Westlaw UK Help - About Legislation

Click here for help on searching for legislation

Statutes

Westlaw UK contains legislation dating back to 1267 including:

- all UK Public and General Acts which were still in force in 1991, and all published subsequently;
- all Public and General Acts of the Scottish Parliament (ASPS);
- all Local Acts published since 1991;
- all Church of England Measures published since 1991;
- all Welsh Assembly Measures from 2008
- all Northern Ireland legislation from 1991
- selected earlier UK Public and General Acts including all since 1949 published as originally enacted

Statutory Instruments

The database also contains a selection of UK SIs of general application published between 1948 and 1991. All subsequent UK (Westminster) SIs are included, as are SIs made by the Scottish Parliament (SSFs), English-language SIs made by the National Assembly for Wales and Statutory Rules (SR's) made by the Northern Ireland Assembly.

Legislation versions

Westlaw UK contains the most up-to-date versions of legislation in relation to England, Wales, Scotland and Northern Ireland. Historic and prospective versions* of legislation can be accessed via the Advanced Search with the Historic Law or Point in Time options selected. They can also be accessed via the Legislation Analysis, Overview Document or by using the version navigation buttons in full text legislation documents.

The earliest versions of the pre-1992 Acts are reproduced as they stood at 1991 (approximately) with all amendments to that date taken in to this first version. Each full text legislation document specifies the valid date range for the version being viewed.

Archive legislation is published on Westlaw UK as originally enacted, there are no versions of any archive legislation.

*Prospective Amendments are being incorporated into the text as prospective versions on an ongoing basis.

Legislation excluded

- Private and Personal Acts
- Local Statutory Instruments
- Statutory Instruments in the Welsh language
- Draft Statutory Instruments

Annotated Statutes & Key Legal Concepts *

Westlaw UK Annotated Statutes provide general annotations to legislation written specifically with an online-user in mind, adding guidance on practice or procedure and extensive legal discussion. Where appropriate the annotations will also refer to a library of Key Legal Concepts, which deal with issues arising routinely in legislation. These notes provide a regularly updated research tool on the meaning of terms that are of key interest.

Annotated Statutes Authority

With “Within two weeks of Royal Assent our team of 40 lawyers, led by Barrister and Parliamentary Counsel Daniel Greenberg, explain the effect, purpose and likely application of new law. On occasion this may take longer due to the size of the Statute or late publication of the official document.

Daniel Greenberg has been Parliamentary Counsel (full-time 1991 to 2008; part-time 2009 ongoing), the Editor of Stroud's Judicial Dictionary of Words and Phrases since 1995, the General Editor of Jowitt's Dictionary of English Law (2010) and Editor of Cranes on Legislation since 2004.

Annotated Statutes Coverage

- Key Pre-2007 legislation will be added to the service on an on going basis. Please send requests for annotations for specific legislation to feedback@westlaw.co.uk
- Additionally, existing annotations and Key Legal Concepts are revised in-line with changes to the law.

Annotated Statutes Expert Explanation

Key Legal Concepts

Legal concepts that appear routinely in legislation (for example "Bank Holiday", "Sunset clauses", "Territorial Sea", "Wilfully" etc.) are highlighted where they apply to a particular statute. If the reader is unsure as to the legal meaning of the term they can select the linked-term to read more detailed commentary on the matter.

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These types of cross-references are called "Key Legal Concepts". There are over 360 entries in the Key Legal Concepts library.

Linguistic anomalies clarified
Where a term or phrase specified in the legislation is obscure or ambiguous, either by design, poor drafting or mistake, it is highlighted to the reader and discussed. The anomaly may create a loophole that may be challenged in court.

For example, section 10 of the Freedom of Information Act 2000.

Case Law
Where an important case has discussed a particular statute, a cross-reference to it will be provided in the text of the annotation to ensure that the reader applies the law correctly.

In the example above, the selected case extract discusses the key phrase, "unfairly prejudicial", in section 994(1) of the Companies Act 2006.

Annotated Statutes Context

Legislative Intention Notes; Pepper v Hart Notes
Where the effect or application of legislation is not clear the annotations make reference to, and reproduce extracts of, the Parliamentary Debates (Hansard) to provide context for the reader when

https://login.westlaw.co.uk/mall/api/v1/datasources/documents/0adff2f00000109026aabee59388422c?vm=help-wluk&ndd=2&crumb-label=Westlaw%20UK%...
Determining parliamentary intention.

Legislative Intention Notes (in early annotations called Pepper v Hart Notes) are designed to assist readers in making a purposive construction of legislation in accordance with modern interpretative techniques, by providing the clearest and most authoritative evidence of the government’s intention in passing the legislation.

In addition to application of the rule in Pepper v Hart [1993] AC 593 to resolve ambiguities, the courts and other readers are making increasing use of Parliamentary material to determine the political and social context in the light of which all legislation has to be construed (see Key Legal Concept: Pepper v Hart; see also Westlaw UK Insight: Article 9 of the Bill of Rights).

Going through the Hansard record for Westminster and the Official Record for the devolved legislatures is an immensely complicated and time-consuming exercise, and often yields little or nothing sufficiently unequivocal to be of use, whether for Pepper v Hart or for general construction purposes (and the courts have stressed in a number of places that the "only a bullseye" rule for travaux preparatoires applies to legislative material too).

So Legislative Intention Notes make your research deeper, but quicker at the same time, as we have selected for you the passages most likely to be of assistance; we also provide links to the relevant passages so that readers who need to explore in particular detail can go straight to the most relevant speeches or reports to conduct further research. They also assist statutory compliance and other advisory work by giving detailed background information as to why the Bill was introduced, what its aim was, and the amendments and discussions that took place to re-shape the Bill before it became an Act.

For all these reasons, the editorial policy for the selection of Hansard and Official Report quotations is not confined to cases where we believe the admissibility criteria under Pepper v Hart are satisfied. Based on the conclusions of customer research in 2015, in which customers told us that they also use these notes as general evidence of legislative background, and not purely for litigation purposes, our policy is now to include any statement that is sufficiently focused to be likely to assist the reader in determining the legislative intent (and also likely to add to other explanatory material).

To reflect the broader purpose of the notes, we altered their name to Legislative Intention Notes (but not in earlier published material). We welcome comments on the editorial policy, or how it has been applied in particular cases, or suggestions for material where a particularly heavy Pepper v Hart coverage is likely to be helpful. For more information see Part 2 of Key Legal Concept: Pepper v Hart.

External research materials
Where it is considered useful and relevant to the reader other external materials are cross-referenced in the annotations. For example, Act Explanatory Notes or government reports are cited and reproduced to illuminate the purpose or background of a statute.

Act Explanatory Notes

Government reports
See below - section 6 of the Climate Change Act 2008.
Westminster Parliamentary Bills

Westlaw UK now includes the full text of selected Westminster Parliamentary Bills, beginning in Session 2015-16.

Coverage includes all Government Bills, Hybrid Bills and selected Private Member's Bills. Selection is based upon an assessment of those Bills most likely to be enacted; however additional Bills may be added based on customer request or those deemed to be of particular interest.

Once Bills are included on Westlaw UK, each subsequent published version of that Bill is uploaded to Westlaw UK. When enacted, a link is added to the Overview Document to the published Act.

Westlaw UK does not currently publish amendment papers or tabled lists of amendments and users should be aware that the documents published on Westlaw UK will not reflect new amendments tabled. Where Bills have entered the second House, the text published by Parliament will not reflect new amendments tabled and amendments tabled in second House will be printed by reference to Bills as they stood on leaving first House.

Parliamentary Bills appear by year, with the relevant year being the beginning of the Session in which they received First Reading in the first House. So, for example, Scotland Bill 2015-16 appears within Browse under the year 2015.

Basic Search and Browsing will return the most recent version; for earlier versions please use Advanced Search or follow the link in the Overview Document.

Where Bills propose to amend legislation, the Amendments Pending icon will display in the Arrangement of Provisions table against the provision and at the top of the full-text of the provision. The amendment information can be viewed in two ways:

- In the Analysis Document select 'Proposed Bill Amendments'. This table will show amendments to that provision contained within Bills available on Westlaw UK
- Within the Overview select 'Proposed Bill Amendments'. This table will show Bill amendments to the whole document

In each case, selecting an amendment will take you to the full-text of the most recent version.

**Bill Progress Table**

Westlaw UK now includes a Bill Progress table that can be found in the Overview Document of each individual Bill we have on the service. The Bill Progress table for each individual Bill displays details of each stage, when that stage was completed or due to be discussed next and links to any new copies of the full text where applicable and available. Any reading dates which are yet to be known will be displayed in the Bill Progress table by showing "Date to be appointed" and any future dates for readings will be displayed in italics.

Full text links are displayed where new or previous copies of the Bill are published and are placed next to the appropriate stage where that iteration was discussed in Parliament. If no new full text is published with a stage, "N/A" will display and once a Bill has received Royal Assent the Bill Progress table with show a link through to the Act on Westlaw UK.

**Bill Amended Text Versions**

Where Bills propose to amend enacted Legislation, Westlaw UK incorporates these amendments into the amended provision by displaying a new version called 'Bill Amended Text'. These new versions are designed to include only amendments from Bills and will be based on either the Law in Force or Prospective Law depending on how the Bill amendment needs to be incorporated into the text. When a Bill amendment has been incorporated into an enacted provision a link will display next to the version information called 'View proposed Bill amended version' as shown below:
By clicking on this link, users are taken to a new page that shows the enacted provision how it might look should the Bill get Royal Assent. An icon is displayed at the top of the page to show that you are viewing a ‘Bill Amended Text’ version, while a warning banner is also displayed that explains this view is based on amendments made by Bills with a link back to the version the ‘Bill Amended Text’ version is based on:

Bill amendments that insert whole new provisions are displayed in the Arrangement of Provisions view. They are distinguished by the ‘Proposed Bill Insertion’ and ‘Amendments Pending’ icons to mark that they are not enacted provisions. When clicked on, the user is taken to a new page that contains a warning message that the provision they are about to view is not enacted Legislation. Instead it is a provision that has been proposed by a Bill amendment and by clicking the link ‘View provision as proposed by Bill’ the user is taken to the ‘Bill Amended Text version’.
Extra stage progress information has been included in the footnotes to allow for quick and easy access to the latest Parliamentary Stage information for the amending Bill. Allowing users to see at a glance how far along in the Parliamentary process a Bill is progressing. This information is also linked to the amending Bills Progress Table, giving ease of access to the latest progress of the Bill.

'Bill Amended Text' versions can also be accessed via the Proposed Bill Amendments table that can be found in the Overview Document of a document or the Legislation Analysis for an individual provision. Once a Bill amendment has been incorporated into the full text of an enacted provision the section text in the Proposed Bill Amendments table becomes an active link that takes users straight to the 'Bill Amended Text' version.

Legislation Glossary Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Term</th>
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</thead>
<tbody>
<tr>
<td>art.</td>
<td>Article</td>
</tr>
<tr>
<td>asp.</td>
<td>Act of the Scottish Parliament</td>
</tr>
<tr>
<td>C.</td>
<td>Chapter</td>
</tr>
<tr>
<td>Chapter</td>
<td>Chapter of an Act</td>
</tr>
<tr>
<td>ICTA</td>
<td>Income and Corporation Taxes Act (1988 c.1)</td>
</tr>
<tr>
<td>NI</td>
<td>Northern Ireland</td>
</tr>
</tbody>
</table>
A consolidation Act can combine in a single Act the provisions of earlier legislation which relate to a particular subject area.

Provisions are modified in relation to their application to specified areas or circumstances; however, the text itself remains unchanged.

Two or more amendments are made in the same version of the legislation, usually only affects provisions with a Jurisdictional View.

Words or enactments are specifically repealed by an Act or SI.


Rеinstated by subsequent legislation (where previously repealed/revoked).

Provision which has been moved to a different position within the document structure as a result of an amendment. For the purpose of historical versioning, the original and new locations for the provision must both be displayed on Westlaw UK.

Provisions were of temporary duration or have become obsolete.

Words or enactments are specifically substituted by an Act or SI.

Subject matter of a provision has been supplanted by a later instrument which has not provided for its revocation.

Provisions are modified in relation to their application to specified areas or circumstances, however the text itself remains unchanged.

Provisions are brought to bear or exercised by subsequent legislation.

An exception is made to the application of an earlier enactment.

Direction from other legislation without specific effect or application.

Any amendment type that creates a version of an existing legislation provision, or inserts an entirely new provision into a document (as used in the Overview Document).

Applying, Disapplying and referring as above (as used in the Overview Document).

Amendments that have not yet come into force, therefore textual alterations have not yet been made on Westlaw UK. A link to the amending document is provided so that details of the prospective amendment can be viewed.

Specifies the Commencement Order SI which brings the relevant provisions into force.

A provision updated by an Act or SI, which has itself been amended, inherits the commencement date of the original amendment.

The current, consolidated version of a piece of legislation. It also gives the date that the version came into force, a link to the legislation which made the amendment resulting in this version and information about the type of amendment.

The commencement date for Statutory Instruments is occasionally set to be notified in the London, Edinburgh or Belfast Gazettes. These publications are not contained on Westlaw.

Pre-1991 Acts are fully consolidated up to the date shown; this date does not represent the commencement date of the Act. The commencement information for all subsequent amendments is displayed in Legislation Analysis.

The enactment has been brought into force in relation to its application to specified areas or circumstances.

Provisions of an enactment have not yet been brought into force.

The enactment was repealed before it ever came into force.

Amendments that are deemed to have had effect prior to the date at which they were brought into force.

An Act does not become law until it receives Royal Assent. This date is usually found at the beginning of the Act.

A saving provision preserves a legal right or obligation created by an enactment which
has otherwise been repealed or superseded.

Version in Force

Written month/dd/year: date from which legislation has effect. In Historic Law this will be the date(s) on which legislation was changed by each successive amendment. Historic versions are displayed in reverse chronological order.

Other terms used on Westlaw Legislation

Term Description

Arrangement of Act/SI/Bill

In the form of a table, this lists all the provisions of an Act/SI/Bill, along with their titles. It also shows whether a provision is repealed/revoked. Allows you to link seamlessly to any section, paragraph, Part etc.

All Cases Citing

Links to cases citing the provision. Clicking on the case citation underneath the case name will take you to the Case Analysis document.

Key Cases Citing

Highlights the cases from Cases Citing that have been editorially selected as being a significant case.

All Legislation Citing

Information about all textual amendments, non-textual amendments and modifications to provisions, and links to the amending legislation. Citator information is not available for most pre-1991 amendments.

Commencement

The date that the provision first came into force.

Extent

The territorial extent of the legislation and any relevant notes.

Historic Law

Links to all earlier versions of the specific piece of legislation that are available to view, and gives the date when the version came into force. By selecting any of the entries listed, you can access legislation prior to each amendment and see how the law read at a point in time. The entry for each historical version also contains a link to the legislation which created that version.

Prospective Law

The law with any prospective amendments applied to date. By selecting a prospective version, you can access legislation after a prospective amendment has come into force and see how the law will read at a point in the future.

Journal Articles

Clicking on the journal reference under the article title and keywords will take you to the full text article.

Legislation Analysis

A tool for legislation research. Provides links to the following extra information (some information may not be relevant for a specific provision so would not be included):
- Table of Amendments (historic, law in force and prospective versions and pending amendments), Commencement, Extent, Legislation Citing, Modifications, SIes made under the Act, Enabling Act, All Cases Citing, Key Cases Citing, Journal Articles and Books.

Modifications

Links to legislation which makes important changes to the scope of a provision, however the text itself remains unchanged.

Overview Document

May contain links to information on all or some of the following, (whichever is relevant to your document): Amendments Pending, Prospective Law, Commencement, All Legislation Citing (textual amendments, non-textual amendments, modifications), EU Law Implemented, Enabling Act, SIes Made Under Act, Journal Articles and Definitions.

Point in Time

This search tool allows you to look for a version of a piece of legislation to see how it stood at a particular date in the past.

Legislation Citing

Links to legislation which apply, disapply or refer to this provision.

Publisher’s Note

A textual amendment which has limited application either in relation to jurisdiction or a special condition. Commonly relates to either England, Wales or Scotland or combinations of these. The text containing the conditional amendment(s) is displayed in a footnote beneath the text of the original provision. The footnote will start with a brief description of the condition, for example “In relation to Scotland:” The original text will, by default, relate only to the remaining areas: in this example, England and Wales.

Statistics in Force (SIF) is published by HMSO and covers Acts of the UK Parliament. It contains legislation fully consolidated up to February 1, 1991 (this date can vary for individual Acts and is referred to as our “Table Top date”). These consolidated versions provide the earliest version of legislation contained on Westlaw UK, and a new version of the Act is created on the date of each subsequent amendment made to it.

SIF contains UK public and general Acts that were still in force at the time of publication. It excludes private/personal/local Acts. The text of certain provisions was not reproduced in SIF and is therefore not available on Westlaw. In these cases footnotes are provided containing information relating to the omitted text. Usually text was omitted in SIF because it simply contained amendments to other legislation which had already been made at the time of publication.

The above information does not apply to SIes. Westlaw covers all UK and Scottish SIes from 1992 onwards, Northern Ireland SIrs from 1991 onwards and a selection dating back to 1948.

* only available as part of the Annotated Statutes Add-On subscription.

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