The E Company
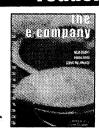Helen Burrows,
Amanda Ryding
and Cormac
Mac Amhlaigh
Lawbook
Company, RRP
$95

The E Company, as the name suggests, focuses mainly on the role of the company in e-commerce, and in particular, on the compliance requirements of companies, many of which can now be satisfied electronically.

The book is divided neatly into four broad topics, comprising:

1. **National Policy and Legislation**

   An outline of Australian legislation (Commonwealth, state and territory) which is already in place, together with Government policies, Australian Standards, ACCC, ASIC and ASX electronic search mechanisms and various other initiatives which deal with e-commerce.

2. **Corporate E-commerce in practice**

   Details the areas of the *Corporations Act* which can be complied with electronically by companies. Where the legislation does not deal with an area, there is information about ASIC guidelines It includes details of electronic compliance in relation to registers books and financial records of a company, registers kept by ASIC, annual returns, company meetings and voting procedures, fundraising

and disclosure, offers of securities on the Internet, Internet Discussion Sites, dealings with ASIC and the ASX, and the provision of financial services (including giving investment advice on the Internet and Information Bulletin Boards). Where a topic is not covered (or not completely covered) in the *Corporations Act*, the reader is referred to relevant policy statements.

3. **A global perspective on e-commerce**

   The United Nations Commission on International Trade Law has put together a working group on e-commerce, whose work has led to the Model Law on Electronic Commerce and the Model Law on Electronic Signatures. Areas that are still being worked on include jurisdiction, applicable law and dispute settlement on the Internet. This part describes each of the Model Laws in detail. The Model Law on Electronic Commerce deals with such practical matters as:
   * What constitutes "writing";
   * What is a "signature";
   * What is an "original";
   * What is the admissibility and evidential weight of data messages; and
   * How do you retain data messages.

   The work of the European Union (EU), the Organisation for Economic Cooperation and Development (OECD) and the International Chamber of Commerce (ICC) in various areas of e-commerce is also described, and again, all

relevant guidelines, policies, directives and international initiatives are referred to, together with information as to how they relate to the current position in Australia.

4. **Dispute Resolution in e-commerce.**

   Offers information and outlines national and international dispute resolution bodies, together with Australian legislation (Commonwealth) in respect of dispute resolution, ASIC responsibilities and the Financial Industry Complaints Service.

The layout of this book with its section dividers and website resource references throughout each part, struck me as a new breed of textbook. I particularly liked the continuous dot pointed references to relevant websites, where the reader can go on any particular topic for fast up-to-date information, without having to "start from scratch" to try to ascertain what new developments have occurred since the book was published. It seems to me that will keep the book "in date" as a reference tool for much longer than would other wise have been the case with such a rapidly developing area. A bit confusing at times to know the exact relevance to Australian law of many of the international initiatives, however, written in easy language and overall an excellent reference tool.

– **Karen Christopher, solicitor, partner, Cridlands**

Researching and Writing in Law
Terry Hutchinson
Lawbook Company,
RRP $55

Terry Hutchinson, makes comment in the preface to his book that it is modelled on the postgraduate research unit that he teaches. He proceeds to outline his audience, students and lawyers involved in academic research and writing articles and this focus is reflected throughout.

It is a practical and clear introduction for those considering embarking on a research project. As a practitioner, the focus on structure and planning is a useful comparison to the targeted and often restricted research that is part of practice.

The chapters on the development of a project and research methodologies appear to be targeted at ensuring that the researcher consider the full context of their research, before limiting themselves by either their own background or tradition. Hutchinsons'

concern to ensure that those embarking on projects identify the biases that they are carrying, is positive. He recognises that some bias will be carried into research and warns of such without being prescriptive. His comments and observations about various research methods and associated limitations, including those from other disciplines are of some use to practitioners.

As a self taught Internet user, I found the chapter on Electronic Research