* (1840) 6 M & W 42, 47 (Parke B), 48 (Alderson B), 49 (Rolfe B); 151 ER 314, 315 (Parke B), 316 (Alderson B), 316 (Rolfe B).

**Note**

The nominate reports, published between 1537 and 1865, are reports that were published under the name of the reporter. Many of the nominate reports have been compiled and reprinted. The first reprint was published as the RR. The subsequent (and preferred) reprint is the ER.

### 23.1.4 Scottish Reports

**Rule**

Scottish cases should be cited in accordance with rule 23.1. However, in report series organised by year, square brackets should *not* enclose the year.

**Example**

*Logan v Harrower* 2008 SLT 1049.

### 23.1.5 Unreported Cases

**Rule**

UK unreported decisions should be cited in accordance with rule 2.8. Where a decision is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.8.1. The following are medium neutral unique court identifiers for important UK courts:

<table>
<thead>
<tr>
<th>Court</th>
<th>Unique Court Identifier</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court of the United Kingdom</td>
<td>UKSC</td>
<td>2009–</td>
</tr>
<tr>
<td>United Kingdom House of Lords</td>
<td>UKHL</td>
<td>2001–09</td>
</tr>
<tr>
<td>Court Name</td>
<td>Identifier</td>
<td>Year</td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>United Kingdom Privy Council</td>
<td>UKPC</td>
<td>2001–</td>
</tr>
<tr>
<td>England and Wales Court of Appeal — Civil Division</td>
<td>EWCA Civ</td>
<td>2001–</td>
</tr>
<tr>
<td>England and Wales Court of Appeal — Criminal Division</td>
<td>EWCA Crim</td>
<td>2001–</td>
</tr>
<tr>
<td>England and Wales High Court — Administrative Court</td>
<td>EWHC Admin</td>
<td>2001–02</td>
</tr>
<tr>
<td>England and Wales High Court — Admiralty Court</td>
<td>EWHC (Admlty)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Chancery Division</td>
<td>EWHC (Ch)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Commercial Court</td>
<td>EWHC (Comm)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Family Division</td>
<td>EWHC (Fam)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Patents Court</td>
<td>EWHC (Pat)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Queen’s Bench Division</td>
<td>EWHC (QB)*</td>
<td>2002–</td>
</tr>
<tr>
<td>England and Wales High Court — Technology and Construction Court</td>
<td>EWHC (TCC)*</td>
<td>2002–</td>
</tr>
<tr>
<td>Scotland High Court of Justiciary — Appeal Court</td>
<td>HCIAC</td>
<td>2005–</td>
</tr>
<tr>
<td>Scotland High Court of Justiciary — Trial Court</td>
<td>HCJT</td>
<td>2005–</td>
</tr>
<tr>
<td>Scotland Court of Session — Inner House</td>
<td>CSIH</td>
<td>2005–</td>
</tr>
<tr>
<td>Scotland Court of Session — Outer House</td>
<td>CSOH</td>
<td>2005–</td>
</tr>
<tr>
<td>Northern Ireland Court of Appeal</td>
<td>NICA</td>
<td>2001–</td>
</tr>
<tr>
<td>Northern Ireland High Court — Chancery Division</td>
<td>NICH</td>
<td>2001–</td>
</tr>
<tr>
<td>Northern Ireland High Court — Family Division</td>
<td>NI Fam</td>
<td>2001–</td>
</tr>
<tr>
<td>Northern Ireland High Court — Queen’s Bench Division</td>
<td>NI QB</td>
<td>2001–</td>
</tr>
<tr>
<td>Northern Ireland Crown Court</td>
<td>NICC</td>
<td>2001–</td>
</tr>
</tbody>
</table>

* The part of the unique court identifier in parentheses appears after the judgment number (for example, “[2010] EWHC 64 (Fam)”). Other unreported UK decisions should be cited in accordance with rule 2.8.2.
Examples

*Martin v Her Majesty’s Advocate (Scotland) [2010] UKSC 10 (3 March 2010) [5] (Lord Hope DP).*


*R (Pounder) v HM Coroner for the North and South Districts of Durham and Darlington [2009] EWHC 76 (Admin) (22 January 2009) [40], [51].*

*Training for Tomorrow (Holdings) Ltd v The Corporate Services Group plc (Unreported, England and Wales High Court, Langley J, 28 February 2000) 7–8.*

23.1.6 Identifying Judicial Officers

Judicial officers’ names should be included in accordance with rule 2.9.1 (so may be included after a pinpoint reference where the judicial officer’s name is not otherwise apparent). The abbreviations of judicial titles in the table below should be used in addition to or instead of those in rule 2.9.1. However, those titles marked with an asterisk should always appear before the judicial officer’s name.

<table>
<thead>
<tr>
<th>Judicial Title</th>
<th>Abbreviation/Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baron of the Exchequer</td>
<td>B</td>
</tr>
<tr>
<td>Baroness</td>
<td>Baroness*</td>
</tr>
<tr>
<td>Chief Baron</td>
<td>CB</td>
</tr>
<tr>
<td>Circuit Judge</td>
<td>Judge*</td>
</tr>
<tr>
<td>District Judge</td>
<td>DJ</td>
</tr>
<tr>
<td>Deputy President of the Supreme Court of the United Kingdom</td>
<td>DP</td>
</tr>
<tr>
<td>Justice of the High Court</td>
<td>J</td>
</tr>
<tr>
<td>Lord Chancellor</td>
<td>LC</td>
</tr>
</tbody>
</table>
### Lord Chief Justice, Chief Justice of the Common Pleas, Chief Justice of the King’s Bench, Chief Justice of the Queen’s Bench

<table>
<thead>
<tr>
<th>Position</th>
<th>initials</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lord Chief Justice, Chief Justice of the Common Pleas, Chief Justice of the King’s Bench</td>
<td>CJ</td>
</tr>
<tr>
<td>Lord Commissioner</td>
<td>Lord Commissioner*</td>
</tr>
<tr>
<td>Lord of Appeal</td>
<td>Lord*</td>
</tr>
<tr>
<td>Lord/Lady Justice of Appeal</td>
<td>LJ</td>
</tr>
<tr>
<td>Master</td>
<td>Master*</td>
</tr>
<tr>
<td>Master of the Rolls</td>
<td>MR</td>
</tr>
<tr>
<td>President of the Supreme Court of the United Kingdom, President of the Family Division of the High Court</td>
<td>P</td>
</tr>
<tr>
<td>Recorder</td>
<td>Recorder*</td>
</tr>
<tr>
<td>Registrar</td>
<td>Registrar*</td>
</tr>
<tr>
<td>Justice of the Supreme Court of the United Kingdom</td>
<td>SCJ</td>
</tr>
<tr>
<td>Vice-Chancellor</td>
<td>V-C</td>
</tr>
</tbody>
</table>

### Examples

- Lord Cozens-Hardy MR Kindersley V-C Lord Diplock
- Lord Hope DP Lord Brown SCJ Hoffmann J
- James, Baggallay and Bramwell LJJ Lord Thurlow LC Arden LJ

#### 23.2 Legislation

<table>
<thead>
<tr>
<th>Rule</th>
<th>23.2.1</th>
<th>23.2.2</th>
<th>23.2.3</th>
<th>23.2.4</th>
<th>23.2.5</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
<th>Patents Act 2004 (UK)</th>
<th>c 16</th>
<th>, s 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Artificers and Apprentices Act 1562, 5 Eliz 1, c 4</td>
<td></td>
<td>, s 3</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Element</th>
<th>Title and Year</th>
<th>Jurisdiction</th>
<th>Regnal Year</th>
<th>Chapter, Act or Measure Number</th>
<th>Pin-point</th>
</tr>
</thead>
</table>

- 23.2.1
- 23.2.2
- 23.2.3
- 23.2.4
- 23.2.5
23.2.1 Title and Year

**Rule**

UK statute titles and years should adhere to rules 3.1.1–3.1.2. In particular, the year in which the statute was passed should be included in the title regardless of whether it appears in the original short or long title.

‘The’ should be omitted from the beginning of a statute title.

For pre-19th century statutes that do not include a short title, the short title given in Great Britain, *Chronological Table of the Statutes* (Stationery Office, 2007) or equivalent online publications should be included (instead of the long title appearing in the statute itself).

**Examples**

*Human Rights Act 1998* (UK) c 42, s 6(1).


*Staple Act 1435*, 14 Hen 6, c 2. *[Not: The Staple Act 1435, …]*

*Private (See of Dublin) Act 1705*, 4 & 5 Anne, c 13. *[Not: An Act for Making Effectual a Grant of Their Late Majesties King William and Queen Mary of the Town and Lands of Seatown to the Archbishoprick of Dublin and for Restoring the Same to the Said See 1705, …]*

**Note**

Long titles were commonly the only title included in UK statutes until the 19th century. The UK Office of Public Sector Information maintains an online version of the *Chronological Table of the Statutes*, accessible at <http://www.opsi.gov.uk/chron-tables/chron-index>.

23.2.2 Jurisdiction

**Rule**

The jurisdiction of a statute should be included or omitted according to the table below:

<table>
<thead>
<tr>
<th>Parliament/Assembly</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom Parliament (from 1 January 1963)</td>
<td>‘(UK)’ should be included</td>
</tr>
<tr>
<td>United Kingdom Parliament (before 1 January 1963)</td>
<td>Omit jurisdiction</td>
</tr>
</tbody>
</table>
Part V — Foreign Domestic Materials

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom Parliament sitting as the</td>
<td>'Imp' may be included</td>
</tr>
<tr>
<td>Imperial Parliament (before 1 January 1963)</td>
<td></td>
</tr>
<tr>
<td>Northern Ireland Assembly</td>
<td>'(NI)' should be included</td>
</tr>
<tr>
<td>Scottish Parliament</td>
<td>'(Scot)' should be included</td>
</tr>
<tr>
<td>National Assembly for Wales</td>
<td>'(Wales)' should be included</td>
</tr>
</tbody>
</table>

Where the jurisdiction is omitted in a citation, the statute title should be followed by a (non-italic) comma.

Examples

- Factories Act 1961, 9 & 10 Eliz 2, c 34.
- Libraries Act (Northern Ireland) 2008 (NI) c 8.
- Dog Fouling (Scotland) Act 2003 (Scot) asp 12.
- Learner Travel (Wales) Measure 2008 (Wales) nawm 2.

23.2.3 Regnal Year

For statutes enacted before 1 January 1963, the regnal year should be included. It should not be included for statutes enacted from this date.

Regnal years should appear (using Arabic numerals) as follows:

<table>
<thead>
<tr>
<th>Year(s) of Reign</th>
<th>Monarch’s Name</th>
<th>Regnal Number of Monarch</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(for example, ‘2 &amp; 3 Will 4’).</td>
</tr>
</tbody>
</table>

The year of reign is the number of years for which the monarch had reigned when the statute was enacted (for example, ‘1 Geo’ indicates the first year of reign). The monarch’s name should be abbreviated according to the table below. The regnal number of the monarch is the sequential number of monarchs of the same name (for example, ‘Geo 6’ indicates George VI). (A session of Parliament during the first year of reign of George VI would thus be indicated ‘1 Geo 6’.)
Where there are multiple sessions of Parliament in a given year of reign, the session number should be included after the regnal year for subsequent sessions. ‘Session’ should be abbreviated ‘sess’ (for example, ‘1 Wm & M sess 2’).

The following abbreviations for monarchs’ names should be used:

<table>
<thead>
<tr>
<th>Monarch’s Name</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anne</td>
<td>Anne</td>
</tr>
<tr>
<td>Edward</td>
<td>Edw</td>
</tr>
<tr>
<td>George</td>
<td>Geo</td>
</tr>
<tr>
<td>James</td>
<td>Jac</td>
</tr>
<tr>
<td>Mary</td>
<td>Mary</td>
</tr>
<tr>
<td>Richard</td>
<td>Ric</td>
</tr>
<tr>
<td>William</td>
<td>Wm</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Monarch’s Name</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Charles</td>
<td>Car</td>
</tr>
<tr>
<td>Elizabeth</td>
<td>Eliz</td>
</tr>
<tr>
<td>Henry</td>
<td>Hen</td>
</tr>
<tr>
<td>John</td>
<td>John</td>
</tr>
<tr>
<td>Philip and Mary</td>
<td>Ph &amp; M</td>
</tr>
<tr>
<td>Victoria</td>
<td>Vict</td>
</tr>
<tr>
<td>William and Mary</td>
<td>Wm &amp; M</td>
</tr>
</tbody>
</table>

### Examples

*Workmen’s Compensation Act 1906*, 6 Edw 7, c 58.


*East India Company Act 1784*, 24 Geo 3 sess 2, c 2.

### Note


### 23.2.4 Chapter, Act or Measure Number

#### Rule

For statutes enacted by the United Kingdom Parliament after 1 January 1963 or by the Northern Ireland Assembly, the chapter number (abbreviated ‘c’) should be included after the jurisdiction.

For Scottish statutes, the Act of the Scottish Parliament number (abbreviated ‘asp’) should be included.

For measures enacted by the National Assembly for Wales, the National Assembly of Wales Measure number (abbreviated ‘nawm’) should be included.
Examples

Learning and Skills (Wales) Measure 2009 (Wales) nwm 1.

23.2.5 Pinpoint Reference

Rule

Pinpoint references should adhere to rules 3.1.4–3.1.6. However, they should be preceded by a comma.

The pinpoint abbreviations in rule 3.1.4 should be used.

Example

Welfare Reform Act 2007 (UK) c 5, s 4.

23.3 Delegated Legislation

|---------|-----------------------------|------|-------------|-------|

Rule

UK subordinate legislation should appear in accordance with rules 3.3–3.4. However:

- the title and year should adhere to rule 23.2.1;
- the jurisdiction should adhere to rule 23.2.2; and
- the instrument number should be included between the jurisdiction and any pinpoint reference.

The instrument number should appear in the form:

<table>
<thead>
<tr>
<th>Abbreviation of Instrument Type</th>
<th>Year</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>(for example, ‘SR 2009/138’).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The abbreviation of instrument type should appear according to the table below:
If a pinpoint reference is included, the instrument number should be followed by a comma.

**Examples**


### 23.4 Government Publications

#### 23.4.1 Parliamentary Debates

**Rule**

Modern UK parliamentary debates should be cited as follows:

United Kingdom, *Parliamentary Debates*, Chamber, Full Date, vol Volume Number, col Column Number.

Historical UK parliamentary debates (appearing in *Cobbett’s Parliamentary History of England* and equivalent publications) should be cited as follows:


‘United Kingdom’ should be replaced with the appropriate polity shown in the volume of parliamentary debates.
In all such citations, a speaker’s name may be included in accordance with rule 6.1.1. Speakers’ names should adhere to rule 1.14.

**Examples**


## 23.4.2 Command Papers

**Rule**

Command papers should be cited as follows:

```
Author, Title, Command Paper Series Number of Paper (Year) Pinpoint.
```

Command papers are numbered in five series as follows:

<table>
<thead>
<tr>
<th>Date of Publication</th>
<th>Series</th>
</tr>
</thead>
<tbody>
<tr>
<td>1833–69</td>
<td>No 1 – No 4222</td>
</tr>
<tr>
<td>1870–99</td>
<td>C 1 – C 9550</td>
</tr>
<tr>
<td>1900–18</td>
<td>Cd 1 – Cd 9239</td>
</tr>
<tr>
<td>1918–56</td>
<td>Cmd 1 – Cmd 9889</td>
</tr>
<tr>
<td>1956–86</td>
<td>Cmd 1 – Cmnd 9927</td>
</tr>
<tr>
<td>1986–8</td>
<td>Cm 1 –</td>
</tr>
</tbody>
</table>

**Examples**


## 23.4.3 Parliamentary Papers

**Rule**

Parliamentary papers should be cited as follows:

```
Author, Title, House Paper No Number, Session Year(s) of Session (Year) Pinpoint.
```

```
Where a parliamentary paper is presented to both Houses of Parliament, both paper numbers should be included. They should be separated by a comma.

**Examples**


### 23.5 Other

For further information on the citation of UK materials, see the latest edition of Derek French, *How to Cite Legal Authorities* (Oxford University Press).
24 United States of America

24.1 Cases

<table>
<thead>
<tr>
<th>Example</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Parties’ Names</td>
<td>24.1.1</td>
</tr>
<tr>
<td>Volume</td>
<td>24.1.2</td>
</tr>
<tr>
<td>Report Series and Series Number</td>
<td>24.1.3</td>
</tr>
<tr>
<td>Starting Page</td>
<td>24.1.4</td>
</tr>
<tr>
<td>Pin-point</td>
<td>24.1.5</td>
</tr>
<tr>
<td>Jurisdiction and Court Name</td>
<td>24.1.6</td>
</tr>
<tr>
<td>Year</td>
<td></td>
</tr>
</tbody>
</table>

| Example |  Bush v Schiavo, 885 So 2d 321, 336 (Fla, 2004) |

24.1.1 Parties’ Names

- Parties’ names should adhere to rule 2.1. However, they should be followed by a (non-italic) comma.
- Commas within company names before ‘Inc’, ‘Corp’ and other words indicating incorporation should be omitted.

Examples

  [Not: Zapatha v Dairy Mart, Inc, …]

24.1.2 Volume

- The volume number of the report series should appear after the case name.

Example

- Brearley School Ltd v Ward, 94 NE 1001, 1002 (NY, 1911).

Note

- US report series are generally organised by volume, not by year (see rule 2.2).
### 24.1.3 Report Series and Series Number

<table>
<thead>
<tr>
<th>Rule</th>
<th>The name of the report series should adhere to rule 2.3 (so should be abbreviated using the list of abbreviations in the Appendix). Any series number (for example, ‘2d’, ‘3d’, ‘4th’) should be included as it appears in the Appendix. For federal decisions, an authorised (or ‘official’) report series should be cited where available. For state decisions, a regional reporter should be cited where available. Otherwise, the state authorised report series or an unofficial report series should be cited. For citations of US Supreme Court decisions prior to 1875 (that is, pre-‘90 US’), a parallel citation of the early American report series in which the decision appears should be included as follows:</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
<th></th>
</tr>
</thead>
</table>

| Notes | Authorised reports of the US Supreme Court are published in the ‘US’ series. Early American reports were reproduced in that series. The pagination of the early American report series is the same as that of the US series. Authorised reports of the federal United States Courts of Appeals are published in the ‘F’ series (‘F’, ‘F 2d’, ‘F 3d’, etc). |

Regional reporters, which are published by West, are the various series of the Atlantic Reporter (abbreviated ‘A’), the North Eastern Reporter (abbreviated ‘NE’), the North Western Reporter (abbreviated ‘NW’), the Pacific Reporter (abbreviated ‘P’), the South Eastern Reporter (abbreviated ‘SE’), the Southern Reporter (abbreviated ‘So’) and the South Western Reporter (abbreviated ‘SW’).

State authorised report series usually have as their abbreviation the abbreviation of their state listed in rule 24.1.5.2.

24.1.4 Starting Page and Pinpoint Reference

**Rule**
The first page of the case should be included after the report series abbreviation.

Pinpoint references should adhere to rule 2.5. In particular:
- a comma should precede any pinpoint reference;
- where the pinpoint reference is to the first page of the case, the page number should be repeated; and
- for reported cases, pinpoint references should be to page numbers and may include paragraph references in addition.

**Examples**
*State v Aponte*, 738 A 2d 117, 134 (McDonald J) (Conn, 1999).

24.1.5 Jurisdiction and Court Name

**Rule**
Where an abbreviated form of the jurisdiction and/or the abbreviated name of the court must be included (in accordance with rules 24.1.5.1–24.1.5.2), they should appear in parentheses after the starting page and any pinpoint reference.

If both the jurisdiction and the court name are included, they should not be separated by any punctuation. A comma should separate the jurisdiction and/or court name from the year.
24.1.5.1 Federal Courts

A citation of a decision of the US Supreme Court should not include the name of the court.

The Courts of Appeals should be referred to by their numbered circuit (‘1st Cir’, ‘2nd Cir’, etc). The United States Court of Appeals for the District of Columbia Circuit should be abbreviated ‘DC Cir’. The United States Court of Appeals for the Federal Circuit should be abbreviated ‘Fed Cir’.

For district court cases, an abbreviated form of the district (abbreviated ‘D’), but not the division, should be included. Each US state is either an entire federal district, abbreviated:

<table>
<thead>
<tr>
<th>District Type</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern District</td>
<td>ND</td>
</tr>
<tr>
<td>Southern District</td>
<td>SD</td>
</tr>
<tr>
<td>Eastern District</td>
<td>ED</td>
</tr>
</tbody>
</table>

or divided into multiple districts, abbreviated:

<table>
<thead>
<tr>
<th>Abbreviation of District Type</th>
<th>D</th>
<th>State Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern District</td>
<td>ND</td>
<td>State Abbreviation</td>
</tr>
<tr>
<td>Southern District</td>
<td>SD</td>
<td>State Abbreviation</td>
</tr>
<tr>
<td>Eastern District</td>
<td>ED</td>
<td>State Abbreviation</td>
</tr>
</tbody>
</table>

State names should be abbreviated according to rule 24.1.5.2.

The names of other federal courts should be included using their customary abbreviation (which is usually indicated on the decision). Full stops in abbreviations should be omitted (in accordance with rule 1.6.1).

Examples

*Garshman Co Ltd v General Electric Co*, 176 F 3d 1 (1st Cir, 1999).

*McDonald v Bauman*, 433 P 2d 437 (Kan, 1967).

*Garshman Co Ltd v General Electric Co*, 176 F 3d 1 (1st Cir, 1999).

*McDonald v Bauman*, 433 P 2d 437 (Kan, 1967).

**Examples**

*Garshman Co Ltd v General Electric Co*, 176 F 3d 1 (1st Cir, 1999).

*McDonald v Bauman*, 433 P 2d 437 (Kan, 1967).


Huggins v Fulton, 505 F Supp 7 (MD Tenn, 1980).


Note

The US Supreme Court sits at the apex of the federal court structure. Circuit courts are intermediate appellate courts. Each ‘circuit’ contains a number of ‘districts’. District courts are federal courts of first instance. Districts are sometimes divided into ‘divisions’, the abbreviation of which appears after the district abbreviation (for example, ‘CD Cal ED’ is ‘Central District of California Eastern Division’). It is not necessary to include the division in a citation.

24.1.5.2 State Courts

An abbreviated form of the jurisdiction (that is, the name of the state) followed by the conventional abbreviated name of the court (‘Sup Ct’, ‘Ct App’, etc) should be included. However:

- the jurisdiction should not be included if it is apparent from the title of the report series; and
- the name of the court should not be included if it is the highest court in the state.

(Neither the jurisdiction nor the name of the court should therefore be included if the jurisdiction is apparent from the report series and the court is the highest court in the state.)

The abbreviations for US states (that is, the jurisdiction) and the name of the highest court in each state are:

<table>
<thead>
<tr>
<th>State</th>
<th>Highest Court</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Supreme Court</td>
<td>Ala</td>
</tr>
<tr>
<td>Alaska</td>
<td>Supreme Court</td>
<td>Alaska</td>
</tr>
<tr>
<td>State</td>
<td>Court Type</td>
<td>Abbreviation</td>
</tr>
<tr>
<td>----------------</td>
<td>----------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Arizona</td>
<td>Supreme Court</td>
<td>Ariz</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Supreme Court</td>
<td>Ark</td>
</tr>
<tr>
<td>California</td>
<td>Supreme Court</td>
<td>Cal</td>
</tr>
<tr>
<td>Colorado</td>
<td>Supreme Court</td>
<td>Colo</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Supreme Court</td>
<td>Conn</td>
</tr>
<tr>
<td>Delaware</td>
<td>Supreme Court</td>
<td>Del</td>
</tr>
<tr>
<td>Florida</td>
<td>Supreme Court</td>
<td>Fla</td>
</tr>
<tr>
<td>Georgia</td>
<td>Supreme Court</td>
<td>Ga</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Supreme Court</td>
<td>Haw</td>
</tr>
<tr>
<td>Idaho</td>
<td>Supreme Court</td>
<td>Idaho</td>
</tr>
<tr>
<td>Illinois</td>
<td>Supreme Court</td>
<td>Ill</td>
</tr>
<tr>
<td>Indiana</td>
<td>Supreme Court</td>
<td>Ind</td>
</tr>
<tr>
<td>Iowa</td>
<td>Supreme Court</td>
<td>Iowa</td>
</tr>
<tr>
<td>Kansas</td>
<td>Supreme Court</td>
<td>Kan</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Supreme Court</td>
<td>Ky</td>
</tr>
<tr>
<td>Louisiana</td>
<td>Supreme Court</td>
<td>La</td>
</tr>
<tr>
<td>Maine</td>
<td>Supreme Judicial Court</td>
<td>Me</td>
</tr>
<tr>
<td>Maryland</td>
<td>Court of Appeals</td>
<td>Md</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Supreme Judicial Court</td>
<td>Mass</td>
</tr>
<tr>
<td>Michigan</td>
<td>Supreme Court</td>
<td>Mich</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Supreme Court</td>
<td>Minn</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Supreme Court</td>
<td>Miss</td>
</tr>
<tr>
<td>Missouri</td>
<td>Supreme Court</td>
<td>Mo</td>
</tr>
<tr>
<td>Montana</td>
<td>Supreme Court</td>
<td>Mont</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Supreme Court</td>
<td>Neb</td>
</tr>
<tr>
<td>Nevada</td>
<td>Supreme Court</td>
<td>Nev</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Supreme Court</td>
<td>NH</td>
</tr>
<tr>
<td>New Jersey</td>
<td>Supreme Court</td>
<td>NJ</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Supreme Court</td>
<td>NM</td>
</tr>
<tr>
<td>New York</td>
<td>Court of Appeals</td>
<td>NY</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Supreme Court</td>
<td>NC</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Supreme Court</td>
<td>ND</td>
</tr>
<tr>
<td>Ohio</td>
<td>Supreme Court</td>
<td>Ohio</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Supreme Court</td>
<td>Okla</td>
</tr>
<tr>
<td>Oregon</td>
<td>Supreme Court</td>
<td>Or</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Supreme Court</td>
<td>Pa</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>Supreme Court</td>
<td>RI</td>
</tr>
</tbody>
</table>
### Examples

- Brogdon v State, 467 SE 2d 598 (Ga Ct App, 1996).
- Poire v CL Peck/Jones Brothers Construction Corporation Inc, 46 Cal Rptr 2d 631 (Ct App, 1995).
- Burr v Maclay Rancho Water Co, 98 P 260 (Cal, 1908).

#### 24.1.6 Year

**Rule**
The year of the decision should appear after the jurisdiction and court name in the parentheses.

If neither the jurisdiction nor the court name is included, the year should appear in parentheses after the starting page or any pinpoint reference.

**Examples**
- People v Eaves, 512 NW 2d 1 (Mich Ct App, 1994).

#### 24.1.7 Unreported Cases

**Rule**
Unreported US cases should be cited as follows:

\[ \text{Parties' Names} (\text{Jurisdiction and Court/District, Docket or Reference No., Full Date}) \text{ slip op Pinpoint.} \]
The full docket or reference number, including any letters and punctuation, should be included as it appears in the decision. However, punctuation should adhere to rule 1.6.1 (so full stops should not be used in abbreviations).

For state courts, both the abbreviated jurisdiction and court name should be included (using the abbreviations in rule 24.1.5.2). For federal courts, the abbreviated form of the circuit or district should be included (in accordance with rule 24.1.5.1).

The words ‘slip op’ (indicating a ‘slip opinion’) should precede pinpoint references. If the judgment does not begin on the first page of the slip opinion, a starting page should be included before the pinpoint reference, followed by a comma. Pinpoint references should generally be to page numbers (and should adhere to rules 1.1.5–1.1.6). Paragraph numbers may be included in addition to page numbers.

**Examples**

Red Hat Inc v The SCO Group Inc (D Del, Civ No 03-772-SLR, 6 April 2004).


Charlesworth v Mack (1st Cir, No 90-567, 19 January 1991) slip op 3458, 3464.

**Note**

A ‘slip opinion’ is a judgment of a court as handed down. Sometimes the pagination across slip opinions for a particular court is continuous for a period, in which case a starting page should be included.

### 24.1.8 Identifying Judges

**Rule**

Judges’ names should be included in accordance with rule 2.9 (so should appear immediately after a pinpoint reference in parentheses).

For judges in federal courts, ‘Judge’, ‘Assistant Justice’ and ‘Circuit Judge’ are all abbreviated ‘J’ (which appears after the judge’s name).

**Examples**


*City of Birmingham v Citigroup Inc* (ND Ala, No CV-09-BE-467-S, 19 August 2009) slip op 3 (Bowdre J).
258  Part V —  Foreign Domestic Materials

24.2  Legislation: Code

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>An Act Relating to Tobacco Master Settlement Agreement Compliance,</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Element</td>
<td>Statute Title</td>
<td>Title, Chapter or Volume Number</td>
<td>Abbreviated Code Name</td>
<td>Pinpoint</td>
<td>Publisher’s Name</td>
</tr>
<tr>
<td>Rule</td>
<td>24.2.1 24.2.2 24.2.3 24.2.4 24.2.5 24.2.6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note</td>
<td>Both federal and state laws in the US are compiled into codes (collections of statute arranged according to subject matter). In accordance with rule 24.3, codes should generally be cited in preference to session laws (statutes as enacted).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

24.2.1  Statute Title and Original Pinpoint

<table>
<thead>
<tr>
<th>Rule</th>
<th>Generally, the title of a statute should not be included if the statute is reported in a code. The title (as it appeared in the session laws) may be included where:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the statute is usually cited with its title;</td>
</tr>
<tr>
<td></td>
<td>the title would assist in identifying the statute; or</td>
</tr>
<tr>
<td></td>
<td>the title is otherwise important.</td>
</tr>
</tbody>
</table>

Where a statute title is included, it should be italicised and followed by a (non-italic) comma. Where the title of the statute includes a year, this should be retained in the title. ‘The’ should be omitted from the beginning of a statute title.
If a statute title is included, an original pinpoint (that is, the title, chapter, volume or section number cited in the session laws) may also be included after the statute name. If an original pinpoint is included, there should be no comma between the statute title and the original pinpoint, and the original pinpoint should be followed by a comma.

**Examples**

35 USC § 102.


### 24.2.2 Title, Chapter or Volume Number in Code

**Rule**

If the code is divided into titles, chapters, volumes, etc, that contain non-consecutively numbered sections, paragraphs, articles, etc, the number of the title, chapter, volume, etc, should be included. Where the numbering of sections, articles, paragraphs, etc, across an entire code is continuous, the title, chapter, volume, etc, number should be omitted.

For the federal USC and unofficial federal codes, the title number should precede the abbreviated code name (for example, ‘14 USC’).

For state codes, the title, chapter, volume, etc, number should appear as it does in the code cited. Generally, it appears after the abbreviated code name as part of a decimal pinpoint reference (for example, ‘§ 63.155’ refers to section 155 within chapter 63). However, it may also appear before the abbreviated code name (for example, ‘1 Pa Con Stat § 1991’ refers to section 1991 within title 1).

**Examples**

5 USC § 6 (1958).


735 Ill Comp Stat 5/2-201 (2009).

Notes

The federal *United States Code* (abbreviated ‘USC’) is divided into titles. It is necessary to indicate the title number (before the abbreviated code name) when citing the USC, because the section numbers are non-consecutively numbered (that is, they begin again in each title). For example, 42 USC and 36 USC each contain a (different) § 3.

Title, chapter, volume, etc, numbers in state codes are generally included after the abbreviated code name as part of the pinpoint reference where the code is a subject matter code (dealing with only one area of law) or is organised by, for example, title, but contains chapters, volumes or sections that are numbered consecutively throughout the code.

24.2.3 Abbreviated Code Name

Rule

An abbreviation of the name of the code should be included.

An official code, such as the *United States Code* (abbreviated ‘USC’), should be cited where available. Where an official code is not available, an unofficial code, such as the *United States Code Annotated* (abbreviated ‘USCA’) or the *United States Code Service* (abbreviated ‘USCS’) should be cited.

The name of the code should be abbreviated according to the commonly used abbreviation for that code. The abbreviations of some official or preferred codes are in the table below. (Where a publisher’s, editor’s or compiler’s name appears in the table, it should be included before the year in accordance with rule 24.2.5.)

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviated Code Name</th>
<th>Publisher/Editor/Compiler</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>USC</td>
<td></td>
</tr>
<tr>
<td>Alabama</td>
<td>Ala Code</td>
<td></td>
</tr>
<tr>
<td>Alaska</td>
<td>Alaska Stat</td>
<td></td>
</tr>
<tr>
<td>Arizona</td>
<td>Ariz Rev Stat Ann</td>
<td></td>
</tr>
<tr>
<td>Arkansas</td>
<td>Ark Code Ann</td>
<td></td>
</tr>
<tr>
<td>California</td>
<td>Cal [Subject] Code</td>
<td>West</td>
</tr>
<tr>
<td></td>
<td>Cal [Subject] Code</td>
<td>Deering</td>
</tr>
<tr>
<td>Colorado</td>
<td>Colo Rev Stat</td>
<td></td>
</tr>
<tr>
<td>State</td>
<td>Code or Statute</td>
<td></td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------------</td>
<td></td>
</tr>
<tr>
<td>Connecticut</td>
<td>Conn Gen Stat</td>
<td></td>
</tr>
<tr>
<td>Delaware</td>
<td>Del Code Ann</td>
<td></td>
</tr>
<tr>
<td>District of Columbia</td>
<td>DC Code</td>
<td></td>
</tr>
<tr>
<td>Florida</td>
<td>Fla Stat</td>
<td></td>
</tr>
<tr>
<td>Georgia</td>
<td>Ga Code Ann</td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td>Haw Rev Stat</td>
<td></td>
</tr>
<tr>
<td>Idaho</td>
<td>Idaho Code Ann</td>
<td></td>
</tr>
<tr>
<td>Illinois</td>
<td>Ill Comp Stat</td>
<td></td>
</tr>
<tr>
<td>Indiana</td>
<td>Ind Code</td>
<td></td>
</tr>
<tr>
<td>Iowa</td>
<td>Iowa Code</td>
<td></td>
</tr>
<tr>
<td>Kansas</td>
<td>Kan Stat Ann</td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>Ky Rev Stat Ann West</td>
<td></td>
</tr>
<tr>
<td>Kentucky</td>
<td>Ky Rev Stat Ann LexisNexis</td>
<td></td>
</tr>
<tr>
<td>Louisiana</td>
<td>La Rev Stat Ann</td>
<td></td>
</tr>
<tr>
<td>Maine</td>
<td>Me Rev Stat Ann</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>Md Code Ann [Subject] LexisNexis</td>
<td></td>
</tr>
<tr>
<td>Maryland</td>
<td>Md Code Ann [Subject] West</td>
<td></td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Mass Gen Laws</td>
<td></td>
</tr>
<tr>
<td>Michigan</td>
<td>Mich Comp Laws</td>
<td></td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minn Stat</td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>Miss Code Ann</td>
<td></td>
</tr>
<tr>
<td>Missouri</td>
<td>Mo Rev Stat</td>
<td></td>
</tr>
<tr>
<td>Montana</td>
<td>Mont Code Ann</td>
<td></td>
</tr>
<tr>
<td>Nebraska</td>
<td>Neb Rev Stat</td>
<td></td>
</tr>
<tr>
<td>Nevada</td>
<td>Nev Rev Stat</td>
<td></td>
</tr>
<tr>
<td>New Hampshire</td>
<td>NH Rev Stat Ann</td>
<td></td>
</tr>
<tr>
<td>New Jersey</td>
<td>NJ Stat Ann West</td>
<td></td>
</tr>
<tr>
<td>New Mexico</td>
<td>NM Stat</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>NY [Subject] Law McKinney</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>NY [Subject] Law Consol</td>
<td></td>
</tr>
<tr>
<td>New York</td>
<td>NY [Subject] Law Gould</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>NC Gen Stat</td>
<td></td>
</tr>
<tr>
<td>North Dakota</td>
<td>ND Cent Code</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Ohio Rev Code Ann LexisNexis</td>
<td></td>
</tr>
<tr>
<td>Ohio</td>
<td>Ohio Rev Code Ann West</td>
<td></td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Okla Stat</td>
<td></td>
</tr>
<tr>
<td>Oregon</td>
<td>Or Rev Stat</td>
<td></td>
</tr>
</tbody>
</table>
When citing the federal Internal Revenue Code, ‘26 USC’ may be replaced with ‘IRC’.

For subject matter codes, the subject area should be included as it appears (and using any abbreviation) in the code itself.

**Examples**

<table>
<thead>
<tr>
<th>State</th>
<th>Code Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania</td>
<td>Pa Cons Stat</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>RI Gen Laws</td>
</tr>
<tr>
<td>South Carolina</td>
<td>SC Code Ann</td>
</tr>
<tr>
<td>South Dakota</td>
<td>SD Codified Laws</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Tenn Code Ann</td>
</tr>
<tr>
<td>Texas</td>
<td>Tex Code Ann</td>
</tr>
<tr>
<td>Utah</td>
<td>Utah Code Ann</td>
</tr>
<tr>
<td>Vermont</td>
<td>Vt Stat Ann</td>
</tr>
<tr>
<td>Virginia</td>
<td>Va Code Ann</td>
</tr>
<tr>
<td>Washington</td>
<td>Wash Rev Code</td>
</tr>
<tr>
<td>West Virginia</td>
<td>W Va Code</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Wis Stat</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Wyo Stat Ann</td>
</tr>
</tbody>
</table>

When citing the federal Internal Revenue Code, ‘26 USC’ may be replaced with ‘IRC’.

For subject matter codes, the subject area should be included as it appears (and using any abbreviation) in the code itself.

**Examples**

- 40 USCA § 6134 (2010).
- Cal Evid Code § 312 (Deering 2008).

**Note**

An official code is one published by a government or by a statutorily authorised publisher.

**24.2.4 Pinpoint Reference**

**Rule**

Any section, chapter, article, paragraph or other pinpoint reference should be included after the abbreviated code name.
Pinpoint references should adhere to rule 3.1.4. However, the following abbreviations should be used in addition to and instead of the abbreviations in rule 3.1.4:

<table>
<thead>
<tr>
<th>Designation</th>
<th>Abbreviation</th>
<th>Plural</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amendment</td>
<td>amend</td>
<td>Amendments</td>
<td>amends</td>
</tr>
<tr>
<td>Section</td>
<td>§</td>
<td>Sections</td>
<td>§§</td>
</tr>
<tr>
<td>Title</td>
<td>tit</td>
<td>Titles</td>
<td>tits</td>
</tr>
</tbody>
</table>

When citing an entire statute within a code, the span of sections (or, for state codes, the chapter, volume, etc) containing the statute should be included.

Examples

Alaska Stat §§ 4.06.010–4.06.110 (2009).


Note

In state codes, pinpoint references are commonly decimal, with full stops (for example, ‘§ 4.4.2’), hyphens (for example, ‘§ 722-124’) or colons (for example, ‘§ 18:203’) between the component numbers making up the pinpoint.

24.2.5 Publisher’s Name

When citing an unofficial state code, the name of the publisher, editor or compiler of the code should appear before the year (and any supplement information) in parentheses. In addition, when citing the codes listed in the table in rule 24.2.3, the publisher’s name should be included if it appears in the table.

There should be no punctuation between the publisher’s name and the year.

Examples

24.2.6 Year of Code and Supplement

Rule

The year in which the version of the code cited was published (not necessarily the year of enactment of the relevant provision) should appear in parentheses.

When referring to electronic versions of codes, the year should be that in which the provision cited was last updated (on that electronic service).

When referring to printed versions of codes, the year should be (in order of preference):

- the year appearing on the spine of the volume;
- the year appearing on the title page of the volume; or
- the copyright year in the publication details of the volume.

If a statute appears wholly in a supplement to a bound volume, the year in which the supplement was published should be cited and should be preceded by ‘Supp’ (for example, ‘(Supp 1991)’). If the statute appears partly in a bound volume and partly in a supplement (that is, both are needed to access the text of the statute), the years of publication of both should be included in the form:

\[
[\text{Year of Code}] \ & \text{Supp} \ [\text{Year of Supplement}]
\]

(for example, ‘(1994 & Supp 1999)’).

In accordance with rule 24.2.5, where a publisher’s name is included, the year (and any supplement) should appear after the publisher’s name and should not be preceded by any punctuation.

Examples

14 USCA § 706 (2010).
14 USC § 663 (Supp 2009).
Ind Code Ann § 1-2-4-1 (West 2000).
A new version of the USC is published every six years, and supplements are published at the end of each intervening year. Unofficial codes (such as the USCS and USCA) are updated more frequently.

### 24.3 Legislation: Session Laws

|----------------------------------------------|------------------------------------------------------------------------------------------|

<table>
<thead>
<tr>
<th>Element</th>
<th>Statute Title</th>
<th>Public Law, Private Law or Chapter Number</th>
<th>Original Pinpoint</th>
<th>Volume or Year</th>
<th>Abbreviated Session Laws Name</th>
<th>Session Laws Starting Page and Pinpoint</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>24.3.1</td>
<td>24.3.2</td>
<td>24.3.3</td>
<td>24.3.4</td>
<td>24.3.5</td>
<td>24.3.6</td>
<td>24.3.7</td>
</tr>
</tbody>
</table>

### Notes

Session laws are a collection of all statutes passed by a particular federal or state legislature in a legislative session. They are arranged in order of enactment.

Generally, a code should be cited in preference to a session law. However, a session law should be cited where:

- the statute has not yet been included in any official or unofficial code;
- the statute is no longer in force and not included in the latest version of the code;
the statute makes changes to many scattered sections of a code; it is important to refer to the enactment, amendment or repeal of a provision or statute; or a private law is cited.

24.3.1 Statute Title

Rule The title of the statute (or a title by which the statute is commonly known) should be included. The statute title should adhere to rule 24.2.1. In particular:
- the statute title should be italicised and followed by a (non-italic) comma; and
- a year that appears in the title of the statute should be included.

If no short title is included and no commonly used short title exists, the statute should be identified by the date of enactment or, if that is unavailable, by the date on which the statute came into force. The long title of the statute should not be used. Where a statute is identified in this manner, its title should not be italicised and should appear in the form:

Act of [Full Date]
(for example, ‘Act of 3 March 1925’).

Act of 29 January 1937, Pub Law No 75-3, 50 Stat 5. [Not: An Act to Provide for Loans to Farmers for Crop Production and Harvesting during the Year 1937, and for Other Purposes …]

24.3.2 Public Law, Private Law or Chapter Number

Rule The public law number (abbreviated ‘Pub L No’), private law number (abbreviated ‘Priv L No’) or chapter number (abbreviated ‘ch’) of the statute should be included after the statute title and should be followed by a comma.
24.3.3 Original Pinpoint Reference

Rule
Any pinpoint reference should be followed by a comma. Pinpoint references should adhere to rule 24.2.4.

Examples

24.3.4 Volume or Year

Rule
The volume number of the session laws should be included after the public law number, private law number or chapter number or after any pinpoint reference to the original statute.

For state session laws, where there is no volume number, the year of the volume should be included instead.

Examples


24.3.5 Abbreviated Name

Rule
An abbreviated form of the name of the session laws should be included.

The abbreviations of the official session laws for each jurisdiction are as follows:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviated Session Laws Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Federal</td>
<td>Stat</td>
</tr>
<tr>
<td>Alabama</td>
<td>Ala Laws</td>
</tr>
<tr>
<td>Alaska</td>
<td>Alaska Sess Laws</td>
</tr>
<tr>
<td>Arizona</td>
<td>Ariz Sess Laws</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Ark Acts</td>
</tr>
<tr>
<td>California</td>
<td>Cal Stat</td>
</tr>
<tr>
<td>Colorado</td>
<td>Colo Sess Laws</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Conn Acts</td>
</tr>
<tr>
<td>Delaware</td>
<td>Del Laws</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>Stat</td>
</tr>
<tr>
<td>Florida</td>
<td>Fla Laws</td>
</tr>
<tr>
<td>Georgia</td>
<td>Ga Laws</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Haw Sess Laws</td>
</tr>
<tr>
<td>Idaho</td>
<td>Idaho Sess Laws</td>
</tr>
<tr>
<td>Illinois</td>
<td>Ill Laws</td>
</tr>
<tr>
<td>Indiana</td>
<td>Ind Acts</td>
</tr>
<tr>
<td>Iowa</td>
<td>Iowa Acts</td>
</tr>
<tr>
<td>State</td>
<td>Abbreviation</td>
</tr>
<tr>
<td>----------------------</td>
<td>-----------------------</td>
</tr>
<tr>
<td>Kansas</td>
<td>Kan Sess Laws</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Ky Acts</td>
</tr>
<tr>
<td>Louisiana</td>
<td>La Acts</td>
</tr>
<tr>
<td>Maine</td>
<td>Me Laws</td>
</tr>
<tr>
<td>Maryland</td>
<td>Md Laws</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Mass Acts</td>
</tr>
<tr>
<td>Michigan</td>
<td>Mich Pub Acts</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minn Laws</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Miss Laws</td>
</tr>
<tr>
<td>Missouri</td>
<td>Mo Laws</td>
</tr>
<tr>
<td>Montana</td>
<td>Mont Laws</td>
</tr>
<tr>
<td>Nebraska</td>
<td>Neb Laws</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nev Stat</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>NH Laws</td>
</tr>
<tr>
<td>New Jersey</td>
<td>NJ Laws</td>
</tr>
<tr>
<td>New Mexico</td>
<td>NM Laws</td>
</tr>
<tr>
<td>New York</td>
<td>NY Laws</td>
</tr>
<tr>
<td>North Carolina</td>
<td>NC Sess Laws</td>
</tr>
<tr>
<td>North Dakota</td>
<td>ND Laws</td>
</tr>
<tr>
<td>Ohio</td>
<td>Ohio Laws</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Okla Sess Laws</td>
</tr>
<tr>
<td>Oregon</td>
<td>Or Laws</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Pa Laws</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>RI Pub Laws</td>
</tr>
<tr>
<td>South Carolina</td>
<td>SC Acts</td>
</tr>
<tr>
<td>South Dakota</td>
<td>SD Sess Laws</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Tenn Pub Acts</td>
</tr>
<tr>
<td>Texas</td>
<td>Tex Gen Laws</td>
</tr>
<tr>
<td>Utah</td>
<td>Utah Laws</td>
</tr>
<tr>
<td>Vermont</td>
<td>Vt Acts &amp; Resolves</td>
</tr>
<tr>
<td>Virginia</td>
<td>Va Acts</td>
</tr>
<tr>
<td>Washington</td>
<td>Wash Sess Laws</td>
</tr>
<tr>
<td>West Virginia</td>
<td>W Va Acts</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Wis Sess Laws</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Wyo Sess Laws</td>
</tr>
</tbody>
</table>
Where an unofficial session laws is cited, the name of the publisher, editor or compiler of the code should be included before the year in parentheses after the starting page or any pinpoint reference.

**Examples**

- Act of 10 April 1862, c 173, § 7, 1862 NY Stat 343, 345.

### 24.3.6 Starting Page and Pinpoint Reference

**Rule**

The page of the session laws on which the statute begins should be included after the abbreviated name of the session laws.

Where a pinpoint reference to the original statute is included in accordance with rule 24.3.3, the page(s) on which the pinpoint appears in the session laws volume should be included after the starting page and should be preceded by a comma.

**Examples**


### 24.3.7 Year

**Rule**

The year in which the statute was enacted (or, if that information is unavailable, the year in which the statute came into force) should appear in parentheses after the session laws starting page (or any pinpoint). However, the year should not be included where:

- the same year is part of the title of the statute; or
- for state laws, the year of the session laws volume is included (in accordance with rule 24.3.4).
24.3.8 Legislative History: Amendments, Repeals and Insertions

**Rule**

Where a session law inserts, repeals or amends a provision of a code (or another session law), this may be indicated in accordance with rule 3.8.

**Examples**


24.4 Constitutions

**Rule**

The titles of US federal and state constitutions should be italicised. Pinpoint references should adhere to rule 24.2.4.

**Examples**

- *United States Constitution* art IV § 3.
- *United States Constitution* amend XXI.
- *Texas Constitution* art 1 § 8.
24.5 Delegated Legislation

24.5.1 Federal

Where subordinate legislation appears in the *Code of Federal Regulations* (abbreviated ‘CFR’), it should be cited as follows:

```
Title of Regulation, Title CFR Pinpoint (Year).
```

The title of the regulation may (but need not) be included. A ‘part’ in the CFR is designated ‘§’. Paragraphs and sections are separated from the part number by a decimal point (for example, ‘§ 101.2’ refers to part 101 section 2). The year should be that of the CFR consulted (not necessarily the year of promulgation of the regulation).

Where subordinate legislation does not appear in the CFR (or there is good reason to cite the subordinate legislation as gazetted), it should be cited in the *Federal Register* (abbreviated ‘Fed Reg’) as follows:

```
Title of Regulation, Volume Fed Reg Starting Page, Pinpoint (Full Date).
```

**Examples**


**Note**

US federal delegated legislation is initially gazetted in the Fed Reg. Important pieces of delegated legislation are then compiled into the CFR. For the same reasons that a session law may be cited instead of a code (see rule 24.3), it may be appropriate to cite the Fed Reg even though a piece of delegated legislation appears in the CFR.

24.5.2 State

Where state subordinate legislation appears in a code of regulation, this should be cited where available. Otherwise, subordinate legislation should be cited as gazetted. Citations should appear in
accordance with rule 24.5.1. However, the usual abbreviation of the state code or gazette should replace ‘CFR’ or ‘Fed Reg’ as appropriate.

Examples


*Submetering of Natural Gas Service by General Motors Corporation*, 30 NY Reg 18 (29 May 2008).

Note

State codes of regulation are often referred to as ‘administrative codes’ (usually abbreviated ‘Admin Code’).

### 24.6 Federal Congressional Materials

#### 24.6.1 Debates

**Rule**

Congressional debates should be cited as follows:

\[ \text{Volume} \text{Congressional Record Pinpoint (Year).} \]

Where it is not otherwise apparent, the chamber (‘Senate’ or ‘House of Representatives’) may be included after the year in the parentheses, preceded by a comma.

Where only a Daily Edition of the *Congressional Record* is available, it should be cited as follows:

\[ \text{Volume} \text{Congressional Record Pinpoint (daily ed, Full Date).} \]

Pinpoint references to the Daily Edition should include ‘H’ for House of Representatives and ‘S’ for Senate, and should appear in the form:

\[ S/H Page Number \]

(for example, ‘H1987’).

In citations of the bound *Congressional Record* and the Daily Edition, the speaker’s name may be included between the pinpoint and the year. It should appear in parentheses and adhere to rule 6.1.1 (so the speaker’s first and last names should be included and positions should only be included after the name if they are relevant).
Examples

1 Congressional Record 10 (James Garfield) (1874, House of Representatives).

24.6.2 Bills and Resolutions

Congressional Bills should be cited as follows:

[Bill Title][Abbiated Name of Chamber][Number of Bill],
[Ordinal Number of Congress]Congress (Year).

The House of Representatives should be abbreviated ‘HR’, and the Senate should be abbreviated ‘S’.

Congressional resolutions should be cited as follows:

Resolution Title,
[Abbiated Type of Resolution][Resolution Number],
[Ordinal Number of Congress]Congress (Year).

The resolution title may be omitted. The following abbreviations should be used for the relevant type of resolution:

<table>
<thead>
<tr>
<th>Type of Resolution</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>House Resolution</td>
<td>HR Res</td>
</tr>
<tr>
<td>Senate Resolution</td>
<td>S Res</td>
</tr>
<tr>
<td>House Concurrent Resolution</td>
<td>HR Con Res</td>
</tr>
<tr>
<td>Senate Concurrent Resolution</td>
<td>S Con Res</td>
</tr>
<tr>
<td>House Joint Resolution</td>
<td>HRJ Res</td>
</tr>
<tr>
<td>Senate Joint Resolution</td>
<td>SJ Res</td>
</tr>
<tr>
<td>Senate Executive Resolution</td>
<td>S Exec Res</td>
</tr>
</tbody>
</table>

Where congressional resolutions are not easily accessible, a citation of Statutes at Large (in accordance with rules 24.3.4–24.3.6) or the Congressional Record (in accordance with rule 24.6.1) may be included between the number of the Congress and the year. If a citation of the Daily Edition of the Congressional Record is included, the year should be omitted (but the full date included in accordance with rule 24.6.1).
Examples

Guam Commonwealth Act, HR 100, 105th Congress (1997).


Joint Resolution Providing for the Acquisition of Certain Lands in the State of California, HRJ Res 10, 56th Congress, 31 Stat 711 (1900).

HR Res 1010, 111th Congress, 156 Congressional Record H139 (daily ed, 13 January 2010).

Note

US Bills are referred to as ‘Acts’ before and after enactment.

24.7 Restatements

Rule

Restatements of law published by the American Law Institute should be cited as books authored by the Institute (in accordance with chapter 5). However, where the restatement is a subsequent restatement (that is, where the restatement is not the first restatement), the title should appear as follows:

Restatement (Ordinal Number of Restatement in Words) of

Subject Area

(for example, ‘Restatement (Third) of Trusts’).

Pinpoint references should always include a section number. References to comments, reporter’s notes and other subdivisions of the sections should be included after the section number. The word ‘comment’ should be abbreviated ‘cmt’ (and ‘comments’ should be abbreviated ‘cmts’).

Examples

American Law Institute, Restatement (Second) of Contracts (1981) § 176.

The restatements are effectively codifications of US common law principles by groups of experts. They are commissioned by the American Law Institute and generally regarded as authoritative.

24.8 Other

For further information on the citation of United States materials, see the latest edition of *The Bluebook: A Uniform System of Citation*. 
25 Other Foreign Domestic Materials

Note

This chapter contains general guidelines for the citation of foreign legal materials (including non-English language materials) that are not otherwise covered in this Guide.

Where specific rules for a jurisdiction are included in the preceding chapters of this Part, those rules should be used. Where foreign legal materials are similar to materials in jurisdictions for which specific chapters are included, the rules for the similar jurisdiction should be adapted as appropriate.

25.1 Translations of Legislation and Decisions

25.1.1 Non-English Primary Materials Translated by Author

Rule

Where the author of a document (or another person on behalf of the author) translates non-English primary materials:

- translations of elements in citations should appear in square brackets, following the translated element (for example, ‘Undang-Undang Dasar Republik Indonesia 1945 [Constitution of the Republic of Indonesia 1945]’); and
- translations of titles should not be italicised, even where the titles themselves are.

Where the author has made the translation, this should be indicated at the end of the citation in the appropriate footnote by including ‘[author’s trans]’.

Where another person has translated materials on behalf of the author, this should be indicated at the end of the citation in the appropriate footnote as follows:

[Translator’s Name trans]
Alternatively, a statement that all translations are by the author (or another person on behalf of the author) should be included in the text, in the author’s note or in the first footnote containing a translation. In that case, it is not necessary to indicate the translator in each footnote.

**Examples**

The legislation provides that a person ‘born in the Kingdom or who arrived before the age of 12 and who has regularly and principally resided there since’ may not be deported.

\[\text{\cite{7} Loi du 15 d\'écembre 1980 sur l'accès au territoire, le séjour, l'établissement et l'éloignement des étrangers [Law of 15 December 1980 on the Access to the Territory, the Stay, the Establishment and the Removal of Foreigners] (Belgium) art 21(1) [Nawaar Hassan trans].}\]

\[\text{\cite{8} Code civil [Civil Code] (France) art 147 [author’s trans].}\]

\[\text{\cite{*} All translations are by the author, except where otherwise indicated.}\]

\[\text{\cite{1} Urheberrechtsgesetz [Copyright Law] (Switzerland) 9 October 1992, SR 231, art 29(2)(a).}\]

### 25.1.2 Foreign Primary Materials Consulted in English (Published Translations)

**Rule**

Where a published translation of legislative materials or judicial decisions is cited, a citation to the primary source should be included in English (and in accordance with rules 25.2–25.3), followed by a citation to the published translation in square brackets.

The published translation should be cited in accordance with the applicable rules of this Guide for the type of source (for example, in accordance with chapters 4 or 5 or rule 6.15). However:

- the name of the author or editor of the published translation should be followed by ‘trans’; and
where the published translation is a book, the citation should adhere to rules 5.1–5.5 (and not the form prescribed by rule 5.6 for translations of books).

Any year included in the citation of the published translation should be the year of publication of the translation (not the year of enactment of the foreign law or of a foreign decision).

If a pinpoint reference is included in the citation of the primary source, the citation of the published translation should include the corresponding pinpoint reference (that is, the page on which the relevant provision appears in the translation) where available. If the translation begins on a certain page of the published translation, a starting page and pinpoint (as appropriate) should be included.

Examples

**Civil Code** (France) [John H Crabb trans, *The French Civil Code* (Rothman, revised ed, 1995)].


**Note**

Translation information should always be included where a translation has been relied upon.
25.2 Judicial and Administrative Decisions

Rule

<table>
<thead>
<tr>
<th>Foreign judicial, quasi-judicial and administrative decisions from common law systems should be cited as consistently as possible with chapter 2. In particular:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• where a case is reported, it should be cited in the report series (the name of which, if not in the Appendix, should be written out in full but not italicised in accordance with rule 2.3.2);</td>
</tr>
<tr>
<td>• in accordance with rule 2.6, the name of the court may be included in parentheses after any pinpoint references; and</td>
</tr>
<tr>
<td>• abbreviations of judicial titles should appear as they do in the case or decision cited (and otherwise in accordance with rule 2.9.1).</td>
</tr>
</tbody>
</table>

Citations of other foreign decisions should include the following elements where available and appropriate:

| • the case name (the parties’ names or any name by which a case is commonly referred to); |
| • the name of the court or body deciding the matter (to which the jurisdiction should be added if it is not apparent from the name); |
| • the case or decision number; |
| • the full date of the decision; |
| • the details of any report series in which the case is contained, preceded by ‘reported in’; and |
| • a pinpoint reference (where necessary). |

These elements should be separated by commas. However, a comma should not precede ‘reported in’. These elements should appear in the order in which they are listed above, unless convention in the relevant legal system is to do otherwise.

Where it would assist in retrieval, a URL may be included after the first citation to a decision. The URL should adhere to rule 6.15.6.
Other Foreign Examples


Idecheel v Uludong (Unreported, Supreme Court of Palau, Appellate Division, Beattie, Miller and Hoffmann AsJJ, 1 August 1994) 2.

Verfassungsgerichtshof [Constitutional Court of Austria], G 48/06, 6 October 2006, 9.

Corte costituzionale [Italian Constitutional Court], No 239, 29 December 1982 reported in [1983] I Il Foro Italiano: Raccolta Generale di Giurisprudenza 2, 4–5.


25.3 Legislative Materials

Rule

Foreign judicial, quasi-judicial and administrative decisions from common law systems should be cited as consistently as possible with chapters 3, rule 23.2 or rule 24.2 (as appropriate). However, the jurisdiction should not be abbreviated.

Other foreign legislative materials (including delegated legislation) should be cited as follows:

Title of Foreign Law (Jurisdiction) Other Information, Pinpoint.

The title of the foreign law should be italicised. However, if the title appears in a foreign language and italicisation is not used in that language, the conventional equivalent of italicisation (if any) should be used.

The jurisdiction should not be abbreviated.
Elements of other information, which should be separated by commas, may include:

- the name of the body (other than a Parliament) responsible for promulgating the law;
- the number of the law (for example, ‘Act No 3 of 1982’);
- the full date on which the law was enacted or took effect; and
- a citation of an official government publication in which the law is contained.

Where elements of other information are included in the title of the law, they should not be repeated.

Where it would assist in retrieval, a URL may be included after the first citation to a foreign law. The URL should adhere to rule 6.15.6.

Examples


Penal Code (Kiribati) c 67, s 161.


Undang-Undang Nomor 1 Tahun 1974 Tentang Perkawinan [Law No 1 of 1974 on Marriage] (Indonesia) art 2(1).


Criminal Code (Germany) § 80 [Michael Bohlander trans, Übersetzung des Strafgesetzbuches (Juris, 2009) 49].

Note

When citing foreign codes, it is generally not necessary to include other information. However, where there is good reason for inclusion, for example in order to refer to the law as at a certain date, other information may be included.
### 25.4 Other Non-English Language Materials

<table>
<thead>
<tr>
<th>Rule</th>
<th>Non-English secondary or other sources should be cited in accordance with the relevant rules of this Guide for the source type. A translation of any non-English citation element should follow that element in square brackets, where appropriate.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>Published translations of books should be cited in accordance with rule 5.6.</td>
</tr>
</tbody>
</table>
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Australasian Legal Information Institute (10 January 2010) <http://www.austlii.edu.au>

The Bluebook: A Uniform System of Citation (Harvard Law Review Association, 18th ed, 2005)

British and Irish Legal Information Institute <http://www.bailii.org>

Chinese University Hong Kong, Citation Styles (August 2008) <http://www.cuhk.edu.hk/policy/academichonesty/p03_4_4a.htm>

Dickerson, Darby, ALWD Citation Manual: A Professional System of Citation (Aspen Publishers, 3rd ed, 2006)

French, Derek, How to Cite Legal Authorities (Oxford University Press, 2nd ed, 2003)

McGill Law Journal, Canadian Guide to Uniform Legal Citation (Carswell, 6th ed, 2006)

McLay, Geoff, Christopher Murray and Jonathan Orpin, New Zealand Law Style Guide (Thomson Reuters, 2009)


Nygh, Peter E and Peter Butt (eds), Butterworths Concise Australian Legal Dictionary (LexisNexis Butterworths, 3rd ed, 2004)


Raistrick, Donald, Index to Legal Citations and Abbreviations (Sweet and Maxwell, 3rd ed, 2008)


Woodley, Mick (ed), Osborn’s Concise Law Dictionary (Sweet and Maxwell, 11th ed, 2009)

Suggestion Form

When using the *AGLC*, you may become aware of instances where it does not adequately address a citation issue. Please take the time to complete and return this suggestion form with details of the issues you have encountered so that they can be addressed in the next edition of the *AGLC*.

<table>
<thead>
<tr>
<th>Description of Problem (Include Reference to Relevant Rules)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Suggested Solution or Rule</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Contact Number</th>
<th>Email Address</th>
</tr>
</thead>
</table>

If mailing this form, please address it to:

*AGLC* Committee  
c/- The Editors  
Melbourne University Law Review  
Melbourne Law School  
The University of Melbourne Victoria 3010  
Australia

Alternatively, this form may be faxed to (+61 3) 9347 8087 or suggestions (including a reference to the relevant rules) may be emailed to law-mulr@unimelb.edu.au.
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