Interpretation Act 1978

1978 CHAPTER 30

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 **[**[F1](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.

Textual Amendments

F1 Words in s. 22(1) inserted (8.1.2007) by Legislative and Regulatory Reform Act 2006 (c. 51), **ss. 25(2)**, 33

Status: *Point in time view as at 03/05/2007.*
Changes to legislation: *There are currently no known outstanding effects for the Interpretation Act 1978, Cross Heading: Supplementary. (See end of Document for details)*

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 [M1]Statutory Instruments Act 1946, section 1(3) of the [M2]Northern Ireland (Temporary Provisions) Act 1972 or Schedule 1 to the [M3]Northern Ireland Act 1974.

Modifications etc. (not altering text)

C1 S. 23(1)(2) excluded by Northern Ireland Act 1982 (c. 38, SIF 29:3), s. 6, **Sch. 2 para. 7(2)**

C2 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

M1 1946 c. 36.

M2 1972 c. 22.

M3 1974 c. 28.

[[F2]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,
- (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.**]**

Textual Amendments

F2 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**

[F3 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.**]**

Textual Amendments

F3 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

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 **[**[F4][M4]Statutory Rules (Northern Ireland) Order 1979**]**.

[[F5](3A) Section 20A applies to Northern Ireland legislation as it applies to Acts.**]**

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

[F6] . . . . . .

The Communities and related expressions;

The Corporation Tax Acts;

[[F7]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 [M5]Northern Ireland (Temporary Provisions) Act 1972;

[[F8](d) Measures of the Northern Ireland Assembly established under section 1 of the [M6]Northern Ireland Assembly Act 1973;

(e) Orders in Council under Schedule 1 to the [M7]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.**]**

Textual Amendments

F4 Words substituted by S.I. 1979/1573 (N.I. 12), **Sch. 4 para. 25**

F5 S. 24(3A) inserted (8.1.2007) by Legislative and Regulatory Reform Act 2006 (c. 51), **ss. 25(3)**, 33

F6 Words repealed by British Nationality Act 1981 (c. 61, SIF 87), s. 52(8), **Sch. 9**

F7 Words in s. 24(4) inserted (8.1.2007) by Legislative and Regulatory Reform Act 2006 (c. 51), **ss. 26(2)**, 33

F8 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)

C3 S. 24 extended by Northern Ireland Act 1982 (c. 38, SIF 29:3), s. 6, **Sch. 2 para. 7(2)**

Marginal Citations

M4 S.I. 1979/1573 (N.I. 12).

M5 1972 c. 22.

M6 1973 c.17.

M7 1974 c.28.

25 Repeals and savings.

[X1](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 [M8]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.

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

M8 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.

Status:
Point in time view as at 03/05/2007.

Changes to legislation:
There are currently no known outstanding effects for the Interpretation Act 1978, Cross Heading: Supplementary.