



Number 33 of 2002

STATUTE LAW (RESTATEMENT) ACT, 2002

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[No. **33.**] *Statute Law (Restatement) Act,* [2002.]
 2002.

Act Referred to

Documentary Evidence Act, 1925

1925, No. 24



Number 33 of 2002

STATUTE LAW (RESTATEMENT) ACT, 2002

AN ACT TO PROVIDE FOR THE MAKING AVAILABLE OF ANY STATUTE, STATUTORY INSTRUMENT OR NUMBER OF RELATED STATUTES OR STATUTORY INSTRUMENTS IN THE FORM OF A SINGLE TEXT, TO BE KNOWN AS A RESTATEMENT, AND TO PROVIDE FOR RELATED MATTERS. [24th December, 2002]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—(1) In this Act—

Interpretation.

“restatement” shall be construed in accordance with *section 2(1)* and cognate words shall be construed accordingly;

“statute” includes (in addition to Acts of the Oireachtas) Acts of the Oireachtas of Saorstát Éireann, Acts of the Parliament of the United Kingdom of Great Britain and Ireland passed in the period 1801 to 1922, Acts of the Parliament of Great Britain passed in the period 1707 to 1800, Acts of the Parliament of England passed in the period 1226 to 1707 and Acts passed by any Parliament sitting in Ireland before the Union with Great Britain in 1801;

“statutory instrument” means an instrument made, issued or granted under a power or authority conferred by statute.

(2) In this Act, a reference to a section is to a section of this Act and a reference to a subsection is to the subsection of the provision in which the reference occurs, unless it is indicated that a reference to some other enactment or provision, as may be appropriate, is intended.

2.—(1) The Attorney General may authorise a statute, or portion of a statute, to be made available in printed or electronic form in the form of a single text certified by the Attorney General to be a statement of the law contained in the provisions of the statutes to which it relates, which form shall be known and is in this Act referred to as a restatement.

Restatement.

(2) Subject to *section 4*, a restatement may exclude spent, repealed or otherwise surplus provisions.

(3) A restatement may include a statutory instrument.

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Annotations to be included in restatement.

3.—(1) A restatement shall be identified on its face as a restatement and, where applicable, by the most recent collective citation of the statutes restated to which it relates.

(2) There shall be endorsed on a restatement the date on which it was certified under *section 2*.

(3) A restatement may include annotations showing—

(a) the derivation of its provisions,

(b) the date of the commencement of any provision to which the restatement relates of a statute or a statutory instrument, and

(c) such notes or other information as the Attorney General considers necessary or expedient for the purpose of showing the manner in which the restatement has been compiled and such other (if any) notes or information as the Attorney General may direct.

Effect of restatement.

4.—Subject to *section 5*, a restatement shall not have the force of law and, accordingly, shall not have effect so as to alter or otherwise affect the substance or operation of any provision to which it relates of a statute or statutory instrument.

Evidence of the law.

5.—(1) A statement purporting to be certified under *section 2* shall be *prima facie* evidence of the law contained in the provisions to which it relates of any statute or statutory instrument.

(2) A restatement shall be judicially noticed.

(3) The provisions of the Documentary Evidence Act, 1925, shall apply to a restatement as it applies to an Act of the Oireachtas with any necessary modifications.

Performance of functions under this Act.

6.—The Attorney General may direct any of his or her officers to perform on his or her behalf and in accordance with his or her instructions any particular function conferred on him or her by this Act.

Omission of certain matters.

7.—It shall not be necessary to include in a restatement the words of enactment of a statute.

Laying of restatements before each House of the Oireachtas.

8.—The Attorney General shall cause a copy of each restatement certified under this Act to be laid before each House of the Oireachtas as soon as practicable after it is certified and shall not publish or otherwise make available such restatement until the expiration of twenty one days on which each House has sat after the copy is laid before it.

Orders.

9.—(1) The Government, following consultation with the Attorney General, may prescribe by order the form of restatements.

(2) An order under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and if a resolution annulling the order is passed by either such House within the

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next 21 days on which that House has sat after the order is laid S.9 before it, the order shall be annulled accordingly, but without prejudice to the validity of anything previously done under it.

(3) The power to make an order under *subsection (1)* includes the power to amend or revoke the order.

10.—This Act may be cited as the Statute Law (Restatement) Act, Short title. 2002.