

Serial 17
Interpretation
Amendment
Mr Stone



NORTHERN TERRITORY OF AUSTRALIA

A BILL for AN ACT

to amend the *Interpretation Act*

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

1. SHORT TITLE

This Act may be cited as the *Interpretation Amendment Act 1997*.

2. NEW SECTIONS

The *Interpretation Act* is amended by inserting after section 62 the following:

"62A. REGARD TO BE HAD TO PURPOSE OR OBJECT OF ACT

"In interpreting a provision of an Act, a construction that promotes the purpose or object underlying the Act (whether the purpose or object is expressly stated in the Act or not) is to be preferred to a construction that does not promote the purpose or object.

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"62B. USE OF EXTRINSIC MATERIAL IN INTERPRETING ACT

"(1) In interpreting a provision of an Act, if material not forming part of the Act is capable of assisting in ascertaining the meaning of the provision, the material may be considered -

- (a) to confirm that the meaning of the provision is the ordinary meaning conveyed by the text of the provision taking into account its context in the Act and the purpose or object underlying the Act; or
- (b) to determine the meaning of the provision when -
 - (i) the provision is ambiguous or obscure; or
 - (ii) the ordinary meaning conveyed by the text of the provision taking into account its context in the Act and the purpose or object underlying the Act leads to a result that is manifestly absurd or is unreasonable.

"(2) Without limiting subsection (1), the material that may be considered in interpreting a provision of an Act includes -

- (a) all matters not forming part of the Act that are set out in the document containing the text of the Act as printed by the Government Printer;
- (b) any relevant report of a Royal Commission, Law Reform Commission, committee of inquiry or other similar body that was laid before the Legislative Assembly before the time when the provision was enacted;
- (c) any relevant report of a committee of the Legislative Assembly that was made to the Legislative Assembly before the time when the provision was enacted;
- (d) any treaty or other international agreement that is referred to in the Act;
- (e) any explanatory memorandum relating to the Bill containing the provision, or any other relevant document, that was laid before, or furnished to the members of the Legislative Assembly by a Minister before the time when the provision was enacted;

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- (f) the speech made to the Legislative Assembly by a Minister on the occasion of the moving by that Minister of a motion that the Bill containing the provision be read a second time in the Legislative Assembly; and
 - (g) any document (whether or not a document to which a preceding paragraph applies) that is declared by the Act to be a relevant document for the purposes of this section."
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