DATE INTRODUCED: 20 February 1980

House: Senate

Short Digest of Bill

Purpose

To enable a change in the style of printing Commonwealth Acts without any change in interpretation.

Background and Provisions

Sub-section 13(3) of the Acts Interpretation Act 1901 provides that marginal notes and footnotes in Acts are not part of the Act. The effect is that they play no role in interpreting the meaning of the Act. Section 46 provides that this also applies to marginal notes and footnotes in statutory rules.

In his Second Reading Speech the Attorney-General explains that the introduction of computerized typesetting of Acts (and other Commonwealth and A.C.T. legislation) will reduce the cost of converting pamphlet copies of Acts into annual volumes and also reduce the time taken in producing volumes and in producing reprints where Acts are amended. This is now a very slow process. Eventually all legislation from the first drafts of Bills through to volumes and reprints is intended to be produced by the computerized process.

The new processes are more efficient, apparently, if there are no interruptions to the typesetting such as marginal notes (describing briefly the contents of a section) or footnotes (usually describing the Acts which make up the Principal Act.) Accordingly it is proposed to replace marginal notes with headnotes in bold type (as in the Bill) and endnotes will replace footnotes.

Clause 3 amends sub-section 13(3) so that headings and endnotes are included in the material that is not taken
to be part of the Act.

The amendments operate from 1 January 1980. (clause 2).

25 February 1980

Law & Government Group
LEGISLATIVE RESEARCH SERVICE