How to Use Halsbury’s Statutes

Introduction

Halsbury’s Statutes comprises the statute law of England and Wales from the earliest times to the present day. Every important Public General Act, Welsh Measure, Act of the Welsh Assembly and Church of England Measure currently in force is included, together with a number of private and local Acts and certain Scottish Acts (or provisions thereof) which also apply to England and Wales.

The current (fourth) edition was published initially between 1985 and 1992. It comprises:

- 74 substantive volumes (divided into 64 subject titles)
- Cumulative Supplement
- Six Current Statutes Service looseleaf binders
- Noter-up looseleaf binder
- Consolidated Index
- Is it in Force?
- Statutes Citator
- Consolidated Table of Cases
- Consolidated Table of Statutory Instruments
- Destination Tables.

Plan of the Work

Volumes

Halsbury’s Statutes operates on the reissue principle, i.e., volumes are reissued when they become substantially affected by the passage of relevant legislation.

Each volume sets out the correct and amended texts of all the statutes that fall within the scope of the titles in that volume. The text of each statute is thoroughly revised to include all amendments and repeals up to the time of publication of the volume in which it is published. For a complete list of the current volumes, see Halsbury’s Statutes Title Scheme pages in the Consolidated Index, or at the front of the main volumes.

The Halsbury’s Statutes title scheme makes reference easy and straightforward. Each Act (or part of an Act) is allocated to a particular title, and each title (or part of a title) sets out the legislation in chronological order. Each statute relevant to a particular title, which has been passed since the publication of the volume which contains that title, is published in the looseleaf Current Statutes Service until it is incorporated in a reissue volume.

Annotations are set out immediately after each section of, or Schedule to, each Act. They give concise information necessary for understanding and applying the Acts, relating to:

- amendments, commencement and repeals
- cross-references to other provisions of the Act
- cross-references to other relevant provisions in Halsbury’s Statutes
- derivation notes in the case of consolidating legislation
- judicial interpretation
- subordinate legislation
- references to words specifically defined in the Act.

Current Statutes Service

The Service to Halsbury’s Statutes comprises three principal elements: the Cumulative Supplement, the looseleaf Noter-up Service and the looseleaf Current Statutes Service.

The looseleaf Current Statutes Service is issued four times a year and includes the texts of all Acts and Measures (within the scope of Halsbury’s Statutes) which have not yet been incorporated in a main or reissue volume. The Service is classified according to the same title scheme used in the main volumes and is contained in six binders labelled A–F.

Each issue is accompanied by specific filing instructions. These should be followed carefully, particular attention being paid to the contents list in the preliminary pages of each binder. No material other than that listed in the relevant contents page should be in the binders.

When a volume is reissued the material contained in the binder for that title is incorporated into the reissue volume. That Service material should be thrown away on receipt of the reissue volume (instructions for disposal are supplied with the next Service issue).

The Cumulative Supplement summarises and explains the effect of new statutes, statutory instruments and case law on existing legislation published in both the volumes and the binders. Only the latest edition of the Supplement should be used and all earlier editions should be thrown away. For further information, see “How to use the Cumulative Supplement” at the front of that volume.

The looseleaf Noter-up Service, which is found in the Noter-up binder, contains updates to Acts since they were last printed in a volume or the Cumulative Supplement. For further information, see “How to use the Noter-up Service” in the Noter-up binder.
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How to Use Halsbury’s Statutes

Consolidated Index
This publication contains alphabetical and chronological lists of all statutory provisions published in the volumes and the Service binders at the time of going to press. The publication also contains a comprehensive subject index relating to the volumes and the Service. For further information, see the Introduction at the front of that publication.

Is it in Force?
This publication details the exact commencement dates of every provision of every Public General Act, Act or Measure of the National Assembly for Wales, Act of the Scottish Parliament and Measure of the General Synod of the Church of England passed since 1960. It also lists provisions of earlier Acts for which no commencement dates have yet been appointed. The publication is updated in the Noter-up binder. Is it in Force? includes repeals of provisions which were never brought into force, but How to Use Halsbury’s Statutes for the current status of Acts and Measures, reference should be made to the Halsbury’s Statutes Citator or to the main Halsbury’s Statutes volumes, Cumulative Supplement and Noter-up. For further information, see the Preface to the current Is it in Force?.

Halsbury’s Statutes Citator
The Citerator provides a quick and easy-to-use guide to the current status of statutes. It contains a comprehensive alphabetical list of over 7,000 statutes from 1236 to the present day showing which statutes are still in force. It includes, where relevant, details of a statute’s repeal or amendment by further legislation. For further information, see the Introduction at the front of the Citerator.

Consolidated Table of Cases
This publication contains in Part 1 an alphabetical list of all cases that are printed in the current volumes of Halsbury’s Statutes, the current Cumulative Supplement and the Noter-up. Part 2 contains the same cases, arranged according to the Statutes to which they relate.

Consolidated Table of Statutory Instruments
This publication contains in Part 1 an alphabetical list of statutes with current statutory instruments arranged, as amended, underneath each Act. Part 2 has all these instruments arranged in an alphabetical list, which allows an instrument to be located when only the title is known.

Destination Tables
This publication contains tables detailing the repeal and re-enactment of legislation by all consolidation Acts passed since 1983 and a selection of other tables relating to important consolidations passed during earlier years as far back as 1957. It also contains a consolidated table of destinations which allows the destination of an enactment to be traced where only that repealed enactment is known. For further information, see the Introduction at the front of that volume.

Finding Acts and Other Information in Halsbury’s Statutes
There are several routes to finding accurate, up-to-date information in Halsbury’s Statutes, for example,

- through the Consolidated Index volume and the Tables of Statutes contained therein
- by the title scheme of the work.

Through the Consolidated Index
The Consolidated Index volume, which includes alphabetical and chronological lists of statutes printed in the work, may be used to find information quickly where the name of the Act is both available and unavailable. It is also a useful source of further information where the name of the principal Act relating to a certain area is known, and you wish to check whether there is any other legislation on that subject. By looking up the relevant subject area in the Consolidated Index you can identify other Acts dealing with that subject matter.

In addition, there is a comprehensive index at the back of each volume which enables the user to find specific information.

By Title Scheme
The title scheme used by Halsbury’s Statutes covers the main areas of legal practice and you will be able to locate the required information if the precise name of the relevant legislation is not known, but you have a good general idea of the particular area of law about which you wish to learn.
How to Use Halsbury’s Statutes

Care must be taken when locating an Act on its likely title alone, as some Acts are “split” and will appear in more than one title, e.g., the Enterprise Act 2002, parts of which are printed in the titles Bankruptcy and Insolvency and Commercial Law, Consumer Law and Contract. In such a case time could be wasted seeking the required sections of the Act, and it is preferable to use the Alphabetical List of Statutes in the Consolidated Index volume which lists the volume number and title in which specific provisions of a split Act are to be found.

Finding out whether the law has come into force

When legislation first appears in Halsbury’s Statutes, it has often not been brought into force, as indicated under the “Commencement” note to each individual provision. A quick way to see if a provision is in force is to refer to Is it in Force?. Alternatively check both the Cumulative Supplement and Noter-up entries to see if a commencement order has been made bringing the relevant provision(s) into force.

Note that from 1 April 2011 onwards, individual provisions will have their own Commencement notes in the Noter-up if they have been wholly or partly commenced since that date.

How to Check for Change

Halsbury’s Statutes is updated as follows:
- periodically, by the reissue of specific volumes and
- regularly, by the publication of the Cumulative Supplement (annually) and the

Current Statutes Service and Noter-up (four times per year).

It is essential to check that:
- the most recent volume is being used. This can be checked by looking at the Halsbury’s Statutes Checklist at the front of Current Statutes Service Binder A. When a new reissue volume is published, the volume that is being replaced should be discarded in accordance with instructions set out at the front of the new volume. The date at which the volume states the law is also stated at the front of each volume.
- the correct year’s Cumulative Supplement is being used. Being cumulative, the Supplement incorporates all material from previous years’ Supplements where it is still relevant. Previous years’ Supplements should be discarded in accordance with instructions set out at the front of the new Supplement.
- the looseleaf elements (both the Current Statutes Service and the Noter-up) are correctly filed and up-to-date. Clear filing instructions are given with each issue. Again, the Halsbury’s Statutes Checklist informs you which is the latest Service issue.
- When the information required has been found in the appropriate volume or Current Statutes Service binder, refer to the Cumulative Supplement to check whether the statutory provisions have been amended, repealed, supplemented by new primary or secondary legislation, or judicially interpreted. The Supplement is alphabetically by Act title.
- Finally, the Noter-up in the Noter-up Binder should be consulted, where further updating in Supplement style is set out. The Noter-up is usually up-to-date to within a few weeks of going to press.

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