



# Introduction to AsianLII's Myanmar/Burma legal databases

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\* The following AustLII staff and interns have worked on the development of AsianLII's Myanmar/Burma resources: Hannah Figueroa, Jennifer Kwong, Dominic Smith and Jill Matthews, as well as interns Don Nguyen and Michelle Zhang; We have also received valuable comments on drafts of this paper from Dr Melissa Crouch.



## Background and introduction

The Australia/Myanmar Constitutional Development Project<sup>1</sup> at UNSW Faculty of Law is one of a number of Faculty initiatives intended to assist the development of the rule of law, legal education and legal research in Myanmar. Myanmar is also one of three initial priority countries in the UNSW Vice-Chancellor's 'Global Development Network' initiative.<sup>2</sup>

The databases and other resources in this Myanmar/Burma collection have been developed by the Australasian Legal Information Institute (AustLII), a joint facility of UNSW and UTS Faculties of Law, as a contribution by AustLII to assist these initiatives, and to provide what we hope will be useful free-access resources for the people of Myanmar. A small amount of financial assistance has been provided from UNSW and other universities.<sup>3</sup>

### English language materials only

From early in the British colonial period in Burma, legal materials were increasingly in English, and based on the common law tradition, but supplemented by Burmese customary law. The British established courts from 1866<sup>4</sup>, and there were appeals to the Privy Council in London from Burma from as early as 1869. The Burma Code includes legislation applying to Burma from 1839 to 1955. Until independence in 1948, Burma's legal materials were primarily in English, and this was continued in large part until 1962 in relation to legislation, and to a decreasing extent with case law until 1969 (after which it is entirely in Burmese). Between 1962-88 legislation was only published in Burmese, but since then at least primary legislation has had bilingual publication.

English language legal materials therefore play a very substantial part in the legal history of Burma, although much less so in the current legal system of Myanmar. This collection of databases is only searchable in English, and includes little content in Burmese. The possible inclusion and searchability of materials in Burmese is discussed in the final section on potential future development.

This collection of databases, being in English is therefore predominantly of the *history* of Burmese law, though it does have a smaller component of post-1960 materials from when the legal system of Burma/Myanmar was increasingly conducted in Burmese. The collection therefore does not purport to represent the current state of the legal system of Myanmar.

### Potential users and usage

We envisage that the database will be useful to a range of people. As will be mentioned later, much of the legislation, even that of considerable age, is still in force. The case law may still be used as precedents where it has not been made irrelevant by statutes, at least in theory. Legal education in Myanmar is expected to be conducted in English. Practising lawyers in Myanmar may find it valuable to be able to search every word of legislation and case law, and for the results to be provided as individual Acts and individual cases, not as volumes of statutes or reports. Law students and their teachers may find the same. We expect that legal historians, including those involved in comparative common law history, will be significant users of the databases. Unofficial English translations available for free online are sometimes more reliable than official English translations, although reliance on the text of any translation in English should be done with caution.

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<sup>1</sup> < <http://www.law.unsw.edu.au/research/special-projects/australia-myanmar-constitutional-democracy-project> >

<sup>2</sup> UNSW 2025 *Statement of Strategic Intent – White Paper*, 2016 <<http://docplayer.net/650477-President-and-vice-chancellor-introduction-strategic-priority-b-social-engagement.html>>

<sup>3</sup> Most of the databases are part of a broader project concerning the history of the common law, which has received funding assistance from UNSW Library, UNSW Law Faculty, and Deakin University. Burmese legal history is one of the first priority areas of that project.

<sup>4</sup> Melissa Crouch 'The Layers of Legal Development in Myanmar' Chapter 3 in M Crouch and T Lindsay (Eds) *Law, Society and Transition in Myanmar*, Hart Publishing, 2014, p. 37.

## The AsianLII infrastructure

The Asian Legal Information Institute (AsianLII) has been developed by AustLII for over a decade,<sup>5</sup> and now includes over 300 databases from 28 Asian jurisdictions, provided with the cooperation of eight free access Legal Information Institutes (LIIs).<sup>6</sup> Until now, AsianLII has not had any significant content from Myanmar.

## The Myanmar/Burma collection – Interface

The databases in this collection are searchable in three ways: (i) individually, from the Myanmar/Burma country page on AsianLII (shown below); (ii) jointly, from that same location, or (iii) in conjunction with the rest of the 300+ AsianLII databases from the front page of AsianLII. The interface (or 'country page')<sup>7</sup> to the databases in the collection is as follows:



### Myanmar/Burma

AsianLII Union of Myanmar

You are here: [AsianLII](#) >> [Resources](#) >> Myanmar

Search [\[Search Help\]](#) [\[Advanced Search\]](#)

Search:  Databases  Catalog & Websearch  Law on Google [\[LawCite - Myanmar\]](#)

### Databases

- |   |  |
|---|--|
| <input checked="" type="checkbox"/> <a href="#">Constitutions of Burma/Myanmar</a> (AsianLII)             | <input checked="" type="checkbox"/> <a href="#">Burma Law Reports 1947-1969</a> (AsianLII)                       |
| <input checked="" type="checkbox"/> <a href="#">The Burma Code 1839-1951</a> (AsianLII)                   | <input checked="" type="checkbox"/> <a href="#">Law Journal Articles Concerning Myanmar/Burma</a> (WorldLII)     |
| <input checked="" type="checkbox"/> <a href="#">Myanmar Laws</a> (AsianLII)                               | <input checked="" type="checkbox"/> <a href="#">International Agreements Concerning Myanmar/Burma</a> (WorldLII) |
| <input checked="" type="checkbox"/> <a href="#">All India Reporter - Lower Burma 1907-1922</a> (AsianLII) | <input checked="" type="checkbox"/> <a href="#">Privy Council Decisions Concerning Burma</a> (BAILII)            |
| <input checked="" type="checkbox"/> <a href="#">All India Reporter - Rangoon 1918-1941</a> (AsianLII)     | <input checked="" type="checkbox"/> <a href="#">United Nations Resolutions Concerning Myanmar</a> (WorldLII)     |
| <input checked="" type="checkbox"/> <a href="#">All India Reporter - Upper Burma 1913-1921</a> (AsianLII) |  |

### Catalog and Websearch

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>▪ <a href="#">Courts &amp; Case Law</a></li> <li>▪ <a href="#">Education</a></li> <li>▪ <a href="#">Government</a></li> <li>▪ <a href="#">Inter-Government Organisations</a></li> <li>▪ <a href="#">Law Journals</a></li> <li>▪ <a href="#">Law Reform</a></li> </ul>        | <ul style="list-style-type: none"> <li>▪ <a href="#">Lawyers</a></li> <li>▪ <a href="#">Legislation</a></li> <li>▪ <a href="#">Non-Government Organisations (NGOs)</a></li> <li>▪ <a href="#">Other Indexes</a></li> <li>▪ <a href="#">Parliament</a></li> <li>▪ <a href="#">Treaties &amp; International Agreements</a></li> </ul> |
| <ul style="list-style-type: none"> <li>▪ <a href="#">Anti-Corruption</a></li> <li>▪ <a href="#">Citizenship and Migration</a></li> <li>▪ <a href="#">Constitutional Law</a></li> <li>▪ <a href="#">Environment</a></li> <li>▪ <a href="#">Foreign Investment</a></li> <li>▪ <a href="#">Human Rights</a></li> </ul> | <ul style="list-style-type: none"> <li>▪ <a href="#">Intellectual Property</a></li> <li>▪ <a href="#">Jurisprudence@</a></li> <li>▪ <a href="#">Legal Theory</a></li> <li>▪ <a href="#">Primary Industry</a></li> <li>▪ <a href="#">Resources Law</a></li> </ul>  |

### Support and Acknowledgements

Development of these databases is assisted by the [Australia/Myanmar Constitutional Development Project](#) at UNSW Faculty of Law. Other acknowledgments of assistance are on database home pages. Funding support has been provided by UNSW and other universities supporting the International History of the Common Law Library project.

<sup>5</sup> Graham Greenleaf, Philip Chung and Andrew Mowbray 'Challenges in Improving Access to Asian Laws: The Asian Legal Information Institute (AsianLII)' *Australian Journal of Asian Law*, available at < <http://ssrn.com/abstract=996507>>

<sup>6</sup> Including AustLII, BAILII, CommonLII, LII of India, HKLII, LawPhil, PaCLII, and WorldLII.

<sup>7</sup> Myanmar/Burma country page on AsianLII <<http://www.asianlii.org/resources/239.html>>

By use of 'Clear all', and the selection of one or more check-boxes, individual databases or customized selections of databases may be searched. In default, all databases are searched.

## Databases and resources in the collection

Each of the databases in the initial version of the Myanmar/Burma collection is now reviewed briefly, with some comments on the extent to which key resources in each of the areas of legislation, case law, and other legal content, both are and are not included. For this collection, this depends to some extent on which materials are in English.

### Legislation databases

The legislation collection includes in total over 600 items of legislation in English, but is not comprehensive.

#### Constitutions

The database includes the four constitutions (1935 but in force 1937, 1947, 1974 and 2008). Concerning the current (2008) constitution, the 'English translation of the 2008 text is of a poor quality and ought not to be relied upon to give an accurate impression of the original'.<sup>8</sup>

#### The Burma Code 1839-1951

The database includes 320 Acts (in English) in the 13 volumes of the *Burma Code*. This edition was published in 1955, 'covering laws enacted and still in force from 1818 to 1954 (in English and Burmese)'.<sup>9</sup> The published volumes were not chronological. The database provides indexes of the legislation both alphabetically by title, and chronologically. These are 'reprint Acts' including amendments up to 1955, but not subsequent amendments.



Home | [Databases](#) | [WorldLII](#) | [Search](#) | [Feedback](#) | [Help](#)

## Burma Code

You are here: [AsianLII](#) >> [Databases](#) >> Burma Code

[Database Search](#) | [Name Search](#) | [Help](#)

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### Burma Code

Database last updated: 17 October 2015  
Number of documents: 320

#### Legislation beginning with ...

[A](#) [B](#) [C](#) [D](#) [E](#) [F](#) [G](#) [H](#) [I](#) [J](#) [K](#) [L](#) [M](#) [N](#) [O](#) [P](#) [Q](#) [R](#) [S](#) [T](#) [U](#) [V](#) [W](#) [X](#) [Y](#) [Z](#)

#### Legislation for the years ...

[1839](#) [1841](#) [1843](#) [1850](#) [1851](#) [1855](#) [1856](#) [1860](#) [1861](#) [1863](#) [1864](#) [1865](#) [1866](#) [1867](#) [1869](#)  
[1870](#) [1871](#) [1872](#) [1873](#) [1874](#) [1875](#) [1876](#) [1877](#) [1878](#) [1879](#) [1880](#) [1881](#) [1882](#) [1883](#) [1884](#)  
[1885](#) [1886](#) [1887](#) [1889](#) [1890](#) [1892](#) [1893](#) [1894](#) [1895](#) [1896](#) [1898](#) [1899](#) [1901](#) [1902](#) [1903](#)  
[1904](#) [1905](#) [1907](#) [1908](#) [1909](#) [1910](#) [1911](#) [1912](#) [1913](#) [1914](#) [1915](#) [1916](#) [1917](#) [1918](#) [1919](#)  
[1920](#) [1921](#) [1922](#) [1923](#) [1924](#) [1925](#) [1926](#) [1927](#) [1928](#) [1929](#) [1930](#) [1931](#) [1932](#) [1933](#) [1934](#)  
[1935](#) [1936](#) [1937](#) [1939](#) [1940](#) [1941](#) [1943](#) [1945](#) [1946](#) [1947](#) [1948](#) [1949](#) [1950](#) [1951](#)

This database contains the Burma Code.

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<sup>8</sup> Melissa Crouch and Nick Cheesman 'A Short Research Guide to Myanmar's Legal System', Chapter 2 in M Crouch and T Lindsay (Eds) *Law, Society and Transition in Myanmar*, Hart Publishing, 2014, p. 23.

<sup>9</sup> Law Library Microform Consortium 'LLMC Digitizes Primary Legal Sources on Myanmar (Burma)' <<https://www.crl.edu/news/llmc-digitizes-primary-legal-sources-myanmar-burma>>

An index of all the Acts included in the Burma Code, with details of whether they have been repealed since 1955 (at least until the early-1990s), was published by the Burma Lawyers' Council,<sup>10</sup> and should be consulted when using the Burma Code. Many of the laws in the 1955 Burma Code were repealed by the mid-90s.

### **Myanmar Laws 1955-2015**

This database includes 286 Myanmar Laws subsequent to the Burma Code compilation, including Bills and draft Bills. They have been obtained from various sources, particularly the Online Burma/Myanmar Library,<sup>11</sup> and its sources (noted on its site), such as Polastri Wint & Partners and the archive of the Burma Lawyers' Council (on the Internet Archive). These are also 'annual Acts', included as enacted (or as Bills before enactment), and they may have been subsequently amended or even repealed. This is not a comprehensive database, it only includes what is available from Internet sources (not from digitization of paper sources).

### **Legislation not yet included**

There are many valuable legislative sources, even in English, not yet included in the database. Consolidated Acts (ie including amendments) are not included. Some consolidations are available, including from Internet sources, but 'generally have not been updated to incorporate amendments since the 1970s'.<sup>12</sup>

Other pre-independence legislative sources include the eight editions of the Burma Code up to 1955,<sup>13</sup> which would include many Acts not included in later editions; British Burma Acts, annual volume 1898-1947; Acts of the Legislative Council of India applicable to British Burma 1835-63; A Collection of Acts (Lt. Gov. of Burma in Council, 1898-1947); and various wartime legislative collections.<sup>14</sup>

Other post-independence legislative sources in English, which could be included as future databases, include annual volumes of Parliamentary Acts 1955-61, and annual or bi-annual volumes of legislation in English published by the Union Attorney-General's Office since 1988.<sup>15</sup> Many of these Acts are included in the Myanmar Laws database, but in order to be systematic it would be necessary to digitize from paper copies. Between 1962 and 1988 laws were not systematically published in English, but only in Burmese.<sup>16</sup> Translations (usually unofficial) of some of these laws are included in the Myanmar Laws database. Crouch and Cheesman provide a detailed discussion of legislative sources in Burmese, including subsidiary legislation, the government gazette, website sources etc.<sup>17</sup>

## **Case law databases**

Crouch and Cheesman note that '[n]o single law report series ran continuously through the colonial era. Instead, a range of volumes were published over different periods, all in English, some of them also translated into Burmese'.<sup>18</sup> As noted below, the earliest reported cases in Burma are from 1872 onwards. The three databases in the current collection, from the All India Reports, include nearly 4,500 decisions, and includes a substantial percentage of published decisions from Burma from around 1913 to independence in 1948. An additional database, discussed below under Virtual Databases, includes decisions on appeal from Burma to the Privy Council dating from 1869-1941 (so Privy Council decisions date from around the same time as the earliest reported Burmese cases).

<sup>10</sup> Burma Lawyers' Council *The Burma Code* (index) <[http://web.archive.org/web/20110902212056/http://www.blc-burma.org/html/Burma%20Code/Indexs/lr\\_law\\_bc\\_aindex.html](http://web.archive.org/web/20110902212056/http://www.blc-burma.org/html/Burma%20Code/Indexs/lr_law_bc_aindex.html)>

<sup>11</sup> Online Burma/Myanmar Library <<http://www.burmalibrary.org/>>

<sup>12</sup> Melissa Crouch and Nick Cheesman 'A Short Research Guide to Myanmar's Legal System', Chapter 2 in M Crouch and T Lindsay (Eds) *Law, Society and Transition in Myanmar*, Hart Publishing, 2014, p. 21.

<sup>13</sup> Jerry Dupont *The Common Law Abroad*, Fred B Rothman, 2001, 'Burma' pp. 621-633, at pp. 628-29.

<sup>14</sup> Dupont, pp. 628-29.

<sup>15</sup> Crouch and Cheesman, p.22.

<sup>16</sup> Crouch and Cheesman, p. 22.

<sup>17</sup> Crouch and Cheesman, pp. 22-23.

<sup>18</sup> Crouch and Cheesman, p. 24.

The three following databases have been prepared by scanning and OCR processing of the published law reports, with subsequent splitting of volumes into separate cases, and extraction of metadata for each case. The full text of the reports is searchable. Each decision in English is a separate searchable item.

### **All India Reporter - Lower Burma 1907-1922**

This database includes 794 cases, with tables of contents both chronological and alphabetically by case name.

### **All India Reporter - Upper Burma 1913-1921**

This database includes 210 cases, with tables of contents both chronological and alphabetically by case name.

### **All India Reporter - Rangoon 1918-1941**

This database includes 3,377 cases, with tables of contents both chronological and alphabetically by case name.

### **Privy Council Decisions Concerning Myanmar/Burma 1869-1941**

This database comprises 328 decisions by the Privy Council from 1869 to 1941. They contain 'myanmar or burma or rangoon or mandalay' in their titles, and are from the database of Privy Council decisions held by BAILII (British and Irish Legal Information Institute) including pre-1873 decisions held by CommonLII. The Privy Council's jurisdiction to hear appeals from Burma ceased when independent Burma chose not to be a member of the Commonwealth. This database is therefore complete.

### **Burma Reports 1947-1969**

'At independence in 1948, the Burma Law Reporting Council took responsibility for publishing the Burma Law Reports.'<sup>19</sup> Originally published in English, from the early 1960s the proportion of cases reported in English progressively declined, so that since 1970 the reports have been exclusively in Burmese. Scans of the volumes 1948-69 were available from the Supreme Court's website and were then OCR processed (etc) and made searchable. The database contains 1649 decisions in English, with numbers declining from more than 130 in 1948 to 3 in 1969.

### **Case law not yet included**

In addition to the report series listed above, there are at least the following reports dating (at least in part) from before those included in this collection:<sup>20</sup> Selected Judgments of Lower Burma (1872-92); Printed Judgments of Lower Burma (1893-1900); Agabeg's Burma Law Reports (14 vols, 1895-1908); Upper Burma Rulings of the Court of the Judicial Commissioner, Mandalay (1892-1922); Lower Burma Rulings of the Chief Court, Rangoon (1900-22); Burma Law Times (1907-20); Indian Law Reports, Rangoon Series (1923-43). Dupont<sup>21</sup> also lists Lower Burma, Dist. Ct. Rangoon, Select Decisions (1859-60); Lower Burma, Criminal Circulars (1872-94); Rangoon Law Reports (1937-42, 1946-47); Burma Law Journal (1922-27). There are also numerous published digests of cases. AustLII intends to source and digitize as much of this earlier case-law as it can obtain, but many of these reports are difficult to obtain.

## **International law (virtual databases)**

'Virtual' databases are constructed by automated means, drawing content from other databases held by LIIs which collaborate with AustLII. The content to be included is defined by searches over those databases which identify content of sufficient relevance to Burma/Myanmar to justify inclusion. The searches are repeated daily so as to update the content of the virtual databases.<sup>22</sup>

<sup>19</sup> Crouch and Cheesman, p. 24.

<sup>20</sup> From Table 2.2, Crouch and Cheesman, p. 24.

<sup>21</sup> Jerry Dupont *The Common Law Abroad*, Fred B Rothman, 2001, 'Burma' pp. 621-633.

<sup>22</sup> Graham Greenleaf 'Subject Libraries in Free Access Law Services' *Festschrift Fur Gerhard Kafer*, R. Helmut, ed., Saarbrücken, 2009, <<http://ssrn.com/abstract=2027849>>

### **Treaties and International Agreements Relating to Myanmar/Burma**

From WorldLII's *International Treaties Collection*<sup>23</sup> a database is constructed of 405 international agreements which use terms referring<sup>24</sup> to Burma or Myanmar, or which refer to ASEAN, in their titles. Since Burma is now a member of ASEAN, all ASEAN agreements or declarations are relevant to it. Of course, Burma or Myanmar may be parties to many other multilateral agreements, and these are not likely to refer to them in the titles. These treaties in this virtual database are therefore more likely to be bilateral or regional agreements.

### **United Nations Resolutions Concerning Myanmar/Burma**

This database includes only the 66 resolutions of the UN General Assembly or UN Security Council that refer to Burma or Myanmar in their titles, extracted from the following databases in WorldLII: United Nations General Assembly Resolutions (UNGARsn) 1946-<sup>25</sup> and United Nations Security Council Resolutions (UNSCRsn) 1946-<sup>26</sup>. Numerous other UN bodies have made recommendations or decisions concerning Burma/Myanmar, but these are not included because WorldLII does not hold databases concerning those recommendations/decisions. These bodies and their recommendations/decisions are indexed in the Online Burma/Myanmar Library (OB/ML), and links to those parts of the OB/ML are included in the relevant sections of the Catalog & Websearch section of the Myanmar/Burma AsianLII resources.

### **Possible expansions of virtual databases**

We could also develop a virtual database of International Court Decisions Concerning Myanmar/Burma, although there are only a few relevant cases, such as those involving EU sanctions against Myanmar,<sup>27</sup> and a few UN Committee decisions concerning asylum seekers from Myanmar.<sup>28</sup>

## **Legal scholarship (virtual database)**

The collection's one database aims to make some of the legal scholarship on Myanmar/Burma more readily accessible.

### **Law Journal Articles Concerning Myanmar/Burma**

This database of over 70 law journal articles is constructed by searching AustLII's *Legal Scholarship Library*<sup>29</sup> (over 100 law journals) to find articles, speeches etc which refer to key terms<sup>30</sup> indicating relevance to Myanmar/Burma, and retaining the most relevant of those articles.<sup>31</sup> This process is repeated daily, in order to automatically add new relevant articles received by AustLII's Library. There is a bias toward Australian scholarship because of sources of content.

### **Other legal scholarship**

There is of course far more legal scholarship concerning Burma/Myanmar than is accessible via AustLII or other LIIs. It has recently been reviewed by Melissa Crouch, who regards it as 'an understudied area in the field of Asian Legal Studies'.<sup>32</sup> She aims to 'explain the comparative lack of legal scholarship on Myanmar and the particular challenges that this dearth has presented for academics, legal practitioners, and local and foreign researchers'. In addition, 'a large body of

<sup>23</sup> International Treaties Collection < <http://www.worldlii.org/int/special/treaties/>>

<sup>24</sup> The current search terms are: myanmar or burma or burmese or rangoon or mandalay or yangon or naypyidaw or ASEAN

<sup>25</sup> < <http://www.worldlii.org/int/other/UNGARsn/>>

<sup>26</sup> < <http://www.worldlii.org/int/other/UNSCRsn/>>

<sup>27</sup> For example, *Pye Phyo Tay Za v Council of the European Union* [2011] EUECJ C-376/10\_P\_O (29 November 2011)

<sup>28</sup> For example, *Republic of Korea* [2015] UNCAT 5 (19 January 2015)

<sup>29</sup> Australasian Legal Scholarship Library <<http://www.austlii.edu.au/au/journals/#jschol>>

<sup>30</sup> The terms currently used are: myanma\* or burma or burmese or rangoon or yangon or mandalay or Naypyidaw or SLORC or rohingya or unocal or Kachin or Karenni or Shan State or maung or aung san or SPDC or Tatmadaw or Hluttaw or dhammathat or mindon or burmese Buddhist

<sup>31</sup> The top 10% of the retrieved items are judged to be of sufficient relevance in this instance (currently, 73/730 retrieved).

<sup>32</sup> Melissa Crouch 'Rediscovering 'Law' in Myanmar: A Review of Scholarship on the Legal System of Myanmar' 23(3) *Pacific Rim Law and Policy Review* 543-575, 2014, available at <<http://ssrn.com/abstract=2444474>>

literature exists on pre-modern Burmese law and “customary” law during the modern period’, including some English sources.<sup>33</sup>

While most law journals exclusively on Myanmar law are in Burmese, there are at least five with English language sections.<sup>34</sup> Another English language law journal focusing on Myanmar was *LawKa Pala - Legal Journal on Burma*, (formerly ‘Legal Issues on Burma Journal’) which was published by the Burma Lawyers Council in 39 issues from 1997-2011. It is archived on the Online Burma/Myanmar Library.<sup>35</sup>

## The LawCite citator

The LawCite citator<sup>36</sup> is the main output of the LawCite project suite of programs developed by AustLII. It is an international citator covering much of the caselaw of the common law world, journal articles and law reform reports. It is generated automatically from data extracted from the content of all collaborating LIIs, using data mining techniques.<sup>37</sup> The citator currently includes entries for nearly five million cases and other content. Details on using LawCite are in the Appendix.

The Burmese caselaw in the collection (once the databases are built) is ‘data mined’ for citations to other cases, and the LawCite citator is updated to include citation entries for the Burmese cases, and links from entries for cases citing Burmese cases are made to those Burmese cases. The process has started with the Burmese data, but because the database are new it is not yet complete. Inconsistencies and conflicts in how cases are cited must be resolved before the process is complete. For example, there are 13 different report series internationally that use the identifier ‘BLR’, not only the Burmese Law Reports, and methods of disambiguation must be checked.

There are initially about 50 Burma/Myanmar cases for which LawCite has constructed citation records, and this number will expand as the above-mentioned processes are completed, and as more data is added to the collection. There is a ‘LawCite’ link to these Burma/Myanmar cases from the front page of the collection. Also, in any search results, there is a  link following the name of a case in the search results which, if selected, will go to the LawCite record for that case.

The example citation record below, *Fone Lan v Ma Gyee*, is of a case from a series the texts of which not yet included in the collection (*Lower Burma Rulings*) but which has been cited in other decisions, including a 1939 decision of the Privy Council on appeal from Burma, a decision in the *Burma Law Reports* in 1949, and a number of decisions in the *All India Reporter – Lower Burma* as early as 1914. From this citation record, there are links to the texts of each of these decisions in the collection, so that the citation links may be followed.

As yet, the Burmese citation data in LawCite is far from complete, but it should already be valuable for research in some areas.

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<sup>33</sup> For a summary, see Crouch and Cheesman, p.23.

<sup>34</sup> Listed in Crouch and Cheesman, p.25.

<sup>35</sup> *LawKa Pala - Legal Journal on Burma* (English) <<http://www.burmalibrary.org/show.php?cat=1002&lo=t&sl=0>> (archive)

<sup>36</sup> LawCite citator <<http://www.austlii.edu.au/lawcite/>>; Andrew Mowbray is principal author of the LawCite project software.

<sup>37</sup> A Mowbray, P Chung and G Greenleaf ‘A Free Access, Automated Law Citator with International Scope: The LawCite Project’, Working paper, 2016, <<http://ssrn.com/abstract=2768104>>

**Fone Lan v Ma Gye**  7

2 LBR 95

Lower Burma Rulings  
Myanmar[Help](#)**Cases Referring to this Case**

Case Name	Citation(s)	Court	Jurisdiction	Date †	Full Text	Citation Index
<a href="#">Cyong Ah Lin v Daw Thiike (a) Wong Ma Thiike</a>	[1949] BurLawRp 1; [1949] BLR (HC) 168	Burma Law Reports	Myanmar	4 Jan 1949	<a href="#">AsianLII</a>	  1
<a href="#">Tan Ma Shwe Zin v Koo Soo Chong (Rangoon)</a>	[1939] UKPC 48	Privy Council	United Kingdom	22 Jun 1939	<a href="#">BAIIII</a>	 
<a href="#">Maung Kwai v Yeo Choo Yon</a>	[1919] AllINRprLB 55; [1919] AIR LB 9	All India Reporter - Lower Burma	Myanmar	19 Nov 1919	<a href="#">AsianLII</a>	 
<a href="#">Ali Asghar v Mi Kra Hla U</a>	[1916] AllINRprLB 92; [1916] AIR LB 57	All India Reporter - Lower Burma	Myanmar	21 Jun 1916	<a href="#">AsianLII</a>	 
<a href="#">S G Chacrabatty v Emperor</a>	[1916] AllINRprLB 16; [1916] AIR LB 56	All India Reporter - Lower Burma	Myanmar	14 Jan 1916	<a href="#">AsianLII</a>	 
<a href="#">N K M M Chetty v Lutchman</a>	[1915] AllINRprLB 89	All India Reporter - Lower Burma	Myanmar	16 Aug 1915	<a href="#">AsianLII</a>	 
<a href="#">Ma Thein Shin v Ah Shein</a>	[1914] AllINRprLB 51; [1914] AIR LB 144	All India Reporter - Lower Burma	Myanmar	19 May 1914	<a href="#">AsianLII</a>	 

## Catalog of Myanmar legal websites

The Catalog at the bottom of the Myanmar/Burma page provides links to many dozens of external websites which contain information relevant to law in Myanmar/Burma, classified under these heads:

- [Courts & Case Law](#)
- [Education](#)
- [Government](#)
- [Inter-Government Organisations](#)
- [Law Journals](#)
- [Law Reform](#)
- [Anti-Corruption](#)
- [Citizenship and Migration](#)
- [Constitutional Law](#)
- [Environment](#)
- [Foreign Investment](#)
- [Human Rights](#)
- [Lawyers](#)
- [Legislation](#)
- [Non-Government Organisations \(NGOs\)](#)
- [Other Indexes](#)
- [Parliament](#)
- [Treaties & International Agreements](#)
- [Intellectual Property](#)
- [Jurisprudence@](#)
- [Legal Theory](#)
- [Primary Industry](#)
- [Resources Law](#)

For example, an extract of the links from the 'Human Rights' category is as follows:

- [Diplomacy Training Program](#) [\[Search<sup>Q</sup>\]](#)  
Homepage of an independent, non-government organisation providing education in human rights advocacy (on UNSW Law)
- [Equality Myanmar](#) [\[Search<sup>Q</sup>\]](#)  
Homepage containing many human rights law materials.
- [Human Rights](#)  
Contains annotated, classified and hyperlinked index to full texts of Burma/Myanmar Human Rights related documents on the Internet (on Online Burma/Myanmar Library)
- [Open Society Foundation - The Burma Project](#) [\[Search<sup>Q</sup>\]](#)  
Explanation of Society's role in Burma.
- [UN Commission on Human Rights \(CHR\)](#) [\[Search<sup>Q</sup>\]](#)  
Archive of many full text documents issued by body now replaced by UN Human Rights Council (on Online Burma/Myanmar)

Suggestions for additional catalog entries are welcome and should be sent to the Catalog Editor via the Feedback facility at the base of each page.

## Research examples and techniques

Details of how to browse and search the databases are in the Appendix, 'Guide to use of AsianLII's Myanmar databases'. However, there are many uses that can be made of the collection that go beyond simple browsing and searching. The rest of this section gives a few examples.

## Searches over all types of content

The clearest advantage of the way that legal materials are made available via AsianLII is that it is possible to search all types of available legal materials simultaneously (in this case, legislation, case law, scholarship, and international law), and to do so at the level of individual Acts and cases (not volumes of same). For example, the search

judicia\* near independen\*

which means 'documents containing words beginning with these roots/stems within 50 words of each other', such as the expressions 'judicial independence' or 'independence of the judiciary' or 'an independent judiciary', produces the following results (first 9 of 35 results shown):

By Citation Frequency	By Database	By Date	By Relevance	By Title
<a href="#">Collapse Multi-sections</a>	Show All Sections			

Page 1 of: 1 | 2 |

Results per page: [10](#) [20](#) [50](#) [100](#)

1. [Editors --- "Judicial Independence in Burma Since Independence: Constitutional History, Actual Practice and Future Prospects" \[2000\] SCULawRw 4; \(2000\) 4 Southern Cross University Law Review 17](#) [100%]  
(From [Southern Cross University Law Review](#); 1 January 2000; 121 KB) 
2. [Zan, Myint --- "The First and Fiftieth Years of Independent Burma's Law Reports" \[2004\] VUWLawRw 14; \(2004\) 35\(2\) Victoria University of Wellington Law Review 385](#) [11%]  
(From [Victoria University of Wellington Law Review](#); 1 January 2004; 171 KB) 
3. [Marrakesh Agreement establishing the World Trade Organization \(WTO Agreement\) \[1995\] ATS 8](#) [5%]  
(From [Australian Treaty Series \(ATS\)](#); 1 January 1995; 1383 KB) 
4. [Thirgood, Russell --- "The State: Enemy of the People - Suppression of Human Rights in Burma" \[2002\] AUJHRights 13; \(2002\) 8\(2\) Australian Journal of Human Rights 1](#) [4%]  
(From [Australian Journal of Human Rights](#); 1 January 2002; 128 KB) 
5. [Judiciary Law \(State Law and Restoration Law No 2/88\)](#) [3%]  
(From [Myanmar Laws](#); 26 September 1988; 5 KB)
6. [Ram Sabad v Subiah Naidu \[1935\] AllINRprRang 45; \(1935\) AIR Rang 139 \(26 February 1935\)](#) [1%]  
(From [All India Reporter - Rangoon](#); 27 KB) 
7. [Agreement Establishing the ASEAN-Australia-New Zealand Free Trade Area \(Cha-am, Phetchaburi, Thailand, 27 February 2009\) - \[2010\] ATS 1](#) [1%]  
(From [Australian Treaty Series \(ATS\)](#); 1 January 2010; 367 KB) 
8. [King v U Khemein \[1939\] AllINRprRang 119; \(1940\) AIR Rang 72 \(25 August 1939\)](#) [1%]  
(From [All India Reporter - Rangoon](#); 12 KB) 
9. [Agreement establishing the ASEAN-Australia-New Zealand Free Trade Area \[2010\] NZTS 1 \(1 January 2010\)](#) [1%]  
(From [New Zealand Treaty Series](#); 382 KB) 

The default display is By Relevance (based on word frequencies, scarcity and locations). This example shows the most relevant items of scholarship, legislation, case law and international agreements combined. Their dates range from 1923 to 2012.

These results can be displayed By Database (by clicking on that tab), so that the distribution of results across all databases can be seen:

By Citation Frequency	By Database	By Date	By Relevance	By Title
<a href="#">Collapse Listing</a>				
<ol style="list-style-type: none"> <li>1. APEC Agreements and Declarations: <a href="#">2 documents</a></li> <li>2. Australian Journal of Human Rights: <a href="#">1 document</a></li> <li>3. Balance: Journal of the Northern Territory Law Society: <a href="#">1 document</a></li> <li>4. Southern Cross University Law Review: <a href="#">2 documents</a></li> <li>5. University of Tasmania Law Review: <a href="#">1 document</a></li> <li>6. Australian Treaty Series (ATS): <a href="#">4 documents</a></li> <li>7. Joint Standing Committee on Treaties (JSCOT): <a href="#">2 documents</a></li> <li>8. United Nations Treaty Series: <a href="#">1 document</a></li> <li>9. All India Reporter - Rangoon: <a href="#">11 documents</a></li> <li>10. Burma Code: <a href="#">1 document</a></li> <li>11. Constitutions of the Republic of the Union of Myanmar: <a href="#">2 documents</a></li> <li>12. Myanmar Laws: <a href="#">4 documents</a></li> <li>13. Victoria University of Wellington Law Review: <a href="#">1 document</a></li> <li>14. New Zealand Treaty Series: <a href="#">1 document</a></li> <li>15. Misc Databases: <a href="#">2 documents</a></li> </ol>				

The contents of any one database (eg the 11 cases from the *All India Reporter – Rangoon* database) could then be displayed by selecting that database.

## Research concerning legislation

A few suggestions concerning legislation research:

- To go directly to an Act, simply put the name of the Act (including its year) as search terms, with no quotes. AustLII's autosearch function recognizes the word 'Act' and finds the relevant Act. For example: Land Acquisition Act 1894
- To find all cases (or other legal materials) referring to an Act, three methods may be used. None of them are perfect, and it is prudent to use a combination of methods:
  - Search for the name of the Act in double quotes. If the year of the Act is not included, the search may find more results.
  - Go to the Act in the Burma Code database (by searching for it, or by browsing from the front page of the Burma Code database), and select the 'Noteup' button from the top line of buttons on the page. (Does not work for the Myanmar Laws database.)
  - Go to the LawCite home page (select the LawCite logo to do so) and put the name of the Act (including the year) in the 'Legislation Considered' box.
- To find cases concerning a particular section of an Act is more difficult. For example, the key section in Burma's *Land Acquisition Act 1894* is section 4. A combination of three methods should be used, illustrated using this example:
  - Search for: Land Acquisition Act near 4
  - On the LawCite home page put the name of the Act (try with or without the year) in the 'Legislation Considered' box, and the section number in the 'Section' box.
  - Use the 'Noteup' function at the top of the Act's web page, then add 'near 4' to the search.

## Research concerning cases

A few suggestions concerning case law research:

- To go directly to a known case, simply put the name of the case (with no quotes), including the 'v' in the title, as the search term, and the autosearch function will recognize that the 'v' means that a case is sought; for example: Maung Shwe Ton v Maung Tun Lin
- To find all cases (or articles) citing a known case, either put the name of the case in double quotes as the search term, or (if there is any uncertainty about the party names) put the key terms of each party name with the 'near' connector in between, as follows:
  - "Maung Shwe Ton v Maung Tun Lin"
  - Shwe Ton near Tun Lin

- To see the history of citations of a particular case, go to the LawCite record for that case, and select the 'Date' column to sort the cases citing into chronological order (latest first). For example *Ma Tok v Ma Tbi* has been cited in 9 other cases, from 1915 to 1959:

**Ma Tok v Ma Tbi** 🇲🇲 12 ⭐  
(1910) 5 LBR 78  
Lower Burma Rulings  
Myanmar

[Help](#)

**Cases Referring to this Case**

Case Name	Citation(s)	Court	Jurisdiction	Date †	Full Text	Citation Index
<a href="#">Ma Aye Kyin v Daw Nyein and two others</a>	[1959] BurLawRp 53; [1959] BLR (HC) 187	Burma Law Reports	Myanmar	25 Aug 1959	<a href="#">AsianLII</a>	 
<a href="#">Ma Mya Sein v Maung So Myint (Tan) and two others</a>	[1948] BurLawRp 52; [1948] BLR (HC) 591	Burma Law Reports	Myanmar	21 Jun 1948	<a href="#">AsianLII</a>	 
<a href="#">Ma Ngwe v U Min Sin</a>	[1936] AllINRprRang 44; [1936] AIR Rang 240	All India Reporter - Rangoon	Myanmar	25 Feb 1936	<a href="#">AsianLII</a>	 
<a href="#">Maung Ba Tu v Ma Bia Min</a>	[1936] AllINRprRang 22; [1936] AIR Rang 239	All India Reporter - Rangoon	Myanmar	23 Jan 1936	<a href="#">AsianLII</a>	 
<a href="#">Mary Alveraz v Ratanapon Society</a>	[1935] AllINRprRang 254; [1936] AIR Rang 237	All India Reporter - Rangoon	Myanmar	12 Dec 1935	<a href="#">AsianLII</a>	 
<a href="#">Ah Fwaik v Receiver Bailiff, District Court, Insein</a>	[1934] AllINRprRang 32; [1934] AIR Rang 155	All India Reporter - Rangoon	Myanmar	22 Feb 1934	<a href="#">AsianLII</a>	 
<a href="#">Emperor v Mi Kywa</a>	[1934] AllINRprRang 8; [1934] AIR Rang 203	All India Reporter - Rangoon	Myanmar	15 Jan 1934	<a href="#">AsianLII</a>	 
<a href="#">Shwe Yin v Ma On</a>	[1918] AllINRprLB 7; [1919] AIR LB 144	All India Reporter - Lower Burma	Myanmar	21 Jan 1918	<a href="#">AsianLII</a>	 
<a href="#">Shwe Lon v Hla Gywe</a>	[1918] AllINRprLB 3; [1919] AIR LB 145	All India Reporter - Lower Burma	Myanmar	7 Jan 1918	<a href="#">AsianLII</a>	 
<a href="#">Aung Ma Khaing v Mi Ah Bon</a>	[1917] AllINRprLB 107; [1918] AIR LB 100	All India Reporter - Lower Burma	Myanmar	11 Dec 1917	<a href="#">AsianLII</a>	 
<a href="#">Maung Ba Tig v Baman Khan</a>	[1917] AllINRprLB 20; [1918] AIR LB 101	All India Reporter - Lower Burma	Myanmar	19 Feb 1917	<a href="#">AsianLII</a>	 
<a href="#">Mi Hla Yin v Mi Hman</a>	[1915] AllINRprUB 17; [1916] AIR UB 5	All India Reporter - Upper Burma	Myanmar	3 Sep 1915	<a href="#">AsianLII</a>	 

## Persistent legal issues and historical research

Some legal issues have long historical roots in any legal system based in part on the common law. An example is that issues of Burmese Buddhist law<sup>38</sup> have very frequently been considered by the Burmese and UK courts since the earliest decisions. For example, the search 'dhammathat or burmese buddhist law' produces 409 results, almost all of which are cases, and 16 of which are decisions of the Judicial Committee of the Privy Council. Such decisions are very relevant to anyone considering the place Burmese Buddhist law in the current law of Myanmar, or in its historical development. They have not previously been so easy to find.

Experts on Burmese law have suggested that future research that would benefit from use of the database collection include research on the influence of British legal thought on the development of law in Burma; on the connections and influences between India and Burma in terms of development of legal principles in the colonial era; and on the role of the Supreme Court of Burma in the early years of independence

As an example of historical research, the history of case law concerning the death penalty can be traced by doing a search for 'capital punishment or death penalty', then sorting the 37 results by date (which gives a 'Latest first' display). Further selection of the 'Earliest first' option results in the following display (first seven results only shown), starting with the earliest case held (1914), and progressing chronologically through all items that satisfy the search request, until the most recent item held (a case from 1962:

<sup>38</sup> For a brief description, see Melissa Crouch 'The Layers of Legal Development in Myanmar' Chapter 3 in M Crouch and T Lindsay (Eds) *Law, Society and Transition in Myanmar*, Hart Publishing, 2014, section 'The Origins of Burmese Law', pp. 34-36. For details see Andrew Huxley 'Is Burmese Law Buddhist?: Transition and Tradition', Chapter 4 in Crouch and Lindsay.

By Citation Frequency	By Database	By Date	By Relevance	By Title
<a href="#">Collapse Multi-sections</a>	Show All Sections	Earliest First	<a href="#">Latest First</a>	

Page 1 of: 1 | 2 |

1. [Nga Kan Hla v Emperor \[1914\] AllINRprUB 25; \(1914\) AIR UB 31 \(29 September 1914\)](#)  
(From [All India Reporter - Upper Burma](#); 29 September 1914; 16 KB) LawCite
2. [Nga Shwe Myo v Emperor \[1914\] AllINRprUB 31; \(1914\) AIR UB 33 \(1 December 1914\)](#)  
(From [All India Reporter - Upper Burma](#); 1 December 1914; 5 KB) LawCite
3. [Mi She Yi v Emperor \[1923\] AllINRprRang 167; \(1924\) AIR Rang 179 \(15 November 1923\)](#)  
(From [All India Reporter - Rangoon](#); 15 November 1923; 14 KB) LawCite
4. [Ma Ma Gyi v King Emperor \[1923\] AllINRprRang 171; \(1924\) AIR Rang 178 \(23 November 1923\)](#)  
(From [All India Reporter - Rangoon](#); 23 November 1923; 10 KB) LawCite
5. [Maung Than v Zainat Bibi \[1925\] AllINRprRang 75; \(1926\) AIR Rang 50 \(7 May 1925\)](#)  
(From [All India Reporter - Rangoon](#); 7 May 1925; 11 KB) LawCite
6. [Mahomed Eusooof v King Emperor \[1925\] AllINRprRang 115; \(1926\) AIR Rang 51 \(31 July 1925\)](#)  
(From [All India Reporter - Rangoon](#); 31 July 1925; 19 KB) LawCite
7. [King Emperor v Nga San Htwa \[1927\] AllINRprRang 43; \(1927\) AIR Rang 205 \(21 February 1927\)](#)  
(From [All India Reporter - Rangoon](#); 21 February 1927; 22 KB) LawCite

This result would be much better, of course, if pre-1914 cases were held. Such searches may be a valuable research tool for many examples of historical research, particularly those where tracing the history of a concept is relevant.

## Comparative legal research across ASEAN or Asian jurisdictions

Research comparing Burmese law with that of other ASEAN jurisdictions, or over all Asian jurisdictions is facilitated by AsianLII.

A search across all nine ASEAN jurisdictions can be done by going to the front page of AsianLII, choosing the link to the 'ASEAN' page, and carrying out the search from there.

As an example of a search across all 26 Asian jurisdictions, consider a search of the Myanmar/Burma resources for material on the old type of chattel mortgage known as hypothecation. A search for 'hypothecat\*' produces 46 results (mainly Burmese cases, but also two Acts and three Privy Council decisions). Simply by selecting 'Repeat search over ... All AsianLII databases' at the top right of the search results page (as shown below), the same search can be repeated over the 300+ databases on AsianLII.



AsianLII

[\[Home\]](#) [\[Databases\]](#) [\[Search\]](#) [\[WorldLII\]](#) [\[Feedback\]](#) [\[Help\]](#)

hypothecat\*

[\[Advanced Search\]](#) [\[Search Help\]](#) [\[Results Interface Help\]](#)

Repeat search over:

All AsianLII Databases
Legal Publishers
Catalog & Websearch
WorldLII Databases
Law on Google

**AsianLII Databases - Documents found: 46** for (hypothecat\*)

By Citation Frequency	By Database	By Date	By Relevance	By Title
<a href="#">Collapse Multi-sections</a>	Show All Sections			

Page 1 of: 1 | 2 | 3 | Results per page: [10](#) [20](#) [50](#) [100](#)

1. [K S P Subbiah Naidu v Ram Sabad \[1936\] AllINRprRang 26; \(1936\) AIR Rang 266 \(30 January 1936\) \[100%\]](#)  
(From [All India Reporter - Rangoon](#); 25 KB) LawCite

The result is that 1874 cases and legislative items about hypothecation can be found from 15 Asian jurisdictions, with the results here displayed By Database, demonstrating its wide usage across Asia but particularly in South Asia.

AsianLII Databases - Documents found: 1874 for (hypothesat\*)

By Citation Frequency	By Database	By Date	By Relevance	By Title
<a href="#">Collapse Listing</a>	<a href="#">Expand Listing</a>			
<ol style="list-style-type: none"> <li>1. Asian Legal Materials: <a href="#">1 document</a></li> <li>2. Bangladesh Legal Materials: <a href="#">3 documents</a></li> <li>3. Brunei Legal Materials: <a href="#">1 document</a></li> <li>4. Bhutan Legal Materials: <a href="#">3 documents</a></li> <li>5. People's Republic of China Legal Materials: <a href="#">9 documents</a></li> <li>6. Indian Legal Materials: <a href="#">1382 documents</a></li> <li>7. Japanese Legal Materials: <a href="#">15 documents</a></li> <li>8. South Korean Legal Materials: <a href="#">3 documents</a></li> <li>9. Sri Lankan Legal Materials: <a href="#">325 documents</a></li> <li>10. Myanmar Legal Materials: <a href="#">9 documents</a></li> <li>11. Malaysian Legal Materials: <a href="#">15 documents</a></li> <li>12. Papua New Guinea Documents : <a href="#">3 documents</a></li> <li>13. Pakistan materials: <a href="#">10 documents</a></li> <li>14. Philippine Legal Materials: <a href="#">89 documents</a></li> <li>15. Singaporean Legal Materials: <a href="#">5 documents</a></li> <li>16. Vietnamese Legal Materials: <a href="#">1 document</a></li> </ol>				

## Potential future development

The developments sketched in this paper are the start, but not the completion, of AustLII's development of Myanmar/Burma legal resources. The discussion of the databases has already set out how they do not include many important English-language legal resources. Subject to funding, and availability of source documents, as many of these as possible will be added to the collection in due course. This final section discusses some potential developments which go beyond expansion of the English language databases.

### Burmese language content

Until the collection's databases include content in the Burmese language, and that content can be searched with the English-language content, this collection can give only an incomplete account of the evolution of Burmese law, much less an understanding of current Myanmar law since much of it is only available in Burmese. Asian languages, or at least those that require a 'double byte' representation (such as Burmese), present difficulties for the efficient operation of search engines. AustLII's open source search engine (called SINO), has an extension (an approach called 'u16a') which is theoretically capable of searching texts in any Asian language simultaneously with English (or other languages using Roman scripts), but its use requires considerable customization for each language.<sup>39</sup> If funding becomes available in the future, AsianLII may consider developing Burmese language database with the assistance of researchers proficient in Burmese, and the capacity of the SINO u16a extensions to search Burmese texts..

### Inclusion in common law research resources

There are other locations than AsianLII from which the Myanmar/Burma content will be searchable. One is the Commonwealth Legal Information Institute (CommonLII). Although Myanmar has not been a member of the Commonwealth since independence, the legal system of Myanmar was formed on a common law model during the colonial period, though it has departed from that model in many respects since then.<sup>40</sup> All of the content of AsianLII is also searchable, along with much more content from most countries in the world, via the World Legal Information Institute (WorldLII).

<sup>39</sup> P Chung, A Mowbray and G Greenleaf 'Searching Legal Information in Multiple Asian Languages' *Legal Information Management*, Vol. 13, 2012, available at <<http://ssrn.com/abstract=2104022>>

<sup>40</sup> For a history of this development, see M Crouch 'The Layers of Legal Development in Myanmar' in M Crouch and T Lindsay (Eds) *Law, Society and Transition in Myanmar*, Hart Publishing, 2014

AustLII, in cooperation with the other LIIs involved in CommonLII, is also developing an 'International History of the Common Law Library', and the pre-1950 Burmese materials in this collection will form part of that Library. We plan to launch a prototype of that Library, on CommonLII, during 2016. Such a history of the common law will, among other things, enable some more sophisticated research in colonial legal history than is now easy to carry out (or perhaps even possible), such as tracing the influence on laws and societies as particular colonial administrators, including judges, moved from one part of the British Empire to another during their careers,

## Appendix: Guide to use of AsianLII's Myanmar databases

### Browsing the Databases

To find all databases for a country, select the name of that country from AsianLII's front page to go to the country's page in AsianLII. The databases are listed first on the country page, under 'Databases'. Select the name of a database to go to its home page, which shows the number of items in the database, the range of years from which they are derived, the date of the most recent item added and both annual and alphabetic tables of contents (both may not be available in some cases).

#### Legislation databases

##### **Front page of each database**

**[Database Search]** limits scope of search to database named at the top of page.  
**[Name Search]** limits scope of the search to names of Acts in this database. Search with key words in the title of a known Act.  
**'Last updated: ...'** most recent date database was updated on system;  
 NOTE- *does not indicate legislation is consolidated to that date .*

##### **Additional button on each Act or section (if available - depends on database)**

[\[Index\]](#) [\[Table\]](#) [\[Search\]](#) [\[Notes\]](#) [\[Noteup\]](#) [\[Previous\]](#) [\[Next\]](#) [\[Download\]](#) [\[Help\]](#)

**[Table]** goes to the Act's table of contents, at the entry for this section.  
**[Notes]** displays notes associated with current Act; amendment histories etc.  
**[Noteup]** searches automatically for all materials on LII which refer to this section.  
**[Previous]** goes to preceding section in Act; use for "stepping back" through an Act.  
**[Next]** goes to the next section in the Act; use to 'step through' sections of an Act.  
**[Download]** downloads copy of whole current Act (not single section); choose ASCII or (if available) RTF; if ASCII, print or save using normal browser commands

To go back to the home page of a database, choose its name in the 'You are here' line: eg -  
 'You are here: AsianLII >> Databases >> **Indian Legislation** >> Patents Act 1970'

#### Case Law databases

**[Database Search]** limits search to only the current database.  
**[Name Search]** limits scope of search to titles of cases in current database only.  
**[Recent Decisions]** displays most recent cases added, by date of the case.

### Searching the Databases

There are 3 search options: from the front page, a country page, or the Advanced Search page

- The **Front page search** is at the top of AsianLII's front page - use to search all databases
- The **Country page search** limits searches only to databases from the country that has been chosen; it also allows searches of the Catalog/Websearch or law on Google, for material from that country.
- The **Advanced Search Form** (accessed from the front page) allows various special searches that cover all Asian countries but only some materials (eg legislation); it also allows special search types.

#### Connectors (used for all 3 search options)

Operator	Meaning	Example
and	page contains both terms	negligen* and defam*
or	page contains either of two terms	weapon or gun or firearm or pistol

<b>not</b>	page contains 1st term but not 2nd	trust not family
<b>near</b>	1st term is within 50 words of 2nd	disclos* near offence
<b>w/n or /n/</b>	1st term is within <i>n</i> words of 2nd	court w/5 jurisdiction
<b>pre/n</b>	1st term must precede 2nd term by less than <i>n</i> words	contempt pre/3 court
<b>( )</b>	Always use parentheses if search includes two types of connectors	contempt near (radio or television)
<b><i>n</i>*</b>	Use * for truncation	'negligen*' finds negligent, negligence, negligently etc
	Regular plurals, and singulars, are searched automatically	'firearm' = 'firearms' and vice-versa 'treaty' = 'treaties' and vice-versa

**Searching for phrases** = To search for a phrase, put it in double quotes (eg "freedom of information"). This is not necessary for a Boolean search (ie if connectors are used) but it is better to be sure.

**Search terms the same as connectors** – If a phrase is searched for which contains a connector, the whole phrase should be put in double quotes (eg "fit and proper person").

## Searching from the Myanmar country page

On each country page, the following search window appears. The default search scope is 'Databases' for that country. (Ignore Catalog & Websearch' – now non-functioning)

The screenshot shows a search interface with a text input field and a 'Search' button. Below the input field are two links: '[Search Help]' and '[Advanced Search]'. At the bottom, there is a 'Search:' label followed by three radio button options: 'Databases' (which is selected), 'Catalog & Websearch', and 'Law on Google'.

### The Database search option

The Databases search will then search all of the databases listed on that country page, but no others. To search only one of the databases, go to that database's home page and choose the 'Database Search' option (described above). There is at present no way to search a combination of databases from one country (an enhancement is planned).

### The Law on Google option

If the 'Law on Google' option is chosen and search terms inserted, then the search is sent to the Google search engine to be carried out, but it is first transformed in three ways in order to make it more useful:

- First, the search syntax used by the AsianLII search engine is translated into those required by Google's search engine (for example, 'or' is translated into 'OR'; phrases are put into quotes);
- Second, terms to restrict results to those relevant to the country concerned are added; for example, a search from the India page will have 'India OR site:.in' added;
- Third, a list of law-related search terms is added to reduce the likelihood of sites unrelated to law being found or ranked highly.

It may sound complicated, but it generally produces good results.

## Display of Database search results

Where Databases are searched, four options allow different displays of search results.



**By Relevance** – The default results display is by order of likely relevance to the search request, most relevant first. The percentage ranking ('relevance ranking') next to each document shows 100% for the first document if it contains all search terms. All others are ranked pro-rata to that document according to number, frequency and location of search terms they contained. The '**Collapse Multi-sections** | Show All Sections' option makes search results which contain numerous references to legislation more readable by reducing the number of sections visible.

**By Date** – Results are sorted by date order, most recent date displayed first (ie reverse chronological order). Legislation is displayed by the date the Act was passed or the Regulation made, not by the date on which a particular section or clause was amended. The 'Collapse Multi-sections' option is available.

**By Title** – The results are sorted alphabetically by the title of the document, and displayed from a-z. The 'Collapse Multi-sections' option is available. The 'Collapse Title' option groups the results together based on the first alphanumeric character in the title, that is, 'A' to 'Z' and then '0-9'.

**By Database** – The search results are displayed grouped into the databases on which they are located. The databases are displayed in the order in which they appear in AsianLII's menu structure (not by number of results found in each). To view the results from only one database, click on the number of documents next to the name of the database (Note: to see the results from all databases again, it is necessary to use the 'back' button). The 'Collapse Listing | Expand Listing' option is only available with the 'By Database' display.

**'Context' - going to the occurrences of search terms**  - The 'Context' button appears at the top of most documents found in a search. Click on the red arrow to go to the first search term, then forward (or back) on further red arrows to go from one occurrence of search terms to the next. **Wait until the whole document has loaded** before using the 'context' button ie when the status line at the bottom of the screen says 'Document done'.

**[PDF] results** – If a search result has '[PDF]' in front of it then it is not displayed as a HTML file (a web page), but instead will automatically be downloaded as a PDF (Portable Document Format) file if the link to the result is selected. PDF files are in the original format provided by the data source and do not have internal hypertext links or 'context' and other navigation buttons otherwise found on LII documents.

**Modifying searches** - The Search Results page always displays your current search (or stored search) at the top of the page, allowing it to be modified and another search run.

**The 'Repeat search over:' box** On the right side of each display of Database search results, the options in this box allow the same search as has just been executed to be repeated over any of 4 other broader sets of data: (i) All AsianLII databases (valuable if only one country has been searched); (ii) Catalog & Websearch (all countries, not only in Asia); (iii) WorldLII Databases (all databases in the World legal Information Institute); and (iv) 'Law on Google' (no limitation to one country).

## LawCite citator

**LawCite's search screen** allows numerous ways to find cases or articles. For cases, use a citation, or any combination of party name(s), court, jurisdiction and/or year(s). The name of one party, and the court (or sometimes even the jurisdiction), can also often be used. To limit cases

found to those from a particular period, put two years in the 'Year' field. For articles, use a combination of article title or author.

The screenshot shows a search form with the following fields and examples:

- Citation: [ ] eg [1963] 2 All ER 575
- Parties: [ ] v [ ]
- Court: [ ] eg Supreme Court
- Jurisdiction: [ ] eg Australia
- Article Title: [ ] eg "Human Rights"
- Author: [ ] eg Michael Kirby
- Year: [ ] to [ ]  Use Synonyms  Filter Results
- Cases Considered: [ ]
- Legislation Considered: [ ] Section: [ ] Search

**LawCite search results** show (i) cases, (ii) law reform reports and (iii) law journal articles matching the search. To go to the LawCite record for a case or article, select from the Case Name or Journal Article Title field, as below:

Case Name	Citation(s)	Court	Jurisdiction	Date	Full Text	Citation Index
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The search results can be sorted by selecting any of the other fields (in default, sorted by Citation Index). From the list of search results, choose the case that best matches your search. Citation information for that case is then displayed. For large lists of search results (more than 5000) the user is prompted as to whether or not they want to continue prior to the list of results being displayed.

**LawCite Case and Article records** consist of a header followed by up to four tables. The header lists the name of the case or article, the citations list, the court / journal, the jurisdiction and the date. Alternative (parallel) citations for the case are displayed with its title. Where a free full-text version of the case or article is available, the citation in the citations list will be a live link (blue). The following tables (in order) are: Legislation Cited (with live links to the full-text); Cases and Articles Cited; Cases Referring to this Case or Article; Journal Articles Referring to this Case or Article. Quick access to each of these tables is via the links at the top left hand side of the screen.

**Australian Broadcasting Corporation v Lenah Game Meats Pty Ltd** 555 ★★★★★ [Help](#)

[2001] HCA 63; (2001) 208 CLR 199; 185 ALR 1; 76 ALJR 1; [2001] Aust Torts Reports 81-627; (2001) 54 IPR 161; (2001) 22 Leg Rep 11

High Court of Australia  
Australia - Commonwealth

**Cases Referring to this Case**

Case Name	Citation(s)	Court	Jurisdiction	Date	Full Text	Citation Index
<a href="#">Sports Data Pty Ltd v Prozone Sports Australia Pty Ltd</a>	[2014] FCA 595	Federal Court of Australia	Australia - Commonwealth	6 Jun 2014	<a href="#">AustLII</a>	
<a href="#">Gerace v Auzhair Supplies Pty Ltd</a>	[2014] NSWCA 181	Supreme Court of New South Wales - Court of Appeal	Australia - New South Wales	6 Jun 2014	<a href="#">AustLII</a>	

The tables contain a number of columns. They can be sorted on the basis of the contents of each column by clicking on column name at the top of the table. The currently selected column for sorting is indicated by a † symbol. Hovering the mouse over various table elements gives further information about the item or a note as to what will happen if you click on a link. The columns are as follows:

- **Case/Article/Legislation Name** – This column contains the case name or article title. This is the way the case or article is most commonly referred to in the full-text data from which LawCite is built. If you click on this name, you will get the LawCite entry for this case or article (if one is available).
- **Citations** – The Citations column contains all known citations for a case or article. Clicking on any live (blue) citations will bring up the full-text of the case or article. You can also hover over a citation to see what it is (ie which journal or series of law reports). The order of citations is neutral citation first (if any), authorised citation next (if any) and then citations ordered by how often they have been referenced.
- **Court/Author** – This column contains the name of the court that handed down the decision or the author of an article. This is determined for cases, on the basis of the series that appear in the citations list and in the case of articles, from meta-data in any linked full-text version. This information will not always be available.
- **Jurisdiction** – The Jurisdiction column list the country and (sometimes) the sub-jurisdiction. It is almost always available and again is derived from the series.

- *Date* – This column lists the date or year of a decision or judgment. Dates refer to the date that a decision was handed down. A year is the year that a decision or journal article was first published.
- *Full Text* – The Full Text column lists a place where the full text of the decision or article can be found (for free access). Where available, this will normally be one of the Free Access to Law Movement sites (AustLII, BAILII, HKLII etc). Where no free version exists, a sensible starting point for finding the decision on one of the commercial services is sometimes listed. The latter is only intended as a guide as the decision may be available in a number of places.
- *Flags* – This column has a flag indicting the nationality of the decision or article. It is intended to make it easy to see at a glance where things are coming from.
- *Citation Index* – The Citations List column contains (as a minimum) a small LawCite logo. Clicking on this will bring up the LawCite record for the case or article. Where the case or article is frequently cited, a number of "stars" will appear. The greater the number of stars, the greater the popularity of a case or article. Each star indicates approximately 50 citations.

LawCite records do not explicitly include appeal details, and do not include editorially-developed information such as 'distinguished' and 'not followed'.