

Legal Vocabulary

One problem encountered with law is that seemingly ordinary words take on specific legal meanings. This list covers a few terms, which might initially puzzle you.

Added/Inserted	words or enactments are specifically inserted by an Act or SIs
Amendment	a later alteration either adding or removing material to legislation / commentary or correction of a defect in the statement of a case
Applying	provisions are brought to bear or exercised by subsequent legislation
Applied	a court decides that a principle of law from another case binds it in its current decisions
Approved	a court approves the decision of an inferior court in unrelated proceedings in a cited case although the decision is not itself necessary to the current case
Commenced by an Amendment	a provision, which is updated by an Act or S.I. which has itself been amended inherits the commencement date of the original amendment
Commencement	date on which a law or regulation comes into force
Complainant	party bringing an action in a civil case previously referred to as plaintiff
Consolidated	a consolidating Act can combine in a single Act the provisions of earlier legislation, which relate to a particular subject area
Considered	a court has discussed the decision in another case but has not actually followed, applied, distinguished it in any way
Disapplying	an exception is made to the application of an earlier enactment
Doubted	a court has disagreed with the decision in an annotated case but either it was not necessary to overrule the decision or it has no power to do so
Explained	a court interprets the decision in another cited case and states what it means
Extended	a superior court extends the use of a legal principle from another cited case in a lower court to cover the current case
Followed	a court decides to be bound in its decision by a similar decision in another case, often used where a court has made a choice between two or more alternative precedents
Gazettes	London, Edinburgh or Belfast Gazettes are used to notify the commencement date for some Statutory Instruments
Implemented	the provisions of European Directives, Regulations etc. are implemented or given effect by an Act or SI.
In force	Acts or SIs consolidated to include all amendments and exclude any revocations up to the specified date
In force in relation to...	the enactment has been brought into force in relation to its application to specified areas or circumstances
Indirect	non-updating amendments which affect the operation or interpretation of legislation
Law in Force	Acts and SIs consolidated to include all amendments and exclude any revocations up to the specified law in force date

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Not followed	a court has decided not to follow the decision in the annotated case which is by a court of co-ordinate jurisdiction, often used where a court has made a choice between two or more alternative precedents
Not yet in Force	provisions of enactment which have not yet been brought into force
Overruled	a court decides that the decision in a previous case from a lower court or its own decision in unrelated proceedings is wrong and should no longer control the law on the point in question
Parent act	a statute which, for example, authorises government ministers to make delegated legislation in the form of statutory instruments
Plaintiff	party bringing an action in a civil case now referred to as complainant
Precedent	judgement or decision cited to justify a decision in a later apparently similar case also referred to as judicial precedent
Prospective	amendments that have not yet come into force
Referred	a court deals with a point of law in a cited case without comment
Referring	direction from other legislation without specific effect or application
Repealed	words or enactments specifically repealed by an Act or SI
Repealed, never in force	the enactment was repealed before it was brought into force
Restored	provisions reinstated by subsequent legislation when previously repealed/revoked
Retrospective	amendments that are deemed to have had effect prior to the date at which they were brought into force
Revoked	words or enactments specifically repealed by an Act or SI
Royal Assent	an Act does not become law until it receives Royal Assent, the date is usually found at the beginning of the Act this is not identical to the commencement date.
Savings	a saving provision preserves a legal right or obligation created by an enactment, which has otherwise been repealed or superseded
Spent/Expired	provisions were of temporary duration or have become obsolete
Substituted	words or enactments specifically substituted by an Act or SI
Superseded	subject matter of a provision has been supplanted by a later SI or Act which has not provided for its revocation
Transitional provisions	temporary provisions dealing with circumstances that arise during the transition from repealed or superseded law to new law
Varied	provisions modified in relation to their application to specified areas or circumstances although the text itself remains unchanged.

If you come across puzzling terms remember there are a variety of dictionaries available in the Law Reference Collection. Collins Dictionary of Law, the Peter Collin Dictionary of Law and the Encyclopaedia of the European Union are also available to you online from **xreferplus** which you can access via the Library's subject directory.