

[The following is the text of the Bill as ordered by the House of Lords to be printed 26 March 1981. See <http://www.francisbennion.com/pages/02/03/07/15/anotherreverse01.htm> for FB's article on the Bill.

BILL

[AS AMENDED IN COMMITTEE]

INTITULED

An Act to make provision for certain additional matters to be considered and principles to be applied in interpreting Acts of Parliament and other instruments.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Aids to interpretation

1.-(1) In ascertaining the meaning of any provision of an Act, the matters which may be considered shall, in addition to those which may be considered for that purpose apart from this section, include the following, that is to say-

- (a) all indications provided by the Act as printed by authority, including cross-headings, punctuation and side-notes, and the short title of the Act;
- (b) any relevant treaty or other international agreement which is referred to in the Act or of which copies had been presented to Parliament by command of Her Majesty before the time when the Act was passed, whether or not the United Kingdom were bound by it at that time;
- (c) any provision of the European Communities Treaties and any Community instrument issued under any of the Treaties to which the Act is intended to give effect.

(2) The weight to be given for the purposes of this section to any such matter as is mentioned in subsection (1) shall be no more than is appropriate in the circumstances.

(3) Nothing in this section shall be construed as authorizing the consideration of reports of proceedings in Parliament for any purpose for which they could not be considered apart from this section.

Principles of interpretation

2. The following shall be included among the principles to be applied in the interpretation of Acts where more than one construction of the provision in question is reasonably possible, namely-

- (a) that a construction which would promote the general legislative purpose underlying the provision is to be preferred to a construction which would not; and
- (b) that a construction which is consistent with the international obligations of Her Majesty's Government is to be preferred to a construction which is not; and

(c) that, in the absence of any express indication to the contrary, a construction which would exclude retrospective effect is to be preferred to a construction which would not.

Application to Measures, Orders in Council and subordinate legislation

3. Sections 1 and 2 above shall apply to Measures and with the necessary modifications to Orders in Council (whether made by virtue of any Act or by virtue of Her Majesty's prerogative) and to orders, rules, regulations and other legislative instruments made by virtue of any Act (whether passed before or after this Act), as they apply in relation to Acts.

Citation and extent

4.-(1) This Act may be cited as the Interpretation of Legislation Act 1981.

(2) This Act shall extend to Scotland and Northern Ireland.