

2011

YEAR IN REVIEW

and AustLII Foundation Limited Annual Report



Australasian Legal Information Institute

www.austlii.edu.au

Australia's largest provider of online free-access legal materials

AustLII is a joint facility of UTS and UNSW Faculties of Law



UNIVERSITY OF
TECHNOLOGY SYDNEY



UNSW
THE UNIVERSITY OF NEW SOUTH WALES

2011 AT A GLANCE

HITWISE 2011 ONLINE PERFORMANCE AWARD

AustLII was awarded the number one website in the Business and Finance - Legal Industry category based on market share of Australian Internet visits in 2010. AustLII is measured against websites in the legal industry, including those from government agencies, commercial publishers, courts and tribunals, legislative bodies, law firms etc.

MOBILE APPLICATIONS RELEASED

AustLII launched its mobile app for iPhone, iPad and Android. In the six months post the launch of the app, over 233,000 accesses to AustLII have been through the app.

AVIATION AND HEALTH LAW LIBRARIES LAUNCHED

AustLII and the Aviation Law Association of Australia and New Zealand jointly developed an online aviation law library on AustLII. The Australasian aviation law library was launched on 4 April at the national Aviation Law Association of Australia and New Zealand's National Conference. The library provides the

aviation law related resources on AustLII and NZLII in one searchable location. This includes legislation, cases, legal scholarship, law reform materials and treaties.

The recently established Australian Health Practitioner Regulations Agency (AHPRA) implements the new National Registration and Accreditation Scheme across Australia. AHPRA supports the National Health Practitioner Boards that regulate chiropractors, dentists, nurses, midwives, optometrists, osteopaths, pharmacists, physiotherapists, podiatrists and psychologists. The decisions of these health boards in all states and territories in Australia are available in the new Australian health practitioner law library on AustLII. AustLII thanks AHPRA for its support in the development of the library.

LIBERIA LEGAL INFORMATION INSTITUTE LAUNCHED

The Liberia Legal Information Institute was launched in September 2011. This system provides free electronic access to Liberian legal information for the first time at: <<http://www.liberlii.org/>>.



Australasian Legal Information Institute (AustLII)

AustLII Research Institute

A joint facility of UTS and UNSW Faculties of Law

AustLII Foundation Limited

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AUSTRALASIAN LEGAL INFORMATION INSTITUTE

2011 YEAR IN REVIEW

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AUSTLII FOUNDATION LTD CHAIR'S REPORT

In its second full year of operation AustLII Foundation Ltd has continued to provide Australia with an enhanced level of free access to the vast range of laws and judicial decisions which govern Australian individuals and organisations. In so doing it has continued to benefit greatly both from the support of its stakeholders and the work of AustLII's staff. During 2011 a number of initiatives came to fruition - the development of two major new libraries in Aviation and Health Law and the introduction of mobile phone applications. The number of databases now on the AustLII website and which the Foundation maintains increased to reach almost 500.

Perhaps the most exciting development that has taken shape quite noticeably during 2011 has been the increment in the historical depth of the legal materials available through AustLII. The funding provided by the Victorian Legal Services Board has led to a very significant upgrade to the comprehensiveness and quality of Victorian legal materials available through AustLII. This has set an impressive standard to be met for other jurisdictions. It is particularly gratifying to be able to report that work upon that extension is now able to proceed quite rapidly through the Legal History Library funding that has been provided to the AustLII Institute by the Australian Research Council.

During the year, the Board initiated processes to enhance its capacity to ensure that the Foundation, and especially the services it provides, are strategically directed and developed, both in the areas of technology and usefulness to users. This involves, inter alia, combining a careful demarcation between the library services provided through the Foundation, and the impressive research activities of the Institute, with governance arrangements designed to ensure full synergies between the two entities. Moreover, the Board has determined to provide enhanced support

for stakeholders, including obtaining systematic stakeholder "feedback" aimed at ensuring that the Foundation's services meet users' needs at best practice levels.

Our stakeholder-driven donation funding model has proven to be an efficient and cost-effective vehicle for the provision of AustLII's electronic law library services. While successful to date, it would be a mistake to take the continuing operation of the Foundation's funding model for granted. The Board gives priority to the need for the prudent and effective use of the Foundation's limited resources and continues to monitor its operating cost base carefully. However, it is obvious that the Foundation's operating costs will need to rise in the coming years to support the enhanced scope and quality of the services it provides. This makes it imperative for the Board to widen the base of the Foundation's financial support. One priority will be upon increasing the proportion of AustLII's commercial users who make a contribution to its running costs (currently less than 50% do so).

The Board wishes to put on record its strong appreciation for the support provided to the Foundation by the two member Universities and almost all Australian Law Schools, the many courts and tribunals who provide data and funding, and to the many businesses, government agencies, and a substantial number of legal professional organisations, firms, and individuals who have continued to provide funding and in-kind support to AustLII Foundation during 2011.

Finally, on behalf of the Board, I would like to acknowledge the continuing effective and professional work of AustLII's staff during 2011. It is an honour to be a part of the Foundation's endeavours for another year.

Dr Jeff FitzGerald (Chair, AustLII Foundation Limited)

AUSTLII CO-DIRECTORS' REPORT

The AustLII Research Institute had a successful year in 2011, with major developments both locally and internationally. Under the 'Victoria, Model Jurisdiction for Free Access to Law' project, all significant Victorian reported cases were added to the AustLII collection, and all annual legislation, since the formation of the colony were also included.

Internationally, our AusAID and ARC funded projects resulted in the launch of the Legal Information Institute of India (LII of India) in India by the Law Minister. This facility now includes over 800,000 Indian cases in full text and 151 databases.

AustLII was also selected by USAID for funding to develop the Liberia Legal Information Institute (LiberLII), in cooperation with the American Bar Association and Liberian partners. LiberLII was launched in September, and is a successful demonstration of how free access to law can be initiated in a least-developed country.

AustLII's ARC LIEF-funded 'European Law on WorldLII' project has resulted in rapid development of databases of case law and legislation on WorldLII from over 20 European countries. A significant focus of research continued to be the LawCite citator (funded from an ARC Linkage grant), the only Australian and international free access legal citator, which was developed further so that by year end it included citation records for over 4 million cases, journal articles and treaties.

International recognition for AustLII's work came from the final communiqué of the Commonwealth Heads of Government Meeting (CHOGM), which endorsed AustLII's Commonwealth Legal Information Institute (CommonLII) as Commonwealth-wide infrastructure.

An exciting new development for the Research Institute is that in 2012/13 AustLII will work with leading legal historians from Australia and New Zealand to create the 'Australasian Legal History Library'. A successful application in 2011 for a 2012/13 ARC LIEF grant by a consortium of ten Universities led by UTS obtained a budget of \$750,000 for this project. This initiative will lead to the largest expansion of AustLII's databases of any single project.

AustLII Foundation Ltd completed its second successful full year of operations. We wish to thank our Law Deans (Prof David Dixon and Prof Jill McKeough), the Chair of the AustLII Foundation Ltd Board, Dr Jeff FitzGerald, and the members of the company Board and the Research Institute Management Committee for their work and support in 2011.

The AustLII Foundation has continued to maintain its contributor base with around \$1 million being received in 2011. As always, we acknowledge the essential role of AustLII's contributors.

In 2011 AustLII conducted significant strategic planning exercises on both the Institute and Foundation sides of its operations. We would like to thank Mr Philip Pogson for his assistance with this strategic planning.

AustLII management continues to be very grateful to our small team of existing and new staff. Their ongoing enthusiasm, dedication to AustLII's mission and technical expertise and is the key ingredient in AustLII's success.

Andrew Mowbray, Graham Greenleaf, Philip Chung (Co-Directors, AustLII)

ABOUT AUSTLII

The Australasian Legal Information Institute (AustLII) was founded in 1995. It is the largest free-access provider of online Australian legal materials, a founding member of the Free Access to Law Movement, and one of the largest providers of world-wide free-access legal content. AustLII collaborates with other free access LIIs around the world to operate four international multi-LII systems for legal information: Asian Legal Information Institute (AsianLII); Commonwealth Legal Information Institute (CommonLII); World Legal Information Institute (WorldLII); and the LawCite international citator. In addition, AustLII jointly operates the New Zealand Legal Information Institute (NZLII) and the LII of India, in cooperation with local partners in those countries.

AustLII comprises the AustLII Research Institute and the AustLII Foundation Limited, a not-for-profit company limited by guarantee operating as a charity. The Foundation raises donations to operate and maintain AustLII's Australian infrastructure and services. The AustLII Research Institute conducts research and is responsible for AustLII's international collaborations including AsianLII, CommonLII and WorldLII.

AustLII is part of the international Free Access to Law Movement and adheres to the following principles:

- Public legal information from all countries and international institutions is part of the common heritage of humanity. Maximising access to this information promotes justice and the rule of law;
- Public legal information is digital common property and should be accessible to all on a non-profit basis and free of charge;
- Organisations such as legal information institutes have the right to publish public legal information and the government bodies that create or control that information should provide access to it so that it can be published by other parties.

The **AustLII Foundation Limited's** objects are to:

- Be a not for profit entity to promote the sound administration and development of the law by:
 - Promoting and supporting free and effective access to public legal information in Australia by means of an electronic public library;
 - Providing, and supporting the provision by its members of, free anonymous public access in Australia to a searchable and regularly updated comprehensive and reliable internet-based electronic public library of Australian public legal materials;
- Maintain systems, programmes and databases for the effective handling of an electronic public library of information and related policy development, collaborate with other researchers and providers of such information, and develop, implement and disseminate improvements and associated technical assistance and advice;
- Advance legal education by promoting and encouraging research in the field of legal information systems and dissemination of the useful results thereof; and
- Do all other things as may be incidental or ancillary to the attainment of these objects.

The AustLII Research Institute's mission is to be a centre of excellence in the development of legal information systems through research, the operation of public free access legal research

facilities, and education in legal research techniques and infrastructure. In doing so, AustLII will advance the public interest in free access to public legal information within Australia and internationally.

By pursuing its mission, the AustLII Research Institute advances the missions of each of our Law Faculties to be recognised as national leaders in research, research infrastructure provision and legal education; to contribute to broader community objectives; and to be recognised as Law Faculties of international standing with a major commitment to engagement in international legal affairs of significance to Australia.

The **AustLII Research Institute** aims to achieve its mission by pursuit of the following objectives:

1. Research and development

- To conduct international standard research in technologies for developing legal information systems, and in the development of standards necessary to make such technologies operational.
- To develop AustLII's own tools for building legal information systems wherever appropriate, so as to maintain AustLII's public access facilities as innovative examples of international standard systems.
- Where consistent with AustLII's other objectives, to provide innovations developed by AustLII as open source software and standards to enable their use by others.

2. Public policy

- Through our advocacy and example, to achieve and defend free public access via the Internet to public legal information in Australia.
- Through our advocacy and example, our assistance to others by making available AustLII's expertise and software, and our collaborations with other parties, to assist others internationally to achieve free public access via the Internet to public legal information from all countries.
- To uphold the Declaration on Free Access to Law adopted by AustLII and other Legal Information Institute in Montreal in 2002.

3. Public access law facilities

- To build cost-effective free access public facilities for access to law by maximising the automated conversion and processing of legal information and minimising the necessity for hand editing.
- To provide on AustLII's Australasian service (the 'AustLII' website) a comprehensive collection of the most important databases of Australian public legal information (legislation, case law, treaties, law reform reports and others of like importance); legal scholarship that is available for free access; and other legal databases of strategic importance in advancing the public interest, and which advance AustLII's research activities.
- To provide on international services operated by AustLII (including WorldLII, CommonLII, AsianLII and LawCite), or through collaboration with other free access providers of legal information in the operation of those international services, free access to legal information of value to Australian legal researchers, and to legal information which contributes to AustLII achieving its other objectives.
- To provide on all of the services operated by AustLII the most effective access mechanisms to online legal information.

- To achieve a high level of user satisfaction for all of the services operated by AustLII.
- Through open standards, and through tools AustLII provides, to enable others to build value-added legal services which make appropriate use of data located on services operated by AustLII, but which also respect AustLII's interests in the value it adds to its source data and which also respect the interests of others in that data.

4. Operational

- To advance the missions of our host Law Faculties by pursuit of consistent goals.
- To provide a stimulating and satisfying long-term work environment for AustLII staff.
- To maintain free access to services operated by AustLII, with no access charges to end-users, and with the maintenance of user's reasonable expectations of privacy and freedom from manipulation.
- To cooperate with other providers of legal information, both free access and commercial, in Australia and internationally, to maximise the public benefit in obtaining free access to as wide a range of resources as is feasible.

GOVERNANCE

The AustLII Foundation Limited is an income tax exempt charitable organisation, incorporated as a company limited by guarantee. The Foundation has obtained Deductible Gift Recipient status from the Australian Taxation Office, hence donations are tax deductible. It is governed by a Board of Directors.

The AustLII Foundation Limited Board as at 31 December 2011 is comprised of:

- **Dr Jeff FitzGerald (Chair)** (appointed to the Board on 22 December 2008) Former Registrar of the University of Technology, Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department
- **Prof Carrick Martin (Chair, Finance Committee)** (appointed to the Board on 22 December 2008) Former Deputy Vice-Chancellor, Administration, Macquarie University
- **Mr Philip Chung (Managing Director)** (appointed to the Board on 23 June 2009) Lecturer, Faculty of Law, University of Technology, Sydney; Visiting Fellow, University of New South Wales; Executive Director, AustLII Research Institute
- **Prof Graham Greenleaf (Executive Director)** (appointed to the Board on 22 December 2008) Professor, Faculty of Law, University of New South Wales; Co-Director, AustLII Research Institute
- **Prof Andrew Mowbray (Executive Director)** (appointed to the Board on 27 April 2009) Professor, Faculty of Law, University of Technology, Sydney; Co-Director, AustLII Research Institute
- **Mr Tim Bugg** (appointed to the Board on 23 June 2009) Partner, Dobson Mitchell & Allport; Chair, International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia
- **Prof David Dixon** (appointed to the Board on 22 December 2008) Dean, Faculty of Law, University of New South Wales
- **Mr Ian Govey** (appointed to the Board on 23 June 2009) Chief Executive Officer, Australian Government Solicitor
- **Prof Jill McKeough** (appointed to the Board on 27 April 2009) Dean, Faculty of Law, University of Technology, Sydney

The Company Secretary is **Roger Allsep** (appointed 20 May 2009)



AustLII Foundation Limited Board of Directors - Front row (L to R): Prof Carrick Martin, Prof Jill McKeough, Mr Tim Bugg, Prof Andrew Mowbray (Executive Director). Back row (L to R): Mr Philip Chung (Managing Director), Mr Roger Allsep (Company Secretary), Dr Jeff FitzGerald (Chair), Prof Graham Greenleaf (Executive Director) and Mr Ian Govey. Board member not in photograph: Prof David Dixon.

The AustLII Research Institute is a joint facility of the Faculties of Law at the University of Technology, Sydney and the University of New South Wales and is governed under a MOU between the two Law Schools. It is governed by a Management Committee that comprised of the following:

- **Mr Philip Chung** (Executive Director, AustLII Research Institute; Lecturer, Faculty of Law, University of Technology, Sydney; Visiting Fellow, University of New South Wales)
- **Prof David Dixon** (Dean, Faculty of Law, University of New South Wales)
- **Prof Graham Greenleaf** (Professor, Faculty of Law, University of New South Wales; Co-Director, AustLII Research Institute)
- **Prof Jill McKeough** (Dean, Faculty of Law, University of Technology, Sydney)
- **Prof Andrew Mowbray** (Professor, Faculty of Law, University of Technology, Sydney; Co-Director, AustLII Research Institute)

and in attendance:

- **Ms Pamela Hoyte** (Faculty Manager, Faculty of Law, University of Technology, Sydney)
- **Ms Brooke Predebon** (Faculty General Manager, Faculty of Law, University of New South Wales)

MANAGEMENT AND STAFF

Managing and Executive Directors

The AustLII Research Institute is jointly managed by three co-directors:

- Andrew Mowbray (Professor of Law and Information Technology, Faculty of Law, UTS) (Co-Director)
- Graham Greenleaf (Professor of Law and Information Systems, Faculty of Law, UNSW) (Co-Director)
- Philip Chung (Lecturer, Faculty of Law, UTS; Visiting Fellow, UNSW) (Executive Director)

The Managing Director of the AustLII Foundation Limited is Philip Chung. Graham Greenleaf and Andrew Mowbray serve as Executive Directors of the Company.

Full-time Staff

- Howey Fu (System Developer) seconded from Intersect to July 2011
- Chris Kenward (Systems Developer) seconded from Intersect from August 2011
- Qaisar Khan (Systems Developer) seconded from Intersect to October 2011
- Sean Lin (Systems Developer) seconded from Intersect from June 2011
- Sean McCarthy (Systems Developer) seconded from Intersect to March 2011
- Annelies Moens (External Relations Manager)
- Jones Olatunji (Systems Administrator)
- Cathy Quigley (Administrative Officer)
- Trevor Roydhouse (Systems Developer)
- Rajan Sharma (Systems Developer)
- Kent Soesanto (Project Officer)
- Armin Wittfoth (Project Officer)
- Carol Wong (Project Officer)
- Leo Yang (Systems Developer) seconded from Intersect from May 2011

Part-time Staff

- Raul Carrizo (Systems Developer) seconded from Intersect from September to October 2011
- Ben Hayes (Project Officer) from March 2010
- Jill Matthews (Project Officer)
- Joni Sham (Project Officer)
- Michael Tan (Project Officer) to July 2011
- David Vaile (External Relations / Training Officer)
- Spencer Wu (User Interface Designer) seconded from Intersect from September 2011

For details of staff responsibilities see AustLII Personnel at <http://www.austlii.edu.au/austlii/personnel.html>.

AUSTRALIAN DEVELOPMENTS

NEW DATABASES ON AUSTLII

In 2011, 21 new databases as well as two new libraries (Aviation Law and Health Practitioner Law) were added to AustLII. This brought the total number of databases that AustLII maintained in 2011 to 485. The development of the new libraries was financially supported by industry specific partners the Aviation Law Association of Australia and New Zealand (ALAANZ), and the Australian Health Practitioner Regulations Agency (AHPRA). The Australian Taxation Office (ATO) assisted with the maintenance of the tax related databases. The new Victorian databases were supported by a grant from the Victorian Legal Services Board. Many other databases were also supported, including support from the content providers.

LawCite, AustLII's free-access Australian and international citator has been fully integrated into AustLII search results. When users search over AustLII, each case or journal article in the results list now links to the record for that case or article, showing where and how often it has been cited. LawCite has also been integrated into AustLII's international portals, CommonLII, AsianLII and WorldLII. LawCite currently indexes close to 4 million items and grows more extensive all the time.

The new databases added in 2011 were:

- ALTA Law Research Series 1997-
- Asia Pacific Journal of Environmental Law 2004-
- Australian and New Zealand Journal of Law and Education 1996-2008
- Australian and New Zealand Sports Law Journal 2006-
- Australian Information Commissioner 2011-
- Australian Institute of Administrative Law Forum 1994-
- Australian Law Librarian 1993-
- Australian Mining and Petroleum Association Yearbook 1997-
- Commonwealth Repealed Regulations
- Dental Tribunal of New South Wales 2009
- Health Practitioners Tribunal of South Australia 2011-
- International Journal of Law and Education 2009-
- Monash University Law Research Series 2009-
- Nursing and Midwifery Tribunal of New South Wales 2007-
- Osteopathy Tribunal of New South Wales 2010-
- Podiatry Tribunal of New South Wales 2010-
- Queensland Judicial Scholarship 1990-
- Queensland Numbered Regulations 2007-
- Tasmanian Health Practitioners Tribunal 2011-
- Victorian Reports 1953-1996
- Victorian Law Reports 1874-1956

The following 'virtual databases' were created for the Aviation Law Library:

- Australian Commonwealth Cases Concerning Aviation Law Issues
- Australian State and Territory Cases Concerning Aviation Law Issues
- Australian Commonwealth Legislation Concerning Aviation Law Issues

- Australian State and Territory Legislation Concerning Aviation Law Issues
- Australian Treaties Concerning Aviation Law Issues
- Australian Law Reform Publications Concerning Aviation Law Issues
- Australian Legal Scholarship Concerning Aviation Law Issues



Book launch by the Hon. Michael Kirby of “Capacity and the Law” by Nick O’Neill and Carmelle Peisah published by Sydney University Press in co-operation with AustLII. L to R: Prof David Dixon (Dean, Faculty of Law, UNSW; Director, AustLII Foundation Limited), A/Prof Carmelle Peisah (UNSW), Nick O’Neill (UNSW) and the Hon. Michael Kirby

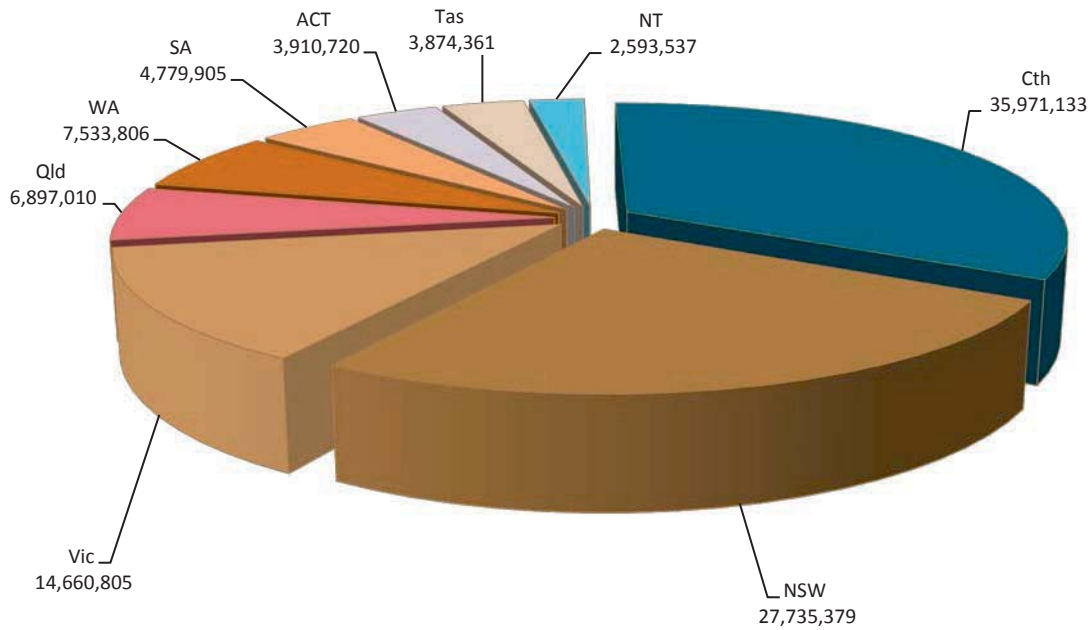
AUSTLII USAGE

AUSTLII’S DATABASE USAGE AND MARKET SHARE

Total hits for 2011 exceeded 216 million and averaged 592,969 hits per day. This was less than last year due to AustLII actively blocking the spidering of case law data on AustLII-operated services because this was not in compliance with AustLII’s Usage Policy or its Robot Exclusion Policy.

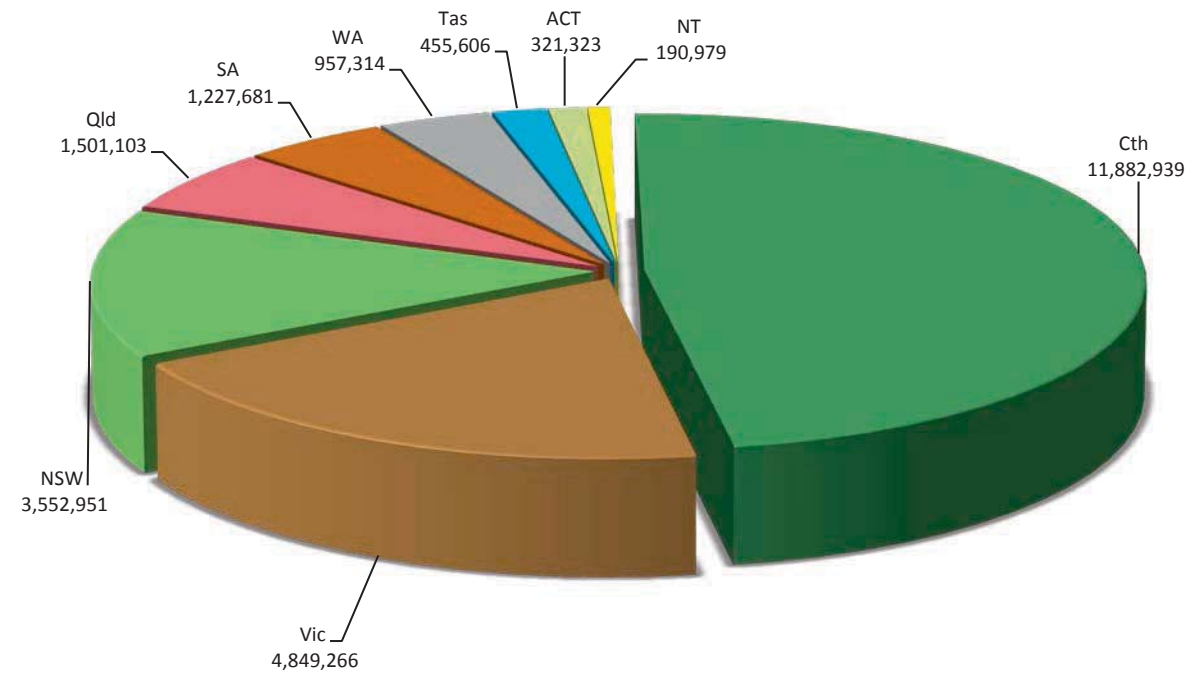
The most popular databases on AustLII in 2011 were Commonwealth legislation, followed by NSW and Victorian legislation databases. Access to case law databases in all jurisdictions increased in 2011. The following graphs show the number of accesses to AustLII’s legislation and case law databases by jurisdiction.

Australian legislation requests by jurisdiction in 2011



Legislation requests included permitted accesses by search engine web spiders and included requests to access individual sections of legislation.

Australian case requests by jurisdiction in 2011



The number of case law requests did not generally include accesses by search engine web spiders which AustLII excludes from access.

AustLII maintained the number one market position in the online legal category throughout 2011 (according to Hitwise). This category included websites from government, publishers, courts & tribunals, law societies, legal firms and barristers. In 2011, AustLII had an average monthly market share of 24.6% in the online legal category.

The volume of data downloaded - 16.59 terabytes - remained stable compared with 2010.

AUSTLII'S MAJOR USERS

Most of AustLII's users access AustLII through large internet service providers, as well as through University services. Consequently, AustLII is unable to identify a high percentage of its users because AustLII does not receive internet protocol addresses (IP addresses) specific to them. Other users are however able to be identified from their IP addresses.

AustLII's identifiable users fall into four sectors:

- commercial (mostly comprising the legal profession)
- education
- government
- general community

Of the top identified users, 45.3% are from the commercial sector, 26.6% from the government sector, 26.8% from the education sector and 1.3% from the community sector. This means that commercial use of AustLII is increasing as a percentage of overall use compared to the other sectors.

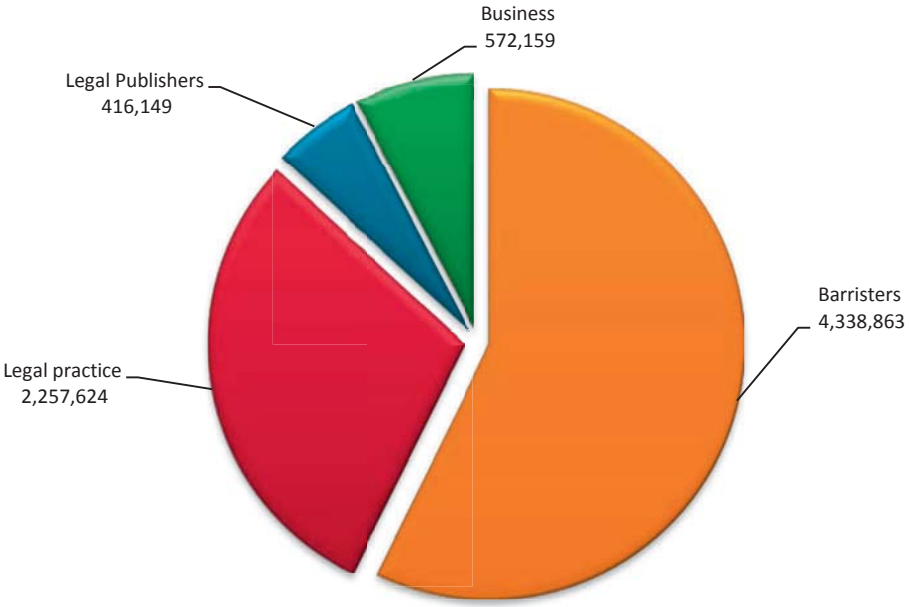
COMMERCIAL SECTOR

Identified users in the commercial sector fall largely into the following categories:

- barristers (identified through specific bar internet service providers and chambers)
- legal practices (including private law firms and patent and trade mark attorneys)
- legal publishers
- businesses

While usage of AustLII by the commercial sector continues to grow it is notable that only 17 of the top 50 identifiable commercial users (29,000 or more requests per annum) contribute to AustLII's running costs. Contributions from AustLII's largest identifiable users from the commercial sector continue to remain below their rates of usage. It is noted that 7 of the top 12 identifiable commercial users of AustLII make no contribution.

Number of requests from the top 50 identifiable commercial users in 2011

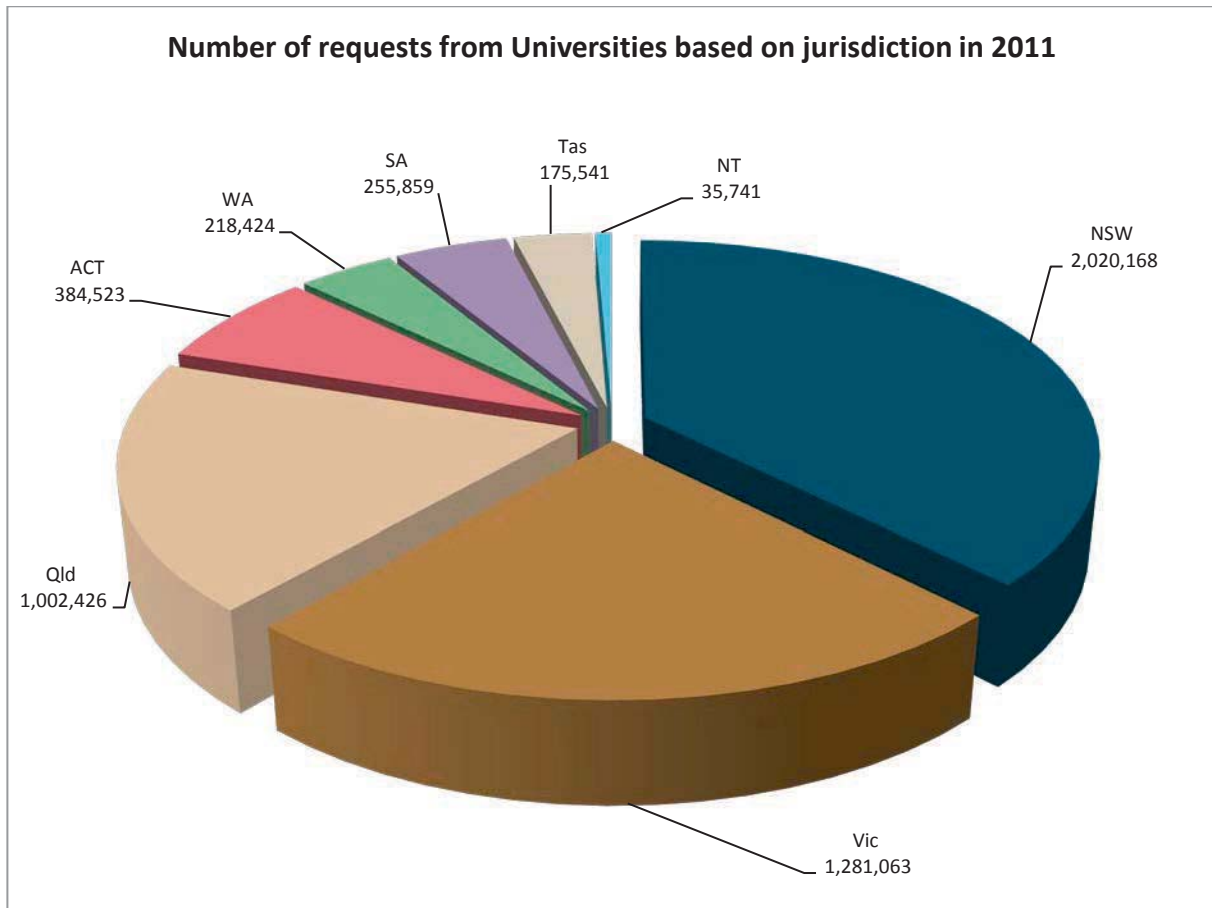


COMMERCIAL USAGE OF AUSTLII IN 2011

Commercial Category	Number of requests	Contributor in 2011
1 Barristers – Vic	2,024,795	<input checked="" type="checkbox"/>
2 Barristers – NSW	991,750	<input checked="" type="checkbox"/>
3 Barristers – NSW	982,290	
4 Legal Publisher	311,888	
5 Legal Practice	301,982	<input checked="" type="checkbox"/>
6 Legal Practice	273,960	
7 Business	235,206	
8 Barristers – WA	203,758	
9 Business	159,103	
10 Legal Practice	134,655	<input checked="" type="checkbox"/>
11 Legal Practice	132,473	<input checked="" type="checkbox"/>
12 Legal Practice	132,368	
13 Legal Practice	109,024	<input checked="" type="checkbox"/>
14 Barristers – Vic	88,241	
15 Legal Practice	83,314	<input checked="" type="checkbox"/>
16 Legal Publisher	74,358	<input checked="" type="checkbox"/>
17 Legal Practice	69,418	
18 Legal Practice	62,334	<input checked="" type="checkbox"/>
19 Legal Practice	59,421	
20 Legal Practice	57,571	<input checked="" type="checkbox"/>
21 Legal Practice	51,377	<input checked="" type="checkbox"/>
22 Legal Practice	49,032	
23 Business	48,456	
24 Legal Practice	48,444	<input checked="" type="checkbox"/>
25 Barristers – SA	48,029	
26 Legal Practice	47,755	<input checked="" type="checkbox"/>
27 Legal Practice	46,736	
28 Legal Practice	44,907	<input checked="" type="checkbox"/>
29 Legal Practice	43,309	
30 Legal Practice	40,765	<input checked="" type="checkbox"/>
31 Business	40,199	
32 Legal Practice	35,566	
33 Legal Practice	34,798	
34 Legal Practice	34,618	
35 Legal Practice	34,149	
36 Legal Practice	32,717	
37 Legal Practice	32,467	<input checked="" type="checkbox"/>
38 Business	31,996	
39 Legal Practice	31,217	
40 Legal Practice	31,198	
41 Legal Practice	30,890	
42 Legal Practice	30,790	
43 Legal Practice	30,539	<input checked="" type="checkbox"/>
44 Legal Publisher	29,903	
45 Business	29,038	
46 Legal Practice	28,996	
47 Business	28,161	
48 Legal Practice	27,500	
49 Legal Practice	26,801	
50 Legal Practice	26,533	

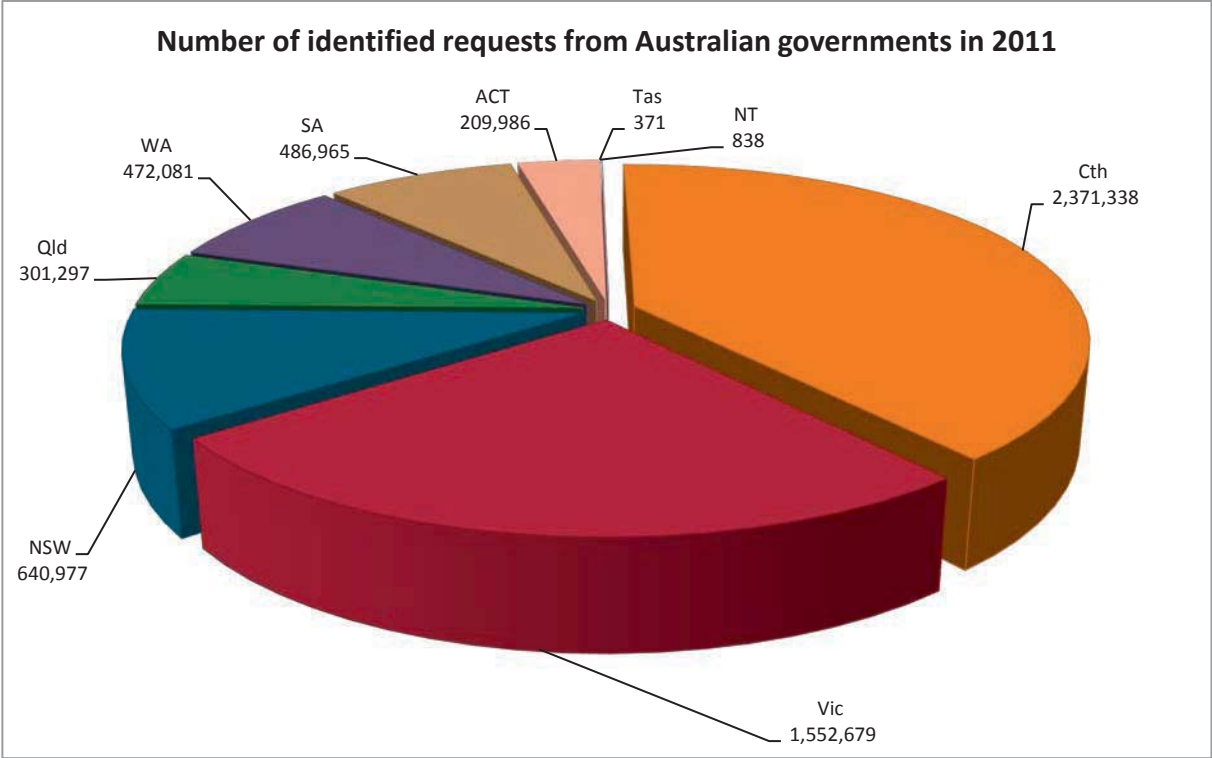
EDUCATION SECTOR

The education sector in Australia represented nearly 27% of AustLII's top identified users in 2011. All Universities in Australia use AustLII and almost all Universities in Australia provide a contribution towards its funding. Total usage from the University sector in 2011 was over six million requests. Most Australian Universities make a financial contribution to AustLII because they recognise AustLII's value to their teaching and research, and that the costs of its operation need to be widely shared.



GOVERNMENT SECTOR

The government sector in 2011 represented 26% of AustLII's top identifiable users. A significant amount of government use is identifiable at agency level, including Commonwealth, State and Territory government agencies.



Jurisdiction	Number of Requests in 2011
Federal Government Usage	2,371,338
State/Territory Government Usage	3,665,194
Total Identified Government Usage	6,036,532

INTERNATIONAL SYSTEMS AND DEVELOPMENTS

One of the two main functions of the AustLII Research Institute is to operate three multi-LII systems for international free access legal information – AsianLII, CommonLII and WorldLII – in cooperation with a group of collaborating Legal Information Institutes based in other countries. Closely related is the LawCite citator operated by AustLII, the only international free access case and journal article citator, operated in conjunction with the same group of collaborating LIIs. AustLII also jointly operates the New Zealand Legal Information Institute (NZLII), in partnership with the University of Otago Law School.

The AustLII Research Institute has been instrumental in assisting other nations develop online access to their laws since 1999, using open source software and other LII tools developed by AustLII. In 2011 AustLII built the Liberia Legal Information Institute (LiberLII) <<http://www.liberlii.org/>>, in partnership with organisations in Liberia, USAID and the American Bar Association. Also in 2011 was the formal launch in India of the Legal Information Institute of India <<http://www.liiofindia.org/>>. It is operated by AustLII (with AusAID funding), in collaboration with eight leading Indian Law Schools, until the process of technology transfer to our Indian partners is complete.

All of AustLII's development of multi-LII systems, and joint operation of overseas LIIs, is funded by grants for these purposes (see next section).

AustLII and the LIIs with which it collaborates are all members participating in the global Free Access to Law Movement (FALM), which had 40 members at the end of 2011. A list of members is at the FALM website <<http://www.fatlm.org/>>, as is the Declaration of Free Access to Law (2002) to which AustLII and other members subscribe. The logos of some of the members of FALM are shown below.



DATABASES SEARCHABLE THROUGH MULTI-LII SYSTEMS

Seventeen LIIs now collaborate in providing the databases searchable via WorldLII. The following Table sets out the approximate number of databases searchable from each of the portals operated by AustLII (AsianLII, CommonLII and WorldLII) as at 31 December 2011, and the number of databases found on each cooperating LII allowing their data to be searched as part of these systems. The 'Countries' column indicates the number of countries that a particular LII adds to the total number of countries whose databases are searchable via WorldLII. Calendar year 2011 saw the single largest increase in the number of databases searchable via WorldLII (from 1,205 to 1,552) in any one year since WorldLII was developed in 2002. The increase is due to substantial increases in the number of databases provided by almost all collaborating LIIs, plus the addition of one new LII (LiberLII).

Table of searchable databases in multi-LII systems (as at 31 December 2011)

Systems	AsianLII	CommonLII	WorldLII	Countries	
AsianLII	166	0	166	23	*
AustLII	0	421	421	1	
BAILII	0	113	113	4	
CommonLII	36	66	66	22	*
CyLaw	0	6	6	1	
Droit.org	0	0	1	1	
GLIN	4	0	49	34	
HKLII	32	32	32	1	
LawPhil	16	0	16	1	
LII Cornell	0	0	3	1	
LiberLII	0	0	8	1	*
NZLII	0	64	64	1	*
LII of India	151	151	151	1	*
PacLII	25	260	260	19	
SAFLII	0	84	89	15	
ULII	0	7	7	1	
WorldLII	0	0	100	55	*
2011 TOTAL	430	1204	1552	182	555
<i>2010 TOTAL</i>	<i>300</i>	<i>905</i>	<i>1205</i>	<i>164</i>	<i>408</i>

AustLII now maintains 555 of these international databases (an increase from 408 in 2010), in addition to the 421 Australian databases on AustLII. They are on six other LIIs (marked *).

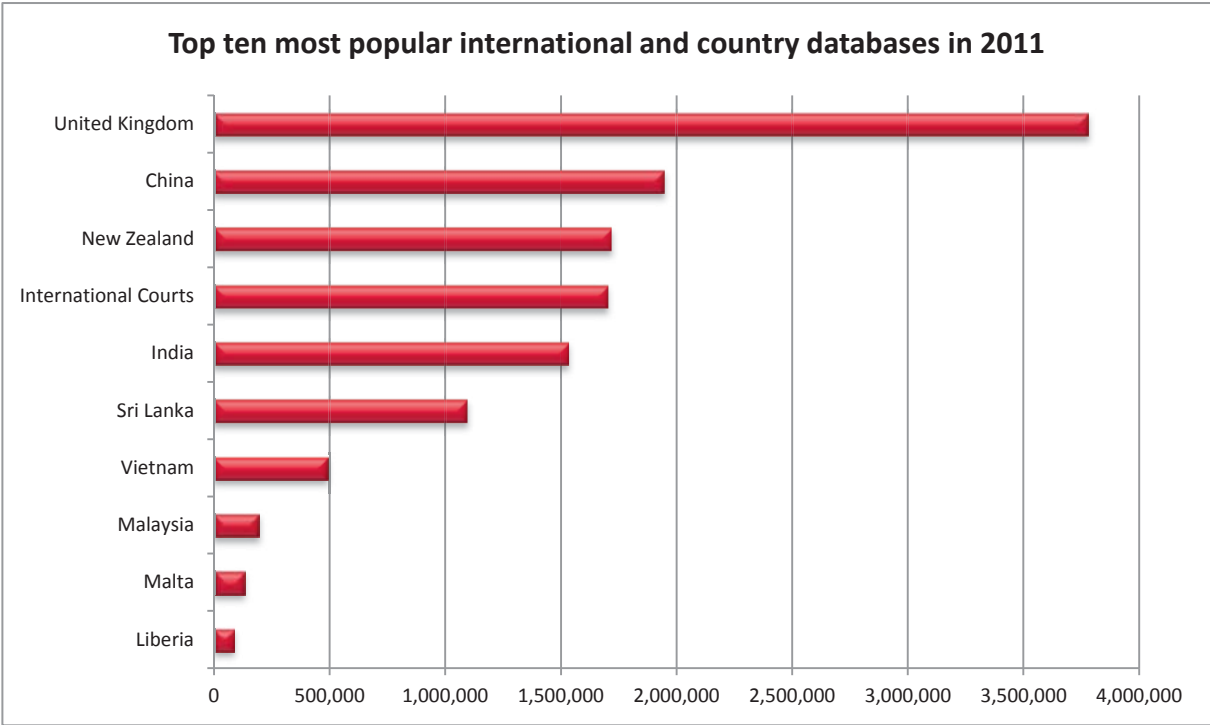
INTERNATIONAL SYSTEMS USAGE

There are two measures of accesses to the multi-LII systems which AustLII coordinates (WorldLII, CommonLII and AsianLII): (i) access to the databases of collaborating LIIs resulting from searches via the multi-LII systems; and (ii) accesses to databases maintained by AustLII located on the multi-LII systems. AustLII does not hold access statistics on (i), as those accesses are only recorded on the systems concerned. Because the numbers of documents on AustLII, BAILII, PacLII etc are far larger than the numbers of documents in databases located on AsianLII, WorldLII or CommonLII, it is likely that (i) is much larger than (ii). The statistics below relate only to (ii).

In 2011, there were over 31 million accesses to the non-Australian databases maintained by AustLII and located on AsianLII, CommonLII, NZLII, LII of India and WorldLII plus citator records on LawCite and Catalog pages.

The following chart shows the top 10 most requested databases maintained by AustLII, by country (excluding databases on AustLII). The most popular international country database in 2011 is from the United Kingdom. The UK accesses refer to the English Reports 1220-1873 located on CommonLII.

Because there is a high level of overlap between databases maintained by AustLII searchable via AsianLII, CommonLII and WorldLII, separate statistics are not given below for each of these multi-LII systems.



LII OF INDIA (LEGAL INFORMATION INSTITUTE OF INDIA)



The Legal Information Institute of India (LII of India) <<http://www.liiofindia.org/>> was developed by AustLII in conjunction with eight of the leading National Law Schools in India. AustLII has received funding from AusAID’s Public Sector Linkages Program (PSLP), and from the Australian Research Council under a LIEF grant concerning CommonLII. LII of India commenced as a set of Indian databases developed within CommonLII, but has now become a separate LII, with 151 databases by the end of 2011. Professor VC Vivekanandan of NALSAR,

Hyderabad, is Director of LII of India, and is establishing staff and equipment at NALSAR so that operation of LII of India can be transferred to local operation over the next three years.

AustLII commenced development of the LII of India with four partner Indian law schools: the National Academy of Legal Studies and Research University (NALSAR), Hyderabad; National Law University, Delhi (NLUD) (New Delhi), National Law University of India (NLUI) (Bangalore) and Rajiv Gandhi School of Intellectual Property Law, Indian Institute of Technology – Kharagpur (IIT, Kharagpur). In 2011 they were joined by four more of India's leading law schools: National University of Juridical Sciences (NUJS), Kolkata, Gujarat National Law University, Gandhinagar (GNLU), Tamil Nadu Dr Ambedkar Law University, Chennai (TNDALU) (Chennai) and Rajiv Gandhi National University of Law, Patiala (RGNUL). The Vice-Chancellors/Deans of the partners, and AustLII's Directors, held annual planning meetings of LII of India's Management Committee in Delhi in 2010 and 2011. The national launch of LII of India, organised by NLU Delhi, was on 9 March 2011 by Union Minister of Law and Justice, Dr M V Moily, with Australia's Deputy High Commissioner as a principal guest. It was followed by 'satellite launches' in Hyderabad, Bangalore, and Kolkata, hosted by the respective partner Universities in those cities and involving the local judiciary and law reform bodies.



Delegates at the *National Launch of the LII of India* at the National Law University, Delhi, India including AustLII Co-Directors Prof Graham Greenleaf and Philip Chung

By the end of its first year of public operation, AustLII has developed LII of India as a system with over 800,000 searchable documents and 151 databases. The interface allows searches over all databases, or separately by each State, Union Territories and the Centre. The databases range from the very small to the West Bengal Appellate Court database with over 100,000 documents. There are 93 legislation-related databases with about 7,000 items of legislation; 43 databases of Indian case law comprising over 750,000 cases in full text (the second-highest number of any LII); 13 law journal databases; plus databases of Indian bilateral treaties and of law reform.

The LawCite international citator is also integrated into the search results of LII of India. For example, LawCite shows the subsequent citation histories (in India and overseas) of 496,000 Indian cases, law journal articles and treaties, such as the Indian Supreme Court decision in *Indian Express Newspapers Bombay (P) Ltd v Union of India* [1984] INSC 230; (1985) 2 SCR 287; (1985) 1 SCC 641; [1985] SCC (Tax) 121; 1984 2 SCALE 853, which the LawCite record

shows has been cited 67 times, including by courts in Lesotho and South Africa, as well as by numerous Indian courts.

101 new databases were added to LII of India in 2011 included the following:

- 29 State and Territory Schemes databases
- 28 State and Territory regulations databases
- 31 State and Territory legislation databases
- GNLU Journal of Law, Development and Politics 2009-
- High Court of Calcutta (Appellate Side) 2003-
- High Court of Calcutta Port Blair Bench 2008-
- Indian Central Administrative Tribunal 2004-
- Indian Cyber Appellate Tribunal 2010-
- Indian Journal of Intellectual Property Law 2008-
- Indian Journal of Constitutional Law 2007-
- Indian Journal of Law and Economics 2010-
- NALSAR Environmental Law and Practice Review 2011-
- NALSAR Law Review 2003-
- NALSAR Media Law Review 2010-
- NALSAR Student Law Review 2005-
- West Bengal Acts 1848-

COMMONLII (COMMONWEALTH LEGAL INFORMATION INSTITUTE)



The Commonwealth Legal Information Institute (CommonLII) <<http://www.commonlii.org/>> provides access to laws from 59 Commonwealth and common law jurisdictions. CommonLII was funded in 2010/11 by an ARC LIEF grant. Most databases searchable via CommonLII are provided by 8 collaborating LIIs in the Free Access to Law Movement, plus 66 databases developed by AustLII on CommonLII (mainly from Asia, the Caribbean, West Africa, Europe, and Commonwealth institutions), eight of which were added in 2011. As mentioned above, over 100 new databases from LII of India also became searchable via CommonLII in 2011. At the end of 2011, CommonLII provided a search facility over more than 1200 databases, an increase from 900 in 2010. All LIIs collaborating in CommonLII expanded the number of databases they make available.

CommonLII was endorsed by the final Communique of the Commonwealth Heads of Government (CHOGM) meeting in November 2011, and was the only specific online project so endorsed by CHOGM. CommonLII has become, in effect, endorsed legal research infrastructure of the Commonwealth of Nations. This initiative has therefore enhanced Australia's international reputation.

The following databases were added in 2011:

- Bahamas Consolidated Acts
- Bahamas Numbered Acts

- Bahamas Statutory Instruments
- Belize Supreme Court 1978-
- Caribbean Community (CARICOM) Treaties 1965-
- Guyanan Consolidated Acts
- Trinidad and Tobago Consolidated Acts
- Supreme Court of Pakistan 2002-

As part of the funding for CommonLII projects in 2011, AustLII responded to requests to provide technical assistance to other legal information institutes including those in Africa and the Pacific Islands.



L to R: Prof Andrew Mowbray (UTS), Paula Rainha (SAFLII), The Hon. Justice Edwin Cameron (Constitutional Court of South Africa), Philip Chung (Executive Director, AustLII) and Mildred Shabangu (Constitutional Court Trust)

ASIANLII (ASIAN LEGAL INFORMATION INSTITUTE)



The Asian Legal Information Institute (AsianLII) <<http://www.asianlii.org/>> provides access to Asian law from 28 countries in Asia, and has been funded primarily by two AusAID Public Sector Linkages Project (PSLP) grants, plus Australian Research Council LIEF funds. At the end of 2011, AsianLII provided searchable access to a total of 430 databases, increased from 300 in 2010. Most of these additional databases were from Commonwealth countries, and are therefore located on CommonLII or on LII of India (see separate listings), but we also added a database of Vietnamese Laws (in Vietnamese).



The World Legal Information Institute (WorldLII - <http://www.worldlii.org/>) provides access to databases from 17 collaborating LIIs, members of the Free Access to Law Movement (see Table for details), plus about 100 databases maintained on WorldLII by AustLII. At the end of 2011, WorldLII provided searchable access to over 1,550 databases from all collaborating LIIs, an increase of about 350 (about 20%) from 2010, due to increases in the number of databases on all collaborating LIIs.

Of the 100 databases maintained by AustLII on WorldLII, the majority are from two main projects, both funded by ARC LIEF grants. The International Law Library on WorldLII <http://www.worldlii.org/int/special/ihl> is the most comprehensive online free-access library of international law materials available on the Internet. The Library includes over 25,000 decisions of International Courts and Tribunals, over 50,000 treaties and international agreements, plus law journals and law reform materials.

A new LIEF project for 2011/12, the European Law Project on WorldLII <http://www.worldlii.org/int/special/europe/> involves the development, within WorldLII, of a systematic set of databases, primarily in English, of European-wide legislation, cases, and treaties, and national legislation, cases and treaties from up to 50 European countries, as well as European legal scholarship. The Project's interface facilitates pan-European comparative searching of both multinational and national legal sources. The primary aim is to make European legal information more accessible to Australian researchers, but it is also intended that the project may encourage and assist the development of more LII-like initiatives in Europe. The LIEF project involves collaboration between nine Australian Universities (UTS, UNSW, Melbourne, UQ, ANU, Bond, UWS, Sydney and Macquarie), with UTS as the lead institution, and has a budget of approximately \$400,000. AustLII and the Italian member of the Free Access to Law Movement, the Institute of Legal Information Theory & Techniques (ITTIG) jointly hosted a one day seminar at ITTIG's offices in Florence in October 2011 to discuss free access to law developments in Europe, attended by delegates from fifteen countries in Europe. Work on the European Law Project continues in 2012.

New databases maintained by AustLII and added to WorldLII in 2011 included:

- Lithuanian Laws
- Constitutional Court of Bulgaria
- Ukraine Constitutional Court
- Lithuania Constitutional Court
- Maltese Laws
- Constitutional Court of the Republic of Latvia 1997-
- Constitutional Court of Hungary 1990-
- Constitutional Council of the Republic of Kazakhstan 1998-
- Constitutional Court of the Republic of Turkey 1996-
- Armenian Laws
- Jersey Unreported Judgments
- Croatian Laws
- Belarusian Laws

- Montenegrin Laws
- Estonian Laws
- Austrian Laws
- Swedish Laws
- ITTIG-DoGi Italian Law Journal Abstracts
- Finnish Laws
- European Union Civil Service Tribunal 2004-
- European Union Legislation in Force
- European Communities Member States Agreements
- Azerbaijan Constitutional Court 1998-
- Utrecht Law Review 2005-
- Azerbaijan Constitutional Court 1998-

NZLII (NEW ZEALAND LEGAL INFORMATION INSTITUTE)



AustLII jointly operates the New Zealand Legal Information Institute (NZLII - <http://www.nzlii.org/>) in conjunction with the University of Otago Faculty of Law and the University of Canterbury, New Zealand. Associate Professor Donna Buckingham, University of Otago, is Director of NZLII. Expansion of NZLII in 2011 to 64 databases was aided by a grant to AustLII from the Australian National Data Service (ANDS).

During 2011, 13 new databases were added to NZLII:

- New Zealand Coroners Court 2010-
- New Zealand Immigration and Protection Tribunal 2010-
- New Zealand Immigration Advisers Complaints and Disciplinary Tribunal 2010-
- New Zealand Law Commission - Issues Papers 2007
- New Zealand Law Commission - Miscellaneous Papers 1996-
- New Zealand Law Commission - Occasional Papers 2006-
- New Zealand Law Commission - Preliminary Papers 1987-
- New Zealand Law Commission - Study Papers 1999-
- New Zealand Refugee Status Appeals Authority 1991-
- New Zealand Removal Review Authority 1991-
- New Zealand Residence Review Board 2006-
- New Zealand Treaties in Force
- New Zealand Youth Court 2005-



LiberLII, the Liberia Legal Information Institute <<http://www.liberlii.org/>> has been developed jointly by AustLII and LiberLII, a non-profit organisation based in Liberia, and supported by key Liberian institutions (Ministry of Justice, Law Reform Commission, James A.A. Pierre Judicial Institute, Liberia National Bar Association and the Louis Arthur Grimes School of Law). The American Bar Association's ABA Rule of Law Initiative (ABA ROLI) has provided very considerable support as an implementing partner of USAID, which provides funding to LiberLII and has funded AustLII's involvement in the project.

The data capture for LiberLII, by scanning and other means, is done in Liberia by the LiberLII staff, with advice from AustLII. During the 2011 initial stage of the project, they sent the data to AustLII to be converted into databases, and AustLII is operating the live system. After nine months development, LiberLII was launched on 15 September 2011. There is a very informative launch video at <<http://vimeo.com/28480328>> which explains the importance of this free access online system to the reconstruction of Liberia's legal institutions and rule of law after so many years of war.

For AustLII, the task of developing LiberLII has provided very valuable experience in how free access to law resources can be effectively implemented in a least-developed country (LDC).

The databases added to LiberLII in 2011 were:

- Constitutions of Liberia
- Supreme Court of Liberia 1928-
- Liberian Rules of Court
- Liberian Legislative Acts (Handbills)
- Liberian Code of Laws Revised
- Liberian Executive Orders
- Liberian Law Journal
- Liberian Law Resources

AustLII also created a number of 'virtual databases' for LiberLII, drawing on resources found on other LIIs: International Court Decisions concerning Liberia; Legal Scholarship concerning Liberia; and Treaties and International Agreements involving Liberia.

RESEARCH

One of the two main functions of the AustLII Research Institute is to carry out research in the field of legal information systems, which can usually be characterised as ‘applied research’. Funding for this research comes from various sources, including conventional research grants (such as Australian Research Council Linkage grants), but research is also very often generated by research infrastructure grants (ARC LIEF, ANDS or otherwise) or international development grants (AusAID, USAID etc) where the goals of infrastructure development pose research issues which must be resolved. AustLII is a ‘research in action’ organisation.

RESEARCH PROJECTS

In 2011 some of the main aspects of AustLII’s research activities were:

- *Research on multi-lingual searching in double-byte Asian languages in the absence of Unicode.* This research resulted in the further development of AustLII’s open source Sino search engine to search Chinese, Vietnamese and Korean and Thai. The research has been implemented to search databases in these languages on AsianLII, and in 2011 resulted in the implementation of the software as the sole search engine for both Chinese and English language searching on the Hong Kong Legal Information Institute (HKLII), and a conference presentation and publication (see below) (Funding: AusAID PSLP grants concerning AsianLII; Research led by Mr Chung)
- *Research on models for sustainable free access to legal information.* This relates to both developed and developing countries, and related issues concerning multi-country free access systems. This research resulted in a number of publications in 2011 (see below). (Funding: ARC LIEF grants concerning CommonLII and European Law on WorldLII and an AusAID grant concerning LII of India; Research led by Prof Greenleaf)
- *Research on citation recognition heuristics for data mining of case, journal article and treaty citations.* Research under this ARC Linkage project in 2011 resulted in improvements to the heuristics on which the LawCite citator is based, leading to the expansion of the citator’s coverage to almost 4 million cases, law reform documents and journal articles by the end of 2011. Publications based on this research will be completed in 2012. (Funding: ARC Linkage; Research led by Prof Mowbray).

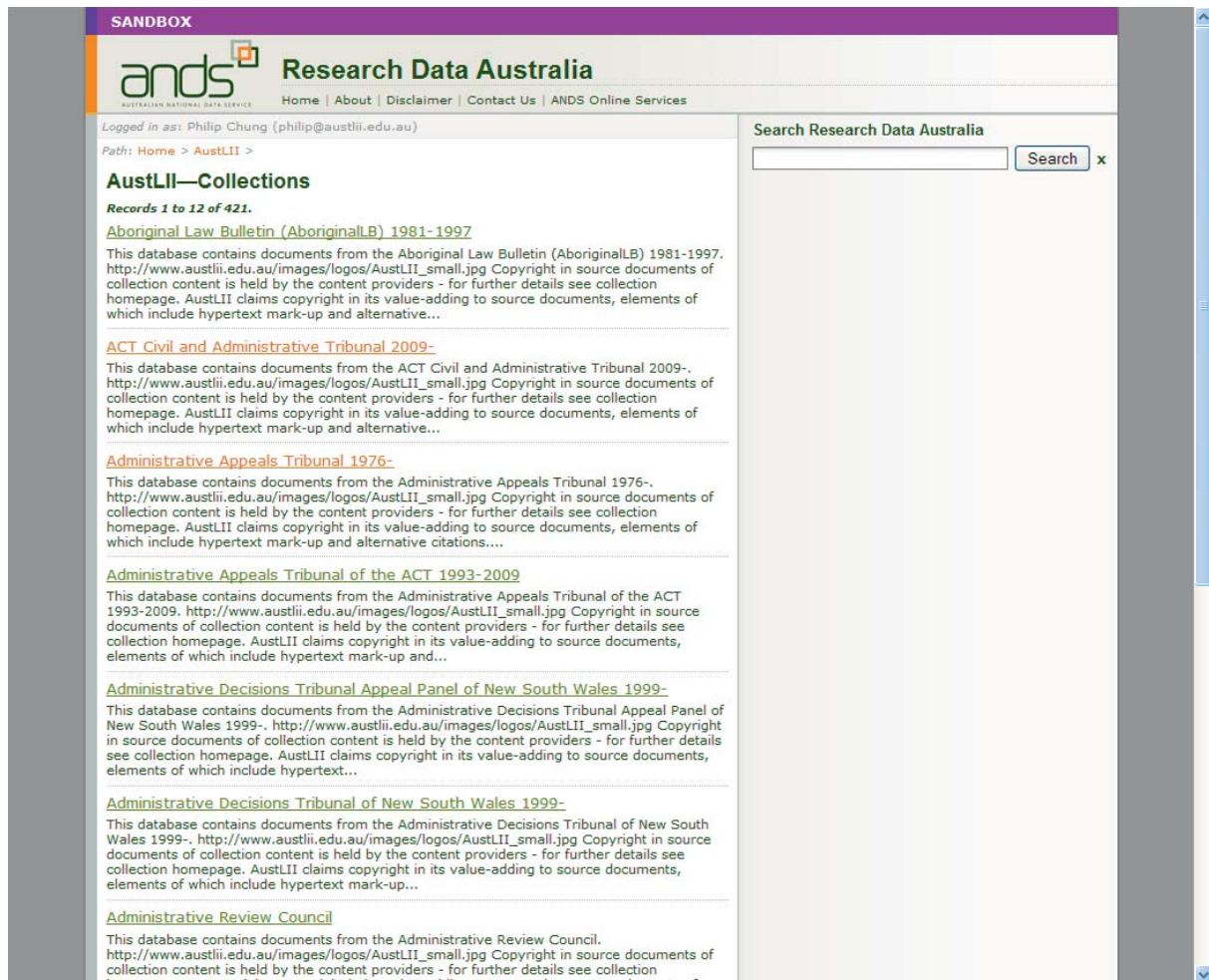
RESEARCH AND RESEARCH INFRASTRUCTURE GRANTS

AustLII applies for competitive grants for research and research infrastructure development of new databases and services. For multi-year grants, only amounts allocated to 2011 are shown.

Grants for Australian Projects

- Australian Research Council (ARC) – Linkage Infrastructure, Equipment Facilities (LIEF) grant for “Bringing Australian free-access legislation to international best practice standards” – ARC: \$164,002; Partner contributions: \$180,000 (11 collaborating institutions)
- Victorian Legal Services Board - “Making Victoria the model jurisdiction for free access to the law online” (year 3 of 3 year grant) – Revenue: \$275,038

- Australian National Data Service (ANDS) – “Increasing the availability and discoverability of Australasian legal research data” - \$300,000



Grants for International Projects

- Australian Research Council (ARC) – Linkage Infrastructure, Equipment Facilities (LIEF) grant for “European Law on WorldLII” – ARC: \$200,000; Partner contributions: \$240,000 (11 collaborating institutions)
- ARC – LIEF grant for “Free access legal research infrastructure for the whole of the common law: Completing CommonLII” – ARC: \$189,410; Partner contributions: \$200,000 (8 collaborating institutions)
- AusAID’s Public Sector Linkages Program (PSLP) for the development of free access to the law in India and countries in South Asia via the Asian Legal Information Institute (AsianLII) (year 3 of 3 year grant) – Revenue: \$100,000
- UNSW provided a major research equipment and infrastructure grant for equipment including servers and storage: \$92,965

RESEARCH PUBLICATIONS

AustLII Co-Directors published the following papers in 2011:

Greenleaf G, Vivekanandan VC, Chung P, Singh R and Mowbray A 'Challenges for free access in a multi-jurisdictional developing country: Building the Legal Information Institute of India' *SCRIPTed* Vol 8 No 3, University of Edinburgh School of Law

Greenleaf G, Chung P and Mowbray, A 'Models for a European-wide free access legal information system' paper presented at *Conference to consider a EuroLII*, ITTIG, Florence, 3 October 2011; 15pgs

Greenleaf G and Peruginelli G 'A comprehensive free access legal information system for Europe' Chapter in Faro, S and Biasiotti, M (Eds) *From Information to Knowledge On Line Access to Legal Information*, Istituto di Teoria e Tecniche dell'Informazione Giuridica, del Consiglio Nazionale delle Ricerche, Firenze, Italy, 2011

Greenleaf G, Mowbray A and Chung P 'AustLII: Thinking locally, acting globally' (2011) 19(2) *Australian Law Librarian*

Greenleaf G and Bond C 'Reuse rights and Australia's unfinished PSI revolution' *Informatica e Diritto-Rivista Internazionale*, Vol. 1, No. 2, pp. 341-69, 2011 (ESI, Naples)

Greenleaf G 'Free access to legal information, LIIs, and the Free Access to Law Movement', Chapter in Danner, R and Winterton, J (eds.) *IALL International Handbook of Legal Information Management*. Aldershot, Burlington VT: Ashgate, 2011

PRESENTATIONS

AustLII Co-Directors made the following presentations in 2011:

- **National Launch of LII of India**, New Delhi, India, 9 March 2011 – “Free access to law in India”, by Graham Greenleaf and Philip Chung
- **ALAANZ 2011 Annual Conference**, Noosa, 4 April 2011 – “Launch of the Aviation Law Library”, by Andrew Mowbray
- **Law via the Internet 2011**, University of Hong Kong, 10 June 2011 – “The Long Tail(s) of the Law: An exploratory study”, by Graham Greenleaf, Philip Chung and Andrew Mowbray
- **Law via the Internet 2011**, University of Hong Kong, 9 June 2011 – “Searching in Chinese: the Experience of HKLII”, by Alex Y H Fung, Kevin K H Pun, Philip Chung, Andrew Mowbray
- **Commonwealth Law Ministers Conference**, Sydney, 12 July 2011 – “CommonLII: The Commonwealth Legal Information Institute” by Andrew Mowbray
- **Treaties Forum**, National Press Club, Canberra, 6 September 2011 – “The Australian Treaties Library” by Philip Chung and Andrew Mowbray
- **Meeting to discuss a European-wide free access to law system**, Institute of Legal Information Theory and Techniques of National Research, Florence, Italy, 3 October 2011 – “Alternative models for multi-country free access to law” by Andrew Mowbray, Graham Greenleaf and Philip Chung

- **Japan Federation of Bar Associations Biennial Conference**, Yokohama, Japan, 11 November 2011 – “Free access to legal information: AustLII’s experience”, by Philip Chung and Andrew Mowbray
- **30th Annual Australian and New Zealand Law and History Conference**, Brisbane, 12 December 2011 – “The Australian Legal History Library” by Andrew Mowbray and Lisa Ford



Participants at the *Law via the Internet Conference 2011* in Hong Kong including AustLII Co-Directors Prof Graham Greenleaf, Prof Andrew Mowbray and Philip Chung

AWARDS

- For the fourth year in a row, AustLII also won the Hitwise Award for being the number one website in the Business and Finance - Legal Industry category based on market share of Australian Internet visits during 2010.

DONATION FUNDING

The AustLII Foundation Limited raises donations to maintain AustLII's Australian infrastructure and services. In 2011, the Foundation raised \$1,045,924 in donation revenue.

AustLII thanks all donors for their support in 2011. These donations play a major part in making AustLII's services sustainable and keeping databases up to date.

LIST OF DONORS AND RESEARCH PARTNERS

Contributors fall into two categories: those that provide donations to maintain AustLII's Australian infrastructure and services and those that are research partners to grants for research and development. Research partners are denoted with *.

Contributors are publicly acknowledged for their contribution on AustLII sponsors' page (unless anonymity is requested): <<http://www.austlii.edu.au/austlii/sponsors>>

AustLII thanks all its 2011 contributors, which are listed below by sector.

GOVERNMENT

GOVERNMENT AGENCIES

National Justice CEOs Group
Australian Taxation Office
Department of Foreign Affairs and Trade*
National Legal Aid Commission
Council of Law Reporting in Victoria
Anonymous Government Agency
Comcare Australia

Department of Families, Housing, Community Services and Indigenous Affairs
National Competition Council
Australian Government Solicitor
National Library of Australia
Queensland Crime and Misconduct Commission
Administration of Norfolk Island

COURTS, TRIBUNALS & REGULATORS

Australian Health Practitioner Regulation Agency
Federal Magistrates Court of Australia
Family Court of Australia
Migration Review Tribunal - Refugee Review Tribunal
Administrative Appeals Tribunal
Fair Work Ombudsman
Fair Work Australia
Western Australian Industrial Relations Commission
Health Professional Councils Authority
Victorian Civil and Administrative Tribunal*
NSW Workers Compensation Commission
Land & Environment Court NSW

SA Industrial Relations Court and Commission
Council of Australasian Tribunals
NT Supreme Court and Magistrates Court
Supreme Court of Tasmania
Takeovers Panel (Dept of Treasury)
Planning Panels Victoria
Australian Human Rights Commission
ACT Civil and Administrative Tribunal
WA Information Commissioner
Mental Health Review Board
Superannuation Complaints Tribunal

EDUCATION

The University of New South Wales*
University of Technology, Sydney* **
University of Queensland*
University of New England
Macquarie University*
The University of Melbourne*
The University of Sydney*
Australian National University*
Bond University*
University of Western Sydney*
College of Law
Monash University
Queensland University of Technology
University of Tasmania
La Trobe University

University of Adelaide
University of South Australia
James Cook University
University of Southern Queensland
Murdoch University
University of Canberra
Curtin University
University of Western Australia Library
Edith Cowan University
Australian Institute of Administrative Law
University of Newcastle
Navitas College of Public Safety
University of Notre Dame

** In addition to its financial contribution, UTS provides physical premises from which AustLII staff operate.

COMMERCIAL

LEGAL PROFESSION

(includes law firms, barristers' chambers, individual solicitors and barristers, patent & trademark attorneys and migration agents)

Allens Arthur Robinson
Australian Law Librarians Association (Vic) Inc
Blake Dawson
Corrs Chambers Westgarth
Clayton Utz
Freehills
Minter Ellison
Arnold Bloch Leibler
Bartier Perry
Gadens
Gilbert & Tobin
Colin Biggers & Paisley
Dibbs Barker
Greenwoods & Freehills
John Toohey Chambers
Russell Kennedy
Sixth Floor Selborne Wentworth Chambers
Tress Cox Lawyers
Turner Freeman
Twelfth Floor Chambers
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Maurice Blackburn
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The Criminal Lawyers' Association
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Valerie Heath (individual)
Willem Kilian (individual)
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Elliott Johnston Chambers
Justice James Allsop (individual)
Fenwick Elliott Grace
JMA Legal Pty Ltd
Owen Hodge Laywers
Prime Lawyers
Adrian Batterby Lawyer
Alec Leopold (individual)
Bell Lawyers Pty Ltd
Clare Thompson (individual)
Connolly Suthers
Darren Jackson (individual)
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David Hooke SC (individual)
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Harry Dixon SC (individual)
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Peter Doherty (individual)
Peter Fox (individual)
Peter Willis (individual)
Robert Crowe (individual)
Robert Richardson (individual)
Russell Cocks (individual)
Sandy Horneman-Wren SC (individual)
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Noel Davis (individual)
David Maddox (individual)
Anthony Scarcella, Lawyer
Australian Workplace Lawyers
Carneys Lawyers
E & A Lawyers
Judith Bornstein (individual)
Lester Fernandez (individual)
Malcolm Robinson (individual)
Margaret Critchlow (individual)
Martin Willoughby-Thomas (individual)
Omond & Co Pty Ltd
Patterson Houen & Commins
Philip Solomon (individual)
Quay Legal Group
Sarah Porritt (individual)
Wallmans Lawyers
Matthew Zilko (individual)
Andrew Downie (individual)
Cogill Woods Legal Services Pty Ltd
Craig Colvin (individual)
Gary Mason (individual)
Kyrimis Lawyers
Mackenzie Mitchell Solicitors
Maryanne Hartley (individual)
Navid King (individual)
Northside Law
M Rothstein & Co
Peter Vitale (individual)
Penny Hay (individual)
Andrew Sinclair (individual)
Bob Locke (individual)

Edward Gray (individual)
Jeffrey Loewenstein (individual)
Ken Shiu (individual)
Michael Coe (individual)
Michael Hennessy (individual)
Philippe Doyle Gray (individual)
Rickards Legal
Robert Gordon (individual)
Rogers & Gaylard Lawyers
Simon Moglia (individual)

Stuart Wood (individual)
Judge Richard Cogswell SC (individual)
Margaret Riley (individual)
Piper's Barristers & Solicitors
Rymills Law Office
Michael Simon (individual)
Centre for Offshore Energy Law & Policy
David Rickard (individual)
Anonymous (15)

BUSINESS & INDUSTRY

Legal Practitioners Liability Committee
CCH Australia Publishing
Singapore Academy of Law
Counsel's Chambers Limited
Copyright Agency Limited
Smokeball
Television Education Network Pty Ltd
Meriton Group
Zurich Financial Services Aust Ltd
Key Media Pty Ltd
AI Group Legal Pty Ltd
Home Loan Finder

Chilli IQ
Flight Centre Limited
Fox Symes
Infoactive Media Pty Ltd
Appliances Online
Austax Accountants
Australian Manufacturing Workers' Union
Cumpston Sarjeant Pty Ltd
Filament Pty Ltd
LawCPD
Grow Your Firm: Law Firm Mark

LAW SOCIETIES & BAR ASSOCIATION

Queensland Bar Association
Law Society of New South Wales
Law Institute of Victoria
Victorian Bar Inc
Law Council of Australia
The Law Society of Tasmania

Queensland Law Society
Western Australian Bar Association
Tasmanian Independent Bar Inc
The Law Society of South Australia
Law Society of the Northern Territory

COMMUNITY

Antony Comanos
Jane Stephens
Russell Byard
Daniel Stojanoski
Kevin Burges
Mark Dreyfus QC

Peter Lewis
David Kerr
Louise and John Southalan
Paul Bugler
Anonymous (2)

DONATIONS FOR AUSTLII'S INTERNATIONAL PROJECTS

Doogue & O'Brien Criminal Defence Lawyers (funds for CommonLII and AsianLII)
Filament (funds for AsianLII)

AustLII Foundation Ltd

ABN 41 134 717 972

Annual Report
For the year end 31 December 2011

The financial report was reviewed by the directors on 10 February 2012.

AustLII Foundation Ltd

Directors' Report for the year end 31 December 2011

Your directors present their report on the company for the year end 31 December 2011.

The names of the directors in office during the financial year and at the date of the report were:

Dr Jeff FitzGerald (Chair) (appointed to the Board on 22 December 2008)

Former Registrar of the University of Technology, Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department

Mr Philip Chung (Managing Director) (appointed to the Board on 23 June 2009)

Lecturer, Faculty of Law, University of Technology, Sydney; Visiting Fellow, University of New South Wales; Executive Director, AustLII Research Institute

Prof Graham Greenleaf (Executive Director) (appointed to the Board on 22 December 2008)

Professor, Faculty of Law, University of New South Wales; Co-Director, AustLII Research Institute

Prof Andrew Mowbray (Executive Director) (appointed to the Board on 27 April 2009)

Professor, Faculty of Law, University of Technology, Sydney; Co-Director, AustLII Research Institute

Mr Tim Bugg (appointed to the Board on 23 June 2009)

Chair, International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia

Prof David Dixon (appointed to the Board on 22 December 2008)

Dean, Faculty of Law, University of New South Wales

Mr Ian Govey (appointed to the Board on 23 June 2009)

Chief Executive Officer, Australian Government Solicitor

Prof Carrick Martin (appointed to the Board on 22 December 2008)

Former Deputy Vice-Chancellor, Administration, Macquarie University

Prof Jill McKeough (appointed to the Board on 27 April 2009)

Dean, Faculty of Law, University of Technology, Sydney

The Company Secretary was: **Roger Allsep** (appointed 20 May 2009)

AustLII Foundation Ltd

Principal Activity

AustLII Foundation Limited is a public company limited by guarantee that is incorporated and domiciled in New South Wales, Australia. The registered office is at Level 12, 235 Jones St, Ultimo, New South Wales 2007.

The principal activities of the company during the financial year were to provide an online free-access public library of Australian legal materials. Previously the library was jointly provided by the University of Technology, Sydney (UTS) and the University of New South Wales (UNSW). AustLII Foundation Limited began operations on 1 October 2009.

Review of operations

AustLII Foundation Limited commenced operations on 1 October 2009. Initial equity consisted of net income received and held on behalf of the Foundation by the University of Technology, Sydney prior to the Foundation's commencement of operations (\$1,194,068). The net amount of surplus for the year end 31 December 2011 was \$213,122.

Significant changes in the State of Affairs

No significant change in the state of affairs of the company occurred during or after the period that would render any amount stated in the accounts misleading.

Events Subsequent to Balance Date

No matter or circumstance has arisen since the end of the year which significantly affected or may significantly affect the operations of the company, the results of these operations, or the state of affairs of the company in subsequent financial years.

Future Developments

There are no extraordinary developments foreseen for the coming financial year.

Environmental Issues

The organisation's operations are not regulated by any significant environmental regulations under a law of the Commonwealth or of a State or Territory.

AustLII Foundation Ltd

Directors' Meetings

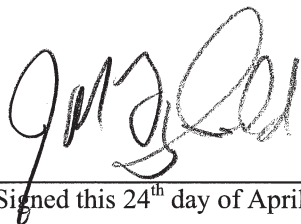
The number of meetings of directors held during the year and the number of meetings attended by each director were as follows:

	Directors' Meetings	
	Number of meetings attended	Meetings held while in office
Dr Jeff FitzGerald	3	3
Mr Philip Chung	3	3
Prof Graham Greenleaf	2	3
Prof Andrew Mowbray	3	3
Mr Tim Bugg	3	3
Prof David Dixon	3	3
Mr Ian Govey	3	3
Prof Carrick Martin	3	3
Prof Jill McKeough	3	3

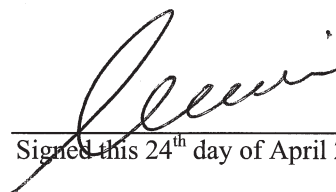
Auditor Independence

A copy of the auditor's independence declaration as required under section 307C of the Corporations Act 2001 is set out on page 5.

Signed in accordance with a resolution of directors.



Signed this 24th day of April 2012, in Sydney.



Signed this 24th day of April 2012, in Sydney.



To the Directors
AustLII Foundation Limited

Auditor's Independence Declaration

As auditor for the audit of the financial statements of AustLII Foundation Limited for the year ended 31 December 2011, I declare that, to the best of my knowledge and belief, there have been no contraventions of:

- the auditor independence requirements of the *Corporations Act 2001* in relation to the audit, and
- any applicable code of professional conduct in relation to the audit.

S Bond

Sally Bond
Director of Audit

24 April 2012
SYDNEY

AustLII Foundation Ltd

Statement of Comprehensive Income For the year end 31 December 2011

	Note	2011 \$	2010 \$
Revenue from Continuing Operations			
Donations	1j, 2	1,045,924	1,169,819
Interest & Other Income	2	96,301	62,290
Total Income		1,142,225	1,232,108
Expenses			
Employment Costs	1f, 3, 12	720,210	539,445
Equipment Charges	1d, 3	77,224	81,385
Accounting and Audit Fees	3, 6	17,380	8,996
Consultancy Costs	3	36,730	3,140
Occupancy Costs	3,13	20,500	-
Insurance	3	5,950	5,086
Conference Costs	3	2,135	2,160
Travel and Accommodation	3	7,275	4,891
Other Operating Costs	3	41,699	25,985
Total Expenses		929,103	671,088
Surplus for the year		213,122	561,020
Other Comprehensive Income		-	-
Total Comprehensive Income		213,122	561,020

The above statement of comprehensive income should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Financial Position As at 31 December 2011

	Note	2011 \$	2010 \$
ASSETS			
Current Assets			
Cash at Bank	7	2,278,367	1,863,886
Trade and other Receivables	4	106,063	105,340
TOTAL ASSETS		2,384,430	1,969,226
LIABILITIES			
Current Liabilities			
Trade and Other Payables	5	342,266	140,184
TOTAL LIABILITIES		342,266	140,184
NET ASSETS		2,042,164	1,829,042
EQUITY			
Reserve	1h	1,194,068	1,194,068
Retained Surplus	1h,8	848,096	634,974
TOTAL EQUITY		2,042,164	1,829,042

The above statement of financial position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity for the year end 31 December 2011

	Note	Reserve \$	Retained Surplus \$	Total Equity \$
Balance as at 1 January 2010		1,194,068	73,954	1,268,022
Total comprehensive income for the year		-	561,020	561,020
Balance as at 31 December 2010		1,194,068	634,974	1,829,042
Balance as at 1 January 2011		1,194,068	634,974	1,829,042
Total comprehensive income for the year		-	213,122	213,122
Balance as at 31 December 2011		1,194,068	848,096	2,042,164

The above statement of changes in equity should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

Statement of Cash Flows For the year end 31 December 2011

	Note	2011 \$	2010 \$
Cash flows from operating activities			
Cash receipts in the course of operations		1,139,227	1,163,595
Payments to suppliers and employees (inclusive of Goods and Services Tax)		(812,083)	(603,614)
Net interest received/(paid)		87,337	45,506
Net cash provided by operating activities	7	<u>414,481</u>	<u>605,487</u>
Cash flows from financing activities			
Equity transfer		-	-
Net cash provided by financing activities		<u>-</u>	<u>-</u>
Net increase/(decrease) in cash held		414,481	605,487
Cash and cash equivalents at the beginning of the year		1,863,886	1,258,399
Cash and cash equivalents at the end of the year	7	<u>2,278,367</u>	<u>1,863,886</u>

The above statement of cash flows should be read in conjunction with the accompanying notes.

AustLII Foundation Ltd

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR END 31 DECEMBER 2011

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The principal accounting policies adopted in the preparation of this general purpose financial report are set out below.

The financial report is presented in Australian currency.

a. Basis of preparation

This general purpose financial report has been prepared in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board) and Corporations Act 2001, the Public Finance & Audit Act 1983 and the Public Finance & Audit Regulation 2010

These financial statements have been prepared on an accrual basis and are based on the historical cost convention.

b. Cash and cash equivalents

Cash on hand and in banks is stated at its nominal value. For the purposes of the statement of cash flows, cash includes cash on hand and in banks.

c. Trade and other receivables

Trade receivables are recognised and carried at original invoice amount less any allowance for impairment. An allowance for impairment of receivables is recognised when collection of the full amount is no longer probable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy or financial reorganisation, and default or delinquency in payments (more than 90 days overdue) are considered indicators that the trade receivable is impaired.

The amount of the provision is recognized in the statement of comprehensive income. When a trade receivable for which an impairment allowance had been recognised becomes uncollectible in a subsequent period, it is written off against the allowance account. Subsequent recoveries of amounts previously written off are credited against other expenses in the income statement. Bad debts are written off as incurred.

d. Property, Plant & Equipment

No property, plant or equipment are owned by the Foundation at 31 December 2011. All plant and equipment used by the Foundation in its operations is wholly owned and maintained by the University of Technology, Sydney. The Foundation pays the University for the use of this equipment on a quarterly basis. The amounts are unsecured and are usually paid within 30 days of recognition.

e. Trade and Other Payables

Liabilities for trade creditors and other amounts are carried at cost, which is the fair value of the consideration to be paid in the future for goods and services received, whether or not billed to the entity.

AustLII Foundation Ltd

f. Employee Benefits

AustLII Foundation Limited's management and operational staff are employed under contract with the University of Technology, Sydney. Employment costs for these staff are charged to the Foundation by the University on a quarterly basis. As such, no provisions for employee benefits are maintained by the Foundation.

g. Income Tax

The company is exempt from income tax under Div 50 of the Income Tax Assessment Act 1997.

h. Equity

The entity is a company limited by guarantee and has no authorised or paid up capital. The initial equity of \$ 1,194,068 (denoted as Reserve) consists of amounts paid to AustLII Foundation Limited from the University of Technology, Sydney which represents net income earned by the Foundation as an office within the University prior to commencement of independent operations on 1 October 2009.

AustLII Foundation Limited made a surplus of \$ 213,122 for the year. The Accumulated balance in retained surplus as at 31 December 2011 was \$ 848,096. The Board resolved to designate \$ 650,000 of the Retained Surplus as available for AustLII Sustainable Initiatives.

The purpose of the AustLII Sustainable Initiatives designation is to achieve AustLII's objective of advancing and promoting "free access to legal information". In a rapidly evolving technological and regulatory environment this requires an ongoing need for capital and infrastructure outlays into the future. A prudent risk management strategy recognises the need to differentiate the accumulated equity between amounts available for meeting operating expenses for at least one year and those available to meet those challenges which will enable AustLII to sustain into the future its core mission of providing free and effective electronic access to public legal information in Australia.

Each member of the company, whilst a member, or within one year after ceasing to be a member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute a maximum of one hundred dollars (\$100) each towards meeting any outstanding obligations of the company. At balance date, there were two eligible members.

i. Comparative figures

Comparative data has been reclassified where necessary to enhance the comparability in respect of changes in current year.

j. Revenue recognition

Donations are recorded as revenue either when tax invoices are raised at the request of the donor or otherwise when donations are received through cheques or credit cards or directly deposited in our bank account. Donations received for specific purposes are matched against expenditure as incurred. As per AASB 118.30, interest is recognised using the effective interest rate method as set out in AASB 139.

k. Going concern

The company has generated a surplus for the year end 31 December 2011. The ability of the company to continue as a going concern is dependent on the ongoing support of its donors and the success of its fundraising program. The Directors believe that the company will be successful and accordingly have prepared the accounts on a going concern basis.

AustLII Foundation Ltd

l. Goods and Services Tax (GST)

Revenue, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office. In these circumstances the GST is recognised as part of the cost of acquisition of the asset or as part of an item of expense. Receivables and payables in the statement of financial position are shown inclusive of GST. Cash flows are presented in the statement of cash flows on a gross basis, except for the GST components of investing and financing activities, which are disclosed as operating cash flows.

m. Fundraising

According to Constitution of AustLII Foundation Limited 3.4, funds raised by means of a collection within the meaning of the Charitable Fundraising Act 1991 (NSW) and corresponding legislation in other jurisdictions must be maintained in accordance with those Acts.

n. Lease Commitments

In the Year 2011, AustLII Foundation Limited subleased part of office space from Brain Resource Limited. The operating lease is for the period from 1 August 2011 to 28 February 2013. The lease can be terminated at any time upon 6 month's prior written notice.

o. Significant accounting judgments, estimates and assumptions

The directors evaluate estimates and judgments incorporated into the financial statements based on historical knowledge and best available current information. Estimates assume an expectation of future events and other factors considered to be reasonable.

2. REVENUE FROM CONTINUING OPERATIONS

	2011	2010
	\$	\$
Donations (by sector)		
Education	130,650	153,000
Legal Profession	322,293	324,659
Law Societies & Bar Associations	69,020	66,300
Business & Industry	147,771	188,000
Government Agencies	176,140	303,140
Courts, Tribunals & Regulators	195,066	131,150
Community & Other	4,984	3,570
Interest & Other Income	96,301	62,289
	1,142,225	1,232,108

AustLII Foundation Ltd

3. EXPENSES

	2011	2010
	\$	\$
Employment costs (paid and on-charged by UTS)	720,210	539,445
Equipment charges (incurred and on-charged by UTS)	77,224	81,385
Accounting Fees	11,030	8,996
Audit Fees	6,350	-
Company Secretarial Services	8,000	8,000
Consultancy Costs	36,730	3,140
Occupancy Costs	20,500	-
Insurance	5,950	5,086
Conference Costs	2,135	2,160
Travel and Accommodation	7,275	4,891
Other Operating Costs	33,699	17,985
	929,103	671,088

4. TRADE AND OTHER RECEIVABLES

	2011	2010
	\$	\$
Goods and Services Tax	41,646	25,085
Accrued Interest	26,817	17,855
Receivable from UTS	-	1,500
Trade Debtors	37,600	60,900
Allowance for Impairment of Receivables	-	-
	106,063	105,340

5. TRADE AND OTHER PAYABLES

	2011	2010
	\$	\$
Trade Creditors	267,260	133,791
Accrued expenses	75,006	6,393
	342,266	140,184

6. AUDITOR'S REMUNERATION

	2011	2010
	\$	\$
Audit Fees payable to: Audit Office of NSW	6,300	6,000

AustLII Foundation Ltd

7. CASH

	2011	2010
a. <u>Cash and Cash Equivalents</u>	\$	\$
Cash at Bank	1,755,682	1,353,286
Term Deposit	522,685	510,600
	2,278,367	1,863,886
b. <u>Reconciliation of Cash from Operations</u>	2011	2010
Reconciliation of surplus for the year to net cash flows from operating activities	\$	\$
Surplus	213,122	561,020
Changes in Assets and Liabilities:		
(Increase)/Decrease in Trade Debtors and Prepayments (Operating)	(723)	(87,202)
Increase/(Decrease) in Payables	202,082	131,669
Net Cash Provided by Operating Activities	414,481	605,487

8. RETAINED SURPLUS

	2011	2010
	\$	\$
Retained Surplus at the beginning of the year	634,974	73,954
Net Profit	213,122	561,020
Retained Surplus at the end of the year	848,096	634,974

9. EVENTS SUBSEQUENT TO REPORTING DATE

The directors are not aware of any item, transaction or event of a material and unusual nature not otherwise dealt with in the report or financial statements that has significantly affected, or may effect the operations of the company, the results of those operations or the state of affairs of the company in subsequent years.

10. FINANCIAL INSTRUMENTS

(a) Net Fair Values

All financial assets and financial liabilities (cash, trade debtors, and trade creditors), and their net carrying amounts are equal to their fair value.

(b) General objectives, policies and processes

In common with all other businesses, the company is exposed to risks that arise from its use of financial instruments. This note describes the company's objectives, policies and processes for managing those risks and the methods used to measure them. Further quantitative information in respect of these risks is presented throughout these financial statements.

The Board has overall responsibility for the determination of the company's risk management objectives and policies and, whilst retaining ultimate responsibility for them, it has delegated the authority for designing and operating processes that ensure the effective implementation of the objectives and policies to the company's finance function. The company's risk management policies

AustLII Foundation Ltd

and objectives are therefore designed to minimise the potential impacts of these risks on the results of the company where such impacts may be material. The Board received monthly reports from the company's outsourced financial information provider till Oct 2011 and there after quarterly reports , with which it reviews the effectiveness of the processes put in place and the appropriateness of the objectives and policies it sets.

The overall objective of the Board is to set policies that seek to reduce risk as far as possible without unduly affecting the company's competitiveness and flexibility. Further details regarding these policies are set out below.

11. FINANCIAL RISK MANAGEMENT

The company's activities expose it to market risk (including interest rate risk), credit risk and liquidity risk. The company's overall risk management program focuses on the unpredictability of financial markets and seeks to minimize potential adverse effects on the financial performance of the company.

Risk management is carried out under policies approved by the Board of Directors.

(a) Credit risk

Credit risk is the risk that the other party to a financial instrument will fail to discharge their obligation resulting in the company incurring a financial loss. This usually occurs when debtors fail to settle their obligations owing to the company.

There is minimal credit risk with respect to current receivables. The company's policy is that services are only provided to clients that are credit worthy.

	2011	2010
	\$	\$
Financial Assets		
<u>Cash</u>	2,278,367	1,863,886
<u>Government</u>		
Trade Debtors	44,373	28,335
<u>Others</u>		
Accrued Income	26,817	17,855
Accounts Receivable	37,600	60,900
UTS Receivable	-	1,500
	<u>2,387,157</u>	<u>1,972,476</u>

AustLII Foundation Ltd

(b) Liquidity risk

Liquidity risk is the risk that the company may encounter difficulties raising funds to meet commitments associated with financial instruments, e.g. borrowing repayments. The company manages liquidity risk by monitoring cash flows and ensuring that adequate cash reserves are maintained.

		Carrying Amount	Contractual Cash Flows	No Maturity	< 6 months
Financial Assets					
2011	Cash	2,278,367	-	2,278,367	-
	Receivables	64,417	64,417		64,417
		2,342,784	64,417	2,278,367	64,417
2010	Cash	1,863,886	-	1,863,886	-
	Receivables	80,255	80,255	-	80,255
		1,944,141	80,255	1,863,886	80,255
Financial Liabilities Measured at Amortised Cost					
2011	Trade Payables	344,993	344,993	-	344,993
		344,993	344,993	-	344,993
2010	Trade Payables	143,434	143,434	-	143,434
		143,434	143,434	-	143,434

(c) Market risk

The organisation has exposure to market risk for changes in interest rate due to an investment in Term Deposit.

(d) Sensitivity Risk

		Carrying Amount	+1% interest change Profit and Equity	- 1% interest change Profit and Equity
Financial Assets				
2011	Cash	2,278,367	22,784	(22,784)
	Total	2,278,367	22,784	(22,784)
2010	Cash	1,863,886	18,639	(18,639)
	Total	1,863,886	18,639	(18,639)

This analysis assumes a change in interest rate of +/-1%, which in the Directors' opinion is the largest expected movement over the next 12 months, assuming all other variables remain constant.

AustLII Foundation Ltd

12. RELATED PARTY DISCLOSURES

(a) Directors' Compensation

Two executive directors were employed and remunerated by the University of Technology, Sydney for the management of AustLII Foundation Limited during 2011. One executive director was remunerated through the University of New South Wales. These amounts were then on-charged to the Foundation. A company secretary was also remunerated for work performed. The Executive Directors' remuneration is included in the Key Management Personnel disclosure below.

(b) Key Management Personnel Compensation

The remuneration of Key Management Personnel is as follows:

	2011	2010
	\$	\$
Short-term benefits	195,138	132,511
Post-employment benefits	-	-
Total benefits	195,138	132,511

13. COMMITMENTS

In the Year 2011, AustLII Foundation Limited subleased part of office space from Brain Resource Limited. The operating lease is for the period from 1 August 2011 to 28 February 2013. The lease can be terminated at any time upon 6 months prior written notice. The minimum commitments for the notice period are \$ 24,600.

14. CONTINGENT ASSETS

AustLII Foundation does not have any material contingent assets as at balance sheet date.

15. CONTINGENT LIABILITIES

AustLII Foundation Limited is not subject to any material contingent liabilities at balance date.

16. MEMBERS' GUARANTEE

AustLII Foundation Limited is a company limited by guarantee and has no authorised or paid up capital. Each member of the company, whilst a member, or within one year after ceasing to be a member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute a \$100 each towards meeting any outstanding obligations of the company. At 31 December 2011 the number of members was two.

17. CORPORATE DETAILS

AustLII Foundation Limited is a company limited by guarantee, incorporated and domiciled in Australia. Its registered office and principal place of business is at Level 12, 235 Jones St, Ultimo, NSW, 2007. The principal activities are to provide an online free-access public library of Australian legal materials.



INDEPENDENT AUDITOR'S REPORT

AustLII Foundation Limited

To Members of the New South Wales Parliament and Members of AustLII Foundation Limited

I have audited the accompanying financial statements of AustLII Foundation Limited (the Company), which comprise the statement of financial position as at 31 December 2011, the statement of comprehensive income, statement of changes in equity and statement of cash flows for the year then ended, notes comprising a summary of significant accounting policies and other explanatory information and the directors' declaration.

Opinion

In my opinion the financial statements:

- are in accordance with the *Corporations Act 2001*, including:
 - giving a true and fair view of the Company's financial position as at 31 December 2011 and its performance for the year ended on that date
 - complying with Australian Accounting Standards and the Corporations Regulations 2001
- are in accordance with section 41B of the *Public Finance and Audit Act 1983* (the PF&A Act) and the Public Finance and Audit Regulation 2010

My opinion should be read in conjunction with the rest of this report.

Directors' Responsibility for the Financial Statements

The directors of the Company are responsible for the preparation of the financial statements that give true and fair view in accordance with Australian Accounting Standards, the PF&A Act and the *Corporations Act 2001* and for such internal control as the directors determine is necessary to enable the preparation of the financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on the financial statements based on my audit. I conducted my audit in accordance with Australian Auditing Standards. Those Standards require that I comply with relevant ethical requirements relating to audit engagements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgement, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation of the financial statements that give a true and fair view in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by the directors, as well as evaluating the overall presentation of the financial statements.

I believe the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

My opinion does *not* provide assurance:

- about the future viability of the Company
- that it has carried out its activities effectively, efficiently and economically
- about the effectiveness of its internal control
- about the security and controls over the electronic publication of the audited financial statements on any website where they may be presented
- about other information which may have been hyperlinked to/from the financial statements.

Independence

In conducting my audit, I have complied with the independence requirements of the Australian Auditing Standards, the *Corporations Act 2001* and relevant ethical pronouncements. The PF&A Act further promotes independence by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies, but precluding the provision of non-audit services, thus ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by the possibility of losing clients or income.

S Bond

Sally Bond
Director, Financial Audit Services

24 April 2012
SYDNEY

AustLII Foundation Ltd

DIRECTORS' DECLARATION

In the opinion of Directors:

1. The financial statements and notes of the company are in accordance with the Corporations Act 2001, including:
 - a) Giving a true and fair view of the financial position as at 31 December 2011 and the performance for the year end on that date of the company; and
 - b) Complying with Accounting Standards and the Corporations Regulations 2001; and
 - c) The Charitable Fundraising Act 1991; and
 - d) The Public Finance and Audit Act 1983 and Public Finance and Audit Regulation 2010.

2. There are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

On behalf of the board



Signed this 24th day of April 2012, in Sydney.
Director



Signed this 24th day of April 2012, in Sydney
Director



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