

PART 1
REVISED EDITION OF THE LAWS ORDINANCE
2001

**An ordinance to make provision for the preparation and
publication of a revised edition of the laws of the Islands**

[6th March 2001]

1. This ordinance may be cited as the Revised Edition of the Laws Ordinance 2001. Short title

2. In this ordinance, except where the context otherwise requires—

Commissioner means the person or persons appointed under the provisions of section 3; Interpretation

revised edition means the revised edition of the laws of the Islands in force on the thirty-first day of December 2000 and such ordinances enacted after that date as the Commissioner may think fit to include, to be prepared under the authority of this ordinance.

3.—(1) Paul Julian Treadwell OBE LLB QC is hereby appointed a Commissioner for the purpose of preparing a revised edition of the laws of the Islands. Appointment of Commissioner

(2) In case the Commissioner shall from any cause be unable fully to discharge his commission under this ordinance, the Governor may appoint some other fit and proper person or persons to be Commissioner or Commissioners in his stead.

4. In the preparation of the revised edition the Commissioner shall have the following powers— Powers of Commissioner

(a) to omit—

- (i) all ordinances or parts of ordinances which have been repealed expressly or by necessary implication or which have expired, or which have become spent or have had their effect;
- (ii) all repealing enactments contained in ordinances and all tables or lists of repealed enactments whether contained in schedules or otherwise;
- (iii) all preambles or parts of preambles to ordinances and all or any recitals in ordinances where such omission can, in the opinion of the Commissioner, conveniently be made;

- (iv) all words of enactment in any ordinance;
- (v) all enactments prescribing the date when an ordinance or part of an ordinance is to come into operation where such omission can, in the opinion of the Commissioner, conveniently be made;
- (vi) all amending ordinances or parts thereof where the amendments effected thereby have been embodied by the Commissioner in the ordinances to which they relate;
- (b) to arrange the grouping and sequence of ordinances;
- (c) to consolidate into one ordinance any two or more ordinances *in pari materia* making the alterations thereby rendered necessary and affixing such date thereto as may seem most convenient;
- (d) to alter the order of sections in any ordinances and in all cases where it may be necessary to do so to renumber the sections;
- (e) to alter the form or arrangement of any section by transferring words, by combining it in whole or in part with another section or other sections or by dividing it into two or more subsections;
- (f) to transfer any enactment contained in any ordinance from such ordinance to any other ordinance to which that enactment more properly belongs, making such alterations as are thereby rendered necessary or expedient;
- (g) to divide ordinances into parts or divisions;
- (h) to add a short title to any ordinance which may require it or to alter the short title of any ordinance;
- (i) to supply or alter marginal and other notes, and tables of contents and chronological tables, and to provide footnotes by way of amplification:
Provided that such tables and notes shall not form any part of the ordinance in which they appear;
- (j) to correct cross references;
- (k) to correct grammatical, typographical and similar errors in the existing copies of ordinances and for that purpose to make verbal additions, omissions or alterations not affecting the meaning of any ordinance;
- (l) to shorten or simplify the phraseology of any ordinance;
- (m) to correct the punctuation in any ordinance;
- (n) to make such adaptations of or amendments in any ordinances as may appear to be necessary or proper

as a consequence of constitutional changes within the Commonwealth;

- (o) to make such formal alterations as to names, localities, offices and otherwise as may be necessary to bring any ordinance into conformity with the circumstances of the Islands;
- (p) to make such formal alterations to any ordinance as are necessary or expedient for the purpose of securing uniformity of expression in the revised edition;
- (q) to do all things relating to form and method, whether similar to the foregoing or not, which appear to him necessary for the perfecting of the revised edition.

5.—(1) The powers conferred upon the Commissioner by section 4 shall not be taken to imply any power in him to make any alteration or amendment in the matter or substance of any law.

Mode of dealing with alteration in substance

(2) If the Commissioner considers that it is desirable that in the preparation of the revised edition there should, in relation to any ordinance, be omissions, amendments or additions other than those authorised by section 4, the same, although not *in pari materia*, may be combined in one or more ordinances.

(3) If such ordinance or ordinances are enacted prior to the coming into operation of the revised edition, then—

- (a) the Commissioner shall in the preparation of the revised edition give the like effect to such omissions, amendments or additions as if they had been authorised by section 4; and
- (b) if as a result of any such omission, amendment or addition any ordinance or part thereof has been repealed or has expired or become spent or had its effect, such ordinance or part shall be omitted from the revised edition.

6.—(1) In the preparation of the revised edition the Commissioner shall, in respect of subsidiary legislation made under ordinances, have the like powers to do all things as are conferred upon him by this ordinance in respect of ordinances.

Subsidiary legislation

(2) For the avoidance of doubt, it is hereby declared that subsidiary legislation in force at the date when the revised edition comes into force and made under any ordinance included in the revised edition shall continue in force until otherwise provided.

7.—(1) The Governor in his discretion may by order declare that the revised edition shall come into force on such date as he may think fit.

Bringing the revised edition into force

(2) From the date specified in the order under subsection (1), the revised edition shall be deemed to be and shall be without any question whatsoever in all courts of justice and for all purposes whatsoever the sole and only proper laws of the Islands in respect of all ordinances, and all subsidiary legislation made under any ordinance, contained in the revised edition.

Complementary matter in revised edition

8. The revised edition may also contain such indices, notes and references as the Commissioner considers useful to include.

Rectification of errors

9.—(1) The Commissioner may by order rectify any clerical or printing error appearing in the revised edition or rectify in a manner not inconsistent with the powers of revision conferred by this ordinance any other error so appearing.

(2) Every order made under this section shall be published in the Islands without unreasonable delay.

Construction of references

10. Wherever in any law or in any document of whatever kind any reference is made to any provision of any law affected by or under the operation of this ordinance, the reference shall, where necessary and practicable, be construed as a reference to the corresponding provision in the revised edition.

Copy to be signed and deposited

11. One bound set of volumes of the revised edition shall be dated and signed by the Commissioner and by the Governor and shall be sealed with the public seal. Such copy shall be transmitted to the Chief Justice who shall deposit the same among the records of the Supreme Court.

Distribution of copies of revised edition

12.—(1) Copies of the revised edition shall be distributed among such persons, officers, departments and institutions as the Governor in his discretion may direct.

(2) There shall be offered to the public such number of copies at such price as the Governor in his discretion may direct.

Place of this ordinance in the new edition

13. This ordinance shall be printed at the commencement of the revised edition.