Lexis Advance

JOURNALS AND COMMENTARY
What will be covered

• Searching for journal articles
• Searching for relevant commentary (Halsbury’s)
• Other useful commentary
Searching for Journal Articles
Journal article search

Enter the title of the article into the search box, select the correct jurisdiction of the publication and search.
Narrow to secondary materials here

Click on the title to read the article.

You can view the publication here.
Table of contents - can be used to browse publication.

The journal citation.

Custom as Law in English Law

The Cambridge Law Journal, 76 [2017], pp 337-359
Click here to download and print the article.

Custom as Law in English Law

The Cambridge Law Journal, 76 [2017], pp 337-359
1 July 2017

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Abstract: This article considers prescription as a customary standard of legal validity which enables judges to identify certain customs as...
Another way of finding the article is to use the browse function.
Click on “UK Secondary Materials”.
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Search for the correct title and click on it.
Select the correct volume to search for the article.

- Custom as Law in English Law – The Cambridge Law Journal, 76 [2017], pp 337–359
Select the correct volume.

You can also search within the publication.
Journal article search

How would you search for cases on a certain topic? E.g. Search for UK articles on the concept of standard of care in the context of medical negligence.
Enter the appropriate key terms into the search box and select the correct jurisdiction. You can use Boolean search terms like “AND” and “OR” to refine your search.
Select “UK Secondary Materials” to see journal articles on the topic.
Use the filters on the left to narrow by content type (eg. UK Law reviews and journals) or specific publications, if any.
What Halsbury’s Laws features does Lexis offer?

- Halsbury’s Laws is a comprehensive encyclopaedia on laws.
- Can be used to find the judicially defined terms in law, the legislation that govern it as well as key cases that define its principles.
Halsbury’s search

Find out more about the laws applicable to arbitration in Singapore.
Halsbury’s Singapore is one of listed publications in the “Publications” box.
Select the appropriate topic.
Browse the table of contents to find relevant sections.
Law governing the arbitration agreement

The law applicable to the arbitration agreement determines the validity of the arbitration agreement, from which the authority of the arbitrator flows. It is also applicable to questions as to whether a dispute lies within the scope of the agreement and the agreed qualifications or constitution of the tribunal.

Where an issue which requires the determination under the law of the arbitration agreement (in the absence of an agreed proper law of the arbitration agreement) arises before the commencement of arbitral proceedings, such as during an application for stay of court proceedings, the approach should be to subject the arbitration clause to the same law that governs the substantive rights of the parties as the implied choice of law or the law which has the closest and most real connection. Such questions could also be raised before the Singapore court at the stage when an award made in Singapore is sought to be set aside or when a stay of execution of an award made in Singapore is resisted on the ground of the invalidity of the arbitration agreement. In the case of any indication as to the agreed proper law of the arbitration agreement, determine these questions under the law of this State (Singapore). It follows that in the absence of an agreed law that governs the arbitration agreement, the court would need to consider the issue of the validity of the agreement in accordance with Singapore law as lex fori.

Where the enforcement of a foreign award is resisted on the ground of the invalidity of the arbitration agreement, the court could in the absence of any indication as to the agreed proper law of the arbitration, determine these questions under the law where the award was made.
You can also use the browse function and select “SG Secondary Materials” or use the search box on the left.
If you select “SG Secondary Materials”, simply locate the relevant Halsbury’s within the list of secondary sources.
Alternatively, you can conduct a key word search.
SG Secondary Materials (235)

arbitration rules Show/hide term highlights

1. (5.) Maritime Arbitration

Click on “Commentary”.
Results for: arbitration rules

SG Secondary Materials (189)

arbitration rules

1. (5.) Maritime Arbitration

2. (7.) Commencement of Arbitration
What can I use besides Halsbury’s Laws?
You can also browse for other commentary by selecting the “Secondary Materials” for the relevant jurisdiction.
Select "Commentary".
You can browse the different available Singaporean commentary here.
Example of useful commentary

• **Woon's corporation law:** Focuses primarily on the interpretation and explication of the Companies Act. Has annotations of the Companies Act to include the latest amendments and illustrates the provisions to include case law and related legislation where necessary.

• **Evidence and the Litigation Process:** Has analytical discussions of the principles and practical application of the law and includes illustrations and practice-related situations for this purpose; was the prescribed textbook for NUS

• **Civil Practice in Singapore and Malaysia:** The only encyclopedia of Civil Litigation Forms and Procedure. It features main procedural documents required in every civil proceeding before the courts in Malaysia. It also contains commentary and guidance on the application of the Rules of the High Court and a collection of compliant Court Forms, making it an authoritative drafting tool for litigators.
Any questions?

Please email library@smu.edu.sg