

# RIGHTS



## Commonwealth: **Acts Interpretation Act 1901**

### Effect of repeal

8. Where an Act repeals in the whole or in part a former Act, then unless the contrary intention appears the repeal shall not:
- (c) affect any right privilege obligation or liability ,acquired accrued or incurred under any Act so repealed;**

## South Australia **Acts Interpretation Act 1915**

### **Saving of operation of repealed, amended or expired Act as regards right liabilities thereunder**

16. (1) Where an Act is repealed or amended, or where an Act or enactment expires, then, unless the contrary intention appears, the repeal, amendment or expiry does not—
- (c) affect any right, interest, title, power or privilege created, acquired, accrued, established or exercisable, or any status or capacity existing, prior to the repeal, amendment or expiry;**

## Queensland **ACTS INTERPRETATION ACTS, 1954**

### **'Saving of operation of repealed Act etc.**

- 20.(1) The repeal, amendment or expiry of an Act or a provision of an Act does not—
- (c) affect a right, privilege, obligation or liability acquired, accrued or incurred under the Act or provision;**

## Western Australia **Interpretation Act 1984**

### **37. General savings on repeal**

- (1) Where a written law repeals an enactment, the repeal does not, unless the contrary intention appears —
- (c) affect any right, interest, title, power or privilege created, acquired, accrued, established or exercisable or any status or capacity existing prior to the repeal;**

## Victoria **Interpretation of Legislation Act 1984**

### **14 Provision as to effect of repeal etc. of Acts**

- (2) Where an Act or a provision of an Act—
- (a) is repealed or amended; or
  - (b) expires, lapses or otherwise ceases to have effect—
- the repeal, amendment, expiry, lapsing or ceasing

to have effect of that Act or provision shall not, unless the contrary intention expressly appears—

- (e) **affect any right, privilege, obligation or liability acquired, accrued or incurred under that Act or provision;**

#### Tasmania **Acts Interpretation Act 1931**

##### **16. Effect of repeal, expiry, &c.**

(1) Where an Act repeals any other enactment then, unless the contrary is expressly provided, such repeal shall not –

- (c) **affect any right, privilege, obligation, or liability acquired, accrued, or incurred under any enactment so repealed;**

#### New South Wales **Interpretation Act 1987 No 15**

##### **30 Effect of amendment or repeal of Acts and statutory rules**

(1) The amendment or repeal of an Act or statutory rule does not:

- (c) **affect any right, privilege, obligation or liability acquired, accrued or incurred under the Act or statutory rule,**

### **ALSO IN EVERY STATE**

**Please read the English in these sections. The red under line is mine.**

**Note: Oxford Dictionary:**

**“ purport v. appear to be or do, especially falsely ”**

#### South Australia **Acts Interpretation Act 1915**

##### **22B—Declaration of validity of laws made before Australia Acts**

Each provision of an Act or statutory instrument enacted or made, or purporting to have been enacted or made, before the commencement of the Australia Acts is as valid as it would have been, and has the same effect as it would have had, if the Australia Acts had been in operation at the time of its enactment or making or purported enactment or making.

##### **Interpretation**

**Australia Acts** means—

- (a) the *Australia Act 1986* of the Commonwealth; and  
(b) the *Australia Act 1986* of the United Kingdom;

#### Queensland **ACTS INTERPRETATION ACTS, 1954**

##### **9A Declaration of validity of certain laws**

Each provision of an Act enacted, or purporting to have been enacted, before the commencement of the Australia Acts has (and always has had) the same effect as it would have had, and is (and always has been) as valid as it would have been, if the Australia Acts had been in operation at the time of its enactment or purported enactment.

## Meaning of commonly used words and expressions

**Australia Acts** means the *Australia Act 1986* (Cwlth) and the *Australia Act 1986* (UK).

### Western Australia **Interpretation Act 1984**

#### **76A. Written laws made before Australia Acts, validity of**

- (1) Each provision of an Act or subsidiary legislation enacted or made, or purporting to have been enacted or made, before the commencement of the Australia Acts —
  - (a) has the same effect as it would have had; and
  - (b) is as valid as it would have been,  
if the Australia Acts had been in operation at the time of its enactment or making, or purported enactment or making.
- (2) Subsection (1) is not intended to, and is not to be given effect so as to —
  - (a) invalidate any enactment that was valid immediately before the commencement of the Australia Acts; or
  - (b) invalidate any Act because it was assented to by the Sovereign rather than the Governor.

### Terms used in written laws

**Australia Acts** means —

- (a) the *Australia Act 1986* of the Commonwealth; and
- (b) the *Australia Act 1986* of the United Kingdom;

### Victoria **Interpretation of Legislation Act 1984**

#### **58 Declaration of validity of certain laws**

- (1) Each provision of an Act or subordinate instrument enacted or made, or purporting to have been enacted or made, before the commencement of the Australia Acts—
  - (a) has the same effect as it would have had; and
  - (b) is as valid as it would have been—  
if the Australia Acts had been in operation at the time of its enactment or making, or purported enactment or making.
- (2) In this section, *Australia Acts* means—
  - (a) the *Australia Act 1986* of the Commonwealth; and
  - (b) the *Australia Act 1986* of the United Kingdom.

### Tasmania **Acts Interpretation Act 1931**

#### **46C. Declaration of validity of certain laws**

- (1) In this section, *written law* means –
- (a) an Act; or
  - (b) any other instrument of a legislative character.
- (2) Each provision of a written law enacted or made or purporting to have been enacted or made before the commencement of the Australia Acts –
- (a) has the same effect as it would have had; and
  - (b) is as valid as it would have been –  
if the Australia Acts had been in force at the time of its enactment or making or purported enactment or making.

### Legislative references

In any Act –

***Australia Acts*** means –

- (a) the *Australia Act 1986* of the Commonwealth; and
- (b) the *Australia Act 1986* of the United Kingdom;

### New South Wales **Interpretation Act 1987 No 15**

#### **34A Declaration of validity of certain laws**

Each provision of an Act or statutory rule enacted or made, or purporting to have been enacted or made, before the commencement of the Australia Acts:

- (a) has the same effect as it would have had, and
- (b) is as valid as it would have been,  
if the Australia Acts had been in operation at the time of its enactment or making, or purported enactment or making.

### Meanings of commonly used words and expressions

***Australia Acts*** means the *Australia Act 1986* of the Commonwealth and the *Australia Act 1986* of the United Kingdom.

Each State is telling us that the Australia Acts are only purported Acts with purported enactments, therefore have **NO Crown and Constitution Authority**.

**Note: Oxford Dictionary:**

**“ purport v. appear to be or do, especially falsely ”**