

Statute interpretation in a nutshell.

-- STATUTORY INTERPRETATION IN A NEW NUTSHELL



Description: -

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Notes: From Canadian bar review, 16:1938.

This edition was published in 1938



Filesize: 7.91 MB

Tags: #OLATUNDE'S #LAW #NOTES: #STATUTORY #INTERPRETATION2

Statute Interpretation : Everything important to know about it

Most recently Sir Rupert Cross has suggested that the English approach involves a progressive analysis rather than a choice among alternative rules. The words can only be interpreted by the court when the title of the property may be affected or when everyday transactions have been affected. Here it is considered that the items which are not on the list are not covered by the statute.

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How can we rigidly apply this very statute in this case, instead of moulding it according to this unique situation? This should be read along with the section. The gist of above arguments may be stated in the following terms: No statute, whatever its language, should be applied in a way that contradicts its purpose. They know for a fact that this was a singular act and he hadn't indulged in corruption before and hasn't ever since.

The Case of Speluncean Explorers (In a nutshell)

This article draws attention to that work. The courts will interpret such general words follow specific words in a restricted way. He was outvoted, and a dice was thrown on his behalf.

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As time passes by words used in the statute will undergo changes in their meaning but when it is interpreted the word should bear its original and same meaning as the statute intended when it was passed. Landless labour is he who is engaged in agriculture but having no agricultural land. Contemporanea Expositio Est Optima Et Fortissima in Lege It is one of the best and the strongest way of interpretation.

State constitutional law in a nutshell : Marks, Thomas C., 1938

The mischief rule was applied by the court by stating that the car being used in the road if in case the car causes an accident, insurance would be required. Here legislature lays down the law and intends people to act according to the legislature and the judiciary that is judges will come up with the proper meaning of the law and puts the law into operation. Smith v Hughes 1960 2 All ER 859; a prostitute taping the window soliciting for customer was not contravening Street Offences Act 1959.

OLATUNDE'S LAW NOTES: STATUTORY INTERPRETATION2

All the Acts starts with the preamble, stating the reasons behind the enactment of the act and the main objective of the act. R v Maginnis 1987 1 All ER 907 the defendant who friend left drugs in his car was convicted of unlawful possession of a controlled drug with intent to supply it to another. Judges have excessively emphasised the literal meaning of statutory provisions without giving due weight to their meaning in wider context.

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A judge has to apply the text only as it is written in the statute when there is clear meaning of the text there will be no scope for any further investigation regarding the same. Harmonious Construction This rule of interpretation is adopted when there is a conflict between two or more statutes or between two provisions of the same statute. Generally, the words should be given their natural meaning, unless it requires special meaning based on that context.

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