To: Dominique Bourassa, Chair
          ALA/ALCTS/CaMMS Committee on Cataloging: Description and Access
From: Robert Bratton, representative, American Association of Law Libraries
          (AALL)
Subject: Revision proposal for RDA instructions for laws governing more than one
          jurisdiction (6.29.1.3).

Background

RDA 6.29.1.3 is an instruction for creating authorized access points (AAPs) for laws governing more than one jurisdiction, but it only applies to compilations of laws. Single laws that govern multiple jurisdictions also exist. These are relatively rare (most often enacted by a colonial power to govern multiple colonies, etc.), and RDA has no instructions for creating AAPs for them. These laws present a particular problem in constructing AAPs that requires its own treatment.

Past practice in dealing with single laws governing multiple jurisdictions has been inconsistent due to the lack of an instruction. For this proposal we are going to use two examples. The first is "Ley hipotecaria para las provincias de ultramar" [Mortgage Law for the Overseas Provinces]. This was a single law enacted by Spain in 1893 that governed Cuba, Puerto Rico, and the Philippines when they were Spanish colonies, but it did not govern Spain itself. The second example is "Le coustumier d'Aniou et du Maine." This is a *coutume* (codified French customary law) that governed the provinces of Anjou and Maine; however, which entity enacted it is unknown.

We see four possible options for constructing AAPs in these situations.

1. Construct the AAP using the first-named jurisdiction governed plus the preferred title.
2. Construct an AAP for each jurisdiction governed by the law plus the preferred title.
3. Construct the AAP using only the preferred title of the law.
4. Construct the AAP using the enacting jurisdiction plus the preferred title.

Option 1 renders AAPs that are misleading. Option 2 seems very wrong, in that we are creating multiple AAPs for a single work. Option 3 isn't very helpful for the Spanish mortgage law, but works perfectly for the *coutume*. Option 4 is sensible for the Spanish mortgage law, but impossible to apply to the *coutume*.

We propose that option 3 is the best solution in cases of a single law governing multiple jurisdictions when the enacting jurisdiction is unknown. We propose that option 4 is the best solution in cases of a single law governing multiple jurisdictions when the enacting jurisdiction is known.

We wish to stress that this proposal only applies to *single* laws governing *multiple* jurisdictions, and is not applicable for an enacting jurisdiction imposing laws for a single separate jurisdiction governed.

Recommendation

The American Association of Law Libraries recommends that a new instruction and examples be added to RDA 6.29.1.3. The instructions should explicitly state how to create AAPs for single laws that govern multiple jurisdictions, and examples should illustrate what these AAPs should look like.

Proposal

6.29.1.3 Laws Governing More Than One Jurisdiction

For a compilation of laws governing more than one jurisdiction, apply the instructions at 6.27.1.4.

> EXAMPLE
>
> The narcotic laws of Mexico and the United States of America

For a single law governing more than one jurisdiction for which the enacting jurisdiction is known, construct the authorized access point representing the work by combining (in this order):

a) the authorized access point representing the jurisdiction enacting the law (see 11.13.1)

b) the preferred title for the law (see 6.19.2).

> EXAMPLE
>
> Spain. Ley hipotecaria para las provincias de ultramar
>
> **Authorized access point for**: Ley hipotecaria para las provincias de ultramar. A single law enacted by Spain in 1893 that governed Cuba, Puerto Rico, and the Philippines when they were Spanish colonies.

For a single law governing more than one jurisdiction for which the enacting jurisdiction is unknown or not readily ascertainable, construct the authorized access point by using the preferred title for the law (see 6.19.2) on its own.

> EXAMPLE
>
> Le coustumier d'Aniou et du Maine
>
> **Authorized access point for**: Le coustumier d'Aniou et du Maine. A coutume (codified French customary law) that governed the provinces of Anjou and Maine.

Clean text

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