

LAWS OF PITCAIRN, HENDERSON, DUCIE  
AND OENO ISLANDS

*Revised Edition 2019*

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]

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

Short title

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

Interpretation

“effective date” means the 1<sup>st</sup> 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.

**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—

Revision of  
enactments

(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)**

**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)**

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

Distribution of copies  
of revised edition

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

## REVISED EDITION OF LAWS 2017

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:

<b>Enactment affected</b>	<b>Replacement pages</b>	<b>Alterations</b>
Interpretation and General Clauses Ordinance	1-16	
Judicature (Courts) Ordinance	17-30D	Section 26(2), "that" corrected to "of" to correct grammar
Notice of Appointment of Court Registry	31	Previous notice omitted as spent
Judicature (Court Registry) Rules	32-32B	
Justice Ordinance	33-34, 37-38, 51-54	Section 38(1)(c), omit ", in the case of any defendant," to correct grammar
Judicature (Appeals in Criminal Cases) Ordinance	111-120, 127-130	Arrangement of sections corrected to accurately reflect Ordinance Section 37 "the" added to correct grammar Section 41, "that" corrected to "than" to correct grammar
Order Declaring Prison	145-146	Previous order omitted as spent
Local Government Ordinance	195-196, 204A-207A	
Fisheries Zone Ordinance	421-422	Omitted as repealed by Ordinance No 3 of 2016
Foreign Fisheries Regulations	-	Omitted as repealed by Ordinance No 3 of 2016
Prohibition of Fishing by Foreign Fishing Boats Order; Fisheries Zone (Outer Limits) Proclamation 1986	-	Omitted as repealed by necessary implication by Ordinance No 3 of 2016
Revised Edition of Laws Order	503-504B	Previous Order omitted as spent
Parole Ordinance	507-550	Section 4(3)(a), inserted "and" to correct grammar Sections 10 and 38, marginal note punctuation corrected removing unnecessary hyphen Section 67(2)(b), "." corrected to ". . .," to correct grammar Section 81(2), word "sentence" removed to correct grammar

Enactment affected	Replacement pages	Alterations
Sentencing Ordinance	551-622	<p>Section 3(1), definitions of “designated work centre” and “Supervision Officer” moved to be in correct alphabetical order; “,” added to definition of “minimum period of imprisonment” to correct grammar; and “s 2” replaced with “section 2” in the definitions of “Public Prosecutor” and “short-term sentence of imprisonment</p> <p>In sections 8(4), 9(4), 52(1), 61(1), and 82(2) correction of errors in paragraph numbering</p> <p>In section 19(4), paragraph numbers (a) – (c) were removed as no longer necessary.</p> <p>In section 76C(2)(c) to (e), “and” was omitted as superfluous</p> <p>In section 76M, “to” added to correct grammar</p> <p>In section 76P, typographical mistake was corrected by the addition of the words “6 months or to a fine not exceeding”</p> <p>In section 78(4), typographical error corrected in “not”</p> <p>Punctuation errors corrected in sections 106(2) and 118(2).</p> <p>Cross references corrected as follows:</p> <p>In section 55A, 76B and 76C corrected to 76C and 76D</p> <p>In section 76C(2)(c), 76P corrected to 76W</p> <p>In section 76D(1), 76B corrected to 76C; and in 76D(7), 76L corrected to 76N</p> <p>In section 76G(3), 76C corrected to 76D</p> <p>In section 76N, 76R corrected to 76Y</p> <p>In section 76S(3), 95 corrected to 76R</p> <p>In section 76X, 76N corrected to 76W</p>
Sentencing (Prescribed Forms) Regulations	623-624L	
Victims of Offences Ordinance	625-626, 629-630	<p>In section 13(2)(c), “a” was added before “home detention” to correct grammar</p>

<b>Enactment affected</b>	<b>Replacement pages</b>	<b>Alterations</b>
Bail Ordinance	631-636B, 649-650B, 661-662B	The following changes were made to correct cross references: In section 37A(3)(a)(i), "section" inserted In sections 37A(3)(a)(i) and 62A(3)(a)(i), "Act" corrected to "Ordinance"
Pitcairn Court of Appeal Registry Ordinance	679-680	Omitted as repealed by Ordinance No 2 of 2016
Local Government (Firearms Control) Regulations	705-708, 715-716	
Sexual Offences (Notification and Prevention) Ordinance	767-774, 795-796	Cross references were corrected as follows: In section 6(5), reference to 5(1)(c) removed In section 6(6)(a), 5(1)(a) corrected to 5(1) In section 6(6)(b), reference to 5(1)(b) or (c) removed In section 6(6)(c), reference to 5(1)(d) removed
Pitcairn Islands Marine Protected Area Ordinance	835 - 856	In section 21, subsections (4) and (5) removed to correct typographical error In section 25(2), "to" omitted to correct grammar
Order bringing Pitcairn Islands Marine Protected Area Ordinance into force	857	
Proclamation Establishing an Exclusive Economic Zone	858-860	Moved from cap. 29

Ordered and Directed this 7<sup>th</sup> day of July 2017

Jonathan Sinclair  
Governor

[seal]

