

NEW ZEALAND UNIVERSITIES LAW REVIEW
STYLE SHEET

I. PRESENTATION

A. *Presentation of Manuscript*

The manuscript should be submitted via email to the General Editor(s) at the address listed on the NZULR webpage (www.nzulr.com). The hard copy may be in single spacing and should have generous margins at right and left.

The first paragraph after a heading should be flush left. All paragraphs thereafter should be indented.

B. *Headings within the Article*

Where an article has to be subdivided the following style should be followed:

1. *Major subdivisions*

I. INTRODUCTION

Centred. Large roman numerals followed by a full point, followed by single space (not tabbed). Title of part in capitals and small capitals. No full point at the end of title.

2. *Main headings within major subdivisions*

A. *Introduction*

Left-aligned. Italic capital followed by a full point, then single space. Headings in italics with capital initial letters for the principal words. No full point.

3. *Subheadings*

1. *Introduction*

Left-aligned. Arabic numeral in roman (not italics) followed by full point, then single space. Subheading in italics with a capital initial letter for the first word only. No full point.

4. *Paragraphs*

(a) Introduction

Left-aligned. Lower case roman letter enclosed within round brackets. No full point, single space. Paragraph heading in ordinary roman type with a capital initial letter for the first word only. No full point.

5. *Subparagraphs*

(i) Introduction

Left-aligned. Lower case roman numeral enclosed within round brackets. No full point, single space. Subparagraph heading in ordinary roman type with a capital initial letter for the first word only. No full point.

If your article has only *one* level of heading, use Subheadings (point 3 above); if it has *two* levels, use Main headings (2) with Subheadings (3). Few articles will need all five levels of heading.

II. STYLE AND GRAMMAR

A. *Spelling*

Spelling is generally to follow the *Concise Oxford Dictionary* (11th ed), except that words such as “realise”, “organisation” etc will be spelt with ‘-s-’, not ‘-z-’.

Otherwise please follow the general guidelines set out below.

acknowledgment	dispatch	medieval
ageing	encyclopedia	moveable
analyse	focused	multinational
appendices	gipsy	per cent (2 words)
biased	gram	premise
bylaw	guerrilla	programme
case law (2 words)	inflection	reflection
centring	inquiry	storey
connection	judgment	wagon

A macron is used in Māori words requiring it.

Capitalisation

“State” takes an initial capital when referring to a nation, government, or territorial State, whether as a noun or adjective.

“Court” and “Judge” take an initial capital when referring to a specific court or judge, eg “The Court in the *Johnson* case ...” cf “A court should not be ...”;
 “The learned Judge said that ...” cf “It is not for judges to decide ...”

B. *Hyphens*

Hyphens should be used sparingly as an aid to understanding. The following words are hyphenated: subject-matter extra-judicial

C. *Abbreviations*1. *Abbreviations in the text*

It is the general policy of the New Zealand Universities Law Review not to use abbreviations in the text, except very common abbreviations such as the following:

et cetera:	etc (roman)
for example:	eg (roman)
id est:	ie (roman)
number (of an Act):	No (roman)
Queen’s Counsel:	QC (roman)
<i>Regina</i> :	<i>R</i> (italic)
<i>Rex</i> :	<i>R</i> (italic)
versus:	<i>v</i> (italic)

2. *Abbreviations in the footnotes*

In addition to the abbreviations listed above, the following abbreviations may be used in the footnotes:

Article:	Art
chapter:	ch
column(s):	col(s)
compare with:	cf (not cp) (roman)
edition:	ed
following:	et seq (not ff) (roman)
hectare(s)	ha
manuscript:	MS
metre(s)	m
note:	n (with space before number)
notes:	nn (with space before numbers)
page:	p (with space before number)
pages:	pp (with space before numbers)
paragraph:	para
Schedule:	Sch
<i>scilicet</i> :	sc (roman)
section:	s (with space before number)
sections:	ss (with space before numbers)

References which appear in round brackets in the text of case notes, legislation notes, and book reviews are treated as footnotes insofar as the use of abbreviations is concerned.

3. *Company abbreviations*

“Company”, “Limited” and “Proprietary” will always be abbreviated, both in the text and in footnotes, to “Co”, “Ltd” and “Pty”, respectively.

Use the ampersand in the name of a company or firm. Thus:

Hedley Byrne & Co Ltd v Heller & Partners Ltd

4. *Note*

The following are never abbreviated: Attorney-General; Solicitor-General

D. *Omission of Full Points*

No full points in the above abbreviations, or in those of law reports, law journals, courts, jurisdictions and judicial officers, or after initials in personal names, thus:

NZLR, All ER, CCC, All ER, AC
 VUWLR, Stan LR, Mich LR
 HC, CA, PC
 Cth, NSW, Vic, NZ
 Richardson P, Elias CJ, Lord Donaldson MR
 John H Farrar, G Williams, D N Paciocco

No full point after “per cent” or abbreviated units of measurement such as mm, lb.

E. *Italics*

Use italics for:

- (a) Names of cases, including abbreviated versions.
- (b) Names of newspapers, eg *The Times*, 29 October 1965.
- (c) Titles of books, eg S Todd, *Law of Torts in New Zealand*. Note that the author's name is not in italics.
- (d) Less common Latin and foreign words and phrases, whether abbreviated or not, but see paragraph (f) below.
- (e) Words requiring particular emphasis. Where the contributor but not the original author italicises some of the words quoted, “[Emphasis added.]” – not itself italicised – should be inserted after the relevant footnote reference, or after the quotation outside the quotation marks if there is no footnote. However, the practice of using italics for emphasis, whether in quotations or in the main text, should be kept to a minimum.

The following will not be italicised:

- (f) Common Latin and foreign words and phrases, eg:

ab initio	per annum
ad hoc	per cent
a fortiori	per incuriam
ante	post
a priori	prima facie
apropos	pro forma
bona fide	pro rata
de jure	ratio decidendi
dictum	res judicata
ex officio	seriatim
habeas corpus	sine die
infra	supra
innuendo	status quo
intra vires	ultra vires
ipso facto	verbatim
mala-fide	via
mens rea	vice versa
nisi	vis-à-vis
pari passu	viva voce
per	

- (g) Titles of statutes will not be italicised, unless in Latin (eg *Quia Emptores*).

F. Quotations

1. As a rough guide, quotations of more than forty words should be broken out, ie indented and typed in a smaller font than that of the main text. Do not enclose broken-out quotations within quotation marks.
2. Quotations that are part of the main text should be enclosed in double quotation marks. Use single quotation marks within double if required.
3. Square brackets will be used to denote interpolations or explanations in quotations.
4. Omissions from quotations: Use ellipsis points (three full points, spaced, thus: . . .) to indicate omission in a sentence. If there is a full point before or after the passage omitted, do not count it as one of the three but use four points in all. Leave a space between a word and a point unless it is a full point at the end of a sentence.

G. Dates and Time

Use 1 August, 1 August 1999, August 1999. Use 1990s when referring to a decade; twentieth century when referring to a century.

For a group of years use (for example) 1982-86. Where a single year, such as a financial year, comprises parts of two calendar years, use an oblique stroke (1995/96). For a period covering a number of such years, type: 1995/96-1998/99.

Avoid starting a sentence with a figure such as a year.

H. Numbers

Numbers below 100 should be spelled out. Ages should be spelled out. Percentages should also be spelled out (seventy-five per cent) unless decimal fractions are used (17.85 per cent). Sums of money less than one dollar should be expressed in words; sums of money over this amount should be expressed in figures (ninety-eight cents; \$1.65). Page numbers should be written 465-478, not 465-78.

Include a comma in numbers with five or more digits. Thus write 1762 but 16,390. The exception to this is in tables where four digit numbers should also take a comma to ensure that both four and five digit numbers align.

I. Footnotes

1. In articles (but not in case notes, notes of legislation, or book reviews) all case references and references to books and periodicals (and usually to statutes) will be relegated to footnotes. Where several cases are cited for one proposition, they will be separated by a semicolon.
2. Footnotes will be numbered consecutively from the beginning to the end of an article; they will not recommence at number one on each page.
3. Use wordprocessing footnotes with automatic superscript numbering.

4. The superior figures (ie footnote reference numbers) in the text will appear outside any punctuation marks except where the punctuation mark is a dash, in which case the superior figure will appear before the dash.
5. When footnotes refer to quotations, the superior figure will appear in the text at the end of the quotation, except for broken-out quotations where the superior figure will appear at the end of the text introducing the quotation.
6. Each footnote will bear an initial capital letter and will conclude with a full point. Footnotes are not to be indented.
7. In articles, the name of the author (in two sizes of capitals) will be printed immediately below the title and will be followed by an asterisk, which will refer to a footnote stating the author's degrees, qualifications, status, and honours. In the alternative, authors may wish to be identified by their institutional affiliation. This asterisked footnote will be located immediately below the text on the first page of the article, preceding footnote number one.

III. CITATION

A. *Citation of Cases*

The name of the case should be cited exactly as it appears in the official series of reports with the names of the parties separated by "v". "Company", "Proprietary", and "Limited" should be abbreviated to *Co*, *Pty* and *Ltd*. The case name, including the *v*, should be italicised.

Note particularly, the use of italics, roman type, capitals, or otherwise in the following variants:

Donoghue's case for Donoghue v Stevenson (lower case "c", and only the name *Donoghue* in italics).

The "Snail" case.

Shelley's Case (upper case "C", and the whole phrase in italics when it is an indivisible whole).

v (without full point) will be in italic type.

B. *Citation of Law Reports*

1. Citations will be relegated to footnotes, except in case notes, notes of legislation, and book reviews.
2. The year date must accompany every case reference, even if it is not a necessary part of that reference (in which event the year will be the year of the judgment, enclosed in round brackets). If the volumes of a series are identified by year of publication, the year is enclosed in square brackets. No commas will appear either after a date in round brackets or before a date in square brackets. eg:

New Zealand Post Ltd v Leng [1999] 3 NZLR 219
Vitosh v Brisbane City Council (1955) 93 CLR 622

3. Specific page numbers will be cited thus: (1951) 84 CLR 377, 379-380, 387.

(The first number after CLR indicating the starting page of the case in question and the second and subsequent numbers the particular pages referred to. Note that “page” or its abbreviation will not appear.)

4. The Court deciding the case may be noted. This should be done in parentheses following all page references. The following abbreviations should then be used:

Family Court	(FC)
District Court	(DC)
High Court	(HC)
Court of Appeal	(CA)
Privy Council	(PC)
Supreme Court of NZ	(SC)
House of Lords	(HL)
High Court of Australia	(HCA)
Supreme Court of Canada	(SCC)
Supreme Court of the USA	(SC (US))

5. The judge being cited may be noted thus:

New Zealand Post Ltd v Leng [1999] 3 NZLR 219, 224, per Williams J

6. With the increasing number of documents and cases using neutral citation, this mode of citation may also be used:

Jackson v Attorney-General [2005] EWHC 94 (Admin) para 3

7. The name of law reports, or their abbreviations, will not be italicised.

8. If a series of reports is not well known in New Zealand, the name of the series will be printed in full in roman type. Subject to this overriding principle, the following abbreviations will be used:

(a) If a mode of citation is given in the reports themselves, that mode of citation will be followed.

(b) Other abbreviations used will normally be those given as the first preference in the *Manual of Legal Citations*.

6. In the citation of American reports, the American practice of putting the date after the reference will be followed, eg *Smith v Jones* 33 US 377 (1937). In references to cases decided in the Circuit Court of Appeals it is desirable to refer to the number of the Circuit concerned, eg *United States v Petti* 168 F 2d 221 (2nd Cir 1948).

C. Unreported Cases

Generally, unreported cases will appear in the form:

Director of Civil Aviation v Paterson 27/4/05, Wild J, HC Wellington CIV-2005-485-606 (note: commas only used either side of the Judge's name).

For Court of Appeal or Supreme Court cases: *R v Rascal* 5/6/03, CA225/03

D. Periodicals

The full citation of a periodical article should appear in the following order: initials and surname of the author followed by a comma, the title of the article in double quotation marks, the year of publication in parentheses (or in square brackets if the journal cannot be located without the date), the volume number where there is one, the abbreviated name of the periodical or the full name if the periodical is a rare one, and the page at which the article begins.

H W Arthurs, "Protection Against Judicial Review" (1983)
43 *Revue du Barreau* 277

W Wade, "Statutory Tribunal's Duty to Give Reasons" (1963)
79 *LQR* 344

If a periodical is not well known in New Zealand, the name of the periodical will be printed in full in roman type. Subject to this overriding principle, the following abbreviations will be used:

- (a) If a mode of citation is given in the periodical itself, that mode of citation will be followed.
- (b) Other abbreviations used will normally be those given as the first preference in the *Manual of Legal Citations*.

E. Books

The full citation of a book begins with the name of the author followed by a comma (do not invert the name, and do not use full points with initials). The title of the book follows in italic type; then the edition, if other than the first, and the year of publication, both enclosed in parentheses. After this the page number of the particular reference appears if applicable.

A Frame, *Salmond: Southern Jurist* (1995) 128

Authors should be cited according to the way they style themselves:

W Atkin and W Parker, *Relationship Property in New Zealand* (2001)

Bill Atkin and Mark Henaghan (eds), *Family Law Policy in New Zealand* (1992).

Where a book has both paragraph and page numbers, the paragraph number is the preferred reference.

D C Pearce, *Statutory Interpretation* (1974) para 81

If the name of the editor appears on the title page of the book and there is no single author, the editor's name appears first in the citation followed by (ed) or (eds) where there is more than one editor.

John H Farrar (ed), *Takeovers, Institutional Investors, and the Modernization of Corporate Laws* (1993)

Where a reference is made to a work by a contributor to a book edited by another, the citation should appear as follows:

J Jowell, "The Rule of Law Today" in J Jowell and D Oliver (eds), *The Changing Constitution* (1985)

Institutional authors should be treated in the same way except that the name should be given in full.

Harvard Law Review Association, *A Uniform System of Citation* (11th ed, 1967)

F. *Book Reviews*

1. Title, author(s), publisher, place of publication, edition (*if* other than the first), date, number of pages, and New Zealand price, in that order, will precede the review thus:

LAW OF CONTRACT, by G C Cheshire and C H S Fifoot, Butterworths, London (7th ed, 1969) lxxviii, 633 pp. New Zealand price \$110.25

Regarding the publisher's name, use just "Butterworths", "Stevens", "Sweet & Maxwell", but give full name of publisher in all other cases.

2. If a page or chapter number in the book being reviewed is cited for any purpose this will appear in the text in brackets thus:

... In his treatment of springing uses (ch 6) he dismisses *Smith's* case as a "singularly rash aberration" (p 72).

G. *Citation of Statutes*

1. When a statute is cited in the text, the number of the section will precede the name of the statute and the word "section" (or "clause", etc) will be printed in full, eg section 62 of the Land Transfer Act 1952. But references to statutes will usually be relegated to footnotes. In footnotes the number of the section will follow the name of the statute and the word section will be abbreviated to "s" (or "cl", etc), eg Land Transfer Act 1952, s 62.
2. The short title will generally be used. Names of statutes will not be italicised unless in Latin.

3. If the reference is to an amending section which is senseless without the principal Act being read in conjunction with it, the footnote citation will read as follows:

Trustee Act 1956, s 64, as amended [or “substituted” as the case may require] by the Trustee Amendment Act 1960, ss 8 and 9.

A similar rule governs reprinted Acts. When referring to Australian statutes the Australian practice will be adopted, eg Judiciary Act 1901-1953.

4. Following all references to statutes other than New Zealand statutes, the name of the relevant state or country will appear in parentheses. (NZ) will be inserted where necessary, for example in a passage comparing the legislation of several countries, but should be omitted wherever possible. So this would give:

s 4 of the Defence Act 1958 (Syria) [main text]
Copyright, Design and Patents Act 1988 (UK), s 178 [footnotes]

The following abbreviations will be used when appropriate:

Commonwealth of Australia	(Cth)
New South Wales	(NSW)
Queensland	(Qld)
South Australia	(SA)
Tasmania	(Tas)
Victoria	(Vic)
Western Australia	(WA)
United Kingdom, pre-1708	(Eng)
1709-1799	(GB)
1800-	(UK)
New Zealand	(NZ)

H. *International Materials*

Follow the guideline found in *Citation of Law Reports* which states that international materials from the World Trade Organisation, the United Nations, and other international bodies and sources be cited in accordance with their mode of citation:

Treaty on the Non-Proliferation of Nuclear Weapons (1 July 1968) 729 UNTS 161;

WTO, *Chile – Taxes on Alcoholic Beverages* (13 December 1999) WT/DS87/AB/R; WT/DS87/AB/R para 16 (Appellate Body);

The Prosecutor v Miroslav Tadic (Judgment) (13 October 1999) IT-95-9 (appeals chamber, ICTY);

Art 101 I 2 Grundgesetz (German Constitution).

I. Internet Citations

When citing works from the internet it is recommended for completeness that the last access date be cited following the citation. Only the URL from where the source can easily be found would be necessary.

K R Terry and W D Woessner, "Bring Them Back Alive! Patents On 'Products Of Nature'", available online at <www.slwk.com> (last accessed 11 January 2004).

J. Reports and Papers

When a report or unpublished paper is cited, it is cited with the author's name, the title as if it were a book, and if ascertainable, where the paper came from.

Waitangi Tribunal, *Report on the Crown's Foreshore and Seabed Policy*, Wai1071 (2004).

New Zealand Law Commission, *The Prosecution of Offences* (NZLC PP12, Wellington, 1990).

S J Shields, *Out of Sight – Out of Mind? Extra Territorial Jurisdiction* (LLM Research Paper, Victoria University of Wellington, 1981).

D A Posey and G Dutfield, *Beyond Intellectual Property: Toward Traditional Resource Rights for Indigenous Peoples and Local Communities* (International Development Research Centre, Ottawa, 1996).

K. Parliamentary materials

Hon J R Hannan (13 September 1961) 328 NZ Parliamentary Debates 1642.

Education and Science Committee, "Inquiry into Children at Risk Through Truancy and Behavioural Problems" [1995] AJHR I 2A.

Department of Labour, "Report of Department of Labour" [1995] AJHR G1 41.

L. General Notes on Citation

"Ibid" (in roman) may be used whenever a citation is either to the immediately preceding authority within the same footnote or to the immediately preceding footnote, if that footnote contains only one authority. Any variation should be indicated as follows:

42. Official Information Act 1982 (NZ).

43. Ibid, s 2(6).

Please do not use *op cit*, *loc cit*, *supra*, *idem*, or *passim*.