

## **THE UKM LAW FACULTY FOOTNOTING STYLE (ULFFS)**

### **THE AIMS**

The Law Faculty of UKM writing conventions seek to create a consistent, convenient and unified system of referencing for academic writing at this faculty. It is a complement to the UKM Style Guide and shall be used conjunctively with the latter for referencing purpose.

### **THE PARAMOUNT PRINCIPLES OF THE PRESENTATION AND CITATION OF LEGAL & NON-LEGAL AUTHORITIES**

- Acknowledgement of the works of others cited in your writing
- Consistency
- Clarity
- Convenience
- Sources of information for readers

### **FOOTNOTES SYSTEM**

What is a footnote?

- A footnote is a note at the bottom of a page, giving further information about something mentioned in the text above, or it may be an extra comment added to what has just been mentioned therein. It also provides the source of information for the readers.<sup>1</sup>

### **NUMBERING OF FOOTNOTES**

- Superscript numbers are used at the relevant place on each page in the text (this is easily done through computer aided footnoting facilities)
- Footnotes should be numbered consecutively in the same chapter and start anew in the next.

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<sup>1</sup>Translated from *Panduan Penulisan Tesis Gaya UKM*, Edisi Semak, Pusat Pengajian Siswazah, Universiti Kebangsaan Malaysia, Bangi, Selangor Darul Ehsan, 2006, p 43.

## FOOTNOTES CONVENTIONS

- Use single spacing in writing the reference
- The first line of each footnote should be indented one space
- Font size should not be smaller than 10 points.
- Every footnote must be ended with a full stop.
- There must be a space between one footnote and another.

## BOOKS

### Footnoting a reference for the first time in the text

Provide full bibliographical data of the referred material in the following order for:

- Author's name (for author with a surname, type the initials first, followed by a full stop.
- Title of the book (italicized, title case), comma
- Editor/s' name (if there is any), comma
- Serial title of the book (if there is any), comma
- Edition number (if there is any), comma
- Volume number (if there is any), comma
- Publisher's name, comma
- Place of publication, comma
- Date of publication, comma
- Page number, full stop

**A Malay author's name shall be typed in full unless initials are used on the cover of the book. The initials shall be typed after the name.**

#### Example

Tunku Sofiah Jewa, Salleh Buang & Yaacob Hussain Merican, *An Introduction to the Constitution of Malaysia*, Pacifica Publications, Malaysia, 3<sup>rd</sup> Edn, 2007, p 43.

**Alternatively, for books written by two or more authors, the use of 'et al' is also permitted and such citation shall be consistently used throughout the whole thesis.**

#### Example 1

...The difficulties experienced in meeting the needs of disabled children frequently have a profound and negative impact on the lives of other household members.<sup>2</sup> ...

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<sup>2</sup> J. Read et al, *Disabled Children and the Law: Research and Good Practice*, 2nd Edn, Jessica Kingsley Publishers, London, 2006, p 89.

Example 2

...On the other hand, there is of course no discrimination if the less favourable treatment has nothing to do with any of these grounds<sup>3</sup>...

**Citing a chapter in a book is as follows:**Example

...While the yuppies of the south of England babbled hectically into their mobile phones, the tracts of the urban North were populated by young people who were to be the first cohort of post-Beveridge long-term unemployed.<sup>4</sup> ...

**Citing subsequent reference to the same author in the text:**

- Name of author, comma
- Title of the book/article, comma
- Page number, full stop

Example

J. Read et al, *Disabled Children and the Law: Research and Good Practice*, p 90.

**Where a book has a title and sub title not separated with punctuation, insert a colon.**Example

Shad Saleem Faruqi, *Document of Destiny: The Constitution of the Federation of Malaysia*, Star Publications (Malaysia) Berhad, Petaling Jaya, Selangor, Malaysia, 2008, p 159.

**Edited and translated books**

The same rules apply for edited and translated books, except for the insertion of '(ed)' or '(tr)'. Where there is more than one editor, insert '(eds)' or '(trs)'.

Examples

A.W Bradley (ed), *E.C.S Wade and G.Geofrey Phillips's Constitutional and Administrative Law*, 9<sup>th</sup> Edn, Longman Group Limited, London, 1977, p 143.

T. Weir (tr), *K. Zweigert and H.Kotz's An Introduction to Comparative Law*, 3<sup>rd</sup> Edn, Clarendon Press, Oxford, 1998, p 39.

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<sup>3</sup> M. Michael, *Discrimination Law: Practical Guide for Management*, Kogan Page Limited, 1993, p 32.

<sup>4</sup> S. Brown, Understanding youth and crime: listening to youth?, in Maguire, M (ed.), *Crime and Justice*, Open University Press, Buckingham, England, 1998, p 45.

## ARTICLES IN JOURNALS

- Author's name, comma
  - Title of the article in inverted commas
  - Date of publication in round bracket or square bracket (wherever appropriate)
  - Volume number
  - Issue number (if there is a numerical issue, it should be bracketed)
  - Name of journal (italicized)
  - Page number, full stop
- **The same format must be used when writing articles in journal in references section.**

### Example

...The argument is essentially that excessive awards are not really necessary to uphold the right to reputation but can inflict considerable damage on the viability of publishers and can chill the inclination of future publishers to speak out on matters of public interest.<sup>5</sup> ...

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For subsequent reference to the article referred to in the text, write the:

- Name of the author
- Title of the article
- Page number, full stop

### Example

W. Clive, 'Pamphleteers, libel awards and free speech', p 44.

## QUARTERLY PUBLISHED JOURNALS

- The terms for which they were published (e.g Spring/Summer/Autumn/Winter) shall be bracketed.
- The same rule applies to journals with Supplements. Supplements shall be spelled as 'Supp.'

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<sup>5</sup> W. Clive, 'Pamphleteers, libel awards and free speech' (2006) 1 (1) *Help Law Review* 41, p 50.

## CASES

- Case names mentioned in the text should appear in italics including the ‘v’ which takes no full stop.
- In the footnote, details such as the year it was reported, volume, the name of the Report and page number (on which the case first appears) must be provided. But if reference is made to pages other than the first page, the citation shall also include the particular page (often called the ‘pinpoint’ from which the information is extracted).

### Example

In the text:

*Mohd. Ezam bin Mohd. Noor v Ketua Polis Negara & Other Appeals*

In the footnote:

[2002] 4 MLJ 449, p 452.

### **Abbreviating case names**

If the case name is long and it is frequently referred to in the text, it shall be shortened both in the text and in the footnote.

### Example

**When it is the first reference made in the text:**

*Woolwich Equitable Building Society v Comrs of Inland Revenue*

**Subsequent reference in the text:**

...as explained by Lord Goff in *Woolwich*

### **Citation in the footnote**

Give full citation of the case in the footnote

### **Footnoting popular cases’ names**

The popular name may be cited in parenthesis after the initial full citation

### Example 1

*Mirage Studios v Counter-feat Clothing Co Ltd* [1991] FSR 145 (*Ninja Turtles* case).

### **Footnoting the citation of two or more cases**

The cases should be placed in ascending chronological order, most recent last and they should be separated by semi-colons

#### Example

*Saul Hamid bin Pakir Mohamad v Inspector Abdul Fatah bin Abdul Rahman & Anor* [1999] 6 MLJ 800; *Abdul Ghani bin Haroon v Ketua Polis Negara and Another Application* [2001] 2 MLJ 689.

### **Citing cases reported in more than one sources**

For cases which are reported in one or more different law reports or journals, the citation of the sources is permitted and they shall be separated by a semi colon.

### **Citing unreported cases**

It may be made by citing its neutral citation (if any). Neutral citation refers to the citation designated by the court that contains no reference to any reporting series such as All ER, AC, MLJ, AMR etc. Neutral citations of English cases are available on the British and Irish Legal Information Institute website ([www.bailii.org](http://www.bailii.org)).

#### Example 1

*Thannhauser v Westpac Banking Corporation* (Federal Court Australia, 9 December 1991).

### **Electronically published cases**

Citations to cases published electronically should only be given if they have not yet been published in printed form and if they do not have a neutral citation.

#### Example

*Cox v Robinson* [2000] QCA 454 (Supreme Court of Queensland Court of Appeal, 7 November 2000) <http://austlii.edu.au/au/cases/qld/QCA/2000/44.html> (7 January 2001).

## LEGISLATION

There are two types of legislation

- i) Statutes (Primary Legislation)/Acts of Parliament or State Enactments/Ordinances
- ii) Statutory instruments (Secondary/Delegated Legislation)

### Citing Primary Legislation

- Section
- Sub-section
- Paragraph
- Title of the Act
- Act number (for first reference), full stop

#### Examples

- i) Section 27(5)(a) Police Act 1967 (Act 344).
- ii) Sections 27(5)(a), 28 Police Act 1967 (Act 344).
- iii) Section 12 Enakmen Pentadbiran Ugama Islam dan Adat Melayu Pahang No.8/82 (Pindaan) 1987.

### Secondary Legislation

- Name of the instrument
- Year
- Number (where available, for first reference), full stop

#### Example

Community Charge Support Grant (Abolition) Order 1987, SI 1987/466.

**For Malaysian statutory instruments the manner of citation is as follows:**

#### Example 1

Ke arah Memelihara Keselamatan Negara Kertas Perintah 14, 1988.

#### Example 2

Police Association Rules 1973, P.U. (A) 265 /1973.

## **Citing Bills**

Cite a Bill before Parliament by:

- Its name
- The House in which it originated
- The Parliamentary session
- The running number assigned to the Bill, full stop

### Example

Rang Undang-undang bernama Suatu Akta Untuk Meminda Akta Duti Hiburan 1953 DR 7/2001 [2226].

**Cite provisions in the Constitution by:**

- Its Article
- Clause
- Paragraph
- Name of the Constitution & the Year, full stop

### Example:

Article 10(2)(b) Federal Constitution of Malaysia 1957.

## **PARLIAMENTARY DEBATES**

- Name of the country, comma
- Title (either Dewan Rakyat/Dewan Negara/House of Commons/House of Lords), comma
- Stage of debates, comma
- Full date, comma
- Page, comma
- Name of debater, full stop

### Example

Malaysia, Perbahasan Dewan Rakyat, Bacaan Kedua, 9 Mac 1993, 26 (Karpal Singh).

\*Name of the debater shall be cited in the same manner as it appears in the Hansard

## **Citing parliamentary papers**

For reports & other parliamentary documents –

### Example 1

Dewan Rakyat Malaysia, 1986, Peristiwa Memali, Kertas Perintah 21, 1986.

## **ARTICLES IN PROCEEDINGS**

- Name of author, comma
- Title of the seminar paper, comma
- Title of the proceedings (italicized) colon
- Theme of proceedings, comma
- Place of proceedings, comma
- Year of proceedings, comma
- Page number full stop

### Example

Abdul Halim Sidek, Victimology: an overview of its origin and development, *The 4<sup>th</sup> Asian Law Institute Conference Proceedings: Voices from Asia for a just and equitable world*, Depok, Indonesia, 2007, p 121.

## **ARTICLES IN THE NEWSPAPERS**

- Name of author, comma (or if there is no author, the word ‘anon’ shall be used instead)
- Title of the article (in inverted commas), comma
- Name of the newspaper, comma
- Date, comma
- Page number, full stop

### Example

Shad Faruqi, ‘Much to relish and cherish’, Sunday Star, 23 June 2002, p 31.

## ARTICLES IN ELECTRONIC JOURNALS

For articles published in electronic journals, type the publication details as for printed journals as well as the web site address and the most recent date of access.

### Example

C Penfold, Nazis, Porn and Politics: Asserting Control over Internet Content [2001] 2 *JILT* [http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2001\\_2/penfold](http://www2.warwick.ac.uk/fac/soc/law/elj/jilt/2001_2/penfold)>accessed (27 May 2008).

## CITING FROM A THESIS

- Name of the author, comma
- Title of the thesis, comma
- Degree for which it was submitted, comma
- Name of the university, comma
- Year, comma
- Page number, full stop

### Example

Che Norlia Mustafa, *The 1993 Royal Immunity Crisis: the Kerajaan, the Constitution and the Dilemma of a New Bangsa*, Ph.D thesis, University of Kent at Canterbury, United Kingdom, 2000, p 227.

## CITING INTERVIEWS

- Name of the interviewed person, comma
- His/her designation, comma
- Institution/organisation to which he/she is affiliated, comma
- Place of interview, comma
- Date of interview, full stop

### Example

Interview with Dato' Seri Dr. Zahid bin Hamidi, Minister of Defence, Ministry of Defence of Malaysia, the Minister of Defence's Office, MINDEF, Jalan Semarak, Kuala Lumpur, 20 May 2009.

**PERSONAL COMMUNICATION (INC EMAIL)**

Cite emails and other correspondences or communications as follows:

Example 1

Statement by Sakina Shaik Ahmad Yusoff (Personal communication 13 May 2009).

Example 2

Statement by Rahmah Ismail (Personal email correspondence 22 June 2009).

**TECHNICAL REPORTS**

Technical reports shall be cited by typing:

- Name of the researcher/s, comma
- Title of the report, comma
- Project code number, comma
- The details of the institute to which the researcher/s is/are affiliated, comma
- Page number, full stop

Example

Anisah Che Ngah, Tengku Noor Azira Tengku Zainuddin, Nazirreey Md.Yusoff, Harlina Haliza Hj.Siraj and Mohamed Zaman Ramzan Din, Nilai Etika dan Keadilan Sosial dalam Konteks Undang-undang dan Teknik Bantuan Reproduksi (TBR): Kajian Medico-legal, UKM-UU-04-FRGS-0001-2006, Fakulti Undang-undang, Universiti Kebangsaan Malaysia, Bangi, Selangor, p 10.

## **GOVERNMENT GAZETTE**

Government gazette shall be cited by typing:

- Title of the gazette
- Year
- Volume
- Serial number
- Supplement number (if any)
- Notification number (if any), full stop

### Example 1

Warta Kerajaan Persekutuan, 1976, Jil.20, No.9 (4-7).

### Example 2

Warta Kerajaan Negeri Perak, Rang Undang-undang Negeri 2005, Jil. 58, Bil. 6, Tambahan No.1 Rang Undang-undang.

## **TREATIES AND OTHER INTERNATIONAL INSTRUMENTS**

Where appropriate, cite the treaty series in the following order of preference:

- Primary international treaty series, for example, UNTS (United Nations Treaty Series), CTS (Consolidated Treaty Series) or LNTS (League of Nations Treaty Series);
- Official treaty series of one of the State parties, for example, UKTS (UK Treaty Series), ATS (Australian Treaty Series);
- Other international treaty series.

### **What details should be included in the citation?**

- Title of the treaty
- The Article number (not the title (if there is any) of the Article). Article shall be spelled 'Art'.
- The date on which it was adopted and also the date on which it came into force (all to be placed in brackets)
- The treaty series
- Serial number

- Abbreviated title of the treaty (in brackets), full stop

(for subsequent reference, use abbreviated title)

Example

International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR).

## ISLAMIC LEGAL DOCUMENTS

### - Transliteration According to pronunciation

#### 1. References to the al-Qur'an

- a. The number used to refer to verses in the Qur'an should be placed at the end of the text from the Qur'an, not at the end of the translation. The reference should indicate the book in the Qur'an, its number and the number of the verse.
- b. The sources of the translation should be indicate and written in *Othmaniah*.

#### Example:

Allah mentioned in al-Qur'an which means:

Never will you attain the good [reward] until you spend [in the way of Allah] from that which you love. And whatever you spend – indeed, Allah is Knowing of it.<sup>1</sup>

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<sup>1</sup>Al-Qur'an, Āli 'Imrān 3:92.

#### 2. References to *al-ḥadīth*

- a. References to *ḥadīth* in specific collections are indicated by the number or name of the *kitāb* and the chapter where it appears.

The Prophet saying which means:

Narrated Abū Mūsa r.a: Some people ask Allah's Messenger, "Whose Islam is the best (i.e., who is very good Muslim)?" He replied, "One who avoids harming the Muslims with his tongue and hands."<sup>1</sup>

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<sup>1</sup>Al-Bukārī, ḥadīth, kitāb (k) 1, Chapter (b) 1.

## b. References should be listed in alphabetical order

al-Qur'ān, Arabic Text with Corresponding English Meanings. 1405M/1997, English Revised and Edited by ٱa-ee- International, Riyad: Abul Qasim Publishing House.

Abū Yūsuf, Yaôqūb ibn Ibrāhīm, *Kitāb al-Kharāj*, Dār al-Maôrifah li al-²ibāôah wa al-Na·r, Beirut, undated.

### TRANSLITERATION OF ARABIC CHARACTERS

The following conventions have been used throughout:

#### CONSONANTS

a	:	ا	³	:	ط
b	:	ب	µ	:	ظ
t	:	ت	ô	:	ع
th	:	ث	gh	:	غ
j	:	ج	f	:	ف
-	:	ح	q	:	ق
kh	:	خ	k	:	ك
d	:	د	l	:	ل

dh	:	ذ	m	:	م
r	:	ر	n	:	ن
z	:	ز	h	:	هـ
s	:	س	w	:	و
sh	:	ش	y	:	ي
.	:	ص	ah	:	ة
±	:	ض	al	:	الـ

### VOWELS

#### Short vowels

fat̄a

a : َ

#### Long vowels

ā : آ

#### Doubled

uwwa final: ū) : ُو

±amma

u : ُ

ū : و

iyya (final ī) : ِي

kasra

i : ِ

ī : ِي

anna : َنَّ

**DIPHTHONGS**

aw : و

ay : ي

ae : ع

**c. Writing Complete Reference Data for Books**

The complete information required for a book reference is as follows:

Author' name, comma  
 Title of the book (italics, title case), comma  
 Editor, Compiler, Translator (if there is any) comma  
 Serial title of the book (if there is), comma  
 Edition number (if there is any), comma  
 Volume number (if there is any), comma  
 Publisher, comma  
 Place of publication, comma  
 Date of publication, comma  
 Page number, full stop

Names of co-authors must be listed

The year according to the Muslim calendar must be recorded together with the year according to the Christian calendar, as follows:

1412 H/1992 CE

Example :

**1. Single author**

®amdī ôAbd al-Munôim, *Dīwān al-Maḡālim, Nasha'atuh wa Ta³awwuruh wa Ikhti-ā-ātuh Muḡāranan bi al-Nuḡum al-Qa±ā'iyah al-®adīthah*, Dār al-Jīl, Beirut, 1410 H/1988 CE, p 60-66.

## 2. Book edited

Abū Ṭasan ḥAlī ibn Muḥammad al-Māwardī, *Adab al-Qāḍī*, Muḥyi Hilāl al-Sirḥān (ed), vol. 1 & 11, Maḥabāḥ al-Irshād, Baghdād, 1402H/1971CE, p 79.

## 3. Works without a date of publication/place of publication/publisher

Yaḥqūb ibn Ibrāhīm Abū Yūsuf, *Kitāb al-Kharāj*, Dār al-Maḥrifah li al-ʿibāḥ wa al-Naḥ, Beirut, undated, p 111.

Abū ḥAbd Allāh Muḥammad ibn Idrīs al-Shāfiʿī, *al-Umm*, no publisher, Beirut, 1411M/1993CE, p 120.

## 4. The name of an Arabic author should be written according to the family name.

al-Shayrāzī, ḥAbd al-Raḥman ibn Naḥ al-Shayrāzī, *Nihāyah al-Rutbah fī ʿalab al-Hisbah*, Dār al-Thaqāfah, Beirut , 1401H/1981CE, p 170.

## 5. Unpublished Thesis

Name of the author, comma  
 Title of the thesis, comma  
 Degree for which it was submitted, comma  
 Name of the University, comma  
 Year, comma  
 Page number, full stop

al-Sabah, ḥAlī Nasir, A Critical Study of Rawḥat al-Ṭukkām wa Zināt al-Aḥkām by al-Imām al-Habr al-Qāḍī Shurayḥ Ibn ḥAbd al-Karīm Ibn Aḥmad Ibn Muḥammad Ibn Aḥmad al-Rūyānī d. 505 A.H./1111 C.E, Ph.D thesis, University of Birmingham, United Kingdom, 2004, p 234.