

## DRAFTING PROJECT 5

This short Project is designed to enable you to improve a piece of legislation by making full use of Interpretation legislation. For this purpose give effect to provisions of the **model Interpretation Act 1992**, rather than your own statute. But keep in mind whether your legislation would enable you to make the same improvements.

### Instructions

Redraft the following section of the Local Government (Miscellaneous Functions) Act (hypothetical), making those changes that are permissible or authorised under the **model Interpretation Act 1992**. Do not alter the substantive effect of the section.

**28.** Any person (other than a company, corporation, or association or body of persons, corporate or unincorporated) who, in the exercise of any power, authority or discretion, or in the discharge of any duty, responsibility, authority or jurisdiction, conferred on that person under section 27 of this Act by the Minister appointed under section 44 of the Constitution of Utopia with responsibility for local government, or by a Minister for the time being acting for or on behalf of that Minister:

- (a) violates or fails to comply with any condition contained in a licence issued to that person by any such Minister by virtue of or in pursuance of bye-laws from time to time made under this Act; or
- (b) otherwise than in accordance with the Local Government (Licensed Authorities) Act 1985, or any Act amending or replacing that Act, does, or omits to do, any act or series of acts required by or by virtue of that Act, or any regulations from time to time made under that Act as so amended or replaced, to be done or not done, as the case may be, by any such person,

shall commit an offence triable otherwise than on indictment by a magistrate's court established under the provisions of the Magistrates' Courts Act for the time being in force in Utopia, and, on conviction by any such court, shall be liable, in the case referred to in paragraph (a) of this section, to such fine, term of imprisonment or other form of punishment as shall be specified, from time to time, in the bye-laws made under this Act, and, in the case referred to in paragraph (b) of this section, to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months or to both such fine and term of imprisonment.