The Australian Encyclopaedia of Forms and Precedents™

Accessing The Australian Encyclopaedia of Forms and Precedents™:

• Log on to LexisNexis® AU at: www.lexisnexis.com/au/legal
• Click Browse or Search to the right of AEFP from My Sources on Home, OR
• Click the Commentary tab & select AEFP from the Sources drop down box.

Overview: AEFP is a comprehensive tool containing over 4,000 practice-ready, downloadable precedents, more than 1,000 forms, and supporting commentary, for use in a broad range of non-litigious matters across all Australian jurisdictions.

Precedents: are adaptable to a wide range of matters and are drafted in plain English by experienced practitioners, barristers and academics. Precedents are available as downloadable Word documents. Where not already included, the format and functionality of the precedents is being updated to incorporate automated clause numbering and auto-generated tables of contents.

• Precedents and forms are identified by a number which uses a full point, eg, 175.20. A new numbering system is being introduced progressively which allocates a unique number to each precedent. Eg, AEFP title “Corporations: Meetings and Resolutions” has the number 175, and 175.20 is a precedent within that title. (See illustration marker 1)

• When you have located the precedent you need, the version on your screen is for viewing purposes only. (See illustration marker 2)

• Click on the blue link Click here to access Microsoft® Word Document to open a new browser containing a formatted Word version of the precedent. Simply save this document in Word to adapt the document for your client’s matter. (See illustration marker 3)

• All legislation cited in the precedent (and its footnotes) is summarised at the top of the precedent with a direct link to the full text legislation in LawNow, enabling seamless additional research. (See illustration marker 4)
Commentary (Introductory Notes): AEFP contain authoritative, practical commentary (also called Introductory Notes) which place precedents within their legal context – to explain when, why and how to use a particular precedent.

- Commentary paragraphs are identified by numbers in square brackets. Under the old numbering system, commentary paragraph numbering is a single number, eg [3625]. Under the newly introduced numbering system, each paragraph will have a unique number made up of the title number and a paragraph number, separated by a hyphen. Eg, AEFP title “Auctioneers” has the title number 45, and [45-30] indicates a paragraph number within that title. (See illustration marker 5)
- The Commentary (Introductory Notes) includes drafting tips, checklists and practical advice as well as:
  - direct links to full text judgments; (See illustration marker 6)
  - direct links to CaseBase case citator (See illustration marker 7); and
  - direct links to complementary commentary within Halsbury’s Laws of Australia. (See illustration marker 8)

Forms: AEFP offers a wide range of standard forms that are commonly used within various areas of practice, eg, ASIC forms and ITSA forms (Insolvency and Trustee Service Australia).

- Generally, forms are for reference only (they are not fillable). Direct links to the form source are included to allow quick and easy access to original versions.
- However, over 90 commonly used ASIC and ITSA forms are included as downloadable Word documents ready to fill in and to be saved or printed for lodgement.

Tips

- Currency Statements: indicate when the precedent or paragraph was last updated. These are located at the top of each precedent and each Commentary paragraph.
- Searching using alternative terms: We recommend that you are careful when using the terms “contract”, “deed” or “agreement” in an online search, as these words may be used interchangeably within the documents. Thus, we recommend that you use Connectors, eg, employment and agreement or contract or deed.
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- **Browsing the subject area**: after locating the appropriate paragraph or precedent using the LexisNexis AU search function, browse the full list of commentary, forms or precedents in that subject area to maximise your results relating to that subject area. Other precedents in the title may offer alternative or optional precedent clauses relevant to your research.

- **Guide to Precedents**: Found at the top of the Table of Contents to the left of the online screen. This guide includes a Table of Contents for the full Encyclopaedia and gives a complete list of all precedents and forms within each title of the Encyclopaedia. Directly link from this guide to the relevant precedent. (See illustration marker 9)

- **User Guide**: A comprehensive guide to using the Encyclopaedia is available online for viewing or download. (See illustration marker 10)

- **Drafting Techniques**: This title gives advice about plain language drafting style, accuracy and formal document requirements. (See illustration marker 11)

- **Scope of Title**: Summaries of the content of each title are being added progressively to the beginning of each title. These provide a quick overview of a title’s coverage and relevance and include cross-references to related titles within the Encyclopaedia and to complementary commentary titles in Halsbury’s Laws of Australia. (See illustration marker 12)
Browsing the Index

• From the top left, change the view to “Index” by clicking on the down arrow and selecting “Index”. (See illustration marker 13)

• Click on the + symbol to the left of the letter which begins the word you want, eg. click on the + to the left of C to locate the term “Calderbank offers”.

• Click on the blue link to the sub-group that is closest to the word required, eg. click on the CA link to get to “Calderbank offers”. Click on the reference in blue to link to content.

• References in the index include the hardcopy looseleaf volume number as indicated by the number before the back slash, eg. [1/3625] indicates volume 1.

• References to Commentary (Introductory Notes) paragraphs are indicated in square brackets, eg. [7/2277] indicates commentary paragraph 2277 in hardcopy volume 7.

• References to Precedents are indicated with no brackets and include a full point, eg, 10/5.55 indicates precedent 5.55 in hardcopy volume 10.

Browsing the Bulletin

• Bulletins include details of recent title updates, author profiles and usage hints. At the top left of the online screen, change the view to “Bulletin” by clicking on the down arrow and then selecting “Bulletin”. (See illustration marker 14)