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~~Statutes, Regulation, and Interpretation: Legislation and ...~~

Statutory interpretation is the process by which courts interpret and apply legislation. Some amount of interpretation is often necessary when a case involves a statute. Sometimes the words of a statute have a plain and a straightforward meaning. But in many cases, there is some ambiguity or vagueness in the words of the statute that must be resolved by the judge. To find the meanings of statutes, judges use various tools and methods of statutory interpretation, including traditional canons of s

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Interpretation of statutes is the correct understanding of the law. This process is commonly adopted by the courts for determining the exact intention of the legislature. Because the objective of the court is not only merely to read the law but is also to apply it in a meaningful manner to suit from case to case.

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Once Parliament has passed an Act, it then falls to the courts to apply the statute in a particular case. This can lead to difficulties where the facts of the case may not have been envisaged by Parliament or where there exist drafting errors or ambiguity in the statute. There exists The Interpretation Act of 1978 which provides certain basic definitions such as singular includes plural and he includes she.

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An introduction to statutory interpretation? Statutes of law, also known as legislation, are the written laws of the United Kingdom. They are created and implement by Parliament, and enforced by various authorities, prosecuting bodies, and so on.

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Initiation: Could include discussing scope and terms of reference with lead

Government Department Pre-consultation: Could include approaching interest groups and specialists, producing scoping and issues papers, finalising terms of project

Consultation: Likely to include consultation events and paper, making provisional proposals for comment Policy development: Will include analysis of ...

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~~Understanding Legislation~~

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An examination of the whole of a statute, or at least those Parts which deal with the subject matter of the provision to be interpreted, should give some indication of the overall purpose of the legislation. It may show that a particular interpretation of that provision will lead to absurdity when taken with another section. 2.

~~Statutory Interpretation Lecture Notes — Law Teacher~~

The literal approach: this view of judicial interpretation holds that the judges should look primarily to the words of the legislation in order to construe its meaning and, except in very limited circumstances, should not look outside of, or behind, the legislation in an attempt to find its meaning.

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Suitable for students or practitioners, this authoritative overview of the legislative process and statutory interpretation moves smoothly and understandably between the theoretical and the practical. It contains in-depth discussion of such topics as theories of legislation and representation, electoral and legislative structures, extrinsic sources for statutory interpretation, and substantive canons of statutory interpretation. Reap the benefits of the authors' experience, opinions, and insight and gain a working knowledge of the area.

This supplement brings the principal text current with recent developments in the law.

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A favorite among successful students, and often recommended by professors, the unique Examples & Explanations series gives you extremely clear introductions to concepts followed by realistic examples that mirror those presented in the classroom throughout the semester. Use at the beginning and midway through the semester to deepen your understanding through clear explanations, corresponding hypothetical fact patterns, and analysis. Then use to study for finals by reviewing the hypotheticals as well as the structure and reasoning behind the accompanying analysis. Designed to complement your casebook, the trusted Examples & Explanations titles get right to the point in a conversational, often humorous style that helps you learn the material each step of the way and prepare for the exam at the end of the course. The unique, time-tested Examples & Explanations series is invaluable to teach yourself the subject from the first day of class until your last review before the final. Each guide: helps you learn new material by working through chapters that explain each topic in simple language challenges your understanding with hypotheticals similar to those presented in class provides valuable opportunity to study for the final by reviewing the hypotheticals as well as the structure and reasoning behind the corresponding analysis quickly gets to the point in conversational style laced with humor remains a favorite among law school students is often recommended by professors who encourage the use of study guides works with ALL the major casebooks, suits any class on a given topic provides an alternative perspective to help you understand your casebook and in-class lectures An up-to-date, user-friendly, and clear student-oriented treatise tackling the complex

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subjects in this field, including statutory interpretation, lobbying, bribery, campaign finance law, and voting rights. Suitable for use with courses in Legislation and Regulation, Statutory Interpretation, Election Law, Voting Rights, and Campaign Finance. Features an easy-to-follow correlation chart that matches the book's coverage to the leading casebooks. Written by one of the leading voices in the field of election law and legislation. No other statutory supplement is as comprehensive, up-to-date, and full of examples (and answers) to test student knowledge.

Contrary to traditional theories of statutory interpretation, which ground statutes in the original legislative text or intent, legal scholar William Eskridge argues that statutory interpretation changes in response to new political alignments, new interpreters, and new ideologies. It does so, first of all, because it involves richer authoritative texts than does either common law or constitutional interpretation: statutes are often complex and have a detailed legislative history. Second, Congress can, and often does, rewrite statutes when it disagrees with their interpretations; and agencies and courts attend to current as well as historical congressional preferences when they interpret statutes. Third, since statutory interpretation is as much agency-centered as judgecentered and since agency executives see their creativity as more legitimate than judges see theirs, statutory interpretation in the modern regulatory state is particularly dynamic. Eskridge also considers how different normative theories of jurisprudence--liberal, legal process, and antiliberal--inform debates about statutory interpretation. He explores what theory of statutory interpretation--if

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any--is required by the rule of law or by democratic theory. Finally, he provides an analytical and jurisprudential history of important debates on statutory interpretation.

Interpreting Statutes was cited 4 times by the High Court in *Momcilovic v The Queen* [2011] HCA 34 (8 September 2011). Interpreting Statutes has been written for lawyers and judges who must interpret statutes on a daily basis, as well as for students and scholars who have their own responsibility for the future. This book takes a new approach to statutory interpretation. The authors consider the fundamental importance of context in statutory interpretation across various fields of regulation and explore the problems, which arise from the frequent disjunction between regulatory design and subsequent statutory interpretation. As a result, they bring to the fore fundamental theoretical questions underlying interpretive choice and expand our appreciation of how critical interpretive issues are to the proper functioning of our legal system. The book is divided into two parts. The first covers several areas dealing with fundamental theoretical issues. The second deals with particular areas of the law, such as criminal law or corporate law, addressing the utility and functionality of the general theories from different legal perspectives and illustrating the fact that different interpretive principles may take precedence in different areas of the law. It reveals the complexity of statutory interpretation when applied to actual practice in a particular area of law. Despite this complexity and the unique problems of statutory interpretation within each area of law, some major themes emerge including: the strong influence of constitutional interpretation; tension

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between common law rights and statutory innovation; questions about the interaction of domestic law with international law; tension between settled judicial principles of interpretation and principles embedded in legislation; issues concerning the interpretation of delegated legislation; and questions about gap filling and discretion in the interpretation of statutes and codes.

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