LAWS OF PITCAIRN, HENDERSON, DUCIE AND OENO ISLANDS

Revised Edition 2010

CHAPTER XXXII

ANNUAL REVISION OF LAWS ORDINANCE

An ordinance to make provision for the annual preparation and publication of a revised edition of any enactment

No. 1 of 2002
No. 4 of 2010

[8 March 2002]

Short title

1. This ordinance may be cited as the Annual Revision of Laws Ordinance.

Interpretation

2. In this ordinance, except where the context otherwise requires,

"effective date" means the 1st day of October 2001 (being the date appointed by the Governor under section 7(1) of the Revised Edition of the Laws Ordinance 2001 for the coming into operation of the Revised Edition of the Laws 2001);

"enactment" means any ordinance, proclamation, order, rules, regulations, bye-laws and any other form of subsidiary legislation and includes this ordinance;

"Revised Edition of the Laws 2001" means the general revision of the laws which came into force on the effective date or any revised edition superseding the same.

Revision of enactments

3. As soon as practicable after the first day of January in every year, with effect from the first day of January 2003, the [Attorney General] shall, subject to the powers of omission conferred upon him or her by section 4 of this ordinance—

(a) cause to be prepared and published a new revised edition of—

(i) any ordinance that has been amended since the effective date;

(ii) all new ordinances that have been enacted since the effective date (including this ordinance), other than ordinances the sole or substantial effect of which was to amend other ordinances:

Provided that the [Attorney General] shall not be required to prepare or publish a new revised edition of any ordinance that has been amended or varied if

he or she considers that the amendments or variations are not sufficiently extensive to justify preparation and publication thereof, but all such amendments and variations shall be contained in the revised edition or in a separate booklet of minor amendments and indicated in the annual index; and

(b) cause to be prepared and published a new table of contents and index to the revised edition, together with a chronological list of ordinances and a list of the current editions of the laws.

(2) The Governor may in his or her discretion direct that, in the case of any enactment which amends or affects any enactment contained in the Revised Edition of the Laws 2001 or any subsequent revision made under this ordinance, the enactment shall be published for the purposes of any loose-leaf volume of the laws in the form as it is so amended or affected and in each such case a replacement page or pages may be issued to holders of the Revised Edition of the Laws 2001 published in binder form with appropriate instructions as to its inclusion in such binder.

(Amended by Ordinance No. 4 of 2010)

Powers of Attorney General

4. In the preparation of any revised edition of any enactment, the [Attorney General] shall have the following powers—.

(a) to omit—

(i) all parts of the enactment which have been repealed expressly or by necessary implication, or which have expired, or which have become spent or have had their effect;

(ii) all repealing enactments contained in the enactment and all tables or lists of repealed enactments whether contained in schedules or otherwise;

(iii) any preamble or part of a preamble to the enactment and all or any recital in the enactment where such omission can, in the opinion of the [Attorney General], conveniently be made;

(iv) all words of enactment in the enactment;

(v) all enactments prescribing the date when the enactment or part of the enactment is to come into force, where such omission can, in the opinion of the [Attorney General], conveniently be made;

(vi) all amending enactments or parts of enactments where the amendments effected by such enactments or parts of enactments

have been embodied by the [Attorney General] in the enactment;

(Amended by Ordinance No. 4 of 2010)

(b) to consolidate into one enactment two or more enactments in *pari materia*, making the alterations thereby rendered necessary in the consolidated enactment and affixing such date thereto as seems most convenient;

(c) to alter the order of sections or other divisions in the enactment and, in all cases where it is necessary to do so, to renumber the sections or other divisions of the enactment;

(d) to alter the form or arrangement of any section or other division of the enactment, either by combining it in whole or in part with another section or division or other sections or divisions or by dividing it into two or more subsections or other divisions;

(e) to divide the enactment, whether consolidated or not, into parts or other divisions;

(f) to supply or alter marginal notes and tables showing the arrangement of sections;

(g) to correct cross-references;

(h) to shorten or simplify the phraseology of the enactment;

(i) to add a short title or citation to the enactment and, if necessary or expedient, to alter the long title, short title or citation of the enactment;

(j) to correct grammatical and typographical mistakes in the existing copies of the enactment and, for that purpose, to make verbal additions, omissions or alterations not affecting the meaning of the enactment;

(k) to correct the punctuation in the enactment;

(l) to provide footnotes by way of amplification;

(m) to make such formal alterations as to names, localities, offices and otherwise as are necessary to bring the enactment into conformity with the circumstances of the Islands;

(n) to make such adaptations of or amendments to the enactment as appear to be necessary or proper as a consequence of changes in the constitutions of Commonwealth countries or in the composition of the Commonwealth;

(o) to make such formal alterations to the enactment as are necessary or expedient for the purpose of securing uniformity of expression;

and power to do all other things relating to form and method, whether similar to the foregoing or not, which appear to him or her necessary for the perfecting of the revised edition.

Mode of dealing with alteration in substance

5.—(1) The powers conferred upon the [Attorney General] by section 4 shall not be taken to imply any power in him or her to make any alteration or amendment in the matter or substance of any enactment.

(2) If the [Attorney General] considers that it is desirable that in the preparation of the revised edition of any enactment there should be omissions, amendments or additions other than those authorised by section 4, the same may be collected and submitted to the Governor in the form of an ordinance.

(3) In the case of any such ordinance or ordinances enacted prior to the making of an order under section 6 bringing the revised edition into force—

(a) the [Attorney General] shall, in the preparation of the revised edition, give the like effect to such omissions, amendments or additions as if they had been authorised by section 4; and

(b) if, as a result of any such omission, amendment or addition, any part of the enactment has been repealed or has expired or become spent or had its effect, that part shall be omitted from the revised edition.

(Amended by Ordinance No. 4 of 2010)

Bringing of a revised edition into force

6.—(1) The Governor may by order declare that the revised edition of any enactment shall come into force on such date as the Governor may think fit.

(2) From the date the revised edition of an enactment is brought into force under subsection (1), the revised edition shall be deemed to be and shall be without any question whatsoever in all courts and for all purposes whatsoever the sole and only authentic version of such enactment on the said date:

Provided that nothing in this section shall affect the operation of any enactment which, before the date of the coming into force of the revised edition, may be passed repealing, altering or amending any earlier enactment, although such enactment has already been included in the revised edition.

Copies to be signed and deposited

7. One copy of every enactment revised under this ordinance shall be dated and signed by the [Attorney General] and by the Governor and shall be sealed with the public seal and such copy shall thereafter be transmitted to the Chief

Justice of the Islands who shall deposit the same among the records of the Court.

(Amended by Ordinance No. 4 of 2010)

Distribution of copies of revised edition

8.—(1) Copies of every revised edition shall be distributed among such persons, officers, departments and institutions as the Governor may direct.

(2) There may be offered to the public such number of copies at such prices as the Governor may direct.

LAWS OF PITCAIRN, HENDERSON, DUCIE AND OENO ISLANDS

Revised Edition Of Laws 2014

Order Bringing Annual Revised Edition of the Laws Into Force
(Pursuant to s 6 of the Annual Revision of Laws Ordinance)

and

Directing (pursuant to s 3(2) of the Annual Revision of Laws Ordinance) that each enactment in the Revised Edition of the Laws 2001 and subsequent revisions thereof that has been amended or affected shall be published (in the form in which it is so amended or affected) by way of replacement pages issued to holders of the Revised Edition of the Laws 2001 in binder form.

1. It is hereby declared that the revised edition of each enactment listed below shall be in force as from the date of this order.

2. It is directed that each enactment in the Revised Edition of the Laws 2001 and subsequent revisions thereof that has been amended or affected by the revised edition shall be published in the form in which it is so amended or affected, by way of the replacement pages (indicated below) issued to holders of the Revised Edition of the Laws 2001 in binder form.

3. It is noted that, in exercise of the powers in s 4 of the Annual Revision of Laws Ordinance, the alterations noted in the table below have been made in the revised edition of the enactments to which they relate.

The following are the new and amended enactments declared to be in force under paragraph 1, together with the corresponding loose-leaf pages to be added to the Revised Edition of the Laws 2001:

Enactment affected	**Replacement pages**	**Alterations**
Pitcairn (Court of Appeal) Order 2012	lxxv-lxxvi	
Interpretation and General Clauses Ordinance	3-6	Numbering of amending ordinance (Definition of Child Ordinance) corrected from No. 4 of 2014 to No. 3 of 2014
Justice Ordinance	33-40; 53-56; 79-82	
Local Government Ordinance	195-207(m)	Ordinance No. 3 of 2013 renamed in index to Local Government Amendment Ordinance (No 2)
Local Government Regulations	207(n)-212; 221-222	
Immigration Ordinance	229-240	
Probate and Administration Ordinance	241-242; 245-246	
Registration of Business Ordinance	275-276	
Adoption of Infants Ordinance	293-294; 301-306	
Births and Deaths Registration Ordinance	319-322B; 323-324	In new section 13A, cross reference amended from 15 to 13.
Marriage Ordinance	325-328; 331-332; 338C-338D	
Social Welfare Benefits Ordinance	379-382B	
Revised Edition of Laws Order	503-504	'Governer' corrected to 'Governor'
Victims of Offences Ordinance	625-628	
Order under section 5(2A) of the Pitcairn Order 1970	675-676	Order removed as spent
Order designating premises in New Zealand for use by Pitcairn Courts	677-678	Order removed as spent
Pitcairn Court of Appeal (Criminal) Rules	679-700	
Children Ordinance	727-730	Numbering of amending ordinance (Definition of Child Ordinance) corrected from No. 4 of 2014 to No. 3 of 2014

Ordered and Directed this 17th day of November 2015

Jonathan Sinclair
Governor [seal]