SUMMARY OF CHANGES IN AGLC4

Since the publication of the first edition in 1998, the Australian Guide to Legal Citation (‘AGLC’) remains the authoritative legal citation guide within Australia and is widely used by practitioners, law students and academics alike. The fourth edition (‘AGLC4’) marks the 20th anniversary of the AGLC and continues the original aim of providing clear, concise and comprehensive rules for citation whilst ensuring that the AGLC remains accessible to all readers.

AGLC4 is the product of several years’ work of the Melbourne University Law Review Association and the Melbourne Journal of International Law, in consultation with law libraries across Australia, academics, members of the profession and law students. AGLC4 refines the enduring foundations laid down by the previous editions of the AGLC and builds upon the existing rules to ensure the ongoing relevance of the AGLC in today’s ever-changing legal landscape.

We have added clarity to rules and included more examples to address frequently asked citation queries. Several of the existing rules have been consolidated into general rules that apply for numerous source types, to streamline the citation process and improve consistency. A new introductory chapter for secondary sources has been created to list general rules that pertain to all secondary sources. Finally, we have added several new rules to address source types that were not previously covered by the AGLC.

This summary does not contain every minor alteration in AGLC4, but is intended as a guide to help you familiarise yourself with the key changes from the third edition (‘AGLC3’). We hope you find the changes instructive and useful. If you have any questions, feel free to email law-mulr@unimelb.edu.au or contact us via Twitter: @AGLCTweets.

AGLC4 Committee
September 2018

General Rules

Changes

- The rule for sources referring to other sources has been widened (rule 1.3).
- There has been a significant change to how subsequent references are made to previously cited sources (rule 1.4.1).
  - The style has changed to ‘(n [Footnote Number])’.
  - The rule has been broadened to apply to all source types.
  - ‘above n’ / ‘below n’ is now only used when referring to parts within a text (rule 1.4.2).
- Short titles should now be introduced in both the text and footnotes when they are first cited (previously either was sufficient for later use in the text or footnotes) (rule 1.4.4).
- Additional guidance has been included for subsequent references within the same footnote (rule 1.4.6).
- A colon is not needed for introducing long quotations if the sentence leads seamlessly into the quote (rule 1.5.2).
- The closing punctuation of a quote should only be within the quote if a complete sentence is quoted (rule 1.5.6).
- Where a word does not appear in the Macquarie Dictionary, the Oxford English Dictionary may now also be consulted (rule 1.9.1).
- Commas are now used to group digits in large numbers (instead of spaces) (rule 1.10.1).
- Additional explanation and examples have been inserted to increase clarity in the rule for ordering sources within a bibliography (rule 1.13).
New Rules

- New rule for abbreviations and defined terms. This rule long been standard practice but is now formalised in a rule (rule 1.4.5).
- New rule for writing units of measurement (eg cm, kg) (rule 1.10.3).
- New rule for writing time (rule 1.11.2).
- New rule for citing periods of time (used to pinpoint in media sources) (rule 1.11.3).

Cases

Changes

- Subsequent references may now be used for cases (rule 2.1.14).
- Medium neutral citations no longer require a full date (rule 2.3.1).
- ‘Unreported’ no longer needs to be included in decisions without medium neutral citations (rule 2.3.2).

New Rules

- New rule for citing proceedings (rule 2.3.3).
- New rule for citing court orders (not contained within a judgment) (rule 2.3.4).
- New rule for citing agreement and dissent (rule 2.4.2).
- New rule for citing joint and separate judgments within a decision (rule 2.4.3).

Legislation

Changes

- Subsequent references may now be used for legislation (rule 3.5).

General Rules for Citing Secondary Sources (New Chapter)

This is a new chapter containing several rules of general application to secondary sources. These rules were contained in multiple different chapters in AGLC3 and have been consolidated into one chapter.

Changes

- There should now be no spaces between initials in names (rule 4.1.1).
- Sources in title names (eg a case name in the title of a journal article) should only be italicised if they are italicised in the original source (rule 4.2). Note that sources that should be italicised according to the rules should still be italicised in quotes (regardless of how they appear in the source) (rule 1.8.2).
- Subtitles should be separated from the title by a colon regardless of the punctuation that is used in the original source (ie if an em-dash is used in the source, a colon should be used instead in the citation) (rule 4.2).
- If a short title is used in a subsequent reference, the short title must be explicitly introduced regardless of the source type (rule 4.3). Previously, a short title did not need to be introduced for books, journals etc.
New Rules

- General rule for providing hyperlinks to aid retrieval of a source (rule 4.4).
- New rule for providing permalinks to archived sources (rule 4.5).

Journal Articles

Changes

- Issue numbers/identifiers must always be included, regardless of whether the journal is continuously paginated (rule 5.4).
- Updated rule for citing online journal articles (rule 5.10).

New Rules

- New rule for citing forthcoming and advance journal articles (rule 5.11).

Books

Changes

- Year of first publication should no longer be included in the publication details (rule 6.3.4). Only the information pertaining to the edition being cited should be included.
- Changes to the rule on citing translated books (rule 6.7).

New Rules

- New rule for citing forthcoming books (rule 6.8).
- New rule for citing audiobooks (rule 6.9).

Secondary Sources

This chapter contains the most number of changes which are too numerous to list. Multiple rules have been consolidated into general rules for application for multiple source types (rule 7.1 and rule 7.2). Many of the rules also follow a similar structure. There have also been multiple changes to how many secondary sources are cited, and the online version of many sources can now be cited (including dictionaries and encyclopaedias).

New Rules

- New rule for citing intellectual property materials (rule 7.9).
- New rule for citing constitutive documents of a corporation (rule 7.10).
- New rule for citing periodicals, newsletters and magazines (rule 7.11.3).
- New rule for citing films, television series, podcasts and similar sources (rule 7.14).
- New rule for citing social media posts (rule 7.16).
Treaties

Changes

- The authoritative English language version of a treaty name should be used wherever possible (rule 8.1).
- Subsequent references (including short titles and cross-references) to treaties should be cited in accordance with the updated rule 1.4 (rule 8.8).

New Rules

- New rule for citing reservations or declarations to articles of a treaty (rule 8.5).
- New rule for citing memoranda of understanding (rule 8.6).

United Nations Materials

Changes

- The citation method for UN Docs has been significantly shortened (rule 9.2). If the UN Doc can be easily located online using the UN document number through an official UN database, it is not necessary to include:
  - Official Records (rule 9.2.4)
  - Committee Number (rule 9.2.5)
  - Session (and Part) Number (rule 9.2.6)
  - Meeting Number (rule 9.2.7)
  - Agenda Item (rule 9.2.8)
  - Supplement (rule 9.2.9)
- Documents of the WHO, ILO and other similar bodies may be cited using the UN Docs rule, by replacing the UN Doc number with the appropriate Doc number (for example, the WHO Doc number) (rule 9.2).
- Session numbers should not be included for UNSC resolutions (rule 9.2.6).
- The abbreviations within UN Docs have been expanded and updated (rule 9.2.10).
- If an annex is not cited as a document in its own right, a comma should precede any pinpoints within that annex (rule 9.2.12).
- Discretion has been added to cite a document as part of a UN yearbook rather than as a UN Doc where to do so would provide more useful information, such as a title and starting page (rule 9.4).
- There has been a significant change to subsequent references for UN Docs, which should now be cited in accordance with rule 1.4, and also include the UN Doc number (rule 9.5).

New Rules

- UN rule for citing treaty body documents, to replace the rule for citing individual communications to UN treaty committees (rule 9.3).
Changes

- ‘Question of the’ and ‘The Question of the’ at the start of an advisory opinion should be omitted (rule 10.2.1).
- Judges’ names should adhere to rule 10.2.8 and names of counsel should adhere to rule 2.4.4 in pleadings and other documents of the ICJ and PCIJ (rule 10.4.2).
- Short titles and subsequent references should be cited in accordance with rule 2.1.14, and the amended rule 1.4.4 (rule 10.5).

New Rules

- The decisions rule has been retitled ‘Reported Decisions’, to distinguish it from the unreported decisions rule (rule 10.2).

International Arbitral and Tribunal Decisions

Changes

- Either reported or unreported state–state arbitral and tribunal decisions may be cited. Where the source is particularly difficulty to locate or there is another good reason for doing so, the reported version should be cited (rule 11.1.1). The same is true for individual–state decisions (rule 11.2.1).
- Short titles and subsequent references should be cited in accordance with the amended rule 1.4 (rule 11.3).

International Criminal Tribunals and Courts

Changes

- Short titles and subsequent references should be cited in accordance with the amended rule 1.4 (rule 12.4).

International Economic Materials

Changes

- There are changes to the way in which annexes of the Marrakesh Agreement and subsequent references to those annexes are cited (rule 13.1.1 and rule 13.4).

Supranational Materials

This rule was previously only directed at European materials. It now also includes rules for citing the constitutive treaties and documents of supranational entities, as well as rules for citing cases from international courts (such as the Inter-American Court of Human Rights) and materials from other supranational parliaments, councils or bodies (such as documents of the African Union).
Changes

- Short titles and subsequent references should be cited in accordance with the amended rule 1.4 (rule 14.6).
- Citations of the ECR for Courts of the European Union should be to the digital version, which is the authorised version (rule 14.2.3).

New Rules

- New rule added for non-EU supranational materials. This rule provides that constitutive treaties and documents of supranational organisations (other than those of the EU) should be cited as treaties (rule 14.1).
- New rule for citing the decisions, advisory opinions, rules of procedure and pleadings of other supranational courts and tribunals. This encompasses courts such as the Inter-American Court of Human Rights and the African Court on Human and Peoples’ Rights (rule 14.4).
- New rule for citing documents of other supranational parliaments, councils, bodies, etc, such as documents of the African Union (rule 14.5).

Foreign Domestic Jurisdictions

These chapters remain largely the same. Some corrections and minor updates have been made to reflect changes since the last edition of the AGLC. Subsequent references should be cited in accordance with the amended rule 1.4.

Changes

- China — ‘ibid’ should now be used for all materials in chapter 16 (rule 16.4.2).
- France and Germany — the ECLI (if available), including the letters ‘ECLI’, should be included after the case number, preceded and followed by a comma (rule 17.1 and rule 18.1).
- Hong Kong — the Hong Kong Law Reports (‘HKLR’) has been added as an authorised report series (rule 19.1).
- New Zealand — the ‘Wai Number’ should now be included in reports of the Waitangi Tribunal (rule 21.1.5).
- Singapore — the authoritative report series for cases from 1965 to 2009 is the Singapore Law Reports (Reissue) (‘SLR(R)’) and from 2010 is the Singapore Law Reports (‘SLR’) (rule 22.1.2).
- United Kingdom — for nominate reports, where parallel citations are used, pinpoints need only be included in the English Reports (‘ER’) or Revised Reports (‘RR’) citation (rule 24.1.3). Judicial officers’ names should be included in accordance with rules 2.4.1–2.4.3 (rule 24.1.6).
- United States — ‘Presiding Judge’ should be abbreviated ‘PJ’ and ‘Judge Administrative Director of the Courts’ should be abbreviated ‘JAD’ (rule 25.1.8).
- Other foreign domestic materials:
  - Non-Latin characters should not be italicised (unless it is the convention to do so in that writing system) (rule 26.1.1).
  - ‘tr’ is now used instead of ‘trans’ for translated sources (consistent with the use of ‘tr’ in translated books).