

Declaration on Free Access to Law

In October 2002 the meeting of LIIs in Montreal at the 4th *Law via Internet Conference*, made the following declaration[[1](#)] as a joint statement of their philosophy of access to law. There were some further modifications of the Declaration at the Sydney meeting of LIIs in 2003[[2](#)] and at the Paris meeting in 2004[[3](#)].

Legal information institutes of the world, meeting in Montreal, declare that:

- *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;*
- *Independent non-profit organisations 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.*

Public legal information means legal information produced by public bodies that have a duty to produce law and make it public. It includes primary sources of law, such as legislation, case law and treaties, as well as various secondary (interpretative) public sources, such as reports on preparatory work and law reform, and resulting from boards of inquiry. It also includes legal documents created as a result of public funding.

A legal information institute:

- *Publishes via the internet public legal information originating from more than one public body;*
- *Provides free, full and anonymous public access to that information;*
- *Does not impede others from publishing public legal information; and*
- *Supports the objectives set out in this Declaration.*

All legal information institutes are encouraged to participate in regional or global free access to law networks.

Therefore, the legal information institutes agree:

- *To promote and support free access to public legal information throughout the world, principally via the Internet;*
- *To cooperate in order to achieve these goals and, in particular, to assist organisations in developing countries to achieve these goals, recognising the reciprocal advantages that all obtain from access to each other's law;*
- *To help each other and to support, within their means, other organisations that share these goals with respect to:*
 - *Promotion, to governments and other organisations, of public policy conducive to the accessibility of public legal information;*

- *Technical assistance, advice and training;*
- *Development of open technical standards;*
- *Academic exchange of research results.*
- *To meet at least annually, and to invite other organisations who are legal information institutes to subscribe to this declaration and join those meetings, according to procedures to be established by the parties to this Declaration.*
- *To provide to the end users of public legal information clear information concerning any conditions of re-use of that information, where this is feasible.*

Made at the 4th Law via the Internet Conference in Montreal on 3 October 2002 by representatives of the following legal information institutes:

Australasian Legal Information Institute
 British and Irish Legal Information Institute
 LexUM/Canadian Legal Information Institute
 Hong Kong Legal Information Institute
 Legal Information Institute (Cornell)
 Pacific Islands Legal Information Institute
 University of the West Indies Faculty of Law Library
 Wits University School of Law

As amended by the representatives of the following legal information institutes present at the 5th Law via the Internet Conference in Sydney, November 2003:

Australasian Legal Information Institute
 British and Irish Legal Information Institute
 LexUM/Canadian Legal Information Institute
 Hong Kong Legal Information Institute
 Pacific Islands Legal Information Institute
 South African Legal Information Institute

[1] See <http://www.worldlii.org/worldlii/declaration/montreal_en.html>

[2] The amendments were: (i) in the title of the Declaration, 'public' was changed to 'free'; (ii) the words 'where possible' were deleted from the second bullet point 'where possible, free of charge'; (iii) addition of the description of a legal information institute and the encouragement to participate in networks; and (iv) addition of the final bullet point about an annual meeting to the list of areas of agreed cooperation.

[3] The amendments were: (i) the words "It also includes legal documents created as a result of public funding." were added to the end of para 2 after 'boards of enquiry': (ii) the words "To provide to the end users of public legal information clear information concerning any conditions of re-use of that information, where this is feasible." were added to the final list of bullet points.