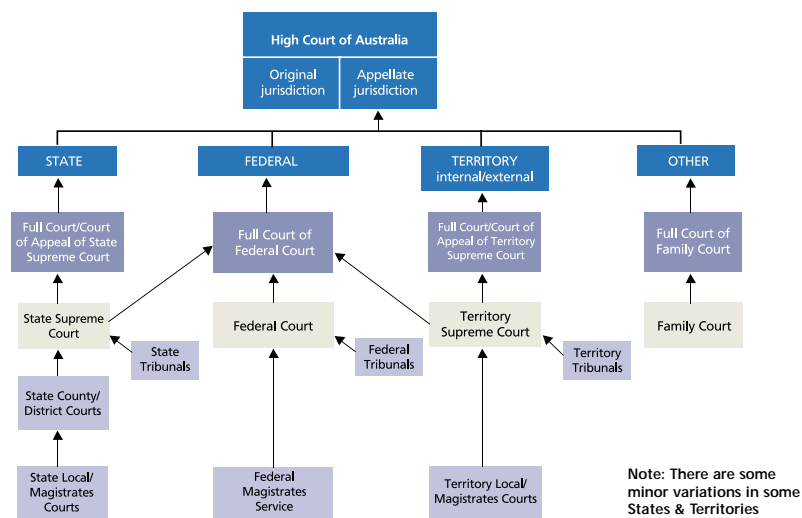


# Retrieving Legal Materials Organised by Region

## Australia

- The Australian Constitution empowers the Federal, State and Territory governments. This constitution was passed as part of the British Act of Parliament that came into effect 1 January 1901.
- The Commonwealth and each State and Territory are governed by elected Parliaments.
- The Australian Commonwealth Parliament consists of the Queen, the Senate, and the House of Representatives. The Queen is represented by the Governor General.
- Before a Bill becomes an Act of Parliament, it must be passed in both the House of Representatives and the Senate. Once assented by the Governor General, it becomes law.
- Commonwealth legislative powers include: taxation; defence; external affairs; interstate and international trade; foreign; trading and financial corporations; and bankruptcy.
- A State or Territory Parliament may make laws on any subject of relevance to that State/Territory, however a valid Commonwealth law may override State/Territory laws.
- The legal system is a common-law system and employs decisions of Federal (Commonwealth), State and Territory courts.
- The High Court of Australia is the final court of Appeal.

### Australian Court Structure



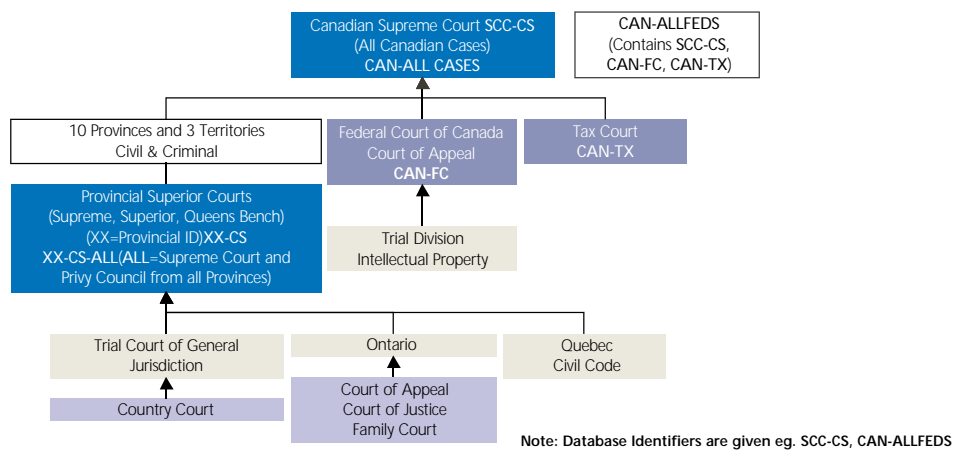
### Retrieving Legal Materials for Australia

When you want	Access this database	Then type
Unreported and reported judgements from the High Court of Australia and the Federal Court of Australia	Australian Cases (AU-ALLCASES)	term/s - "contributory negligence" & thoughtlessness title(name of parties) - ti(Mabo & Queensland) panel(name of judge/s) - pa(Stephen)
Reported and unreported judgements from the High Court of Australia	High Court of Australia Cases (HCA-CS)	citation(citation terms) - ci(2000 /s HCA /s 45) nickname(nickname of case) - nk("Tasmanian Dams")
Cases from the High Court of Australia officially reported in the Commonwealth Law Reports	Commonwealth Law Reports (CLR-RPTS)	term/s & year(date terms) - manslaughter /s provocation /s retaliation & ye(1996) title(name of the parties) - ti(calverley & green)
Unreported cases from the High Court of Australia only	High Court of Australia Unreported Judgments (HCA-UNR)	term/s - "workers compensation" opinion(name of the judge) - op(gleeson)

## Canada

- Canada is a federation of ten provinces and three territories.
- The Canadian constitution empowers the federal and provincial legislatures.
- Statutes passed by the federal and provincial legislatures must be consistent with the constitution.
- The Federal legislative branch is Parliament, which is made up of the House of Commons and the Senate. The House of Commons debate legislation and the Senate acts as advisor to the house.
- Primary sources of law are the constitution, federal and provincial statutes, regulations and judicial decisions (case law).
- The legal system is a common-law system and employs both decisions of federal and provincial courts.
- Administrative agencies can also be empowered to determine disputes within their areas of expertise.
- Prior to 1949, Canadian courts could appeal to, and consequently were bound by decisions of, the higher English Courts.
- Since 1949, the Supreme Court of Canada has become the final court of appeal, but English law continues to be highly persuasive.
- Ontario's court system was restructured in 1990 and now has three separate courts: the Ontario Court of Justice, the Unified Family Court, and the Court of Appeal for Ontario.
- The province of Quebec is governed by a system of civil law—a published code that contains almost all private law.

### Canadian Court Structure

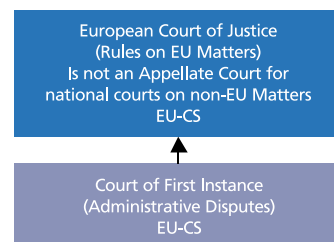


When you want	Access this database	Then type
Decisions of the Supreme Court of Canada referencing drug exports	Canada Supreme Court (SCC-CS)	export! /p drug pharm!
Recent decisions of the Tax Court of Canada addressing tax credits	Tax Court of Canada (CAN-TX) and add a date restriction to your query	da(2000) & " tax credit"
Cases from the province of Saskatchewan addressing revocation of firearms licences	Saskatchewan Cases (SK-CS)	fire-arm gun rifle /s licence /p revok! revoc!
Cases addressing wrongful termination of disabled employees suffering from depression	Canadian Cases on Employment Law (CCEL)	wrongful! /3 terminat! & disab! handicap! & depression
Cases discussing when a purchase money security interest is effective against trustees in bankruptcy	Personal Property Security Act Cases (PPSAC) and choose the Natural Language search method	when is a purchase money security interest enforceable against a trustee in bankruptcy

## European Union

- The European Union comprises of its elected member countries, and currently as at September 2000, includes Belgium, France, the Federal Republic of Germany, Italy, Luxembourg, the Netherlands, the United Kingdom, Ireland Denmark, Greece, Spain, Portugal, Austria, Finland and Sweden.
- The European Union arose from the Treaty of Paris 1951, the Treaties of Rome 1957, the Treaty of Brussels 1965 and the Maastricht Treaty (Treaty on European Union) 1992.
- Its philosophy is to commit member states to a common market and harmonious economic policy throughout Europe.
- The Council of the European Union is the primary decision-making institution of the EU. It is responsible for the intergovernmental cooperation between the member states.
- Representatives of the member states sit on the Council and enact legislation which becomes binding throughout the EU.
- The European Commission can propose policies and legislation in the interest of the EU and is responsible for administration.
- The European Parliament shares legislative functions with the Council.
- The Council is not bound by the Parliament, but may reconsider a measure if parliament threatens a veto.
- Parliament supervises the Commission and can amend or reject the EU budget.
- The European Parliament acts as the EU's public forum, debating issues of public importance and questioning the Commission and the Council.
- The European Union legal system is comprised of the treaties, legislation made under the treaties (secondary legislation) and case law from the European Court of Justice.
- The three founding treaties constitute the primary source of law, together with their various annexes and protocols.
- The bulk of the EU's economic law is contained in the Maastricht Treaty and the Single European Act 1986.
- The court system comprises of The European Court of Justice (ECJ), which decides matters of EU law, checks instruments enacted by EU institutions for compatibility with the treaties and gives opinions on interpretation or validity of EU provisions.
- ECJ rulings are binding on all member states but it is not a court of appeal above national courts unless the appeal is on matters of EU law.

### European Union Court Structure

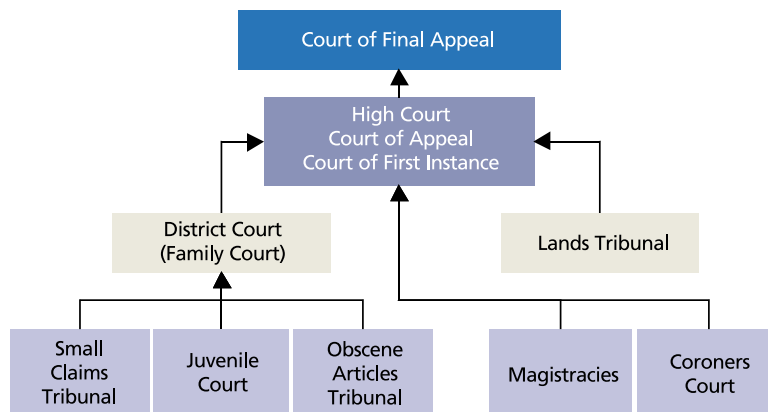


When you want	Access this database	Then type
European commercial law cases that involve Bayer AG	Commercial Reports All (COML-RPTS-ALL) and restrict your search to the title field (ti)	ti("bayer ag")
Cases in which courts within the European Union examined contractual provisions regarding change in exchange rates	European Reports All (EU-RPTS-ALL)	contract! Agree! /p chang! /s exchange /3 rate
Cases discussing extradition of persons who may be exposed to the death penalty or death row punishment	European Human Rights Reports (EHR-RPTS) and choose the Natural Language search method	extradition of persons exposed to death penalty (death row)
Cases concerning trademarks and parallel importation within the European Union	European Trade Mark Reports (ETR-RPTS)	parallel /3 import! & trade-mark.7
EU cases applying Directive 98/43/EC of the European Parliament	European Union Case Law (EU-CS)	" directive 98/43/ec"
EU regulations providing protection against dumped imports by non-EU members	European Union Legislation (EU-LEG) and restrict your search to the document-type (dt) and title (ti) fields	dt(regulation) & ti(dumpl & import & member)
Maastricht Treaty provisions concerning environmental impact of EU measures	European Union Treaties (EU-TREATIES) and add a document-type field (dt) restriction to your query	environment! /s impact & dt(maastricht)

## Hong Kong

- Since 1997 Hong Kong has been a Special Administrative Region of The Peoples Republic of China (China) (HKSAR). This means it retains more autonomy than Chinese provinces, but less than complete independence.
- Prior to the Joint Declaration (Joint Declaration of the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the People's Republic of China on the Question of Hong Kong) Hong Kong's status was based on British administration.
- Since 1997, the Basic Law of the HKSAR (Basic Law) serves as HKSAR's constitution within China. Hong Kong and China have pledged they will function as "One Country, Two Systems."
- Hong Kong retains its rule of law, judicial independence and finality of judicial decisions.
- Laws currently in force in Hong Kong remain essentially unchanged.
- A common law system remains in force, supplemented by legislation, unless declared contrary to the Basic Law.
- The Basic Law and Joint Declaration state the HKSAR be given a high degree of authority, and thus HKSAR courts retain jurisdiction over all cases in Hong Kong.
- In 1999 the Legislative Affairs Commission of the Standing Committee of the National People's Congress stated that the National People's Congress is the supreme organ of China's state power. As such it will exercise its functions and powers in accordance with the principle of One Country, Two Systems and with the Basic Law.
- In areas not expressly excluded by the Basic Law, the Court of Final Appeal remains the court of final adjudication.
- Hong Kong Law is made up largely of locally made statute law, subsidiary legislation and case law.
- Some aspects of Chinese customary law apply as well as International treaties if given effect by legislation.
- Laws are generally published in both English and Chinese, while court hearings are conducted primarily in English.

### Hong Kong Court Structure

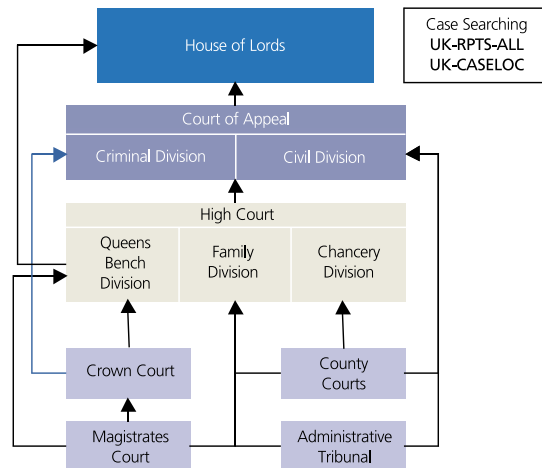


When you want	Access this database	Then type
A case involving the parties HKSAR ( <i>Hong Kong Special Administrative Region</i> ) and <i>Ng Wai Man</i>	Cases from Hong Kong (HK-CS) and restrict your search to the title field (ti)	ti(h.k.s.a.r. & ng /3 wai /3 man)
Cases examining admissibility of evidence obtained by trick	Cases from Hong Kong (HK-CS)	evidence /p admitt! admiss! /p trick!
Cases discussing patent infringement	Cases from Hong Kong (HK-CS)	patent /s infrng!

## United Kingdom

- The United Kingdom consists of England, Scotland, Wales and Northern Ireland.
- The United Kingdom does not have a written constitution. It has had a unified Parliament since the Acts of Union of 1707.
- Acts of Parliament are generally binding throughout the United Kingdom, except for those expressly limited to or excluding Scotland or Northern Ireland.
- The monarchy's legislative power has given way to that of Parliament and Parliament is the supreme law-making body.
- Parliament consists of the British monarch as the head of state, the House of Lords and the House of Commons.
- The House of Commons is the chamber for debate when passing new legislation.
- Three legal systems have developed in the United Kingdom, each with its own rules, courts and professions.
- England and Wales form one jurisdiction, with national and local courts.
- Scotland has its own system of law and courts.
- Northern Ireland's legal system has some distinct features but is similar to England and Wales.
- The common law applies in all jurisdictions and the law is made up of jurisdictional statutes, regulations and case law.
- Treaties and secondary legislation of the European Union are also binding and courts must follow European Court of Justice precedent when questions of European law are in issue.

### United Kingdom Court Structure

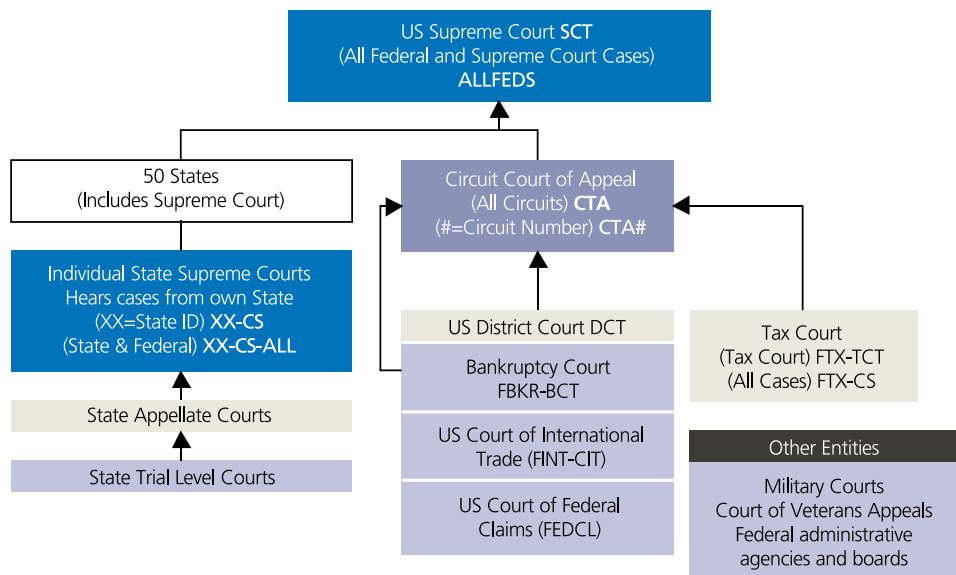


When you want	Access this database	Then type
The case titled Broadmoor Special Health Authority v. Robinson	United Kingdom Reports All (UK-RPTS-ALL) and restrict your search to the title field (ti)	ti(broadmoor & robinson)
Cases discussing damages for libel	United Kingdom Law Reports (UKL-RPTS) and choose the Natural Language search method	damages for libel
Cases discussing the elements of trespass	The Law Reports (LAW-RPTS)	element /5 trespass
Cases citing Downer & Downer Ltd v. Brough	United Kingdom Case Law Locator (UK-CASELOC) and restrict your search to the title field (ti)	ti(downer & brough) and select Citations to the Case
Statutes or statutory materials about the Asylum and Immigration Act 1996	United Kingdom Legislative Locator (UK-LEGISLOC) and restrict your search to the prelim field (pr)	pr( immigration & 1996)
Statutes concerning access to health records	United Kingdom Law In Force (UK-LIF)	access /s health /s record
Abstracts or indexes of recent legal and Regulatory events in the United Kingdom and recent European Union events of interest in the United Kingdom, from such sources as White and Green papers, official documents from the European Commission and European Parliament, press releases	United Kingdom Current Awareness Official Publications & Press Releases (UKCA-PRESS)	[Browse the documents automatically displayed.]

## United States

- The United States federal government consists of the legislative branch (the House of Representatives and the Senate), the judicial branch (a hierarchy of courts) and the executive branch (the elected President).
- Each of the fifty states has its own legislature, courts and executive (the elected governor).
- Within each state, municipalities may be empowered to enact, interpret and enforce ordinances.
- The United States is a common-law country, and the printed judicial opinions, or case law, are considered a primary source of the law and are legally binding.
- Statutes are authoritative and legally binding, and are the second source of primary law.
- A statute enacted to govern specific activity, is binding over general case law.
- Administrative law or regulations are promulgated by quasi-judicial administrative agencies at both the state and federal levels.
- There is a hierarchy of courts within the federal and state court systems. Rules govern whether a case may be brought in federal or state court. A suit is typically brought in federal court if the dollar amount is over a certain figure or if the parties are from different states (diversity jurisdiction).

### US Court Structure



When you want	Access this database	Then type
Headnotes (prepared by West Group editors) to cases from recent United States Supreme Court decisions involving the issue of Discrimination	Federal Case Law Headnotes ( <b>ALLFEDS-HN</b> ) and add court field (co) and date restrictions to your query	co(high) & da(2000) & discriminat!
Headnotes to United States cases discussing gene cloning	Federal and State Case Law Headnotes ( <b>ALLCASES-HN</b> )	clon! & gene
Headnotes to United States patent infringement cases mentioning imports	Federal and State Case Law Headnotes ( <b>ALLCASES-HN</b> )	patent /s infring! /p import importation
Headnotes to a case involving the parties Zipfel and Halliburton Co.	Federal and State Case Law Headnotes ( <b>ALLCASES-HN</b> ) and restrict your search to the title field (ti)	ti(zipfel & halliburton)