



DEPARTMENTAL STYLE GUIDE

These brief notes are intended as a guide to some of the major considerations in the style and referencing of seminar papers, research essays and assignments. Additional information on referencing especially can be found in the many specialist guides. The style guide set out below follows, roughly, that of the *New Zealand Business Law Quarterly*.

In respect of the composition and literary style of essays, we make only two suggestions.

1. The objective is to communicate often complex concepts. This requires that you give some thought to your reader, and that you lead them from what they can be taken to know already to the new information you wish to impart.
2. You will not be able to explain a concept unless you understand it first. There is, therefore, no substitute for having thought about what you are going to write before you write it.

Table of Contents

I.	PREPARATION OF SCRIPTS.....	2
	Format/Layout:	2
	Grammar/Spelling:	2
	Plagiarism:	2
	A. Headings	3
	B. Quotations	3
	C. Page Number Reference	3
	D. Footnotes	3
	E. Abbreviations	4
	F. Numerals and Dates.....	4
	G. Italics	4
II.	B. REFERENCES.....	4
	H. General Points.....	4
	I. Short Form Citations.....	5
	J. Books.....	5
	K. Articles	6
	L. Statutory Materials.....	6
	M. Law Reports	6
	N. Reports and Reviews	7

I. PREPARATION OF SCRIPTS

Format/Layout:

All seminar papers, research essays, opinions and assignments should be:

- typed or neatly handwritten
- on one side of A4 paper
- with generous margins
- spacing should be preferably single
- paragraphs start flush with the left margin immediately after headings, and are otherwise indented.

In respect of theses, special rules apply. These are set out in the *Guide to the Preparation of Theses* (4th ed., Auckland University Press, Auckland). This may be obtained from the University Library. The Department holds one copy for reference purposes.

Grammar/Spelling:

Care should be taken in the "finishing" of seminars, research essays, opinions and assignments to remove, as far as is possible, all spelling mistakes and grammatical errors. This is not only a courtesy to those who will read your work; it is a manifestation of the care and thought that has gone into the formulation of ideas behind the essay.

Plagiarism:

All those engaged in research should be aware, and this merely reinforces the point, what constitutes serious misconduct. Where a passage is taken verbatim from the work of another it must be accurately quoted, appropriately identified as a quotation, and the source identified.

Close paraphrasing of another's work that is passed off as one's own work also constitutes plagiarism. The discovery of plagiarism – and it is easier to detect than might first be thought - will result, at the very least, in the essay not being marked and, in serious cases, to disciplinary action being commenced.

A. Headings

The number of levels of headings should be restricted to four, as follows:

	Heading	Description
1.	TITLE	centered in capitals
2.	MAJOR DIVISIONS	centred in capitals with preceding Roman numbering: eg. I., II., III.
3.	MAIN SUBDIVISION	centred, with initial capitals and italics (or underlined), with preceding letters: eg. A., B., C.
4.	MINOR SUBDIVISIONS	flush left margin, initial capitals and italics (or underlined), with preceding numbering: eg. 1., 2., 3.

Example:

THE UNANIMOUS CONSENT RULE IN COMPANY LAW

I. THE NATURE AND BASIS OF THE RULE

A. Development of the Unanimous Consent Rule

1. The Role of the meeting

B. Quotations

Quotations of more than about 60 words should be set off from the text and indented.

All other quotations should be included within the text and enclosed in double quotation marks.

Where omissions are made from the passage cited these should be indicated by three dots:

- "In a case cited later, it was suggested that these two statutes ... have different meanings...".

If additional words or letters are included (for example, to avoid using the parties' names) the additions should be enclosed in square brackets:

- "[I]t was suggested [by the plaintiff] that these two statutes...."

C. Page Number Reference

References to page numbers within a book follow the citation and are separated by a comma.

D. Footnotes

Footnotes should preferably be included at the foot of each page, although it is permissible to gather footnotes at the end. Footnotes should be numbered consecutively from beginning to end. The footnote markers in the text should follow all punctuation:

- "[I]t was suggested that these two statutes...".
- "On appeal this was reject,² but on different grounds."³

E. Abbreviations

Abbreviations should not be used in the text. Abbreviations are acceptable in footnotes. All abbreviations retain full points (Dr., ed., Ltd.), except where the abbreviation is used as a proper noun (BBC, GATT, TVNZ).

F. Numerals and Dates

- Numbers under 100 should be written if full (but write 90 to 100).
- Percentages should be written in full: fifteen per cent.
- Sums of money over one dollar should be expressed in figures,
- Sequences of numbers (125 -139) should be expressed as numbers.
- Ages should be written in full.
- Dates are to be written as follows:
 - 1 March 1993
 - 1991-1993
 - the 1990s

G. Italics

The following should be in italics:

- Case names
- Latin words and phrases, except those that are in common usage (*ultra vires*, *bona fide*, *de jure*, etc.)
- Ship names
- Book names
- Short form citations: *ibid.*, *supra*, *infra*, *op. cit.*, *per*, *viz.*

Underlining may be used instead of italics.

II. B. REFERENCES

H. General Points

The writer should aim to make his or her references as user friendly as possible. This demands a sparing use of the short form citations (for examples of which: see below), especially *supra* and *op. cit.*. As a rule, these forms should not be used unless a full citation of the reference appears on the same page. Where a particular book is to be referred to throughout the essay, *op. cit.* can be

used in conjunction with an indication of the footnote at which the full citation appears: Gower, op. cit n. 12, p. 145.

I. Short Form Citations

The short forms of citations are:

- *Ibid.*, p.21. - refers to the reference immediately preceding this footnote.
- *Supra*, p.21. - refers to a reference above, but not immediately preceding.
- Op.cit.n. 15, p.21.- this may be used to refer to a book which will be referred to throughout the essay.
- *Infra*, p.34. - refers to references below.

J. Books

When referring to books the first citation should include the author, title, edition, publisher, place of publication and date:

- Gower, *Principles of Modern Company Law* (5th ed., Sweet & Maxwell. London, 1992).

In the case of collection of essays etc., the citation is as follows:

- Guest (ed.), *Oxford Essays in Jurisprudence* (O.U.P., Oxford, 1960).

Where the reference is to one essay in the collection the citation is:

- Birks. "In Defence of Free Acceptance" in Burrows (ed.), *Essays on the Law of Restitution* (Clarendon, Oxford, 191) p 105

Subsequent references to the book may be in short form

- Gower, *op.cit.n.14, p.180.*
- Birks, *supra.*,p.124(or op. cit. n.32, p. 124).

Where the author is an institution the citation is:

- *Halsbury's Laws of England*, (4th ed., Butterworths, London) vol. 10, paras. 1450-1456.
- Commerce Clearing House, *New Zealand Company Law and Practice* (C.C.H., Auckland vol. 2, para 8-100).

K. Articles

The first reference to an article should include the name, title (in double quotation marks) and citation for the journal. Standard abbreviations may be used for well known journals. In other cases the name of the journal should be included in full.

Full points are retained in journal abbreviations:

- Sealy, "The Director as Trustee" [1967] C.L.J. 83.
- Chilcott, "Regulating Takeovers in New Zealand" (1995) 1 N.Z.B.L.Q. 60.

Subsequent references may be in short form:

- Sealy, *ibid.*, p.87 or Sealy, *supra.*, p.98.

L. Statutory Materials

When citing statutes use the style:

- Companies Act 1993, section 131.

Where the statute is from another jurisdiction include after the citation an indication of the jurisdiction, in abbreviated form.

- Companies Act 1989 (U.K.), section 35.

When citing statutory instruments use the style:

- Securities Regulations 1983 (1983/121)

M. Law Reports

As a general rule a citation should be to the official series of reports. Only when the judgment is unreported in these series should references be to the All England Reports or specialist series.

The style for citation is as follows:

- *Burland v Earle* [1902] A.C. 83. R
- *Re Forest of Dean Mining Co.* (1878) 10 Ch.D. 450.
- *Nicholson v Permakraft (NZ) Ltd.* [1985] 1 N.Z.L.R. 242
- *Wairau Energy Centre Ltd. V First Fishing Co.* (1991) 5 N.Z.C.L.C. 67,379.

The following points should also be borne in mind:

- Omit the first names of the parties, except in the case of company names.
- The words "company", "proprietary" and "limited" when used in case names should be abbreviated to Co, Pty. and Ltd. The correct citation for an English public limited company is plc
- Where it is not obvious from the report citation is which court the matter was decided, some indication should be included:
 - *Burland v Earle* [1902] A.C. 83 (J.C.P.C).
 - *Nicholson v Permakraft (NZ) Ltd.* [1985] 1 N.Z.L.R. 242 (C.A).
 - *Wairau Energy Centre Ltd. v First Fishing Co.* (1991) 5 N.Z.C.L.C. 67,379 (C.A).
- When referring to a lower court decision any subsequent case history should be included:
 - *Topham v Duke of Portland* (1863) 1 De G.J. & S. 517, affirmed (1864) 11 H.L.C. 32.
- Reports of decisions of American courts:
 - *Smith v Jones* 300 U.S. 277 (1937).
 - *United States v Pepper* 168 F.2d 221 (2nd. Cir. 1948)

Subsequent citations may use the short forms of *ibid.* (reference immediately preceding), *supra.* (reference above), *infra.* (reference below).

N. Reports and Reviews

One of reports always poses certain difficulties in terms of citation. Where it is the Law Commission, the form of citation is:

- New Zealand Law Commission, *Company Law: Reform and Restatement* (NZLC R9) p.23

In respect of other reports the form of citation should follow as closely as possible that for books- author (if there is one), title, publisher, place and date. Reports often become known by an informal name. This may be included in brackets after the title:

- *Report of the Committee on Financial Aspects of Corporate Governance (The Cadbury Report)* (Gee & Co., London, 1992).