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# Interpretation Act (Northern Ireland) 1954

**1954 CHAPTER 33**

An Act to make provision with respect to the operation, interpretation and citation of Acts of the Parliament of Northern Ireland and of instruments made thereunder. [21st December 1954]

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

**C1** The Act has frequently been applied by other legislation: for details see the Chronological Table of the Statutes (NI)

**C2** Act modified (16.3.2011) by Transport Act (Northern Ireland) 2011 (c. 11), **ss. 46(3)**, 48(1)(a)

## APPLICATION OF THIS ACT

### 1 Meaning of certain expressions as used in this Act.

For the purposes of this Act—

(a) "Act" means an Act of the Parliament of Northern Ireland **[**F1or an Act of the Assembly**]**;

(b) "enactment" means an Act or a statutory instrument or any provision of an Act or statutory instrument;

(c) "instrument" includes an Order in Council, order or warrant (other than an order made or a warrant issued by a court), scheme, rule, regulation, or bye-law;

(d) "statutory instrument" means an instrument made under an Act;

(e) "statutory document" means any document issued under an Act other than a statutory instrument or an order of a court;

(f) "statutory provision" means any provision of

**[**F2(i)**]** a statute or instrument made under a statute (by whatsoever Parliament **[**F1or Assembly**]** passed or by whomsoever made) for the time being in force in Northern Ireland, F1... **[**F3; or**]**

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**[**F4(ii) any legislation which forms part of domestic law by virtue of section 1 of the Direct Payments to Farmers (Legislative Continuity) Act 2020 for the time being in force in Northern Ireland**]**; **[**F5or**]**

**[**F6(iii) any retained direct EU legislation not falling within sub-paragraph (ii) for the time being in force in Northern Ireland;**]**

(g) "transferred provision" means—

(i) an enactment;

(ii) a statute passed either before the date of the commencement of the Union with Ireland Act, 1800M1, by the Parliament of England, the Parliament of Great Britain or the Parliament of Ireland, or after that date by the Parliament of the United Kingdom, being a statute extending to Northern Ireland and relating to a matter in respect of which the Parliament of Northern Ireland **[**F1had power**]** to make laws;

(iii) an instrument made under or by virtue of any such statute; and

(iv) any provision of any such statute or instrument.

**F1** SI 1999/663

**F2** Words in s. 1(f) renumbered as s. 1(f)(i) (30.4.2020) by The Direct Payments to Farmers (Legislative Continuity) Act 2020 (Consequential Amendments) Regulations 2020 (S.I. 2020/463), regs. 1(1), **6(2)(a)**

**F3** Word in s. 1(f)(i) inserted (30.4.2020) by The Direct Payments to Farmers (Legislative Continuity) Act 2020 (Consequential Amendments) Regulations 2020 (S.I. 2020/463), regs. 1(1), **6(2)(b)**

**F4** S. 1(f)(ii) inserted (30.4.2020) by The Direct Payments to Farmers (Legislative Continuity) Act 2020 (Consequential Amendments) Regulations 2020 (S.I. 2020/463), regs. 1(1), **6(2)(c)**

**F5** Word in s. 1(f)(ii) inserted (31.12.2020) by The European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (S.I. 2019/628), regs. 1(3), **5(1)(b)** (with reg. 5(2)(3)) (as amended by S.I. 2020/463, regs. 1(1), **10(6)(b)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**F6** S. 1(f)(iii) inserted (31.12.2020) by The European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations 2019 (S.I. 2019/628), regs. 1(3), **5(1)(c)** (with reg. 5(2)(3)) (as amended by S.I. 2020/463, regs. 1(1), **10(6)(c)**); 2020 c. 1, **Sch. 5 para. 1(1)**

**Marginal Citations**

**M1** 1800 c. 67

## 2 Application of this Act.

(1) Every provision of this Act shall extend and apply to every enactment, whether passed or made before or after the passing of this Act, unless a contrary intention appears in this Act or in the enactment.

(2) In addition, any provision of this Act which refers to **[**F7statutory**]** provisions shall, unless the contrary intention appears in the **[**F7statutory**]** provisions, have, in relation to those provisions, such effect as is stated in that provision of this Act.

(3) The provisions of this Act shall apply to this Act as they apply to an enactment passed after the commencement of this Act and references in this Act to an enactment passed after the commencement of this Act shall be construed as including references to this Act.

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**F7** SI 1999/663

### 3 Rules not inconsistent not excluded.

Nothing in this Act shall be construed as excluding the application to a statutory provision of a rule of construction applicable thereto and not inconsistent with this Act.

## OPERATION OF ENACTMENTS

### 4 Acts to be deemed public.

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

### 5 Provisions in private Acts.

A provision in a private Act shall not affect the rights of a person otherwise than as therein mentioned or referred to.

### 6 Enactments to apply to whole of Northern Ireland.

Every enactment shall, unless the contrary intention appears, apply to the whole of[F8] . . . Northern Ireland.

**F8** SI 1999/663

### 7 Crown not bound, unless named.

No enactment passed or made after the commencement of this Act shall bind or affect in any manner whatsoever Her Majesty or Her Majesty's rights or prerogatives, unless it is stated therein that Her Majesty is bound thereby to the full extent authorised or permitted by the constitutional laws of Northern Ireland or to such less extent as is specified in the enactment.

### 8 References to the Crown, etc.

(1) A reference in an enactment to the Sovereign or to the Crown includes a reference to the Sovereign for the time being.

(2) This Act shall be binding on the Crown to the full extent authorised or permitted by the constitutional laws of Northern Ireland.

### 9 Provisions to be substantive enactments.

Every provision of an enactment shall have effect as a substantive enactment without introductory words.

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## 10 Preamble and marginal notes.

(1) The preamble to an enactment shall be construed as a part thereof intended to assist in explaining the purport and object of the enactment.

(2) Marginal notes in an enactment and marginal references therein to other enactments shall not be construed as part of the enactment and shall be deemed to be inserted for convenience of reference only.

## 11 References in enactments.

(1) A reference in an enactment to any statutory provision shall be construed as a reference to that provision as for the time being amended by or under any other statutory provision, including the enactment in which the reference is made.

**[**F9**[**F10(1A) Except to the extent provided by subsection (1AA), subsection (1) does not apply to a reference in an enactment to retained direct EU legislation (but, for provision about references to EU legislation, see—

(a) paragraphs 1 to 2A of Schedule 8 to the European Union (Withdrawal) Act 2018,

(b) subsections (1B) to (1F), and

(c) section 11A).

(1AA) A reference in an enactment to a statutory provision which is subordinate legislation made under retained direct EU legislation is a reference to which subsection (1) applies; and "subordinate legislation" here means subordinate legislation within the meaning of the Interpretation Act 1978 (see section 21(1) of that Act).

(1B) Subsection (1C) applies to a reference in an enactment so far as the reference is to be read in accordance with paragraph 2A(3) of Schedule 8 to the European Union (Withdrawal) Act 2018 (certain references to certain EU laws to be read as referring to those laws as they form part of domestic law).**]**

(1C) **[**F11The reference is not only to be read in accordance with paragraph 2A(3) of Schedule 8 to that Act but shall also be construed as referring to the subject law (within the meaning given by paragraph 2A(3)(b) of that Schedule)**]** as for the time being amended by statutory provision coming into operation on or after **[**F12IP completion day**]**.

(1D) Subsection (1E) applies where—

(a) an enactment passed or made on or after **[**F13IP completion day**]** refers to any EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement, and

(b) that EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement forms part of domestic law **[**F14(to any extent)**]** by virtue of section 3 of the European Union (Withdrawal) Act 2018.

(1E) **[**F15Subject to section 11A,**]** the reference shall be construed as a reference to the EU regulation, EU decision, EU tertiary legislation or provision of the EEA agreement as it forms part of domestic law by virtue of section 3 of the European Union (Withdrawal) Act 2018 and as for the time being amended by statutory provision coming into operation on or after **[**F16IP completion day**]**.

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(1F) In subsections (1B) to (1E), "EU regulation", "EU decision", "EU tertiary legislation" and "domestic law" have the same meaning as in the European Union (Withdrawal) Act 2018 (see section 20(1) of that Act).**]**

(2) A reference in an enactment to any statute passed either before the date of the commencement of the Union with Ireland Act, 1800 , by the Irish Parliament or the Parliament of England or the Parliament of Great Britain or on or after that date by the Parliament of the United Kingdom, or to any instrument made under or by virtue of any such statute, shall, except as provided in sub-section (3), be construed as a reference to that statute or instrument as it applies for the time being in Northern Ireland.

(3) Sub-section (2) shall not apply where the reference—

(a) is to a statute or instrument which does not apply in Northern Ireland; or

(b) relates to any act or thing done in any other part of the United Kingdom under and for the purposes of a statute or instrument as it applies in that part of the United Kingdom.

(4) A reference in an enactment by number or letter to a Part, section, sub-section, paragraph, sub-paragraph or other division of another enactment or statutory provision shall be construed as a reference to such Part, section, sub-section, paragraph, sub-paragraph or other division of such other enactment or provision as printed by authority of law.

(5) A reference in an enactment by number or letter to two or more Parts, divisions, sections, sub-sections, paragraphs, sub-paragraphs, schedules, instruments or forms shall be read as including the number or letter first mentioned and the number or letter last mentioned.

(6) Where in an enactment reference is made to a Part, division, section, schedule or form without anything in the context to indicate that a reference to a Part, division, section, schedule or form of some other enactment or statutory provision is intended, the reference shall be construed as a reference to a Part, division, section, schedule or form of the enactment in which the reference is made.

(7) Where in a section of an enactment reference is made to a sub-section, paragraph, sub-paragraph or other division without anything in the context to indicate that a reference to a sub-section, paragraph, sub-paragraph or other division of some other section or provision is intended, the reference shall be construed as a reference to a sub-section, paragraph, sub-paragraph or other division of the section in which the reference is made.

(8) Where in a schedule or Part of a schedule to an enactment reference is made to a paragraph, sub-paragraph or other division without anything in the context to indicate that a reference to a paragraph, sub-paragraph or other division of some other provision is intended, the reference shall be construed as a reference to the paragraph, sub-paragraph or other division of the schedule or the Part of the schedule in which the reference is made.

(9) Where in an enactment reference is made to a statutory instrument or statutory document, without anything in the context to indicate that a reference to a statutory instrument or statutory document made under some other enactment or statutory provision is intended, the reference shall be construed as a reference to a statutory instrument or statutory document, as the case may be, made under the enactment in which the reference is made.