# Interpretation Act (Northern Ireland) 1954

**1954 CHAPTER 33**

CONSTRUCTION OF ENACTMENTS

**31 Enactment always speaking.**

(1) Every enactment shall be construed as always speaking and if anything is expressed in the present tense it shall be applied to the circumstances as they occur, so that effect may be given to each enactment according to its true spirit, intent and meaning.

(2) The expression "now", "next", "heretofore" or "hereafter" shall be construed as referring to the time when the enactment containing the expression came into force.

**32 Limited nature of powers, privileges or advantages granted by enactments.**

(1) Every enactment passed or made after the commencement of this Act conferring any power upon, or granting any privilege or advantage to, any person shall be construed as conferring that power, or, as the case may be, granting that privilege or advantage, for so long only as that enactment remains unrepealed or unrevoked.

(2) Nothing in this section shall—

(a) affect the title to any property which vested pursuant to the provisions of an enactment in any person upon payment of compensation; or

(b) prejudice **[**[F1]any power**]** to amend, repeal or revoke any enactment or to modify, restrict or revoke any power, privilege or advantage conferred or granted by an enactment.

**F1** SI 1999/663

***Status:*** *Point in time view as at 05/10/2015.*
***Changes to legislation:*** *There are currently no known outstanding effects for the Interpretation Act (Northern Ireland) 1954. (See end of Document for details)*

**33 Expressions in instrument have same meaning as in enactment.**

Where an enactment confers power to make any statutory instrument or issue any statutory document, expressions used in the instrument or document shall, unless a contrary intention appears, have the same respective meanings as in the enactment.

**34 Application of interpretation provisions in enactments.**

(1) Definitions or rules of interpretation contained in an enactment shall apply to the construction of the provisions of the enactment which contain those definitions or rules of interpretation, as well as to the other provisions of the enactment.

(2) An interpretation section or provision contained in an enactment shall be read and construed as being applicable only if a contrary intention does not appear in the enactment.

**35 Corresponding meanings of parts of speech.**

Where a word is defined in an enactment other parts of speech and grammatical variations of that word shall have corresponding meanings in that enactment.

**36 Names commonly used.**

In an enactment, a name commonly applied to a country, place, Government department, body, corporation, society, Minister, officer, functionary, person, party, statutory provision, or other thing whatsoever, shall mean the country, place, Government department, body, corporation, society, Minister, officer, functionary, person, party, statutory provision or thing to which the name is commonly applied, or is commonly applied in Northern Ireland, whether or not the name is the formal or unabbreviated designation thereof.

**37 Rules as to gender and number.**

(1) Words in an enactment importing (whether in relation to an offence or otherwise) persons or male persons shall include male and female persons, corporations (whether aggregate or sole) and unincorporated bodies of persons.

(2) In an enactment—
  (a) words in the singular shall include the plural; and
  (b) words in the plural shall include the singular.

(3) Without prejudice to the foregoing provisions, a reference in an enactment to a party aggrieved shall include a reference to a body corporate in every case where that body is a party aggrieved.

**38 Construction of “shall” and “may”.**

In an enactment passed or made after the commencement of this Act, the expression “shall” shall be construed as imperative and the expression “may” as permissive and empowering.

## 39 Time.

(1) Words in an enactment relating to time and references therein to a point of time shall be construed as relating or referring to Greenwich mean time, subject, however, to any statutory provision which may for the time being provide that, during any specified period or periods, time in Northern Ireland is to differ from Greenwich mean time.

[F2](2) Where in an enactment a period of time is expressed to begin on, or to be reckoned from, a particular day, that day shall not be included in the period.

(3) Where in an enactment a period of time is expressed to end on, or to be reckoned to, a particular day, that day shall be included in the period.

(4) Where the time limited by an enactment for the doing of anything expires or falls upon a Sunday or a public holiday, the time so limited shall extend to and the thing may be done on the first following day that is not a Sunday or a public holiday.

(5) Sub-sections (2), (3) and (4) shall apply whether or not the number of days concerned is expressed to be clear days.

(6) In an enactment—

(a) a reference to midnight, in relation to any particular day, shall be construed as a reference to the point of time at which that day ends;

(b) a reference to a week-day shall be construed as a reference to a day which is not a Sunday;

(c) a reference to a month shall be construed as a reference to a calendar month;

(d) a reference, without qualification, to a year shall be construed as a reference to a period of twelve months; and

(e) a reference to a financial year or to a local financial year shall be construed as a reference to a period of twelve months ending at midnight on the thirty-first day of March.

(7) In any enactment relating to any duty or tax[F3]. . . the expression "night" shall be deemed to begin at eleven of the clock in the evening of each day, and to end at five of the clock in the morning of the next succeeding day.

(8) In an enactment the expression "public holiday" shall include Christmas Day, Good Friday, any bank holiday appointed by or under any statutory provision and any day appointed for public thanksgiving or mourning.

**F2** mod. by 2005 NI 1
**F3** SI 1999/663

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

**C1** S. 39(2) excluded (6.4.2006) by Occupational Pension Schemes (Payments to Employer) Regulations (Northern Ireland) 2006 (S.R. 2006/161), **reg. 2(4)**
S. 39(2) excluded (20.11.2006) by Housing Benefit Regulations (Northern Ireland) 2006 (S.R. 2006/405), **reg. 2(6)**
S. 39(2) excluded (20.11.2006) by Housing Benefit (Persons who have attained the qualifying age for state pension credit) Regulations (Northern Ireland) 2006 (S.R. 2006/406), **reg. 2(7)**

**C2** S. 39(2) excluded (1.4.2008) by Social Security Benefits Up-rating Order (Northern Ireland) 2008 (S.R. 2008/92), arts. 1(1)(a), **2(3)** (with art. 6)

**C3** S. 39(2) excluded by S.R. 2005/168, reg. 2(6) (as inserted (6.4.2008) by Occupational Pension Schemes (Employer Debt and Miscellaneous Amendments) Regulations (Northern Ireland) 2008 (S.R. 2008/132), **reg. 4(5)**)

**C4** S. 39(2) excluded by Foyle Fisheries Act (Northern Ireland) 1952 (c. 5), s. 82(6) (as inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **31** (with art. 32)); S.R. 2008/232, **art. 2**, Sch.

**C5** S. 39(2) modified (29.6. 2007) by Welfare Reform Act (Northern Ireland) 2007 (c. 2), **ss. 57(2)(b)**, 60

**C6** S. 39(2) modified (11.2.2008) by Pensions Act (Northern Ireland) 2008 (c. 1), **s. 20(2)**, Sch. 4 Pt. 3

**C7** S. 39(2) modified (15.12.2008) by Pensions (No. 2) Act (Northern Ireland) 2008 (c. 13), **ss. 117(2)**, 118(2)(g)

**C8** S. 39(2) excluded (1.4.2009) by Social Security Benefits Up-rating Order (Northern Ireland) 2009 (S.R. 2009/89), arts. 1(1)(a), **2(3)**

**C9** S. 39(2) excluded (1.4.2010) by Social Security Benefits Up-rating Order (Northern Ireland) 2010 (S.R. 2010/118), arts. 1(1)(a), **2(3)**

**C10** S. 39(2) excluded (1.4.2011) by Social Security Benefits Up-rating Order (Northern Ireland) 2011 (S.R. 2011/119), arts. 1(1)(a), **2(3)**

**C11** S. 39(2) excluded (1.4.2012) by The Social Security Benefits Up-rating Order (Northern Ireland) 2012 (S.R. 2012/116), arts. 1(1)(a), **2(3)**

**C12** S. 39(2) excluded (1.4.2013) by The Social Security Benefits Up-rating Order (Northern Ireland) 2013 (S.R. 2013/69), arts. 1(1)(a), **2(3)**

**C13** S. 39(2) excluded (1.4.2014) by The Social Security Benefits Up-rating Order (Northern Ireland) 2014 (S.R. 2014/78), arts. 1(1)(a), **2(3)**

**C14** S. 39(2) excluded (1.4.2015) by The Social Security Benefits Up-rating Order (Northern Ireland) 2015 (S.R. 2015/124), arts. 1(1)(a), **2(3)**

**C15** S. 39(2) excluded (5.10.2015) by The Public Passenger Transport (Service Agreements and Service Permits) Regulations (Northern Ireland) 2015 (S.R. 2015/285), reg. 1, **Sch. 2 para. 5**

**C16** S. 39(2) excluded (5.10.2015) by The Public Passenger Transport (Service Agreements and Service Permits) Regulations (Northern Ireland) 2015 (S.R. 2015/285), reg. 1, **Sch. 3 para. 26(2)**

**C17** S. 39(3) excluded by Foyle Fisheries Act (Northern Ireland) 1952 (c. 5), s. 82(6) (as inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **31** (with art. 32)); S.R. 2008/232, **art. 2**, Sch.

**C18** S. 39(4) excluded by Foyle Fisheries Act (Northern Ireland) 1952 (c. 5), s. 82(6) (as inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **31** (with art. 32)); S.R. 2008/232, **art. 2**, Sch.

**C19** S. 39(8) excluded by Foyle Fisheries Act (Northern Ireland) 1952 (c. 5), s. 82(6) (as inserted (1.6.2008) by Foyle and Carlingford Fisheries (Northern Ireland) Order 2007 (S.I. 2007/915 (N.I. 9)), arts. 1(3), **31** (with art. 32)); S.R. 2008/232, **art. 2**, Sch.

## 40 Distance.

In the measurement of any distance for the purposes of any enactment, that distance shall be measured in a straight line on a horizontal plane and may be determined by reference to the most recent edition of the ordnance map available at the time of determination unless that edition is proved incorrect as to the particular distance which is to be determined.

**Status:**
Point in time view as at 05/10/2015.

**Changes to legislation:**
There are currently no known outstanding effects for the Interpretation Act (Northern Ireland) 1954.