



Supreme Court of Victoria

Practice Note SC Gen 3

Citation of authorities and legislation

1. INTRODUCTION

- 1.1 The Chief Justice has authorised the issue of the following Practice Note.
- 1.2 The purpose of this Practice Note is to set out the requirements in relation to the citation of authorities and legislation and the provision of those to the Court and other parties.

2. COMMENCEMENT

- 2.1 This Practice Note was issued on 30 January 2017 and commences on 30 January 2017.

3. DEFINITIONS

- 3.1 In this Practice Note:
AGLC means the Australian Guide the Legal Citation published by the Melbourne University Law Review.
Authorised series of law reports means a series of law reports authorised by the Court whose judgments are contained in the report.

4. CITATION FORMAT

- 4.1 The Court uses the AGLC as the basis for citation formats in its publications and parties are invited to do the same to assist the Court.

5. CITATION OF JUDGMENTS

- 5.1 Where a judgment is reported in an authorised series of law reports, all references and citations must be to, and any copy provided to the Court must be a copy of, the authorised report.
- 5.2 Where a judgment is not reported in an authorised series of law reports but is available electronically, reference must be made to its medium neutral citation.
- 5.3 Reference may also be made to any report in an unauthorised series of reports.
- 5.4 Judgments provided to the Court are to be from the Rich Text Format (RTF) or Portable Document Format (PDF) of the judgment where available. Judgments

delivered in Australia are generally available in one or both of these formats, with a medium neutral citation, on various websites including the Australasian Legal Information Institute at: www.austlii.edu.au

- 5.5 Where a judgment is not reported in an authorised series of law reports and is not available electronically with a medium neutral citation, references and citations may be to, and any copy provided to the Court may be from, an unauthorised series of law reports.
- 5.6 If a party intends to rely upon a judgment which is not reported in an authorised or unauthorised series of law reports and is not available electronically, a copy of this judgment must be provided to all other parties, and to the Court, as soon as it is reasonably practicable to do so.
- 5.7 Judgments provided to the Court must be in portrait, as opposed to landscape, orientation and hard copies are to be printed double-sided.
- 5.8 Where a judgment is divided into numbered paragraphs, all references to that judgment must be to the relevant paragraph or paragraphs and, where the judgment has been published in hard copy, the page on which those paragraphs commence. For example:
Smith v Jones (2010) 28 VR 415, 420 [45]-[46] (authorised report where 415 is the first page of the judgment in the report, 420 is the page on which the passage is found at paragraphs 45- 46).
Smith v Jones [2010] VSCA 14, [56] (medium neutral citation, where 14 is the number of an unreported judgment of the Court of Appeal and 56 is the paragraph in which the cited passage is found).

6. CITATION OF LEGISLATION

- 6.1 Legislation from any Australian jurisdiction may be cited without producing a copy to the Court. However, where proceedings involved detailed consideration of point-in-time legislation parties may wish to consider providing copies of the relevant parts of the enactments for the assistance of the Court.

7. FOREIGN LAW

- 7.1 Parties should cooperate to avoid the need for formal proofs of foreign law wherever possible and agree upon the format to be provided to the Court and referenced by the parties.

AMENDMENT HISTORY

30 January 2017: This Practice Note was issued on 30 January 2017 and replaced Practice Note(s) No 9 of 2011 2 of 1999 and 4 of 1998

Vivienne Macgillivray
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30 January 2017