

Interpretation of Statutes



The Interpretation And Application Of Statutes

Great Britain



The Interpretation And Application Of Statutes:

The Interpretation and Application of Statutes Frederick Reed Dickerson, 1975 This work discusses the constitutional foundations that govern the relations between the legislature and the courts and the issues of separation of powers with respect to statutes Concepts of legislative meaning intent purpose and context are described in detail **Statutory Interpretation** Douglas Walton, Fabrizio Macagno, Giovanni Sartor, 2021-01-21 Statutory interpretation involves the reconstruction of the meaning of a legal statement when it cannot be considered as accepted or granted This phenomenon needs to be considered not only from the legal and linguistic perspective but also from the argumentative one which focuses on the strategies for defending a controversial or doubtful viewpoint This book draws upon linguistics legal theory computing and dialectics to present an argumentation based approach to statutory interpretation By translating and summarizing the existing legal interpretative canons into eleven patterns of natural arguments called argumentation schemes the authors offer a system of argumentation strategies for developing defending assessing and attacking an interpretation Illustrated through major cases from both common and civil law this methodology is summarized in diagrams and maps for application to computer sciences These visuals help make the structures strategies and vulnerabilities of legal reasoning accessible to both legal professionals and laypeople **Theory and Principles of Law** Sydney Kerr Smith, 1884 Interpreting Statutes Suzanne Corcoran, Stephen Bottomley, 2005 Interpreting Statutes was cited 4 times by the High Court in Momcilovic v The Queen 2011 HCA 34 8 September 2011 Interpreting Statutes has been written for lawyers and judges who must interpret statutes on a daily basis as well as for students and scholars who have their own responsibility for the future This book takes a new approach to statutory interpretation The authors consider the fundamental importance of context in statutory interpretation across various fields of regulation and explore the problems which arise from the frequent disjunction between regulatory design and subsequent statutory interpretation As a result they bring to the fore fundamental theoretical questions underlying interpretive choice and expand our appreciation of how critical interpretive issues are to the proper functioning of our legal system The book is divided into two parts The first covers several areas dealing with fundamental theoretical issues The second deals with particular areas of the law such as criminal law or corporate law addressing the utility and functionality of the general theories from different legal perspectives and illustrating the fact that different interpretive principles may take precedence in different areas of the law It reveals the complexity of statutory interpretation when applied to actual practice in a particular area of law Despite this complexity and the unique problems of statutory interpretation within each area of law some major themes emerge including the strong influence of constitutional interpretation tension between common law rights and statutory innovation questions about the interaction of domestic law with international law tension between settled judicial principles of interpretation and principles embedded in legislation issues concerning the interpretation of delegated legislation and questions about gap filling and discretion in the

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