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Published By Authority

Under the Provisions of Chapter 121 of the Consolidated Statutes of Newfoundland (Third Series) entitled "Of the Solemnization of Marriages," His Honour the Lieutenant-Governor has been pleased to issue Licences to perform the Marriage Ceremony to:—

- Rev. J. Arthur McKim
Clarence LeRoy Sloss, Major Chaplain (U.S. Army)
Albert B. Parsons, Jr., Chaplain, (U.S.A.F.)



ELIZABETH THE SECOND by the Grace of God of the United Kingdom, Canada and Her other Realms and Territories, QUEEN, Head of the Commonwealth, Defender of the Faith.

Leonard Outerbridge, Lieutenant-Governor (L.S.)

Leslie R. Curtis, Attorney General.

To ALL TO WHOM these Presents shall come or whom the same may in anywise concern, GREETING:

A PROCLAMATION

WHEREAS pursuant to Order in Commission dated the twenty-fifth day of February, 1949 and Order in Council dated the twenty-eighth day of January, 1950 and to The Revised Statutes Act, 1952, the public general statutes of Newfoundland as contained in the Consolidated Statutes of Newfoundland (Third Series) and as passed in the years from 1917 to 1952, both inclusive, have been revised and consolidated in accordance with the provisions of the said Act by the Commissioners appointed under the said Orders;

AND WHEREAS it is by the said Act, amongst other things, in effect, enacted as follows:

That as soon as the Commissioners or a majority of them have completed the revision and consolidation of the statutes the Lieutenant-Governor shall cause a printed roll there of, attested under his signature and countersigned by the Attorney General, to be deposit-

ed in the Department of Provincial Affairs and the roll shall be held to be the original of the statutes so revised and consolidated;

That the Commissioners shall append to the roll a Schedule A in which they shall list all public general statutes the provisions of which are not contained in the revision and consolidation;

That the Commissioners shall append to the roll a Schedule B in which they shall list all local and private statutes the provisions of which are not contained in the revision and consolidation.

That the Lieutenant-Governor in Council may by proclamation after deposit of the roll declare the day on which the roll shall come into force and have effect as law by the designation of The Revised Statutes of Newfoundland, 1952;

That on, from and after such day the said roll shall accordingly come into force and effect as and by the designation of The Revised Statutes of Newfoundland, 1952, to all intents as if the roll were expressly embodied in and enacted by this Act to come into force and have effect on, from and after such day;

And that on, from and after such day the statutes, other than those listed in Schedule A or Schedule B, shall, subject to this Act, stand repealed and cease to have any force and effect;

AND WHEREAS the said Commissioners have completed the said revision and consolidation and have appended to the said roll Schedules A and B conforming to the requirements of the said Act;

AND WHEREAS the Commissioners have otherwise complied with the provisions of the said Act;

AND WHEREAS our Lieutenant-Governor has caused a printed roll of the said revision and consolidation attested under his signature and countersigned by the Attorney General to be deposited in the Department of Provincial Affairs;

NOW KNOW YE that by and with the advice of our Executive Council of Newfoundland We do by these Presents proclaim and declare that on, from and after the 31st day of December in the year of Our Lord one thousand nine hundred and fifty-three the said roll so attested and deposited shall come into force and have effect as law by the designation of The Revised Statutes of Newfoundland, 1952.

OF ALL WHICH Our Loving Subjects and all others whom these Presents may concern are hereby required to take notice and to govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the Great Seal of Our Province of Newfoundland to be hereunto affixed.

WITNESS: Our trusty and well-beloved Sir Leonard Cecil Outer-

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NEWFOUNDLAND



AN ACT RESPECTING THE REVISED STATUTES OF NEWFOUNDLAND.

(May 20, 1952)

Preamble.

WHEREAS it has been found expedient to revise and consolidate the public general statutes of Newfoundland as contained in the Consolidated Statutes (Third Series) and as passed in the years from 1917 to 1951, both inclusive;

AND WHEREAS the revision and consolidation is being made by Commissioners appointed under the authority of an order of the Commission of Government dated the 25th day of February, 1949, and of an order in council dated the 28th day of January, 1950;

AND WHEREAS it is expedient to provide for the incorporation therewith of the public general statutes passed in the present session and for giving the force of law to the body of the revised and consolidated statutes to result from such incorporation;

BE IT THEREFORE enacted by the Lieutenant-Governor and House of Assembly in Legislative Session convened, as follows:

Short title.

1. This Act may be cited as The Revised Statutes Act, 1952.

Interpretation.

2. In this Act—

(a) "commissioners" means the Commissioners appointed under the authority of an order of the Commission of Government dated the twenty-fifth day of February, 1949, and of an order in council dated the twenty-eighth day of January, 1950;

(b) "present session" means the session of the Legislature held in the months of March, April, and May, 1952;

- (c) "revised statutes" means The Revised Statutes of Newfoundland, 1952, referred to in Section 7;
- (d) "roll" means the roll referred to in Section 3;
- (e) "schedules" means schedules A and B referred to in Sections 4 and 5, respectively;
- (f) "statutes" means the public general statutes of Newfoundland as contained in the Consolidated Statutes (Third Series) and as passed in the years 1917 to 1951, both inclusive, and in the present session, and includes parts of statutes and Acts and parts of Acts.

3. As soon as the commissioners or a majority of them have completed the revision and consolidation of the statutes the Lieutenant-Governor shall cause a printed roll thereof, attested under his signature and countersigned by the Attorney General, to be deposited in the Department of Provincial Affairs and the roll shall be held to be the original of the statutes so revised and consolidated.

Certified roll to be deposited with the Minister of Provincial Affairs.

4.—(1) The commissioners shall append to the roll a schedule A in which they shall list all public general statutes the provisions of which are not contained in the revision and consolidation.

Schedule of public general statutes not included but not repealed.

(2) The statutes listed in Schedule A shall not be held to be repealed or otherwise affected by the provisions of this Act.

Saving.

5.—(1) The commissioners shall append to the roll a schedule B in which they shall list all local and private statutes the provisions of which are not contained in the revision and consolidation.

Schedule of local and private statutes not included.

(2) The statutes listed in schedule B shall not be held to be repealed or otherwise affected by the provisions of this Act.

Saving.

6.—(1) In revising and consolidating the statutes the commissioners may

Powers of commissioners as to alterations.

- (a) make such alterations in the language as are requisite in order to preserve a uniform mode of expression;

- (b) make such amendments as are necessary to bring out more clearly what they deem to be the intention of the Legislature or to reconcile seemingly inconsistent enactments;
- (c) insert provisions now in force which had been omitted from the statutes or omit from the statutes provisions which are not now in force;
- (d) combine two or more statutes into one or divide any statute into two or more statutes;
- (e) correct clerical or typographical errors.

Idem.

(2) Wherever sections of any statute are referred to by number and wherever any statute is referred to by title, the commissioners may make such changes in the references to the number or title as may be necessary to preserve the sense and meaning of the enactment.

Arrangement of statutes.

(3) The commissioners shall arrange the statutes in such order as they see fit and may renumber sections.

Proclamation declaring statutes in force.

7. After deposit of the roll in accordance with Section 3, the Lieutenant-Governor in Council may, by proclamation, declare the day on which the roll shall come into force and have effect as law by the designation of The Revised Statutes of Newfoundland, 1952.

Effect of proclamation.

8.—(1) On, from and after the day declared by proclamation under Section 7, the roll shall accordingly come into force and effect as and by the designation referred to in that section, to all intents as if the roll was expressly embodied in and enacted by this Act to come into force and have effect on, from and after that day.

Repeal of statutes.

(2) On, from and after the day declared by proclamation under Section 7, the statutes, other than those listed in either of the schedules, shall, subject to this Act, stand repealed and cease to have any force or effect.

Repeal does not revive dead law, etc.

9. The repeal of the statutes not listed in either of the schedules

- (a) shall not revive any statute or provision of law repealed by such statutes;

- (b) shall not prevent any saving clause contained in any such statute from having effect;
- (c) shall not prevent the application of any such statute, or of any statute or provision of law formerly in force, to any transaction, matter or thing anterior to the repeal to which it would otherwise apply.

10.—(1) The repeal of the statutes not listed in either of the schedules shall not defeat, disturb, invalidate, or affect

Anterior
matters not
invalidated or
affected.

- (a) any penalty, bond, security, forfeiture, or liability, civil or criminal, made or incurred before the time of the repeal, or any proceeding for enforcing the same, had, done, completed, or pending at the time of the repeal;
- (b) any indictment, information, conviction, sentence, or prosecution had, done, completed, or pending at the time of the repeal;
- (c) any action, suit, judgment, decree, certificate, execution, process, order, or rule, or any proceeding, matter or thing whatever respecting the same, had, done, made, entered, granted, completed, pending, existing or in force at the time of the repeal;
- (d) any act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, order in commission, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter, or thing, had, done, made, acquired, established or existing at the time of the repeal;
- (e) any office, appointment, commission, salary, allowance, security, duty or any other matter or thing appertaining thereto, at the time of the repeal;
- (f) any marriage certificate or registry thereof lawfully had, made, granted or existing before or at the time of the repeal;
- (g) any other matter or thing whatsoever, had, done, completed, existing, or pending at the time of the repeal.

(2) Every such

- (a) penalty, forfeiture, and liability;

Anterior
matters re-
main valid.

- (b) indictment, information, conviction, sentence, and prosecution;
- (c) action, suit, judgment, decree, certificate, execution, process, order, rule, proceeding, matter, or thing;
- (d) act, deed, right, title, interest, grant, assurance, descent, will, registry, by-law, rule, order in council, order in commission, proclamation, regulation, contract, lien, charge, status, capacity, immunity, matter or thing;
- (e) office, appointment, commission, salary, allowance, security, and duty;
- (f) marriage certificate and registry thereof; and
- (g) matter and thing whatsoever

may and shall remain and continue as if the repeal had not taken place and, so far as necessary, may and shall be continued, prosecuted, enforced, and proceeded with under the revised statutes and other the statutes and laws having force in Newfoundland and subject to the provisions of the said several statutes and laws, as if the repeal had not taken place.

Revised statutes not new laws.

11.—(1) The revised statutes shall not be held to operate as new laws but shall be construed to have effect as a consolidation and as declaratory of the law as contained in the statutes repealed and for which the revised statutes are substituted.

Construction where they differ from repealed statutes.

(2) If upon any point the provisions of the revised statutes are not in effect the same as those of the statutes repealed under subsection (2) of Section 8 for which they are substituted then, as respects any such transactions, matters, and things subsequent to the time the revised statutes come into force and take effect the provisions contained in the revised statutes shall prevail but as respects all transactions, matters and things anterior to that time the provisions of the repealed statutes shall prevail.

As to references to repealed statutes in former statute.

12. Any reference in any former statute remaining in force or in any regulation, proclamation, order in council, order in commission, instrument or document to any statute or enactment repealed under subsection (2) of Section 8, shall, after the day on which the revised statutes come into force and take effect, be held as regards any subse-

quent transaction, matter, or thing, to be a reference to the enactments in the revised statutes having the same effect as the repealed statute or enactment.

13. Any copy of the revised statutes purporting to be printed from the roll by the Queen's Printer or by any other person appointed by the Lieutenant-Governor in Council is evidence of the revised statutes in all courts and places whatsoever.

Copies of statutes evidence.

14. Statutes of the Parliament of the United Kingdom and Northern Ireland and of the Parliament of Canada and all proclamations, orders in council, treaties or other public documents which the commissioners may select from those in force in the province shall be printed separately from or annexed to the printed copies of the revised statutes.

Statute, proclamation, etc., of other jurisdictions may be annexed to revised statutes.

15. Any statute in the revised statutes may be cited and referred to in any statute, proceeding, instrument, or document whatsoever, either by its title as an Act or by its short title or by using the expression "The Revised Statutes of Newfoundland, 1952, chapter . . .", adding the number of the particular chapter in the copies printed by the Queen's Printer or by any other person appointed by the Lieutenant-Governor in Council, either with or without the title of the chapter.

Citation of revised statutes.

16. This Act shall be printed with the revised statutes and is subject to the same rules of interpretation as the revised statutes.

Printing and construction of this Act.