

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Interpretation. 3. Rules of Court. 4. Division of Acts for purposes of reference only. 5. Citation of Imperial Acts. 6. Pending judicial proceedings not affected by expiration of Act. | <ol style="list-style-type: none"> 7. Measurement of distances. 8. Computation of time. 9. Commencement of Acts, &c. 10. "Commencement" with reference to Acts defined. 11. "Cook Islands" defined. "New Zealand" defined. 12. Discretionary power as to imprisonment and fines. |
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1908, No. 242.

Title. AN ACT to amend the Acts Interpretation Act, 1908.
[10th October, 1908.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title. 1. This Act may be cited as the Acts Interpretation Amendment Act, 1908, and it shall be read together with and deemed part of the Acts Interpretation Act, 1908 (hereinafter referred to as the principal Act).

Interpretation. 2. In this Act, and in every Act passed after the commencement of this Act, the words and expressions following shall severally have the meanings hereinafter in this section stated, unless a different intention appears:—

"Audit Office" means the Controller and Auditor-General, and includes the Assistant Controller and Auditor-General and the Deputy Controller and Auditor:

"Borough" includes city:

"Committed for trial" means committed to prison with the view of being tried before a Judge and jury, or admitted to bail upon a recognisance or other security to appear and be so tried:

"Consular officer" means a Consul-General, Consul, Vice-Consul, Consular Agent, and any person for the time being authorised to discharge the duties of Consul-General, Consul, or Vice-Consul:

“Financial year” means, as respects any matters relating to the Public Account, or to moneys provided by Parliament, or to public taxes or finance, the period of twelve months ending on the expiration of the thirty-first day of March:

“Information” means an information made in accordance with the Justices of the Peace Act, 1908, in respect of an offence punishable on summary conviction:

“Minor” means any person under the age of twenty-one years:

“Prescribed” means prescribed by the Act in which that term is used, or by regulations made under the authority of that Act:

“Regulations” means regulations made by the Governor in Council:

“Summary conviction” means a conviction by a Magistrate or one or more Justices of the Peace in accordance with the Justices of the Peace Act, 1908.

3. (1.) In any Act passed after the commencement of this Act the expression “rules of Court,” when used in relation to any Court, means, unless a contrary intention appears, rules made by the authority having for the time being power to make rules or orders regulating the practice and procedure of that Court. Rules of Court.

(2.) The power of the said authority to make rules of Court shall, unless the contrary intention appears, include a power to make rules of Court for the purpose of any Act which directs or authorises anything to be done by rules of Court.

4. In the case of every Act passed after the commencement of this Act the division of that Act into parts, titles, divisions, or subdivisions, and the headings of any such parts, titles, divisions, or subdivisions, shall be deemed for the purpose of reference to be part of the Act, but the said headings shall not affect the interpretation of the Act. Division of Acts for purposes of reference only.

5. (1.) In any Act, instrument, or document an Imperial Act may be referred to by its Short Title with or without the term “Imperial” prefixed or added thereto. Citation of Imperial Acts.

(2.) This section shall apply to all Imperial Acts which are in force in New Zealand whether they are in force in the United Kingdom or not, and to all Short Titles conferred by an Imperial Act whether that Act is in force in New Zealand or not.

6. The expiration of an Act shall not affect any judicial proceedings previously commenced under that Act, but all such proceedings may be continued and everything in relation thereto be done in all respects as if the Act continued in force. Pending judicial proceedings not affected by expiration of Act.

7. In the measurement of any distance for the purposes of any Act passed after the commencement of this Act that distance shall, unless a different intention appears, be measured in a straight line on a horizontal plane. Measurement of distances.

8. Where in any Act passed after the commencement of this Act any period of time dating from a given day, act, or event is prescribed or allowed for any purpose, the time shall, unless a contrary intention appears, be reckoned as exclusive of that day or of the day of that act or event. Computation of time.

Commencement
of Acts, &c.

9. When any Act or any provision of an Act passed after the commencement of this Act is expressed to take effect "from" a certain day, it shall, unless a contrary intention appears, take effect immediately on the commencement of the next succeeding day.

"Commencement"
with reference to
Acts defined.

10. (1.) In this Act, and in every Act passed after the commencement of this Act, the term "commencement" when used in reference to an Act means the time at which the Act referred to comes into operation.

(2.) The principal Act is hereby amended by repealing the interpretation of "commencement of Act" in section five thereof.

"Cook Islands"
defined.

11. (1.) In this Act, and in every Act passed after the commencement of this Act, the expression "Cook Islands" means the islands and territories forming part of His Majesty's dominions and situated within the boundaries set forth in the Second Schedule to the Cook Islands Government Act, 1908.

(2.) In this Act, and in every Act passed after the commencement of this Act, the term "New Zealand" includes all islands and territories (other than the Cook Islands) forming part of the Dominion of New Zealand.

"New Zealand"
defined.

Discretionary power
as to imprisonment
and fines.

12. (1.) When by any Act passed after the commencement of this Act any person is made liable to imprisonment on summary conviction for any period, he may be sentenced to imprisonment for any shorter period, unless a minimum period of imprisonment is expressly provided by that Act.

(2.) When by any Act passed after the commencement of this Act any person is made liable on summary conviction to a fine of any amount, he may be sentenced to pay a fine of any less amount, unless a minimum fine is expressly provided by that Act.

(3.) When by any Act passed after the commencement of this Act any person is made liable on summary conviction to imprisonment, or to imprisonment with hard labour, he may be sentenced either to imprisonment with hard labour or to imprisonment without hard labour, unless a contrary intention is expressed.