AUSTRALIAN GUIDE TO LEGAL CITATION
Fourth Edition
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Fourth Edition
Foreword to the Fourth Edition

Citation of sources has long been a defining feature of academic scholarship. Even the most original thinker will have derived inspiration from the writings of others, and it is only proper that that debt be acknowledged. Citation also contributes to the history of ideas, by marking out the pathways of intellectual development.

Citation of sources in judgments is, by comparison, a relatively recent phenomenon. In the High Court, for example, the number of citations per case increased tenfold between 1920 and 1996, from 23 to 240. In part, of course, this increase reflects the growth in the length of judgments. But it is also to be explained by the evolution of paper-based argument, the much greater accessibility of judgments and academic articles, and the availability of sophisticated search engines.

Proper citation serves important rule of law purposes. Reference to authorities which govern, or guide, decision-making ensures that the judicial process ‘is injected with a certain degree of consistency, predictability and coherence’. Citation makes a judge’s reasons more comprehensible, and the process of adjudication more transparent, by exposing not only the path of reasoning but its foundations.

Citation also enhances the development of legal principle. Footnotes are a rich resource for practitioners confronted with the same or a related question, and for academics seeking to elucidate the principles which inform judicial decisions and to identify and explain doctrinal developments.

All of which makes the Australian Guide to Legal Citation (‘Guide’) an indispensable resource. The Guide has given us a national language of citation, which enhances communication across the legal system. And it epitomises the commitment to precision and consistency on which accurate citation depends.

The Honourable Justice Chris Maxwell AC
President of the Court of Appeal, Supreme Court of Victoria
November 2017

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1 Russell Smyth, ‘Citations by Court’ in Tony Blackshield, Michael Coper and George Williams (eds), The Oxford Companion to the High Court of Australia (Oxford University Press, 2001) 98, 98.


Foreword to the Third Edition


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.

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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’.1 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 KM Hayne
Justice of the High Court of Australia
Melbourne University Law Review Editor 1966
Melbourne
19 March 1998

Preface to the Fourth Edition

Since the publication of the first edition in 1998, the *Australian Guide to Legal Citation* (‘AGLC’) remains the authoritative legal citation guide within Australia and is widely used by practitioners, law students and academics alike. The fourth edition marks the 20th anniversary of the AGLC and continues the original aim of providing clear, concise and comprehensive rules for citation whilst ensuring that it remains accessible to all readers.

The fourth edition continues the collaboration between the Melbourne University Law Review Association (‘Review’) and the Melbourne Journal of International Law (‘Journal’) and refines the enduring foundations laid down by the previous editions of the AGLC. The fourth edition also builds upon the existing rules to ensure the ongoing relevance of the AGLC in today’s everchanging legal landscape.

Acknowledgments

Members of the Review and the Journal have been involved in production of this edition of the AGLC over the last several years. Work on the fourth edition of the AGLC was overseen by the General Editors: Justin Browne, Rajesh Gounder, Peter Henley, Marcus Roberts and Lachlan Sievert. Much of the work was done by the AGLC4 Committee, comprised of Anna Bohacova, Eliah Castiello, Kye-Ren Cheong, Danielle El Hajj, Matthew Harper, Jamin Li, Michael McArdle, Daniel O’Neil, Kathleen Phelan, Alan de Rochefort-Reynolds, Rachel Walters and Daniel Wright. The cover was designed by Eliah Castiello.

We thank all past and present Members of the Review and the Journal who participated in proofreading the fourth edition of the AGLC: Justin Joonhyuk Chang, Betty Yee En Choi, Kevin Cui, Nick Felstead, Jane Hannah, Jake Herd, Angad Keith, Ken Kiat, Youngkwang ‘Nolan’ Lee, Jahangir Mahmood, Anna Sartori, Maddie Smith, Phapit Triratpan, April Whitehead, Belinda Yee and Jennifer Zheng. We would also like to thank Sam Crock and Sarah Waring. We thank especially Stuart Dixon for his comprehensive proofreading of the fourth edition.

Invaluable assistance was provided by the former Editors of the Review and the Journal: Holly Cao, Kara Connolly, Jordonne Colley, Chenez Dyer Bray, Monique MacRitchie, James Nunez, Mimi Oorloff, George Priestley, Stephen Polesel, Cal Samson, Phoebe St John, Emily Rothfield, Anna Saunders, Adaena Sinclair-Blakemore and Thomas Wu. We would like to thank Alexander Di Stefano and Jack North for their contribution to the Review and their tireless efforts, along with their team, in developing AGLC Online.
We thank Andrew Christie, Robin Gardner, Fiona MacDowell, Chantal Morton, Trung Quach and Kirsty Wilson for their insight and assistance with the production of the fourth edition.

Working on the fourth edition was made markedly easier by the enduring framework built by the past three editions of the AGLC. We would like to acknowledge all those who have worked on the previous editions, especially the General Editor of the first edition, Andrew D Mitchell, the General Editors of the second edition, Lucy Kirwan and Jeremy Masters, and the General Editors of the third edition, Sara Dehm and David Heaton.

We wish to acknowledge Melbourne Law School’s continuing support of the Review, the Journal, and of the AGLC. We would like to thank the Review’s Faculty Advisors, Ian Malkin, Jenny Morgan and Dale Smith, and the Journal’s Faculty Advisors, Andrew D Mitchell, Bruce ‘Ossie’ Oswald, Jacqueline Peel and John Tobin, for their continued support and guidance over the years.

Finally, we are grateful for the extensive feedback provided by students, practitioners, academics, judges, court officers and staff, law school administrators, law librarians, law journal editors and others who have supported the AGLC. It is heartening to see the degree of commitment and investment that AGLC users have for its continued improvement. Such feedback is highly valued and ensures we consider many different perspectives when making changes. We look forward to receiving feedback on possible improvements for the next edition.

AGLC4 Committee
Melbourne
July 2018
How to Use This Guide

The cardinal principles in legal citation — indeed all citation — are clarity and consistency. Citations should contain the information that a reader will need to locate sources quickly and easily. If your citations are clear and concise, your readers will appreciate it.

The rules in the AGLC have been drafted with these cardinal principles in mind. The core rules have mostly not changed since the first edition of the AGLC was published in 1998. Where changes have been made, it has always been in pursuit of greater clarity and consistency.

Suggested Approach to Using the AGLC

If you are a first-time user of the AGLC, we recommend that you first read through the General Rules (chapter 1) and then skim the chapters relating to sources that you are likely to want to cite on a regular basis. In the case of Australian law students, chapter 2 (Cases) and chapter 3 (Legislative Materials) will be essential. Thereafter, when you wish to cite a particular source, you can use either the contents or the index to find the applicable rule.

Sources Not Included in the AGLC

If you wish to cite a source for which provision is not made in the AGLC, you should first reflect on the cardinal principles: clarity and consistency. It may be helpful to analogise with existing rules. However, there is often no single correct way to cite a source and it will be a matter of judgment as to which rule to adhere to. As long as you are clear and consistent, you cannot go wrong.

The best way to cite a source may also vary depending on the audience. For example, if you are citing a legal source from a jurisdiction not covered in the AGLC, it may be preferable to cite it like an analogous Australian source when you are writing for an Australian audience, but it may be preferable to cite it like it is cited in the foreign jurisdiction when you are writing for an audience familiar with the jurisdiction.

Subsequent References

One of the more significant changes contained in this edition of the AGLC concerns subsequent references. Specifically, the AGLC now provides for the use of cross-references in citations of all sources, including cases, legislation and treaties.

The principle guiding this change is consistency. In academic writing, readers will wish to refer back to cases, legislation and treaties that have been previously cited as frequently as they will wish to refer back to journal articles and books. In this context, it makes sense to adopt a uniform rule for subsequent references.
A further principle guiding the change was clarity. The previous edition of the *AGLC* provided for the use of short titles, but not cross-references, when citing legislation. A reader might then come across a reference to ‘*JR Act*’, and, if she had not read every footnote and was not familiar with the field, she might struggle to decipher the reference. The use of cross-references alleviates this issue.

However, it is accepted that in some contexts, the interest in being able to instantly identify the complete reference for a case outweighs the interests of consistency and concision. For example, it is likely that, for good reason, law reports and legal advices will continue to use complete citations of cases.

Bearing in mind that writers’ purposes and readers’ circumstances will differ, the new rule regarding subsequent references is intended to be facultative rather than mandatory.

**Secondary Sources**

This chapter has undergone some significant changes. A new chapter outlining the general rules for secondary sources has been added (chapter 4). Much of this information was contained in specific rules in the past edition. The consolidation into a single chapter provides greater clarity for specific elements of secondary sources, irrespective of the rule being applied.

Multiple new rules have been added to allow citation of materials such as intellectual property materials, podcasts and social media posts. As the sources we draw upon expand, so too must the citation rules.

Existing rules have also undergone changes. Multiple secondary sources have been consolidated into general rules that can be applied to multiple different source types. This allows consistency in how similar materials are cited. The rules are also easier to navigate.
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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 (eg to indicate that a source directly supports or is directly contrary to 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 possibility of a beneficial interest being intended".¹

... This situation is likely to occur only in the rarest of cases, since the court can always make a judgment about the relative credibility of evidence given by living parties.³

¹ Wirth v Wirth (1956) 98 CLR 228, 237 (Dixon CJ). See also Calverley v Green (1984) 155 CLR 242, 250 (Gibbs CJ).

³ 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.
### Part I — General Rules

#### 1.1.2 The Position of Footnote Numbers

<table>
<thead>
<tr>
<th>Rule</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Footnote numbers should generally appear after the punctuation at the</td>
<td>The Court of Appeal in <em>Burger King Corporation v Hungry Jack’s Pty Ltd</em> was also of the opinion that a duty of good faith should be implied in law.⁴</td>
</tr>
<tr>
<td>end of a sentence. However, footnote numbers may appear directly after</td>
<td>…</td>
</tr>
<tr>
<td>the relevant text (after any punctuation except em-dashes) if this is</td>
<td>The court describes the best interests of the child as the ‘paramount or pre-eminent consideration’;⁶ it is the ‘final determinant’ of what orders the court must make.⁷</td>
</tr>
<tr>
<td>necessary for the sake of clarity.</td>
<td>…</td>
</tr>
<tr>
<td></td>
<td>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).⁹</td>
</tr>
<tr>
<td></td>
<td>…</td>
</tr>
<tr>
<td></td>
<td>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’¹¹ — consistent with international human rights treaty obligations.</td>
</tr>
<tr>
<td></td>
<td>…</td>
</tr>
<tr>
<td></td>
<td>Some of the issues have now been resolved by the High Court’s decisions in <em>Pape v Federal Commissioner of Taxation</em> (<em>Pape</em>),¹³ <em>Williams v Commonwealth</em> (<em>Williams [No 1]</em>)¹⁴ and <em>Williams v Commonwealth</em> [No 2] (<em>Williams [No 2]</em>)¹⁵.</td>
</tr>
<tr>
<td></td>
<td>…</td>
</tr>
<tr>
<td></td>
<td>So much is recognised by the <em>Constitution</em>’s provisions¹⁷ for ‘a practical system of law where [the] Commonwealth can sue a State, a State can sue [the] Commonwealth, and a State can sue a State’.¹⁸</td>
</tr>
<tr>
<td></td>
<td>…</td>
</tr>
</tbody>
</table>
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.20

1.1.3 Multiple Sources in Footnotes

**Rule**

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

When citing additional sources with a different introductory signal (see rule 1.2) a new sentence (and not a semicolon) should be used.

**Example**


1.1.4 Closing Punctuation in Footnotes

**Rule**

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

**Examples**


25 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 Discursive Text in Footnotes

Rule

Footnotes may contain discursive text (ie text that is not a citation). Citations relating to discursive text in footnotes should appear after a colon at the end of the relevant text (unless the full citation appears within the discursive text, including any relevant pinpoints).

When citing a source that has been cited earlier in the same footnote, or citing a different pinpoint to that cited earlier, ‘at’ may be used in accordance with rule 1.4.6.

Examples

26 Note that s 22 of the Trans-Tasman Proceedings Act 2010 (Cth) prohibits anti-suit injunctions that would be granted on the basis that a New Zealand court is not the appropriate forum for the proceeding.

27 Agricultural Land Management Ltd v Jackson [No 2] (2014) 48 WAR 1, 64 [335]. Later in the judgment, his Honour explained that a ‘negative “but for” criterion’ applies to some — but not all — claims for equitable compensation: at 75 [395].

28 The Acts Interpretation Act 1954 (Qld) provides that a ‘public sector unit’ is ‘a department or part of a department’ or ‘a public service office or part of a public service office’: at sch 1 (definition of ‘public sector unit’).

29 The scope of this legislation is confined to children as users of the internet: Enhancing Online Safety Act 2015 (Cth) s 5.

1.1.6 Pinpoint References

Rule

A ‘pinpoint reference’ is a reference to a specific page, paragraph, footnote or other section of a source.

Pinpoint references should immediately follow the citation of the source. They should not be preceded by ‘p’ or ‘pg’ and should not be preceded by ‘at’ (except in accordance with rule 1.4.6).

A pinpoint reference to a paragraph should appear as a number in square brackets. It should not be preceded by ‘para’. However, note that ‘para’ is used for legislative materials (rule 3.1.4) and certain international materials (eg rule 9.2.13) instead of square brackets.

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

Page [Paragraph]
Where the pinpoint spans several paragraphs that are all on the same page, paragraph numbers should follow rule 1.1.7.

If there are no page numbers, paragraph numbers alone should be used. For example, only paragraph numbers should be used for the following source types:

- looseleaf services;
- unreported judgments;
- legal encyclopedias;
- unpaginated electronic documents; and
- other sources as indicated in this Guide.

A pinpoint reference to a footnote or endnote within a source should include a page and/or paragraph reference, on which the footnote or endnote begins, followed by:

```
[Footnote/Endnote Number]
```

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

### Examples


34. *Davies v Gertig [No 2]* (2002) 83 SASR 521, 528 [57] n 6, 529 [64].


### Note

Where a quote is cited, only the page on which the quote appears should be included (i.e., where the paragraph containing the quoted text continues over a page, include only the page on which the quoted text appears).

Where a proposition is cited and the paragraph containing the proposition continues over the page, both pages should be included (e.g., ‘213–14 [31]’) unless the proposition clearly only appears on one page or the other.
Detailed guidance relating to the application of this rule to specific types of sources is provided in subsequent chapters of this Guide.

For a detailed table of pinpoint abbreviations, see appendix C.

### 1.1.7 Spans of Pinpoint References

A span of pinpoint references should be separated by a non-spaced endash (–) (see rule 1.6.3).

Spans of 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>

With the exception of spans of paragraphs, spans of pinpoint references should be shortened according to rule 1.10.1 (eg ‘121–7’ [Not: ‘121–127’]).

For spans of paragraphs, both paragraph numbers should appear separately, enclosed in separate square brackets (eg ‘[56]–[59]’ [Not: ‘[56–9]’]).

---


1.2 Introductory Signals for Citations

An introductory signal may be used before a citation to indicate the relationship between the source and its corresponding proposition in the text. Multiple introductory signals may be used within a single footnote.

Where a new introductory signal is used in the same footnote to cite additional sources, the new introductory signal should begin in a new sentence, followed by the additional sources (see rule 1.1.3).

Where a citation is preceded by a colon, the introductory signal should appear after the colon.

An introductory signal may also precede ‘at’ where ‘at’ is used in accordance with rule 1.4.6. The introductory signal should appear after the colon.

<table>
<thead>
<tr>
<th>Introductory Signal</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>[No introductory signal]</td>
<td>The source is quoted or directly supports the proposition in the text (e.g., if paraphrased).</td>
</tr>
<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>
<tr>
<td>See generally</td>
<td>The source provides background information on the topic discussed in the text.</td>
</tr>
<tr>
<td>Cf</td>
<td>The source provides a useful contrast to illustrate the proposition in the text. (<em>Cf</em> means ‘compare’.)</td>
</tr>
<tr>
<td>But see</td>
<td>The source is in partial disagreement with the proposition in the text.</td>
</tr>
</tbody>
</table>
### Examples


41 Cf Legislative Instruments Act 2003 (Cth) s 5.


43 See McGinley v Western Australia (1995) 186 CLR 140, 185 (Dawson J). There are differing views on the meaning of representative democracy: see generally at 198–205 (Toohey J).


### 1.3 Sources Referring to Other Sources

#### Rule

Where it is important to show that one source is referred to in another source, phrases such as ‘quoting/quoted in’, ‘discussing/discussed in’ and ‘citing/cited in’ may be used. Other phrases may be used depending on the context.

These phrases should be preceded by a comma.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>quoting</td>
<td>The first-listed source quotes the second source directly.</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 quote directly) 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>
<tr>
<td>discussing</td>
<td>The first-listed source discusses the second source.</td>
</tr>
<tr>
<td>discussed in</td>
<td>The first-listed source is discussed in the second source.</td>
</tr>
</tbody>
</table>
Subsequent References

1.4.1 General Rule

When citing a source that has previously been cited, a shortened form of the citation may be provided with a cross-reference in parentheses to the footnote number in which the citation may be found in full.

For cases and legislation, a short title (see rule 1.4.4) may be used followed by a cross-reference in parentheses.

For most secondary sources, the citation should be as follows:

\[ \text{Author Surname} \ (n \ \text{Footnote Number}) \ \text{Pinpoint} \]

However, if several works by the same author/s are cited, both the surname of the author/s and the title or the short title (where one has been introduced in accordance with rule 1.4.4) should be provided.

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).

The short title should appear in the same manner as the title would appear in the first citation (e.g. italicised for a book title, in inverted commas for a journal article or working paper).

For secondary sources authored by a body, it may be more helpful to use a short title instead of the name of the author (see rule 1.4.4):

\[ \text{Short Title} \ (n \ \text{Footnote Number}) \ \text{Pinpoint} \]

Where there is no author or editor, the title or the short title (where one has been introduced in accordance with rule 1.4.4) should be included in place of the author’s surname.
Examples


…

50 MacMillan (n 48) 41.

…


53 *Penfolds Wines Pty Ltd v Elliott* (1946) 74 CLR 204 (‘Penfolds Wines’).

…

55 *Traditional Rights and Freedoms* (n 52) 209 [7.111].

56 *Penfolds Wines* (n 53) 224 (Dixon J).

…


…


62 Rubenstein, ‘Meanings of Membership’ (n 58) 307–11.

63 *Administrative Decisions (Judicial Review) Act 1977* (Cth) (‘ADJR Act’).

…

65 *ADJR Act* (n 63) s 5(2).

Note

Subsequent references of UN and WTO Documents should be cited in accordance with rules 9.5 and 13.4.

1.4.2 References within a Text

Rule

A footnote may be used to direct a reader to another portion of the same text using ‘above’ or ‘below’. The footnote should appear as follows:

See above [[Pinpoint].

A pinpoint may direct a reader to pages, parts and/or footnotes (including the footnote’s accompanying text).

Examples

66 See below nn 81–2 and accompanying text.

67 See below Part III(A)(1).
1.4.3 Ibid

Rule

‘Ibid’ should be used to refer to a source in the immediately preceding footnote, including any pinpoints. However, ‘ibid’ should not be used where there are multiple sources in the preceding footnote. If there are multiple sources in the preceding footnote, rule 1.4.1 should be used.

‘Ibid’ should be capitalised if it appears at the start of a footnote. Introductory signals can be used with ‘ibid’, however ‘ibid’ refers only to the source in the preceding footnote, not the introductory signal.

A pinpoint should not be repeated if it is identical to the pinpoint in the immediately preceding footnote. If the pinpoint is different, the pinpoint should be included after ‘ibid’, and should not be separated by a comma.

Where there is a pinpoint in the immediately preceding footnote but no pinpoint is required in the subsequent footnote, rule 1.4.1 should be used to refer to the footnote where the source was first cited (not ‘ibid’).

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 1.4.6.

Examples


69 See ibid.

70 Ibid 162.

…

72 Defamation Act 2005 (Vic) s 37.

73 Ibid s 38.

…


76 Barendt (n 68) 69. [Not: Ibid 69 nor Barendt, ibid 69.]

…

78 Higgins (n 75) 220.

79 Ibid 222, 239.

80 See generally Higgins (n 75). [Note: ‘Ibid’ should not be used here as this footnote is referring to the source generally and not to any pinpoint.]
1.4.4 Short Titles

Rule

Short titles are a shortened form of the title of a source. A short title should be enclosed in (non-italic) inverted commas and parentheses after the initial citation in a footnote or reference in the text of a source. It should appear as follows:

(‘Short Title’)

The title should be italicised according to the rules of this Guide (e.g. cases, legislation and books).

The first citation of a source in a footnote should always be given in full, but subsequent citations in footnotes may use the short title.

When introducing the short title within a footnote, the short title should be provided at the end of the initial citation after any pinpoints or parenthetical clauses (rule 1.5.7) and should not be repeated in each subsequent citation.

The first reference to a source in the text should always provide the full title before introducing the short title. Subsequent references in the text may then use short title. However, a short title that has been introduced in the footnote may be used instead of the full title in the text where the full title is especially long (e.g. treaty titles, UN document titles).

If a short title was previously only provided in the footnotes, the short title should also be provided in the text when it is first used in the text.

Examples

These decisions were Pape v Federal Commissioner of Taxation (‘Pape’)\(^81\) and Williams v Commonwealth [No 2] (‘Williams [No 2]’).\(^82\)

---

\(^{81}\) (2009) 238 CLR 1 (‘Pape’).

\(^{82}\) (2014) 252 CLR 416 (‘Williams [No 2]’).

\(^{83}\) Pape (n 81) 125–6 [365] (Hayne and Kiefel JJ).

\(^{84}\) Williams [No 2] (n 82) 476 [110] (Crennan J).


\(^{87}\) Traditional Rights and Freedoms (n 85) 209 [7.111].
1.4.5 Abbreviations and Defined Terms

Abbreviations and defined terms may be used for convenience and clarity.

Abbreviations and defined terms should be enclosed in parentheses and inverted commas and placed after the unabbreviated form or the relevant definition respectively.

For abbreviations, the unabbreviated terms should always be given in full before introducing an abbreviation. Subsequent references may use the abbreviated form.

Abbreviations and defined terms may be introduced within the text or a discursive footnote. However, if the abbreviation or defined term was previously only defined in the footnotes, it should be defined in the text when first used in the text.

Abbreviations and defined terms do not need to be introduced in the footnotes if they have been introduced in the text previously.

Examples

Ceramic Fuel Cells Ltd (‘CFC’) invested in collateralised debt obligations of mortgage-backed securities issued by Duke Funding XI Ltd and Duke Funding XI Corp (the ‘CDOs’).91

Note

For cases (see rule 2.1.14), the short title should generally be:

- the popular case name (eg 'Tasmanian Dam Case'); or
- the first-named party (excluding indicators of corporate status if appropriate: see rule 2.1.1); or
- the second-named party when the first-named party is the Crown; or
- the name of the ship in an admiralty case.

89 Kim Rubenstein, *Australian Citizenship Law in Context* (Lawbook, 2002).
90 Rubenstein, ‘Meanings of Membership’ (n 88) 305–11.
1.4.6 Subsequent References within the Same Footnote

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 the pinpoint reference immediately beforehand.

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

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

Where there are multiple sources in a footnote and a pinpoint reference in that footnote is to an earlier source in that footnote (ie not the immediately preceding source), ‘at’ should not be used. Instead, the pinpoint reference should be cited using rule 1.4.1.

Where there are multiple pinpoints to a single source in a single discursive sentence in a footnote, a semicolon should be used after each pinpoint reference that appears in the sentence.

Examples
92 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.]

93 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.]


95 Sullivan v Moody (2001) 207 CLR 562. The Court acknowledged that finding a duty may ‘cut across other legal principles’: at 580 [53]; meaning that it was ‘a question about [the] coherence of the law’: at 581 [55].
## 1.5 Quotations

### 1.5.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quotations may be used in the body of the text and in footnotes.</td>
<td></td>
</tr>
<tr>
<td>Short quotations (of three lines or less) should be incorporated into the text using single quotation marks.</td>
<td></td>
</tr>
<tr>
<td>Long quotations (of four lines or more) should appear indented from the left margin, in a smaller font size, and without quotation marks. Legislative and treaty extracts, however long, may also appear this way.</td>
<td></td>
</tr>
<tr>
<td>Where a long quotation appears in a footnote, the citation to the source should appear on the line directly preceding or following the quotation.</td>
<td></td>
</tr>
<tr>
<td>Quotations should appear exactly as they do in the original source, subject to the following exceptions:</td>
<td></td>
</tr>
<tr>
<td>• full stops, hyphens, dashes and quotation marks should be altered in accordance with rule 1.6;</td>
<td></td>
</tr>
<tr>
<td>• titles of sources that should be italicised according to the rules in this Guide (eg case names, statute titles, treaty titles) should be italicised (see rule 1.8.2); and</td>
<td></td>
</tr>
<tr>
<td>• the capitalisation of the first letter of the quotation should be altered in accordance with rule 1.5.2.</td>
<td></td>
</tr>
<tr>
<td>Quotations may be further altered as follows:</td>
<td></td>
</tr>
<tr>
<td>• alterations and insertions other than those referred to above should be indicated by square brackets (see rule 1.6.5); and</td>
<td></td>
</tr>
<tr>
<td>• omissions should be indicated by spaced ellipses (see rule 1.5.3).</td>
<td></td>
</tr>
<tr>
<td>In short quotations, 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.</td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
</tr>
<tr>
<td>Quotation marks in original quoted text should be changed accordingly.</td>
<td></td>
</tr>
</tbody>
</table>
She observed that ‘the threshold for determining that an international organisation has “effective control” over an operation ought to be high’.96

…

The facts were stated as follows:

In 1998 the Remuneration Tribunal, under the *Remuneration Tribunal Act 1973* (Cth), determined an annual postal allowance of $9,000 for MHRs … In *Brown v West* the plaintiff … [the] shadow Attorney-General, brought an action to challenge the decision of the Minister for Administrative Services … to increase this entitlement … to $30,525.98 [Original: … Remuneration Tribunal Act 1973 (Cth) … *Brown v. West* …]

…

The Court observed that ‘the [Commonwealth] Act was clearly within power’.100 [Original: … the Act was clearly within power. …]

…

Whitlam assured European leaders that, while Australia agreed that ‘an increase in the price of crude oil was justified, … [it] did not wish to see a confrontation develop between cartels of producers and consumers’.102 [Original: … we did not wish to see …]

…

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 … in s 210 … is made out …104

---

105 The claims are inferred from the rhetorical question:

[H]ow should we respond? 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?

1.5.2 Introducing Quotations

**Rule**

No special punctuation is required to introduce quotations, whether short or long. The punctuation rules in 1.6 should be followed without regard to whether a section of the text is a quotation. Thus, no punctuation should be used where a sentence leads seamlessly into a quotation (i.e., no colon is needed in ‘the judge stated that “[quotation]”’, but a colon is needed in ‘the judge stated: “[quotation]”’).

The first letter of a quotation should be capitalised if the quotation starts at the beginning of the sentence, or if the quotation is a full sentence introduced by a colon. Otherwise, a quotation should start with a lowercase letter. If the case of the letter must be altered from the original, this should be indicated by square brackets.

**Examples**

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’.\textsuperscript{106} \textit{Also:} The Privy Council commented that ‘it does not, in … defence’.\textsuperscript{106}

…

The power that traffickers maintain over their victims is reinforced by the fact that the women may not speak English, they have no money or passport, and may not even know where they are. This is compounded by the women’s distrust of authorities and the fear — deliberately cultivated — that the law enforcement agencies are involved with the traffickers …\textsuperscript{108}

…

The court’s statement of the initial legal position provided the framework in which the parties chose the outcome:

[T]he immediate question faced by the courts is not what shall be done by whom but who has the legal right to do what. It is always possible to modify by transaction on the legal market the initial legal delimitation of rights.\textsuperscript{109}

…

In \textit{Re Bolton}, Brennan J observed that ‘[m]any of our fundamental freedoms are guaranteed by ancient principles of the common law’.\textsuperscript{111}
### 1.5.3 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 used. An ellipsis should replace or be added to any punctuation at the end of a long quotation if the quotation does not end with an appropriate closing punctuation mark. A footnote should be placed immediately after the ellipsis (with no space between the ellipsis and footnote 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 …[^112] [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 …[^114] |

### 1.5.4 Editing Quotations

| Rule | If a quotation is altered, the alteration should be included within square brackets (in accordance with rule 1.6.5). Omissions from a quotation should be indicated by an ellipsis (in accordance with rule 1.5.3). |
Spelling, capitalisation and hyphenation within quotations generally should not be changed (except as required by rules 1.5.1–1.5.2).

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

<table>
<thead>
<tr>
<th>Rule</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><code>[sic]</code> 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 <code>'[sic]'</code>.</td>
<td></td>
</tr>
<tr>
<td>The term <code>'[sic]'</code> should not be used to mark non-Australian English spelling or non-standard capitalisation.</td>
<td></td>
</tr>
<tr>
<td>Although a quotation is obviously the work of another author, <code>'[sic]'</code> 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.</td>
<td></td>
</tr>
<tr>
<td>Example</td>
<td>He stated brazenly: ‘They underestimated [sic] me.’</td>
</tr>
</tbody>
</table>
## 1.5.6 Closing Punctuation

| Rule | If a quotation is incorporated into the text (i.e., a short quote) (see rule 1.5.1), closing punctuation should not be included within the quotation marks unless the quotation is quoted as a complete sentence or the punctuation is important to the meaning of the quotation (as a question mark might be).

If the quotation is indented (i.e., a long quote) (see rule 1.5.1), the closing punctuation should be included in the quotation. If the quotation does not end with appropriate punctuation, the quotation should finish with a spaced ellipsis (see rule 1.5.3).

| Examples | A Melbourne busker commented that expecting everyone to have a permit — including ‘homeless people and children and guys not making much’ — was a bit harsh: ‘Now how many of those people go in and get the $20 permit? I don’t know.’

As Dworkin observed, ‘it is inconsistency in principle among the acts of the state personified that integrity condemns’.

[Source: But a state does act that way when it accepts a Solomonic checkerboard solution; it is inconsistency in principle among the acts of the state personified that integrity condemns.]

[Source: Our lives are rich because they are complex in the layers and character of the communities we inhabit.]

Windeyer J continued:

The second argument was that because the payment claims abbreviated the name of the Act [to ‘Building Construction Ind Security of Payments Act 1999’], they did not fulfil the statutory requirement to name the Act. This argument might have had some weight in 1800. In 2001, an argument based on the absence of the word ‘and’ and the letters ‘ustry’ has no merit. It should not have been put. |
1.5.7 Omitting Citations and Adding Emphasis

Citations may be omitted from quotations, and words may be italicised for emphasis. If a quotation is altered in this way, it should be indicated in parentheses at the end of the citation (not within the text).

Always use ‘(emphasis added)’, not ‘emphases’, or ‘(citations omitted)’, not ‘citation’, in the order set out in the table below. Where more than one of these is applicable to the same source, this should be indicated in separate sets of parentheses. ‘(emphasis added)’ should not be used when italicising source titles in text (see rule 1.8.2).

The parenthetical clauses should be included immediately following the relevant pinpoint reference.

<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 changed (ie emphasis has been both added and omitted).</td>
</tr>
<tr>
<td>(emphasis omitted)</td>
<td>The emphasis in the original text has been omitted.</td>
</tr>
<tr>
<td>(citations omitted)</td>
<td>The citations in the original text have been removed.</td>
</tr>
</tbody>
</table>

Examples

The majority of the High Court noted:

It is sufficient to say that regulating the way in which rights and interests may be exercised is not inconsistent with their continued existence.128

…

It may be that the client ‘lost the prospect of a favourable settlement’.130


…

1.6 Punctuation

1.6.1 Full Stops

Rule

Full stops should only be used 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. Full stops in document numbers should not be altered and be cited as they appear on the source.

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 title, with an ellipsis, square brackets, ‘[sic]’ or otherwise.

Examples

Dr Messrs Mr Mrs Ms
A-G LLB Cth NSW Qld
cf eg et al ie DH Lawrence


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 a significant impact 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.
1.6.3 Em-Dashes, En-Dashes, Hyphens and Slashes

Rules

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 1.1.7, 1.10.1 and 1.11.4). 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 1.9.1.

Other than hyphenation, quotations should be amended to adhere to this rule (see rule 1.5.4).

Examples

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

…

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.132 [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 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.

Example

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).]
Part I — General Rules

1.6.5 Square Brackets

| Rule | Square brackets should be used to indicate an adjustment to a quotation (eg 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. |

| Example | As Kirby J noted, ‘[t]he Minister did not appoint [Justice Mathews] as a 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 for conveying 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); |
|      | • the word following the hyphen in a hyphenated word; and |
|      | • all other words in the title except articles (eg ‘the’, ‘a’, ‘an’), conjunctions (eg ‘and’, ‘but’) and prepositions (eg ‘on’, ‘with’, ‘before’, ‘within’, ‘in’). |
|      | However, phrases in foreign languages appearing in titles and headings should be capitalised in accordance with the conventions of the language. |
|      | Where a hyphenated word appears at the beginning of a sentence, the word following the hyphen should not be capitalised, unless otherwise required by this rule. |
The following words should generally be capitalised wherever they occur:

<table>
<thead>
<tr>
<th>Term</th>
<th>Capitalisation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Act (or ‘Bill’) of Parliament</td>
<td>Attorney-General</td>
</tr>
<tr>
<td>Bar (group of practising barristers)</td>
<td>Bench (judiciary/where judges sit)</td>
</tr>
<tr>
<td>Cabinet</td>
<td>Commonwealth</td>
</tr>
<tr>
<td>Crown</td>
<td>Executive Council</td>
</tr>
<tr>
<td>Governor, Governor-General</td>
<td>Her Majesty, the Queen</td>
</tr>
<tr>
<td>her/his Honour, their Honours</td>
<td>Imperial</td>
</tr>
<tr>
<td>Law Lord/s</td>
<td>Lords of Appeal in Ordinary</td>
</tr>
<tr>
<td>Member (of Parliament)</td>
<td>Minister/s (of the Crown)</td>
</tr>
<tr>
<td>Ombudsman/s</td>
<td>Parliament</td>
</tr>
<tr>
<td>Premier</td>
<td>Prime Minister</td>
</tr>
<tr>
<td>Senator (Member of the Senate)</td>
<td></td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Term</th>
<th>Lower Case</th>
</tr>
</thead>
<tbody>
<tr>
<td>common law</td>
<td>the executive</td>
</tr>
<tr>
<td>federal</td>
<td>government</td>
</tr>
<tr>
<td>internet</td>
<td>judiciary</td>
</tr>
<tr>
<td>legislature</td>
<td>local government</td>
</tr>
<tr>
<td>parliamentary</td>
<td>press (the media)</td>
</tr>
<tr>
<td>statute</td>
<td></td>
</tr>
</tbody>
</table>

The names of legal classifications should generally not be capitalised (e.g. ‘administrative law’).

‘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.

<table>
<thead>
<tr>
<th>Example</th>
<th>Term</th>
</tr>
</thead>
<tbody>
<tr>
<td>the State of Victoria</td>
<td>the State of Turkey</td>
</tr>
<tr>
<td>the State Revenue Office</td>
<td>her State of the Union address</td>
</tr>
<tr>
<td>the nation-state in international law</td>
<td>state sovereign immunity</td>
</tr>
<tr>
<td>state legislation</td>
<td>state government</td>
</tr>
</tbody>
</table>
In a negligence claim, the court must judge the reasonableness of the defendant’s act or omission.134

…

The High Court had handed down its judgment in Cole v Whitfield,136 but not in Bath v Alston Holdings Pty Ltd.137 The Court’s decision in Cole nevertheless proved difficult to apply.

…

The Supreme Court of Tasmania applied the rule accordingly.139

…

The State of New South Wales has always taken a different approach from that of other states.141

…

There are eight supreme courts, one for each state and territory.143 The Chief Justice of the State was Marilyn Warren.144

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 1.5.7).</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 through that control, would result in a statutory piercing of the veil.</td>
</tr>
</tbody>
</table>

1.8.2 Italicisation of Source Titles

| Rule | All case names, statute titles, treaty titles and titles of other materials that should be italicised according to the rules in this Guide should appear in italics in the text and in discursive text in footnotes (regardless of whether a full citation to the source is included). |

Source titles should also be italicised according to the rules in this Guide in quotations, regardless of how they appear in the source. This need not be indicated by a parenthetical clause in the footnote.

Source titles in citations should be italicised in accordance with rule 4.2.

However, there is one key provision — s 39(1) — of the Charter that is unique:

If, otherwise than because of this Charter, a person may seek any relief or remedy … 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>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foreign words and phrases should be italicised unless they appear in the latest edition of the Macquarie Dictionary. They may still be italicised for emphasis. Accordingly, the following examples of foreign words and phrases should generally not be italicised:</td>
<td></td>
</tr>
<tr>
<td>ab initio</td>
<td>ad hoc</td>
</tr>
<tr>
<td>amicus curiae</td>
<td>bona fide</td>
</tr>
<tr>
<td>de facto</td>
<td>de jure</td>
</tr>
<tr>
<td>ex gratia</td>
<td>ex parte</td>
</tr>
<tr>
<td>habeas corpus</td>
<td>inter alia</td>
</tr>
<tr>
<td>non-refoulement</td>
<td>non est factum</td>
</tr>
<tr>
<td>per se</td>
<td>prima facie</td>
</tr>
<tr>
<td>raison d’être</td>
<td>ratio decidendi</td>
</tr>
<tr>
<td>sui generis</td>
<td>terra nullius</td>
</tr>
<tr>
<td>vice versa</td>
<td>vis-a-vis</td>
</tr>
</tbody>
</table>

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

contra proferentem     ex ante     jus ad bellum
lex fori               ne bis in idem quantum meruit
stare decisis
1.9  

**Spelling and Grammar**

### 1.9.1  

**Official Dictionary**

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spelling should comply with the latest edition of the <em>Macquarie Dictionary</em>. Where alternative spellings are given, the first-listed should be used unless there is good reason to do otherwise.</td>
</tr>
<tr>
<td>Where a word is not included in the <em>Macquarie Dictionary</em>, the <em>Oxford English Dictionary</em> should be used. This will generally mean that British English spelling is preferred to American variants.</td>
</tr>
<tr>
<td>Hyphenation should comply with the latest edition of the <em>Macquarie Dictionary</em>. If a compound expression does not appear in the <em>Macquarie Dictionary</em>, it should be hyphenated (not spelt as one word).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>home-buyer</td>
</tr>
<tr>
<td>re-enact</td>
</tr>
<tr>
<td>multidimensional</td>
</tr>
<tr>
<td>analyse</td>
</tr>
</tbody>
</table>

### 1.9.2  

**Official Grammar Guide**

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grammar should generally be guided by the latest edition of <em>Fowler’s Dictionary of Modern English Usage</em>.</td>
</tr>
</tbody>
</table>

### 1.9.3  

**Inclusive Language**

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gender-inclusive language should generally be used. It is preferred to use ‘they’ (and derivative forms ‘their’ and ‘them’) as neutral singular pronouns. It is also acceptable to use ‘he or she’, ‘she or he’ or any derivative form (eg ‘his or hers’ and ‘her or him’).</td>
</tr>
<tr>
<td>Authors should avoid terms such as ‘the reasonable man’, ‘spokesman’ and ‘mankind’. Neutral terms such as ‘the reasonable person’, ‘spokesperson’ and ‘humankind’ should be substituted.</td>
</tr>
<tr>
<td>It may be appropriate to retain gender-specific language where this accurately conveys the intended meaning in the relevant context (eg ‘A plaintiff may be liable in negligence to her own foetus while driving’).</td>
</tr>
</tbody>
</table>
1.10 Numbers, Currency and Units

1.10.1 Numbers

**Rule**

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, percentages, mathematical expressions, decimal numbers, etc; and
- a series of related quantities, numbers, ages, measurements, 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 four digits or more, a comma should be used to separate each group of three digits. However, years, page numbers, paragraph numbers and numbers used for identification purposes (eg postcodes, lot numbers, company ACN) should appear without commas.

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 (eg ‘87–8’, ‘436–62’). However, for numbers whose last two digits are between 10–19, the last two digits should always be included (eg ‘11–14’, ‘215–19’).

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

<table>
<thead>
<tr>
<th>Examples</th>
<th>five</th>
<th>first</th>
<th>4,150</th>
<th>5 million</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>21st</td>
<td>5%</td>
<td>ninth</td>
<td>52nd</td>
</tr>
</tbody>
</table>
The High Court split 4:3.\textsuperscript{146}

... The government announced a Ten Point Plan in response to Wir.\textsuperscript{148}

... 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.\textsuperscript{150}

\textsuperscript{151} Wong v Aripin (2011) Aust Torts Reports ¶82-091, 65,131 (Kenneth Martin J).

### 1.10.2 Currency

**Rule**

Currency amounts should appear as numerals, either immediately preceded by an appropriate symbol, or immediately preceded by the currency denominator without a symbol.

**Examples**

<table>
<thead>
<tr>
<th>Currency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>€</td>
<td>100</td>
</tr>
<tr>
<td>£</td>
<td>1,600</td>
</tr>
<tr>
<td>$</td>
<td>16,000</td>
</tr>
<tr>
<td>AUD</td>
<td>1.3 million</td>
</tr>
<tr>
<td>HKD</td>
<td>200,000</td>
</tr>
<tr>
<td>$</td>
<td>300,000</td>
</tr>
<tr>
<td>Rp</td>
<td>500</td>
</tr>
<tr>
<td>Or: IDR</td>
<td>500</td>
</tr>
<tr>
<td>₹</td>
<td>2,000</td>
</tr>
<tr>
<td>MXN</td>
<td>20</td>
</tr>
</tbody>
</table>

### 1.10.3 Units

**Rule**

Units of measurement after a numeral (such as weight, dosage, length, etc) should be preceded by a space.

Commonly used units do not need to be formally introduced with their unabbreviated form.

**Examples**

The legally permissible dose was 50 mg. [\textbf{Not:} … 50mg.]

... The height was about 100–50 cm.
1.11 Dates and Time

1.11.1 Full Date

<table>
<thead>
<tr>
<th>Rule</th>
<th>A full date should be written in the form:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>[Day Month Year]</strong></td>
</tr>
</tbody>
</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 of the day should precede the full date and should not be followed by a comma.

<table>
<thead>
<tr>
<th>Examples</th>
<th>15 June 1985 [Not: 15th June 1985]</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Thursday 6 March 1987 [Not: Thursday, 6 March 1987]</td>
</tr>
</tbody>
</table>

1.11.2 Time

<table>
<thead>
<tr>
<th>Rule</th>
<th>A time should generally be written in the form:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Hour : Minute : Second am/pm</strong></td>
</tr>
</tbody>
</table>

The minute and second may be omitted depending on the accuracy required. Where the minute and second are included, they should always be two digits long. ‘am’/’pm’ should not be preceded by a space.

In footnote citations, where a time is included, both the hour and minute should generally be specified.

Where it is important, or to avoid ambiguity, time zone information may be included after the time and/or date.

Where the time is included in a citation, the time should follow the date and should be preceded by a comma (eg ‘1 January 2019, 12:01am’).

Time may be written in other formats (eg ‘half past eight’) in the body of the text. Twenty-four-hour time should be four digits long and appear with a colon between the hour and minute (eg ‘13:00’).

| Examples | She was told that they would arrive on Wednesday 22 December 2012, 12am AEDT. |
They left on Thursday, 7:05pm AEST.
The next morning, sometime after 08:00 hours, a few POWs succeeded in breaking out ... At 08:55, Lieutenant ...  

1.11.3 **Point in Time or a Period of Time**

**Rule**

A reference to a specific point in time should be written in the form:

| Hours | Minutes | Seconds |

'Hours' should always be included and where it is less than one hour, a single '0' should be used.
The 'minutes' and 'seconds' should always be included and should always be two digits long.

**Examples**

152 *To Kill a Mockingbird* (Universal International, 1962) 0:43:00.


1.11.4 **Spans of Dates and Times**

**Rule**

Spans of years should include the first year in full, an en-dash, and the last two digits of the final year (eg '2001–08'). However, if the final year occurs in a different century from the first, the final year should appear in full (eg '1999–2010').

Spans of dates in the same month should include both dates in full, separated by an en-dash (eg '21–22 September').

Spans of dates over different months and spans of full dates should be separated by a spaced en-dash (eg ‘1 January – 29 February’).

Spans of time should be separated by a spaced en-dash and the time should always be followed by ‘am’ or ‘pm’.

Where a date is included and both times are within the same day, the date does not need to be repeated (eg ‘21 January 2016, 12am – 3pm’).

Where a span of dates (ie not the same date) is included with the time, each date should be written in full (even if both dates are within the same month) and be separated by a spaced en-dash (eg ‘21 January, 12am – 23 January, 3pm’).
General Rules

Spans of 24-hour time should be separated by an en-dash.

Spans of two points in time should be separated by an en-dash.

A time zone may be included at the end of the time/date span where it is necessary to do so (ie to avoid ambiguity).

Examples

| 21–22 September [Not: 21–2] | 7 May, 9am ET – 9 May, 6pm ET |
| 1 January – 29 February 1996 | 22 March 1946 – 27 August 1947 |
| 4 May, 6:35am – 11:55pm EST | 0:00:45–1:05:01 |
| 1am – 3:05am [Not: 1 – 3:05am] | 02:00–14:00 |
| 3:55am – 2:10pm | 0:04:00–0:59:00 |

1.11.5 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 1.10.1).

Examples

| 1970s or ’70s | 21st century |
1.12 Headings and Titles

Note
Rule 1.12 is a suggestion only.

1.12.1 Title and Author

Rule
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.

Example
PROFESSORS, FOOTNOTES AND THE INTERNET: A CRITICAL EXAMINATION OF AUSTRALIAN LAW REVIEWS
TANIA VOON* AND ANDREW D MITCHELL†

Note
Words in the title should be italicised in accordance with rule 1.8.2.

1.12.2 Heading Levels

Rule
Headings should appear as follows:

<table>
<thead>
<tr>
<th>Heading Level</th>
<th>Attributes</th>
</tr>
</thead>
<tbody>
<tr>
<td>I HEADING LEVEL ONE</td>
<td>Upper-case Roman numeral not italicised; heading in large and small capitals and centred.</td>
</tr>
<tr>
<td>A Heading Level Two</td>
<td>Upper-case letter not italicised; heading italicised and centred.</td>
</tr>
<tr>
<td>1 Heading Level Three</td>
<td>Arabic numeral not italicised; heading italicised and left-aligned.</td>
</tr>
<tr>
<td>(a) Heading Level Four</td>
<td>Lower-case letter and heading italicised and left-aligned.</td>
</tr>
<tr>
<td>(i) 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.
1.13 Bibliographies

Where a bibliography is required, it should list all sources that were relied upon (not only those referred to in the text and footnotes).

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. 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 two sources have the same first-listed surname, the first name of the first-listed author;
- where two sources have the same first-listed author, the first name of the second-listed author (and then the surname and so forth for each author thereafter, if more than one author is the same). If there is no second author, list the work with only one author first;
- where two sources have the exact same authors, the first word of the title (excluding ‘the’). If the first word is the same, the second word (and so on);
• where the author is an institution, the first word of the name of the institution (excluding ‘the’). If the first word is the same, the second word (and so on); or
• where there is no author, the first word of the title (excluding ‘the’).

Examples

BIBLIOGRAPHY

A Articles/Books/Reports


Foster, Michelle, International Refugee Law and Socio-Economic Rights: Refuge from Deprivation (Cambridge University Press, 2007)


Hathaway, James C and Audrey Macklin, ‘Should We Presume State Protection?’ (2016) 32(3) Refuge 49


Ramsay, Ian and Cameron Sim, ‘The Role and Use of Debt Agreements in Australian Personal Insolvency Law’ (2011) 19(3) Insolvency Law Journal 168


### B Cases

*Lane v Morrison* (2009) 239 CLR 230

*Maritime Dispute (Peru v Chile) (Judgment)* [2014] ICJ Rep 4

### C Legislation

*Access to Medicinal Cannabis Act 2016 (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

The name of the author/s is considered to be the same only if it appears verbatim in the two sources. Thus, for example, where one work omits an author’s middle initial, and another does not, the two works should not be treated as having the same author for the purposes of the bibliography (although they may be the same author).
This page has been intentionally left blank.
2 Cases

<table>
<thead>
<tr>
<th>Examples</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></td>
<td>R v Tang</td>
<td>(2008)</td>
<td>237</td>
<td>CLR 1</td>
<td>1</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>Bakker v Stewart</td>
<td>[1980]</td>
<td>VR</td>
<td>17</td>
<td>22</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Element</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>Rule</td>
<td>2.1</td>
<td>2.2.1</td>
<td>2.2.2</td>
<td>2.2.4</td>
<td>2.2.5</td>
<td></td>
</tr>
</tbody>
</table>

2.1 Case Names

2.1.1 Parties’ Names — General Rule

A citation to an Australian case should generally include the parties’ names (as they appear on the first page of the decision) in italics except:

- punctuation should adhere to rule 1.6.1 (ie full stops should not be used in abbreviations);
- capitalisation should adhere to rule 1.7;
- where the parties are individuals, only the surname should be cited (ie given names and initials should be omitted);
- only the first plaintiff and first defendant should be cited (ie ‘& 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.

The parties’ names should be separated as they appear in the decision, which will generally mean that they are separated by ‘v’ (see rule 2.1.11).

Examples

2. Hot Holdings Pty Ltd v Creasy (1996) 185 CLR 149. [Not: Hot Holdings Pty Ltd v Creasy and Ors …]
3. 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 (‘GmbH’, ‘AG’, ‘ple’, ‘SA’, ‘Sarl’, etc) or a special status under incorporation legislation (eg rec and mgr apptd) should be abbreviated according to convention. Any full stops after a corporate status should be omitted in accordance with rule 1.6.1.

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

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

A company’s ACN should generally be omitted, unless there is no other name. The ACN should appear without commas (see rule 1.10.1).

Examples

5 Australian Competition and Consumer Commission v TPG Internet Pty Ltd (2013) 250 CLR 640.
8 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 (e.g. ‘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 in full.

**Examples**

11. *R v Reid* [2007] 1 Qd R 64.


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

**Rule**

Where a government 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**


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

Rule

Where a Minister of the Crown or a 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 decision, only the title should be included (and the name omitted). However, where only their name is included in the decision, 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, undersecretary 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


20 Hicks v Ruddock (2007) 156 FCR 574.
### 2.1.7 Attorneys-General and Directors of Public Prosecutions

**Rule**

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

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

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 footnote citation.

**Examples**

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

---


### 2.1.8 Re

**Rule**

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

**Examples**


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

**Notes**

‘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

<table>
<thead>
<tr>
<th>Rule</th>
<th>‘Ex parte’ should not be abbreviated and ‘Ex’ should be capitalised. ‘parte’ should not be capitalised (see rule 1.7).</th>
</tr>
</thead>
</table>
28  *J Boag & Son Brewing Ltd v Cascade Brewery Co Pty Ltd; Ex parte Banks Paton Australia Pty Ltd* (1997) 7 Tas R 119.  
29  *R v Kirby; Ex parte Boilermakers’ Society of Australia* (1956) 94 CLR 254. |
| Note | ‘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 ‘ex rel’.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>30  <em>A-G (Vic) ex rel Dale v Commonwealth</em> (1945) 71 CLR 237. [Not: <em>A-G (Vic) (at the relation of Dale and Others) …</em>]</td>
</tr>
<tr>
<td>Note</td>
<td>The abbreviation ‘ex rel’ stands for ‘ex relatione’, which means ‘upon the relation or information of’.</td>
</tr>
</tbody>
</table>
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 is termed ‘the relator action’.

In pre-20th-century law reports, ‘ex rel’ ordinarily denoted that the reporter did not personally witness the proceedings but obtained an account second-hand.

### 2.1.11 v

<table>
<thead>
<tr>
<th>Rule</th>
<th>A ‘v’ should generally separate the parties’ names. In family law cases, ‘v’ should replace ‘&amp;’ to separate the parties. ‘v’ should not be followed by a full stop and should be italicised.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>Note</td>
<td>In speech, the ‘v’ 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 (proprietary cases brought against the ship itself in which the ship is named as the respondent), only the name of the vessel in question should appear as the case name.  
For admiralty cases in personam (actions between private parties that relate to a ship), the parties’ names (separated by ‘v’) should appear as the case name. The name of the vessel at issue may appear in parentheses as a short title after the year and report details.  
‘The’ should be included in names of vessels. |
|------|--------------------------------------------------------------------------------------------------|
34  *Great Peace Shipping Ltd v Tsavliris Salvage (International) Ltd* [2003] QB 679 (*The Great Peace*) |
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
The litigation commenced by Mrs Cubillo went through many stages.\footnote{Cubillo v Commonwealth (1999) 89 FCR 528 (‘Cubillo Strike-Out
Application’); Cubillo v Commonwealth [No 2] (2000) 103 FCR 1
(‘Cubillo Trial’); Cubillo v Commonwealth (2001) 112 FCR 455 (‘Cubillo
Appeal’).}

\footnote{Bahr v Nicolay [No 2] (1988) 164 CLR 604.}

\footnote{Wentworth v Rogers [No 5] (1986) 6 NSWLR 534.}

\footnote{Kuwait Airlines Corporation v Iraqi Airways Co [Nos 4 and 5] [2002] 2
AC 883.}

2.1.14 Shortened and Popular Case Names and Subsequent
References

Rule
Where a case is commonly referred to by a popular name or is referred
to more than once, the popular name — or a shortened version of the
case name — may be included as a short title and used for subsequent
references to the case (in accordance with rule 1.4.1). ‘Ibid’ should be
used for all materials in this chapter in accordance with rule 1.4.3.

The short title should adhere to rule 1.4.4 (ie should be italicised and
placed within single inverted commas and parentheses following the
initial citation). In footnotes, it should appear after any pinpoints or
parenthetical clauses.

The case name should generally be provided in full when the case is
first referred to in the text (in accordance with rule 1.4.4). The first
citation of a source in a footnote should also always be given in full.
If a short title was previously only provided in the footnotes, the short title should also be provided in the text when it is first used in the text (in accordance with rule 1.4.4).

For cases, the short title should generally be:

- the popular case name (eg 'Tasmanian Dam Case');
- the first-named party (excluding indicators of corporate status if appropriate, see rule 2.1.1);
- the second-named party when the first-named party is the Crown; or
- the name of the ship in an admiralty case.

**Examples**

Several Justices on the Court have shown an extreme aversion to '[t]op-down reasoning'.  

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.

…

The external affairs power has been interpreted widely in *Commonwealth v Tasmania* ('Tasmanian Dam Case').

---


…

42 See *Roxborough* (n 40) 544–5 (Gummow J), 579 (Kirby J). Gummow J relied upon the comments of McHugh J in *McGinty* (n 40) 232.

…

44 (1983) 158 CLR 1 ('Tasmanian Dam Case'). See also *Victoria v Commonwealth* (1996) 187 CLR 416 ('Industrial Relations Act Case').

…

46 *Tasmanian Dam Case* (n 44) 109 (Gibbs CJ).

**Note**

For further examples, see rule 1.4.4.
2.1.15 Omitting the Case Name

**Rule**
The case name should be omitted in a footnote citation if the case name appears in full in the sentence accompanying the footnote.

If the footnote is a subsequent reference (see rule 1.4.1), then the case name should always appear in the footnote (this may be the short title of the case).

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

... The external affairs power was discussed in *Commonwealth v Tasmania* (‘Tasmanian Dam Case’).

... The focus for Deane J in *Tasmanian Dam Case* was ‘reasonable proportionality’.

... In *Al-Kateb v Godwin* (‘Al-Kateb’), several High Court Justices discussed the role of international law in Australian constitutional interpretation.

... The importance of this was highlighted by Kirby J in *Al-Kateb*.

---


... 49 (1983) 158 CLR 1 (‘Tasmanian Dam Case’).

... 51 *Tasmanian Dam Case* (n 49) 260.

... 53 (2004) 219 CLR 562 (‘Al-Kateb’).

... 55 *Al-Kateb* (n 53) 622 [167]–[168].
2.2 Reported Decisions

2.2.1 Year and Volume

Rule
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.

Examples
59  *Rowe v McCartney* [1976] 2 NSWLR 72.

Notes
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 volume of a law report series organised by year contains decisions that were handed down before the year of that 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 the decision may be explained discursively if it is considered important or useful.
## 2.2.2 Law Report Series

**Rule**

The authorised version of the report should always be used where available.

The version of a case to be cited should follow the preference order below (from top to bottom):

<table>
<thead>
<tr>
<th>Version</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authorised report</td>
<td>CLR, FCR, VR, NSWLR</td>
</tr>
<tr>
<td>Generalist unauthorised report</td>
<td>ALR, ALJR, FLR, ACTR</td>
</tr>
<tr>
<td>Subject-specific unauthorised report</td>
<td>A Crim R, ACSR, IR, IPR</td>
</tr>
<tr>
<td>Unreported (medium neutral citation)</td>
<td>HCA, FCA, NSWSC, VSC</td>
</tr>
<tr>
<td>Unreported (no medium neutral citation)</td>
<td>See rule 2.3.2.</td>
</tr>
</tbody>
</table>

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 2.3).

**Examples**

60 *Vo v The Queen* (2013) 33 NTLR 65. [*Not: ...* [2013] NTCCA 4.]


[Note: The relevant pinpoints are not contained in the reported version.]

**Note**

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.
2.2.3 Abbreviations for Report Series

The name of the report series should be abbreviated in accordance with the abbreviations contained in appendix A of 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>St R Qd</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, A Crim R.

Parallel citations should not be used (see rule 2.2.7).

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

Example

Arnold v Regent Press Pty Ltd [1957] QSR 211.
2.2.4 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**

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

2.2.5 Pinpoint References

**Rule**
For reported decisions, pinpoint references should adhere to rules 1.1.6–1.1.7 and be preceded by a comma and a space. In accordance with rule 1.1.6, multiple 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 1.10.1. Where the pinpoint reference is to the first page of the report, the page number should still be included (eg ‘24 CLR 21, 21’).

Where a report has both page numbers and paragraph numbers, page numbers should always be included in a pinpoint reference. In accordance with rules 1.1.6–1.1.7, 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 the same page(s) and paragraph(s) are referred to in the ‘ibid’ citation (see rule 1.4.3).
The Court stated that at trial ‘the appellants had not proved that they had suffered any loss or damage’. 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’. This was so even though the appellants may have received value for their payments. Yet the case had been dismissed at first instance.

---

69 Murphy v Overton Investments Pty Ltd (2004) 216 CLR 388, 402 [29].
70 Ibid 404 [32].
71 Ibid. [Not: Ibid 404 [32].]
72 Ibid 404 [33].
73 Re Mackenzie Grant & Co (1899) 1 WALR 116, 116.
74 De L v Director-General, Department of Community Services (NSW) [No 2] (1997) 190 CLR 207, 211, 221–2.
76 Total Ice Pty Ltd v Maroochy Shire Council [2009] 1 Qd R 82, 89–92 [18]–[19], 93 [24] (Fraser JA).

### 2.2.6 Identifying the Court

**Rule**

Generally, the name of the court should not be included in a citation to 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 body of the text), the name of the court may be included in parentheses, following any pinpoint references and parenthetical clauses (but should appear before a short title).

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

**Examples**

77 Aldrick v EM Investments (Qld) Pty Ltd [2000] 2 Qd R 346 (Court of Appeal). [Not: … Qd R 346 (Queensland Court of Appeal).]
78 Chief Executive Officer of Customs v Labrador Liquor Wholesale Pty Ltd (2001) 188 ALR 493, 498 (emphasis added) (Queensland Court of Appeal).
79 A-G (Cth) v The Queen (1957) 95 CLR 529, 533 (Viscount Simonds for the Court) (Privy Council) (‘Boilermakers’ Case (Privy Council)’).
### 2.2.7 Parallel Citations

<table>
<thead>
<tr>
<th>Rule</th>
<th>Parallel citations should not be used in citations to Australian cases. In accordance with rule 2.2.2, the most authoritative available version of a case should be cited.</th>
</tr>
</thead>
</table>

**Note**: Parallel citations are used in citations to the United Kingdom Nominate Reports (see rule 24.1.3) and early Supreme Court of the United States decisions (see rule 25.1.3).

### 2.3 Unreported Decisions

#### 2.3.1 Decisions with a Medium Neutral Citation

<table>
<thead>
<tr>
<th>Example</th>
<th><em>Quarmby v Keating</em></th>
</tr>
</thead>
<tbody>
<tr>
<td>Year</td>
<td>[2009]</td>
</tr>
<tr>
<td>Unique Court Identifier</td>
<td>TASCC</td>
</tr>
<tr>
<td>Judgment Number</td>
<td>80</td>
</tr>
<tr>
<td>Pinpoint</td>
<td>[11]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Element</th>
<th>Case Name</th>
<th>Year</th>
<th>Unique Court Identifier</th>
<th>Judgment Number</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>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 <em>by the court itself</em> (see the table on the following page). Where this is not the case, unreported judgments should be cited in accordance with rule 2.3.2. Case names should adhere to rule 2.1. Pinpoint references should appear as paragraph numbers and should adhere to rules 1.1.6–1.1.7. The following page contains a list of the current preferred unique court identifiers for Australian Supreme and superior Commonwealth courts, and the years for which the courts allocated judgment numbers themselves.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court</td>
<td>Unique Court Identifier</td>
<td>Years</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------</td>
<td>-------------------------</td>
<td>---------------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Court of Australia</td>
<td>HCA</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>High Court of Australia — Special Leave Dispositions</td>
<td>HCASL</td>
<td>2008–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Court of Australia</td>
<td>FCA</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal Court of Australia — Full Court</td>
<td>FCA</td>
<td>1999–2001</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Court of Australia</td>
<td>FamCA</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Family Court of Australia — Full Court</td>
<td>FamCAFC</td>
<td>1998–2007</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of the Australian Capital Territory (including Full Court)</td>
<td>ACTSC</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australian Capital Territory Court of Appeal</td>
<td>ACTCA</td>
<td>2002–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of New South Wales</td>
<td>NSWSC</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New South Wales Court of Appeal</td>
<td>NSWCA</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New South Wales Court of Criminal Appeal</td>
<td>NSWCCA</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of the Northern Territory (including Full Court)</td>
<td>NTSC</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Territory Court of Appeal</td>
<td>NTCA</td>
<td>2000–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Northern Territory Court of Criminal Appeal</td>
<td>NTCCA</td>
<td>2000–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Queensland</td>
<td>QCA</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of South Australia (including Full Court until end of 2009)</td>
<td>SASC</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of South Australia — Full Court</td>
<td>SASCFC</td>
<td>2010–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Tasmania (including Full Court until end of 2009)</td>
<td>TASSC</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tasmanian Court of Criminal Appeal</td>
<td>TASCCA</td>
<td>2010–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Tasmania — Full Court</td>
<td>TASFC</td>
<td>2010–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Victoria</td>
<td>VSC</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Victorian Court of Appeal</td>
<td>VSCA</td>
<td>1998–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Supreme Court of Western Australia</td>
<td>WASC</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Western Australian Court of Appeal (including Full Court until end 2004)</td>
<td>WASCA</td>
<td>1999–</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A more extensive list of current, commonly used Australian unique court identifiers is set out in appendix B.
Examples

82 Re Culleton [No 2] [2017] HCA 4, [57] (Nettle J).

Note

In accordance with rule 2.2.2, 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 on the preceding page.

2.3.2 Decisions without a Medium Neutral Citation

Example  Barton v Chibber (Supreme Court of Victoria, Hampel J, 29 June 1989) 3

Element

<table>
<thead>
<tr>
<th>Case Name</th>
<th>Court</th>
<th>Judge(s)</th>
<th>Full Date</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

Rule

Unreported decisions without a medium neutral citation allocated by the court should be cited as shown above.

Case names should adhere to rule 2.1. The names of judicial officers should adhere to rule 2.4.1.

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 1.1.6–1.1.7). There should be no punctuation between the closing parenthesis of the full date and any pinpoint.

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

Note

In accordance with rule 2.2.2, 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. Even when citing an unreported case from such a volume, there is no need to refer to the volume or to include a starting page.

### 2.3.3 Proceedings

**Rule**

A proceeding, which may not have any judgments or any orders issued at the time of citation, may be cited as follow:

\[
\text{Case Name} \quad \text{(Court, Proceeding Number, commenced Full Date).}
\]

This rule may also be used for cases that have been discontinued before a judgment or an order has been issued. The case name should be cited in accordance with rule 2.1.

The proceeding number is the number assigned by the court to the matter and should appear without spaces.

**Examples**

85 Australian Competition and Consumer Commission v Olex Australia Pty Ltd (Federal Court of Australia, VID725/2014, commenced 3 December 2014).

86 Automotive Food Metals Engineering Printing and Kindred Industries Union v Beynon (Federal Court of Australia, VID466/2010, commenced 15 June 2010).

87 Deputy Commissioner of Taxation v ACN 169418697 Pty Ltd (Federal Court of Australia, VID41/2018, commenced 19 January 2018).

### 2.3.4 Court Orders

**Rule**

An order of the court that is not contained within a judgment may be cited as follows:

\[
\text{Order of Judicial Officer(s) in Case Name (Court, Proceeding Number, Full Date of Court Order).}
\]

The case name should be cited in accordance with rule 2.1.

A proceeding number should only be included if it appears on the court order.
The names of all of the judicial officers issuing the order should be included in accordance with rule 2.4.1.

Where the order is contained within a judgment, the judgment should be cited in preference to the court order.

Examples


89 Order of Murphy J in *Duffy v Darmanin* (Federal Court of Australia, VID1218/2017, 10 November 2017).


2.4 Identifying Judicial Officers and Counsel

2.4.1 Identifying Judicial Officers

When using pinpoints, the judicial officer(s) whose judgment is being cited should generally be identified in parentheses after a pinpoint reference. This is not necessary where their identity is otherwise apparent. ‘Per’ should not be used.

Honorifics (such as ‘the Hon’) should not be included when citing a judicial officer writing curially. Where a judicial officer’s first name or initials appear on a case and are necessary to unambiguously identify the judge, they should be included.

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

The abbreviations on the following page 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.

For abbreviations of judicial offices in the United Kingdom see rule 24.1.6.

For identifying judicial officers writing extra-curially, see rule 4.1.5.
### Judicial Office

<table>
<thead>
<tr>
<th>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

Part II — Domestic Sources


95 R v Hoxha (Victorian Court of Appeal, Charles, Callaway JJA and Vincent AJA, 1 November 1995).

Note

A judicial officer may not need to be identified if, for example:

• they are identified within the text; or

• the pinpoint is an ibid citation below a full reference to the same judicial officer; or

• they are a single trial judge in an unreported case (since their name will be apparent from the citation).

However, the name of the judicial officer should be included where there is more than one judgment located at the pinpoint.

2.4.2 Agreement or Dissent

Rule

Where a judicial officer indicates that they are in agreement with another judgment (either partially or entirely), their agreement may be indicated within the parentheses identifying the original judicial officer with whom they are agreeing with.

A pinpoint may also be included in the parentheses (using ‘at’ to pinpoint to their agreement) if it is delivered as a separate judgment. Where there are multiple judgments in agreement, each judicial officer should be identified separately (see rule 2.4.5) followed by the pinpoint.

Where it is important to do so, a dissent may also be indicated in the same manner.

Examples

96 Guinea Airways Ltd v Federal Commissioner of Taxation (1950) 83 CLR 584, 592–2 (Kitto J, Webb J agreeing at 591).


2.4.3 Joint and Separate Judgments

**Rule**

Where a judicial officer delivers a judgment ‘of the Court’, this should be indicated with ‘for the Court’ after the judicial officer’s name.

Where a judicial officer delivers a judgment ‘for’ other judicial officer(s) (including themselves), this should be indicated with ‘for’, followed by the names of the judicial officers on whose behalf the judgment is being delivered.

The name of the judicial officer who delivers the judgment should be included in the list of judges’ names after ‘for’.

This rule should not be used where the other judicial officer(s) issue separate concurring judgments (see rule 2.4.2).

**Examples**

100 *Ewart v Fox* [1954] VLR 699, 705 (Hudson AJ for the Court).

101 *Taylor v McQueen* [1954] VLR 661, 666 (Hudson J for Gavan Duffy and Hudson JJ).

2.4.4 Statements Made during Argument

**Rule**

When citing a statement made during argument, the words ‘during argument’ should be included in separate parentheses after the judicial officer’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, such as Queen’s Counsel (‘QC’), King’s Counsel (‘KC’) or Senior Counsel (‘SC’) should be included.

**Examples**

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

### 2.4.5 References to Two or More Judicial Officers

#### Rule
When referring to two or more judicial officers, the plural form of the abbreviation/title in table in rule 2.4.1 should be used. For example, when referring to two for more justices in text, ‘JJ’ should appear after the final justice’s name where each of the justices referred to shared a joint judgment.

Where there is no plural form, the singular form of the abbreviation/title in the table in rule 2.4.1 should be used for each judicial officer listed.

When two or more judicial officers did not share a joint judgment, the singular form of the abbreviation/title in the table in rule 2.4.1 should be used. For example, when two or more justices who did not share a joint judgment are referred to in the text, ‘J’ should appear after each justice’s name, even where those justices are otherwise in agreement.

#### Examples
The plurality, consisting of Gummow, Hayne and Kiefel JJ, was in little doubt that the standard of care extended to employers.\(^\text{104}\) [Not: … consisting of Gummow J, Hayne J and Kiefel J, was in …]

... Heydon J, Kirby J and Crennan J were of the same view in each of their judgments.\(^\text{106}\) [Not: Heydon, Kirby and Crennan JJ were of …]

### 2.5 Case History

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

2.6 Quasi-Judicial Decisions

2.6.1 Administrative Decisions

<table>
<thead>
<tr>
<th>Rule</th>
<th>Administrative decisions and determinations (including those of tribunals) should generally be cited in the same way as reported and unreported cases, except:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• often ‘and’ is used to separate party names, rather than ‘v’ — this should appear as it does in the decision itself;</td>
</tr>
<tr>
<td></td>
<td>• the title of the decision may be a number or code, rather than party names;</td>
</tr>
<tr>
<td></td>
<td>• tribunal members may be referred to by a title other than ‘Mr’ or ‘Ms’ (such as ‘Dr’, ‘Prof’, etc);</td>
</tr>
<tr>
<td></td>
<td>• the titles ‘Member’, ‘Deputy Member’ and ‘Senior Member’ (in addition to those in rule 2.4.1, 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</td>
</tr>
<tr>
<td></td>
<td>• the initials or first names of tribunal members should be omitted, unless they are necessary to avoid ambiguity and should be cited in accordance with rule 4.1.1.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
<th>Dr Gerber stated:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>[W]hen dealing with rugby footballers, it seems to me to be a fruitless exercise to parse and analyse their every utterance … the spoken word — like the game itself — is rough at the best of times …109</td>
</tr>
</tbody>
</table>

109 AAT Case 7422 (1991) 22 ATR 3450, 3456 [28].
110 Re Pochi and Minister for Immigration and Ethnic Affairs (1979) 26 ALR 247.
111 Application by AAPT Ltd [No 2] [2009] ACompT  6, [6.1]–[6.5] (Finkelstein J, Member Davey and Prof Round).
### 2.6.2 Arbitration

<table>
<thead>
<tr>
<th>Rule</th>
<th>Arbitral decisions should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Case Name</strong> (Award Description, Forum, Case/Award No #, Full Date) Pinpoint.</td>
</tr>
</tbody>
</table>

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 1.1.6–1.1.7).

Where an arbitral decision is reproduced in a report series, book or periodical, a citation to 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.

<table>
<thead>
<tr>
<th>Examples</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>115</td>
<td>Final Award, Netherlands Arbitration Institute, Case No 1930, 12 October 1999 reported in (2001) 26 Yearbook — Commercial Arbitration 181, 184 [5–6].</td>
</tr>
</tbody>
</table>
2.7 Transcripts of Proceedings

2.7.1 General Rule

Transcripts of proceedings should be cited as follows:

Transcript of Proceedings,  \textit{Case Name} \textit{[Court]}
Proceeding Number \textit{[Judicial Officer(s)]}
Full Date of Proceedings \textit{[Pinpoint]}

A proceeding number should be included only if it appears on the transcript. The names of all judicial officers 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 2.4) but ‘(during argument)’ should not be included.

\begin{itemize}
\item \textbf{Examples} 116 Transcript of Proceedings, \textit{North East Solution Pty Ltd v Masters Home Improvement Australia Pty Ltd} (Supreme Court of Victoria, Croft J, 18 May 2015) 31 (PJ Bick QC).
\item 117 Transcript of Proceedings, \textit{Celano v Swan} (County Court of Victoria, 09/0867, Judge Lacava, 27 August 2009) 11 (SM Petrovich).
\end{itemize}

2.7.2 High Court of Australia from July 2003

Transcripts of proceedings in the High Court of Australia with ‘HCATrans’ number appearing on the transcript itself should be cited as follows:

Transcript of Proceedings,  \textit{Case Name} \textit{[Year]}
HCATrans \textit{Number} \textit{[Pinpoint]}

Pinpoint references should be to line numbers. If a pinpoint is included, a speaker’s name may be included after it (in accordance with rule 2.4) but ‘(during argument)’ should not be included.

Transcripts of other High Court proceedings should be cited according to rule 2.7.1.
Examples

118 Transcript of Proceedings, Ruhani v Director of Police [2005] HCATrans 205.


Note

High Court transcripts contain ‘HCATrans’ numbers from July 2003.

2.8 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 of Submission, Pinpoint.

The party name, when it is an individual, should appear in full in accordance with rule 4.1.

A title of a 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 1.1.6–1.1.7).

Example

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>3.1.4–3.1.7</td>
</tr>
</tbody>
</table>

3.1.1 Title

A citation to 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 (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 given by Parliament (eg ‘(No 1)’ and ‘(No 2)’), the number should be included and appear in parentheses.

Examples

5. A New Tax System (Family Assistance) (Consequential Related Measures) Act (No 1) 1999 (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 official short title.

Example


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

For statutes of the Australian Capital Territory and the Northern Territory, the relevant year is that in which the original ordinance (which may subsequently have become an Act) was enacted.

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

7 Misrepresentation Act 1972 (SA).

3.1.4 Pinpoint References

Rule

Pinpoint references to an Act usually comprise an abbreviation of a designation (see table below) 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-clss</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 word ‘item’ may be used to refer to an item in a table or schedule, or to a numbered paragraph in an amending Act. It should not be abbreviated.

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

In references to a section and a subsection (or 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 (eg ‘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 (eg ‘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 (eg ‘s 2.3.5’, not ‘ch 2.3.5’).

### Examples

<table>
<thead>
<tr>
<th>Section</th>
<th>Number</th>
<th>Note</th>
<th>Subsection</th>
</tr>
</thead>
<tbody>
<tr>
<td>s 2</td>
<td>s 108AB</td>
<td></td>
<td>sub-s (3)</td>
</tr>
<tr>
<td>pt V</td>
<td>s 5(1)</td>
<td>[Not: s5(1)]</td>
<td>s 2(3) [Not: s 2 (3)]</td>
</tr>
<tr>
<td>ch III</td>
<td>s 14(1)(a)</td>
<td></td>
<td>s 28(1)(a)(i)</td>
</tr>
<tr>
<td>pt 7 div 3 sub-div 8</td>
<td>s 13 [Not: pt 2 s 13]</td>
<td></td>
<td>cl 14(3)(a)</td>
</tr>
</tbody>
</table>

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) …]

---

11 *Aboriginal and Torres Strait Islander Act 2005* (Cth) pt 3A div 2.
12 *Civil Liability Act 2003* (Qld) ch 2 pt 1 div 4.
13 *Crimes at Sea Act 1999* (Vic) sch 1 cl 2.
14 *Aboriginal Land Rights (Northern Territory) Amendment Act 2006* (Cth) sch 1 item 46.
16 *Gambling Regulation Act 2003* (Vic) s 3.2.1.
17 *Succession Act 2006* (NSW) pt 2.3.

### Note

The most specific pinpoint that is appropriate should be included. Thus ‘pt 3 div 7’ is appropriate when 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 taxation statutes contain sections in the form of a division number immediately followed by a hyphen and a section number (eg ‘s 26-52(6)(c)’). A hyphen (not an en-dash) should be used in such pinpoints.
In some court rules (eg the Supreme Court (General Civil Procedure) Rules 2005 (Vic) and the High Court Rules 2004 (Cth)) the numbering of the rules is continuous and includes the order number. In such cases, only a (decimal) rule number need be given as a pinpoint (eg ‘r 8.01’). Order numbers are not needed except when referring to an order in its entirety (eg ‘ord 8’).

In other rules (eg the Federal Court Rules 1979 (Cth)) both the order and the specific rule within the order (if the latter is cited) must be included (eg ‘ord 9 r 4’). In lists of these orders and rules, it may be necessary to repeat the relevant abbreviations to unambiguously identify the pinpoints cited.

### 3.1.5 Multiple Pinpoint References

<table>
<thead>
<tr>
<th>Rule</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>The plural abbreviation of the highest ‘level’ of sections, subsections, etc, cited should precede multiple pinpoints (see rule 3.1.4).</td>
<td>divs 2–3</td>
</tr>
<tr>
<td>Consecutive pinpoints should appear separated by an en-dash (–) (eg ‘sub-ss (2)–(3)’) in accordance with rule 1.1.7.</td>
<td>sub-ss (2)–(7)</td>
</tr>
<tr>
<td>Non-consecutive pinpoints should be separated by commas (eg ‘paras (3), (5)’). The word ‘and’ should not be used to separate the final two pinpoints in accordance with rule 1.1.6.</td>
<td>cls (1)–(3)</td>
</tr>
<tr>
<td>Spans of section numbers should generally adhere to rule 1.10.1.</td>
<td>ss 6(7)(b)–(d)</td>
</tr>
<tr>
<td>In spans of consecutive and non-consecutive pinpoints of alphanumeric sections, divisions, parts, etc, and where an Act uses a decimal numbering system, the whole section number should be written out in full (eg ‘ss 2A–2D’, not ‘ss 2A–D’ and ‘ss 3A, 3C’, not ‘ss 3A, C’).</td>
<td>cls 3(a)–(c)</td>
</tr>
<tr>
<td></td>
<td>ss 92(1), (4), (7)</td>
</tr>
<tr>
<td></td>
<td>ss 8(2), (5)(a)–(b)</td>
</tr>
<tr>
<td></td>
<td>ss 5, 7, 9, 28</td>
</tr>
</tbody>
</table>
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).18

19 Juries Act 2003 (Tas) ss 29(2)(a)–(b), (8)(b).
20 Gas Supply Act 2003 (Qld) ch 2 pt 1 div 3 sub-div 2, ch 3 pt 1.
23 See Gambling Regulation Act 2003 (Vic) s 3.2. Sections 3.2.1–3.2.2 allow the Commission to authorise gambling. [Not: … Sections 3.2.1–2 allow the …]

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 appropriate schedule (or other portion of an Act) containing the definition.

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

Examples

24 Property Law Act 1958 (Vic) s 3 (definition of ‘legal practitioner’).
25 Evidence Act 2008 (Vic) Dictionary pt 1 (definition of ‘civil proceeding’).
26 Corporations Act 2001 (Cth) s 9 (definition of ‘administrator’ para (a)(i)). [Not: … (Cth) s 9(a)(i).]
27 Human Rights Act 2004 (ACT) s 5. [Not: … s 5 (definition of ‘human rights’).]
Definitions are usually contained in a section or schedule of an Act, but are usually not individually numbered. This is because often when Acts are amended new terms are inserted in alphabetical order between existing terms.

3.1.7 Individual Parts of Legislative Materials

A short title may be given to a portion of an Act, piece of delegated legislation or Bill (in accordance with rule 1.4.4). The short title should be placed after the pinpoint to the relevant portion (see rule 3.5) and should be italicised.

In accordance with rule 1.4.4, only one short title should be introduced in a single citation.

Pinpoints following the short title in subsequent references 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 Trade Practices Act 1974 (Cth).

For short titles for legislative materials, see rule 3.5.

Examples

29 Criminal Code Act 1995 (Cth) sch 1 (‘Criminal Code’).
30 Competition and Consumer Act 2010 (Cth) sch 2 (‘Australian Consumer Law’).
31 Criminal Code (n 66) s 80.2(5).
32 Australian Consumer Law (n 67) s 3.

Note

To avoid ambiguity, short titles for portions of legislation should clearly refer to that portion of the legislation, rather than the legislation as a whole. For example, an appropriate short title for the Australian Consumer Law contained in sch 2 of the Competition and Consumer Act 2010 (Cth) would be ‘Australian Consumer Law’ or ‘ACL’, rather than ‘Competition and Consumer Act’ or ‘Consumer Act’, which could be confused with the Act as a whole.
3.2 Bills

**Rule**

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

As with Acts (see rule 3.1.1), where there are multiple Bills under the same name, the number of the Bill is to be indicated in parentheses (if it is included in the short title).

**Examples**

33 Corporations Amendment (Crowd-Sourced Funding) Bill 2015 (Cth).
34 Carbon Pollution Reduction Scheme Bill 2009 (Cth) cl 83.
35 Migration Amendment (Immigration Detention Reform) Bill 2009 (Cth) sch 1 item 9.
36 Law and Justice Amendment Bill (No 2) 1995 (Cth).

3.3 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 by 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 (eg where the order is important to meaning).

**Examples**

37 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 1990 (Tas) s 14(1); Fair Trading Act 1999 (Vic) s 9(1); Fair Trading Act 1987 (WA) s 10(1).
38 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).
3.4 Delegated Legislation

Delegated legislation (eg regulations, rules and orders) should be cited in the same manner as primary legislation (see rule 3.1).

The abbreviations in rule 3.1.4 as well as the following additional abbreviations should be used to refer to pinpoints of 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>ord</td>
<td>Orders</td>
<td>ords</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

39 Heritage Regulation 2006 (ACT) reg 5(1).
40 Uniform Civil Procedure Rules 2005 (NSW) r 6.2(1), (3A)(a)–(b).
41 Federal Court Rules 1979 (Cth) ords 3, 5–6, 7 r 4A.
42 Supreme Court (General Civil Procedure) Rules 2015 (Vic) r 3.01.
43 Migration Regulations 1994 (Cth) regs 2.01–2.02.
44 High Court Rules 2004 (Cth) r 42.02.2.

3.5 Short Title and Subsequent References

A shortened title for an Act, piece of delegated legislation or Bill may be provided and used in subsequent references in accordance with rule 1.4.1. ‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

The short title should adhere to rule 1.4.4 (ie should be italicised in accordance with the rules of this Guide and placed within single inverted commas and parentheses following the initial citation). In footnotes, it should appear after any pinpoints or parenthetical clauses.

The name of the legislative material should generally be provided in full when it is first referred to in the text (in accordance with rule 1.4.4).
The first citation of a legislative material in a footnote should also always be given in full. If a short title was previously only provided in the footnotes, the short title should also be provided in the text when it is first used in the text (in accordance with rule 1.4.4).

When citing legislative materials, the title (which may be the short title) should always be included in the footnote (even if the title appears in the sentence accompanying the footnote).

**Examples**

This is covered by the *Property Law Act 1958* (Vic) (‘Property Act’).\(^4\)

\(^4\) *Property Law Act 1958* (Vic) s 6 (‘Property Act’). *[Not: Property Act s 6]*

\(^4\) *Administrative Decisions (Judicial Review) Act 1977* (Cth) (‘ADJR Act’).

\(^4\) Ibid s 6; *Migration Act 1958* (Cth) ss 198, 198AB (‘Migration Act’).

\(^4\) *ADJR Act* (n 46) s 7. *[Not: ADJR Act s 7.]*

**Note**

To avoid ambiguity, short titles for portions of legislation (see rule 3.1.7) should clearly refer to that portion of the legislation, rather than the legislation as a whole. For example, an appropriate short title for the *Australian Consumer Law* contained in sch 2 of the *Competition and Consumer Act 2010* (Cth) would be ‘Australian Consumer Law’ or ‘ACL’, rather than ‘Competition and Consumer Act’ or ‘Consumer Act’, which could be confused with the Act as a whole. ‘Competition and Consumer Act’ or ‘Consumer Act’ would be appropriate short titles for the *Competition and Consumer Act 2010* (Cth).

### 3.6 Australian Constitutions

**Rule**

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

Vic, c 12, s 9.
Constitutions of the Australian states should be cited as normal statutes.

**Examples**

49  *Australian Constitution* s 51(ii).
50  *Australian Capital Territory (Self-Government) Act 1988* (Cth) s 22(1).
52  *Constitution Act 1902* (NSW) s 5.
53  *Constitution of Queensland 2001* (Qld) s 3.
54  *Constitution Act 1934* (SA) s 5.
55  *Constitution Act 1934* (Tas) s 9(1).
56  *Constitution Act 1975* (Vic) s 16.
57  *Constitution Act 1889* (WA) s 2(1).

### 3.7 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, [Bill Citation] [Pinpoint].

‘Explanatory Memorandum’ should be replaced with ‘Explanatory Statement’ or ‘Explanatory Note(s)’ where appropriate. The citation to the Bill should appear in accordance with rule 3.2. Pinpoints should be to pages or pages and paragraphs of the memorandum (in accordance with rules 1.1.6–1.1.7).

**Examples**

59  Explanatory Notes, Adoption Bill 2009 (Qld) 5–6, 29.
60  Explanatory Statement, Human Rights Bill 2003 (ACT) 3.

**Note**

Chapter 7 contains rules on citing other parliamentary documents. Second reading speeches are sections of parliamentary debates and should be cited in accordance with rule 7.5.1.
3.8 Legislative History: Enactments, Amendments, Repeals and Insertions

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

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

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

Examples


62 Copyright Act 1968 (Cth) s 40(3), later amended by Copyright Amendment Act 2006 (Cth) sch 6 item 11.

63 Crimes Act 1914 (Cth) s 24A(g), as repealed by Anti-Terrorism Act (No 2) 2005 (Cth) sch 7 item 2.

64 Anti-Terrorism Act (No 2) 2005 (Cth) sch 7 item 2, repealing Crimes Act 1914 (Cth) s 24A(g).

65 Crimes Act 1958 (Vic) s 3B, as inserted by Crimes (Homicide) Act 2005 (Vic) s 3. [Also: Crimes (Homicide) Act 2005 (Vic) s 3, inserting Crimes Act 1958 (Vic) s 3B.]

66 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).

67 Restrictive Trade Practices Act 1971 (Cth), as enacted.

68 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 Quasi-Legislative Materials

3.9.1 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

70 ‘Australian Capital Territory Teaching Service’ in Australian Capital Territory, Australian Capital Territory Gazette, No 1, 24 May 1989, 3.

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

Orders and rulings of government instrumentalities and officers that are not appropriate to cite as delegated legislation (see rule 3.4) and are not published in a gazette (see rule 3.9.1) should be cited as follows:

```
Instrumentality/Officer, Instrument Title (Document Number, Full Date) Pinpoint.
```

Only the 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 (using the abbreviations in rule 3.1.3).
Part II — Domestic Sources

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).

The full date should be the date from which the instrument takes effect.

Examples

72 Australian Taxation Office, Income Tax: Carrying on a Business as a Professional Artist (TR 2005/1, 12 January 2005).
73 Australian Securities and Investments Commission, ASIC Class Order — Credit Rating Agencies (CO 05/1230, 31 December 2005) [4].
74 Minister for Immigration and Border Protection (Cth), Direction No 65: Visa Refusal and Cancellation under s501 and Revocation of a Mandatory Cancellation of a Visa under s501CA (22 December 2014).

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

Rules

Delegated legislation issued by non-government entities should be cited in the same way as orders and rulings of government instrumentalities and officers as far as possible (see rule 3.9.2).

Terms designating the issuing body as a company (eg ‘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 of effect 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

75 ASX, Listing Rules (at 19 December 2016).
77 Victorian Bar, Compulsory Continuing Professional Development Rules (at 1 April 2011) rr 4–5. [Not: The Victorian Bar Inc, …]

Note

If a source has provisions with different effective dates, the effective date of the provision cited should be used.
### 3.9.4 Court Practice Directions and Practice Notes

**Rule**

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

<table>
<thead>
<tr>
<th>Court</th>
<th>Practice Direction/Note Number/Identifier</th>
<th>Title of Practice Direction/Note</th>
<th>Citation to Report Series</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

The citation to the report series should adhere to rule 2.2.2. A starting page should be included, and pinpoint references should be to pages or pages and paragraphs (in accordance with rules 1.1.6–1.1.7).

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

<table>
<thead>
<tr>
<th>Court</th>
<th>Practice Direction/Note Number/Identifier</th>
<th>Title of Practice Direction/Note</th>
<th>Full Date</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

Where the identifier is clearly specified as a number, ‘No’ should be included before the number, separated by a space.

**Examples**


80 High Court of Australia, *Practice Direction No 2 of 2010: Use of Initials or Pseudonyms in Applications*, 2 November 2010.


**Note**

Practice directions and practice notes are often reproduced in the issuing court’s authorised report series and should be cited from there if possible.
This page has been intentionally left blank.
4 General Rules for Citing Secondary Sources

4.1 Author

4.1.1 General Rule

In citations of secondary sources, authors' and editors' names should appear exactly as they do on the title page of the source. This is subject to the following exceptions:

- initials in names should not be separated by spaces and should not be followed by full stops;
- post-nominals (such as ‘AM’ and ‘LLB’) should not be included; and
- in general, honorific titles (such as ‘the Hon’ and ‘Dr’) should not be included. However, ‘Sir’ and ‘Dame’ and peerage titles (such as ‘Lord’ and ‘Viscount’) should be included where they appear on the source.

Secondary sources authored by (current and former) judicial officers should appear in accordance with rule 4.1.5.

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 Katy Barnett</td>
<td>Katy Barnett</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>HLA Hart</td>
<td>HLA Hart</td>
</tr>
<tr>
<td>Chief Justice Susan Kiefel</td>
<td>Chief Justice Susan Kiefel</td>
</tr>
</tbody>
</table>
Note

Honorific titles or titles indicating qualification, such as ‘the Hon’, ‘Dr’ or ‘Professor’ and conventional titles such as ‘Ms’ or ‘Mr’, may be included in discursive text (in both the body and the footnotes) before a person’s name.

4.1.2 Multiple Authors

Rule

If 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.

If there are more than three authors, the name of the author appearing first on the source should be included, followed by ‘et al’.

This rule should also be followed when using subsequent references (see rule 1.4.1).

Examples


...  

5 Edelman and Bant (n 2) 260. See Rishworth et al (n 3).

4.1.3 Editors

Rule

For books with an editor (and no author) the name of the editor should appear in the same manner as an author’s name. It should be followed by ‘(ed)’ for one editor or ‘(eds)’ for multiple editors and should also appear as such in subsequent references (see rule 1.4.1).

Examples


8 Birks (ed) (n 6).
4.1.4 Publications Authored by a Body

If a publication is authored by a body (e.g., 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.

If the author is a subdivision of a body or a prominently identified individual writing on behalf of a body, 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, in which case the minimum number of subdivisions necessary for clarity should be included).

If an author is not prominently credited on the title or publication details pages of the source, no author should be included.

If the publication is authored on behalf of the Commonwealth of Australia, this should be rendered as ‘Commonwealth’.

If the body is a company, terms designating the corporate status of the company (e.g., ‘Pty’, ‘Ltd’, ‘Co’, ‘Inc’.) should be omitted from its name, as should ‘the’ at the start of the name.

Where a body has a bilingual or multilingual title, only the English-language title should be included.

Examples

9 Family Court of Australia, ‘Response of the Family Court of Australia to the Attorney-General’s Department Paper on Primary Dispute Resolution Services in Family Law’ (1997).

10 Information Management Committee, Department of Justice and Attorney-General (Qld), ‘Terms of Reference’ (4 March 2015).


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


4.1.5 Judicial Officers

**Rule**

Judicial officers 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 judicial officer’s name (in accordance with rules 2.4.1, 10.2.8, 24.1.6 and 25.1.8).

References to two or more judicial officers in text, writing curially, should adhere to rule 2.4.5.

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

When citing a former judicial officer writing extra-curially (no longer sitting at the time the source was written), 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 4.1.1).

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.
<table>
<thead>
<tr>
<th>Context</th>
<th>Example(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Citing a judicial officer writing curially (in text):</td>
<td>As Dixon J noted in <em>Essendon Corporation v Criterion Theatres Ltd</em>, 15 …</td>
</tr>
<tr>
<td>Citing a judicial officer writing curially (in a citation):</td>
<td>16 <em>Essendon Corporation v Criterion Theatres Ltd</em> (1947) 74 CLR 1, 18 (Dixon J).</td>
</tr>
<tr>
<td>Citing a judicial officer 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.’ 17 … Justice Virginia Bell … Lord Hoffmann …</td>
</tr>
<tr>
<td>Citing a former judicial officer (in text):</td>
<td>As pointed out by the Hon Mary Gaudron in a recent speech, …</td>
</tr>
<tr>
<td>Including the territorial designation of a peer</td>
<td>This was a different approach from that of Lord Nicholls, 21 [Not: … Lord Nicholls of Birkenhead] … Lord Keith of Avonholm had a very different view of negligence from that held by Lord Keith of Kinkel. 22</td>
</tr>
</tbody>
</table>
### Rule

Titles of secondary sources should appear as they do in the original source, subject to the following exceptions:

- punctuation should adhere to rule 1.6;
- capitalisation should adhere to rule 1.7;
- a colon should separate the title from any subtitle, regardless of what form of punctuation appears on the title page of the source;
- if the source has multiple subtitles, only the first subtitle should be included; however, if the second subtitle is simply a span of dates, this should be included; and
- for older sources in which an initial short title is separated from a longer complete title by a comma, only the initial short title should be included.

Words in titles that would normally be italicised according to the rules of this Guide should only be italicised if they are in italics in the original source.

If the title of a source being cited should be italicised according to the rules of this Guide (eg books), no part of the title should appear in roman font.

### Examples


4.3 Short Title and Subsequent References

**Rule**

A short title for secondary sources may be provided and used in subsequent references (in accordance with rule 1.4.1). ‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

The short title should adhere to rule 1.4.4 (i.e., should be italicised in accordance with the rules of this Guide and placed within single inverted commas and parentheses following the initial citation). In footnotes, it should appear after any pinpoint or parenthetical clauses.

The title should generally be provided in full when the secondary source is first referred to in the text (in accordance with rule 1.4.4). The first citation of a source in a footnote should also always be given in full.

If a short title was previously only provided in the footnotes, the short title should also be provided in the text when it is first used in the text (in accordance with rule 1.4.4).

**Examples**

The last 20 years has seen a steady increase in the number of Investor State Dispute Settlement (‘ISDS’) claims, with fewer than 10 being initiated in 1997 to 62 being initiated in 2016.27

...  

The damages sought ranged from USD10 million to USD16.5 billion.29

...  


---


...  

29 *ISDS 2016 Review* (n 27) 4.

...  

31 *ISDS 2016 Review* (n 27) 3.
### 4.4 Uniform Resource Locator (‘URL’)

**Rule**
A URL may be included as part of the citation to aid its retrieval. The URL should be enclosed within point brackets (‘< >’) and placed at the end of the citation after any pinpoints, but before a short title.

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**


### 4.5 Archived Sources

**Rule**
A permalink may be used in addition to or instead of a URL.

The permalink should be preceded by the words ‘archived at’ and should appear at the end of the citation. The permalink should adhere to rule 4.4.

‘archived at’ should appear after the URL preceded by a comma and followed by the permalink.

**Example**
34. @AGLCTweets (Twitter, 2 February 2018, 7:00 pm AEDT) <https://twitter.com/AGLCTweets/status/959622592524034049>, archived at <https://perma.cc/DC8L-Y5GD>.
5 Journal Articles

<table>
<thead>
<tr>
<th>Rule</th>
<th>Author</th>
<th>Title</th>
<th>Year</th>
<th>Volume and Issue</th>
<th>Journal</th>
<th>Starting Page</th>
<th>Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.2</td>
<td>Lord Woolf, ‘Droit Public: English Style’ [1995] (Spring) <em>Public Law</em> 57, 60</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5.1 Author

**Rule**

Names of authors should appear in accordance with rule 4.1.

**Example**


**Note**

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

5.2 Title

**Rule**

Article titles should appear in accordance with rule 4.2. They should appear within single quotation marks and should not be italicised (other than in accordance with rule 4.2).

**Example**

### 5.3 Year

**Rule**

For journals organised by volume number, the year of publication should appear in parentheses ‘( )’. Where a volume spans multiple years (e.g., the volume is for 1992–93), the year included should be that in which the article cited was published.

For journals organised by year, the year of publication should appear in square brackets ‘[ ]’. Where a volume spans multiple years, the span of years should be included in square brackets and should appear in accordance with rule 1.11.4 (e.g., ‘[1992–93]’).

**Examples**


**Note**

A journal is organised by year if it does not have a volume number (although it may have numbered issues within a given year).

### 5.4 Volume and Issue

**Rule**

Both the volume and issue number should be included. The issue number should follow the volume number in parentheses (e.g., ‘40(1)’). For journals organised by year, the issue number (enclosed in parentheses) should appear after the year, preceded by a space (e.g., ‘[2000] (1)’).

Where an issue identifier other than a number is used (e.g., a season or a month), this should appear — preceded by a space and enclosed in parentheses — after the volume number or year (e.g., ‘31 (Winter)’ and ‘[1982] (Summer)’).

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) (e.g., ‘21(2–3)’ and ‘[1957] (5–6)’).
### Examples


### Note

Where issues are published very frequently or are commonly indexed by full date, it may be more appropriate to use a newspaper-style citation (see rule 7.11).

### 5.5 Journal

**Rule**

The full title of the journal should appear in italics, following the year and any volume or issue number.

The journal title should not be abbreviated and should appear as it appears on the cover of the journal, subject to the following exceptions:

- ‘the’ should not be included at the start of the journal title; and
- subtitles of journals should be omitted where this does not cause ambiguity.

**Examples**

9. … Australian Law Journal …
   [Not: … The Australian Law Journal … nor … ALJ … nor … Australian L J …]

10. … Yale Journal of Law and the Humanities …
    [Not: … Yale Journal of Law & the Humanities …]

11. … Copyright Reporter …
    [Not: … Copyright Reporter: Journal of the Copyright Society of Australia …]
### 5.6 Starting Page

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

**Example**

### 5.7 Pinpoint References

**Rule**
Pinpoint references should adhere to rules 1.1.6–1.1.7. They should appear after the starting page, preceded by a comma and a space. Where the pinpoint reference is to the starting page of an article, the page number should be repeated.

**Examples**

### 5.8 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**
15 RN Gooderson, ‘Claim of Right and Dispute of Title’ (Pt 1) [1966] (1) *Cambridge Law Journal* 90.
16 RN Gooderson, ‘Claim of Right and Dispute of Title’ (Pt 2) [1966] (2) Cambridge Law Journal 216.

5.9 Symposia

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

• ‘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.

Examples
### 5.10 Articles Published in Online Journals

**Rule**

Articles appearing in journals that are only available online should, to the extent 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.

Where an article has an article number or some other identifier, this should be used instead of the starting page number.

Pinpoint references should adhere to rules 1.1.6–1.1.7 and should appear after the article number/identifier, preceded by a comma and a space. The most appropriate form of pinpointing should be used depending on the form the article takes (paragraph, part, etc).

However, if the article appears as a Portable Document Format (‘PDF’) or equivalent, the starting page and pinpoint should appear as follows when pinpointing:

```
| Article Number/Identifier | Page Range of Article | Pinpoint |
```

The article number/identifier should appear as it does on the source.

The page range spans the number of pages contained in the PDF (or equivalent) version of the article (eg ‘1–15’).

The pinpoint refers to a position within the page range (and where appropriate may include a paragraph pinpoint).

**Examples**


5.11 Forthcoming and Advance Journal Articles

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>For forthcoming articles, the starting page should be replaced with ‘(forthcoming)’.</td>
</tr>
<tr>
<td>For articles that are available as an advance, the starting page should be replaced with ‘(advance)’.</td>
</tr>
<tr>
<td>Where not all the information for a forthcoming or advance article is available, as much information as is available should be included.</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Examples</th>
<th>Rule</th>
<th>Author</th>
<th>Title</th>
<th>Publication Details</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Author</td>
<td>Title</td>
<td>Publication Details</td>
<td>Pinpoint</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

6.1 Author

Names of authors should appear in accordance with rule 4.1.

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

6.2 Title

Titles of books should be italicised and should otherwise appear in accordance with rule 4.2.

<table>
<thead>
<tr>
<th>Examples</th>
<th>Rule</th>
<th>Author</th>
<th>Title</th>
<th>Publication Details</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jason L Pierce, <em>Inside the Mason Court Revolution: The High Court of Australia Transformed</em> (Carolina Academic Press, 2006).</td>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
6.3 Publication Details

6.3.1 Publisher

Rule
The publisher’s name should be included in parentheses after the title. It should be followed by a comma.

The publisher’s name should appear as on the title page, subject to the following exceptions:

- if no publisher appears on the title page, the publisher listed on the publication information page should be used;
- ‘the’ at the start of a publisher’s name should be omitted;
- abbreviations related to the publisher’s corporate status (‘Pty’, ‘Ltd’, ‘Co’, etc) should be omitted;
- geographical designations (‘Australia’, ‘A/Asia’, etc) in company names should generally be omitted, unless they are an important part of the name and are necessary to avoid ambiguity; and
- subdivisions within companies should be omitted.

A publisher’s name should only be included if it appears in the book. A publisher’s name should not be included where the names of the publisher and author are the same.

If there are multiple publishers, only the first-listed publisher should be included. If the book specifies an imprint, only the imprint should be included.

For books published by a publisher on behalf of another organisation, only the publisher should be included.

Where a publisher has a bilingual or multilingual name, only the English-language name should be included. If no English-language name is listed, the first-listed name should be included.

For older works that list a series of printers or booksellers (rather than a publisher per se), no publisher name should be included.

Examples
7 Isabelle Bartkowiak-Théron and Nicole Asquith (eds), Policing Vulnerability (Federation Press, 2012). [Not: … The Federation Press …]


**Note**

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

### 6.3.2 Edition Number

**Rule**

Where there are multiple editions of a book and an edition number appears in the book being cited, the edition number should be included after the publisher’s name. The ordinal indicator of the edition should appear in superscript.

The edition number should appear as follows:

<table>
<thead>
<tr>
<th>Ordinal Edition Number</th>
<th>ed</th>
</tr>
</thead>
</table>

**Examples**


### 6.3.3 Revised Editions

| Rule | Where a book is a ‘revised’, ‘expanded’ or ‘updated’ edition but does not have a new edition number, this should be indicated by including ‘rev ed’.
|      | If there is an edition number, ‘rev ed’ should be included after the edition number and preceded by a space.
|      | If there is no edition number, ‘rev ed’ should be included after the publisher’s name and preceded by a comma. |

**Examples**

**Note**
An unnumbered revised edition is generally a revision of the first edition of a work. ‘1st rev ed’ should be used only where the edition number appears in the book.

### 6.3.4 Publication Year

| Rule | The year of publication should appear following the name of the publisher and any edition number. The year of publication is of the edition being cited. The year of first publication should not be included.
|      | 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). If publication is still in progress, the first year and an en-dash should be used. |

**Examples**
- 21 Pamela Andre (ed), *Documents on Australian Foreign Policy 1937–49* (Department of Foreign Affairs and Trade, 1975–) vol 16, 159.
Part III — Secondary Sources

6.4 Pinpoint References

**Rule**

Pinpoint references should adhere to rules 1.1.6–1.1.7. They should appear after the publication details without a comma. However, when citing one volume of a multi-volume book, a comma should separate the volume number from the pinpoint (see rule 6.5).

Pinpoints are generally to pages. Pinpoints to paragraphs may also be used (in addition to page numbers) where appropriate. When pinpointing to a chapter or a part of the book, ‘ch’ or ‘pt’ (plural: ‘chs’ or ‘pts’) should be used instead of the page range of the chapter or part.

**Examples**


6.5 Multi-Volume Books

**Rule**

If a book contains more than one volume, the number of the volume cited should appear after the publication details, preceded by ‘vol’. Alternatively, if the source refers to its individual volumes as ‘books’, the number of the ‘book’ cited should appear after the publication details, preceded by ‘bk’.

The volume number should be rendered in Arabic numerals, regardless of how it appears in the source (eg ‘2’ not ‘II’).

**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 (see rule 6.3.4).
6.6 Edited Books

6.6.1 Chapters in Edited Books

**Rule**

Chapters in edited books should be cited as follows:

\[
\text{Author}, \ '\text{Chapter Title}' \text{ in } \text{Editor} \ (\text{ed}), \ \text{Title} \ (\text{Publication Details}) \ \text{Starting Page}, \ \text{Pinpoint}.
\]

Chapter titles should appear in the same way that journal titles appear (see rule 5.2). There should be no other punctuation between the title and ‘in’. The starting page is that on which the cited chapter begins.

Where there are multiple editors, ‘eds’ should be used in accordance with rule 4.1.3.

Where multiple chapters from an edited book are cited, the details of the edited book should be included (in full) in the first reference to each chapter.

Pinpoint references should appear at the end of the citation, separated from the starting page by a comma and a space.

Subsequent references (see rule 1.4.1) to a chapter from an edited book should use the names of the authors of that particular chapter and should refer to the footnote in which the chapter is first cited.

**Examples**


...  


32 Russell (n 29) 122.

33 Ransley (n 31) 255. [\textbf{Not:} Ransley (n 29) 255.]
### 6.6.2 Books with an Author and Editor

| Rule | Books with both an author (or multiple authors) and an editor (or multiples editors) should be cited as follows:  
|      | Author, Title, ed Editor (Publication Details).  
|      | The abbreviation ‘ed’ should be used regardless of how many editors there are (‘ed’ in this context stands for ‘edited by’).  
| Examples |  

### 6.7 Translated Books

| Rule | Translated books should be cited as follows:  
|      | Author, Translation Title, tr Translator (Publication Details).  
|      | The title used is the translated version of the title.  
|      | The abbreviation ‘tr’ should be used regardless of how many translators there are (‘tr’ stands for ‘translated by’).  
|      | Where it would aid the retrieval of a translated book, the original title and its year of publication may be included, after any pinpoints, as follows:  
|      | [trans of: Original Title (Year of Publication)].  
| Examples |  

6.8 Forthcoming Books

Rule
For forthcoming books, the date of publication should be replaced with ‘forthcoming’. Where not all the information of the forthcoming book is available, as much information as available should be included.

Example

6.9 Audiobooks

Rule
Audiobooks should be cited as follows:

Author, Title (Audiobook, Publisher, Publication Year)

Pinpoint.

The publisher and publication year are that of the audiobook (not the text version) and should appear in accordance with rule 6.3.

The word ‘audiobook(s)’ should be omitted from the publisher name where it appears as part of the publisher name.

The pinpoint should be to a point in time or a span of time in accordance with rules 1.11.3–1.11.4.

Examples

William Ury, Roger Fisher and Bruce Patton, Getting to Yes: Negotiating an Agreement Without Giving In (Audiobook, Random House, 2012) 0:05:00–1:01:00.

John Steinbeck, Of Mice and Men (Audiobook, Hachette Audio, 2010).
7 Other Sources

7.1 Reports and Similar Documents

7.1.1 General Rule

Reports and similar documents should be cited as follows:

[Author, Title (Document Type/Series No Document Number, Full Date) Pinpoint].

The author should be cited in accordance with rule 4.1. If a report does not prominently indicate an author — as is often the case with reports of Royal Commissions and with other ad hoc reports — no author should be included in the citation of the report.

If the title includes a reference to the document type (e.g., ‘Interim Report’, ‘Final Report’), this may be omitted from the title and included within the parentheses. Where the document type forms an integral part of the title, this should not be omitted from the title, nor should it be repeated in the document type; instead, the generic document type should be used as the document type. For example, if the title of a document is ‘Annual Report’, this should be used as the title and the document type should be ‘Report’, not ‘Annual Report’.

If the report prominently indicates a document number, this should be included. Where the document is not part of a numbered series, the document number should be omitted.

Where there is no full date on the source, as much of the full date as appears should be included (e.g., ‘September 1997’ or ‘1998’).

Pinpoint references should adhere to rules 1.1.6–1.1.7. Pinpoints should generally be to page numbers and, where appropriate, to paragraphs.

Where a report contains multiple volumes, the volume number should be included in pinpoint references (even where the volumes are consecutively paginated), in accordance with rule 6.5.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.
The following sub-rules illustrate how this general rule may be applied to particular types of sources.

### Examples


### 7.1.2 Parliamentary Papers, Committee Reports, Bills Digests and Alert Digests

#### Rule

Where the author is a committee of a Parliament, the author should be cited as follows:

```
Committee, Legislature
```

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.

When citing bills digests, alert digests and similar documents, the document type should be changed accordingly and ‘of Year’ should also be included as part of the document number, unless it forms part of the title. Where this is a span of years, it should be cited in accordance with rule 1.11.4.

#### Examples


7.1.3 Royal Commission Reports

**Rule**

If a royal commission report does not prominently indicate an author, no author should be included in the citation of the report.

No jurisdiction should be included in the citation.

For submissions to royal commissions, see rule 7.5.2.

**Examples**


7.1.4 Law Reform Commission Publications

**Rule**

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

**Examples**

7.1.5 Australian Bureau of Statistics (‘ABS’) Materials

<table>
<thead>
<tr>
<th>Rule</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>When citing ABS materials, the author should be ‘Australian Bureau of Statistics’.</td>
</tr>
<tr>
<td></td>
<td>An ABS source should be cited by reference to its catalogue number. The document type should therefore be ‘Catalogue’.</td>
</tr>
<tr>
<td></td>
<td>23 Australian Bureau of Statistics, Corrective Services, Australia, September Quarter 2017 (Catalogue No 4512.0, 30 November 2017).</td>
</tr>
<tr>
<td></td>
<td>27 Australian Bureau of Statistics, Year Book Queensland, 1901 (Catalogue No 1301.3, 23 December 1901).</td>
</tr>
</tbody>
</table>
7.2 Research Papers, Theses and Similar Documents

7.2.1 General Rule

Rule

Research papers, discussion papers, working papers, theses, dissertations and similar documents should be cited as follows:

Author, ‘Title’ ([Document Type/Series] No [Document Number], [Institution/Forum], Full Date) Pinpoint.

If the document is published by an organisation, but a particular author is prominently indicated, the author’s name should be used and the organisation should be included after the document type.


If the document prominently indicates a document number, this should be included. Where the document is not part of a numbered series, the document number should be omitted.

For the institution/forum, the most specific subdivision and the umbrella body’s name should be included (see rule 4.1.4).

Where there is no full date on the source, as much of the full date as appears should be included (eg ‘September 1997’ or ‘1998’).

Pinpoint references should adhere to rules 1.1.6–1.1.7. Pinpoints should generally be to page numbers, and where appropriate, to paragraphs.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

The following sub-rules illustrate how this general rule may be applied to particular types of sources.
### 7.2.2 Research Papers and Working Papers

**Rule**

If a research paper or working paper has a unique identifier — as is often the case with papers that are part of a research series hosted by universities — the identifier should be included as it appears on the paper.

**Examples**

- 32 Paul Memmott and Peter Blackwood, ‘Holding Title and Managing Land in Cape York: Two Case Studies’ (Research Discussion Paper No 21, Native Title Research Unit, 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 6.

### 7.2.3 Parliamentary Research Papers, Notes and Briefs

**Rule**

For parliamentary research papers, notes and briefs, the institution/forum should appear as follows:

- Parliamentary Library, [Legislature](#)

‘Parliamentary Library’ may be replaced with the specific research service provider for Parliament in each jurisdiction (eg ‘Parliamentary Research Service’ in New South Wales).
Examples


7.2.4 Conference Papers and Similar Documents

Rule

Ordinal numbers (eg ‘1st’, ‘5th’) of conferences should not be included.

The geographical location of the conference should not be included, unless it forms part of the name of the relevant forum.

Examples


Note

Where a conference paper has been published in a journal or book, it should be cited in accordance with chapters 5 and 6.

7.2.5 Theses and Dissertations

Rule

The degree for which the thesis or dissertation was submitted should be indicated as the document type.

Where applicable, the full name of the relevant university or institution’s name should be used. The department or faculty to which the thesis or dissertation was submitted should not be included.

For collegiate or federal universities, only the title of the university itself should be included. The name of the constituent college should not be included.
7.3 Speeches

Speeches should be cited as follows:

[Author], ‘Title’ (Speech, [Institution/Forum, Full Date] [Pinpoint].

If the speech is a named lecture, the lecture name should be included in place of ‘Speech’. If the name of the lecture is preceded by ‘The’, this should be omitted in the citation.

If the speech is part of a lecture series, its ordinal number should not be included.

If no specific forum is indicated, the city or town in which the speech was delivered should be included. If a forum is specified, the city or town should not be included.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

Examples


42 Virginia Bell, ‘Section 80: The Great Constitutional Tautology’ (Lucinda Lecture, Monash University, 24 October 2013). [Not: … the Lucinda Lecture …]

Part III — Secondary Sources

Note

Where a speech has been published in a journal or book, it should be cited in accordance with chapters 5 and 6.

7.4 Press and Media Releases

Rule

Press and media releases should be cited as follows:

Author, ‘Title’ (Release Type Document Number, Body, Full Date) Pinpoint.

The author of the press or media release — and the body releasing the press or media release — should be included and should adhere to rule 4.1. Where the author is the same as the body, the body should be omitted. The release type should appear as it does on the source (eg ‘Press Release’, ‘Media Release’, ‘Press Statement’). Where the release type does not appear on the source and it is otherwise apparent that it is a press/media release, ‘Media Release’ should be used as the release type.

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 and should be cited in accordance with rule 1.6.1 (ie full stops should not be used in abbreviations).

Pinpoint references should adhere to rules 1.1.6–1.1.7. Pinpoints should generally be to page numbers, and where appropriate, to paragraphs.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

Examples


45 Department of Defence (Cth), ‘Highest East Timorese Honour for Army Officers’ (Media Release MSPA 172/09, 22 May 2009).

46 ASX, ‘ASX Selects Distributed Ledger Technology to Replace CHESS’ (Media Release, 7 December 2017) 1.
7.5 Other Parliamentary Materials

7.5.1 Parliamentary Debates

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

Jurisdiction, Parliamentary Debates, Chamber, 
Full Date of Debate, Pinpoint (Name of Speaker).

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


48 Victoria, Parliamentary Debates, Legislative Council, 14 December 2017, 6854.

7.5.2 Written Submissions to Government and Parliamentary Inquiries, Committees and Agencies

Rule: Written submissions to government and parliamentary inquiries, committees, agencies etc, should be cited as follows:

Author, Submission No Number to Body, Name of Inquiry (Full Date) Pinpoint.

Where the author of the submission is subject to name suppression or is otherwise anonymous, no author should be included, unless otherwise identified (e.g. a code name).

Where the government or parliamentary body does not allocate a number to submissions, the submission number should be omitted.
For submissions to parliamentary committees or inquiries, ‘Body’ should be replaced with:

[Committee], [Legislature]

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.

Where the name of the inquiry is not included on the submission or evidence, it should be omitted. Where the submission is to a royal commission, the name of the inquiry should be omitted.

Where there is no full date on the source, as much of the full date as appears should be included (e.g. ‘September 1997’ or ‘1998’).

Pinpoint references should adhere to rules 1.1.6–1.1.7. Pinpoints should generally be to page numbers, and where appropriate, to paragraphs.

Examples


50 Mobil Oil Australia, Submission No 25 to Australian Competition and Consumer Commission, Inquiry into the Price of Unleaded Petrol (27 July 2007) 6–7.


Note

Submissions by parties in cases should be cited in accordance with rule 2.8.
7.5.3 Evidence to Parliamentary Committee

**Rule**
Evidence to a parliamentary committee given during a hearing should be cited as follows:

Evidence to [Committee] [Legislature] [Location] [Full Date] [Pinpoint] [Name of Speaker].

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 1.1.6–1.1.7 and should generally be to page numbers.

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

**Examples**

55 Evidence to House Standing Committee on Tax and Revenue, Parliament of Australia, Canberra, 30 November 2016, 2 (Peter Strong).

56 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**
Evidence to a parliamentary committee given during a hearing can generally be found in a ‘Committee Hansard’ publication.

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

7.5.4 Australian Constitutional Convention Debates

**Rule**
Debates of the Australasian federal conventions should be cited as follows:

[Title] [Location] [Full Date] [Pinpoint] [Name of Speaker].

Pinpoint references should adhere to rules 1.1.6–1.1.7 and be to page numbers.
Names of speakers should adhere to rules 4.1 and 7.5.1. In particular:

- first and last names should be included; and
- all titles (such as ‘the Hon’, ‘Mr’ and ‘Dr’) should be omitted, except for ‘Sir’, ‘Dame’ and peerage titles.

**Examples**


### 7.6 Dictionaries

Entries in hard copies of dictionaries should be cited as follows:

```
Dictionary Title (Edition Number ed, Publication Year) 'Entry Title' (def Definition Number).
```

Entries in online dictionaries should be cited as follows:

```
Dictionary Title (online at Date of Retrieval) 'Entry Title' (def Definition Number).
```

Edition numbers should be cited according to rule 6.3.2.

For entries in online dictionaries, the date at which the definition was retrieved should be included.

Entry titles should appear (unitaliced) within single quotation marks.

If there are multiple entries for the same word, indicate which entry is being referred to by using the abbreviation used in the dictionary (eg ‘adj’ or ‘n1’). If a number is required, a superscript should be used.

If there are multiple definitions, provide the number of the relevant definition preceded by ‘def’.

**Examples**


Encyclopaedic Australian Legal Dictionary (online at 20 February 2018) ‘default judgment’ (def 1).

### 7.7 Legal Encyclopedias

**Rule**

Hard copies of 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].
```

Online legal encyclopedias should be cited as follows:

```
Publisher, Title of Encyclopedia (online at Date of Retrieval)
   Title Number Name of Title
   Chapter Number Name of Chapter [Paragraph].
```

The publisher’s name should adhere to rule 6.3.1.

Where a legal encyclopedia indicates the date of last update of a chapter, this date should be included.

For entries in online legal encyclopedias, the date at which the entry was retrieved should be included.

Pinpoint references should adhere to rules 1.1.6–1.1.7 and should be to paragraphs.

**Examples**


64 Westlaw AU, *The Laws of Australia* (online at 15 February 2018) 2 Administrative Law, ‘2.3 Access to Information’ [2.3.10].

7.8 Looseleaf Services

**Rule**

Looseleaf services should be cited as follows:

\[
\text{Publisher} \quad \text{Title}, \quad \text{vol} \quad \text{Volume Number} \\
\quad (\text{at} \quad \text{Most Recent Service Number for Pinpoint or Full Date}) \quad \text{Pinpoint}
\]

Online looseleaf services should be cited as follows:

\[
\text{Publisher} \quad \text{Title} \quad \text{online at} \quad \text{Date of Retrieval} \quad \text{Pinpoint}
\]

The publisher’s name should adhere to rule 6.3.1. 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 1.1.6–1.1.7 and should refer to paragraphs. However, where a looseleaf service uses a paragraph symbol (¶), this should immediately precede any paragraph numbers (which should then not appear in square brackets).

Looseleaf services may include the most recent service number or the date of last update.

For entries in online looseleaf services, the date at which the entry was retrieved should be included.

**Examples**


69 JW Carter, LexisNexis, *Carter on Contract* (online at 20 February 2018) [04-001].

70 CCH Australia, *Australian Intellectual Property Commentary* (online at 20 February 2018) [¶7-000].

**Note**

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.
7.9 Intellectual Property (‘IP’) Materials

**Rule**

IP materials should be cited as follows:

<table>
<thead>
<tr>
<th>Jurisdiction Code</th>
<th>Intellectual Property Type</th>
<th>Additional Information</th>
<th>Identification Number</th>
<th>filed/lodged on Full Date</th>
<th>(Latest Registration Status Change on Full Date).</th>
</tr>
</thead>
</table>

The jurisdiction code should adhere to the codes listed in the World Intellectual Property Organisation Standard ST.3.

The intellectual property type should appear as listed in the IP registration documentation (eg ‘Design’, ‘Plant Breeder’s Right’).

Additional information relating to the identification number of the IP material (eg ‘Registration’, ‘Application’, ‘Filing’, ‘Serial’) should be included where available. Where there is a registration number, this should be used in preference to all other numbers. Where there is no additional information in relation to the identification number, the number should appear without any additional information.

The latest registration status change of the patent (eg ‘Registered’, ‘Granted’, ‘Accepted’, ‘Lapsed’, ‘Ceased’, ‘Withdrawn’) should be included in parentheses followed by ‘on’ and the date on which the status change occurred. Where there has been no status change (other than being filed/lodged) the latest registration status change information should be omitted.

**Examples**

71 US Trademark Registration No 4938522, filed on 6 December 2013 (Registered on 12 April 2016). [Not: US Trade Mark Registration …]

72 AU Trade Mark No 1701985, filed on 22 June 2015 (Registered on 28 January 2016) (‘AGLC Trade Mark’).

73 AU Patent Application No 2001248388, filed on 19 March 2001 (Ceased on 26 September 2006).

74 US Patent No D805553, filed on 11 May 2016 (Issued on 19 December 2017).

75 EM Trade Mark Filing No 000004721, filed on 12 December 1996 (Refused on 27 September 2002).

76 AU Patent Application No 2017905190, filed on 22 December 2017.
Constitutive Documents of a Corporation

Constitutive documents of a corporation should be cited as follows:

[Document Type] [Company Name] (at [Full Date]) Pinpoint.

Terms designating the corporate status of the company (e.g. ‘Pty’, ‘Ltd’, ‘Co’, ‘Inc’) should be omitted from its name, as should ‘the’ at the start of the name.

Where the document indicates the date of the last update, this date should be included. Otherwise, the date of retrieval should be included.

Pinpoint references should adhere to rule 3.1.4 and should not include page numbers.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

Examples

78 Constitution, ASX (at 5 October 2012) cl 1.1.
79 Board Charter, ASX (at September 2017) cl 2.
80 Constitution, Carlton Football Club (at 14 December 2011).
7.11 Newspaper Articles

7.11.1 Printed Newspapers

**Rule**

Newspaper articles should be cited as follows:

```
Author, 'Title', Newspaper (Place of Publication, Full Date) Pinpoint.
```

The author’s name should adhere to rule 4.1.

The title of an article should appear in accordance with rule 5.2.

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 (eg ‘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 (eg ‘C14’).

The place of publication is the place of the newspaper’s headquarters. Where possible, it should be given as a city. A state, province or country may also be included to clarify the place of publication where it may otherwise be ambiguous (eg ‘London, Ontario’) or where the place of publication may be unfamiliar to readers (eg ‘N’Djamena, Chad’).

Where there is more than one edition of a newspaper for a given date (eg a ‘Late Edition’), the edition information should be included before the place of publication, followed by a comma.

**Examples**


7.11.2 **Electronic Newspapers**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Electronic newspaper articles should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Author</strong>, ‘<strong>Title</strong>’, <em>Newspaper</em> (online, <strong>Full Date</strong>)<em>&lt;br&gt;Pinpoint</em>&lt;br&gt;<strong>URL</strong>.</td>
</tr>
</tbody>
</table>

A pinpoint reference should only be included where the article has pages or paragraphs.

A URL should be included after the full date (or any pinpoint reference) in accordance with rules 4.4–4.5.


7.11.3 **Periodicals, Newsletters and Magazines**

<table>
<thead>
<tr>
<th>Rule</th>
<th>Any periodical (whether a journal or not) should be cited in accordance with chapter 5 where possible.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>In the case of newsletters or more intermittent periodicals where the issue is defined by reference to a date/month/season rather than volume and issue or year and issue, it may be appropriate to cite them as follows:</td>
</tr>
<tr>
<td></td>
<td><strong>Author</strong>, ‘<strong>Title</strong>’ <em>(Date/Month/Season)</em>&lt;br&gt;<strong>Periodical/Newsletter/Magazine Name</strong>&lt;br&gt;Pinpoint</td>
</tr>
</tbody>
</table>

7.11.4 Unsigned and Untitled Articles and Editorials

Rule
For untitled articles, a description of the piece (e.g., ‘Letter to the Editor’) should replace the title. The description should not be enclosed in quotation marks.

For unsigned articles, the author should be omitted. However, for editorials, ‘Editorial’ should replace the author’s name.

Examples
92 Rose Healy, Letter to the Editor, The Herald Sun (Melbourne, 10 June 2002) 16.

7.12 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.

If the correspondence is contained in an archive, details of the archive and the correspondence’s place within it should be included in brackets after the date.

Where correspondence is reproduced within another hard copy or online source, that source should also 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 a comma and followed by the appropriate phase (e.g., ‘reproduced in’). Alternatively, a URL may be included where this would aid retrieval of the correspondence, in accordance with rules 4.4–4.5.
### Part III — Secondary Sources

#### Examples

<table>
<thead>
<tr>
<th>Number</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>93</td>
<td>Email from Vanessa Li to Samantha Jones, 4 November 2015.</td>
</tr>
</tbody>
</table>
| 94     | Letter from Sir Peter Cosgrove to Malcolm Turnbull, 3 July 2016<br>
| 95     | Letter from Deloitte Touche Tohmatsu, Melbourne, to Opes Prime Clients, 1 April 2008,<br>

#### Note

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

#### 7.13 Interviews and Similar Formats

#### Rule

Interviews and similar formats should be cited as follows:

```
Interview with [Name of Interviewee]
( [Name of Interviewer] Forum or Form of Interview Full Date).
```

‘Interview’ may be replaced with the appropriate format of the source being cited (e.g. ‘Conversation’).

The position of the interviewee may be included after their name, preceded by a comma.

The forum of the interview may be included after the name of the interviewer, preceded by a comma.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

#### Examples

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

#### Note

Where an interview has been published in a journal or book, it should be cited in accordance with chapters 5 and 6. Where an interview is televised it may be cited in accordance with rule 7.14.
7.14 Film, Television and Other Media

7.14.1 General Rule

Film, television and other media should be cited as follows:

<table>
<thead>
<tr>
<th>Rule</th>
<th>Episode Title</th>
<th>Film Title/Series Title</th>
<th>Version Details</th>
<th>Studio/Production Company/Producer</th>
<th>Year</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

Titles should adhere to rule 4.2. The name of the studio or production company should adhere to rule 6.3.1. Where there are multiple studios or companies, only the first-named/first-displayed studio or company should be included.

Where there are multiple versions of a source, the version being cited may be included. Where the version being cited is the standard version of the source (e.g., the theatrical version of a film), the version details may be omitted.

Pinpoint references should be to a point in time or a time span in the recording in accordance with rules 1.11.3–1.11.4.

A URL to the transcript or recording may be included in accordance with rules 4.4–4.5, where it would aid retrieval.

Note Video and audio recordings uploaded to social media platforms (such as YouTube) should be cited using rule 7.16 unless covered by this rule.

7.14.2 Films and Audiovisual Recordings

When citing films or audiovisual recordings, the episode title should be omitted.

Where there are multiple versions (e.g., ‘Director’s Cut’, ‘Uncensored Version’) and the version being cited is not the standard version, the version details should be included.

References to the version should be omitted from the title. Where the version forms an integral part of the title, it should be included as part of the title.
### Examples


99 *Donnie Darko* (Director’s Cut, Newmarket Films, 2004).


### Television Series

#### Rule

Where an episode does not have a title and is numbered consecutively, it should appear as follows:

> ‘Episode [Number]’

Where an episode does not have a title, and is numbered by season, it should appear as follows:

> ‘Season [Number] Episode [Number]’

The title should be the title of the television series.

Where there are multiple versions (eg ‘Extended Version’) and the version being cited is not the standard version, the version details should be included.

Where referring to a television series as a whole and not to a specific season or episode, the season and episode number should be omitted. The production details should be that of the first episode.

#### Examples


105 *The West Wing* (John Wells Productions, 1999).
7.14.4 Radio Segments and Podcasts

Rule

In general, where the episode number or date is part of the episode title, it should not be omitted or altered, and the original episode title should appear as it does in the original source. Quotation marks in episode titles should adhere to rule 1.5.1.

For radio segments, the studio, production company or producer of the radio segment should be included in parentheses. This will usually be the radio station on which the radio segment originally aired.

For podcasts, the title that should be used is the title that appears on the podcast listening platform. The studio, production company or producer of the podcast should be included in parentheses. Where the studio, production company or producer and the series title are the same, the studio, production company or producer should be omitted.

The full date should be included and should be based on the time zone from which the podcast or radio segment originates. This may mean that the date displayed for American podcasts in some third party podcast providers, when used in Australia, is a different date to the date that should be cited.

Where referring to a series as a whole and not to a specific episode, the episode number should be omitted. The production details should be that of the first episode.

Examples


7.15 Internet Materials

<table>
<thead>
<tr>
<th>Rule</th>
<th>Internet materials should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><img src="alt-text" alt="Image" /></td>
</tr>
</tbody>
</table>

The author should only be included if an author is indicated on the webpage being cited, such as when citing a blog post on an institutional blog. The author should be cited in accordance with rule 4.1.

The document title should be treated like the title of a journal article (see rule 5.2).

The website title should be treated like the title of a book (see rule 6.2).

Where the author and web page title are identical, the author should not be included.

Document types include ‘Blog Post’, ‘Forum Post’, etc. Where the document type of the source is not clear, ‘Web Page’ should be used.

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.

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.

A URL should be included after the first reference to a source in accordance with rules 4.4–4.5.

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

7.16 Social Media Posts

Rule

Social media posts, forum posts and online videos uploaded to sites such as YouTube may be cited as follows:

Username, ‘Title’ (Social Media Platform, Full Date, Time) <URL>.

The username should appear as it does on the social media platform (ie capitalisation should not be altered). For Twitter accounts, ‘@’ should be included in the username. Where it is important to include the name of the author of the post and this is not clear from the username, the name may be included in parentheses after the username, preceded by a space.

Where the social media post does not have a title, the title should be omitted.

The full date should be included. The time zone from which the post is accessed (eg ‘AEDT’) should be included if the social media platform adjusts the time based on the local time zone. Where there are multiple posts within the same day, a time should be included to avoid ambiguity.

When citing videos, any pinpoint references should be to a point in time or to a time span in the recording and should adhere to rules 1.11.3–1.11.4.

A URL should be included after the first reference to a source in accordance with rule 4.4. Where the post/video has been deleted or is likely to be deleted, a permalink should be included in accordance with rule 4.5.

Examples

Brooking Creative Labs, ‘Is America Dreaming?: Understanding Social Mobility’ (YouTube, 20 July 2015) 00:00:00–00:01:00 <https://www.youtube.com/watch?v=vG6-UaBECN4>.


@s_m_stephenson (Scott Stephenson) (Twitter, 17 July 2017, 9:37pm AEST) <https://twitter.com/s_m_stephenson/status/887169425551441921>, archived at <https://perma.cc/7A63-G2RT>.
Profile pages in social media platforms should be cited in accordance with rule 7.15.
## 8 Treaties

### Examples

<table>
<thead>
<tr>
<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>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<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>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>

### Element

<table>
<thead>
<tr>
<th>Rule</th>
<th>8.1</th>
<th>8.2</th>
<th>8.3</th>
<th>8.4</th>
<th>8.3</th>
<th>8.7</th>
</tr>
</thead>
</table>

### 8.1 Treaty Title

#### Rule

A citation to 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 (ie full stops should not be used in abbreviations); and
- capitalisation should adhere to rule 1.7.
Part IV — International Materials

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.

An authoritative English language version of a treaty name should be used wherever possible. Where an authoritative version of a treaty is only available in a language other than English, provide the full title in the original language with a translation appearing in square brackets following the translated element in accordance with chapter 26.

8.2 Parties’ Names

Rule

For multilateral treaties with more than three signatories, the names of the parties should not be included after the treaty title.

If the names of the 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 en-dashes.

The conventional shortened forms of states parties’ names should be used (if any exist), rather than their full elaborate forms (eg ‘Venezuela’, not ‘Bolivarian Republic of Venezuela’). However, the full form should be used if necessary to avoid ambiguity (eg to differentiate the ‘Democratic Republic of the Congo’ from the ‘Republic of the Congo’).

Examples

2 *Convention Relating to the Non-Fortification and Neutralisation of the Aaland Islands*, opened for signature 20 October 1921, 9 LNTS 211 (entered into force 6 April 1922). [**Not:** … *Aaland Islands, Germany–Denmark–Estonia–Finland–France etc …*]


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

8.3.1 Opened for Signature (Open Multilateral Treaties)

<table>
<thead>
<tr>
<th>Rule</th>
<th>Multilateral treaties that are opened for signature to states generally should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Treaty Title, opened for signature Date of Conclusion, Treaty Series (entered into force Date of Entry into Force).</td>
</tr>
</tbody>
</table>


| Note | Where a treaty is adopted by the United Nations General Assembly, the date of adoption is generally the date of conclusion. |
8.3.2 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:

[Treaty Title], signed [Date of Conclusion], 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:

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

Examples


8 Agreement Relating to Co-operation on Antitrust Matters, Australia–United States of America, 1369 UNTS 43 (signed and entered into force 29 June 1982).

8.3.3 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 9). Where it is not otherwise apparent that a reference is to a draft treaty, this should be clarified discursively.
8.4 Treaty Series

Rule

A citation to 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>
</table>
| (eg ‘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>
<th>Starting Page or Treaty Number</th>
</tr>
</thead>
</table>
| (eg ‘[2010] ATS 5’).

Where the treaty series is organised by sequential order of deposit independent of year (that is, the treaty is the \(n\)th 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>
</table>
| (eg ‘CETS No 207’).

Parallel citations should not be used, in accordance with rule 2.2.7.

The following treaty series should be used in order of preference:

- the United Nations Treaty Series (‘UNTS’) or the League of Nations Treaty Series (‘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>Australian Treaty Series</td>
<td>ATS</td>
</tr>
<tr>
<td>Australian Treaties Not Yet in Force</td>
<td>ATNIF</td>
</tr>
<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>UTS</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 14.2.1, the Official Journal of the European Union (‘OJ’) 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**


**Notes**

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. The issue number should not be included.
8.5 Reservations or Declarations to Articles of a Treaty

Rule

Where a country has lodged a reservation or declaration in relation to an article of a treaty, that country’s instrument of ratification or other document that contains the reservation or declaration, should be cited.

Example


8.6 Memoranda of Understanding

Rule

Memoranda of understanding (‘MOU’) should be cited as follows:

\[
\text{MOU Title, Parties' Names, signed Date of Signature (Memorandum of Understanding) Pinpoint.}
\]

The title of an MOU should be cited in accordance with rule 8.1. The names of the parties to an MOU should be cited in accordance with rule 8.2. Any pinpoint references should adhere to rule 8.7.

If an MOU has been included in any treaty series, a citation to the treaty series should be included immediately after the date of signature and be preceded by a comma, in accordance with rule 8.4.

Where ‘Memorandum of Understanding’ appears in the title of the agreement itself, it should not be included after the date of signature. Where it is not included, the pinpoint should be preceded by a comma.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

Examples


16 *Memorandum of Understanding between the Republic of Nauru and the Commonwealth of Australia, Relating to the Transfer to and Assessment of Persons in Nauru, and Related Issues, signed 29 August 2012.*
Part IV — International Materials

8.7 Pinpoint Reference

Rule

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 1.1.6–1.1.7. They should use the abbreviations in rule 3.1.4 (eg ‘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 (eg ‘art 31.1’, not ‘para 31.1’). The designator ‘annex’ should always be written out in full.

Examples


19 Agreement Establishing the Advisory Centre on WTO Law, opened for signature 30 November 1999, 2299 UNTS 249 (entered into force 15 July 2001) annex II.

Note

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

**Rule**  
A short title may be introduced in accordance with rule 1.4.4.  
A short title may be given to a portion of a treaty (e.g., an annex, an appendix or a schedule) in accordance with rule 1.4.4. 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.  
‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.  
Subsequent references should be cited in accordance with rule 1.4.1.

**Examples**


...  

22. *Timor Gap Treaty* (n 20) art 6(1).


...  

9  United Nations Materials

9.1  Constitutive Document

Rule

The *Charter of the United Nations* should be cited as follows:

*Charter of the United Nations* Pinpoint

Example

1  *Charter of the United Nations* art 51.

Note

The *Statute of the International Court of Justice* should be cited in accordance with rule 10.1.

9.2  Official Documents of the United Nations

Rule

A citation of a United Nations (‘UN’) document should include the elements listed in the table below that appear in the document. If the document may be easily located online using the UN document number through an official UN database (eg <https://www.undocs.org>), elements 9.2.4–9.2.9 may be omitted. 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>9.2.1</td>
</tr>
<tr>
<td>Title</td>
<td><em>Informal Single Negotiating Text Part IV Presented by the President of the Conference</em>,</td>
<td>9.2.2</td>
</tr>
<tr>
<td>Resolution or Decision Number</td>
<td>GA Res 3314,</td>
<td>9.2.3</td>
</tr>
<tr>
<td>Official Records</td>
<td>UN GAOR,</td>
<td>9.2.4</td>
</tr>
<tr>
<td>Committee Number</td>
<td>4th Comm,</td>
<td>9.2.5</td>
</tr>
</tbody>
</table>
### Example

<table>
<thead>
<tr>
<th>Session (and Part) Number</th>
<th>34th sess, 28th sess, 1st pt,</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meeting Number</td>
<td>75th mtg, 46th plen mtg,</td>
</tr>
<tr>
<td>Agenda Item</td>
<td>Agenda Item 2,</td>
</tr>
<tr>
<td>Supplement</td>
<td>Supp No 3,</td>
</tr>
<tr>
<td>UN Document Number</td>
<td>UN Doc A/RES/150</td>
</tr>
<tr>
<td>Full Date</td>
<td>(20 August 2008)</td>
</tr>
<tr>
<td>Annex</td>
<td>annex I</td>
</tr>
<tr>
<td>Pinpoint Reference</td>
<td>[2]</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 1.10.1, 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 9.2.10.

---

**Note**

For examples of commonly cited types of UN documents, see rule 9.6. Documents of the World Health Organization (‘WHO’), International Labour Organization (‘ILO’) and other similar bodies may be cited using this rule, replacing the UN document number with the appropriate alternative document number. A WHO document number may be cited, for example, as ‘WHO Doc WHO/EVD/OHE/PED/16.1 Rev. 2’.
9.2.1 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.

**Examples**


9.2.2 Title

**Rule**
The title of a UN document should appear in italics.

**Example**


**Note**
Not every UN document has a title (e.g. Security Council resolutions generally do not have titles).

9.2.3 Resolution and Decision Number

**Rule**
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>
9.2.4 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:


9.2.5 Committee Number

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</th>
<th>Comm</th>
</tr>
</thead>
<tbody>
<tr>
<td>(eg ‘2nd Comm’)</td>
<td></td>
</tr>
</tbody>
</table>

Example:

12. 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.

9.2.6 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:

Ordinal Number of Session sess
(eg ‘4\textsuperscript{th} sess’).

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’ (eg ‘4\textsuperscript{th} sess, 3\textsuperscript{rd} pt’).

Session numbers should not be included for UN Security Council resolutions.

Examples
13 UN SCOR, 62\textsuperscript{nd} sess, 5663\textsuperscript{rd} mtg, UN Doc S/PV.5663 (17 April 2007).
14 UN GAOR, 6\textsuperscript{th} Comm, 3\textsuperscript{rd} sess, 1\textsuperscript{st} pt, 77\textsuperscript{th} mtg, UN Doc A/C.6/SR.77 (18 October 1948).

9.2.7 Meeting Number

Rule
A meeting number should be included as follows:

Ordinal Number of Meeting mtg
(eg ‘37\textsuperscript{th} mtg’).

Where the meeting is a ‘plenary meeting’, ‘mtg’ should be replaced with ‘plen mtg’.

Examples
15 SC Res 1546, UN SCOR, 59\textsuperscript{th} sess, 4987\textsuperscript{th} mtg, UN Doc S/RES/1546 (8 June 2004).
16 Measures to Eliminate International Terrorism, GA Res 49/60, UN GAOR, 49\textsuperscript{th} sess, 84\textsuperscript{th} plen mtg, UN Doc A/RES/49/60 (9 December 1994).
9.2.8 Agenda Item

Rule
An agenda item should be included as follows:

Agenda Item [Agenda Item Number]
(eg ‘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


18 *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.

9.2.9 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]
(eg ‘Supp No 98’).

Example

20 *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, adopted 16 September 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.
### 9.2.10 UN Document Number

**Rule**

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

\[
\text{UN Doc Document Number} \\
\text{(eg ‘UN Doc A/RES/54/275’).}
\]

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 (eg 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’ (eg ‘UN Docs A/63/804 and Corr.1’).

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
</table>
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>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>General Assembly</td>
</tr>
<tr>
<td>CAT/C</td>
<td>Committee against Torture</td>
</tr>
<tr>
<td>CCPR/C</td>
<td>Human Rights Committee</td>
</tr>
<tr>
<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>
</tr>
<tr>
<td>CRC/C</td>
<td>Committee on the Rights of the Child</td>
</tr>
<tr>
<td>DP</td>
<td>UN Development Programme</td>
</tr>
<tr>
<td>E</td>
<td>Economic and Social Council</td>
</tr>
<tr>
<td>S</td>
<td>Security Council</td>
</tr>
<tr>
<td>ST</td>
<td>Secretariat</td>
</tr>
<tr>
<td>TD</td>
<td>UN Conference on Trade and Development</td>
</tr>
<tr>
<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>
</tr>
</thead>
<tbody>
<tr>
<td>AC</td>
<td>Ad hoc committee</td>
</tr>
<tr>
<td>C</td>
<td>Standing, permanent or main committee</td>
</tr>
<tr>
<td>CONF</td>
<td>Conference</td>
</tr>
<tr>
<td>CN</td>
<td>Commission</td>
</tr>
<tr>
<td>GC</td>
<td>Governing Council</td>
</tr>
<tr>
<td>PC</td>
<td>Preparatory committee</td>
</tr>
<tr>
<td>SC</td>
<td>Sub-Committee</td>
</tr>
<tr>
<td>Sub</td>
<td>Sub-Commission</td>
</tr>
<tr>
<td>WG</td>
<td>Working group</td>
</tr>
</tbody>
</table>
The following abbreviations, which indicate a description of the document type or its characteristics, often form the third (and sometimes final) component of a UN document number:

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>CRP</td>
<td>Conference room paper</td>
</tr>
<tr>
<td>INF</td>
<td>Information series</td>
</tr>
<tr>
<td>L</td>
<td>Limited distribution</td>
</tr>
<tr>
<td>NGO</td>
<td>Statement by non-governmental organisations</td>
</tr>
<tr>
<td>PET</td>
<td>Petition</td>
</tr>
<tr>
<td>PRST</td>
<td>Statement by the President of the Security Council</td>
</tr>
<tr>
<td>PV</td>
<td>Verbatim record of meeting</td>
</tr>
<tr>
<td>R</td>
<td>Restricted distribution</td>
</tr>
<tr>
<td>RES</td>
<td>Resolution</td>
</tr>
<tr>
<td>SR</td>
<td>Summary record of meeting</td>
</tr>
<tr>
<td>WP</td>
<td>Working paper</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>
</tr>
</thead>
<tbody>
<tr>
<td>Add</td>
<td>Addendum</td>
</tr>
<tr>
<td>Amend</td>
<td>Amendment</td>
</tr>
<tr>
<td>Corr</td>
<td>Corrigendum</td>
</tr>
<tr>
<td>Rev</td>
<td>Revision</td>
</tr>
<tr>
<td>Summary</td>
<td>Summarised version</td>
</tr>
<tr>
<td>*</td>
<td>Reissuance of document for 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.
### 9.2.11 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:

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

(eg ‘(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.

### 9.2.12 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 (eg ‘annex 1’, ‘2nd annex’, ‘annex A’).

Where the annex is not cited as a document in its own right and does not have a separate title, any pinpoints within that annex should be preceded by a comma (eg ‘annex, 5’).
Where an annex to a UN document is effectively a document in its own right (e.g. 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:

\[
\text{Citation to UN Document Containing Annex} \\ annex (\text{"Title of Annex"}) \text{ Pinpoint within Annex}.
\]

Subsequent references should appear as follows:

\[
\text{Title of Annex, UN Doc Document Number of UN Document Containing Annex} (\text{n Footnote Number}) \text{ Pinpoint within Annex}.
\]

Where there are multiple annexes, ‘annex’ should be replaced with the numbered annex as it appears on the source.

**Examples**


**9.2.13 Pinpoint References**

**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 (e.g. 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 \textbf{Number} (eg ‘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 1.1.6–1.1.7.

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


35 Report of the Secretary-General Pursuant to General Assembly Resolution 53/35: The Fall of Srebrenica, 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.
9.2.14 Documents of Multiple Organs

Rule

Where a document is considered by or addressed to multiple UN organs (eg both the General Assembly and Security Council):

- parallel citations to the Official Records of both organs should be included, separated by a semicolon; and
- both document numbers should be included, separated by ‘and’.

Example


9.3 Individual Communications to UN Treaty Committees

9.3.1 Decisions of UN Treaty Committees

Rule

Decisions of UN treaty committees on individual communications should be cited in accordance with rule 9.2. However, they should always be given a short title (see 1.4.4) as follows:

(Complainant’s Surname v Respondent State)

Examples


…

40 Madafferi v Australia, UN Doc CCPR/C/81/D/1011/2001 (n 38) 22 [10].
### 9.3.2 Parties’ Communications and Submissions

#### Rule

Communications and submissions to UN treaty committees should be cited as follows:

| Author | 'Document Title', Document Type to the UN Committee 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 1.1.6–1.1.7. 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 rules 4.4–4.5.

#### Example


### 9.4 United Nations Yearbooks

#### Rule

Where material is available as a UN document, it should be cited in accordance with rule 9.2 (even if reproduced in a UN yearbook). Where material in a UN yearbook is not otherwise available, it should be cited in accordance with this rule.

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 (eg ‘[2002] II’). Where a volume is split into parts, the part number should be included, enclosed in parentheses, immediately after the volume number (eg ‘[1999] II(2)’).
Where the yearbook is organised by volume, it should be cited as follows:

\[ \text{Title} \ (\text{Year}) \text{ Volume Number} \text{ Yearbook Title} \]
\[ \text{Starting Page} \text{ Pinpoint} \]

Where a volume is split into multiple issues or parts, the issue or part number should be included immediately following the volume number in parentheses (eg ‘34(I)’).

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**


**Note**

Where the material being cited is contained in a UN yearbook with a UN document number but that material (eg a section or chapter) does not have an independent UN document number, it may be preferable to cite that material as part of a yearbook in accordance with this rule rather than as a UN document (see rule 9.2), so as to provide more information on that material (such as the title and starting page).

UN yearbooks include the Yearbook of the United Nations, the United Nations Juridical Yearbook, the International Court of Justice Yearbook and the Yearbook of the International Law Commission.
## 9.5 Short Title and Subsequent References

| Rule | A short title for UN documents may be introduced in accordance with rule 1.4.4 and the rules of this chapter. Subsequent references to UN documents should then appear as follows:

<table>
<thead>
<tr>
<th>Short Title</th>
<th>UN Doc</th>
<th>UN Document Number</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>(n Footnote Number) Pinpoint</td>
</tr>
</tbody>
</table>

The footnote number should refer to where the source was first cited in full in accordance with rule 1.4.1.

Individual communications to UN treaty committees (see rule 9.3.2) and UN yearbooks (see rule 9.4) may be given a short title in accordance with rule 1.4.4. Subsequent references should be cited in accordance with rule 1.4.1.

‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

### Examples

45 SC Res 1325, UN SCOR, 4213th mtg, UN Doc S/RES/1325 (31 October 2000) (‘Resolution 1325’).

46 Ibid para 3.

…

48 Resolution 1325, UN Doc S/RES/1325 (n 45) para 7.


…

51 ‘Legal Aspects of International Political Relations’ (n 49) 797.
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>54 UN GAOR, 63rd sess, 55th plen mtg, UN Doc A/63/PV.55 (19 November 2008).</td>
</tr>
</tbody>
</table>
10 International Court of Justice and Permanent Court of International Justice

10.1 Constitutive and Basic Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th>The statutes of both the International Court of Justice (‘ICJ’) and the Permanent Court of International Justice (‘PCIJ’) should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Statute of the Court [Pinpoint]</td>
</tr>
<tr>
<td></td>
<td>The rules of both the ICJ and PCIJ should be cited as follows:</td>
</tr>
<tr>
<td></td>
<td>Court Rules of Court (adopted Full Date) [Pinpoint]</td>
</tr>
</tbody>
</table>

Examples

1 Statute of the Permanent Court of International Justice art 22.
2 International Court of Justice, Rules of Court (adopted 14 April 1978) pt 1.

10.2 Reported Decisions

<table>
<thead>
<tr>
<th>Examples</th>
<th>Element</th>
<th>Case Name</th>
<th>Parties’ Names or Advisory Opinion</th>
<th>Phase</th>
<th>Year</th>
<th>Report Series and Letter</th>
<th>Starting Page and Case Number</th>
<th>Pin-Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>East Timor</td>
<td></td>
<td>(Portugal v Australia) (Judgment)</td>
<td>[1995]</td>
<td>ICJ</td>
<td>90</td>
<td></td>
<td></td>
<td>10.2.1</td>
</tr>
<tr>
<td>Western Sahara</td>
<td></td>
<td>(Advisory Opinion)</td>
<td>[1975]</td>
<td>ICJ</td>
<td>12</td>
<td></td>
<td></td>
<td>10.2.2</td>
</tr>
<tr>
<td>Mavrommatis Palestine Concessions</td>
<td></td>
<td>(Greece v United Kingdom) (Jurisdiction)</td>
<td>[1924]</td>
<td>PCIJ</td>
<td>No 2</td>
<td></td>
<td></td>
<td>10.2.3</td>
</tr>
</tbody>
</table>

Rule 10.2.1 10.2.2 10.2.3 10.2.4 10.2.5 10.2.6 10.2.7
10.2.1 Case Name

<table>
<thead>
<tr>
<th>Rule</th>
<th>A citation of a decision of the ICJ or PCIJ should include the case name in italics as it appears on the first page of the report. However:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• ‘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;</td>
</tr>
<tr>
<td></td>
<td>• ‘Question of the’ and ‘The Question of the’ at the start of an advisory opinion should be omitted;</td>
</tr>
<tr>
<td></td>
<td>• punctuation should adhere to rule 1.6.1 (ie full stops should not be used in abbreviations); and</td>
</tr>
<tr>
<td></td>
<td>• capitalisation should adhere to rule 1.7.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>4 Fisheries Jurisdiction (Spain v Canada) (Jurisdiction) [1998] ICJ Rep 432. [Not: Fisheries Jurisdiction Case …]</td>
</tr>
</tbody>
</table>

10.2.2 Parties’ Names or Advisory Opinion

<table>
<thead>
<tr>
<th>Rule</th>
<th>The names of parties should be italicised and included after the case name as they appear on the first page of the report (even if in elaborate form). They should be enclosed within parentheses and separated by ‘v’.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>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 (eg ‘Zimbabwe’, not ‘Republic of Zimbabwe’). However, the full form should be used where necessary to avoid ambiguity.</td>
</tr>
<tr>
<td></td>
<td>Where multiple cases are joined together, only the names of the parties to the first-listed case should be included.</td>
</tr>
<tr>
<td></td>
<td>For advisory opinions, ‘(Advisory Opinion)’ should appear instead of party names.</td>
</tr>
</tbody>
</table>
Example


7 Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory (Advisory Opinion) [2004] ICJ Rep 136.

10.2.3 Phase

Rule

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 measures, the phase should appear as ‘(Provisional Measures)’;
- where the phase is an order or judgment with respect to ‘preliminary objections’ or similar matters, the phrase 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 would be used (eg ‘(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 on Full Date)


10 Right of Passage over Indian Territory (Portugal v India) (Merits) [1960] ICJ Rep 6.

11 Asylum (Colombia v Peru) (Judgment) [1950] ICJ Rep 266.

12 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.

10.2.4 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

14 LaGrand (Germany v United States of America) (Judgment) [2001] ICJ Rep 466.

15 Certain German Interests in Polish Upper Silesia (Germany v Poland) (Judgment) [1925] PCIJ (ser A) No 6.
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 2.2.1).

### 10.2.5 Report Series and Series Letter

| Rule | The report series abbreviation should appear (unitalicised) after the year. For decisions of the PCIJ, the letter(s) of the series (‘A’, ‘B’ or ‘A/B’) should also be included in the form: (ser [Letter(s) of Series]) (eg ‘(ser B)’). |
| Note | 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’).

### 10.2.6 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. |
Note

For decisions of the ICJ, the starting page is generally that on which the judgment begins. The page numbers of the 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 (e.g. ‘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.

10.2.7 Pinpoint References

Rule

Pinpoint references should adhere to rules 1.1.6–1.1.7 and 2.2.5. 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

22 Certain Property (Liechtenstein v Germany) (Preliminary Objections) [2005] ICJ Rep 6, 19 [26], 20 [31]–[32], 21–5 [34]–[45].
10.2.8 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 rule 2.4.1, 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 other abbreviations of these terms) should not be included with judges’ names.

**Examples**

23 Interhandel (Switzerland v United States of America) (Preliminary Objections) [1959] ICJ Rep 6, 78 (President Klaestad).


**Note**
Where it is important that a judge made a declaration or gave a separate or dissenting opinion, this should be made clear in body of the text or discursively in the footnote.
10.3 Reported Pleadings or Other Documents Originating in ICJ or PCIJ Proceedings

Reported pleadings and other material of parties and of the court originating in proceedings before the ICJ should be cited as follows:

\[\text{Document Title}, \quad \text{Case Name} \quad \{\text{Parties' Names}\} \]
\[\text{[Year]} \quad \text{ICJ Pleadings} \quad \text{Starting Page} \quad \text{Pinpoint} \]
\{(Speaker’s Name)\}.

Reported pleadings and other material of parties and of the court originating in pleadings before the PCIJ should be cited as follows:

\[\text{Document Title}, \quad \text{Case Name} \quad \{\text{Parties' Names}\} \]
\[\text{[Year]} \quad \text{PCIJ (ser C) No} \quad \text{Number} \quad \text{Starting Page} \quad \text{Pinpoint} \]
\{(Speaker’s Name)\}.

The title of the document should appear as it does in the source, subject to chapter 1 of this Guide. Case names and parties’ names should adhere to rules 10.2.1–10.2.2. 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 that phase) to which the volume relates. Pinpoint references should adhere to rule 10.2.7 and 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 10.2.8. Names of counsel should adhere to rule 2.4.4.

For ICJ pleadings, where more than one volume is published for a case, the volume number (in Roman numerals) should precede ‘ICJ Pleadings’.

For PCIJ (ser C), the number and the starting page of the document should be included. Where there are multiple parts within a number, the part (in Roman numerals) should follow the number, preceded by ‘pt’.

---

Examples


### Note

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 to institute 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 (eg ‘No 2’). A number sometimes contains multiple parts. Each part is separately paginated and contains documents relating to a separate case.

### 10.4 Unreported Materials

#### 10.4.1 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 10.2.1–10.2.2. 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 1.1.6–1.1.7). Judges’ names may be included after pinpoints in accordance with rule 10.2.8.

#### Examples

30 *Certain Questions of Mutual Assistance in Criminal Matters (Djibouti v France) (Judgment)* (International Court of Justice, General List No 136, 4 June 2008).
31 Dispute regarding Navigational and Related Rights (Costa Rica v Nicaragua) (Judgment) (International Court of Justice, General List No 133, 13 July 2009) [34].

32 Sovereignty over Pedra Branca/Pulau Batu Puteh, Middle Rocks and Southern Ledge (Malaysia v Singapore) (Judgment) (International Court of Justice, General List No 130, 23 May 2008) [8] (Judge Parra-Aranguren).

Note

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.

10.4.2 Pleadings and Other Documents

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 10.2.1–10.2.2. 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 1.1.6–1.1.7 and should be to paragraph numbers where available (and where these are continuous across an entire document). Where a document has only page numbers, pinpoints should be to page numbers. Pinpoint references to verbatim proceedings (and other transcripts) 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 10.2.8. Names of counsel should adhere to rule 2.4.4.

Examples

‘Memorial Submitted by Romania’, *Maritime Delimitation in the Black Sea (Romania v Ukraine)* (International Court of Justice, General List No 132, 19 August 2005) [6.21]–[6.22].

‘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).

## 10.5 Short Title and Subsequent References

### Rule

Short titles for decisions of the ICJ and PCIJ should adhere to rule 2.1.14. All other materials in this chapter may be given a short title in accordance with rule 1.4.4.

Subsequent references should be cited in accordance with rule 1.4.1.

‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

### Examples


37 Ibid 179.


…

31 *Reparations* (n 36) 198 (Judge Hackworth).

42 ‘Memorial of Nicaragua’ (n 38) 17.
# 11 International Arbitral and Tribunal Decisions

## 11.1 State–State Decisions

### 11.1.1 Reported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Expropriated Religious Properties</th>
<th>(France v Portugal)</th>
<th>(Awards)</th>
<th>(1920) 2 Hag Crt Rep 2d (Scott)</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Name</td>
<td>Parties’ Names</td>
<td>Phase</td>
<td>Year, Volume and Report Series</td>
<td>Starting Page</td>
<td>Pin-Point</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Example</th>
<th>Expropriated Religious Properties</th>
<th>(France v Portugal)</th>
<th>(Awards)</th>
<th>(1920) 2 Hag Crt Rep 2d (Scott)</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case Name</td>
<td>Parties’ Names</td>
<td>Phase</td>
<td>Year, Volume and Report Series</td>
<td>Starting Page</td>
<td>Pin-Point</td>
</tr>
<tr>
<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 10.2, as shown above. In particular:

- the case name should adhere to rule 10.2.1; and
- pinpoint references should adhere to rule 10.2.7.

However:

- the parties’ names should appear in the conventional shortened form, not the full elaborate form, regardless of how they appear in 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 2.2.1–2.2.3; and

- the starting page should adhere to rule 2.2.4.

Judges’ or arbitrators’ names should be included in accordance with rule 10.2.8 (ie should appear only after pinpoint reference to separate or dissenting opinions or declarations). However, tribunal members may be referred to by a title other than ‘Mr’ or ‘Ms’ (such as ‘Dr’, ‘Prof’, etc).
Examples


Notes

It is generally unnecessary to cite reports of modern state–state arbitral and tribunal decisions due to their wide availability. However, where a decision is difficult to locate or where there is a good reason for doing so, a report of the decision may be cited.

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 2.2.3, 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. Issue numbers should not be included.

11.1.2 Unreported Decisions

<table>
<thead>
<tr>
<th>Element</th>
<th>Case Name</th>
<th>Parties’ Names</th>
<th>Phase</th>
<th>Name of Arbitral Body or Tribunal</th>
<th>Case Number</th>
<th>Full Date</th>
<th>Pin-Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>Hoshin-maru</td>
<td>(Japan v Russia)</td>
<td>(Judgment)</td>
<td>(International Tribunal for the Law of the Sea, Case No 14, 6 August 2007)</td>
<td>[1]</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Rule

Unreported state–state arbitral and tribunal decisions should be cited as shown above.

The case name, parties’ names and phase should adhere to rule 11.1.1. The name of the arbitral body or tribunal should appear as it does on 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’. If there is no full date, as much of the full date as appears should be included.

Pinpoint references should adhere to rules 1.1.6–1.1.7. 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 10.2.8 (ie should appear only after pinpoint references to separate or dissenting opinions or declarations).

**Examples**

4 Arctic Sunrise Arbitration (Netherlands v Russia) (Award on Merits) (Permanent Court of Arbitration, Case No 2014-02, 14 August 2015) [152].

5 Maritime Boundary (Barbados v Trinidad and Tobago) (Award) (UNCLOS Arbitral Tribunal, 11 April 2006) [198]. [Not: … (Arbitral Tribunal Constituted Pursuant to Article 287, and in Accordance with Annex VII, of the United Nations Convention on the Law of the Sea, …]

### 11.2 Individual–State Decisions

#### 11.2.1 Reported Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Participant</th>
<th>Phase</th>
<th>Year, Volume and Report Series</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Olguín v Paraguay</td>
<td>(Decision on Jurisdiction)</td>
<td>(2000) 6 ICSID Rep</td>
<td></td>
<td>154</td>
<td>158</td>
</tr>
</tbody>
</table>

Reported individual–state arbitral and tribunal decisions should be cited as shown above. Parties’ names should adhere to rules 2.1 and 11.1.1. The phase should adhere to rule 10.2.3. The year, volume and report series should adhere to rules 2.2.1–2.2.3. The starting page should adhere to rule 2.2.4 (ie the first page of the decision being cited).
Pinpoint references should adhere to rule 10.2.7. Judges’ or arbitrators’ names should be included after pinpoint references in accordance with rule 11.1.1 (ie should appear only after pinpoint references to separate or dissenting opinions or declarations).

### Examples

<table>
<thead>
<tr>
<th>No.</th>
<th>Citation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td><em>SD Myers v Canada (Partial Award)</em> (2000) 40 ILM 1408, 1457 (Dr Bryan Schwartz).</td>
</tr>
<tr>
<td>7</td>
<td><em>Ethyl Corporation v Canada (Award on Jurisdiction)</em> (1998) 38 ILM 708.</td>
</tr>
<tr>
<td>8</td>
<td><em>Chas T Main International Inc v Mahab Consulting Engineers Inc (Award)</em> (1983) 3 Iran–US CTR 270.</td>
</tr>
</tbody>
</table>

### Note

It is generally unnecessary to cite reports of modern individual–state arbitral and tribunal decisions due to their wide availability. However, where a decision is difficult to locate or where there is a good reason for doing so, a report of the decision may be cited.

A commonly cited report series containing investor–state arbitral decisions is the ICSID Rep. In accordance with rule 2.2.3, the abbreviations for report series should appear as they do in appendix A.

Disputes between individuals and international organisations (in international forums applying international law) should also be cited in accordance with this rule or rule 11.2.2.
### 11.2.2 Unreported Decisions

#### Example
- **Enron Corporation v Argentina** *(Jurisdiction)* *(ICSID Arbitral Tribunal, Case No ARB/01/3, 14 January 2004)* [39]

#### Element
<table>
<thead>
<tr>
<th>Parties’ Names</th>
<th>Phase</th>
<th>Name of Arbitral Body or Tribunal</th>
<th>Case Number</th>
<th>Full Date</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

#### Rule
Unreported individual–state arbitral and tribunal decisions should be cited as shown above.

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 11.1.1. The name of the arbitral body or tribunal, case number and full date should adhere to rule 11.1.2.

Pinpoint references should adhere to rules 1.1.6–1.1.7. 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 11.1.1 (ie should appear only after pinpoint references to separate or dissenting opinions or declarations).

#### Examples
- 13 *World Anti-Doping Agency v Bellchambers (Award)* (Court of Arbitration for Sport, Case No 2015/A/4059, 11 January 2016).
- 14 *S (No 2) v International Labour Organization (Judgment)* (ILO Administrative Tribunal, Case No 3546, 30 June 2015).
- 15 *CMS Gas Transmission Co v Argentina (Annulment)* (ICSID Arbitral Tribunal, Case No ARB/01/8, 25 September 2007) [158]–[159].
11.3 Short Title and Subsequent References

<table>
<thead>
<tr>
<th>Rule</th>
<th>Short titles should adhere to rule 2.1.14. In accordance with rule 2.1.14, 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. Subsequent references should be cited in accordance with rule 1.4.1. 'Ibid' should be used for all materials in this chapter in accordance with rule 1.4.3.</th>
</tr>
</thead>
</table>
| Examples | 16  *Boundary Disputes between India and Pakistan Relating to the Interpretation of the Report of the Bengal Boundary Commission, 12 and 13 August 1947 (India v Pakistan) (Decisions)* (1948) 21 RIAA 3, 13 (‘*Boundary Disputes (Decisions)*’).  
17  Ibid 16.  
19  *Boundary Disputes (Decisions)* (n 16) 15. |
12 International Criminal Tribunals and Courts

12.1 Basic Documents

12.1.1 Constitutive Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th>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 9.5 (or rule 9.2.12 for an annex) after the initial citation of the resolution (or the relevant annex). Subsequent references should appear as follows:</th>
<th>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 8.7 and should generally be to articles and paragraphs.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>SC Res 955, UN Doc S/RES/955 (8 November 1994) annex (‘Statute of the International Tribunal for Rwanda’).</td>
<td>2</td>
</tr>
</tbody>
</table>


12.1.2 Rules

The rules of international criminal tribunals and courts should be cited as follows:

<table>
<thead>
<tr>
<th>Name of Tribunal or Court</th>
<th>Title of Rules</th>
<th>Doc No</th>
<th>Document Number</th>
<th>(adopted Full Date)</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

A document number should be included only where it appears on the rules. It should be preceded by ‘Doc No’ and adhere to rule 9.2.10. Where rules have been revised, the full date should be the date of adoption of the revision.

Pinpoint references should adhere to rule 8.7 and should generally be to rules and sub-rules.

Examples


### Part IV — International Materials

#### 12.2 Cases

<table>
<thead>
<tr>
<th>Examples</th>
<th>Prosecutor v Sesay (Sentencing Judgement) (Special Court for Sierra Leone, Trial Chamber I, Case No SCSL-04-15-T, 8 April 2009)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Rule</th>
<th>Parties’ Names</th>
<th>Phase</th>
<th>Court</th>
<th>Chamber</th>
<th>Case Number</th>
<th>Full Date</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>12.2.1</td>
<td>12.2.2</td>
<td>12.2.3</td>
<td>12.2.4</td>
<td>12.2.5</td>
<td>12.2.6</td>
<td>12.2.7</td>
<td></td>
</tr>
</tbody>
</table>

#### 12.2.1 Parties’ Names

- **Rule**
  - Parties’ names should appear in italics in the form: 
    
    *Prosecutor v [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.

9. *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, 16 September 2009) [6].

[Not: Situation in the Democratic Republic of the Congo in the Case of the Prosecutor v. Thomas Lubanga Dyilo …]

10. *Simba v Prosecutor (Judgement)* (International Criminal Tribunal for Rwanda, Appeals Chamber, Case No ICTR-01-76-A, 27 November 2007) [40]–[41].

### 12.2.2 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 12.2.1.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>13 Prosecutor v Al Bashir (Warrant of Arrest) (International Criminal Court, Pre-Trial Chamber I, Case No ICC-02/05-01/09, 4 March 2009). [Not: … (Warrant of Arrest for Omar Hassan Ahmad Al Bashir) …]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>Common phases for international criminal tribunals include:</td>
</tr>
<tr>
<td>• ‘(Decision on …)’;</td>
</tr>
<tr>
<td>• ‘(Judgement…)/’(Judgement on …)’;</td>
</tr>
<tr>
<td>• ‘(Sentencing Judgment)’; and</td>
</tr>
<tr>
<td>• ‘(Warrant of Arrest)’</td>
</tr>
</tbody>
</table>

### 12.2.3 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**

12.2.4 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**
15 *Prosecutor v Tadić (Judgement)* (International Criminal Tribunal for the Former Yugoslavia, Appeals Chamber, Case No IT-94-1-A, 15 July 1999).
16 *Prosecutor v Ntaganda (Warrant of Arrest)* (International Criminal Court, Pre-Trial Chamber I, Case No ICC-01/04-02/06, 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 (e.g. ‘Trial Chamber II’).

12.2.5 Case Number

**Rule**
The case number should be preceded by the words ‘Case No’. Otherwise, it should adhere to rule 9.2.10. 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, though 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**
17 *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].
18 *Prosecutor v Kunarac (Judgement)* (International Criminal Tribunal for the Former Yugoslavia, Trial Chamber II, Case Nos IT-96-23-T and IT-96-23/1-T, 22 February 2001).
Note
The case number should be that assigned by the relevant international
criminal tribunal or court.

12.2.6 Full Date
Rule
As much of the full date of the judgment as appears in the judgment
should be included.

Example
19 Prosecutor v Kambanda (Decision Ordering the Continued Detention)
(International Criminal Tribunal for Rwanda, Trial Chamber I, Case

12.2.7 Pinpoint References
Rule
Pinpoint references should adhere to rules 1.1.6–1.1.7 and should be to
paragraph numbers where available.

Example
20 Prosecutor v Jokić (Judgement on Sentencing Appeal) (International
Criminal Tribunal for the Former Yugoslavia, Appeals Chamber, Case

12.2.8 Identifying Judges
Rule
Judges’ names should be included after pinpoint references in
accordance with rule 10.2.8. 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
21 Prosecutor v Jelisić (Judgement) (International Criminal Tribunal for the
Former Yugoslavia, Trial Chamber I, Case No IT-95-10-T, 14 December
1999) [105]. [Not: … [105] (The Court). Nor … [105] (Judges Jorda, Riad
and Rodrigues).]

### 12.3 Reports of Cases

<table>
<thead>
<tr>
<th>Rule</th>
<th>Reported judgments of international criminal tribunals should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Parties’ Names</strong> (<strong>Phase</strong>) <strong>Year, Volume and Report Series</strong> <strong>Starting Page</strong> <strong>Pinpoint</strong></td>
</tr>
<tr>
<td></td>
<td>Parties’ names and the phase should adhere to rules 12.2.1–12.2.2. The year, report series and starting page should adhere to rules 2.2.1–2.2.4. Pinpoint references should adhere to rule 10.2.7. The inclusion of judges’ names should adhere to rule 12.2.8.</td>
</tr>
<tr>
<td></td>
<td>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 2.2.6. It should appear in the form:</td>
</tr>
<tr>
<td></td>
<td><strong>(Conventional Shortened Name of Tribunal or Court, Chamber)</strong></td>
</tr>
<tr>
<td></td>
<td>The name of the tribunal or court and the chamber should adhere to rules 12.2.3–12.2.4.</td>
</tr>
</tbody>
</table>

|          | 25. *Kaing v Prosecutor (Decision on Appeal against Provision Detention Order of Kaing Guek Eav)* (2007) 47 ILM 325 (Extraordinary Chambers in the Courts of Cambodia, Pre-Trial Chamber). |
## 12.4 Short Title and Subsequent References

| Rule | In accordance with rule 2.1.14, it may be necessary 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 with the same parties. All other materials in this chapter may be given a short title in accordance with rule 1.4.4. Subsequent references should be cited in accordance with rule 1.4.1. ‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3. |
13 International Economic Materials

13.1 World Trade Organization

13.1.1 Constitutive and Basic Documents

**Rule**

The *Marrakesh Agreement Establishing the World Trade Organization* should be cited in accordance with chapter 8.

The other agreements and understandings of the World Trade Organization (‘WTO’) are annexed to the *Marrakesh Agreement*, and should be cited as follows:


[Pinpoint within Relevant Annex]

The full title of the relevant agreement or understanding should appear after the pinpoint to the annex containing it (in accordance with rule 8.8). A short title may be included after the full title and any pinpoints in accordance with rule 1.4.4. Agreements or understandings annexed to the *Marrakesh Agreement* should not be cited as separate treaties.

Subsequent references should adhere to rule 1.4.1 and should be cited as follows (see rule 13.4):

*Short Title/Title of Agreement or Understanding* (n Footnote Number) [Pinpoint]

**Examples**


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 at the end of the citation when referring to WTO agreements or understandings other than the Marrakesh Agreement itself (to avoid ambiguity).

### 13.1.2 Official WTO Documents

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>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 (ie full stops should not be used in abbreviations); and • capitalisation should adhere to rule 1.7. The document number should adhere to rule 9.2.10 (ie full stops should not be used in abbreviations but the document number should be reproduced exactly as it appears, with any punctuation).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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:

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

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 1.1.6–1.1.7 and pinpoint references should be to paragraphs (in square brackets).

Annexes and schedules may be cited in accordance with rule 9.2.12.

Examples


6. *Notification*, WTO Doc G/TBT/N/BHR/188 (24 February 2010) [7].


Note

The document description of a WTO document ordinarily appears below the title. It usually appears underlined and in parentheses.
### 13.1.3 WTO Panel, Appellate Body and Arbitration Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Panel Report, <em>Colombia — Indicative Prices and Restrictions on Ports of Entry</em>, WTO Doc WT/DS36/6/R (27 April 2009) [7.1]</th>
</tr>
</thead>
</table>

### Element

<table>
<thead>
<tr>
<th>Description</th>
<th>Case Name</th>
<th>Document Number</th>
<th>Full Date</th>
<th>Pin-Point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>A WTO panel report, Appellate Body report or decision of the arbitrator should be cited as shown above.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The document description should be ‘Panel Report’, ‘Appellate Body Report’ or ‘Decision by the Arbitrator’ as appropriate.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>The case name should appear in italics and be included as it appears in the report, subject to chapter 1. In particular:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• punctuation should adhere to rule 1.6 (ie full stops should not be used in abbreviations); and</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• capitalisation should adhere to rule 1.7.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Case names of subsequent stages in proceedings between the same parties should include the second subtitle in the report, preceded by an em-dash (eg ‘— Recourse to Article 21.5 by …’ or ‘— Recourse to Arbitration by … under …’).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A date of adoption may be included in accordance with rule 13.1.2. Where a report has not been adopted, ‘unadopted’ may be included after the full date, preceded by a comma (eg ‘(12 May 2007, unadopted)’).</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>A citation of the <em>Dispute Settlement Reports</em> (‘DSR’) may be included after the full date. It should appear in the form:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>DSR [Year] [Volume], [Starting Page]</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>(eg ‘DSR 1999:III, 1377’).</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Pinpoint references should adhere to rules 1.1.6–1.1.7. 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


10 Panel Report, *Russia — Anti-Dumping Duties on Light Commercial Vehicles from Germany and Italy*, WTO Doc WT/DS479/R (27 January 2017) [7.50]–[7.51].


13.2 General Agreement on Tariffs and Trade

13.2.1 Official GATT Documents

<table>
<thead>
<tr>
<th>Example</th>
<th>Document Title</th>
<th>Document Number</th>
<th>Full Date</th>
<th>Description</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Meeting of 19–20 October 1983,</strong></td>
<td>GATT Doc CG.18/W/77</td>
<td>(24 October 1983)</td>
<td>(Opening Remarks by Chairman)</td>
<td>[4]</td>
<td></td>
</tr>
</tbody>
</table>

Rule

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 13.1.2.

The document number should adhere to rule 13.1.2, 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 13.1.2 (ie 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]
(eg ‘GATT BISD I/120’).

Citations of GATT BISD supplements should appear as follows:

GATT BISD [Supplement No] [Starting Page]
(eg ‘GATT BISD 31S/114’).

Pinpoint references should adhere to rule 13.1.2. 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


15 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.

16 Waiver in Respect of the Trust Territory of the Pacific Islands (8 September 1948) (Decision) GATT BISD II/9 para 2.

13.2.2 GATT Panel Reports

Rule

GATT Panel reports should be cited in the same manner as WTO panel reports (in accordance with rule 13.1.3). However, GATT BISD references should appear instead of DSR references where available (and should adhere to rule 13.2.1).

In accordance with rule 13.1.3, even where a GATT BISD reference is included, pinpoint references should be to paragraph numbers, which should appear in square brackets.

Examples


20 GATT Panel Report, EEC — German Exchange Rate Scheme for Deutsche Airbus, GATT Doc SCM/142 (4 March 1992, unadopted) [5.9].

13.3 Investment and Trade Treaties and Investor–State Arbitration

Rule

Investment and trade treaties (such as bilateral investment treaties and free trade agreements) should be cited in accordance with chapter 8.

Investor–state arbitrations should be cited in accordance with chapter 11.
13.4 Short Title and Subsequent References

Agreements and understandings of the WTO annexed to the Marrakesh Agreement may be given a short title in accordance with rule 13.1.1. When first referred to in the text, the title of the portion referred to should be written in full (it may then be given a short title).

WTO and GATT documents may be given a short title in accordance with rule 1.4.4. Subsequent references should then take the form:

```
[Short Title], WTO/GATT Doc Number (n Footnote Number) Pinpoint.
```

WTO panel reports, Appellate Body reports or decisions by the arbitrator or GATT panel reports may be given a short title in accordance with rule 1.4.4. Subsequent references should include the document description (the name of the reporting body) before the short title and should be cited as follows:

```
Name of the Reporting Body, [Short Title], WTO/GATT Doc Number (n Footnote Number) Pinpoint.
```

‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

Examples

```
… Agreement on Technical Barriers to Trade (‘TBT Agreement’) \(^{23}\) …
```

\(^{23}\) Marrakesh Agreement Establishing the World Trade Organization, opened for signature 15 April 1994, 1867 UNTS 3 (entered into force 1 January 1995) annex 1A (‘Agreement on Technical Barriers to Trade’) (‘TBT Agreement’).

…

\(^{25}\) TBT Agreement (n 23) art 2.1.
27 Ministerial Declaration on Trade in Information Technology Products, WTO Doc WT/MIN(96)/16 (13 December 1996) ('Information Technology Agreement').

29 Information Technology Agreement, WTO Doc WT/MIN(96)/16 (n 27) para 2.


31 Ibid [160].

14 Supranational Materials

14.1 Constitutive Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th>Constitutive treaties and documents of supranational organisations other than those of the European Union should be cited in accordance with chapter 8. These include treaties establishing the existence of the organisations as well as their courts and other bodies.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Note</td>
<td>Constitutive treaties of the European Union should be cited in accordance with rule 14.2.2.</td>
</tr>
</tbody>
</table>
14.2 European Union Materials

14.2.1 Official Journal of the European Union

<table>
<thead>
<tr>
<th>Example</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council Directive</td>
<td>A reference to a document of the European Union (‘EU’), European Communities (‘EC’) or predecessor</td>
</tr>
<tr>
<td>93/13/EEC of 5 April 1993 on Unfair Terms in Consumer Contracts</td>
<td>organisations should include a citation to the <em>Official Journal of the European Union</em> (abbreviated</td>
</tr>
<tr>
<td></td>
<td>‘OJ’) where possible.</td>
</tr>
<tr>
<td>[1993] OJ L 95/29</td>
<td>The document title should appear in italics and as it does on the document cited, subject to chapter 1. In particular:</td>
</tr>
<tr>
<td></td>
<td>• punctuation should adhere to rule 1.6 (ie full stops should not be used in abbreviations); and</td>
</tr>
<tr>
<td></td>
<td>• capitalisation should adhere to rule 1.7.</td>
</tr>
<tr>
<td></td>
<td>The year is that of publication in the OJ.</td>
</tr>
<tr>
<td></td>
<td>For documents published from 1 January 1968, the series should be included after ‘OJ’, preceded by a</td>
</tr>
<tr>
<td></td>
<td>space. Legislative acts are contained in the ‘L’ series (abbreviated ‘OJ L’), and information and</td>
</tr>
<tr>
<td></td>
<td>notices are contained in the ‘C’ series (abbreviated ‘OJ C’). Each of these series contains a subseries,</td>
</tr>
<tr>
<td></td>
<td>being either ‘LI’ or ‘CI’ or ‘CA’, which were introduced in 2016. Invitations to tender are</td>
</tr>
<tr>
<td></td>
<td>contained in the ‘S’ series (abbreviated ‘OJ S’), which does not contain a starting page.</td>
</tr>
<tr>
<td></td>
<td>The issue number and starting page should be separated by an (unspaced) slash (eg ‘22/34’).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Element</th>
<th>Document Title</th>
<th>Year</th>
<th>Official Journal</th>
<th>Series</th>
<th>Issue Number</th>
<th>Starting Page</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
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</th>
<th>Starting Page</th>
<th>Pinpoint</th>
</tr>
</thead>
</table>

For documents published before 1 January 1974, a parallel citation to the English language Special Edition of the *Official Journal* (‘OJ Spec Ed’), preceded by a semicolon, should be included (where possible). It should appear in the form:

| Year | OJ Spec Ed | Starting Page | Pinpoint |

Pinpoint references should adhere to rules 1.1.6–1.1.7 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.

### 14.2.2 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 8. 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 should 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 to 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.
When referring to constitutive treaties of the EU and EC as made (prior to any amendment):

- a citation to 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.

<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>

See the ‘notes’ section for an explanation on the use of these short titles.

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 8.3 (so should be those of the treaty as made), regardless of whether the treaty is referred to as in force or historically.
Examples


18 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]


Note

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.


14.2.3 Courts of the European Union

<table>
<thead>
<tr>
<th>Examples</th>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Costa v ENEL</strong></td>
<td><em>(C-6/64)</em> [1964] ECR 585, 594</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Element</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>
</table>

Reported decisions of the Court of Justice of the European Union (‘CJEU’) (previously the European Court of Justice or ‘ECJ’), the General Court of the European Union (‘General Court’) (previously known as the Court of First Instance) 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.

Decisions not reported in the ECR/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. The ECLI (if available), including the letters ‘ECLI’, should be included after the case number, preceded and followed by a comma. Pinpoint references should be to paragraphs.

**Examples**

22 Grad v Finanzamt Traunstein (C-9/70) [1970] 2 ECR 825, 833.
23 Huawei Technologies Co Ltd v ZTE Corporation (Court of Justice of the European Union, C-170/13, ECLI:EU:C:2015:477, 16 July 2015) [9].

**Note**

Until December 2009, the CJEU was known as the ‘European Court of Justice’ (‘ECJ’) and the General Court was the ‘Court of First Instance of the European Communities’ (‘CFI’). 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 2012, the case reports are only published digitally and are the authorised version.

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 preferable to cite Section II, unless the case in Section II is not in an accessible language.) Since 2010, the case reports are only published digitally and are the authorised version.
14.3 Council of Europe

14.3.1 Basic Documents of the Council of Europe

| Rule | The Statute of the Council of Europe should be cited (in accordance with chapter 8) as follows:
|      | Statute of the Council of Europe, opened for signature 5 May 1949, 87 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 8 (and the ETS should be the treaty series cited, where available).


| Note | 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’).
14.3.2 European Court of Human Rights

<table>
<thead>
<tr>
<th>Examples</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>Wemhoff v Federal Republic of Germany</td>
<td>(1968)</td>
<td>7</td>
<td>Eur Court HR (ser A)</td>
<td>23</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bouchelkia v France</td>
<td>[1997]</td>
<td>1</td>
<td>Eur Court HR</td>
<td>47</td>
<td>, 67</td>
<td></td>
</tr>
</tbody>
</table>

Reported decisions of the European Court of Human Rights should be cited as shown above.

The parties’ names should appear in the form:

\[\text{Complainant’s Surname} \text{ v } \text{Respondent State}\]

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 (e.g. ‘(Preliminary Objections)’, ‘(Revision)’ or ‘(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.

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 10.2.7. Judges should be identified after pinpoint references in accordance with rule 10.2.8.
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, such as the *European Human Rights Reports* (abbreviated ‘EHRR’).

Unreported decisions of the Court should be cited as follows:

\[
\text{Parties Names} (\text{European Court of Human Rights, Chamber}, \text{Application No Number, Full Date}) \text{ Pinpoint.}
\]

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:

\[
\text{Document Title}, \text{Complainant’s Surname v Respondent State} \text{ [Year]} \text{ Eur Court HR (ser B) Starting Page, Pinpoint.}
\]

**Examples**

28 *Boujilfa v France* [1997] VI Eur Court HR 2250, 2264.


30 *Loizidou v Turkey (Preliminary Objections)* (1995) 310 Eur Court HR (ser A).

31 *MSS v Belgium* [2011] I Eur Court HR 255.


33 *S v United Kingdom* (European Court of Human Rights, Grand Chamber, Application Nos 30562/04 and 30566/04, 4 December 2008) [125].


**Note**

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.

Until 1988, the Court published *Series B: Pleadings, Oral Arguments and Documents* (abbreviated ‘Eur Court HR (ser B)’).

### 14.3.3 European Commission of Human Rights

<table>
<thead>
<tr>
<th>Example</th>
<th>Parties’ Names</th>
<th>Year</th>
<th>Volume</th>
<th>Report Series</th>
<th>Starting Page</th>
<th>Pin-point</th>
</tr>
</thead>
<tbody>
<tr>
<td>Klass v Federal Republic of Germany (1978)</td>
<td></td>
<td>1</td>
<td>Eur Comm HR</td>
<td>20 ,</td>
<td>, 29</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 14.3.2. The year should be that of the decision. A volume number and starting page should always be included. Pinpoints should adhere to rules 1.1.6–1.1.7 and be to pages.

**Example**

X v Austria (1979) 17 Eur Comm HR 80, 85–6.

**Note**

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’).

### 14.4 Other Supranational Courts and Tribunals

#### 14.4.1 Decisions

<table>
<thead>
<tr>
<th>Example</th>
<th>Parties’ Names</th>
<th>Phase</th>
<th>Name of Court or Tribunal</th>
<th>Case Number</th>
<th>Full Date</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gonzales Lluy v Ecuador (Judgment)</td>
<td>(Inter-American Court of Human Rights, Series C No 298, 1 September 2015)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>[32]</td>
</tr>
</tbody>
</table>

#### Rule

Parties’ names should adhere to rules 2.1 and 10.2.2.

Phases should be cited in accordance with rule 10.2.3. Common phases may include:

- ‘(Provisional Measures)’
- ‘(Preliminary Objections)’
- ‘(Jurisdiction)’/‘(Admissibility)’
- ‘(Merits)’
- ‘(Reparations)’
- ‘(Costs)’; and
- ‘(Judgment)’

As much of the full date of the judgment as appears in the judgment should be included.

A case number should be cited where available. The case number may be cited as ‘Case No’, ‘App No’ or ‘Series No’ where appropriate to reflect the case numbers adopted by the relevant supranational court or tribunal.

Pinpoint references should adhere to rules 1.1.6–1.1.7 and should be to paragraph numbers where available (and where these are continuous across an entire document). Where a document has only page numbers, pinpoints should be to page numbers.

#### Examples

36 Omari v Tanzania (Merits) (African Court on Human and Peoples’ Rights, App No 001/2012, 3 June 2016).
14.4.2 Advisory Opinions

<table>
<thead>
<tr>
<th>Example</th>
<th>Rights and Guarantees of Children in the Context of Migration and/or in Need of International Protection (Advisory Opinion)</th>
<th>(Inter-American Court of Human Rights, Series A No 21, 19 August 2014)</th>
<th>[190]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Title</td>
<td>Name of Court or Tribunal</td>
<td>Doc Number</td>
</tr>
<tr>
<td>Rule</td>
<td>The title of the advisory opinion should appear in italics. Where the supranational court or tribunal’s name is mentioned in the title of the advisory opinion, the court or tribunal’s name should be omitted where it would normally appear before the case number. As much of the full date of the judgment as appears in the judgment should be included. The document number may be cited as ‘Series No’, ‘Doc No’, ‘Request No’ or by other iterations where so named by the institution or where appropriate. Pinpoint references should adhere to rules 1.1.6–1.1.7 and should be to paragraph numbers where available (and where these are continuous across an entire document). Where a document has only page numbers, pinpoints should be to page numbers.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
14.4.3 Rules of Procedure

Rules of supranational courts and tribunals (other than those of the European Union) should be cited as follows:

Court, Rules of Court/Procedure (adopted Full Date) Pinpoint.

Pinpoint references should adhere to rule 8.7 and should generally be to rules or sub-rules.

Examples

41 African Court on Human and Peoples’ Rights, Rules of Court (adopted 2 June 2010) r 3(1).

14.4.4 Pleadings and Other Documents

Pleadings and other material of parties and of the court originating in proceedings before supranational courts and tribunals (other than in the European Union) should be cited as follows:

‘Document Title’, Parties’ Names or Title Court, Case Number, Full Date) Pinpoint.

The title of the document should appear as it does in the source, subject to chapter 1. The parties’ names or title of the proceeding and the case number should adhere to rules 14.4.1–14.4.2. The full date is that of the document cited.
Pinpoint references should adhere to rules 1.1.6–1.1.7 and should be to paragraph numbers where available (and where these are continuous across an entire document). Where a document has only page numbers, pinpoints 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 10.2.8. Names of counsel should adhere to rule 2.4.4.

Example

43 ‘Preliminary Objection by the Government of the Republic of Trinidad and Tobago’, Constantine v Trinidad and Tobago (Inter-American Court of Human Rights, Series C No 82 1 September 2001).

14.5 Documents of Other Supranational Parliaments, Councils, Bodies, etc

Rule

Other documents of parliaments, councils and other like bodies of supranational organisations (other than the European Union) should be cited as follows.

<table>
<thead>
<tr>
<th>Element</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supranational Organisation</td>
<td>African Union,</td>
</tr>
<tr>
<td>Author or Relevant Body</td>
<td>Pan-African Parliament,</td>
</tr>
<tr>
<td>Document Title</td>
<td>Resolution on the Campaign on ‘Press Freedom for Development and Governance: Need for Reform’,</td>
</tr>
<tr>
<td>Document Number</td>
<td>Doc No PAP/P(3)/RES/08(1),</td>
</tr>
<tr>
<td>Parliament, Council, Session, Meeting,</td>
<td>3rd parl, 1st ord sess,</td>
</tr>
<tr>
<td>etc</td>
<td></td>
</tr>
<tr>
<td>Full Date</td>
<td>8–19 October 2012,</td>
</tr>
<tr>
<td>Pinpoint Reference</td>
<td>1</td>
</tr>
</tbody>
</table>

Where the name of the supranational organisation is mentioned in the author or body that created the document, the supranational organisation should be omitted from the start of the citation.
The document title should appear in italics. If the document does not have a title, the title may be omitted.

If parliament or other session numbers exist, as much of the information as possible should be included in the citation.

As much of the full date as appears in the document itself should be included.

### Examples


47 Chairman of the ASEAN Standing Committee on the Situation in the Korean Peninsula, *Statement by the Chairman of the ASEAN Standing Committee on the Situation in the Korean Peninsula at the ASEAN Foreign Ministers’ Informal Meeting, Karambuna, Sabah, Malaysia, 19 March 2003*. [Not: Association of Southeast Asian Nations, Chairman of the ASEAN Standing Committee on the Situation in the Korean Peninsula…]

48 Association of Southeast Asian Nations, Secretary-General, *Dr Surin Pitsuwan’s Remarks at the Ceremony for the Deposit of Myanmar’s Instrument of Ratification of the ASEAN Charter*, 21 July 2008.


14.6 Short Title and Subsequent References

| Rule | Short titles for treaties and subsequent references to treaties should adhere to rule 8.8. Short titles for judicial decisions should adhere to rule 2.14. Subsequent references for judicial decisions should adhere to rule 1.4.1. EU documents and documents of other supranational bodies may be given a short title in accordance with rule 1.4.4. Subsequent references should then take the form: 

<table>
<thead>
<tr>
<th></th>
<th>Short Title (n Footnote Number) Pinpoint.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>53 ECHR (n 51) art 6.</td>
<td></td>
</tr>
<tr>
<td>54 Guidelines to a Fair Trial (n 52) 4.</td>
<td></td>
</tr>
<tr>
<td>58 European Prospectus Directive (n 59) art 3(2).</td>
<td></td>
</tr>
</tbody>
</table>
### 15.1 Cases

#### 15.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>Canadian cases should be cited in accordance with chapter 2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>1  <em>R v Sharpe</em> [2001] 1 SCR 45.</td>
</tr>
</tbody>
</table>

**Note**

When citing cases from foreign jurisdictions, it may be useful to include the name of the court in a citation (in accordance with rule 2.2.6) where the court is not otherwise apparent. However, this is unnecessary for references to the *Supreme Court Reports* (abbreviated ‘SCR’) and other report series specific to a particular court.

#### 15.1.2 Official and Unofficial Report Series

<table>
<thead>
<tr>
<th>Rule</th>
<th>In accordance with rule 2.2.2, citations to Canadian cases should include a citation to an authorised report series where possible.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examples</td>
<td>2  <em>Eli Lilly Canada Inc v Apotex Inc</em> [2008] 2 FCR 636.</td>
</tr>
<tr>
<td></td>
<td>3  <em>Aktiebolaget Hassle v Apotex Inc</em> [1988] 1 FC 360.</td>
</tr>
<tr>
<td></td>
<td>4  <em>The Coca-Cola Co of Canada Ltd v The Pepsi-Cola Co of Canada Ltd</em> [1938] Ex CR 263.</td>
</tr>
</tbody>
</table>
Notes

Only federal Canadian reports are authorised. Those series are:

<table>
<thead>
<tr>
<th>Court</th>
<th>Abbreviation</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court of Canada</td>
<td>SCR</td>
<td>1876–</td>
</tr>
<tr>
<td></td>
<td>FCR</td>
<td>2004–</td>
</tr>
<tr>
<td>Exchequer Court of Canada</td>
<td>Ex CR</td>
<td>1875–1970</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).

Unreported decisions should be cited in accordance with rule 2.3.

15.2 Legislation

Example

<table>
<thead>
<tr>
<th>Element</th>
<th>Title</th>
<th>Statute Volume and Jurisdiction</th>
<th>Year</th>
<th>Chapter</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>15.2.1</td>
<td>15.2.2</td>
<td>15.2.3</td>
<td>15.2.4</td>
<td>15.2.5</td>
</tr>
</tbody>
</table>

15.2.1 Title

Rule

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.

Example

6 Agrifu-Food Amendment Act, SS 1997, c 27. [Not: The Agrifu-Food …]

15.2.2 Statute Volume and Jurisdiction

Rule

An abbreviated form of the statute volume and jurisdiction should be included as follows:

Statute Volume | Jurisdiction
The statute volume and jurisdiction should not be separated by a space or any punctuation.

For the statute volume, a citation to the *Revised Statutes* or the *Re-enacted Statutes* (both abbreviated ‘RS’) should be included where available (e.g. ‘RSC’). Otherwise, a citation to the sessional or annual volumes (abbreviated ‘S’) should be included (e.g. ‘SC’).

An abbreviated version of the jurisdiction should be included (e.g. ‘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

7  *Criminal Code*, RSC 1985, c C-46, s 515.
8  *Controlled Drugs and Substances Act*, SC 1996, c 19, s 4.
9  *Escheats Act*, RSO 1980, c 142. [Not: ... RS O 1980, ...]
### 15.2.3 Year

**Rule**

The year (or span of years) of the statute volume should be followed by a comma.

A session number (eg ‘3rd 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 (eg ‘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 1.10.1 (ie 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 and the session or supplement number should be followed by a comma.

**Examples**


**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.

### 15.2.4 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**

### 15.2.5 Pinpoint References

<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 3.1.4–3.1.7.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td>15. Tobacco Act, SC 1997, c 13, s 58.</td>
</tr>
</tbody>
</table>

### 15.3 Constitutions

#### 15.3.1 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 rule 3.5 (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 (‘Constitution Act 1982’).</em></td>
</tr>
<tr>
<td></td>
<td><em>Constitution Act 1867 (Imp), 30 &amp; 31 Vict, c 3 (‘Constitution Act 1867’).</em></td>
</tr>
<tr>
<td></td>
<td>The <em>Canadian Charter of Rights and Freedoms</em> should be cited (in accordance with rule 3.1.7) as follows:</td>
</tr>
<tr>
<td></td>
<td><em>Canada Act 1982 (UK) c 11, sch B pt I (‘Canadian Charter of Rights and Freedoms’).</em></td>
</tr>
</tbody>
</table>

| 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*. |

#### 15.3.2 Provincial and Territorial

<table>
<thead>
<tr>
<th>Rule</th>
<th>Provincial and territorial Canadian constitutions should be cited as regular legislation (in accordance with rule 15.2).</th>
</tr>
</thead>
</table>
15.4 Delegated Legislation (Regulations)

15.4.1 Revised Federal Regulations

Revised federal regulations are published in the Consolidated Regulations of Canada (abbreviated ‘CRC’). They should be cited as follows:

\[
\text{Title}, \quad \text{CRC, c} \quad \text{Chapter Number}, \quad \text{Pinpoint}.
\]

Pinpoint references should adhere to rules 3.1.4–3.1.7 and 3.4.

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

17. Maple Products Regulations, CRC, c 289, s 9.

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).

15.4.2 Unrevised Federal Regulations

Unrevised federal regulations are published in the Statutory Orders and Regulations (abbreviated ‘SOR’). They should be cited as follows:

\[
\text{Title}, \quad \text{SOR/ Year} - \text{Regulation Number}, \quad \text{Pinpoint}.
\]

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 3.1.4–3.1.7 and 3.4.

Examples

15.4.3 Provincial and Territorial Regulations

Provincial and territorial regulations should be cited as follows:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Unrevised Regulations</th>
<th>Revised Regulations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alberta</td>
<td>Alta Reg Regulation No</td>
<td>Man Reg Regulation No</td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>Year R</td>
</tr>
<tr>
<td></td>
<td>(‘Alta Reg 62/2009’)</td>
<td>(‘Man Reg 401/88R’)</td>
</tr>
<tr>
<td>British Columbia</td>
<td>BC Reg Regulation No</td>
<td>Man Reg Regulation No</td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>Year R</td>
</tr>
<tr>
<td></td>
<td>(‘BC Reg 278/2008’)</td>
<td>(‘Man Reg 401/88R’)</td>
</tr>
<tr>
<td>Manitoba</td>
<td>Man Reg Regulation No</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(‘Man Reg 351/87’)</td>
<td></td>
</tr>
<tr>
<td>New Brunswick</td>
<td>NB Reg Year Regulation No</td>
<td>CNLR Regulation No</td>
</tr>
<tr>
<td></td>
<td>(‘NB Reg 2006-23’)</td>
<td>Year of Consolidation</td>
</tr>
<tr>
<td></td>
<td></td>
<td>(‘CNLR 1195/96’)</td>
</tr>
<tr>
<td>Newfoundland (until 5 December 2000)</td>
<td>Nfld Reg Regulation No</td>
<td>CNLR Regulation No</td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>Year of Consolidation</td>
</tr>
<tr>
<td></td>
<td>(‘Nfld Reg 19/97’)</td>
<td>(‘CNLR 1195/96’)</td>
</tr>
<tr>
<td>Newfoundland and Labrador (from 6 December 2000)</td>
<td>NLR Regulation No</td>
<td>CNLR Regulation No</td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>Year of Consolidation</td>
</tr>
<tr>
<td></td>
<td>(‘NLR 4/09’)</td>
<td>(‘CNLR 1195/96’)</td>
</tr>
<tr>
<td>Northwest Territories</td>
<td>NWT Reg Regulation No</td>
<td>RRNWT Year of Revision</td>
</tr>
<tr>
<td></td>
<td>Year</td>
<td>c Chapter No</td>
</tr>
<tr>
<td></td>
<td>(‘NWT Reg 26-2008’)</td>
<td>(‘RRNWT 1990, c P-26’)</td>
</tr>
</tbody>
</table>

The title may be omitted. Pinpoint references should adhere to rules 3.1.4–3.1.7 and 3.4.

The citation to the regulation should appear as shown in the table above for the relevant jurisdiction (examples appear in parentheses).
<table>
<thead>
<tr>
<th>Province</th>
<th>Regulation Type</th>
<th>Regulation No</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nova Scotia</td>
<td>NS Reg</td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>('NS Reg 235/2007')</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nunavut (from 1 April 1999)</td>
<td>Nu Reg</td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>(''Nu Reg 040-99'')</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ontario</td>
<td>O Reg</td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>('O Reg 361/08')</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>PEI Reg</td>
<td>EC Year</td>
<td>Regulation No</td>
</tr>
<tr>
<td></td>
<td>('PEI Reg EC2002-249')</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Quebec</td>
<td>OC</td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>('OC 764-97, 25 June 1997, GOQ 1997.II.2737')</td>
<td>Full Date</td>
<td>Gazette Citation</td>
</tr>
<tr>
<td>Saskatchewan</td>
<td>Sask Reg</td>
<td>Regulation No</td>
<td>Year</td>
</tr>
<tr>
<td></td>
<td>('Sask Reg 444/67')</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Yukon Territory</td>
<td>YOIC</td>
<td>Year</td>
<td>Regulation No</td>
</tr>
<tr>
<td></td>
<td>('YOIC 1995/87')</td>
<td></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

21 Elevating Devices Codes Regulation, Alta Reg 192/2015, s 3.
15.5 Other

Rule

For further information on the citation of other Canadian materials, see the latest edition of the *Canadian Guide to Uniform Legal Citation*. 
16 China

**Note**
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 26.1.2 and rule 16.1 in this chapter.

### 16.1 Specific Rules for Chinese Language Materials

| Rule | In citations of Chinese primary materials, translations of elements appearing in Chinese should adhere to rule 26.1.1 (ie 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 (« »).

| Examples | In the document, the word ‘interior’ (‘内地’) is used instead of ‘China’ 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]


16.2 Cases

16.2.1 General Rule

Reported Chinese cases should be cited as follows:

- **Case Name** [Year of Decision] [Issue Number]
- Official Gazette or Report Series [Starting Page in Report Series], [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:

- **[Parties’ Names — Case Description]**
  (eg ‘[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


### Note

When citing cases from foreign jurisdictions, 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 2.2.6).
Part V — Foreign Domestic Materials

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 Min Fa Yuan</td>
</tr>
<tr>
<td>High People’s Court</td>
<td>高级人民法院</td>
<td>Gao Ji Ren Min Fa Yuan</td>
</tr>
<tr>
<td>Intermediate People’s Court</td>
<td>中级人民法院</td>
<td>Zhong Ji Ren Min Fa Yuan</td>
</tr>
<tr>
<td>Basic People’s Court</td>
<td>基层人民法院</td>
<td>Ji Cheng Ren Min Fa Yuan</td>
</tr>
</tbody>
</table>

16.2.2 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


Note
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].
16.2.3 Unreported Judgments

Rule

Unreported Chinese judgments should be cited as follows:

\[
\text{Case Name} \quad \text{Court Name} \quad [\text{Case Number}] \\
\text{Full Date} \quad \text{Pinpoint}
\]

The case name should adhere to rule 16.2.1.

‘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


7 «焦其铸与重庆市信心农牧科技有限公司租赁合同纠纷案» [Jiao Qizhu v Confidence Farming Technology Co Ltd of Chongqing Municipality — Lease Contract Dispute Case], 重庆市第五中级人民法院 [Fifth Intermediate People’s Court of Chongqing Municipality, People’s Republic of China], 渝五中民终字第93号 [Economic Appeal No 93], 24 April 2008.

16.3 Legislative Materials

16.3.1 Chinese Legislative Acts

Rule

Chinese legislative acts should be cited as follows:

\[
\text{Title of Law} \quad (\text{Jurisdiction}) \quad \text{Promulgating Body} \\
\text{Order/Decree/Oppinion No} \quad \text{Number} \quad \text{Full Date of Promulgation} \\
\text{Pinpoint}
\]

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 publication may be included after the full date of promulgation and before any pinpoint reference.

**Examples**


11. «著作權法» [Copyright Act] (Republic of China) Legislative Yuan, 10 February 2010, art 10.


**Note**

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 19.

### 16.3.2 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]

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:

**Examples**

15 «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 16.3.1.

### 16.4 Chinese Language Secondary Sources

#### 16.4.1 General Rules

Citations of Chinese language secondary sources should adhere to rules 26.4 and 16.1. 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.
16.4.2 Author Names and Subsequent 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 references should adhere to rule 1.4.1. 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.

‘Ibid’ should be used for all materials in this chapter in accordance with rule 1.4.3.

Examples

卫铄 [Wei Shuo] … [Original: 卫铄]  

…

Cai Yuanpei … [Original: Cai Yuanpei]

17 方建伟 [Fang Jianwei], «试论入世后中国法律服务业的开放» [Examining the Opening Up of China’s Legal Services Sector after WTO Accession] [2004] 行政与法 Public Administration and Law 21, 122.

18 Ibid 123.


…

21 方建伟 [Fang Jianwei] (n 17) 124.

22 Trademark Law (n 19) art 12.
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.
17 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 26.1.2.

17.1 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 ECLI (if available), including the letters ‘ECLI’, should be included after the case number, preceded and followed by a comma.

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 26.1.1 (ie should appear in square brackets after the element translated).

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Cour de cassation [French Court of Cassation], 06-81968, 5 December 2006 reported in (2006) Bull crim no 304, 1095.</td>
</tr>
<tr>
<td>2 Conseil constitutionnel [French Constitutional Court], decision no 2005-527 DC, 8 December 2005 reported in JO, 13 December 2005, 19162.</td>
</tr>
<tr>
<td>4 Cour d’appel de Toulouse [Toulouse Court of Appeal], 2003/05292, 7 March 2005.</td>
</tr>
</tbody>
</table>

Note

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 ‘no de pourvoi’ in the decision.

17.2 Legislative Materials

17.2.1 Individual Materials

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 (ie should appear in square brackets after the element translated).

### Examples


### 17.2.2 Codes

<table>
<thead>
<tr>
<th>Rule</th>
<th>French codes should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Title of Code</strong> (France) <strong>Pinpoint</strong>.</td>
</tr>
</tbody>
</table>

Translations of elements appearing in French should adhere to rule 25.1.1 (ie should appear in square brackets after the element translated).

### Examples

7. *Code civil* [Civil Code] (France) art 147.


### 17.2.3 Constitution

<table>
<thead>
<tr>
<th>Rule</th>
<th>The French Constitution should be cited as follows:</th>
</tr>
</thead>
</table>

### Example

18 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 26.1.2.

18.1 Cases

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 ECLI (if available), including the letters ‘ECLI’, should be included after the case number, preceded and followed by a 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 26.1.1 (ie should appear in square brackets after the element translated).

Examples

1 Bundesverfassungsgericht [German Constitutional Court], 1 BvR 131/96, 24 March 1998 reported in (1998) 97 BVerfGE 391.
3 Solange II, Bundesverfassungsgericht [German Constitutional Court], 2 BvR 197/83, 22 October 1986 reported in (1986) 73 BVerfGE 339.
4 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>BAGF</td>
</tr>
</tbody>
</table>

18.2 Legislative Materials

18.2.1 Individual Laws

Legislation and delegated legislation should be cited as follows:

[Title of Law] (Germany) [Full Date of Enactment], [Abbreviated Gazette Name] [Year] [Starting Page] [Pinpoint].

Translations of elements appearing in German should adhere to rule 26.1.1 (ie should appear in square brackets after the element translated).

Example

### 18.2.2 Codes

**Rule**  
German codes should be cited as follows:

\[\text{Title of Code (Germany) Pinpoint}\]

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 3.5.

Translations of elements appearing in German should adhere to rule 26.1.1 (i.e., should appear in square brackets after the element translated).

#### Examples

6. *Bürgerliches Gesetzbuch* [Civil Code (Germany)] § 823(1) (‘*BGB*’).

...  

8. *BGB* (n 6) § 826.

### 18.2.3 Constitution

**Rule**  
The German Constitution should be cited as follows:

*Grundgesetz für die Bundesrepublik Deutschland* [Basic Law for the Federal Republic of Germany] [Pinpoint]

#### Example

19 Hong Kong

19.1 Cases

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hong Kong cases should be cited accordance with chapter 2. However, names of individuals (both parties and judicial officers) should generally appear in full.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. <em>Ng Ka Ling v Director of Immigration</em> [1999] 1 HKLRD 315.</td>
</tr>
<tr>
<td>5. <em>Discovery Bay Services Management Ltd v David Buxbaum</em> [1995] HKDCLR 7, 9 (Downey J).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>The <em>Hong Kong Law Reports and Digest</em> (abbreviated ‘HKLRD’), the <em>Hong Kong Court of Final Appeal Reports</em> (abbreviated ‘HKCFAR’) and the <em>Hong Kong Law Reports</em> (abbreviated ‘HKLR’) are authorised report series, so should be cited where available. Commonly cited unauthorised law report series is the <em>Hong Kong Cases</em> (abbreviated ‘HKC’), which should be cited where no authorised series is available.</td>
</tr>
<tr>
<td>When citing cases from Hong Kong, it may be useful to include the name of the court in a citation (in accordance with rule 2.2.6).</td>
</tr>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>
19.2 Legislative Materials

19.2.1 Principal and Delegated Legislation

| Rule | Hong Kong principal and delegated legislation should be cited in accordance with rules 3.1 and 3.4–3.5. 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]  
|      | (eg ‘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 |  
| 7 | Evidence Ordinance (Hong Kong) cap 8, s 4.  
| 8 | Dogs and Cats Regulations (Hong Kong) cap 167A, reg 22.  
| 9 | Rules of the High Court (Hong Kong) cap 4A.  
| Note | A piece of primary legislation in Hong Kong is usually called an ‘ordinance’.  

19.2.2 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 |  
| 10 | Basic Law of the Hong Kong Special Administrative Region of the People’s Republic of China art 4.  

20  Malaysia

20.1  Cases

| Rule | Malaysian cases should be cited in accordance with chapter 2. However:
|      | • the names of individuals (both parties and judicial officers) should generally appear in full; and
|      | • 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).
|      | ‘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.

| Examples |
|         | 1  Ratna Ammal v Tan Chow Soo [1964] 1 MLJ 399.
|         | 2  Achieva Technology Sdn Bhd v Lam Yen Ling [2009] 8 MLJ 625 (High Court of Malaya).

| Notes | When citing cases from Malaysia, it may be useful to include the name of the court in a citation (in accordance with rule 2.2.6).
|       | 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.

20.1.1  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.
### 20.1.2 Unreported Cases

<table>
<thead>
<tr>
<th>Rule</th>
<th>Unreported Malaysian decisions should be cited in accordance with rule 2.3.2.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Example</td>
<td><em>Mohamed Musa bin Amanullah v Public Prosecutor</em> (Unreported, Malaysian Court of Appeal, Hasan Lah, Sulong Matjeraie and Mohd Hishamudin Yunus JICA, 1 March 2010) [45]–[46].</td>
</tr>
<tr>
<td>Note</td>
<td>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 2.3.1.</td>
</tr>
</tbody>
</table>

### 20.2 Legislative Materials

#### 20.2.1 Statutes and Delegated Legislation

<table>
<thead>
<tr>
<th>Rule</th>
<th>Malaysian statutes and delegated legislation should be cited in accordance with chapter 3. The jurisdiction should appear as ‘(Malaysia)’.</th>
</tr>
</thead>
</table>
| Examples | *Copyright Act 1987* (Malaysia) s 7.  
*Digital Signature Regulations 1998* (Malaysia) reg 58(a). |
20.2.2 Constitution

The Malaysian Constitution should be cited as follows:

*Federal Constitution (Malaysia)*

Example

9 *Federal Constitution (Malaysia)* art 5.
21 New Zealand

21.1 Cases

21.1.1 General Rule

<table>
<thead>
<tr>
<th>Rule</th>
<th>New Zealand cases should be cited in accordance with chapter 2.</th>
</tr>
</thead>
</table>

| Example | 1 Haylock v Patek [2009] 1 NZLR 351. |

| Note | When citing cases from New Zealand, it may be useful to include the name of the court in a citation (in accordance with rule 2.2.6) where the court is not otherwise apparent. |

21.1.2 Official and Unofficial Report Series

| Rule | The New Zealand Law Reports (abbreviated ‘NZLR’), which are authorised, should be cited where possible in accordance with rule 2.2.2. Where a case is not reported in the NZLR, an unofficial report series should be cited (where available). |

<table>
<thead>
<tr>
<th>Examples</th>
<th>2 Buchanan v Jennings [2000] NZAR 113 (Randerson and Neazor JJ) (High Court of New Zealand).</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>3 Gloken Holdings Ltd v The CDE Co Ltd (1997) 6 NZBLC ¶99-418, 102,272.</td>
</tr>
<tr>
<td></td>
<td>4 Edinburgh Realty Ltd v Scandrett (2016) 18 NZCPR 23.</td>
</tr>
<tr>
<td></td>
<td>6 Glaxo Group Ltd v Apotex NZ Ltd (1994) 30 IPR 665 (High Court of New Zealand).</td>
</tr>
<tr>
<td></td>
<td>8 Brown v New Zealand Basing Ltd [2018] 1 NZLR 245, 263 [40] (Young J for Young and Glazebrook JJ) (Supreme Court of New Zealand).</td>
</tr>
</tbody>
</table>
### 21.1.3 Unreported Cases

Where a case is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.3.1. The following medium neutral unique court identifiers for New Zealand courts should be used from the years indicated:

<table>
<thead>
<tr>
<th>Court</th>
<th>Unique Court Identifier</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supreme Court</td>
<td>NZSC</td>
<td>2005–</td>
</tr>
<tr>
<td>Court of Appeal</td>
<td>NZCA</td>
<td>2007–</td>
</tr>
<tr>
<td>High Court</td>
<td>NZHC</td>
<td>2012–</td>
</tr>
<tr>
<td>Employment Court</td>
<td>NZEmpC</td>
<td>2010–</td>
</tr>
<tr>
<td>Environment Court</td>
<td>NZEnvC</td>
<td>2010–</td>
</tr>
<tr>
<td>Family Court</td>
<td>NZFC</td>
<td>2012–</td>
</tr>
</tbody>
</table>

Other unreported decisions should be cited in accordance with rule 2.3.2.

#### Examples


#### Note

Some New Zealand tribunals also assign medium neutral citations to their decision. Such medium neutral citations should be used only where the tribunal itself has assigned that citation.

### 21.1.4 Māori Land Court and Māori Appellate Court

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>

---

8 Part V — Foreign Domestic Materials
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 2.3).

Pinpoint references should adhere to rule 2.2.5. Names of judicial officers should adhere to rule 2.4.1.

### Examples


### Note

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.

### 21.1.5 Waitangi Tribunal

#### Rule

Reports of the Waitangi Tribunal should be cited as follows:

Waitangi Tribunal, *Title of Report* ([Wai Number , Year] Pinpoint).

#### Example


#### Note

The ‘Wai number’ is used to identify reports of the Waitangi Tribunal and should be included where it is available.
21.2 Legislative Materials

21.2.1 Statutes

Rule
New Zealand statutes should be cited in accordance with rule 3.1. The jurisdiction should be abbreviated ‘NZ’.

Example
16  Habeas Corpus Act 2001 (NZ).

21.2.2 Delegated Legislation

Rule
New Zealand delegated legislation should be cited in accordance with rule 3.4. However, the statutory rule number should be included after the jurisdiction and followed by a comma. It should appear in the form:

\[ \text{SR } \text{Year} [\text{Instrument Number}] \text{ (eg ‘SR 2004/225’)} \]

Example

21.3 Other

Rule
For further information on the citation of New Zealand materials, see the latest edition of the New Zealand Law Style Guide.
22 Singapore

22.1 Cases

22.1.1 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 generally appear in full; and</td>
</tr>
<tr>
<td></td>
<td>• ‘Private Limited Company’ is abbreviated ‘Pte Ltd’ for Singaporean companies.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Examples</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Re Econ Corp Ltd [2004] 1 SLR(R) 273.</td>
</tr>
<tr>
<td>2</td>
<td>Lim Choo Suan Elizabeth v Goh Kok Hwa Richard [2009] 4 SLR(R) 193, 201–2 [15]–[16] (Woo Bih Li J) (High Court).</td>
</tr>
<tr>
<td>3</td>
<td>Virtual Map (Singapore) Pte Ltd v Singapore Land Authority [2009] 2 SLR(R) 558, 563 (Andrew Phang Boon Leong JA for the Court) (Court of Appeal).</td>
</tr>
</tbody>
</table>

| Note | When citing cases from Singapore, it may be useful to include the name of the court in a citation (in accordance with rule 2.2.6). 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. |

22.1.2 Report Series

| Rule | The authoritative report series for cases from 1965 is the Singapore Law Reports (Reissue) (abbreviated ‘SLR(R)’) and from 2010 is the Singapore Law Reports (abbreviated ‘SLR’). For cases prior to 1965, the Malayan Law Journal (abbreviated ‘MLJ’) should be cited. |

<table>
<thead>
<tr>
<th>Examples</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>4</td>
<td>ACB v Thomson Medical Pte Ltd [2017] 1 SLR 918.</td>
</tr>
</tbody>
</table>
Note

Singapore Law Reports (‘SLR’) for the years between 1965 to 2009 were re-edited and published under volumes called Singapore Law Reports (Reissue) (‘SLR(R)’). The Supreme Court of Singapore’s Practice Direction No 4 of 2009: Citation of Judgments — Singapore Law Reports (Reissue) states that the preferred report series between 1965 to 2009 is the SLR(R) report series. SLR(R) should be cited in preference to SLR for these years. SLR should be cited for all other years (ie from 2010 onwards).

<table>
<thead>
<tr>
<th>Preferred Report Series</th>
<th>Abbreviation</th>
<th>Years</th>
</tr>
</thead>
<tbody>
<tr>
<td>Singapore Law Reports (Reissue)</td>
<td>SLR(R)</td>
<td>1965–2009</td>
</tr>
<tr>
<td>Singapore Law Reports</td>
<td>SLR</td>
<td>2010–</td>
</tr>
</tbody>
</table>

22.1.3 Unreported Cases

Rule

Where a decision is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.3.1. 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 2.3.2.

Examples

6 Sumber Indah Pte Ltd v Kamala Jewellers Pte Ltd [2018] SGHC 70.
7 Prometheus Marine Pte Ltd v Ann Rita King [2017] SGCA 61, [38] (Sundaresh Menon CJ for the Court).
8 Public Prosecutor v Zhang Jing [2006] SGDC 82, [17]–[19].

Note

The Supreme Court of Singapore consists of the High Court and the Court of Appeal.
## 22.2 Legislative Materials

### 22.2.1 Statutes and Subsidiary Legislation

<table>
<thead>
<tr>
<th>Rule</th>
<th>Singaporean legislation and subsidiary legislation that has been assigned a chapter number should be cited as follows:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Title</strong> (Singapore, cap [Chapter Number], Year rev ed) Pinpoint.</td>
</tr>
<tr>
<td></td>
<td>The title should adhere to rule 3.1.1.</td>
</tr>
<tr>
<td></td>
<td>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 3.4.</td>
</tr>
<tr>
<td></td>
<td>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:</td>
</tr>
<tr>
<td></td>
<td><strong>Title</strong> [Year] (Singapore) Pinpoint.</td>
</tr>
<tr>
<td></td>
<td>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).</td>
</tr>
</tbody>
</table>

| Examples | 9 Adoption of Children Act (Singapore, cap 4, 1985 rev ed) s 5. |
|          | 10 Land Titles Act (Singapore, cap 157, 1994 rev ed) pt III. |
|          | 12 Road Traffic (Motor Vehicles, Driving Licences) (Amendment) Rules 2010 (Singapore). |
|          | 13 Land Titles Ordinance 1956 (Singapore) ss 28(2)(b)–(e). |

### Note

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’).
### 22.2.2 Constitutional Documents

<table>
<thead>
<tr>
<th>Rule</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>Singaporean constitutional documents should be cited in accordance with rule 22.2.1. These documents do not have chapter numbers, but revision or reprint information should be indicated.</td>
</tr>
</tbody>
</table>

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

### 22.3 Other

<table>
<thead>
<tr>
<th>Rule</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>For further information on the citation of Singaporean materials, see the latest edition of The Singapore Academy of Law Style Guide.</td>
</tr>
</tbody>
</table>
23  South Africa

23.1  Cases

23.1.1  General Rule

Rule
South African cases should be cited in accordance with chapter 2.

Where a judicial officer is identified (in accordance with rule 2.4.1), ‘Judge President’ should be abbreviated ‘JP’ and appear after a judge’s name.

In accordance with rule 2.2.6, the name of the court (eg ‘Constitutional Court’) or name of the division of the Supreme Court or High Court (eg ‘Appellate Division’) may be included. However, the location of a Supreme Court or High Court division should be omitted (eg ‘Provincial Division’, not ‘Transvaal Provincial Division’).

Examples
1  Christian Education South Africa v Minister of Education [1999] 2 SA 83 (Constitutional Court).
4  S v Zinn [1969] 2 SA 537, 540 (Rumpff JA) (Appellate Division).
5  Soller No v G [2003] 5 SA 430, 437–8 [22]–[27] (Satchwell J) (Local Division). [Note: … (Witwatersrand Local Division).]

Note
‘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.
Accordingly, the following court names may be included in accordance with rule 2.2.6:

<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.

### 23.1.2 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**

\(^6\) *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.
23.2 Legislative Materials

23.2.1 Statutes and Delegated Legislation

**Rule**

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:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviation/Phrase</th>
</tr>
</thead>
<tbody>
<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**

7 Local Government Transition Act 1993 (South Africa).

8 Digital Terrestrial Television Regulations 2009 (South Africa) reg 5.


23.2.2 Constitutions

**Rule**

The constitutions of South Africa and its provinces should be cited as regular legislation (in accordance with rule 23.2.1).

**Example**

### 23.3 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 6).</th>
</tr>
</thead>
</table>
24 United Kingdom

24.1 Cases

24.1.1 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:

\[ R \left( \text{Name of Party Seeking Judicial Review} \right) \]

(eg ‘R (Anderson)’).

Example

1 CAS (Nominees) Ltd v Nottingham Forest plc [2001] 1 All ER 954.

24.1.2 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 on the following page. Where ‘LR’ appears in an abbreviation, the volume number should be included between ‘LR’ and the rest of the abbreviation (eg ‘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>
<tr>
<td>Chancery</td>
<td>Ch</td>
<td>1891–</td>
</tr>
<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 and Peerage Claims</td>
<td>LR HL</td>
<td>1865–75</td>
</tr>
<tr>
<td>Equity</td>
<td>LR Eq</td>
<td>1865–75</td>
</tr>
<tr>
<td>Eschequer</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

3 *Beevis v Dawson* [1957] 1 QB 195.
4 *Astley v Micklethwait* (1880) 15 Ch D 59.
5 *Skinner v Orde* (1871) LR 4 PC 60.
6 *The Winkfield* [1902] P 42.
7 *JA Pye (Oxford) Ltd v Graham* [2003] 1 AC 419.
### 24.1.3 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 parallel citations are used, pinpoints need only be included in the ER or RR citation.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
</tr>
<tr>
<td>9</td>
</tr>
<tr>
<td>10</td>
</tr>
</tbody>
</table>

**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.

### 24.1.4 Scottish Reports

**Rule**
Scottish cases should be cited in accordance with rule 24.1. However, in report series organised by year, square brackets should not enclose the year.

<table>
<thead>
<tr>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
</tr>
<tr>
<td>12</td>
</tr>
<tr>
<td>13</td>
</tr>
<tr>
<td>14</td>
</tr>
<tr>
<td>15</td>
</tr>
</tbody>
</table>
24.1.5 Unreported Cases

UK unreported decisions should be cited in accordance with rule 2.3. Where a decision is unreported and has been assigned a medium neutral citation by the court, it should be cited in accordance with rule 2.3.1. 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>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 (Admly)*</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>HCJAC</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>
</tbody>
</table>
The part of the unique court identifier in parentheses appears after the judgment number (eg ‘[2010] EWHC 64 (Fam)’).

Other unreported UK decisions should be cited in accordance with rule 2.3.2.

### Examples

16. *Four Seasons Holdings Inc v Brownlie* [2017] UKSC 80, [33] (Lady Hale).


Judges’ names should be included in accordance with rule 2.4.1 (ie may be included after a pinpoint reference where the judge’s name is not otherwise apparent) and rules 2.4.2–2.4.3 and 4.1.5. The abbreviations of judicial titles in the table below should be used in addition to or instead of those in rule 2.4.1. However, those titles marked with an asterisk should always appear before the judge’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>Chancellor</td>
<td>C</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>DPSC</td>
</tr>
<tr>
<td>Justice of the High Court</td>
<td>J</td>
</tr>
<tr>
<td>Lord Chancellor</td>
<td>LC</td>
</tr>
<tr>
<td>Lord Chief Justice, Chief Justice of the Common Pleas, Chief Justice of the King’s Bench, Chief Justice of the Queen’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 Family Division of the High Court</td>
<td>P</td>
</tr>
<tr>
<td>President of the Supreme Court of the United Kingdom</td>
<td>PSC</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>JSC</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 JSC
- Hoffmann J
- James, Baggallay and Bramwell LJ
- Lord Thurlow LC
- Arden LJ
24.2 Legislation

<table>
<thead>
<tr>
<th>Examples</th>
<th>Title and Year</th>
<th>Jurisdiction</th>
<th>Regnal Year and Chapter</th>
<th>Pinpoint</th>
</tr>
</thead>
<tbody>
<tr>
<td>Patents Act 2004</td>
<td>(UK)</td>
<td>s 5</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Artificers and Apprentices Act 1562, 5 Eliz 1, c 4, s 3</td>
<td>Title and Year</td>
<td>Jurisdiction</td>
<td>Regnal Year and Chapter</td>
<td>Pinpoint</td>
</tr>
</tbody>
</table>

24.2.1 Title and Year

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, 2017) or equivalent online publications should be included (instead of the long title appearing in the statute itself).

<table>
<thead>
<tr>
<th>Rule</th>
<th>Examples</th>
</tr>
</thead>
<tbody>
<tr>
<td>24.2.1</td>
<td>Human Rights Act 1998 (UK) s 6(1).</td>
</tr>
<tr>
<td>24.2.3</td>
<td>Staple Act 1435, 14 Hen 6, c 2. [Not: The Staple Act 1435, …]</td>
</tr>
<tr>
<td>24.2.4</td>
<td>Private (See of Dublin) Act 1705, 4 &amp; 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, …]</td>
</tr>
</tbody>
</table>
24.2.2 Jurisdiction

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>
<tr>
<td>United Kingdom Parliament sitting as the Imperial Parliament (before 1 January 1963)</td>
<td>‘(Imp)’ may be included</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

30 Factories Act 1961, 9 & 10 Eliz 2, c 34.
32 Appropriation Act 2004 (UK).
33 Libraries Act (Northern Ireland) 2008 (NI).
34 Dog Fouling (Scotland) Act 2003 (Scot).
35 Learner Travel (Wales) Measure 2008 (Wales).

24.2.3 Regnal Year and Chapter

For statutes enacted before 1 January 1963, the regnal year and chapter should be included. These 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>(eg ‘2 &amp; 3 Wm 4’)</td>
<td>(eg ‘1 Geo’)</td>
<td>(eg ‘Geo 6’)</td>
</tr>
</tbody>
</table>

The year of reign is the number of years for which the monarch had reigned when the statute was enacted (eg ‘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 (eg ‘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’ (eg ‘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>
<th>Monarch’s Name</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Anne</td>
<td>Anne</td>
<td>Charles</td>
<td>Car</td>
</tr>
<tr>
<td>Edward</td>
<td>Edw</td>
<td>Elizabeth</td>
<td>Eliz</td>
</tr>
<tr>
<td>George</td>
<td>Geo</td>
<td>Henry</td>
<td>Hen</td>
</tr>
<tr>
<td>James</td>
<td>Jac</td>
<td>John</td>
<td>John</td>
</tr>
<tr>
<td>Mary</td>
<td>Mary</td>
<td>Philip and Mary</td>
<td>Ph &amp; M</td>
</tr>
<tr>
<td>Richard</td>
<td>Ric</td>
<td>Victoria</td>
<td>Vict</td>
</tr>
<tr>
<td>William</td>
<td>Wm</td>
<td>William and Mary</td>
<td>Wm &amp; M</td>
</tr>
</tbody>
</table>

The chapter number (abbreviated ‘c’) of a statute should be included after the regnal year.

**Examples**


**Note**

24.2.4 Pinpoint References

**Rule**

Pinpoint references should adhere to rules 3.1.4–3.1.6. However, where the regnal year and chapter of a statute is given, they should be preceded by a comma.

The pinpoint abbreviations in rule 3.1.4 should be used.

24.3 Delegated Legislation

**Example**

<table>
<thead>
<tr>
<th>Undersized Bass Order 2007</th>
<th>(UK)</th>
<th>SI 2007/809</th>
<th>, ord 6</th>
</tr>
</thead>
<tbody>
<tr>
<td>Element</td>
<td>Title</td>
<td>Jurisdiction</td>
<td>Instrument Number</td>
</tr>
</tbody>
</table>

**Rule**

UK subordinate/delegated legislation should appear in accordance with rules 3.3 and 3.9. However:

- the title and year should adhere to rule 24.2.1;
- the jurisdiction should adhere to rule 24.2.2; and
- the instrument number should be included between the jurisdiction and any pinpoint reference.

The instrument number should appear in the form:

```
Abbreviation of Instrument Type Year Number
(eg ‘SR 2009/138’).
```

The abbreviation of instrument type should appear according to the table below:

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom (1890–1947)</td>
<td>SR &amp; O</td>
</tr>
<tr>
<td>United Kingdom (1947–)</td>
<td>SI</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>SR</td>
</tr>
<tr>
<td>Scottish Parliament</td>
<td>SI</td>
</tr>
</tbody>
</table>

If a pinpoint reference is included, the instrument number should be followed by a comma.
Australian Guide to Legal Citation

24.4 Government Publications

24.4.1 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, Cobbett’s Parliamentary History of England, Year, vol Volume Number, col Column Number.

‘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 7.5.1.

Examples

40 Aden Colony Order 1936 (UK) SR & O 1936/1031.  
42 Work at Height Regulations (Northern Ireland) 2005 (NI) SR 2005/279.  
43 Scottish Register of Tartans Fees Order 2009 (Scot) SI 2009/6.  

46 United Kingdom, Parliamentary Debates, House of Lords, 3 May 2007, vol 691, col 1158 (Baroness Morgan).  
24.4.2 Command Papers

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>Cmnd 1 – Cmnd 9927</td>
</tr>
<tr>
<td>1986–</td>
<td>Cm 1–</td>
</tr>
</tbody>
</table>

Examples

48 United Kingdom, Report of the Commissioners of Prisons for the Year 1949 (Cmd 8088, 1950) 16.


24.4.3 Parliamentary Papers

Parliamentary papers should be cited as follows:

| Author | Title (House Paper No Number, Session Year(s) of Session) | 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

50 National Audit Office, Regenerating the English Coalfields (House of Commons Paper No 84, Session 2009–10) 11.

24.5 Other

For further information on the citation of other UK materials, see the latest edition of the *Oxford University Standard for the Citation of Legal Authorities* (‘OSCOLA’).
25 United States of America

25.1 Cases

<table>
<thead>
<tr>
<th>Element</th>
<th>Parties’ Names</th>
<th>Volume</th>
<th>Report Series and Series Number</th>
<th>Starting Page</th>
<th>Pin-point</th>
<th>Jurisdiction and Court Name</th>
<th>Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>25.1.1</td>
<td>25.1.2</td>
<td>25.1.3</td>
<td>25.1.4</td>
<td>25.1.5</td>
<td>25.1.6</td>
<td></td>
</tr>
</tbody>
</table>

25.1.1 Parties’ Names

**Rule**

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**


25.1.2 Volume

**Rule**

The volume number of the report series should appear after the case name.

**Example**

3. *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).
25.1.3 Report Series and Series Number

Rule

The name of the report series should adhere to rule 2.2.2 (ie should be abbreviated using the list of abbreviations in appendix A). Any series number (eg ‘2d’, ‘3d’, ‘4th’) should be included as it appears in appendix A.

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 to the early American report series in which the decision appears should be included as follows:

<table>
<thead>
<tr>
<th>Volume in US Series</th>
<th>US</th>
<th>Volume in Early American Reporter</th>
<th>Name of Early American Reporter</th>
<th>Starting Page</th>
</tr>
</thead>
</table>
| (eg ‘17 US (4 Wheat) 316’).

Examples

5 Loveladies Harbor Inc v United States, 28 F 3d 1171 (Fed Cir, 1994).
6 Stevenson v Shalcross, 205 F 286 (3d Cir, 1913).
7 Tracy v Beaufort County Board of Education, 335 F Supp 2d 675 (D SC, 2004).
8 Freightliner LLC v Whatley Contract Carriers LLC, 932 So 2d 883 (Ala, 2005).
9 City of Sedan v Church, 29 Kan 190 (1883).
10 Winchester v Hackley, 6 US (2 Cranch) 342 (1805).

Note

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.


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 25.1.5.2.

### 25.1.4 Starting Page and Pinpoint References

**Rule**

The first page of the case should be included after the report series abbreviation in accordance with rule 2.2.4.

Pinpoint references should adhere to rule 2.2.5. 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**


### 25.1.5 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 25.1.5.1–25.1.5.2), 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.

**Examples**

25.1.5.1 Federal Courts

Rule

A citation to 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:

\[ \text{D State Abbreviation} \]

or divided into multiple districts, abbreviated:

\[ \text{Abbreviation of District Type D State Abbreviation} \]

Common abbreviations of district types are:

<table>
<thead>
<tr>
<th>District Type</th>
<th>Abbreviation</th>
<th>District Type</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Northern District</td>
<td>ND</td>
<td>Western District</td>
<td>WD</td>
</tr>
<tr>
<td>Southern District</td>
<td>SD</td>
<td>Central District</td>
<td>CD</td>
</tr>
<tr>
<td>Eastern District</td>
<td>ED</td>
<td>Middle District</td>
<td>MD</td>
</tr>
</tbody>
</table>

State names should be abbreviated according to rule 25.1.5.2.

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

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 (e.g. ‘CD Cal ED’ is ‘Central District of California Eastern Division’). It is not necessary to include the division in a citation.

25.1.5.2 State Courts

Rule

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>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>State</td>
<td>Court Type</td>
<td>Abbreviation</td>
</tr>
<tr>
<td>----------------</td>
<td>------------------------</td>
<td>--------------</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>
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<tr>
<td>South Carolina</td>
<td>Supreme Court</td>
<td>SC</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Supreme Court</td>
<td>SD</td>
</tr>
<tr>
<td>Tennessee</td>
<td>Supreme Court</td>
<td>Tenn</td>
</tr>
<tr>
<td>Texas</td>
<td>Supreme Court</td>
<td>Tex</td>
</tr>
<tr>
<td>Utah</td>
<td>Supreme Court</td>
<td>Utah</td>
</tr>
<tr>
<td>Vermont</td>
<td>Supreme Court</td>
<td>Vt</td>
</tr>
</tbody>
</table>
Part V — Foreign Domestic Materials

<table>
<thead>
<tr>
<th>Jurisdiction</th>
<th>Court Name</th>
<th>Abbreviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia</td>
<td>Supreme Court</td>
<td>Va</td>
</tr>
<tr>
<td>Washington</td>
<td>Supreme Court</td>
<td>Wash</td>
</tr>
<tr>
<td>West Virginia</td>
<td>Supreme Court of Appeals</td>
<td>W Va</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Supreme Court</td>
<td>Wis</td>
</tr>
<tr>
<td>Wyoming</td>
<td>Supreme Court</td>
<td>Wyo</td>
</tr>
</tbody>
</table>

**Examples**

21 **Brogdon v State**, 467 SE 2d 598 (Ga Ct App, 1996).
23 **Burr v Maclay Rancho Water Co**, 98 P 260 (Cal, 1908).

**25.1.6 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**

24 **People v Eaves**, 512 NW 2d 1 (Mich Ct App, 1994).

**25.1.7 Unreported Cases**

**Rule**

Unreported US cases should be cited as follows:

\[
\text{Parties' Names (} \text{Jurisdiction and Court/District, Docket or Reference No, Full Date ) \_\_slip op \_\_Pinpoint.}
\]

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 (ie 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 25.1.5.2). For federal courts, the abbreviated form of the circuit or district should be included (in accordance with rule 25.1.5.1).
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 1.1.6–1.1.7). Paragraph numbers may be included in addition to page numbers.

**Examples**

26 Red Hat Inc v The SCO Group Inc (D Del, Civ No 03-772-SLR, 6 April 2004).
28 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.

### 25.1.8 Identifying Judges

**Rule**

Judges’ names should be included in accordance with rule 2.4.1 (ie should appear immediately after a pinpoint reference in parentheses) and rules 2.4.2–2.4.3.

For judges in federal courts, ‘Judge’, ‘Assistant Justice’ and ‘Circuit Judge’ are all abbreviated ‘J’ (which appears after the judge’s name).

‘Presiding Judge’ should be abbreviated ‘PJ’ and ‘Judge Administrative Director of the Courts’ should be abbreviated ‘JAD’.

**Examples**

30 City of Birmingham v Citigroup Inc (ND Ala, No CV-09-BE-467-S, 19 August 2009) 3 (Bowdre J).
Part V — Foreign Domestic Materials

25.2 Legislation: Code

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

<table>
<thead>
<tr>
<th>Element</th>
<th>Statute Title</th>
<th>Title, Chapter or Volume Number</th>
<th>Abbreviated Code Name</th>
<th>Pinpoint</th>
<th>Publisher’s Name</th>
<th>Year of Code and Supplement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rule</td>
<td>25.2.1</td>
<td>25.2.2</td>
<td>25.2.3</td>
<td>25.2.4</td>
<td>25.2.5</td>
<td>25.2.6</td>
</tr>
</tbody>
</table>

Note: Both federal and state laws in the US are compiled into codes (collections of statute arranged according to subject matter). In accordance with rule 25.3, codes should generally be cited in preference to session laws (statutes as enacted).

25.2.1 Statute Title and Original Pinpoint

Rule: 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:

- the statute is usually cited with its title;
- the title would assist in identifying the statute; or
- the title is otherwise important.

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

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

### 25.2.2 Title, Chapter or Volume Number in Code

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 (eg ‘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 (eg ‘§ 63.155’ refers to section 155 within chapter 63). However, it may also appear before the abbreviated code name (eg ‘1 Pa Con Stat § 1991’ refers to section 1991 within title 1).

### Examples

<table>
<thead>
<tr>
<th>Rule</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>36</td>
<td>5 USC § 6 (1958).</td>
</tr>
<tr>
<td>39</td>
<td>735 Ill Comp Stat 5/2-201 (2009).</td>
</tr>
</tbody>
</table>

### Note

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.

### 25.2.3 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 25.2.5.

<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>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>State</td>
<td>Code Ann</td>
<td></td>
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<tr>
<td>--------------</td>
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<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</td>
<td></td>
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<tr>
<td></td>
<td>LexisNexis</td>
<td></td>
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<tr>
<td></td>
<td>West</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]</td>
<td></td>
</tr>
<tr>
<td></td>
<td>LexisNexis</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td></td>
</tr>
<tr>
<td></td>
<td>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</td>
<td></td>
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<tr>
<td></td>
<td>McKinney</td>
<td></td>
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<tr>
<td></td>
<td>NY [Subject] Law</td>
<td></td>
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<tr>
<td></td>
<td>Consol</td>
<td></td>
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<tr>
<td></td>
<td>NY [Subject] Law</td>
<td></td>
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<tr>
<td></td>
<td>Gould</td>
<td></td>
</tr>
<tr>
<td>North Carolina</td>
<td>NC Gen Stat</td>
<td></td>
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<td>ND Cent Code</td>
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<td>Ohio</td>
<td>Ohio Rev Code Ann</td>
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<td>LexisNexis</td>
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</tr>
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</tr>
<tr>
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<tr>
<td>Oregon</td>
<td>Or Rev Stat</td>
<td></td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>Pa Cons Stat</td>
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<tr>
<td>Rhode Island</td>
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</tr>
<tr>
<td>South Carolina</td>
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</tr>
<tr>
<td>South Dakota</td>
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<td></td>
</tr>
<tr>
<td>Texas</td>
<td>Tex Code Ann</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

| Note | An official code is one published by a government or by a statutorily authorised publisher. |

#### 25.2.4 Pinpoint References

**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>
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<tr>
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<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.
In state codes, pinpoint references are commonly decimal, with full stops (eg ‘§ 4.4.2’), hyphens (eg ‘§ 722-124’) or colons (eg ‘§ 18:203’) between the component numbers making up the pinpoint.

### 25.2.5 Publisher’s Name

**Rule**

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 25.2.3, 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**


### 25.2.6 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’ (eg ‘(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:

\[(\text{Year of Code} \quad \& \quad \text{Supp \ Year of Supplement})\]

(eg ‘(1994 & Supp 1999)’).

In accordance with rule 25.2.5, 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**

51 14 USCA § 706 (2010).
53 14 USC § 663 (Supp 2009).
55 Ind Code Ann § 1-2-4-1 (West 2000).

**Note**

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.
### 25.3 Legislation: Session Laws

<table>
<thead>
<tr>
<th>Rule</th>
<th>25.3.1</th>
<th>25.3.2</th>
<th>25.3.3</th>
<th>25.3.4</th>
<th>25.3.5</th>
<th>25.3.6</th>
<th>25.3.7</th>
</tr>
</thead>
</table>

**Examples**


<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>
</table>

**Note**

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.
25.3.1 Statute Title

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>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 25.2.1. In particular:</td>
</tr>
<tr>
<td>• the statute title should be italicised and followed by a (non italic) comma; and</td>
</tr>
<tr>
<td>• a year that appears in the title of the statute should be included.</td>
</tr>
<tr>
<td>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:</td>
</tr>
<tr>
<td>Act of [Full Date]</td>
</tr>
<tr>
<td>(eg ‘Act of 3 March 1925’).</td>
</tr>
</tbody>
</table>

| Examples |
| 57 Act of 29 January 1937, Pub L 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 …] |

25.3.2 Public Law, Private Law or Chapter Number

<table>
<thead>
<tr>
<th>Rule</th>
</tr>
</thead>
<tbody>
<tr>
<td>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.</td>
</tr>
</tbody>
</table>

| Examples |
| 58 1997 Emergency Supplemental Appropriations Act for Recovery from Natural Disasters, and for Overseas Peacekeeping Efforts, Including Those in Bosnia, Pub L No 105-18, 111 Stat 158. |
| 60 Act of 7 June 1897, ch 4, arts 2–5, 30 Stat 96, 96–7. [Not: An Act to Adopt Regulations for Preventing Collisions upon Certain Harbors, Rivers, and Inland Waters of the United States, …] |
From the 60th US Congress (that is, from ‘35 Stat’), statutes were given public or private law numbers that continued across all sessions of that Congress. These numbers comprise the number of the Congress (without its ordinal letters) followed by the sequential number of the particular law (e.g. ‘Pub L No 108-37’ indicates the 37th Public Law passed by the 108th Congress). Even if the public or private law number is not present on the statute in this form, it should be included in this manner in a citation.

For statutes passed before the 60th Congress, the chapter number should be included. The year and the chapter number are sufficient to identify the law because the chapter number is the sequential number of a law (or resolution) as passed, restarting each year.

### 25.3.3 Original Pinpoint References

**Rule**

Any pinpoint reference should be followed by a comma. Pinpoint references should adhere to rule 25.2.4.

**Examples**


### 25.3.4 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**


25.3.5 Abbreviated Session Laws Name

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>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>
</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.

<table>
<thead>
<tr>
<th>State</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<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></td>
<td>Tenn Priv 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>

Examples


66 Act of 10 April 1862, c 173, § 7, 1862 NY Stat 343, 345.

67 Act of 30 September 1994, c 1259, § 1, 1994 Cal Legis Serv 6486, 6486–7 (West).
25.3.6 Starting Page and Pinpoint References

**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 25.3.3, 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**


25.3.7 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 pinpoints). 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 25.3.4).

**Examples**


25.3.8 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.
### 25.4 Constitutions

**Rule**
The titles of US federal and state constitutions should be italicised. Pinpoint references should adhere to rule 25.2.4.

**Examples**
- 73. *United States Constitution* art IV § 3.
- 74. *United States Constitution* amend XXI.

### 25.5 Delegated Legislation

#### 25.5.1 Federal

**Rule**
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 (eg ‘§ 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**
- 78. 8 CFR § 101.1 (1986).

### 25.5.2 State

**Rule**

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 25.5.1. However, the usual abbreviation of the state code or gazette should replace ‘CFR’ or ‘Fed Reg’ as appropriate.

**Examples**

82 *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’).

### 25.6 Federal Congressional Materials

#### 25.6.1 Debates

**Rule**

Congressional debates should be cited as follows:

```
Volume 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:

```
Volume  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
(eg ‘H1987’).
```

In citations to 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 7.5.1 (ie the speaker’s first and last names should be included and positions should only be included after the name if they are relevant).

---

**Examples**

83  _Congressional Record_ 10 (James Garfield) (1874, House of Representatives).

84  156 _Congressional Record_ H148 (Ann Kirkpatrick) (daily ed, 19 January 2010).

---

### 25.6.2 Bills and Resolutions

**Rule**

Congressional Bills should be cited as follows:

```
Bill Title, Abbreviated 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, Abbreviated Type of Resolution Res 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 to Statutes at Large (in accordance with rules 25.3.4–25.3.6) or the Congressional Record (in accordance with rule 25.6.1) may be included between the number of the Congress and the year. If a citation to the Daily Edition of the Congressional Record is included, the year should be omitted (but the full date included in accordance with rule 25.6.1).

**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 H118 (daily ed, 13 January 2010).

**Note**

US Bills are referred to as ‘Acts’ before and after enactment.
25.7 Restatements

Rule

Restatements of law published by the American Law Institute should be cited as books authored by the Institute (in accordance with chapter 6). 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]

(eg ‘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

90 American Law Institute, Restatement (Second) of Contracts (1981) § 176.


Note

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.

25.8 Other

Rule

For further information on the citation of other United States materials, see the latest edition of The Bluebook: A Uniform System of Citation.
26 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.

26.1 Translations of Legislation and Decisions

26.1.1 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:

- translated elements in citations should appear in square brackets, following the translated element (e.g. ‘Undang-Undang Dasar Negara Republik Indonesia 1945 [Constitution of the Republic of Indonesia 1945]’);
- translations of titles should not be italicised, even where the titles themselves are; and
- non-Latin characters should not be italicised (unless it is the convention to do so in that writing system) and the conventional equivalent of italicisation (if any) should be used.

Where the author has made the translations, this should be indicated at the end of the citation in the appropriate footnote by including ‘[tr author]’.

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:

[tr Translator’s Name]
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.

* All translations are by the author, except where otherwise indicated.

1 Urheberrechtsgesetz [Copyright Law] (Switzerland) 9 October 1992, SR 231.1, art 29(2)(a).


3 Code Civil [Civil Code] (France) art 147.

Or

1 Urheberrechtsgesetz [Copyright Law] (Switzerland) 9 October 1992, SR 231.1, art 29(2)(a) [tr author].


3 Code Civil [Civil Code] (France) art 147 [tr author].
26.1.2 Foreign Primary Materials Consulted in English (Published Translations)

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 26.2–26.3), 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 (in accordance with chapters 5–7). However:

- the name of the author or editor of the published translation should be preceded by ‘tr’; and
- where the published translation is a book, the citation should adhere to rules 6.1–6.6 (and not the form prescribed by rule 6.7 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

4 Civil Code (France) [tr John H Crabb, The French Civil Code (Rothman, rev ed, 1995)].


Note
Translation information should always be included where a translation has been relied upon.

26.2 Judicial and Administrative Decisions

Rule
Foreign judicial, quasi-judicial and administrative decisions from common law systems should be cited as consistently as possible with chapter 2. In particular:

- where a case is reported, it should be cited in the report series (the name of which, if not in appendix A, should be written out in full but not italicised in accordance with rule 2.2.3);
- in accordance with rule 2.2.6, the name of the court may be included in parentheses after any pinpoint references; and
- abbreviations of judicial titles should appear as they do in the case or decision cited (and otherwise in accordance with rule 2.4.1).

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 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.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.
Note

It may be necessary for some jurisdictions to include given names in addition to surnames in order to ensure that individuals are unambiguously identified.

26.3 Legislative Materials

Foreign legislative materials (including delegated legislation) from common law systems should be cited as consistently as possible with the rules set out chapter 3, adapted to reflect elements of the foreign legislation (e.g. it will sometimes be appropriate to include a chapter number for the legislation and no year). The jurisdiction should not be abbreviated.

Other foreign legislative materials should be cited as follows:

\[ \text{Title of Foreign Law} \quad \text{(Jurisdiction)} \quad \text{Other Information}, \quad \text{Pinpoint} \]

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 (eg ‘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.

A URL may be included after the first reference to a source, where this would aid its retrieval, in accordance with rules 4.4–4.5.

Examples


16 *Penal Code* (Kiribati) ch 67 s 161.


18 Undang-Undang Republik Indonesia Nomor 1 Tahun 1974 Tentang Perkawinan [Law No 1 of 1974 on Marriage] (Indonesia) art 2(1).


20 *Criminal Code* (Germany) s 80 [tr Michael Bohlander, Übersetzung des Strafgesetzbuches (Juris, 2016) 45].

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.
26.4 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 6.7.</td>
</tr>
</tbody>
</table>
Bibliography

Australasian Legal Information Institute (Website) <http://www.austlii.edu.au>


British and Irish Legal Information Institute (Website) <http://www.bailii.org>


Faculty of Law, University of Oxford, OSCOLA: The Oxford University Standard for Citation of Legal Authorities, ed Donal Nolan and Sandra Meredith (Hart Publishing, 4th ed, 2012)

Macquarie Dictionary (7th ed, 2017)

Melbourne University Law Review Association and Melbourne Journal of International Law, Australian Guide to Legal Citation (3rd ed, 2011)

McGill Law Journal, Canadian Guide to Uniform Legal Citation (Carswell, 6th ed, 2006)

Perma.cc (Website) <https://perma.cc>

Supreme Court of Singapore, Practice Direction No 4 of 2009: Citation of Judgments — Singapore Law Reports (Reissue), 11 January 2010

World Intellectual Property Organization, Standard ST.3: Recommended Standard on Two-Letter Codes for the Representation of States, Other Entities and Intergovernmental Organizations (at November 2016)

Example text and citations are taken in some cases from:

- (1998) 9(1) Legal Education Review;
- (2016) 40 Melbourne University Law Review;
- (2017) 41 Melbourne University Law Review;
- (2009) 10 Melbourne Journal of International Law; and
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