



Lexis[®] Library



Module 1: Lexis[®] Library Basic Skills

South Africa's most authoritative and comprehensive resource for online legal research.

All-in-one access to legislation, commentary, case law and more. It's a comprehensive digital library that will always keep you informed.





Module 1: LexisLibrary Basic Skills Contents

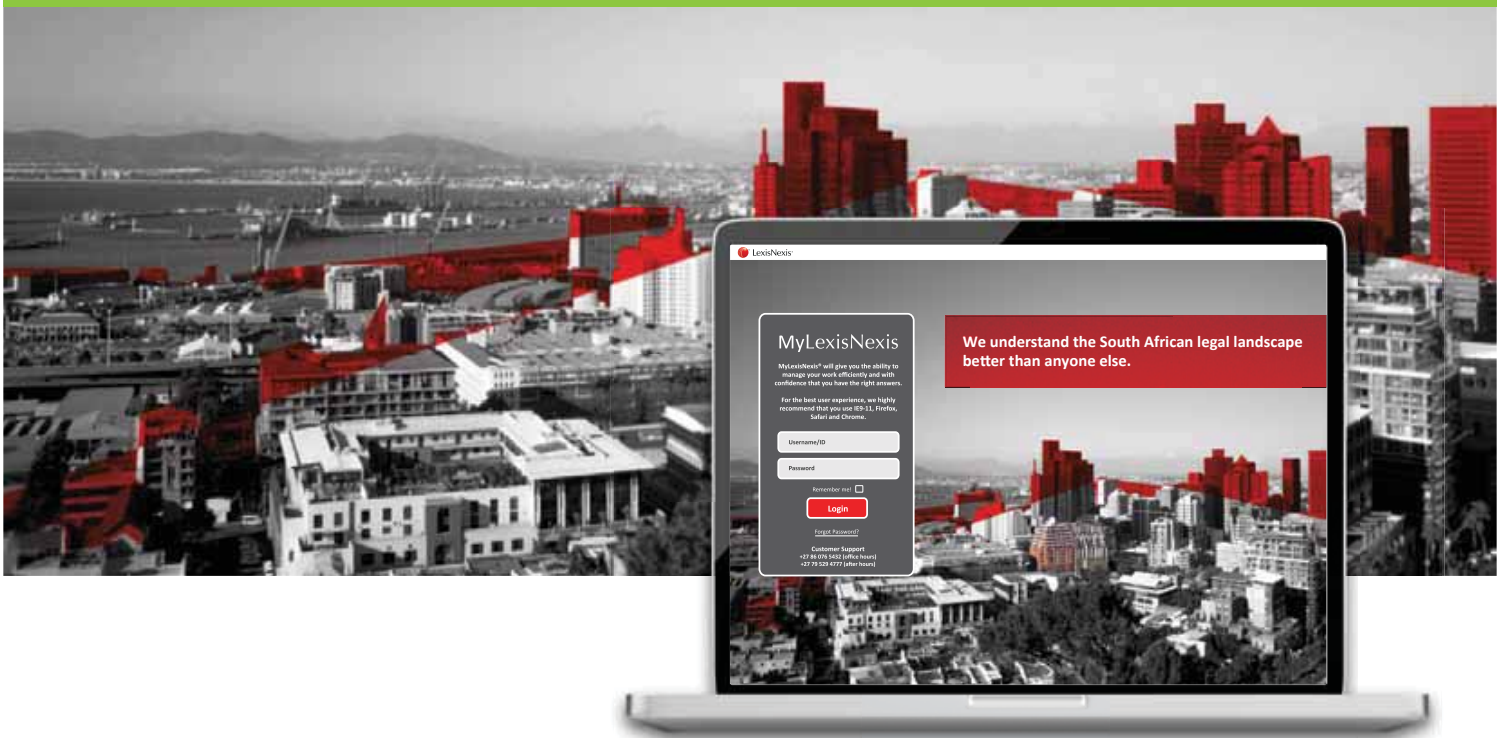
About MyLexisNexis	3
About this Training	3
1. Basic Navigation and using LexisLibrary	4
1.1 Using LexisLibrary	4
1.2 Table of Contents	4
1.3 Legal Citator	6
1.4 Tabs	6
1.5 General Features	6
<i>Worked Example</i>	
1.6 My Workspace, Notes, My Downloads and Folders	10
2. Searching	14
2.1 General Text Search	14
2.2 Advanced Searches	14
2.3 Focus Searches	16
2.4 Search Results	17
3. Law Reports and the Legal Citator	18
3.1 Finding Case Law	18
<i>Worked Example</i>	
3.2 Legal Citator	22
4. Legislation	27
4.1 Finding Legislation	27
<i>Worked Example</i>	

Other LexisLibrary Training Modules:

Module 2: LexisLibrary Legal Research

Module 3: LexisLibrary Advanced Legal Research

Module 1: Lexis® Library Basic Skills



ABOUT MYLEXISNEXIS

My LexisNexis is the go-to online hub for legal research, guidance and regulatory compliance. One online platform, three game-changing, customisable solutions.



LexisLibrary

All-in-one access to legislation, commentary, case law and more. It's a comprehensive digital library that will always keep you informed



Practical Guidance

Your professional legal how-to guide. Access guidance notes, commentary, legislation, case law, forms, precedents, checklists and other resources all in one place



LexisAssure

A pro-active compliance alert tool that informs you of any regulatory changes that could specifically place your business at risk. It's a pro-active radar that won't let you miss a trick

ABOUT THIS TRAINING

There are three modules in the LexisLibrary training series.

Module 1: LexisLibrary Basic Skills

This module will assist a first time user or beginner in learning the navigation methods necessary to get the most out of LexisLibrary. In addition, a basic overview of Law Reports, Legal Citator, Legislation and search techniques is provided.

Module 2: LexisLibrary Legal Research

This module will equip you with the fundamental tools and skills required to get the most out of your LexisLibrary research experience.

Skills you will acquire in this module:

- Locating resources to answer specific questions
- Utilising secondary sources
- Refining search results
- Using secondary sources to identify primary sources
- Creating folders and saving research

Module 3: LexisLibrary Advanced Legal Research

This module introduces how LexisLibrary will assist you to answer more complex legal questions.

Skills you will acquire in this module:

- Strategies for resolving complex legal questions
- Identifying entry points into networks of legal resources
- Searching using keywords
- Finding primary sources of law
- Using Legal Citator as a research tool

1. Basic Navigation and Using LexisLibrary

1.1 USING LEXISLIBRARY

MyLexisNexis is divided between three main content sources, Library (marked 6 in figure 1), Practical Guidance (marked 7 in figure 1) and LexisAssure (marked 8 in figure 1) which operate separately from each other.

There are three ways to navigate the LexisLibrary content:

- By navigating the Table of Contents on the left hand side of the screen (marked 1 in figure 1);
- Using the General Text Search field at the top of the screen (marked 3 in figure 1);
- Using the Focus Search field (marked 4 in figure 1) to conduct an Advanced, Law Report, Legislation and Gazettes Search.



Figure 1: The Homepage and navigation

1.2 TABLE OF CONTENTS (TOC) (marked 1 in figure 1)

The table of contents, located on the left of the screen contains all the LexisLibrary resources / products that you have subscribed to in a condensed alphabetical list (a + alongside an item indicates that the list is collapsed, selecting the + will expand the list, conversely a - indicates that the list is expanded and selecting the - will collapse the list).

The TOC has several useful features that will assist you when using other functions on the site.

Clicking on the red Table of Contents button (marked 2 in figure 1) in the middle of the screen will either collapse or expand the Table of contents. You can also increase the width of the TOC by dragging its associated scrollbar horizontally across the screen.

Module 1: Lexis® Library Basic Skills

When you use the General Search field you are able to limit your search to particular publications or portions of publications by ticking the boxes that appear next to them in the TOC; for instance, if you are searching for a topic in a particular textbook you would tick the box next to that textbook and then enter the topic into the search field (this will be further explained in SECTION 2: SEARCHING):



Figure 2: General search

Once you have made a selection, you can change what you have selected by clicking on the tick box again to remove that item from the selection, or you can select "clear" at the top of the TOC to remove all selections.

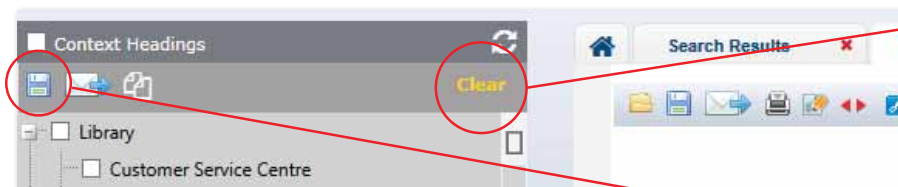


Figure 3: Clearing a selection

From the TOC you can also download documents that you have selected by selecting the save icon (the blue computer disk icon) within the TOC. This can be in either .pdf or .rtf formats:

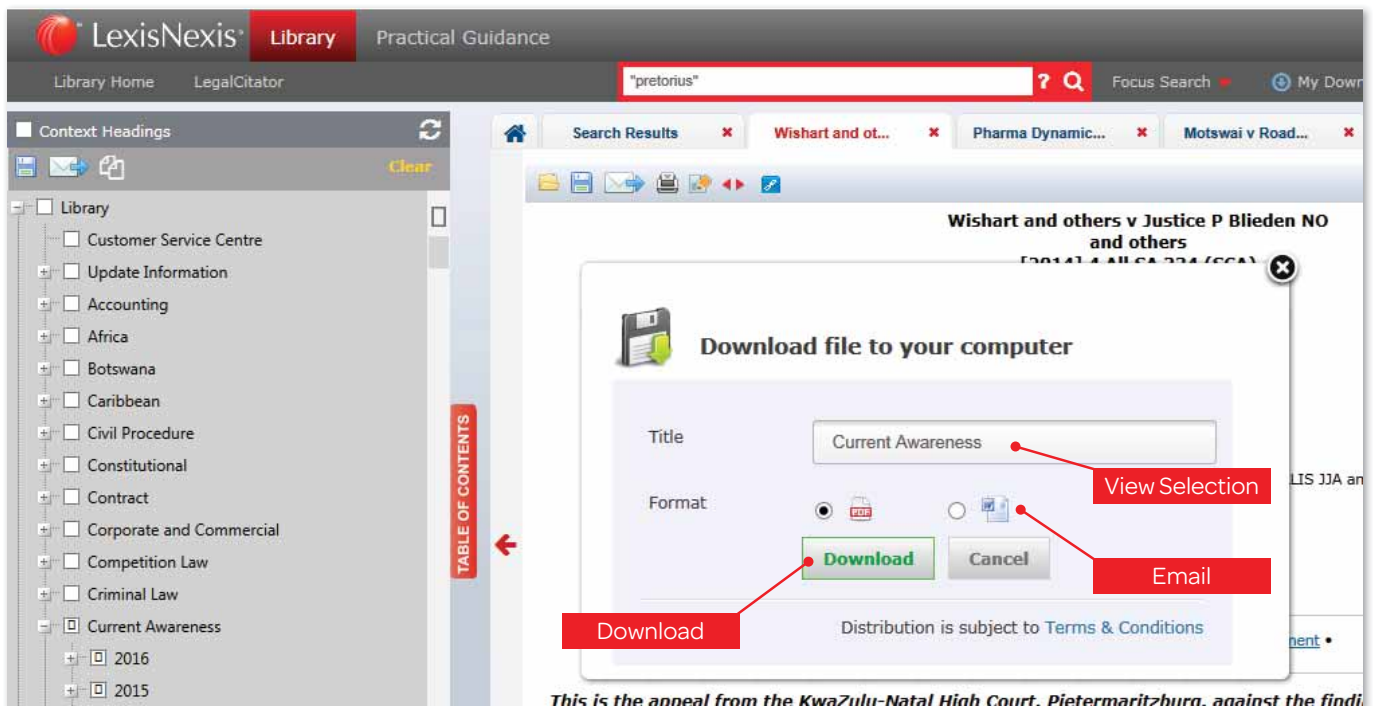


Figure 4: TOC Features

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

You can also email your selection from the TOC by selecting the white envelope with the blue arrow.

View selection is a tool that gives you the ability to create customised documents from any documents in the TOC. It takes all the documents which you have selected and joins them together into one, which you can then download, print or email.

1.3 LEGAL CITATOR

The Legal Citator (marked ⑤ in figure 1) is a research tool pertaining to case law which identifies references between cases and references by cases to legislation, rules and regulations and which is dealt with in SECTION 3: Law Reports and the Legal Citator of these notes.

1.4 TABS



Figure 5: Tabs in MyLexisNexis

You will notice that each new page that you open will be opened in a new tab in your workspace.

This allows you to have many pages open at once and to move between them without having to re-open documents that you have already found. Please note that you should not use the back or previous arrow feature on your browser to move to a previous page on LexisLibrary, anything you open will be in its own tab and you can navigate between them by clicking on the applicable tab.

You can close any tabs that you have opened, or view those which have been hidden (where you have opened more than the screen can accommodate) by clicking on the down arrow marked ① in figure 5 and selecting a particular tab you wish to close, or you may select to "Close All" or "Close All But Current" – see figure 6 (which means all other tabs apart from the document currently open in your display window will be closed).

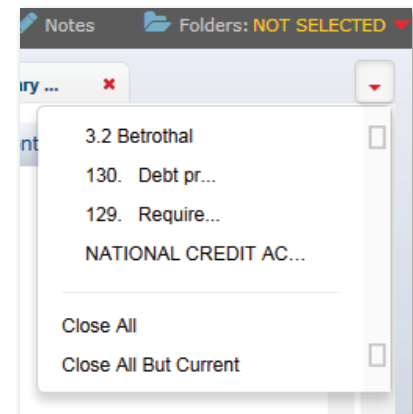


Figure 6: Closing Tabs




1.5 GENERAL FEATURES







Figure 7: General Features

There are several features that are available for any document you view and they appear just above the document on the left of the task bar.

These allow you to:

-  Save the document to a client folder previously created by you
-  Download to your computer or other location in .pdf or .rtf formats
-  Email

-  Print the document as a PDF
-  Display the publication details of the document
-  Move to the next or previous page of the publication
-  Create a permalink to that document (this creates an address for the document you are viewing and allows you to insert this as a link into a document outside of LexisLibrary which, when accessed, will return you to the document of origin within LexisLibrary).

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

This is an example of what the permalink will look like in your document:

<http://www.mylexisnexus.co.za/Index.aspx?permalink=WzlwM-TNdIDMgQWxsIFNBIGFOIFBhZ2UgMjUwJDUzMzY0OOTMkNyRMaWJyYXJ5JEpEJExpYnJhcnk>

Sync contents will indicate the TOC structure of any document that you are presently viewing in the document pane. So, for example, if you have followed a hyperlink from one document to another you can sync the contents of that second document to access the remainder of the publication in the TOC.

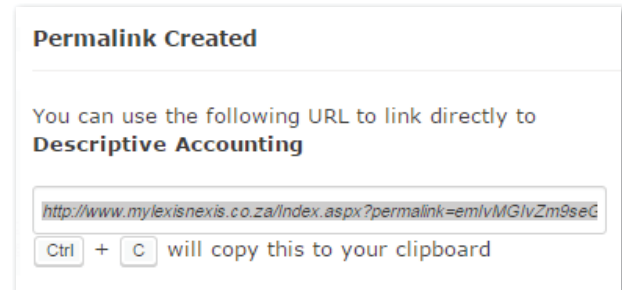


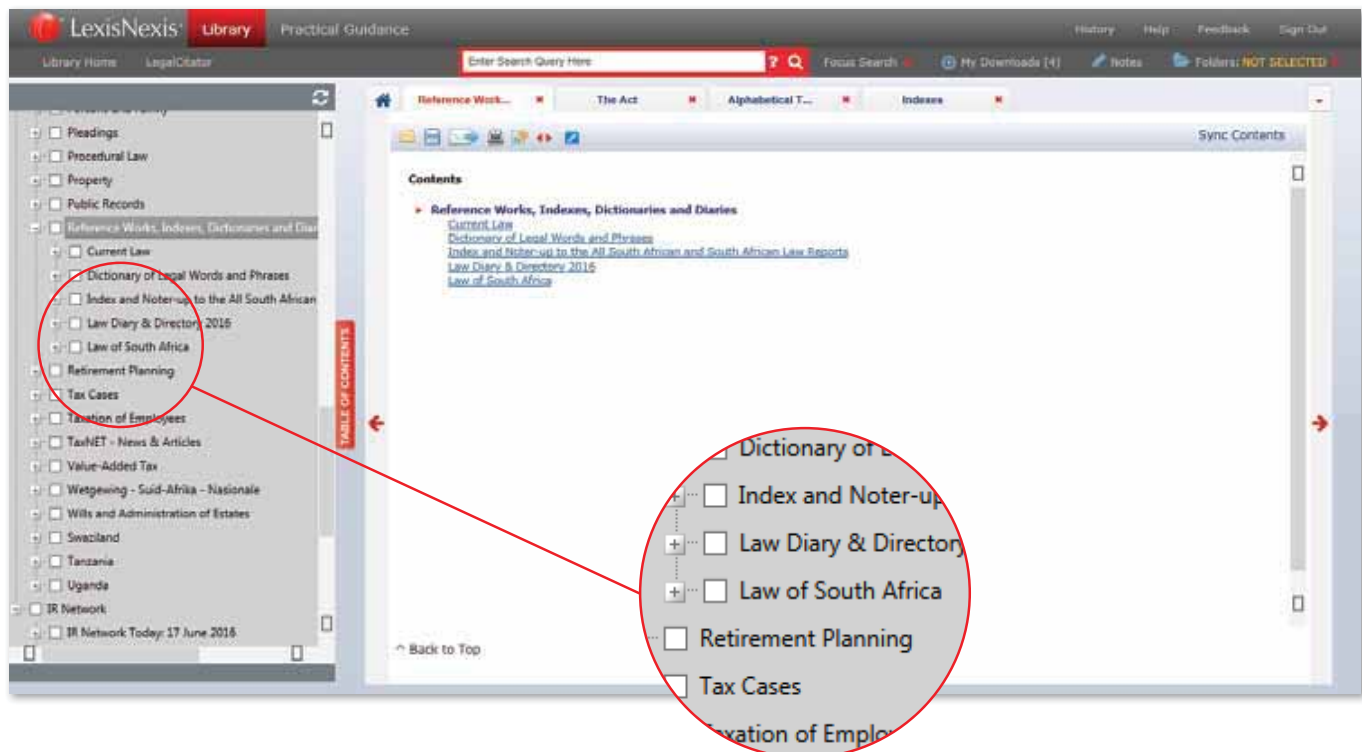
Figure 8: Creating a permalink

Worked Example – navigating LexisLibrary

This is a demonstration of how to find the volume in the publication, “The Law of South Africa (LAWSA)” dealing with Arbitration, and the definition of Arbitration in that volume, using the TOC to navigate through the Library content:

Click on Reference Works, Indexes, Dictionaries and Diaries in the TOC. This node contains works such as Current Law, Law of South Africa (LAWSA), the Index and Noterup to the South African and All South African Law Reports, the Law Diary & Directory as well as the Dictionary of Legal Words and Phrases.

1. Click on the + next to Law of South Africa (LAWSA) to view its topics



Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

2. Click on Alphabetical list of titles

The screenshot shows the LexisNexis Library interface. On the left sidebar, the 'Alphabetical List of Titles' option is circled in red. The main content area displays the 'Contents' page for 'References, Works, Indexes, Dictionaries and Directories Law of South Africa'. Under the heading 'Alphabetical List of Titles', a vertical list of letters from A to Z is visible. A red arrow points from the sidebar selection to the content area.

3. Select "A"

The screenshot shows the LexisNexis Library interface. On the left sidebar, the 'A' option under 'Alphabetical List of Titles' is circled in red. The main content area displays a list of titles starting with 'A':

- ACCESS TO INFORMATION - Volume 1 - Third Edition Volume
- ACCOUNTANTS AND AUDITORS - Volume 1 - Third Edition Volume
- ADMINISTRATIVE JUSTICE - Volume 2 - Third Edition Volume
- AGENCY AND REPRESENTATION - Volume 1 - Third Edition Volume
- AGRICULTURE - Volume 1 - Third Edition Volume
- ANIMALS - Volume 1 - Third Edition Volume
- ARBITRATION - Volume 2 - Third Edition Volume
- ASSOCIATIONS - Volume 2 - Third Edition Volume
- AVIATION AND AIR TRANSPORT - Volume 2 - Third Edition Volume

A red arrow points from the sidebar selection to the content area.

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

4. Then click on Arbitration in your workspace

The screenshot shows the LexisNexis Library interface. The left sidebar contains a navigation menu with categories like Pleadings, Procedural Law, Property, Public Records, and Reference Works. The main content area displays the 'ARBITRATION' table of contents, listing sections such as 'INTRODUCTION', 'Definition of "arbitration"', 'Sources of arbitration law', 'Arbitration under the common law', 'Arbitration under the Arbitration Act', 'Statutory or compulsory arbitration', and 'Advantages and disadvantages of arbitration'. A red arrow points to the 'TABLE OF CONTENTS' label on the left side of the main content area.

5. Then click on the sub-topic you are looking for (Definition of Arbitration)

The screenshot shows the LexisNexis Library interface with the '75 Definition of "arbitration"' section selected. The text defines arbitration as an adjudicative process and lists its characteristics in a list format (a) through (e). A red circle highlights the search bar at the top of the page. A red arrow points to the 'TABLE OF CONTENTS' label on the left side of the main content area.

75 Definition of "arbitration" Arbitration is an adjudicative process which takes place pursuant to an agreement between the parties to a dispute, whereby that dispute is referred for final determination to an independent and impartial arbitral tribunal appointed by or on behalf of the parties. Arbitration therefore has the following characteristics:

- (a) it is a process for resolving disputes, which usually relate to the substantive rights of the parties;
- (b) the arbitration takes place pursuant to an agreement between the parties;
- (c) the arbitral tribunal is appointed by the parties, or by a method to which they have consented;
- (d) the agreement must contemplate that the arbitral tribunal will proceed impartially and make its decision after fairly receiving and considering evidence and other submissions from the parties; and
- (e) the arbitral tribunal's decision, referred to as an award, is final and not subject to appeal to the courts.

This title deals with private arbitration, the twin hallmarks of which are that it is based on consent and that it is a non-state process. It must therefore be distinguished from statutory or compulsory arbitration.

¹ Cf. *Total Support Management (Pty) Ltd v Diversified Health Systems (SA) (Pty) Ltd* 2002 JOL 9517 (A); 2002 4 SA 681 (SCA) 673H; *Lufuno Nkomo & Associates (Pty) Ltd v Andrew* 2009 6 BCLR 327 (CC); 2009 4 SA 323 (CC) par 19B; *Walshog v Adreem Ltd* 2003 JOL 11187 (W); 2003 4 SA 732 (W) par 16; *Butler and Finson Arbitration in SA 1*; *Jacobs The Law of Arbitration in SA 1*. The dispute is therefore referred to a tribunal other than the ordinary courts. See par 01 post for the role of the courts in the context of arbitration proceedings.

² *Total Support Management (Pty) Ltd v Diversified Health Systems (SA) (Pty) Ltd* supra 673G; *Telcelal (Pty) Ltd v Logan* 2000 JOL 4295 (A); 2000 4 SA 200 (SCA) 200B.

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

1.6 MY WORKSPACE, NOTES, MY DOWNLOADS AND FOLDERS

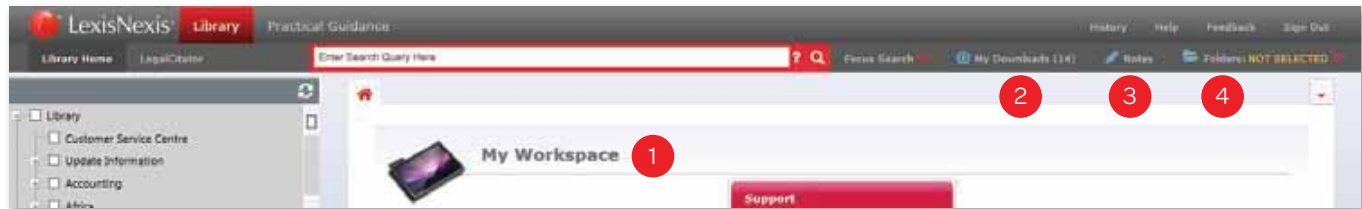


Figure 9: My Workspace, Notes, My Downloads and Folders

Within My Workspace (marked 1 in figure 9) you can create personal research folders in which you can save documents from LexisLibrary. The advantage of doing this, in comparison to downloading to your computer, is that any information saved in this way is automatically updated in LexisLibrary thus ensuring that should the information change it is always available to you in its most current form.

To create a research folder:

Click on the Folders button (marked 4 in figure 9). Then click on the Create button and type a name for your folder (replacing the text which is there "New Client"). Press enter. Then click on the + next to the newly created folder. Type a name for the subfolder and press Enter (see figures 10 – 13).



Figure 10

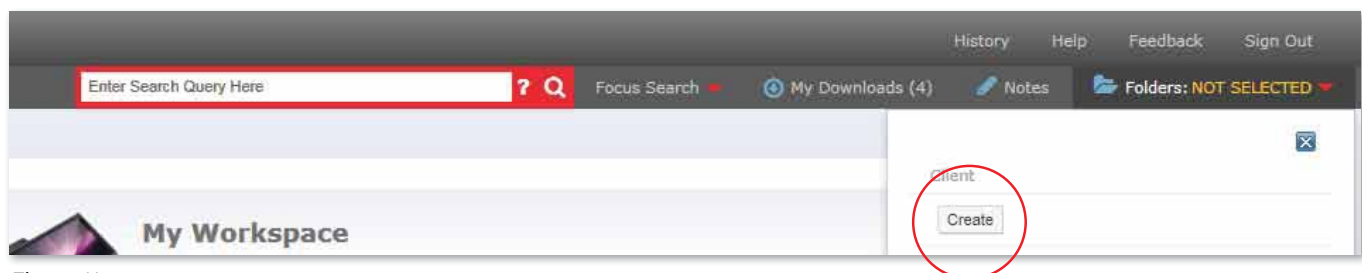


Figure 11

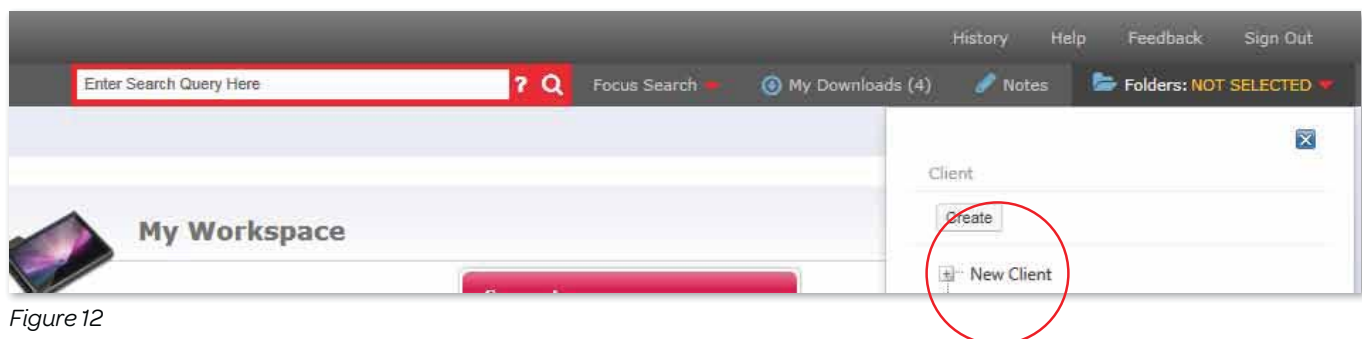


Figure 12

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

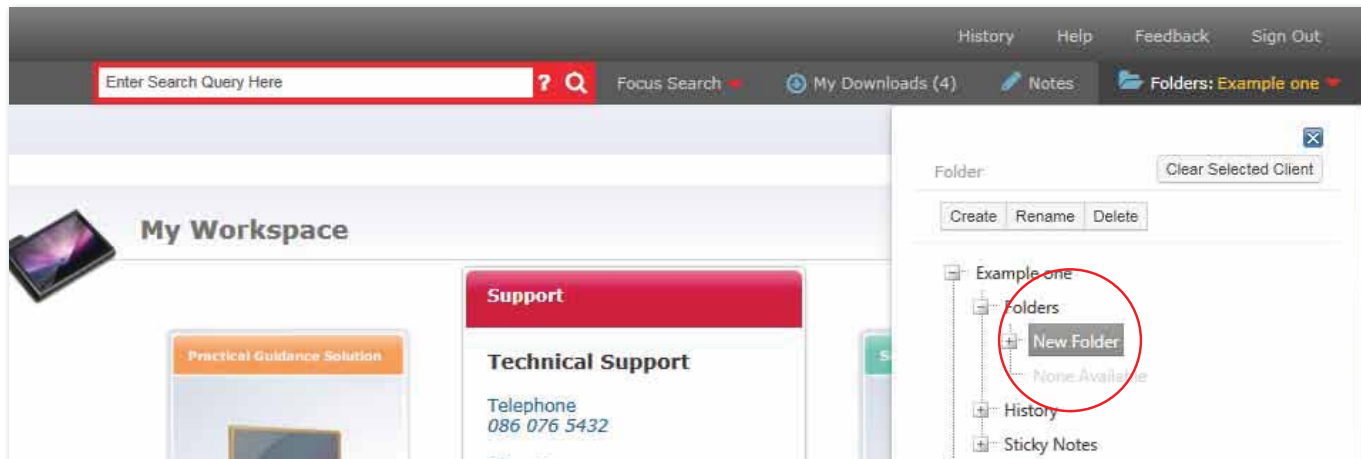


Figure 13: Creating a sub-folder

To save a document that you are currently viewing in My Workspace to a folder, click on the yellow folder icon above the document (shown in figure 7: General Features above). This will open the Save document reference to a client folder window.

Choose the folder name and click on the green Save button.

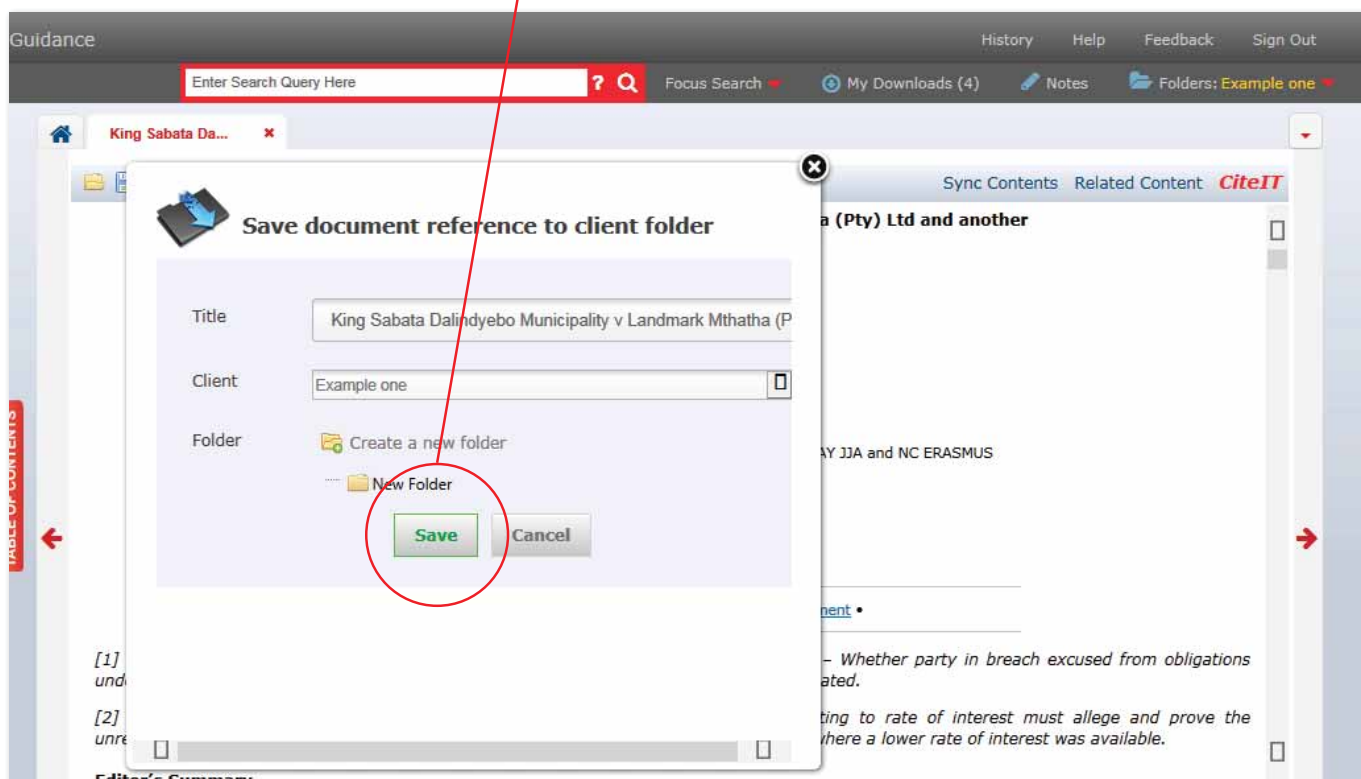


Figure 14: Saving to a folder

Module 1: Lexis® Library Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

To access the document again, just click on Folders and choose the relevant folder and document. Should you want to delete the saved document from the folder at any stage, then click on the red “x” that appears to the right of the document name.

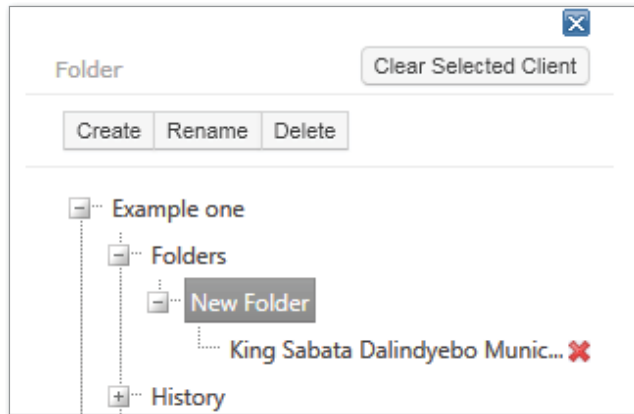


Figure 15: Viewing / deleting a document saved in my folders

Adding annotations:

Notes allow you to add annotations to documents and save them for viewing later. When you want to make a note in a document that you are viewing, highlight that portion, once you release the mouse button four options will appear: Note, Highlight, Search and Definition:

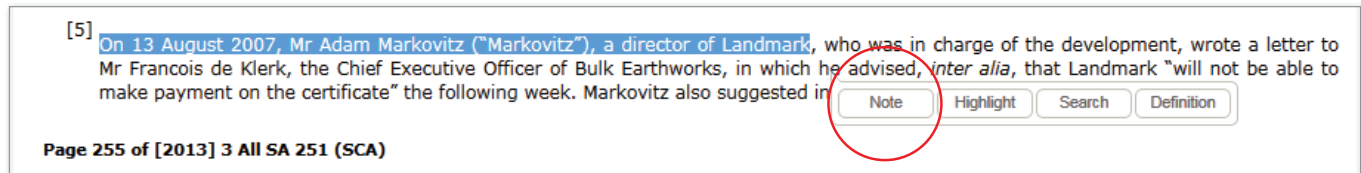


Figure 16: Highlighting text to access options

Once you have highlighted your selection, click “Note” and enter the annotation that you want to add in the text box that appears, then click save.

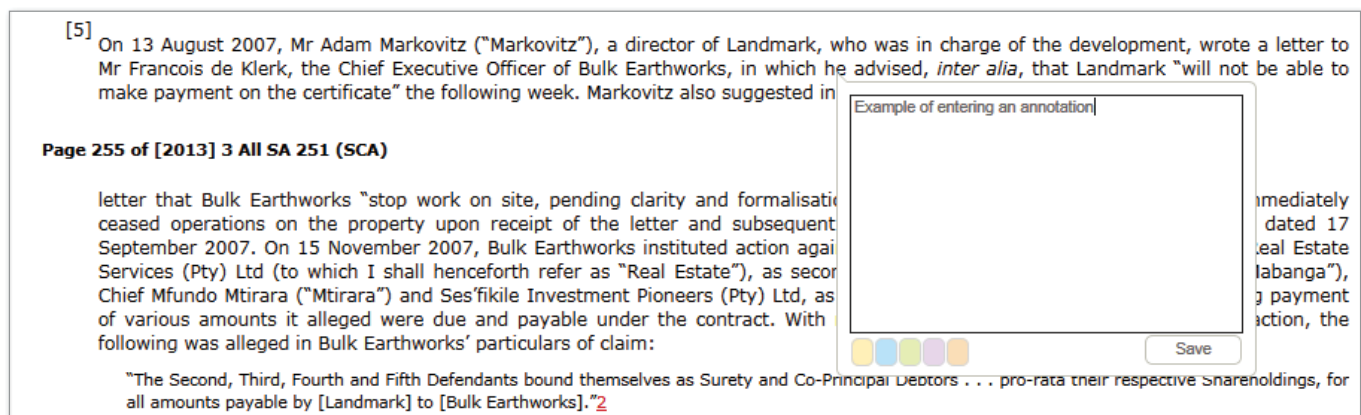


Figure 17: Adding an annotation

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

You can also select a colour to be applied to your highlighted selection from those that appear in the bottom left corner of the text box.

To view the note later you just have to hover over the highlighted text to view, edit or remove your note. Notes and highlights are also saved for viewing from the Notes button in the dark grey task bar at the top of the screen (marked ③ in figure 9).

The remaining options that appear when you highlight text in a document are:

- Search which will run a general text search for the words that you have selected; and
- Definition which provides you with the dictionary meaning of the word or phrase selected.

My Downloads (marked ② in figure 9) keeps a record of all the documents that you have downloaded for a short period of time so that you can download them again should you need to.

2. Searching

2.1 GENERAL TEXT SEARCH

The **General Text search** field allows you to create your own search terms using Boolean search operators. Just click on the question mark to open the table which explains the various operators. A Boolean operator allows you to specify to the search engine exactly what results you want from a search, rather than just inputting keywords.

To limit your search to particular products or publications select one or more of the tick boxes next to the item that you want to obtain results from. You should try and limit your search by selecting sources from the TOC that are likely to contain information which will be useful to your research.



Figure 18: Boolean operators

2.2 ADVANCED SEARCHES

Advanced search allows you to enter in keywords to limit your search results/identify sources that contain information that you are looking for.

Each field will do something different with the information that you input, either looking for an exact match, excluding certain words and so on.

The options are:

- “containing all of these words” – this will find documents that have all the words you enter in the field, note that they will not be in any specific order, this search just checks if the words are in the document.
- “not containing any of these words” – this allows you to exclude particular terms from your search.
- “containing one or more of these words” – similar to “containing all of these words”, this search will return documents that have at least one of the words you are searching for in them.

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

- “containing this exact phrase” – if you want an exact match to a phrase, eg “reckless credit” you can enter it into this field and the search will return results containing that exact phrase.
- “containing these words near each other” – if you are looking for a particular sentence structure, or concepts that you think would appear near to one another in a document then this field will be useful to you. For example you are looking for documents describing consequential and direct damages, these may not appear as a complete phrase, but may be in close proximity to each other. This field will assist you to find this kind of term.

Performing an advanced search will enable you to perform complex searches for general information of categories of cases and statutes. To perform an advanced search:

1. Click on the box to place a tick next to the item that you wish to limit your search to. For example, Law Reports, 1996 to 2016 – All South African Law Reports.
2. Then, click on the Advanced search tab at the top of the screen.
3. Then, within the Advanced search box, fill in the information that is available to you. For example, to find cases on an indecent assault in a home not involving a minor, type the word “home” in the field containing all these words, and the word “minor” in the field not containing all these words, and the words “indecent assault” in the field exact phrase.

Advanced

containing **all** of these words:

not containing any of these words:

containing **one or more** of these words:

containing this **exact phrase** :

containing these words **near** each other:

Honour word order

Find alternate word forms (**stemming**)

Find synonyms (**thesaurus**)

Important Hint: Use the Table of Contents panel on the left to limit your search by publication source.

Word proximity: 10

Order of results: Relevance

Search

Figure 19: Advanced search form

The results screen will show the number of hits/results, the title of the case, its location in the LexisLibrary table of contents and excerpts from the case that contain the word searched for. (See figure 23)

You also have the option of filtering your search by using the Filter search results options at the top of the screen.

Clicking on the name of the case, which is hyperlinked, will take you to the first page of the case.

It is also possible to search for synonyms and stemming words by clicking in the check box at the bottom of the advanced search window.

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

2.3 FOCUS SEARCHES

Selecting the down arrow next to “Focus Search” will give you the four possible search options that you can utilise:

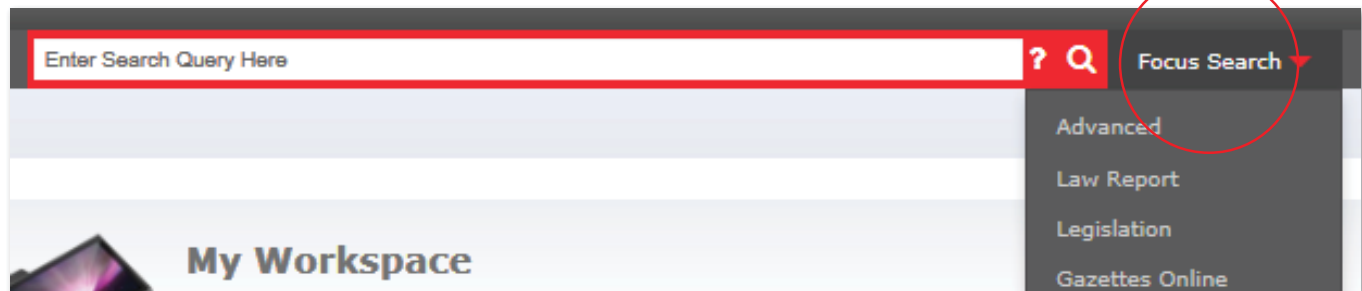


Figure 20: Focus search drop down menu

Law Report, Legislation and Gazettes Online searches

These tabs each open a search form focusing on one particular area of LexisLibrary. In addition to providing fields specific to searching in one area of information, the search forms also have an option to search for more General Text options (the blue text just above the search button in the form).

The “More General Text options” option allow you to find specific words in the content area that you have chosen – be that case law, legislation or gazettes. The options are the same as those listed under Advanced Search above.

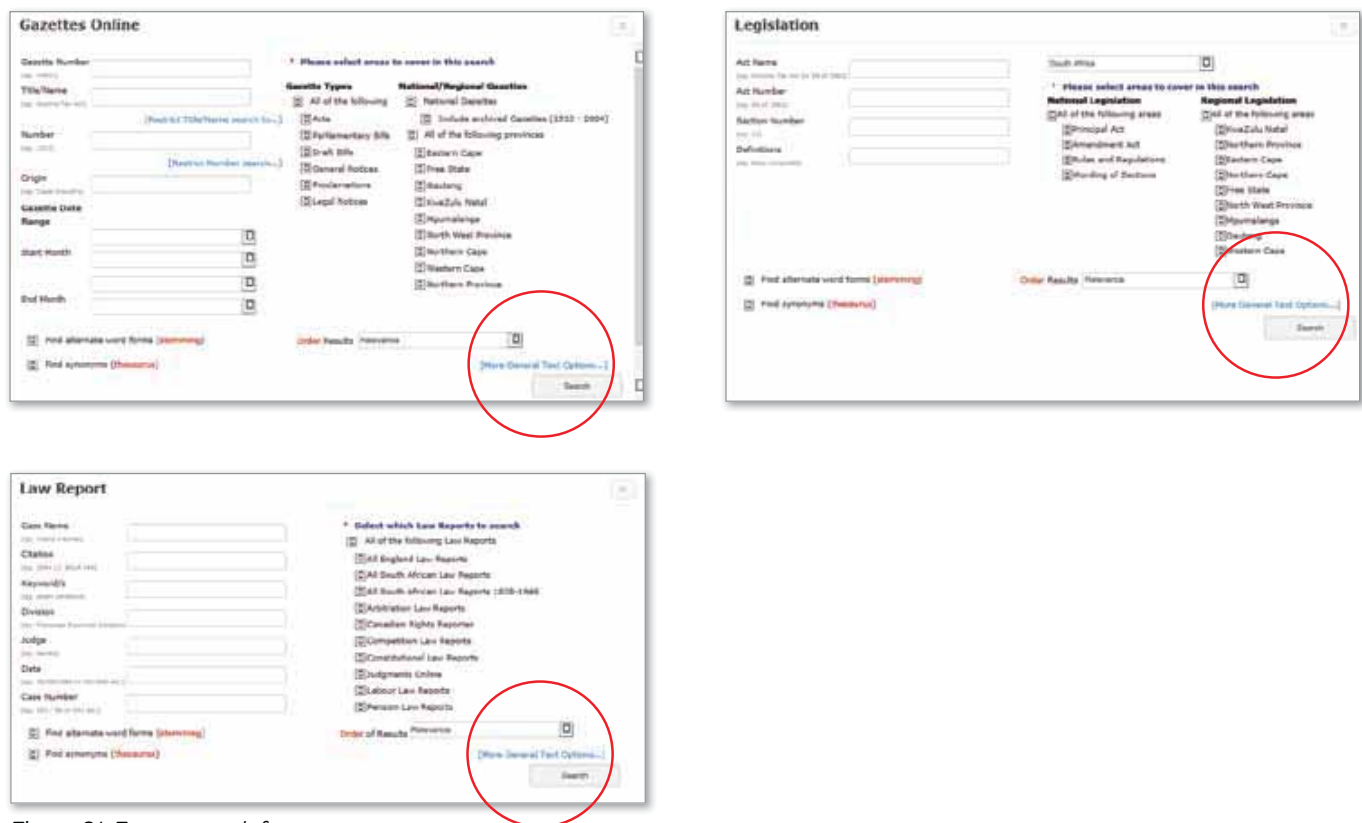


Figure 21: Focus search forms

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

Find alternate word forms (stemming)
 Order Results Relevance

Find synonyms (thesaurus)
 [\[Less General Text Options...\]](#)

containing **all** of these words:

not containing any of these words:

containing **one or more** of these words:

containing this **exact phrase** :

containing these words **near** each other:

Honour word order

Word proximity

Figure 22: More General text options form

2.4 SEARCH RESULTS

Using any of the search forms will bring you to the search results page which has a number of operations you can perform to refine your results:

LexisNexis Library Practical Guidance

Search Results: Assault

Save to Folder | Download Pdf | Email | Single View | Show Location | Results per page: 10 20 30 40 50

Referenced Act: CRIMINAL PROCEDURE | Judge: (Interim) (82) | Subject: Criminal Law (1216) | Date Published: 2001-1999 | Publication Source: Law Reports (3096) | Cited Signif: Customary rules (12) | Region: (Interim) (381) | Document Type: Case Law (11013)

Search within results: Assault

Sort By: Relevance

12339 search results for **Assault**

Document	Document Type
1 CRIMINAL PROCEDURE ACT NO. 31 OF 1977 - 261. Rape, compelled rape, sexual assault, compelled sexual assault and compelled self-sexual assault. 261. Rape, compelled rape, sexual assault, compelled self-sexual assault.—(1) If the evidence on a charge of rape or compelled rape, as contemplated in sections 3 or 4 of the Criminal Law (Sexual Offences)	Principal Act
2 CRIMINAL PROCEDURE ACT NO. 31 OF 1977 - 266. Assault with intent to do grievous bodily harm. 266. Assault with intent to do grievous bodily harm.—If the evidence on a charge of assault with intent to do grievous bodily harm does not prove the offence of assault with intent to do grievous bodily harm but the offence of— (a) common	Principal Act
3 CRIMINAL PROCEDURE ACT NO. 31 OF 1977 - 267. Common assault. 267. Common assault.—If the evidence on a charge of common assault proves the offence of sexual assault, compelled sexual assault or compelled self-sexual assault as contemplated in sections 5, 6 or 7 of the Criminal Law (Sexual Offences)	Principal Act
4 NATIONAL HEALTH ACT NO. 61 OF 2002 - 2. Designated health facilities for treatment of victims of sexual assault - Fundamental requirements. Designated health facilities for treatment of victims of sexual assault - fundamental requirements.—(1) (a) 24 hours forensic medical services will be provided for all victims of sexual assault. (b) At both an individual and community level there adequate	Rules and Regulations
5 NATIONAL HEALTH ACT NO. 61 OF 2002 - 7. Designated health facilities for treatment of victims of sexual assault - Fundamental requirements. Designated health facilities for treatment of victims of sexual assault - fundamental requirements.—(1) (a) 24 hours forensic medical services will be provided for all victims of sexual assault. (b) At both an individual and community level there adequate	Wording of Sections

- 1 Query term
- 2 Search results list
- 3 Search within results – enter additional keywords to isolate results containing both the initial search term and the additional words.
- 4 Select how many results to display on each page.
- 5 Move to the next/previous page of results
- 6 Filter by the source of the documents – you can for example only view results from Law Reports or Legislation.
- 7 Order your results by their relevance to your search terms or chronologically.

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

3. Law Reports and Legal Citator

3.1 FINDING CASE LAW (LAW REPORTS)

Searching using the Table of Contents (please note that although this example is provided specifically within a search for Law Reports, the method for navigating the website is the same for all content types)

To browse through the information available in LexisLibrary, under Table of Contents, you can either click on the plus sign next to the item of your choice which will expand the list that sits under that heading within the TOC, or you can click on the actual word in the TOC which will both expand the list in the TOC and open it in your workspace.

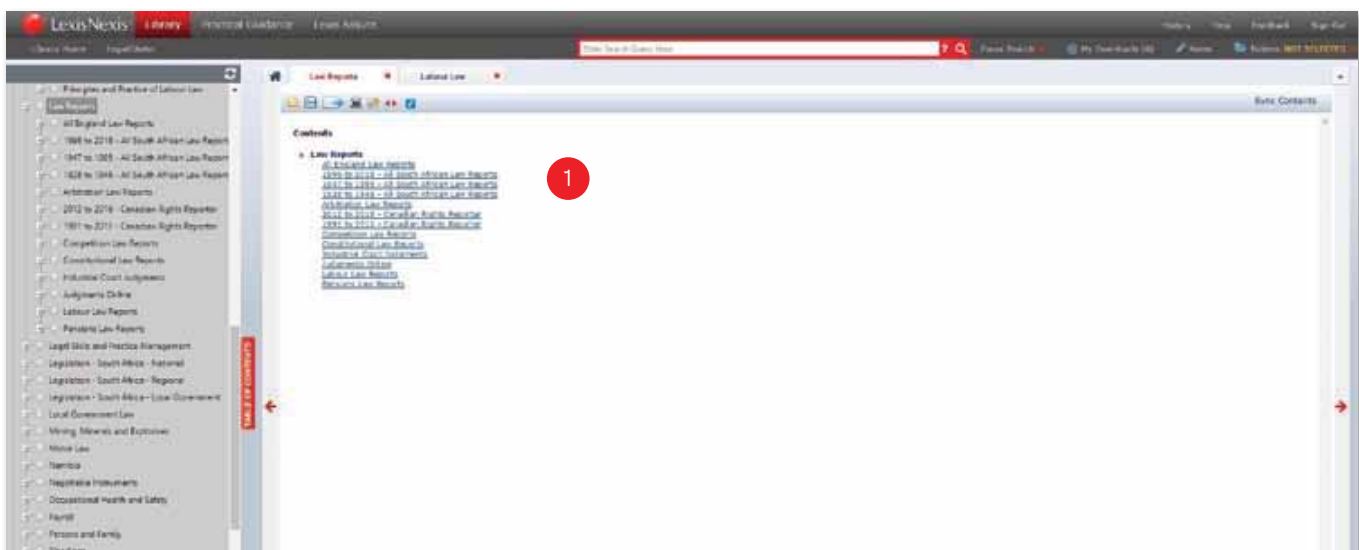


Figure 24: Law Reports available in LexisLibrary

Worked example for finding law reports using the TOC

(locating *Abahlali baseMjondolo Movement SA and another v Premier of KwaZulu-Natal and others [2009] 2 All SA 293 (D)*):

In the Table of Contents scroll down the list until “Law Reports” then:

- 1 Access the Law Reports node to reveal several series of law reports.

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

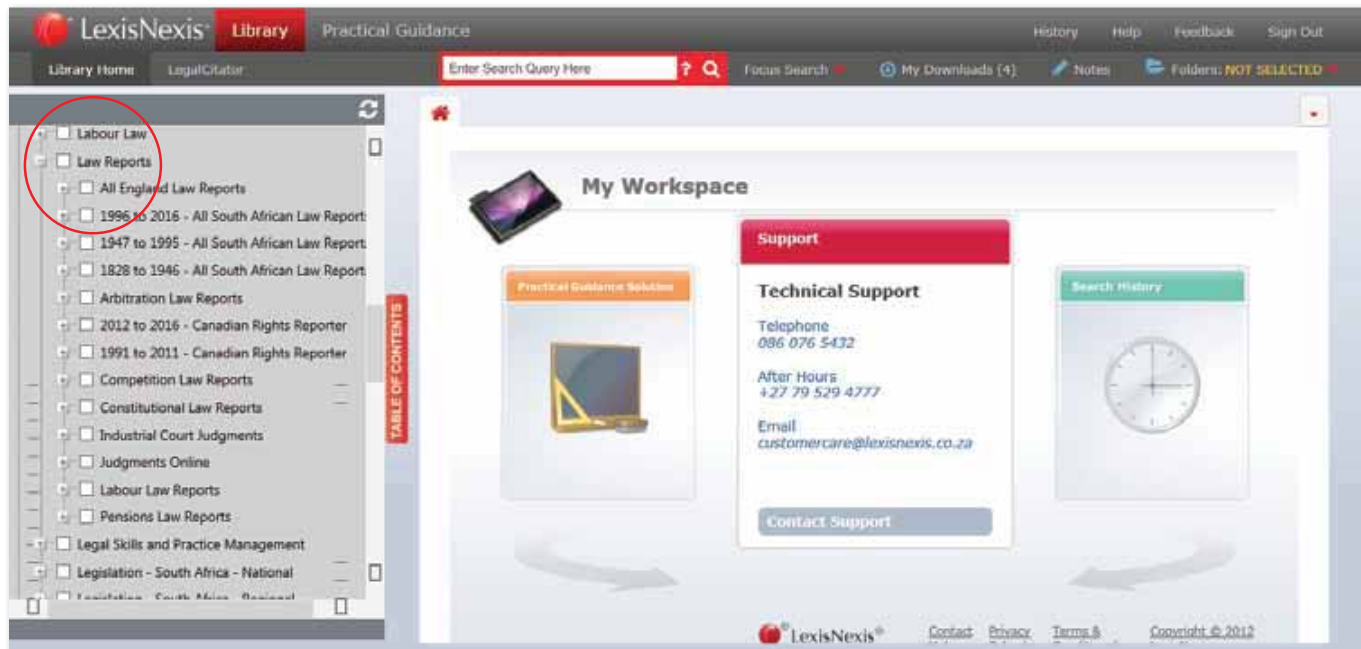


Figure 25

[Note that each time you click on a link in the table of contents, this opens up a new tab in your Workspace. You also have 2 options when it comes to navigating the Table of Contents: You can either use the plus signs and navigate within the table of contents itself, or you can click on the actual word (eg click on "Law Reports", rather than the plus sign next to law reports), which will display that item in your Workspace and you can then continue to navigate in your Workspace, rather than the table of contents.]

- 2 Click on 1996 to 2016 All South African Law Reports. This will open three items: Consolidated Indexes, Law Reports and Advance Law reports. The Law Reports link contains a chronological listing of cases.

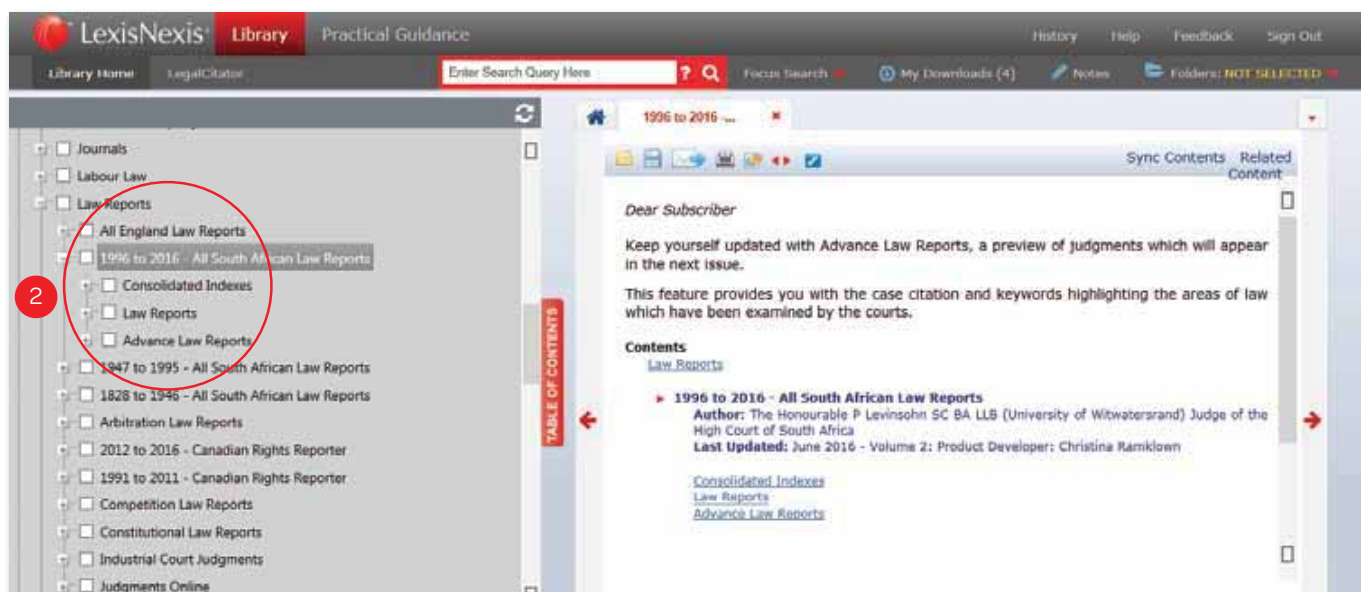


Figure 26

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

- 3 Click on Consolidated indexes
- 4 Click on Cases Reported. This will open an alphabetical list of cases

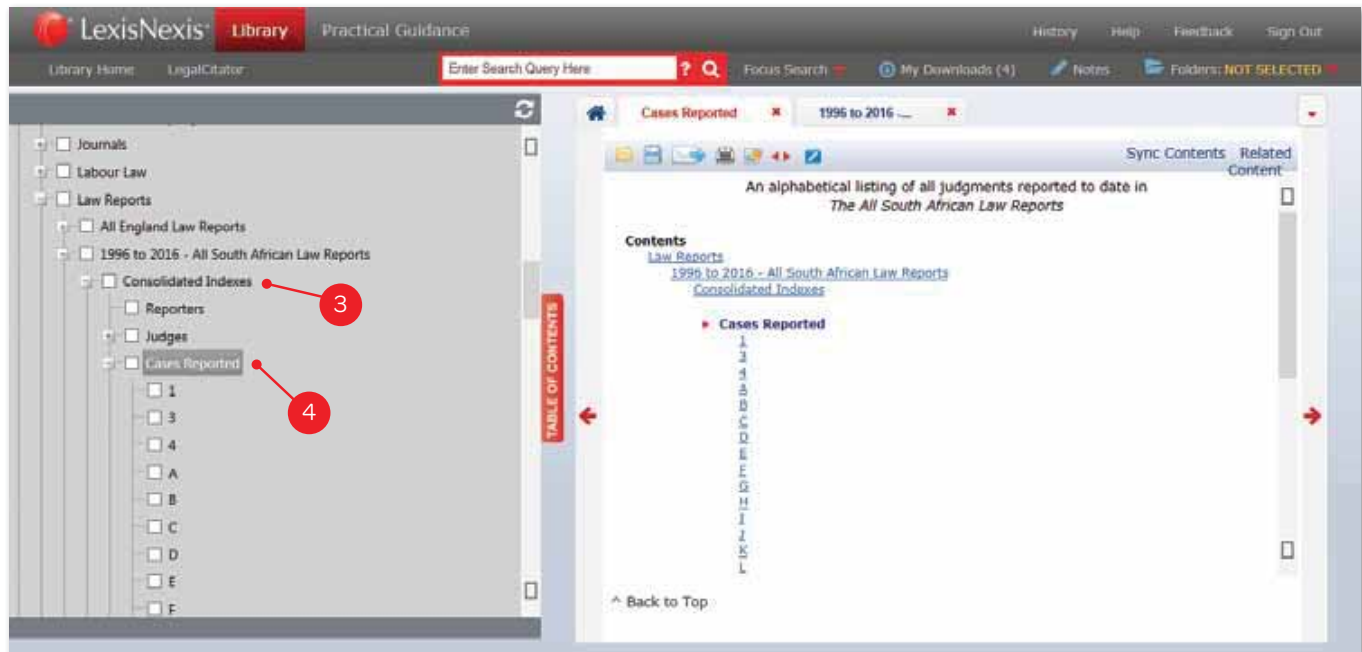


Figure 27

- 5 Click on A
- 6 Select the hyperlinked citation of Abahlali baseMjondolo Movement SA and another v Premier of KwaZulu-Natal and others [2009] 2 All SA 293 (D). This will take you to the reported judgment.

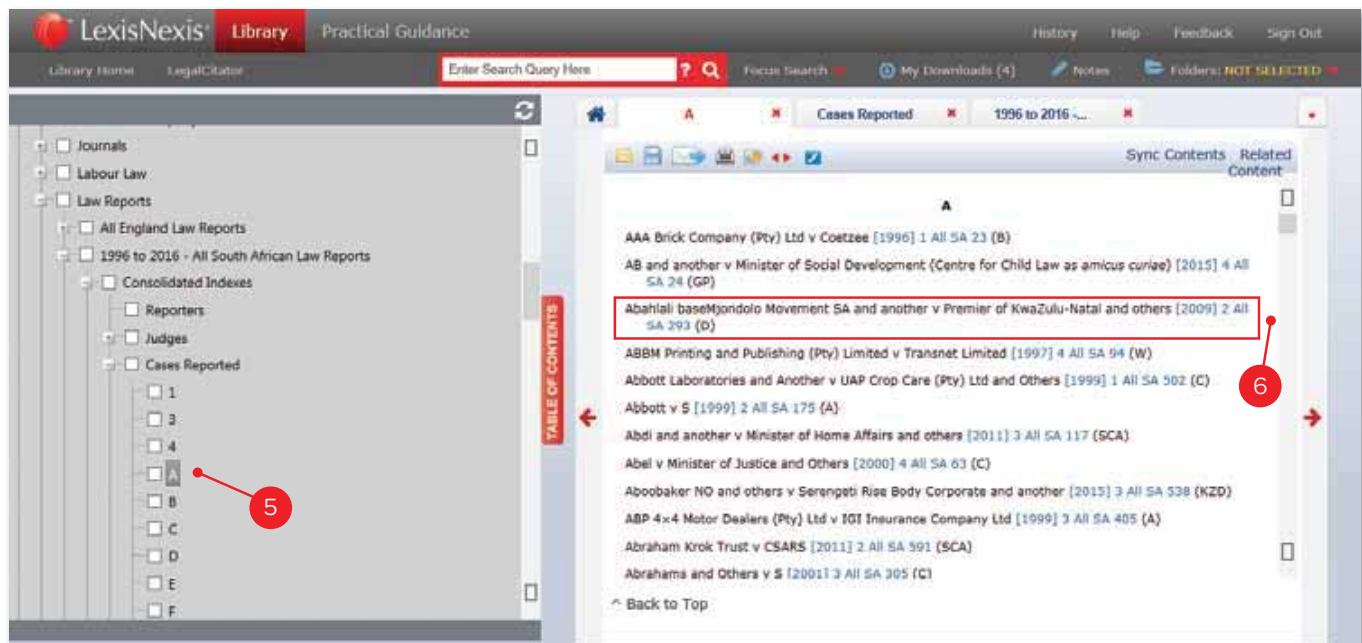


Figure 28

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

Further options to analyse a case:

If you are looking for more information to analyse a case you can expand the dual view display by selecting the << icon (marked 1 in figure 29). You can also collapse the dual view completely and just view the resource without the Legal Citator by clicking on the x icon on the far right of the Legal Citator (marked 2 in figure 29). Clicking on “Citelt” will restore the dual view display (marked 3 in figure 29 below).

This allows you to access the judgment analysis page for the case or other resource you are dealing with within the Legal Citator.

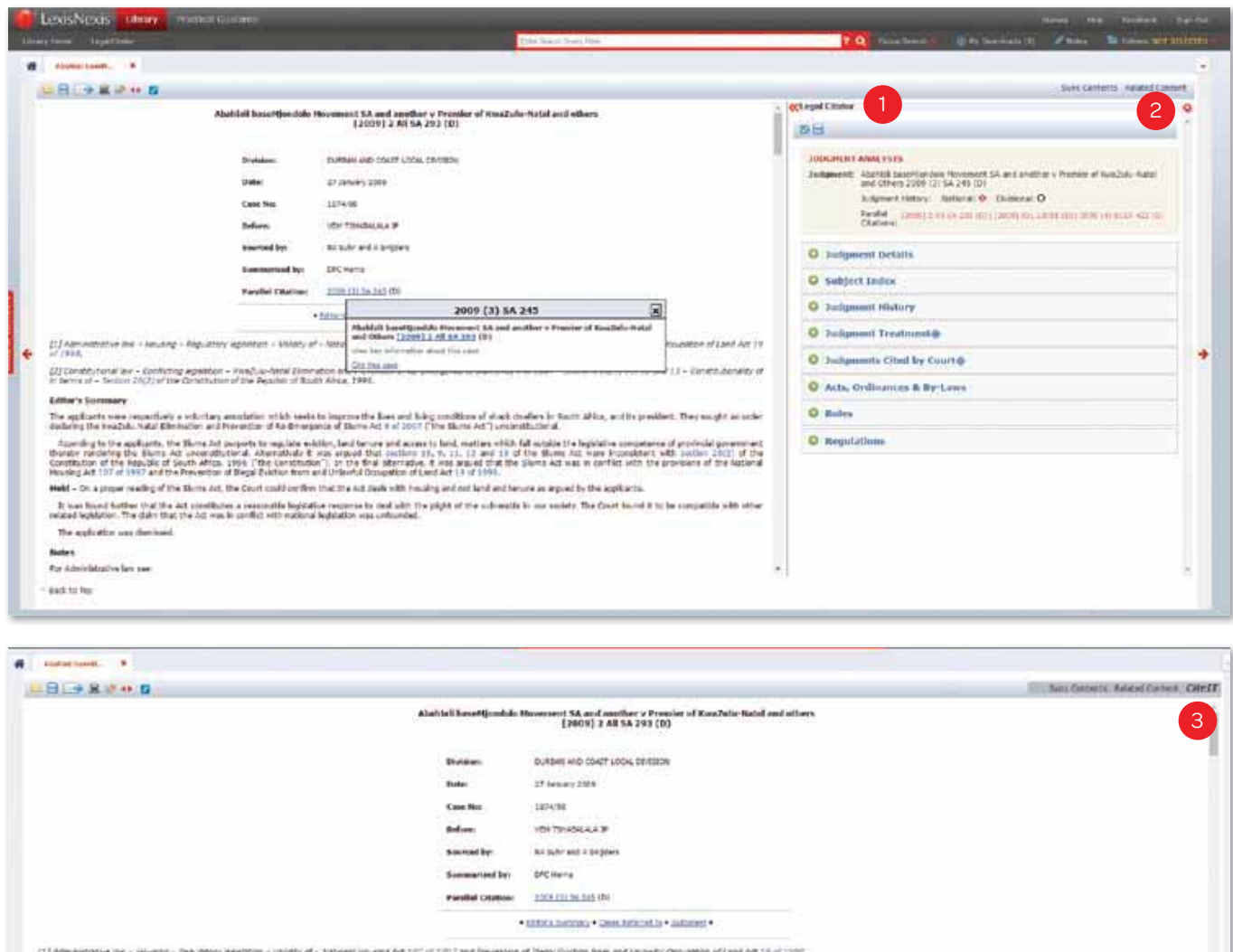


Figure 29: Further options to analyse a case

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

3.2 LEGAL CITATOR

The Legal Citator is a tool unique to LexisNexis which allows you to view several aspects of a case in one place.

The Legal Citator is accessible by selecting the Legal Citator on the buttons above the TOC (marked 5 in figure 1). Alternatively it will appear in the dual view display when you view a resource associated with the Legal Citator (eg law reports or legislation).

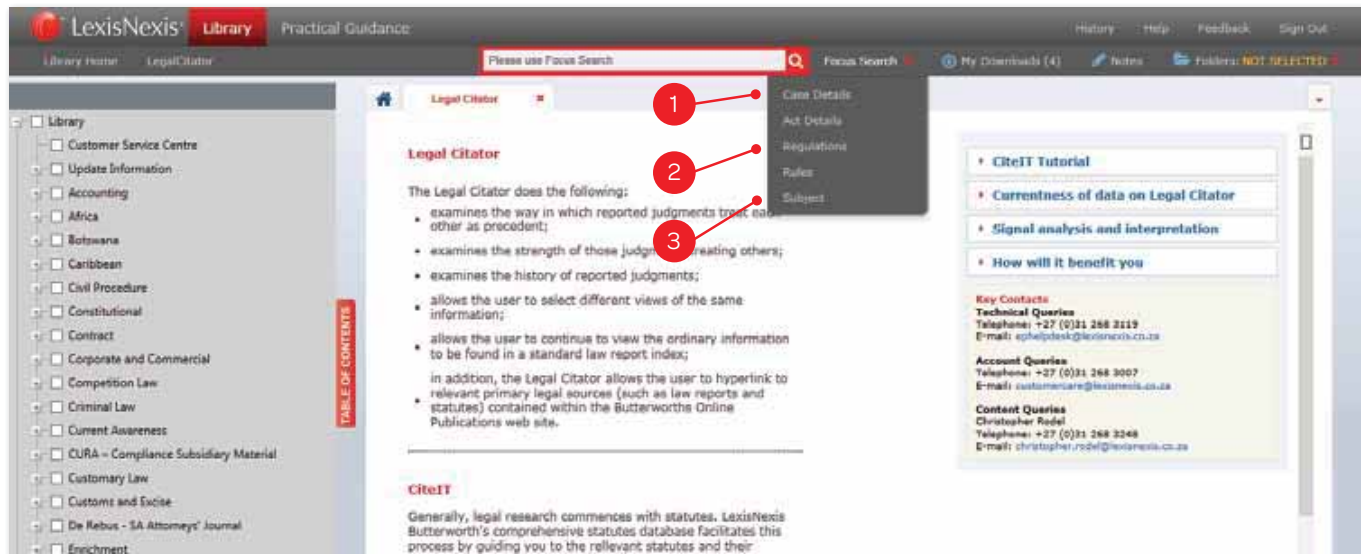


Figure 30: Legal Citator home screen and Focus search

- 1 Find cases using case names, case numbers, citations, judge names etc.
- 2 Find cases that have dealt with specified Acts
- 3 Find cases that have dealt with specified subjects

The Citator works by using a series of coloured signals to show you the current precedential status of a case. The signals are:

- ✔ Green for positive (indicating that a case has been received strong positive analysis by another court)
- ⊖ Blue for neutral (indicating that the case has been referenced by another court, or courts, but that the reference was neither positive or negative)
- White for no references (indicates that the case has not been referenced)
- ⚠ Yellow for cautionary (the case may not be correct in its interpretation)
- ✖ Red for negative (indicating that a case has been received strong negative analysis by another court).

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

Accessing content on the Legal Citator

a. Case details search

Use this field to find a specific case. Either enter the judgment name, citation, case number, judge who presided, subject, party or the legal representative (appearances). You can also filter your search by time, law report series, country, jurisdiction and division.

Figure 31: Case details search form

The Legal Citator makes use of a system called Type-ahead. This is a predictive text system that makes it much easier for you to find a case, especially if you don't know the whole name or citation. Just start typing into a field and options will pop-up under it. Click on the one you want and then click "Search".

Figure 32: Case details search form with Type-ahead

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

b. Act details

Here you can find cases which have dealt with legislation and specific sections within that legislation. Enter the Act name or number and the section that you are looking for (type ahead also operates on this tab). Select "Search".

Act Details x

Country: SA Non SA

Division: All National Provincial Municipal

Judgement Date: Start Date / / to End Date / /

Acts, Ordinances and By-Laws

Name:

Number and year:
[eg: Act 24 of 1936]

Section Number:

Search

Figure 33: Act details search form

c. Subjects

Search for cases covering certain subjects. Here you can filter your results by Country, Jurisdiction (High Court, Supreme Court of Appeal etc) and division (KwaZulu-Natal Division, Pietermaritzburg, Western Cape Division etc). Enter the subject you are looking for into the "Keyword" field. Select "Search".

Subject x

Judgement Date: Start Date / / to End Date / /

Country:

Jurisdiction:

Division:

Keyword:

Search

Figure 34: Subjects search form

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

Once you have located a case that you want to view via any of the above, you will reach the judgment analysis screen which contains various drop down menu options:

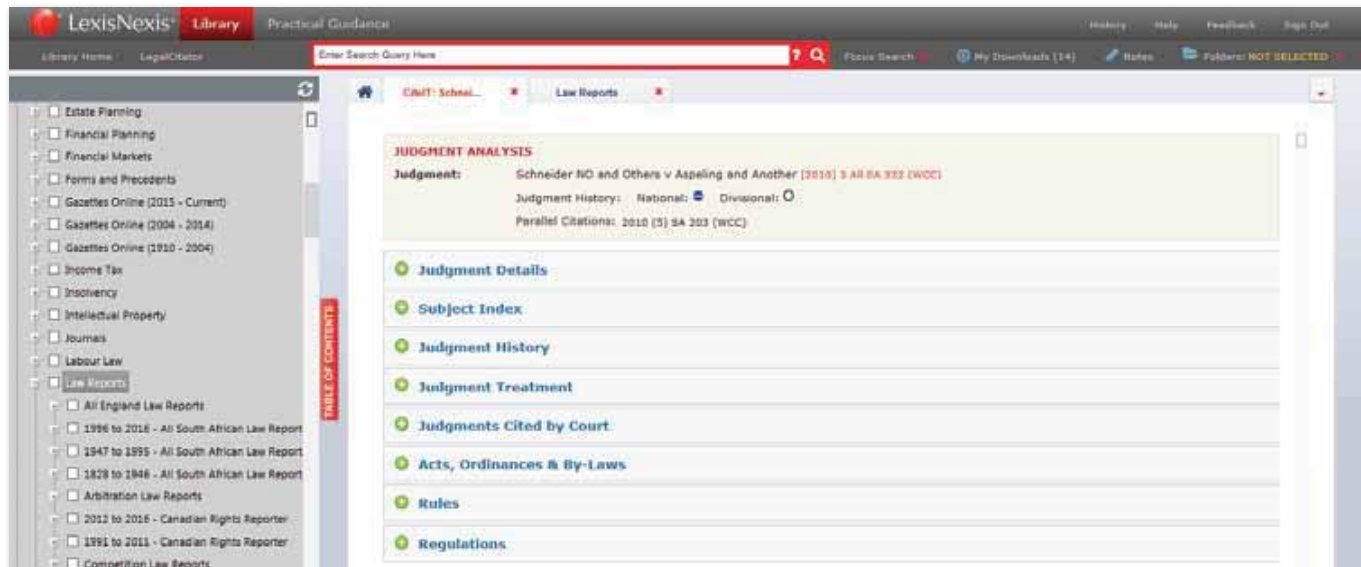


Figure 35: Judgment analysis page in Legal Citator

- **Judgment details** provides you with a summary of specific aspect of the case, the dates of hearing and judgment, bench (the number of judges and whether there was a minority decision), the identities of the parties and the representatives appearing for the parties, the division and jurisdiction of the court hearing the matter.
- **Subject Index** indicates the subject matter the court dealt with.
- **Judgment History** allows you to see if a case has been taken on appeal and what the result was. It also allows you to see if there was more than one appeal and so gives you the entire appellate history. Please bear in mind that for a case to appear in the Legal Citator at all it must have been published in one of the law reports series canvassed. Thus, for example, only the Case History as published in the law reports will reflect in the Case History.
- **Judgment Treatment** is a list of all the cases that were heard after this case and that have discussed the case in their judgments. Each of these cases will have a signal next to them, indicating what their treatment of the current case was. This particular case has a neutral blue signal, indicating that it has been referenced by at least one other court but has neither been approved or overruled. If you want to see whether the case that has referenced the case you are looking at is itself a strong case, you can view its treatment by clicking View Underpinnings; this will tell you how much weight to give that case's view of your case.



- **Judgments cited by court** provides a list of the cases which the court referenced, with signals and editorial assignments indicating the type and strength of reference.
- **Acts, Ordinances and By-Laws** provides a list of the legislative instruments which the court referenced.
- **Rules** provides a list of the rules which the court made reference to.
- **Regulations** provides a list of the regulations which the court made reference to.

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

4. Legislation

4.1 FINDING LEGISLATION:

To find legislation you have two options, using the table of contents or searching via the Legislation search form.

This form allows you to search for an Act by its name or number. You can filter the results that you get by selecting the tick boxes next to the sources that you want to get results from (under National Legislation and Regional Legislation).

Legislation [X]

Act Name [eg: Income Tax Act No 58 of 1962]

Act Number [eg: 58 of 1962]

Section Number [eg: 10]

Definitions [eg: Body Corporate]

South Africa

Please select areas to cover in this search

National Legislation

All of the following areas

- Principal Act
- Amendment Act
- Rules and Regulations
- Wording of Sections

Regional Legislation

All of the following areas

- KwaZulu Natal
- Northern Province
- Eastern Cape
- Northern Cape
- Free State
- North West Province
- Mpumalanga
- Gauteng
- Western Cape

Find alternate word forms (stemming)

Find synonyms (thesaurus)

Order Results: Relevance

[\[More General Text Options...\]](#)

Search

Figure 36: Legislation search form



Figure 37: Locating legislation in the TOC

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

Legislation is located under three separate headings in the TOC, depending on the legislative authority which enacted it (being National, this is legislation enacted by the National Parliament, Regional, that which is enacted by the Provincial legislatures and Local government that which is enacted by municipal councils).

National Legislation can be found either under the Indexes, which are both chronological and alphabetical, or under Principal Acts and Regulations which is alphabetical and allows you to move right down to an individual section of an act within the TOC (see figure 38 below).

Regional legislation is sub-divided between the various provinces and then into indexes, Acts, Ordinances and Regulations.

Local Government is subdivided into By-Laws, notices and policy documents and Latest By-laws released. By-Laws, notices and policy documents is then divided into the various provinces which in turn are divided between municipalities in those provinces.

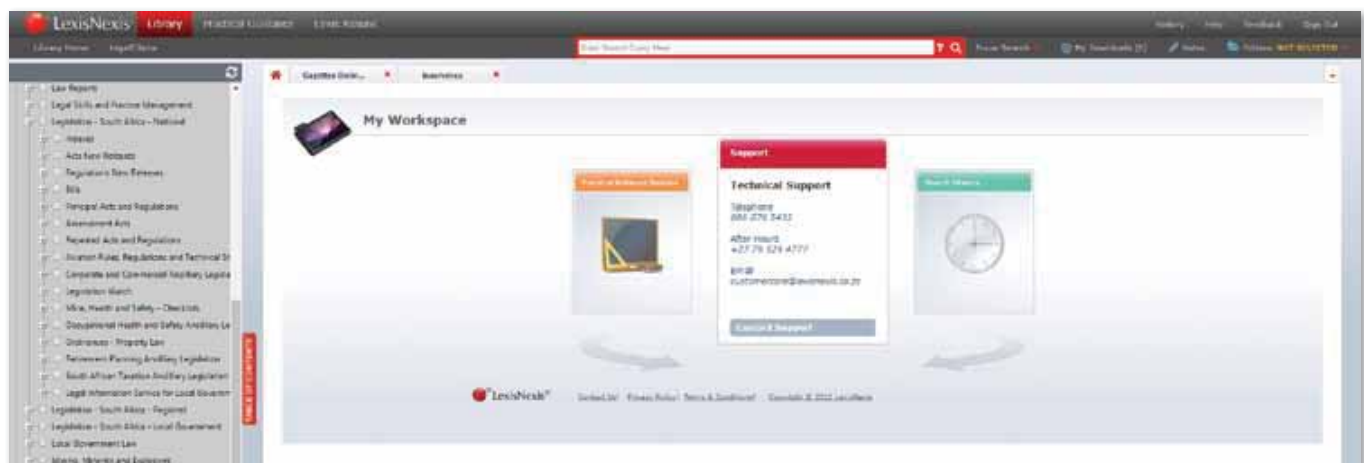
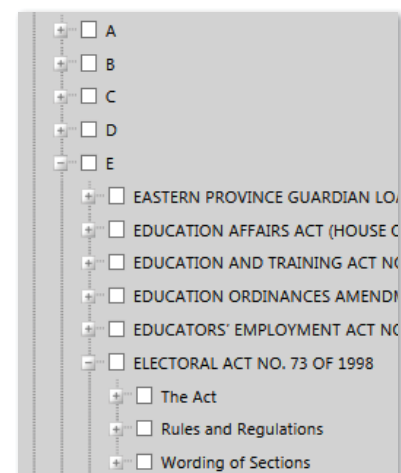
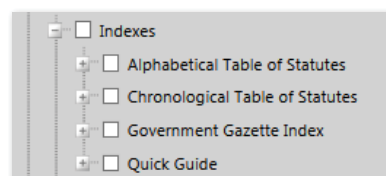


Figure 38: Legislation, indexes and Principal Acts and Regulations



Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

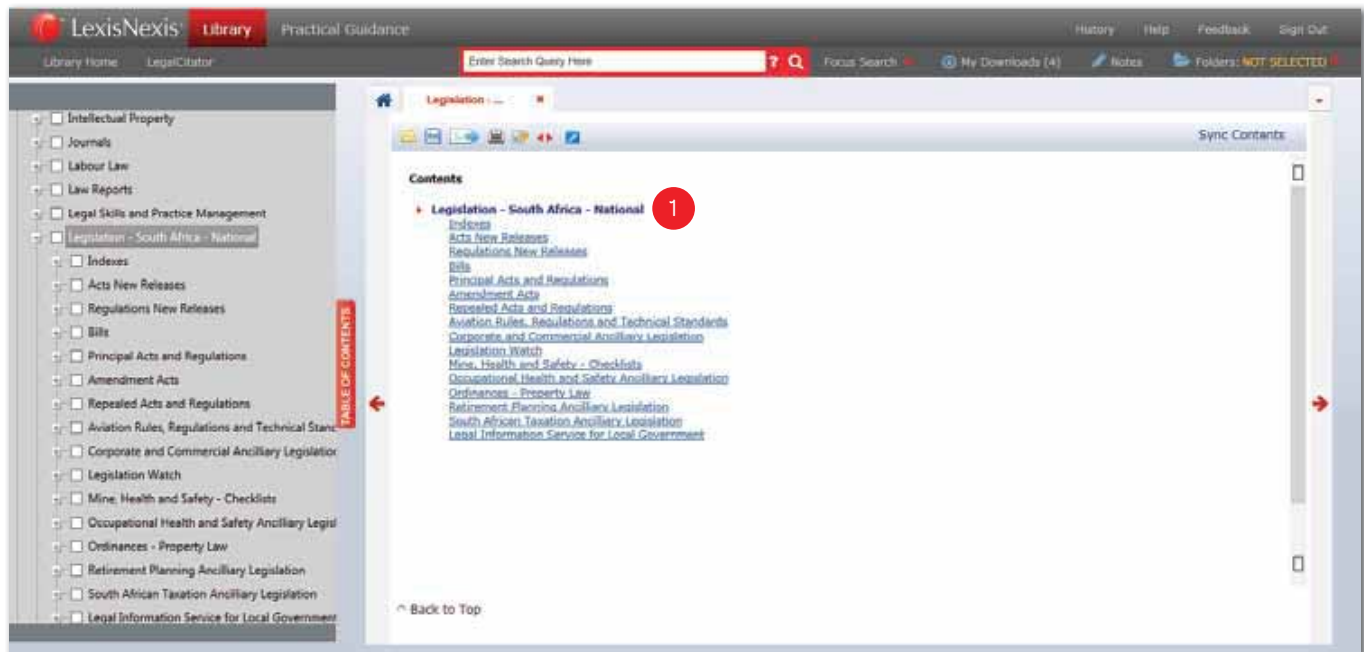
Searching

Law Reports and Legal Citator

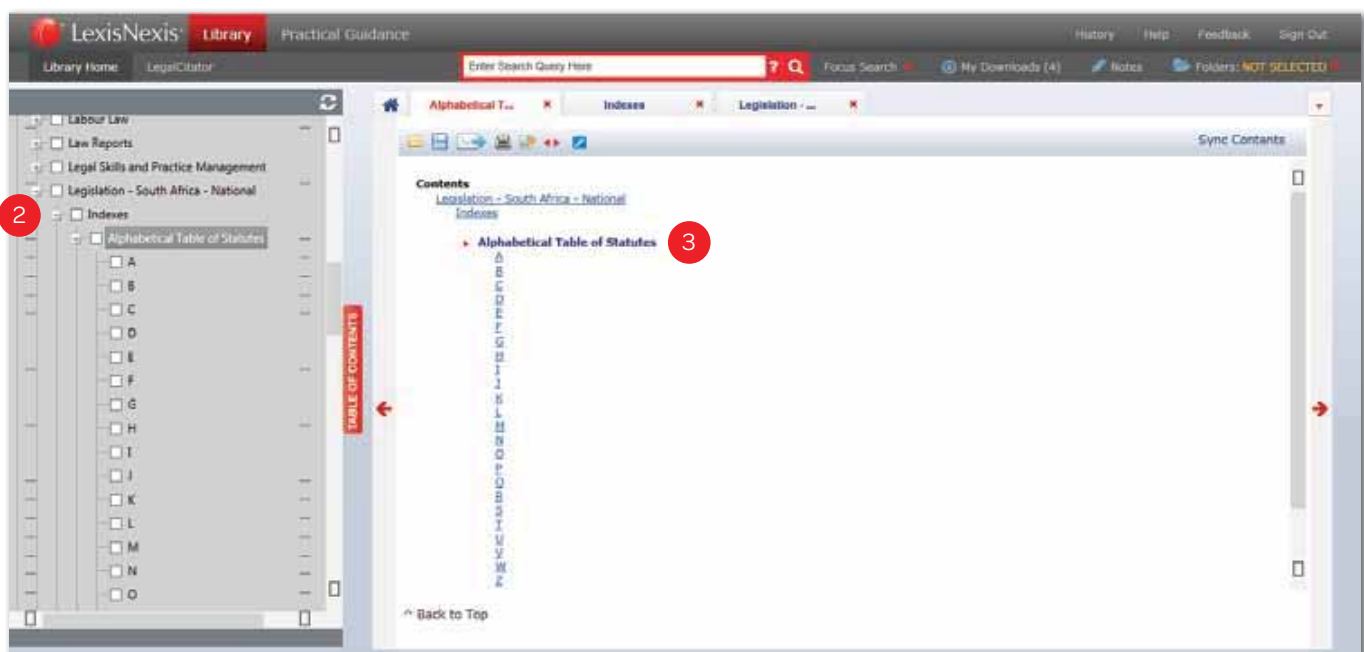
Legislation

Worked example using the Table of Contents
(locating the Factories Act, 28 of 1918 and any amendments thereto)

- 1 Click on the Legislation – South Africa – National



- 2 Select "Indexes", this contains a chronological and alphabetical table of statutes.
- 3 Select the Alphabetical table of statutes (which provides both repealed and current statutes which allows you to view the history of the legislation.)



Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

4 Click on the letter F

Act Name	Act Number and Year	Subject Area
*Factories (Amendment) Act	26 of 1931	-
*Factories Act	28 of 1918	-
*Factories, Machinery and Building Work Act	22 of 1941	-
*Factories, Machinery and Building Work Amendment Act	6 of 1966	-
*Factories, Machinery and Building Work Amendment Act	31 of 1980	-
*Factories, Machinery and Building Work Amendment Act	34 of 1963	-
*Factories, Machinery and Building Work Amendment Act	52 of 1968	-
*Factories, Machinery and Building Work Amendment Act	77 of 1967	-

5 Select Act Number and year [28 of 1918] of the Factories Act. The pop up shows the repealed Act with a link to the Act that replaced it, you can continue selecting the link until a blue link appears, this shows the current Act.

Act Name	Act Number and Year	Subject Area
*Factories (Amendment) Act	26 of 1931	-
*Factories Act	28 of 1918	-
*Factories, Machinery and Building Work Act	22 of 1941	-
*Factories, Machinery and Building Work Amendment Act	6 of 1966	-
*Factories, Machinery and Building Work Amendment Act	31 of 1980	-
*Factories, Machinery and Building Work Amendment Act	34 of 1963	-
*Factories, Machinery and Building Work Amendment Act	52 of 1968	-
*Factories, Machinery and Building Work Amendment Act	77 of 1967	-

Repealed Act

Act 28 of 1918 has been repealed by s 55 of [Act 22 of 1941](#)

Repealed Act

Act 22 of 1941 has been repealed by s 41 of [Act 6 of 1963](#)

Repealed Act

Act 6 of 1963 has been repealed by s 49 of [Act 85 of 1993](#)

Module 1: LexisLibrary Basic Skills

Basic Navigation and Using LexisLibrary

Searching

Law Reports and Legal Citator

Legislation

When an Act is displayed in your Workspace, you have additional viewing options. You can receive e-mail alerts when the Act is updated (click on Monitor this Act), Synchronise the Act with the Table of Contents (Click on Sync Contents) and view content that is related in some way to the Act (click on Related Content).

From here you can also view the entire Act, rather than just individual sections if you select (View All).

The screenshot shows the LexisNexis interface for the Occupational Health and Safety Act, No. 85 of 1993. The main content area displays the act's title, its commencement date (23 June 1992), and a note that it was assented to by the State President. Below this, it lists the act's amendments: the Occupational Health and Safety Amendment Act, No. 111 of 1992, and the Labour Relations Act, No. 66 of 1995. The act's purpose is stated as providing for the health and safety of persons at work and for the health and safety of persons in connection with the use of plant and machinery. A table of contents is provided at the bottom of the main content area.

The sidebar on the right, titled 'Legal Citator', shows a search for 'Occupational Health and Safety Act, No. 85 of 1993'. It lists the act's sections and subsections, including sections 1 through 23 and a summary section. The sections are listed as follows:

- Section 1
- Section 2
- Section 3
- Section 4
- Section 5
- Section 6
- Section 7
- Section 8
- Section 9
- Section 10
- Section 11
- Section 12
- Section 13
- Section 14
- Section 15
- Section 16
- Section 17
- Section 18
- Section 19
- Section 20
- Section 21
- Section 22
- Section 23
- Summary