

**INTERPRETATION (AMENDMENT) ACT, 1980,
No. 171**

New South Wales



ANNO VICESIMO NONO

ELIZABETHÆ II REGINÆ

Act No. 171, 1980.

An Act to amend the Interpretation Act, 1897, with respect to marginal notes and other peripheral matter in Acts and statutory instruments. [Assented to, 17th December, 1980.]

See also Acts Reprinting (Amendment) Act, 1980.

Interpretation (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

Short title. **1.** This Act may be cited as the "Interpretation (Amendment) Act, 1980".

Commence- **2.** (1) Except as provided in subsection (2), this Act shall
ment. commence on the date of assent to this Act.

(2) Section 3 shall commence on such day as may be appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

Amendment
of Act No.
4, 1897.

Sec. 11A.

Headings,
marginal
notes,
footnotes,
etc.

3. The Interpretation Act, 1897, is amended—

(a) by inserting after section 11 the following section :—

11A. (1) Headings to provisions of an Act, being headings to—

(a) Parts, Divisions or Subdivisions into which the Act is divided; or

(b) Schedules to the Act,

shall be taken to be part of the Act.

(2) Except as provided by subsections (3) and (4)—

(a) a heading to a provision of an Act (not being a provision referred to in subsection (1)); or

(b) a marginal note, footnote or endnote in an Act,

shall be taken not to be part of the Act.

Interpretation (Amendment).

(3) A heading to a provision of an Act (not being a provision referred to in subsection (1)) shall be taken to be part of the Act if, immediately before the commencement of this section, it was part of the Act.

(4) A heading to a provision of an Act (not being a provision referred to in subsection (1)) or a marginal note, footnote or endnote in an Act shall be taken to be part of the Act if—

- (a) it is referred to expressly, or by means of a symbol, in another part of the Act; or
- (b) not being so referred to, it is a heading, marginal note, footnote or endnote to a Table or form in an Act.

(5) This section applies in respect of an Act, whether passed before or after the commencement of this section.

- (b) (i) by inserting in section 41A (I) after the word “sections” where firstly occurring the matter “11A,”; Sec. 41A. (Application of certain provisions to instruments made under Acts.)
- (ii) by omitting section 41A (I) (a) and by inserting instead the following paragraph :—
 - (a) a reference in any of those provisions to the passing of an Act shall be construed as a reference to the making of the instrument;

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 17th December, 1980.*

Interpretation (continued)

This Act (by section) or a provision of an Act (not being a provision referred to in subsection (1)) shall be taken to be a part of the Act if—

(+) A heading to a provision of an Act (not being a provision referred to in subsection (1)) or a marginal note, or a heading to a section of an Act shall be taken to be a part of the Act if—

(a) it is referred to expressly or by means of a symbol in another part of the Act; or

(b) it is referred to in a heading, marginal note, or sub-section of another part of the Act.

(2) In this section, a reference to a provision of an Act shall be taken to be a reference to a section of an Act.

(3) This section applies in respect of an Act whether passed before or after the commencement of this section.

(b) (i) by inserting in section 41A (1) after the word "sections" where finally occurring the words "and sections";

(ii) by omitting section 41A (1) (a) and by inserting instead the following paragraph—

(a) a reference in any of those provisions to the passing of an Act shall be construed as a reference to the passing of the instrument;

and this section shall be deemed to have been in force from the commencement of this section.

(4) This section shall be deemed to have been in force from the commencement of this section.

(5) In the name and initials of the Governor in Council in this section, the words "the Governor in Council" shall be substituted for the words "the Governor".

A. R. CUTLER
Governor

Government House, Wellington, 27th January 1952

at Wellington this 27th day of January 1952

A. R. CUTLER
Governor

INTERPRETATION (AMENDMENT) BILL, 1980

EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Acts Reprinting (Amendment) Bill, 1980, is cognate with this Bill.

The objects of this Bill are to facilitate the printing of Bills and Acts by enabling what were previously marginal notes to provisions to be printed as headings having the same legal status as marginal notes and to make other provisions with respect to the effect of headings, marginal notes, footnotes and endnotes and to apply those provisions to instruments made under an Act.

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THE BIRTH OF A NATION (PART I)

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INTERPRETATION (AMENDMENT) BILL, 1980

No. , 1980.

A BILL FOR

An Act to amend the Interpretation Act, 1897, with respect to marginal notes and other peripheral matter in Acts and statutory instruments.

[MR WALKER—26 November, 1980.]

See also Acts Reprinting (Amendment) Bill, 1980.

Interpretation (Amendment).

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows :—

5 **1.** This Act may be cited as the "Interpretation (Amendment) Short title. Act, 1980".

2. (1) Except as provided in subsection (2), this Act shall Commence-
commence on the date of assent to this Act. ment.

(2) Section 3 shall commence on such day as may be
10 appointed by the Governor in respect thereof and as may be notified by proclamation published in the Gazette.

3. The Interpretation Act, 1897, is amended—

Amendment
of Act No.
4, 1897.

(a) by inserting after section 11 the following section :— Sec. 11A.

15 **11A.** (1) Headings to provisions of an Act, being Headings,
headings to— marginal
notes,
footnotes,
etc.

(a) Parts, Divisions or Subdivisions into which the Act is divided; or

(b) Schedules to the Act,
shall be taken to be part of the Act.

20 (2) Except as provided by subsections (3) and (4)—

(a) a heading to a provision of an Act (not being a provision referred to in subsection (1)); or

25 (b) a marginal note, footnote or endnote in an Act,

shall be taken not to be part of the Act.

Interpretation (Amendment).

(3) A heading to a provision of an Act (not being a provision referred to in subsection (1)) shall be taken to be part of the Act if, immediately before the commencement of this section, it was part of the Act.

5 (4) A heading to a provision of an Act (not being a provision referred to in subsection (1)) or a marginal note, footnote or endnote in an Act shall be taken to be part of the Act if—

10 (a) it is referred to expressly, or by means of a symbol, in another part of the Act; or

(b) not being so referred to, it is a heading, marginal note, footnote or endnote to a Table or form in an Act.

15 (5) This section applies in respect of an Act, whether passed before or after the commencement of this section.

- (b) (i) by inserting in section 41A (I) after the word "sections" where firstly occurring the matter "11A,"; (Application of certain provisions to instruments made under Acts.)
- 20 (ii) by omitting section 41A (I) (a) and by inserting instead the following paragraph :—
- (a) a reference in any of those provisions to the passing of an Act shall be construed as a reference to the making of the instrument;

BY AUTHORITY

D. WEST, GOVERNMENT PRINTER, NEW SOUTH WALES—1980

The Statute (Amendment)

(3) A heading to a provision of an Act (not being a provision referred to in subsection (1)) shall be added to be part of the Act if immediately before the commencement of this section it was part of the Act.

(4) A heading to a provision of an Act (not being a provision referred to in subsection (1)) or a marginal note, footnote or emblem in an Act shall be taken to be part of the Act if—

(a) it is referred to expressly, or by reference to a symbol, in another part of the Act; or
(b) not being so referred to, it is a heading, marginal note, footnote or emblem to a Table or form in an Act.

(5) This section applies in respect of an Act whether passed before or after the commencement of this section.

(d) (i) by inserting in section 41A (1) after the word "sections" wherever occurring the matter "11A";
(ii) by amending section 41A (1) (a) and by inserting instead the following paragraph:—
(a) a reference in any of the provisions to the making of an Act shall be construed as a reference to the making of the instrument;

(e) by inserting in section 41A (1) after the word "sections" wherever occurring the matter "11A";

(f) by amending section 41A (1) (a) and by inserting instead the following paragraph:—

(a) a reference in any of the provisions to the making of an Act shall be construed as a reference to the making of the instrument;

(g) by inserting in section 41A (1) after the word "sections" wherever occurring the matter "11A";



