



Jersey

# **INTERPRETATION (JERSEY) LAW 1954**

## **Official Consolidated Version**

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## INTERPRETATION (JERSEY) LAW 1954

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Jersey

## INTERPRETATION (JERSEY) LAW 1954

A LAW for promoting brevity and uniformity in enactments

Commencement [[see endnotes](#)]

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### 1 Definitions with regard to enactments

- (1) In this Law and in every other enactment (as hereby defined) whether passed before or after the commencement of this Law, the expression “enactment”, unless a contrary intention appears, shall mean any provision of any Law passed by the States and confirmed by Her Majesty in Council and any provision of any regulations, Order, rules, bye-laws, scheme or other instrument passed or made in Jersey under the authority of any Order in Council or under any such Law as aforesaid.
- (2) <sup>1</sup>
- (3) In this Law and in every other enactment, whether passed before or after the commencement of this Law, references to the passing or repeal of an enactment shall be construed, where appropriate, as references to the making or rescission of that enactment.
- (4) In this Law and in every other enactment, whether passed before or after the commencement of this Law, the expression “commencement”, when used with reference to an enactment, shall mean the time at which the enactment comes into operation.
- (5) <sup>2</sup>
- (6) <sup>3</sup>
- (7) Where the time at which an enactment, whenever passed or made, is to come into operation is expressed or calculated by reference to its promulgation, and the date of promulgation is unknown, that date shall be deemed to be the day the enactment was passed or made.<sup>4</sup>

### 2 Rules as to gender, number and grammatical variations of words defined

In this Law and in every other enactment, whether passed before or after the commencement of this Law, unless the contrary intention appears –

- (a) words importing the masculine gender shall include females;
- (b) words in the singular shall include the plural and words in the plural shall include the singular; and
- (c) grammatical variations of words to which definitions are assigned shall be construed in accordance with the definitions.

### **3 Application of penal enactments to bodies corporate**

In the construction of every enactment relating to a punishable offence, whether passed before or after the commencement of this Law, the expression “person” shall, unless the contrary intention appears, include a body corporate:

Provided that nothing in this Article shall render any body corporate liable, in respect of any act or omission occurring before the date of the commencement of this Law, to any criminal proceedings to which that body corporate would not have been liable before that date.

### **4 Definitions<sup>5</sup>**

- (1) The definitions in Part 1 of the Schedule shall, unless the contrary intention appears, apply to every enactment, whenever passed or made.
- (2) Part 2 of the Schedule shall have effect only as an index of definitions in other enactments which are of extended application.

### **5 Commonly used names<sup>6</sup>**

In an enactment, unless the context otherwise requires, the name commonly applied to a country, place, body, administration, corporation, society, officer, functionary, person, party or thing shall mean the country, place, body, administration, corporation, society, officer, functionary, person, party or thing to which the name is commonly applied, whether or not the name is the formal or unabbreviated designation thereof.

### **6 <sup>7</sup>**

### **7 Meaning of service by post**

Where an enactment, whether passed before or after the commencement of this Law, authorizes or requires any document to be served by post, whether the expression “serve”, “give” or “send”, or any other expression is used, then, unless the contrary intention appears, the service shall be deemed to be effected by properly addressing, prepaying 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.

### **8 Meaning of bankruptcy**

In every enactment, whether passed before or after the commencement of this Law, references to a person becoming bankrupt shall, unless the contrary intention appears, be construed as references to either –

- (a) the grant by the Royal Court of an application made by that person to place the person's property under the control of the Court (*de remettre ses biens entre les mains de la Justice*);
  - (b) the declaring of the property of that person to be *en désastre*;
  - (ba) the grant by the Viscount of a debt remission order in respect of that person's qualifying debts under the [Debt Remission \(Individuals\) \(Jersey\) Law 2016](#);
  - (c) the grant by the Royal Court of an application made by that person to make a general cession of the person's property (*de faire cession générale de tous ses biens-meubles et héritages*);
  - (d) a decision of the Royal Court adjudging the property of that person to be renounced (*adjudée renoncée*); or
  - (e) in the case of a company, the winding up of the company by means of a creditors' winding up pursuant to the [Companies \(Jersey\) Law 1991](#),
- and references to bankruptcy shall be construed accordingly.<sup>8</sup>

## 9 Construction of references to enactments<sup>9</sup>

- (1) A reference in a Law to a Part, Article or Schedule by number only and without further identification is a reference to the Part, Article or Schedule of that number in that Law.
- (2) A reference in an Article or other division of a Law to a paragraph, sub-paragraph, clause or sub-clause by number or letter only and without further identification is a reference to the paragraph, sub-paragraph, clause or sub-clause of that number or letter in the Article or other division of that Law.
- (3) Unless the context otherwise requires, a reference in a Law to an enactment is a reference to that enactment as amended, revised or otherwise consolidated (within the meaning of the [Legislation \(Jersey\) Law 2021](#)) from time to time and includes a reference to that enactment as extended or applied under another enactment, including another provision of that Law.<sup>10</sup>
- (4) This Article shall apply, with the necessary changes, to a subordinate enactment as it applies to a Law.
- (5) This Article shall apply to all enactments, including this Law, whenever passed or made.
- (6) In this Article, "subordinate enactment" means an enactment passed or made under a Law or under the authority of an Order in Council.

## 10 Construction of subordinate enactments

Where any enactment, whether passed before or after the commencement of this Law, confers power to pass any other enactment, expressions used in that other enactment if it is passed after the commencement of this Law, shall, unless the contrary intention appears, have the same respective meanings as in the enactment conferring the power.

**11 Construction of provisions as to exercise of powers and duties**

- (1) Where an enactment, whether passed before or after the commencement of this Law, confers a power or imposes a duty, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed from time to time as occasion requires.
- (2) Where an enactment, whether passed before or after the commencement of this Law, confers a power or imposes a duty on the holder of an office as such, then, unless the contrary intention appears, the power may be exercised and the duty shall be performed by the holder for the time being of the office, or, in case of his or her absence or incapacity, by the person for the time being performing the duty of that office.
- (3) <sup>11</sup>
- (4) <sup>12</sup>

**11A Power to appoint to an office includes related powers<sup>13</sup>**

- (1) If an enactment confers power to appoint a person to an office, unless the contrary is expressed the power includes power –
  - (a) to determine the terms and conditions of appointment;
  - (b) to remove or suspend a person from the office;
  - (c) to reappoint or reinstate a person to the office; and
  - (d) in the circumstances set out in paragraph (2), to appoint a person to the office in place of the last holder of the office.
- (2) The circumstances for the purposes of paragraph (1)(d) are where –
  - (a) the office is vacant;
  - (b) the person holding the office has been removed or suspended from office;
  - (c) the person holding the office is absent temporarily or permanently; or
  - (d) the person holding the office is incapacitated temporarily or permanently in a way that affects the person's performance.

**12 Offences under 2 or more enactments, etc.**

Where an act or omission constitutes an offence under 2 or more enactments, or both under an enactment and under the customary law of Jersey, whether any such enactment was passed before or after the commencement of this Law, the offender shall, unless the contrary intention appears, be liable to be prosecuted and punished under either or any of those enactments or under the customary law, but shall not be liable to be punished twice for the same offence.

**13 Construction of penalties for offences<sup>14</sup>**

- (1) Where, in an enactment, a penalty is specified in respect of an offence, unless the contrary intention appears, the offence shall be punishable by a penalty not exceeding the penalty specified.

- (2) Where a penalty for an offence is a fine and the amount of the fine or a level on the standard scale is not specified, the fine shall be construed as a fine of an unlimited amount.
- (3) Where, in an enactment, more than one penalty is specified for an offence, the use of the word “and” shall, unless the contrary intention appears, mean that the penalties may be imposed alternatively or cumulatively.
- (4) This Article shall apply to all enactments, whenever passed or made.

#### **14 Deviation in forms<sup>15</sup>**

Where a form is prescribed or specified by an enactment, deviations from that form not materially affecting the substance nor likely to mislead shall not invalidate the form used.

#### **15 Measurement of distance**

In the measurement of any distance for the purposes of any enactment, whether passed before or after the commencement of this Law, that distance shall, unless the contrary intention appears, be measured in a straight line on a horizontal plane.

#### **16 <sup>16</sup>**

#### **17 <sup>17</sup>**

#### **18 Citation**

This Law may be cited as the Interpretation (Jersey) Law 1954.

**SCHEDULE<sup>18</sup>**

(Article 4)

**PART 1<sup>19</sup>**

(Article 4(1))

**DEFINED EXPRESSIONS**

The definitions referred to in Article 4(1) are –

“act” includes omission;

“affidavit” shall, in the case of a person for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration;

“amend” shall include “add to”, “substitute”, “vary”, “repeal” and “revoke”;

“advocate” shall mean a person admitted to the Bar as an advocate of the Royal Court;

“Bailiwick” shall mean the Island of Jersey and its dependencies;

“British Islands” shall mean the United Kingdom, the Channel Islands and the Isle of Man;

“civil partnership” means a civil partnership within the meaning of Article 2 of the [Civil Partnership \(Jersey\) Law 2012](#) (and any reference to a civil partner is to be read accordingly);

“consular officer” shall include consul-general, consul, vice-consul, consular agent, and any person for the time being authorized to discharge the duties of consul-general, consul or vice-consul;

“contravene”, in relation to any requirement or condition prescribed in an enactment or in a grant, permit, lease, licence or other authority under an enactment, includes a failure to comply with that requirement or condition;

“dentist” shall mean a person registered as a dentist under the [Dentistry \(Jersey\) Law 2015](#);

“doctor” shall mean a person registered as a medical practitioner under the [Medical Practitioners \(Registration\) \(Jersey\) Law 1960](#);

“Island” shall mean the Island of Jersey and its dependencies;

“Jersey” shall mean the Island of Jersey and its dependencies;

“land” shall include houses and other buildings;

“Magistrate” shall mean the Juge d’Instruction appointed in pursuance of the [Loi \(1864\) concernant la charge de Juge d’Instruction](#) and includes any person exercising the functions of the Juge d’Instruction;



“marriage” includes a marriage between persons of the same sex, and references to “spouse” in any enactment shall be construed accordingly;

“midnight”, in relation to a day, shall mean the last moment of that day;

“misdemeanour” shall mean a *délit*;

“month” shall mean a calendar month;

“oath” shall, in the case of a person for the time being allowed by law to affirm or declare instead of swearing, include affirmation and declaration;

“person” shall include any body of persons corporate or unincorporated;

“Petty Debts Court” shall mean the Court known as the *Cour pour le Recouvrement de Menues Dettes* constituted in pursuance of the [Loi \(1891\) sur la Cour pour le recouvrement de menues dettes](#), confirmed by Order of Her Majesty in Council of 9th May 1891;

“pharmacist” shall mean a person registered as a pharmacist under the [Pharmacists and Pharmacy Technicians \(Registration\) \(Jersey\) Law 2010](#) or deemed, by an Order made under Article 29(c) of that Law, to be registered as a pharmacist under that Law;

“police officer” shall mean a member of the Honorary Police or a member of the States of Jersey Police Force;

“pound”, in relation to money, shall mean pound sterling;

“registered contract” shall mean a contract registered in the Public Registry of Contracts;

“solicitor” shall mean an *écrivain* of the Royal Court;

“swear” shall, in the case of a person for the time being allowed by law to affirm or declare instead of swearing, include affirm and declare;

“under”, in relation to an enactment, shall include “by”, “in accordance with”, “pursuant to” and “by virtue of”;

“veterinary surgeon” means a person whose name is for the time being entered, in accordance with Article 6 of the [Veterinary Surgeons \(Jersey\) Law 1999](#), on the list of recognized veterinary surgeons maintained under that Article;

“will” shall include codicil;

“word” shall include a letter, numeral or other symbol;

“writing” and expressions referring to writing shall be construed as including references to printing, lithography, photography and other modes of representing or reproducing words in a visible form;

“Youth Court” shall mean the court continued under Article 24 of the [Criminal Justice \(Young Offenders\) \(Jersey\) Law 2014](#).

**PART 2**

(Article 4(2))

**INDEX OF DEFINITIONS IN OTHER ENACTMENTS**

<b>Expression defined</b>	<b>Enactment</b>
A reference, however worded, to the territorial sea adjacent to Jersey.	Article 2 of the <a href="#">Territorial Sea (Consequential Provisions) (Jersey) Law 1994</a> .
“Full age”, “the age of majority”, “the age of legal capacity”, “infant”, “minor” and similar expressions (including such expressions rendered in the French language).	Article 2 of the <a href="#">Age of Majority (Jersey) Law 1999</a> .
“Magistrate’s Court” and “Police Court”.	Article 3 of the Police Court (Change of Name) (Jersey) Law 1996.
A reference to a level on the standard scale or to a niveau du tarif uniforme.	Article 2 of the <a href="#">Criminal Justice (Standard Scale of Fines) (Jersey) Law 1993</a> .
“Chief Minister”, “Council of Ministers”, “a Minister”, “any Minister” and “the Minister”	Article 32 of the <a href="#">States of Jersey Law 2005</a>

## ENDNOTES

### Table of Legislation History

Legislation	Year and No	Commencement	◦Projet No (where applicable)
Interpretation (Jersey) Law 1954	<a href="#">L.17/1954</a>	21 August 1954	
Bankruptcy (Désastre) (Jersey) Law 1990	<a href="#">L.8/1990</a>	2 April 1991 ( <a href="#">R&amp;O.8175</a> )	
Companies (Jersey) Law 1991	<a href="#">L.30/1991</a>	30 March 1992 and 2 November 1992 ( <a href="#">R&amp;O.8308</a> , <a href="#">R&amp;O.8467</a> )	
Police Court (Change of Name) (Jersey) Law 1996	<a href="#">L.38/1996</a>	1 April 1997 ( <a href="#">R&amp;O.9065</a> )	
Interpretation (Amendment) (Jersey) Law 2003	<a href="#">L.16/2003</a>	28 March 2003	<a href="#">P.194/2002</a>
States of Jersey Law 2005	<a href="#">L.8/2005</a>	9 December 2005 ( <a href="#">R&amp;O.158/2005</a> )	<a href="#">P.124/2004</a> (re-issue)
Pharmacists and Pharmacy Technicians (Registration) (Jersey) Law 2010	<a href="#">L.6/2010</a>	16 May 2010	<a href="#">P.209/2009</a>
Civil Partnership (Jersey) Law 2012	<a href="#">L.4/2012</a>	2 April 2012	<a href="#">P.85/2011</a>
Dentistry (Jersey) Law 2015	<a href="#">L.17/2015</a>	24 February 2016 ( <a href="#">R&amp;O.22/2016</a> )	<a href="#">P.89/2015</a>
Debt Remission (Individuals) (Jersey) Law 2016	<a href="#">L.6/2016</a>	8 April 2016	<a href="#">P.153/2015</a>
Criminal Justice (Young Offenders) (Consequential Provisions) (Jersey) Regulations 2016	<a href="#">R&amp;O.115/2016</a>	23 November 2016	<a href="#">P.99/2016</a>
Marriage and Civil Status (Amendment No. 4) (Jersey) Law 2018	<a href="#">L.19/2018</a>	1 July 2018 ( <a href="#">R&amp;O.68/2018</a> )	<a href="#">P.91/2017</a>
Legislation (Jersey) Law 2021	<a href="#">L.8/2021</a>	28 September 2021 ( <a href="#">R&amp;O.112/2021</a> )	<a href="#">P.26/2021</a>

◦Projets available at [www.statesassembly.gov.je](http://www.statesassembly.gov.je)

### Table of Renumbered Provisions

Original	Current
4A	5
5	6
6	repealed by <a href="#">L.16/2003</a>
7	repealed by <a href="#">L.16/2003</a> ; former Article amended by <a href="#">L.38/1996</a>

Original	Current
8	repealed by <a href="#">L.16/2003</a>
9	repealed by <a href="#">L.16/2003</a>
10	repealed by <a href="#">L.16/2003</a>
11	repealed by <a href="#">L.16/2003</a>
12	7
13	8
(e)	repealed by <a href="#">L.8/1990</a>
(f)	(e)
13A	9
14	10
15	11
16	12
16A	13
16B	14
17	15
18	16
19	17
20	18

### Table of Endnote References

<sup>1</sup> Article 1(2)	<i>deleted by L.8/2021</i>
<sup>2</sup> Article 1(5)	<i>amended by L.16/2003, deleted by L.8/2021</i>
<sup>3</sup> Article 1(6)	<i>inserted by L.16/2003, deleted by L.8/2021</i>
<sup>4</sup> Article 1(7)	<i>inserted by L.16/2003</i>
<sup>5</sup> Article 4	<i>substituted by L.16/2003</i>
<sup>6</sup> Article 5	<i>inserted by L.16/2003</i>
<sup>7</sup> Article 6	<i>deleted by L.8/2021</i>
<sup>8</sup> Article 8	<i>amended by L.8/1990, L.30/1991, L.6/2016</i>
<sup>9</sup> Article 9	<i>inserted by L.16/2003</i>
<sup>10</sup> Article 9(3)	<i>amended by L.8/2021</i>
<sup>11</sup> Article 11(3)	<i>deleted by L.8/2021</i>
<sup>12</sup> Article 11(4)	<i>inserted by L.16/2003, deleted by L.8/2021</i>
<sup>13</sup> Article 11A	<i>inserted by L.8/2021</i>
<sup>14</sup> Article 13	<i>inserted by L.16/2003</i>
<sup>15</sup> Article 14	<i>inserted by L.16/2003</i>
<sup>16</sup> Article 16	<i>deleted by L.8/2021</i>
<sup>17</sup> Article 17	<i>deleted by L.8/2021</i>
<sup>18</sup> Schedule	<i>inserted by L.16/2003, amended by L.8/2005, L.6/2010, L.4/2012, L.17/2015, R&amp;O.115/2016</i>
<sup>19</sup> Schedule	<i>Part 1 amended by L.19/2018</i>