POTCHEFSTROOM ELECTRONIC LAW JOURNAL

http://law.nwu.ac.za/per

STANDARD FOR STYLE AND CITATION¹

Prescribed Reference Style of PER/PELJ

¹ Approved on 23 August 2016.
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1 General

(a) For any point or reference guideline not provided for in this Standard, the *Oxford Standard for Citation of Legal Authorities* (OSCOLA)\(^2\) should be followed.

(b) The name(s) of the author(s) must appear below the title of the contribution (article, note, case note or review), right aligned and in bold. Authors must provide their academic and professional credentials, current affiliations and acknowledgments (if needed) in a footnote to their names.

Example

**SUSTAINABLE DEVELOPMENT AND THE NATURE OF ENVIRONMENTAL LEGAL PRINCIPLES**

J Verschuuren

(c) A contribution in English should be typed using *South African English* and not American English. In other words "utilisation" as opposed to "utilization" and "neighbour" as opposed to "neighbor" should be used. Preferably avoid using the passive voice.

(d) *Italics* for all words in a language other than the language of the contribution, for example: *inter alia*, *Rechtsstaat*, etcetara. This is also applicable for Afrikaans words in English contributions. Quotations in a foreign language that are indented and justified (longer than one typed line), need not be typed in italics, but a translation in the language of the contribution should be provided in a footnote.

(e) Make use of *footnotes* and not endnotes.

(f) Provide a *list of keywords*.

(g) Every contribution must be provided with an alphabetical *bibliography* at the end of the text (see paragraphs 2-3 of this document).


\(^\star\) Jonathan Verschuuren. MA LLM PhD (Tilburg University). Professor of International and European Environmental Law, Tilburg University, Netherlands. Email: j.m.verschuuren@uvt.nl.
Abbreviations used in the text or footnotes, including journal titles must be provided in a list of abbreviations after the bibliography at the end of the document (see the list of abbreviations at the end of this document).

(i) Use as few abbreviations as possible in the text, for example: "section 12". Use as many as possible abbreviations in the footnotes, for example "s 12". See also paragraph 3.4 of this document.

(j) A footnote starts with a capital letter and ends with a full stop.

(k) Take note that "paragraph" is abbreviated in the footnotes as "para" and "paragraphs" as "paras".

(l) Use only acknowledged abbreviations as they appear in dictionaries as far as possible.

(m) Abbreviations should be used without full stops.

1.1 Layout

(a) Margins: left (3,5 cm), top (3 cm), right (3,5 cm), bottom (3,5 cm). The paper size is A4.

(b) Use font type Arial 12pt (main text and bibliography); Arial 10pt (footnotes); Arial 10pt (indented quotations, longer than one line).

(c) Justify text with 1.15 line spacing for the main text and bibliography. Single spacing for footnotes and quotations longer than one typed line.

(d) All headings must be placed against the left margin. See Table 1 of this document for specifications regarding the indentation between headings and heading numbers for the various headings.

(e) Page numbers are placed at the bottom of the page, centred and in the same font and size as the text (in other words Arial, 12pt).

(f) Arabic numerals (1, 2, 3, etcetera) are used for all page numbers of the actual text as well as the bibliography.
(g) **Do not leave lines open** before and after paragraphs. Paragraph settings must, however, be set to make provision for a 12pt space after paragraphs. In a Word document click on the "Paragraph" tab; at "Spacing" choose "12pt" at the "After" option.

(h) The first line of a paragraph should not be indented.

(i) **Footnotes** must be justified at the bottom of each page of the text. References to sources are not placed in the main text but in the footnote (for example: Smith, 2005:5).

(j) **Footnotes margin**: Footnote text must start 1 cm from the left margin – therefore a hanging indent of 1 cm is used. No lines should be left open between footnotes.

(k) In the main text, the **footnote marker** should always be **inserted after the punctuation mark** like a full stop or comma. For example: Cyber law is a fast growing subject field.\(^3\)

(l) **Cross-reference in footnotes** to paragraph numbers in the text by using "above" or "below", for example: See para 1.3 above. *Ibid, supra, infra* and *op cit* should not be used in the footnotes.

(m) In a footnote, a semi-colon is used to **separate sources from each other**, for example: Cornelius *Principles* 33; Van der Berg *Interpretation of Statutes in South Africa* 35.

(n) When referring to **two or more pages from the same source** in a footnote, only a comma is used, for example: Cornelius *Principles* 33, 67.

(o) Place a **full stop after each footnote** irrespective of the nature of the source.

(p) **References to page numbers must always be provided in the following format**: 222-224 and not 222-4 or 222-24. Do not use "p", "pp" or "page" – the numbers itself indicate the page numbers concerned.

\(^3\) Kruger *Cyber Law in South Africa* 12.
(q) **Tables and graphics** must have sequential numbers and suitable headings at the head of the table/graphic, for example: Table 1.

### 1.2 Headings and numbering of headings

(a) Title of the contribution: **CAPITALS, BOLD AND CENTERED**

(b) Main heading: **bold**

(c) Secondary headings: **bold and italics**

(d) Tertiary headings: **italics**

(e) Subsequent headings: normal font

(f) Note the use of full stops. **No punctuation marks or full stops** after the last number of a heading number.

<table>
<thead>
<tr>
<th>Function</th>
<th>Numbering</th>
<th>Description</th>
<th>Example</th>
</tr>
</thead>
<tbody>
<tr>
<td>TITLE</td>
<td>-</td>
<td>Capitals, bold, centred</td>
<td>THE HORIZONTAL APPLICATION OF THE CONSTITUTION</td>
</tr>
<tr>
<td>Main heading</td>
<td>1</td>
<td>Bold, Indentation hanging 0,76 cm</td>
<td>1 Constitutional provisions</td>
</tr>
<tr>
<td>Secondary heading</td>
<td>1.1</td>
<td>Bold, Italic, Indentation hanging 1,02 cm</td>
<td>1.1 Freedom Charter</td>
</tr>
<tr>
<td>Tertiary heading</td>
<td>1.1.1</td>
<td>Italic, Indentation hanging 1,27 cm</td>
<td>1.1.1 Right to life</td>
</tr>
<tr>
<td>Any subsequent headings</td>
<td>1.1.1.1</td>
<td>Normal, Indentation hanging 1,52 cm</td>
<td>1.1.1.1 Vertical application</td>
</tr>
</tbody>
</table>
1.3 Quotations

(a) Quotations **longer than one typed line** are indented (1 cm on both sides) and are typed in size 10pt and single spaced lines, and justified. Quotation marks are not used (except in the case of point (d) below).

Example

Against this background, "parliament" is defined as:

The group of people responsible for making and changing laws and consisting of structures such as the House of Commons, the House of Lords and the King or the Queen (in the United Kingdom context).\(^4\)

According to this definition a parliament is not a building but a group of people with the power to make laws.

(b) A direct quotation from another source which is not longer than one typed line, must be quoted in the same sentence, for example: Labour law is often viewed as "one of the most complex fields of the law".\(^5\)

(c) "Straight quotes" are used (as opposed to “smart quotes”).

(d) Single quotation marks (‘...’) are used for a quotation within a quotation.

Example

"The most appropriate form of biodiversity regulation is arguably by means of 'economic instruments'".\(^6\)

(e) **Punctuation** that is not part of the quoted sentence should be placed outside the quotation marks, for example: He said that John could be "an angry man". If it is part of the quoted sentence, the punctuation should be placed inside the quotation mark, for example: He said: "John is an angry man."

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\(^4\) Sebogodi *Government Systems* 100.
\(^6\) Paterson *Biodiversity Protection* 22.
(f) **Punctuation marks** (for example commas and quotation marks) used in the original sentence must also be placed **within the quotation marks**.

(g) The reference to the source of the quoted text must be provided in a footnote.

(h) Should the surname of the quoted author appear in the main text, the footnote reference must appear directly after his/her surname. Do not cite the first names of authors.

**Example**

Feris\textsuperscript{7} is of the opinion that there may not be enough resources to adequately address environmental justice issues.

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2 **The basics of the bibliography**

(a) A contribution must be provided with a **bibliography** with sub-headings.

(b) **Do not place a full stop** after a listed source.

(c) Sources are alphabetised under the following sub-headings in the order which they appear below:

   (i) **Literature** – All books, chapters in books compiled by editors, conference contributions, theses, dissertations, journal articles and newspaper articles, arranged in alphabetical order.

   (ii) **Case law** – All reported and unreported case law.

   (iii) **Legislation** – All statutes referred to, including the *Constitution of the Republic of South Africa*, 1996 and statutes of foreign countries.

   (iv) **International instruments** – including international resolutions, conventions and treaties.

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\textsuperscript{7} Feris *Environmental Justice* 3.
(v) **Government publications** – including sources officially published in the Government Gazette such as Government Notices, Proclamations and General Notices.

(vi) **Internet sources** – All materials exclusively accessible on the Internet, which do not fall under the list of references above, for example information obtained from websites and blogs. *(Note: scholarly journal articles and e-books accessed via online databases should be included under the sub-heading "Literature").*

### 3 Examples of references and additional information on references in footnotes and in the bibliography

#### 3.1 General

(a) The **general rule** in referencing any type of sources is: (a) **essential bibliographical information** without which a specific source will not be found readily, must be cited in a consistent manner in footnotes and the bibliography; and (b) **useful additional information** such as publisher information must appear in brackets in the bibliography.

(b) This general rule **only applies when neither this Standard nor OSCOLA provides for a rule.**

#### 3.2 Literature

(a) **Authors' initials** are omitted in footnote references but must appear in the bibliography.


(c) All sources under the heading "Literature" in the bibliography must be preceded by the **abbreviated reference** as per the footnote reference.

(d) A **source's title** (for example titles of books, journal articles, reports) must always be referenced in the footnotes and bibliography in the language in which it has been published. For example in the bibliography: Wouters J *Bronnen van*
*Internationaal Recht* (Intersentia Antwerp 2004). Any additional bibliographical information such as the place of publication must be provided in the bibliography in the language of the text of the contribution itself; in this instance, English.

### 3.2.1 Books

**Example**

**Footnote**

1. Grové and Otto *Basic Principles of Consumer Credit Law* 32.

**Bibliography (under the heading "Literature")**

Grové NJ and Otto JM *Basic Principles of Consumer Credit Law* 2nd ed (Juta Cape Town 2002)

(a) With books, where *more than one place of publication* is mentioned, the first place name appears in the bibliography.

(b) In the case of a co-authored or co-edited book with more than one author, a maximum of three authors’ names are listed.

**Example**

**Footnote**


**Bibliography (under the heading "Literature")**

Strydom EML, Le Roux PA and Dupper OC *Essential Social Security Law* 2nd ed (Juta Cape Town 2006)

(c) In the case of a co-authored or co-edited book with more than three authors, only provide the name of the first author or editor followed by *et al* (in italics).
Example

Footnote


Bibliography (under the heading "Literature")


(d) Where a book has been republished under the name of an author other than the original author, the author(s) of the new edition must be cited with recognition of the original author’s name in the title.

Example

Footnote

1. Badenhorst, Mostert and Pienaar Silberberg and Schoeman’s The Law of Property 6-10.

Bibliography (under the heading "Literature")


(e) In the bibliography a book’s edition number should be provided directly after the title of the book. A first edition is not mentioned.

Example

Bibliography (under the heading "Literature")

Grogan J Workplace Law 8th ed (Juta Cape Town 2005)

(f) Where more than one edition of the same book were used, the footnotes and bibliography should in all instances clearly indicate the edition number.
Footnote

1  Van der Walt and Pienaar *Introduction to Property Law* 2nd ed 124-129.

Bibliography (under the heading "Literature")

Van der Walt AJ and Pienaar GJ *Introduction to Property Law* 2nd ed (Juta Cape Town 2001)

Van der Walt AJ and Pienaar GJ *Introduction to Property Law* 5th ed (Juta Cape Town 2006)

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3.2.2  *Chapters in books compiled by editor(s) (chapters by different authors)*

Example

Footnote

1  Brand "The Right to Food" 160-161.

Bibliography (under the heading "Literature")

3.2.3 Conference contributions

Examples

If published in conference proceedings

Footnote

1. Reickhardt “Legal Liabilities” 4-7.

Bibliography (under the heading "Literature")

Reickhardt M "Legal Liabilities" in Chamber of Mines Environmentally Responsible Mining in Southern Africa Conference (25-28 September 2001 Johannesburg) 4-23

If unpublished

Footnote

1. Reickhardt “Legal Liabilities”.

Bibliography (under the heading "Literature")

Reickhardt M "Legal Liabilities" Unpublished contribution delivered at the Chamber of Mines Environmentally Responsible Mining in Southern Africa Conference (25-28 September 2001 Johannesburg)

3.2.4 Theses and dissertations

Example

Footnote

1. Robberts Mining Authorisations in South Africa 221.

Bibliography (under the heading "Literature")

Robberts K Environmental and Mining Authorisations in South Africa (LLM-dissertation University of Pretoria 2011)
3.2.5 Journal articles

Example

Footnote

1. De la Harpe and Van der Walt 2005 AHRLJ 71.

Bibliography (under the heading "Literature")

De la Harpe S and Van der Walt T "The Right to Pre-trial Silence as Part of the Right to a Free and Fair Trial – An Overview" 2005 AHRLJ 70-90

(a) Since the journal title (African Human Rights Law Journal) is abbreviated (AHRLJ), the abbreviation must be included in the list of abbreviations.

(b) The reference to a journal article in the bibliography must include the first and last page numbers where the article appeared, for example 457-489.

3.2.6 Newspaper articles

Example

Footnote


Bibliography (under the heading "Literature")

Hartely G "DA Rails at Selebi’s Use of Crime Figures" Business Day (18 July 2006) 4

(a) Popular magazines of a non-academic nature (published weekly, monthly or quarterly) are cited in the same way as newspaper articles.

(b) Newspaper articles only available online, should be cited as an Internet source under the heading "Internet sources". See paragraph 3.7 of this document.
3.3  Case law

Examples

If reported

Footnote

1  *President of the Republic of South Africa v Hugo* 1997 4 SA 1 (CC) para 15.

Bibliography (under the heading "Case law")

*President of the Republic of South Africa v Hugo* 1997 4 SA 1 (CC)

If unreported

Footnote


Bibliography (under the heading "Case law")

*Free State Cheetahs (Pty) Limited v Mapoe (O)* (unreported) case number 4587/2010 of 29 September 2010

(a)  The name of a case must be provided in full in the bibliography. Non-essential information such as *NO, NNO, and others, and another, amicus curiae* must be left out (in the text, footnotes and the bibliography).

(b)  In footnote references to cases the specific page number(s) or paragraph number(s) must be provided, for example: *Bareki v Gencor Ltd* 2006 1 SA 432 (T) 436A-D or para 123. Please see paragraph 1 of this document for the abbreviation of "paragraph" and "paragraphs".

(c)  The full reference must be provided when a court case is referenced for the first time (either in the text or in a footnote). After the first full reference it may be abbreviated in brackets whereafter only the abbreviated form should be used in all footnotes and in the text, for example: *Bareki v Gencor Ltd* 2006 1 SA 432 (T) (hereafter the *Bareki case*).

(d)  The court's abbreviation should be in the same language as the text of the contribution.
3.4 Legislation

Example

Footnote

1 Section 1 of the Social Housing Act 16 of 2008. See also s 26(1) of the Constitution of the Republic of South Africa, 1996.
2 Sections 1 and 3 of the Social Housing Act 16 of 2008. See also ss 26 and 27 of the Constitution of the Republic of South Africa, 1996.

Bibliography (under the heading "Legislation")

Social Housing Act 16 of 2008.

(a) Legislation is referenced without the inclusion of "No." (which indicates the number of the Act) and without any punctuation marks, for example: National Water Act 36 of 1998.

(b) The full reference must be provided when legislation is referenced for the first time (either in the text or in a footnote). After the first full reference it may be abbreviated in brackets whereafter only the abbreviated form should be used in all footnotes and in the text, for example National Water Act 36 of 1998 (hereafter the NWA) or (hereafter the Water Act). The abbreviated form must be included in the list of abbreviations.

(c) A footnote is unnecessary if the full citation to an Act is provided in the text.

(d) If only the short title is referred to in the text, provide the number and year in the footnote, for example: Auditing Profession Act\(^8\) (in the text) and 26 of 2005 (in the footnote).

(e) If a single act or statute forms the basis of the discussion it can be abbreviated as "the Act", for example: "Section 31(2) of the Provision of Safety Act 10 of 2001 (hereafter the Act) states that ... The Act further provides that ..."

(f) When a footnote starts with the word "section", then "Section" must be written out (see example above). If, however, the word "section" appears further on in the

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\(^8\) 26 of 2005.
sentence in a footnote, then "section" is abbreviated to "s" and "sections" to "ss" (see example above).

(g) The official reference to the **South African Constitution** is: *Constitution of the Republic of South Africa*, 1996.


### 3.5 International law instruments

(a) PER prescribes the citation style of the *South African Journal on Human Rights* (*SAJHR*\(^9\)) for frequently cited / well-known international law instruments:

**Example**

<table>
<thead>
<tr>
<th>Footnote</th>
<th>Bibliography (under the heading &quot;International instruments&quot;)</th>
</tr>
</thead>
</table>

(b) For less well-known international law instruments, provide the International Legal Materials reference.\(^{10}\) If the last mentioned is not available, provide the United Nations Treaty Series\(^{11}\) reference, or UN Doc, or OAU Doc reference.

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\(^{10}\) International Legal Materials available at American Society of International Law date unknown [http://www.asil.org/resources/international-legal-materials](http://www.asil.org/resources/international-legal-materials).

Example

Footnote


Bibliography (under the heading "International instruments")


3.6 South African government publications

Example

Footnote

2. Reg 4(c) in Proc R34 in GG 10345 of 13 December 2005.
3. Item 1(a) in Gen Not 342 in GG 24567 of 24 December 2006.

Bibliography (under the heading "Government publications")

GN R456 in GG 11456 of 24 April 2006

Proc R34 in GG 10345 of 13 December 2005

Gen Not 342 in GG 24567 of 24 December 2006

* GN – Government Notice (and number)

** Proc – Proclamation (and number)

*** Gen Not – General Notice (and number)

**** GG – Government Gazette (and number)
3.7 **Internet sources**

3.7.1 **General**

(a) Different kinds of sources are published on the Internet. An Internet source is a source that is exclusively available on the Internet, for example websites and blogs.

(b) Internet addresses must be typed in black and should not be underlined. Please do not make use of hyperlinks when citing an Internet address.

(c) All scholarly journal articles, books, legislation, case law, international law instruments or any other source that have been accessed via an online database should not be cited as Internet sources but as journal articles, case law and so forth.

3.7.2 **Notes for citing Internet sources in footnotes**

(a) As a general rule, the following information must be provided in footnotes: (a) the **author** (company, organisation or institution or the surname of an individual); (b) **date of publication** or creation; and (c) the **Internet address** (URL) from where the source was accessed:

<table>
<thead>
<tr>
<th>Footnote</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Clarkson 1998 <a href="http://webjcli.ncl.ac.uk">http://webjcli.ncl.ac.uk</a>.</td>
</tr>
<tr>
<td>or</td>
<td>Department of Labour 2009 <a href="http://www.labour.gov/doc/health">http://www.labour.gov/doc/health</a>.</td>
</tr>
</tbody>
</table>

(b) **Authors' initials** are omitted in footnote references but must appear in the bibliography.

(c) When the author's surname or the date of publication or creation is not known it should be indicated as such by means of "**Anon**" and "**date unknown**".
3.7.3 Notes for citing Internet sources in the bibliography

(a) As a general rule, the following information must be provided in the bibliography:
(a) the author (company, organisation or institution, or the surname and initials of an individual); (b) date of publication or creation; (c) the name of the web-page or the title of the document cited from, or the title of a posting on a blog or social network site (in italics); (d) Internet address from where the source was accessed; and (e) the date on which the source was accessed.

Example

<table>
<thead>
<tr>
<th>Bibliography (under the heading “Internet sources”)</th>
</tr>
</thead>
<tbody>
<tr>
<td>or</td>
</tr>
</tbody>
</table>

(b) When the author's surname or the date of publication or creation is not known it should be indicated in the bibliography as such by means of "Anonymous" and "date unknown".

(c) In the bibliography all Internet sources must be preceded by the abbreviated reference as per the footnote reference.
BIBLIOGRAPHY

Literature

Alexander and Martins 1996 Management and Law Review

Badahla 2001 SA Journal of Psychology and Law

Bekker et al Corporate Culture and Law

Brand "The Right to Food"

Fisse 1982-1983 S Cal L Rev

Fisse and Braithwaite 1988 Sydney L Rev

Fisse and French (eds) Corrigible Corporations and Unruly Law

Snyman Criminal Law
Snyman CR Criminal Law 5th ed (LexisNexis Butterworths Durban 2006)

Van der Merwe "Sectional Titles"
Van der Merwe CG "Sectional Titles" in Joubert WA and Faris JA (eds) The Law of South Africa (Butterworths Durban 2000) 1-25
Case law

Free State Cheetahs (Pty) Limited v Mapoe (O) unreported case number 4587/2010 of 29 September 2010

S v Majosi 1991 2 SASV 532 (A)

S v Masilela 1968 2 SA 558 (A)

Van Eeden v Minister of Safety and Security 2003 1 SA 389 (SCA)

Legislation

Auditing Profession Act 26 of 2005

Constitutional of the Republic of South Africa, 1996

National Environmental Management Act 108 of 1998

International instruments


Universal Declaration of Human Rights (1948)

Government publications

GN R456 in GG 11456 of 24 April 2006

Proc R34 in GG 10345 of 13 December 2005

Gen Not 342 in GG 24567 of 24 December 2006

Internet sources

American Society of International Law date unknown http://www.asil.org/resources/international-legal-materials


Anon 2010 http://www.watersan/docs/F1368
Anonymous 2010 *Water and Sanitation: The Outcome of the Phiri Case*  
http://www.watersan/docs/F1368 accessed 16 March 2010

Clarkson 1998 http://webjcli.ncl.ac.uk  

Department of Labour 2009 http://www.labour.gov/doc/health  

Department of Labour date unknown http://www.labour.gov/doc/equility  
Department of Labour date unknown *Equality in the Workplace*  

SAJHR date unknown http://www.wits.ac.za/academic/clm/law/southafricanjournalonhumanrights/11083/house_style.html  

University of Oxford 2012 http://denning.law.ox.ac.uk/published/oscola.shtml  

**LIST OF ABBREVIATIONS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>AHRLJ</td>
<td>African Human Rights Law Journal</td>
</tr>
<tr>
<td>DEA</td>
<td>Department of Environmental Affairs</td>
</tr>
<tr>
<td>NEMA</td>
<td>National Environmental Management Act 108 of 1998</td>
</tr>
<tr>
<td>SAHRC</td>
<td>South African Human Rights Commission</td>
</tr>
</tbody>
</table>

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12 Take note that journal titles, case law as well as short titles of legislation should not be italicised for purposes of the List of Abbreviations.