

Course Title: **Statutory Interpretation**

Course Code: **LAWS985**

Descriptor Start Date: **01/01/2021**

POINTS: **30.00**

LEVEL: **9**

PREREQUISITE/S: **None**

COREQUISITE/S: **LAWS901**

RESTRICTION/S: **None**

LEARNING HOURS

Hours may include lectures, tutorials, online forums, laboratories. Refer to your timetable and course information in Canvas for detailed information.

Total learning hours: 300

PRESCRIPTOR

Provides a thorough overview of the process of interpretation of statutes in New Zealand, including common law techniques, the use of the Interpretation Act 1999 and the Bill of Rights Act 1990.

LEARNING OUTCOMES

1. Demonstrate knowledge and understanding of the processes involved in statutory interpretation.
2. Apply legal principles and reasoning to the interpretation of statutes.
3. Demonstrate capability in research and/or problem-solving in the interpretation of statutes;.
4. Display a firm grasp of the techniques employed generally in the common law and specifically in New Zealand for the interpretation of statutes.

Disclaimer: Course descriptors may be amended between teaching periods/semesters

CONTENT

Brief history of statutory interpretation;
The evolution of modern theory since 1950;
Text as supreme, but in Context and taking account of legislative intention;
The use of extrinsic materials;
The relevance of international conventions to statutory interpretation;
Using the Interpretation Act 1999;
The Bill of Rights Act 1990: saving common law rights, or more?
Process for determining ascendancy where two statutes cover the same field;
Dealing with statutory amendments;
The operation (or not) of statutes to a period prior to enactment;
The special position of the Crown in relation to statutes (and derived from some statutes);
Case studies illuminating the above.

LEARNING & TEACHING STRATEGIES

An appropriate range of strategies that may include lectures, workshops & online learning.

ASSESSMENT PLAN

Assessment Event	Weighting %	Learning Outcomes
Research courses of up to 10,000 words	100.00	-

Grade Map	MAP1
	A+ A A- Pass with Distinction
	B+ B B- Pass with Merit
	C+ C C- Pass
	D Fail

Overall requirement/s to pass the course:

LEARNING RESOURCES

Details of all learning resources (including journals, databases, websites etc) are available on Canvas. Required Text(s): If there is a required text, details are available by searching the University Bookshop's website: www.ubs.co.nz

For further information, contact: Te Ara Pakihi, Te Ohanga Me Te Ture - Faculty of Business, Economics and Law

Principal Programme: AK1044, Master of Laws

Related Programme/s: AK1050 PgCertLaw

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