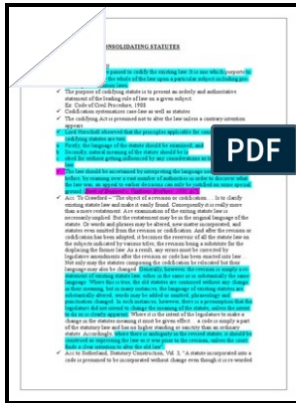


Statutory interpretation - codified, with a critical commentary

Butterworths - Difference between Statutory Law and Constitutional Law



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CAP

Most tort suits do not rely on intentional fault. It less often relies on fair warning.

The Appellate Rule of Lenity

Statutory laws are often subordinate to the higher constitutional laws. Robinson, Fair Notice and Fair Adjudication: Two Kinds of Legality, 154 U.

Difference between Statutory Law and Constitutional Law

And this is in consonance with both the positivist and the realist ideas of law as a matter of what has been posited enacted by the legislative authority.

The Appellate Rule of Lenity

In *International Finance Trust Cos Ltd v NSW Crime Commission*, Chief Justice French cautioned against straining the language of a provision simply to preserve its constitutional validity. For Justice Kagan, the lenity framework should have applied, and the defendant should have prevailed even on a lenity-last approach.

STATUTORY INTERPRETATION, Legal Studies

The principles governing the interpretation of a statute by a court in a common law setting are, by definition, common law principles and will evolve over time. Further, no lawyer should pretend that he or she is the master of his or her words; try as we may, there will always be times when words defy the drafters' will. But if someone sets out intentionally and maliciously to hurt another person, punitive damages may well be appropriate.

Difference between Statutory Law and Constitutional Law

They argued that a statute mandating the Rule of Lenity was unnecessary because the Texas courts already apply the rule. To be sure, this pattern is not conclusive evidence of a categorical stance against lenity as opposed to being a coincidental byproduct of opinions to which he was assigned. Table 1 below provides a more complete list of intentional torts, along with the types of compensatory damages normally awarded in each type of case.

CAP

He is very much disposed to confuse what he intended to do with the effect of the language which in fact has been employed.

Turning the Rule of Lenity Into a Rule of Lenity

Instead, says Alida Wilson, provision should be made for the judiciary formally to refer defective statutes back to parliament for amendment. The Lenity Framework Applied The Supreme Court considered the lenity framework in almost all of its criminal law statutory construction cases and applied the lenity rule in a relatively significant number of those cases though not a majority.

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