



# Interpretation Act 1978

## 1978 CHAPTER 30

An Act to consolidate the Interpretation Act 1889 and certain other enactments relating to the construction and operation of Acts of Parliament and other instruments, with amendments to give effect to recommendations of the Law Commission and the Scottish Law Commission. [20th July 1978]

### Annotations:

#### Modifications etc. (not altering text)

- C1** Act modified (E.W.S.) by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), s. 144, **Sch. 10 para. 19**
- C2** Act: definition of "subordinate legislation" applied (E.W.) (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), **ss. 219(1), 223(2)** (with ss. 82(3), 186(1), 222(1), Sch. 13 paras. 1, 2, Sch. 14 para. 6)  
Act: definition of "subordinate legislation" applied (E.W.) (1.12.1991) by Water Resources Act 1991 (c. 57, SIF 130), **ss. 221(1), 225(1)**
- C3** Act applied (1.4.1995) by S.R. 1995/71, **arts. 1(1)(a), 2(2)**  
Act applied (with modifications) (27.9.1999) by S.I. 1999/2453, **reg. 3**  
Act applied (1.1.2001) by S.I. 2000/2047, **rule 2(2)**  
Act applied (1.7.2001) by S.I. 2000/2048, **rules 1, 2(2)**; Instrument dated 21.6.2001 made by the Archbishops of Canterbury and York  
Act applied (27.9.2001) by S.I. 2001/3057, **Sch. para. 5(2)**  
Act applied (1.6.2004) by The Veterinary Surgeons and Veterinary Practitioners (Disciplinary Committee) (Procedure and Evidence) Rules Order of Council 2004 (S.I. 2004/1680), **art. 2**, {Sch. rule 2.3}
- C4** Act applied in part (1.3.2007) by The Social Security Investigation Powers (Arrangements with Northern Ireland) Regulations 2007 (S.I. 2007/271), reg. 3(1), **Sch. 1 para. 5**
- C5** Act applied (prosp.) by Pensions Act 2008 (c. 30), **ss. 73(1), 149**

#### Commencement Information

- I1** Act wholly in force at 1.1.1979, see s. 26

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*General provisions as to enactment and operation*

**1 Words of enactment.**

Every section of an Act takes effect as a substantive enactment without introductory words.

**2 Amendment or repeal in same Session.**

Any Act may be amended or repealed in the Session of Parliament in which it is passed.

**3 Judicial notice.**

Every Act is a public Act to be judicially noticed as such, unless the contrary is expressly provided by the Act.

**4 Time of commencement.**

An Act or provision of an Act comes into force—

- (a) where provision is made for it to come into force on a particular day, at the beginning of that day;
- (b) where no provision is made for its coming into force, at the beginning of the day on which the Act receives the Royal Assent.

*Interpretation and construction*

**5 Definitions.**

In any Act, unless the contrary intention appears, words and expressions listed in Schedule 1 to this Act are to be construed according to that Schedule.

**6 Gender and number.**

In any Act, unless the contrary intention appears,—

- (a) words importing the masculine gender include the feminine;
- (b) words importing the feminine gender include the masculine;
- (c) words in the singular include the plural and words in the plural include the singular.

**Annotations:**

**Modifications etc. (not altering text)**

- C6 S. 6(a) excluded (E.W.) by [Sexual Offences Act 1985 \(c. 44, SIF 39:5\)](#), **ss. 4(3), 5(5)**
- C7 S. 6(b) excluded (E.W.) by [Sexual Offences Act 1985 \(c. 44, SIF 39:5\)](#), **ss. 4(3), 5(5)**
- C8 S. 6(b) excluded (E.W.S.) by [Employment Act 1989 \(c. 38, SIF 43:1\)](#), **ss. 5(4)(7), 29(6), Sch. 9 para. 4(1)**

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## 7 References to service by post.

Where an Act authorises or requires any document to be served by post (whether the expression “serve” or the expression “give” or “send” or any other expression is used) then, unless the contrary intention appears, the service is deemed to be effected by properly addressing, pre-paying and posting a letter containing the document and, unless the contrary is proved, to have been effected at the time at which the letter would be delivered in the ordinary course of post.

### Annotations:

#### Modifications etc. (not altering text)

- C9** S. 7 modified (E.W.) (1.7.1995) by 1994 c. 36, s. 17(2)(3) (with s. 20); S.I. 1995/1317, art. 2
- C10** S. 7 excluded by Insurance Companies Act 1982 (c. 50, SIF 67), s. 77(4)
- S. 7 excluded (E.W.) by Enduring Powers of Attorney Act 1985 (c. 29, SIF 1), s. 4(3), Sch. 1 Pt. IV para. 8(2)
- S. 7 excluded by Public Order Act 1986 (c. 64, SIF 39:2), s. 11(5)
- S. 7 excluded (20.6.2003) by The Enterprise Act 2002 (Merger Prenotification) Regulations 2003 (S.I. 2003/1369), regs. 5, 11, 12, 13(5)
- S. 7 excluded (E.W.) (1.7.2005 for certain purposes and 1.8.2005 otherwise) by Serious Organised Crime Act 2005 (c. 15), ss. 133(6), 178; S.I. 2005/1521, arts. 3(1)(p), 4(1)
- S. 7 excluded (E.W.) (1.10.2007) by The Mental Capacity Act 2005 (c. 9), ss. 66(3), 68(1), Sch. 4 para. 12 (with ss. 27-29, 62); S.I. 2007/1897, art. 2(1)(d)

## 8 References to distance.

In the measurement of any distance for the purposes of an Act, that distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.

## 9 References to time of day.

Subject to section 3 of the <sup>M1</sup>Summer Time Act 1972 (construction of references to points of time during the period of summer time), whenever an expression of time occurs in an Act, the time referred to shall, unless it is otherwise specifically stated, be held to be Greenwich mean time.

### Annotations:

#### Marginal Citations

- M1** 1972 c. 6.

## 10 References to the Sovereign.

In any Act a reference to the Sovereign reigning at the time of the passing of the Act is to be construed, unless the contrary intention appears, as a reference to the Sovereign for the time being.

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## 11 Construction of subordinate legislation.

Where an Act confers power to make subordinate legislation, expressions used in that legislation have, unless the contrary intention appears, the meaning which they bear in the Act.

### Annotations:

#### Modifications etc. (not altering text)

- C11** S. 11 applied (1.1.1995) by [S.I. 1994/3144](#), **reg. 1(6)**
- C12** S. 11 excluded (E.W.) (1.9.1997) by [S.I. 1997/1972](#), **reg. 2(3)**
- C13** S. 11 applied (30.10.2005) by [The Medicines \(Traditional Herbal Medicinal Products for Human Use\) Regulations 2005 \(S.I. 2005/2750\)](#), **regs. 1, 2(3)** (with transitional provisions in [reg. 12](#), [Sch. 6](#))
- C14** S. 11 excluded (S.) (1.8.2007) by [The Education \(Fees and Awards\) \(Scotland\) Regulations 2007 \(S.S.I. 2007/152\)](#), **reg. 2(2)**
- C15** S. 11 excluded (W.) (31.8.2007) by [The Education \(Fees and Awards\) \(Wales\) Regulations 2007 \(S.I. 2007/2310\)](#), **reg. 2(2)**

### *Statutory powers and duties*

## 12 Continuity of powers and duties.

- (1) Where an Act confers a power or imposes a duty it is implied, unless the contrary intention appears, that the power may be exercised, or the duty is to be performed, from time to time as occasion requires.
- (2) Where an Act confers a power or imposes a duty on the holder of an office as such, it is implied, unless the contrary intention appears, that the power may be exercised, or the duty is to be performed, by the holder for the time being of the office.

## 13 Anticipatory exercise of powers.

Where an Act which (or any provision of which) does not come into force immediately on its passing confers power to make subordinate legislation, or to make appointments, give notices, prescribe forms or do any other thing for the purposes of the Act, then, unless the contrary intention appears, the power may be exercised, and any instrument made thereunder may be made so as to come into force, at any time after the passing of the Act so far as may be necessary or expedient for the purpose—

- (a) of bringing the Act or any provision of the Act into force; or
- (b) of giving full effect to the Act or any such provision at or after the time when it comes into force.

## 14 Implied power to amend.

Where an Act confers power to make—

- (a) rules, regulations or byelaws; or
- (b) Orders in Council, orders or other subordinate legislation to be made by statutory instrument,

it implies, unless the contrary intention appears, a power, exercisable in the same manner and subject to the same conditions or limitations, to revoke, amend or re-enact any instrument made under the power.

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**Annotations:**

**Modifications etc. (not altering text)**

- C16** S. 14 applied (E.W.) by [Water Resources Act 1991 \(c. 57, SIF 130\)](#), **ss. 138(6)**, 225(2)  
S. 14 saved (E.W.) (6.3.1992) by [School Teachers' Pay and Conditions Act 1991 \(c. 49, SIF 41:1\)](#), **s. 2(8)**; S.I. 1992/532, **art. 3**
- C17** S. 14 extended (E.W.) (10.11.1993) by 1993 c. 28, **s. 170(5)**; S.I. 1993/2762, **art. 3**
- C18** S. 14 excluded (15.2.1999) by 1998 c. 17, **s. 25(9)**, (with Sch. 3 para. 5(1)); S.I. 1999/161, **art. 2**  
S. 14 excluded (19.11.1998) by 1998 c. 46, s. 115, **Sch. 7 para. 5** (with s. 126(3)-(11))  
S. 14 excluded (28.7.2000) by 2000 c. 26, **s. 122(11)**

*Repealing enactments*

**15 Repeal of repeal.**

Where an Act repeals a repealing enactment, the repeal does not revive any enactment previously repealed unless words are added reviving it.

**16 General savings.**

- (1) Without prejudice to section 15, where an Act repeals an enactment, the repeal does not, unless the contrary intention appears,—
- (a) revive anything not in force or existing at the time at which the repeal takes effect;
  - (b) affect the previous operation of the enactment repealed or anything duly done or suffered under that enactment;
  - (c) affect any right, privilege, obligation or liability acquired, accrued or incurred under that enactment;
  - (d) affect any penalty, forfeiture or punishment incurred in respect of any offence committed against that enactment;
  - (e) affect any investigation, legal proceeding or remedy in respect of any such right, privilege, obligation, liability, penalty, forfeiture or punishment;
- and any such investigation, legal proceeding or remedy may be instituted, continued or enforced, and any such penalty, forfeiture or punishment may be imposed, as if therepealing Act had not been passed.
- (2) This section applies to the expiry of a temporary enactment as if it were repealed by an Act.

**Annotations:**

**Modifications etc. (not altering text)**

- C19** S. 16 excluded (E.W.) by [Mineral Workings Act 1985 \(c. 12, SIF 86\)](#), **ss. 3(3)**, 6(2)  
S. 16 excluded by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), s. 99, Sch. 13 paras. 3, 8  
S. 16 excluded (S.) (25.9.1991) by [Agricultural Holdings \(Scotland\) Act 1991 \(c. 55, SIF 2:3\)](#), ss. 87, 89(2), **Sch. 12 para. 5**
- C20** S. 16 saved (E.W.) (1.12.1991) by [Water Industry Act 1991 \(c. 56, SIF 130\)](#), **ss.140**, 223(2) (with ss. 82(3), 186(1), 222(1), Sch. 13 paras. 1, 2, Sch. 14 para. 6)
- C21** S. 16(1) applied (E.) (temp. from 27.11.2001 until 27.7.2002) by S.I. 2001/3576, **art. 3(2)**  
S. 16(1) applied (27.11.2001) by S.I. 2001/3577, **art. 3(2)**

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- S. 16(1) applied (27.11.2001) by S.I. 2001/3578, **art. 3(2)**
- C22** S. 16(1) disappplied (W.) (1.9.2004) by The Conduct of Members (Model Code of Conduct) (Wales) Order 2001 (S.I. 2001/2289), **art. 4** (as inserted by The Conduct of Members (Model Code of Conduct) (Wales) (Amendment) (No. 2) Order 2004 (S.I. 2004/1510), arts. 1(2), **3**)
- C23** S. 16(1) applied (with modifications) by The Virgin Islands Constitution Order 2007 (S.I. 2007/1678), **s. 80(3)** (the amendment coming into force in accordance with s. 1(2) of the amending S.I.)
- C24** S. 16(1) applied (W.) (18.4.2008) by The Local Authorities (Model Code of Conduct) (Wales) Order 2008 (S.I. 2008/788), **art. 4(3)**
- C25** S. 16(1) applied by The Falkland Islands Constitution Order 2008 (S.I. 2008/2846), **Sch. ss. 54(3), 55(5)** (the application coming into force in accordance with arts. 1(3), 2(1) of the applying S.I.)
- C26** S. 16(1) applied (with modifications) by The St Helena, Ascension and Tristan da Cunha Constitution Order 2009 (S.I. 2009/1751), **arts. 75(3), 152(3), 217(3)** (the amendments coming into force in accordance with art. 1(3) of the amending S.I.)

## 17 Repeal and re-enactment.

- (1) Where an Act repeals a previous enactment and substitutes provisions for the enactment repealed, the repealed enactment remains in force until the substituted provisions come into force.
- (2) Where an Act repeals and re-enacts, with or without modification, a previous enactment then, unless the contrary intention appears,—
  - (a) any reference in any other enactment to the enactment so repealed shall be construed as a reference to the provision re-enacted;
  - (b) in so far as any subordinate legislation made or other thing done under the enactment so repealed, or having effect as if so made or done, could have been made or done under the provision re-enacted, it shall have effect as if made or done under that provision.

### Annotations:

#### Modifications etc. (not altering text)

- C27** S. 17 saved (E.W.) (1.12.1991) by Water Industry Act 1991 (c. 56, SIF 130), **ss. 140, 223(2)**
- C28** S. 17 excluded (S.) (1.7.2005) by The Cereal Seed (Scotland) Regulations 2005 (S.S.I 2005/328), {reg. 28(2)}
- S. 17 excluded (S.) (1.7.2005) by The Fodder Plant Seed (Scotland) Regulations 2005 (S.S.I. 2005/329), **reg. 28(2)**
- S. 17 excluded (W.) (18.11.2005) by The Vegetable Seed (Wales) Regulations 2005 (S.I. 2005/3035), **reg. 32(2)**
- S. 17 excluded (W.) (18.11.2005) by The Cereal Seed (Wales) Regulations 2005 (S.I. 2005/3036), **reg. 32(2)**
- S. 17 excluded (W.) (18.11.2005) by The Beet Seed (Wales) Regulations 2005 (S.I. 2005/3037), **reg. 29(2)**
- C29** S. 17(2) excluded (22.8.1996) by 1996 c. 16, ss. 103, 104(1), **Sch. 8 Pt. I para. 1(6)(7)**
- S. 17(2) excluded (E.W.S.) (22.8.1996) by 1996 c. 17, ss. 44, 46, **Sch. 2 Pt. I paras. 1-5** (with s. 38)
- S. 17(2) excluded (E.W.S.) (22.8.1996) by 1996 c. 18, ss. 241, 243, **Sch. 2 Pt. I paras. 1-5** (with ss. 191-195, 202)
- S. 17(2) excluded (21.7.1997) by 1997 c. 22, s. 27, **Sch. 2 paras. 1-5**; S.I. 1997/1672, **art. 2**
- S. 17(2) excluded (E.W.) (19.6.1997) by 1997 c. 25, ss. 73(1), 74(1), **Sch. 4 Pt. I para. 1(6)**
- S. 17(2) excluded (E.W.) (11.9.1998) by 1998 c. 18, ss. 54(2), 55(2), **Sch. 4 para. 6**
- S. 17(2) excluded (E.W.) (25.8.2000) by 2000 c. 6, ss. 165(3), 168(1), **Sch. 11 Pt. I para. 1(5)**

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- S. 17(2) excluded (22.3.2001 with effect as mentioned in s. 579(1)) by 2001 c. 2, s. 579, **Sch. 3 Pt. I para. 6**
- S. 17(2) excluded (24.10.2002) by 2002 c. 24, ss. 14, 18(2), **Sch. 2 para. 5**
- S. 17(2) excluded (6.4.2003 with effect as mentioned in s. 723(1)(a)(b)) by The Income Tax (Earnings and Pensions) Act 2003 (c. 1), s. 723, **Sch. 7 para. 6** (subject to Sch. 7)
- S. 17(2) excluded (6.4.2005 with effect as mentioned in s. 883(1)(a)(b)) by The Income Tax (Trading and other Income) Act 2005 (c. 5), s. 883, **Sch. 2 para. 6(1)**
- S. 17(2) excluded (8.2.2007) by The Wireless Telegraphy Act 2006 (c. 36), ss. 124, 126, **Sch. 8 para. 5**
- S. 17(2) excluded (1.3.2007) by The National Health Service (Consequential Provisions) Act 2006 (c. 43), ss. 4, 8(2), **Sch. 2 para. 1(8)** (with Sch. 3 Pt. 1)
- S. 17(2) excluded (1.4.2007) by The Parliamentary Costs Act 2006 (c. 37), ss. 17(7), 19, **Sch. 2 para. 6**
- C30** S. 17(2)(a) excluded by Insurance Companies Act 1982 (c. 50, SIF 67), s. 99(1), **Sch. 4 para. 17**
- C31** S. 17(2)(b) excluded (24.7.2002) by 2002 c. 23, s. 20(4)

### *Miscellaneous*

#### **18 Duplicated offences.**

Where an act or omission constitutes an offence under two or more Acts, or both under an Act and at common law, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those Acts or at common law, but shall not be liable to be punished more than once for the same offence.

#### **19 Citation of other Acts.**

- (1) Where an Act cites another Act by year, statute, session or chapter, or a section or other portion of another Act by number or letter, the reference shall, unless the contrary intention appears, be read as referring—
- (a) in the case of Acts included in any revised edition of the statutes printed by authority, to that edition;
  - (b) in the case of Acts not so included but included in the edition prepared under the direction of the Record Commission, to that edition;
  - (c) in any other case, to the Acts printed by the Queen's Printer, or under the superintendence or authority of Her Majesty's Stationery Office.
- (2) An Act may continue to be cited by the short title authorised by any enactment notwithstanding the repeal of that enactment.

#### **20 References to other enactments.**

- (1) Where an Act describes or cites a portion of an enactment by referring to words, sections or other parts from or to which (or from and to which) the portion extends, the portion described or cited includes the words, sections or other parts referred to unless the contrary intention appears.
- (2) Where an Act refers to an enactment, the reference, unless the contrary intention appears, is a reference to that enactment as amended, and includes a reference thereto as extended or applied, by or under any other enactment, including any other provision of that Act.

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**Annotations:**

**Modifications etc. (not altering text)**

- C32** S. 20(2) applied (5.6.2003) by [The Immigration \(Jersey\) Order 1993 \(S.I. 1993/1797\)](#), art. 4(1) (as amended by [The Immigration and Asylum Act 1999 \(Jersey\) Order 2003 \(S.I. 2003/1252\)](#), **art. 3(a)**)
- C33** S. 20(2) excluded (8.7.2003) by [National Minimum Wage \(Enforcement Notices\) Act 2003 \(c. 8\)](#), s. 2(2)(4)

**[<sup>F1</sup>20A References to [<sup>F2</sup>EU instruments]**

Where an Act passed after the commencement of this section refers to a [<sup>F3</sup>EU instrument] that has been amended, extended or applied by another such instrument, the reference, unless the contrary intention appears, is a reference to that instrument as so amended, extended or applied.]

**Annotations:**

**Amendments (Textual)**

- F1** S. 20A inserted (8.1.2007) by [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#), ss. 25(1), 33
- F2** Words in s. 20A heading substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\)](#), ss. 3, 8, **Sch. Pt. 2**; S.I. 2009/3143, **art. 2**
- F3** Words in s. 20A substituted (1.12.2009) by [European Union \(Amendment\) Act 2008 \(c. 7\)](#), ss. 3, 8, **Sch. Pt. 2**; S.I. 2009/3143, **art. 2**

*Supplementary*

**21 Interpretation etc.**

- (1) In this Act “Act” includes a local and personal or private Act; and “subordinate legislation” means Orders in Council, orders, rules, regulations, schemes, warrants, byelaws and other instruments made or to be made under any Act.
- (2) This Act binds the Crown.

**22 Application to Acts and Measures.**

- (1) This Act applies to itself, to any Act passed after the commencement of this Act [<sup>F4</sup>(subject, in the case of section 20A, to the provision made in that section)] and, to the extent specified in Part I of Schedule 2, to Acts passed before the commencement of this Act.
- (2) In any of the foregoing provisions of this Act a reference to an Act is a reference to an Act to which that provision applies; but this does not affect the generality of references to enactments or of the references in section 19(1) to other Acts.
- (3) This Act applies to Measures of the General Synod of the Church of England (and, so far as it relates to Acts passed before the commencement of this Act, to Measures of the Church Assembly passed after 28th May 1925) as it applies to Acts.

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**Annotations:**

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**Amendments (Textual)**

- F4** Words in s. 22(1) inserted (8.1.2007) by [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#), **ss. 25(2), 33**

**23 Application to other instruments.**

- (1) The provisions of this Act, except sections 1 to 3 and 4(b), apply, so far as applicable and unless the contrary intention appears, to subordinate legislation made after the commencement of this Act and, to the extent specified in Part II of Schedule 2, to subordinate legislation made before the commencement of this Act, as they apply to Acts.
- (2) In the application of this Act to Acts passed or subordinate legislation made after the commencement of this Act, all references to an enactment include an enactment comprised in subordinate legislation whenever made, and references to the passing or repeal of an enactment are to be construed accordingly.
- (3) Sections 9 and 19(1) also apply to deeds and other instruments and documents as they apply to Acts and subordinate legislation; and in the application of section 17(2)(a) to Acts passed or subordinate legislation made after the commencement of this Act, the reference to any other enactment includes any deed or other instrument or document.
- (4) Subsections (1) and (2) of this section do not apply to Orders in Council made under section 5 of the <sup>M2</sup>Statutory Instruments Act 1946, section 1(3) of the <sup>M3</sup>Northern Ireland (Temporary Provisions) Act 1972 or Schedule 1 to the <sup>M4</sup>Northern Ireland Act 1974.

**Annotations:**

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**Modifications etc. (not altering text)**

- C34** S. 23(1)(2) excluded by [Northern Ireland Act 1982 \(c. 38, SIF 29:3\)](#), s. 6, **Sch. 2 para. 7(2)**
- C35** S. 23(3) excluded by [Companies Act 1989 \(c. 40, SIF 27\)](#), **s. 144(6)**  
S. 23(3) excluded (6.4.2008 for specified purposes and otherwise 1.10.2009) by [Companies Act 2006 \(c. 46\)](#), **ss. 1160(4), 1300(2)**; [S.I. 2007/3495](#), **art. 3(4)** (subject to art. 6, Sch. 1); [S.I. 2008/2860](#), **art. 3(u)** (with arts. 5, 7, 8, Sch. 2 (as amended by [S.I. 2009/1802](#), art. 18, Sch. 2 and [S.I. 2009/2476](#), reg. 2(3)))

**Marginal Citations**

- M2** 1946 c. 36.  
**M3** 1972 c. 22.  
**M4** 1974 c. 28.

**[<sup>F5</sup>23A Acts of the Scottish Parliament etc.**

- (1) This Act applies in relation to an Act of the Scottish Parliament and an instrument made under such an Act only to the extent provided in this section.
- (2) Except as provided in subsection (3) below, sections 15 to 18 apply to—
  - (a) an Act of the Scottish Parliament as they apply to an Act,

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- (b) an instrument made under an Act of the Scottish Parliament as they apply to subordinate legislation.
- (3) In the application of those sections to an Act and to subordinate legislation—
- (a) references to an enactment include an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament, and
  - (b) the reference in section 17(2)(b) to subordinate legislation includes an instrument made under an Act of the Scottish Parliament.
- (4) In the application of section 20 to an Act and to subordinate legislation, references to an enactment include an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.]

**Annotations:**

**Amendments (Textual)**

- F5** [S. 23A](#) and sidenote inserted (1.7.1999) by [1998 c. 46, s. 125, Sch. 8 para. 16\(2\)](#) (with [s. 126\(3\)-\(11\)](#)); [S.I. 1998/3178, art. 2](#)

**[<sup>F6</sup>23B Measures and Acts of the National Assembly for Wales etc.**

- (1) Subject as follows, the provisions of this Act—
- (a) apply to a Measure or Act of the National Assembly for Wales as they apply to an Act, and
  - (b) apply to an instrument made under a Measure or Act of the National Assembly for Wales as they apply to other subordinate legislation.
- (2) Sections 1 to 3 do not apply to a Measure or Act of the National Assembly for Wales.
- (3) In this Act references to an enactment include an enactment comprised in, or in an instrument made under, a Measure or Act of the National Assembly for Wales.
- (4) In the application of this Act to a Measure or Act of the National Assembly for Wales, references to the passing of an Act or an enactment are to be read as references to the enactment of the Measure or Act.
- (5) Section 4(b) does not apply to a Measure of the National Assembly for Wales; but where such a Measure makes no provision for the coming into force of a provision contained in it, that provision comes into force at the beginning of the day on which the Measure is approved by Her Majesty in Council.]

**Annotations:**

**Amendments (Textual)**

- F6** [S. 23B](#) inserted by [Government of Wales Act 2006 \(c. 32\), s. 160\(1\), Sch. 10 para. 11](#) (with [Sch. 11 para. 22](#)), the amending provision coming into force immediately after "the 2007 election" (held on 3.5.2007) subject to [s. 161\(4\)\(5\)](#) of the amending Act, which provides for certain provisions to come into force for specified purposes at the end of "the initial period" (which ended with the first appointment of a First Minister on 25.5.2007) - see [ss. 46, 161\(1\)\(4\)\(5\)](#) of the amending Act

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## 24 Application to Northern Ireland.

- (1) This Act extends to Northern Ireland so far as it applies to Acts or subordinate legislation which so extend.
- (2) In the application of this Act to Acts passed or subordinate legislation made after the commencement of this Act, all references to an enactment include an enactment comprised in Northern Ireland legislation whenever passed or made; and in relation to such legislation references to the passing or repeal of an enactment include the making or revocation of an Order in Council.
- (3) In the application of section 14 to Acts passed after the commencement of this Act which extend to Northern Ireland, “statutory instrument” includes statutory rule for the purposes of the [<sup>F7M5</sup>Statutory Rules(Northern Ireland) Order 1979].

[<sup>F8</sup>(3A) Section 20A applies to Northern Ireland legislation as it applies to Acts.]

- (4) The following definitions contained in Schedule 1, namely those of—

<sup>F9</sup> .....

The Communities and related expressions;  
The Corporation Tax Acts;  
[<sup>F10</sup>EEA agreement and EEA state;]  
The Income Tax Acts;  
The Tax Acts,

apply, unless the contrary intention appears, to Northern Ireland legislation as they apply to Acts.

- (5) In this section “Northern Ireland legislation” means—
  - (a) Acts of the Parliament of Ireland;
  - (b) Acts of the Parliament of Northern Ireland;
  - (c) Orders in Council under section 1(3) of the <sup>M6</sup>Northern Ireland (Temporary Provisions) Act 1972;
  - [<sup>F11</sup>(d) Measures of the Northern Ireland Assembly established under section 1 of the <sup>M7</sup>Northern Ireland Assembly Act 1973;
  - (e) Orders in Council under Schedule 1 to the <sup>M8</sup>Northern Ireland Act 1974;
  - (f) Acts of the Northern Ireland Assembly; and
  - (g) Orders in Council under section 85 of the Northern Ireland Act 1998.]

### Annotations:

#### Amendments (Textual)

- F7** Words substituted by S.I. 1979/1573 (N.I. 12), **Sch. 4 para. 25**
- F8** S. 24(3A) inserted (8.1.2007) by Legislative and Regulatory Reform Act 2006 (c. 51), **ss. 25(3), 33**
- F9** Words repealed by British Nationality Act 1981 (c. 61, SIF 87), s. 52(8), **Sch. 9**
- F10** Words in s. 24(4) inserted (8.1.2007) by Legislative and Regulatory Reform Act 2006 (c. 51), **ss. 26(2), 33**
- F11** S. 24(5)(d)-(g) substituted for s. 24(5)(d)(e) (2.12.1999) by 1998 c. 47, s. 99, **Sch. 13 para. 3** (with s. 95); S.I. 1999/3209, art. 2, **Sch.**

#### Modifications etc. (not altering text)

- C36** S. 24 extended by Northern Ireland Act 1982 (c. 38, SIF 29:3), s. 6, **Sch. 2 para. 7(2)**

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**Marginal Citations**

- M5** [S.I. 1979/1573 \(N.I. 12\)](#).  
**M6** [1972 c. 22](#).  
**M7** [1973 c.17](#).  
**M8** [1974 c.28](#).

**25 Repeals and savings.**

- <sup>X1</sup>(1) The enactments described in Schedule 3 are repealed to the extent specified in the third column of that Schedule.
- (2) Without prejudice to section 17(2)(a), a reference to the <sup>M9</sup>Interpretation Act 1889, to any provision of that Act or to any other enactment repealed by this Act, whether occurring in another Act, in subordinate legislation, in Northern Ireland legislation or in any deed or other instrument or document, shall be construed as referring to this Act, or to the corresponding provision of this Act, as it applies to Acts passed at the time of the reference.
- (3) The provisions of this Act relating to Acts passed after any particular time do not affect the construction of Acts passed before that time, though continued or amended by Acts passed thereafter.

**Annotations:****Editorial Information**

- X1** The text of s. 25(1), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any repeals or amendments which may have been made prior to 1.2.1991

**Marginal Citations**

- M9** [1889 c. 63](#).

**26 Commencement.**

This Act shall come into force on 1st January 1979.

**27 Short title.**

This Act may be cited as the Interpretation Act 1978.

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## SCHEDULES

### SCHEDULE 1

Section 5.

#### WORDS AND EXPRESSIONS DEFINED

##### Annotations:

##### Modifications etc. (not altering text)

- C37** Sch. 1 excluded in part (6.4.2003 with effect as mentioned in s. 723(1)) by [Income Tax \(Earnings and Pensions\) Act 2003 \(c. 1\)](#), [s. 721\(6\)\(b\)](#) (subject to [Sch. 7](#))

*Note:* The years or dates which follow certain entries in this Schedule are relevant for the purposes of paragraph 4 of Schedule 2 (application to existing enactments).

#### Definitions

##### Annotations:

##### Amendments (Textual)

- F12** In Sch. 1 definition of "Act" inserted (1.7.1999) by [1998 c. 46, s. 125, Sch. 8 para. 16\(3\)](#) (with [s. 126\(3\)-\(11\)](#)); [S.I. 1998/3178, art. 2](#)
- F13** [Sch. 1](#): definition of "British overseas territory" inserted (26.2.2002) by [2002 c. 8, s. 1\(3\)](#)
- F14** Entry repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), [s. 52\(8\)](#), [Sch. 9](#)
- F15** Words substituted by [Building Act 1984 \(c. 55, SIF 15\)](#), [s. 133\(1\)](#), [Sch. 6 para. 19](#)
- F16** In Sch. 1 definition of "Charity Commission" substituted (27.2.2007) for definition of "Charity Commissioners" by [Charities Act 2006 \(c. 50\)](#), [ss. 75\(1\), 79\(2\)](#), [Sch. 8 para. 61](#); [S.I. 2007/309, art. 2, Sch.](#) (subject to transitional provisions in [arts. 4-13](#))
- F17** In Sch. 1 definition of "civil partnership" inserted (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), [ss. 261\(1\), 263\(10\)](#), [Sch. 27 para. 59](#); [S.I. 2005/3175, art. 2\(2\)](#)
- F18** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), [s. 154](#), [Sch. 7 para. 169\(a\)](#)
- F19** Words substituted by [S.I. 1981/1675 \(N.I. 26\)](#), [s. 170\(2\)](#), [Sch. 6 para. 56\(a\)](#)
- F20** In Sch. 1 in paragraph (b) of definition of "committed for trial" words repealed (1.4.2005) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\)](#), [ss. 86, 87](#), [Sch. 13](#); [S.R. 2005/109, art. 2, Sch.](#)
- F21** Definition substituted by [Finance Act 1987 \(c. 16, SIF 63:1\)](#), [ss. 2\(8\), 71](#), [Sch. 15 para. 12](#)
- F22** Words substituted by [County Courts Act 1984 \(c. 28, SIF 34\)](#), [s. 148\(1\)](#), [Sch. 2 Pt. V para. 68](#)
- F23** Words substituted by [S.I. 1980/397 \(N.I. 3\)](#), [Sch. 1 Pt. II](#)
- F24** In Sch. 1 definition of "Court of Judicature" inserted (1.10.2009) by [Constitutional Reform Act 2005 \(c. 4\)](#), [ss. 59\(5\), 148\(1\)](#), [Sch. 11 para. 24\(b\)](#); [S.I. 2009/1604, art. 2](#)
- F25** In Sch.1 definitions of "EEA agreement" and "EEA state" inserted (8.1.2007) by [Legislative and Regulatory Reform Act 2006 \(c. 51\)](#), [ss. 26\(1\), 33](#)
- F26** In Sch. 1 definition of "enactment" inserted (1.7.1999) by [1998 c. 46, s. 125, Sch. 8 para. 16\(3\)](#) (with [s. 126\(3\)-\(11\)](#)); [S.I. 1998/3178, art. 2](#)
- F27** In Sch. 1 definition of "Her Majesty's Revenue and Customs" inserted (7.4.2005 at 5.45 p.m.) by [Commissioners for Revenue and Customs Act 2005 \(c. 11\)](#), [ss. 4\(3\), 53](#); [S.I. 2005/1126, art. 2](#)

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- F28** In Sch. 1 definition of "the immigration acts" inserted (30.3.2006) by Immigration, Asylum and Nationality Act 2006 (c. 13), s. 64(4)
- F29** Sch. 1: words in definition of "The Immigration Acts" substituted (30.10.2007) by UK Borders Act 2007 (c. 30), ss. 59(2), 61(4)
- F30** Sch. 1: words in definition of "London borough" substituted (1.11.2007 with application as mentioned in art. 1(1) of the commencing S.I.) by Local Government and Public Involvement in Health Act 2007 (c. 28), ss. 22, 245, Sch. 1 para. 14; S.I. 2007/3136, art. 2 (subject to art. 3)
- F31** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154, Sch. 7 para. 169(b)
- F32** Words substituted by S.I. 1981/1675 (N.I. 26), s. 170(2), Sch. 6 para. 56(b)
- F33** Sch. 1: definition of "Officer of a provider of probation services" inserted (1.4.2008) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), Sch. 3 para. 2; S.I. 2008/504, art. 3(k)(l)
- F34** In Sch. 1 definition of "Officer of Revenue and Customs" inserted (7.4.2005 at 5.45 p.m.) by Commissioners for Revenue and Customs Act 2005 (c. 11), ss. 2(7), 53; S.I. 2005/1126, art. 2
- F35** In Sch. 1 definitions of "PAYE income" and "PAYE regulations" inserted (6.4.2003 with effect as mentioned in s. 723(1)(a)(b) of amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), ss. 722, 723, Sch. 6 Pt. 2 para. 148 (subject to Sch. 7)
- F36** In Sch. 1 in definition of "police area" words substituted (22.8.1996) by 1996 c. 16, ss. 103, 104(1), Sch. 7 Pt. II para. 32
- F37** Sch. 1: definitions of "Police Service of Northern Ireland" and "Police Service of Northern Ireland Reserve" inserted (4.11.2001) by 2000 c. 32, s. 74, Sch. 6, para. 5; S.R. 2001/396, art. 2, Sch.
- F38** Sch. 1: definition of "Provider of probation services" inserted (1.4.2008) by Offender Management Act 2007 (c. 21), ss. 39, 41(1), Sch. 3 para. 2; S.I. 2008/504, art. 3(k)(l)
- F39** Sch. 1: definition of "registered" substituted by S.I. 2002/253, art. 54, Sch. 5 para. 7 (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F40** Sch. 1: words in definition of "Registered" substituted (1.8.2004) by The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004 (S.I. 2004/1771), arts. 1(2), 3, Sch. para. 7
- F41** Sch. 1: definition of "registered medical practitioner" substituted by S.I. 2002/3135, art. 16(1), Sch. 1 para. 10 (with transitional provisions in Sch. 2) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F42** In Sch. 1 definition of "Senior Courts" inserted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 24(b); S.I. 2009/1604, art. 2
- F43** In Sch. 1 definition of "sent for trial" inserted (9.5.2005) by Criminal Justice Act 2003 (c. 44), ss. 41, 336(3), Sch. 3 Pt. 2 para. 49(b); S.I. 2005/1267, art. 2, Sch. Pt. 1 para. 1(1)(h)
- F44** Definition inserted (E.W.) by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 25 para. 55(2), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58
- F45** Sch. 1: words in definitions of "sewerage undertaker" and "water undertaker" substituted (E.W.) (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), ss. 2, 4(2), Sch. 1 para. 32.
- F46** Definition inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 123(6), 170(1), Sch. 8 para. 16, Sch. 15 para. 58(a)
- F47** In Sch. 1 in paragraph (b) of definition of "the standard scale" words substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), Sch. 4 para. 17(a)
- F48** Definition inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), ss. 123(6), 170(1), Sch. 8 para. 16, Sch. 15 para. 58(b)
- F49** In Sch. 1 in paragraph (b) of definition of "statutory maximum" words substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), Sch. 4 para. 17(b)
- F50** In Sch. 1 definition of "Supreme Court" substituted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), Sch. 11 para. 24(a); S.I. 2009/1604, art. 2
- F51** Definition substituted by Finance Act 1987 (c. 16, SIF 63:1), ss. 2(8), 71, Sch. 15 para. 12
- F52** In Sch. 1 definitions of "trust of land" and "trustees of land" inserted (E.W.) (1.1.1997) by 1996 c. 47, s. 25(1), Sch. 3 para. 16 (with ss. 24(2), 25(4)(5)); S.I. 1996/2974, art. 2
- F53** Definition of "Wales" in Sch. 1 substituted (3.4.1995) by 1994 c. 19, s. 1(3), Sch. 2 para. 9 (with ss. 54(5)(7), 55(5), Sch. 17 para. 22(1), 23(2)); S.I. 1995/852, art. 3, Sch. 1

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**F54** Definition substituted by Water Act 1989 (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 25 para. 55(3), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**

#### Marginal Citations

- M10** 1967 c. 4.
- M11** 1947 C.A.M. No. 2.
- M12** 1972 c. 68.
- M13** 1866 c. 39.
- M14** 1968 c. 18.
- M15** 1971 c. 23.
- M16** 1978 c. 23.
- M17** 1961 c. 55.
- M18** 1972 c. 70.
- M19** 1845 c. 18.
- M20** 1860 c. 106.
- M21** 1845 c. 19.
- M22** 1860 c. 106.
- M23** 1954 c. 33 (N.I.)
- M24** 1975 c. 76.
- M25** 1963 c. 33.
- M26** 1972 c. 70.
- M27** 1841 c. 30.
- M28** 1854 c. 17.
- M29** 1967 c. 77.
- M30** 1982 c. 48 (39:1).
- M31** S.I. 1984/703 (N.I. 3).
- M32** 1835 c. 62.
- M33** 1980 c. 43 (82).
- M34** 1972 c. 70.

#### Annotations:

##### Amendments (Textual)

- F12** In Sch. 1 definition of "Act" inserted (1.7.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 16(3)** (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2**
- F13** Sch. 1: definition of "British overseas territory" inserted (26.2.2002) by 2002 c. 8, s. **1(3)**
- F14** Entry repealed by British Nationality Act 1981 (c. 61, SIF 87), s. 52(8), **Sch. 9**
- F15** Words substituted by Building Act 1984 (c. 55, SIF 15), s. 133(1), **Sch. 6 para. 19**
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- F18** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154, **Sch. 7 para. 169(a)**
- F19** Words substituted by S.I. 1981/1675 (N.I. 26), s. 170(2), **Sch. 6 para. 56(a)**
- F20** In Sch. 1 in paragraph (b) of definition of "committed for trial" words repealed (1.4.2005) by Justice (Northern Ireland) Act 2002 (c. 26), ss. 86, 87, Sch. 13; S.R. 2005/109, **art. 2**, Sch.
- F21** Definition substituted by Finance Act 1987 (c. 16, SIF 63:1), ss. 2(8), 71, **Sch. 15 para. 12**
- F22** Words substituted by County Courts Act 1984 (c. 28, SIF 34), s. 148(1), **Sch. 2 Pt. V para. 68**
- F23** Words substituted by S.I. 1980/397 (N.I. 3), **Sch. 1 Pt. II**
- F24** In Sch. 1 definition of "Court of Judicature" inserted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 24(b)**; S.I. 2009/1604, **art. 2**

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- F26** In Sch. 1 definition of "enactment" inserted (1.7.1999) by 1998 c. 46, s. 125, **Sch. 8 para. 16(3)** (with s. 126(3)-(11)); S.I. 1998/3178, **art. 2**
- F27** In Sch. 1 definition of "Her Majesty's Revenue and Customs" inserted (7.4.2005 at 5.45 p.m.) by Commissioners for Revenue and Customs Act 2005 (c. 11), **ss. 4(3), 53**; S.I. 2005/1126, **art. 2**
- F28** In Sch. 1 definition of "the immigration acts" inserted (30.3.2006) by Immigration, Asylum and Nationality Act 2006 (c. 13), **s. 64(4)**
- F29** Sch. 1: words in definition of "The Immigration Acts" substituted (30.10.2007) by UK Borders Act 2007 (c. 30), **ss. 59(2), 61(4)**
- F30** Sch. 1: words in definition of "London borough" substituted (1.11.2007 with application as mentioned in art. 1(1) of the commencing S.I.) by Local Government and Public Involvement in Health Act 2007 (c. 28), **ss. 22, 245, Sch. 1 para. 14**; S.I. 2007/3136, **art. 2** (subject to art. 3)
- F31** Words substituted by Magistrates' Courts Act 1980 (c. 43, SIF 82), s. 154, **Sch. 7 para. 169(b)**
- F32** Words substituted by S.I. 1981/1675 (N.I. 26), s. 170(2), **Sch. 6 para. 56(b)**
- F33** Sch. 1: definition of "Officer of a provider of probation services" inserted (1.4.2008) by Offender Management Act 2007 (c. 21), **ss. 39, 41(1), Sch. 3 para. 2**; S.I. 2008/504, **art. 3(k)(l)**
- F34** In Sch. 1 definition of "Officer of Revenue and Customs" inserted (7.4.2005 at 5.45 p.m.) by Commissioners for Revenue and Customs Act 2005 (c. 11), **ss. 2(7), 53**; S.I. 2005/1126, **art. 2**
- F35** In Sch. 1 definitions of "PAYE income" and "PAYE regulations" inserted (6.4.2003 with effect as mentioned in s. 723(1)(a)(b) of amending Act) by Income Tax (Earnings and Pensions) Act 2003 (c. 1), **ss. 722, 723, Sch. 6 Pt. 2 para. 148** (subject to Sch. 7)
- F36** In Sch. 1 in definition of "police area" words substituted (22.8.1996) by 1996 c. 16, **ss. 103, 104(1), Sch. 7 Pt. II para. 32**
- F37** Sch. 1: definitions of "Police Service of Northern Ireland" and "Police Service of Northern Ireland Reserve" inserted (4.11.2001) by 2000 c. 32, s. 74, **Sch. 6, para. 5**; S.R. 2001/396, **art. 2, Sch.**
- F38** Sch. 1: definition of "Provider of probation services" inserted (1.4.2008) by Offender Management Act 2007 (c. 21), **ss. 39, 41(1), Sch. 3 para. 2**; S.I. 2008/504, **art. 3(k)(l)**
- F39** Sch. 1: definition of "registered" substituted by S.I. 2002/253, **art. 54, Sch. 5 para. 7** (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F40** Sch. 1: words in definition of "Registered" substituted (1.8.2004) by The Health Act 1999 (Consequential Amendments) (Nursing and Midwifery) Order 2004 (S.I. 2004/1771), **arts. 1(2), 3, Sch. para. 7**
- F41** Sch. 1: definition of "registered medical practitioner" substituted by S.I. 2002/3135, **art. 16(1), Sch. 1 para. 10** (with transitional provisions in Sch. 2) (the amendment coming into force in accordance with art. 1(2)(3) of the amending S.I.)
- F42** In Sch. 1 definition of "Senior Courts" inserted (1.10.2009) by Constitutional Reform Act 2005 (c. 4), **ss. 59(5), 148(1), Sch. 11 para. 24(b)**; S.I. 2009/1604, **art. 2**
- F43** In Sch. 1 definition of "sent for trial" inserted (9.5.2005) by Criminal Justice Act 2003 (c. 44), **ss. 41, 336(3), Sch. 3 Pt. 2 para. 49(b)**; S.I. 2005/1267, **art. 2, Sch. Pt. 1 para. 1(1)(h)**
- F44** Definition inserted (E.W.) by Water Act 1989 (c. 15, SIF 130), **ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 25 para. 55(2), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), 58**
- F45** Sch. 1: words in definitions of "sewerage undertaker" and "water undertaker" substituted (E.W.) (1.12.1991) by Water Consolidation (Consequential Provisions) Act 1991 (c. 60, SIF 130), **ss. 2, 4(2), Sch. 1 para. 32.**
- F46** Definition inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), **ss. 123(6), 170(1), Sch. 8 para. 16, Sch. 15 para. 58(a)**
- F47** In Sch. 1 in paragraph (b) of definition of "the standard scale" words substituted (1.4.1996) by 1995 c. 40, **ss. 5, 7(2), Sch. 4 para. 17(a)**
- F48** Definition inserted by Criminal Justice Act 1988 (c. 33, SIF 39:1), **ss. 123(6), 170(1), Sch. 8 para. 16, Sch. 15 para. 58(b)**
- F49** In Sch. 1 in paragraph (b) of definition of "statutory maximum" words substituted (1.4.1996) by 1995 c. 40, **ss. 5, 7(2), Sch. 4 para. 17(b)**

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- F50** In Sch. 1 definition of "Supreme Court" substituted (1.10.2009) by [Constitutional Reform Act 2005](#) (c. 4), ss. 59(5), 148(1), **Sch. 11 para. 24(a)**; S.I. 2009/1604, **art. 2**
- F51** Definition substituted by [Finance Act 1987](#) (c. 16, SIF 63:1), ss. 2(8), 71, **Sch. 15 para. 12**
- F52** In Sch. 1 definitions of "trust of land" and "trustees of land" inserted (E.W.) (1.1.1997) by 1996 c. 47, s. 25(1), **Sch. 3 para. 16** (with ss. 24(2), 25(4)(5)); S.I. 1996/2974, **art. 2**
- F53** Definition of "Wales" in Sch. 1 substituted (3.4.1995) by 1994 c. 19, s. 1(3), **Sch. 2 para. 9** (with ss. 54(5)(7), 55(5), Sch. 17 para. 22(1), 23(2)); S.I. 1995/852, **art. 3, Sch. 1**
- F54** Definition substituted by [Water Act 1989](#) (c. 15, SIF 130), ss. 58(7), 101(1), 141(6), 160(1)(2)(4), 163, 189(4)-(10), 190, 193(1), Sch. 25 para. 55(3), Sch. 26 paras. 3(1)(2), 17, 40(4), 57(6), **58**

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#### Marginal Citations

- M10** 1967 c. 4.  
**M11** 1947 C.A.M. No. 2.  
**M12** 1972 c. 68.  
**M13** 1866 c. 39.  
**M14** 1968 c. 18.  
**M15** 1971 c. 23.  
**M16** 1978 c. 23.  
**M17** 1961 c. 55.  
**M18** 1972 c. 70.  
**M19** 1845 c. 18.  
**M20** 1860 c. 106.  
**M21** 1845 c. 19.  
**M22** 1860 c. 106.  
**M23** 1954 c. 33 (N.I.)  
**M24** 1975 c. 76.  
**M25** 1963 c. 33.  
**M26** 1972 c. 70.  
**M27** 1841 c. 30.  
**M28** 1854 c. 17.  
**M29** 1967 c. 77.  
**M30** 1982 c. 48 (39:1).  
**M31** S.I. 1984/703 (N.I. 3).  
**M32** 1835 c. 62.  
**M33** 1980 c. 43 (82).  
**M34** 1972 c. 70.

F55 . . .

#### Annotations:

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##### Amendments (Textual)

- F55** Entry repealed (E.W.) (14.10.1991) by [Children Act 1989](#) (c. 41, SIF 20), s. 108(6)(7), **Sch.15** (Sch. 14 paras. 1(1), 27(4)); S.I. 1991/828, **art. 3(2)**

F56 . . . . .

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**Annotations:**

**Amendments (Textual)**

**F56** Entry repealed (E.W) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), **s. 108** (6)(7) (Sch. 14 paras. 1(1), 27(4)) Sch.15; [S.I. 1991/828](#), **art. 3(2)**.

**Annotations:**

**Amendments (Textual)**

**F56** Entry repealed (E.W) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), **s. 108** (6)(7) (Sch. 14 paras. 1(1), 27(4)) Sch.15; [S.I. 1991/828](#), **art. 3(2)**.

*Construction of certain expressions relating to offences*

In relation to England and Wales—

- (a) “indictable offence” means an offence which, if committed by an adult, is triable on indictment, whether it is exclusively so triable or triable either way;
- (b) “summary offence” means an offence which, if committed by an adult, is triable only summarily;
- (c) “offence triable either way” means an offence [<sup>F57</sup>, other than an offence triable on indictment only by virtue of Part V of the Criminal Justice Act 1988] which, if committed by an adult, is triable either on indictment or summarily;

and the terms “indictable”, “summary” and “triable either way”, in their application to offences, are to be construed accordingly.

**Annotations:**

**Amendments (Textual)**

**F57** Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170, Sch. 8 para. 16, **Sch. 15 para. 59**

In the above definitions references to the way or ways in which an offence is triable are to be construed without regard to the effect, if any, of [<sup>F58</sup>section 22 of the Magistrates’ Courts Act 1980] on the mode of trial in a particular case.

**Annotations:**

**Amendments (Textual)**

**F58** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, **Sch. 7 para. 169(c)**

**Annotations:**

**Amendments (Textual)**

**F57** Words inserted by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170, Sch. 8 para. 16, **Sch. 15 para. 59**

**F58** Words substituted by [Magistrates' Courts Act 1980 \(c. 43, SIF 82\)](#), s. 154, **Sch. 7 para. 169(c)**

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### *f<sup>59</sup> Construction of certain references to relationships*

**Annotations:**

**Amendments (Textual)**

**F59** Entry added (E.W.) by [Family Law Reform Act 1987 \(c. 42, SIF 49:7\)](#), s. 33(1)(2), Sch. 2 para. 73, Sch. 3 paras. 1, 6

In relation to England and Wales—

- (a) references (however expressed) to any relationship between two persons;
- (b) references to a person whose father and mother were or were not married to each other at the time of his birth; and
- (c) references cognate with references falling within paragraph (b) above,

shall be construed in accordance with section 1 of the Family Law Reform Act 1987. [The date of the coming into force of that section]]

**Annotations:**

**Modifications etc. (not altering text)**

**C38** Paragraph excluded by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 831(4)

**Annotations:**

**Modifications etc. (not altering text)**

**C38** Paragraph excluded by [Income and Corporation Taxes Act 1988 \(c. 1, SIF 63:1\)](#), s. 831(4)

## SCHEDULE 2

Sections 22, 23.

### APPLICATION OF ACT TO EXISTING ENACTMENTS

#### PART I

##### ACTS

- 1 The following provisions of this Act apply to Acts whenever passed:—
  - Section 6(a) and (c) so far as applicable to enactments relating to offences punishable on indictment or on summary conviction
  - Section 9
  - Section 10
  - Section 11 so far as it relates to subordinate legislation made after the year 1889
  - Section 18
  - Section 19(2).
- 2 The following apply to Acts passed after the year 1850:—
  - Section 1

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- Section 2  
 Section 3  
 Section 6(a) and (c) so far as not applicable to such Acts by virtue of paragraph 1  
 Section 15  
 Section 17(1).
- 3      The following apply to Acts passed after the year 1889:—  
       Section 4  
       Section 7  
       Section 8  
       Section 12  
       Section 13  
       Section 14 so far as it relates to rules, regulations or byelaws  
       Section 16(1)  
       Section 17(2)(a)  
       Section 19(1)  
       Section 20(1).
- 4      (1) Subject to the following provisions of this paragraph—  
       (a) paragraphs of Schedule 1 at the end of which a year or date <sup>F60</sup> . . . is specified [<sup>F61</sup> or described] apply, so far as applicable, to Acts passed on or after the date, or after the year, so specified [<sup>F61</sup> or described]; and  
       (b) paragraphs of that Schedule at the end of which no year or date is specified [<sup>F61</sup> or described] apply, so far as applicable, to Acts passed at any time.
- (2) The definition of “British Islands”, in its application to Acts passed after the establishment of the Irish Free State but before the commencement of this Act, includes the Republic of Ireland.
- (3) The definition of “colony”, in its application to an Act passed at any time before the commencement of this Act, includes—  
       (a) any colony within the meaning of section 18(3) of the <sup>M35</sup> Interpretation Act 1889 which was excluded, but in relation only to Acts passed at a later time, by any enactment repealed by this Act;  
       (b) any country or territory which ceased after that time to be part of Her Majesty’s dominions but subject to a provision for the continuation of existing law as if it had not so ceased;  
 and paragraph (b) of the definition does not apply.
- (4) The definition of “Lord Chancellor” does not apply to Acts passed before 1st October 1921 in which that expression was used in relation to Ireland only.
- (5) The definition of “person”, so far as it includes bodies corporate, applies to any provision of an Act whenever passed relating to an offence punishable on indictment or on summary conviction.
- (6) This paragraph applies to <sup>F62</sup> . . . the <sup>M36</sup> Water Act 1973 as if they were passed after 1st April 1974.

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**Annotations:**

**Amendments (Textual)**

- F60** Words repealed by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(1)(2)(4), Sch. 2 para. 74, Sch. 3 paras. 1, 6, **Sch. 4**
- F61** Words inserted by Family Law Reform Act 1987 (c. 42, SIF 49:7), s. 33(1)(2), Sch. 2 para. 74, Sch. 3 paras. 1, 6
- F62** Words in Sch. 2 Pt. I para. 4(6) repealed (1.4.1996) by 1995 c. 17, s. 5, **Sch. 3** (with Sch. 2 paras. 6, 16)

**Marginal Citations**

- M35** 1889 c. 63.  
**M36** 1973 c. 37.

- 5 The following definitions shall be treated as included in Schedule 1 for the purposes specified in this paragraph—
- (a) in any Act passed before 1st April 1974, a reference to England includes Berwick upon Tweed and Monmouthshire and, in the case of an Act passed before the <sup>M37</sup>Welsh Language Act 1967, Wales;
  - (b) in any Act passed before the commencement of this Act and after the year 1850, “land” includes messuages, tenements and hereditaments, houses and buildings of any tenure;
  - (c) in any Act passed before the commencement of the <sup>M38</sup>Criminal Procedure (Scotland) Act 1975, “the Summary Jurisdiction (Scotland) Acts” means Part II of that Act.

**Annotations:**

**Marginal Citations**

- M37** 1967 c. 66.  
**M38** 1975 c. 21.

**PART II**

SUBORDINATE LEGISLATION

- 6 Sections 4(a), 9 and 19(1), and so much of Schedule 1 as defines the following expressions, namely—
- <sup>F63</sup> .....
- England;  
Local land charges register and appropriate local land charges register;  
Police area (and related expressions) in relation to Scotland;  
United Kingdom;  
Wales,
- apply to subordinate legislation made at any time before the commencement of this Act as they apply to Acts passed at that time.

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### Annotations:

### Amendments (Textual)

**F63** Words repealed by [British Nationality Act 1981 \(c. 61, SIF 87\)](#), s. 52(8), [Sch. 9](#)

- 7 The definition in Schedule 1 of “county court”, in relation to England and Wales, applies to Orders in Council made after the year 1846.

X2

Section 25.

## SCHEDULE 3

### ENACTMENTS REPEALED

### Annotations:

### Editorial Information

**X2** The text of s. 25(1), Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any repeals or amendments which may have been made prior to 1.2.1991

Chapter or Number	Short Title	Extent of Repeal
20 Geo. 2. c. 42.	The Wales and Berwick Act 1746.	The whole Act.
33 Geo. 3. c. 13.	The Acts of Parliament (Commencement) Act 1793.	The words from “ and to be the date ” to the end.
43 & 44 Vict. c. 9.	The Statutes (Definition of Time) Act 1880.	The whole Act.
47 & 48 Vict. c. 62.	The Revenue Act 1884.	In section 14, the second paragraph, that is the words from “ Any reference ” to “ Exchequer and Audit Departments Act 1866 ” in the second place where that Act is referred to in the section.
52 & 53 Vict. c. 63.	The Interpretation Act 1889.	The whole Act except paragraphs (4), (5) and (14) of section 13 in their application to Northern Ireland.
53 & 54 Vict. c. 21.	The Inland Revenue Regulation Act 1890.	In section 38(1), the words from “ and ” to “ of this Act ”.
59 & 60 Vict. c. 14.	The Short Titles Act 1896.	Section 3.
S.R. & O. 1923 No. 405.	The Irish Free State (Consequential Adaptation of Enactments) Order 1923.	In the Schedule, the entry relating to the Interpretation Act 1889.
15 & 16 Geo. 5. No. 1.	The Interpretation Measure 1925.	Section 1.
17 & 18 Geo. 5. c. 4.	The Royal and Parliamentary Titles Act 1927.	In section 2(2) the words “ Act passed and ”.
22 & 23 Geo. 5. c. 4.	The Statute of Westminster 1931.	Section 11.
11 & 12 Geo. 6. c. 7.	The Ceylon Independence Act 1947.	Section 4(2).
11 & 12 Geo. 6. c. 56.	The British Nationality Act 1948.	In section 1(2) the words “ other enactment or ” and the words “ passed or ”.
15 & 16 Geo. 6 & 1 Eliz. 2. c. 55.	The Magistrates' Courts Act 1952.	In Schedule 5, the amendment of the Interpretation Act 1889.
4 & 5 Eliz. 2. c. 76.	The Medical Act 1956.	Section 52(3).
5 & 6 Eliz. 2. c. 6.	The Ghana Independence Act 1957.	Section 4(1).
8 & 9 Eliz. 2. c. 55.	The Nigeria Independence Act 1960.	Section 3(1).
9 & 10 Eliz. 2. c. 16.	The Sierra Leone Independence Act 1961.	Section 3(1).
10 & 11 Eliz. 2. c. 1.	The Tanganyika Independence Act 1961.	Section 3(1).
10 & 11 Eliz. 2. c. 30.	The Northern Ireland Act 1962.	Section 27.

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Chapter or Number	Short Title	Extent of Repeal
10 & 11 Eliz. 2. c. 40.	The Jamaica Independence Act 1962.	Section 3(1).
10 & 11 Eliz. 2. c. 54.	The Trinidad and Tobago Independence Act 1962.	Section 3(1).
10 & 11 Eliz. 2. c. 57.	The Uganda Independence Act 1962.	Section 3(1).
1963 c. 33.	The London Government Act 1963.	In section 1, in subsection (1) the words "and any other" and in subsection (6) the words from "and section 15" to "that is to say".
1963 c. 54.	The Kenya Independence Act 1963.	Section 4(1).
1964 c. 46.	The Malawi Independence Act 1964.	Section 4(1).
1964 c. 48.	The Police Act 1964.	In section 62 the words from "and in any other enactment" to "this Act".
1964 c. 86.	The Malta Independence Act 1964.	Section 4(1).
1964 c. 93.	The Gambia Independence Act 1964.	Section 4(1).
1966 c. 14.	The Guyana Independence Act 1966.	Section 5(1).
1966 c. 37.	The Barbados Independence Act 1966.	Section 4(1).
1967 c. 4.	The West Indies Act 1967.	Section 3(5).
1967 c. 66.	The Welsh Language Act 1967.	Section 4.
1967 c. 77.	The Police (Scotland) Act 1967.	In section 50, the words from "and in any other enactment" to "this Act"; and in section 51, in subsection (4), the words from "and in any other enactment" to "this Act".
1968 c. 8.	The Mauritius Independence Act 1968.	Section 4(1).
1968 c. 13.	The National Loans Act 1968.	Section 1(6).
1970 c. 10.	The Income and Corporation Taxes Act 1970.	In section 526, in subsection (1) the words "and in any other Act"; and in subsection (2) the words "and in any Act passed after this Act."
1970 c. 50.	The Fiji Independence Act 1970.	Section 4(1).
1971 c. 58.	The Sheriff Courts (Scotland) Act 1971.	In section 4(3) the words from "(which)" to "the said section 28".
1972 c. 68.	The European Communities Act 1972.	In section 1(2) the words from "and except" to "Northern Ireland".
1972 c. 70.	The Local Government Act 1972.	In section 269 the words from "in every Act" to "that date)" in the second place where those words occur.
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Chapter or Number	Short Title	Extent of Repeal
1973 c. 14.	The Costs in Criminal Cases Act 1973.	In section 13(1) the words "and in any other enactment providing for the payment of costs out of central funds".
1973 c. 27.	The Bahamas Independence Act 1973.	Section 4(1).
1973 c. 32.	The National Health Reorganisation Act 1973.	In section 55(2), the words from the beginning to "that date; and".
1973 c. 37.	The Water Act 1973.	In section 2(3) the words "and any other enactment".
1975 c. 21.	The Criminal Procedure (Scotland) Act 1975.	Section 38(2).
1975 c. 72.	The Children Act 1975.	In Schedule 9, paragraph 6.
1975 c. 76.	The Local Land Charges Act 1975.	Section 89.
1976 c. 63.	The Bail Act 1976.	In section 4 the words "and any other statutory provision".
1977 c. 45.	The Criminal Law Act 1977.	In Schedule 2, the amendment of the Interpretation Act 1989.
1978 c. 12.	The Medical Act 1978.	In section 64(1) the words from "and, unless" to "this Act"; in Schedule 5, in paragraph 48 paragraph (b) and the word "and" immediately preceding that paragraph.
1978 c. 15.	The Solomon Islands Act 1978.	Section 7(1).
1978 c. 20.	The Tuvalu Act 1978.	Section 4(1).

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- s. 11 excluded by [S.S.I. 2011/389](#) reg 2(2)
- s. 16(1) applied by [2010 c. 25 Sch. 2 para. 38\(2\)\(3\)](#)
- s. 16(1) applied by [S.I. 2010/244](#) Sch. 1 s. 41(3)
- s. 16(1) modified by [2010 c. 38 s. 46\(4\)](#)
- s. 17 excluded by [S.S.I. 2010/148](#) reg. 25(3)
- s. 17 excluded by [S.S.I. 2010/67](#) reg. 25(2)
- s. 17(2) excluded by [2011 c. 25 Sch. 8 para. 5](#)
- Sch. 1 text amended by [2011 c. 4 Sch. 5 para. 12](#)
- Sch. 1 text amended by [S.I. 2004/1771](#) Sch. para. 7
- Sch. 1 text amended by [S.I. 2010/844](#) Sch. 2 para. 1
- Sch. 1 Pt. 6 words inserted by [2011 c. 13 s. 97\(2\)](#)
- Sch. 1 Pt. 6 words inserted by [2011 c. 13 s. 97\(3\)](#)
- Sch. 1 Pt. 6 words inserted by [2011 c. 13 s. 97\(5\)](#)
- Sch. 1 Pt. 6 words omitted by [2011 c. 13 s. 97\(4\)](#)
- Sch. 1 words substituted by [2011 c. 25 Sch. 7 para. 35](#)

**Commencement Orders yet to be applied to the Interpretation Act 1978:**

Commencement Orders bringing legislation that affects this Act into force:

- [S.I. 2010/862](#) art. 2 3 commences ([2008 c. 17](#))
- [S.I. 2010/2703](#) art. 2 commences ([2010 c. 25](#))
- [S.I. 2011/2576](#) art. 5 commences ([2011 c. 4](#))
- [S.I. 2011/3019](#) art. 3 Sch. 1 Comencement Order