

ANZSI PROFESSIONAL DEVELOPMENT PROGRAM

**Indexing Legal Material:
Statutes, Statutory Instruments, and International
Treaties or Agreements**

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Notes and examples from an online presentation
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as the first of three sessions on legal indexing

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1. Introduction

1.1. Law as an indexing subject category or specialty

If you were to advertise 'law' as an indexing subject specialty, then you may be offered work on a wide range of different types of texts, e.g.:

- **Legal studies text** (e.g., upper secondary or undergraduate introductory texts; books on alternative dispute resolution)
- **Undergraduate law texts** (e.g, introductory texts with exercises; study guides)
- **Study guides** (on specific areas of law)
- **Reference works** on particular areas of law in specific jurisdictions or comparisons across different jurisdictions (e.g., torts, intellectual property, family law, international law)
- **Legal practitioners' guides** (e.g., wills, probate and administrative law in Victoria)
- **Legal philosophy monographs** (legal philosophy, legal cultural studies or feminist critiques)
- **Anthropology** of law monographs
- **Sociology** of law monographs
- **Legal journals**/Law report series

Each of these will have differing indexing requirements (see examples on the next page), and only some require what is known as legal indexing.

TEXT TYPES	INDEX	TABLES		
		Cases	Statutes	International Treaties
Legal studies	•			
Undergraduate textbooks	•	•	•	•
Study guides	•	•	•	•
Reference works on particular areas of law	•	•	•	•
Legal practitioners' guides	•			
Legal philosophy	•			
Anthropology of law	•			
Sociology of law	•			
Law journals/Legal report series	•	•		

1.2 Legal indexing as a type of indexing

Legal writing follows strict conventions regarding the citation of legal materials, and these conventions need to be followed when doing legal indexing. There are a range of readily available legal citation guides (see section 6 of this document). Although they focus on writing, they are essential resources for indexers too.

We will be dedicating a future session to legal indexing, so I'll leave the detailed discussion of compiling legal indexes until then. But, generally speaking, legal indexes are compiled using something akin to a controlled vocabulary.

1.3. Legal tabling

Legal indexing also includes legal tabling: i.e., the compilation of tables of cases, statutes and treaties. These appear as frontmatter or prelims. Tables may be compiled using indexing software. Today we'll be looking at compiling tables of statutes and treaties. (See the next page for a sample extracted from a Table of Statutes).

References to legal cases, statutes, statutory instruments and international treaties and agreements do not only appear in texts on legal matters. So, even if an indexer is not interested in doing 'legal indexing', it is a good idea to know how to index law-related matter in general texts.

TABLE OF STATUTES

COMMONWEALTH

Australian Consumer Law	361
s 18	545
Competition and Consumer Act 2010	
sch 2	361, 545
Trade Practices Act 1974	545
s 52	545

Australian Capital Territory

Civil Law (Wrongs) Act 2002	311, 545
ch 9	270
s 110	503, 26, 311

New South Wales

Civil Liability Act 2002	26, 311
s 5B	417–18, 420
s 5D	445, 479
Defamation Act 2005	270
Liquor Act 1982	491, 494
Trees (Disputes Between Neighbours) Act 2006	255

Northern Territory

Defamation Act 2006	270
Personal Injuries (Civil Claims) Act 2003	27, 311, 312

Queensland

Civil Liability Act 2003	27, 311, 312
s 11	479
Defamation Act 2005	270
Law Reform Act 1995	
s 10(1)	613

Personal Injuries Proceedings Act 2002	311, 27, 312
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South Australia

Civil Liability Act 1936	26, 311, 312
pt 4	364
s 3	614
s 42	370
s 42(1)	504
s 53(1)	518

Consent to Medical Treatment and Palliative Care Act 1995	219
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Wrongs Act 1936	311, 312
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Tasmania

Civil Liability Act 2002	26, 311, 312
s 13	479
s 22	428

Defamation Act 2005

s 33	45
------------	----

Wrongs Act 1954

s 2	614
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Victoria

Defamation Act 2005	270
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Domestic Building Contracts Act 1995

s 9	561
-----------	-----

Wrongs Act 1958	27, 311, 312, 515
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s 72(1)(b)	515
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s 73	515
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Western Australia

Civil Liability Act 2002	27, 311, 312
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2. Statutes and international treaties or agreements

2.1 Definitions

- Statutes
- Statutory instruments
- International treaties or agreements

See page 8 (over page) for definitions and examples¹

- Bills
- Explanatory Memorandum or Notes

See page 9 for definitions

¹ SOURCES: A number of sources were drawn upon, or adapted, for the information and examples presented in this document, primarily the *Australian Guide to Legal Citation* (see section 7 for details) and Alan Walker's *Law Indexing Workbook* which is available from the ANZSI Library.

TERM	DEFINITION	EXAMPLES
STATUTES	Acts of Parliament	<i>Australian Human Rights Commission Act 1986 (Cth)</i> <i>Work Health and Safety Act 2012 (SA)</i> <i>Foreshore and Seabed Act 2004 (NZ)</i>
STATUTORY INSTRUMENTS	Also referred to as subordinate legislation or delegated legislation, these are rules, orders, or administrative regulations having the force of law	<i>Australian Human Rights Commission Regulations 1989 (Cth)</i> <i>Work Health and Safety Regulations 2012 (SA)</i> <i>Patents Regulations 1991 (Cth)</i>
INTERNATIONAL TREATIES & AGREEMENTS	International agreement between two or more sovereign states (or international organisations) governed by international law	Convention on the Rights of the Child European Convention on Human Rights Australia–United States Free Trade Agreement

BILLS

A **Bill** is a piece of draft legislation introduced to parliament with the aim of having it passed into law. It may be designed to create a new law or to amend an existing law. For example:

Sex Work Decriminalisation Bill 2021 (Vic)

Racial Discrimination Amendment Bill 2016 (Cth)

During its passage through parliament a Bill is debated on a number of occasions and may change considerably before passing into law. Importantly, not all Bills successfully pass through parliament and become law.

Explanatory Memoranda/Notes are documents presented to parliament in the early stages of a bill's passage through parliament. An explanatory memorandum seeks to explain what provisions in a particular Bill mean, and what the Bill is attempting to achieve if passed as law.

- Bills and Explanatory Memoranda are NOT laws.
- They are listed in general indexes as Main Headings and Subheadings, but are NOT included in Tables of Statutes.
- Titles are NOT italicized

2.2. Statute citations: Elements

TITLE:	Official short name of an Act as it appears in the statute book (the long title should only be used if there is not short title)
DATE:	Year statute was enacted (passed by parliament). N.B. This is not necessarily the date of enforcement or commencement.
JURISDICTION:	Area subject to the law.
[PROVISION/S]:	Specific provisions within an Act (e.g., section/s, rule/s, regulation/s, part/s, schedule/s, etc.)

See page 11 for examples.

2.3 International treaty or agreement citations: Elements

TREATY BODY:	Name of treaty body
TITLE:	Official name of treaty or agreement.
DATE:	Year convention was adopted and opened for signature; or year agreement between two or more parties was signed.
JURISDICTION:	States party to the agreement.
PROVISION/S:	Particular article/s within a treaty or agreement.

See page 11 for examples.

Next, we'll look at how statutes and international treaties or agreements may be presented in a general index (or in legal texts where tables are not required).

ELEMENTS OF STATUTE CITATIONS

TITLE + DATE + JURISDICTION + PROVISION/S

Racial Discrimination Act 1975 (Cth), s 18c

Work Health and Safety Regulations 2012 (SA), reg 23.41

ELEMENTS OF TREATIES/INTERNATIONAL AGREEMENTS

TREATY BODY + TITLE + DATE + PROVISION/S

Council of Europe, *European Convention on Human Rights* (1950), art 6(2)

United Nations, *Convention on the Rights of the Child* (1989), art 28

Australia-United States Free Trade Agreement (2005), art 15.1.7(ii)

3. Indexing statutes and international treaties or agreements

3.1 Statutes: Structure, format and presentation

NB: For simplicity's sake, from here on, when I mention statutes, this will also cover statutory instruments, unless I say otherwise.

3.1.1 Main Headings

See page 13, over page, for examples of structure, format and presentation in an Australian publication.

Usually, the titles of Australian statutes are italicised, and the titles of foreign statutes are in roman type. However, if the text you are working on has all statutes presented in italics, then follow the style of the text in your index.

3.1.2 Subheadings

See page 13, over page, for examples of subheadings.

Subheadings are listed in alphabetical order.

If the discussion focuses on a particular section or subsection, the subheading should identify the substantive content of the section or subsection. The section or subsection number may be included in parentheses if it is mentioned in the text.

If there is public debate about a specific section, (e.g., s 18C of the RDA) then it may be included in the subheading.

Note: I've included the example of the Australian Constitution as a main heading because it is generally NOT italicised, and no date is given. This is because the Constitution is not a free-standing statute, it is actually contained within an act of the British parliament (the Commonwealth of Australia Constitution Act 1900). Nine clauses precede the 128 sections of the original Australian Constitution.

3.1.3 Cross References

Cross references may be included from acronyms to full titles.

See page 13, over page, for an example.

Statutes/Statutory Instruments: Index Headings (general indexes)

Main Headings

	Format	Example
Australian legislation	<i>TITLE + DATE + (JURISDICTION)</i>	<i>Gaming Regulation Act 2003 (Vic)</i>
Foreign legislation	TITLE + DATE + (JURISDICTION)	Gaming Act 2005 (UK)

Subheadings

Australian Constitution
external affairs power [s 51(xxix)]

Racial Discrimination Act 1975 (Cth)
administration
debate over section 18C

Cross References

ASIC Act *see Australian Securities and Investments Commission Act 2001 (Cth)*

Australian Securities and Investments Commission Act 2001 (Cth)

3.1.4 Australian Jurisdiction Abbreviations

The following abbreviations are to be used for Australian jurisdictions when citing statutes.

Australian Jurisdictions	Abbreviations
Commonwealth	Cth [not C'wlth]
Australian Capital Territory	ACT
New South Wales	NSW
Northern Territory	NT
Queensland	Qld [not QLD]
Tasmania	Tas [not TAS]
Victoria	Vic [not VIC]
Western Australia	WA

3.1.5 Common Errors

One of the problems indexers frequently encounter is errors in the text. Fortunately, most legal texts are well-written and, since as they are published by major publishing companies, they are very well-edited and proofread.

Errors are more common in books such as upper-secondary textbooks, and book aimed at a general readership.

An especially common error, and potential trap for the indexer, is when legislation is referred to with the jurisdiction preceding the title of the act. This practice can lead to errors where the indexer thinks that the jurisdiction is the first word of the title.

This may especially be the case where statutes are not italicised, or poor copy-editing or proofreading has allowed the name of the jurisdiction to be italicised as well as the title.

See page 15, over page, for an example.

NOTE: The titles of some Acts do include the jurisdiction as the first term (e.g., Canadian Human Rights Act 1977), but it is not common. If you are unsure if a title is correct, Google it. If the has incorrectly displayed the title, alert the editor or author.

COMMON FORMATTING ERROR

INCORRECT Text

‘Under the *Tasmanian Education Act 2016*, school attendance requirements ...’

CORRECT Text

‘Under the Tasmanian *Education Act 2016*, school attendance requirements ...’

INCORRECT Index Entry:

Tasmanian Education Act 2016 (Tas)

CORRECT Index Entries:

education

school attendance requirements

Education Act 2016 (Tas)

schools

attendance requirements

Tasmania

school attendance requirements

3.2 International treaties or agreements: Structure, format and presentation

3.2.1 Main Headings

Titles of treaties and agreements should be included as main headings.

Titles may be italicised or in roman type—follow the text. Point out inconsistencies in font to editor/author client.

Dates are not always provided—follow the text.

References to treaties and agreements should also be indexed with entries under the relevant subject headings. See examples on the page 17 (next page). For the sake of clarity in this example titles of treaties/agreements are presented in bold font, and each is represented with a different colour. Linked entries are in the same colour (but not bold).

3.4.2 Subheadings

Titles may be organised as subheadings under the name of the treaty body/organisation (e.g., Council of Europe, International Labour Organization) or as a type of international agreement (e.g., free-trade agreements, regional agreements).

Subheadings should be arranged in alphabetical order. If discussion is about a particular provision in the treaty or agreement, the subheading should be about the substantive content of that provision or range of provisions. The article no. can be included in parentheses if appropriate.

3.4.3 Cross references

Cross references may be included from abbreviations to full titles (e.g. AUSTFA *see* Australia–United States Free Trade Agreement). They may also be used to direct the reader from subheadings under treaty bodies, or from states party to an agreement, to the full title main headings if there are sufficient entries to warrant subheadings.

3.5 Locators

Some legal texts are formatted with paragraph numbers.

When indexing legal texts, locators may be page numbers or paragraph numbers.

However, just because there are paragraph numbers doesn't mean the publisher wants them used as locators.

Where there are paragraph numbers, always confirm with your client whether they want page numbers or paragraph numbers as locators.

INDEX ENTRIES FOR TREATIES AND INTERNATIONAL AGREEMENTS (in General Indexes)

Australia–United States Free Trade Agreement (AUSFTA)

Convention Relating to the Status of Refugees (Refugee Convention)

Council of Europe

human rights convention

European Convention on Human Rights

free trade agreements

bilateral agreements

see also names of agreements

Freedom of Association and Protection of the Right to Organise Convention

international labour law, ILO conventions

International Labour Organization (ILO), conventions

human rights

European convention

United Nations conventions

labour rights

refugee rights

trade unions, right to organize

United Nations, human rights conventions

United States, free trade agreement with Australia *see Australia–United States Free Trade*

Agreement (AUSFTA)

workers' rights

4. Table compilation

4.1 Introduction: Work processes

First, a word on work processes for legal indexing. Overtime, everyone refines what process works best for them. This is the process that works best for me.

When compiling a table of statutes, I find that it is really useful to mark up the text first. This can be done very quickly, as you only need to skim the pages for titles and provision numbers. Then I compile the table.

If I'm also going to be compiling a table of cases, I do a second pass to mark-up case titles (using a different coloured pen to highlight, underline, circle or insert a margin mark). Again, this can be done very quickly.

I leave the compilation of the index to last. After having been through the manuscript a couple of times already, by then I'm very familiar with the structure and content, and this makes the task of indexing even easier. Also, because I've already marked up the cases and statutes, if I've missed any I can easily pick them up when I'm indexing, and add them to the tables I've already compiled.

4.2 Tables of Statutes: Structure, format and presentation

4.2.1 Elements

For federated nations—those that include a number of states, provinces or territories with their own laws such as Australia, Canada, United Kingdom, United States, etc.—entries in Tables of Statutes can run to 4 levels of headings (see example on next page).

National jurisdiction = Main Heading

State jurisdiction = Subheading

Title + Date of statute = Sub-subheading

Pinpoint references to provisions = Sub-sub-subheading

If only the national jurisdiction is cited, then entries will run to 3 levels of headings:

State jurisdiction = Main heading

Title + Date of statute = Subheading

Pinpoint references to provisions = Sub-subheading

TABLES OF STATUTES

ELEMENTS

EXAMPLE

Main Heading — Jurisdiction: Country	COMMONWEALTH
Subheading — Jurisdiction: State/Territory	Victoria
Sub-subheading — Title of Statute + Date	Whistleblowers Protection Act 2001
Sub-sub-subheading — Pinpoint reference within Statute	s 21(2)(c) ... [locator]

FILING ARRANGEMENTS

Type of Heading	Content	Filing order
Main Heading	Jurisdiction: Country	Hierarchical order + Alphabetical order
Subheading	Jurisdiction: State or Territory	Alphabetical order
Sub-subheading	Title of Statute + Date	Alphabetical order
Sub-sub-subheading	Pinpoint reference within Statute	Hierarchical order + Numerical order

4.2.2 Format

Tables of Statutes and Treaties are always displayed in set-out or indented format. (See example on previous page.)

Depending on the publisher's requirements, you can supply the table with each level indented, or you can drop sub-jurisdiction subheadings back to align below the jurisdiction main heading, so long as the main heading is distinguished stylistically from the subheadings, e.g., use of all Caps or Bold.

4.2.3 Filing Arrangements

See example on previous page for a summary of filing rules.

4.2.3.1 Jurisdiction and sub-jurisdiction

Jurisdiction = Hierarchical order

Sub-jurisdiction = Alphabetical order

An Australian publication will have Commonwealth legislation listed first, followed by each of the states/territories listed alphabetically.

However, if a text had a lot of references to British legislation, then these would be listed after Western Australian legislation, under the Main heading 'United Kingdom'.

Thereafter, any other foreign legislation would be listed with remaining Common law countries listed alphabetically.

These would be followed by Civil law countries listed alphabetically, and finish with an alphabetical listing of countries with hybrid legal systems.

If you were working on a British publication, then United Kingdom legislation would be listed first.

4.2.3.2 Statute titles

List alphabetically under jurisdiction or sub-jurisdiction

4.2.3.3 Provisions

Provisions are listed in hierarchical order, according to the structure of the statute. Within each level, provisions are listed in numerical order.

NB. The number follows the abbreviation. Sometimes, e.g., in the case of spans and plural abbreviations, it is necessary to manipulate the sort order to ensure the list is in numerical order.

TABLES OF STATUTES

ELEMENTS

EXAMPLE

Main Heading — Jurisdiction: Country

COMMONWEALTH

Subheading — Jurisdiction: State/Territory

Victoria

Sub-subheading — Title of Statute + Date

Whistleblowers Protection Act 2001

Sub-sub-subheading — Pinpoint reference within Statute

s 21(2)(c) ... [locator]

FILING ARRANGEMENTS

Type of Heading	Content	Filing order
Main Heading	Jurisdiction: Country	Hierarchical order + Alphabetical order
Subheading	Jurisdiction: State or Territory	Alphabetical order
Sub-subheading	Title of Statute + Date	Alphabetical order
Sub-sub-subheading	Pinpoint reference within Statute	Hierarchical order + Numerical order

4.2 Tables of International Treaties or Agreements: Structure, format and presentation

4.2.1 Headings

If there are only a handful of treaties or agreements cited, these can be listed as the final section in a Table of Statutes, under a main heading 'International treaties and agreements', with the titles of treaties and agreements listed alphabetically as main headings.

Where there are long lists of treaties or agreements cited, these should be listed in a separate Table of International Treaties and Agreements. The list may be divided under the following options as main headings:

Treaty bodies (e.g., United Nations, International Labour Organization, etc.), or

Types of agreements (e.g., regional or bilateral agreements)

Titles of treaties or agreements are then listed as subheadings under these main headings.

See examples on following page.

4.2.2 Filing arrangements

Where titles of treaties or agreements are listed as subheadings under main headings (such as the name of the treaty body, or type of agreement), they should be filed alphabetically.

Pinpoint references to specific provisions are listed hierarchically, according to the structure of the treaty or agreement, and within each level are listed numerically. If you are unsure of the structure, Google the text of the treaty or agreement.

NOTE. In numerical lists, the number follows the abbreviation. Sometimes, e.g., in the case of spans and plural abbreviations, it is necessary to manipulate the sort order to ensure the list is in numerical order.

See summary of filing rules on the following page.

5. Pinpoint references to provisions

5.1 Abbreviations

5.1.1 Statutes

See table on the following page for a list of the *Australian Guide to Legal Citation* (AGLC) abbreviations for legal citations.

NOTE: Some publisher's house styles differ, using initial caps, e.g. Pt/Pts for Part/Parts, Ch/Chs, Div/Divs

Use abbreviations consistently. If unsure of correct form, check the house style guide for law, or check with your client.

5.1.1 Delegated legislation

See table on the page 25 for a list of the *Australian Guide to Legal Citation* (AGLC) abbreviations for delegated legislation.

Once again, use abbreviations consistently. If unsure of correct form, check the house style guide for law, or check with your client.

STATUTE PINPOINT REFERENCES

DESIGNATION	ABBREVIATION	PLURAL
Appendix	app	apps
Article	art	arts
Chapter	ch	chs
Clause	cl	cls
Division	div	divs
Paragraph	para	paras
Part	pt	pts
Schedule	sch	schs
Section	s	ss
Sub-clause	sub-cl	sub-cls
Subdivision	sub-div	sub-divs
Sub-paragraph	sub-para	sub-paras
Subsection	sub-s	sub-ss

DELEGATED LEGISLATION PINPOINT REFERENCES

DESIGNATION	ABBREVIATION	PLURAL
Order	ord	ords
Regulation	reg	regs
Rule	r	rr
Sub-regulation	sub-reg	sub-regs

5.2 Format and presentation

See the table on the following page for a summary of format and presentation rules for provisions.

NOTE: Separate elements of provision numbers are separated by parentheses. See the following examples:

In s 7A, the 'A' does not refer to a subsection of section 7. '7A' is a discrete provision.

s 20-18 would be incorrect as a span because the second number is lower, as a discrete provision it is correct. If the second number was higher, and you are unsure if it is a span or a discrete provision, it would be a good idea to check the numbering structure used in the Act.

5.3 Filing rules

Provisions for statutes and international treaties or agreements are listed hierarchically in the order in which they appear in the statute or treaty or agreement documents. Within each hierarchical level, they are then listed numerically.

On page 28, there is an example of a Table of Statutes and Table of International Treaties and Agreements showing the filing order and use of abbreviations for provisions. It also shows the formatting, referred to previously, of aligning the 2nd level headings back under the 1st level heading (i.e. Statute titles, entered into your indexing software as subheadings, are presented flush left beneath the jurisdiction or main heading).

While tables must present pinpoint refs to provisions in a specific order, that is not always the way the information is presented in the text. See examples on page 29.

5.4 Impact of formatting errors on filing order

Formatting errors involving incorrect spacing disrupt the filing order.

Indexing software is used to achieve correct numerical order for spans of provisions. E.g., 'ss'—needs to be sorted as 's' so that all provisions within that level are listed in the correct numerical order.

See examples on page 30.

Pinpoint References: Format & Presentation Rules

RULE	CORRECT	INCORRECT
No space between section number and subsection numbers	s 5(a)	s 5 (a)
Space between abbreviation for section and section number	s 6(1)	s6(1)
Plural abbreviation for spans	ss 7(1)(b)–(d)	s 7(1)(b)–(d)
En dash for spans between section numbers (not hyphens)	ss 5–6	ss 5-6
Section numbers must be cited in full	ss 7A–7C	ss 7A–C
Section numbers must be cited in full (and may include hyphens)	s 20-18(1)(a)	s 20–18(1)(a)
Section numbers must be cited in full (and may include periods)	ss 3.2.1–3.2.2	ss 3.2.1–2

TABLE OF STATUTES

COMMONWEALTH

Australian Human Rights Commission Act 1986

pt III	35
ss 75–79	61
s 95(1)(a)	198

Legal Profession Uniform Conduct (Barristers) Rules 2015

r 36	166
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Patents Regulations 1991

reg 2.2A	81
regs 3.2B–3.2D	105

TABLE OF INTERNATIONAL TREATIES & AGREEMENTS

European Convention on Human Rights

arts 2–4	7
art 6(2)	90

Pinpoint References: Filing

Hierarchical order + Numerical order

A hierarchical order is used to list the different levels of pinpoint references within a statute. The hierarchy used mirrors the structure of the statute.

Example: **Chapters** (numbered consecutively)

Parts within Chapters (numbered consecutively from 1 within each part)

Divisions within Parts (numbered consecutively from 1 within each division)

Sections (numbered consecutively from 1 from throughout the statute or treaty)

Subsections and sub-subsections (bracketed and numbered consecutively)

Using the appropriate abbreviations, pinpoint references are listed in numerical order according to the above hierarchy and in the following format.

Text	Table of Statutes
The first three chapters of the Act cover ...	chs 1–3
In chapter 6 of the Act, the first division of part II focuses on ...	ch 6 pt II div 1
In part III of chapter 8 ...	ch 8 pt III
Subsections (a)–(d) of s 53 of the Act lists	ss 53(a)–(d)
... can be found in s 60(1)(b)	s 60(1)(b)

Formatting Errors	Correct order
s 4 (1)(a) 5	ss 3–5 ... 72
s 4 (2)(a) 10	s 4 42
s 4(1)(a) 33	s 4(1)(a) 5, 33
s 4(2)81	s 4(2)81
s4 42	s 4(2)(a) 10
ss 3–5 ... 72	

6. Summary and practice exercise

See page 32 for an example of how a paragraph of text might be indexed in a general index compared with how it might be indexed in a legal index with a Table of Statutes.

The 'Spot the Errors' exercise, on page 33, includes 9 errors. See how many you can find.

NOTE: This example has paragraph numbers rather than page numbers as locators.

Hint: there are NO errors in the locators.

The answers are supplied on page 34.

The Commonwealth Government entered the field of restrictive trade practices in 1906 with the enactment of the *Australian Industries Preservation Act*. That Act, being influenced largely by the US *Sherman Act* of 1890, adopted a proscriptive approach. Sections 4 and 7 prohibited combinations and monopolies relating to trade or commerce with other countries and among the States. Sections 5 and 8 prohibited combinations in restraint of trade or commerce engaged in by foreign corporations or trading or financial corporations formed within the limits of the Commonwealth. As the Australian Constitution does not give the Commonwealth Parliament an express head of power relating to restrictive trade practices, the Act relied for the most part upon the trade and commerce power (section 51(i)) and the corporations power (section 51(xx)).

[SOURCE: P. Clarke et al. 2011. *Competition Law and Policy*, OUP, p.9.]

General Index entries	Table of Statutes entries	Legal Index entries
Australian Constitution corporations power (s 51(xx)) trade and commerce power (s 51(i)) <i>Australian Industries Preservation Act</i> 1906 (Cth) proscriptive approach <i>Sherman Act 1890</i> (US) trade practices Commonwealth legislation proscriptive approach to restriction	COMMONWEALTH Australian Industries Preservation Act 1906 s 4 s 5 s7 s 8 Constitution s 51(i) s 51 (xx) UNITED STATES Sherman Act 1890	Commonwealth powers corporations power ... trade and commerce power ... trade practices proscriptive approach to restriction

COMMONWEALTH

Copyright Act 1968 1.12, 5.1

 Pt III Div 5A 8.37

 pt VA 8.11, 8.20

 s 9(1) 7.8

 s 10(1) 6.10, 6.1866

 s 10(1)(a)–(e) 8.131

 s 10(1)(b) 8.132

 s 10(2) 8.225

 s 101(1) 8.78, 8.87

 s 11A 8.230

 s 90(1) 6.52

 ss 91(a)–(b) 6.53

Designs Act 2003 9.170

 s 4 (1)(a) ... 9.15

 s 4(1) 9.171

 s 10(2) 10.79

 s 11(1)–(3) 10.79

 s 21(2) 10.13, 10.25

 ss 39–40 10.35, 10.38

 s 43A 10.36

 ss 43A–D 9.171

NEW SOUTH WALES

 Business Names Act 2002 (NSW) 3.115

QUEENSLAND

 Business Names Act 1962

 s4 3.116

 Public Interest Disclosure Act 2010 11.2

VICTORIA

 Australian Grand Prix Act 1994 3.113

 Commonwealth Games Arrangements Act 2001 3.114

 Victorian Gaming Machine Control Act 1993 3.121

 Whistleblowers Protection Act 2001 11.2

COMMONWEALTH

Copyright Act 1968 1.12, 5.1

Pt III Div 5A 8.37 – Should be pt III div 5A

pt VA 8.11, 8.20

s 9(1) 7.8

s 10(1) 6.10, 6.1866

s 10(1)(a)–(e) 8.131

s 10(1)(b) 8.132

s 10(2) 8.225

s 101(1) 8.78, 8.87

s 11A 8.230 – in incorrect order

s 90(1) 6.52

ss 91(a)–(b) 6.53

Designs Act 2003 9.170 – Title should not be in italics

s 4 (1)(a) ... 9.15 – Should be s 4(1)(a)

s 4(1) 9.171

s 10(2) 10.79

s 11(1)–(3) 10.79 – Should be ss 11(1)–(3)

s 21(2) 10.13, 10.25

ss 39–40 10.35, 10.38

s 43A 10.36

ss 43A–D 9.171 – Should be ss 43A–43D

NEW SOUTH WALES

Business Names Act 2002 ~~(NSW)~~ 3.115

QUEENSLAND

Business Names Act 1962

s4 3.116 – Should be s 4

Public Interest Disclosure Act 2010 11.2

VICTORIA

Australian Grand Prix Act 1994 3.113

Commonwealth Games Arrangements Act 2001 3.114

~~—Victorian~~ Gaming Machine Control Act 1993 3.121

Whistleblowers Protection Act 2001 11.2

Legal Indexing Resources

Legislation & Cases

AUSTlii (Australia's online free-access resource for Australian legal information)

AUSTlii primary legal materials (legislation, treaties and decisions of courts and tribunals); and secondary legal materials created by public bodies for purposes of public access (law reform and royal commission reports for example) and a substantial collection of law journals. For indexers, it is an invaluable resource for checking the correct titles and dates of legislation and case citations.

Legal Citation Guides

Australian Guide to Legal Citation, 4th edition, Melbourne: Melbourne University Law Review Association & Melbourne Journal of International Law, 2018. <<https://law.unimelb.edu.au/mulr/aglc/about>>

This guide can be purchased online or a free read-only PDF is available to download. Although it does not contain instructions for compiling indexes or tables of cases, statutes and treaties, it is an essential resource for a legal indexer. In addition to guidelines on legal citation in Australia, it also contains valuable information on practices in other countries.

OSCOLA The Oxford Standard for Citation of Legal Authorities, 3rd edition, Faculty of Law, University of Oxford, 2006. <https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_2006.pdf>

Since the fourth edition was published (2012), the third has been available as a free download. It includes a useful section on international law which was not included in the fourth edition.

The Bluebook: A Uniform System of Citation, 21st edition, Columbia Law Review, Harvard Law Review, University of Pennsylvania Law Review & Yale Law Journal.
<<https://www.legalbluebook.com/bluebook/v21/tables/t2-foreign-jurisdictions>>

The *Bluebook* is the major US legal citation guide. The most recent edition is available for purchase or as an online subscription, but there is free access to very useful summaries of citation guides for a wide range of countries (including Australia).

Embedded Indexing

Cambridge University Press, *Indexing*.
<<https://www.cambridge.org/authorhub/application/files/1516/2679/7241/AHIndexing.pdf>>

This guide for authors contains useful instructions on embedded indexing in Word. It is useful for legal indexing because it includes instructions for creating multiple indexes in Word. This process is required to create separate tables of cases, statutes and treaties in addition to an index.

Seth Maislin, Troubleshooting Those Horrible Microsoft Word Index Problems.
<<https://taxonomist.tripod.com/indexing/wordproblems.html>>

This is an invaluable resource for doing embedded indexing in Microsoft Word. The link can also be found in the list of embedded indexing resources in the members area of the ANZSI Website.