

INTERPRETATION (AMENDMENT) ACT.

New South Wales



ANNO VICESIMO PRIMO

ELIZABETHÆ II REGINÆ

Act No. 47, 1972.

An Act relating to the interpretation of Acts and statutory instruments; for this purpose to amend the Interpretation Act, 1897; and for purposes connected therewith. [Assented to, 9th October, 1972.]

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, 1972".

2.

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2. (1) The Interpretation Act, 1897, is amended— **No. 47, 1972**

Amendment
of Act No.
4, 1897.

(a) by inserting at the end of section 21 the following new paragraph :— **Sec. 21.**
(Meaning
of words.)

(k) The words “date of assent”, in relation to an Act, shall mean the day on which the fact of Her Majesty’s assent to the Act is proclaimed under subsection (I) of section 3 or the day on which the Act receives the Royal assent, as referred to in subsection (II) of section 3, as the case may be.

(b) by inserting next after section 25 the following new section :— **New sec.**
25A.

25A. (I) Where a provision of an Act refers— **Citation of
references.**

(a) to a Part, section or Schedule by a number but does not identify it as being part of any particular Act, the reference shall be read and construed as a reference to the Part, section or Schedule, designated by that number, of or to the Act in which the reference occurs;

(b) to a Schedule but does not refer to it by a number or identify it as being a Schedule to any particular Act, the reference shall, if there is only one Schedule to the Act in which the reference occurs, be read and construed as a reference to the Schedule to the Act in which the reference occurs; or

(c) to a Division, subsection, paragraph, subparagraph, clause, subclause, item or column by a number but does not identify

it

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it as being part of any particular Act, the reference shall be read and construed as a reference—

- (i) to the Division, designated by that number, of the Part in which the reference occurs;
- (ii) to the subsection, designated by that number, of the section in which the reference occurs;
- (iii) to the paragraph, designated by that number, of the section, subsection, Schedule or definition, or of the clause, subclause, item or column of or in the Schedule, in which the reference occurs;
- (iv) to the subparagraph, designated by that number, of the paragraph in which the reference occurs; or
- (v) to the clause, subclause, item or column, designated by that number, of the Schedule in which the reference occurs,

as the case may require.

(II) Subsection (I)—

- (a) applies to a reference, referred to in subsection (I), in an Act whenever passed; and
- (b) so applies, except in so far as a contrary intention appears.

(III) In this section, “number” means—

- (a) a number expressed in words or figures;
- (b)

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- (b) a letter; or No. 47, 1972
- (c) a combination of a number so expressed and a letter, with or without parentheses;
- (c) by inserting next after section 29 the following new New sec. 29A.
section :—
- 29A. (I) Where a word is defined in an Act, Cognate words.
any cognate word in that Act or in an instrument made under that Act has a meaning corresponding to the meaning of the defined word.
- (II) Subsection (I)—
- (a) applies to an Act whenever passed and to an instrument whenever made; and
- (b) so applies, except in so far as a contrary intention appears.
- (d) (i) by inserting in section 37 after the words “an Sec. 37.
Act” the words “provides that the Act or any (Exercise of statutory powers between passing and commencement of Act.)
specified provision thereof”;
- (ii) by omitting from section 37 the words “thereof, and” and by inserting instead the words “of the Act, and the Act or specified provision”;
- (iii) by inserting in section 37 after the words “the Act” where firstly, thirdly, fourthly and fifthly occurring the words “or specified provision”;
- (e) by inserting next after section 41 the following new New sec. 41A.
section :—
- 41A. (I) The provisions of sections 15, 16, 17, Application of certain provisions to instruments made under Acts.
19, 20, 21, 22, 23, 25A, 26, subsection (I) of section 27, and sections 28, 29, 29A, 30, 31, 32 and 35 apply to an instrument made under an Act

in

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in the same way as those provisions apply to an Act and for the purposes of so applying those provisions—

- (a) the reference in subsection (I) of section 15 to the time of the passing of an Act shall be construed as a reference to the time when the instrument is made;
- (b) the reference in subsection (III) of section 15 to the Minister of the Crown for the time being administering the Act or part of the Act shall be construed as a reference to the Minister of the Crown for the time being administering the Act or part of the Act under which the instrument is made; and
- (c) the reference in section 25A to any portion of an Act shall be read and construed as a reference to the appropriate portion of the instrument.

(II) Subsection (I)—

- (a) applies to an instrument whenever made; and
- (b) so applies, except in so far as a contrary intention appears.

(2) The amendment made by subsection (1) (d) applies in respect of an Act, or a specified provision of an Act, whenever passed.