

New Zealand.



ANALYSIS.

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| <p>Title.</p> <ol style="list-style-type: none"> 1. Short Title. 2. Additional definitions. 3. Actual time of commencement. 4. Exercise of statutory powers between passing and commencement of an Act. | <ol style="list-style-type: none"> 5. Saving of rules, &c., on repeal of an Act. 6. Application of penal Acts to bodies corporate. 7. Section 24 of the principal Act amended. Offences punishable under more than one enactment. 8. Interpretation of rules, &c. |
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1903, No. 18.

Title.

AN ACT to amend "The Interpretation Act, 1888."

[30th October, 1903.]

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. The Short Title of this Act is "The Interpretation Act Amendment Act, 1903"; and it shall form part of and be read together with "The Interpretation Act, 1888" (hereinafter referred to as "the principal Act").

Additional definitions.

2. Section four of the principal Act is hereby amended by adding thereto the following definitions:—

“ ‘Constable’ includes a police officer of any rank :

“ ‘Justice’ means a Justice of the Peace :

“ ‘*Kahiti*,’ or ‘*Maori Gazette*,’ means a *Gazette* published in the Maori language, by or under the authority of the Government, containing such notices and matters as are required by any Act to be published in the Maori language, or are directed by the Government to be inserted therein :

“ ‘Magistrate’ means a Stipendiary Magistrate.”

Actual time of commencement.

3. Where in an Act, or in any Order in Council, order, warrant, scheme, rules, regulations, or by-laws made or issued under a power conferred by any Act, it is expressly provided that the same shall come into operation on a particular day, then the same shall be deemed to come into operation immediately on the expiration of the previous day.

Exercise of statutory powers between passing and commencement of an Act.

4. Where an Act that is not to come into operation immediately on the passing thereof confers power to make any appointment, to make or issue any instrument (that is to say, any Proclamation, Order in Council, order, warrant, scheme, rules, regulations, or by-laws), to

give notices, to prescribe forms, or to do anything for the purposes of the Act, that power may, unless the contrary intention appears, be exercised at any time after the passing of the Act, so far as may be necessary or expedient for the purpose of bringing the Act into operation at the date of the commencement thereof, subject to this restriction: that any instrument made under the power shall not, unless the contrary intention appears in the Act or the contrary is necessary for bringing the Act into operation, itself come into operation until the Act comes into operation.

5. Section twenty-one of the principal Act is hereby amended by adding thereto the following paragraph:—

Saving of rules, &c.,
on repeal of an Act.

“(3A.) Where an Act that repeals any Act contains a power to make by-laws, rules, or regulations, such repeal shall not affect any by-laws, rules, or regulations made under the repealed Act in so far as they are not inconsistent with the provisions of the repealing Act, but the same shall to that extent be deemed to be made under the corresponding powers of the repealing Act, and may be altered or revoked accordingly.”

6. (1.) In the construction of every enactment relating to an offence punishable on indictment, or on summary conviction, the expression “person” shall, unless the contrary intention appears, include a body corporate.

Application of penal
Acts to bodies
corporate.

(2.) Where under any Act any fine or forfeiture is payable to a party aggrieved, the same shall be payable to a body corporate where such body is the party aggrieved.

(3.) This section shall apply to any Act, whether passed before or after the commencement of this Act.

7. Section twenty-four of the principal Act is hereby amended by adding thereto the following paragraph:—

Section 24 of the
principal Act
amended.

“(7.) Where an act or omission constitutes an offence under more Acts or sections of an Act than one, the offender shall be liable to be prosecuted and punished under any one of those Acts or sections, but shall not be liable to be punished twice for the same offence.”

Offences punishable
under more than
one enactment.

8. Where an Act confers a power to make rules, regulations, or by-laws, expressions used in any such rules, regulations, or by-laws shall, unless the contrary intention appears, have the same meanings as in the Act conferring the power.

Interpretation of
rules, &c.