



# **UMLR**

**UNIVERSITY OF MALAYA LAW REVIEW**

**STYLE & CITATION MANUAL**

**2020/2021**

## **INTRODUCTION**

This manual ('UMLR Style & Citation Manual 2020/21') is intended to offer student editors and writers of the University of Malaya Law Review guidance and clarification on general stylistic and citation conventions as well as those that are unique to this Law Review.

References contained in this manual include cross-references to itself, as well as citations to the University of Malaya Citation Style for Legal Works (Third Edition) ('UMCSLW') developed by the Faculty of Law, University of Malaya.

Please read this comprehensive manual carefully. Student editors are expected to consult this manual when conducting cite-checking of assignments; prospective writers wishing to submit to the Law Review should refer to it to guide them through the process of writing a note, comment or article.

This manual is in its third edition and shall come into force on 19th November 2020. The Editor-in-Chief (EIC) will periodically review and update the entire manual should certain styles or format of citation are in need of clarification or reform in the future. Please ensure that you have the latest guide before editing.

Our goal is to train Law Review editors who are proficient with the rules of usage, citation and style so that we can continuously maintain and improve the standards of our Law Review.

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## **I. GENERAL FORMAT**

A. Manuscripts should be typewritten in 12-point font size, using Times New Roman as the font type.

B. The text should be 1.5-spaced and typed on one side of the A4 size paper, leaving generous margins.

Margins:

- |            |        |
|------------|--------|
| (a) Left   | 3.5 cm |
| (b) Right  | 3.5 cm |
| (c) Top    | 2.5 cm |
| (d) Bottom | 2.5 cm |

C. With the exception of title pages, titles and special headings, all text should be aligned to the left and justified.

D. Each page of the submission should include page numbering centred at the bottom of the page. Introduction pages and table of contents should be numbered with lowercase roman numerals (Example: i, ii, iii, etc.) while the main body of submissions should be numbered with Arabic numerals. (Example: 1, 2, 3, etc.)

E. All content shall be written in British English to ensure consistency.

## II. ANATOMY OF SUBMISSIONS

A. Each submission should include three major sections: The Title Page, Abstract and Main Body.

B. Major Submission Sections:

### 1. The Title Page

(a) The title page should contain the title of the paper, the author's name and the institutional affiliation.

(b) Submissions should have a title which is both concise and descriptive. The title should be typed in uppercase letters, underlined, bolded and centred in the upper half of the page. It is *recommended* that the title be no more than 12 words in length.

Example: **A COMPREHENSIVE SEXUAL HARASSMENT BILL: A STEP IN THE RIGHT DIRECTION?**

(c) Beneath the title, type the author's name: first name, middle initial(s), and last name. Beneath the author's name, type the institutional affiliation of the author. This information must be centred to the middle of the page.

## 2. Abstract

- (a) All contributions should be accompanied by an abstract of no more than 200 words.
- (b) The abstract should be placed right after the title of the article. Before the first line of the abstract, centre and bold the word '**Abstract**'.
- (c) The content of the abstract should be a concise summary of the key points of the submission. Abstract should be single-spaced.
- (d) Under the abstract, shall be a list of capitalised keywords that best captures the essence of the article to improve visibility of the article in search engines.  
Example: Criminal Law, Restorative Justice, Juvenile, Penal Code

## 3. Main Body

- (a) This page should include the main contents of the submission. The contents should comply with the guidelines outlined in the house style and general format section of this style and the citation manual.
- (b) Footnotes should appear at the foot of each page. All citations done in the footnote must comply with the UMCSLW 3<sup>rd</sup> edition developed by the Faculty of Law, University of Malaya.

### **III. HOUSE STYLE**

#### **A. HEADINGS**

1. The number of levels of headings should not exceed four.
2. First level headings should be preceded by capitalised roman numeral, bolded, flushed to the left and typed in capitals.

Example: **I. THE NOTION OF A ‘CONSTITUTIONAL COURT’ IN MALAYSIA**

3. Second level headings should be preceded by capitalised alphabets, bolded, italicised, flushed to the left and typed with initial capitals for main words only.

Example: **A. *Relationship between Privacy and the Right to Be Forgotten***

4. Third level headings should be preceded by Arabic numbering, bolded, flushed to the left and typed with initial capitals for the first word and proper names only.

Example: **1. Intention to create legal relations**

5. Fourth level headings should be preceded by lowercase alphabets in parentheses, bolded, flushed to the left and typed with initial capitals for the first word and proper names only.

Example: **(a) Permission from the four schools of thought in Sunni Islam**



## B. QUOTATION

1. Quotations should be clearly indicated, and it is vital that they are accurate.
2. Single quotation marks should be inserted at the beginning and end of every quotation, and double quotation marks for quotations within the quotation.

Unless the punctuation is part of the quoted material, it goes outside the quotation marks.

Example: It is stated in the Companies Act 2016 that ‘in this Act, unless the context otherwise requires — “annual general meeting”, in relation to a public company, means a meeting of the company required to be held by section 340.’

3. Where words, phrases or sentences are omitted within a quotation, the omission should be indicated by ellipses ‘...’
4. Where the quotation exceeds forty words, it should be typed as a separate paragraph, indented once to the right with quotation marks.
5. Quotations shall not be italicised.

### C. CONTENT TO BE ITALICISED

1. Italicise names of publications in the textual material (whether text appears in the body of the work or in footnotes).

Example: This principle was held in the case of *PP v Datuk Harun bin Haji Idris & Ors.*

2. When words or phrases within italicised material would themselves be italicised, change those words or phrases to the ordinary type.

Example: Referring to the article written by Ms Choong Shaw Mei, '*Where Are You Heading, LAD? Application of Liquidated Damages Clauses in Termination or Abandonment Cases: How the UK Decision in Triple Point Technology, Inc v PTT Public Company Ltd May Impact Malaysian Law on Liquidated Damages*' ...

3. Foreign words not currently absorbed into the English language should be italicised. This includes Latin terms used in legal terminology.

Example: '*nemo judex in causa sua*', '*animus possidendi*', '*ubi jus ibi remedium*' etc.

4. Content that would normally be italicised under this section shall also be italicised in the footnotes.

## D. GENDER PRONOUNS

1. The University of Malaya Law Review practises the usage of gender-neutral language.

2. Replace generic masculine pronouns (he, his) by rewriting sentences in one of the following ways:

(a) Recast the sentence in the plural

Example: Change ‘A traffic offender would have to present his ID when requested by the police.’ to ‘Traffic offenders would have to present their ID when requested by the police.’

(b) Use both pronouns

Example: Change ‘A homeowner is entitled to the defence of his private property.’ to ‘A homeowner is entitled to the defence of his or her private property.’

(c) Use neutral words like individual or one

Example: Change ‘A leader will be in charge of delegating tasks. He has wide discretion to carry out this responsibility.’ to ‘A leader will be in charge of delegating tasks. This individual has wide discretion to carry out this responsibility.’

(d) Eliminate the pronoun altogether

Example: Change ‘A secretary is expected to edit a variety of documents. She must also prepare weekly updates.’ to ‘A secretary is required to edit a variety of documents and prepare weekly updates.’

(e) Repeat the noun

Example: Change ‘The juvenile offender must submit documentation before release. His guidance counsellor will verify the documents.’ To ‘The juvenile offender must submit documentation before release. The juvenile offender’s guidance counsellor will verify the documents.’

3. Use gender-neutral occupational titles.

Example: Change ‘For our country to prosper, our Prime Minister need to start thinking like a businessman.’ To ‘For our country to prosper, our Prime Minister need to start thinking like a businessperson.’

4. Avoid the generic term man, generic words and expressions that contain man and the use of man as an adjective or verb.

Example: ‘Although he was but a layman, the plaintiff was led to believe that the defendant was the best man for the job.’ to ‘Although he was but a layperson, the plaintiff was led to believe that the defendant was the best person for the job.’

## **E. BULLET POINTS**

All bullet points shall be in black circles.

## **F. ABBREVIATIONS IN TEXT**

1. Dates in the text should be written in the ‘day textual month year’ format.

Example: 19th November 2020

2. ‘Section’ shall be abbreviated as ‘S.’ and ‘sub-section’ shall be cited as ‘ss.’ in the text.

Example: ss.10 of S.18

3. ‘Article’ shall be abbreviated as ‘Art.’ in the text.

Example: Art. 12 of the Federal Constitution

## **G. PERIOD IN TITLES**

In British English, the periods in titles are omitted.

Example: Mr, Mrs, Ms

## H. DASHES, HYPHENS AND CLASHES

1. Hyphenation (-) should comply with the latest edition of the Oxford or Cambridge Dictionary. If a compound expression does not appear in the Oxford or Cambridge Dictionary, it should be hyphenated.

Example: re-enact, home-based

2. The em-dash (—) may be used to indicate an interruption in a sentence or to substitute a colon. It may also be used on both sides of a parenthetical remark or apposition.

Tip: To produce an em-dash in Word, hold the ‘alt’ key and type ‘0151’. An em-dash may also be produced by entering a double hyphen (--) between two words without a space if the AutoFormat feature is activated.

Example: There was no clear ratio in the decision — indeed, with seven judgments, this was to be expected.

3. Forward slashes (/) are used to separate alternatives.

## IV. CITATION FORMAT

All citations under this section are adopted from UMCSLW (3<sup>rd</sup> ed.). Authors and editors should ensure that citations and footnotes conform to the University of Malaya Citation Style for Legal Works (Third Edition) ('UMCSLW') developed by the Faculty of Law, University of Malaya.

### A. GENERAL

1. To refer to previously cited content, do not use '*ibid*' or '*supra*'; use 'See footnote 3 above.' instead for online publication. The formatting in the journal is at the Head of Journal and Editor-in-Chief's discretion.

2. Indicate the pinpoint reference (page, chapter, section or subsection, paragraph or schedule) to any sources referred to. In the following example, the starting page is 261 whereas the pinpoint reference is 262.

Example: *Tan Tek Seng v Suruhanjaya Perkhidmatan Pendidikan & Anor* [1996] 1 MLJ 261, 262.

3. As a general rule, footnote numbering should be placed immediately after the punctuation. (For example: The modern state has discarded its traditional and confined role as protector to assume multi-faceted functions.<sup>30</sup>)

However, there is an exception to this general rule where the footnote numbering is not immediately after the punctuation. (For example: The decision of the Privy Council in *South-East Asia Fire Bricks* sent ripples of discontent amongst administrative lawyers,<sup>58</sup> academics<sup>59</sup> and judges<sup>60</sup> who chafed under the restrictive and orthodox stand thrust upon the Malaysian courts.)

## **B. DOMESTIC LEGISLATION**

### **1. ACTS OF PARLIAMENT**

#### **(a) PRINCIPAL ACTS**

Format: Short title (Act Number) (Jurisdiction) Pinpoint reference.

Example: Intellectual Property Corporation of Malaysia Act 2002 (Act 617)  
(Malaysia) s 2.

#### **(b) REVISED ACTS**

Format: Short title (Act Number Rev. Year) (Jurisdiction) Pinpoint reference.

Example: Census Act 1960 (Act 16 Rev. 1969) (Malaysia) s 6.

#### **(c) AMENDING ACTS**

Format: Short title (Act Number) (Jurisdiction) Pinpoint reference.

Example: Copyright (Amendment) Act 2002 (Act A1139) (Malaysia) s 4.

### **2. STATE ENACTMENTS/ORDINANCES**

Format: Short title (Enactment/Ordinance Number) (Jurisdiction) Pinpoint  
reference.

Example: Labour Ordinance 1952 (Cap 76) (Sarawak) s 9.

### **3. SUBSIDIARY LEGISLATION**

Format: Short title (Gazette Notification Number) (Jurisdiction) Pinpoint  
reference.

Example: Printing Presses and Publications (Control of Undesirable Publications)  
(No. 12) Order 2007 (P.U.(A) 377/2007) (Malaysia) o 2.



4. CONSTITUTION

Format: Short title (Gazette Notification Number) (Jurisdiction) Pinpoint reference.

Example: Federal Constitution (Malaysia) art 4.

5. BILLS

Format: Short title (Jurisdiction) Pinpoint reference.

Example: Development Financial Institutions Bill 2001 (Malaysia) cl 4.

## C. CASES

### 1. CASE NAMES

#### (a) CORPORATIONS AND FIRMS

Rule: Where a party is a corporation or firm, the following abbreviations should be used. 'Trading as' or 't/a', trading names or former company names should not be included.

Word	Abbreviation
And	&
Berhad	Bhd
Company	Co
Corporation	Corp
Limited	Ltd
Proprietary	Pty
Incorporated	Inc
Sendirian Berhad	Sdn Bhd
(in liquidation)	in liq

Example: *Preston Corp Sdn Bhd v Edward Leong & Ors* [1982] 2 MLJ 22.

(b) THE GOVERNMENT AND THE STATES

Rule: Where a party is the Government of Malaysia, ‘Government of Malaysia’ or ‘Kerajaan Malaysia’ should be used. Where a party is a Malaysian state, the name of the state should be used.

Where a party is a Public Prosecutor, the term ‘Pendakwa Raya’ or ‘Public Prosecutor’ should be used in the text and ‘PP’ in the footnotes.

Where a party is a particular Ministry, the Director or Head of the Department should be used followed by the relevant bodies or jurisdiction.

Example: *Government of Malaysia v Government of the State of Kelantan* [1968] 1 MLJ 129.

(c) THE CROWN

Rule: The abbreviation ‘R’ is used when the Crown is the first named party. When the Crown is the respondent, ‘The King’ or ‘The Queen’ (when appropriate) shall be written in full.

Examples:

- i. *R v Duffy* [1949] 1 All ER 932.
- ii. *Thambiah v The Queen* [1966] 1 MLJ 70.

(d) ‘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 in footnotes. However, the ‘v’ should be italicised in text.

Examples:

- i. *PP v Alfred a/l Vincent* [2004] 6 MLJ 105.
- ii. *Lim Meng See v PP* (1950) 16 MLJ 86.

(e) ‘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:

- i. *Ex parte: Guan Teik Sdn Bhd (substituting Lim Oo Guan, deceased)* [2010] 1 MLJ 1.
- ii. *Re Baby M (An Infant) (Adoption: Consent)* [1994] 2 MLJ 635.

2. IDENTIFYING THE JUDGE

Rule: Where appropriate, the judge or judges responsible for the judgment being cited may be identified in parenthesis after the pinpoint reference.

Example: *Alma Nudo Atenza v Public Prosecutor and another appeal* [2019] 4 MLJ 1 (Richard Malanjum CJ).

### 3. COURT

**Rule:** Generally, the name of the court is not included in a citation of a case. However, where the author believes that it is important to identify the court, the name of the court may be included in parenthesis. Where a decision has gone on appeal it is essential that the decision of the superior court be indicated in the citation of a case of first instance.

**Example:** *Alma Nudo Atenza v Public Prosecutor and another* appeal [2019] 4 MLJ 1 (Federal Court).

### 4. 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 whenever 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:** *Pendakwa Raya v Dato' Sri Mohd Najib bin Hj Abd Razak* (High Court Kuala Lumpur, Mohd Nazlan Bin Mohd Ghazali J, Aug 21, 2020. Criminal Suit no. WA-45-2-07/2018, WA-45-3-07/2018 and WA-45-5-08/2018 Unreported).

## **D. BOOKS AND OTHER NON-PERIODICAL PUBLICATIONS**

### **1. GENERAL RULES FOR CITING AUTHORS**

#### **(a) WESTERN NAMES**

**Rule:** Cite Western names by surname, followed by initials or given name. Names with suffixes (e.g. Jr. and III), use commas to separate surnames, initials and suffixes.

**Examples:**

- i. Thomas Ashe cite as Ashe, T.
- ii. Herbert Lionel Adolphus Hart cite as Hart, H. L. A.
- iii. Oliver Wendell Holmes Jr. cite as Holmes, O. W. Jr.
- iv. John Smith III cite as Smith, J. III

#### **(b) CHINESE NAMES**

**Rule:** Cite Chinese names by surname, followed by initials or given name. If a Christian name is included, cite by surname followed by the Christian name and other given name in initials.

**Examples:**

- i. Roger Tan Kor Mee cite as Tan, R. K. M.
- ii. Lim Wei Jiet cite as Lim, W. J.

(c) MALAY NAMES

Rule: Cite Malay names in direct order and in full, inclusive of any inherited titles.

Examples:

- i. Izura Masdina Mohamed Zakri cite as Izura Masdina Mohamed Zakri
- ii. Tunku Sofiah Jewa cite as Tunku Sofiah Jewa

(d) INDIAN/SIKH NAMES

Rule: Cite Indian/Sikh names by surname, if known, followed by given name. Otherwise cite in direct order and in full.

Examples:

- i. Usharani Balasingam cite as Balasingam, U.
- ii. Hardeev Singh cite as Hardeev Singh

(e) CONFERRED TITLES

Rule: In citing local names, conferred titles such as Tun, Tan, Sri, Dato', Datin, etc. are omitted. (Note: This rule does not apply to citation of cases)

Examples:

- i. Tun Mohamed Suffian Hashim cite as Mohamed Suffian Hashim
- ii. Datin Grace Xavier cite as Xavier, G.

(f) COMPOUND OR MULTIPLE SURNAMES

Rule: In the case of hyphenated surnames or hyphenated first name, enter as follows.

Example:

- i. Thio Li-ann cite as Thio, L. -a.
- ii. Christina Watson-Claffin cite as Watson-Claffin, C.

2. WORKS BY A SINGLE AUTHOR

Format: Author. (Year). *Title*. (ed.). Place of Publication: Publisher, Pinpoint reference.

Example: Hudson, A. (2010). *Equity and Trusts*. (6th ed.). Abingdon, UK: Routledge-Cavendish, 41.

3. WORKS BY TWO OR MORE AUTHORS

Note: Use a comma and an ampersand to indicate the other authors and place a full stop after the last author's name. In the event that there are more than six authors, replace all authors between the sixth author and the last author with three ellipses and add the last author's name.

Format: Authors. (Year). *Title*. (ed.). Place of Publication: Publisher, Pinpoint reference.

Example: Lunney, M., & Oliphant, K. (2003). *Tort law: Text and materials*. Oxford, England: Oxford University Press, 95.



## E. ARTICLES

### 1. JOURNAL ARTICLE

Rule: Include the digital object identifier (DOI) or the URL for online journal articles.

Format: Author. (Year). Title of article. *Title of Periodical*, Volume number(Issue), Starting page, Pinpoint reference.

Examples:

- i. Abu Bakar Munir. (2012). Personal Data Protection Act: Doing Well By Doing Good. *Malayan Law Journal Articles*, 1(2), 83, 84.
- ii. Thio, L. -a. (2006). Apostasy and Religious Freedom: Constitutional Issues Arising from the Lina Joy Litigation. *Malayan Law Journal Articles*, 2, 1, 4.
- iii. Pojanowski, J. A. (2019). Neoclassical Administrative Law. *Harvard Law Review*, 133, 852, 860. Retrieved from <[https://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=3345342](https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3345342)>. Site accessed on 25 Oct 2020.

### 2. NEWSPAPER ARTICLE/REPORT

Rule: The newspaper title in italics is followed by the words 'Retrieved from' and the URL of the newspaper articles/reports (if relevant). If the citation comes from an online source, the date the site was accessed shall be included at the end. However, if the exact date cannot be ascertained, the editor shall include the date the article was first received. An exception to the general format is when citing a physical copy of the newspaper, a comma will follow the title of the newspaper.

Format: Author. (Year, Month Date). Title of article. *Title of Newspaper*. Retrieved from <URL>. Pinpoint reference.

Examples:

- i. Mazwin Nik Anis. (2020, Oct 28). Police approval needed to enter CMCO areas. *The Star*, 6.
- ii. Vanar, M., & Loh, I. (2020, Oct 25). Time for unity to overcome challenges facing Malaysia, says Shafie. *The Star*. Retrieved from <<https://www.the-star.com.my/news/nation/2020/10/25/time-for-unity-to-overcome-challenges-facing-malaysia-says-shafie>>. Site accessed on 26 Oct 2020.

### 3. MAGAZINE ARTICLE

Rule: The starting page is followed by the words 'Retrieved from' and the URL of the magazine article (if relevant). If the citation comes from an online source, the date the site was accessed shall be included at the end. However, if the exact date cannot be ascertained, the editor shall include the date the article was first received.

Format: Author. (Year, Month Date). Title of article. *Title of Magazine, Volume*, Starting page. Retrieved from <URL>. Pinpoint reference.

Example: Graham, D. A. (2020, Oct 22). Biden Seizes Trump's Populist Mantle. *The Atlantic*. Retrieved from <<https://www.theatlantic.com/ideas/archive/2020/10/biden-seizes-trumps-populist-mantle/616832/>>. Site accessed on 26 Oct 2020.

## F. INTERNATIONAL MATERIALS

Please refer to Part IV International Materials of the Australian Guide for Legal Citation, 3<sup>rd</sup> edition.

## G. MISCELLANEOUS

### 1. SEMINAR/CONFERENCE PAPERS

#### (a) PUBLISHED CONFERENCE PAPER IN BOOK FORM

Format: Author. (Year). Title of the conference paper. In Editor (Ed.). *Name and place of the conference* (Pagination). Place of Publication, Country: Publisher.

Example: Hasmah Zainuddin, & Azizah Hamzah. (2007). International trade agreement of intellectual property rights (TRIPs), copyright issues & burden to enforce in Malaysia. In K. Y. Choi (Ed.). *Korean studies in Southeast Asia: Strategic cooperation and development in research and education: Proceedings of the 2<sup>nd</sup> International Conference of the Korean Studies Association of Southeast Asia University of Malaya, Kuala Lumpur* (pp. 121-138). Kuala Lumpur, Malaysia: University of Malaya.

(b) PROCEEDINGS PUBLISHED REGULARLY ONLINE

Format: Author. (Year). Title of the conference paper. *Name of the conference Vol*, Starting page, Pinpoint reference.

Example: Herculano-Houzel, S., Collins, C. E., & Lent, R. (2008). The basic non-uniformity of the cerebral cortex. *Proceedings of the National Academy of Sciences* 105, 245, 247. Retrieved from <doi: 10.1073/pnas.0805417105>. Site accessed on 6 Dec 2018.

(c) UNPUBLISHED CONFERENCE

Format: Author. (Year, Month). *Title of the conference paper*. Paper presented at the Name of Conference, place of the Conference.

Example: Raja Aziz Addruse. (2003, Sept). *Human right advocacy in court*. Paper presented at the Conference on Human Rights and the Administration of the Law, Kuala Lumpur.

2. WEBSITES

Format: Author. (Year, Month Day). Document Title. *Website name*. Retrieved from <URL>. Site accessed on Day Month Year.

Examples: World Health Organization. (2020, Mar 8). The Beijing Declaration turns 25. *World Health Organization*. Retrieved from <<https://www.who.int/news/item/08-03-2020-women-s-health-and-rights-25-years-of-progress>>. Site accessed on 5 Oct 2020.

## H. ABBREVIATIONS FOR LEGISLATIVE MATERIALS IN FOOTNOTES

<b>Pinpoint reference</b>	<b>Abbreviation</b>	<b>Pinpoint reference</b>	<b>Abbreviation</b>
Article	art	Section	s
Page	pp	Subsection	ss
Enactment	en.	Schedule	sch
Rule	r	Clause	cl
Order	o	Ordinance	Ord.

## I. ABBREVIATIONS FOR MONTHS OF THE YEAR

<b>Month</b>	<b>Abbreviation</b>	<b>Month</b>	<b>Abbreviation</b>
January	Jan	July	Jul
February	Feb	August	Aug
March	Mar	September	Sept
April	Apr	October	Oct
May	May	November	Nov
June	Jun	December	Dec