(a160)

# Citation Style for Legal Works

Second Edition

Mukhtiar Kaur Ratnawati Sari Mohd Amin Lisdar Abdul Wahid Harvinder Kaur



Tan Sri Professor Ahmad Ibrahim Law Library



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# FOREWORD

When I was undertaking my first research project in my undergraduate days, I used to pore over citation guides. As if conducting research and writing the project paper were not difficult enough, one had to cite properly and consistently, the cases, the articles, the statutes and all other sources referred to in the paper. There was much agonizing and gnashing of teeth as one waded through *op cit*, *loc cit*, *supra and infra*. It was nightmarish, to say the least. Yet, at the end of the exercise, I began to appreciate the navigational role played by proper citations. More important, I realized, perverse as it may seem, I actually enjoyed the task of doing footnotes and citations.

The importance of proper citation cannot be overemphasized. Different disciplines have different style guides, which may also differ from country to country. This is also the case with legal citations. Although ultimately any citation style can be adopted so long as there is consistency and clarity, there is usefulness in developing a house style manual for lecturers, researchers and students working on legal research at the University of Malaya. Hence, the Law Library of the University of Malaya is to be commended for producing the Citation Style in 1995.

It has been ten years since and it was time to update the edition. I put the suggestion to the Head of the University of Malaya Law Library, Mrs Mukhtiar Kaur, who embraced the idea wholeheartedly. I was pleasantly surprised when she presented a draft for my comments not too long after that. It is testimony to the dedication and interest shown by her and her staff, Mrs Ratnawati Sari Mohd Amin, Mrs Lisdar Abdul Wahid and Ms Harvinder Kaur, that this second edition was completed within such a short span of time.

I am very pleased to write the forward to this edition of *Citation Style for Legal Works* and it is my hope that eventually this work will become a style guide for legal research in Malaysia.

Professor Khaw Lake Tee Dean Faculty of Law University of Malaya

# PREFACE

This second edition of Citation Style for Legal Works documents yet another effort by the Law Librarians at updating the last edition which was published in 1995. This publication provides guidance to students and researchers of the Faculty of Law as it describes a comprehensive treatment of conventions for presenting the results of research. The intention and purpose remains the same i.e. devising a house style for students and researchers at the Faculty for adoption in citing of legal sources in footnotes and in a bibliography.

This updated and expanded version incorporates many more new examples with the inclusion of electronic sources of information such as online databases, internet resources and databases subscribed by the Library. The addition of a section on International law and United Nations material is very useful. The expanded section on bibliography includes a bibliographical listing of each kind of reference given and similarly a sample for footnote citation has been included. The list of abbreviations for law reports and journals has been updated and arranged alphabetically for ease of reference. To reiterate again, there is no one standard citation style. No matter what style is used, consistency and clarity should be adhered to. The 'rules' set down in this manual will be sufficient for writing submitted to the Law Faculty at University of Malaya.

Special thanks are reserved for the dean of the Faculty of Law, Prof. Dr. Khaw Lake Tee for her support and encouragement throughout the preparation of this manual. The valuable guidance and advice as well as for reading the drafts and providing comments on the manual made this publication a reality.

Mukhtiar Kaur Head Tan Sri Profesor Ahmad Ibrahim Law Library

# I LEGAL CITATION STYLE

#### 1 INTRODUCTION

When preparing a research paper or article, various sources are referred to and a number of phrases are quoted from the resources to support an argument or explanation. To validate the use of these resources it is important to cite accurate information of the referred sources in the footnote or bibliography. The reasons for citing resources for any academic writing or research paper are:

- To acknowledge the work of another author or resources referred to so as to avoid plagiarism;
- · To prove that the research is substantiated by facts; and
- To enable other researchers to trace cited references for their own use

This manual provides a set of guidelines for the citation of legal authorities and sources. The golden rule of this referencing of statements and sources of law is that it must be done clearly, concisely and consistently.

## 1.1 Footnote Citation

A footnote is a note printed at the bottom of a page which gives additional information about something that has been written within the text or information about the source from which the phrase/explanation/quotation is taken. It is recommended that references to footnotes are made by numbers: 1,2,3 etc. The sequence can continue to the end of the document, or start afresh at divisions of the document such as new chapters, or start afresh after a fixed number such as 99.

The first citation of any source (case, book, article or statute) should be presented with complete bibliographic details. In the case of repeated references to a source it is not necessary to give the full reference every time the source is cited. The subsequent citations may be abbreviated using Latin abbreviations which appear in italics.

#### Citation Style for Legal Works

However for the statutory references the complete citation is repeated. The most common Latin abbreviations are:

- (a) *Ibid.* (abbreviation of *ibidem* which means "in the same place". This is used:
  - i. When preceding reference is to be repeated and appears closely;
  - ii. When there are no intervening footnotes; and
  - iii. When the two footnotes refer to the same source including the page.

Example: 7. Tan, Lee Meng, The Law in Singapore on Carriage of Goods by Sea, 2<sup>nd</sup> ed., (Singapore: Butterworths Asia, 1994), at 49.

8. *Ibid.* 

(Footnote 8 repeats footnote 7 exactly)

- (b) Id. (Abbreviation of Idem which stands for "the same"). This is used:
  - i. When the preceding reference is to be repeated and appears closely;
  - ii. Where there are no intervening footnotes; and
  - iii. When the footnotes refer to the same source but not the same page.

Example: 10. Chand, Hari, Modern Jurisprudence. (Kuala Lumpur: ILBS, 1994), at 42.

11. Id at 44.

(Footnote 11 refers to the same source as footnote 10, but to a different page ie. page 44.

(c) "Supra" and "Infra" are used to refer to sections of the writing or footnotes which appear before or after the present footnote respectively.

#### Legal Citation Style

If the present footnote no. 3 is at page 17 and refers to the text at page 12 write:

Example: 3. Supra at 12.

If the present footnote no 3 is at page 17 and refers to the text on page 29, write:

Example: 3. Infra at 29.

- (d) Loc. cit. (abbreviation for 'loco citato' which means 'in the place' cited). This abbreviation is used when referring to a work cited earlier but not immediately preceding and with intervening footnotes.
  - Example: 14. Fenton, RT, Law of Personal Property in New Zealand. (Wellington: Butterworths, 1998) 129.
    - 15. Stevens, 'Law of the Sea', World Affairs, (Summer 1991), 40.
    - 16. Fenton, loc. cit.

(Footnote 16 refers to work cited in footnote 14. No page number is given)

(e) Op. cit. is used when the work has been identified fully earlier in the text and the present footnote refers to the same source but a different page.

Example: 17. Fenton, op. cit., 61.

# Sample of a Footnote Citation

- 1. Tan, Lee Meng, *The Law in Singapore on Carriage of Goods by Sea*, 2<sup>nd</sup> ed, (Singapore: Butterworths Asia, 1994), at 49.
- Ibid.
- 3. *Id* at 55.
- 4. Supra at 50.

# 1.2 Bibliographic Citation

In a thesis the literature researched should be documented in the concluding section in the form of a bibliography. Besides the authorities cited in the footnotes and in the text, the writer may include other works consulted. The conventions and style recommended in this manual for citing sources should be adhered to when listing the references in the bibliography. The references should be arranged in an alphabetical sequence with complete bibliographic details. Usually the author's name, or in its absence, the title, appears as the heading in the arrangement of the references. References may be grouped by type of sources or by form such as primary and secondary sources, books, articles, unpublished works and newspapers. The references under each group are arranged alphabetically. However, a short reference list does not warrant this divisional format.

# Sample of a Bibliography

- 1. Abu Bakar Munir, Internet Banking: Law and Practice, (London: LexisNexis, 2004).
- ---, Cyber Law: Policies and Challenges, (Kuala Lumpur: Butterworths, 1999).
- 3. Anson, W.R., and A.G. Guest, *Undang-Undang Kontrak Anson*, Trans. Asiah Mohd Yusoff, (Kuala Lumpur: Dewan Bahasa dan Pustaka, 2000).
- 4. Banaszak, R, ed. Fair Trial Rights of the Accused: A Documentary History, (Westport, Conn.: Greenwood Press, 2002).
- 5. Banking and Financial Institutions Act 1989 (Reprint 2001) (Act 372).
- 6. Cheshire, G C, et al. Cheshire, Fifoot and Furmston's Law of Contract, 14th ed. (London: Butterworths, 2001).
- 7. Choong, A and Chan Cheng Tuan, "Legal Experts to Work Out Forum's Terms of Reference", New Straits Times 30 May 1995, 5.
- 8. Citybank Bhd v Pendaftar Syarikat [1995] 4 MLJ 796.
- 9. Companies Act 1965 (Act 125) ss 19, 29, 31.
- 10. Communications and Multimedia (Licensing) Regulations 2000 (P.U. (A) 129/2000).
- 11. Esso Petroleum Malaysia Inc v Kago Petroleum Sdn Bhd [1995] 1 MLJ 149 (Supreme Court).

# 2. CITATION OF BOOKS AND OTHER NON-PERIODICAL PUBLICATIONS

# 2.1 General Rules for Citing Authors

## (a) Western Names

Rule		Western names by surname, followed by initials ven name
Examples	a)	Keating, Donald
	b)	Goodhart, A L
Rule	Title	s of nobility should be included
Examples	a)	Lord Denning
	b)	Duke of Wellington

#### (b) Chinese Names

Rulé	Cite Chinese names by surname, followed by initials or given name
Example	Tan, Lee Meng
Rule	If a Christian name is included, cite it as follows:
Example	a) Lee, Roger Kia Hock

## (c) Malay Names

Rule 7.	Cite Malay names in direct order and in full, inclusive of any inherited titles.			
Examples	a)	Hishamuddin Hussein		
	b)	Nik Azis Nik Pa		
	c)	Tunku Sofiah Jewa		

#### d) Tamil Names

Rule		Tamil names by surname if known, otherwis n direct order	e
Examples	a)	Sinnadurai, Visu	
	b)	Bathmavathy Krishnan	

# e) Sikh Names

Rule		Sikh names by surname or family name if known, wed by given name, otherwise cite in direct
Examples	a)	Dhaliwal, Jasbeer Singh
	b)	Harbant Singh

#### f) Conferred Titles

Rule	In citing local names, conferred titles such as Tun, Tan Sri, Dato', Datin, etc. are omitted		
Examples	a)	Mohamed Suffian Hashim	
	b)	Ahmad Ibrahim	
	c)	Ungku Abdul Aziz	

## g) Compound or Multiple Surnames

Rule	In the	e case of hyphenated surnames, enter as follows:
Examples	a)	Turrall-Clarke, Robert
	b)	Day-Lewis, Cecil

# 2.2 Works by a Single Author

The author's full name, as it appears on the title page, must always be given in the first citation of a work. The order should be last name, followed by given name or initials, followed by a comma. Include any designation or suffix such as Jr. or III, including punctuation, exactly as it is given on the title page.

Rile	Auth	nor, Title, (Place of Publication: Publisher, Year).
Examples	a)	Bailey, R Jr., Radicals in Urban Politics the Alinsky Approach, (Chicago, Ill.: University of Chicago Press, 1974).
	b)	Warner E L III, 1986: the Year in Arms Control, (Santa Monica, CA: Rand Corporation, 1987).
	c)	Abu Bakar Munir, Internet Banking: Law and Practice, (London: LexisNexis, 2004).

# 2.3 Works by Two or More Authors

If a book has two or more authors, list all the names in the order they appear on the title page. Reverse only the first author's name and cite the authors' name as they are known. Use a comma between the authors' names and place a comma after the last author's name.

	*	
Rule	Autl	nors, Title, (Place of Publication: Publisher, Year).
Examples	a)	Lunney, M and Ken Oliphant, Tort Law: Text and Materials, (Oxford: Oxford University Press, 2003).
	b)	Scalon, J, Angela Cassar and Noemi Nemes, Water as a Human Right, (Gland, Switzerland: IUCN, 2004).

# 2.4 Works by More than Three Authors

If a book has more than three authors, for example a work written by John Frederic Clerk, William Barber Lindsell, Harold Potter and Charles Edwin Odgers, use only the name of the author listed first on the title page, followed by et al. (an abbreviation of *et alii*), which means 'and others'.

Rule		Author, et al., <i>Title</i> , (Place of Publication: Publisher, Year).	
Examples	a)	Clerk, J F, et al., Clerk and Lindsell on the Law of Torts, (London: Sweet & Maxwell, 1947).	
	b)	Petren, G, et al., Pakistan: Human Rights After Martial Law, (Geneva: International Commission of Jurists, 1987).	

# 2.5 Multiple Works by the Same Author

Rule	When citing two or more sources by the same author, give the name in the first entry only. For the next entries, type three hyphens, add a comma, and skip a space (,) then give the title. The three hyphens stand for the name(s) in the preceding entry.
Example	<ul> <li>a) Pattenden, R, Judicial Discretion and Criminal Litigation, (Oxford: Clarendon Press, 1990).</li> <li>, The Judge, Discretion, and the Criminal Trial, (Oxford: Clarendon Press, 1982).</li> </ul>

# 2.6 Edited Works

If the person named on the title page is the editor, the editor is treated as the author and the abbreviation "ed." is added after the name.

Rule	Edit Year	· · · · · · · · · · · · · · · · · · ·
Examples !	a)	Banaszak, R, ed., Fair Trial Rights of The Accused: A Documentary History, (Westport, Conn.: Greenwood Press, 2002).
	b)	Bouckaert, B and Gerrit de Geest, eds., Encyclopedia of Law and Economics, (Cheltenham, UK: Prentice Hall, 2000).

# 2.7 Compilations

In the case of bibliographies, the compiler is regarded as the author of the work. The qualifier "comp." is added after the name.

Rule	Compiler, comp., <i>Title</i> , (Place of Publication: Publisher, Year).	
Examples	a)	Carpenter, A, comp., Facts About the Cities, (New York: Wilson, 1992).
	b)	Sivaswamy, S and Ramaswamy, S, comp., Federal Statute Law Referencer: Index to Federal & State Laws (as at 31st December 2003), (Kuala Lumpur: International Law Book Services, 2004).

#### 2.8 Revised Editions

Every published book is an edition eg. 1st ed, 2nd ed and so forth. This edition statement is cited after the title of the book. However, when an edition has been revised, enlarged or abridged, it is cited under the heading of the original author.

Rüles	Auth Year	nor, <i>Title,</i> Edition, (Place of Publication: Publisher,
Examples	a)	Kamerling, A and Christopher Osman, Restrictive Covenants Under Common and Competition Law, 4th ed., (London: Sweet & Maxwell, 2004).
	b)	Cheshire, G C, Cheshire, Fifoot and Furmston's Law of Contract, 14th ed., (London: Butterworths, 2001).

# 2.9 Works by a Corporate Body or an Organization

When the author is a group or corporation, organization or association or a government agency, the publication is cited under the name of the organization.

Rule	Corporate author, <i>Title</i> , (Place of Publicatio Publisher, Year).	
Examples	a)	Malaysia, Badan Pencegah Rasuah, Peranan Ketua Ketua Jabatan dalam Pencegahan Rasuah, (Kuala Lumpur: Badan Pencegah Rasuah, 1997).
	b)	United Nations, Codification Division of the Office of Legal Affairs, International Instruments Related to the Prevention and Suppression of International Terrorism, (New York: United Nations, 2004).
	c) .	Majlis Peguam Malaysia, Jawatankuasa Bantuan Guaman, <i>Employees' Rights</i> , (Kuala Lumpur: Majlis Peguam Malaysia, 1988).

# 2.10 Multivolume Works

When using two or more volumes of a multivolume work, cite the total number of volumes in the work.

If the volumes of the work were published over a period of years, give the inclusive dates at the end of the citation.

When using only one volume of a multivolume work and the volume has an individual title, cite the book without reference to the other volumes in the work.

Rule		hor/Editor, ed., Title, Volume, (Place of ication: Publisher, Year).
Examples	a)	Schlesinger, A. M., ed., History of U.S. Political Parties, 4 vols., (New York: Chelsea, 1973).
	b)	Wellek, R, A History of Modern Criticism 1750–1950, 8 vols., (New Haven: Yale UP, 1955–92).
	c)	Churchill, WS, The Age of Revolution, (New York: Dodd, 1957).

# 2.11 A Book in a Series

If the title page indicates that the cited book is part of a series, include the series name, series number, if available.

Rule		nor, Title, Series Name, Series Number, (Place of ication: Publisher, Year).
Examples	.a)	Narizan Abdul Rahman, Hak-Hak Kekeluargaan Pasangan Berlainan Agama, Siri Penerangan Undang-Undang Islam, 7, (Kuala Lumpur: Universiti Malaya, 2002).
	b)	Lee, Mei Pheng, Banking and Negotiable Instruments Handbook, MLJ Handbook Series, (Kuala Lumpur: Malayan Law Journal Sdn. Bhd., 2004).
	c)	Riccoboni, M, <i>The Story of Ernestine</i> , Trans. Joan Hinde Stewart and Philip Stewart, Texts and Trans, 6, (New York: MLA, 1998).

# 2.12 Anonymous Works

For a book without the name of the author or editor on the title page, begin the entry with the title. Do not use Anonymous or Anon.

Rule		, (Place of Publication: Publisher, Year).
Example #	a)	Encyclopedia of Virginia, (New York: Somerset, 1993).

# 2.13 Translated Works

A translated work should be cited by stating the author's name followed by the translator's name, preceded by Trans. ("Translated by"), after the title. If the book has an editor as well as a translator, give the names, with appropriate abbreviations in the order in which they appear on the title page.

Rule		Author, <i>Title</i> , Trans. Translator's Name, (Place of Publication: Publisher, Year).	
Examples	a)	Guest, A G, <i>Undang-Undang Kontrak Anson</i> , Trans. Asiah Mohd Yusoff, (Kuala Lumpur: Dewan Bahasa dan Pustaka, 2000).	
	b)	Beowulf, Trans. E Talbot Donaldson ed., Nicholas Howe, (New York: Norton, 2001).	

# 2.14 A Pamphlet

Treat a pamphlet as a book.

Rule	Autl	nor, Title, (Place of Publication: Publisher, Year).
Examples	a)	Harris, H G, Mining in Malaya, (London: Malayan Agency, 1940).
	<b>Ъ</b> ) '	Mahathir Mohamad, Continuing the Revitalization of the NAM, (Kuala Lumpur: Jabatan Penerangan Malaysia, 2003).

#### 3. CITATION OF PERIODICAL ARTICLES

The full citation of an article from a periodical includes the authors name and a comma after the author element. The title of the article is given in quotation marks. Capitalize the first letter of the title, the subtitle and all words except articles, connectives and prepositions. The year of publication is enclosed in brackets followed by volume number if available. The name of periodical or abbreviated title of journal should be in italics and the citation reference point of the page number on which article begins and ends.

Rulei		nor, "Title of article", (Year) Volume number (if lable) Title of periodical Pagination.
Examples 2	a)	Khaw, Lake Tee, "Towards a Personal Data Protection Regime in Malaysia", (2002) 29 Journal of Malaysian and Comparative Law 255- 281.
	b)	Azmi Sharom and Murugadas T Loganathan, "Lessons from Disaster: Law Regarding Wetlands in Malaysia", (2005) 3 Law Review 382-389.

# 4 CITATION OF ARTICLES AND REPORTS IN NEWSPAPERS

The form and style in which articles or reports from newspapers are cited should be as follows:

Rue	Author, "Title of article", Title of newspaper, Date of issue, column or page number.
Examples	a) Choong, A and Chan Cheng Tuan, "Legal Experts to Work Out Forum's Terms of Reference", New Straits Times, 30 May 1995, 5.
	b) The Times (London), 7 Sept. 1986, 3

#### 5. CITATION OF BOOK CHAPTERS

If reference is made to a particular essay or chapter in a book, the citation should be in the following form:

Role	Author/Authors, "Title of Book Chapter", Book Title, Ed., Editors Name, (Place of Publication: Publisher, Year), Pagination.	
Examples	a)	Marcus, S and Patricia Robertson, "Plastic Money", Law of Bank Payments, Ed., Michael Brindle, (London: Sweet & Maxwell, 2004), 188-254.
	b)	Hassemer, Michael, "Genetic Resources", Indigenous Heritage and Intellectual Property: Genetic Resources, Traditional Knowledge and Folklore, Ed., Silke von Lewinsky, (The Hague: Kluwer Law International, 2004), 151-219.

#### 6 CITATION OF LEGISLATION

#### 6.1 Acts of Parliament

Malaysian statutes comprise Federal Acts, Ordinances and State Enactments with the relevant Subsidiary Legislation. Prior to 1969 all Federal laws were numbered with a new series of numbering for each year. However, with the coming into force of the Revision of Laws Act 1968 (Act 1) this practice was discontinued and instead a continuing series of numbers were allocated to every Act. Accordingly the year of publication though cited in the short title to the Act is no longer significant in tracing an Act.

When citing statutes of other jurisdictions eg. English statutes, the notation "(UK)" is used after the title of the Act. eg. Supreme Court of Judicature (Consolidation) Act 1925 (UK).

# 6.1.1 Principal Acts

Rule	A citation to a Malaysian Act should include the sh title of the Act and Act number in parentheses.			
Examples	Short title (Act Number).  a) National Service Training Act 2003 (Act 628).			
	b)	Malaysian Maritime Enforcement Agency Act 2004 (Act 633).		

# 6.1.2 Revised Acts

Rule	When an Act is revised by the Commissioner of Lav Revision and gazetted, the revised law becomes th authoritative source and reference to such Acts mus indicate such revision. Cite Rev. and year of revision following the Act Number in parenthesis.	
	Short title (Act Number Rev.Year).	
Examples	a) Kidnapping Act 1961 (Act 365 Rev. 1989).	
	b) Loan (Local) Act 1959 (Act 637 Rev. 2004).	

# 6.1.3 Amending Acts

Rule	disti of ea	Amending acts are also cited as principal Acts but distinguished by a letter "A" prefixed to the number of each Act.  Short title (Act Number).	
Examples	a)	Pesticides (Amendment) Act 2004 (Act A1336).	
	b)	Islamic Family Law (Federal Territories) (Amendment) Act 1994 (Act A902).	

# 6.2 State Enactments/Ordinances

Rule	An E	Enactment is cited by its state, the short title and enactment number in parenthesis.
	State	, Short title (State Enactment Number).
Examplese	a)	Perak, Manjung Municipal Council Enactment 2002 (Pk. En. 1/2002).
	b)	Sarawak, Syariah Criminal Offences Ordinance 2001 (Swk. Cap. 46/2001).

# 6.3 Subsidiary Legislation

Rules	Delegated legislation also termed subsidiary legislation appears in the Legislative Supplement of the Federal and State Gazettes. Citation of a subsidiary legislation such as an order, regulation, by-law or rule must include the short title and the gazette notification number.  Short title (Subsidiary Legislation Number).	
Examples	a) Motor Vehicles (Prohibition of Certain Types of Glass) (Amendment) Rules 2002 (P.U. (A) 170/2002).	
	b) Malay Reservations (No.3) Order 2002 (J.P.U.39/2002).	

# 6.4 Constitutions

Rile	Mala parti	The Malaysian Constitution should be cited as the Malaysian Constitution. If there is reference to a particular Article in the Constitution, cite it in the following form.	
Examples	a)	Malaysian Constitution art 4(3)(a).	
	b)	Perak Constitution.	

# 6.5 Bills

Rule		l should be cited by its title and the year. Title.
Examples	a)	Bank Simpanan Nasional Berhad Bill 1997.
	b)	Perak State Parks Corporation Bill 2001.

# 6.6 Abbreviations for Legislation

Rile	The following abbreviations	should be used in			
	pinpoint references to a statut				
	word appears at the start of a sentence. A pinpoint				
	reference should be preceded by				
	Article	art			
	Chapter	cap			
	Clause	d			
	Enactment	En.			
	Gazette NotificationI	G.N.			
	llustration	illus			
	Legal/LegislativeNotification	L.N.			
	Order	-0			
	Ordinances	Ord.			
	Paragraph	para			
	Paragraphs	paras			
	Pemberitahuan Undangan	P.U.			
	Regulation	reg			
	Rule	r			
	Schedule	sch			
	Schedules	schs			
	Section	S			
	Sections	SS			
	Subsection	sub-s			
	Subsections	sub-ss			
Examples	a) Akta Universiti dan Kolej	Universiti 1971, s 16C.			
	b) Malaysian Constitution art 22, 113(3), 159(4)(bb).				

# 6.7 State Abbreviations

	T 1	T	
Rule	Johor	<u>J.</u>	1
	Kedah	K.	1
	Kelantan	· Kn.	
	Melaka	M.	
	Negeri Sembilan	N.S.	
	Pahang	Phg.	:
	Perak	Pk.	
	Pulau Pinang	Pg.	
	Perlis	Ps.	
	Selangor	Sel.	
	Terengganu	Tr.	
	Sarawak	Swk.	
	Sabah	S	•
Examples	a) Sel.P.U.40/96		
	b) Kn.P.U.30/84		:

# 7 CITATION OF CASES

# 7.1 Case Names

In citing cases, the name of the case and source wherein the same is reported must be sufficiently descriptive for the case to be traced. The names cited are in fact the names of the parties to the litigation.

PP v Alfred a/l Vincent [2004] 6 MLJ 105

#### 7.1.1 Parties Names

Rüle	in ita	ation to a case should include the parties' names lics as they appear on the first page of the report, but that:  Full stops should not be used in abbreviations. Where the parties are individuals, given names and initials should be omitted. Only the first plaintiff and first defendant should be cited ('& Anor' or '& Ors' should not be used to indicate other parties).  Where the case involves more than one action, only the first action should be cited.
A STATE OF THE PARTY OF THE PAR		·
Examples	a)	PP v Alfred a/l Vincent [2004] 6 MLJ 105.
	b)	Lim Meng See v PP (1950) 16 MLJ 86.

# 7.1.2 Corporations and Firms

Rule	Where a party is a corporation or firm, the following abbreviations should be used – ampersand ('&') for 'and'; 'Bhd' for Berhad'; 'Co' for Company'; 'Corp' for 'Corporation'; 'Ltd' for 'Limited'; 'Pty' for 'Proprietary'; 'Inc' for 'Incorporated'; 'Sdn Bhd.' for 'Sendirian Berhad' and '(in liq)' for '(in liquidation)'.	
Example	a) Tahan Steel Corp Sdn Bhd v Bank Islam Malaysia Bhd [2004] 6 MLJ 1.	

# 7.1.3 The Government and the States

Rules	'Mal Mala	re a party is the Government of Malaysia, aysia' should be used. Where a party is a ysian State, only the name of the state should be (for example 'Perak', not 'State of Perak').
	Raya	re a party is a Public Prosecutor or 'Pendakwa' ', 'Public Prosecutor' should be used in the text 'PP' in the footnotes.
	Head	re a party is a particular Ministry, the Directoror does not be used followed by relevant bodies or jurisdiction.
Examples	a)	Suwiri Sdn Bhd v Sabah [2005] 5 CLJ 67.
	b)	PP v Pretum Singh a/l Lal Singh [2004] 6 MLJ 599.
	c)	Mohd Yusoff Omar v Head of Special Branch, Pahang [1996] 2 CLJ 392.

## 7.1.4 'v'

Rule	A 'v' that stands for versus should generally separate the parties' names. It should not be followed by a full stop and should not be italicised:
Example	<ul> <li>a) Kelab Golf Negara Subang v Mat Idris Siakat [2004]</li> <li>2 ILR 306.</li> </ul>

# 7.1.5 'Re' and 'Ex parte'

Rule	'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.
	'Ex parte' indicates that the party to an action is acting in the absence of the other party and when cited should not be abbreviated.
Examples:	a) Re Lim Lip Sze [1995] 3 CLJ 585.
	b) Re Tan Boon Ser, Ex parte Mui Finance Bhd [1998] 2 CLJ Supp 60.

# 7.1.6 Abbreviated Case Names

Rule	An abbreviated case name may be used if the name of the case is very long or the case is referred to frequently. The abbreviated case name should be italicized and placed within single notation marks enclosed by parenthesis following the initial citation.
Example	a) Mc Ginty v Western Australia (1996) 186 CLR 140 ('McGinty').
	Subsequent citation should appear as: Mc Ginty (1996) 186 CLR 140.

# 7.2 Year and Volume

Rüe	Every case citation must refer to the law report in which the judicial decision is reported. Square brackets [] enclosing the date of the report is utilized where the date is an essential part of the report citation, but round brackets or parenthesis () enclose the date where the reports have a sequential volume numbering without recourse to the year.
	One of the most important law reports on Malaysian and Singapore cases is the Malayan Law Journal, published by the Malayan Law Journal, Singapore. The MLJ, as it is cited, was first published in 1932.
	For the reports published from 1932-1964, the sequential volume numbering system was used. Hence, volume 30 of the MLJ published in 1964 is cited as (1964) 30 MLJ.
	However from 1965, two or more volumes were published annually and the volume numbering system was discontinued. Hence from that year onwards, MLJ is cited by reference to the year in square brackets, followed by the volume. e.g. [1965] 1 MLJ.
Examples	a) Wong Pooli Yin v Public Prosecutor (1954) 20 MLJ 189.
	b) Aminah v Superintendent of Prison [1968] 1 MLJ 92.
	c) Suwiri Sdn Bhd v Sabah [2005] 5 CLJ 67.
	d) R. v Tan Yock Lan 4 Ky. 668.

# 7.3 Identifying the Judge

Rüle	Where appropriate, the judge or judges responsible for the judgment being cited may be identified in parenthesis after the pinpoint reference.	
Example	a) PP v Alfred a/l Vincent [2004] 6 MLJ 105 (Abdul Hamid Embong J).	

# 7.4 Court

Rule	citati that i the c decis	orally, the name of the court is not included in a on of a case. However, where the author believes it is important to identify the court, the name of court may be included in parenthesis. Where a sion has gone on appeal it is essential that the sion of the superior court be indicated in the ion of a case of first instance.
Examples	a)	Brisdale Resources Sdn Bhd v Law Kim [2004] 6 MLJ 76 (Court of Appeal).
	b)	PP v Syed Muhamad Faysal bin Syed Ibrahim [2004] 6 MLJ 303 (Ipoh High Court)
	c)	Amanah Merchant Bank Bhd v Lim Tow Choon [1993] 2 MLJ 24 (reversed on appeal [1994] 1 MLJ 413)

# 7.5 Unreported Decisions

Rule	Unreported decisions should be cited by its name, the court which decided it, the name of the judge or judges, date given in full and wherever possible the number assigned to the case in the court records. Full information is essential in order to facilitate the acquisition of the judgment by the reader possibly from the court.	
Example	a) Bank Bumiputra Malaysia Blid v Awang bin Puteh (High Court Kota Kinabalu, Dato' Haji Wan Mohammad J, January 7, 1982. Civil Suit no. 267/ 1974 Unreported).	

# 3 CITATION OF PARLIAMENTARY DOCUMENTS

# 8.1 Command Papers

Rule	Author, Title, Command paper series Number (Year) [pagination].
	Malaysian command papers known as 'Kertas Perintah' are numbered sequentially.
	UK command papers have been printed separately since 1833 and are numbered in five series as follows:
	1833-69 No 1-No 4222
	1870-99 C 1-C 9550
	1900-18 Cd 1-Cd 9239
	1918-56
	1956-86 Cmnd 1-Cmnd 9927
	1986- Cm 1-
Examples.	a) Malaysia, White Paper: Status of the Malaysian Economy, Kertas Perintah 6 (1999).
	b) United Kingdom, Ministry of Defense, Kosovo: Lessons from the Crisis, Cm 4724 (2000) [44].

# 8.2 Parliamentary Debates

Rule	Parliamentary Debates, Chamber, Session, Full date of Debate, Pagination/Column Number (Full name of speaker).
Examples	a) Parliamentary Debates, Senate, Eleventh Parliament, First Session, Third Meeting, 21 Dec. 2004, 23: 100 (Abdul Rahman Bakar).
	b) Parliamentary Debates, Representative, Eleventh Parliament, Second Session, First Meeting, 4 Apr. 2005, 8: 3 (Jamaludin Dato' Mohd Jarjis).

# 8.3 Parliamentary Committee Reports

and and the law property and the same		
Rale	Parlia the f	amentary committee reports should be cited in ollowing form:
	Com avail	mittee, Legislature, <i>Title</i> (Year) Pagination (if able).
Examples	a)	Law Reform Committee, Parliament of Victoria, Criminal Liability for Self-Induced Intoxication (1999) 6.91.
	b)	Jawatankuasa Penyiasatan Bumiputra Malaysia Finance Limited, Parliament of Malaysia. Laporan Akhir Jawatankuasa Penyiasat Bumiputra Malaysia Finance Limited (Hong Kong) (1986).

# 8.4 Royal Commission Reports

Rule	Royal Commission reports show following form:	ld be cited in the
	Jurisdiction, Name of Royal Comm Report/Discussion Paper Numbe	
Examples	a) Malaysia, Royal Commissio Marriage and Divorce Laws (1974) DN. 1/74.	
	b) Malaysia, Royal Commissi Operation and Managem Malaysian Police, Report of Enhance the Operation and Ma Malaysian Police (2005).	nent of the Royal Royal Commission to

# 9 CITATION OF SEMINAR/CONFERENCE PAPERS

Conference or seminar papers are often collated and published as conference proceedings. Where this is the case, cite individual papers in the same manner as contributions to a collected work. Where individual conference papers are published in a periodical, cite as for other journal articles.

#### 9.1 Published Conference

A published conference should be cited by stating the author's name followed by a comma, the title of conference paper in double quotes, description of the conference including place and full date in italics followed by editor statement. Next, the place of publication, publisher and year should be in parenthesis followed by pagination. However, if some of this information cannot be found, cite what is available.

Rule	place	or, "Title of the Conference Paper", Name and of conference, Full date, Ed. Editor Statement, e of Publication: Publisher, Year), Pagination
Examples	a) ·	Dickey, Anthony, "A Question of Priorities: Wives or Unsecured Creditors", Proceedings of the Fifth National Family Law Conference at Melbourne, May 6 -11, 1992. Ed. H. Hanken, (Melbourne: Business Law Education Centre, 1992), 303–312.
	b)	Hanapei, P. P., "Co-operation and Strategic Alliances on the Airline Industry", 6th European Air Law Association Conference Papers at

Amsterdam, 4 Nov 1994. Eds. Dagtoglou, P D,

# 9.2 Unpublished Conference

An unpublished conference should be cited by stating the author's name followed by a comma, the title of conference paper in double quotes and the name of the conference in italics. The place of the conference and full date should be in parenthesis.

Rule	Author, "Title of the Conference Paper", Name of Conference, (Place of the Conference, Full date).
Examples	a) Yeo, Yee Ling, "Domain Name Dispute Resolution (DNDR) Process", IT Law Conference: Evolving Legal Issues in IT, (Kota Kinabalu, 26– 27 Aug. 2004).
	b) Raja Aziz Addruse, "Human Rights Advocacy in Court", Conference on Human Rights and the Administration of the Law, (Kuala Lumpur, 9-10 Sep 2003).

# 10 CITATION OF THESES, DISSERTATIONS, ACADEMIC EXERCISES

Rule	Author, <i>Title</i> , (Type of Thesis, Name of the Degree-Granting University, Year).
Examples	a) Rahmah Ismail, Keselamatan Produk Pengguna: Perlindungan Ke Atas Keselamatan Pengguna di Peringkat Sebelum, Semasa dan Selepas Pemasaran Produk, (Thesis Ph.D, University of Malaya, Kuala Lumpur, 2002).
	b) Loo, Chun Boon, Electronic Commerce: Formation of Contract Under Malaysian Law, (Diss.LLM, University of Malaya, Kuala Lumpur, 2003).
	c) Kee, Kok Joo, Asean Conflict of Laws in Contract: Towards the Harmonization of the Principles of Applicable Law in Contractual Obligation in the Light of the Increasing Regional Economic Co-Operation & Liberalization, (Academic Exercise LLB, University of Malaya, Kuala Lumpur, 2004).

# 11 OTHER SOURCES

# 11.1 Television or Radio Programmes

Rule		evision or a radio programme should be cited in ollowing form:
	progr Call	e of the episode or segment", Title of the amme. Title of series (if any), Name of Network, letters and city of the local station (if any), deast date.
Examples:	a)	"Yes but Is It Art?", Narr. Morley Safer, Sixty Minutes, CBS, WCBS, New York, 19 Sept. 1993.
	b)	"Frankenstein: The Making of the Monster", Great Books, Narr. Donald Sutherland, Writ. Eugenie Vink, Dir., Jonathan Ward, Learning Channel, 8 Sept. 1993.
	c)	"Seri Pengantin", Narr. Zizie Ezette, Identiti, TV3, 4 Apr. 2005.

# 11.2 Films or Video Recordings

Rule	A film or video recording should be cited in the following form:
	Director, <i>Title</i> , Writer/Performer/Producer, Medium, Distributor, Year of release.
Examples	<ul> <li>a) Chaplin, Charles, dir., Modern Times, Perf. Chaplin and Paulette Goddard, United Artists, 1936.</li> </ul>
	b) M. Amin, dir., Sumpah Semerah Padi, Perf. Aziz Jaafar and Saadiah, Prod., Deddy M Borhan, Videocassette, Sagar Film, 1981.

# 11.3 Interviews

# 11.3.1 Interviews not conducted by the researcher

Ruley	Interviews not conducted by the researcher interviews broadcast on radio or televis published or recorded. (The position interviewee may be included after the name)	sion or of the
	An interview not conducted by the researcher be cited in the following form:	should
	Name of Interviewer, Interview with Na Interviewee, Title of Interview, (If part of a publi or Title of Interview, (If published independ Location or form of Interview, Date.	cation)
Examples:	<ul> <li>a) Breslin, Jimmy, Interview with Neal Con of the Nation, Natl. Publication Radio, Boston, 26 Mar. 2002.</li> </ul>	an, Talk WBUR,
	b) Wiesel, Elie, Interview with Ted K Nightline, ABC, WABC, New York, 1 2002.	

# 11.3.2 Interview conducted by the researcher

Rules	cited Inte Inter	nterview conducted by the researcher should be in the following form:  rview with Name of Interviewee, Type of view (personal interview, telephone interview, I interview), Date or dates.
	-	position of the interviewee may be included after name.
Examples.	a)	Interview with Tan Sri Harun Hashim, Supreme Court Judge on 10 May 2004.
	b)	Interview with Mr. Firdhaus Yaakub, spokesman from Legal Aid Centre, Selangor and Federal Territory, Kuala Lumpur on 10 Feb 1992.

# 11.4 Legal Encyclopaedias

Rule,	Halsbury's Laws of Malaysia should be cited in the following form:
	Malayan Law Journal, Halsbury's Laws of Malaysia, vol. no (at Date of retrieval) Title, Name of Title, 'Chapter no Name of chapter' [Paragraph no.].
Example:	a) Malayan Law Journal, Halsbury's Laws of Malaysia, vol 11 (at 18 Apr. 2005) Criminal Law, '4 Offences Against Property' [190.397].

# 11.5 Loose-leaf Services/Current Service

Rule	When citing commentary from a loose-leaf service, the citation should include the following elements, in
	this order:
	Author (if available)
	<ul> <li>Title of section or sub-section in double quotes</li> </ul>
	<ul> <li>Volume number or designation</li> </ul>
	• Title of service <i>italics</i> . (If the service is accessed
	from an online source add the word "electronic"
	immediately after the title.)
	Publisher enclosed in brackets
	<ul> <li>Section or paragraph number. Loose-leaf</li> </ul>
	services should cite to a paragraph number. A
	more specific subdivision specification may
	follow the paragraph number if necessary
	whenever possible. Include the paragraph
	symbol (¶) if relevant.
	• Current date of the material referred (that is
	the date and number of the latest service/
	update). If this is not available give the date
	the resource is accessed "(accessed on date)".
Examples	a) "Bodies Registered as Companies" 3 Australian
	Corporations Securities Law Reporter (CCH
	Australia) ¶175–100, 2003.
	b) "Directors and Officers" 1 Malaysian and
	Singapore Company Law Practice (CCH Singapore)
	¶ 20–24, 2004.
<b>影響發展影響</b>	

# 11.6 A Lecture, a Speech, an Address or a Reading

Rüle	An oral form:	presentation should be cited in the following
	Speaker	, "Title", Meeting/Organization, Location, Date.
Examples	B. C	twood, Margaret, "Silencing the Scream", bundaries of the Imagination Forum, MLA onvention, Royal York Hotel, Toronto, 29 Dec. 993.
	G L	ee, H P, "Judicial Power and Constitutional overnment", 6th Tun Mohamed Suffian Memorial ecture, Faculty of Law, University of Malaya, uala Lumpur, 8 Apr. 2005.

# 12 CITATION OF ELECTRONIC PUBLICATIONS

# 12.1 A Document from an Internet Site

Rule	Autl perio elect spon	basic entry should include the following: nor's name, "Title of the document", Title of printed dical, Date of publication: Page numbers, Title of ronic periodical, Date of publication, Name of soring institution (if available), Date of access <url>.</url>
Examples	a)	Zeki, Semir, "Artistic Creativity and the Brain", Science 6 July 2001: 51-52, Science Magazine, 2002, Amer. Assoc. for the Advancement of Science, 24 Sept. 2002 < http://www.sciencemag.org/cgi/content/full/293/5527/51>.
	b)	"Fresco Painting", Encyclopaedia Britannica Online, 2002, Encyclopaedia Britannica, 8 May 2002 <a href="http://search.eb.com/">http://search.eb.com/&gt;.</a>

# 12.2 An Entire Internet Site

Rule	An In	ternet site should be cited in the following form:
	infor	of the site, Editor's name, Electronic publication mation, Date, Name of Sponsoring institution. of access and <url>.</url>
		ne of this information cannot be found, cite what ailable.
Examples	a)	The Cinderella Project, Ed. Michael N. Salda, Vers. 1.1 Dec. 1997, De Grummond Children's Lit. Research Collection, U of Southern Mississipi. 15 May 2002 <a href="http://www-dept.usm.edu/engdept/cinderella/~cinderella.html">http://www-dept.usm.edu/engdept/cinderella/~cinderella.html</a> .
	b)	Thomas: Legislative Information on the Internet, 19 June 2001, Lib. of Congress, Washington. 18 May 2002 <a href="http://thomas.loc.gov/&gt;.">http://thomas.loc.gov/&gt;.</a>

# 12.3 A Home Page for an Academic Department

Rule 34-75		me page for an academic department should be in the following form:
	Nam Nam	e of the Dept., Description of Dept., home page, to of the Institution, Date of access and <url>.</url>
Examples	a)	Microbiology and Immunology, Dept., home page, Stanford U School of Medicine, 4 Oct. 2002 <a href="http://cmgm.stanford.edu/micro/">http://cmgm.stanford.edu/micro/</a> .
	b)	Faculty of Law, Faculty home page, University of Malaya, 7 Apr. 2005 <a href="http://www.um.edu.my/ccm/navigation/academics/faculties/FUU/">http://www.um.edu.my/ccm/navigation/academics/faculties/FUU/</a> .

# 12.4 A Personal Home Page

Rule	A personal home page should be cited in the following form:  Name of the person who created the home page
	(Surname first), Title of the site (if available), Description of Home page, Date of the last update, Date of access and <url>.</url>
Example	a) Lancashire, Ian, Home page, 28 Mar. 2002. 15
	May 2002 <a href="http://www.chass.utoronto.ca:8080/">http://www.chass.utoronto.ca:8080/</a> ~ian/>.

# 12.5 An Entire Online Book

Rule	An oı	nline book should be cited in the following form:
	Publ infor versi	or, Title, Name of editor, compiler or translator, ication information. Electronic publication mation (Title of the Internet site, editor of site, on number, date of electronic publication, name by sponsoring institution) Date of access and access a
		ne of this information cannot be found, cite what ailable.
Examples	a)	Austen, Jane. Pride and Prejudice. Ed Henry Churchyard. 1996. Jane Austen Information Page. 6 Sept. 2002 < http://www.pemberley.com/janeinfo/pridprej.html>.
	b)	Schabas, William A. <i>Abolition of the Death Penalty in International Law</i> . Ebrary. 7 Apr. 2005 <a href="http://site.ebrary.com/libmalaya/Top?id=10069960&amp;layont=document">http://site.ebrary.com/libmalaya/Top?id=10069960&amp;layont=document</a> .

# 12.6 An Online Government Publication

Rule	An online government publication should be cited in the following form:
	Name of the Government, Name of the Agency, <i>Title</i> . Date of publication, Date of access and <url>.</url>
Example	a) United States, Dept. of Justice, Office of Juvenile Justice and Delinquency Prevention, Law Enforcement and Juvenile Crime, Dec. 2001, 29 June 2002 <a href="http://www.ncjrs.org/pdffiles1/ojjdp/191031">http://www.ncjrs.org/pdffiles1/ojjdp/191031</a> . pdf >-

# 12.7 An Article in an Online Periodical

Rule	An article in an online periodical should be cited in the following form:
	Author, "Title", Name of the periodical, Volume or issue number, Date of publication, Pagination, Date of access and <url>.</url>
Example Transfer	a) Lightman, Justice,"The Trustees' Duty to Provide Information to Beneficiaries", Current Law Journal 1 (2005): xii-xxxii. 12 Apr. 2005 <a href="http://www.cljlaw.com">http://www.cljlaw.com</a> .

# 12.8 An Article in a Newspaper

Rule		or, "Title of the article", Name of Newspaper, Issue lber, Date of access and <url>.</url>
Fxamples	a)	Achenbach, Joel, "America's River", Washington Post 5 May 2002, 20 May 2002 <a href="http://www.Washington.post.com/wp-dyn/articles/A13425-2202May1.html">http://www.Washington.post.com/wp-dyn/articles/A13425-2202May1.html</a> >.
	b)	Chapman, Karen, "Taking the Essentials", The Star Online, 10 Apr. 2005 <a href="http://www.thestar.com.my/">http://www.thestar.com.my/</a> .

# 12.9 An Article in a Magazine,

Rule		nor, "Title", Title of Magazine, Volume or Issue hber, Date of Publication, Date of access and L>.
Examples	a)	Brooks, David, "The Culture of Martyrdom", Atlantic Online June 2002, 24 Sept. 2002 <a href="http://www.theatlantic.com/issues/2002/06/books.html">http://www.theatlantic.com/issues/2002/06/books.html</a> .
	b)	Levy, Steven, "Great Minds, Great Ideas", Newsweek 27 May 2002, 20 June 2002 <a href="http://www.msnbc.com/news/754336.asp">http://www.msnbc.com/news/754336.asp</a> .

# 12.10 A Publication on CD-ROM, Diskette, or Magnetic Tape

Rule	A publication on CD-ROM, diskette, or magnetic tape should be cited in the following form:
	Author, Title of the publication, Name of editor, compiler, translator, Publication medium (CD ROM, Diskette or Magnetic Tape), Edition, release, or version, (Place of publication: Publisher, Date).
	If some of this information cannot be found, cite what is available.
Examples	a) Thiesmeyer, E C, and John E Thiesmeyer, Editor for the Macintosh: A Proofreading System for Usage, Mechanics, Vocabulary, and Troublesome Spelling. Diskette. (New York: MLA, 2001).
	b) Encyclopaedia of Islam. CD-ROM. (Leiden: Brill, 1999).

# 12.11 Material from a Periodically Published Database on CD-ROM

Rule	Issue <i>databa</i>	or, "Title of article", Title of periodical, Volume, number (if available) Year: pagination. Title of use. Publication medium (CD-ROM). Vendor (if ant). Electronic publication date.
Examples	a)	Krach, Peg, "Myth and Facts about Alcohol Abuse in the Elderly", Nursing Feb. 1998: 25. Periodical Abstracts Ondisc. CD-ROM. UMI-ProQuest. Feb. 1998.
	b)	Goldwich, Davids, "Development Agreements: a Critical Introduction", Journal of Land Use and Environmental Law Mar. 1989: 4. Index to Legal Periodicals. CD-ROM. A.N. Wilson. Mar.1989.

# 12.12 A Work from a Library Subscription Service

Rule	Num (If k	nor, "Title", Name of Journal, Date of Issue or aber, Pagination. <i>Database</i> . Name of the service nown). Name of the library or library system. of access and <url>.</url>
Examples	a)	McMichael, Anthony J, "Population, Environment, Disease, and Survival: Past Patterns, Uncertain Futures", Lancet 30 Mar. 2002:1145-48. Academic Universe: Medical. Lexis-Nexis, California Digital Lib. 22 May 2002 <a href="https://www.lexis-nexis.com">https://www.lexis-nexis.com</a> .
	b)	"Hong Leong Bank Bhd v Goh Sin Khai", Malayan Law Journal 3 (2005): 154-156. Lexis.com Research System, 14 July 2005 <a href="http://www.lexisnexis.com">http://www.lexisnexis.com</a> .

# 12.13 An E-Mail Communication

Rule	Name of Writer, "Title of the Message", A description of the message (eg. E-mail to the author) and the date of the message.
Example	a) Boyle, Anthony T, "Re : Utopia", E-mail to Daniel J. Cahill, 21 June 1997.

# 12.14 An Online Posting

Rule	Author, "Title of Document", Description of Online Posting, Date material was posted, Name of the forum, Date of access and <url>.</url>
Example	a) Lavignino, John, "OCR and Handwriting", Online posting, 7 May 2002, Humanist Discussion Group, 24 May 2002 <a href="http://lists.village.virginia.edu/lists_archive/Humanist/v16/10001.html">http://www.manist/v16/10001.html</a> .

# 13 CITATION OF INTERNATIONAL MATERIALS

# 13.1 Treaties

The basic elements in treaties include the treaty name, date, treaty series citation, pinpoint reference, pagination and date of entry into force.

# 13.1.1 Treaty Name

Rule ***	A citation to a treaty should include the treaty name in italics as it appears on the first page of the treaty.
Example	a) Vienna Convention on Consular Relations and Optional Protocols, opened for signature 18 Apr. 1961, UNTS 8638-8640 (entered into force 24 Apr. 1963).

#### 13.1.2 Date

Rule	Cite the full date on which the treaty was opened for signature. Otherwise, the date on which the treaty was signed by all of the parties.
Example.	a) Protocol on the Privileges and Immunities of the International Seabed Authority opened for signature 27 Mar. 1998, UNTS 39357 (entered into force 31 May 2003).

# 13.1.3 Parties' Names

Rule	Cite the states parties to a bilateral treaty after the date separated by en-dash. It is not necessary to list the parties to a multilateral treaty.
Example	<ul> <li>a) Agreement on Scientific and Technological Cooperation, opened for signature 7 May 2002, Spain-Slovakia, UNTS 39343 (entered into force 31 Dec. 2002)</li> </ul>

# 13.1.4 Treaty Series Citation

Rule	Where applicable, one of the following should be cited; for example the United Nations Treaty Series ('UNTS'), the League of Nations Treaty Series ('LNTS'); the Australian Treaty Series ('ATS'), an official treaty series of the other state party (for
	example, the United States Treaties and Other International Agreements ('UST'), and the Consolidated Treaty Series ('ConTS').  A treaty between members of the European communities should be cited as 'CETS'.
Example	a) Convention on Cybercrime, opened for signature 23 Nov. 2001, CETS 185 (entered into force 1 July 2004).

# 13.1.5 Pinpoint Reference

This is a citation reference point where the final element of the citation is the specific page, chapter, section or subsection, paragraph, article or schedule reference preceded by a comma.

Rue	Any pinpoint reference should follow the tre citation preceded by a comma and a sp following abbreviations should be used in references to a treaty. Page number shou cited.	pace. The pinpoint
	Article Articles Sections Sections Subsection Paragraph Paragraphs Schedule Appendix	art arts s ss Sub-s para paras Sch App
Example	a) Treaty Establishing the European Community, opened for signature 25 M 298 UNTS 11, art 85(1) (entered into f 1958).	arch 1957,

## 13.1.6 Date of Entry into Force

Rule	The full date on which the treaty entered into force should be cited in parenthesis after the treaty series citation or pinpoint reference.
Example	a) United Nations Convention on Biological Diversity, opened for signature 5 June 1992, 92 UNTS 7807 (entered into force 23 Dec. 1993).

# 13.2 International Court of Justice and Permanent Court of International Justice

#### 13.2.1 Case Name

Rile	A citation to a case of the International Court of Justice or Permanent Court of International Justice should be in the following form:  Case name (Parties name in italics) (Phase in italics) [Year] and Name of publication starting page.
Example	a) Oil Platforms (Islamic Republic of Iran v United States of America) (Counter-Claim) [1998] ICJ Rep 190.

# 13.2.2 Advisory Opinions

Rule Halle	When citing an advisory opinion, (Advisory Opinion) should be included after the case name in italics.
Example	a) Gabcikoro-Nagyamaros Project (Advisory Opinion) [1997] ICJ Rep 120.

# 13.3 United Nations Materials

## 13.3.1 Constitutive Documents

Rule		stitutive documents of the United Nations should ited as follows:
Examples	a)	Charter of the United Nations art 51.
	b)	Statute of the International Court of Justice art 65(1).

# 13.3.2 Other UN Documents

#### 13.3.2.1 General Rule

D D	The state of Table 1 No. 1
	n citing United Nations documents, include the
	following where applicable:
	• Author and/or title
	Resolution number
	Official record
	Session number
	<ul><li>Subdivision</li></ul>
	<ul> <li>Pinpoint reference/pagination</li> </ul>
	<ul> <li>UN document number</li> </ul>
	<b>Y</b> ear

# 13.3.2.2 Author and/or Title

Rule	The shot	name of any author should be included. Title ald be in italics.
Example :	a)	Ouedraogo, Louis – Dominique, From the Optical Disk System to the Official Documents System (ODS) Status of Implementation and Evaluation, [129], UN GAOR, 58th sess, UN DOC a/58/435 (2003).

# 13.3.2.3 Resolution Number

Rule	When citing a resolution, the resolution number should be included (using the abbreviations 'GA Res' for General Assembly resolutions, 'SC Res' for Security Council resolutions and 'ESC Res' for Economic and Social Council resolutions).
Example*	a) Resolution on the Proliferation of Nuclear Chemical and Biological Weapons, SC Res 1540, UN SCOR, UN Doc 5/Ac.44/2004(02)/113 (2005).

#### 13.3.2.4 Official Records

Rule	If the material appears in the Official Records, the organ responsible for the record should be indicated (using the abbreviations 'UN GAOR' for the General Assembly, 'UN SCOR' for the Security Council, 'UN ESCOR' for the Economic and Social Council and 'UN TCOR' for the Trusteeship Council.
Example	a) Erturk, Yakin, Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences, UN ESCOR, 61st sess, UN Doc E/CN.4/2005/72/Add.3 (2005).

#### 13.3.2.5 Session Number

Rule	If the material cited appears in the Official Records,		
	the session number should be included. If the session		
	is organized into parts, the part number should also		
	be given (using the abbreviations 'sess' for 'Session'		
	and 'pt' for 'Part').		
Example	a) UN ESCOR, 56th sess, 98th plen mtg, UN DOC		
	A/56/PV.98 (2002).		

#### 13.3.2.6 Subdivision

Rûle	The meeting number ('mtg 'or 'plen mtg'), annex number ('Annex'), agenda item ('Agenda Item') or supplement number) ('Supp No') should be included to indicate a separately paginated subdivision within the Official Records.
Example	a) Question of East Timor. GA Res 56/282, UN GAOR, 56th sess, 98th plen mtg. UN DOC A/Res/56/282 (2002)

# 13.3.2.7 Pinpoint Reference

Rule		pinpoint reference should be included ediately preceding the UN document number.
Example.	a)	SC Res 678, UN SCOR, 45 <sup>th</sup> sess, 2963 <sup>rd</sup> mtg, [2], UN Doc S/Res/678 (1990).

#### 13.3.2.8 UN Document Number

Rule	The com	UN document number should be preceded by a ma.
Example	a)	Ramdaan, Bertrand, Report of the United Nations High Commissioner for Human Rights. Follow-Up to the World Conference on Human Rights, UN Doc E/CN.4/2005/4 (2004).

#### 13.3,2.9 Year

Ruie		year of the document should be included within enthesis at the end of the citation.
Example	a)	Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, UN Doc A/AC.109/2002/SR.2 (2002).

# II LAYOUT OF THESIS

The format in any thesis consists basically of three sections, namely:

- a) The preliminaries
- b) The text
- c) The reference materials

The order in which individual items within the three main sections appear should be as follows:

## a) The Preliminaries

## i. Title page

The title page should contain the title of the thesis in capital letters, followed on a separate line, preferably at the centre of the page the full name of the author. At the bottom of the page, the following words should appear: thesis/dissertation/project paper (whichever is relevant) submitted in partial fulfillment of the requirements for the degree of Doctor of Philosophy/Master of Laws/Bachelor of Laws.

# ii. Preface including acknowledgments (if any)

A brief statement of the writer's motivation for making the study, the background for the project, the scope of the research, and the purpose of the paper may be explained in the preface. The preface may also include acknowledgments if an acknowledgments section is omitted. If a writer has nothing to mention about the project and wishes only to acknowledge the assistance and permissions gained, these section should be entitled ACKNOWLEDGMENTS rather than PREFACE.<sup>2</sup>

Campbell, E.M., Presentation of Legal Theses, (Clayton, Vic.: Faculty of Law, Monash University, 1987), 13.

<sup>&</sup>lt;sup>2</sup> Turabian, Kate L, A Manual for Writers of Term Papers, Theses, and Dissertation, 5th ed. (Chicago: The University of Chicago Press, 1987), 3.

The acknowledgments section normally contains expressions of appreciation for assistance and permission obtained from other person(s) or organizations in the location and collection of materials.3

The generic heading PREFACE or ACKNOWLEDGMENTS should be in capital letters and centered over the text. Each page is numbered in lowercase roman numerals beneath the text.4

# iii. Abstract

An abstract briefly summarizes the thesis and its contents.<sup>5</sup> The writer may include a statement of the problem or issue, a brief description of the research method, major findings and the conclusions in this section.6

# iv. Table of contents

The table of contents, sometimes headed CONTENTS, should be simple and lists all elements of the preliminaries, the chapter (part or section) titles, the main headings and subheadings in the text, and the reference materials with page references at the extreme right.8 Note that only the beginning page number of each heading or subheading is given.9

The relationship between the major divisions and minor subdivisions within the Table of Contents needs to be shown by appropriate use of capitalization and indentation - Subdivisions of subheadings are further indented.

Chapter numbers may be Arabic or uppercase Roman numerals, or spelled-out numbers.10

10 Ibid.

#### Table of statutes

The table of statutes or legislation should be included when the thesis refers to a large number of statutes. Where possible, list the short titles of the Acts in alphabetical order. If the Acts referred to include a number from several jurisdictions it is often convenient to divide the tables of statutes into parts corresponding with jurisdictions.11

#### vi. Table of cases

The table of cases should list all cases in alphabetical order. References to the pages on which the cases are referred to should appear at the extreme right. Pagination should be in Roman numerals.

#### b) The Text

The text or the main body of the paper is usually divided into well-defined divisions, such as parts, chapters, sections and subsections.<sup>12</sup> The page number should be in Arabic numerals which starts on this page with number 1.13

#### Introduction

The text usually begins with an introduction, which may be called chapter 1.14 The introductory chapter should indicate the importance and validity of the problem chosen for study. A clear and concise statement of the problem should also be stated, illustrating with an analysis of its delimitation or scope.15 This chapter should also establish the theoretical framework within which the investigation was conducted.16

Campbell, E.M., op. cit., 14.

Turabian, Kate L, loc. cit.

Turabian, Kate L, op. cit., 8.

Campbell, William Giles, Stephen Vaughan Ballou, and Carol Slade, Form and Style Theses Reports Term Papers, 8th ed. (Boston: Houghton Mifflin Co., 1990), 15.

<sup>&</sup>lt;sup>7</sup> Id at 37.

Campbell, E M loc. cit.

<sup>&</sup>lt;sup>9</sup> Turabian, Kate L, op. cit., 5.

<sup>11</sup> Campbell, E.M., op. cit., 15.

<sup>12</sup> Turabian, Kate L, op. cit.,9.

<sup>&</sup>lt;sup>13</sup> Campbell, William Giles, op. cit., 39.

<sup>14</sup> Turabian, Kate L, loc. cit.

<sup>15</sup> Campbell, William Giles, loc. cit.

<sup>16</sup> Infra at 40.

## ii) Main body of thesis

Each chapter should begin on a new page or when a chapter is divided into sections, a new section follows immediately after the close of the preceding one.<sup>17</sup>

# iii) Conclusion

The concluding chapter usually presents a statement of the significance of the theses with the exposition of the findings. Assumptions or new areas of inquiry in the study can also be included in the Conclusion.<sup>18</sup>

# c) The Reference Material

The reference material is the last part of the paper that may include a bibliography, appendix/appendices, a glossary, endnotes, and an index if necessary.

# i) Bibliography

## ii) Appendix/Appendices

This section is used to include materials that supplement the text but are not suitable for inclusion in the study.<sup>19</sup> If there is more than one type of material included in the appendix, it should be sectioned, and each section is given a number and a title.<sup>20</sup>

## iii) Index (if any)

A thesis rarely includes an index. An index is an alphabetical listing with page numbers of subjects treated in the study. This section usually appears at the end of a work. Pagination should run in a separate sequence in Arabic numerals.

# III FURTHER READING

Although this manual recommends a house style for legal works, a comprehensive coverage of all aspects of citation is not possible. The following references provide useful reading on all aspects of legal citation and are available in the Law Library.

- 1. Australian Guide to Legal Citation, (Melbourne: Melbourne University Law Review Ass. Inc., 2002). (D2 K14.3Aus).
- Campbell, E.M., Presentation of Legal Theses, (Clayton, Vic.: Faculty of Law, Monash University, 1987). (D1 K14.3 Cam).
- 3. Campbell, Enid, et al., Legal Research: Materials and Methods, 3rd ed., (Sydney: Law Book Co., 1988). (D2 KH19 Leg).
- 4. Campbell, W G, Stephen Vaughan Ballou and Carole Slade, Form and Style: Theses, Reports, Term Papers, 8th ed., (Boston: Houghton Miffin Co., 1990). (D2 LB2369 Cam).
- 5. Canadian Guide to Uniform Legal Citation, 3<sup>rd</sup> ed., (Scarborough: Carswell, 1992). (D2 K14.3 Can).
- 6. French, D, How to Cite Legal Authorities, (London: Blackstone Press Ltd., 1996). (D2 KD5.4 Fre).
- 7. Garner, B A, The Elements of Legal Style, (New York: Oxford University Press, 1991). (D2 K14.3 Gar).
- Gibaldi, J, MLA Handbook for Writers of Research Papers, 6th ed., (New York: Modern Language Association of America, 2003). (D2 LB2369 Gib).
- 9. Rashidan Hakkam, Mukhtiar Kaur and Devinder Chall, Citation Style for Legal Works, (Kuala Lumpur: Law Library, University of Malaya, 1995). (D2 K14.3 Rash).
- 10. Teply, L L, Legal Research and Citation, 4th ed., (St. Paul, Minn.: West Pub. Corp, 1992). (D2 KB15 Tep).

<sup>&</sup>lt;sup>17</sup> Campbell, E.M., op. cit., 16.

<sup>18</sup> Id at 41.

<sup>19</sup> Campbell, William Giles, op. cit., 42.

<sup>&</sup>lt;sup>20</sup> Campbell, E.M., op. cit., 18.

<sup>&</sup>lt;sup>21</sup> Campbell, William Giles, op. cit., 43.

- 11. Turabian, K L, A Manual for Writers of Term Papers, Theses, and Dissertations, Ed. Bonnie Birtwistle Honigsblum. 5th ed., (Chicago: The University of Chicago Press, 1987). (D2 LB2369 Tur).
- 12. A Uniform System of Citation, 15th ed., (Cambridge, Mass.: Harvard Law Review Association, 1991). (The Bluebook). (D2 K14.3 Uni).
- 13. Yogis, J A and Innis M Christie, Legal Writing and Research Manual, 4th ed., (Toronto: Butterworths, 1994). (D2 KC199 Yog).

# IVABBREVIATIONS OF SELECTED JOURNALS AND LAW REPORTS

#### LAW REPORTS

Title	Jurisdiction	Abbreviation
All England Law Reports	UK	All ER
All India Reporter	India	AIR
All Malaysia Reports	Malaysia	AMR
All Pakistan Legal Decisions	Pakistan	Pk A
Appeal Cases (Law Reports)	UK	AC
Australian Business Law Review	Australia	ABLR
Australian Corporations Securities		
Reports	Australia	ACSR
Australian Law Journal Reports	Australia	ALJR
Braddell's Common Gaming	•	
House	Malaysia	BCCH
Braddell's Law of the Straits	-	
Settlements	Malaysia	BLSS
Butterworth Company Law Cases	Australia	BCLC
Building Law Reports	UK	BLR
Canadian Tax Cases	Canada	CTC
Common Market Law Reports	EU	CMLR
Commonwealth International	•	
Law Cases	International	CILC
Commonwealth Law Reports	Australia	CLR
Computer Law and Security		
Report	International	CSLR
Criminal Appeal Reports	UK	Cr App R
Criminal Appeal Reports		
(Sentencing)	UK	Cr App R (S)
Current Law Journal	Malaysia	CLJ
Dominion Law Reports	Canada	DLR
Family Division (Law Reports)	UK	Fam
Family Law Reports	Australia	Fam LR

Federated Malay State Law		
Reports	Malaysia	FMSLR
Federal Reporter (3 <sup>rd</sup> series)	USA	Fed R
Fleet Street Reports	UK	FSR
Housing Law Reports	UK	HLR
Indian Law Reports, Allahabad		
Series	India	Ind LR All-
Indian Law Reports, Calcutta Series	India	Ind LR Calc
Irish Reports	Ireland	Ir R
Innes' Registration of Title	Malaysia	Innes
Jammu and Kashmir Law Reporter	India	J & K Rep
Journal of the Malayan Branch		, writep
Royal Asiatic Society	Malaysia	<b>JMBRAS</b>
Johore Law Reports	Malaysia	JLR
Kerala Law Times	India	Ker LT
Kyshe's Reports	Malaysia	Ку
Law Reports of the Commonwealth	International	LRC .
Lloyd's Law Reports	UK	Lloyd's Rep
Madras Law Journal	India	Mad LJ
Magistrate's Appeal Cases	Malaysia	MAC
Malaysian Appeal Cases	Malaysia	My MAC
Malayan Cases	Malaysia	MC
Malaysian Corporate and		<b>-</b>
Commercial Law Review	Malaysia	MCCLR
Malaysian Current Law Journal	Malaysia	CLJ
Malayan Law Journal	Malaysia	MLJ
Malaya Law Review	Malaysia	Mal LR
Malayan Union Law Reports	Malaysia	MULR
New South Wales Law Reports	Australia	NSWLR
New Zealand Law Reports	New Zealand	NZLR
Quarterly Notes	UK	QN
Queensland Reports	Australia	Qd R
Reports of Patent, Design & Trade		
Mark Cases	UK .	RPC
Shariah Law Reports	Malaysia	ShLR
Singapore Law Reports	Singapore	SLR
South African Law Reports	South Africa	SALR
South Australian State Reports	Australia	SASR
Straits Law Reports	Malaysia	SLR
. Straits Law Reports, New Series		
Malaysia	SLR NS	
Straits Settlements Law Reports	Malaysia	SSLR
Supreme Court Cases	India	SCC

Supreme Court Reports	Malaysia	SCR
Victoria Law Reports	Australia	VLR
Weekly Law Reports	UK	WLR
Weekly Notes	UK	WN
Woods' Oriental Cases	Malaysia	WOC

# JOURNALS

Title	Jurisdiction	Abbreviation
Administrative Law Review	USA	Admin L Rev
Asia Pacific Journal of		
Environmental Law	UK	APJEL
Australia & New Zealand Journal	Australia	
of Criminology	/New Zealand	ANZJC
Australian Dispute Resolution		
Journal	Australia	ADRJ
Australian Journal of		
Administrative Law	Australia	AJ Admin L
Australian Journal of Labour Law	Australia	AJLL
British Journal of Criminology	UK	BJ Crim
Business Law Review	UK	BLR
Cambridge Law Journal	UK	CLJ
Canadian Journal of Criminology	Canada	Can J Crim
Company Lawyer	UK	Comp Law
Company and Securities Law		
Journal	Australia	C & SLJ
Consumer Law Journal	UK	CLJ
Conveyancer and Property Lawyer	UK	CPL
Criminal Law Journal	Australia	CLJ
Criminal Law Review	UK	Crim LR
Current Law Journal	Malaysia	CLJ
Harvard International Law Journal	USA	HILJ
Harvard Law Review	USA	HLR
Hong Kong Law Journal	Hong Kong	HKLJ
Human Rights Law Review	USA	HRLR
Industrial Law Journal	UK	ILJ
International Construction Law	_	
Review	USA	ICLR
International and Comparative		
Law Quarterly	UK	ICLQ
Journal of Air Law and Commerce	UK	JALC
Journal of Business Law	UK	JBL <sup>'</sup>

Journal of Criminal Law Journal of Conflict Resolutions Journal of Contract Law	Australia USA Australia	JCL JCR JCL
Journal of International Banking Law Journal of Professional Legal	UK	JIBL
Education Labour Law Journal Law & Contemporary Problems Law Quarterly Review Malayan Law Journal Malayan Law Review	Australia India USA UK Malaysia Malaysia	JPLE LLJ LCP LQR MLJ Mai LR
Modern Law Review Netherlands International Law	UK	MLR
Review New Law Journal New Zealand Law Journal Osgoode Hall Law Journal Oxford Journal of Legal Studies Public Law Singapore Journal of Legal Studies Singapore Law Gazette Sydney Law Review Solicitors Journal Straits Law Journal Tulane Maritime Law Journal University of British Columbia	Netherlands UK New Zealand Canada UK UK Singapore Singapore Australia UK Malaysia USA	NILR New LJ NZLR OHLJ OJLS PL SJLS LG SLR SJ SLJ Tul Mar L
Law Review University of Malaya Law Review Virginia Journal of International	Canada Malaysia	UBCLR UMLR
Law Yale Law Journal	USA USA	Virg JIL YLJ