
Statutory Interpretation Fundamentals

Introduction To Statutory Interpretation

Abridged legislation refers to the process of shortening a legislative document while preserving its essential content, key provisions, and overall meaning. Related terms include legislation, statutory law, and regulatory documents. Abridged legislation is often used to facilitate easier understanding and quicker reference to the original document.

Access to information refers to the right of individuals to obtain and access information held by public bodies, government agencies, and other organizations. Related terms include freedom of information, data protection, and privacy laws. Access to information is essential for promoting transparency, accountability, and good governance.

Act of Parliament refers to a law passed by a legislative body, such as a parliament or congress, and signed into law by the head of state. Related terms include legislation, statutory law, and regulations. An Act of Parliament is a primary source of law that outlines the rules and regulations governing a particular area of law.

Administrative law refers to the body of law that governs the actions and decisions of administrative agencies, such as government departments and regulatory bodies. Related terms include public law, regulatory law, and tribunal procedures. Administrative law is essential for ensuring that administrative agencies act fairly and within their powers.

Aid to construction refers to the use of external resources, such as dictionaries, textbooks, and other reference materials, to aid in the interpretation of a statutory provision. Related terms include interpretation aids, statutory interpretation, and judicial precedent. Aid to construction is often used to clarify the meaning of ambiguous or unclear statutory language.

Ambiguity refers to the presence of multiple possible meanings or interpretations of a statutory provision. Related terms include uncertainty, vagueness, and clarity. Ambiguity can arise from the use of vague or ambiguous language, leading to difficulties in interpreting and applying the law.

Appeal refers to the process of challenging a decision or ruling made by a lower court or tribunal. Related terms include appellate procedure, judicial review, and hearing. An appeal allows a party to seek review of a decision and potentially have it overturned or modified.

Bill refers to a proposed law or legislative measure that is introduced before a legislative body for consideration and debate. Related terms include draft law, proposed legislation, and law reform. A bill must be passed by the legislative body and signed into law by the head of state to become a valid law.

Canon of construction refers to a rule or principle used to interpret and construe statutory language. Related terms include interpretation principles, statutory interpretation, and judicial precedent. Canons of construction provide guidance on how to interpret and apply statutory provisions.

Case law refers to the body of law that is established by judicial decisions and rulings in court cases. Related terms include common law, judicial precedent, and binding authority. Case law is an essential source of law that provides guidance on the interpretation and application of statutory provisions.

Citator refers to a research tool used to track the history and development of a case or statutory provision. Related terms include case law, judicial precedent, and legislative history. A citator helps researchers to identify relevant cases and track the development of the law over time.

Clarity refers to the quality of being clear and easy to understand, particularly in relation to statutory language. Related terms include plain meaning, simplicity, and accessibility. Clarity is essential for ensuring that statutory provisions are effective and easy to apply.

Code refers to a comprehensive and systematic collection of laws and regulations that govern a particular area of law. Related terms include codification, consolidation, and revision. A code provides a single, authoritative source of law that outlines the rules and regulations governing a particular area.

Commentary refers to a written explanation or analysis of a statutory provision or case law. Related terms include annotation, annotation, and explanation. Commentary provides valuable insights and guidance on the interpretation and application of the law.

Consolidation refers to the process of combining multiple laws or regulations into a single, cohesive document. Related terms include codification, revision, and amendment. Consolidation helps to simplify the law and make it more accessible to users.

Construction refers to the process of interpreting and construing statutory language. Related terms include interpretation, construction, and application. Construction involves analyzing the language, structure, and context of a statutory provision to determine its meaning and effect.

Context refers to the circumstances or situation in which a statutory provision is applied or interpreted. Related terms include background, environment, and setting. Context is essential for understanding the purpose and intent behind a statutory provision.

Delegated legislation refers to laws or regulations made by a person or body to whom power has been delegated by an Act of Parliament. Related terms include subordinate legislation, secondary legislation, and regulatory instruments. Delegated legislation is used to fill in the details of a statutory scheme or provide additional rules and regulations.

Dictionary refers to a reference book that provides definitions and explanations of words and phrases. Related terms include lexicon, glossary, and thesaurus. A dictionary is often used as an aid to construction

to clarify the meaning of statutory language.

Drafting refers to the process of creating or preparing a legislative document, such as a bill or regulation. Related terms include legislative drafting, law reform, and revision. Drafting involves carefully crafting the language and structure of a legislative document to ensure clarity and effectiveness.

Enactment refers to the process of passing a law or regulation into effect. Related terms include legislation, law-making, and promulgation. Enactment involves the formal approval and publication of a legislative document.

Exclusion refers to the process of excluding or omitting certain words, phrases, or provisions from a statutory document. Related terms include exception, exemption, and limitation. Exclusion is often used to clarify the scope and application of a statutory provision.

Extrinsic evidence refers to external evidence or materials that are used to aid in the interpretation of a statutory provision. Related terms include intrinsic evidence, legislative history, and judicial precedent. Extrinsic evidence can include documents, testimony, and other materials that provide context and insight into the meaning and intent of a statutory provision.

Fundamental principle refers to a basic or essential principle that underlies a particular area of law. Related terms include core principle, basic principle, and essential principle. Fundamental principles provide a framework for understanding and applying the law in a particular area.

Hansard refers to the official record of parliamentary debates and proceedings. Related terms include parliamentary debates, legislative history, and committee reports. Hansard provides valuable insights into the intent and purpose behind a statutory provision.

Intrinsic evidence refers to evidence or materials that are internal to a statutory document. Related terms include extrinsic evidence, legislative history, and judicial precedent. Intrinsic evidence can include the language, structure, and context of a statutory provision.

Interpretation refers to the process of determining the meaning and application of a statutory provision. Related terms include construction, interpretation, and application. Interpretation involves analyzing the language, structure, and context of a statutory provision to determine its effect and scope.

Judicial precedent refers to a prior court decision or ruling that is used as a guide or authority in subsequent cases. Related terms include case law, common law, and binding authority. Judicial precedent is an essential source of law that provides guidance on the interpretation and application of statutory provisions.

Legislative history refers to the background, context, and development of a legislative document. Related terms include enactment, law-making, and promulgation. Legislative history provides valuable insights into the intent and purpose behind a statutory provision.

Legislative intent refers to the purpose or objective behind a statutory provision. Related terms include legislative history, enactment, and interpretation. Legislative intent is essential for understanding the scope and application of a statutory provision.

Literal rule refers to a rule of interpretation that requires a court to apply the plain meaning of a statutory provision. Related terms include golden rule, purposive approach, and contextual approach. The literal rule is often used as a first step in interpreting a statutory provision.

Mischief rule refers to a rule of interpretation that requires a court to consider the mischief or problem that a statutory provision is intended to address. Related terms include purposive approach, teleological approach, and contextual approach. The mischief rule is often used to clarify the scope and application of a statutory provision.

Object and purpose refers to the underlying goal or objective of a statutory provision. Related terms include legislative intent, enactment, and interpretation. Object and purpose are essential for understanding the scope and application of a statutory provision.

Ordinary meaning refers to the common or everyday meaning of a word or phrase. Related terms include plain meaning, literal meaning, and dictionary definition. Ordinary meaning is often used as a starting point for interpreting a statutory provision.

Plain meaning refers to the clear and obvious meaning of a statutory provision. Related terms include ordinary meaning, literal meaning, and dictionary definition. Plain meaning is often used as a first step in interpreting a statutory provision.

Precedent refers to a prior court decision or ruling that is used as a guide or authority in subsequent cases. Related terms include judicial precedent, case law, and binding authority. Precedent is an essential source of law that provides guidance on the interpretation and application of statutory provisions.

Preamble refers to the introductory section or clause of a legislative document that outlines its purpose and objectives. Related terms include introduction, preface, and explanatory note. A preamble provides valuable insights into the intent and purpose behind a statutory provision.

Presumption refers to a assumption or inference that is made in the absence of explicit evidence or information. Related terms include inference, implication, and conclusion. Presumption is often used to clarify the scope and application of a statutory provision.

Primary legislation refers to a law or regulation that is passed by a legislative body, such as a parliament or congress. Related terms include secondary legislation, delegated legislation, and subordinate legislation. Primary legislation is a source of law that outlines the rules and regulations governing a particular area.

Principle refers to a basic or essential principle that underlies a particular area of law. Related terms include fundamental principle, core principle, and essential principle. Principles provide a framework for

understanding and applying the law in a particular area.

Purposive approach refers to an approach to interpretation that considers the purpose or objective of a statutory provision. Related terms include teleological approach, contextual approach, and purposive interpretation. The purposive approach is often used to clarify the scope and application of a statutory provision.

Regulation refers to a rule or order made by a regulatory body or government agency. Related terms include legislative instrument, subordinate legislation, and delegated legislation. Regulations are used to fill in the details of a statutory scheme or provide additional rules and regulations.

Repeal refers to the process of revoking or cancelling a law or regulation. Related terms include amendment, revision, and abolition. Repeal is often used to update or modify the law to reflect changing circumstances or needs.

Rule of interpretation refers to a principle or guideline that is used to interpret and construe statutory language. Related terms include canon of construction, principle of interpretation, and approach to interpretation. Rules of interpretation provide guidance on how to interpret and apply statutory provisions.

Secondary legislation refers to a law or regulation that is made under the authority of a primary legislative document. Related terms include delegated legislation, subordinate legislation, and regulatory instruments. Secondary legislation is used to fill in the details of a statutory scheme or provide additional rules and regulations.

Statute refers to a law or regulation that is passed by a legislative body, such as a parliament or congress. Related terms include legislation, act of parliament, and regulatory instrument. A statute is a source of law that outlines the rules and regulations governing a particular area.

Statutory interpretation refers to the process of interpreting and construing statutory language. Related terms include construction, interpretation, and application. Statutory interpretation involves analyzing the language, structure, and context of a statutory provision to determine its effect and scope.

Subordinate legislation refers to a law or regulation that is made under the authority of a primary legislative document. Related terms include delegated legislation, secondary legislation, and regulatory instruments. Subordinate legislation is used to fill in the details of a statutory scheme or provide additional rules and regulations.

Teleological approach refers to an approach to interpretation that considers the purpose or objective of a statutory provision. Related terms include purposive approach, contextual approach, and teleological interpretation. The teleological approach is often used to clarify the scope and application of a statutory provision.

Treaty refers to a formal agreement or contract between two or more countries or international

organizations. Related terms include convention, agreement, and international instrument. Treaties are used to establish rules and regulations governing international relations and cooperation.

Ultra vires refers to an act or decision that is beyond the power or authority of a person or body. Related terms include vires, authority, and jurisdiction. Ultra vires is often used to challenge the validity or legality of a decision or action.

Vagueness refers to the quality of being unclear or ambiguous, particularly in relation to statutory language. Related terms include ambiguity, uncertainty, and clarity. Vagueness can arise from the use of vague or ambiguous language, leading to difficulties in interpreting and applying the law.

Validity refers to the legality or effectiveness of a law or regulation. Related terms include legality, effectiveness, and enforceability. Validity is essential for ensuring that a law or regulation is binding and enforceable.