



Halsburys Laws Direct

December 2002 Edition

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1. THE SERVICE

Since first appearing in 1907 Halsbury's Laws of England has been the only comprehensive and authoritative narrative treatment of the law of England and Wales and has been the cornerstone of the lawyer's library. Its stated aim is to cover every proposition of English law, whether from statute, case law, or Europe.

1.1 Halsbury's Laws Direct

Halsbury's Law Direct is a powerful legal research tool incorporating the features described below, which are intended to save time and enhance research.

The user is able to retrieve information from **Halsbury's Laws Direct** by:-

- Selecting to go directly to a specific part of a title by navigating through a nested menu structure.
- Searching across the whole dataset at one time, either by keyword searching (for a specific word, phrase or name) or by natural language searching ("**Eureka!**"). Specialised concept-matching software has been used to index the whole text of **Halsbury's Laws Direct**. This provides natural language searching across the entire dataset and enables the user to structure complex queries without knowledge of traditional information retrieval techniques. A great advantage is that **Eureka!** enables users to conduct their searches in plain English but that the search results retrieve only that information which is conceptually related to the query.

Other features of **Halsbury's Laws Direct** include:

- Embedded hypertext links to Legislation references, which enable the user to jump directly to relevant sections of Legislation Direct.
- Embedded hypertext links to All England references, which enable the user to jump directly to relevant Cases cited.
- Embedded hypertext references which enable the user to jump directly to other parts of **Halsbury's Laws Direct**.

Note

Full cumulative updating: the texts of the annual Cumulative Supplement and monthly noters-up are merged every month. The updating is linked to the paragraph that the user is viewing and is presented on the screen simultaneously

1.2 Contents

- Current Volumes 1-50 of Halsbury's Laws of England.
- The full text of the 2000 Cumulative Supplement.
- The latest Noter-up issue combined
- List of titles and contributors is a complete list of all current titles in and contributors to the Fourth Edition of Halsbury's Laws of England. It is updated each time a new volume is published.

In addition, Halsbury's Laws Direct now contains three new books –Halsbury's Statutes Citator, Halsbury's Statutory Instrument Citator and Is It In Force?

Halsbury's Statutes Citator

Halsbury's Statutes Citator provides a quick and easy-to-use guide to the current status of statutes. It is divided into two parts: Part 1 contains an alphabetical list of statutes and Part 2 shows their current status.

Alphabetical List This is a comprehensive alphabetical list of over 7,000 statutes which have been published in Halsbury's Statutes. Statutes which ceased to exist before circa 1929 (the publication date of the first edition of Halsbury's Statutes), or which apply only locally, are not generally included. Scottish Acts with cross-border provisions are considered, but those which relate only to Scotland are outside the scope of this work. Statutes in italics have ceased to have effect and are no longer dealt with by Halsbury's Statutes; for further details users should refer to Current Status.

Current Status This part records any changes to the statutes included in the alphabetical list. The statutes are arranged alphabetically in reverse chronological order. Amendments are noted to provision level with any general notes relating to the Act as a whole appearing as the first note. Amendments relating purely to Scotland are generally not included. However, amendments made to statutes of general application by Acts of the Scottish Parliament are recorded. Provisions which apply only locally are not dealt with and are indicated as such (eg Scotland only). Cases have also been noted to the relevant provision. Case judgments may relate to the provision of an Act as originally enacted. If there is no mention of a statute in Current Status, this means that there has been no change to that statute since its enactment.

For commencement details of Acts, see *Is it in Force?*

Halsbury's Statutory Instrument Citator

Halsbury's Statutory Instruments Citator provides a quick and easy-to-use guide to the current status of statutory instruments. It contains two distinct parts: Part 1 is the Alphabetical List and Part 2 the Current Status. If the statutory instrument serial number is known, the user may refer directly to Current Status for details of any changes to the instrument. If only the title of the instrument is known, the user will be able to find out its serial number by referring to the alphabetical list.

Alphabetical List This is a comprehensive alphabetical list of over 45,000 statutory instruments which were, at the time of their issue, published in Halsbury's Statutory Instruments. Against the title of each instrument is listed its serial number or the date on which it was made. Instruments which ceased to exist before circa 1951 (the publication date of the first edition of Halsbury's Statutory Instruments), or which apply only locally, are not generally included. Those which apply only to Northern Ireland or Scotland are also considered to be outside the scope of this work. Instruments in italics have ceased to have effect; for further details users should refer to Current Status.

Current Status This part records any changes to the instruments included in the alphabetical list. The instruments are arranged in reverse chronological order with any "date made" instruments (those which have no serial number) appearing at the end of the relevant year. For those instruments which are considered to be of greater importance, or have been heavily amended, any changes have been noted to the instrument as a whole and to its individual provisions. Amendments relating purely to Northern Ireland or Scotland are generally not included. However, in the case of Scotland, amendments made to instruments of general

application by instruments of the Scottish Parliament (SSIs) are recorded. Relevant cases have also been noted.

If there is no mention of an instrument in Current Status, this means that there has been no change to that instrument since its enactment.

When trying to find answers to any queries regarding NETbos, the online help file should often be of use. The help option is found on the top menu (alongside search, views and print list). Clicking on the help option brings up a menu on the left hand side of the screen which is navigated similarly to the contents tree with the information appearing on the right. The help section is divided into twelve "books" which can be opened up into separate "chapters" which between them cover all aspects of NETbos. To exit the help section click on 'normal' from the 'views' option on the top menu.

About Is It In Force?

Is it in Force? contains the information you need to establish the exact commencement dates of Acts of general application in England, Wales and Scotland and General Synod Measures passed in the last 26 years.

1 What's in *Is it in Force?*

The short title and chapter number of every Public General Act is given, and unless an Act is of limited application only, or has been repealed, the following details are provided:

- (a) the date on which the Act received the royal assent;
- (b) a list of provisions which deal with the commencement of an Act or any part of an Act (including any commencement orders which have been made);
- (c) in limited circumstances (see para 2 below), information on whether the commencement of provisions has been superseded by their repeal/substitution etc;
- (d) any date or dates which have been appointed for the provisions of the Act to come into force;
- (e) an indication where any provision is not in force.

2 How to use *Is it in Force?*

Acts passed during each calendar year are arranged alphabetically, and the years are dealt with in chronological order.

Each Act is dealt with according to its commencement provisions. Thus, an Act is treated as a single unit if the whole Act was brought into force on one date. An Act will only be treated on a section by section or subsection by subsection basis where the complexity of its commencement provisions demands this. It therefore follows that, whereas the repeal of a whole Act will always be noted, *partial* repeals, substitutions etc of many Acts (which are not otherwise broken down into parts) will not.

It should also be noted that saving and transitional provisions, non-textual amendments (eg extensions or applications) and textual amendments *within* sections, subsections etc, are not in general noted to any Act in this book. **For information about repeals, amendments, savings etc, reference should be made to the volumes of Halsbury's Statutes, the Cumulative Supplement and Noter-up to that work or the Halsbury's Statutes Citator.**

Where a provision of an Act applying both to England and Wales and to Scotland is brought into force on the same date by different provisions, it is noted thus:

11 Apr 1983 (SI 1982/1857; SI 1983/24)

Where such a provision is brought into force on different dates, it is noted thus:

1 Jul 1978 (EW) (SI 1977/2164)

1 Sep 1978 (S) (1978/816)

Where a provision of an Act which applies both to England and Wales and to Scotland is repealed, substituted etc in relation to one jurisdiction only, it is noted thus:

30 Dec 1986 (EW) (SI 1986/2145)

Repealed (S)

3 Finance Acts

Finance Acts are not dealt with in detail, as the dates from which their provisions take effect are usually stated clearly and unambiguously in the text of the Act, and charging provisions will normally state for which year or years of assessment they are to have effect.

4 General principles governing commencement of statutes

- (a) 'Commencement' means the time when the Act comes into force (Interpretation Act 1978, s 5, Sch 1).
- (b) Where no provision is made for the coming into force of an Act, it comes into force at the beginning of the day on which it receives the Royal Assent (Interpretation Act 1978, s 4(b)).
- (c) Where provision is made for an Act to come into force on a particular day, it comes into force at the beginning of that day (Interpretation Act 1978, s 4(a)).
- (d) Where an Act does not come into force immediately on its passing, and it confers power to make subordinate legislation, or to make appointments, give notices, prescribe forms or do any other thing for the purposes of the Act, then, unless the contrary intention appears, the power may be exercised, and any instrument made under it may be made so as to come into force, at any time after the passing of the Act so far as may be necessary or expedient for the purpose of (1) bringing the Act or any provision of the Act into force, or (2) giving full effect to the Act or any such provision at or after the time when it comes into force (Interpretation Act 1978, s 13).
- (e) There is a general presumption that an enactment is not intended to have retrospective effect. Parliament undoubtedly has power to enact with retrospective effect, so the general presumption applies only unless the contrary is clearly stated.

General principles governing commencement of statutes

The following principles govern the commencement of most Statutes.

- "Commencement" means the time when the Act comes into force (Interpretation Act 1978, s 5, Sch 1).
- Where no provision is made for the coming into force of an Act, it comes into force at the beginning of the day on which it receives the Royal Assent (Interpretation Act 1978, s 4(b)).
- Where provision is made for an Act to come into force on a particular day, it comes into force at the beginning of that day (Interpretation Act 1978, s 4(a)).
- Where an Act does not come into force immediately on its passing, and it confers power to make subordinate legislation, or to make appointments, give notices, prescribe forms or do any other thing for the purposes of the Act, then, unless the contrary intention appears, the power may be exercised, and any instrument made under it may be made so as to come into force, at any time after the passing of the Act so far as may be necessary or expedient for the purpose of (i) bringing the Act or any provision of the Act into force, or (ii) giving full effect to the Act or any such provision at or after the time when it comes into force (Interpretation Act 1978, s 13).
- There is a general presumption that an enactment is not intended to have retrospective effect. Parliament undoubtedly has power to enact with retrospective effect, so the general presumption applies unless the contrary is clearly stated.

2. OPENING HALSBURY'S LAWS

To access the Halsbury's Laws Direct opening screen, select Halsbury's Laws Direct from the Butterworths Direct home page (single click)



Having entered your user name and password into the 'log on' screen, the frontpage will appear.



The screenshot shows the Halsbury's Laws Direct frontpage. At the top left is the Butterworths LexisNexis direct logo. The main header area contains navigation links: search | browse | list | about | access by title | statutes citator | si citator | is it in force? | sitemap | user guides. Below this is a 'Search Options Explained' section with a 'Search All' button and a text input field with a 'Go' button. A 'Subject Search' section features a 'Eureka' button and another text input field with a 'Go' button. A 'Navigator' section includes a 'Statute' dropdown menu, a 'Full or Partial Title' input field, and 'Year' and 'Series' input fields with a 'Go' button. On the right side, there is a grid of buttons: 'Browse Halsbury's Laws of England', 'Halsbury's Statutes Citator', 'Access by Title', 'Halsbury's SI Citator', 'List of Titles & Contributors', 'Is it in force?', 'About Halsbury's Laws Direct', and 'Contact us'. At the bottom right, there is a copyright notice: '© Reed Elsevier UK Limited 2001'.

Point the cursor highlighting the required heading, wait until it changes to a hand, and click once with the mouse button.

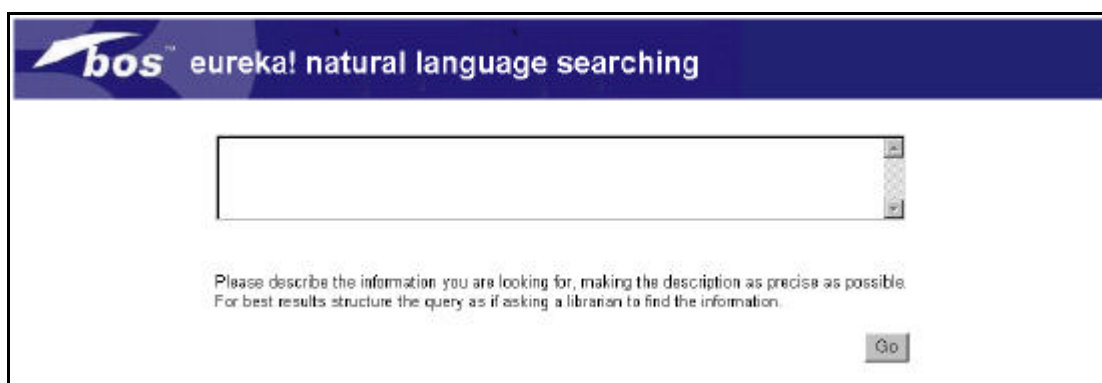
3. SEARCHING

3.1 Eureka Searching

The **eureka!** search template, enables you to conduct searches for complex queries in plain English. Thus you can enter queries which would be impossible, or very difficult, to formulate using traditional information retrieval techniques. There are two ways to access **eureka!**, firstly on netbos through the search option on the rolling menu.

[search](#)
[normal](#) | [eureka](#)

The Following Screen will be displayed:



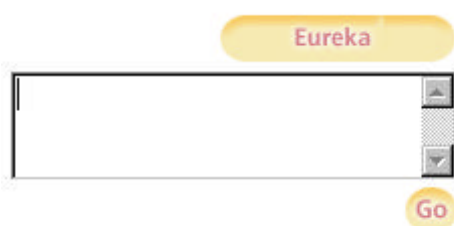
The screenshot shows a web interface for "bos eureka! natural language searching". At the top, there is a dark blue header with the "bos" logo and the text "eureka! natural language searching". Below the header is a large, empty text input box. Underneath the input box, there is a line of text: "Please describe the information you are looking for, making the description as precise as possible. For best results structure the query as if asking a librarian to find the information." To the right of this text is a small "Go" button.

Simply type your question into the box, and remember that the prospect of the right answer is maximized if you include as much pertinent information as possible.

E.g. "Can the functions of an official receiver be contracted out"?

Click **Search**

There is also a **eureka!** search facility on the frontpage



The screenshot shows a search facility on a frontpage. It features a yellow rounded rectangle with the word "Eureka" in red text. Below this is a large, empty text input box. To the right of the input box is a small "Go" button.

Questions can similarly be typed in here and will display the same results.

Eureka Search Results

The search results to the query will return the relevant paragraph or paragraphs. The retrieval results are returned ranked in order of relevance to the search query. The most relevant rank the highest percentage.

Natural Language Search Results	
Searching For: <i>can the functions of an official receiver be contracted out?</i>	
Relevance	Location of match
100 %	COMPANIES 6. CORPORATE INSOLVENCY (7) WINDING UP BY THE COURT (v) Official Receivers A. APPOINTMENT AND STATUS 2266. Contracted out functions of the official receiver. Suggest similar items in text...
97 %	COMPANIES 6. CORPORATE INSOLVENCY (7) WINDING UP BY THE COURT (v) Official Receivers A. APPOINTMENT AND STATUS 2265. Power to contract out the official receiver's functions. Suggest similar items in text...
97 %	BANKRUPTCY AND INSOLVENCY (3) OFFICIAL RECEIVERS (i) Appointment and Status 31. Functions of official receiver. Suggest similar items in text...

To access the text of the result click on the hypertext link to the preferred location, when the cursor changes to a hand click once. Very shortly the page will appear in the normal view screen at your chosen location. Use the search result icons as normal.

From the Search Results list clicking on:

[Suggest similar items in text...](#)

will carry out a search across **Halsbury's Law's Direct** for other text relevant to the location of the hit. A second results window will be displayed.

3.2 Library Search

Enables you to search for text across Halsbury's Laws of England, Halsbury's Statutes Citor, Halsbury's SI Citor and Is It In Force?

This search is best suited when the information you require does not include news items, press releases etc. This is recommended for when your search is relatively simple, EG: one word or phrase, words connected by Boolean operators or words incorporating the wildcard facility.

To use the library search, simply enter the word or phrase (remember to use the Boolean operator in Capitals EG: company AND finance, company OR finance) in the box provided.

When the search is completed, you will be presented with a list of returned matches. The initial results screen will show the datasets with the number of hits opposite click on the one required for a fuller list of results.

3.3 Subject Search

Enables you to search across the whole, or within specific subject areas, of Halsbury's Laws of England and its related databases. Search for words appearing next to each or in any order within a paragraph or volume.

If you know the specific subject area for your research, this search option is ideal. It offers a multitude of choices to aid you in finding your information. By clicking on the selected radio buttons and using the control key, it is possible to highlight one or more of the subjects on the list, which will limit the search to only those subject areas within the whole dataset. (Remember it is possible to search through the whole dataset, do so by clicking on the appropriate radio button.)

The "Search How" feature offers the option of exact wording or any combination of words. After clicking on the GO button, the results are displayed with the number of corresponding words (hits) found with that section.

3.4 Navigator

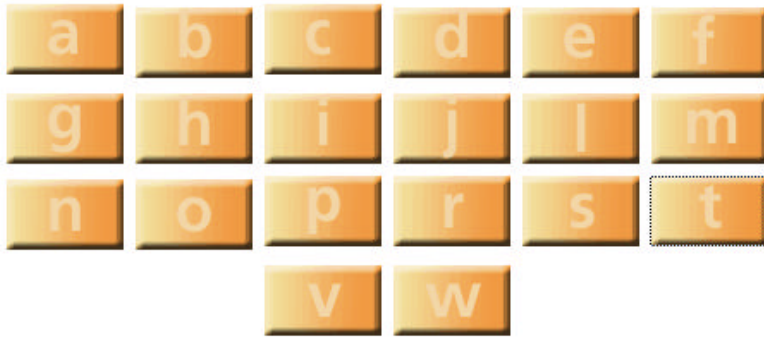
If you need to access a particular Statue or Statutory Instrument and you know some or all of the title, any details of the year, series or chapter number, then the Navigator search best suit your needs. By entering full or partial details, the Navigator will take you directly to that enactment. If the details entered are not specific enough, you will be offered a list of possible matches from which to choose from

3.5 Browse

Browse allows you to navigate around netbos to see which articles are on the site. This is a useful general search but cannot find specific articles as quickly as the other searches. Browsing allows you to search for yourself rather than carrying out the search for you.

3.6 Access by Title

Access by title is effectively a quicker way of browsing. It divides subject categories into alphabeticalised pages which makes browsing for an article within a specific subject area simpler.



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3.7 Lists of Titles and Contributors

This is a complete list of all current titles in and contributors to the Fourth Edition of Halsbury's Laws of England. It is updated each time a new volume is published.

The volume number is followed by a description of the status of the volume, ie whether it is an original fourth edition volume or a reissue volume, and the date in brackets is the date at which the volume states the law.

The contributors are described as they were at the time of publication of each volume, and not necessarily as they are now.

4. UNIQUE FEATURES

4.1 Navigation Bar

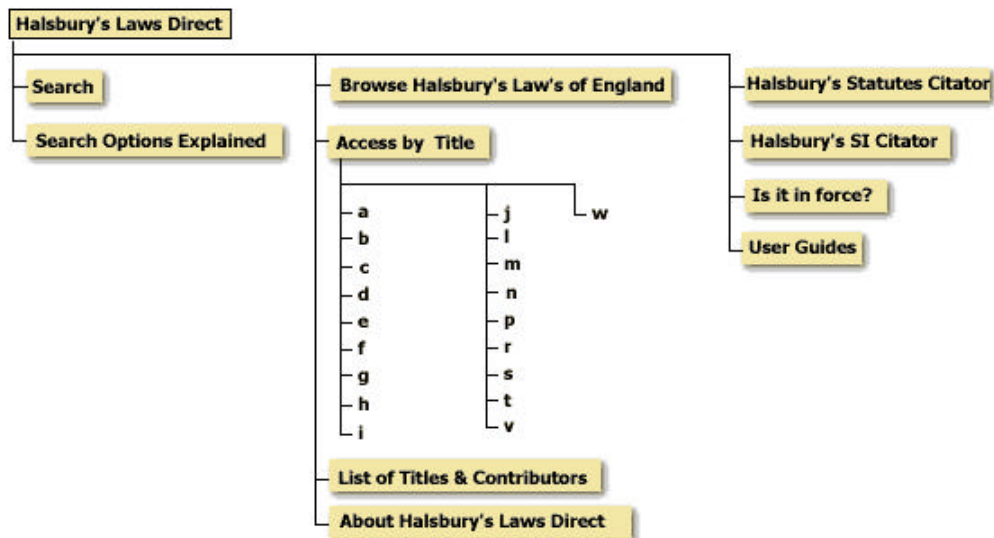
Once you have accessed Halsbury's Laws Direct you will see the navigation bar at the top of the screen. In order to access a service within Halsbury's Laws Direct left click once on the relevant heading.



Left Clicking once 'Home' from the Navigation Bar will link to the butterworths.com Home Page. Left Clicking once 'Halsbury's Laws Direct' will return to the homepage.

4.2 Sitemap

Users may also navigate Halsbury's Laws Direct by using the sitemap. The sitemap can be accessed from the navigation bar.



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The Halsbury's Laws Direct sitemap is shown above. Areas can be accessed by left clicking on the required section.

5. OTHER INFORMATION

5.1 Editorial

If you have a query about the content of Halsbury's Laws Direct, you can contact us by telephone or E-mail. Simply call the Butterworths Direct help line on 0845 608 1188 and they will connect you to the appropriate person to deal with your query. Alternatively, you can E-mail us with any editorial queries or comments by using the '[contact us](#)' links that appear on the home page. We welcome feedback from our customers about Halsbury's Laws Direct so please feel free to contact us.

5.2 Technical Support

Support for our on-line services available:

09.00 – 17.00 Monday to Friday

08.00 – Midnight Saturday and Sunday by e-mail at:

online.support@Butterworths.com

[Tel: \(44\) 0845 305 0500](tel:(44)08453050500) [Fax: \(44\) 01483 257 917](tel:(44)01483257917)

<http://www.butterworths.com/content/support/techsupport.htm>

To assist the helpline in resolving your problems as quickly as possible please have the following information to hand before calling

What internet browser are you using?

What product do you subscribe to?

Do you have a network or a standalone PC?

If you are on a network what type is it? (ie. Novell NT etc)

Which version of Dos are you using

Which version of Windows are you using?

What was the sequence of events leading up to your problem

5.3 Customer Support

Butterworths Direct Helpline is available from Monday to Friday 09.00 – 17.00

Tel: 0845 608 1188

For calls from outside the UK: (44) 207 400 2822

5.4 Training

To find out more about our comprehensive training courses and to reserve a place.

Tel: (44) 0207 400 4639

E-mail: training@butterworths.com