

Practice Direction 2 of 2024

Citation of Authority

1. This Practice Direction applies to the citation of authorities in all proceedings in the Land Court and in the Land Appeal Court.

Citation of Authority

2. It is acceptable to use an available official medium neutral citation for the citing of any authorities.
3. Where a judgment is reported in one of the following (authorised) reports, that citation should, as far as possible, also be noted in Lists of Authorities and written submissions:
 - Commonwealth Law Reports (High Court of Australia)
 - Australian Capital Territory Law Reports (Supreme Court of the ACT)
 - Federal Court Reports (Federal Court of Australia)
 - New South Wales Law Reports (Supreme Court of NSW)
 - Northern Territory Law Reports (Supreme Court of NT)
 - Queensland Reports (Supreme Court of Queensland)
 - South Australia State Reports (Supreme Court of South Australia)
 - Tasmanian Reports (Supreme Court of Tasmania)
 - Victorian Reports (Supreme Court of Victoria)
 - Western Australian Reports (Supreme Court of WA)
4. When citing an authority:
 - a. The particular passages in the judgment which are relied upon should be identified.
 - b. It is sufficient and appropriate to refer to medium neutral citation paragraph numbers of the judgment rather than page numbers in authorised reports in any written or oral submissions.
 - c. Reference should also be made to any subsequent judgment which has doubted, or not followed, the cited judgment in a relevant respect.
 - d. Unreported judgments should not be cited unless they contain a material statement of legal principle, or a material application of principle, which is not found in reported authority.
5. In selecting the authorities to be cited to the court, parties should:
 - a. Limit their citation to the authorities which are necessary to establish the principles or propositions which are relied upon.
 - b. Avoid citing authorities which merely rephrase, illustrate or apply those principles or propositions in a way which is not apt to assist the court materially in resolving the real matters in dispute.
 - c. Ensure the citation provided is accurate.



Commencement

6. This Practice Direction commences on 1 March 2024.



PG Stilgoe OAM
Acting President
19 February 2024

