

Launch of Public Access to Legislation

New Zealand is now on its way to having its statute books on the Internet. Public Access to Legislation, better known by its acronym PAL, was quietly launched in the new year after some 10 years in the making, at www.legislation.govt.nz

But have we received what we have waited for? This is a very quiet site – one could say underwhelming at first glance. And yet the careful thought that has gone into it is evident.

First of all the public is well served. I search the word "dogs" and the list of acts containing the word, appears. I open an act, and sections where the word occurs, are highlighted. I am slightly disconcerted, because local and private acts appear in the list too, making it a huge list – but then, I get every act – and I can change that to only Public Acts, or Acts and Regulations.

Regulations are available too, hyperlinked to the relevant statute. Defined words link to the relevant definition section. How easy it all is! Think of volumes of statutes with annotation slips – or not, in many public locations. There is a PDF guide to the site which will be very useful for any public location to keep handy.

I can step forward section by section (or in fact "fragment by fragment" which includes headings sometimes), or I can view the whole act. But I am warned that it's big to open like that and that if I want to print it in an Internet café it might cost me money. If I am viewing a version which is not current, an alert displays to tell me so. If I open other versions, I am shown which version I looked at before. The labyrinth is very well signposted.

This site meets the guidelines for Government sites. It can be read by readers with disabilities such as colour blindness, and can be read aloud by screen readers for the blind.

However, what legislation is not on this website? The "About" section tells me: "*The following deemed regulations or sources of law are not available on this website*" – going on to say that court judgments are not there, along with codes, bylaws, treaties. The tone is jargon-free without being patronising. Terms such as "consolidated legislation" are translated into "up-to-date legislation". I am even warned that the *Bill of Rights Act* has "New Zealand" at the front of its name.

In an ideal world, there might be even more guidance for members of the public. I'd have liked to see some school stuff as there is on the Parliament site, and a link to the information there about the making of legislation. The

Parliamentary Counsel Office probably is not mandated for this, but perhaps for the future.

For members of the legal profession the PAL site is clear to use and works well, with the exception of a few downloading blips on a home broadband connection for the bigger items. Everything in force now is on the site and nothing which has been repealed, even very recently, is available.

Where legislation is partially repealed and with amended legislation, we are able to see the history, and link to the section that inserted or repealed a section. In time we should be able to follow the steps of a legislative history, following changes forwards and backwards – but that awaits the history building from now on. There is the option to see previous versions of the legislation prior to amendments and some are already available.

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**Helga Arlington,
ADLS Librarian.**

New acts will go up onto PAL within five working days of assent; regulations the day after they are gazetted, and bills the day following introduction. More details on currency are in the "About" section on the site. Where there are uncompiled amendments, a link at the top of the act provides a list of them.

For example the *Fisheries Act 1996* has the following list:
Does not include in force amendments from:
Fisheries (Amalgamation of Quota Management Areas) Order 2007 (SR 2007/175) (as at 25 June 2007)
Fisheries (Schedules 2, 5, 6, and 8) Order 2007 (SR 2007/31) (as at 26 February 2007)
Insolvency Act 2006 No 55 (as at 03 September 2007), Public Act

The default is to search in everything in force

and to get the results section by section. In this mode, highlighting shows where the results appear. At every location, though, it is possible to switch to viewing the full act as a web page or as a printable PDF.

There are basic searches, guided searches, advanced searches. If I do an advanced search, my search and the options I used display, so I can add words to cut a result down, or select (for example) only public acts.

Users of the site are guided as to how to link their site to PAL, to relevant legislation. These links will remain stable, even as the legislation changes. This facility was not envisaged in the early days, and will be enormously appreciated, as will the RSS updater feature.

The legal profession will need to take note about "officialisation" since PAL is not yet the law of the land. Any legislation that is passed after the launch of PAL will bear a coat of arms in its full versions (PDF & HTML) and will be "semi-official".

Any legislation that has been "officialised" pursuant to s17C of the *Acts and Regulations Publication Act 1989*, checked for accuracy and adjusted for the new medium, will also be "semi official". Other legislation will await officialisation within three years, bear no coat of arms, and have the same status as electronic legislation currently has i.e. none.

Only after officialisation is formally complete will legislation be sought to make PAL an official source of legislation. For practical purposes, anything with a coat of arms – though an "eprint" – will be reliable. (2008 will see the first appearance of semi-official acts but so far only a few regulations have this status).

Many users will view as a defect that so much major, repealed legislation isn't on the PAL site – let alone the truly historical legislation which is nonetheless referred to regularly. The Law Commission in its recent discussion paper proposes that all of New Zealand's legislation be digitised and added to PAL, and Auckland District Law Society's submission supported that proposal.

In summary however, Public Access to Legislation (PAL) – both the site and the access – are a huge leap forward for New Zealand. Congratulations to those at the Parliamentary Counsel Office who have brought this huge project to fruition at last.

• By Helga Arlington, Librarian, ADLS Library & Research Centre.