



Australasian
Legal Information Institute

www.austlii.edu.au

2020 Year in Review
and AustLII Foundation Limited
Annual Report

A joint facility of UTS and UNSW Faculties of Law



2020 AT A GLANCE

IMPACTS OF THE COVID-19 PANDEMIC

From mid-March, in common with much of the Australian community, AustLII was impacted by the emergence of the coronavirus pandemic. During this time, most staff worked remotely with all physical presence at AustLII premises being restricted to essential technical hardware maintenance. AustLII played a significant role in providing access to legal information during the pandemic for lawyers, academics, students, government, business, the courts and the general public. AustLII is grateful to everyone who continued to provide it with financial and other support during the pandemic. We were particularly grateful for the support of the Commonwealth Attorney-General, whose Department provided a substantial grant to ensure that the AustLII service was able to continue.

NEW DATALEX APPLICATIONS DEMONSTRATE THE POTENTIAL FOR FUTURE OF 'RULES AS CODE'

The DataLex rule-based legal reasoning platform, operating within the AustLII Communities platform continues to attract interest, particularly for applications that highlight the possibilities of the evolving concept of 'Rules as Code', the process of translating rules in legislation, regulation and policy into code so they can be consumed and interpreted by computers. Applications covering the News Media and Digital Platforms Mandatory Bargaining Code, Modern Slavery Act 2018 (Cth), and the Community Gaming Regulation 2020 (NSW) have been developed.

AUSTRALIAN ENVIRONMENTAL AND PLANNING LAW LIBRARY

Work on this ARC LIEF funded Library of databases has expanded access to legal and quasi-legal resources relating to Australian Environmental and Planning Law at federal, state and local government levels, and international environmental laws relating to Australia. The project covers the breadth and depth of the multiple intersecting fields relevant to environmental and planning law.

RESEARCH GRANT FUNDING SUCCESSES

Towards the end of 2020 it was announced that two AustLII-led research grant applications had been successful. The Australian Research Data Commons (ARDC) will fund a project to create a National Free Access Collection of Colonial Findings, Recommendations and Responses. The ARC LIEF scheme will fund The Australian Royal Commissions and Public Inquiries Library. Both projects will commence in 2021 and will significantly expand the range and scope of legal information available on AustLII.

TWENTY-FIFTH ANNIVERSARY CELEBRATIONS POSTPONED

2020 marked twenty-five years since the founding of AustLII. Planning for a range of celebratory events had commenced when the disruptions of the pandemic intervened. It was disappointing to have to postpone our celebration of this milestone. We hope to present some 25+1 events in 2021



Australasian Legal Information Institute (AustLII)

AustLII Research Centre

A joint facility of UTS and UNSW Faculties of Law

AustLII Foundation Limited

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AUSTRALASIAN LEGAL INFORMATION INSTITUTE

2020 YEAR IN REVIEW

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AUSTLII FOUNDATION LTD CHAIR'S REPORT

It is very pleasing to be able to report that despite the challenges the Foundation faced in the 25th year of its existence because of the COVID-19 pandemic, 2020 has been a good year for AustLII. The move to new designed-for-purpose premises provided by the University of Technology Sydney went smoothly, and system stability was maintained throughout the process. The staff adapted very well to changed working conditions necessitated by the virus, maintaining a reliable service without interruption throughout the whole year in which an increased number of its users were dependent upon it while working from home. That achievement was particularly noteworthy given that the usage made of the on-line library services increased during the year from 233 to 238 million accesses, and an unanticipated strain that was put upon funding for some infrastructure costs.

The Foundation was able to deal successfully with that situation through the generous one-off grant from the Commonwealth Attorney General's Department, and the use of some accumulated reserve funds and appropriate continuing adjustments have been made to the cost base of our services. The level of contributions by AustLII Foundation's two members, the University of Technology Sydney and the University of New South Wales, government agencies, courts and tribunals, university law schools and libraries, legal associations, lawyers, businesses, and other organisations and individuals has continued unabated. In 2020 the Foundation received over 500 individual contributions, including over 150 donations from the general community, many more than in the past. As a result, the Board is confident that the Foundation can remain

financially viable provided that those who rely upon AustLII's services continue to support it.

In addition to the increase in the use being made of AustLII's on-line library services, the number of databases accessible through those services grew to 860. Moreover, significant progress was made throughout the year in improving the usefulness to various groups of users of the access that AustLII provides to the original legal materials. For example, the AustLII Communities platform and the DataLex legal reasoning system have provided effective support for the compilation and maintenance of electronic legal handbooks for non-lawyers, specialised legal area collections, and specialised law teaching materials sites. The Board has identified the continuing development of such value-added capacities to be of the highest priority for the Foundation in the coming years.

I would like to acknowledge the contributions that the other members of the Foundation's Board have made over the past year, to wish Professor George Williams well (he left the Board upon assuming a senior position at UNSW Sydney) and to welcome his replacement, Professor Andrew Lynch. It has been an honour to have served a further year as Chair of the AustLII Foundation.

Jeff FitzGerald (Chair, AustLII Foundation Limited)

AUSTLII CO-DIRECTORS' REPORT

2020 was one of the most challenging years that AustLII has confronted. In common with the rest of the world, we had to manage the implications of the global COVID-19 pandemic, which affected our staffing, technical, operational and fundraising functions. Despite an extremely difficult environment, AustLII continued to provide a reliable service that was even more heavily relied upon than usual.

The year started with the relocation of the AustLII facilities to the newly constructed UTS Central (Building 2) on Broadway. These new premises include purpose-built accommodation for our digitisation facilities as well as a dedicated new server room to house AustLII's computing infrastructure.

As a result of the pandemic, from mid-March 2020 all AustLII staff transitioned to working from home following advice from government and our host universities. Communication was maintained by holding regular virtual meetings of all staff, although it was necessary for some essential staff to attend the office occasionally for systems maintenance, digitisation processes and the like.

Particular attention was paid to the operation of the computing facilities including servers, storage and network to ensure the reliability of the service. It is pleasing to note that there was no significant downtime over the year and the system maintained very fast response times. AustLII played an important role in providing access to legal information during the pandemic for lawyers, academics, students, government, business, the courts and the general public. Usage figures indicated increased downloads from the major domestic ISP services, reflecting a greater reliance on AustLII by users accessing the service from home.

We were very grateful to the Commonwealth Attorney-General's Department who provided substantial financial assistance to ensure that the AustLII service could be maintained. We were also extremely appreciative of the large amount of financial as well as moral support that we had from the rest of the AustLII stakeholder community. We most sincerely thank all those who made a donation to support us in 2020.

The Research Centre was active in seeking opportunities for grant funding and towards the end of the year we were rewarded with two new research grants for projects to commence in 2021: an ARC LIEF project entitled "The Australian Royal Commissions and Public Inquiries Library" and an ARDC Public Sector Bridges project entitled "Creating a National Free Access Collection of Colonial Findings with Recommendations and of Responses to Recommendations" with the support of all state and territory coroners.

AustLII could not exist without the dedicated and sustained commitment of all our staff. Unfortunately, during the year we said farewell to our Administrator Catherine Quigley, after 21 years of dedicated service to AustLII and UTS. Cathy made an enormous contribution to ensure the smooth administration of AustLII for over two decades. We also acknowledge the contributions of Katherine Le who left AustLII in October after three years of service and of Jackson McKinley who was with us for two years.

We acknowledge the support of the AustLII Foundation Board and of our host universities UTS and UNSW and of the respective Deans of Law at both institutions who serve on the Board and on the management committee of the Research Centre.

It was disappointing that we had to postpone the activities that we were planning to mark our twenty-fifth anniversary. We are hopeful that it may be possible to organise some events to celebrate our 25+1 anniversary.

Despite the challenges of 2020, AustLII has demonstrated its resilience and we look forward to continuing to work with all of our stakeholders and collaborators in 2021.

Andrew Mowbray and Philip Chung (Co-Directors, AustLII)

ABOUT AUSTLII

- **The Australasian Legal Information Institute (AustLII) was founded in 1995.**
- **AustLII is the largest free-access provider of online Australian legal materials with over 20% market share, serving about 650,000 page access requests every year.**
- **AustLII undertakes innovative applied research to support the provision of free access legal information.**
- **AustLII is a founding member of the international Free Access to Law Movement (FALM), and one of the largest providers of worldwide free-access legal content.**

The Australasian Legal Information Institute is comprised of two entities:

- The AustLII Foundation Limited (a public company limited by guarantee with charitable Deductible Gift Recipient tax status), which is responsible for the operation and maintenance of the infrastructure and services that delivers the online library of Australian legal information to the community. The AustLII Foundation is governed by an independent Board of Directors.
- The AustLII Research Centre (a joint research centre of UNSW Australia and the University of Technology Sydney), which conducts leading edge international research in technologies for developing legal information systems. The AustLII Research Centre is governed under an MOU between the two Law Schools.

These two arms of AustLII operate in a symbiotic partnership – revenue opportunities that accrue to the academic arm from research grants and contract research feeds back into and opens opportunities for the Foundation while stakeholder engagement activity by the Foundation can often be leveraged for grant applications available to the Research Centre.

AUSTLII FOUNDATION LIMITED

The AustLII Foundation Limited seeks donations and other contributions from its Australian users to operate and maintain AustLII's Australian infrastructure and services.

The Foundation's objects are to:

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

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

AUSTLII RESEARCH CENTRE

The AustLII Research Centre's mission is to be a centre of excellence in the development of legal information systems through research, the operation of public free access legal research facilities, and education in legal research techniques and infrastructure. In doing so, AustLII will advance the public interest in free access to public legal information within Australia and internationally.

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

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

1. Research and development

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

2. Public policy

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

3. Public access law facilities

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

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

4. Operational

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

INTERNATIONAL ACTIVITIES

AustLII collaborates with other free access LIIs around the world to operate international multi-LII systems for legal information:

- Asian Legal Information Institute (AsianLII);
- Commonwealth Legal Information Institute (CommonLII);
- World Legal Information Institute (WorldLII);
- LawCite international citator.

In addition, AustLII jointly operates the New Zealand Legal Information Institute (NZLII) and the LII of India, in cooperation with local partners in those countries.

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

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

GOVERNANCE

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

The AustLII Foundation Limited Board as at 31 December 2020 comprised:

- **Dr Jeff FitzGerald (Chair)** (appointed to the Board on 22 December 2008) Former Registrar of the University of Technology Sydney; former Deputy-Secretary of the Victorian Attorney-General's Department
- **Dr Philip Chung (Managing Director)** (appointed to the Board on 23 June 2009) Associate Professor, Faculty of Law, UNSW Sydney; Co-Director and Executive Director, AustLII Research Centre
- **Prof Andrew Mowbray (Executive Director)** (appointed to the Board on 27 April 2009) Professor, Faculty of Law, University of Technology Sydney; Co-Director, AustLII Research Centre
- **Mr Tim Bugg AM** (appointed to the Board on 23 June 2009) Partner, Dobson Mitchell & Allport; Former Chair, International Legal Services Advisory Council (ILSAC); Past President, Law Council of Australia
- **Mr John Cameron** (appointed to the Board on 24 April 2018) Former Deputy Vice-Chancellor (Administration and Resources) at Australian Catholic University
- **Mr Ian Govey AM** (appointed to the Board on 23 June 2009) Former Australian Government Solicitor
- **Prof Lesley Hitchens** (appointed to the Board on 18 February 2013) Dean, Faculty of Law, University of Technology Sydney
- **Prof Andrew Lynch** (appointed to the Board on 14 August 2020) Acting Dean, Faculty of Law, UNSW Sydney
- **Ms Miranda Milne** (appointed to the Board on 29 April 2020) Former Chief Executive Officer, Victorian Legal Practitioners Liability Committee (LPLC)

Prof George Williams AO was appointed a Deputy Vice-Chancellor of UNSW Sydney during the year and resigned from the Board on 14 August 2020.

The Company Secretary was Giovanni Crasto (appointed 31 January 2014).

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

- **A/Prof Philip Chung** (Co-Director and Executive Director, AustLII Research Centre; Associate Professor, Faculty of Law, UNSW Sydney)
- **Prof Melissa Crouch** (Associate Dean (Research), Faculty of Law, UNSW Sydney)
- **Prof Lesley Hitchens** (Dean, Faculty of Law, University of Technology Sydney)
- **Mr Paul Holt** (Faculty Manager, Faculty of Law, University of Technology Sydney)
- **Prof Andrew Lynch** (Acting Dean, Faculty of Law, UNSW Sydney)
- **Prof Andrew Mowbray** (Co-Director, AustLII Research Centre; Professor, Faculty of Law, University of Technology Sydney)
- **Prof Anita Stuhmcke** (Associate Dean (Research), Faculty of Law, University of Technology Sydney)
- **Ms Fei Wong** (Faculty Executive Director, Faculty of Law, UNSW Sydney)

MANAGEMENT AND STAFF

Managing and Executive Directors

In 2020, the AustLII Research Centre was jointly managed by two co-directors:

- Andrew Mowbray (Professor of Law and Information Technology, Faculty of Law, UTS) (Co-Director)
- Philip Chung (Associate Professor, Faculty of Law, UNSW Sydney) (Co-Director and Executive Director)

The Managing Director of the AustLII Foundation Limited is Philip Chung. Andrew Mowbray serves as Executive Director of the Company.



AustLII staff (L to R): Giovanni Crasto, David Barker, Chris Kenward, Jill Matthews, Cathy Quigley, Philip Chung, Andrew Mowbray, Richard Hunter, Jennifer Kwong, Armin Wittfoth. Not in photograph: Jones Olatunji, Graham Greenleaf, David Bramston, Katherine Le, Jackson McKinley.

Full-time Staff

- David Bramston (Project Officer)
- Giovanni Crasto (Finance and Administration Manager)
- Richard Hunter (Development Manager)
- Chris Kenward (Australian Databases Manager)
- Jennifer Kwong (Project Officer)
- Katherine Le (Project Officer) until September 2020
- Jones Olatunji (Systems Administrator)
- Cathy Quigley (Administrative Officer) until December 2020
- Armin Wittfoth (Project Officer)

Part-time Staff

- Graham Greenleaf AM (Founding Co-Director and Senior Researcher)
- Jill Matthews (Project Officer)
- Jackson McKinley (Project Officer) until November 2020

Researchers / Interns / volunteers

Emeritus Professor David Barker is an AustLII Senior Researcher. He makes a substantial contribution to AustLII's research work and provides valuable assistance in maintaining links with the profession and professional organisations.

The AustLII intern / volunteer programme is available to law students from UNSW and UTS. Interns / volunteers are able to participate in AustLII's projects including digitisation of historical legal materials in print (using both destructive and non-destructive scanning approaches), extraction of metadata, as well as stakeholder engagement activities.

The interns / volunteers in 2020 were:

- Celina Berschneider (UTS)
- Emma Hilton (UTS)
- Shane Liu (UNSW)
- Declan Scott (UNSW)
- Jong Yim (UNSW)

NEW AUSTLII FACILITIES

Towards the end of 2019 the new UTS Central Building (Building 2) facing Broadway was completed, including a new facility for the location of AustLII on Level 14. This facility reflects AustLII's identity as a provider of critical national digital research infrastructure for law and which promotes justice and enables the rule of law for Australia and internationally.

The new facility provides a secure and robust technical capacity and offers a comfortable and practical working environment for all staff. At the beginning of 2020 AustLII relocated to the new building.



The large format scanning room with files ready for processing.



The new server room



The micro-scanner looking through to staff workspaces



The book accession and processing room

AUSTRALIAN DEVELOPMENTS

DATABASES AND LIBRARIES

The heart of AustLII is its collection of primary and secondary Australasian legal materials, including:

- Comprehensive legislation and related legislative materials from all jurisdictions
- Case law from most courts, tribunals and regulators (past and present)
- The text of all treaties to which Australia is a party
- An extensive collection of law journals, law reform reports and judicial scholarship
- Aggregated subject specific collections and virtual databases

The following **new Australian legal databases and resources** were added or expanded in 2020:

- AustLII's COVID-19 Catalog
- Australian Capital Territory Legislative Assembly Select Committees on Environment and Planning 2014-
- Australian Capital Territory Legislative Assembly Standing Committees on Environment and Planning 1989-
- Australian House of Representatives Select Committees on Environment and Planning 1971-
- Australian House of Representatives Standing Committee on Regional Australia 2011-2013
- Australian House of Representatives Standing Committees on Agriculture, Resources, Fisheries and Forestry 1996-
- Australian House of Representatives Standing Committees on Environment and Planning 1973-
- Australian Parliamentary Joint Select Committees on Environment and Planning 1996-
- Australian Parliamentary Joint Standing Committee on Public Works 1915-
- Australian Parliamentary Joint Standing Committees on the National Capital and External Territories 1958-
- Australian Senate Select Committees on Environment and Planning 1985-
- Australian Senate Standing Committees on Environment and Communications 1988-
- Australian Senate Standing Committees on Rural and Regional Affairs and Transport 1998-
- Australian State of the Environment Reports 1996-
- Edited Legal Collections Data 1999-
- International Journal for Crime, Justice and Social Democracy 2012-
- Law, Technology and Humans 2019-
- New South Wales COVID-19 Government Orders
- New South Wales Legislative Assembly Select Committees on Environment and Planning 2001-
- New South Wales Legislative Assembly Standing Committee on Public Works 1997-
- New South Wales Legislative Assembly Standing Committees on Environment and Planning 2011-
- New South Wales Legislative Assembly Standing Committees on Natural Resource Management 2003-2011
- New South Wales Parliamentary Joint Select Committees on Environment and Planning 2002-
- New South Wales State Insurance Regulatory Authority Dispute Resolution Service 2020-
- Queensland COVID-19 Public Health Directions
- Victorian COVID-19 Public Health Directions
- Victorian Planning Reports 1998-2013
- Western Australian Warden of Mines 1979-

AUSTLII COMMUNITIES

AustLII Communities is a platform for innovation in the creation of free-access legal information that is provided by a wide range of 'trusted' user communities and that is fully integrated with all the legislative, case law, treaty and legal scholarship resources on AustLII. The content on AustLII Communities is easily updatable by authors and information providers and contains:

- Plain language law handbooks and other guides to the law
- Legal textbooks, annotations and case summaries
- Collaborative educational resources for the teaching of law
- Rule-bases for use with DataLex

The following new resource was added to the AustLII Communities platform in 2020.

Annotated Bibliography of COVID-19 Legal Literature

This bibliography is a collaboration between the University of Melbourne Law School COVID-19 Research Network and AustLII and was compiled and updated by Robin Gardner, the Law Research Service Manager at Melbourne Law School and Research Librarian Fiona MacDowall.

The annotated bibliography is arranged into A) Literature B) Organisations and C) Blogs, journals and websites.

Part A includes scholarship and selected professional literature. It begins with books and then other literature, which is divided into broad topics - general legal literature followed by more specific topics. A note on the jurisdiction is included if this is not immediately obvious from the citation or abstract. Only literature written in English is included.

Part B lists selected organisations with dedicated COVID-19 legal publications sites.

Part C lists selected websites, databases, special issues of journals, blogs and other online fora.

The main format of academic research on COVID-19 at present is still working papers and pre-published scholarship. Much of this is on open access on SSRN, which has a dedicated Coronavirus Hub for early stage non-peer reviewed research. For published scholarship, in order to publish scholarship quickly, many scholarly journals have introduced ways to fast-track publication, including a faster peer-review process, and publishing accepted manuscripts and advance online articles. Many journal platforms that are normally only available to subscribers or on a pay per article basis are making COVID-19 literature available on open access - some of this literature is freely available until a specified date. There are also many COVID-19 special issues of journals rapidly emerging.

DATALEX LEGAL REASONING SYSTEMS

DataLex is a legal reasoning platform that can be used to assist legal advisory services and to support regulatory compliance applications. DataLex interacts with the AustLII Communities platform, which enables the sustainable collaborative development of knowledge-based applications that can run on DataLex to help find solutions to legal problems.

'RULES AS CODE'

The DataLex rule-based legal reasoning facility, operating within the AustLII Communities platform continues to attract interest, particularly for applications that highlight the possibilities of the evolving concept of 'Rules as Code', the process of translating rules in legislation, regulation and policy into code so they can be consumed and interpreted by computers.

There are many proposals for governments to adopt policies to implement 'Rules as Code' or 'Law as Code', the conversion of statutory texts into AI-based forms capable of computational execution. DataLex has great potential to support the development of rule-based applications that explore the potential and challenges of retrospective conversion of statutes into executable code.

DATALEX APPLICATIONS

During the year a number of new applications were developed, demonstrating the potential of the platform to engage with current legislative developments responding to contemporary policy challenges.

News Media and Digital Platforms Mandatory Bargaining Code

This system is based on the Competition and Consumer Act 2010, Part IVBA Digital Platforms, Divisions 1 to 3 proposed to be inserted by the Treasury Laws Amendment (News Media and Digital Platforms Mandatory Bargaining Code) Act 2020.

Community Gaming Regulation

This example is based on the Community Gaming Regulation 2020 (NSW). See the Media Release for background to this app. Parts of the app can also be run from the 'Consult' option on any section of the Regulation.

Modern Slavery Act

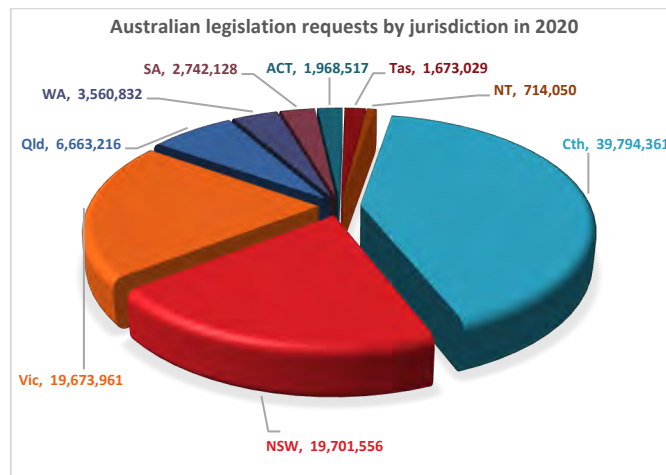
This code is based on the Modern Slavery Act 2018 (Cth), and can also be run from the sections of the Act. It is an example of coding the whole of an Act.

AUSTLII USAGE

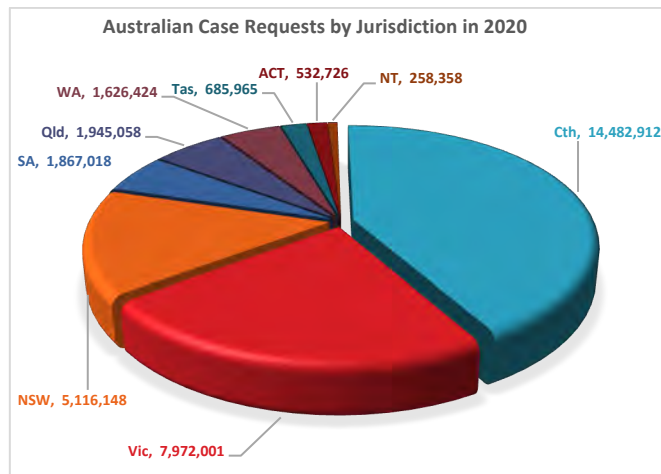
AUSTLII'S DATABASE USAGE AND MARKET SHARE

- **Total hits for 2020 exceeded 238 million and averaged 652,624 hits per day.**
- **Over 6.5 million distinct hosts were served.**
- **Data downloaded in 2020 was nearly 22 terabytes.**
- **AustLII continues to be ranked within the top 1,000 most accessed websites in Australia. (SimilarWeb data)**

The most popular databases on AustLII in 2020 were the Commonwealth legislation databases, followed by NSW and Victorian legislation. The following graphs show the number of accesses to AustLII's legislation and case law databases by jurisdiction.



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



Case law requests did not generally include accesses by search engine web spiders, which AustLII excludes from access. AustLII is consistently ranked within the top 1,000 most accessed websites in Australia and maintained the number one market position in the 'business and finance – legal' category throughout 2020 (SimilarWeb data). This category included websites from government, publishers, courts and tribunals, law societies, legal firms and barristers.

AUSTLII'S MAJOR USERS

The major users of the AustLII service fall into the following categories:

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

Because AustLII operates as a free and anonymous service, no log-in or user identification is required. Consequently, AustLII is unable to identify a high percentage of its users because it does not receive Internet protocol addresses (IP addresses) specific to them. Over 40% of all accesses cannot be precisely identified.

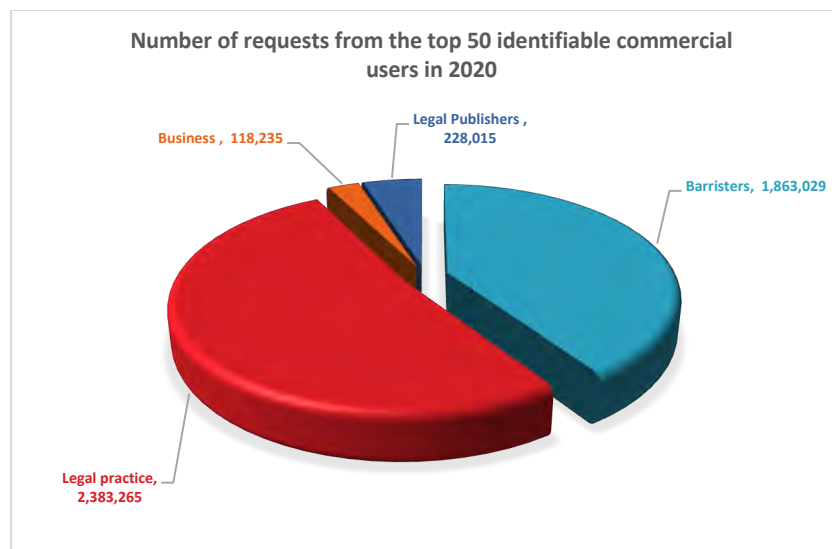
Of the remainder that can be identified about half are from large commercial internet service providers (ISPs) serving millions of individual clients, which will include most of the general community accesses, as well as from large organisations which maintain multiple unidentifiable IP addresses.

From the remaining third of users from which we receive an identifiable web address, the commercial sector accounts for about 45% of usage, 30% comes from the government sector, and 25% comes from education.

COMMERCIAL SECTOR

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

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



While usage of AustLII by the commercial sector continues to grow it is noted that only 14 of the top 50 identifiable commercial users (11,000 or more requests per annum) contribute to AustLII's running costs, and only half of the top 10 identifiable commercial users support AustLII.

Contributions from AustLII's largest identifiable users from the commercial sector continue to remain below their rates of usage. We continue to urge all AustLII users that can afford to do so to contribute towards the maintenance of AustLII.

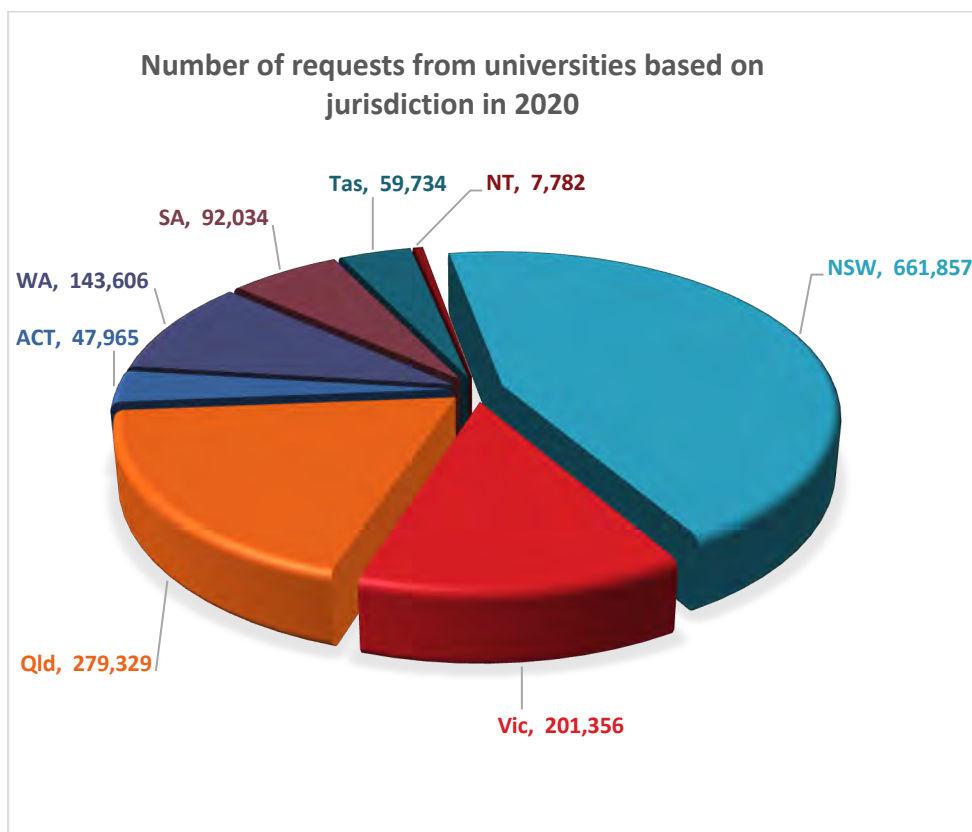
COMMERCIAL USAGE OF AUSTLII IN 2020

	Commercial Category	Number of requests	Contributor in 2020
1	Barrister	920,473	
2	Barrister	774,740	<input checked="" type="checkbox"/>
3	Legal Practice	589,367	<input checked="" type="checkbox"/>
4	Legal Practice	560,402	<input checked="" type="checkbox"/>
5	Legal Practice	350,655	<input checked="" type="checkbox"/>
6	Legal Publisher	137,625	
7	Barrister	123,263	<input checked="" type="checkbox"/>
8	Legal Publisher	90,390	
9	Business	78,271	
10	Legal Practice	63,276	
11	Legal Practice	48,490	<input checked="" type="checkbox"/>
12	Barrister	44,553	<input checked="" type="checkbox"/>
13	Legal Practice	40,206	<input checked="" type="checkbox"/>
14	Legal Practice	37,718	
15	Legal Practice	35,655	
16	Legal Practice	34,753	<input checked="" type="checkbox"/>
17	Legal Practice	31,096	
18	Legal Practice	30,351	
19	Legal Practice	29,596	
20	Legal Practice	27,811	
21	Business	26,596	
22	Legal Practice	26,201	
23	Legal Practice	25,565	
24	Legal Practice	25,428	<input checked="" type="checkbox"/>
25	Legal Practice	25,118	
26	Legal Practice	22,062	
27	Legal Practice	22,004	
28	Legal Practice	21,664	
29	Legal Practice	20,823	
30	Legal Practice	20,732	<input checked="" type="checkbox"/>
31	Legal Practice	20,608	
32	Legal Practice	20,365	
33	Legal Practice	18,993	
34	Legal Practice	18,372	
35	Legal Practice	18,209	<input checked="" type="checkbox"/>
36	Legal Practice	17,691	
37	Legal Practice	17,180	
38	Legal Practice	16,404	
39	Legal Practice	16,337	
40	Legal Practice	15,476	
41	Legal Practice	14,399	
42	Business	13,368	<input checked="" type="checkbox"/>
43	Legal Practice	12,892	
44	Legal Practice	12,795	
45	Legal Practice	12,712	
46	Legal Practice	12,706	
47	Legal Practice	12,699	
48	Legal Practice	12,527	
49	Legal Practice	12,314	
50	Legal Practice	11,613	<input checked="" type="checkbox"/>

EDUCATION SECTOR

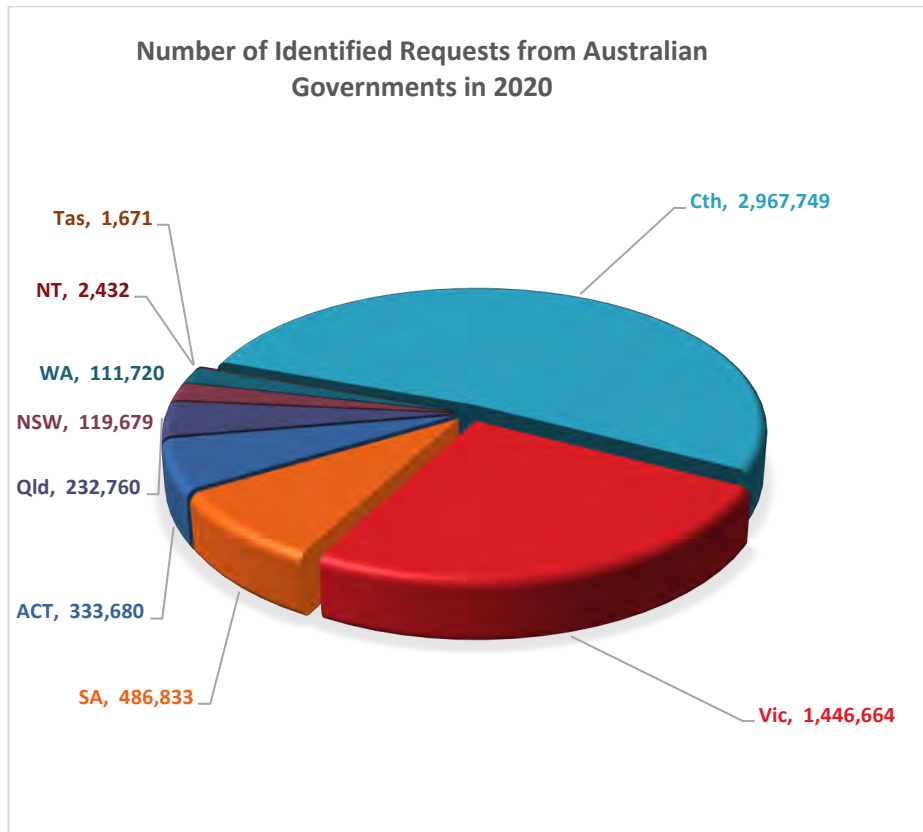
The education sector in Australia represented over 25% of AustLII's top identified users in 2020. All universities in Australia use AustLII and almost all of them provide a financial contribution. Total usage from the University sector in 2020 was 1 million requests.

Most Australian universities make a financial contribution to AustLII because they recognise AustLII's value to their teaching and research, and that the costs of its operation need to be widely shared. The receipt of financial support from all Australian universities is a fundraising goal.



GOVERNMENT SECTOR

The government sector in 2020 represented 35% of AustLII's top identifiable users. A significant amount of government use is identifiable at agency level, including Commonwealth, State and Territory government agencies. Also included in this figure is the substantial use of AustLII resources by the various courts, tribunals and other regulators, most of whose decisions AustLII re-publishes.



INTERNATIONAL ACTIVITIES

INTERNATIONAL SYSTEMS AND DEVELOPMENTS

The AustLII Research Centre has assisted other nations and regions to develop online access to their laws since 1999, using open source software and other LII tools developed by AustLII. All of AustLII's development of multi-LII systems, its joint operation of overseas LIIs, and the assistance it gives to other collaborating LIIs for maintenance and development of their systems is funded by grants for these purposes.

MULTI-LII SYSTEMS

The AustLII Research Centre operates three multi-LII systems for international free access legal information (AsianLII, CommonLII and WorldLII) in cooperation with a group of collaborating Legal Information Institutes based in other countries (which we call the 'WorldLII Consortium'). AustLII has developed the only international free-access case and journal article citator (LawCite) and operates it in conjunction with the same group of collaborating LIIs.

WORLDLII



The World Legal Information Institute (WorldLII) continued to expand coverage of searchable content to include 2,346 national databases from collaborating LIIs. The system also contains a significant collection of international law resources from the United Nations and other international organisations.

COMMONLII



The Commonwealth Legal Information Institute (CommonLII) provides access to laws from 59 Commonwealth and common law jurisdictions. AustLII continues to maintain the Caribbean Law Project as well as the Commonwealth Criminal Law Library. CommonLII grew significantly in 2019 as a result of the development of the Foundations of the Common Law Library.

ASIANLII



The Asian Legal Information Institute (AsianLII) provides free access to legal information from all 28 countries and territories in Asia. AsianLII grew significantly in 2019 as a result of the development of the Foundations of the Common Law Library.

LAWCITE



LawCite is an automatically generated international legal case and journal article citator used to locate judgments and to see how these have been subsequently dealt with and commented upon or to see where journal articles have been cited. It uses data-mining techniques to examine the content provided by participating LIIs and can be thought of as the 'glue', which binds together the data contained within the Multi-LII systems. In 2020 LawCite indexed over 6 million documents.

DATABASES SEARCHABLE THROUGH MULTI-LII SYSTEMS

Seventeen LIIs now collaborate in providing the databases searchable via WorldLII. The following table sets out the approximate numbers of databases searchable from each of the portals operated by AustLII (AsianLII, CommonLII and WorldLII) as at 31 December 2020, and the number of databases found on each cooperating LII allowing their data to be searched as part of these systems. The 'Countries' column indicates the number of countries that a particular LII adds to the total number of countries whose databases are searchable via WorldLII.

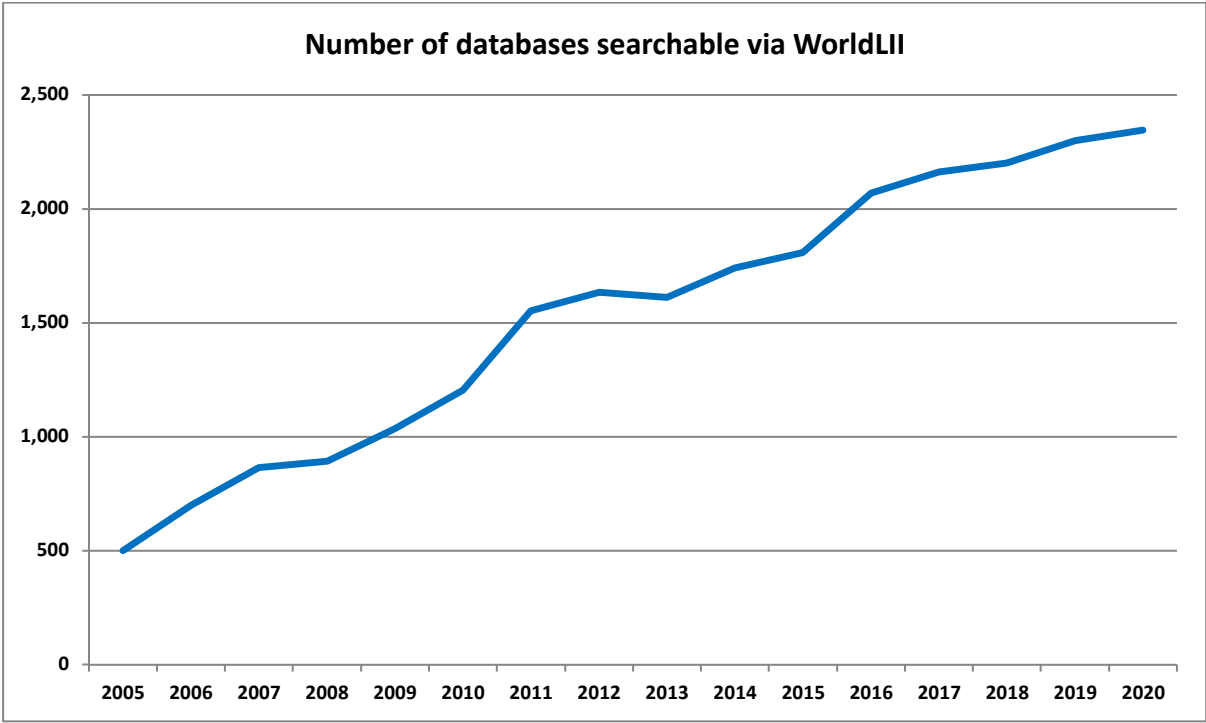
Table of searchable databases in multi-LII systems (as at 31 December 2020)

Systems	AsianLII	CommonLII	WorldLII	Countries	
AsianLII	330	0	330	28	*
AustLII	0	659	659	1	
BAILII	0	106	106	7	
CanLII	0	2	2	1	
CommonLII	43	122	122	27	*
CyLaw	0	16	16	1	
Droit.org	0	0	1	1	
HKLII	53	53	53	1	
LawPhil	20	0	20	1	
LII Cornell	0	0	3	1	
LiberLII	0	0	8	1	*
NZLII	0	201	201	1	*
LII of India	172	172	172	1	*
PacLII	39	359	359	20	
SAFLII	0	135	135	16	
SamLII	0	28	28	1	*
ULII	0	16	16	1	
WorldLII	0	0	115	55	*
2020 Total	657	1,869	2,346	165	976
2019 Total	640	1,823	2,300	165	968
2018 Total	620	1,725	2,202	165	900
2017 Total	617	1,683	2,163	165	886
2016 Total	603	1,597	2,070	164	848
2015 Total	453	1,489	1,809	152	678
2014 Total	442	1,430	1,742	152	652
2013 Total	431	1,312	1,613	142	612
2012 Total	433	1,279	1,635	183	595
2011 Total	430	1,204	1,552	182	555
2010 Total	300	905	1,205	164	408

During 2020, the total number of databases available for searching via WorldLII increased by 46 to 2,346, whereas the total number available via CommonLII increased to 1,869 and AsianLII to 657.

AustLII maintains 976 of these international databases (an increase from 968 in 2019), in addition to the 659 Australian databases on AustLII. They are on seven LIIs (marked *).

The number of databases searchable via WorldLII was not recorded for its first few years of operation from 2002, but over the past few years (as recorded in AustLII reports to LII meetings, and in these annual reviews), the rate of expansion of searchable databases is as follows:



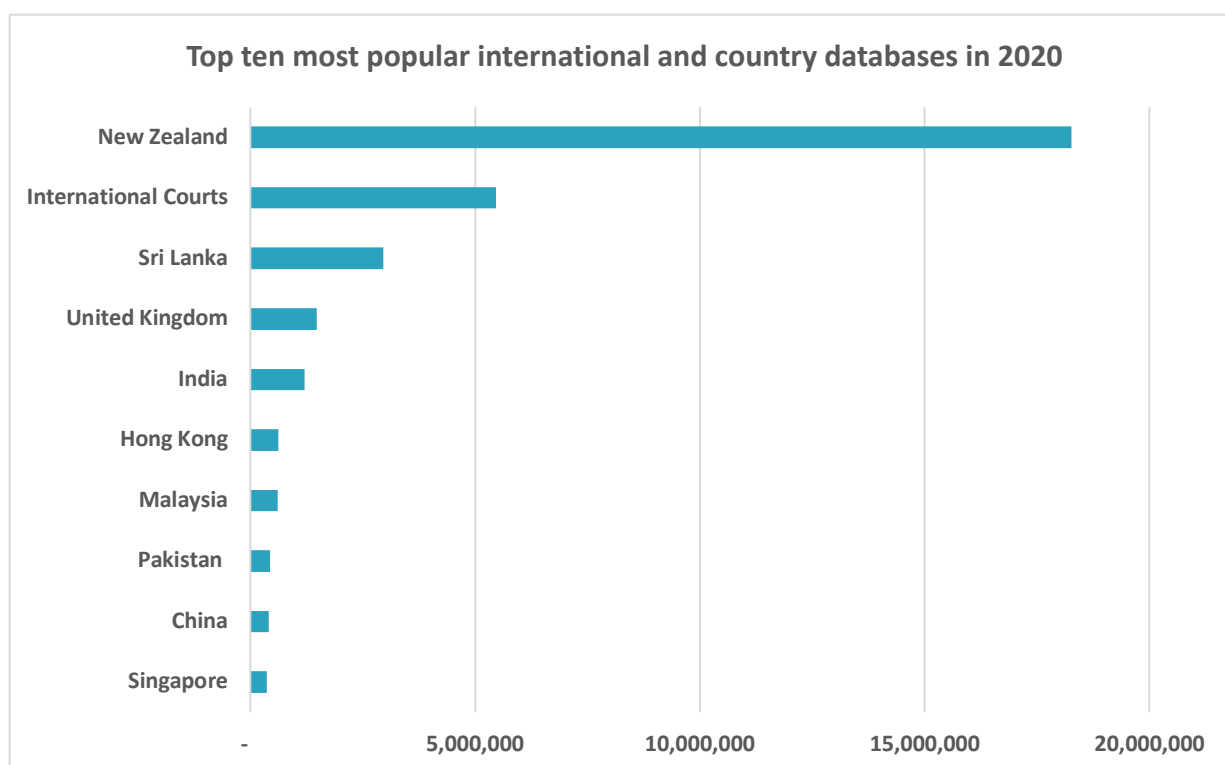
INTERNATIONAL SYSTEMS USAGE

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

In 2020, there were over 54 million accesses to the non-Australian databases maintained by AustLII and located on AsianLII, CommonLII, NZLII, LII of India, LiberLII, SamLII and WorldLII plus citator records on LawCite and Catalog pages. AustLII blocks spidering of case law on any of these services.

The following chart shows the top 10 most requested databases maintained by AustLII, by country or grouping (excluding databases on AustLII). The most popular international databases in 2020 are from New Zealand, the International Courts and Tribunals (as well as inter-government organisations), Sri Lanka, United Kingdom, India, Hong Kong, Malaysia, Pakistan, China and Singapore. The UK accesses refer to the English Reports 1220-1873 located on CommonLII.

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



DEVELOPMENTS IN NATIONAL LII SYSTEMS

AustLII also cooperates with a number of partner institutions in individual countries by jointly managing (using AustLII infrastructure) the databases of these LIIs (NZLII, LII of India, LiberLII and SamLII).

Highlights of some of the developments on some of these systems in 2020 are as follows.



During 2020 the successful partnership between NZLII and AustLII continued, with 13 new databases added. The new databases are:

- Selected New Zealand Acts in Te Reo Māori 1868-1892
- New Zealand Māori Land Legislation Manual 1841-1993
- New Zealand Penal Policy Papers 1954-
- New Zealand Overtime and Shift Work Recognition Authority 1975-1982
- New Zealand Māori Law Resources 1858-
- New Zealand Town and Country Planning Appeal Board 1955-1983
- New Zealand Family Justice Reforms 2011-
- Institute of Criminology, Victoria University of Wellington – Occasional Papers in Criminology 1975-
- New Zealand District Licensing Committee - Queenstown Lakes District Council 2015-
- New Zealand Ad Hoc Government Reports 1934-
- New Zealand Ad Hoc Government Discussion Papers 1950-
- New Zealand Ministry of Business, Innovation and Employment – Building Determinations 1992-
- New Zealand Land Valuation Cases 1961-1993



AustLII currently supports the maintenance of: Legal Information Institute of India (LII of India), the Samoan Legal Information Institute (SamLII) and Liberian Legal Information Institute (LiberLII) by providing backup data storage and hosting.

COLLABORATIONS WITH OTHER LEGAL INFORMATION INSTITUTES

AustLII continues to collaborate with a number of international partners. In 2020, it worked with the Hong Kong Legal Information Institute (HKLII), the Southern African Legal Information Institute (SAFLII) and the Pacific Islands Legal Information Institute (PacLII) to develop and maintain their facilities as well as exploring areas of research collaboration. Philip Chung serves as a trustee on the BAILII Board.

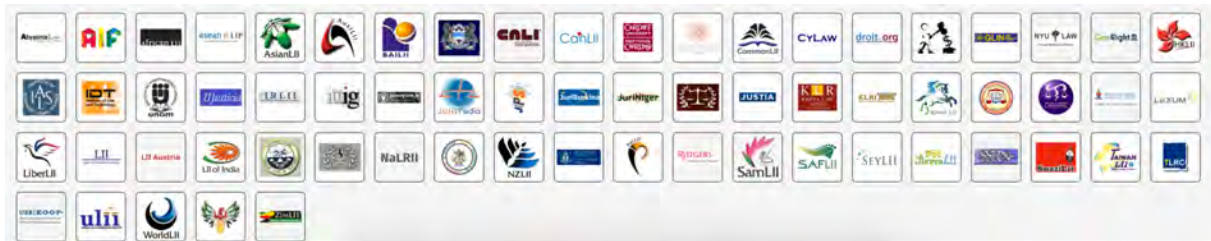
International relationships were challenged by the COVID-19 pandemic, as no international travel could be undertaken, though meetings still took place via video conferencing services.

AUSTLII INVOLVEMENT IN THE FREE ACCESS TO LAW MOVEMENT



AustLII is one of the founders, and a very active participant in the global Free Access to Law Movement (FALM), which had 65 members at the end of 2020.

A full list of members is at the FALM website <<http://www.fatlm.org>>, as is the Declaration of Free Access to Law (2002, as amended) to which AustLII and other members subscribe. The logos of the members of FALM are shown below.



LAW VIA THE INTERNET CONFERENCE

The Law via the Internet (Lvi) Conference is an internationally focused academic conference held annually to explore issues relating to the delivery of the law and legal information via the internet, including consideration of the technical, intellectual, policy and regulatory issues involved.

The 2020 Lvi Conference was to be hosted by the Institute for Advanced Legal Studies in London. Unfortunately the physical conference had to be postponed to 2021 due to COVID-19. Instead AfricanLII, CanLII and Lexum organized the first virtual Law Via the Internet conference <<https://lvi2020.org/>>.

The Conference was spread over 48 hours and multiple time-zones between 22 and 23 September. AustLII Directors and Senior Researchers presented two papers at the virtual Conference.

PHILANTHROPIC SUPPORT FOR INTERNATIONAL RESEARCH AND ENGAGEMENT

In 2020 a fund was established within the Philanthropic Division of UNSW known as the “AustLII - International Research and Engagement Fund”. The purpose of the fund is to provide support to the international research and engagement activities of the Australasian Legal Information Institute (AustLII). Now that this fund is established we are developing approaches to seek additional funding for these activities from the Australian legal profession and from other international supporters.

We would encourage all AustLII supporters with an interest in helping AustLII in its mission to provide free access to legal information around the world to make a contribution to this fund via a donation to UNSW.

RESEARCH ACTIVITIES

The AustLII Research Centre undertakes research in the field of legal information systems, which can usually be characterised as ‘applied research’. Funding for this research comes from various sources, including conventional research grants (such as Australian Research Council Linkage grants), but research is also very often generated by research infrastructure grants (ARC LIEF or otherwise) or international development grants where the goals of infrastructure development pose research issues which must be resolved.

RESEARCH AND RESEARCH INFRASTRUCTURE GRANTS

Researchers affiliated with AustLII apply for competitive grants for research and research infrastructure development of new databases and services. In 2020, AustLII finalized work on a major Australian Research Council (ARC) Linkage Infrastructure Equipment Fund (LIEF) research grant and successfully secured funding for another LIEF grant to commence in 2021. AustLII also successfully secured funding for a research project funded by the Australian Research Data Commons (ARDC) to commence in 2021.

RESEARCH PUBLICATIONS AND PRESENTATIONS

AustLII Co-Directors published the following papers and made the following presentations in 2020:

- Greenleaf, Graham; Mowbray, Andrew; Chung, Philip --- "Strengthening Development of Rules as Code: Submission to the OECD's OPSI on Cracking the Code" [2020] UNSWLRS 34
- Mowbray, Andrew; Chung, Philip; Greenleaf, Graham --- ‘Implementing Rules as Code: Modern Slavery Legislation’ 19th Law via the Internet Conference 2020, 22-23 September.
- Greenleaf, Graham; Chung, Philip; Mowbray, Andrew --- ‘Ethical use of symbolic AI in legal decision support systems’, 19th Law via the Internet Conference 2020, 22-23 September.
- Barker, David --- ‘The Australasian Legal Information Institute – Celebration 25 years of Free Legal Information’, Professional Legal Education Conference, 1-3 October 2020, Bond University
- Mowbray, Andrew; Chung, Philip; Greenleaf, Graham --- ‘Utilising AI in the legal assistance sector— Testing a role for legal information institutes’, Computer Law & Security Review, Volume 38, 2020
- Barker, David --- ‘AustLII turns 25’, Australian Law Journal (2020) 94 ALJ 895 at 900

TECHNICAL RESEARCH AND DEVELOPMENT

As part of a major project to rebuild search facilities on AustLII and related systems, parts of the underlying AustLII search engine (Sino) have been rewritten to improve functionality and performance. The search engine itself and associated database creation and maintenance tools consists of over 20,000 lines of code. The engine now supports all scripting systems including ideographical systems (Chinese, Japanese and Korean) as well as alphabetic languages with continuous script (Thai, Burmese, Khmer, Javanese and Lao). It produces better text search results that include improved natural language support as well as also allowing more exact text searching. Search and update times are faster. Ongoing work is taking place to take further advantage of available semantic information and linked data.

There has also been a major initiative to redevelop and enhance the reasoning systems that underpin the DataLex AI platform. The coding language has been extended to support a greater range of applications, particular in relation to Rules as Code (RaC) based systems.

FUNDED RESEARCH PROJECTS

AUSTRALIAN ENVIRONMENTAL AND PLANNING LAW LIBRARY

The aim of this project is to develop a new research facility based on a Library of databases consolidating and enhancing access to legal and quasi-legal resources relating to Australian Environmental and Planning Law at federal, state and local government levels, and international environmental laws relating to Australia. Partner Universities include: Sydney, Melbourne, Tasmania, UWA, UNE, Griffith, UQ, La Trobe and Flinders.

The project's Chief Investigators include many of Australia's most distinguished legal researchers covering the breadth and depth of the multiple intersecting fields relevant to environmental and planning law, including: agriculture; mining; oceans; coastal and marine protection; biodiversity; climate change; land use planning, environmental impact assessment and urban landscape; energy; water; integrated natural resource management; protected areas; urban growth and equitable housing; public health; corporate social responsibility; human rights and the environment; and access to justice, including public participation, freedom of information and recourse to courts and tribunals.

The Library is available at <http://www.austlii.edu.au/au/special/envplan/>.

The screenshot shows the homepage of the Australian Environmental and Planning Law Library. At the top, there is a navigation menu with links for Home, Databases, Search, WorldLII, Feedback, Help, and Translate. The main heading is "Australian Environmental and Planning Law Library". Below this, there is a breadcrumb trail: "You are here: AustLII >> Resources >> Australian Environmental and Planning Law Library". There are also links for "About this Library", "Databases", "Catalog & Websearch", and "Acknowledgements". A search bar is present with a search button and links to "Search Help" and "Advanced Search". Below the search bar, there are tabs for "Databases", "Catalog & Websearch", and "Law on Google". The page is dated "Last updated: 25 March 2021". The main section is titled "Databases" and includes a "Clear all" and "Select all" option. The databases are organized into two main categories: "Commonwealth" and "South Australia". Each category contains a list of database titles, many of which are preceded by a blue checkmark icon, indicating they are selected. The "Commonwealth" section lists various legislative materials, consolidated acts, regulations, numbered acts, and numbered regulations, as well as cases and administrative decisions from the High Court, Federal Court, and National Native Title Tribunal. The "South Australia" section lists legislative materials, current acts, regulations, numbered acts, and numbered regulations, as well as cases and tribunal decisions from the South Australian courts and tribunals.

The Library comprises 133 databases with over 220,000 searchable items. The Library includes 20 databases of case law, 18 databases of parliamentary reports and 13 databases of journals. The Library also includes 44 virtual databases of legislative materials, 35 virtual databases of case law and tribunal decisions, and one virtual database of each of law journals and scholarship, law reform publications, international agreements.

Virtual databases are those that have been created by data mining the general collection on AustLII for relevant content. These databases are then automatically updated on a regular basis.

The final touches to the Library will include publication of another 80 new databases of decisions from courts and tribunals, agreements, planning instruments, impact assessments, and parliamentary reports that were produced under the project. This will result in an addition of over 40,000 documents and more than 900,000 new pages to AustLII.

FUNDED RESEARCH TO COMMENCE IN 2021

During 2020 AustLII applied for a number of research grants and successfully secured funding for two projects to commence in 2021.

The Australian Royal Commissions and Public Inquiries Library

(ARC LIEF 2021 - \$1,169,000 including ARC grant and partner contributions)

This project aims to provide comprehensive free access online to the reports of all royal commissions and other public inquiries held in Australia since Federation. The project intends to support a wide understanding of the pivotal role public inquiries play in the development of Australian law and public policy. It is expected that these reports will be comprehensively integrated with all other legislation, case law and law reform reports on AustLII to promote a greater appreciation of how the balance is struck between inquisitorial fact-finding and the right to procedural fairness of participants and of how justice is delivered through the inquiry function of public bodies.

Creating a National Free Access Collection of Coronial Findings with Recommendations and of Responses to Recommendations

(ARDC Public Sector Bridges 2021-23 - \$354,925 including ARDC investment and partner contributions)

This initiative will develop new national research infrastructure, providing coronial findings with recommendations from all jurisdictions in Australia, together with responses to recommendations. Data will be more accessible and usable by researchers and policymakers for many public policy purposes. The proposal has the support of all state and territory coroners, together with academic research groups exploring Coronial findings.

ENGAGEMENT ACTIVITIES

In normal circumstance the AustLII Foundation and the AustLII Research Centre would present a range of events and activities, such as launching new databases and libraries, providing training in the use of the AustLII system and other features such as LawCite, AustLII Communities and DataLex applications.

In the light of the constrained circumstances brought about by the COVID-19 pandemic, activities were limited in 2020.

TRAINING AND TEACHING

We continue to offer CLE programs to train practitioners and government representatives in the use of the DataLex legal referencing system. Two ‘virtual’ online sessions were presented in 2020.

AustLII Training sessions were conducted for the following organisations:

- UNSW Edge (a virtual DataLex half-day seminar, Sydney, 30 May)
- UNSW Edge (a virtual DataLex half-day seminar, Sydney, 23 September)

Classes are also being offered to students at UTS and UNSW as part of undergraduate and postgraduate courses.

- Applied Project in Law, Innovation and Technology (Capstone 2) at UTS
- The Designing Technology Solutions for Access to Justice course at UNSW
- UNSW PLTX2040 Practicum (Technology and Innovation)

PUBLIC ENGAGEMENT

AustLII Directors maintained a regular ‘virtual’ meeting schedule with key stakeholders throughout the year. This included our important data providers and financial supporters from around Australia: courts and tribunals, government agencies, universities, the legal profession and from business and industry.

Engagement with our large number of general community users occurs through feedback notices received each year. These notices cover many topics including alerting us to errors and technical issues that need rectification, requests for new resources, and questions about the legislation and case law available on AustLII. In 2020 1,069 feedback engagements were recorded.

Social media interactions with our community of users through the use of our Twitter profile are becoming more important. Our Twitter followers grew by more than 800 over the year and now exceed over 6,800. We also maintain a Linked In organisational profile with over 900 followers in 2020.

Despite the pandemic the following engagements were completed:

- Law Library of Victoria: AustLII was invited to present a session in September of the online “Switch On...” information sessions. These digital sessions are suited to judicial officers, court staff, legal professionals, law students, and anyone with an interest in law.
- Aviation Law Association of Australia and New Zealand: AustLII made a presentation on the Aviation Law Library to a meeting of members in September.
- Australian Society for Computers and the Law: this new national society was launched in July and at the launch members and supporters we are encouraged to support AustLII.
- The Hon. Paul Fletcher, Minister for Communications, Urban Infrastructure, Cities and the Arts visited the AustLII office 21 December 2020. The visit was facilitated by Emeritus Professor David Barker. The

Minister inspected our facilities and subsequently received a briefing on the types of legal resources we make available to the community, including topical resources such as the databases of laws and policies related to COVID-19. We were also pleased to demonstrate the ‘DataLex’ legal reasoning (‘Rules as Code’) technology including a specially developed application of current relevance to the Minister’s portfolio, being a consultation exploring the News Media and Digital Platforms Mandatory Bargaining Code.



Philip Chung and Jennifer Kwong explaining the operation of the Treventus book scanner to Minister Fletcher



AustLII presentation by Andrew Mowbray and Philip Chung in the new Sir Gerard Brennan Moot Court. Minister Fletcher in discussion with Prof Grainne Moran (PVC Research Infrastructure UNSW).

FOUNDATION FUNDRAISING ACTIVITIES

The AustLII Foundation Limited raises donations and other contributions to maintain AustLII's Australian infrastructure and services.

During the year we merged the two major fundraising appeals that we usually conduct (an End of Financial Year campaign in May and June and an End of Year campaign in November and December) and maintained a continuous appeal for support from late April until the end of the year.

Fundraising activities included initiating and managing multi-year pledge donations, solicitation of donations from contributors in previous years by mail and email, posting a request for support addressed to all AustLII users on the AustLII homepage and search pages and via our Twitter profile.

In 2020, the Foundation's revenue was \$1,664,272 (including \$1,638,875 in donations and contributions and \$25,397 in interest and other income).

LIST OF DONORS, CONTRIBUTORS AND RESEARCH PARTNERS

The legal profession, business and industry, courts and tribunals, government agencies, educational institutions and the general community all make contributions to support AustLII. In 2020, more than 500 organisations and individuals made contributions ranging in value from \$10 to \$60,000. In addition, a special funding grant of \$560,000 was received from the Commonwealth Attorney General's Department.

Contributors fall into three categories, those that provide donations and contributions to maintain AustLII's Australian infrastructure and services, those who fund projects that support free access to legal information and those that are research partners to grants for research and development. Research partners are denoted with *.

Contributors are publicly acknowledged for their contribution on AustLII contributor's page (unless anonymity is requested) with the amounts of contribution recorded:

<<http://www.austlii.edu.au/austlii/contributors/>>

AustLII thanks all its 2020 contributors, which are listed below by sector.

GOVERNMENT

GOVERNMENT AGENCIES

Attorney-General's Department	Australian Department of Foreign Affairs and Trade *
Australian Government Solicitor	Australian Taxation Office
Council of Attorneys-General Senior Officials Group	Department of Defence
National Legal Aid Commission	National Library of Australia
Office of the Director of Public Prosecutions - NSW	

COURTS, TRIBUNALS & REGULATORS

ACT Civil & Administrative Tribunal	Administrative Appeals Tribunal
Australian Health Practitioner Regulation Agency	Council of Australasian Tribunals Inc
Fair Work Commission	Fair Work Ombudsman
Federal Court of Australia	Legal Services Council
Licensing Court of South Australia	Office of Australian Information Commissioner

Office of the Information Commissioner (WA)	Office of the Victorian Information Commissioner
South Australian Employment Tribunal	State Insurance Regulation Authority
Supreme Court of Tasmania	Takeovers Panel (Department of Treasury)
Victorian Civil and Administrative Tribunal	Victorian Mental Health Tribunal
Workers Compensation Commission of NSW	

EDUCATION

Australian Catholic University	Australian National University - College of Law
Bond University - Faculty of Law	Charles Darwin University – Law School
Charles Darwin University - Library	Curtin University - Curtin Law School
Deakin University	Electoral Regulation Research Network
Griffith University - Law School	Melbourne University - Law School
Monash University - Law School	Queensland University of Technology - Library
Sydney University - Law School	The College of Law
The University of Queensland - TC Beirne School of Law	University of Canberra - Canberra Law School
University of New England - School of Law	University of New South Wales – Faculty of Law ***
University of Newcastle - School of Law	University of Notre Dame – School of Law
University of Notre Dame - Library	University of Southern Queensland - School of Law
University of Technology Sydney **	University of Western Australia - Law School
University of Western Australia - Library	UNSW Edge

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

*** In addition to its financial contribution, UNSW provides physical premises for some AustLII staff members and for backup server equipment.

COMMERCIAL

LEGAL PROFESSION

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

12 Wentworth Selborne Chambers	Adrian Batterby Lawyer
Adrienne Stone	Alec Leopold
Alistair Pound	Allens
Allison Benson	AMPLA Ltd
Amy Wood	Anchor Legal
Anderson Legal	Andrew Monisse
Arie Freiberg	Ashurst
Astor Legal	Australian Institute of Administrative Law
Aviation Law Association of Australia and New Zealand (ALAANZ)	B W Duckham & Co
Bar Chambers	Bartier Perry
Bell Lawyers Pty Ltd	Bennett + Co
Bernard Standish	Bob Locke
Boris Pogoriller	Bradley Lawyers
Cameron Ford	Cameron Media & Legal Services
Carolyn Kelly Legal	Carolyn Sparke
Catenate Consultant Lawyers	Chris Bonnici
Chris Dent	Chris McKeown
Chris Walsh	Christian Schultink
Christopher Lum	Clare Thompson

Clayton Utz	CMM Quay Legal Group
Cogill Woods Legal Services Pty Ltd	Cooper Grace Ward Lawyers
Corrs Chambers Westgarth	Costs Law SA
Craig McIntosh	Dakin Law
Dalton Richard	Darryn Jensen
David Bannermans	David Joseph & Co Lawyers
David Maddox	David Martin
David Perkins	David Rickard
David Rolls	Deborah Foy
Denis Zhou	Denman Chambers
DLA Piper Australia	Dr Douglas Jarvis
DSA Legal Cost Consultants Pty Ltd	Dundas Lawyers Pty Ltd
Elizabeth M Dray Lawyer	Elson Pow & Associates
Emma Heggie	Erik Dober
Family Law Practitioner's Association WA (Inc.)	Ferguson Legal Solicitors P/L
Francis Burt Chambers	Francis Gurry
Frederick Turner	Gemma-Jane Cooper
Geoffrey Lindell	Gerard Dalton
Gilbert & Tobin Lawyers	Gillard Consulting Lawyers
Graeme Orr	Grahams Solicitors
Grant Donaldson	Greg Smith
Gregory McIntyre	Haebich Law
Herbert Smith Freehills	Hopgood Ganim Lawyers
Howard Alexander	Howells List Barristers
Hughston, Vance Bernard	HWL Ebsworth Lawyers
I & T Solicitors	J Grahame Young
J Sackville	Jack Rabl
Jacob Horowitz	Jamie Catlin
Jane Muir	Janine Gleeson
Jeffcott Chambers	Jennifer Weate & Associates
Jessie MacGillivray	JK Legal
John Southalan	John White
Johnson Winter & Slattery	Joseph Campbell
Joseph Lenczner	Julian Burnside
Justice Michael Kirby	Justin McCaul
Kate Eastman	Katherine Moorhouse Perks Solicitor
Kathryn Miller	Katy Barnett
Kevin Doyle	Kidd LRS Limited
Kimberlee Weatherall	King & Wood Mallesons
King Lawyers	KJK Legal
Kott Gunning Lawyers	Lachlan Macquarie Chambers
LawCPD	Lipman Karas
Lisa Parker	Lydia Kinda
Lyria Bennett Moses	Malcolm Liston
Malcom Ramage	Mark Gamble
Martin Willoughby-Thomas	Mary Sevdalis
Matthew Bogunovich	Matthew Hooper
Maurice Blackburn Lawyers	Megan Casey
Melissa Castan	Merewether & Co Solicitors
Michael Coe	Michael Cranitch
Michael Hugh	Michael Lupton
Michael O'Farrell	Minson Rowan
Minter Ellison	Nadeem Shaki

Neil Foster	Nicholas Seddon
Nick Hopkins	Noel Davis
Norman Waterhouse Lawyers	Omond & Co Pty Ltd
Page Seager Lawyers	Pamela Wilkinson
Parkston Lawyers	Pathfinder Law Pty Ltd
Patrick Gardner	Paul Bard Lawyers
Paul Batley	Peter Brindal
Peter Cahill	Peter Handford
Peter Hanks	Peter Hannan
Peter Jacobson	Peter McNab
Peter Scott	Peter Vitale
Philip Solomon	Phillip Youngman
Pip Ryan	Piper Alderman
Pippa Sampson	Prue Vines
PSK Legal	R Tyson Wodak
Rankin Ellison Lawyers	Raquel, Araya
Richard Lancaster	Richard Royle
Robert Gordon	Robinson Locke Litigation Lawyers
Rolf Sorensen	Russell Cocks
SanLing Chan	Sean Brennan
Simon Bowden	Stephen Loomes
Stephen Odgers	Stephen Rebikoff
Stephen Warne	Steven Penglis
Stuart Wood	Sydney Jacobs
Thomas Creedon	Tim Wishart
Tina Jowett	Toni Radcliffe
Tracy Caspersz	Trevor Hauff
Turner Freeman Lawyers	Victor Kerr
Villari Lawyers	Vivien Holmes
Wakefield Vogrig and Boote Lawyers	Wallmans Lawyers
Ward Keller	Watson St Claire Family Law
Whiting Lawyers	William Rimmer
William Sharpe	Win / Win Super Claims
Young Workers Centre	Anonymous (36)

LAW SOCIETIES & BAR ASSOCIATIONS

Bar Association of Queensland	Central West Law Society
Commercial Bar Association of Victoria	Law Council of Australia
Law Society of New South Wales	New South Wales Bar Association
South Australian Bar Association	Tasmanian Bar Inc
Victorian Bar Inc	Western Australian Bar Association (Inc)

BUSINESS & INDUSTRY

Andrew Sneddon	Australian Academy of Law
By Lawyers	CFMEU Mining and Energy Division
Corporate Tax Association	Counsel's Chambers Limited
CST Tax Advisors	Damian Preshaw Consulting Pty Ltd
Exam Success	Heffron Consulting Pty Ltd
IMF Bentham Limited	JKM Group Aust Pty Ltd
JPJ Group Pty Ltd	Jun Kun Li

Legal Practitioners Liability Committee	Mercer (Australia) Pty Ltd
Pepperit	Singapore Academy of Law
Standards Australia Limited	The UK Online Giving Foundation
Wolters Kluwer CCH Australia Limited	Zurich Financial Services Australia Ltd

COMMUNITY

Aidross Ramli	Alec Bombell
Alex Horwood	Alexander Wiegand
Alistair McGregor	Andrew Byrnes
Angad Dhillon	Anne Wallace
Ashley Lewis	Brian Arthur
C Group	Christopher Jervis
Christopher Owen	Craig Jackson
Craig Whittingham	David Barker
David McLaughlin	Dr Bruce Hammonds
Dung Lam	Dush Shan
Dylan Moloney	Elizabeth Evatt
Elizabeth Handsley	EMB /SMB
Emily Mills	Emily Webb
Ewart Allen	Fleur Radford-Lempire
Grace Cameron	Graham Greenleaf
Greg Stuhmcke	Guy Verney
Heather Grahame	Ian Kirkegaard
Jack Pinczewski	James Dean
James Lim	Jason White
Jessica Coates	Jill Matthews
John Woods	Jonathon Leek
Junjie Yu	Liam Meagher
Lian Chuan Yeoh	Mark David Chong
Mary Bishop	Matthew Povey
Matthew Thomas	Michael Standen
Narelle Clark	Nicholas Eric
Nicholas Green	Paul Munro
Peter Carmont	Phil Schubert
Phucha Tannapai	Ray Ternes
Richard Harding	Rodney Brydon
Russell Byard	Savitri Taylor
Sean O'Brien	Stephanie Anbar
Stephanie Parsons	Steve Guttridge
Thomas Camp	Thomas Coughlan
Tim Fiddes	Timothy Dwyer
Tony Pick	Victoria Jacobs
Vivienne Bath	William Lam
Yiling Wang	Yingtong Li
Anonymous (71)	

AustLII Foundation Ltd

ABN 41 134 717 972

Annual Report
For the year ended 31 December 2020

AustLII Foundation Ltd

Directors' Report for the year end 31 December 2020

Your directors present their report on the company for the year end 31 December 2020.

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

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

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

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

Associate Professor, Faculty of Law, UNSW Sydney (The University of New South Wales); Executive Director, AustLII Research Centre

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

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

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

Managing Director - Dobson Mitchell Allport; Past Chair at International Legal Services Advisory Council (ILSAC); Past president of the Law Council of Australia

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

Former Australian Government Solicitor (AGS)

Prof Lesley Hitchens (appointed to the Board on 4 February 2013)

Dean, Faculty of Law, University of Technology Sydney

Ms. Miranda Milne (appointed to the Board on 29 April 2020)

Former CEO at Legal Practitioners' Liability Committee

Prof George Williams AO (appointed to the Board on 8 June 2016 and resigned on 14 August 2020)

Dean, Faculty of Law, UNSW Sydney (The University of New South Wales)

Prof Andrew Lynch (appointed to the Board on 14 August 2020)

Dean, Faculty of Law, UNSW Sydney (The University of New South Wales)

Mr. John Cameron (appointed to the Board on 24 April 2018)

Former Deputy Vice-Chancellor (Administration and Resources) at Australian Catholic University

The Company Secretary was: **Giovanni Crasto** (appointed on 31 Jan 2014)

AustLII Foundation Ltd

Principal Activity

AustLII Foundation Ltd (AustLII) is a public company limited by guarantee that is incorporated and domiciled in New South Wales, Australia. The registered office is at Level 14, 61 Broadway, Ultimo, New South Wales 2007.

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

AustLII's objectives are to:

- Promote the sound administration and development of the law by providing free, effective and anonymous access to public legal information in Australia by means of an electronic public library;
- Maintain systems, programmes and databases for the effective handling of an electronic public library of legal information; and
- Advance legal education by promoting and encouraging research in the field of legal information systems.

AustLII's strategies to achieve these objectives are:

- Timely addition of new primary materials databases from all jurisdictions as they become available;
- Continuing development of technical features; and
- Undertake stakeholder engagement activities to ensure financial sustainability.

AustLII Foundation Ltd is a company limited by guarantee and has no authorised or paid up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. At 31 December 2020 the number of Members was two.

Review of operations

AustLII Foundation Ltd commenced operations on 1 October 2009. Initial equity consisted of net income received and held on behalf of the Foundation by the University of Technology Sydney prior to the Foundation's commencement of operations. The net amount of deficit for the year end 31 December 2020 was \$222,502. (2019 - \$163,268)

Significant changes in the State of Affairs

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

Events Subsequent to Balance Date

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

Future Developments

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

AustLII Foundation Ltd

Environmental Issues

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

Directors' Meetings

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

Directors' Meetings		
	Eligible to attend	Number attended
Jeff Fitzgerald	3	3
Philip Chung	3	3
Tim Bugg	3	2
John Cameron	3	3
Ian Govey	3	3
Lesley Hitchens	3	3
Andrew Lynch	2	2
Miranda Milne	3	3
Andrew Mowbray	3	3
George Williams	1	1

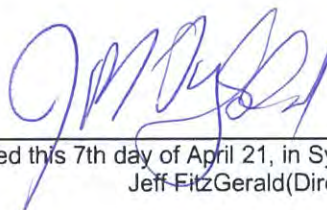
Auditor Independence

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

Signed in accordance with a resolution of directors.



Signed this 7th day of April 21, in Sydney.
John Cameron (Director)



Signed this 7th day of April 21, in Sydney.
Jeff Fitzgerald (Director)



To the Directors

AustLII Foundation Limited

Auditor's Independence Declaration

As auditor for the audit of the financial report of AustLII Foundation Limited for the year ended 31 December 2020, I declare, to the best of my knowledge and belief, there have been no contraventions of:

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

S Bond .

Sally Bond
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

7 April 2021
SYDNEY

AustLII Foundation Ltd

Statement of Comprehensive Income For the year end 31 December 2020

	Note	2020 \$	2019 \$
Revenue from Continuing Operations			
Donations & Contributions	1f, 2	1,638,875	1,036,344
Interest & Other Income	2	25,397	132,799
Total Income		1,664,272	1,169,143
Expenses			
Employment Costs	1c, 3, 13	1,554,292	846,792
Equipment Charges	1b, 3	208,395	184,463
Accounting and Audit Fees	3, 7	20,733	21,507
Consultancy Costs	3	51,258	49,150
Insurance	3	8,297	6,303
Travel and Accommodation	3	-	11,201
Other Operating Costs	3	43,799	212,995
Total Expenses		1,886,774	1,332,411
Deficit for the Year		(222,502)	(163,268)
Other Comprehensive Income		-	-
Total Comprehensive Deficit		(222,502)	(163,268)

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

AustLII Foundation Ltd

Statement of Financial Position As at 31 December 2020

	Note	2020 \$	2019 \$
ASSETS			
Current Assets			
Cash at Bank	8	1,031,227	966,820
Trade and Other Receivables	4	279,181	302,337
Other Financial Assets	5	1,053,638	1,211,432
TOTAL ASSETS		2,364,046	2,480,589
LIABILITIES			
Current Liabilities			
Trade and Other Payables	6	747,158	641,199
TOTAL LIABILITIES		747,158	641,199
NET ASSETS		1,616,888	1,839,390
EQUITY			
Retained Surplus	1e, 9	1,616,888	1,839,390
TOTAL EQUITY		1,616,888	1,839,390

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

Statement of Changes in Equity for the year end 31 December 2020

	Note	Retained Surplus \$	Total Equity \$
Balance as at 1 January 2019		2,002,658	2,002,658
Total comprehensive income for the year		(163,268)	(163,268)
Balance as at 31 December 2019	9	1,839,390	1,839,390
Balance as at 1 January 2020		1,839,390	1,839,390
Total comprehensive deficit for the year		(222,502)	(222,502)
Balance as at 31 December 2020	9	1,616,888	1,616,888

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

AustLII Foundation Ltd

Statement of Cash Flows

For the year end 31 December 2020

	Note	2020 \$	2019 \$
Cash flows from operating activities			
Cash receipts in the course of operations		1,661,649	961,059
Payments to suppliers and employees		(1,780,815)	(1,188,813)
Net interest received		6,528	18,473
Net cash used by operating activities	8	(112,638)	(209,281)
Cash flows from investing activities			
Payments for financial assets		177,045	2,940
		177,045	2,940
Net increase/(decrease) in cash held		64,407	(206,341)
Cash and cash equivalents at the beginning of the year		966,820	1,173,161
Cash and cash equivalents at the end of the year	8	1,031,227	966,820

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

AustLII Foundation Ltd

NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR END 31 DECEMBER 2020

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

AustLII Foundation Ltd (AustLII) is a 'not for profit' company limited by guarantee, incorporated and domiciled in Australia. Its registered office and principal place of business is at Level 14, 61 Broadway, Ultimo, NSW, 2007. The principal activities are to provide an online free-access public library of Australian legal materials.

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

The Australian dollar is both the presentation and functional currency.

a. Basis of Preparation

This general purpose financial report has been prepared in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations and other authoritative pronouncements of the Australian Accounting Standards Board) and Corporations Act 2001 and Corporations Regulations 2001, the Public Finance & Audit Act 1983 and the Public Finance & Audit Regulation 2015, the Charitable Fundraising Act 1991 and the Charitable Fundraising Regulation 2008.

These financial statements have been prepared on an accrual basis and are based on the historical cost convention, unless otherwise stated within these accounting policies. Amounts have been rounded off to the nearest dollar.

b. Property, Plant & Equipment

Property, plant and equipment and intangible assets costing \$10,000 and above individually (or forming part of a network costing more than \$10,000) are capitalised. No property, plant or equipment is owned by the Foundation at 31 December 2020. All plant and equipment used by the Foundation in its operations is wholly owned and maintained by the Member Universities. The Foundation pays the Universities for the maintenance of this equipment on a quarterly basis. The Foundation does not pay any costs towards using this equipment. The amounts are unsecured and are usually paid within 30 days of recognition.

c. Employment Costs

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

d. Income Tax

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

e. Equity

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

AustLII Foundation Ltd made a deficit of \$222,502 (2019 - \$163,268) for the year. The Accumulated balance in Retained Surplus as at 31 December 2020 was \$1,616,888. The Board resolved to designate \$650,000 of the Retained Surplus as available for AustLII Sustainable Initiatives.

AustLII Foundation Ltd

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

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

f. Revenue

As per AASB 1058 *Income of Not-for-Profit Entities*, Donations & Contributions are recorded as revenue either when tax invoices are raised at the request of the donor/contributor or otherwise when donations/contributions are received through cheques or credit cards or directly deposited in our bank account. Donations received for specific purposes are matched against expenditure as incurred. Interest is recognised using the effective interest rate method as set out in *AASB 9 Financial Instruments: Recognition and Measurement*. AASB 15 *Revenue from Contracts with Customers*, AustLII recognises fees for services as and when the contractual obligation is completed.

g. Going Concern

The ability of the company to continue as a going concern is dependent on the ongoing support of its donors and the success of its fundraising program. The Directors believe that the company will be successful and accordingly have prepared the accounts on a going concern basis.

h. Goods and Services Tax (GST)

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

i. Fundraising

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

j. Significant Accounting Judgments, Estimates and Assumptions

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

k. Impact of COVID-19 on Financial Statements

Management has considered the consequences of COVID-19 and other events and conditions, and it has determined that they do not create a material uncertainty that cast significant doubt upon AustLII Foundation's ability to continue as a going concern. COVID-19 may have some impact on some sectors to contribute as much as they did in previous years especially the Education sector. There is also some impact of the income generated from the Medium-Term Growth Fund invested through NSW Treasury Corporation. AustLII has \$1.6 million in Reserves which is equivalent to maintaining AustLII for a year.

AustLII Foundation Ltd

I. New standards and interpretations not yet adopted

Certain new accounting standards and interpretations have been published that are not mandatory for 31 December 2020 reporting periods and have not been early adopted. These standards are not expected to have a material impact on the entity in the current or future reporting periods and on foreseeable future transactions. These new standards and interpretations are set out below:

- *AASB 2020-1 Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current*
- *AASB 2020-3 Amendments to Australian Accounting Standards – Annual Improvements to IFRS Standards 2018-2020 and Other Amendments*
- *AASB 2020-4 Amendments to Australian Accounting Standards – Covid -19-related Rent Concessions*
- *AASB 2020-8 Amendments to Australian Accounting Standards Interest Rate Benchmark Reform Phase 2*

2. REVENUE FROM CONTINUING OPERATIONS

	2020	2019
	\$	\$
Donations & Contributions (by sector)		
Education	143,000	181,910
Legal Profession	250,635	233,537
Law Societies & Bar Associations	68,000	76,500
Business & Industry	196,495	162,162
Government Agencies	769,600	201,100
Courts, Tribunals & Regulators	189,050	169,500
Community & Other	22,095	11,635
Total Donations & Contributions	1,638,875	1,036,344
Interest & Other Income		
Term Deposits & Other Income	6,146	17,937
Financial Assets designated FVTPL -Note 11	19,251	114,862
	25,397	132,799
Total Income	1,664,272	1,169,143

The Attorney-General's Department gave a one-off grant of \$560,000 to AustLII Foundation in Year 2020.

3. EXPENSES

	2020	2019
	\$	\$
Employment costs	1,554,292	846,792
Equipment charges	208,395	184,463
Accounting Fees	7,053	9,407
Audit Fees	13,680	12,100
Consultancy Costs	51,258	49,150
Insurance	8,297	6,303
Travel and Accommodation	-	11,201
Other Operating Costs	43,799	212,995
	1,886,774	1,332,411

AustLII Foundation Ltd

4. TRADE AND OTHER RECEIVABLES

	2020	2019
	\$	\$
Goods and Services Tax	90,501	89,959
Accrued Interest	9	392
Trade Debtors	139,555	164,380
Allowance for Impairment of Receivables	-	-
Prepaid Expenses	49,116	47,606
	279,181	302,337

5. OTHER FINANCIAL ASSETS

	2020	2019
	\$	\$
Other Financial Assets at FVTPL Managed Funds – New South Wales Treasury Corporation – Note 11	1,053,638	1,211,432
	1,053,638	1,211,432

6. TRADE AND OTHER PAYABLES

	2020	2019
	\$	\$
Trade Creditors	724,952	615,543
Contract Liabilities	8,417	7,958
Accrued Expenses	13,789	17,698
	747,158	641,199

7. AUDITOR'S REMUNERATION

	2020	2019
	\$	\$
Audit Fees to Audit Office of NSW	13,680	12,100

8. CASH

	2020	2019
	\$	\$
<u>a. Cash and Cash Equivalents</u>		
Cash at Bank	446,666	238,788
Term Deposit	584,561	728,032
	1,031,227	966,820
 <u>b. Reconciliation of Cash from Operations</u>		
Reconciliation of (Deficit) for the Year to Net Cash flows from Operating Activities Surplus	(222,502)	(163,268)
Non Cash flows in Operating (Deficit)		
Unrealised gains in Other Financial Assets	(19,251)	(114,862)
Changes in Assets and Liabilities: (Increase)/Decrease in Trade Debtors and Prepayments (Operating)	23,156	(74,749)
Increase in Payables	105,959	143,598
Net Cash used by Operating Activities	(112,638)	(209,281)

AustLII Foundation Ltd

9. RETAINED SURPLUS

	2020	2019
	\$	\$
Retained Surplus at the beginning of the Year	1,839,390	2,002,658
Total Comprehensive Income for the Year	<u>(222,502)</u>	<u>(163,268)</u>
Retained Deficit at the end of the Year	<u>1,616,888</u>	<u>1,839,390</u>

10. EVENTS SUBSEQUENT TO REPORTING DATE

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

11. FINANCIAL INSTRUMENTS

(a) Financial Assets

The Company initially recognises receivables on the date that they are originated. All other financial assets are recognised initially on the date at which the Company becomes a party to the contractual provisions of the instrument.

The Company derecognises a financial asset when the contractual rights to the cash flows from the asset expire, or it transfers the rights to receive the contractual cash flows on the financial asset in a transaction in which substantially all the risks and rewards of ownership of the financial asset are transferred. Any interest in transferred financial assets that is created or retained by the Company is recognised as a separate asset or liability.

The Company has the following categories of financial assets those measured at amortised cost (cash and cash equivalents and trade and other receivables) and financial assets at FVTPL.

Cash and cash equivalents

Cash and cash equivalents comprise cash balances and call deposits with original maturities of three months or less from the acquisition date that are subject to an insignificant risk of changes in their fair value, and are used by the Company in the management of its short-term commitments.

Trade and Other Receivables

Trade and other receivables are financial assets with fixed or determinable payments that are not quoted in an active market. Trade receivables are recognised and carried at original invoice amount less any allowance for impairment. An allowance for impairment of receivables is recognised when collection of the full amount is no longer probable. Significant financial difficulties of the debtor, probability that the debtor will enter into bankruptcy or financial reorganisation, and default or delinquency in payments (more than 90 days overdue) are considered indicators that the trade receivable is impaired.

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

Financial assets at FVTPL

A financial asset is classified as at FVTPL if it is classified as held-for-trading or is designated as such on initial recognition. Directly attributable transaction costs are recognised in profit or loss as incurred. Financial assets at FVTPL are measured at fair value and changes therein, including any interest or dividend income, are recognised in Statement of Comprehensive Income.

(b) Non-derivative financial liabilities

Financial liabilities are recognised initially on the date at which AustLII becomes a party to the contractual provisions of the instrument.

AustLII derecognises a financial liability when its contractual obligations are discharged, cancelled or expire.

AustLII classifies non-derivative financial liabilities into the other financial liabilities category. Such financial liabilities are recognised initially at fair value plus any directly attributable transaction costs. Subsequent to initial recognition, these financial liabilities are measured at amortised cost using the effective interest method.

Financial liabilities pertain to trade and other payables.

(c) Fair value hierarchy

When measuring the fair value of an asset or a liability, the Company uses market observable data as possible. Fair values are categorised into different levels in a fair value hierarchy based on the inputs used in the valuation techniques as follows:

- Level 1: quoted prices (unadjusted) in active markets for identical assets or liabilities.
- Level 2: inputs other than quoted prices included within Level 1 that are observable for the asset or liability, either directly (i.e., as prices) or indirectly (i.e., derived from prices).
- Level 3: inputs for the asset or liability that are not based on observable market data (unobservable inputs).

Financial assets at FVTPL as reported in the statement of financial position is within the scope of Level 2 as of 31 December 2020 and 2019. The Company has no financial instrument based on Level 1 and Level 3 as of 31 December 2020 and 2019.

(d) General Objectives, Policies and Processes

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

The Board has overall responsibility for the determination of the company's risk management objectives and policies and, whilst retaining ultimate responsibility for them, it has delegated the authority for designing and operating processes that ensure the effective implementation of the objectives and policies to the company's finance function. The company's risk management policies and objectives are therefore designed to minimise the potential impacts of these risks on the results of the company where such impacts may be material. The Board received quarterly reports, with which it reviews the effectiveness of the processes put in place and the appropriateness of the objectives and policies it sets.

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

AustLII Foundation Ltd

12. FINANCIAL RISK MANAGEMENT

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

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

(a) Credit Risk

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

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

	2020 \$	2019 \$
Financial Assets		
Cash	1,031,227	966,820
Others		
Accounts Receivable	139,555	164,380
Other Financial Assets	1,053,638	1,211,432
	2,224,420	2,342,632

(b) Liquidity Risk

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

		Carrying Amount	Contractual Cash Flows	No Maturity	< 6 months
	Financial Assets				
2020	Cash	1,031,227	-	1,031,227	-
	Other Financial Assets	1,053,638	-	1,053,638	-
	Receivables	139,555	139,555	-	139,555
		2,224,420	139,555	2,084,865	139,555
2019	Cash	966,820	-	966,820	-
	Other Financial Assets	1,211,432	-	1,211,432	-
	Receivables	164,380	164,380	-	164,380
		2,342,632	164,380	2,178,252	164,380
	Financial Liabilities				
2020	Trade Payables	747,158	747,158	-	747,158
		747,158	747,158	-	747,158
2019	Trade Payables	641,199	641,199	-	641,199
		641,199	641,199	-	641,199

AustLII Foundation Ltd

(c) Market Risk

The organisation has exposure to market risk for changes in interest rate due to investments in Term Deposits and overall performance of the financial markets due to investments in Managed funds.

(d) Sensitivity Risk

	Carrying Amount	+1% interest change/ +5% performance change Profit and Equity	-1% interest change/ -5% performance change Profit and Equity
Financial Assets			
2020	Cash	1,031,227	10,312
	Other Financial Assets	1,053,638	(10,312)
	Total	2,084,865	(62,994)
2019	Cash	966,820	(9,668)
	Other Financial Assets	1,211,432	(60,572)
	Total	2,178,252	(70,240)

This analysis assumes a change in interest rate of +/-1% and performance rate of +/-5%, which in the Directors' opinion is the largest expected movement over the next 12 months, assuming all other variables remain constant.

13. RELATED PARTY DISCLOSURES

(a) Names of Responsible Persons and Executive Officers

AustLII Foundation Ltd is governed by a Board of Directors which was comprised of the following persons during the year:

Dr Jeff FitzGerald- Chair	Prof George Williams - Director
Dr Philip Chung – Managing Director	Mr Ian Govey – Director
Prof Andrew Mowbray– Executive Director	Mr John Cameron – Director
	Prof Lesley Hitchens – Director
Ms Miranda Milne - Director	Prof Andrew Lynch - Director
Mr Tim Bugg – Director	

(b) Key Management Personnel

The Board of Directors appointed the following persons the authority and responsibility for planning, directing and controlling the activities of the Foundation during the year:

Dr Philip Chung – Managing Director
Prof Andrew Mowbray – Executive Director

(c) Remuneration of Board Members and Executives

Remuneration of Board Members

The board members of AustLII Foundation Ltd do not receive any remuneration in respect of their work as members of the board.

Remuneration of Executive Officers

Two executive directors were remunerated by the Member Universities and then on-charged to the Foundation for the management of AustLII Foundation Limited.

	2020 Nos	2019 Nos
<u>Remuneration of executive officers</u>		
\$100,000 to \$300,000	2	2

AustLII Foundation Ltd

The remuneration of Key Management Personnel is as follows:

	2020	2019
	\$	\$
Short-term benefits	402,080	238,795
Post-employment benefits	-	-
Total benefits	402,080	238,795

(d) Staff Employment Costs & Equipment maintenance costs

Staff costs and Equipment maintenance costs are incurred by the respective Member Universities and then charged to the Foundation.

	2020	2019
	\$	\$
UNSW Sydney	1,233,248	667,147
University of Technology Sydney	682,324	582,997
Total benefits	1,915,572	1,250,144

(e) Accommodation

UTS provides rent free accommodation to AustLII Foundation.

14. CONTINGENT ASSETS

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

15. CONTINGENT LIABILITIES

AustLII Foundation Limited is not subject to any material contingent liabilities as at 31 December 2020.

16. MEMBERS' GUARANTEE

AustLII Foundation Ltd is a company limited by guarantee and has no authorised or paid up capital. Each Member of the company, whilst a Member, or within one year after ceasing to be a Member, undertakes to contribute to the assets of the company in the event of it being wound up. If the company is wound up the Constitution states that each member is required to contribute \$100 each towards meeting any outstanding obligations of the company. At 31 December 2020 the number of Members was two.



INDEPENDENT AUDITOR'S REPORT

AustLII Foundation Limited

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

Opinion

I have audited the accompanying financial report of AustLII Foundation Limited (the Company), which comprises the directors' declaration, the Statement of Comprehensive Income for the year ended 31 December 2020, the Statement of Financial Position as at 31 December 2020, the Statement of Changes in Equity and the Statement of Cash Flows for the year then ended, notes comprising a Statement of Significant Accounting Policies and other explanatory information.

In my opinion, the financial report:

- is in accordance with the *Corporations Act 2001*, including:
 - giving a true and fair view of the Company's financial position as at 31 December 2020 and its performance for the year ended on that date
 - complying with Australian Accounting Standards and the Corporations Regulations 2001
- is in accordance with section 41B of the *Public Finance and Audit Act 1983* (PF&A Act) and the Public Finance and Audit Regulation 2015.

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

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under the standards are described in the 'Auditor's Responsibilities for the Audit of the Financial Report' section of my report.

I am independent of the Company in accordance with the requirements of the:

- Australian Auditing Standards
- *Corporations Act 2001*
- Accounting Professional and Ethical Standards Board's APES 110 'Code of Ethics for Professional Accountants (including Independence Standards)' (APES 110).

I have fulfilled my other ethical responsibilities in accordance with APES 110.

Parliament promotes independence by ensuring the Auditor-General and the Audit Office of New South Wales are not compromised in their roles by:

- providing that only Parliament, and not the executive government, can remove an Auditor-General
- mandating the Auditor-General as auditor of public sector agencies
- precluding the Auditor-General from providing non-audit services.

I confirm the independence declaration, required by the *Corporations Act 2001*, provided to the directors of the Company on 7 April 2021, would be in the same terms if provided to the directors as at the time of this Independent Auditor's Report.

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

Other Information

The Company's annual report for the year ended 31 December 2020 includes other information in addition to the financial report of the Company and my Independent Auditor's Report thereon. The Directors of the Company are responsible for the other information. At the date of this Independent Auditor's Report, the other information I have received comprises the Director's Report and Directors' Declaration.

My opinion on the financial report does not cover the other information. Accordingly, I do not express any form of assurance conclusion on the other information.

In connection with my audit of the financial report, my responsibility is to read the other information and, in doing so, consider whether the other information is materially inconsistent with the financial report or my knowledge obtained in the audit, or otherwise appears to be materially misstated.

If, based on the work I have performed, I conclude there is a material misstatement of the other information, I must report that fact.

I have nothing to report in this regard.

The Directors' Responsibilities for the Financial Report

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

In preparing the financial report, the Directors are responsible for assessing the Company's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting.

Auditor's Responsibilities for the Audit of the Financial Report

My objectives are to:

- obtain reasonable assurance about whether the financial report as a whole is free from material misstatement, whether due to fraud or error
- issue an Independent Auditor's Report including my opinion.

Reasonable assurance is a high level of assurance, but does not guarantee an audit conducted in accordance with Australian Auditing Standards will always detect material misstatements. Misstatements can arise from fraud or error. Misstatements are considered material if, individually or in aggregate, they could reasonably be expected to influence the economic decisions users take based on the financial report.

A description of my responsibilities for the audit of the financial report is located at the Auditing and Assurance Standards Board website at: www.auasb.gov.au/auditors_responsibilities/ar4.pdf. The description forms part of my auditor's report.

The scope of my audit does not include, nor provide assurance:

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

S Bond .

Sally Bond
Director, Financial Audit

Delegate of the Auditor-General for New South Wales

8 April 2021
SYDNEY

AustLII Foundation Ltd

DIRECTORS' DECLARATION

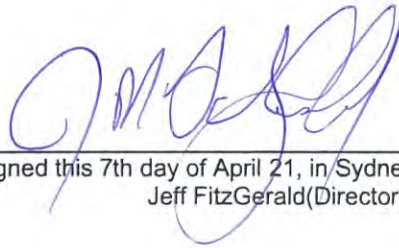
In the opinion of Directors:

1. The financial statements and notes of the company are in accordance with the Corporations Act 2001, including:
 - a) Giving a true and fair view of the financial position as at 31 December 2020 and the performance for the year end on that date of the company; and
 - b) Complying with Accounting Standards and the Corporations Regulations 2001; and
 - c) The Charitable Fundraising Act 1991 and Charitable Fundraising Regulation 2015; and
 - d) The internal controls are appropriate and effective in accounting for all income received and applied by the organisation from its fundraising appeals; and
 - e) The Public Finance and Audit Act 1983 and Public Finance and Audit Regulation 2015.
2. There are reasonable grounds to believe that the company will be able to pay its debts as and when they become due and payable.

On behalf of the board



Signed this 7th day of April 21, in Sydney.
John Cameron (Director)



Signed this 7th day of April 21, in Sydney.
Jeff FitzGerald(Director)

Australasian Legal Information Institute (AustLII)

AustLII Research Centre

A joint facility of UNSW and UTS Faculties of Law

AustLII Foundation Limited

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