



1. Printed information

1.1. Law Reports

Legal Information in Malaysia

And Effective Management of the ALIN Partner Website

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For the purpose of this report and the demand of brevity, the paper divides legal information in Malaysia into two parts: printed and electronic legal information. This report will only refer to general legal information. It should be noted that there are also various specialist and cross-disciplinary sources as in finance and security.

1.2. Malaysia Federal and State

These are printed by the government and printed materials are used.

Printed National (by printed)

¹ In preparing this report, the author acknowledges the valuable assistance of

Havinder Kaur at Ahmad Ibrahim Law Faculty, University of Malaya, Kuala Lumpur.

A REPORT ON LEGAL INFORMATION IN MALAYSIA ¹

Introduction

As a country that shares the English common law heritage with many Commonwealth countries in the world, the sources of legal information in Malaysia are not limited to within its borders. In addition to the common law, the *Syariah* or Islamic law is also recognised and applied in relation to the Muslim population.

Historically, Malaysian legal sources can be traced to its pre-independence days and these are both indigenous and English-based. Post-independence saw the development of local law reports and publication of Federal and State statutes primarily by the government printer. Digital technology in the forms of CD-ROMs, websites and online databases now enables immediate access to law reports, statutes and government papers. Beside local legal information, Malaysian lawyers and legal researchers have never distanced themselves from legal information in Commonwealth countries especially those from the United Kingdom, Australia, Singapore and India. The rapid development of regional and supranational legal, economic and political linkages are also demanding Malaysians legal researchers to be adept at accessing legal sources and materials from non-commonwealth countries as well.

In terms of language, although the national language is Malay (also known as *Bahasa Malaysia*), official legal sources are offered in both Malay and English. Non-official legal literatures are usually written in English.

Legal sources in Malaysia

For the purpose of this report and the demand of brevity, this paper divides legal information in Malaysia into two parts: printed and electronic legal information. This report will only refer to general legal information. It should be noted that there are also various specialist and cross-disciplinary sources as in finance and security.

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1. Printed information

1.1. Law Reports

Law reports in Malaysia cover not only Malaysian court decisions but also that of Singapore and, at times, Brunei.

1.1.a. Indigenous

- i. *Malayan Law Journal*
- ii. *Current Law Journal*
- iii. *All Malaysia Report*
- iv. *Jurnal Hukum* (Report Islamic Courts decisions)

1.1.b. Commonwealth legal sources,

Prime examples are:

- i. *All England Law Reports*
- ii. *Weekly Law Report*
- iii. *All India Law Report*

1.1.c. Case citators

Index To Malaysian And Singaporean Cases: 1932-1996 Kuala Lumpur, International Law Book Services. (1998)

The Malayan Law Journal Consolidated Tables: 1932-1998 Kuala Lumpur, Malayan Law Journal (1999)

1.2. Legislations

1.2. a. Malaysian Federal and State legislations

These are printed by the government printers, the Percetakan Nasional Berhad (or National Printer Ltd.)

1.2. b. Index and citator:

- i. *Federal Statute Law Referencer: Index to Federal and State Laws.* Kuala Lumpur, International Law Book Services. (2004)
- ii. *Index to Malaysian Statutes.* Kuala Lumpur, Malayan Law Journal. (1996)
- iii. *Tables of Laws.* Kuala Lumpur, The Commissioner of Law Revision. (2002)
- iv. *Index to Federal Subsidiary Legislation* Kuala Lumpur, International Law Book Services.
- v. *Index to State Enactments and Subsidiary Legislation* Kuala Lumpur, International Law Book Services.

1.3. Law digests

Law digests provide topic by topic summary of judicial cases and relevant statutes. Main examples are:

- i. *Malall's Digest of Malaysian and Singaporean Case Law (1808-1988).* Kuala Lumpur, Malayan Law Journal. (1990 -)
- ii. *Mallall's Current Law.* Kuala Lumpur, Malayan Law Journal, (1997-)

1.4. Law journals

The MLJ, CLJ and AMR also functions as sources of legal writings. Academic and practicing lawyers contribute to these journals. Other than these journals, most of the law faculties in Malaysian public universities also publish their own academic journals. Nearly all of these journals accept articles in Malay and English. These journals are

- i. *Journal of Malaysian and Comparative Law* by Faculty of Law, University of Malaya.
- ii. *Survey of Malaysia Law* by Faculty of Law, University of Malaya.
- iii. *Jurnal Undang-Undang dan Masyarakat (Journal of Law and Society)* by Faculty of Law, National University of Malaysia.
- iv. *UITM Law Review* by Faculty of Law, MARA Institute of Technology University.
- v. *IIUM Law Journal* by Ahmad Ibrahim Kulliyah of Law, International Islamic University of Malaysia:

vi. *Malaysian Journal of Syariah and Law* by Faculty of Syariah and Law,
International Islamic University College of Malaysia:

There are also law journals published by other bodies:

- i. *Jurnal IKIM* by Malaysian Institute of Islamic Understanding
- ii. *Jurnal Hukum* by Department of Syariah Judiciary, Malaysia
- iii. *INSAF (Journal of the Malaysian Bar)* by Malaysian Bar Association

2. Electronic resources ²

2.1. Web-based Law (Case) Reports and Legislation databases

- i. Lexis-Nexis Malayan Law Journal <http://www.lexisnexis.com.my>
- ii. Malayan Law Journal <http://www.mlj.com.my>
- iii. Malaysian Current Law Journal <http://www.cljlaw.com>
- iv. LawNet <http://www.lawnet.com.my>

2.2. Legal resources provided by government websites

- i. Malaysian Parliament - <http://www.parliamen.gov.my>
- ii. Malaysian Judiciary - <http://www.kehakiman.gov.my>
- iii. Attorney General's Chamber - <http://www.agc.gov.my>
- iv. Legal Aid Bureau of the Prime Minister's Department
<http://www.bheuu.gov.my/bbg/index.sthml>
- v. Department of *Syariah* Judiciary Malaysia -
<http://www.esyariah.gov.my/>

2.3. Other sources of legal information by non-governmental bodies

² Most of the information on this section is referred to the article by Harvinder
Kaur. *Malaysian Legal Information on the Web*. International Journal of Legal Information, Winter
2006 Vol 34.3(not yet published)

- i. The Malaysian Bar – <http://www.malaysianbar.org.my>
- ii. Lawyerment – <http://www.lawyerment.com.my>
- iii. Commonwealth Legal Information Institute –
<http://www.commonlii.org/>

EFFECTIVE MANAGEMENT OF THE ALIN PARTNER WEBSITE

ALIN objectives and information networking

One fundamental objective of ALIN is to provide a central node that coordinate key legal research/information institutions in Asia in a network of information sharing/exchange. The purpose of this information sharing is obvious: as political, economic and social developments are escalating at transnational and cross-jurisdictional level, there is an increase in demand for Asian countries to have up-to-date knowledge of the laws in each others' jurisdiction and engage in a meaningful exchange of this knowledge and information. The role of ALIN is to provide a base for this information to coalesce and then be accessible to legal researchers and other interested bodies or persons. The effort of KLRI and ALIN administrators in creating this facility is praiseworthy and show exemplary foresight towards legal developments in Asia.

The ALIN Website

According to the ALIN Charter,³ the objective of the ALIN website (www.e-alin.org) is 'to facilitate the conduct of projects of the ALIN as well as to build the on-line system' for the purpose of exchanging 'legal information and research-related material'. In order to meet this prescription, the ALIN website has put itself to task to provide an online database of nearly all forms of legal information that is to be sourced primarily from ALIN Partner institutions. ALIN Partners play an important role in making ALIN, as an information-based project, successful. Indeed, the ALIN website plays a key role in materialising the objectives of ALIN as stated above.

Advancing www.e-alin.org

³ Charter of The Asia Legal Information Network

This paper will focus primarily on the ALIN website objective of enabling regional legal resources and information to converge and be accessible to all. Currently, the ALIN website provides two key facilities:

- a. online activities in the form of forums and real-time online meeting, and
- b. content in the form of legal information and resources as well as news and basic information of each Partners.

In order to advance the ability of ALIN to be more effective at providing legal information, the ALIN website can be further refined. The current layout in relation to legal resources enables ALIN Partners to submit legal resources and information of their respective countries. Further improvements, as follow, may be considered:

a. **clustering and/or categorising legal information and resources**

Currently, legal resources and information on the ALIN website is not clearly segregated or compartmentalised into apparent categories. At the moment, 'resources' are divided into two main grouping: ALIN resources⁴ and Partner resources.⁵ If, for example, a researcher wants to find legislations in relation to company law in Korea, he/she would have to first go to the 'Partner resources' web page and then select the relevant country before he/she choose the Partner institutions. The ALIN website can be improved by further refining the categories or fields in relation to the resources. As a suggestion, these categories can include the following:

- i. legislations
- ii. cases or court decisions
- iii. government papers or official documents
- iv. legal writings
- v. research reports

Under this categories or clusters of information, a researcher can then choose specific jurisdiction that he/she is interested in. Another advantage of this layout is that every Partners may be aware of the type of resources that they need to provide.

⁴ web page at http://www.e-alin.org/resources/alin_resources_list.jsp?type=0

⁵ web page at http://www.e-alin.org/resources/partner_resources_list.jsp?type=0



b. a project-based approach

The improvement suggested above can be further enhanced if ALIN could begin to focus on specific areas of law. The current layout invites Partners to provide various types and forms of legal information. By taking a project-based approach, ALIN Partners would be able to provide more specific information. For example, if ALIN began a project to gather legal information on contract laws of Asian countries, its Partners could then provide relevant legislations, case laws, government documents, and academic writings that relate to that law.

c. adding nodes in the network

Currently, the ALIN information network is centralised in the sense that almost all of ALIN website functions are concentrated on ALIN administrators. The advantage of this approach is that, especially at the initial stage of setting up this network, ALIN administrators can effectively and centrally coordinate ALIN and its Partners activities. In relation to the suggestion above, ALIN may devolve the responsibility of coordinating specific information project to its Partners. For example, a partner institution may be chosen to coordinate and organize the gathering of legal information on specific area of laws from all the Partners.

As ALIN is still at its initial stage of development, these suggestions may be helpful in providing some pointers towards further progress of legal information sharing in Asia.